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OFFICIAL NOTIFICATION OF DECISION

January 19, 2023

City of Albuquerque Planning Dept.
Urban Design & Development Div.
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Project #2018-001843
RZ-2022-00059– Text Amendments to the Integrated
Development Ordinance (IDO)- Citywide, Housing Focus

LEGAL DESCRIPTION:

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO) to address the need for more housing opportunities/ the Housing Forward initiative. This fourth annual update includes changes requested by neighbors, developers, staff, and Council Services. City-wide.

Staff Planners: Mikaela Renz-Whitmore, Michael Vos

On January 19, 2023, the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL to the City Council of Project #PR-2018-001843/RZ-2022-00059, text amendments to the Integrated Development Ordinance (IDO), to address the need for more housing opportunities/ the Housing Forward initiative, based on the following Findings and subject to the following Conditions for recommendation of Approval:

FINDINGS:

1. The request is for various citywide, legislative amendments to the text of the Integrated Development Ordinance (IDO) in conjunction with the Annual Update required by IDO Subsection 14-16-6-3(D).
2. The IDO applies citywide to land within the City of Albuquerque municipal boundaries. The IDO does not apply to properties controlled by another jurisdiction, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities.
3. The EPC's task is to make a recommendation to the City Council regarding the proposed amendments to IDO text. As the City's Planning and Zoning Authority, the City Council will make the final decision. The EPC is a recommending body to the Council and has important review authority. This is a legislative matter.

4. 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.
5. Council bill O-22-54 proposes six (6) amendments to language in the IDO related to housing. The proposed changes are intended to increase housing supply and thereby decrease rents, while balancing these needs with the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.
6. The request meets the review and decision criteria for Amendment to IDO Text-Citywide in IDO Subsection 14-16-6-7(D)(3)(a-c), as follows:
 - A. Criterion a: The proposed citywide text amendments are generally consistent with the spirit and intent of the Comprehensive Plan, and other policies and plans adopted by the City Council, because they would help guide growth and development and identify and address significant housing issues in a holistic way (Comprehensive Plan, p. 1-5). The proposed changes are consistent with Comprehensive Plan Goals and policies that direct the City to adopt and maintain an effective regulatory system for land use and zoning.
 - B. Criterion b: The proposed amendment does not apply to only one lot or development project. The changes related to housing proposed by O-22-54 would apply throughout the city (and not to only one lot or development project); therefore, this request is legislative in nature.
 - C. Criterion c: The request generally promotes the public health, safety, and welfare of the City because, overall, it is generally consistent with a preponderance of applicable Goals and policies in the Comprehensive Plan. The proposed changes are intended to address housing issues community-wide, foster economic development, and clarify regulatory procedures, while balancing these needs with the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.
7. The request is generally consistent with the following, relevant Articles of the City Charter:
 - A. Article I, Incorporation and Powers. Amending the IDO via text amendments is consistent with the purpose of the City Charter to provide for maximum local self-government. The revised regulatory language in the IDO would generally help implement the Comprehensive Plan and help guide future legislation.
 - B. Article IX, Environmental Protection. The proposed citywide text amendments would help ensure that land is developed and used properly and that an aesthetic and humane urban environment is maintained. The IDO is the implementation instrument for the City's Comprehensive Plan, which protects and promotes health, safety, and welfare in the interest of the public. Commissions, Boards, and Committees would have updated and clarified regulations to help facilitate effective administration of City policy in this area.
 - C. Article XVII, Planning.
 - i. Section 1. Amending the IDO is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. The IDO will help implement the

Comprehensive Plan and ensure that development in the City is consistent with the intent of any other plans and ordinances that the Council adopts.

- ii. Section 2. Amending the IDO will help the Administration to implement the Comprehensive Plan vision for future growth and development and will help with the enforcement and administration of land use plans.
8. The request is generally consistent with the following, applicable Goal and Policies in Chapter 4 Community Identity, pertaining to character, distinct communities, identity and design, and neighborhoods:
- A. Goal 4.1 Character: Enhance, protect, and preserve distinct communities.
 - B. Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.
 - C. 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.
 - D. Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The proposed text amendments related to adding two-family dwellings and accessory dwelling units to the R-1 zone district add housing options that are similar in scale and character to existing communities. These additional uses are the most similar in character, scale, and design to development allowed in the R-1 zone district, so R-1 is the most appropriate zone to add them. Allowing this type of “gentle infill” in these neighborhoods helps to relieve development pressure that is generally caused by adding multi-family development near or within lower-density neighborhoods.

9. With the changes proposed in the recommended conditions of approval, this request would be generally consistent with the following, applicable Goal and Policies in Chapter 5 Land Use, pertaining to Centers & Corridors, desired growth, and development areas:
- A. Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.
 - B. Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

5.1.1.g: Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support transit ridership.
 - C. Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The proposed text amendments related to non-residential conversions, building height bonuses for multi-family dwellings, and parking exemptions for affordable housing in Areas of Change would provide regulatory incentives for more dense development in Centers and Corridors and Areas of Change, where additional density is the most appropriate. The proposed amendments would promote residential infill near Centers and Corridors to support transit ridership and be supported by existing transit service.

10. The request is generally consistent with the following applicable Goal and Policy in Chapter 5 Land Use, pertaining to complete communities and land uses:

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

5.2.1.d: Encourage development that broadens housing options to meet a range of incomes and lifestyles.

5.2.1.f.i: Encourage higher density housing as an appropriate use within designated Centers and Corridors

5.2.1.f.ii: Encourage higher density housing as an appropriate use in areas with good street connectivity and convenient access to transit

5.2.1.h: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

5.2.1.n: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The proposed text amendments promote residential infill development in areas with existing services, which helps support existing businesses and services, strengthens the sustainability of existing communities, and encourages re-development over time.

11. The request is generally consistent with the following, applicable Goal and Policy in Chapter 5 Land Use, pertaining to efficient development, infill, and locally unwanted land uses:

- A. Goal 5.3 - Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.
- B. Policy 5.3.1 - Infill Development: Support additional growth in areas with existing infrastructure and public facilities.
- C. Policy 5.3.7 – Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

5.3.7.a: Minimize the impacts of locally unwanted land uses on surrounding areas through policies, regulations, and enforcement.

The proposed text amendments would generally help promote development patterns that maximize the utility of existing infrastructure and public facilities. Allowing two-family dwellings (duplexes) and accessory dwelling units in the R-1 zone district would promote gentle infill development, which by definition uses existing infrastructure and public facilities.

Opening up more non-residential development to conversion to multi-family development will help add a much-needed use to existing mixed-use zone districts, which can provide quality of life for new residents who will be close to services and amenities and help support local businesses through additional nearby residents who could be customers.

Allowing additional housing in existing areas throughout the city will help all neighborhoods to help address the housing shortage. Multi-family development (commonly referred to as apartments) is often unwanted by immediate neighbors, even though it provides necessary rental housing for families that cannot afford to own a home, cannot access capital, or choose a different housing style. Absorbing growth in existing neighborhoods with additional ownership and rental options at a scale and character that is most compatible with single-family development in R-1 will help reduce the need for additional multi-family development in desirable neighborhoods. Allowing this gentle infill will minimize negative impacts that sometimes arise from the conflicts between low-density and multi-family development. Conversely, incentivizing multi-family development in Areas of Consistency is intended to absorb more growth where it is most appropriate throughout the city.

12. With the changes proposed in the recommended conditions of approval, the request is generally consistent with the following, applicable Goal and Policies in Chapter 5 Land Use, pertaining to City Development Areas, Areas of Change, Areas of Consistency, and appropriate transitions:
- 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.
 - 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.
 - D. Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

The proposed text amendment related to non-residential conversions, building heights, and parking exemptions for affordable housing would generally help promote development in

Areas of Change. The proposed new Neighborhood Edge would ensure an appropriate transition of building heights in zone districts where bonuses will apply and R-ML and MX-T zone districts, which are intended to serve as transitions between lower-density development in neighborhoods and higher-density development in Centers and Corridors. The proposed new prohibition on building height bonuses near Major Public Open Space ensures a transition between higher-density development and development that should step down in density near Major Public Open Space.

13. The request is generally consistent with the following, applicable policies in Chapter 5 Land Use, pertaining to regulatory alignment and public engagement:

- A. 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.

The proposed amendments help to implement goals and policies in the Comprehensive Plan, thereby updating the regulatory framework to support desired growth, housing, and quality of life. Where proposed text amendments do not further Comprehensive Plan goals and policies, conditions for recommendation of approval can be applied.

- B. Policy 5.7.5 - Public Engagement: Provide regular opportunities for residents and stakeholders to better understand and engage in the planning and development process.

The purpose of the Annual Update process for the IDO is to provide a regular opportunity for residents and stakeholders to better understand and engage in the planning and development process. The proposed amendments pertaining to housing have been submitted as a separate bill but referred to EPC to be heard at the same hearing to allow those participating in the Annual Update to also weigh in about the proposed housing changes.

14. The request generally is consistent with the following, applicable Goal and Policies in Chapter 6 Transportation, pertaining to transit-oriented development and auto demand:

- A. Goal 6.1 Land Use - Transportation Integration: Plan, develop, operate, and maintain a transportation system to support the planned character of existing and future land uses.
- B. Policy 6.1.2 Transit-Oriented Development: Prioritize transit-supportive density, uses, and building design along Transit Corridors.
- C. Policy 6.1.3 Auto Demand: Reduce the need for automobile travel by increasing mixed-use development, infill development within Centers, and travel demand management (TDM) programs.

Proposed text amendments related to non-residential conversions, building height bonuses, and exemptions for affordable housing incentivize transit-supportive density and uses along transit corridors and promote mixed-use development by adding residents near existing services.

15. The request generally is consistent with the following, applicable policy in Chapter 8 Economic Development, pertaining to resilient economy:

Policy 8.1.2 - Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The proposed text amendments would generally encourage economic development because they would result in increased housing construction. Incentivizing infill near existing businesses and services also helps support the resilience of the economy and improves quality of life for residents and workers.

16. The request is generally consistent with the following, applicable Goals and policy in Chapter 9 Housing, pertaining to supply, housing options, affordability, compatibility, density, homelessness, development process, and development cost:

A. Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

B. Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

9.1.1.a: Increase the supply of housing that is affordable for all income levels.

9.1.1.c: Assure the availability of a wide distribution of quality housing for all persons regardless of race, color, religion, sex, national origin, ancestry, age, or disabled status.

9.1.1.e: Provide for the development of quality housing for elderly residents.

9.1.1.f: Encourage community compounds to support multi-generational housing where such traditional development patterns exist.

9.1.1.g: Ameliorate the problems of homelessness, overcrowding, and displacement of low-income residents.

9.1.1.h: Maintain an affordable housing supply in neighborhoods, in addition to creating market-rate housing, as part of revitalization efforts.

9.1.1.i: Provide for the development of multi-family housing close to public services, transit, and shopping.

9.1.1.j: Work on conservation, improvement, and expansion of the housing available to low- and moderate-income families until all housing in the area meets City Housing Code standards.

C. Policy 9.1.2 Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable and mixed income housing options throughout the area.

9.1.2.b: Encourage a diversity of housing types, such as live/work spaces, stacked flats, townhouses, urban apartments, lofts, accessory dwelling units, and condominiums.

9.1.2.c: Encourage housing types that maintain the scale of existing single-family neighborhoods while expanding housing options.

9.1.2.d: Encourage the development of higher-density affordable and mixed-income housing in Downtown, near job centers, and along transit corridors.

- D. Policy 9.2.1 Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design, and relationship to the street.
- E. Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities.
- F. Goal 9.4 Homelessness: Make homelessness rare, short-term, and non-recurring.
- G. Goal 9.6 Development Process: Promote cost-effective housing redevelopment and construction that meets community needs.
- H. Policy 9.6.1 Development Cost: Reduce development costs and balance short-term benefits of delivering less costly housing with long-term benefits of preserving investment in homes and protecting quality of life.

The proposed text amendments would promote additional housing at all income levels and housing options for a wide range of residents and households. In particular, allowing two-family dwellings (duplexes) and accessory dwelling units where only single-family dwellings are allowed currently would expand both housing options and availability in areas with existing services and amenities. The proposed expansion of the existing kitchen exemption for conversions of non-residential development to affordable housing to all conversions would allow a new housing option for households at all income levels. Because conversions do not require new construction, the housing created is expected to be “naturally affordable,” since rents do not have to cover the high cost of construction. Where these conversions are done specifically to provide affordable housing, especially when paired with supportive services, this proposed change would help to make homelessness rare, short-term, and non-recurring.

- 17. The proposed text amendments to allow two-family detached dwellings (duplexes) in R-1 are generally consistent with applicable Comprehensive Plan Goals and Policies regarding community identity, land use, and housing. Comments received indicate both support and opposition.
- 18. The proposed text amendments to allow accessory dwelling units (ADUs) in R-1 are generally consistent with applicable Comprehensive Goals and policies regarding community identity, land use, and housing. Comments received indicate both support and opposition.

19. The proposed text amendments to exempt conversions of non-residential development to multi-family dwellings are generally consistent with applicable Comprehensive Plan goals and policies regarding land use and housing. The proposed text amendments conflict with Comprehensive Plan goals and policies related to Centers and Corridors, Areas of Change, desired growth, and Transit-oriented Development. Comments received primarily indicate support. See proposed Condition 3 for ways that the proposed amendments can be made consistent with conflicting Comprehensive Plan goals and policies.
20. The proposed text amendments to eliminate building height maximum for multi-family and mixed-use development are generally consistent with applicable Comprehensive Plan goals and policies regarding efficient development patterns, infill development, locally unwanted land uses, and housing. The proposed text amendments conflict with Comprehensive Plan goals and policies related to Centers and Corridors, Areas of Change, desired growth, and Transit-oriented Development. Comments received primarily indicate support. See proposed Condition 6 for ways that the proposed amendments can be made consistent with conflicting Comprehensive Plan goals and policies.
21. The proposed text amendments to exempt affordable housing from off-street parking requirements are generally consistent with applicable Comprehensive Plan goals and policies regarding desired growth, regulatory alignment, and housing. The proposed text amendments conflict with Comprehensive Plan goals and policies related to neighborhoods, parking strategies, Centers and Corridors, Areas of Change, regulatory alignment, and Transit-oriented Development. See proposed Condition 7 for ways that the proposed amendments can be made consistent with conflicting Comprehensive Plan goals and policies.
22. The proposed text amendment to reduce parking requirements for multi-family dwellings are generally consistent with applicable Comprehensive Plan goals and policies regarding desired growth; housing supply, options, and affordability. The proposed text amendments conflict with Comprehensive Plan goals and policies related to neighborhoods, parking strategies, Centers and Corridors, Areas of Change, regulatory alignment, Transit-oriented Development, and housing options and affordability. See proposed Condition 8 for staff's recommendation not to adopt these amendments, since the IDO has adequate options for parking reductions already.
23. For cases in which a proposed text amendment would conflict with applicable Comprehensive Plan Goals and/or policies, Staff has provided conditions for recommendation of approval that address the conflicts.
24. For an Amendment to IDO Text – Citywide, the required notice must be published, mailed, and posted on the web. (See Table 6-1-1.) A neighborhood meeting is not required. The City published notice of the EPC hearing as a legal ad in the ABQ Journal newspaper. First class emailed notice was sent to the two representatives of each Neighborhood Association and Coalition registered with the Office of Neighborhood Coordination (ONC) as required by IDO Subsection 14-16-6-4(K)(5). Notice was posted on the Planning Department website and on the project website.
25. In addition to the required notice, on October 11, 2021 e-mail notice was sent to the approximately 9,300 people on the ABC-Z project update e-mail list.

26. The proposed text amendments were reviewed at an online public study session on November 18, 2022 via Zoom. Planning Staff presented the proposed amendments and answered questions from participants. The presentation, in PDF format and in video format, are posted on the project webpage here: <https://abc-zone.com>.
27. The EPC held a study session regarding the proposed text amendments and 2022 IDO text amendments on December 1, 2022. This meeting was publicly noticed.
28. The EPC held a hearing on the proposed text amendments on December 8, 2022. This meeting was publicly noticed. Approximately 35 people attended and gave verbal testimony, both in favor and in opposition to components of the request.
29. As of this writing, Staff has received approximately 160 written comments from neighborhood groups, individuals, and organizations. Comments were submitted as emails.
30. In sum, most neighborhood groups tended to oppose the proposed amendments regarding allowing two-family detached dwellings (duplexes) and accessory dwelling units (ADUs) in R-1.
31. In sum, most individuals and organizations tended to support proposed amendments.
32. Though some comments oppose individual proposed amendments, and others recommend changes, there is general support for the request as a whole. The recommended Conditions of Approval address some issues raised in the comments.
33. EPC recommends that Council look carefully at limiting a premises in the R-1 zone district to have either an ADU or two-family dwelling, but not both, or limiting ADUs or duplexes to 25% of the premises within 330 feet of the subject property.

CONDITIONS FOR RECOMMENDATION OF APPROVAL:

The proposed amendments in O-22-54 shall be adopted, except as modified by the following conditions:

1. Section 1(B), page 5, Line 28, Spreadsheet Item 4, revise the language as follows:
“Delete §14-16-4-3(B)(5)(b) [~~and the illustration~~] to allow two-family detached dwellings in all R-1 subzones.”
2. Section 2, page 6, Line 6, add a new (C), renumbering subsequent sections accordingly, with text as follows:
“[Revise Table 4-2-1 to change “CA” to “A” for Dwelling Unit, Accessory with Kitchen for the R-A zone district.]”
3. Section 3, page 8, Line 27, Spreadsheet Item 5, revise Subsection 14-16-4-3(B)(8)(e)2.c as follows:
“A countertop surface, an appliance for warming food (such as [a] microwave [~~or hotplate~~] [, an induction cooktop], and [at least 2] [~~an~~] electrical outlet[s] that allow[~~s the~~] appliance[s] to be plugged in safely.”

4. Section 3, page 8, Line 11, make existing language a new subsection (A) and add a new subsection (B) with text as follows:
 - i. “In Table 4-2-1, add “CV” to allow multi-family dwellings in the NR-BP zone district.
 - ii. In IDO Subsection 4-3(B)(8), add a new subsection with text as follows: ‘In the NR-BP zone district, this use is allowed as conversions from an existing non-residential development, pursuant to use-specific standards in 14-16-4-3(B)(8)(e), and shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).’”

5. Section 4, page 9, Line 9, Spreadsheet Items 18 and 19:

A. Revise A and B as follows:

~~“[A. Revise Table 5-1-1 by replacing the Workforce Housing Bonus in the R-MH zone district with the following text:~~

~~“No maximum building height for multi-family residential development”~~

~~B. Revise Table 5-1-2 by replacing the Workforce Housing Bonus in Mixed-use zone districts with the following text:~~

~~“No maximum building height for multi-family residential development or mixed-use development”]~~

[(A) Add a new subsection to the use-specific standard for Dwelling, Multi-family in Subsection 14-16-4-3(B)(8) on page 157 to read as follows:

“4-3(B)(8)(x) A building height bonus for multi-family dwellings is allowed above the maximum in Table 5-1-1 or Table 5-1-2 for the relevant zone district as follows:

1. In the R-MH, MX-L, MX-M, and MX-H zone districts:

- a. Areas of Change: 24 feet
- b. Areas of Consistency: 12 feet

2. In the MX-T zone district in Areas of Change: 12 feet

(B) Revise the Workforce Housing bonus in Table 5-1-1 on page 223 and Table 5-1-2 on page 228 as follows:

(1) Revise Table 5-1-1 to add a Workforce Housing Bonus of 24 ft. in the R-MH zone district in UC-MS-PT-MT areas.

(2) In Table 5-1-2, revise the Workforce Housing Bonus in the MX-L, MX-M, and MX-H zone districts to allow 12 ft. citywide and 24 ft. in UC-MS-PT-MT areas but keep 12 ft. in UC-MS-PT-MT areas in the MX-T zone district.]”

B. Add a new C with text as follows:

[(C) Revise Neighborhood Edges in Section 14-16-5-9 as follows:

- i. Edit Subsection 14-16-5-9(B)(1) Protected Lots as follows:

“a. [The] Neighborhood Edges provisions in this Section 14-16-5-9 are intended to protect lots in any R-A, R-1, R-MC, or R-T zone district that contains low-density residential development[, unless specified otherwise].”

[b. Neighborhood Edge provisions in Subsection 14-16-5-9(C)(3) and (4) are intended to protect lots in any R-ML or MX-T zone district that contain any allowable land use from the Residential category in Table 4-2-1.]

ii. Edit Subsection 14-16-5-9(B)(2) Regulated Lots as follows:

“[a.] Lots regulated by this Section 14-16-5-9 include all those in any R-ML, R-MH, Mixed-use, or Non-residential zone district that are adjacent to a Protected Lot [pursuant to 14-16-5-9(B)(1)(a), unless specified otherwise].

[b. Lots regulated by Subsection 14-16-5-9(C)(2) include all those in any R-MH, MX-L, MX-M, or MX-H zone district that is adjacent to a Protected Lot pursuant to 14-16-5-9(B)(1)(b).]

iii. Revise Subsection 14-16-5-9(C) Building Height Stepdown as follows:

“[5-9(C)(3) R-ML next to MX-L, MX-M, or MX-H Zone Districts

On Regulated lots pursuant to Subsection 14-16-5-9(B)(2)(b), any portion of a primary or accessory building within 50 feet of the nearest property line of a Protected Lot pursuant to Subsection 14-16-5-9(C)(1)(b) shall step down to a maximum of 48 feet.]”

C. Add a new D with text as follows:

[(D) Add a new subsection in Subsection 14-16-5-2(J)(1) Lots within 330 feet of Major Public Open Space with text as follows:

“5-2(J)(1)(x) Building Height Bonuses

Building height bonuses are prohibited.]”

D. Add a new E with text as follows:

[(E) Add a new definition to Section 14-16-7-1 in the Building Height Bonus definitions with text as follows:

Multi-family Dwellings Bonus

Bonus height for buildings that include multi-family dwellings, whether provided in a residential development or mixed-use development (i.e. vertical mixed-use).]

6. Section 5, page 9, Line 16, Spreadsheet Item 20: Delete Section 5 in its entirety to continue requiring parking for all types of housing per the minimum IDO standards.
7. Section 6, page 9, Line 24, Spreadsheet Item 21: Delete Section 6 in its entirety as un-necessary given existing parking reductions available for multi-family development.
8. Section 9, page 10, Line 7: Revise text as follows: “Sections [1 through 4] ~~[3 through 8]~~ of this ordinance shall take effect after publication by title and general summary upon the sooner of the effective date of the 2022 IDO Annual Update or January 31st, 2024.”

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. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

Sincerely,

Catalina Lehner

for Alan M. Varela,
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AV/CL/MV

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EPC File