

# CITY of ALBUQUERQUE

## TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-24-13 ENACTMENT NO. O-2024-017

SPONSORED BY: Brook Bassan, by request

1 **ORDINANCE**

2 **ADOPTING CITYWIDE TEXT AMENDMENTS TO THE INTEGRATED**  
3 **DEVELOPMENT ORDINANCE §14-16 FOR THE 2023 IDO ANNUAL UPDATE.**

4 **WHEREAS, the City Council, the governing body of the City of**  
5 **Albuquerque, has the authority to adopt and amend plans for the physical**  
6 **development of areas within the planning and platting jurisdiction of the City,**  
7 **as authorized by statute, NMSA 1978 Sections 3-19-5 and 3-21-1, and by its**  
8 **home rule powers; and**

9 **WHEREAS, the City's zoning powers are established by the City Charter, in**  
10 **which Article I, Incorporation and Powers, allows the City to adopt new**  
11 **regulatory structures and processes to implement the Albuquerque-Bernalillo**  
12 **County Comprehensive Plan ("Comp Plan") and help guide future legislation;**  
13 **Article IX, Environmental Protection, empowers the City to adopt regulations**  
14 **and procedures to protect and preserve environmental features such as water,**  
15 **air, and other natural endowments, ensure the proper use and development of**  
16 **land, and promote and maintain an aesthetic and humane urban environment;**  
17 **and Article XVII, Planning, establishes the City Council as the City's ultimate**  
18 **planning and zoning authority; and**

19 **WHEREAS, the City Council adopted an updated Albuquerque-Bernalillo**  
20 **County Comprehensive Plan ("ABC Comp Plan") in 2017 via R-16-108**  
21 **(Enactment No. R-2017-026); and**

22 **WHEREAS, the City Council adopted the Integrated Development**  
23 **Ordinance (IDO) to implement Comp Plan Goals and Policies; and**

24 **WHEREAS, the IDO establishes zone districts, overlay zones, allowable**  
25 **uses, use-specific standards, and general regulations in Parts 1 through 5 that**  
26 **set the bar for high-quality development that is compatible with surrounding**

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1 land uses and provides appropriate transitions and buffers to lower-intensity  
2 uses nearby; procedures for review and decision of applications related to  
3 land use and development in Part 6; and definitions and acronyms in Part 7;  
4 and

5 WHEREAS, IDO §14-16-6-3 requires the City to submit proposed changes  
6 on an annual basis to further the implementation of the Comp Plan; and

7 WHEREAS, Planning staff compiled and submitted a request for  
8 Amendment to IDO Text – Citywide with proposed amendments that would  
9 improve the clarity and implementation of the IDO based on challenges in  
10 applying regulations and neighborhood protections in real-world contexts with  
11 real-world projects; and

12 WHEREAS, other proposed amendments to IDO text would establish a new  
13 regulatory intent responding to changes in demands for housing and business  
14 needs as well as other current trends; and

15 WHEREAS, the IDO requires an Amendment to IDO Text – Citywide to be  
16 reviewed by the Environmental Planning Commission (EPC) and decided as a  
17 legislative action by City Council as the City’s zoning authority in §14-16-6-  
18 7(D)(2)(c) and (d); and

19 WHEREAS, the EPC found that the proposed amendments are consistent  
20 with the spirit and intent of the ABC Comp Plan, including applicable goals  
21 and policies relating to community identity, land use, urban design, economic  
22 development, housing, and heritage conservation; and

23 WHEREAS, the City provided all required notice for an Amendment to IDO  
24 Text – Citywide, including publishing a legal ad in the Albuquerque Journal,  
25 emailing two representatives of each neighborhood organization registered  
26 with the Office of Neighborhood Coordination (ONC), and posting notice on  
27 the Planning Department website and on the project website; and

28 WHEREAS, the City provided additional notice with announcements on the  
29 Planning Department webpage, and email notice sent to approximately 9,500  
30 subscribers to the ABC-Z project update email list on October 27, 2023;  
31 November 3, 2023; November 29, 2023; and January 5, 2024; and

32 WHEREAS, though a neighborhood meeting is not required for an  
33 Amendment to IDO Text – Citywide, Planning staff held two pre-submittal

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1 public review meetings in October 2023 and one post-submittal public review  
2 meeting in November 2023 on the 2023 IDO Annual Update to present and  
3 discuss the proposed changes, respond to questions, and gather feedback;  
4 and

5 WHEREAS, the EPC held a study session for the 2023 IDO Annual Update  
6 on December 7, 2023, and considered this request at two public hearings on  
7 December 14, 2023 and January 11, 2024, prior to making a recommendation  
8 on the proposed text amendments; and

9 WHEREAS, the EPC, following study and consideration, found that the  
10 proposed amendments satisfy the review and decision criteria for an  
11 Amendment to IDO Text – Citywide in §14-16-6-7(D)(3) and forwarded to the  
12 City Council a recommendation of approval subject to findings and  
13 recommended conditions in the record; and

14 WHEREAS, Planning staff has incorporated the proposed amendments  
15 along with the EPC recommended conditions of approval into a redline draft  
16 for review by City Council.

17 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
18 ALBUQUERQUE:

19 SECTION 1. The IDO text is amended as shown in Exhibit 1 (EPC Redline  
20 Draft) as recommended by the EPC, except as modified by amendments  
21 adopted subsequently in Section 2 and/or Section 3 below.

22 SECTION 2. The IDO text is amended from Exhibit 1 (EPC Redline Draft) by  
23 Committee Amendments approved by the City Council’s Land Use, Planning,  
24 and Zoning (LUPZ) Committee, as shown in Exhibit 2 (LUPZ Committee  
25 Amendments).

26 SECTION 3. The IDO text is amended from Exhibit 1 (EPC Redline Draft)  
27 and/or from Exhibit 2 (LUPZ Committee Amendments), as relevant, by Floor  
28 Amendments approved by the City Council, as shown in Exhibit 3 (Council  
29 Floor Amendments).

30 SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
31 clause, word or phrase of this ordinance is for any reason held to be invalid or  
32 unenforceable by any court of competent jurisdiction, such decision shall not  
33 affect the validity of the remaining provisions of this ordinance and each

1 section, paragraph, sentence, clause, word, or phrase thereof irrespective of  
2 any provision being declared unconstitutional or otherwise invalid.

3 SECTION 5. COMPILATION. Sections 1, 2, and 3 of this ordinance shall be  
4 incorporated in and made part of the Revised Ordinances of Albuquerque,  
5 New Mexico, 1994.

6 SECTION 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall  
7 take effect one month after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 17<sup>th</sup> DAY OF June, 2024  
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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Dan Lewis, President  
City Council

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

Bill No. O-24-13

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Timothy M. Keller, Mayor  
City of Albuquerque

ATTEST:



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Ethan Watson, City Clerk

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