

CITY of ALBUQUERQUE
TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-23-76 ENACTMENT NO. 0-2023-014

SPONSORED BY: Tammy Fiebelkorn, by request

ORDINANCE

APPLYING A HISTORIC PROTECTION OVERLAY ZONE TO THE EAST END ADDITION; IDENTIFYING THE DISTINCTIVE CULTURAL SIGNIFICANCE OF THE AREA AND PROVIDING GENERAL PRESERVATION GUIDELINES.

WHEREAS, pursuant to Section 3-22-3 NMSA 1978 of the Historic District and Landmark Act, the City Council, the governing body of the City of Albuquerque, has the authority to adopt zoning districts designating certain areas as historic areas and to adopt and enforce regulations and restrictions within such district relating to the erection, alteration, and destruction of those exterior features of buildings and other structures subject to public view from any public street, way, or other public place; and

WHEREAS, the authority conferred by the Historic District and Landmark Act is consistent with the authority of the City Council to amend the Official Zoning Map for the physical development of areas within the planning and platting jurisdiction of the City as authorized by Section 3-19-3, NMSA 1978, and by the City of Albuquerque's home rule powers; and

WHEREAS, the protection, reuse, and enhancement of significant buildings and districts as important contributors to our heritage and rich and complex identities are a goal of the Albuquerque/Bernalillo County Comprehensive Plan in Chapter 11 Heritage Conservation; and

WHEREAS, the Landmarks Commission is entrusted to consider methods for encouraging and achieving historic preservation and to make recommendations to the Mayor and City Council; and

WHEREAS, the Integrated Development Ordinance (IDO) Subsection 14-16-6-7(C) provides for the creation of Historic Protection Overlay (HPO) zones in

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 areas that are suitable for preservation and that have historical, architectural,
2 and cultural significance; and

3 WHEREAS, the Landmarks Commission, on December 14, 2022,
4 recommended that the City Council approve an HPO zone on the portion of the
5 East End Addition containing the 1000 block of Virginia St. NE, including Lots
6 1-7 & 18-23, Block 25 & 26, of the East End Addition, an area of approximately
7 2.72 acres and zoned R-1C; and

8 WHEREAS, the East End Addition is a rare and limited cultural resource for
9 the City of Albuquerque and for the State of New Mexico, as it was the first
10 African-American suburb in Albuquerque; and

11 WHEREAS, in 1938, Henry Outley, a trustee and member of the Fraternal
12 Aid Society, a black businessman's association, platted land that the
13 organization owned into a proposed subdivision of 144 acres and named it the
14 East End Addition; and

15 WHEREAS, the East End Addition was developed after Henry Outley's
16 death, and his adopted daughter, Virginia Ballou, was instrumental in
17 constructing fifteen homes on Virginia Street and six on Vermont Street
18 between 1950 and 1955; and

19 WHEREAS, the original East End Addition homes were designed and built
20 by J.S. Jones, a black architect and builder, and were largely purchased by
21 African-American families; and

22 WHEREAS, many subsequent homes built in the 1960s were also owned by
23 African-Americans; and

24 WHEREAS, the East End Addition was a small close-knit neighborhood
25 where families knew and looked out for each other, and the neighborhood
26 retained many of its original inhabitants for over forty years; and

27 WHEREAS, although in the last two decades it has become more racially
28 mixed, it still retains its sense of closeness and community; and

29 WHEREAS, creating an HPO zone in the East End Addition furthers Goals
30 and Policies in Chapter 4 Community Identity and Chapter 11 Heritage
31 Conservation of the Albuquerque/Bernalillo County Comprehensive Plan to
32 create a quality urban environment and visually pleasing built environment
33 that perpetuates the traditions of identifiable, individual, but integrated

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 communities within the metropolitan area, while providing variety and
2 maximum choice in housing, transportation, work areas, and lifestyles; and

3 WHEREAS, the 10 homes are single-story pueblo or ranch style set back an
4 equal distance from the street with carports or 1-car garages and picture
5 windows in the front; and

6 WHEREAS, front yards are unfenced, and rear yards are separated by
7 cinderblock walls; and

8 WHEREAS, designating an HPO zone on East End Addition would serve to
9 protect and acknowledge the cultural significance of this small but significant
10 area of the City; and

11 WHEREAS, the East End Addition has no protections from demolition,
12 inappropriate additions or character destroying repairs, and an HPO zone will
13 help preserve this important historic asset for the immediate community and
14 the City at large; and

15 WHEREAS, the request will preserve and enhance the East End Addition
16 through the protections afforded by the HPO zone, which will help strengthen
17 the area's sense of identity.

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

20 SECTION 1: The Official Zoning Map is amended to designate a new
21 Historic Protection Overlay zone for the East End Addition within the
22 boundary shown in Exhibit A.

23 SECTION 2: The Integrated Development Ordinance is amended to add a
24 new Historic Protection Overlay zone for the East End Addition in Section 14-
25 16-3-5, with text as shown in Exhibit A.

26 SECTION 3: SEVERABILITY CLAUSE. If any section, paragraph, sentence,
27 clause, word or phrase of this ordinance is for any reason held to be invalid or
28 unenforceable by any court of competent jurisdiction, such decision shall not
29 affect the validity of the remaining provisions of this ordinance. The Council
30 hereby declares that it would have passed this ordinance and each section,
31 paragraph, sentence, clause, word or phrase thereof irrespective of any
32 provision being declared unconstitutional or otherwise invalid.

1 **SECTION 4: COMPILATION.** This ordinance shall be incorporated in and
2 made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

3 **SECTION 5: EFFECTIVE DATE.** This ordinance shall take effect at the time
4 of the 2022 IDO Annual Update or January 31st, 2024; whichever comes first.
5
6
7
8
9
10
11
12
13
14
15
16
17

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

1 PASSED AND ADOPTED THIS 3rd DAY OF April, 2023
2 BY A VOTE OF: 9 FOR 0 AGAINST.

3
4
5
6 

7
8
9 _____
10 Pat Davis, President
11 City Council


12
13 APPROVED THIS 17 DAY OF April, 2023
14

15
16
17 Bill No. O-23-76

18
19 

20 _____
21 Timothy M. Keller, Mayor
22 City of Albuquerque

23
24
25
26 ATTEST:

27 

28 _____
29 Ethan Watson, City Clerk

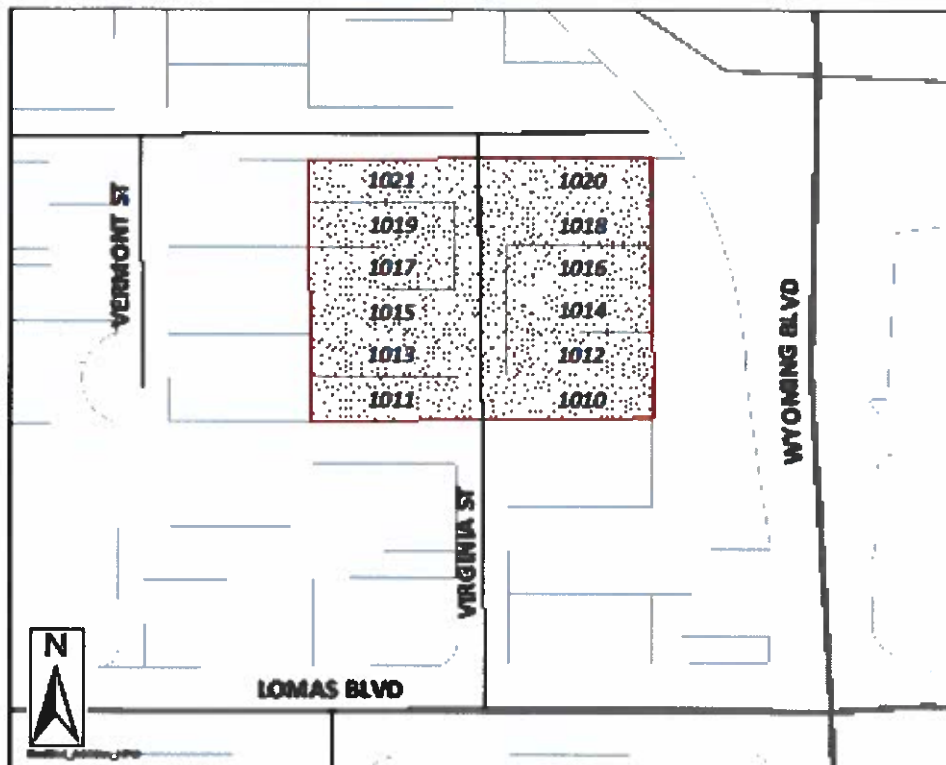
30
31
32
33
[+Bracketed/Underscored Material+] - New
[-Bracketed/Strikethrough Material-] - Deletion

Exhibit A

3-5(H) EAST END ADDITION – HPO-2

3-5(H)(1) Applicability

The HPO-2 standards and guidelines apply in the following mapped area.



3-5(H)(2) Standards and Guidelines

The standards and guidelines applicable in this HPO-2 zone are found in the East End Addition Neighborhood Handbook and Historic Protection Overlay Design Guidelines and are available online: <https://www.cabq.gov/planning/codes-policies-regulations/historic-standardsand-guidelines>.

3-5(H)(3) Cross-references

3-5(H)(3)(a) Subsection 14-16-5-12(H)(2) (Electronic Signs Prohibited).

3-5(H)(3)(b) Subsection 14-16-6-4(P)(3)(e) (Deviations to Overlay Standards Not Allowed).

3-5(H)(3)(c) Subsection 14-16-6-5(F)(3) (Sign Review in HPOs).

Exhibit A.1



EAST END ADDITION 