

List of IDO Amendments voted on by the City Council on June 17th,
2021 (O-21-60)

Action	Amendment	Topic
F 1/8	B1	Overnight Shelter
P 9/0	B2	Liquor – State Changes
P 9/0	B3	Food Processing
F 4/5	B4	Climatic and Geographic Responsiveness
Not Moved	B22	Campgrounds in NR-SU
F 4/5	B23	Northwest Mesa Escarpment VPO – Update
P 5/4	B24	Northwest Mesa Escarpment VPO - Rescind
F 3/5	**	Geographic Responsiveness
F 4/5	**	Undo MX-L Drive Throughs

Please note: Amendments related to cannabis are to be found in a separate packet. This packet only includes amendments approved by the City Council on June 17th, 2021. Amendments listed above with stricken text indicate that amendment did not pass.

Council Amendment B2 – Liquor State Changes

CITY COUNCIL of the CITY OF ALBUQUERQUE

June 17th, 2021

FLOOR AMENDMENT NO. _____ TO Exhibit 1 to O-21-60

AMENDMENT SPONSORED BY COUNCILOR Bassan

1. Page 542, Section 7-1 revise the definition for Bar as follows:

Bar

An establishment having as its primary or predominant uses the serving of beer, wine, or liquor for consumption on the premises [or for take out or delivery service for off-site consumption], but that does not meet the definition for *Tap Room* or *Tasting Room*.

2. Page 586, Section 7-1 revise the definition for Restaurant as follows:

Restaurant

An establishment that serves food and beverages that are consumed on its premises by customers seated at tables and/or counters either inside or outside the building thereon and/or that may provide customers with take-out service of food and/or ~~[non-alcoholic]~~ beverages for off-site consumption. Sale of alcoholic beverages is controlled by other provisions in this IDO and the New Mexico State statutes regarding alcoholic drink sales. See also *Bar*, and *Taproom*, or *Tasting Room*.

Explanation: This amendment makes changes to the definitions for “Bar” and “Restaurant” in response to the recent changes to the Liquor Control Act. These changes bring the definitions into conformity with the anticipated changes to licensing that could allow a business to have an alcohol delivery service.

Council Amendment B3 – Food Processing

CITY COUNCIL of the CITY OF ALBUQUERQUE

June 17th, 2021

FLOOR AMENDMENT NO. _____ TO Exhibit 1 to O-21-60

AMENDMENT SPONSORED BY COUNCILOR Jones

1. Page 212, Section 4-3(F)(9)(b) Home Occupation revise as follows:

(b)The following uses from Table 4-2-1 and activities are prohibited as home occupations:

1. Any use in the Agricultural or Animal-related category.
2. Any use in the Food, Beverage, and Indoor Entertainment category [, except Catering Service].
3. Any use in the Motor Vehicle-related category.
4. Any use in the Industrial Uses category.
5. Commercial services.
6. Construction contractor facility and yard.
7. Crematorium.
8. Mortuary.
9. Adult retail.
10. Liquor retail.
11. Any use involving the storage or use of hazardous materials.
- ~~12. Home-based food production or brewing of beverages for sale.]~~

Explanation: In the Home Occupation Use Specific standard, this amendment proposes to strike the prohibition on “home based food production or brewing of beverages for sale” and to exempt “Catering Service” from the prohibition within the Food, Beverage, and Indoor Entertainment category, in order to be in compliance with recent changes at the state level. House Bill 177, the Homemade Food Act passed during the 2021 Legislative Session. This bill allows for shelf-stable homemade foods in compliance with the NM Environment Department. This bill goes into effect on July 1st. The IDO defines “Catering Service” as: *An establishment whose primary business is to prepare food on-site, then to transport and serve the food off-site. No retail sale of food or beverages for consumption on the premises is allowed.* Both this definition and the home based food production overlap with the types of shelf-stable homemade foods that the act considers allowing production of at home. The IDO only considers uses for a property, and would not diminish the need to follow any relevant city, state, or federal environmental health requirements or the need to obtain any relevant permits.

Council Amendment B24 – NWME VPO Rescind

CITY COUNCIL of the CITY OF ALBUQUERQUE

June 7th, 2021

FLOOR AMENDMENT NO. _____ TO Exhibit 1 to O-21-60

AMENDMENT SPONSORED BY COUNCILOR Jones

1. Remove all references to the proposed Northwest Mesa VPO Height Sub Area 2 from Exhibit 1, as amended at LUPZ on May 12th.

Explanation: This amendment proposes to strike the revisions to the to Exhibit 1 in Amendment A18, as approved at LUPZ, that created a second height sub area for the Northwest Mesa VPO. The proposed second height subarea would limit heights to 30 feet, require additional landscaping, and limit uses within the sub area. The limitations of this second height sub area would only impact commercial properties and could potentially render them undevelopable. The 30 foot height limitation would have a big impact on the viability of commercial development as today most commercial buildings are built at 35 feet in height, or taller.

The NWME VPO proposed height subarea covers mostly low density residential development, however there are several areas with Mixed Use or Non Residential zoning that would be impact by the proposed height subarea. Some of the areas are already developed, but others are not. These areas are generally located at:

- Paseo Del Norte and Kimmick
- Volcano Heights
- Rainbow and Unser
- Unser and Montano
- Unser and Ouray
- Golf Course between Paseo Del Norte and Marna Lynn Ave

This is a link to the interactive map that was posted on the ABC to Z website as part of the application materials:

<https://cabq.maps.arcgis.com/apps/webappviewer/index.html?id=e97870dfc706425c862a1f2c1bd1e609>

Council Amendment B24 – NWME VPO Rescind

Paseo Del Norte, Kimmick and Volcano Heights area:



Rainbow and Unser:



Council Amendment B24 – NWME VPO Rescind

Unser and Ouray:



Unser and Montano:



Council Amendment B24 – NWME VPO Rescind

Golf Course:

