CITY of ALBUQUERQUE TWENTY SIXTH COUNCIL

COUNCIL BILL NO. 0-24-48 ENACTMENT NO. 0. 2024. 035 SPONSORED BY: Nichole Rogers, by request 1 **ORDINANCE** 2 DESIGNATION OF THE HISTORIC FAIRVIEW CEMETERY AS A CITY 3 LANDMARK. 4 WHEREAS, pursuant to Section 3-22-3 NMSA 1978 of the Historic District 5 and Landmark Act the City Council, the governing body of the City of 6 Albuquerque, has the authority to adopt zoning districts designating certain 7 areas as historical areas and to adopt and enforce regulations and restrictions 8 within such districts relating to the erection, alterations and destruction of 9 those exterior features of buildings and other structures subject to public view 10 from any public street, way or other public place; and 11 WHEREAS, the authority conferred by the Historic District and Landmark Bracketed/Underscored Materiall - New 12 Act is consistent with the authority of the City Council to amend the zone map Bracketed/Strikethrough Material -13 for the physical development of the areas within the planning and platting 14 jurisdiction of the City as authorized by Section 3-19-5 NMSA 1978, and by the 15 City of Albuquerque's home rule powers; and 16 WHEREAS, the protection, reuse, and enhancement of significant 17 buildings, districts, and sites is a goal of the Albuquerque/Bernalillo County 18 Comprehensive Plan; and 19 WHEREAS, the property owner, consents to the designation of the property 20 as a City of Albuquerque Landmark; and 21 WHEREAS, The Historic Fairview Cemetery is listed under HALS (Historic 22 American Landscapes Survey) NM-6 as part of the Heritage Documentation 23 Programs (HDP) administered by the National Park Service; and 24 WHEREAS, the Landmarks Commission, in its advisory role on historic 25 preservation matters recommends City Council approval of the landmark.

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1	WHEREAS, the Integrated Development Ordinance (IDO) Subsection 14-16
2	6-7(C) provides for designation of landmark sites and structures; and
3	WHEREAS, the Landmarks Commission, on August 14, 2024,
4	recommended that the City Council approve a designation of City Landmark
5	Site at 700 Yale Blvd. SE (northern portion), between Garfield Ave. SE and
6	Santa Clara Ave. SE; and
7	WHEREAS, the cemetery's layout integrates elements from the Rural and
8	Picturesque cemetery movements, popular in the East and Midwest, reflecting
9	a blend of natural beauty and landscaping from its period of significance
10	beginning in 1881 through the 1920s.
11	BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY O
12	ALBUQUERQUE:
13	SECTION 1: That the Historic Fairview Cemetery, located at 700 Yale Blvd.
14	SE (northern portion), between Garfield Ave. SE and Santa Clara Ave. SE be
15	designated a City Landmark.
16	SECTION 2: SEVERABILITY CLAUSE. If any section, paragraph, sentence,
17	clause, word or phrase of this ordinance is for any reason held to be invalid o
18	unenforceable by any court of competent jurisdiction, such decision shall not
19	affect the validity of the remaining provisions of this ordinance. The Council
20	hereby declares that it would have passed this ordinance and each section,
21	paragraph, sentence, clause, word or phrase thereof irrespective of any
22	provision being declared unconstitutional or otherwise invalid.
23	SECTION 3: COMPILATION. This ordinance shall not be incorporated in
24	and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.
25	SECTION 4: OFFICIAL ZONING MAP. The City Planning Department shall
26	update the official Zoning Map to reflect the adopted City Landmark
27	designation for the Historic Fairview Cemetery located at 700 Yale Blvd. SE
28	(northern portion), between Garfield Ave. SE and Santa Clara Ave. SE.
29	SECTION 5: EFFECTIVE DATE. This ordinance shall take effect five days
30	after publication by title and general summary.
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