



## Environmental Planning Commission

Agenda Number: 02  
Project #: 2018-001843  
Case #: RZ-2021-00049  
Hearing Date: December 16, 2021

### Staff Report

**Applicant** City of Albuquerque Planning Department

**Request** Amendment to the Integrated Development Ordinance (IDO) Text – Small Areas for the 2021 Annual Update

**Location** Old Town Historic Protection Overlay Zone (HPO-5)

#### Staff Recommendation

*That a recommendation of APPROVAL of Project 2018-001843, Case RZ-2021-00049 based on the FINDINGS beginning on page 17, be forwarded to the City Council.*

**Staff Planner**  
*Silvia Bolivar, PLA, ASLA*

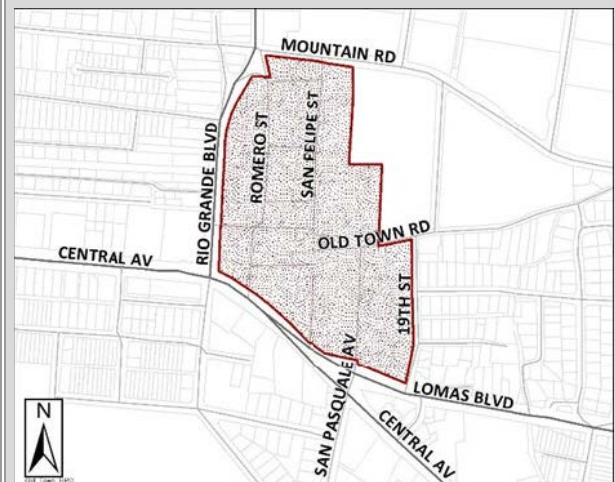
#### Summary of Analysis

The request is for text amendments to the Integrated Development Ordinance (IDO) pertaining to a Small Area designated as a Historic Protection Overlay Zone for Old Town (HPO-5). The revision was identified as part of the Annual Update process to gather proposed changes through a regular cycle of discussion among residents, City staff, businesses, and decision makers (14-16-6-3(D)).

The 2021 annual update includes a separate City-wide request. This proposed change to the Old Town HPO-5, was passed by City Council as a moratorium (Bill R-21-165) during the 2020 IDO Annual Update so that proper notice could be given for the small area text amendment.

In general, the request furthers several applicable Goals and policies in the Comprehensive Plan that pertain to community identity, land use, urban design, and heritage conservation.

As of this writing, Staff has received several comments that indicate issues with individual proposed changes, but is not aware of any opposition to the overall request. Staff recommends that a recommendation of approval be forwarded to the City Council.



Comments received before December 6<sup>th</sup> at 9 am are attached to and addressed in this Staff Report. Comments received before December 9<sup>th</sup> at 9 am are attached, but not addressed. Comments received before December 14<sup>th</sup> at 9 am (after publication of this report and more than 48 hours before the hearing) are provided to the EPC, but not attached to this report.

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## ***I. INTRODUCTION***

### ***Background***

Upon its original adoption in May 2018, the Integrated Development Ordinance (IDO) established a process through which it can be updated on an annual basis. IDO Subsection 14-16-6-3(D) requires Annual Updates to the IDO, stating that the Planning Department shall prepare amendments to the text of the IDO and submit them every calendar year for an EPC hearing in December. The IDO annual update process established a regular, required cycle for discussion among residents, businesses, City Staff, and decision-makers to consider any needed changes that were identified over the course of the year.

Adoption of the 2019 IDO Annual Update in November 2020 established two types of annual IDO updates: Amendment to IDO Text-Citywide [Subsection 14-16-6-7(D)] and Amendment to IDO Text-Small Areas [Subsection 14-16-6-7(E)]. City-wide text amendments apply generally throughout the City and are legislative in nature, and are reviewed using a legislative process. Text amendments to smaller areas within the City apply only to those areas and are quasi-judicial in nature. They require a quasi-judicial review process, which includes notice to affected property owners and a prohibition of ex-parte communication with decision-makers about the proposed changes. City Councilors will be acting as legislators when adopting City-wide text amendments and as quasi-judges when adopting text amendments only affecting properties in specific small areas.

### ***Request***

This request is for an Amendment to the Integrated Development Ordinance (IDO) Text – Small Areas for the Annual Update required by IDO Subsection 14-16-6-3(D). These proposed text amendments affecting the Old Town Historic Protection Overlay Zone (HPO-5) are accompanied by city-wide text amendments to the IDO, which were submitted separately pursuant to Subsection 14-16-6-7(E) and are the subject of another Staff report (RZ-2021-00048). The proposed small area amendments, when combined with the proposed city-wide amendments, are collectively known as the 2021 IDO Annual Update.

The proposed amendments are presented in a spreadsheet that provides the following: page and section of the IDO that would be modified, the text proposed to change, and an explanation of the purpose and/or intent of the change (see attachment). Together, these amendments would prohibit cannabis uses (cannabis retail, cannabis cultivation, and cannabis-derived products manufacturing) within the Old Town HPO-5.

The amendments were reviewed at a series of 3 Open House meetings in October 2021 for the 2021 IDO Annual Update and at the pre-submittal Neighborhood Meeting on October 6, 2020 as required by Table 6-1-1 for Amendment to IDO Text – Small Area and as specified in IDO Subsection 14-16-6-4(C).

The application was submitted October 28, 2021 and is being reviewed using the August 1, 2021 version of the Integrated Development Ordinance (IDO).

### ***Applicability***

The proposed IDO text amendments apply land within the City of Albuquerque municipal boundaries. The IDO does not apply to lands controlled by another jurisdiction, such as the State of New Mexico, or to Federal lands. Properties in unincorporated Bernalillo County or other municipalities, such as the Village of Los Ranchos and City of Rio Rancho, are also not subject to the IDO.

### ***Environmental Planning Commission (EPC) Role***

The EPC is hearing this case pursuant to IDO Subsection 14-16-6-7(E), Amendment to IDO Text – Small Area.

The EPC is hearing this case because the EPC is required to review the changes proposed and make a recommendation to the City Council regarding the proposed IDO Small Area text amendment as a whole. As the City’s Planning and Zoning Authority, the City Council will make the final decision. The EPC is the Council’s recommending body with review authority for the IDO Text Amendment. This is a quasi-judicial matter.

## ***II. ANALYSIS OF REQUEST – §14-16-6-7(E) AMENDMENT TO IDO TEXT – SMALL AREAS***

The proposed IDO text amendment fulfills the requirement for an IDO Annual Update established by IDO Subsection 14-16-6-3(D). The need to prohibit cannabis uses in Old Town HPO-5 was discussed during the 2020 IDO Annual Update. Since the prohibition would only affect properties in a small, area the change was held to be included in the 2021 IDO Annual Update so that proper notice could be given for this quasi-judicial decision. Planning Department Staff submitted this proposed amendment for EPC’s review and recommendation in tandem with the citywide changes proposed for the 2021 IDO Annual Update.

The proposed small area text amendment meets the review and decision criteria for Amendment to IDO Text – Small Area in IDO Subsection 14-16-6-7(E)(3)(a-c). The requirement and the applicant’s response are in plain text; Staff analysis follows in bold italic text.

### ***Criterion 14-16-6-7(E)(3)(a)***

The proposed small area amendment is consistent with the health, safety, and general welfare of the city as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

Response: ABC Comprehensive Plan policies support this criterion for amendment of small area regulations and furthers applicable Goals and Policies in the ABC Comprehensive Plan. Specifically, this amendment proposes to prohibit uses associated with cannabis in the Old Town HPO-5, which furthers the Comprehensive Plan Policy 4.1.1 Distinct Communities and Policy 4.1.2 which encourage development and a mix of uses consistent with the distinct character of communities and Policy 4.1.4 Neighborhoods, which encourages protecting traditional communities to ensure long-term health and vitality. While Old Town is designated as an Activity Center in the Comprehensive Plan, it is also designated primarily as an Area of Consistency. The IDO establishes a Historic Protection Overlay Zone for Old Town to ensure that the existing character and development densities will be maintained



over time. The IDO also recognizes its uniqueness by specifically excluding Old Town in the definition of Center, which precludes the application of regulatory incentives in the IDO that encourages more intense uses or development densities. The proposed amendment continues to further the Comprehensive Plan Goals and Policies and extends the regulatory protections for this unique historic and commercial district.

***The City Council moratorium (Bill R-21-165) prohibited permissive and conditional uses for cannabis and cannabis products outlined in the IDO in the Old Town HPO-5 zone. The proposed IDO text amendments-Small Areas are generally consistent with the health, safety, and general welfare of the City by showing a preponderance of applicable goals and policies in the Comprehensive Plan, and other policies and plans adopted by the City.***

***The proposed amendments to prohibit cannabis uses in the Old Town HPO-5, are consistent with adopted policies that would protect the identity and existing character of the area. Old Town HPO-5 is designated primarily as an Area of Consistency and the proposed amendments would enhance the unique qualities of the neighborhood and commercial district found in the area. The City is not involved in regulation of personal uses; these are addressed in State regulation and statute. Overall, the request meets Criterion 14-16-6-7(a).***

*Criterion 14-16-6-7(E)(3)(b)*

If the proposed small area amendment is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the proposed amendment would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not allow development that is significantly different from that character. The applicant must also demonstrate that the existing zoning regulations are inappropriate because they meet any of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area.
2. The proposed zoning regulations are more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Response: This request would clearly reinforce the established character of the surrounding area by prohibiting the introduction of cannabis uses in Old Town HPO-5. This prohibition will help protect the character of this community, furthering several Comp Plan Goals and Policies, as noted above. The proposed amendment is more advantageous to the Community as articulated by the ABC Comp Plan by protecting uses and maintain the intensity of uses of the existing area and disallowing uses that are not desired by the community.

***The Old Town HPO-5 is an extension of the NRHP Old Albuquerque Historic District. Old Town has been seen as an important feature of the City since 1959 when it was made its own zoning category H-1 (Historic-1).***

*The Old Albuquerque Historic District is important for its long history, for its historic sites, for its ancient pattern of church, plaza, and streets, and for its collection of important historic buildings. The district has historic buildings mainly erected between 1870 and 1915, with a few major earlier structures. Its street patterns and church buildings are vivid reminders of the much earlier history of the Villa of Albuquerque.*

*The proposed amendments would clearly reinforce and strengthen the established character of the surrounding Areas of Consistency and would result in continued development that is consistent with the established character of the area. Over the years, the character of the area and surrounding areas has been consistent and continued to be residential and commercial. The proposed text amendments are quasi-judicial in nature. The request meets Criterion 14-16-6-7(E)(3)(b).*

*Criterion 14-16-6-7(E)(3)(c)*

If the proposed small area amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the existing zoning regulations are inappropriate because they meet at least one of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area that justifies this request.
2. The proposed zoning regulations are more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Response: This criterion does not apply because the small area is entirely within an Area of Consistency.

***Staff agrees that Criterion 14-16-6-7(E)(3)(c) does not apply because the proposed amendments are not located wholly in an Area of Change.***

*Criterion 14-16-6-7(E)(d)*

If the proposed amendment changes allowable uses, the proposed amendment does not allow permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Response: This small area amendment proposes prohibits the introduction of new allowable uses.

***The proposed amendments include three changes to the IDO that would result in changes affecting uses. The proposed changes would prohibit cannabis uses in the Old Town Historic Protection Overlay (HPO-5) zone.***

*Although associated use specific standards for cannabis retail include a provision that makes the use conditional within 600 feet of another cannabis retail, some neighbors have noted that this could push the use onto the edges of Old Town.*

Criterion 14-16-6-7(E)(3)(e)

The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Response: This small area amendment prohibits the introduction of new allowable uses for reasons that are not based on the cost of land or economic considerations.

*The small area amendments are not based completely or predominantly on the cost of land or economic considerations. The request furthers Criterion 14-16-6-7(E)(3)(e).*

### III. ANALYSIS OF ORDINANCES, PLANS, AND POLICIES

#### *Integrated Development Ordinance (IDO)*

The request was submitted subsequent to the August 1, 2021 effective date of the 2020 IDO Annual Update and is subject to its applicable standards and processes. Citations are in regular text; Staff analysis follows in bold italics. Ordinance citations are in regular text; *Staff analysis follows in bold italics.*

#### *Charter of the City of Albuquerque*

The Citizens of Albuquerque adopted the City Charter in 1971. Applicable articles include:

##### Article I, Incorporation and Powers

The municipal corporation now existing and known as the City of Albuquerque shall remain and continue to be a body corporate and may exercise all legislative powers and perform all functions not expressly denied by general law or charter. Unless otherwise provided in this Charter, the power of the city to legislate is permissive and not mandatory. If the city does not legislate, it may nevertheless act in the manner provided by law. The purpose of this Charter is to provide for maximum local self-government. A liberal construction shall be given to the powers granted by this Charter.

*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 and process in the IDO will generally help implement the Comprehensive Plan and help guide future legislation.*

##### Article IX, Environmental Protection

The Council (City Commission) in the interest of the public in general shall protect and preserve environmental features such as water, air and other natural endowments, ensure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment. To affect these ends the Council shall take whatever action is necessary and shall enact ordinances and shall establish appropriate Commissions, Boards or Committees with jurisdiction, authority and staff sufficient to effectively administer city policy in this area.

*The proposed Small Area text amendments to the IDO will help ensure that land is developed and used properly. The IDO is an instrument to help promote and maintain an aesthetic and humane urban environment for Albuquerque's citizens, and thereby promote improved quality of life. Commissions, Boards, and Committees will have updated and clarified regulations to help facilitate effective administration of City policy in this area.*

Article XVII, Planning

Section 1. The Council is the city's ultimate planning and zoning authority, including the adoption and interpretation of the Comprehensive Plan and the Capital Improvement Plan. The Council is also the city's ultimate authority with respect to interpretation of adopted plans, ordinances, and individual cases.

*Amending the IDO through the annual update process 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.*

Section 2. The Mayor or his designee shall formulate and submit to the Council the Capital Improvement Plans and shall oversee the implementation, enforcement, and administration of land use plans.

*Amending the IDO through the annual update process 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.*

*Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)*

The Comprehensive Plan and the IDO were developed together and are mutually supportive. The purpose of the IDO [see 14-16-1-3], in the most overarching sense, is to implement the Comprehensive Plan and protect the health, safety, and general welfare of the public.

The request for a text amendment to the IDO-Small Areas generally furthers a preponderance of applicable Comprehensive Plan Goals and Policies, though some conflicts emerge and are explained below in the Staff analysis.

*Chapter 4: Community Identity*

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

*As a whole, the proposed text amendments would generally enhance, protect, and preserve Old Town – HPO-5, a distinct community because provisions would be included that would strengthen the use-specific standards.*

*The IDO is intended to make zoning and land use entitlements in our community more transparent, accurate, and contextually compatible in order to enhance, protect, and preserve distinct communities, neighborhoods and traditional communities. The IDO provides protections for residential neighborhoods through dimensional standards specific to residential zone districts in Part 2, tailored regulations in Overlay Zones in Part 3, use-specific standards that require distance separations between non-residential and residential uses and zone districts in Part 4, and*

*development standards that apply to adjacent residential uses or zone district, especially edge buffers and neighborhood edges in Part 5.*

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 further the Identity and Design Policy (4.1.2). The request protects the identity of neighborhoods and commercial districts by clarifying standards and regulations that are unclear. This will better ensure appropriate scale, design, and location of development.*

Subpolicy 4.1.2(a): Maintain and preserve the unique qualities of historic areas.

*The request would allow for the maintenance and preservation of the unique qualities of the historic area by prohibiting cannabis uses in the Old Town HPO-5. The Old Albuquerque Historic District is important for its long history, for its historic sites, for its ancient pattern of church, plaza, and streets, and for its collection of important historic buildings. The district has historic buildings mainly erected between 1870 and 1915, with a few major earlier structures. Its street patterns and church buildings are vivid reminders of the much earlier history of the Village of Albuquerque. The request furthers sub policy 4.1.2(a).*

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 further the Neighborhoods policy (4.1.4). The request enhances, protects, and preserves neighborhoods and traditional communities by clarifying standards and regulations. This will improve the implementation of the original goals and intent of the regulations as adopted through Sector Development Plans and the IDO. The proposed new amendments, including the prohibition of cannabis uses in Old Town HPO-5, will be intended to protect and enhance the existing character of the area.*

Sub policy 4.1.4(a): Respect existing neighborhood values and social, cultural, recreational sources.

*The Old Town HPO-5 encompasses an area roughly between Mountain Road and Central Avenue on the north and south, Rio Grande Boulevard, and 19<sup>th</sup> Street on the west and east. It contains a mix of residential, institutional, and commercial properties. The historic zone was created with the adoption of the City's first Zoning Code in 1959 to preserve and promote the educational, cultural, and general welfare of the public through the preservation and protection of the traditional architectural character of historic Old Albuquerque. At that time, decades before there would be such things as the National Register of Historic Places or Registered Historic Districts, Albuquerque created its own historic H-1 zone that regulated architectural styles, permissive uses, alcohol consumption restrictions along with specific development guidelines.*

*Albuquerque is recognized for its collection of distinctive historic resources that are enjoyed by residents, business owners, and visitors as links to the city's heritage, and that set the stage for a vibrant future. Preserving these historic assets is essential to Albuquerque's well-being, identity, and character. The proposed text amendments would further this subpolicy by respecting the*

*existing neighborhood values and social, cultural, and recreational sources. The request furthers subpolicy 4.1.4(a).*

*Chapter 5: Land Use*

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.

- b. Ensure the development reinforces the scale, intensity and setbacks of the immediately surrounding context.

*The proposed text amendments would further policy 5.6.3 Areas of Consistency and sub policy 5.6.3(b) as the proposed amendments would apply to the Old Town HPO-5 and would generally protect and enhance the existing character of the area while clarifying how to apply the regulations.*

Goal 5.7 Implementation Process: Employ procedures and processes to effectively and equitably implement the Comprehensive Plan.

*If approved, the request would further the Implementation Process Goal (5.7). The intent of many of the proposed changes is to clarify how to read and apply provisions in the IDO, which would result in a more predictable development outcomes and consistent decision-making.*

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.

*If approved, the request would further the Regulatory Alignment policy (5.7.2). The IDO's procedures and processes in Part 6 have been developed to effectively and equitably implement the Comprehensive Plan. In order for the City's land use, zoning, and development regulations to stay up-to-date, the IDO established an annual update requirement into the regulatory framework. Changes proposed are intended to continually improve how the IDO implements the comp Plan by aligning regulations with Comp Plan goals and policies.*

*The annual amendment process for the IDO – Small Areas is a procedure to continue to effectively and equitably implement the Comprehensive Plan that results in an updated regulatory framework. The proposed text amendments would better link applicable Comprehensive Plan Goals and policies and the IDO, the implementation mechanism.*

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 annual update process for the IDO – small areas provides residents and stakeholders with an opportunity to better understand and engage with the planning and development process. The request furthers Policy 5.75-Public Engagement.*

Policy 5.7.6 – Development Services: Provide high-quality customer service with transparent approval and permitting processes.

*The annual amendment process to the IDO-small areas is a procedure that implements the Comprehensive Plan. The proposed text amendments will provide clarification on how to read and apply provisions to the IDO, resulting in a more predictable development outcome. The request furthers Goal 5.7-Implementation Process, Policy 5.7.2 Regulatory Alignment, Policy 5.7.5 Public Engagement, and Policy 5.7.6-Development Services.*

*Chapter 7: Urban Design*

Policy 7.3.3 – Placemaking: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

*The proposed text amendments would include changes that would establish and strengthen the Old Town HPO-5 district identity by prohibiting cannabis uses and would help to continue to reinforce the experiences for residents and visitors in the historic district. The zoning standards for small areas (Part 14-16-3), residential neighborhoods, and within Centers within the IDO implement the Comprehensive Plan. The request furthers policy 7.3.3 – Placemaking.*

Sub policy Placemaking 7.3.3(a): Identify, celebrate, and leverage special places.

*Albuquerque is recognized for its collection of distinctive historic resources that are enjoyed by residents, business owners, and visitors as links to the city’s heritage, and that set the stage for a vibrant future. Preserving these historic assets is essential to Albuquerque’s well-being, identity, and character. The proposed text amendments would further this subpolicy by celebrating and leveraging special places such as Old Town HPO-5.*

Policy 7.3.2 – Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

- a. Design development to reflect the character of the surrounding area and protect and enhance views.

*The proposed text amendments would make communities and their distinct identities safe and attractive places by encouraging design strategies that recognize the character differences in communities. The request furthers Policy 7.3.2-Community Character.*

*Chapter 8: Economic Development*

Policy 8.1.1 – Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

*The proposed text amendments include changes that would contribute to creating interesting places with different development intensities and densities and would help preserve interesting places. The Old Albuquerque Historic District is important for its’ long history, for its’ historic sites, for its’ ancient pattern of church, plaza, and streets, and for its’ collection of important historic buildings. The district has historic buildings mainly erected between 1870 and 1915, with a few major earlier structures; its street patterns and church buildings are vivid reminders of the much earlier history of the Village of Albuquerque. The changes to prohibit the retail,*

*cultivation, and manufacturing of cannabis products in Old Town HPO-5 would continue to protect this historic district. The request furthers Policy 8.1.1 – Diverse Places.*

*Chapter 11: Heritage Conservation*

Goal 11.1 - Traditional, Rural & Agricultural Heritage: Preserve and enhance farmland, the acequia system, and traditional communities.

*If approved, the proposed amendments would further Goal 11.1 – Traditional, Rural & Agricultural Heritage by preserving and enhancing a traditional community such as Old Town HPO-5. The proposed amendment to prohibit cannabis uses in Old Town HPO-5 would add protections that would facilitate the preservation and enhancement of traditional communities such as Old Town HPO-5 and would be consistent with the Comprehensive Plan policies that aim to protect and contribute to reinforce traditional communities.*

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

*The proposed text amendments fulfill this goal by requiring the preservation and enhancement of significant historic districts such as Old Town HPO-5 that reflect our past as we move into the future and to strengthen our sense of identity. The request furthers Goal 11.2 – Historic Assets.*

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

*The preservation of historic districts is crucial to cities, specifically to Albuquerque because historic preservation districts provide benefits to people, whether or not they own a home or business in them. Old Town HPO-5 serves as a living history lesson, and tangible reminders of the city's past as it helps tell the story of the community. The request furthers policy 11.2.2 – Historic Registration.*

Sub policy 11.2.2(b): Recognize historic buildings and districts as vital elements of the community.

*The proposed text amendments would help recognize historic buildings and districts as vital elements of the community. The IDO has a role in this process as sub policy 11.2.2(b) would help preserve the character of the area through conservation of buildings and sites. The request further sub policy 11.2.2(b).*

Goal 11.3 – Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

*The proposed text amendments would protect and enhance cultural landscapes by proposing changes to the Old Town Historic Protection Overlay (HPO-5) zone. The request furthers Policy 11.3-Cultural Landscapes.*



#### ***IV. KEY ISSUES & DISCUSSION***

##### ***2021 Annual Updates – Small Area – Old Town Historic Protection Overlay Zone (HPO-5)***

Prohibits the following cannabis uses in HPO-5. The text, “This use is prohibited in the Old Town – HPO-5” would be inserted in the following subsections of the IDO.

- Cannabis Retail – IDO Subsection 4-3(D)(35)(i)
- Cannabis Cultivation – IDO Subsection 4-3(E)(2)(h)
- Cannabis-derived Products Manufacturing – IDO Subsection 4-3(E)(3)(h)

#### ***V. PUBLIC OUTREACH***

##### ***Meetings and Presentations***

During the 2020 Annual Update, City Council put in place a moratorium that prohibited permissive and conditional uses for cannabis and cannabis products outlined in the IDO in the Old Town HPO-5 that is to end July 2022 or the effective date of the IDO Annual Update 2021, whichever comes sooner (see attachments).

The proposed text amendments were first reviewed at public meetings in October 2021. Planning staff presented the proposed amendments, solicited input for new changes, and listened to participants’ feedback about the proposed changes.

There were three Open House meetings in October 2021 for the 2021 IDO Annual Update and at the pre-submittal Neighborhood Meeting on October 6, 2021 where the City’s Alternative Dispute Resolution (ADR) facilitated the pre-submittal meeting, as required by Table 6-1-1 for Amendment to IDO Text – Small Area and IDO Subsection 14-16-6-4(C) (see attachments).

The three Open House meetings were held on Thursday, October 7<sup>th</sup>, Friday, October 8<sup>th</sup>, and Tuesday, October 12, 2021. The City’s Alternative Dispute Resolution (ADR) facilitated the pre-submittal Neighborhood Meetings, as required by IDO Subsection 14-16-6-4(C).

#### ***VI. NOTICE***

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 required for an Amendment to IDO Text – Small Area. The City published notice of the EPC hearing on November 29, 2021, the legal ad, in the ABQ Journal newspaper.

First class mailed notice was sent to the two representatives of each Neighborhood Association and Coalition registered with the Office of Neighborhood Coordination pursuant to the requirements of IDO Subsection 14-16-6-4(K)(2)(a) (see attachments).

The City posted notice of the EPC hearing on the Planning Department website at this address: <https://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://abc-zone.com/ido-annual-update-2021>

Beginning in October 2021, the City posted all proposed changes to the IDO on the project webpage: <https://ido.abc-zone.com/ido-annual-update-2021-epc-submittal-small-area-proposed-changes>

#### *Property Owner Mailed Notice*

The IDO requires mailed notice of the application submittal and EPC hearing to each affected property owner and property owners within 100 feet of those areas, pursuant to IDO Subsection 14-16-6-4(K)(3)(d) Notice for Amendment to IDO Text – Small Area. A map of affected property owners was created by AGIS staff.

Notification letters of the application were sent out October 25, 2021. They were mailed to 246 property owners within or adjacent to the Old Town HPO-5 are included in this application.

#### *Neighborhood Association Notice*

Table 6-1-1 indicates that written (hard-copy) and e-mail notification is required. For an application for Amendment to IDO Text – Small Area, notice was provided pursuant to 14-16-6-4(K)(3)(b)(3). This section states: “For all other applications: any Neighborhood Association whose boundaries include or are adjacent to the subject property or small area.” This application is considered to be “all other applications” because it is not for applications (1) related to a citywide Policy Decision, or (2) related to a Wireless Telecommunications Facility. The list of Neighborhood Associations that are required to be notice was provided by the Office of Neighborhood Coordination (attached to application), and created by AGIS geographic analysis of the small area boundaries and neighborhood association and coalitions data.

Electronic mailed notice is required, and mailed notice to Neighborhood Association representatives is only required if there is no e-mail address on file for that representative. Letters were mailed to any Neighborhood Representative who does not have an e-mail address on file with the Office of Neighborhood Coordination (IDO 6-4(K)(3)(b)(4)).

Neighborhood Associations that include or are adjacent to the Old Town HPO-5 received an emailed notice on October 25, 2021.

#### *Property Owner and Neighborhood Association Notification Letter Content*

The notification letters included links to the project website – <https://ido.abc-zone.com/ido-annual-update-2021-epc-submittal-small-area-proposed-changes> - where complete information on the application, the proposed amendments, the review and decision process, and scheduled meetings are posted. The letter also included information about a public Open House meeting held on October 6, 2021. There was an approximately hour-long presentation that was focused on the changes proposed for the Small Area – Old Town HPO-5.

Planning staff have not received a request for a post-application facilitated meeting.

## ***VII. AGENCY & NEIGHBORHOOD COMMENTS***

### ***Reviewing Agencies***

No agency comments were received regarding the Small Area text amendments.

### ***Neighborhood/Public***

Mailed and email notice was sent to every neighborhood organization registered with the Office of Neighborhood Coordination. Mailed notice was sent to all property owners within and abutting the small areas with proposed text amendments (see attachments). As of this writing, Staff has received two comments that are summarized below.

### ***Summary of Public Comments***

#### ***Old Town HPO-5***

Two comments were received in favor of prohibiting cannabis use in Old Town HPO-5. The comments stated, “they are in favor of prohibiting cannabis sales and use in the Old Town Historic Protection Overlay Zone (HPO-5), and amending the text of the IDO to reflect the same”.

The property owners do not want to see Old Town go in the same direction as Downtown. The property owners feel that there are already too many tap rooms in the area, together with wine tasting and adding into the equation, “pot smokers”, then the Old Town area will most certainly suffer the same degrading fate of Downtown. The property owners feel that the Downtown core has become unbearable due to the overabundance of bars, all-night fighting, yelling, police sirens and filth on the sidewalk.

## ***VIII. CONCLUSION***

The request is for Amendment to IDO Text-Small Areas meets all of the application and procedural requirements in IDO Subsection 14-16-6-7(D). The IDO text amendment is consistent with the Annual Update process established by IDO Subsection 6-3(D). The Planning Department has compiled recommended changes and analyzed them. The request for amendment to the IDO text meets the review and decision criteria in Section 6-7(E)(3).

The proposed changes are generally consistent with Comprehensive Plan policies that direct the City to adopt and maintain an effective regulatory system for land use, zoning, and development review.

The proposed text amendments were first reviewed at public meetings in October 2021. Planning staff presented the proposed amendments, solicited input for new changes, and listened to participants’ feedback about the proposed changes.

There were three Open House meetings in October 2021 for the 2021 IDO Annual Update and at the pre-submittal Neighborhood Meeting on October 6, 2021 where the City's Alternative Dispute Resolution (ADR) facilitated the pre-submittal meeting, as required by Table 6-1-1 for Amendment to IDO Text – Small Area and IDO Subsection 14-16-6-4(C) (see attachments)).

Two comments were received in favor of prohibiting cannabis use in Old Town HPO-5. The comments stated, “they are in favor of prohibiting cannabis sales and use in the Old Town Historic Protection Overlay Zone (HPO-5), and amending the text of the IDO to reflect the same”.

Staff recommends that the EPC forward a recommendation of approval to the City Council, subject to the recommended Findings of approval herein.

***RECOMMENDED FINDINGS – RZ-2020-00049, December 16, 2021 - Text Amendments to the IDO – Small Areas***

1. The request is for Small Area amendments to the text of the Integrated Development Ordinance (IDO) for the Annual Update required by IDO Subsection 14-16-6-3(E). The proposed Small-area amendments, when combined with the proposed City-wide amendments, are collectively known as the 2021 IDO Annual Update.
2. These text amendments to specific Small Areas in the City are accompanied by proposed City-wide text amendments, which were submitted separately pursuant to Subsection 14-16-6-7(D) and are the subject of another Staff report (RZ-2020-00048).
3. The Small Area text amendments include proposed changes requested by neighbors, developers, staff, and Council Services that affect the following Small Area: Old Town HPO-5.
4. The IDO applies City-wide 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.
5. 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 quasi-judicial matter.
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. The request meets the Review and Decision Criteria in Subsection 14-16-6-7(E) of the IDO, as follows:
  - A. Criterion A: The proposed small area amendment is consistent with the health, safety, and general welfare of the city as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

The City Council moratorium (Bill R-21-165) prohibited permissive and conditional uses for cannabis and cannabis products outlined in the IDO in the Old Town HPO-5 zone. The proposed IDO text amendments-Small Areas are generally consistent with the health, safety, and general welfare of the City by showing a preponderance of applicable goals and policies in the Comprehensive Plan, and other policies and plans adopted by the City.

The proposed amendments to prohibit cannabis uses in the Old Town HPO-5, are consistent with adopted policies that would protect the identity and existing character of the area. Old Town HPO-5 is designated primarily as an Area of Consistency and the proposed amendments would enhance the unique qualities of the neighborhood and commercial district found in the area. The City is not involved in regulation of personal uses; these are addressed in State regulation and statute. Overall, the request meets Criterion 14-16-6-7(a).

B. Criterion B: If the proposed small area amendment is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the proposed amendment would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not allow development that is significantly different from that character. The applicant must also demonstrate that the existing zoning regulations are inappropriate because they meet any of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area.
2. The proposed zoning regulations are more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

The Old Town HPO-5 is an extension of the NRHP Old Albuquerque Historic District. Old Town has been seen as an important feature of the City since 1959 when it was made its own zoning category H-1 (Historic-1).

The Old Albuquerque Historic District is important for its' long history, for its' historic sites, for its' ancient pattern of church, plaza, and streets, and for its' collection of important historic buildings. The district has historic buildings mainly erected between 1870 and 1915, with a few major earlier structures' its street patterns and church buildings are vivid reminders of the much earlier history of the Village of Albuquerque.

The proposed amendments would clearly reinforce and strengthen the established character of the surrounding Areas of Consistency and would result in continued development that is consistent with the established character of the area. Over the years, the character of the area and surrounding areas has been consistent and continued to be residential and commercial. The proposed text amendments are quasi-judicial in nature. The request meets Criterion 14-16-6-7(E)(3)(b).

C. Criterion C: If the proposed small area amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the existing zoning regulations are inappropriate because they meet at least one of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area that justifies this request.

2. The proposed zoning regulations are more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Criterion 14-16-6-7(E)(3)(c) does not apply because the proposed amendments are not located wholly in an Area of Change.

- D. Criterion D: If the proposed amendment changes allowable uses, the proposed amendment does not allow permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The proposed amendments include three changes to the IDO that would result in changes affecting uses. The proposed changes would prohibit cannabis uses in the Old Town Historic Protection Overlay (HPO-5) zone.

Although associated use specific standards for cannabis retail include a provision that makes the use conditional within 600 feet of another cannabis retail, some neighbors have noted that this could push the use onto the edges of Old Town.

- E. Criterion E: The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

The small area amendments are not based completely or predominantly on the cost of land or economic considerations. The request furthers Criterion 14-16-6-7(E)(3)(e).

8. These proposed Integrated Development Ordinance (IDO) Text Amendments– Small Areas would generally protect public health, safety, and welfare and promote economic growth and investment in the City as a whole as required pursuant to 14-16-6-7(E)(3).
9. The request generally furthers the following relevant City Charter articles:
  - 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 and processes in the IDO will generally help implement the Comprehensive Plan and help guide future legislation.
  - b. Article IX, Environmental Protection. The proposed Small Area text amendments to the IDO will help ensure that land is developed and used properly. The IDO is an instrument to help promote and maintain an aesthetic and humane urban environment for Albuquerque's citizens, and thereby promote improved quality of life. Commissions, Boards, and Committees will have updated and clarified regulations to help facilitate effective administration of City policy in this area.
  - c. Article XVII, Planning. Amending the IDO through the annual update process 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 (Section I). Amending the IDO through the annual update process 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 (Section II).

10. The request generally furthers the following, applicable Goal and policies in Chapter 4: Community Identity:

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

As a whole, the proposed text amendments would generally enhance, protect, and preserve Old Town – HPO-5, a distinct community because provisions would be included that would strengthen the use-specific standards.

The IDO is intended to make zoning and land use entitlements in our community more transparent, accurate, and contextually compatible in order to enhance, protect, and preserve distinct communities, neighborhoods, and traditional communities. The IDO provides protections for residential neighborhoods through dimensional standards specific to residential zone districts in Part 2, tailored regulations in Overlay Zones in Part 3, use-specific standards that require distance separations between non-residential and residential uses and zone districts in Part 4, and development standards that apply to adjacent residential uses or zone district, especially edge buffers and neighborhood edges in Part 5.

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.

If approved, the request would further the Identity and Design Policy (4.1.2). The request protects the identity of neighborhoods and commercial districts by clarifying standards and regulations that are unclear. This will better ensure appropriate scale, design, and location of development.

C. Subpolicy 4.1.2(a): Maintain and preserve the unique qualities of historic areas.

The request would allow for the maintenance and preservation of the unique qualities of the historic area by prohibiting cannabis uses in the Old Town HPO-5. The Old Albuquerque Historic District is important for its' long history, for its' historic sites, for its' ancient pattern of church, plaza, and streets, and for its' collection of important historic buildings. The district has historic buildings mainly erected between 1870 and 1915, with a few major earlier structures' its street patterns and church buildings are vivid reminders of the much earlier history of the Village of Albuquerque.

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



The request enhances, protects, and preserves neighborhoods and traditional communities by clarifying standards and regulations that are unclear. This will improve the implementation of the original goals and intent of the regulations as adopted through Sector Development Plans and the IDO. The proposed new regulations, including expanding the height restriction area and adding new use restrictions in the Northwest Mesa VPO, are intended to protect and enhance the existing character of those areas.

- D. Subpolicy 4.1.4(a): Respect existing neighborhood values and social, cultural, recreational uses.

The Old Town HPO-5 encompasses an area roughly between Mountain Road and Central Avenue on the north and south, Rio Grande Boulevard, and 19<sup>th</sup> Street on the west and east. It contains a mix of residential, institutional, and commercial properties. The historic zone was created with the adoption of the City's first Zoning Code in 1959 to preserve and promote the educational, cultural, and general welfare of the public through the preservation and protection of the traditional architectural character of historic Old Albuquerque. At that time, decades before there would be such things as the National Register of Historic Places or Registered Historic Districts, Albuquerque created its own historic H-1 zone that regulated architectural styles, permissive uses, alcohol consumption restrictions along with specific development guidelines.

Albuquerque is recognized for its collection of distinctive historic resources that are enjoyed by residents, business owners, and visitors as links to the city's heritage, and that set the stage for a vibrant future. Preserving these historic assets is essential to Albuquerque's well-being, identity, and character. The proposed text amendments would further this subpolicy by respecting the existing neighborhood values and social, cultural, and recreational sources.

11. The request generally furthers the following, applicable Goals and policies in Chapter 5- Land Use pertaining to Areas of Consistency and procedures and processes:

- A. 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.
- b. Ensure the development reinforces the scale, intensity and setbacks of the immediately surrounding context.

The proposed amendments would apply to the Old Town HPO-5 and would generally protect and enhance the existing character of the area while clarifying how to apply the regulations.

- B. Goal 5.7 Implementation Process: Employ procedures and processes to effectively and equitably implement the Comprehensive Plan.

The request would further the Implementation Process Goal (5.7). The intent of many of the proposed changes is to clarify how to read and apply provisions in the IDO, which would result in a more predictable development outcomes and consistent decision-making.

- C. 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 IDO's procedures and processes in Part 6 have been developed to effectively and equitably implement the Comprehensive Plan. In order for the City's land use, zoning, and development regulations to stay up-to-date, the IDO established an annual update requirement into the regulatory framework. Changes proposed are intended to continually improve how the IDO implements the comp Plan by aligning regulations with Comp Plan goals and policies.

The annual amendment process for the IDO – small areas is a procedure to continue to effectively and equitably implement the Comprehensive Plan that results in an updated regulatory framework. The proposed text amendments would better link applicable Comprehensive Plan Goals and policies and the IDO, the implementation mechanism.

- D. 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 annual update process for the IDO – small areas provides residents and stakeholders with an opportunity to better understand and engage with the planning and development process.

- E. Policy 5.7.6 – Development Services: Provide high-quality customer service with transparent approval and permitting processes.

The annual amendment process to the IDO-small areas is a procedure that implements the Comprehensive Plan. The proposed text amendments will provide clarification on how to read and apply provisions to the IDO, resulting in a more predictable development outcome.

12. The request generally furthers the following Goals and policies in Chapter 7- Urban Design:

- A. Policy 7.3.3 – Placemaking: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

The proposed text amendments would include changes that would establish and strengthen the Old Town HPO-5 district identity by prohibiting cannabis uses and would help to continue to reinforce the experiences for residents and visitors in the historic district. The zoning standards for small areas (Part 14-16-3), residential neighborhoods, and within Centers within the IDO implement the Comprehensive Plan.

- B. Subpolicy Placemaking 7.3.3(a): Identify, celebrate, and leverage special places

Albuquerque is recognized for its collection of distinctive historic resources that are enjoyed by residents, business owners, and visitors as links to the city's heritage, and that set the stage for a vibrant future. Preserving these historic assets is essential to Albuquerque's well-being, identity, and character. The proposed text amendments would further this subpolicy by celebrating and leveraging special places such as Old Town HPO-5.

C. Policy 7.3.2 – Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

- a. Design development to reflect the character of the surrounding area and protect and enhance views.

The proposed text amendments would make communities and their distinct identities safe and attractive places by encouraging design strategies that recognize the character differences in communities.

13. The request furthers and partially furthers the following, applicable policies from Chapter 8- Economic Development:

A. Policy 7.3.3 – Placemaking: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

The proposed text amendments include changes that would contribute to creating interesting places with different development intensities and densities and would help preserve interesting places. The Old Albuquerque Historic District is important for its' long history, for its' historic sites, for its' ancient pattern of church, plaza, and streets, and for its' collection of important historic buildings. The district has historic buildings mainly erected between 1870 and 1915, with a few major earlier structures' its street patterns and church buildings are vivid reminders of the much earlier history of the Village of Albuquerque. The changes to prohibit the retail, cultivation, and manufacturing of cannabis products in Old Town HPO-5 would continue to protect this historic district.

14. The request furthers the following, applicable Goal and policy from Chapter 11- Heritage Conservation:

A. Goal 11.1 – Traditional, Rural & Agricultural Heritage: Preserve and enhance farmland, the acequia system, and traditional communities.

The proposed amendments would further Goal 11.1 – Traditional, Rural & Agricultural Heritage by preserving and enhancing a traditional community such as Old Town HPO-5. The proposed amendment to prohibit cannabis uses in Old Town HPO-5 would add protections that would facilitate the preservation and enhancement of traditional communities such as Old Town HPO-5 and would be consistent with the Comprehensive Plan policies that aim to protect and contribute to reinforce traditional communities.

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

The proposed text amendments fulfill this goal by requiring the preservation and enhancement of significant historic districts such as Old Town HPO-5 that reflect our past as we move into the future and to strengthen our sense of identity.

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

The preservation of historic districts is crucial to cities, specifically to Albuquerque because historic preservation districts provide benefits to people, whether or not they own a home or business in them. Old Town HPO-5 serves as a living history lesson, and tangible reminders of the city's past as it helps tell the story of the community.

- D. Subpolicy 11.2.2(b): Recognize historic buildings and districts as vital elements of the community.

The proposed text amendments would help recognize historic buildings and districts as vital elements of the community. The IDO has a role in this process as subpolicy 11.2.2(b) would help preserve the character of the area through conservation of buildings and sites.

- E. Goal 11.3 – Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

The proposed text amendment would protect and enhance cultural landscapes by proposing changes to the Old Town Historic Protection Overlay (HPO-5) zone.

15. For an Amendment to IDO Text, the required notice must be published, mailed, and posted on the web (see Table 6-1-1). A neighborhood meeting was required and held on October 6, 2021 via Zoom. The City published notice of the EPC hearing as a legal ad in the ABQ Journal newspaper. First class mailed 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)(2)(a). Notice was posted on the Planning Department website and on the project website.
16. In addition to the required notice, on October 25, 2021, notification letters were mailed to 246 property owners within or adjacent to the Old Town HPO-5.
17. On October 25, 2021, the Planning Department hosted a public open house meeting via Zoom to review the proposed 2021 Annual Update to the Old Town HPO-5. The email notice and the required neighborhood association notification letter included information about the public open house.
18. The EPC held a study session regarding the proposed 2021 IDO amendments on December 9, 2021. This was a publically-noticed meeting.
19. As of this writing, Staff has received two comments expressing support for the recommend change.

***RECOMMENDATION – RZ-2021-00049 – January 21, 2021 - Text Amendment to the IDO – Small Areas***

**That a recommendation of APPROVAL of Project #: 2018-001843, RZ-2020-00049 a request for Amendment to IDO Text- Small Areas, be forwarded to the City Council based on the preceding Findings.**

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*Silvia Bolivar*

***Silvia Bolivar, PLA, ASLA  
Current Planner***

*Notice of Decision cc list:*

List will be finalized subsequent to the December 16, 2021 EPC hearing

## *CITY OF ALBUQUERQUE AGENCY COMMENTS*

### *PLANNING DEPARTMENT*

*Zoning Enforcement*

*Long Range Planning*

### *CITY ENGINEER*

*Transportation Development*

No comments.

*Hydrology Development*

*New Mexico Department of Transportation (NMDOT)*

### *DEPARTMENT of MUNICIPAL DEVELOPMENT*

*Transportation Planning*

*Traffic Engineering Operations (Department of Municipal Development)*

*Street Maintenance (Department of Municipal Development)*

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER: none

### *WATER UTILITY AUTHORITY*

*Utility Services*

### *ENVIRONMENTAL HEALTH DEPARTMENT*

*Air Quality Division*

*Environmental Services Division*

### *PARKS AND RECREATION*

*Planning and Design*

*Open Space Division*

*City Forester*

*POLICE DEPARTMENT/Planning*

*SOLID WASTE MANAGEMENT DEPARTMENT*

*Refuse Division- no comment*

*FIRE DEPARTMENT/Planning*

*TRANSIT DEPARTMENT*

## ***COMMENTS FROM OTHER AGENCIES***

*BERNALILLO COUNTY*

No adverse comments to zone change.

*ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY*

No adverse comments.

*ALBUQUERQUE PUBLIC SCHOOLS*

No adverse impacts.

*MID-REGION COUNCIL OF GOVERNMENTS*

*MIDDLE RIO GRANDE CONSERVANCY DISTRICT*

*PUBLIC SERVICE COMPANY OF NEW MEXICO*

Comments pertain to the proposed City-wide text amendments.

## HISTORY



# CITY of ALBUQUERQUE

## TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-165 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Isaac Benton

1 RESOLUTION

2 ESTABLISHING A MORATORIUM TO PROHIBIT CANNABIS RETAIL,  
3 CANNABIS CULTIVATION, AND CANNABIS MANUFACTURING USES IN THE  
4 OLD TOWN HISTORIC PROTECTION OVERLAY ZONE UNTIL TO SOONER OF  
5 JULY 1, 2022 OR WHEN THE 2021 INTEGRATED DEVELOPMENT ORDINANCE  
6 ANNUAL UPDATE BECOMES EFFECTIVE.

7 WHEREAS, during a special legislative session in 2021 the State of New  
8 Mexico's legislature passed House Bill 2, the Cannabis Regulation Act; and

9 WHEREAS, this legislation legalizes adult-use cannabis in the state of New  
10 Mexico, which will be available no later than Spring of 2022; and

11 WHEREAS, the City of Albuquerque's Integrated Development Ordinance  
12 (IDO) currently contains regulations for Cannabis Retail, Cannabis Cultivation,  
13 and Cannabis Manufacturing as explicitly defined land uses; and

14 WHEREAS, as the City welcomes cannabis businesses into the City, it  
15 must also carefully consider possible impacts on Old Town to honor the  
16 community's past efforts to preserve its historic character, and to account for  
17 how its character contributes to the economic and cultural welfare of our City;  
18 and

19 WHEREAS, the City is presently in the process of finalizing the 2020 IDO  
20 annual update, but needs additional time to evaluate potential zoning limits for  
21 cannabis within Old Town and to meet procedural obligations with respect to  
22 any cannabis limitations or restrictions that may be established for Old Town;  
23 and

24 WHEREAS, the next opportunity to address cannabis uses within Old Town  
25 will be as part of the 2021 updates to the IDO which is anticipated to be  
26 finalized by early summer, 2022.

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1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
2 ALBUQUERQUE:

3 The City of Albuquerque shall not accept any building permits, land use, or  
4 business registration applications or requests for Cannabis Retail, Cannabis  
5 Cultivation, or Cannabis Manufacturing uses as defined in Section 14-16-7 of  
6 the Integrated Development Ordinance within the Old Town Historic Protection  
7 Overlay zone (HPO-5) as described in Section 15-16-3-5(J) of the Integrated  
8 Development Ordinance until the sooner of July 1, 2022, or when the 2021 IDO  
9 Annual Update becomes effective.

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## APPLICANT INFORMATION

# CITY OF ALBUQUERQUE



Planning Department  
PO Box 1293  
Albuquerque NM 87103

October 28, 2021

Timothy MacEachen, Chair  
Environmental Planning Commission  
c/o City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

Dear Chair MacEachen,

As required by IDO Subsection 14-16-6-3(D), the City of Albuquerque is submitting the 2021 annual update to the Integrated Development Ordinance (IDO) for the Environmental Planning Commission's review and recommendation to the City Council, the City's ultimate planning and zoning authority.

In order for the City's land use, zoning, and development regulations to stay up-to-date, the IDO has an annual update process built into its regulatory framework. The annual update for 2021 includes approximately 50 changes requested by neighbors, developers, staff, and the City Administration. Each proposed change provides the page and section of the adopted IDO that would be modified, the text that is proposed to change, along with an explanation of the purpose or intent of the change. This document is the main body of the application for Amendments to IDO Text - Citywide.

These proposed amendments to the IDO text are consistent with the required Annual Update process described in IDO Subsection 14-16-6-3(D). The Planning Department has compiled the requested changes and is now submitting the proposed amendments for EPC's review and recommendation in January. A detailed staff analysis of the amendments will be submitted to the EPC, which will include an analysis of the decision criteria set forth in IDO Subsection 14-16-6-7(D)(3).

Sincerely,

Alan Varela, Interim Director  
Planning Department



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input checked="" type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		<b>Appeals</b>
		<input type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

### APPLICATION INFORMATION

Applicant: <b>City of Albuquerque, Planning Department / Urban Design &amp; Development</b>		Phone: <b>505-924-3860</b>
Address: <b>1 Civic Plaza NW</b>		Email: <a href="mailto:mrenz-whitmore@cabq.gov">mrenz-whitmore@cabq.gov</a>
City: <b>Albuquerque</b>	State: <b>NM</b>	Zip: <b>87103</b>
Professional/Agent (if any):		Phone:
Address:		Email:
City:	State:	Zip:
Proprietary Interest in Site: <b>N/A</b>		List <u>all</u> owners: <b>N/A</b>

### BRIEF DESCRIPTION OF REQUEST

**Amendment to IDO Text – Small Area to amend the regulations that apply within Old Town - HPO-5**

### SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: <b>multiple</b>	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code:
Zone Atlas Page(s):	Existing Zoning:	Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres):

### LOCATION OF PROPERTY BY STREETS

Site Address/Street: <b>1 Small Area, Old Town - HPO 5</b>	Between: <b>Rio Grande Blvd and Mountain Rd</b>	and: <b>Lomas/Central Ave and 19th St.</b>
--	---	--

### CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

**Project #2018-001843 / Case # RZ-2020-00048 IDO Annual Update – 2020/ Case # RZ-2019-00046 IDO Annual Update – 2019; Project # 1001620 / Case #16EPC-40082 – Adoption of the IDO**

Signature:	Date: <b>October 28, 2021</b>
Printed Name: <b>Mikaela Renz-Whitmore</b>	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent

### FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date: Project #

## Form Z: Policy Decisions

**Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.**

A single PDF file of the complete application including all plans and documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

☒ **INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)**

\_\_\_ Interpreter Needed for Hearing? no if yes, indicate language: \_\_\_\_\_

02 Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)

n/a Letter of authorization from the property owner if application is submitted by an agent

n/a Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)

03 Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

☐ **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

☐ **ADOPTION OR AMENDMENT OF FACILITY PLAN**

\_\_\_ Plan, or part of plan, to be amended with changes noted and marked

\_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable

\_\_\_ Required notices with content per IDO Section 14-16-6-4(K)(6)

\_\_\_ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing

\_\_\_ Proof of emailed notice to affected Neighborhood Association representatives

\_\_\_ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

☒ **AMENDMENT TO IDO (TEXT) – Amendment to IDO Text – Small Area**

04 Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked

05 Proof of Pre-submittal Neighborhood Meeting per IDO Section 14-16-6-4(C)

06 Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable

07 Required notices with content per IDO Section 14-16-6-4(K)(6)

X Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first-class mailing

X Proof of emailed notice to affected Neighborhood Association representatives

X Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first-class mailing (to property owners)

☐ **ZONING MAP AMENDMENT – EPC**

☐ **ZONING MAP AMENDMENT – COUNCIL**

\_\_\_ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)

\_\_\_ Required notices with content per IDO Section 14-16-6-4(K)(6)

\_\_\_ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing

\_\_\_ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first-class mailing

\_\_\_ Sign Posting Agreement

☐ **ANNEXATION OF LAND**

\_\_\_ Application for Zoning Map Amendment *Establishment of zoning must be applied for simultaneously with Annexation of Land.*

\_\_\_ Petition for Annexation Form and necessary attachments

\_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)

\_\_\_ Board of County Commissioners (BCC) Notice of Decision

**I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.**

Signature: \_\_\_\_\_

Date: October 28, 2021

Printed Name: Mikaela Renz-Whitmore

☐ Applicant or ☒ Agent

**FOR OFFICIAL USE ONLY**

Project Number: \_\_\_\_\_

Case Numbers

-

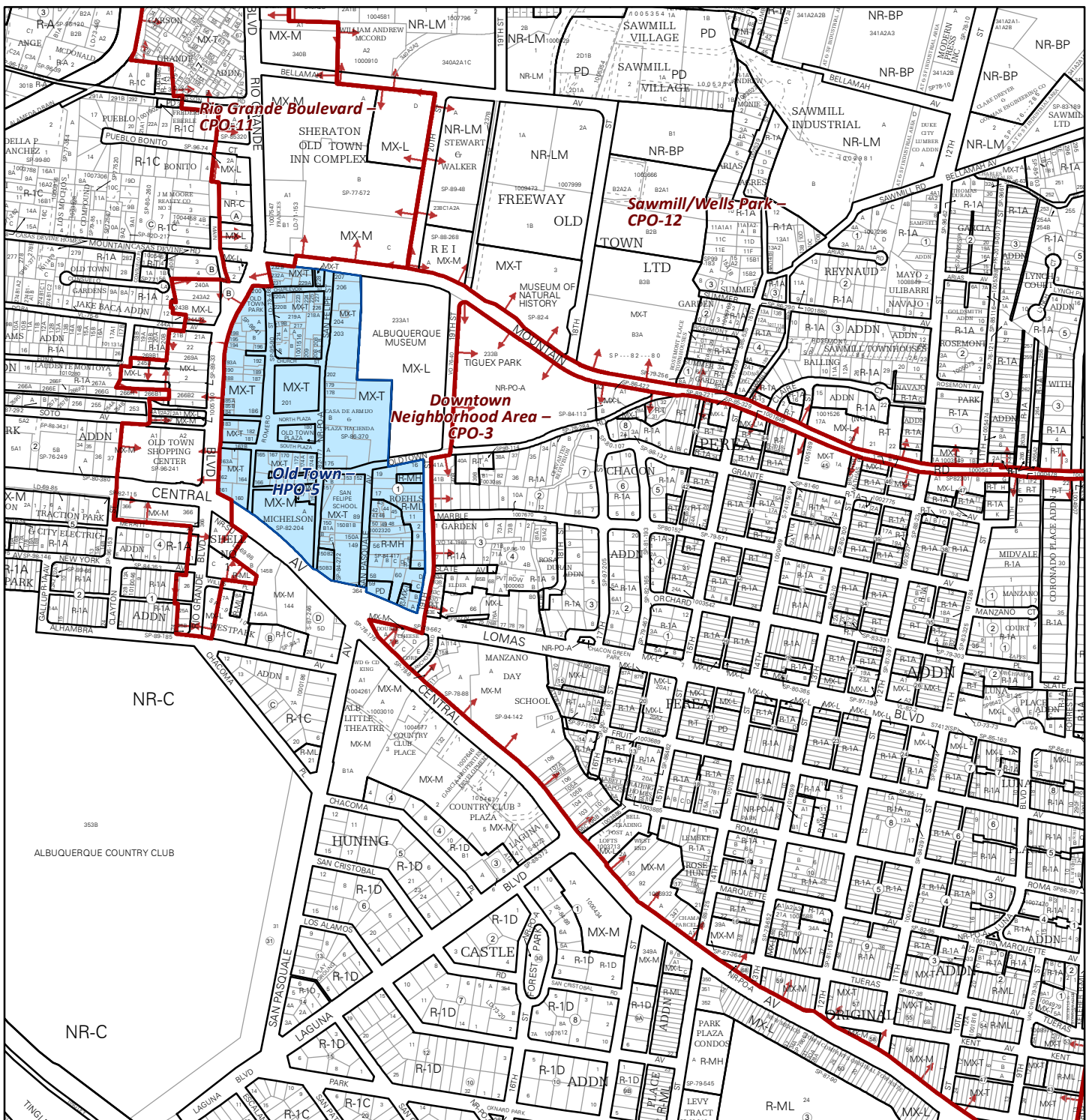
-

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

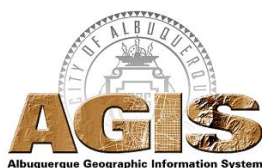




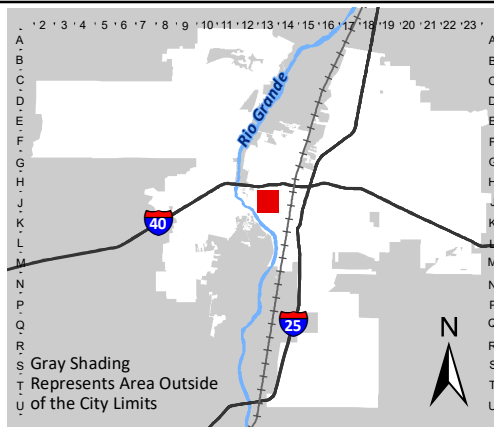


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones  
are established by the  
Integrated Development Ordinance (IDO).



Zone Atlas Page:  
**J-13-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING REQUEST

Pre-application Review Team (PRT) Meetings are available to help applicants identify and understand the allowable uses, development standards, and processes that pertain to their request. **PRT Meetings are for informational purposes only; they are non-binding and do not constitute any type of approval.** Any statements regarding zoning at a PRT Meeting are not certificates of zoning. The interpretation of specific uses allowed in any zone district is the responsibility of the Zoning Enforcement Officer (ZEO).

When you submit PRT notes to meet a Pre-application Meeting requirement in Table 6-1-1, you will be charged a \$50 PRT fee.

Official Use only		
PA#: 21-217	Received By: Diego Ewell	Date: 10/4/2021
APPOINTMENT DATE & TIME: N/A		

Applicant Name: CABQ - Mikaela Renz-Whitmore Phone#: 505-924-3932 Email: abcto@cabq.gov

### PROJECT INFORMATION:

**For the most accurate and comprehensive responses, please complete this request as fully as possible and submit any relevant information, including site plans, sketches, and previous approvals.**

Size of Site: 29.75 acres Existing Zoning: Multiple Proposed Zoning: No changes

Previous case number(s) for this site: PR #2018-001843 / PR-2019-002225 SI-2021-01458

Applicable Overlays or Mapped Areas: Old Town Historic Protection Overlay (HPO-5) zone

Residential – Type and No. of Units: N/A

Non-residential – Estimated building square footage: N/A No. of Employees: N/A

Mixed-use – Project specifics: N/A

### LOCATION OF REQUEST:

Physical Address: Central/Rio Grande/Mountain/19th Zone Atlas Page (Please identify subject site on the map and attach) J-13-Z

### BRIEFLY DESCRIBE YOUR REQUEST (What do you plan to develop on this site?)

Amendment to IDO Text – Small Area to prohibit cannabis uses in the Old Town HPO-5 in use-specific standards for cannabis retail 4-3(D)(35), cannabis cultivation 4-3(E)(2), and cannabis-derived products manufacturing 4-3(E)(3).

### QUESTIONS OR CONCERNS (Please be specific so that our staff can do the appropriate research)

None at this time.



## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-217 Date: 10/18/21 Time: N/A (sent via email to )

Address: Old Town Historic Protection Overlay (HPO-5) zone

### AGENCY REPRESENTATIVES

Planning: Catalina Lehner ([clehner@cabq.gov](mailto:clehner@cabq.gov)) James Aranda ([imaranda@cabq.gov](mailto:imaranda@cabq.gov))

Zoning/Code Enforcement: Angelo Metzgar ([ametzgar@cabq.gov](mailto:ametzgar@cabq.gov))

Fire Marshal: Antonio Chinchilla ([achinchilla@cabq.gov](mailto:achinchilla@cabq.gov)) or call 505-924-3611 (if needed)

Transportation: Jeanne Wolfenbarger ([jwolfenbarger@cabq.gov](mailto:jwolfenbarger@cabq.gov))

Hydrology: Ernest Armijo, P.E. ([earmijo@cabq.gov](mailto:earmijo@cabq.gov))

Solid Waste: Herman Gallegos ([hgallegos@cabq.gov](mailto:hgallegos@cabq.gov))

Water Authority: David Gutierrez - [dggutierrez@abcwua.org](mailto:dggutierrez@abcwua.org) or call 505.289.3307; 505.241.9630

### **PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!**

**THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL.**

*Additional research may be necessary to determine the exact type of application and/or process needed.*

*Factors unknown at this time and/or thought of as minor could become significant as the case progresses.*

**REQUEST:** Amendment to IDO- small text- prohibit cannabis in Old Town HPO-5 in use specific standards for cannabis retail, cultivation, cannabis-derived products manufacturing.

### SITE INFORMATION:

Zone: Multiple

Size: Approx. 29.75 acres

Use: Multiple

Overlay zone: Old Town Historic Protection Overlay  
(HPO-5) zone

Comp Plan Area of:

Comp Plan Corridor:

Comp Plan Center:

MPOS or Sensitive Lands:

Parking: 14-16 5-5

MR Area: Old Town

Landscaping: 14-16 5-6

Street Trees: 14-16 5-6(D)(1)

Use Specific Standards: Allowable Uses, Table 4-2-1

Dimensional Standards: Table 5-1-2: Mixed-use Zone District Dimensional Standards or Table 5-1-1: Residential Zone District Dimensional Standards or Table 5-1-3: Non-residential Zone District Dimensional Standards or PD - As applicable to the most similar use or district as shown in Section 14-16-5-1, unless different standards are approved in the PD approval process. or The PC zone dimensional standards are per the relevant Framework Plan

\*Neighborhood Organization/s: Multiple

\*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at [www.cabq.gov/neighborhoods.resources](http://www.cabq.gov/neighborhoods.resources).

### PROCESS:

Type of Action: 6-7(E) Amendment to IDO Text- Small Area

Review and Approval Body: ECP/ City Council Is this a PRT requirement? Yes (Table 6-1-1)

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-217 Date: 10/18/21 Time: N/A (sent via email)

Address: Old Town Historic Protection Overlay (HPO-5) zone

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-217 Date: 10/18/21 Time: N/A (sent via email)

Address: Old Town Historic Protection Overlay (HPO-5) zone

### NOTES:

See the **Integrated Development Ordinance**

<https://documents.cabq.gov/planning/IDO/IDO-2019-Effective-2020-11-02.pdf>

### Download Forms & Applications

<https://www.cabq.gov/planning/online-forms>

### New Public Notice Forms

We have created forms for all email/mailed public notice and for Pre-submittal Neighborhood Meetings. Please complete these forms for public notice:

- Neighborhood Meeting - <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>
- Public Notice - <http://www.cabq.gov/planning/urban-design-development/public-notice>

### Records requests

To request a site plan and/or Notice of Decision, please use ABQ Records web page:

<https://www.cabq.gov/clerk/public-records>

Please include the site's address and the Case Tracking #s (see Zoning Comments) in your request.

### Requests to Inspect Public Records

Any person may submit their request to inspect public records to the Office of the City Clerk by clicking on the following link to request records using our ABQ Records portal. <https://cabq.nextrequest.com/>

This enables us to respond to requests in the order in which they are received. Plus, it's a better way to share large files.

### File Submittal

For Administrative Amendments, DRB, EPC, hydrology and traffic submittals, e-mail electronic files to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov). For questions about an application submittal or the submittal process itself, please contact Jay Rodenbeck at [jrodenbeck@cabq.gov](mailto:jrodenbeck@cabq.gov) and/or to Maggie Gould at [mgould@cabq.gov](mailto:mgould@cabq.gov).

For other questions, please contact the Planning representative at the top of the PRT Notes.

For Building Safety Plan Review, contact Building Safety at 924-3963. Website:

<https://www.cabq.gov/planning/building-safety-permits>

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-217 Date: 10/18/21 Time: N/A (sent via email)

Address: Old Town Historic Protection Overlay (HPO-5) zone

### Zoning Comments

#### PRT 21-217

#### PROPERTY INFORMATION

- Address: Old Town Historic Protection Overlay Zone (HPO-5) Zone
- Lot: Block:
- Subdivision:
- Type:
- Calculated GIS Acres:
- IDO Zoning: **Update**
- Old Zoning Designation:
- Old Zoning Description:
- Old Zoning Category:

#### CASE HISTORY

- PR-201-001843
- PR-2019-002225 SI-2021-01458

#### ALLOWABLE USE(S)

- N/A

#### USE SPECIFIC STANDARDS

- N/A

#### DEFINITIONS

- N/A

#### DEVELOPMENT STANDARDS

- N/A

#### APPLICANT'S QUESTIONS

- N/A

#### PROCESS

6-7(E) Amendment to IDO Text- Small Area

*As always, if you have specific questions pertaining to zoning and/or development standards you are encouraged to reach out to the zoning counter at (505) 924-3857 option 1.*

### Transportation Development Comments

PRT 21-217 (Central/Rio Grande/Mountain/19th case no: PR#2018-001843, PR#-2019, SI-2021-01458)

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-217 Date: 10/18/21 Time: N/A (sent via email)

Address: Old Town Historic Protection Overlay (HPO-5) zone

Information for Site Development – Transportation Development

For additional information/discussion/questions contact Jeanne Wolfenbarger (924-3991).

*If you would have additional questions or would like to schedule a follow-up Zoom meeting please contact Diego Ewell at [dewell@cabq.gov](mailto:dewell@cabq.gov)*

## IDO Annual Update 2021 - EPC Submittal - Small Area - Old Town HPO-5

Page	Section	Change / Discussion	Explanation
Multiple	4-3	<b>Cannabis Use Prohibition in Old Town HPO-5</b> Add the following text to these new subsections: Cannabis Retail: 4-3(D)(35)(i) [new] Cannabis Cultivation: 4-3(E)(2)(h) [new] Cannabis-derived Products Manufacturing: 4-3(E)(3)(h) [new] <u>"This use is prohibited in the Old Town - HPO-5."</u>	Prohibits cannabis uses in the Old Town Historic Protection Overlay (HPO) zone.

October 28, 2021

Timothy MacEachen, Chair  
Environmental Planning Commission  
c/o City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102



Dear Chair MacEachen,

Please accept this letter of justification, required by IDO Subsection 14-16-6-7(E)(3)(a), of the request for an Amendment to IDO Text – Small Area, submitted for the Environmental Planning Commission's review and recommendation to the City Council as part of the annual update required by IDO Subsection 14-16-6-3(D).

The IDO annual update process was established to require a regular cycle for discussion among residents, City staff, businesses, and decision-makers to consider any needed changes that were identified over the course of the year. During the 2020 IDO Annual Update, the City Council adopted new regulations for cannabis uses. In 2021, City Council adopted a resolution (R-21-165 Enactment No. R-2021-040) that established a moratorium on cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5) until July 1, 2022 or until the 2021 IDO Annual Update becomes effective, whichever occurs sooner.



This application proposes to amend the following IDO subsections to prohibit these uses within the boundaries of the Old Town HPO-5:

- Cannabis retail – IDO Subsection 14-16-4-3(D)(35)
- Cannabis cultivation – IDO Subsection 14-16-4-3(E)(2)
- Cannabis-derived Products Manufacturing – IDO Subsection 14-16-4-3(E)(3)

#### [Justification for a Historic Protection Overlay Zone under the Criteria in 14-16-6-7\(E\)\(3\)](#)

These proposed amendments to the IDO text are consistent with the required Annual Update process described in IDO Subsection 14-16-6-3(D). This proposed Amendment to IDO Text – Small Area meets the Review and Decision Criteria in IDO Subsection 14-16-6-7(E)(3).

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

**Response:** ABC Comp Plan policies support this criterion for amendment of small area regulations, which furthers the following applicable Goals and Policies in the ABC Comprehensive Plan. The Old Town HPO-5 is within an Area of Consistency as designated by the ABC Comp Plan.

**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.

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

**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.

**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.

**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 5.6.3 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.

- b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

**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.

**Policy 7.3.2 Community Character:** Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

**Goal 11.1 Traditional, Rural, & Agricultural Heritage:** Preserve and enhance farmland, the acequia system, and traditional communities.

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

6-7(E)(3)(b) If the proposed small area amendment is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the proposed amendment would clearly reinforce or strengthen the established character of the



surrounding Area of Consistency and would not allow development that is significantly different from that character. The applicant must also demonstrate that the existing zoning regulations are inappropriate because they meet any of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area.
2. The proposed zoning regulations are more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

**Response:** This request would clearly reinforce the established character of the surrounding area by prohibiting the introduction of cannabis uses in Old Town HPO-5. This prohibition will help protect the character of this community, furthering several Comp Plan Goals and Policies, as noted above. The proposed amendment is more advantageous to the Community as articulated by the ABC Comp Plan by protecting uses and maintain the intensity of uses of the existing area and disallowing uses that are not desired by the community.

6-7(E)(3)(c) If the proposed small area amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant must demonstrate that the existing zoning regulations are inappropriate because they meet at least one of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area that justifies this request.
2. The proposed zoning regulations are more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

**Response:** This criterion does not apply because the small area is entirely within an Area of Consistency.

6-7(E)(3)(d) If the proposed amendment changes allowable uses, the proposed amendment does not allow permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

**Response:** This small area amendment prohibits the introduction of new allowable uses.

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

**Response:** This small area amendment prohibits the introduction of new allowable uses for reasons that are not based on the cost of land or economic considerations.

## Public Outreach

The City's Alternative Dispute Resolution (ADR) facilitated a pre-submittal Neighborhood Meeting, as required by IDO Subsection 14-16-6-4(C) on October 6, 2021. The full facilitated meeting notes are included with this application, along with the Proof of Pre-submittal Neighborhood Meeting content analysis, as required by 14-16-6-4(C). The meeting report was sent out to all attendees who provided an email in the meeting or are on the project email list for newsletters. It was also sent out to all of the Neighborhood Association representatives who received notice of the meetings. The participants in this meeting were generally supportive of the proposed prohibition of cannabis uses, so no changes were made as a result of their input.

Planning staff also held 3 open houses for the public to ask questions and discuss proposed amendments, but no questions were asked about this proposed amendment.

- Thursday, October 7, 5:30 - 7 p.m.
- Friday, October 8, 12-1:30 p.m.
- Tuesday, October 12, 12-1:30 p.m.

The Planning Department has scheduled an open house meeting on November 12, 2021 to review and discuss any questions about the Citywide or Small Area Proposed Text Amendments. Staff will recommend that any public comments be submitted in writing or provided verbally at the EPC hearing.

Notification letters of the application were mailed on October 25, 2021 to 246 property owners within or adjacent to the Old Town HPO-5. Neighborhood Associations that include or are adjacent to the Old Town HPO-5 received emailed notice on October 25, 2021.

## Conclusion

This request promotes public health, safety, and welfare by prohibiting the introduction of cannabis uses in the Old Town HPO-5 and protecting the existing character and intensity of uses in this Area of Consistency.

Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager

City Planning Department

## PROPOSED SMALL-AREA AMENDMENTS

## IDO Annual Update 2021 - EPC Submittal - Small Area - Old Town HPO-5

Page	Section	Change / Discussion	Explanation
Multiple	4-3	<b>Cannabis Use Prohibition in Old Town HPO-5</b> Add the following text to these new subsections: Cannabis Retail: 4-3(D)(35)(i) [new] Cannabis Cultivation: 4-3(E)(2)(h) [new] Cannabis-derived Products Manufacturing: 4-3(E)(3)(h) [new] <u>"This use is prohibited in the Old Town - HPO-5."</u>	Prohibits cannabis uses in the Old Town Historic Protection Overlay (HPO) zone.

PRE-SUBMITTAL FACILITATED MEETING

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

### Old Town Historic Protection Overlay--IDO Annual Update--Pre-EPC Public Review Meeting

**Project:** IDO Annual Update: Proposed Changes Old Town Historic Protection Overlay

**Property Description/Address:** Old Town HPO Zone

**Date Submitted:** October 8, 2021

**Submitted By:** Jocelyn M. Torres and Philip Crump

**Meeting Date/Time:** October 6, 2021, 5:30-6:45 PM

**Meeting Location:** Zoom

**Facilitator:** Jocelyn M. Torres

**Co-facilitator:** Philip Crump

**Applicant:** City of Albuquerque

**Agents:** N/A

**Neighborhood Associations/Interested Parties:** Historic Old Town Property Owners Association, Downtown NA, West Park NA, West Old Town NA, Sawmill Area NA, Huning Castle NA. (Not all in attendance)

#### Background/Meeting Summary:

This was one of a number of similar scheduled annual meetings between planners and residents, to discuss proposed changes and updates to the Integrated Development Ordinance (IDO). In this instance, the proposed changes relevant to the Old Town Historic Protection Overlay (HPO-5) Zone regard commercial sale, cultivation or manufacture of cannabis and cannabis products. The meeting included a brief presentation on Zoning in general, a presentation of the proposed changes and questions from residents.<sup>1</sup>

Currently, there are permissive and conditional uses for cannabis and cannabis products outlined in the IDO. A City Council mandated moratorium prohibits these activities within the HPO. This moratorium will be supplanted by prohibitions incorporated into the IDO following a hearing before the EPC. As was clearly stated by the planners, the City has no involvement in regulation of personal uses; these are addressed in State regulation and statute.

While there have not been any studies of attitudes toward prohibition of cannabis activities, the planners reported that the general sense from businesses and residents is supportive of prohibition. There have been no complaints during the period of the mandated prohibition. None of the participants in the meeting expressed opposition to the proposed changes to the IDO. Participants expressed appreciation for the clear and complete presentation by the planners.

#### Outcomes:

- *Areas of Agreement:*  
Participants expressed no objections to the proposed changes to the IDO.

---

<sup>1</sup> The presentation may be seen at:

<https://abc-zone.com/sites/abc-zone.com/files/media/IDO-Training-AnnualUpdate2021-2021-10-05-OldTownHPO-Cannabis.pdf>

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**

### **Introductions:**

Facilitators: Jocelyn M. Torres and Philip Crump  
Presenters: Mikaela J Renz-Whitmore and Rebecca Bolen, CABQ Long Range Planners;  
Sonora Rodriguez, CABQ Mid-Range Planner

### **Meeting Specifics:**

#### **1) Planning and Zoning**

- a) Zoning establishes rights as well as limits on what can be done with private property.
  - i) Individual property rights are protected by the Fifth Amendment to the US Constitution.
    - (1) Zoning regulations cover Land uses, Development standards, and Review and approval processes.
    - (2) Zoning is also used to implement specific community policies.
- b) The Albuquerque Comprehensive Plan establishes what is wanted for the community, The plan is designed as a plan for growth and protection, as well as how to achieve these.
  - i) The first modern version of the Plan was introduced in the 1970s.
  - ii) In approximately 2001, the Plan established various types of Centers (Action, Employment, Downtown, Urban, etc.) and important connecting Corridors.
  - iii) It also defines Areas of Change (for innovation and growth) and Areas of Consistency (for protecting what is there).
- c) The Integrated Development Ordinance regulates how the zoning policies are to be achieved, with specific rules for specific uses and locations.
  - i) The IDO is intended to implement the community vision of having centers connected by corridors that offer multiple ways to get around our city safely.
    - (1) It provides specificity for Special Places, such as Old Town, which need protection from development pressures.
    - (2) The need for tailored rules to protect special places are balanced with standardized city-wide rules.
      - (a) There are already a number of rules specific to the Old Town HPO-5 in Section 3 of the IDO, referring to Building Height, Parking, Signs, Outdoor display, and Outdoor demonstration.
- d) Old Town is designated an Area of Consistency, to make sure that Old Town stays preserved in perpetuity. This maintains the level and scale of development that it has had for 300 years or more.
  - i) The Old Town Property Owners Association area abuts (or in some instances overlaps) several Neighborhood Associations; Downtown, West Old Town, Huning Castle, West Park, and Sawmill Area Neighborhood Associations.

#### **2) Proposed changes to IDO for Old Town HPO**

- a) There are three changes proposed for Old Town, to replace the current moratorium.
  - i) The changes reference the following:
    - (1) Cannabis retail – IDO Subsection 14-16-4-3(D)(35)
    - (2) Cannabis cultivation – IDO Subsection 14-16-4-3(E)(2)
    - (3) Cannabis-derived Products Manufacturing – IDO Subsection 14-16-4-3(E)(3)
  - ii) The changes in use refer to Section 4 of the IDO.
    - (1) Specifically, Table 4-2-1 outlines Allowable Uses for Cannabis activities.

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**

- (a) The table shows permissive and conditional uses in mixed-use and non-residential zones in the city.
  - (i) These uses were addressed in the 2019 version of the IDO.
- (b) Conditional uses must be approved by the Zoning Hearing Examiner.
- iii) Prohibited uses in HPO-5 include any and all Commercial (i.e., retail) and Industrial (cannabis cultivation and manufacturing of cannabis-derived products) uses.

### **3) Timeline for adoption of changes**

- a) The application to the EPC for approval of changes proposed for the 2021 Annual Update of the IDO, both for Old Town HPO-5 as well as proposed changes for other areas of the city, will be submitted on 28 October 2021.
  - i) The EPC public hearing is scheduled for 9 December 2021.
    - (1) The staff report to be submitted to the EPC will include public comments.
      - (a) The cutoff date for submission of public comments is 24 November 2021.
      - (2) Decisions by The EPC will be released in December 2021 or January 2022.
- b) The City Council's Land Use, Planning and Zoning Committee will review the decisions in March 2022 and submit their recommendations for approval or rejection of the proposed IDO changes to the City Council.
- c) The City Council will vote on the recommendations in April or May 2022.

### **4) Questions and responses**

- (1) Q: Are cannabis edibles such as cookies to be allowed?
  - (a) A: No; that is part of retail and all cannabis products are to be prohibited.
- (2) Q: Is CBD [cannabidiol] part of cannabis retail?
  - (a) A: No; CBD does not contain THC.
    - (i) Cannabis is defined by the State the Federal Government; CBD and hemp are excluded from the definition and so are not prohibited.
      - 1. Even Sprouts and Whole Foods sell CBD products.
- (3) Q: Is a resident allowed to cultivate cannabis?
  - (a) A: What we are talking about for Old Town is only about cannabis retail, including cannabis consumption, but only in a commercial setting.
    - (i) So we would not be prohibiting an individual privately consuming cannabis on their own private property.
- (4) Q: Could a bunch of college kids sit in the Plaza, and smoke dope there, because that's their personal use?
  - (a) A: There are some State regulations about where cannabis can and can't be consumed, but that is not a zoning question and so it cannot be answered here.
    - (i) If we do find out an answer it can be put on our Frequently Asked Questions page. [<https://abc-zone.com/integrated-development-ordinance-frequently-asked-questions>]
- (5) Q: if somebody has a house right there in that activity center, but it's just a house, residential, can they cultivate marijuana or not under the zoning?



# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**

- (a) A: That is personal consumption which is not part of this regulation at all so that's between that person and the state and not part of the city's zoning power.
    - (i) Technically they could, as long as the state would allow them to do that.
  - (b) They might have a growers permit from the state but that is not part of what the city can regulate.
- (6) Q: Does the sale of cannabis seeds and or consumption lounges fall under the city's definition of cannabis retail?
- (a) A: The IDO currently says is that if you have the state licenses you for what we call on site consumption, then that needs to be approved as a conditional use.
    - (i) Your cannabis retail as a conditional use is again not allowed in Old Town.
- (7) Q: With a proposed prohibition for the sales in Old Town, have there been any studies done, or any anticipation of how that might impact surrounding neighborhoods?
- (a) A: I'm not aware of a study.
  - (b)
    - (i) With the moratorium at the same time as a 2020 update went through, there was more time to allow for public comments on this.
    - (ii) Generally people were responding to an informal poll in support of the moratorium on Old Town.
      - 1. So far we have not really heard from the public that there's an interest in cannabis uses occurring in Old Town.
- (8) Q: Is the prohibition going to make our commercial properties around Old Town more attractive to retailers that aren't able to provide services in Old Town?
- (a) My question is, wouldn't it be a good idea to do a study before we permanently banned the cannabis retail in one area of the city.
  - (b) A: We will hear from the wider public at the EPC and then at full Council.
    - (i) It is definitely something that we will be listening closely to--what the public wants, and so it could change in the future.
      - 1. Alcohol permissive uses have changed over time, from very restrictive to tap rooms and distilleries allowed around Old Town.
- (9) Q: Is there any opportunity to discuss kind of a buffer outside the overlay, so that you know it's not like a wall on one side of Central where it's prohibited and on the other side of Central, you've got five retailers opening up? Is there a thing in the zoning that would allow for kind of a transition space between zones?
- (a) A: There is already a process whereby the first use may be permissible, but subsequent uses become conditional, subject to the judgment of the ZHE.

### **Action Items**

[Please visit hyperlinks and attend scheduled hearings.](#)

**Meeting Adjourned.**

**Next Steps—See Timeline for adoption of changes set forth in item number 3 above.**

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**

### **Names & Affiliations of Attendees and Interested Parties:**

Mikaela J Renz-Whitmore	CABQ Long Range Planner
Rebecca Bolen	CABQ Long Range Planner
Sonora Rodriguez	CABQ Mid-Range Planner
Petra Morris	Council Planning Manager
Kathy Hiatt	Historic Old Town Property Owners Association
Matt Celesky	West Park NA
Peter Rice	Downtown Albuquerque News
Kay Sawyer	Old Town Property Owner
Sylvia Ramos	Old Town Property Owner
Jesse Ehrenberg	Old Town Property Owner
Liz Burnham	Visit Albuquerque Visitor Center
Robert Salazar	
Tyson Hummell	CABQ ADR Coordinator
Jocelyn M. Torres	Facilitator
Philip Crump	Facilitator

## NOTIFICATION

**From:** Carmona, Dalaina L.  
**To:** Renz-Whitmore, Mikaela J.  
**Subject:** Old Town HPO-5 Neighborhood Meeting Inquiry  
**Date:** Monday, September 20, 2021 10:09:05 AM  
**Attachments:** IDOZoneAtlasPage\_J-13-Z.PDF  
 image001.png  
 image002.png  
 image003.png  
 image004.png  
 image007.png

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Sawmill Area NA	Dina	Afek	dina.afek@gmail.com	1503 Summer Avenue NW	Albuquerque	NM	87104	5204041988	
Sawmill Area NA	Jaime	Leanos	jaimelanos@gmail.com	1427 15th Street NW	Albuquerque	NM	87104		5054635396
Downtown Neighborhoods Association	Holly	Siebert	chair@abqdna.com	408 11th Street NW	Albuquerque	NM	87102		
Downtown Neighborhoods Association	Jim	Clark	treasurer@abqdna.com	516 11th Street NW	Albuquerque	NM	87102		
Historic Old Town Property Owners Association	Kathy	Hiatt	historicoldtown@gmail.com	110 San Felipe Street NW	Albuquerque	NM	87104	5057151609	
Historic Old Town Property Owners Association	Jim	Hoffsis	treahobooks@yahoo.com	2012 South Plaza Street NW	Albuquerque	NM	87104	5052427204	5052429987
West Park NA	Lea	Pino	lea@thecasapino.com	2203 New York Avenue SW	Albuquerque	NM	87104	9175696421	
West Park NA	Matt	Celesky	deadanimaldesign@hmn.org	2213 New York Avenue SW	Albuquerque	NM	87104		5054003508
West Old Town NA	Glen	Effertz	gteffertz@gmail.com	2918 Mountain Road NW	Albuquerque	NM	87104		5059800964
West Old Town NA	Gil	Clarke	g.clarke45@comcast.net	2630 Aloysia Lane NW	Albuquerque	NM	87104		5058426620

**PLEASE NOTE:** The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: [devhelp@cabq.gov](mailto:devhelp@cabq.gov), or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project. Please use this online link to find the required forms you will need to submit: <https://www.cabq.gov/planning/urban-design-development/public-notice>. Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido#page=393>

Thanks,



*Dalaina L. Carmona*

Senior Administrative Assistant  
 Office of Neighborhood Coordination  
 Council Services Department  
 1 Civic Plaza NW, Suite 9087, 9<sup>th</sup> Floor  
 Albuquerque, NM 87102  
 505-768-3334

[dlcarmona@cabq.gov](mailto:dlcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)

Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

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**From:** webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov

**Sent:** Friday, September 17, 2021 4:22 PM

**To:** Renz-Whitmore, Mikaela J. <mrenz-whitmore@cabq.gov>

**Cc:** Office of Neighborhood Coordination <onc@cabq.gov>

**Subject:** Neighborhood Meeting Inquiry Sheet Submission

Neighborhood Meeting Inquiry For:

Other (please specify in field below)

If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:

Amendment to IDO Text – Small Area

Contact Name

Mikaela Renz-Whitmore

Telephone Number

5059243932

Email Address

[mrenz@cabq.gov](mailto:mrenz@cabq.gov)

Company Name

City of Albuquerque Planning Department

Company Address

600 2nd Street NW

City

ALBUQUERQUE

State

NM

ZIP

87103

Legal description of the subject site for this project:

Old Town Historic Overlay Zone (HOZ)

Physical address of subject site:

Multiple

Subject site cross streets:

Central Avenue & Rio Grande & Mountain & 19th

Other subject site identifiers:

Old Town HPO-5

This site is located on the following zone atlas page:

J13

**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



**PART I - PROCESS**

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: Amendment to IDO Text - Small Area

Decision-making Body: City Council

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

**PART II – DETAILS OF REQUEST**

Address of property listed in application: All properties within Old Town Historic Protection Overlay Zone (HPO-5)

Name of property owner: Multiple

Name of applicant: City of Albuquerque

Date, time, and place of public meeting or hearing, if applicable:

Thursday, December 9, 2021 at 8:30 am via Zoom or Basement Hearing Room, Plaza del Sol, 600 2nd St. NW

Address, phone number, or website for additional information:

<https://abc-zone.com/ido-annual-update-2021>

**PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE**

☒ Zone Atlas page indicating subject property.

☐ Drawings, elevations, or other illustrations of this request. Not applicable

☐ Summary of pre-submittal neighborhood meeting, if applicable. Not applicable

☒ Summary of request, including explanations of deviations, variances, or waivers.

**IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.**

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Mikaela Renz Whitmore (Applicant signature) 9/20/2021 (Date)

**Note:** Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.

**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



<b>PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY</b>	<b>N/A</b>
Provide a site plan that shows, at a minimum, the following:	
<input type="checkbox"/> a. Location of proposed buildings and landscape areas.	
<input type="checkbox"/> b. Access and circulation for vehicles and pedestrians.	
<input type="checkbox"/> c. Maximum height of any proposed structures, with building elevations.	
<input type="checkbox"/> d. For residential development: Maximum number of proposed dwelling units.	
<input type="checkbox"/> e. For non-residential development: <ul style="list-style-type: none"> <li><input type="checkbox"/> Total gross floor area of proposed project.</li> <li><input type="checkbox"/> Gross floor area for each proposed use.</li> </ul>	

[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: 9/20/2021

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: Downtown Neighborhoods Association

Name of NA Representative\*: Holly Siebert / Jim Clark

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: chair@abqdna.com / treasurer@abqdna.com

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: abcto@cabq.gov

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

Wednesday, October 6 / 5:30 p.m. / Zoom

<https://cabq.zoom.us/j/91371262282?pwd=dndHMIZoVVZYUisyZTQ3aFdqNUROQT09>  
(346) 248-7799 Meeting ID: 913 7126 2282

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* All properties within Old Town Historic Protection Overlay Zone (HPO-5)  
Location Description Area generally bounded by Central Ave / Rio Grande Blvd / Mountain Rd. / 19th St.
2. Property Owner\* Multiple
3. Agent/Applicant\* [if applicable] City of Albuquerque
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - ☐ Conditional Use Approval
  - ☐ Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - ☐ Site Plan
  - ☐ Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.



[Note: Items with an asterisk (\*) are required.]

- ☐ Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- ☐ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment

☒ Other: Amendment to IDO Text - Small Area

Summary of project/request<sup>3\*</sup>:

Amendment to the IDO to prohibit cannabis uses in Old Town Historic Protection  
Overlay zone (HPO-5) in parallel with the IDO Annual Update for 2021

5. This type of application will be decided by<sup>\*</sup>: ☐ City Staff  
OR at a public meeting or hearing by:  
☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)  
☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)  
☒ City Council
6. Where more information about the project can be found<sup>\*4</sup>:  
<https://abc-zone.com/ido-annual-update-2021>

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>\*5</sup> J-13-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: ~~Attached to notice or provided via website noted above~~ Not applicable
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:  
☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)  
Explanation:  
None. Text amendment.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)<sup>\*</sup>: ☒ Yes ☐ No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: Not applicable

- ☐ a. Location of proposed buildings and landscape areas.\*
- ☐ b. Access and circulation for vehicles and pedestrians.\*
- ☐ c. Maximum height of any proposed structures, with building elevations.\*
- ☐ d. **For residential development\***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development\***:
  - ☐ Total gross floor area of proposed project.
  - ☐ Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:
  - a. Area of Property [typically in acres] 29.75 acres
  - b. IDO Zone District R-T, R-ML, R-MH, MX-T, MX-L, MX-M, NR-PO-A, PD
  - c. Overlay Zone(s) [if applicable] Old Town Historic Protection Overlay Zone (HPO-5)
  - d. Center or Corridor Area [if applicable] Old Town, Premium Transit (PT) station area, Major Transit, Main Street
2. Current Land Use(s) [vacant, if none] Commercial retail, commercial services, community utilities, industrial, office, educational, low-density residential

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: Sawmill Area NA [Other Neighborhood Associations, if any]

Historic Old Town Property Owners Association

West Park NA

West Old Town NA

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [chair@abqdna.com](mailto:chair@abqdna.com)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:23:00 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
[J13\\_forHPORequest\\_09202021.pdf](#)  
[NeighborhoodMeetingRequest-Print&Fill-Old\\_Town\\_IDO\\_2021-DowntownNA.pdf](#)  
[SmallAreaNANotification-2021-09-20-DNA-Siebert.pdf](#)

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Please see attached notice of an offer of a Neighborhood Meeting to discuss a proposed change to the Old Town Historic Protection Overlay Zone (HPO-5) to prohibit cannabis uses.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
  - +1-346-248-7799, Meeting ID: 913 7126 2282

The application will be submitted November 4<sup>th</sup> for a hearing before the [Environmental Planning Commission \(EPC\)](#) in December to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

September 20, 2021

Holly Siebert, Downtown Neighborhoods Association  
chair@abqdna.com  
408 11th Street NW  
Albuquerque, NM 87102



**Re: Neighborhood Meeting about Future Development Application**

Dear Neighborhood Association Representative,

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(C) Neighborhood Meeting, we are providing you an opportunity to discuss the following application(s) we will be making in or near your neighborhood: **Amendment to IDO Text – Small Area for the Old Town Historic Protection Overlay Zone (HPO-5).**

There will be a Neighborhood Meeting facilitated by the City's Alternative Dispute Resolution Office where the City of Albuquerque Planning Department will present the proposal, and we can discuss any ideas or concerns you may have. This meeting will be conducted via Zoom, and a recording of the meeting will be posted on the City's website.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
    - +1-346-248-7799, Meeting ID: 913 7126 2282



The application is to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products  
Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

**Contact Information**

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)

**Project or Development Proposal**

*Site Address and/or Location:* Old Town Historic Protection Overlay Zone (HPO-5)

*Name(s) of Agent/Developer/Property Owner, if different from Contact Name above:* The amendment will impact all property and all property owners within these small area boundaries. This small area is shown in the map that follows.

*Short Description of Proposal:* The City of Albuquerque intends to submit an application for an Amendment to IDO Text – Small Area to be reviewed and recommended by the Environmental Planning Commission, which will be decided by City Council. The small area proposed to be amended with the 2021 Integrated Development Ordinance (IDO) annual update is within or abutting your neighborhood association or coalition.

Before submitting our application, we will send Mailed and/or Emailed Public Notice as required by IDO Table 6-1-1 to make you aware of the public Environmental Planning Commission hearing at which the project will be reviewed and decided by the City.

The intent is for this request to be heard by the EPC on **December 9, 2021, beginning at 8:30 am**, either via Zoom or in-person in the Basement Hearing Room of the Plaza del Sol Building, 600 2<sup>nd</sup> St. NW, depending on public health order related to COVID-19. The meeting agenda will note the location and should be posted by December 2, 2021 here: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Additional information about this request will be posted on the following websites, as it becomes available: <https://abc-zone.com/ido-annual-update-2021>

Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager  
City of Albuquerque Planning Department

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [treasurer@abqdna.com](mailto:treasurer@abqdna.com)  
**Cc:** [City of Albuquerque Planning Department](#)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:25:00 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
[J13\\_forHPORequest\\_09202021.pdf](#)  
[NeighborhoodMeetingRequest-Print&Fill-Old\\_Town\\_IDO\\_2021-DowntownNA.pdf](#)  
[SmallAreaNANotification-2021-09-20-DNA-Clark.pdf](#)

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Please see attached notice of an offer of a Neighborhood Meeting to discuss a proposed change to the Old Town Historic Protection Overlay Zone (HPO-5) to prohibit cannabis uses.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
  - +1-346-248-7799, Meeting ID: 913 7126 2282

The application will be submitted November 4<sup>th</sup> for a hearing before the [Environmental Planning Commission \(EPC\)](#) in December to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

September 20, 2021

Jim Clark, Downtown Neighborhoods Association  
treasurer@abqdna.com  
516 11th Street NW  
Albuquerque, NM 87102



**Re: Neighborhood Meeting about Future Development Application**

Dear Neighborhood Association Representative,

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(C) Neighborhood Meeting, we are providing you an opportunity to discuss the following application(s) we will be making in or near your neighborhood: **Amendment to IDO Text – Small Area for the Old Town Historic Protection Overlay Zone (HPO-5).**

There will be a Neighborhood Meeting facilitated by the City's Alternative Dispute Resolution Office where the City of Albuquerque Planning Department will present the proposal, and we can discuss any ideas or concerns you may have. This meeting will be conducted via Zoom, and a recording of the meeting will be posted on the City's website.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
    - +1-346-248-7799, Meeting ID: 913 7126 2282



The application is to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products  
Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

**Contact Information**

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)

**Project or Development Proposal**

*Site Address and/or Location:* Old Town Historic Protection Overlay Zone (HPO-5)

*Name(s) of Agent/Developer/Property Owner, if different from Contact Name above:* The amendment will impact all property and all property owners within these small area boundaries. This small area is shown in the map that follows.

*Short Description of Proposal:* The City of Albuquerque intends to submit an application for an Amendment to IDO Text – Small Area to be reviewed and recommended by the Environmental Planning Commission, which will be decided by City Council. The small area proposed to be amended with the 2021 Integrated Development Ordinance (IDO) annual update is within or abutting your neighborhood association or coalition.

Before submitting our application, we will send Mailed and/or Emailed Public Notice as required by IDO Table 6-1-1 to make you aware of the public Environmental Planning Commission hearing at which the project will be reviewed and decided by the City.

The intent is for this request to be heard by the EPC on **December 9, 2021, beginning at 8:30 am**, either via Zoom or in-person in the Basement Hearing Room of the Plaza del Sol Building, 600 2<sup>nd</sup> St. NW, depending on public health order related to COVID-19. The meeting agenda will note the location and should be posted by December 2, 2021 here: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Additional information about this request will be posted on the following websites, as it becomes available: <https://abc-zone.com/ido-annual-update-2021>

Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager

City of Albuquerque Planning Department



[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: 9/20/2021

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: Historic Old Town Property Owners Association

Name of NA Representative\*: Kathy Hiatt / Jim Hoffsis

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: historicoldtown@gmail.com / treahobooks@yahoo.com

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: abcto@cabq.gov

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

Wednesday, October 6 / 5:30 p.m. / Zoom

https://cabq.zoom.us/j/91371262282?pwd=dndHMIZoVVZYUisyZTQ3aFdqNUROQT09  
(346) 248-7799 Meeting ID: 913 7126 2282

### Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* All properties within Old Town Historic Protection Overlay Zone (HPO-5)  
Location Description Area generally bounded by Central Ave / Rio Grande Blvd / Mountain Rd. / 19th St.
2. Property Owner\* Multiple
3. Agent/Applicant\* [if applicable] City of Albuquerque
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - ☐ Conditional Use Approval
  - ☐ Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - ☐ Site Plan
  - ☐ Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (\*) are required.]

- ☐ Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- ☐ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment

☒ Other: Amendment to IDO Text - Small Area

Summary of project/request<sup>3\*</sup>:

Amendment to the IDO to prohibit cannabis uses in Old Town Historic Protection  
Overlay zone (HPO-5) in parallel with the IDO Annual Update for 2021

5. This type of application will be decided by<sup>\*</sup>: ☐ City Staff

OR at a public meeting or hearing by:

- ☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)
- ☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)

☒ City Council

6. Where more information about the project can be found<sup>\*4</sup>:

<https://abc-zone.com/ido-annual-update-2021>

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>\*5</sup> J-13-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: ~~Attached to notice or provided via website noted above~~ Not applicable
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:
  - ☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)

Explanation:

None. Text amendment.

4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)<sup>\*</sup>: ☒ Yes ☐ No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: Not applicable

- ☐ a. Location of proposed buildings and landscape areas.\*
- ☐ b. Access and circulation for vehicles and pedestrians.\*
- ☐ c. Maximum height of any proposed structures, with building elevations.\*
- ☐ d. **For residential development\***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development\***:
  - ☐ Total gross floor area of proposed project.
  - ☐ Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:

- a. Area of Property [typically in acres] 29.75 acres
- b. IDO Zone District R-T, R-ML, R-MH, MX-T, MX-L, MX-M, NR-PO-A, PD
- c. Overlay Zone(s) [if applicable] Old Town Historic Protection Overlay Zone (HPO-5)
- d. Center or Corridor Area [if applicable] Old Town, Premium Transit (PT) station area, Major Transit, Main Street

2. Current Land Use(s) [vacant, if none] Commercial retail, commercial services, community utilities, industrial, office, educational, low-density residential

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: Downtown Neighborhoods Association [Other Neighborhood Associations, if any]

Sawmill Area NA

West Park NA

West Old Town NA

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [historicroldtown@gmail.com](mailto:historicroldtown@gmail.com)  
**Cc:** [City of Albuquerque Planning Department](#)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:27:00 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
[J13\\_forHPORequest\\_09202021.pdf](#)  
[NeighborhoodMeetingRequest-Print&Fill-Old\\_Town\\_IDO\\_2021-HistoricOldTownPOA.pdf](#)  
[SmallAreaNANotification-2021-09-20-HistoricOldTownPOA-Hiatt.pdf](#)

---

Please see attached notice of an offer of a Neighborhood Meeting to discuss a proposed change to the Old Town Historic Protection Overlay Zone (HPO-5) to prohibit cannabis uses.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
  - +1-346-248-7799, Meeting ID: 913 7126 2282

The application will be submitted November 4<sup>th</sup> for a hearing before the [Environmental Planning Commission \(EPC\)](#) in December to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

September 20, 2021

Kathy Hiatt, Historic Old Town Property Owners Association  
historicoldtown@gmail.com  
110 San Felipe Street NW  
Albuquerque, NM 87104



**Re: Neighborhood Meeting about Future Development Application**

Dear Neighborhood Association Representative,

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(C) Neighborhood Meeting, we are providing you an opportunity to discuss the following application(s) we will be making in or near your neighborhood: **Amendment to IDO Text – Small Area for the Old Town Historic Protection Overlay Zone (HPO-5).**

There will be a Neighborhood Meeting facilitated by the City's Alternative Dispute Resolution Office where the City of Albuquerque Planning Department will present the proposal, and we can discuss any ideas or concerns you may have. This meeting will be conducted via Zoom, and a recording of the meeting will be posted on the City's website.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
    - +1-346-248-7799, Meeting ID: 913 7126 2282



The application is to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

**Contact Information**

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)

**Project or Development Proposal**

*Site Address and/or Location:* Old Town Historic Protection Overlay Zone (HPO-5)

*Name(s) of Agent/Developer/Property Owner, if different from Contact Name above:* The amendment will impact all property and all property owners within these small area boundaries. This small area is shown in the map that follows.

*Short Description of Proposal:* The City of Albuquerque intends to submit an application for an Amendment to IDO Text – Small Area to be reviewed and recommended by the Environmental Planning Commission, which will be decided by City Council. The small area proposed to be amended with the 2021 Integrated Development Ordinance (IDO) annual update is within or abutting your neighborhood association or coalition.

Before submitting our application, we will send Mailed and/or Emailed Public Notice as required by IDO Table 6-1-1 to make you aware of the public Environmental Planning Commission hearing at which the project will be reviewed and decided by the City.

The intent is for this request to be heard by the EPC on **December 9, 2021, beginning at 8:30 am**, either via Zoom or in-person in the Basement Hearing Room of the Plaza del Sol Building, 600 2<sup>nd</sup> St. NW, depending on public health order related to COVID-19. The meeting agenda will note the location and should be posted by December 2, 2021 here: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Additional information about this request will be posted on the following websites, as it becomes available: <https://abc-zone.com/ido-annual-update-2021>

Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager  
City of Albuquerque Planning Department

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [treahobooks@yahoo.com](mailto:treahobooks@yahoo.com)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:28:00 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
[J13\\_forHPORequest\\_09202021.pdf](#)  
[NeighborhoodMeetingRequest-Print&Fill-Old\\_Town\\_IDO\\_2021-HistoricOldTownPOA.pdf](#)  
[SmallAreaNANotification-2021-09-20-HistoricOldTownPOA-Hoffsis.pdf](#)

---

Please see attached notice of an offer of a Neighborhood Meeting to discuss a proposed change to the Old Town Historic Protection Overlay Zone (HPO-5) to prohibit cannabis uses.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
  - +1-346-248-7799, Meeting ID: 913 7126 2282

The application will be submitted November 4<sup>th</sup> for a hearing before the [Environmental Planning Commission \(EPC\)](#) in December to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

September 20, 2021

Jim Hoffsis, Historic Old Town Property Owners Association  
treahobooks@yahoo.com  
2012 South Plaza Street NW  
Albuquerque, NM 87104



**Re: Neighborhood Meeting about Future Development Application**

Dear Neighborhood Association Representative,

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(C) Neighborhood Meeting, we are providing you an opportunity to discuss the following application(s) we will be making in or near your neighborhood: **Amendment to IDO Text – Small Area for the Old Town Historic Protection Overlay Zone (HPO-5).**

There will be a Neighborhood Meeting facilitated by the City's Alternative Dispute Resolution Office where the City of Albuquerque Planning Department will present the proposal, and we can discuss any ideas or concerns you may have. This meeting will be conducted via Zoom, and a recording of the meeting will be posted on the City's website.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
    - +1-346-248-7799, Meeting ID: 913 7126 2282



The application is to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products  
Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

**Contact Information**

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)



**Project or Development Proposal**

*Site Address and/or Location:* Old Town Historic Protection Overlay Zone (HPO-5)

*Name(s) of Agent/Developer/Property Owner, if different from Contact Name above:* The amendment will impact all property and all property owners within these small area boundaries. This small area is shown in the map that follows.

*Short Description of Proposal:* The City of Albuquerque intends to submit an application for an Amendment to IDO Text – Small Area to be reviewed and recommended by the Environmental Planning Commission, which will be decided by City Council. The small area proposed to be amended with the 2021 Integrated Development Ordinance (IDO) annual update is within or abutting your neighborhood association or coalition.

Before submitting our application, we will send Mailed and/or Emailed Public Notice as required by IDO Table 6-1-1 to make you aware of the public Environmental Planning Commission hearing at which the project will be reviewed and decided by the City.

The intent is for this request to be heard by the EPC on **December 9, 2021, beginning at 8:30 am**, either via Zoom or in-person in the Basement Hearing Room of the Plaza del Sol Building, 600 2<sup>nd</sup> St. NW, depending on public health order related to COVID-19. The meeting agenda will note the location and should be posted by December 2, 2021 here: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Additional information about this request will be posted on the following websites, as it becomes available: <https://abc-zone.com/ido-annual-update-2021>

Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager  
City of Albuquerque Planning Department

[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: 10/6/2021

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: Huning Castle NA

Name of NA Representative\*: Deborah Allen / Harvey Buchalter

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: debzallen@ymail.com / hcbuchalter@gmail.com

The application is not yet submitted. ~~If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.~~<sup>2</sup> Note meeting schedule.

Email address to respond yes or no: abcto@cabq.gov

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

Wednesday, October 6 / 5:30 p.m. / Zoom

<https://cabq.zoom.us/j/91371262282?pwd=dndHMIzoVVZYUisyZTQ3aFdqNUROQT09>  
(346) 248-7799 Meeting ID: 913 7126 2282

**Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)**

1. Subject Property Address\* All properties within Old Town Historic Protection Overlay Zone (HPO-5)  
Location Description Area generally bounded by Central Ave / Rio Grande Blvd / Mountain Rd. / 19th St.
2. Property Owner\* Multiple
3. Agent/Applicant\* [if applicable] City of Albuquerque
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - ☐ Conditional Use Approval
  - ☐ Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - ☐ Site Plan
  - ☐ Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (\*) are required.]

- ☐ Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- ☐ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment

☒ Other: Amendment to IDO Text - Small Area

Summary of project/request<sup>3\*</sup>:

Amendment to the IDO to prohibit cannabis uses in Old Town Historic Protection  
Overlay zone (HPO-5) in parallel with the IDO Annual Update for 2021

5. This type of application will be decided by<sup>\*</sup>: ☐ City Staff  
OR at a public meeting or hearing by:  
☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)  
☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)  
☒ City Council
6. Where more information about the project can be found<sup>\*4</sup>:  
<https://abc-zone.com/ido-annual-update-2021>

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>\*5</sup> J-13-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: ~~Attached to notice or provided via website noted above~~ Not applicable
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:  
☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)  
Explanation:  
None. Text amendment.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)<sup>\*</sup>: ☒ Yes ☐ No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: Not applicable

- ☐ a. Location of proposed buildings and landscape areas.\*
- ☐ b. Access and circulation for vehicles and pedestrians.\*
- ☐ c. Maximum height of any proposed structures, with building elevations.\*
- ☐ d. **For residential development\***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development\***:
  - ☐ Total gross floor area of proposed project.
  - ☐ Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:
  - a. Area of Property [typically in acres] 29.75 acres
  - b. IDO Zone District R-T, R-ML, R-MH, MX-T, MX-L, MX-M, NR-PO-A, PD
  - c. Overlay Zone(s) [if applicable] Old Town Historic Protection Overlay Zone (HPO-5)
  - d. Center or Corridor Area [if applicable] Old Town, Premium Transit (PT) station area, Major Transit, Main Street
2. Current Land Use(s) [vacant, if none] Commercial retail, commercial services, community utilities, industrial, office, educational, low-density residential

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: Downtown Neighborhoods Association [Other Neighborhood Associations, if any]

Historic Old Town Property Owners Association

Sawmill Area NA

West Park NA

West Old Town NA

<sup>6</sup> Available here: <https://tinyurl.com/idozoningmap>

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [debzallen@gmail.com](mailto:debzallen@gmail.com); [hcbuchalter@gmail.com](mailto:hcbuchalter@gmail.com)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5 - TONIGHT @ 5:30 pm  
**Date:** Wednesday, October 6, 2021 9:51:00 AM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
[J13\\_forHPORequest\\_09202021.pdf](#)  
[NeighborhoodMeetingRequest-Print&Fill-Old\\_Town\\_IDO\\_2021-Hunin....pdf](#)  
[SmallAreaNANotification-2021-10-06-HuningCastle-BuchalterH.pdf](#)  
[SmallAreaNANotification-2021-10-06-HuningCastle-AllenDeborah.pdf](#)

---

I just noticed that your Neighborhood Association is just outside the buffer that we used to determine notice for a Neighborhood Meeting tonight to discuss the proposed change to the Integrated Development Ordinance to prohibit cannabis uses in the Old Town Historic Protection Overlay zone (HPO-5). Just in case you were available tonight, I wanted to let you know about it as a courtesy.

**Wednesday, October 6, 5:30 - 7 p.m.**

[Join via Zoom](#)

Join by phone: (346) 248-7799

Meeting ID: 913 7126 2282

We also have 3 other meetings scheduled that would give you the opportunity to discuss the proposed change with Planning staff before we submit the proposed changes to the City's review/decision process. Of course, there will also be opportunities throughout the review/decision process, beginning with hearings at the Environmental Planning Commission, and then at the City Council's Land Use, Planning, and Zoning (LUPZ) committee, then at full City Council.

**Open Houses for Discussion**

- Thursday, October 7, 5:30 - 7 p.m. - [Click here to add this to your calendar](#)
- Friday, October 8, 12-1:30 p.m. - [Click here to add this to your calendar](#)
- Tuesday, October 12, 12-1:30 p.m. - [Click here to add this to your calendar](#)

We hope that you will be able participate in one of these ways!

Please see details on the project webpage here: <https://abc-zone.com/ido-annual-update-2021>

Best,



**MIKAELA RENZ-WHITMORE**

(she/hers)

October 6, 2021

Deborah Allen, Huning Castle NA

[debzallen@ymail.com](mailto:debzallen@ymail.com)

206 Laguna Boulevard SW

Albuquerque, NM 87104



**Re: Neighborhood Meeting about Future Development Application**

Dear Neighborhood Association Representative,

Your neighborhood is close to the Old Town Historic Protection Overlay Zone (HPO-5) but is not technically considered adjacent to the boundary, so we did not include you in notice to other Neighborhood Associations that are adjacent to the boundary. We noticed your Neighborhood Association as we were preparing for the presentation and wanted to give you an opportunity to join the meeting, if you happen to be available.

This is a Neighborhood Meeting is for Neighborhood Associations adjacent to the Old Town Historic Protection Overlay Zone (HPO-5) to discuss an application for an **Amendment to IDO Text – Small Area for the Old Town Historic Protection Overlay Zone (HPO-5)** in accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(C) Neighborhood Meeting.

The meeting will be facilitated by the City's Alternative Dispute Resolution Office where the City of Albuquerque Planning Department will present the proposal, and we can discuss any ideas or concerns you may have. This meeting will be conducted via Zoom, and a recording of the meeting will be posted on the City's website.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
  - +1-346-248-7799, Meeting ID: 913 7126 2282

The City is also providing open houses with Planning staff available to answer questions about this proposed change, as well as others proposed citywide for the 2021 annual update of the IDO via the same Zoom link as above. If you cannot attend this evening, we hope that you can attend one of the open houses if you have questions, or that you will send comments or participate at the Environmental Planning Commission hearing on **December 9<sup>th</sup>, 9 a.m.** via Zoom or in-person in the Plaza del Sol Basement Hearing Room (to be decided based on COVID-19 health orders).

**Open Houses for Discussion**

- Thursday, October 7, 5:30 - 7 p.m.
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The application is to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
- Cannabis cultivation – [IDO Subsection 14-16-4-3\(E\)\(2\)](#)
- Cannabis-derived Products Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

### Contact Information

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)

### Project or Development Proposal

*Site Address and/or Location:* Old Town Historic Protection Overlay Zone (HPO-5)

*Name(s) of Agent/Developer/Property Owner, if different from Contact Name above:* The amendment will impact all property and all property owners within these small area boundaries. This small area is shown in the map that follows.

*Short Description of Proposal:* The City of Albuquerque intends to submit an application for an Amendment to IDO Text – Small Area to be reviewed and recommended by the Environmental Planning Commission, which will be decided by City Council. The small area proposed to be amended with the 2021 Integrated Development Ordinance (IDO) annual update is within or abutting your neighborhood association or coalition.

Before submitting our application, we will send Mailed and/or Emailed Public Notice as required by IDO Table 6-1-1 to make you aware of the public Environmental Planning Commission hearing at which the project will be reviewed and decided by the City.

The intent is for this request to be heard by the EPC on **December 9, 2021, beginning at 9 am**, either via Zoom or in-person in the Basement Hearing Room of the Plaza del Sol Building, 600 2<sup>nd</sup> St. NW, depending on public health order related to COVID-19. The meeting agenda will note the location and should be posted by December 2, 2021 here: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Additional information about this request will be posted on the following websites, as it becomes available: <https://abc-zone.com/ido-annual-update-2021>

Sincerely,

A handwritten signature in black ink, appearing to read 'Mikaela' with a stylized flourish at the end.

Mikaela Renz-Whitmore, Long Range Planning Manager  
City of Albuquerque Planning Department



October 6, 2021

Harvey Buchalter, Huning Castle NA

[hcbuchalter@gmail.com](mailto:hcbuchalter@gmail.com)

1615 Kit Carson SW

Albuquerque, NM 87104



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Mikaela Renz-Whitmore, Long Range Planning Manager  
City of Albuquerque Planning Department

[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: 9/20/2021

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: Sawmill Area NA

Name of NA Representative\*: Dina Afek / Jaime Leanos

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: dina.afek@gmail.com / jaime.leanos@gmail.com

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: abcto@cabq.gov

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

Wednesday, October 6 / 5:30 p.m. / Zoom

https://cabq.zoom.us/j/91371262282?pwd=dndHMIZoVVZYUisyZTQ3aFdqNUROQT09  
(346) 248-7799 Meeting ID: 913 7126 2282

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* All properties within Old Town Historic Protection Overlay Zone (HPO-5)  
Location Description Area generally bounded by Central Ave / Rio Grande Blvd / Mountain Rd. / 19th St.
2. Property Owner\* Multiple
3. Agent/Applicant\* [if applicable] City of Albuquerque
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - ☐ Conditional Use Approval
  - ☐ Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - ☐ Site Plan
  - ☐ Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (\*) are required.]

- ☐ Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- ☐ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment

☒ Other: Amendment to IDO Text - Small Area

Summary of project/request<sup>3\*</sup>:

Amendment to the IDO to prohibit cannabis uses in Old Town Historic Protection  
Overlay zone (HPO-5) in parallel with the IDO Annual Update for 2021

5. This type of application will be decided by<sup>\*</sup>: ☐ City Staff  
OR at a public meeting or hearing by:  
☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)  
☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)  
☒ City Council
6. Where more information about the project can be found<sup>\*4</sup>:  
<https://abc-zone.com/ido-annual-update-2021>

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>\*5</sup> J-13-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: ~~Attached to notice or provided via website noted above~~ Not applicable
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:  
☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)  
Explanation:  
None. Text amendment.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)<sup>\*</sup>: ☒ Yes ☐ No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: Not applicable

- ☐ a. Location of proposed buildings and landscape areas.\*
- ☐ b. Access and circulation for vehicles and pedestrians.\*
- ☐ c. Maximum height of any proposed structures, with building elevations.\*
- ☐ d. **For residential development\***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development\***:
  - ☐ Total gross floor area of proposed project.
  - ☐ Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:
  - a. Area of Property [typically in acres] 29.75 acres
  - b. IDO Zone District R-T, R-ML, R-MH, MX-T, MX-L, MX-M, NR-PO-A, PD
  - c. Overlay Zone(s) [if applicable] Old Town Historic Protection Overlay Zone (HPO-5)
  - d. Center or Corridor Area [if applicable] Old Town, Premium Transit (PT) station area, Major Transit, Main Street
2. Current Land Use(s) [vacant, if none] Commercial retail, commercial services, community utilities, industrial, office, educational, low-density residential

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: Downtown Neighborhoods Association [Other Neighborhood Associations, if any]

Historic Old Town Property Owners Association

West Park NA

West Old Town NA

<sup>6</sup> Available here: <https://tinyurl.com/idozoningmap>

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [dina.afek@gmail.com](mailto:dina.afek@gmail.com)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:19:00 PM  
**Attachments:** [NeighborhoodMeetingRequest-Print&Fill-Old Town IDO 2021-SawmillNA.pdf](#)  
[CABQ-Official public notice form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
[SmallAreaNANotification-2021-09-20-Sawmill-Afek.pdf](#)  
[J13 forHPORequest 09202021.pdf](#)

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Please see attached notice of an offer of a Neighborhood Meeting to discuss a proposed change to the Old Town Historic Protection Overlay Zone (HPO-5) to prohibit cannabis uses.

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The application will be submitted November 4<sup>th</sup> for a hearing before the [Environmental Planning Commission \(EPC\)](#) in December to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
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Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

September 20, 2021

Dina Afek, Sawmill Area NA  
dina.afek@gmail.com  
1503 Summer Avenue NW  
Albuquerque, NM 87104



**Re: Neighborhood Meeting about Future Development Application**

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**Contact Information**

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)



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Mikaela Renz-Whitmore, Long Range Planning Manager

City of Albuquerque Planning Department

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [jaime.leanos@gmail.com](mailto:jaime.leanos@gmail.com)  
**Cc:** [City of Albuquerque Planning Department](#)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:21:00 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
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**LONG RANGE PLANNING**

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City of Albuquerque Planning Department

[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: 9/20/2021

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: West Old Town NA

Name of NA Representative\*: Glen Effertz / Gil Clarke

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: gteffertz@gmail.com / g.clarke45@comcast.net

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: abcto@cabq.gov

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- ☐ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment

☒ Other: Amendment to IDO Text - Small Area

Summary of project/request<sup>3\*</sup>:

Amendment to the IDO to prohibit cannabis uses in Old Town Historic Protection  
Overlay zone (HPO-5) in parallel with the IDO Annual Update for 2021

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Explanation:  
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\_\_\_\_\_  
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<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: Not applicable

- ☐ a. Location of proposed buildings and landscape areas.\*
- ☐ b. Access and circulation for vehicles and pedestrians.\*
- ☐ c. Maximum height of any proposed structures, with building elevations.\*
- ☐ d. **For residential development\***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development\***:
  - ☐ Total gross floor area of proposed project.
  - ☐ Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:
  - a. Area of Property [typically in acres] 29.75 acres
  - b. IDO Zone District R-T, R-ML, R-MH, MX-T, MX-L, MX-M, NR-PO-A, PD
  - c. Overlay Zone(s) [if applicable] Old Town Historic Protection Overlay Zone (HPO-5)
  - d. Center or Corridor Area [if applicable] Old Town, Premium Transit (PT) station area, Major Transit, Main Street
2. Current Land Use(s) [vacant, if none] Commercial retail, commercial services, community utilities, industrial, office, educational, low-density residential

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: Downtown Neighborhoods Association [Other Neighborhood Associations, if any]

Historic Old Town Property Owners Association

Sawmill Area NA

West Park NA

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [gteffertz@gmail.com](mailto:gteffertz@gmail.com)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:35:00 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
[J13\\_forHPORrequest\\_09202021.pdf](#)  
[NeighborhoodMeetingRequest-Print&Fill-Old\\_Town\\_IDO\\_2021-WestOldTownNA.pdf](#)  
[SmallAreaNANotification-2021-09-20-WestOldTown-Effertz.pdf](#)

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Please see attached notice of an offer of a Neighborhood Meeting to discuss a proposed change to the Old Town Historic Protection Overlay Zone (HPO-5) to prohibit cannabis uses.

- Wednesday, October 6, 2021 at 5:30 pm
  - <https://cabq.zoom.us/j/91371262282>
    - Passcode: CABQ
  - +1-346-248-7799, Meeting ID: 913 7126 2282

The application will be submitted November 4<sup>th</sup> for a hearing before the [Environmental Planning Commission \(EPC\)](#) in December to revise the following use-specific standards to prohibit these cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5).

- Cannabis retail – [IDO Subsection 14-16-4-3\(D\)\(35\)](#)
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- Cannabis-derived Products Manufacturing – [IDO Subsection 4-3\(E\)\(3\)](#)

Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)



September 20, 2021

Glen Effertz, West Old Town NA  
gteffertz@gmail.com  
2918 Mountain Road NW  
Albuquerque, NM 87104



**Re: Neighborhood Meeting about Future Development Application**

Dear Neighborhood Association Representative,

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(C) Neighborhood Meeting, we are providing you an opportunity to discuss the following application(s) we will be making in or near your neighborhood: **Amendment to IDO Text – Small Area for the Old Town Historic Protection Overlay Zone (HPO-5).**

There will be a Neighborhood Meeting facilitated by the City's Alternative Dispute Resolution Office where the City of Albuquerque Planning Department will present the proposal, and we can discuss any ideas or concerns you may have. This meeting will be conducted via Zoom, and a recording of the meeting will be posted on the City's website.

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**Contact Information**

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)

**Project or Development Proposal**

*Site Address and/or Location:* Old Town Historic Protection Overlay Zone (HPO-5)

*Name(s) of Agent/Developer/Property Owner, if different from Contact Name above:* The amendment will impact all property and all property owners within these small area boundaries. This small area is shown in the map that follows.

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Additional information about this request will be posted on the following websites, as it becomes available: <https://abc-zone.com/ido-annual-update-2021>

Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager  
City of Albuquerque Planning Department

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [g.clarke45@comcast.net](mailto:g.clarke45@comcast.net)  
**Cc:** [City of Albuquerque Planning Department](#)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:37:03 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
[J13\\_forHPORequest\\_09202021.pdf](#)  
[NeighborhoodMeetingRequest-Print&Fill-Old\\_Town\\_IDO\\_2021-WestOldTownNA.pdf](#)  
[SmallAreaNANotification-2021-09-20-WestOldTown-Clarke.pdf](#)

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Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

September 20, 2021

Gil Clarke, West Old Town NA  
g.clarke45@comcast.net  
2630 Aloysia Lane NW  
Albuquerque, NM 87104



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In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(C) Neighborhood Meeting, we are providing you an opportunity to discuss the following application(s) we will be making in or near your neighborhood: **Amendment to IDO Text – Small Area for the Old Town Historic Protection Overlay Zone (HPO-5).**

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**Contact Information**

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)

**Project or Development Proposal**

*Site Address and/or Location:* Old Town Historic Protection Overlay Zone (HPO-5)

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Additional information about this request will be posted on the following websites, as it becomes available: <https://abc-zone.com/ido-annual-update-2021>

Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager  
City of Albuquerque Planning Department

[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: 9/20/2021

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: West Park NA

Name of NA Representative\*: Lea Pino / Matt Celesky

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: lea@thecasapino.com / deadanimaldesign@hmnh.org

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: abcto@cabq.gov

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

Wednesday, October 6 / 5:30 p.m. / Zoom

https://cabq.zoom.us/j/91371262282?pwd=dndHMIZoVVZYUisyZTQ3aFdqNUROQT09  
(346) 248-7799 Meeting ID: 913 7126 2282

**Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)**

1. Subject Property Address\* All properties within Old Town Historic Protection Overlay Zone (HPO-5)  
Location Description Area generally bounded by Central Ave / Rio Grande Blvd / Mountain Rd. / 19th St.
2. Property Owner\* Multiple
3. Agent/Applicant\* [if applicable] City of Albuquerque
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - ☐ Conditional Use Approval
  - ☐ Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - ☐ Site Plan
  - ☐ Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (\*) are required.]

- ☐ Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- ☐ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment

☒ Other: Amendment to IDO Text - Small Area

Summary of project/request<sup>3\*</sup>:

Amendment to the IDO to prohibit cannabis uses in Old Town Historic Protection  
Overlay zone (HPO-5) in parallel with the IDO Annual Update for 2021

5. This type of application will be decided by<sup>\*</sup>: ☐ City Staff  
OR at a public meeting or hearing by:  
☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)  
☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)  
☒ City Council
6. Where more information about the project can be found<sup>\*4</sup>:  
<https://abc-zone.com/ido-annual-update-2021>

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>\*5</sup> J-13-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: ~~Attached to notice or provided via website noted above~~ Not applicable
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:  
☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)  
Explanation:  
None. Text amendment.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)<sup>\*</sup>: ☒ Yes ☐ No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

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5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: Not applicable

- ☐ a. Location of proposed buildings and landscape areas.\*
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- ☐ e. **For non-residential development\***:
  - ☐ Total gross floor area of proposed project.
  - ☐ Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:

- a. Area of Property [typically in acres] 29.75 acres
- b. IDO Zone District R-T, R-ML, R-MH, MX-T, MX-L, MX-M, NR-PO-A, PD
- c. Overlay Zone(s) [if applicable] Old Town Historic Protection Overlay Zone (HPO-5)
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**Useful Links**

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<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: Historic Old Town Property Owners Association [Other Neighborhood Associations, if any]

Sawmill Area NA

West Park NA

West Old Town NA

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>



**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [lea@thecasapino.com](mailto:lea@thecasapino.com)  
**Cc:** [City of Albuquerque Planning Department](#)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:31:00 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
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[SmallAreaNANotification-2021-09-20-WestPark-Pino.pdf](#)

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Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

September 20, 2021

Lea Pino, West Park NA  
lea@thecasapino.com  
2203 New York Avenue SW  
Albuquerque, NM 87104



**Re: Neighborhood Meeting about Future Development Application**

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**Contact Information**

Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)

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Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager

City of Albuquerque Planning Department

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [deanimaldesign@hmnh.org](mailto:deanimaldesign@hmnh.org)  
**Cc:** [City of Albuquerque Planning Department](#)  
**Subject:** IDO Annual Update 2021 - Neighborhood Meeting - Old Town HPO-5  
**Date:** Monday, September 20, 2021 4:34:00 PM  
**Attachments:** [CABQ-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update.pdf](#)  
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Best,



**LONG RANGE PLANNING**

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

September 20, 2021

Matt Celesky, West Park NA  
deadanimaldesign@hmnh.org  
2213 New York Avenue SW  
Albuquerque, NM 87104



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Mikaela Renz-Whitmore, Planning Manager, 505-924-3932, [mrenz@cabq.gov](mailto:mrenz@cabq.gov)

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Sincerely,



Mikaela Renz-Whitmore, Long Range Planning Manager

City of Albuquerque Planning Department

**From:** [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)  
**To:** [City of Albuquerque Planning Department](#)  
**Cc:** "[dina.afek@gmail.com](#)"; "[jaime.leanos@gmail.com](#)"; "[chair@abqdn.com](#)"; "[treasurer@abqdn.com](#)"; "[historictown@gmail.com](#)"; "[treahobooks@yahoo.com](#)"; "[lea@thecasapino.com](#)"; "[deadanimaldesign@hmnh.org](#)"; "[gteffert@gmail.com](#)"; "[g.clarke45@comcast.net](#)"; "[debzallen@ymail.com](#)"; "[hcbuchalter@gmail.com](#)"; "[hcnalert@gmail.com](#)"  
**Subject:** Public Notice - Email - Text Amendment to IDO - Small Area - Old Town HPO-5  
**Date:** Wednesday, October 27, 2021 11:31:00 AM  
**Attachments:** [7a-ZoneAtlas-J13\\_forHPORequest\\_09202021.pdf](#)  
[7b-Emailed-Mailed-Notice-PolicyDecisions-Print&Fill-FORM.pdf](#)  
[7c-IDONeighborhoodNotificationLetter-2021-SmallArea-Emailed.pdf](#)  
[7a-CABO-Official\\_public\\_notice\\_form-2019-OldTown-2021-IDO-annual-update-CHECKLIST.pdf](#)  
[Old\\_Town\\_IDO\\_Proposed\\_Changes\\_JMT\\_PC\\_Final\\_Report\\_10.8.21.pdf](#)

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Please see attached materials providing notice that the City will be submitting an application to amend the Integrated Development Ordinance (IDO) to prohibit cannabis uses in Old Town Historic Protection Overlay Zone (HPO-5).

More details about the associated annual update of the IDO for 2021, including comment deadlines and hearing dates, are available here:

<https://abc-zone.com/ido-annual-update-2021>

Best,



**LONG RANGE**

urban design & development division

o 505.924.3932

e [abcto@cabq.gov](mailto:abcto@cabq.gov)

[cabq.gov/planning](https://cabq.gov/planning)

**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



**PART I - PROCESS**

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: Amendment to IDO Text - Small Area

Decision-making Body: City Council

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

**PART II – DETAILS OF REQUEST**

Address of property listed in application: All properties within Old Town Historic Protection Overlay Zone (HPO-5)

Name of property owner: Multiple

Name of applicant: City of Albuquerque

Date, time, and place of public meeting or hearing, if applicable:

Thursday, December 9, 2021 at 8:30 am via Zoom or Basement Hearing Room, Plaza del Sol, 600 2nd St. NW

Address, phone number, or website for additional information:

<https://abc-zone.com/ido-annual-update-2021>

**PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE**

☒ Zone Atlas page indicating subject property.

☐ Drawings, elevations, or other illustrations of this request. Not applicable

☐ Summary of pre-submittal neighborhood meeting, if applicable. Not applicable

☒ Summary of request, including explanations of deviations, variances, or waivers.

**IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.**

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Mikaela Renz Whitmore (Applicant signature) 9/20/2021 (Date)

**Note:** Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



<b>PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY</b>	<b>N/A</b>
Provide a site plan that shows, at a minimum, the following:	
<input type="checkbox"/> a. Location of proposed buildings and landscape areas.	
<input type="checkbox"/> b. Access and circulation for vehicles and pedestrians.	
<input type="checkbox"/> c. Maximum height of any proposed structures, with building elevations.	
<input type="checkbox"/> d. For residential development: Maximum number of proposed dwelling units.	
<input type="checkbox"/> e. For non-residential development: <ul style="list-style-type: none"> <li><input type="checkbox"/> Total gross floor area of proposed project.</li> <li><input type="checkbox"/> Gross floor area for each proposed use.</li> </ul>	

[Note: Items with an asterisk (\*) are required.]

## Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed/Emailed to a Neighborhood Association

Date of Notice\*: \_\_\_\_\_ October 25, 2021 \_\_\_\_\_

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: \_\_\_\_\_ Multiple - see attachment \_\_\_\_\_

Name of NA Representative\*: \_\_\_\_\_ Multiple - see attachment \_\_\_\_\_

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: \_\_\_\_\_ Multiple - see attachment \_\_\_\_\_

### Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* All properties within Old Town Historic Protection Overlay Zone (HPO-5)  
Location Description Area generally bounded by Central Ave/Rio Grande Blvd/ Mountain Rd. /19th St.
2. Property Owner\* \_\_\_\_\_ Multiple \_\_\_\_\_
3. Agent/Applicant\* [if applicable] \_\_\_\_\_ City of Albuquerque - Planning Department \_\_\_\_\_
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]

Zoning Map Amendment

☒ Other: \_\_\_\_\_ Amendment of the IDO Text- Small Area \_\_\_\_\_

Summary of project/request<sup>2</sup>\*: Amendment to the IDO to prohibit cannabis uses in Old Town Historic Protection Overlay zone (HPO5) in parallel with the IDO Annual Update for 2021

5. This application will be decided at a public hearing by\*:

☐ Environmental Planning Commission (EPC)

☒ City Council

This application will be first reviewed and recommended by:

☒ Environmental Planning Commission (EPC)

☐ Landmarks Commission (LC)

☐ Not applicable (Zoning Map Amendment – EPC only)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (\*) are required.]

Date/Time\*: \_\_\_\_\_ Thursday, December 9, 2021, 9 am \_\_\_\_\_

Location\*<sup>3</sup>: Zoom link: <https://cabq.zoom.us/j/2269592859>

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found\*<sup>4</sup>:

\_\_\_ <https://abc-zone.com/ido-annual-update-2021> \_\_\_\_\_

**Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)\*<sup>5</sup> \_\_\_ J-13-Z \_\_\_\_\_
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant\*: Not applicable
3. The following exceptions to IDO standards have been requested for this project\*:

☐ Deviation(s)      ☐ Variance(s)      ☐ Waiver(s)

Explanation\*: \_\_\_\_\_ None. Text Amendment. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes    ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred: Eight members of the public participated in the meeting and asked questions mostly related to the difference between personal cannabis consumption and cannabis uses in the IDO, or what can and cannot be regulated by zoning. They were generally in favor of the proposed prohibition.

\_\_\_\_\_  
\_\_\_\_\_

<sup>3</sup> Physical address or Zoom link

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

**Additional Information [Optional]:**

From the IDO Zoning Map<sup>6</sup>:

1. Area of Property [typically in acres] 29.75 acres
2. IDO Zone District R-T, R-ML, R-MH, MX-T, MX-L, MX-M, NR-PO-A, PD
3. Overlay Zone(s) [if applicable] Old Town Historic Protection Overlay Zone (HPO-5)
4. Center or Corridor Area [if applicable] Old Town, Premium Transit (PT) station area, Major Transit, Main Street
5. Current Land Use(s) [vacant, if none] Commercial retail, commercial services, community utilities, industrial, office, educational, low-density residential

**NOTE:** For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: \_\_\_\_\_ [Other Neighborhood Associations, if any]

Sawmill Area NA

Historic Old Town Property Owners Association

West Park NA

West Old Town NA

Huning Castle NA

Downtown Neighborhoods Association

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

October 27, 2021

Authorized Representative  
City of Albuquerque Recognized Neighborhood Association  
Re: Application Submittal for Amendment to IDO Text - Citywide



Dear Neighborhood Association Representative,

On October 28, 2021, the Planning Department will be submitting an Amendment to IDO Text – Small Area to the Environmental Planning Commission (EPC) for review and recommendation to the City Council. This submittal is in conjunction with the 2021 annual update of the Integrated Development Ordinance (IDO), which will be heard at the same special hearing on Thursday, December 9, 2021. Please see participation details below.

### Proposed Amendment



This application proposes to amend the following IDO subsections to prohibit these uses within the boundaries of the Old Town Historic Protection Overlay Zone (HPO-5):

- Cannabis retail – IDO Subsection 14-16-4-3(D)(35)
- Cannabis cultivation – IDO Subsection 14-16-4-3(E)(2)
- Cannabis-derived Products

### Participation Details

To see the full list of proposed amendments and review presentations and videos from public review meetings in September and October, please visit the project webpage:

<https://abc-zone.com/ido-annual-update-2021>

To learn more about the proposed amendments, join us at one of the following events:

Annual Update Open House: **Friday, November 12, 2021, 12:00 pm – 1:30 pm** on Zoom

Zoom link: <https://cabq.zoom.us/j/91371262282>

To dial in by phone: (346) 248-7799, Meeting ID: 913 7126 2282, Passcode: CABQ

EPC Study Session: **Thursday, December 2, 2021, 9 am**

Zoom link: <https://cabq.zoom.us/j/2269592859>

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

Attend and listen or give **verbal comments** at the first **EPC special hearing**:

**Thursday December 9, 2021, 9 am** via Zoom

Zoom link: <https://cabq.zoom.us/j/2269592859>

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

Send **written comments for the record** to the EPC:

email: Chair Timothy MacEachen  
c/o Planning Department  
[abcto@cabq.gov](mailto:abcto@cabq.gov)

regular mail: Chair Timothy MacEachen  
c/o Planning Department  
600 Second Street NW, Third Floor  
Albuquerque NM 87102

To be included in the staff report for EPC consideration, send comments by **9 am on Monday, November 29<sup>th</sup>**. Comments received after that deadline will be added to the case file for consideration at a future hearing.

Please note that this decision is considered quasi-judicial, meaning that City Councilors will be acting like judges when they decide to adopt or reject the proposed amendments. For this reason, you cannot contact your Councilor directly about the proposed small area changes outside of public hearings. If you would like to speak to a planner at City Council, please contact Petra Morris ([pmorris@cabq.gov](mailto:pmorris@cabq.gov) or 505-768-3161) or Shanna Schultz ([smschultz@cabq.gov](mailto:smschultz@cabq.gov) or 505-768-3185).

## **Purpose**

During the 2020 IDO Annual Update, the City Council adopted new regulations for cannabis uses. In 2021, City Council adopted a resolution (R-21-165 Enactment No. R-2021-040) that established a moratorium on cannabis uses in the Old Town Historic Protection Overlay Zone (HPO-5) until July 1, 2022 or until the 2021 IDO Annual Update becomes effective, whichever occurs sooner. The IDO annual update process was established to require a regular cycle for discussion among residents, City staff, businesses, and decision-makers to consider any needed changes that were identified over the course of the year. Accordingly, this application is being submitted to amend the IDO to prohibit cannabis uses in the Old Town HPO-5, in conjunction with IDO Annual Update for 2021.

## **Justification**

This proposed Amendment to IDO Text – Small Area meets the Review and Decision Criteria in IDO Subsection 14-16-6-7(E)(3).

The IDO is the regulatory tool to realize and implement the Albuquerque-Bernalillo County Comprehensive Plan (“ABC Comp Plan”). The ABC Comp Plan establishes Development Areas – Areas of Change and Consistency – that work together to direct growth to Areas of Change and ensure protections for Areas of Consistency. The proposed amendments would prohibit the

introduction of new cannabis uses to the Old Town HPO-5, which is in an Area of Consistency. Accordingly, the proposed amendments are consistent with policies to protect and enhance the quality of this unique commercial districts and surrounding neighborhoods. The proposed amendments are also consistent with Comprehensive Plan policies that direct the City to adopt and maintain an effective regulatory system for land use, zoning, and development review.

The amendments further the following applicable goals and policies of the ABC Comprehensive Plan and protect the public health, safety, and welfare.

**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.

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

**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.

**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.

**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 5.6.3 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.

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

**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.

**Policy 7.3.2 Community Character:** Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

**Goal 11.1 Traditional, Rural, & Agricultural Heritage:** Preserve and enhance farmland, the acequia system, and traditional communities.

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

The project team would like to thank those of you who have been involved so far and encourage everyone to participate in the Annual Update process to help improve the IDO and ensure that it provides appropriate regulations to protect our community.

Please contact me if you have any questions:

Phone: 505.924.3932

Email: [abcto@cabq.gov](mailto:abcto@cabq.gov)

Sincerely,

A handwritten signature in black ink, appearing to read 'Mikaela'.

Mikaela Renz-Whitmore  
Long Range Planning Manager  
Planning Department, City of Albuquerque



**From:** Carmona, Dalaina L.  
**To:** Renz-Whitmore, Mikaela J.  
**Subject:** Old Town HPO-5 Public Notice Inquiry  
**Date:** Wednesday, October 27, 2021 1:11:09 PM  
**Attachments:** 03-ZoneAtlas-113\_forHPORequest\_09202021.pdf  
 imae001.png  
 imae002.png  
 imae003.png  
 imae004.png  
 imae006.png

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Downtown Neighborhoods Association	Jim	Clark	treasurer@abqdn.com	516 11th Street NW	Albuquerque	NM	87102		
Downtown Neighborhoods Association	Holly	Siebert	chair@abqdn.com	408 11th Street NW	Albuquerque	NM	87102		
Historic Old Town Property Owners Association	Kathy	Hiatt	historicoldtown@gmail.com	110 San Felipe Street NW	Albuquerque	NM	87104	5057151609	
Huning Castle NA	Deborah	Allen	debzallen@ymail.com	206 Laguna Boulevard SW	Albuquerque	NM	87104		5052923644
Huning Castle NA	Harvey	Buchalter	hcbuchalter@gmail.com	1615 Kit Carson SW	Albuquerque	NM	87104	5052702495	5052472602
Sawmill Area NA	Jaime	Leanos	jaime.leanos@gmail.com	1427 15th Street NW	Albuquerque	NM	87104		5054635396
Sawmill Area NA	Dina	Afek	dina.afek@gmail.com	1503 Summer Avenue NW	Albuquerque	NM	87104	5204041988	
West Old Town NA	Gil	Clarke	g.clarke45@comcast.net	2630 Aloysia Lane NW	Albuquerque	NM	87104		5058426620
West Old Town NA	Glen	Effertz	gteffertz@gmail.com	2918 Mountain Road NW	Albuquerque	NM	87104		5059800964
West Park NA	Matt	Celesky	deadanimaldesign@hmn.org	2213 New York Avenue SW	Albuquerque	NM	87104		5054003508
West Park NA	Lea	Pino	lea@thecasapino.com	2203 New York Avenue SW	Albuquerque	NM	87104	9175696421	

**PLEASE NOTE:** The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: [devhelp@cabq.gov](mailto:devhelp@cabq.gov), or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project. Please use this online link to find the required forms you will need to submit: <https://www.cabq.gov/planning/urban-design-development/public-notice>. Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s): <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thanks,



*Dalaina L. Carmona*

Senior Administrative Assistant  
 Office of Neighborhood Coordination  
 Council Services Department  
 1 Civic Plaza NW, Suite 9087, 9<sup>th</sup> Floor  
 Albuquerque, NM 87102  
 505-768-3334  
[dlcarmona@cabq.gov](mailto:dlcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)  
 Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

**From:** webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov  
**Sent:** Wednesday, October 27, 2021 10:14 AM  
**To:** Renz-Whitmore, Mikaela J. <mrenz-whitmore@cabq.gov>

**Cc:** Office of Neighborhood Coordination <onc@cabq.gov>

**Subject:** Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Other (please specify in field below)

If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:

Text Amendment - Small Area

Contact Name

Mikaela Renz-Whitmore

Telephone Number

5059243932

Email Address

[mrenz@cabq.gov](mailto:mrenz@cabq.gov)

Company Name

City Of Albuquerque Planning Department

Company Address

600 2nd Street NW

City

ALBUQUERQUE

State

NM

ZIP

87103

Legal description of the subject site for this project:

Old Town HPO-5

Physical address of subject site:

600 2nd Street NW

Subject site cross streets:

Rio Grande Blvd. / Mountain / 19th / Central Ave.

Other subject site identifiers:

This site is located on the following zone atlas page:

J-13

**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



**PART I - PROCESS**

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: Amendment to IDO Text - Small Area

Decision-making Body: City Council

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

**PART II – DETAILS OF REQUEST**

Address of property listed in application: All properties within Old Town Historic Protection Overlay Zone (HPO-5)

Name of property owner: Multiple

Name of applicant: City of Albuquerque

Date, time, and place of public meeting or hearing, if applicable:

Thursday, December 9, 2021 at 9:00 am via Zoom or Basement Hearing Room, Plaza del Sol, 600 2nd St. NW

Address, phone number, or website for additional information:

<https://abc-zone.com/ido-annual-update-2021>

**PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE**

☒ Zone Atlas page indicating subject property.

☐ Drawings, elevations, or other illustrations of this request. Not applicable

☐ Summary of pre-submittal neighborhood meeting, if applicable. Not applicable

☒ Summary of request, including explanations of deviations, variances, or waivers.

**IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.**

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Mikaela Renz Whitmore (Applicant signature) 9/20/2021 (Date)

**Note:** Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.

**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



<b>PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY</b>	<b>N/A</b>
Provide a site plan that shows, at a minimum, the following:	
<input type="checkbox"/> a. Location of proposed buildings and landscape areas.	
<input type="checkbox"/> b. Access and circulation for vehicles and pedestrians.	
<input type="checkbox"/> c. Maximum height of any proposed structures, with building elevations.	
<input type="checkbox"/> d. For residential development: Maximum number of proposed dwelling units.	
<input type="checkbox"/> e. For non-residential development: <ul style="list-style-type: none"> <li><input type="checkbox"/> Total gross floor area of proposed project.</li> <li><input type="checkbox"/> Gross floor area for each proposed use.</li> </ul>	

[Note: Items with an asterisk (\*) are required.]

## Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed to a Property Owner

Date of Notice\*: October 25, 2021

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet\*: Multiple

Mailing Address\*: Multiple

### Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* All properties within Old Town Historic Protection Overlay Zone (HPO-5)  
Location Description Area generally bounded by Central Ave/Rio Grande Blvd/ Mountain Rd. /19th St.
  2. Property Owner\* Multiple
  3. Agent/Applicant\* *[if applicable]* City of Albuquerque - Planning Department
  4. Application(s) Type\* per IDO [Table 6-1-1](#) *[mark all that apply]*  
☐ Zoning Map Amendment  
☒ Other: Amendment of the IDO Text- Small Area
  5. Summary of project/request<sup>1\*</sup>: Amendment to the IDO to prohibit cannabis uses in Old Towns Historic Protection Overlay zone (HPO5) in parallel with the IDO Annual Update for 2021
  6. This application will be decided at a public hearing by\*:  
☐ Environmental Planning Commission (EPC) ☒ City Council
- This application will be first reviewed and recommended by:

☒ Environmental Planning Commission (EPC) ☐ Landmarks Commission (LC)  
☐ Not applicable (Zoning Map Amendment – EPC only)

Date/Time\*: Thursday, December 9, 2021, 9 am

Location\*<sup>2</sup>: Zoom link: https://cabq.zoom.us/j/2269592859

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

<sup>1</sup> Attach additional information, as needed to explain the project/request.

<sup>2</sup> Physical address or Zoom link

[Note: Items with an asterisk (\*) are required.]

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found<sup>\*3</sup>:

<https://abc-zone.com/ido-annual-update-2021>

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>\*4</sup> J-13-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: Not applicable
3. The following exceptions to IDO standards have been requested for this project<sup>\*</sup>:

☐ Deviation(s)      ☐ Variance(s)      ☐ Waiver(s)

Explanation<sup>\*</sup>: None. Text Amendment.

\_\_\_\_\_  
—  
\_\_\_\_\_

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes    ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred: Eight members of the public participated in the meeting and asked questions mostly related to the difference between personal cannabis consumption and cannabis uses in the IDO, or what can and cannot be regulated by zoning. They were generally in favor of the proposed prohibition.

\_\_\_\_\_  
\_\_\_\_\_

<sup>3</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>4</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (\*) are required.]

### Additional Information:

From the IDO Zoning Map<sup>5</sup>:

1. Area of Property [typically in acres] 29.75 acres
  2. IDO Zone District R-T, R-ML, R-MH, MX-T, MX-L, MX-M, NR-PO-A, PD
  3. Overlay Zone(s) [if applicable] Old Town Historic Protection Overlay Zone (HPO-5)
  4. Center or Corridor Area [if applicable] Old Town, Premium Transit (PT) station area, Major Transit, Main Street
- Current Land Use(s) [vacant, if none] Commercial retail, commercial services, community utilities, industrial, office, educational, low-density residential

**NOTE:** For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

### Useful Links

#### Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

#### IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

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<sup>5</sup> Available here: <https://tinurl.com/idozoningmap>

October 25, 2021



**Re: City application to amend zoning regulations for small area (Old Town Historic Overlay Zone – HPO-5)**

Dear Property Owner,

The City of Albuquerque is submitting an application to amend the text of the Integrated Development Ordinance (IDO) to prohibit cannabis uses in the Old Town Historic Protection Overlay zone (HPO-5). This proposed amendment will be reviewed and recommended by the Environmental Planning Commission (EPC) and decided by City Council.

This request will be heard by the EPC on **Thursday, December 9, 2021**, beginning at **9 am** online via Zoom.

Zoom link: <https://cabq.zoom.us/j/2269592859>

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

This letter serves as official mailed notice to the property owner addressed on this envelope, because the property is either in or abutting the boundary of the Old Town HPO-5, in accordance with the procedures of IDO Subsection 14-16-6-4(K)(3)(d) Notice for Amendment to IDO Text – Small Area.

More information is available on the project webpage here: <https://abc-zone.com/ido-annual-update-2021>



The application proposes to amend the following subsections to prohibit these uses within the boundaries of the Old Town HPO-5:

- Cannabis retail – IDO Subsection 14-16-4-3(D)(35)
- Cannabis cultivation – IDO Subsection 14-16-4-3(E)(2)
- Cannabis-derived Products Manufacturing – IDO Subsection 14-16-4-3(E)(3)

The Integrated Development Ordinance, including definitions for each of these cannabis uses, is available for review online here: <https://ido.abc-zone.com>. Hard copies of the document are available in all City/County libraries.

Comments submitted by **Monday, November 29 at 9 am** will be included in the staff report for EPC consideration. Comments submitted after that deadline will be included in the case file for consideration at future hearings. Comments should be addressed to Chair Timothy MacEachen.

Email: [abcto@cabq.gov](mailto:abcto@cabq.gov)

Mail: 600 Second Street NW, Third Floor, Albuquerque NM 87102



Please feel free to contact me with any questions about the proposed amendments or the City's review/decision process.

Please note that this decision is considered quasi-judicial, meaning that City Councilors will be acting like judges when they decide to adopt or reject the proposed amendments. For this reason, you cannot contact your Councilor directly about the proposed small area changes outside of public hearings. If you would like to speak to a planner at City Council, please contact Petra Morris ([pmorris@cabq.gov](mailto:pmorris@cabq.gov) or 505-768-3161) or Shanna Schultz ([smschultz@cabq.gov](mailto:smschultz@cabq.gov) or 505-768-3185).

Sincerely,



Mikaela Renz-Whitmore

Long Range Planning Manager, 505-924-3932, [abcto@cabq.gov](mailto:abcto@cabq.gov)  
City of Albuquerque Planning Department

COLE DANIEL & STACEY  
1850 COLDWATER CANYON DR  
BEVERLY HILLS CA 90210

POTTER HOLLY T & GARCIA JEFFERY M  
TRUSTEES POTTER-GARCIA FAMILY LVT  
1113 HEARST AVE  
BERKELEY CA 94702-1621

CHURCH STREET CAFE INC  
2111 CHURCH ST NW  
ALBUQUERQUE NM 87104-1408

STELFOX SALLIE  
PO BOX 36467  
ALBUQUERQUE NM 87176-6467

CHEN JO-ANN & WILSON LEIGH  
509 SAN CARLOS CT SW  
ALBUQUERQUE NM 87104

ROADRUNNER OF OLD TOWN INC  
1209 RIDGECREST DR SE  
ALBUQUERQUE NM 87108-3459

VOLPE FRANK A & EMILY WILLIAMS  
PO BOX 729  
LOS LUNAS NM 87031-0729

ASSISTANCE LEAGUE OF  
ALBUQUERQUE INC  
2107 CHURCH ST NW  
ALBUQUERQUE NM 87104-1408

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORP/SAN FELIPE  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

SPIROPOULOS JAMES T & MARINA TR  
SPIROPOULOS 1991 FAMILY TRUST  
1 DAVE THOMAS BLVD  
DUBLIN OH 43017-5452

GARCIA LUCIANA R TRUSTEE GARCIA  
RVT  
3322 GABALDON PL NW  
ALBUQUERQUE NM 87104

CHAVEZ JAMES B & HERLINDA  
411 19TH ST NW  
ALBUQUERQUE NM 87104-1440

BOGGESE ELIZABETH M  
PO BOX 1756  
NATCHEZ MS 39121

SILVER HAWK LLC  
42 PENNY LN  
CEDAR CREST NM 87008-9723

DUNLAP ANN B & MOFFITT MELINDA J  
CO- TRUSTEES DUNLAP MOFFITT  
TRUST  
2710 VERANDA RD NW  
ALBUQUERQUE NM 87107-2941

ZAMORA ANDREA  
2118 DORA AVE NW  
ALBUQUERQUE NM 87104-1505

JARAMILLO SHIRLEY C  
315 IRON AVE SW  
ALBUQUERQUE NM 87102-3848

POTTER HOLLY T & GARCIA JEFFREY M  
TRUSTEES POTTER-GARCIA FAMILY LVT  
1113 HEARST AVE  
BERKELEY CA 94702-1621

RIO 404 LLC  
400 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104-1451

ROMERO STREET PROPERTIES LLC  
2034 S PLAZA ST NW  
ALBUQUERQUE NM 87104

COOK GEORGE A & LYNDEE A  
PO BOX 7308  
ALBUQUERQUE NM 87194-7308

MUENALA RUMI JOE - SVN/WALT  
ARNOLD COMM BROKERAGE INC  
ATTN: PROP MGMT  
6200 SEAGULL LN NE  
ALBUQUERQUE NM 87109-2562

ACEVES HENRY G & KAREN M  
7017 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87107-6423

RMG424 LLC  
2509 VIRGINIA ST NE SUITE A  
ALBUQUERQUE NM 87110-4695

SANDOVAL GEORGE & EILEEN CO-  
TRUSTEES  
1726 AVENIDA CRISTO REY NW  
ALBUQUERQUE NM 87107-3448

CLASSIC EMPORIUM I LLC  
2100 CENTRAL AVE SW  
ALBUQUERQUE NM 87102

BENAVIDEZ EDWARD L & BRUSUELAS  
KIMBERLY S  
312 SAN PASQUALE AVE NW  
ALBUQUERQUE NM 87104-1432

PATIO ESCONDIDO LLC  
171 STILL RD  
W HARTFORD CT 06117

WAGNER CHRISTA  
828 SOUTHEAST CIR NW  
ALBUQUERQUE NM 87104

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103-2248

SHARIFI HAMAYOON & SORAYA  
202 SAN FELIPE ST NW  
ALBUQUERQUE NM 87104

ROMERO STREET PROPERTIES LLC  
2034 S PLAZA ST NW  
ALBUQUERQUE NM 87104

OLD TOWN ABQ LLC  
7516 N CAMINO SIN VACAS  
TUCSON AZ 85718-1251

LINTON TERRENCE A & KRISTINA L SLY  
1913 LOMAS BLVD NW  
ALBUQUERQUE NM 87104-1207

ZOOK LAURINDA ESTELLA  
133 OLD JACKSON RD  
GOOSE CREEK SC 29445-8800

PURCELLA CELIA L  
2943 CARLOTA RD NW  
ALBUQUERQUE NM 87104-2805

GOBLE OPAL GARRETT TRUSTEE  
SURVIVOR'S TRUST & UNDER GOBLE  
RVT  
3901 MONTGOMERY BLVD NE #1510  
ALBUQUERQUE NM 87109-1098

POPP MARIE  
210 SAN PASQUALE AVE NW APT APT E  
ALBUQUERQUE NM 87104-1350

PBEP CAPITAL GROUP LLC  
2325 SAN PEDRO DR NE #1J  
ALBUQUERQUE NM 87110-4121

MARIANETTI PAUL A  
704 KENT AVE NW  
ALBUQUERQUE NM 87102-3031

SCHMILLE SETH  
324 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104-1449

PONO PLACES RIO GRANDE LLC  
4333 PAN AMERICAN FWY NE SUITE A  
ALBUQUERQUE NM 87107-6833

DELGADO ANITA VELARDE  
1606 TRAVIS RD NW  
ALBUQUERQUE NM 87114-4124

RIO 407 LLC  
400 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104

PATIO MARKET LLC  
4333 PAN AMERICAN FWY NE SUITE A  
ALBUQUERQUE NM 87107-6833

WEISHEIT DENISE & ZAMORA RICARDO  
D  
4405 BERESFORD LN NW  
ALBUQUERQUE NM 87120-3347

CANDELARIA MARTIN J & JEANETTE  
1810 SLATE AVE NW  
ALBUQUERQUE NM 87104-1320

SIMON WILLIAM R & ROBERT S  
TRUSTEES WILLIAM & ROBERT SIMON  
CHILDRENS TRUST  
1415 PARK AVE SW  
ALBUQUERQUE NM 87104

BRENTAN PAULA  
809 MORNINGSIDE DR NE  
ALBUQUERQUE NM 87110-6131

ALVARADO HOTEL LLC  
310 RIO GRANDE BLVD SW  
ALBUQUERQUE NM 87104

HORST MARK L & ELISABETH A  
403 19TH ST NW  
ALBUQUERQUE NM 87104

MEMMER PRISCILLA JANE & HAROLD  
FRANCIS  
3901 SOLANO PL NE  
ALBUQUERQUE NM 87110-5635

BACA MARK P & PATRICIA M CO  
TRUSTEES BACA LVT  
PO BOX 1834  
CORRALES NM 87048-1834

GONZALES SOCORRO  
319 19TH ST NW  
ALBUQUERQUE NM 87104-1438

CHAVES RICHARD & KARA & MYKEL  
LYNN & KATHLEEN CHAVES &  
BARBARA GRIFFITH  
1501 AIRCRAFT AVE SE  
ALBUQUERQUE NM 87106-4289

GONZALES MARK A  
219 RICHMOND DR SE  
ALBUQUERQUE NM 87106

RIO GRANDE WHOLESALE INC C/O  
INDIAN STORES CONSOLIDATED  
1920 CENTRAL AVE SW  
ALBUQUERQUE NM 87104-1146

ROADRUNNER OF OLD TOWN INC  
1209 RIDGECREST DR SE  
ALBUQUERQUE NM 87108-3459

JENKINS THOMAS C C/O REA  
MANAGEMENT LLC  
PO BOX 4397  
ALBUQUERQUE NM 87196-4397

SAND N SUN LLC  
2908 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87107-2929

SPIROPOULOS JAMES T & MARINA TR  
SPIROPOULOS 1991 FAMILY TRUST  
PO BOX 6005  
SAN PEDRO CA 90734-6005

MAPLE JONATHAN  
2311 CAMPBELL RD NW  
ALBUQUERQUE NM 87104-3204

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORP/ SAN FELIPE  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

BLYTHE WILLIAM E & HORTENSIA S  
TRUSTEES BLYTHE RVT  
6901 GEORGETOWN AVE NW  
ALBUQUERQUE NM 87120-1567

BOTTGER MANSION OF OLD TOWN LLC  
NEW MEXICO LIMITED LIABILITY  
COMPANY  
110 SAN FELIPE ST NW  
ALBUQUERQUE NM 87104

GARCIA LLOYD A & JAN  
1810 OLD TOWN RD NW  
ALBUQUERQUE NM 87104-1363

ASSISTANCE LEAGUE OF  
ALBUQUERQUE  
2107 CHURCH ST NW  
ALBUQUERQUE NM 87104-1408

TAFOYA BARBARA F  
106 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104

MANCINI JOHN JR & SARA E  
317 19TH ST NW  
ALBUQUERQUE NM 87104

LILLY BARRACK OLD TOWN LTD  
1000 GABALDON RD NW  
ALBUQUERQUE NM 87104-1811

DENNETT MICHAEL F  
PO BOX 7456  
ALBUQUERQUE NM 87194

BANK OF AMERICA TRUSTEE LUCIANA  
R GARCIA RVT  
3322 GABALDON PL NW  
ALBUQUERQUE NM 87104-2715

GENESIS WORLDWIDE RESORTS LLC  
310 RIO GRANDE BLVD SW  
ALBUQUERQUE NM 87104

CABRERA-ANAZCO PABLO V  
209 19TH ST NW  
ALBUQUERQUE NM 87104-1437

JOES PROPERTIES LLC  
311 CHURCH ST NW  
ALBUQUERQUE NM 87104-0000

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORP/ SAN FELIPE  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

TUCKER BILL & BACA MONICA K CO  
TRUSTEES TUCKER/BACA RVT & BACA  
LUCILLE A  
10105 GUADALUPE TRL NW  
ALBUQUERQUE NM 87114-2014

SANDIA FOUNDATION  
1 DAVE THOMAS BLVD  
DUBLIN OH 43017-5452

SPIROPOULOS JAMES T & MARINA TR  
SPIROPOULOS 1991 FAMILY TRUST  
PO BOX 6005  
SAN PEDRO CA 90734-6005

MCCARTNEY CHRISTY GENE  
202 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104

GUTIERREZ JOHN R & CONNIE L  
5501 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87107

JARAMILLO SHIRLEY C  
315 IRON AVE SW  
ALBUQUERQUE NM 87102-3848

MONTOYA JOSEPHINE  
1804 SLATE AVE NW  
ALBUQUERQUE NM 87104-1320

PERRINE GLORIA G  
912 BARELAS RD SW  
ALBUQUERQUE NM 87102

BENNETT PROPERTIES LLC C/O  
ELIZABETH FISHER  
4333 PAN AMERICAN FWY NE SUITE A  
ALBUQUERQUE NM 87107-6833

CEE VEE OLD TOWN LLC  
515 MAPLE ST SE  
ALBUQUERQUE NM 87106-483

BOGGESS DOUGLAS H M & KATHARINE  
K  
210 SAN PASQUALE AVE NW APT A  
ALBUQUERQUE NM 87104-1460

CEE VEE OLD TOWN LLC  
515 MAPLE ST SE  
ALBUQUERQUE NM 87106-4830

SAN FELIPE PROPERTIES LLC  
10104 MASTERS DR NE  
ALBUQUERQUE NM 87111

CHAVEZ ROBERT W  
2434 CONSUELO LN NW  
ALBUQUERQUE NM 87104-1502

RAMOS SYLVIA M MD  
2110 CHARLEVOIX ST NW  
ALBUQUERQUE NM 87104

POTTER HOLLY T & GARCIA JEFFERY M  
TRUSTEES POTTER-GARCIA FAMILY LVT  
1113 HEARST AVE  
BERKELEY CA 94702-1621

STEINLAUF HILDE & STEINLAUF  
SYLVAIN & JANET & BIENSTOCK  
FAMILY TRUST  
10104 MASTERS DR NE  
ALBUQUERQUE NM 87111-5893

TUCKER MONICA K & BACA LUCILLE  
321 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104-1448

GRAF JOSEPHINE J  
405 19TH ST NW  
ALBUQUERQUE NM 87104-1440

SYLVAIN STEINLAUF & JANET & FARR  
THOMAS G & JUDY A  
10104 MASTERS DR NE  
ALBUQUERQUE NM 87111-5893

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103-2248

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORP/ SAN FELIPE  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

CORE FUNDING LLC  
PO BOX 91625  
ALBUQUERQUE NM 87199-1625

RASCON JENNIFER ELIZABETH &  
SIMMONS VICKI LYNN  
1820 LUTHY DR NE  
ALBUQUERQUE NM 87112-2849

POTTER HOLLY T & GARCIA JEFFERY M  
TRUSTEES POTTER-GARCIA FAMILY LVT  
3812 PEDRONCELLI RD NW  
ALBUQUERQUE NM 87107-3084

OLD TOWN LLC  
1883 FORT UNION DR  
SANTA FE NM 87505-7531

RISPOLI ROBERT A & HARPER RISPOLI  
PHYLLIS  
409 19TH ST NW  
ALBUQUERQUE NM 87104-1440

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103-2248

STELFOX SALLIE  
PO BOX 36467  
ALBUQUERQUE NM 87176-6467

OLD TOWN PLAZA LLC  
1919 OLD TOWN RD NW SUITE 1  
ALBUQUERQUE NM 87104

SPIROPOULOS JAMES T & MARINA TR  
SPIROPOULOS 1991 FAMILY TRUST  
PO BOX 6005  
SAN PEDRO CA 90734-6005

RIO GRANDE INVESTMENTS  
ASSOCIATES LLC  
PO BOX 25967  
ALBUQUERQUE NM 87125-0967

OLIN & BLAND & DANIEL & GRANT  
ETAL C/O LOUANN DANIEL  
10104 SIERRA HILL DR NW  
ALBUQUERQUE NM 87114

VIGIL ANTONIO JR & ELSIE MARIE CO-  
TR VIGIL RVT & EDWINA BACA & ETAL  
5504 GRANDE DR NW  
ALBUQUERQUE NM 87107-3362

SPIROPOULOS JAMES T & MARINA TR  
SPIROPOULOS 1991 FAMILY TRUST  
PO BOX 6005  
SAN PEDRO CA 90734-6005

TAFOYA BARBARA  
106 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104

BERNAL DIANA  
2219 MOUNTAIN RD NW  
ALBUQUERQUE NM 87104-1522

HARTMAN GERALD S & HARTMAN  
TIMOTHY R  
3812 PEDRONCELLI RD NW  
ALBUQUERQUE NM 87107-3084

LIU ALEX H  
PO BOX 7982  
ALBUQUERQUE NM 87194-7982

ARMIJO MELANIE M & ROSALES  
REBECCA M  
1803 SLATE AVE NW  
ALBUQUERQUE NM 87104-1319

CONNOR THOMAS K  
619 WESTVIEW AVE  
NASHVILLE TN 37205

BATTAGLIA AVA  
1701 BLUFFSIDE DR NW  
ALBUQUERQUE NM 87105-1002

WELLS KENNETH E TRUSTEE WELLS  
RVLT & TALLEY BURNEY P TRUSTEE  
TALLEY RVLT  
1814 SLATE RD NW  
ALBUQUERQUE NM 87104-1320

POTTER HOLLY T & GARCIA JEFFERY M  
TRUSTEES POTTER-GARCIA FAMILY LVT  
1113 HEARST AVE  
BERKELEY CA 94702-1621

CITY OF ALBUQUERQUE  
PO BOX 2248  
ALBUQUERQUE NM 87103-2248

CARROLL LOVETA R & JOHN M  
PO BOX 7624  
ALBUQUERQUE NM 87194-7624

COLEMAN MARIE E TRUSTEE  
COLEMAN RVT  
2111 CHURCH ST NW  
ALBUQUERQUE NM 87104-1408

MALOOF JUDY F TR MALOOF RVT  
312 19TH ST NW  
ALBUQUERQUE NM 87104

GHATTAS ROBERT N & MONIKA W  
TRUSTEES GHATTAS RVT  
609 LOMA LINDA PL SE  
ALBUQUERQUE NM 87108-3340

BENNETT PROPERTIES LLC C/O  
ELIZABETH FISHER  
4333 PAN AMERICAN FWY NE SUITE A  
ALBUQUERQUE NM 87104-6833

OLLER D ANNA K  
316 19TH ST NW  
ALBUQUERQUE NM 87104

SANDOVAL KENNETH  
2004 OLD TOWN RD NW  
ALBUQUERQUE NM 87104-1413

VALLIANT DENNIS P & MARY M  
1621 PARK AVE SW  
ALBUQUERQUE NM 87104-1025

MONTOYA JOSEPHINE  
1804 SLATE AVE NW  
ALBUQUERQUE NM 87102

COLEMAN MARIE E TRUSTEE  
COLEMAN RVT  
2111 CHURCH ST NW  
ALBUQUERQUE NM 87104-1408

ROMERO JOE M JR & DINORAH A  
PO BOX 36048  
ALBUQUERQUE NM 87176-6048

MATTHEWS M LEONE TRUSTEE  
MATTHEWS RVL  
176 ANGUS LN  
CORRALES NM 87048-9100

CEE VEE OLD TOWN LLC  
515 MAPLE ST SE  
ALBUQUERQUE NM 87106-4830

JARAMILLO SHIRLEY C  
315 IRON AVE SW  
ALBUQUERQUE NM 87102-3848

SCHILLING THOMAS & LINDA  
1828 MARBLE AVE NW  
ALBUQUERQUE NM 87104-1354

HOFFSIS JAMES A TRUSTEE HOFFSIS  
RVT  
509 LAGUNA BLVD SW  
ALBUQUERQUE NM 87104-1116

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORP/ SAN FELIPE  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

WYLY JOHN WYATT III & LENORA J  
114 BECKER AVE  
BELEN NM 87002-2820

REMKE STACY SPENCE  
2837 43RD AVE SO  
MINNEAPOLIS MN 55406-1867

RMG424 LLC  
2509 VIRGINIA ST NE SUITE A  
ALBUQUERQUE NM 87110-4695

PLAZUELA SOMBRA LLC  
2908 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104

CARRUTHERS HALLIE  
1802 OLD TOWN RD NW  
ALBUQUERQUE NM 87104-1394

ROBIE ANANDA  
1824 SLATE AVE NW  
ALBUQUERQUE NM 87104-1320

COOK GEORGE A & LYNDEE A  
PO BOX 7308  
ALBUQUERQUE NM 87194-7308

TRUJILLO SARA D & TRUJILLO LINDA A  
& CASTILLO RAYMOND E & TRUJILLO  
OLLIN  
1445 ELLSMERE AVE  
LOS ANGELES CA 90019-3823

PERRINE THOMAS J & SARGENT  
LAURIANNA & TRUSTEES ETAL  
409 DESCHUTES ST NE  
ALBUQUERQUE NM 87123-5961

GHATTAS ROBERT N & MONIKA W  
TRUSTEES GHATTAS RVT  
609 LOMA LINDA PL SE  
ALBUQUERQUE NM 87108-3340

SONNE ALICE M TRUSTEE ALICE M  
SKINNER TRUST  
5126 S URAVAN PL  
CENTENNIAL CO 80015-2315

NAWMAN ROSELLA L TRUSTEE 1912  
OLD TOWN ROAD TRUST  
4205 PARSIFAL ST NE  
ALBUQUERQUE NM 87111-3374

OLD TOWN ABQ LLC  
7516 N CAMINO SIN VACAS  
TUCSON AZ 85718-1251

OLD TOWN ABQ LLC  
7516 N CAMINO SIN VACAS  
TUCSON AZ 85718-1251

CHURCH STREET CAFE INC  
2111 CHURCH ST NW  
ALBUQUERQUE NM 87104-1408

BAR VICK III  
72619 TRAMWAY VISTA DR NE  
ALBUQUERQUE NM 87122-1666

OLLER DANNA K  
316 19TH ST NW  
ALBUQUERQUE NM 87104

TAPIA ROXANNE M  
210 SAN PASQUALE AVE NW APT C  
ALBUQUERQUE NM 87104-1460

SUTTON JAMES  
1717 CARLISLE BLVD NE  
ALBUQUERQUE NM 87110

ZAMORAS HISTORICAL MANSION  
LIMITED PARTNERSHIP  
2004 S PLAZA ST NW  
ALBUQUERQUE NM 87104-1573

JARAMILLO SHIRLEY  
315 IRON AVE SW  
ALBUQUERQUE NM 87102-3848

GONZALES FRANCES MANUELITA  
PO BOX 7652  
ALBUQUERQUE NM 87194

PACHECO JOE B  
PO BOX 451  
RATON NM 87740-0451

GARCIA LUCIANA R TRUSTEE GARCIA  
RVT  
3322 GABALDON PL NW  
ALBUQUERQUE NM 87104

VIGIL JACOB G  
2014 CENTRAL AVE SW  
ALBUQUERQUE NM 87104-1467

ROCHE JUDITH ALLINE & KEVIN JOSEPH  
8019 MIRE POND TWO  
CHINCOTEAGUE VA 23336-0000

VARELA FRANK LAWRENCE & DAVILA  
PAULINE V & VARELA-SCHUM  
BARBARA J  
10510 STEWARD ST NW  
ALBUQUERQUE NM 87114-5058

CARRUTHERS LLC  
2510 THOMPSON LP NW  
ALBUQUERQUE NM 87104

SANCHEZ RICHARD LLOYD & ETAL  
TRUSTEE L M SANCHEZ TRUST  
2405 QUINCY ST NE  
ALBUQUERQUE NM 87110-4047

GHATTAS ROBERT & MONIKA  
609 LOMA LINDA PL SE  
ALBUQUERQUE NM 87108-3340

GALLEGOS EUGENE R & SHIRLEY D  
TRUSTEES GALLEGOS LVT  
2540 ELFEGO RD NW  
ALBUQUERQUE NM 87107-3011

JARAMILLO SHIRLEY C  
315 IRON AVE SW  
ALBUQUERQUE NM 87102-3848

FEELY JOHN G SR ETAL  
2309 CUTLER AVE NE  
ALBUQUERQUE NM 87106-2505

ATENCIO TOMAS C & PACHECO MARIA  
CONSUELO CO-TRUSTEES  
ATENCIO/PACHECO RVL T  
1003 20TH ST NW  
ALBUQUERQUE NM 87104

SAIS ANTHONY ALBERT  
2114 HOLLYWOOD AVE NW  
ALBUQUERQUE NM 87104-1622

GONZALES JOSEPH A & ROSEMARY  
703 RAYNOLDS AVE SW  
ALBUQUERQUE NM 87103-1034

PLAZUELA SOMBRA LLC  
2908 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103-2248

GONZALES JOSEPH A & ROSEMARY  
703 RAYNOLDS AVE SW  
ALBUQUERQUE NM 87104-1034

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103-2248

TAFOYA BARBARA F  
106 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORP/ SAN FELIPE  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

GONZALES MARK A  
219 RICHMOND DR SE  
ALBUQUERQUE NM 87106

SUTTON JAMES R  
214 SAN PASQUALE AVE NW  
ALBUQUERQUE NM 87104-1431

SAWYER KATHERINE M TRUSTEE  
SAWYER RVT  
14505 CLUB VILLA DR UNIT F  
COLORADO SPRINGS CO 80921-2723

BENNETT PROPERTIES LLC C/O  
ELIZABETH FISHER  
4333 PAN AMERICAN FWY NE SUITE A  
ALBUQUERQUE NM 87107-6833

COLBERT KATHRYN HENDON  
1911 LOMAS BLVD NW  
ALBUQUERQUE NM 87104-1207

BACA RUDOLPH F  
PO BOX 7123  
ALBUQUERQUE NM 87194-7123

SANCHEZ TOMAS & IRENE M  
1830 MARBLE AVE NW  
ALBUQUERQUE NM 87104-1354

BACA RUDOLPH F & PURCELLA CELIA L  
2943 CARLOTA RD NW  
ALBUQUERQUE NM 87104-2805

CHAVEZ MARY ANN & EILEEN MARSHA  
1809 SLATE AVE NW  
ALBUQUERQUE NM 87104-1319

MILES PROPERTIES LLC  
13631 APACHE PLUME PL NE  
ALBUQUERQUE NM 87111

BOTTGER MANSION OF OLD TOWN LLC  
NEW MEXICO LIMITED LIABILITY  
COMPANY  
110 SAN FELIPE ST NW  
ALBUQUERQUE NM 87104-1425

TUCKER BILL & BACA MONICA K CO  
TRUSTEES TUCKER/BACA RVT & BACA  
LUCILLE A  
10105 GUADALUPE RD NW  
ALBUQUERQUE NM 87114-2014

SIDEWAYS 8 LLC  
5301 VISTA LEJANA NE  
ALBUQUERQUE NM 87111-6702

SHIBANOVA NATALIA TRUSTEE  
SHIBANOVA FAMILY TRUST  
PO BOX 22003  
SAN DIEGO CA 92192-2003

PETERSON PROPERTIES C/O  
WALGREEN CO RE PROPERTY TAX DEPT  
PO BOX 1159  
DEERFIELD IL 60015-6002

JANPOL SARAH E  
901 PARKLAND CIR SE  
ALBUQUERQUE NM 87108

GARCIA FAMILY LLC  
9121 EAGLE ROCK AVE NE  
ALBUQUERQUE NM 87122

HARTMAN GERALD S & HARTMAN  
TIMOTHY R  
3812 PEDRONCELLI RD NW  
ALBUQUERQUE NM 87107-3084

SANCHEZ ERNEST & PRISCILLA  
1805 SLATE AVE NW  
ALBUQUERQUE NM 87104-1319

TBJ FAMILY LIMITED PARTNERSHIP  
2020 S PLAZA ST NW  
ALBUQUERQUE NM 87104-1400

CASTILLO JOHANNA M  
241 55TH ST NW  
ALBUQUERQUE NM 87105

NM PROPERTY INVESTORS LLC &  
FAMILY HOME PROVIDERS INC  
2101 NEW YORK AVE SW  
ALBUQUERQUE NM 87104-1629

PLAZUELA VIGIL LTD CO  
1711 EVERGREEN PL  
SEATTLE WA 98122

TREVINO SAMUEL & DAVIS STEPHANIE  
MARIE  
304 19TH ST  
ALBUQUERQUE NM 87104-1439

SUTTON JAMES  
1717 CARLISLE BLVD NE  
ALBUQUERQUE NM 87110

PLAZUELA SOMBRA LLC  
2908 RIO GRANDE BLVD NW  
ALBUQUERQUE NM 87104

COLBERT KATHRYN HENDON  
1911 LOMAS BLVD NW  
ALBUQUERQUE NM 87104-1207

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORP/ SAN FELIPE  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

GARCIA FAMILY LLC  
9121 EAGLE ROCK AVE NE  
ALBUQUERQUE NM 87122

CHAVEZ CONNIE B OR ANTHONY  
CHAVEZ  
5720 EL RITO AVE NW  
ALBUQUERQUE NM 87105



BACA MARK P  
612 ATRISCO DR NW  
ALBUQUERQUE NM 87105-1636

CITY OF ALBUQUERQUE  
PO BOX 2248  
ALBUQUERQUE NM 87103-2248

DURAN GILBERT & MARY LOU  
3904 AVALON RD NW  
ALBUQUERQUE NM 87105

GUTIERREZ JANE H TRUSTEE  
GUTIERREZ TRUST  
2205 VIA GRANADA PL NW  
ALBUQUERQUE NM 87104-5502

RIO GRANDE HOTEL INVESTMENT LLC  
& ETAL  
201 3RD ST NW SUITE 1500  
ALBUQUERQUE NM 87102

MAHONEY CATHERINE  
412 19TH ST NW  
ALBUQUERQUE NM 87104-1441

LEYBA ROSALIE & BACA PATRICK  
408 19TH ST NW  
ALBUQUERQUE NM 87104-1441

CORDOVA FLOSSIE M C/O  
BERNADETTE NEVAREZ  
6401 SUNRAY CT NW  
ALBUQUERQUE NM 87120

COULIE PATRICK A & SABRINA  
1827 MARBLE AVE NW  
ALBUQUERQUE NM 87104-1353

GONZALES MICHAEL A  
1819 MARBLE AVE NW  
ALBUQUERQUE NM 87104

BROTHERS PROPERTY HOLDINGS LLC  
12805 MENAUL BLVD NE  
ALBUQUERQUE NM 87112-2547

PACHECO RAUL  
338 LOS RANCHOS RD NW  
LOS RANCHOS NM 87107-6531

SANCHEZ RUTH ANN  
3820 FOX SPARROW TRL NW  
ALBUQUERQUE NM 87120-5004

CAIRD IAN A & CAIRD B KIMBERLY  
ESPINOSA CO-TRUSTEES CAIRD RVT  
2425 SAN PEDRO DR NE SUITE 200  
ALBUQUERQUE NM 87110-4078

PERRINE GLORIA G  
912 BARELAS RD SW  
ALBUQUERQUE NM 87102-4018

CHAVEZ MARK  
1805 LOMAS BLVD NW  
ALBUQUERQUE NM 87104

VENAS FIFTH NUMBER TWO LLC  
1806 STANFORD NE  
ALBUQUERQUE NM 87106

407 RIO GRANDE APARTMENT LLC  
6100 UPTOWN BLVD NE SUITE 300  
ALBUQUERQUE NM 87110-4188

BACA MARK P  
612 ATRISCO DR NW  
ALBUQUERQUE NM 87105-1636

GONZALES JOSEPH A & ROSEMARY  
908 4TH ST SW  
ALBUQUERQUE NM 87102

MURPHY JUANITA C/O CASAUS  
EUGENE  
1812 NEWTON PL NE  
ALBUQUERQUE NM 87106-2527

CASAUS EUGENE R & CELESTINA B  
1812 NEWTON PL NE  
ALBUQUERQUE NM 87106-2527

NORVIEL BARBARA  
318 19TH ST NW  
ALBUQUERQUE NM 87104-1463

OLLER D ANNA K  
316 19TH ST NW  
ALBUQUERQUE NM 87104-1463

MORRIS JANIE M TRUSTEE MORRIS  
RVLT  
826 MULLEN RD NW  
LOS RANCHOS DE ALBUQUERQUE NM  
87107-5843

MORRIS JANIE M TRUSTEE MORRIS  
RVLT  
826 MULLEN RD NW  
LOS RANCHOS DE ALBUQUERQUE NM  
87107-5843

MORRIS JANIE M TRUSTEE MORRIS  
RVLT  
826 MULLEN RD NW  
LOS RANCHOS DE ALBUQUERQUE NM  
87107-5843

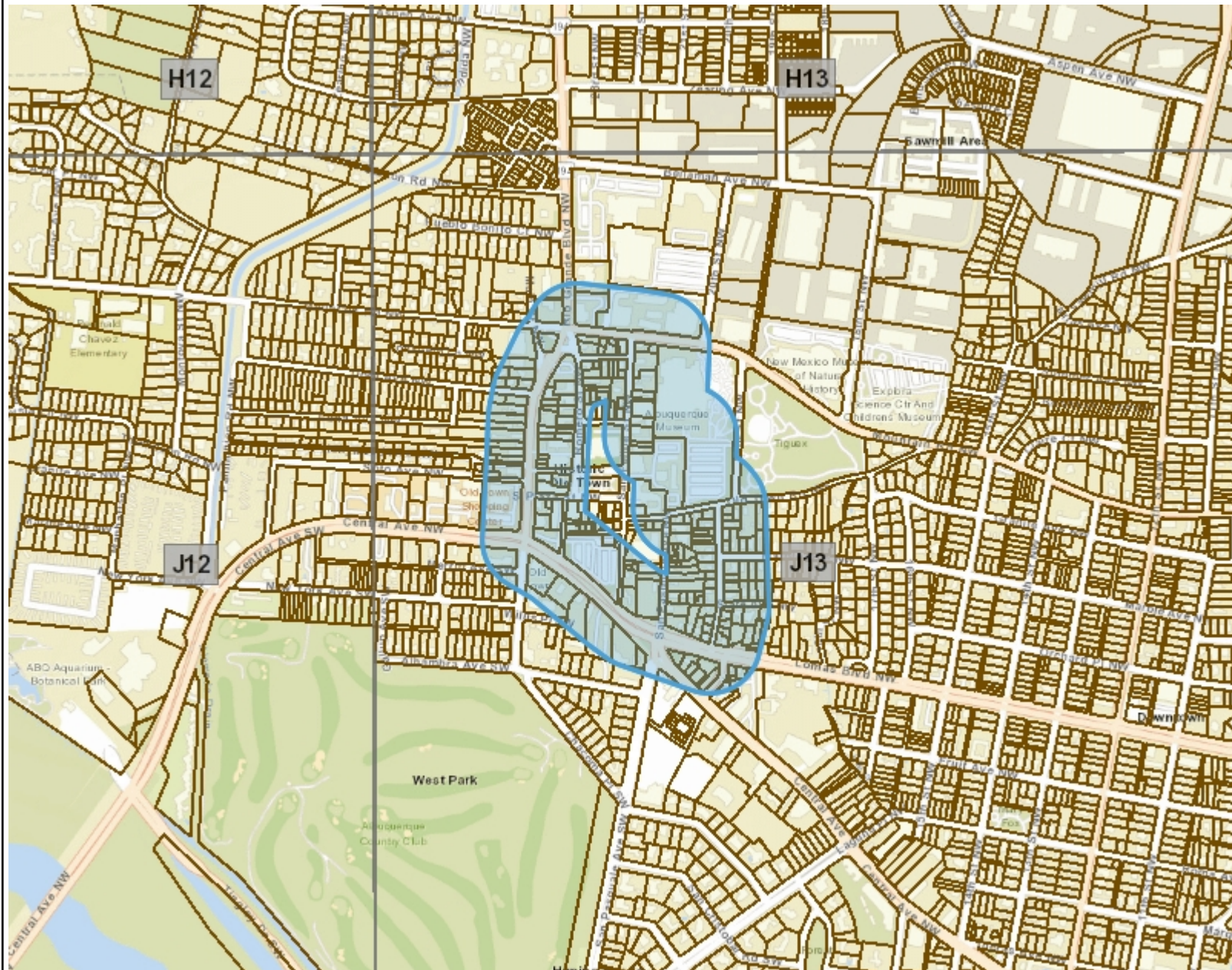


# J-13-Z



## Legend

- Zone Grid
- Bernalillo County Parcels



## Notes

Buffer: 300 Ft  
ROW Central Ave SW: 200 Ft.

1,742 0 871 1,742 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
8/23/2021 © City of Albuquerque

1: 10,455

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



Mr. Shahab Biazar  
City Engineer  
Planning Department  
City of Albuquerque  
600 2<sup>nd</sup> St. NW  
Albuquerque, NM 87102

RE: October 2021 EPC Submittal – Public Mailed Notice Certification  
Amendment to Integrated Development Ordinance (IDO) Text – Citywide and Amendment to the  
IDO Text – Small Area

Dear Mr. Biazar,

Please accept this letter as certification of Mailed Notice as required by the IDO.

I, Alfredo Salas, do hereby certify and attest that I delivered 253 letters to the City of Albuquerque's mail room for first class stamping and delivery to the U.S. Post Office on October 25, 2021.

- Of these, 237 letters were to property owners in or within 100 feet of the Old Town Historic Protection Overlay Zone (HPO-5) boundary, as required by IDO Subsection 14-16-6-4(K)(3)(d).
- An additional 16 letters were addressed to Neighborhood Association representatives without email addresses on file with the Office of Neighborhood Coordination for the city-wide request as required by IDO Subsection 14-16-6-4(K)(3)(b) and as shown on the attached exhibits.

Sincerely,

Alfredo Salas  
EPC Hearing Monitor  
Planning Department  
600 2nd Street NW, Third Floor  
Albuquerque NM 87102

\* Received by Larry O English Date 10.25.21

DFAS/Purchasing/Office Services (mail room)

PUBLIC COMMENTS

**Renz-Whitmore, Mikaela J.**

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**From:** Phyllis Harper-Rispoli <phyllisharper409@gmail.com>  
**Sent:** Friday, November 19, 2021 5:58 AM  
**To:** City of Albuquerque Planning Department  
**Subject:** Comments on Cannabis shops in Old Town

Mr. MacEachen.

I am pleased to learn that the City is seeking to amend the IDO text to prohibit cannabis uses in the Old Town Historic Protection Overlay zone.

My husband and I own property on 19th St. in the overlay zone. We have lived on the property and operated a B&B from 1998 to 2003, then subsequently a Short-term Rental since 2004. Therefore, the vibrancy of Old Town businesses is important to us.

It has been a point of pride that our Old Town location attracts people from all over the world, and we feel that keeping cannabis business out of Old Town is a wise decision. Through the years, we have watched the struggles to keep Old Town vibrant while honoring its history, witnessing small businesses come and go at an alarming rate. We cheered when beer and wine were finally allowed in Old Town's restaurants. This is expected by tourists. We were thrilled when the wine tasting rooms (and AirBnBs) opened recently in Aceves Plaza.

Old Town seems to be thriving! But it is a delicate balance. We do not oppose cannabis stores, but believe they would not be an asset for Old Town and are better suited for other areas of the City.

Respectfully

Phyllis Harper-Rispoli & Robert Rispoli, Owners

La Perla in Old Town

409 19th St. NW

ABQ, NM 87104

(505) 269-1630

Eml: [PhyllisHarper409@gmail.com](mailto:PhyllisHarper409@gmail.com)

Website: [HistoricABQ.com](http://HistoricABQ.com)

**Renz-Whitmore, Mikaela J.**

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**From:** Linda Lynch <leelee5223@gmail.com>  
**Sent:** Tuesday, October 26, 2021 3:25 PM  
**To:** City of Albuquerque Planning Department  
**Subject:** Application to amend zoning regulations for Old Town Historic Overlay Zone HPO-5

Dear Chairman MacEachen:

I am in favor of prohibiting cannabis sales and use in the Old Town Historic Protection Overlay zone (HPO-5), and amending the text of the Integrated Development Ordinance to reflect same.

As an explanation, the downtown core of Albuquerque has become unbearable due to the plethora of bars. I made hotel reservations for a guest, at a historical downtown hotel. Upon picking them up to take them to the airport the next day, they bitterly complained about the all-night fighting, yelling, police sirens, and filth (used condoms) on the sidewalk when I picked them up. It was disgusting and humiliating for me because I thought they would enjoy staying downtown. They requested that I never again "do that to them."

I do not want to see Old Town go the same direction as Downtown. The Old Town area is nice. But there are already too many tap rooms in the area, together with wine tasting. Add into the equation the pot smokers, and the Old Town area will most certainly suffer the same degrading fate as Downtown.

An onlooker can escape someone who is drinking alcohol by leaving the area. An onlooker cannot escape the smoke from someone smoking pot. If a person walking the narrow Old Town sidewalks elects to smoke pot, as has already happened in my experience, the passerby is involuntarily forced to either stop breathing, or inhale pot smoke. And not all of us elect to smoke pot, despite the media hype. Even though smoking in public is prohibited, we all know that law is neither obeyed nor enforced. There is no reason to believe that pot smokers will obey the "no smoking in public" laws anymore than the drinkers will obey the "don't drink and drive" laws.

Let the Northeast Heights or the Westside participate in Albuquerque's societal ills a little bit instead of forcing them all on the people who elect, yes voluntarily elect, to live in the Downtown/Old Town core. This area already bears the brunt of the homeless population, the downtown racing and drunks, and the crime. Let other parts of the City see what it's like to live in the Real Albuquerque.

Please approve the Ordinance prohibiting the sales, use, and smoking of pot in Old Town.

Thank you,  
Linda Schilling  
1828 Marble Avenue NW  
Albuquerque, New Mexico 87104