

INTEGRATED DEVELOPMENT ORDINANCE



IDO as of August 2024

<https://abq-zone.com>

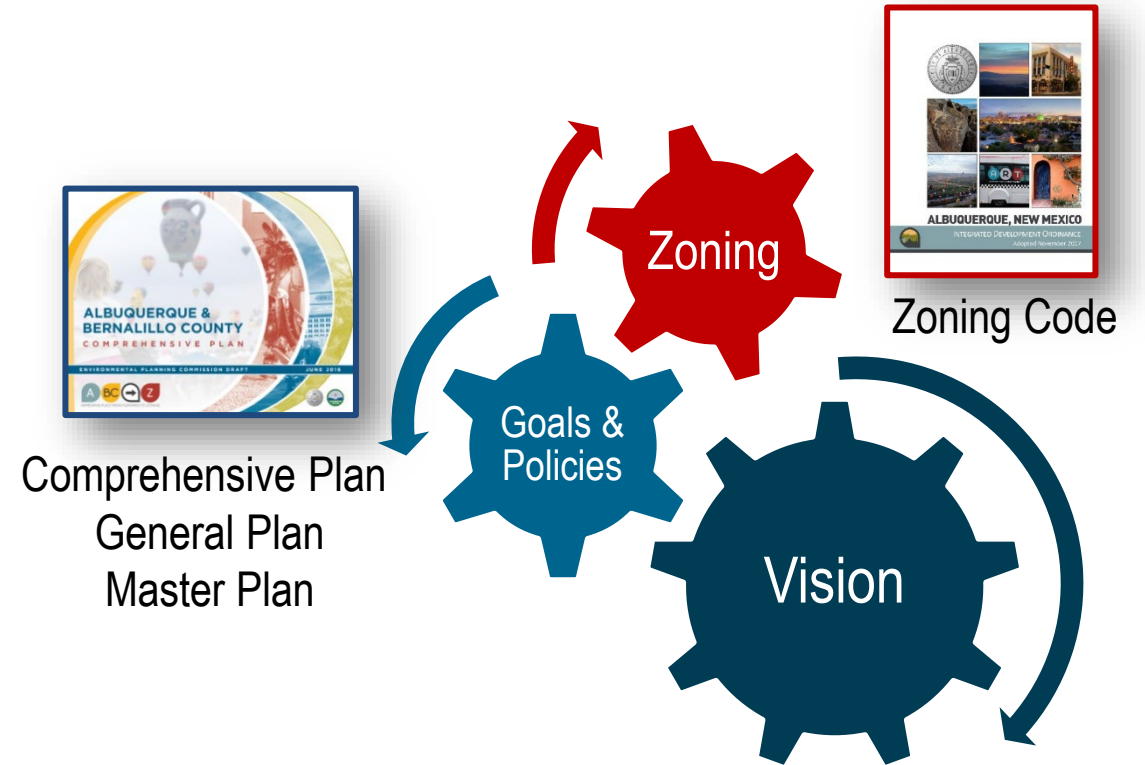
Land Use
January 2025

Mikaela Renz-Whitmore
Division Manager
mrenz@cabq.gov

**ONE
ALBUQUE
RQUE**

WHAT IS ZONING?

a system of laws that establishes rights and limits on property



U.S Constitution

5th / 14th Amendments:
Property Rights

“a person may not be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”

“nor shall any State deprive any person of life, liberty, or property without due process of law”

10th Amendment: States have police power for public health, safety, and welfare

Land use law balances economic return from using the property with minimizing negative impact on surrounding properties

PLANNING + ZONING

STATE ENABLING ACT

Standard State Zoning Enabling Act (1922)

- U.S. Department of Commerce
- Gave local governments the power to regulate land use

Major reason for requiring comprehensive plan is to ensure that there will not be loose determinations of land utilization of comparatively small sections of the community. *Board of Cnty. Comm'rs v. City of Las Vegas*, 1980-NMSC-137, 95 N.M. 387, 622 P.2d 695.

Advisory nature of master plan. — The phrase "in accordance with", in Subsection A, requires land use planning regulations to be guided by, and consistent with, a master plan, but it does not mean that the legislature intended city master plans to be strictly adhered to in the same manner as a statute, ordinance, or agency regulation. *West Bluff Neighborhood Ass'n v. City of Albuquerque*, 2002-NMCA-075, 132 N.M. 433, 50 P.3d 182, *overruled by Rio Grande Chapter of Sierra Club v. N.M. Mining Comm'n*, 2003-NMSC-005, 133 N.M. 97, 61 P.3d 806.

<https://law.justia.com/codes/new-mexico/chapter-3/article-21/section-3-21-1/>

<https://law.justia.com/codes/new-mexico/chapter-3/article-21/section-3-21-5/>

LOCAL GOVERNMENTS ENACT ZONING

- State Zoning Act (1953)
 - NM Stat § 3-21-1
 - Gave County or municipalities the power to enact zoning
- Conformance with Comp Plan Required (1953)
 - NM Stat § 3-21-5
 - “The regulations and restrictions of the county or municipal zoning authority are to be in accordance with a comprehensive plan”
 - “The zoning authority ... shall give reasonable consideration...to the character of the district and its peculiar suitability for particular uses, and to conserving the value of buildings and land and encouraging the most appropriate use of land throughout its jurisdiction.

PLANNING + ZONING

COMPREHENSIVE PLAN

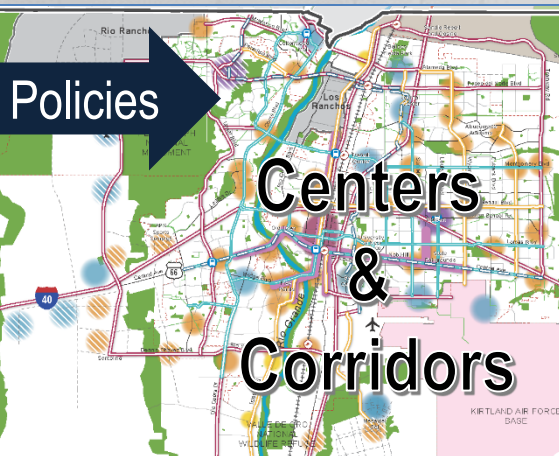
- What we want + why:
 - Where to direct growth
 - What to protect
 - What actions to take
 - How to measure progress

Shoulds

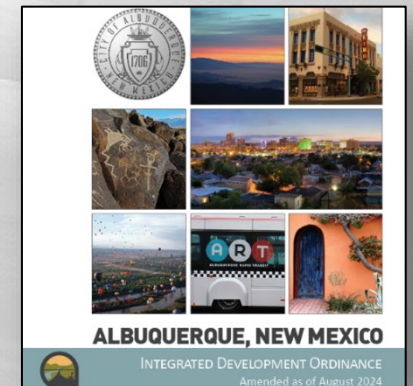
ZONING CODE

Shalls

- How to get there:
 - Tailored rules
 - Centers + Corridors
 - Areas of Consistency
 - Overlay Zones
 - Special places
 - Transitions / Edge Protections
 - Between districts / contexts
 - Next to neighborhoods
 - Next to Open Space



Regulations

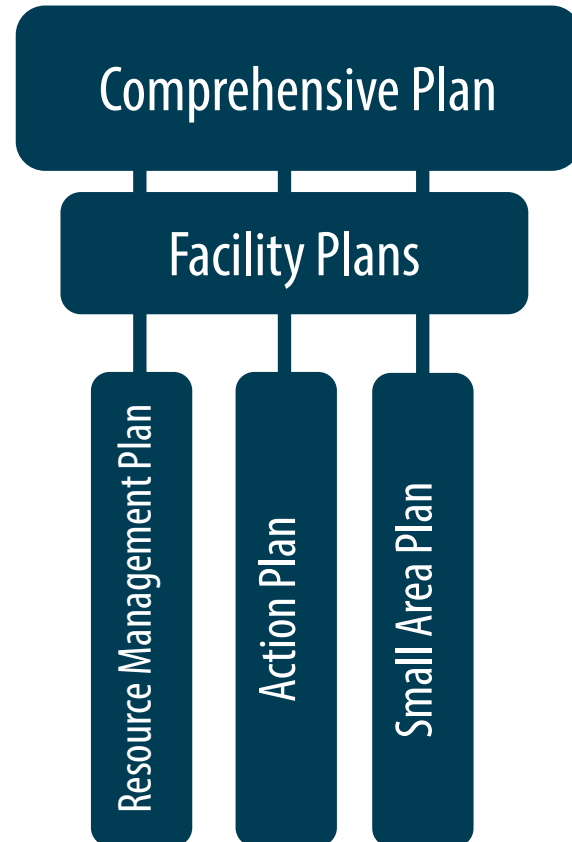


PLANNING + ZONING



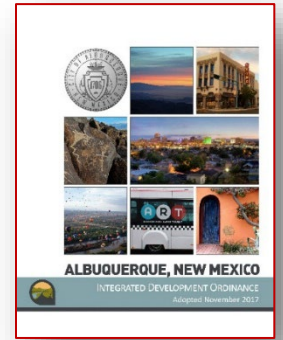
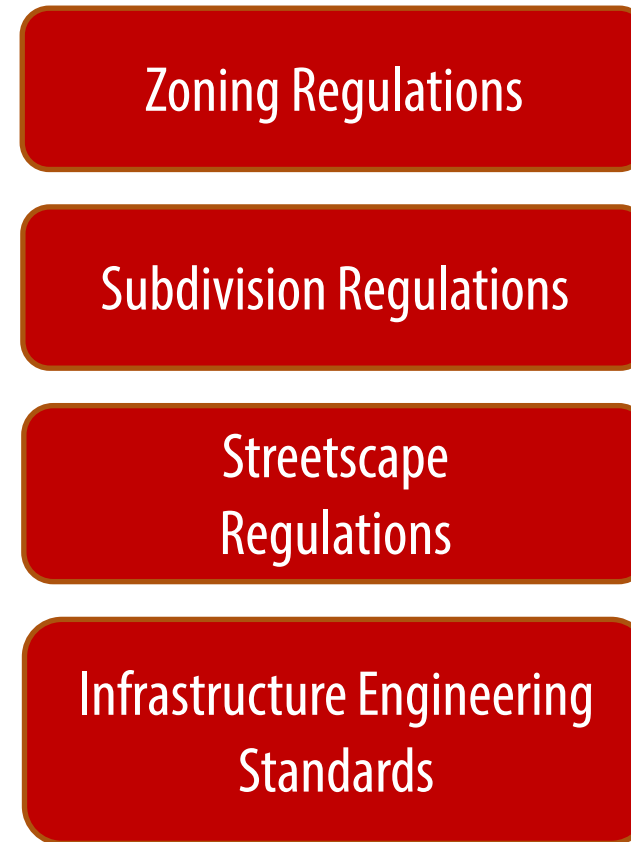
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Shoulds



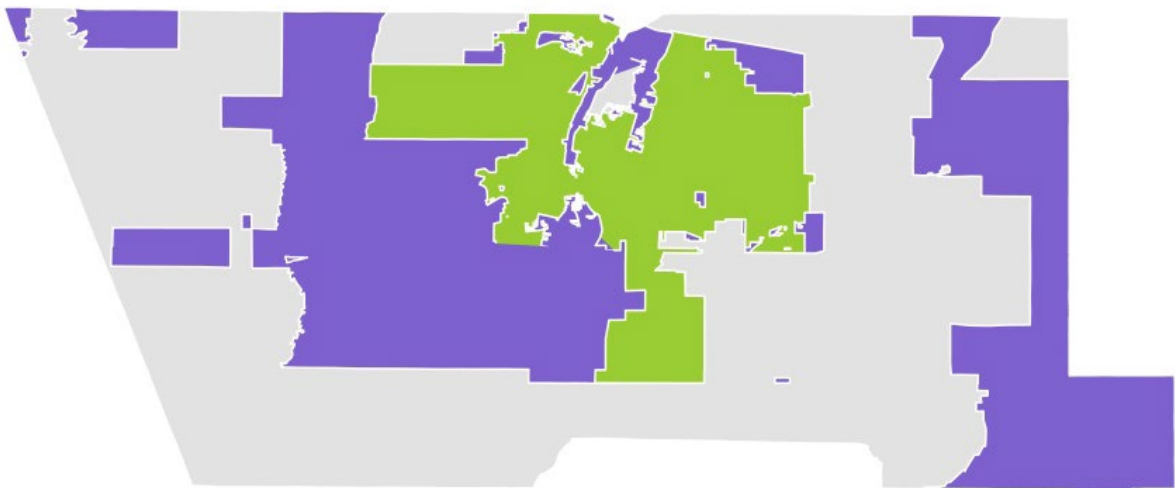
vs.

Shalls



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Scope + Purpose

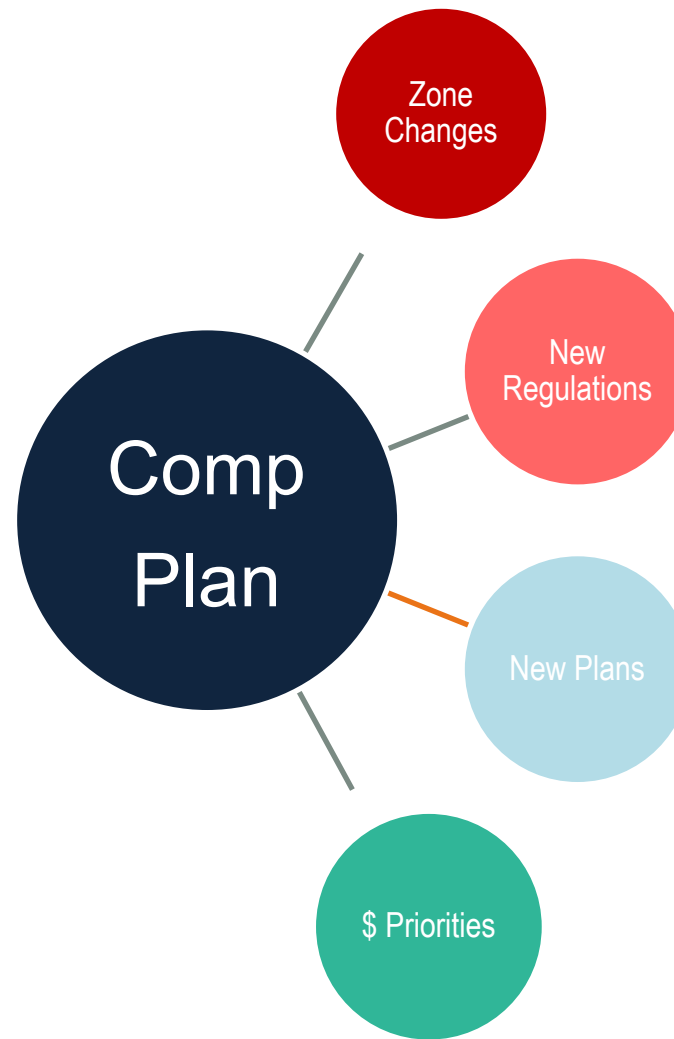


Plan Area

- Albuquerque
- Unincorporated Bernalillo County

Outside the Plan Area

- Other municipality, tribal, or federal land



SCOPE + PURPOSE

ELEMENTS



Comp Plan

- Trends/Desired Growth
- Goals/Policies
- Priorities for Action

Community Vision

SHOULD: WHAT TO PROTECT



Distinct, vibrant neighborhoods



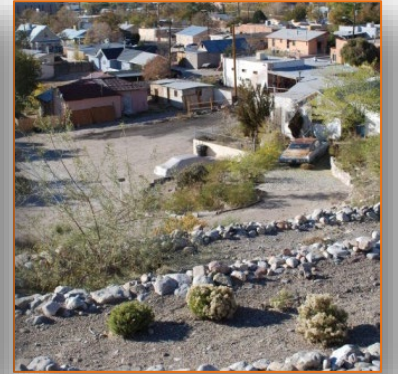
Open Space



Rural areas, acequias, & cultural landscapes



Water, community health



ZONING

1. General Provisions

2. Zone Districts

3. Overlay Zones

Zones

4. Use Regulations
Allowable Use Table
Use-specific Standards

Uses

5. Development Standards
Dimensional Standards Tables
General Regulations

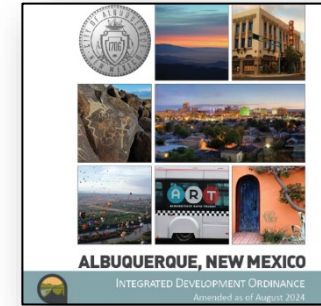
Standards

6. Administration & Enforcement

Processes

7. Definitions & Acronyms

Zoning Code



<https://abq-zone.com>

Zoning Map



<https://tinyurl.com/IDOzoningmap>

LEVERS FOR REGULATIONS

Overlay Zones

- Character, Historic, View Protections

Context

- Edge buffers
- Small-area & Area of Consistency rules
- Distance separations
- Proximity to residential
- Uses
- Development types

Centers & Corridors

- Incentives
- Building design standards
- Edge buffers

Zoning

- Residential
- Mixed-use
- Non-residential
- Planned Development

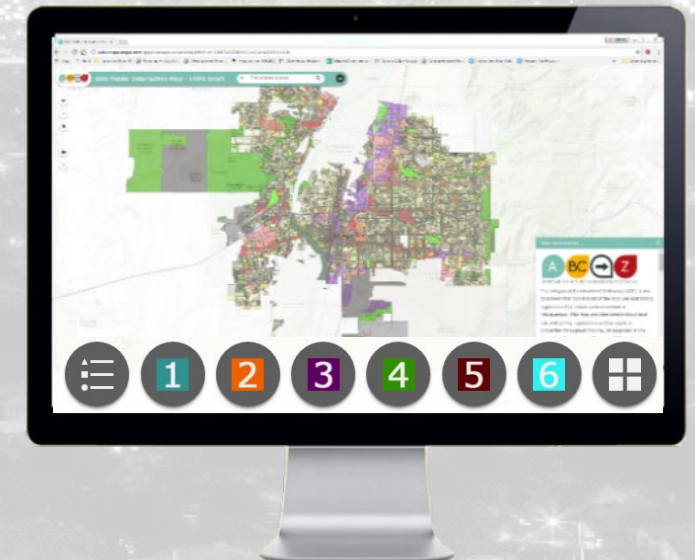
Hierarchy of Rules



1-8

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IDO Zoning Map



<https://tinyurl.com/IDOzoningmap>

TAILORED PROTECTIONS

Historic View
Character Protection

IDO Part 3
Overlay Zones

Use-specific Standards

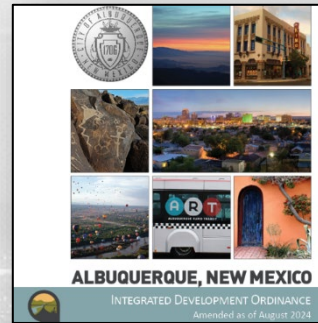
IDO Part 4
Allowable Uses

Small Area Standards

IDO Part 5
Development Standards

Review Procedures

IDO Part 6
Admin & Enforcement



<https://abq-zone.com>

Table I
Small Area Indexes

Table II

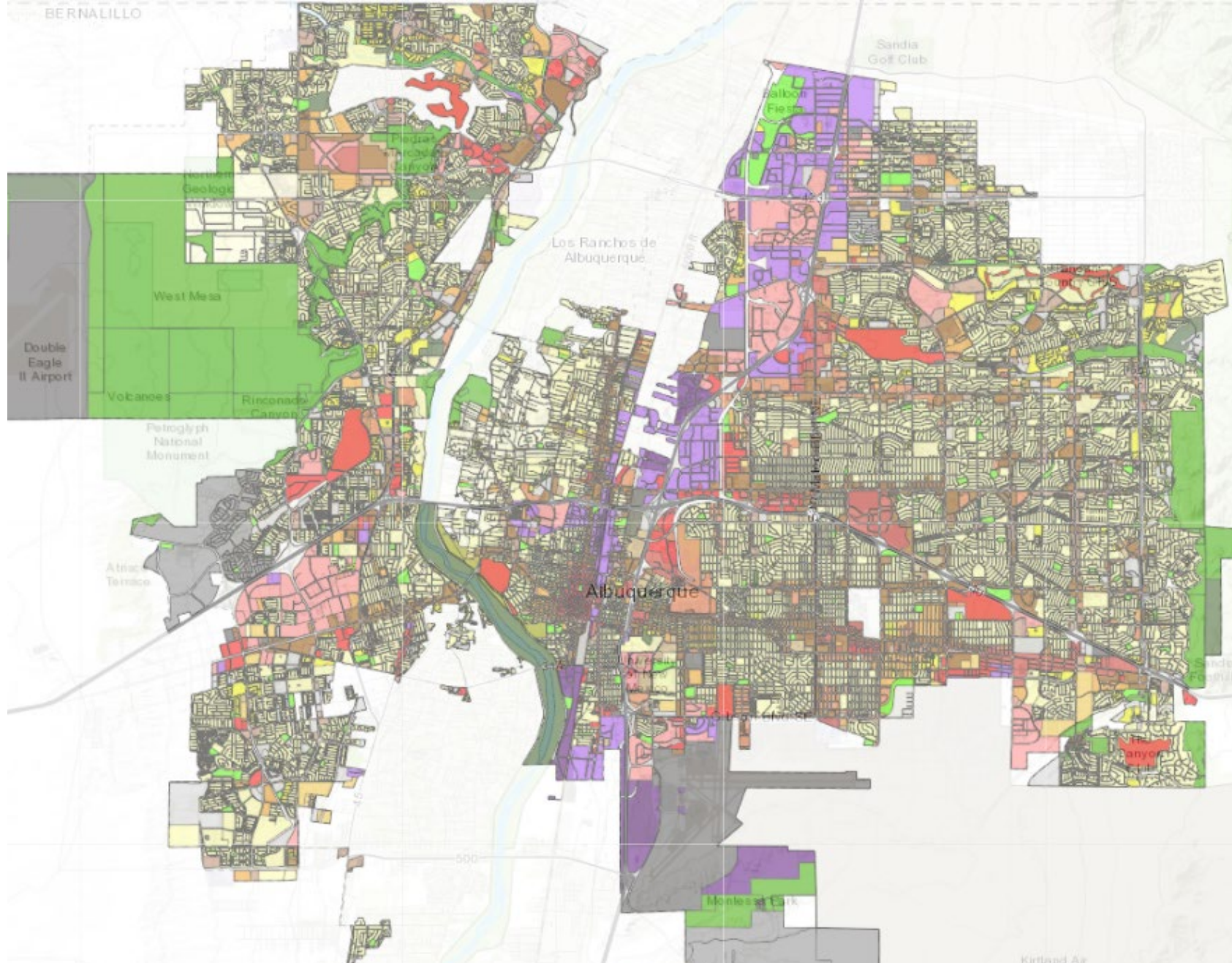
		Page
University Neighborhood	14-16-4-3(F)(4)(e)(i)	152
Uptown Area	14-16-4-3(F)(4)(e)(ii)	153
Volcano Mesa Area	14-16-4-3(F)(4)(e)(iii)	153
Volcano Heights UC / Volcano Mesa CPO-11	14-16-4-3(F)(4)(e)(iv)	153
Barata - CPO-1	14-16-4-3(F)(4)(e)(v)	154
Downtown Neighborhood Area - CPO-3	14-16-4-3(F)(4)(e)(vi)	153
High Desert Area	14-16-4-3(F)(4)(e)(vii)	154
Hunting Highland Area	14-16-4-3(F)(4)(e)(viii)	156
South Broadway Area	14-16-4-3(F)(4)(e)(ix)	157
University Neighborhoods Area	14-16-4-3(F)(4)(e)(x)	157
Volcano Mesa - CPO-11	14-16-4-3(F)(4)(e)(xi)	157

IDO Zoning Map



<https://tinyurl.com/IDOzoningmap>

ZONING



IDO Zoning

	R-A	Residential Zone Districts
	R-1A	
	R-1B	
	R-1C	
	R-1D	
	R-T	
	R-MC	
	R-MH	
	MX-T	Mixed-use Zone Districts
	MX-L	
	MX-M	
	MX-H	
	MX-FB-ID	
	MX-FB-FX	
	MX-FB-UD	
	NR-C	Non-residential Zone Districts
	NR-BP	
	NR-LM	
	NR-GM	
	NR-SU	
	NR-PO-A	
	NR-PO-B	
	NR-PO-C	
	NR-PO-D	
	PD	Planned Development Zone Districts
	PC	
	UNCL	Unclassified

Navigation icons: a list icon, a teal circle with '1', an orange circle with '2', a purple circle with '3', a green circle with '4', a red circle with '5', a cyan circle with '6', and a window icon.

<https://tinyurl.com/IDOzoningmap>

OVERLAY ZONES

Part 3

3 Overlay Zone Layers

Layers

- (APO) - Airport Protection Overlay Zone (3-3)
- (CPO) - Character Protection Overlay Zone (3-4)
- (HPO) - Historic Protection Overlay Zone (3-5)
- (VPO) - View Protection Overlay Zone (3-6)

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<https://tinyurl.com/IDOzoningmap>

Use-specific Standards

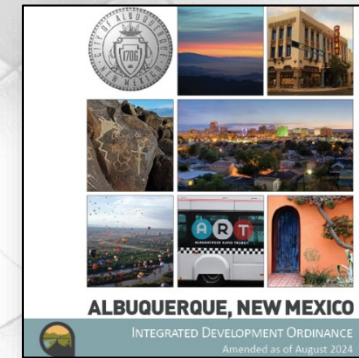
IDO Part 4 Allowable Uses

Distance separations from residential and Open Space areas and between uses

From Residential Uses: Liquor retail, Heavy Manufacturing, Auto repair, etc.

From Open Space: Car wash, Gas stations, Manufacturing, Solid Waste, etc.

Between uses: Group Homes, Pawn Shops, Bail Bonds, Payday Loans, etc.



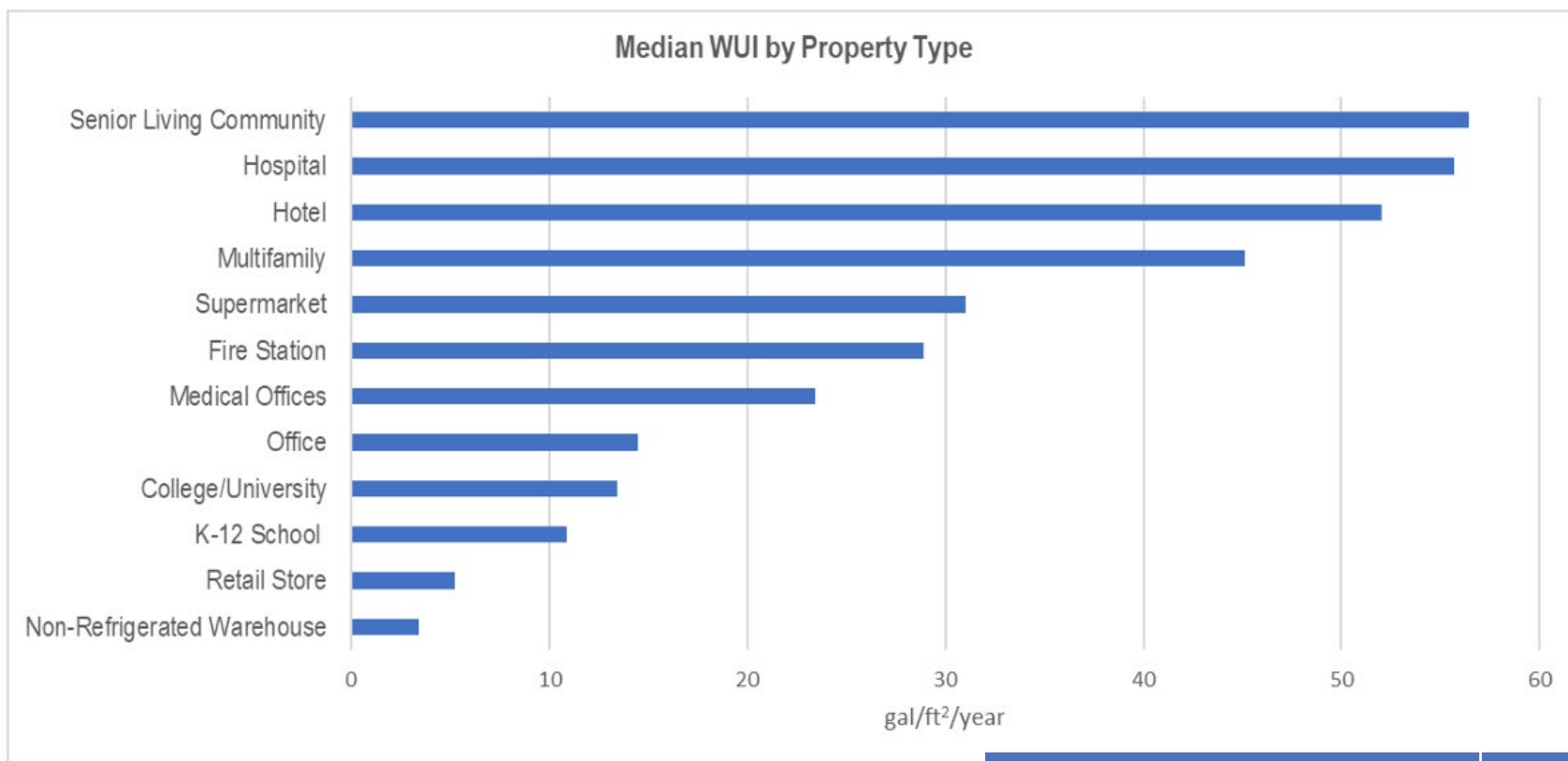
<https://abq-zone.com>

IDO Zoning Map



<https://tinyurl.com/IDOzoningmap>

WATER USE INTENSITY



Land Use	Median Per Unit Metric
Senior Living Community	39,800 gal/resident/year
Hospital	107,000 gal/hospital bed/year
Hotel	33,500 gal/guest room/year
Multifamily	43,600 gal/unit/year
K-12 School ¹	11,200 gal/worker/year
Office ²	6,020 gal/worker/year

U.S. EPA Water Sense (2023)

https://www.energystar.gov/sites/default/files/tools/National%20WUI%20Technical%20Reference%202023_0719b.pdf

LAND USES

Allowable Uses

P = Permissive C = Conditional A = Accessory CV = Conditional if Structure Vacant for 5+ years

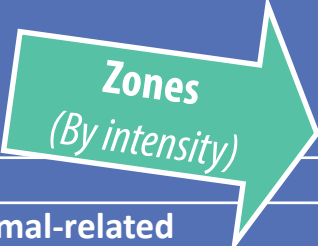
Blank Cell = Not Allowed

Zone District >>	Residential						Mixed-use				Non-residential				Use-specific Standards
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	
Land Uses															
RESIDENTIAL USES															
Household Living															
Dwelling, multi-family	P	P	P	P	P	P	P	P	P	P		CV			4-3(B)(8)
Group Living															
Assisted living facility or nursing home				C	P	P	P	P	P	P					
CIVIC AND INSTITUTIONAL USES															
Adult or child day care facility			C	C	C	P	P	P	P	P	P	P	A	A	
Elementary or middle school	C	C		C	P	P	P	P	P	P	P	P	CV		4-3(C)(2)
Fire station or police station									P	P	P	P	P	P	
High school	C	C		C	C	P	P	P	P	P	P	P	C		4-3(C)(3)
Hospital									P	P	P	P			4-3(C)(4)
University or college						CV	CV	C	P	P	P	P	CV	CV	
Vocational school						CV	P	P	P	P	P	P	P	P	



LAND USES

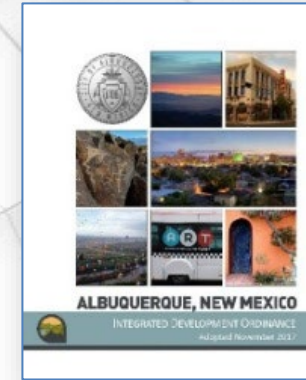
Allowable Uses																
P = Permissive C = Conditional A = Accessory Blank Cell = Not Allowed																
Land Uses	Zone District >>	Residential					Mixed-use				Non-residential				Use-specific Standards	
		R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM		NR-GM
COMMERCIAL USES																
Agriculture and Animal-related																
	General agriculture	P											C	P	P	4-3(D)(3)
Lodging																
	Hotel or motel						P	P	P	P	P	P	P	P	P	4-3(D)(15)
Offices and Services																
	Office						P	P	P	P	P	P	P	P	P	
	Medical or dental clinic						P	P	P	P	P	P	P	P	P	4-3(D)(26)
Retail Sales																
	General retail, small			A			A	P	P	P	P	P	P	P	P	4-3(D)(37)
	General retail, medium									P	P	P	C	C		4-3(D)(37)
	General retail, large									C	C	P	P			4-3(D)(37)
	Grocery store							P	P	P	P			P	P	4-3(D)(38)
INDUSTRIAL USES																
Wholesaling and Storage																
	Warehousing									C	C	P	P	P	P	4-3(E)(19)



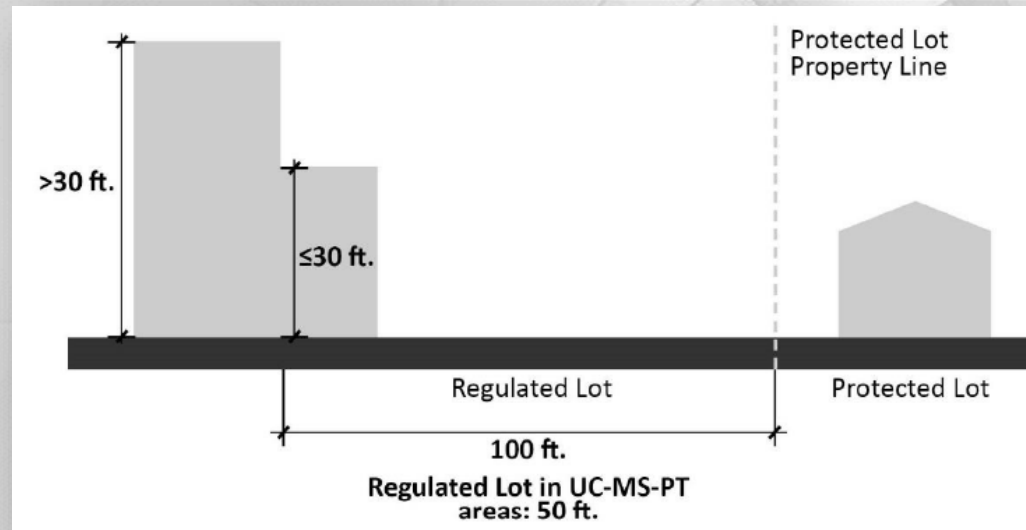
Context Rules

IDO Part 5 Development Standards

Rules that set quality standards for development

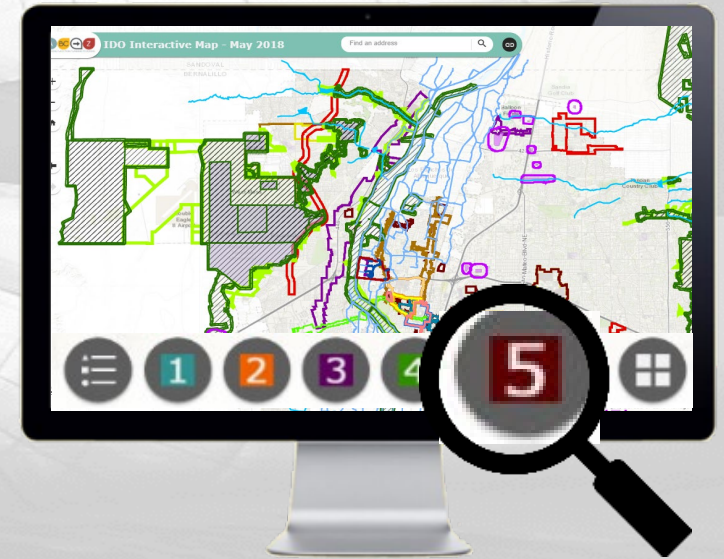


<https://abq-zone.com>



Transitions:

Neighborhood Edges, Edge Buffers
Major Public Open Space Edges



<https://tinyurl.com/IDOzoningmap>

LIMITS ON DENSITY

Part 5

CITYWIDE

- Building height
- Required usable open space
- Required parking
- Required landscaping
- Building design standards

CONTEXTUAL

- Use-specific standards
 - Distance from residential
- Neighborhood Edges
- Edge Buffers
- Major Public Open Space Edge

DIMENSIONAL STANDARD TABLES: BY ZONE CATEGORIES

5-1

Categories

Center Provisions

Acronyms

Zones (By intensity)

Table 5-1-2: Mixed-use Zone District Dimensional Standards
 UC-MS-PT = Urban Centers, Main Streets, and Premium Transit areas as identified in the ABC Comp Plan
 BR = bedroom DU = dwelling units.
 Note: Any different dimensional standards in Part 14-16-3 (Overlay Zones) and Section 14-16-5-9 (Neighborhood Edges) applicable to the property shall supersede the standards in this table.

Zone District	MX-T ^[1]	MX-L	MX-M	MX-H
Site Standards				
Usable open space, minimum ^[2]	Efficiency or 1 BR: 225 sq. ft./unit 2 BR: 285 sq. ft./unit ≥3 BR: 350 sq. ft./unit UC-MS-PT: 50% reduction			
Setbacks^{[3][4][5][6]}				
Front, minimum	5 ft. UC-MS-PT: 0 ft. ^[7]			
Front, maximum	N/A UC-MS-PT: 15 ft.			
Side, minimum	Interior: 0 ft.; Street side of corner lots: 5 ft. UC-MS-PT: 0 ft.			
Side, maximum	N/A UC-MS-PT: Interior: N/A; Street side of corner lots: 15 ft. ^[7]			
Rear, minimum	15 ft. UC-MS-PT: 0 ft. where rear lot line abuts a street or alley			
Rear, maximum	N/A			
Building Height^[6]				
Building height, maximum	30 ft.	38 ft. UC-MS-PT: 55 ft.	48 ft. UC-MS-PT: 65 ft. No maximum for portions of building >100 ft. from all lot lines	68 ft. UC-MS-PT: 75 ft.
		UC-MS-PT-MT: 12 ft. Structured Parking Bonus		UC-MS-PT-MT: 24 ft. Structured Parking Bonus
		UC-MS-PT-MT: 12 ft. Workforce Housing Bonus		

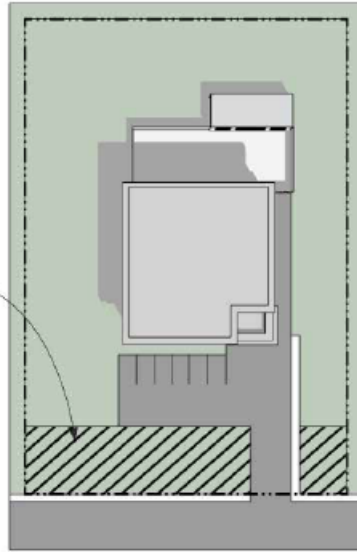
ONE ALBUQUERQUE

[1] Residential development that qualifies for funding through Article 14-17 of ROA 1994 (Family Housing Developments) may be eligible for development incentives specified in that Article.
 [2] Usable open space requirements specified in this table are for multi-family residential development only. Additional usable open space requirements in Subsections 14-16-4-3(B)(3)(i) (Dwelling, Cottage Development) and 14-16-4-3(B)(5)(a) (Dwelling, Townhouse) may apply to low-density residential development in any Mixed-use zone district.

LANDSCAPING

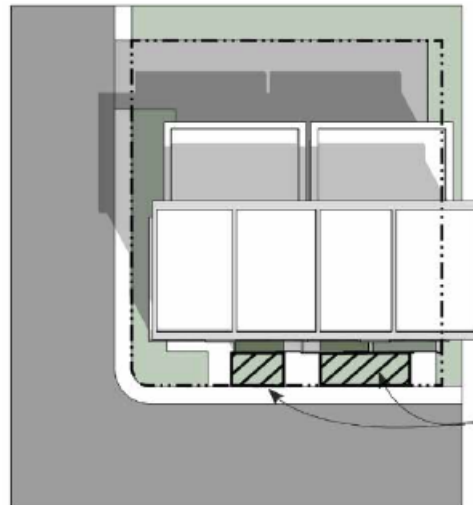
CITYWIDE

Landscaping =
≥ 15% of Net Lot Area

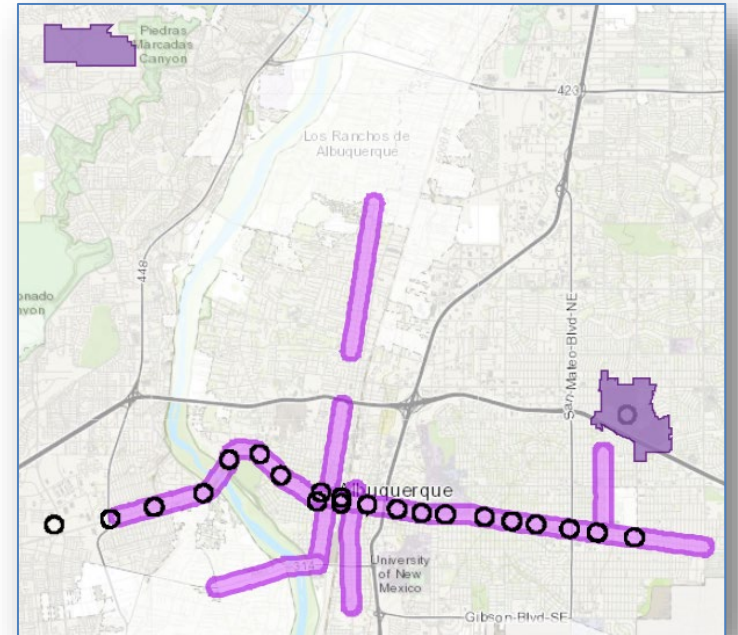





REDUCTIONS IN CENTERS + CORRIDORS

5-6(C)(2)(b) In DT-UC-MS-PT areas, a minimum of 10 percent of the net lot area of each development shall contain landscaping. In these areas, landscaping required to meet this requirement need not be at ground level. (See figure below.)

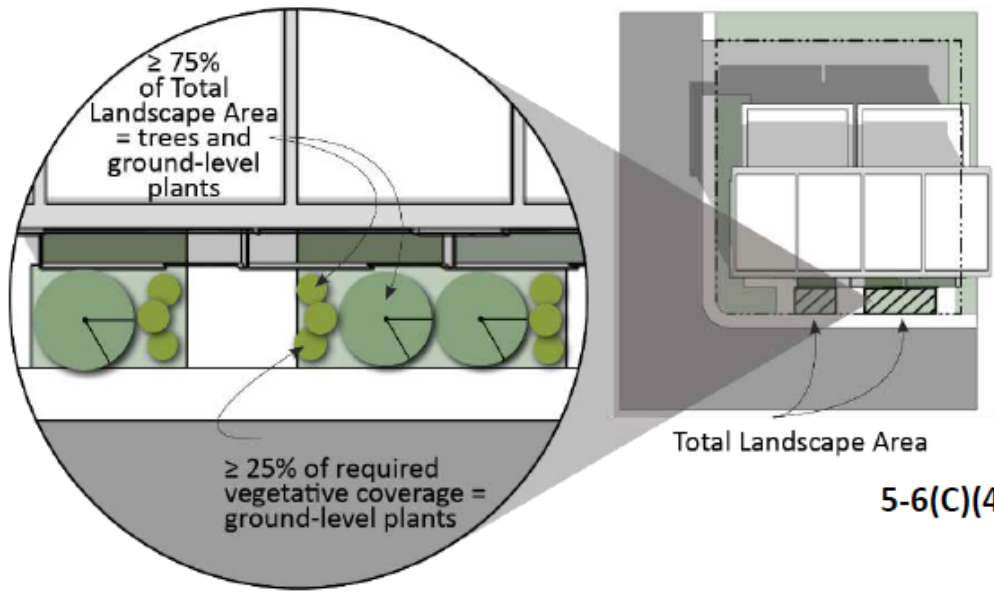


Landscaping =
≥ 10% of Net Lot Area



-  UC = Urban Center
-  MS = 660 feet from Main Street
-  PT = 660 feet from Premium Transit station

LANDSCAPING



5-6(C)(4)

Required Plant Materials and Site Amenities

5-6(C)(4)(a) A minimum of 10 species must be used in the landscaped area.

5-6(C)(4)(b) Only trees and shrubs selected from the Official Albuquerque Plant Palette of low water use, drought tolerant, or xeric species and shown on a landscape plan can count toward the requirements of this Subsection 14-16-5-6(C) (General Landscaping Standards), except that, upon presentation of evidence, the relevant decision-making body may authorize alternative species or cultivars that meet all of the following requirements:

1. Meet the intended purpose of that type of landscaping.
2. Are not hazardous.
3. Are not identified as invasive on a City or State plant list.
4. Are not listed in the City's Weed Identification Handbook.
5. Are equally hardy to the New Mexico climate.

5-6(C)(4)(c) Installation of any trees, shrubs, or other vegetation included in a State list of prohibited or invasive species or listed as noxious weeds in the City's Weed Identification Handbook is prohibited.

5-6(C)(4)(d) No more than 10 percent of required landscape areas shall be cool season grass species.

ABCWUA / City Plant List only

Limit on high-water grass

- **5-1 Dimensional Standards**
- **5-2 Site Design + Sensitive Lands**
- **5-3 Access + Connectivity**
- **5-4 Subdivision of Land**
- **5-5 Parking + Loading**
- **5-6 Landscaping, Buffering, + Screening**
- **5-7 Walls + Fences**
- **5-8 Outdoor + Site Lighting**
- **5-9 Neighborhood Edges**
- **5-10 Solar Access**
- **5-11 Building Design**
- **5-12 Signs**

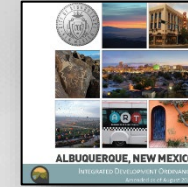
FINDING THE BALANCE

Predictability

Last Stage / Projects following rules:
Administrative decision

- Some notice required
- Use existing property rights

Administrative
Decisions



Early Stage / Projects requesting exceptions:
Public Hearing

- Lots of notice required
- May affect some property rights

Decisions
Requiring a
Public Hearing



Discretionary Decisions:
Public Hearing

- Lots of notice required
- Apply new zoning / new property rights

Policy
Decisions



Flexibility

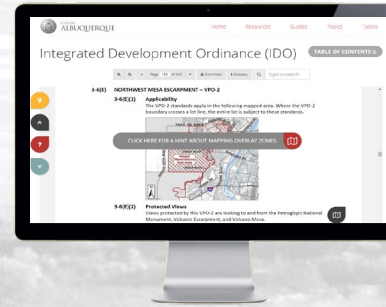
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RESOURCES

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Interactive IDO



abq-zone.com

IDO Zoning Map



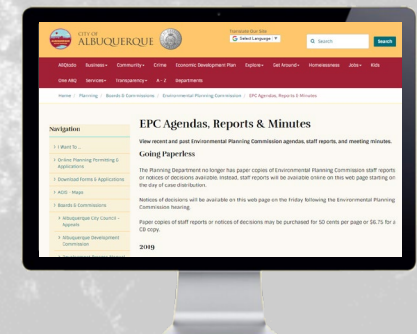
tinyurl.com/idozoningmap

ABC Comp Plan



compplan.abq-zone.com

Planning Webpage



cabq.gov/planning