

AC-19-16 REMAND HEARING

Appellants' List of Exhibits

1. List of Appellants' Tierra Morena Lots Zoned "R-1B"
2. IPRA E-mail String (last date June 27, 2019) (Strozier)
3. IPRA E-mail String (last date July 17, 2019) (Dicome)
4. Enactment 0-2017-025 (Adopting the IDO), November 16, 2017
5. "Voluntary Zone Conversion Process" from City of Albuquerque website
6. Enactment R-2017-01 (c/s R-17-240), enacted November 16, 2017
7. Enactment R-2018-29, enacted May 9, 2018 (R-2018-019)
8. Enactment 0-2019-021, enacted August 5, 2019 (Batch 1, Phase 2) (with portion of Exhibit X)
9. Page of "Action Summary" of City Council's August 5, 2019 meeting
10. Enactment 0-19-79, enacted November 18, 2019 (Batch 2, Phase 2) (with portion of Exhibit X)
11. Page of "Action Summary" of City Council's November 18, 2019 meeting
12. E-mail dated May 14, 2018 from Carrie Barkhurst re: Tierra Morena
13. Zoning Conversion Receipt (Duran, 8419 Tierra Morena), November 5, 2018
14. Zoning Conversion Request (Wray, 8505 Tierra Morena), April 19, 2019
15. Enactment R-2019-035 (Bill No. R-19-150), Adopting Interim Procedures for the DRB
16. Official Notification of Decision dated October 10, 2019 from EPC for Project #2019-002633
17. Map presented by Appellants at the LUHO Hearing (for 3-21-6(c))
18. IPRA E-mail String (last date June 12, 2019) (Delgado)
19. IPRA E-mail dated July 15, 2019 re: site plan review, with letter
20. IPRA E-mail String dated July 15, 2019 re: scheduling
21. IPRA E-mail String dated September 27, 2019 about corrections

TIERRA MORENA LOTS ZONED "R-1B"

BATCH 1

of 143 total properties as of 11/29/18

52	Juanita Duran	8512	Tierra Morena PI NE
53	Juanita Duran	8419	Tierra Morena PI NE

BATCH 2

of 1490 total properties as of 5/30/2019

468	Paul & Marialuz Scarpa	8427	Tierra Morena PI NE
824	Steve Wray	8505	Tierra Morena PI NE
906	Hua Wang	8500	Tierra Morena PI NE
908	Nancy Jones	8504	Tierra Morena PI NE
912	Erin Caswell	8516	Tierra Morena PI NE
918	Jeff & Olivia Bland	8423	Tierra Morena PI NE
995	Gary Gregos	8501	Tierra Morena PI NE



Subject: RE: PR-2019-002496

From: Jim Strozier <cp@consensusplanning.com>

Date: 6/27/2019, 4:41 PM

To: "Dicome, Kym" <kdicome@cabq.gov>

I believe he has the other two lots under contract. I will confirm and make sure that we have the owner's authorization.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801

From: Dicome, Kym <kdicome@cabq.gov>
Sent: Thursday, June 27, 2019 4:39 PM
To: Jim Strozier <cp@consensusplanning.com>
Subject: RE: PR-2019-002496

So he purchase the other two lots? Okay. Just as long as the file is complete.



KYM E DICOME
development review board chair
o 505.924.3880
e kdicome@cabq.gov
cabq.gov/planning

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From: Jim Strozier <cp@consensusplanning.com>
Sent: Thursday, June 27, 2019 4:30 PM



To: Dicome, Kym <kdicome@cabq.gov>
Cc: Michael Vos <Vos@consensusplanning.com>
Subject: RE: PR-2019-002496

Kym,

Thanks for letting us know, we are reaching out to Mr. Lindborg to get the additional letter.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801

From: Dicome, Kym <kdicome@cabq.gov>
Sent: Thursday, June 27, 2019 3:20 PM
To: Jim Strozier <cp@consensusplanning.com>
Subject: PR-2019-002496
Importance: High

Jim;

Quick question. I am preparing the legal ad for the above referenced case and while I was looking for info in the file I noticed that we have a letter of authorization from one property owner, Mr. Lindborg but not the other. AGIS shows Lots 3 and 4 to be owned by as owned by Anna and Giuseppe Matoni and trustees. Did Mr. Lindborg buy the other two tracts? What am I missing? Please let me know when you can.



KYM E DICOME
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Subject: RE: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

From: "Dicome, Kym" <IMCEAEX-

_O=EXCHANGEORG1_OU=FIRST+20ADMINISTRATIVE+20GROUP_CN=RECIPIENTS_CN=E01298@eop-nam12.prod.protection.outlook.com>

Date: 7/17/2019, 2:47 PM

To: "Morris, Petra" <pmorris@cabq.gov>

CC: "Schultz, Shanna M." <smschultz@cabq.gov>

Will do. Thanks.

Kym



KYM E DICOME

development review board chair

o 505.924.3880

e kdicome@cabq.gov

cabq.gov/planning

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From: Morris, Petra

Sent: Wednesday, July 17, 2019 2:31 PM

To: Dicom, Kym <kdicome@cabq.gov>

Cc: Schultz, Shanna M. <smschultz@cabq.gov>

Subject: RE: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Hello!

Don't worry about it. Only remove them if it is clear and easy. The Councilor's analysts usually get the emails flagged and out of their emails pretty quickly, but every once in a while an email will sneak through. Team work for sure! If you want, you can also do what we do when someone includes a councilor on the original email, we just have a note in the email that we have removed the councilor from the correspondence so that if there is an appeal they don't have to recuse themselves. Then they know their email has been "messed with". Most people who cc a



councilor don't realize the issue and don't mind when its explained.
Kind regards,

Petra Morris, AICP
Council Planning Manager
Albuquerque City Council
505.768.3161
pmorris@cabq.gov

From: Dicome, Kym
Sent: Wednesday, July 17, 2019 2:12 PM
To: Morris, Petra
Cc: Schultz, Shanna M.
Subject: RE: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Sorry that message was short and quirt which I didn't mean to be. It is difficult for us to pick out who to delete from an email that a constituent has sent that includes all the Councilors (don't want ot be accused of messing with someone's email where they purposely included the Councilors for a reason) but we will give it a shot. The policy analyst may also have to review the Councilors emails so as to not have he/she read the email. Team work. What we are all about.

Long DRB with the first case taking an hour for public comment and the media there. It was for the proposed apts at Barstow and Alameda. Telling you this because it is part of the reason for my short and stressful response. Sorry.

Kym

From: Dicome, Kym
Sent: Wednesday, July 17, 2019 2:05 PM
To: Morris, Petra <pmorris@cabq.gov>
Cc: Schultz, Shanna M. <smschultz@cabq.gov>
Subject: RE: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Message loud and clear.



KYM E DICOME
development review board chair
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From: Morris, Petra
Sent: Wednesday, July 17, 2019 1:45 PM
To: Dicome, Kym <kdicome@cabq.gov>
Cc: Schultz, Shanna M. <smschultz@cabq.gov>
Subject: FW: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Good afternoon Kym,

I followed up with Susan on her email below, while you are correct that DRB is not a quasi judicial board, the decisions made are appealable to City Council and would therefore be treated as a quasi judicial matter once appealed. We generally err on the side of caution here and try to keep Councilors out of all matters that could end up coming before them in the form of an appeal. Generally the Councilors' analysts pull out emails before the councilor can read them, but it would helpful if there is chain that you are replying to on a DRB matter, if you could remove any councilors from the email. A councilor's analyst is fine to leave on as they are a) not the decision maker and b) are often receiving calls from constituents on the matter. If you are not sure about something feel free to pull off a councilor (s) and replace it with Shanna and or me and we can make sure the analyst(s) are aware.

Let me know if you have any questions.

Kind regards,

Petra Morris, AICP
Council Planning Manager
Albuquerque City Council
505.768.3161
pmorris@cabq.gov

From: Vigil, Susan P.
Sent: Wednesday, July 17, 2019 12:45 PM
To: Morris, Petra; Schultz, Shanna M.
Subject: FW: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Good Day to you both,

I quarantined the message dated July 16, 2019 sent at 2:16 p.m from neighborhood representatives and the message from Kym Dicome sent July 16 at 2:22 p.m. from Councilor Borrego's purview. Was this action necessary. According to Ms. Dicome DRB matters are no longer quasi-judicial in light of Resolution 19-150. (see message below).

Thank You for your advice in this matter.

Sincerely,
Susan Vigil

From: Dicome, Kym
Sent: Tuesday, July 16, 2019 3:54 PM
To: Vigil, Susan P.
Subject: RE: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Ms. Vigil;

All councilors were sent a copy by the NA representative and I simply responded. Also any cases before the DRB are not quasi-judicial especially in light of Resolution 19-150 passed by Council in May of this year which removes the DRB from quasi-judicial actions. Just FYI.



KYM E DICOME
development review board chair
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From: Vigil, Susan P.
Sent: Tuesday, July 16, 2019 3:49 PM
To: Dicome, Kym <kdicome@cabq.gov>
Subject: RE: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Dear Ms. Dicome,
Please remove Councilor Borrego from the list of recipients regarding this issue. The issue is quasi-judicial and Council Vice-President Cynthia Borrego cannot be involved or influenced in the matter until/if the issue is referred to Albuquerque Council for final review.

Sincerely,

Susan Vigil

Policy Analyst
Councilor Cynthia D. Borrego, District 5
Albuquerque City Council
Office: 505.768.3189
Fax: 505.768.3227
Email: susanvigil@cabq.gov
<http://www.cabq.gov/council/find-your-councilor/district-5>

From: Dicome, Kym
Sent: Tuesday, July 16, 2019 2:22 PM
To: 'KAREN BAEHR'; Michel, Racquel M.; Hughes, James D.; kcadena@abcwua.org; McIntosh, Benjamin A.; Sandoval, Christina M.; Chavez, Santiago
Cc: Mayor Keller; Sanchez, Ken; Benton, Isaac; Pena, Klarissa J.; Winter, Brad D.; Borrego, Cynthia D.; Davis, Pat; Gibson, Diane G.; Jones, Trudy; Harris, Don; Gould, Maggie S.
Subject: RE: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Thank you Ms. Baehr. We are also in receipt of the hard copies you dropped off at the Planning Counter. I will hand the hard copies out to the members this afternoon.

As I told Mr. Regan, the case is second on the agenda but the first case has been deferred so we will begin with this case shortly after 9 am.



KYM E DICOME
development review board chair
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From: KAREN BAEHR <KLBAEHR@msn.com>

Sent: Tuesday, July 16, 2019 2:16 PM

To: Dicome, Kym <kdicome@cabq.gov>; Michel, Racquel M. <rmichel@cabq.gov>; Hughes, James D. <jhughes@cabq.gov>; kcadena@abcwua.org; McIntosh, Benjamin A. <bmcintosh@cabq.gov>; Sandoval, Christina M. <cmsandoval@cabq.gov>; Chavez, Santiago <santiago@cabq.gov>

Cc: Mayor Keller <mayorkeller@cabq.gov>; Sanchez, Ken <kensanchez@cabq.gov>; Benton, Isaac <ibenton@cabq.gov>; Pena, Klarissa J. <kpena@cabq.gov>; Winter, Brad D. <BWinter@cabq.gov>; Borrego, Cynthia D. <cynthiaborrego@cabq.gov>; Davis, Pat <patdavis@cabq.gov>; Gibson, Diane G. <dgibson@cabq.gov>; Jones, Trudy <trudyjones@cabq.gov>; Harris, Don <dharris@cabq.gov>

Subject: Neighborhood Input RE: Project #PR-2019-002496 (Alameda/Barstow)

Dear Members of the Development Review Board,

On Wed., July 17, 2019 consideration will begin for an application for a proposed development at the intersection of Alameda and Barstow NE.

On behalf of the property owners in the neighborhoods adjacent to the property, the attached letter is submitted for your consideration.

While the majority of affected property owners will not be able to attend the 9:00 a.m. meeting in person due to other obligations, the amount of neighborhood representation at the meeting should in no way be construed as a sign of support for the proposed project.

We ask that City adhere to the articulated vision and objectives of the IDO with regard to protecting areas with low-density housing and Areas of Consistency. In our view, the project as proposed works against both of those stated objectives. In contrast, a development of the site in proportion and character with the surrounding area would have been viewed more favorably.

Thank you for considering the concerns of those who will be impacted daily by what is developed on this site as you formulate your decisions regarding this project.

Sincerely,

Karen Baehr (of behalf of the signatories to the letter)
8805 Pico La Cueva NE

This message has been analyzed by Deep Discovery Email Inspector.

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**CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL**

COUNCIL BILL NO. C/S O-17-49 ENACTMENT NO. D. 2017.025

SPONSORED BY: Trudy E. Jones and Isaac Benton

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ORDINANCE

ADOPTING THE INTEGRATED DEVELOPMENT ORDINANCE (IDO) AND IDO ZONING CONVERSION MAP AND REPEALING THE COMPREHENSIVE CITY ZONING CODE (§14-16 ET SEQ.) AND EXISTING ZONING MAP; REPEALING THE LANDMARKS AND URBAN CONSERVATION ORDINANCE (§14-12 ET SEQ.), THE SUBDIVISION ORDINANCE (§14-14 ET SEQ.), AND THE AIRPORT ZONING ORDINANCE (§14-15 ET SEQ.), WHOSE REGULATORY PURPOSES AND CONTENT HAVE BEEN INCORPORATED INTO THE IDO; REPLACING REFERENCES TO THE REPEALED ORDINANCES IN VARIOUS LOCATIONS OF REVISED ORDINANCES OF ALBUQUERQUE, NEW MEXICO, 1994 (ROA 1994) WITH REFERENCES TO THE IDO IN ORDER TO MAINTAIN INTERNAL CONSISTENCY IN ROA 1994 INCLUDING PART §5-1-4, PART §6-9-1(A), PART §7-5-2, PART §7-5-3, SECTION §8-2-2-15(D), SECTION §9-2-1-4, SECTION §9-2-3-3(E), SECTION §9-6-3-4(A), PART §9-9-2, SECTION §9-10-1-7(B)(3)(c), SECTION §9-10-1-9(E)(1), PART §10-9-8, SECTION §11-1-1-11(C)(2), PART §13-1-9(A), PART §13-2-6(C), SECTION §13-5-1-13(D), PART §13-15-2(B), PART §14-4-4(F), PART §14-6-1, PART §14-6-2(A)(5), PART §14-8-2-3(B), PART §14-11-7(C)(3), AND PART §14-17-5(A); AND AMENDING VARIOUS ORDINANCES TO COMPILE RELEVANT SECTIONS OF THE CODE OF ORDINANCES AND TO MAINTAIN INTERNAL CONSISTENCY WITH THE IDO INCLUDING PART §4-10-3(D), SECTION §6-1-1-12(D), SECTION §6-1-1-99(C), PART §6-5-5 ET SEQ., ARTICLE §6-6 ET SEQ., PART §6-7-2(B), SECTION §8-5-1-42(H), SECTION §9-2-1-4, PART §9-9-2, SECTION §9-10-1-7(B)(3)(e), PART §11-2-3, SECTION §12-2-28, SECTION §14-5-2-10(B), SECTION §14-8-2-3(A), SECTION §14-8-2-4(D), SECTION §14-8-2-5 ET SEQ., SECTION §14-8-2-6 ET SEQ., SECTION §14-8-2-7(A), SECTION §14-8-2-7(B)

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1 PART §14-8-7, PART §14-9-3, PART §14-11-3(A), SECTION §14-13-1-4(E),
2 SECTION §14-13-2-2, SECTION §14-13-2-3, SECTION §14-13-2-4(B), SECTION
3 §14-13-2-5, SECTION §14-13-2-6, SECTION §14-13-3, PART §14-17-5 ET
4 SEQ., AND PART §14-19-15.

5 WHEREAS, the City Council, the Governing Body of the City of
6 Albuquerque, has the authority to adopt and amend plans for the physical
7 development of areas within the planning and platting jurisdiction of the
8 City authorized by statute, Section 3-19-3, NMSA 1978, and by its home rule
9 powers; and

10 WHEREAS, the City's zoning powers are established by the City charter,
11 in which: Article I, Incorporation and Powers, allows the City to adopt new
12 regulatory structures and processes to implement the Albuquerque-
13 Bernalillo County Comprehensive Plan ("Comp Plan") and help guide future
14 legislation; Article IX, Environmental Protection, empowers the City to adopt
15 regulations and procedures to provide for orderly and coordinated
16 development patterns and encourage conservation and efficient use of
17 water and other natural resources; and Article XVII, Planning, establishes
18 the City Council as the City's ultimate planning and zoning authority; and

19 WHEREAS, the City adopted a Planning Ordinance (§14-13-2) that
20 established a ranked system of plans, with the jointly adopted Comp Plan as
21 the Rank 1 plan that provides a vision, goals, and policies for the
22 Albuquerque metropolitan area, including the entire area within the city's
23 municipal boundaries, Rank 2 plans that provide more detailed policies for a
24 particular type of facility or a sub-area of the city in order to implement the
25 Comp Plan, and Rank 3 plans that provide an even greater level of detail
26 about an even smaller sub-area; and

27 WHEREAS, the City amended the Comp Plan in 2001 via R-01-344
28 (Enactment No. 172-2001) to include a Centers and Corridors vision for
29 future growth and development as recommended by the City's Planned
30 Growth Strategy (§14-13-1) in order to maintain a sustainable urban
31 footprint and service boundary for infrastructure; and

32 WHEREAS, the City amended the Comp Plan in 2001 via R-01-343
33 (Enactment No. 171-2001) to identify Community Planning Areas and

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1 provide goals and policies to protect and enhance distinct community
2 identity in each area; and

3 WHEREAS, the City's Comprehensive Zoning Code ("Zoning Code"),
4 which is the primary implementation tool for the Comp Plan, has been
5 amended piecemeal hundreds of times but has not been comprehensively
6 updated since 1975; and

7 WHEREAS, the Zoning Code has not been comprehensively updated to
8 implement the Comp Plan's Centers and Corridors approach to growth and
9 development or community identity goals and policies for Community
10 Planning Areas; and

11 WHEREAS, zoning codes typically have a lifespan of 20 years before a
12 comprehensive update is needed; and

13 WHEREAS, the Zoning Code does not include integrated tools to
14 address the unique needs of sub-areas or establish regulations to protect
15 the character of built environments in particular sub-areas; and

16 WHEREAS, lower-ranked plans are intended to implement the Rank 1
17 Comp Plan and supplement the Zoning Code by providing a greater level of
18 detailed planning policy and/or land use and zoning regulations for sub-
19 areas of the city; and

20 WHEREAS, the City has adopted six Rank 2 Facility Plans – for Arroyos
21 (adopted 1986), for the Bosque (adopted 1993), for Major Public Open Space
22 (adopted 1999), for the Electric System: Transmission & Generation (last
23 amended in 2012), for Route 66 (adopted 2014), and for Bikeways & Trails
24 (last amended in 2015) – to provide policy guidance and implementation
25 actions for implementing departments; and

26 WHEREAS, Rank 2 Area Plans and Rank 3 Sector Development Plans
27 have been created and adopted over the last 40 years for approximately half
28 the area of the city; and

29 WHEREAS, the City has adopted five Rank 2 Area Plans – the Sandia
30 Foothills Area Plan in 1983 (never amended), the Southwest Area Plan in
31 1988, (last amended in 2002), the East Mountain Area Plan in 1992 (never
32 amended), the North Valley Area Plan in 1993 (never amended), and the
33 West Side Strategic Plan in 1997 (last amended in 2014) – that provide

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1 policy guidance about sub-areas to help implement the Comp Plan, yet
2 three have not been amended since 2001, when the Comp Plan was
3 amended to adopt a Centers and Corridors vision for future growth and
4 development; and

5 WHEREAS, the Southwest Area Plan and East Mountain Area Plan were
6 jointly adopted with Bernalillo County, as the plan areas include land that is
7 predominantly within the unincorporated County area; and

8 WHEREAS, the City has adopted over 50 Sector Development Plans –
9 some of which include policies and some of which include tailored zoning,
10 regulations, and approval processes for properties within the plan
11 boundary; and

12 WHEREAS, approximately 51% of the adopted Rank 3 Sector
13 Development Plans were adopted or amended after 2001, when the Comp
14 Plan was amended to adopt a Centers and Corridors vision for future
15 growth and development; and

16 WHEREAS, the City intended to update each Sector Development Plan
17 every 10 years, but some have never been amended, some have been
18 amended multiple times, and over half are now more than 10 years old; and

19 WHEREAS, the Code of Resolutions indicates that the City has adopted
20 plans that the Planning Department cannot find, which may have been
21 repealed or replaced in whole or in part, and there may be other adopted
22 ranked plans that the Planning Department is no longer aware of and have
23 not been listed on the Planning Department’s publication list; and

24 WHEREAS, approximately half the properties in the city have not had the
25 benefit of long-range planning for specific sub-areas with trend analysis by
26 staff or engagement by area stakeholders, which is an inequitable and
27 untenable existing condition; and

28 WHEREAS, City staff and the budget have been restructured and
29 allocated over the years in such a way as to no longer be adequate to
30 maintain and update over 50 standalone Sector Development Plans, three
31 Area Plans, and three Arroyo Corridor Plans, much less the additional plans
32 that would be needed to provide an equal level of policy guidance and

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1 tailored regulations for the half of the city not currently covered by Rank 2
2 Area Plans or Rank 3 Sector Development Plans; and

3 WHEREAS, the mix of policy and regulations in Rank 3 Plans has
4 sometimes created confusion as to whether language is narrative, policy,
5 and/or regulatory; and

6 WHEREAS, the adopted Rank 3 Sector Development Plans have created
7 over 235 unique SU-2 zones outside of the Zoning Code, many of which
8 establish zone abbreviations unique to each plan; and

9 WHEREAS, there are enumerable SU-1 zones adopted for individual
10 properties throughout the city totaling over 28,500 acres (almost 25% of the
11 city's total acreage); and

12 WHEREAS, the Zoning Code has 24 base zone districts, not including
13 SU-1, SU-2, and SU-3 zones or overlay zones; and

14 WHEREAS, the City has struggled to administer and enforce all of these
15 unique zones consistently over time; and

16 WHEREAS, the separation of land use and zoning regulation from the
17 Zoning Code into multiple standalone plans has sometimes resulted in
18 conflicting language and/or regulations being lost or overlooked by staff
19 and decision-makers in the review/approval and enforcement processes,
20 which are the primary responsibility of the Planning Department and the
21 City Council as the ultimate land use and zoning authority; and

22 WHEREAS, some Rank 3 Sector Development Plans establish separate
23 decision-making processes and/or criteria, which introduces an uneven
24 playing field for development and inconsistent protections for
25 neighborhoods and natural/cultural resources from area to area; and

26 WHEREAS, the City Council directed the City in April 2014 via R-14-46
27 (Enactment No. R-2014-022) to update the Comp Plan *and the land*
28 *development regulations intended to implement it*; and

29 WHEREAS, the City Planning Department and Council Services initiated
30 a project in February 2015 called "ABC-Z" to update the Albuquerque-
31 Bernalillo County Comprehensive Plan and develop an Integrated
32 Development Ordinance ("IDO") to help implement it in the city; and

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1 WHEREAS, the public engagement process for ABC-Z offered a range of
2 opportunities for input, discussion, and consensus-building with over 130
3 workshops and public meetings, including daytime focus groups organized
4 by topic, evening meetings with a more traditional presentation and
5 question and answer session, “Comp Plan 101” and “Zoning 101” meetings,
6 and periodic “Ask an Expert” zoning clinics; and

7 WHEREAS, the project team spoke at over 100 meetings and local
8 conferences by invitation of various stakeholders; and

9 WHEREAS, the project team staffed booths and passed out promotional
10 material at community events and farmers markets to reach more people
11 and a broader cross-section of the community and met with individuals and
12 small groups during weekly office hours; and

13 WHEREAS, articles about the ABC-Z project appeared monthly in the
14 City’s Neighborhood News, ads specifically for the proposed IDO were
15 placed in print and social media, as well as on local radio stations, and the
16 project team maintained a project webpage and a social media page on
17 Facebook for the ABC-Z project; and

18 WHEREAS, the Planning Department has expended additional funds
19 from its general operating budget, and the City Council also provided
20 supplementary funds as part of a budget amendment in November 2015 (R-
21 15-266, Floor Amendment 2, Enactment No. R-2015-113) that were
22 subsequently used for additional paid advertising in print, radio, and social
23 media, including Spanish-language media outlets, to reach a broader and
24 more diverse audience; and

25 WHEREAS, the City Council adopted an updated Albuquerque-Bernalillo
26 County Comprehensive Plan (“ABC Comp Plan”) on March 20, 2017 via R-
27 16-108 (Enactment No. R-2017-026), including an updated community vision
28 that is still based on a Centers and Corridors approach to growth; and

29 WHEREAS, the 2017 ABC Comp Plan adopted an updated Centers and
30 Corridors map that establishes boundaries for the Centers; designates
31 priority for transportation modes on certain Corridors; and identifies
32 Downtown, Urban Centers, Activity Centers, Premium Transit Corridors,
33 Major Transit Corridors, and Main Street Corridors as the Centers and

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1 Corridors that are intended to be walkable, with a mix of residential and
2 non-residential land uses, and with higher-density and higher-intensity
3 uses; and

4 WHEREAS, the 2017 ABC Comp Plan established a hierarchy of Centers
5 and Corridors from the most to the least walkable, mixed-use, and dense,
6 with Downtown, Urban Centers, Premium Transit Corridors, and Main Street
7 Corridors all intended to be highly walkable, mixed-use, and dense; and

8 WHEREAS, the IDO, as a regulatory document that applies citywide, is
9 the primary mechanism to implement the 2017 ABC Comp Plan for land
10 within the municipal boundaries of the City of Albuquerque; and

11 WHEREAS, the IDO has been drafted to be consistent with and
12 implement Comp Plan goals and policies; and

13 WHEREAS, the IDO's stated purpose is to implement the 2017 ABC
14 Comp Plan; ensure that all development in the City is consistent with the
15 spirit and intent of other plans and policies adopted by City Council; ensure
16 provision of adequate public facilities and services for new development;
17 protect quality and character of residential neighborhoods; promote
18 economic development and fiscal sustainability of the City; provide efficient
19 administration of City land use and development regulations; protect health,
20 safety, and general welfare of the public; provide for orderly and
21 coordinated development patterns; encourage conservation and efficient
22 use of water and other natural resources; implement a connected system of
23 parks, trails, and open spaces to promote improved outdoor activity and
24 public health; provide reasonable protection from possible nuisances and
25 hazards and to otherwise protect and improve public health; and encourage
26 efficient and connected transportation and circulation systems for motor
27 vehicles, bicycles, and pedestrians; and

28 WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors
29 map with a new Downtown Center designation as the most urban, walkable,
30 dense, intense, and mixed-use Center in Albuquerque, with the same
31 boundary as the adopted Rank 3 Downtown 2025 Sector Development Plan;
32 and

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1 **WHEREAS, the IDO helps to implement the Downtown Center by carrying**
2 **over and updating zoning regulations and design standards from the**
3 **adopted Rank 3 Downtown 2025 Sector Development Plan as a mixed-use,**
4 **form-based zone district (MX-FB-DT); and**

5 **WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors**
6 **map with a new Center designation of Urban Centers – intended to be highly**
7 **walkable, with mixed-use development and high-density, high-intensity uses**
8 **– for Volcano Heights and Uptown, with the same boundaries as identified**
9 **in the 2013 Comp Plan, which followed boundaries established by SU-2**
10 **zoning in the adopted Rank 3 Volcano Heights and Uptown Sector**
11 **Development Plans; and**

12 **WHEREAS, the IDO helps implement these Urban Centers by allowing**
13 **additional building height and reducing parking requirements in these**
14 **Centers; and**

15 **WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors**
16 **map with a new Corridor designation of Premium Transit Corridors in order**
17 **to prioritize transit service in the public right-of-way and encourage higher-**
18 **density and mixed-use transit-oriented development that can support and**
19 **be supported by transit service; and**

20 **WHEREAS, the IDO helps implement Premium Transit Corridors for**
21 **which funding has been secured and transit station locations have been**
22 **identified by allowing additional building height and reducing parking**
23 **requirements within 660 feet (one-eighth of a mile, a distance of two typical**
24 **city blocks, considered a 5-minute walk) of Premium Transit stations; and**

25 **WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors**
26 **map with a new Corridor designation of Main Streets, intended to be**
27 **pedestrian-oriented and encourage mixed-use and high-density residential**
28 **development along them; and**

29 **WHEREAS, the IDO helps implement Main Street Corridors by allowing**
30 **additional building height and reducing parking requirements on parcels**
31 **within 660 feet (one-eighth of a mile, a distance of two typical city blocks,**
32 **considered a 5-minute walk) of the centerline of Main Street Corridors; and**

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1 **WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors**
2 **map with a new Center designation of Activity Centers, intended to serve**
3 **surrounding neighborhoods, be more walkable and allow higher-density**
4 **and higher-intensity uses than non-Center areas; and**

5 **WHEREAS, the IDO helps implement Activity Centers by requiring**
6 **enhanced building façade design and site design for drive-throughs that**
7 **results in more pedestrian-oriented layouts within the boundary of these**
8 **Centers; and**

9 **WHEREAS, the IDO helps implement the Centers and Corridors vision by**
10 **converting existing mixed-use and non-residential zoning in Centers and**
11 **Corridors intended to be walkable, mixed-use, and dense to IDO zone**
12 **districts with the closest matching set of permissive uses, as described in**
13 **more detail below; and**

14 **WHEREAS, the IDO helps implement the Centers and Corridors vision by**
15 **providing different dimensional standards for density, height, and setbacks,**
16 **lower parking standards, additional building design and site layout**
17 **standards, and reduced buffering and landscaping requirements that will**
18 **allow more urban development forms as relevant for walkable, mixed-use,**
19 **dense Centers and Corridors (excluding Old Town, Employment Centers,**
20 **and Commuter Corridors); and**

21 **WHEREAS, the 2017 ABC Comp Plan included an updated map of City**
22 **Development Areas Map that replaced the 1975 Development Areas with one**
23 **of two new Development Area designations: Areas of Change, including all**
24 **Centers but Old Town and all Corridors but Commuter Corridors, or Areas**
25 **of Consistency, including single-family neighborhoods, parks, Major Public**
26 **Open Space, golf courses, airport runway zones, and many arroyos,**
27 **acequias; and**

28 **WHEREAS, the 2017 ABC Comp Plan includes policies to encourage**
29 **growth and development in Areas of Change and policies to protect the**
30 **character and built environment in Areas of Consistency from new**
31 **development or redevelopment; and**

32 **WHEREAS, the IDO helps implement the Comp Plan by providing**
33 **Neighborhood Edge regulations (§14-16-5-9) that require a transition and**

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1 buffering between Areas of Change and Residential zones, as well as other
2 design requirements for development in Areas of Change to minimize
3 negative impacts on Areas of Consistency; and

4 WHEREAS, the IDO helps implement the Comp Plan by including
5 regulations (§14-16-5-2) to avoid sensitive lands such as flood plains, steep
6 slopes, unstable soils, wetlands, escarpments, rock outcroppings, large
7 stands of mature trees, archaeological sites; and

8 WHEREAS, the IDO helps implement the Comp Plan by including specific
9 regulations (§14-16-5-2(C)) to ensure that development near sensitive lands,
10 including archaeological sites (§14-16-5-2(D)), arroyos (§14-16-5-2(E)), and
11 acequias (§14-16-5-2(F)), is context-sensitive; and

12 WHEREAS, the IDO helps implement the Comp Plan by incorporating
13 and updating regulations from adopted Rank 3 Arroyo Corridor Plans as
14 general regulations for private property abutting any arroyo identified in the
15 Rank 2 Facility Plan for Arroyos in order to ensure context-sensitive
16 development next to these natural resources, which function as drainage
17 facilities as well as providing open space and, in some cases, recreational
18 opportunities through multi-use trails or parks; and

19 WHEREAS, the IDO helps implement the Comp Plan by including
20 specific use restrictions and design standards (§14-16-5-2(H)) to ensure that
21 development adjacent to or within 330 feet (one-sixteenth of a mile, a
22 distance of one typical city block) of Major Public Open Space is context-
23 sensitive; and

24 WHEREAS, the 2017 ABC Comp Plan includes goals and policies to
25 protect historic assets and cultural resources, and the IDO implements
26 these goals and policies by incorporating Historic Protection Overlay zones
27 (§14-16-3-3) with design standards to ensure compatible new development
28 and redevelopment in historic districts and View Protection Overlay zones
29 (§14-16-3-4), and regulations for development next to sensitive lands (§14-
30 16-5-2); and

31 WHEREAS, the 2017 ABC Comp Plan includes goals and policies to
32 protect community health and maintain safe and healthy environments
33 where people can thrive; and

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1 **WHEREAS, the IDO helps to implement these goals and policies by**
2 **providing a set of zones (§14-16-2) that range from low intensity to high**
3 **intensity and designating the appropriate mix of land uses in each zone;**
4 **and**

5 **WHEREAS, the IDO helps implement these goals and policies by**
6 **providing use-specific standards (§14-16-4-3) that require a distance**
7 **separation for certain nuisance uses – such as alcohol sales and heavy**
8 **manufacturing – from residential areas, schools, and churches to mitigate**
9 **the potential negative impact on quality of life; and**

10 **WHEREAS, the IDO helps implement these goals and policies by**
11 **providing use-specific standards (§14-16-4-3) that require distance**
12 **separations between uses that pose potential negative impacts on nearby**
13 **properties – such as pawn shops, bail bonds, small loan businesses, and**
14 **liquor retail – to prevent clustering of such uses; and**

15 **WHEREAS, the 2017 ABC Comp Plan recommends a transition from**
16 **long-range planning with communities on an as-needed basis to create**
17 **standalone Rank 2 and 3 plans to a 5-year cycle of planning with each of 12**
18 **Community Planning Areas in order to provide opportunities for all areas of**
19 **the city to benefit from area-specific long-range planning, including regular**
20 **and ongoing opportunities for stakeholder engagement and analysis by**
21 **staff of trends, performance measures, and progress toward implementation**
22 **actions in the Comp Plan; and**

23 **WHEREAS, the IDO implements the new proactive approach to long-**
24 **range planning by committing the City to a proactive, equitable system of**
25 **assessments (§14-16-6-3(D)) done every five years with residents and**
26 **stakeholders in each of 12 Community Planning Areas established by the**
27 **ABC Comp Plan; and**

28 **WHEREAS, the IDO furthers the purpose and intent of the Planning**
29 **Ordinance (§14-13-2) and the Planned Growth Strategy (§14-13-2-3) by**
30 **establishing a regulatory framework that ensures that development is**
31 **consistent with the intent of other plans, policies, and ordinances adopted**
32 **by the City Council; that updated development standards help ensure**
33 **provision of adequate light, air, solar access, open spaces, and water; that**

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1 clarified and streamlined development processes will help ensure the
2 harmonious, orderly, and coordinated development of land in the City, and
3 help create efficiency in governmental operations; that land use is
4 coordinated with transportation corridors to help promote the convenient
5 circulation of people, goods, and vehicles while minimizing traffic hazards;
6 that subdivision standards and review/approval processes serve as a
7 framework to help Staff and the public ensure the safety and suitability of
8 land for development; and

9 WHEREAS, the IDO (§14-16-6-3) describes a Planning System (§14-16-6-
10 3) that incorporates the ranked system of plans described in the Planning
11 Ordinance (§14-13-2): the Rank 1 plan with which the lower-ranking plans
12 must be consistent and that the lower-ranking plans are intended to help
13 implement, Rank 2 plans for facilities that exist throughout the City in
14 various areas and need to be coordinated and managed with a consistent
15 approach (i.e. Facility Plans), and Rank 3 plans for specific areas that
16 benefit from more detailed guidance related to the area's unique needs and
17 opportunities (e.g. Metropolitan Redevelopment Plans, Master Plans, and
18 Resource Management Plans); and

19 WHEREAS, the Planning Ordinance (§14-13-2) is being amended to
20 clarify that Ranked plans will hereby include narrative and policies but not
21 regulations; and

22 WHEREAS, adopted Rank 2 Facility Plans will remain in effect, to be
23 amended pursuant to the IDO (§14-16-6-3(B)) or as specified in the adopted
24 plan; and

25 WHEREAS, the 2017 ABC Comp Plan included and updated policies from
26 adopted Rank 2 Area Plans and Rank 3 Sector Development Plans; and

27 WHEREAS, the 2017 ABC Comp Plan included Sector Development
28 Plans adopted as of March 2017 in the Appendix so that they can be used as
29 informational, reference documents for relevant sub-areas, especially in
30 creating and/or amending Community Planning Area assessments in the
31 future; and

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1 **WHEREAS, the IDO is intended to contain all the zoning and land use**
2 **laws of the City, superseding any and all other zoning and land use laws**
3 **whether written or based on prior practice; and**

4 **WHEREAS, the IDO is intended to integrate and adopt regulations**
5 **pertaining to land use and development on private land within the City's**
6 **municipal boundaries into one document in order to eliminate duplication,**
7 **inconsistencies, and conflicts and to strengthen consistency, coordination,**
8 **efficiency, effectiveness, and enforcement of these regulations; and**

9 **WHEREAS, the IDO does not apply to properties within other**
10 **jurisdictions, such as the State of New Mexico, Federal lands, and lands in**
11 **unincorporated Bernalillo County or other municipalities; and**

12 **WHEREAS, the IDO includes the flexibility to tailor uses, overlay zones,**
13 **development standards, and review/approval processes for specific sub-**
14 **areas to protect character, enhance neighborhood vitality, and respect**
15 **historic and natural resources; and**

16 **WHEREAS, regulations from the adopted Rank 3 Sector Development**
17 **Plans and Rank 3 Arroyo Corridor Plans have been coordinated, updated,**
18 **and included in the IDO either as citywide regulations or as regulations**
19 **applying to a mapped area consistent with the applicable area identified in**
20 **the relevant adopted Sector Development Plan; and**

21 **WHEREAS, the IDO carries over as Character Protection Overlay zones**
22 **(§14-16-3-2) distinct sets of building and site design standards intended to**
23 **reinforce the existing character of sub-areas of the city from adopted Rank 3**
24 **Sector Development Plans, including Coors Corridor Plan (last amended in**
25 **2013), Downtown Neighborhood Area (adopted 2012), Huning Highland (last**
26 **amended in 2005), Los Duranes (adopted 2012), Nob Hill Highland (last**
27 **amended in 2014), Rio Grande Boulevard Corridor (adopted 1989),**
28 **Sawmill/Wells Park (last amended in 2002), Volcano Cliffs (last amended in**
29 **2014), Volcano Heights (last amended in 2014), and Volcano Trails (last**
30 **amended in 2014); and**

31 **WHEREAS, within the Nob Hill Character Protection Overlay zone, the**
32 **IDO tailors the dimensional standards associated with Premium Transit**
33 **stations and Main Street Corridors, as well as the building height bonus**

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1 associated with Workforce Housing, to recognize the lower building heights
2 that contribute to the distinctive character of “Lower Nob Hill” between
3 Girard Blvd. and Aliso Dr., consistent with the intent of the adopted Rank 3
4 Nob Hill Highland Sector Development Plan; and

5 WHEREAS, the IDO carries over as Historic Protection Overlay zones
6 (§14-16-3-3) historic design standards from the Historic Zone (H-1) and
7 adopted historic overlay zones, including East Downtown (adopted 2005),
8 Eighth/Forrester (last amended in 1998), Fourth Ward (adopted 2002),
9 Huning Highland (adopted 2010), and Silver Hill (last amended in 2010); and

10 WHEREAS, the IDO carries over and updates view preservation
11 regulations from the Rank 3 Coors Corridor Plan (last amended in 2013) and
12 Rank 3 Northwest Mesa Escarpment Plan (last amended in 2016) as View
13 Protection Overlay zones (§14-16-3-4) to protect views from public rights-of-
14 way to cultural landscapes designated by the 2017 ABC Comp Plan; and

15 WHEREAS, the IDO includes and updates the content of the existing
16 Airport Zoning Ordinance (§14-15-1 et seq.) and the Airport Design Overlay
17 Zone regulations (§14-16-2-28(E)) in a manner that is clearer and easier to
18 apply and enforce than the existing article of ROA 1994, which is separate
19 from other zoning regulations; and

20 WHEREAS, the IDO includes and updates standards and review/approval
21 procedures for development from the existing Landmarks and Urban
22 Conservation Ordinance (§14-12-1 et seq.) in order to protect structures and
23 areas of historical, cultural, architectural, engineering, archeological, or
24 geographic significance; and

25 WHEREAS, the IDO includes and updates portions of the Development
26 Process Manual (DPM) that pertain to the engineering technical standards
27 for development on private land and these updates have been coordinated
28 with technical subcommittees that are updating relevant portions of the
29 DPM as part of a parallel effort in order to remove conflicts between zoning
30 regulations and technical standards related to street and parking design,
31 drainage, flood control, and sewer service; to ensure an orderly and
32 harmonious process and outcome for coordinating land use, transportation,
33 and infrastructure on private property and within the public right-of-way;

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1 and to improve the viability of multiple transportation methods throughout
2 the city; and

3 WHEREAS, the IDO references, and as appropriate, defers to the Humane
4 and Ethical Animal Rules and Treatment (HEART) Ordinance (Article 9-2-1 et
5 seq., Enactment O-2006-029), which was adopted to regulate animal-keeping
6 within city municipal boundaries; and

7 WHEREAS, companion legislation (R-17-213) will revise Resolutions that
8 are incorporated or that need to be amended for consistency with the IDO;
9 and

10 WHEREAS, the IDO incorporates the purpose and updates the content of
11 the existing Zoning Code (§14-16 et seq.); and

12 WHEREAS, the IDO includes three categories of uses – Residential,
13 Mixed-use, and Non-residential – with zones in each category that range
14 from the least to the most intense that are appropriate to a mid-size,
15 Southwestern, 21st century city; and

16 WHEREAS, the existing Official Zoning Map is included by reference in
17 the Zoning Code (§14-16-4-9); and

18 WHEREAS, the IDO adopts an Official Zoning Map (§14-16-1-6) with
19 zones converted from existing zone districts pursuant to the zoning
20 conversion rules described below; and

21 WHEREAS, properties with zoning from the Zoning Code have been
22 converted on the zoning conversion map to the IDO zone district with the
23 closest matching set of permissive uses on a conversion map that has been
24 available to the public for review and comment since April 2016; and

25 WHEREAS, properties with SU-2 or SU-3 zoning from adopted Rank 3
26 Sector Development Plans have been converted on the zoning conversion
27 map to the IDO zone district with the closest matching set of permissive
28 uses; and

29 WHEREAS, properties with Residential and Related Uses – Developing
30 Area (RD) zoning, Planned Residential Development (PRD) zoning, or
31 Planned Development Area (PDA) zoning have been converted on the
32 zoning conversion map to the Planned Development (PD) zone district in the

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1 IDO, which is site-plan controlled and allows uses as specified on the
2 approved site plan; and

3 WHEREAS, properties with SU-1 zoning in an adopted Rank 3 Sector
4 Development Plan that describes the zones by referring to the existing
5 Zoning Code (other than SU-1 for PRD or SU-1 for PDA, whose conversion
6 is described above) have been converted in the conversion zoning map to
7 the IDO zone with the closest matching set of permissive uses; and

8 WHEREAS, properties with SU-1 zoning whose zone descriptions refer to
9 zones from the existing Zoning Code have been converted on the zoning
10 conversion map to the IDO zone with the closest matching set of permissive
11 uses; and

12 WHEREAS, properties with SU-1 zoning with zoning descriptions that
13 refer to permitted uses but do not refer to zones from the existing Zoning
14 Code have been converted on the conversion zoning map to the IDO zone
15 district that is site plan controlled – Planned Development (PD); and

16 WHEREAS, the zoning conversion rules for properties with C-2 zoning,
17 or SU-1, SU-2, or SU-3 zones that reference C-2 zones as the highest uses
18 allowed permissively, were different for the east and west sides of the Rio
19 Grande in order to address the imbalance of jobs and housing on the West
20 Side, so that C-2 properties on the East Side were converted to MX-M to
21 encourage an ongoing mix of residential and commercial uses, while
22 properties on the West Side were converted to Non-Residential Commercial
23 (NR-C) to ensure the addition of retail and services that are currently
24 lacking; and

25 WHEREAS, the zoning conversion rules for properties with C-3 zoning,
26 or SU-1 and SU-2 zones that reference C-3 zones as the highest uses
27 allowed permissively, were different inside and outside of Centers to help
28 implement the ABC Comp Plan and result in more mixed-use, walkable
29 development within Centers, so that C-3 properties outside of Centers were
30 converted to Non-Residential Commercial (NR-C), while properties east of
31 the river within Urban Centers or Activity Centers or within 660 feet of
32 Premium Transit station areas or 660 feet of the centerline of a Main Street

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1 Corridors were converted to MX-H, west of the river only properties within
2 660 feet of Premium Transit station areas were converted to MX-H; and

3 WHEREAS, the City and Bernalillo County jointly adopted the Planned
4 Communities Criteria (Code of Resolutions §1-1-10) that establish a
5 procedure for planning large areas that are intended to function self-
6 sufficiently within their jurisdictions, with development and services that
7 have no net cost to the local jurisdiction and that implement the Comp Plan;
8 and

9 WHEREAS, the City has approved two Planned Communities – Mesa del
10 Sol and Westland – with Level A “Master Plans,” which will be called
11 Framework Plans in the IDO, and Level B “Master Plans,” which will be
12 called Site Plans or Master Development Plans, based on the zoning
13 designation; and

14 WHEREAS, properties within a Planned Community have been converted
15 to the IDO’s Planned Community (PC) zone, which will still be regulated
16 pursuant to the relevant approved “Master Plan” as an approved Site Plan –
17 EPC, with uses regulated pursuant to the matching IDO conversion zone for
18 any named zone out of the existing Zoning Code; and

19 WHEREAS, the IDO includes a Use Table (§14-16-4-2) that clearly
20 indicates land uses that are permitted, conditional, accessory, conditional
21 accessory, conditional vacant, or temporary in each zone district; and

22 WHEREAS, the IDO includes use-specific standards (§14-16-4-3) to
23 establish use regulations, further design requirements, allowances, area-
24 specific regulations, and/or processes to avoid or mitigate off-site impacts
25 and ensure high-quality development, including those carried over from
26 adopted Rank 3 Sector Development Plans and generalized to apply
27 citywide or mapped to continue to apply to a small area; and

28 WHEREAS, the IDO includes general development standards (§14-16-5)
29 related to site design and sensitive lands; access and connectivity; parking
30 and loading; landscaping, buffering, and screening; walls; outdoor lighting;
31 neighborhood edges; solar access; building design; signs; and operation
32 and maintenance; and

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1 WHEREAS, the IDO includes and updates standards for the subdivision
2 of land (§14-16-5-4) and associated administrative and enforcement
3 procedures (§14-16-6) in the existing Subdivision Ordinance (§14-14-1 et
4 seq.) in order to ensure that land suitable for development is served by the
5 necessary public services and infrastructure, including a multi-modal
6 transportation network, and platted accordingly; and

7 WHEREAS, the IDO establishes review and approval processes (§14-16-
8 6) appropriate for each type of land development application in order to
9 clearly establish notice requirements, decision-making bodies, and criteria
10 for decision-making bodies; and

11 WHEREAS, the IDO establishes thresholds and criteria for administrative
12 review and decision by staff (§14-16-6-5) for minor projects based on
13 objective standards for high-quality, context-sensitive development
14 established by the IDO; and

15 WHEREAS, the IDO establishes thresholds, criteria, and the appropriate
16 decision-making body for major projects (§14-16-6-6) that require a public
17 meeting and/or hearing and whose approval should be based on
18 consideration of objective standards for high-quality, context-sensitive land
19 use and development established by the IDO; and

20 WHEREAS, the IDO requires review and decision by the Environmental
21 Planning Commission for a zone change (§14-16-6-7(E)) and site plan
22 approval (§14-16-6-6(F)) based on consideration of policy as well as
23 objective standards for high-quality, context-sensitive development
24 established by the IDO in Planned Development (PD), Non-residential
25 Sensitive Use (NR-SU) zone districts, and new Master Development Plans in
26 Non-residential Business Park (NR-BP) zone districts; and

27 WHEREAS, the IDO incorporates and updates criteria for amendments of
28 the zoning map (i.e. zone changes) adopted by R-270-1980 and differentiates
29 between criteria for Areas of Change and Areas of Consistency to help
30 implement the 2017 ABC Comp Plan; and

31 WHEREAS, the IDO requires applicants requesting amendments of the
32 zoning map on properties wholly or partially within Areas of Consistency to
33 demonstrate that the new zone would clearly reinforce or strengthen the

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1 established character of the surrounding Area of Consistency and would
2 not permit development that is significantly different from that character;
3 and

4 WHEREAS, the IDO requires review and decision by the Environmental
5 Planning Commission (§14-16-6-7(E)) based on consideration of policy as
6 well as objective standards for high-quality, context-sensitive development
7 established by the IDO for amendments to the zoning map up to 10 acres in
8 Areas of Consistency and up to 20 acres in Areas of Change, above which
9 Council has authority; and

10 WHEREAS, the IDO requires review and recommendation by the
11 Environmental Planning Commission and review and final decision by the
12 City Council for amendment of a Rank 1 Plan (§14-16-6-7(A)), adoption or
13 amendment of a Rank 2 Facility Plan (§14-16-6-7(B)), text amendments to the
14 IDO (§14-16-6-7(D)), or annexations (§14-16-6-7(G)) based on consideration
15 of policy as well as objective standards for high-quality, context-sensitive
16 development established by the IDO for zone changes of 10 acres or more
17 in Areas of Consistency and 20 acres or more in Areas of Change; and

18 WHEREAS, the IDO establishes procedures and criteria for alterations
19 and demolition within and outside Historic Protection Overlay zones and for
20 amending existing and designating new Historic Protection Overlay zones
21 and landmarks (§14-16-6-7(C)); and

22 WHEREAS, the IDO requires appeals of all decisions to be reviewed and
23 recommended by the Land Use Hearing Officer and reviewed and decided
24 by the City Council as the City's ultimate land use and zoning authority; and

25 WHEREAS, the IDO establishes criteria and thresholds appropriate for
26 staff review and decision of minor deviations from zoning dimensional
27 standards (§14-16-6-4(X)(2)); and

28 WHEREAS, the IDO establishes procedures and criteria for the Zoning
29 Hearing Examiner to decide on requests for conditional uses (§14-16-6-6(A))
30 or for variances from dimensional zoning standards (§14-16-6-6(L)); and

31 WHEREAS, the IDO establishes procedures for the Development Review
32 Board (§14-16-6-6(J)) to grant variances to sidewalks, public right-of-way

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1 standards, and subdivision standards, based on criteria established in the
2 Development Process Manual; and

3 WHEREAS, the IDO establishes procedures and criteria for the
4 Environmental Planning Commission to grant exceptions to zoning
5 dimensional standards that provide civic benefits or that benefit the natural
6 environment (§14-16-6-6(K)); and

7 WHEREAS, the IDO establishes notice and meeting requirements (§14-
8 16-6-4) that provide public awareness of development projects and input
9 opportunities appropriate to the scale of the development project – minor
10 projects that are administratively decided requiring notice but no meetings
11 or hearings, major projects that require notice and either a meeting or
12 hearing, and projects requiring discretionary decision-making based on
13 consideration of policy in addition to IDO regulations that are heard and
14 decided at public hearings; and

15 WHEREAS, approved site plans and permits shall remain valid (as
16 described in §14-16-6-4(W)) unless they expire (as described in §14-16-6-
17 4(W)(2)) or are amended (as described in §14-16-6-4(W)(3)); and

18 WHEREAS, the IDO establishes the period of validity for development
19 approvals that are subject to expiration; and

20 WHEREAS, the expiration of approvals granted prior to the effective date
21 of the IDO shall be calculated from the effective date of the IDO; and

22 WHEREAS, any compliance periods specified in the Zoning Code that
23 are carried over or replaced with new time periods for compliance in the IDO
24 are to be calculated from the effective date of the IDO; and

25 WHEREAS, all existing development that conforms to the Zoning Code
26 on the date the IDO becomes effective but that does not comply with the
27 IDO shall be considered nonconforming and allowed to continue, subject to
28 limits on expansion and thresholds after which the property must be
29 brought into compliance with the IDO as specified in §14-16-6-8; and

30 WHEREAS, the IDO establishes adequate provisions for the continuation
31 and expansion of nonconforming uses, structures, lots, signs, and site
32 features (§14-16-6-8), as well as appropriate thresholds or timeframes for
33 when nonconformities must come into compliance with the IDO; and

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1 WHEREAS, the IDO establishes appropriate standards and procedures
2 for enforcing violations and assessing penalties (§14-16-6-9); and

3 WHEREAS, any violation of the City zoning, subdivision, or land
4 development regulations in effect prior to the effective date of this IDO will
5 continue to be a violation under this IDO and subject to enforcement
6 actions, unless the development or other activity that was a violation of the
7 previous regulations is consistent with the requirements and regulations of
8 this IDO; and

9 WHEREAS, the City and private property owners will need time to
10 transition from processes related to the existing zoning code to the new
11 IDO, and the IDO is therefore intended to become effective six months from
12 its adoption date; and

13 WHEREAS, the Planning Department intends to submit and sponsor a
14 series of zone change requests for review/approval within a year of the IDO
15 effective date to address mismatches of land use and zoning that pre-
16 existed the IDO adoption, to address properties with uses that become
17 nonconforming upon the IDO becoming effective, and to consider requests
18 from property owners desiring to downzone their existing zoning to a less
19 intense, less dense zone district in Areas of Consistency; and

20 WHEREAS, the Planning Department intends to initiate the Community
21 Planning Areas assessments within two years after the effective date of the
22 IDO to assess current and anticipated trends and conditions, to understand
23 planning issues and develop solutions to address them, and to track
24 progress on performance measures identified in the ABC Comp Plan over
25 time; and

26 WHEREAS, the IDO requires the City to create an update process and
27 annual schedule for updates to the IDO; and

28 WHEREAS, the Office of Neighborhood Coordination sent e-mail
29 notification to neighborhood representatives on December 29, 2016, as
30 required, as part of the Environmental Planning Commission (EPC)
31 application process, and Planning Staff sent a re-notification reminder and
32 Notice of Decision for each hearing to neighborhood representatives on
33 March 21, April 11, April 25, and May 5, 2017; and

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1 **WHEREAS, the proposed IDO was announced in the *Albuquerque***
2 ***Journal, the Neighborhood News* and on the Planning Department’s**
3 **webpage in January 2017; and**

4 **WHEREAS, staff prepared summary handouts for each adopted Sector**
5 **Development Plan to explain how Sector Development Plan policies were**
6 **incorporated into the 2017 ABC Comp Plan, how regulations from Sector**
7 **Development Plan regulations were incorporated into the Integrated**
8 **Development Ordinance as either a best practice approach to land-use**
9 **regulation and zoning that was extended citywide or as a regulation that**
10 **was mapped to apply to the same area as specified in the Sector**
11 **Development Plan, either as a zone district (§14-16-2-3), a Character**
12 **Protection Overlay zone (§14-16-3-2), a Historic Protection Overlay zone**
13 **(§14-16-3-3), a View Protection Overlay zone (§14-16-3-4), a use-specific**
14 **standard (§14-16-4-3), a development standard (§14-16-5), or an**
15 **administrative procedure (§14-16-6); and**

16 **WHEREAS, the public and staff from City departments and outside**
17 **agencies had opportunities to make written and verbal comments prior to**
18 **and during the EPC’s review of the IDO, and the IDO was revised to reflect**
19 **Conditions of Approval recommended by the EPC; and**

20 **WHEREAS, the EPC voted on May 15, 2017 after five hearings to**
21 **recommend approval of the IDO with a vote of 6-1 (with one Commissioner**
22 **absent and one Commissioner’s position vacant); and**

23 **WHEREAS, the public and staff had opportunities to make written and**
24 **verbal comments prior to and during the Land Use, Planning, and Zoning**
25 **Committee’s review of the IDO, and the IDO was revised to reflect changes**
26 **recommended by the LUPZ Committee; and**

27 **WHEREAS, the public and staff had an opportunity to make written and**
28 **verbal comments prior to and during the full Council’s review of the IDO,**
29 **and the Council adopted Floor Amendments to change the IDO in response.**

30 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY**
31 **OF ALBUQUERQUE:**

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1 Section 1. The City hereby repeals the existing Zoning Code (§14-16-1 et
2 seq.) and adopts the Integrated Development Ordinance, attached to O-17-
3 49 and made a part hereof, as the new §14-16-1 et seq.

4 Section 2. The City hereby repeals the existing zoning map and replaces
5 it with the Integrated Development Ordinance zoning conversion map.

6 Section 3. The City hereby repeals the existing Articles of the City Code
7 of Ordinances: Landmarks and Urban Conservation Ordinance (§14-12-1 et
8 seq.), the Subdivision Ordinance (§14-14-1 et seq.), and the Airport Zoning
9 Ordinance (§14-15-1 et seq.), which are incorporated and updated in the
10 Integrated Development Ordinance.

11 Section 4. Upon its adoption this IDO is the City’s sole document
12 regulating land use within the municipal boundaries. In the event of any
13 conflicts, the terms, requirements and obligations established by this IDO
14 shall prevail over any other ordinance not specifically repealed herein or
15 otherwise remaining after its adoption.

16 Section 5. The City hereby amends existing ordinances to ensure
17 consistency with Integrated Development Ordinance by replacing the words
18 “Zoning Code,” “Comprehensive City Zoning Code,” or “city’s
19 Comprehensive Zoning Code” with the words “Integrated Development
20 Ordinance” in the following Parts and Sections of the City Code of
21 Ordinances:

- 22 • Part 5-1-4, Other Provisions Effect.
- 23 • Part 6-9-1(A), General Policies.
- 24 • Part 7-5-2, Findings.
- 25 • Part 7-5-3, Display and Sale of Motor Vehicles.
- 26 • Section 8-2-2-15(D), Clear Sight Triangle.
- 27 • Section 9-2-1-4, Definitions, Commercial Property.
- 28 • Section 9-2-3-3(E), Permit Holders: General Duties and Requirements.
- 29 • Section 9-6-3-4(A), Operational Requirements.
- 30 • Section 9-9-2, Definitions, Residential, Office/Commercial,
31 Industrial/Manufacturing.
- 32 • Section 9-10-1-7(B)(3)(c), Storage of Solid Waste for Commercial and
33 Multi-Family Dwelling Collection.

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- 1 • Section 9-10-1-9(E)(1), Dumping, Accumulating, and Scattering of
- 2 Refuse.
- 3 • Part 10-9-8, Delegation of Authority.
- 4 • Section 11-1-1-11(C)(2), Penalties for Public Nuisance Violations.
- 5 • Part 13-1-9(A), Zoning Notification.
- 6 • Part 13-2-6(C), Special Dispenser’s Permits.
- 7 • Section 13-5-1-13(D), Exercise of Rights under a Franchise – Minimum
- 8 Conditions on Use of Property; Construction.
- 9 • Part 13-15-2(B), Purpose and Intent.
- 10 • Part 14-4-4(F), Size and Types of Numbers.
- 11 • Part 14-6-1, Prohibited in Residential Zones.
- 12 • Part 14-6-2(A)(5), Regulated in Nonresidential Zones.
- 13 • Section 14-8-2-3(B), Definitions.
- 14 • Section 14-11-7(C)(3), Permits for Solar Rights.
- 15 • Part 14-17-5(A), Establishment of a Family Housing Development.

16 Section 6. City Code of Ordinances Part 4-10-3(D), General Policies, is
17 amended as follows: “(D) Public improvements financed by a TIDD should
18 be in conformance with applicable long-range city policies for development,
19 including, but not limited to, the Albuquerque/Bernalillo County
20 Comprehensive Plan, the Integrated Development Ordinance, the Ordinance
21 adopting elements of a Planned Growth Strategy; the current city enactment
22 relating to the Capital Implementation Program; the Impact Fee Component
23 Capital Improvement Program; other ordinances applicable to the affected
24 land including annexation ordinances and any related annexation
25 agreements, if any; and all supplements and subsequent enactments
26 relating to these measures.”

27 Section 7. City Code of Ordinances Section 6-1-1-12(D), Variances and
28 Appeals, is amended as follows: “Variances to §§ 6-1-1-8 through 6-1-1-10
29 requirements. A variance to the regulations in §§ 6-1-1-8 through 6-1-1-10
30 may be issued by the Mayor, through the Development Review Board,
31 provided that the general intent of this article has been met and compliance
32 with this article is proven to cause practical difficulties and unnecessary
33 hardship. The variance procedure for this article will comply with the

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1 variance procedure in the Integrated Development Ordinance as currently
2 adopted or subsequently amended. (This procedure is described in § 14-16-
3 5-5.2.K). Appeals of decisions of the Development Review Board are to the
4 City Council. Appeal procedures will comply with those in the Integrated
5 Development Ordinance, §14-16-6-4(U)."

6 Section 8. City Code of Ordinances Section 6-1-1-99(C), Penalty, is
7 amended as follows: "Any responsible party who violates any provision of
8 §§ 6-1-1-8 through 6-1-1-10 shall be deemed guilty of a misdemeanor, and
9 upon conviction thereof, shall be punished by a fine not to exceed \$500
10 and/or imprisonment for a period not to exceed 90 days. Application of
11 fines for violations of the regulations in §§ 6-1-1-8 through 6-1-1-10 will
12 comply with the Integrated Development Ordinance as currently adopted or
13 subsequently amended. (See §14-16-6)."

14 Section 9. City Code of Ordinances Section 6-5-5-3, Pedestrian Sidewalk,
15 Drive Pad, and Curb and Gutter Required, is amended as follows: "All
16 properties within the city shall have sidewalk, drive pad, curb ramps, curb
17 and gutter in accordance with the standards set forth by § 6-5-5-1 et seq.,
18 unless a variance from these standards is allowed through the procedures
19 established by § 6-5-5-1 et seq. or unless such sidewalks, curb ramps, drive
20 pads, curbs and gutters were constructed under standards previously in
21 force. Such previously constructed improvements shall be considered non-
22 conforming and as such may be repaired and maintained but if and when
23 replacement becomes necessary shall be replaced according to the current
24 standards or variance procedures of § 6-5-5-1 et seq. Compliance with the
25 provisions of § 6-5-5-1 et seq. shall be the responsibility of the property
26 owner. The cost of installing sidewalk shall be borne by the abutting
27 property. On property in residential zones where only houses and
28 townhouses are allowed, and where the lot abuts public streets at both its
29 front and the rear lot lines, the property does not bear the cost of
30 constructing missing sidewalk abutting the rear lot line where the property
31 does not have the legal right to vehicular access from that street; this
32 exception applies only to lots platted before June 29, 1983 (the effective
33 date of the city's Subdivision Ordinance, set forth in §14-16-5-4)."

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1 Section 10. City Code of Ordinances Section 6-5-5-4, Definitions, is
2 amended as follows: “DRB. The Development Review Board, an
3 administrative board consisting of six representatives of city departments
4 and other agencies, including the Planning Director as Chairperson, Zoning
5 Enforcement Officer, City Engineer (who may also function as the AMAFCA
6 designee), Traffic Engineer, Parks and Recreation Director, and
7 Albuquerque-Bernalillo County Water Utility Authority Water Resources
8 Engineer.” ... “LANDSCAPE/BUFFER AREA. The part of the public right-of-
9 way that is not occupied or planned to be occupied by street, curb, gutter,
10 or sidewalk; that may be used for street furniture, street trees and
11 vegetation, and utilities; and that is typically located between the back of
12 curb and adjacent property line.”

13 Section 11. City Code of Ordinances Section 6-5-5-12, Setback Use, is
14 amended as follows: “LANDSCAPE/BUFFER AREA USE. The
15 landscape/buffer area may be used for the following public purposes so
16 long as such uses are not in conflict with the provisions of §§ 6-5-5-1 et seq.
17 or any other applicable provision of this code or any other ordinance of the
18 city.”

19 Section 12. City Code of Ordinances Section 6-5-5-14(B)(1)(d), Design
20 and Construction Standards and Procedures, is amended as follows: “2.
21 Land zoned for a residential density greater than allowed in the R-T
22 (Residential Townhouse) zone district.”

23 Section 13. City Code of Ordinances Section 6-5-5-14(E), Design and
24 Construction Standards and Procedures, is amended as follows:
25 “Transverse Slope. The transverse slope of the sidewalk and
26 landscape/buffer area shall be no greater than a ratio of 1:50 or 2%, sloping
27 toward the street.”

28 Section 14. City Code of Ordinances Section 6-5-5-15, Development
29 Review Board, is amended as follows: “The DRB as established by §14-16-
30 2(D) Development Review Board, will have responsibilities that may include,
31 but not be limited to, the following:”

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1 Section 15. City Code of Ordinances Sections §6-5-5-16, Variances, and
2 §6-5-5-17, Appeals, are deleted and the subsequent sections are
3 renumbered to reflect the deletion.

4 Section 16. City Code of Ordinances Section § 6-5-5-18, Sidewalks, Drive
5 Pad, and Curb Ramp Repair and Maintenance; Permitting Commercial
6 Advertising on Transit Shelters, is amended as follows: “(A)(4) The lot was
7 platted before June 29, 1983, the effective date of the city's Subdivision
8 Ordinance, set forth in §14-16-5-4.” and sub-sections (D) and (F) are
9 amended to replace the words “sidewalk setback” with “landscape/buffer.”

10 Section 17. City Code of Ordinances Section 6-6-1-2, Definitions, is
11 amended as follows: “LANDSCAPE/BUFFER AREA. The part of the public
12 right-of-way that is not occupied or planned to be occupied by street, curb,
13 gutter, or sidewalk; that may be used for street furniture, street trees and
14 vegetation, and utilities; and that is typically located between the back of
15 curb and adjacent property line.”

16 Section 18. City Code of Ordinances Section §6-6-2-2, Intent, is amended
17 as follows: “Sections 6-6-2-1 et seq. are intended to secure the following
18 objectives, in accordance with Policy 5.1.9, Policy 7.1.3, Policy 7.2.1, Policy
19 7.6.2, and other policies of the Albuquerque/Bernalillo County
20 Comprehensive Plan.”

21 Section 19. City Code of Ordinances Section §6-6-2-3, Definitions, is
22 amended as follows: “DEVELOPMENT REVIEW BOARD. An administrative
23 board, consisting of six city departments and other agencies. Membership
24 consists of the Planning Director as Chairperson, Zoning Enforcement
25 Officer, City Engineer (who may also function as the AMAFCA designee),
26 Traffic Engineer, Parks and Recreation Director, and Albuquerque-Bernalillo
27 County Water Utility Authority Water Resources Engineer ”...

28 “LANDSCAPE/BUFFER AREA. The part of the public right-of-way that is not
29 occupied or planned to be occupied by street, curb, gutter, or sidewalk; that
30 may be used for street furniture, street trees and vegetation, and utilities;
31 and that is typically located between the back of curb and adjacent property
32 line.”...

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1 Section 20. City Code of Ordinances Section §6-6-2-4(A), Required Street
2 Trees, is amended as follows: “(1) All applicants for building permits for
3 construction of a new building or building addition of 200 square feet or
4 more shall submit a street tree plan for those parts of the lot abutting a
5 major street, a major local street, or another street where street trees are
6 required. (2) Any person who constructs a new building addition of 200
7 square feet or more or who paves a parking lot or required off-street parking
8 area for apartments and/or non-residential development on a lot abutting a
9 major street, a major local street, or another street where street trees are
10 required shall plant street trees according to a street tree plan approved by
11 the Mayor. Such planting shall occur no later than 60 calendar days after the
12 completion of construction and shall occur before final inspection as
13 required in the Building Code. (3) Street trees shown on an approved street
14 tree plan and required to meet the requirements of §14-16-5-6 shall be
15 maintained alive and healthy. Maintenance and trimming of street trees and
16 replacement of dead trees are the responsibility of the owner of the lot
17 abutting or on which the tree is located. (4) The City shall maintain a list of
18 trees, as part of the Official Albuquerque Plant Palette and Sizing List,
19 generally suitable for use as street trees in Albuquerque. This list shall
20 include a description of the physical characteristics and cultural
21 requirements of each species. (5) City staff, in coordination with appropriate
22 private sector input, shall develop and make available information regarding
23 the required soil volume for trees of a given mature size, and the Planning
24 Director shall make this information available in the Development Process
25 Manual. This soil volume consists of un-compacted and irrigated soil. The
26 root space may be long and linear, to match a landscape/buffer area size,
27 and/or the space may be created through mechanical de-compaction, or the
28 use of either structural soils under pavements, or soil vault systems under
29 pavements.”

30 Section 21. City Code of Ordinances Section §6-6-2-5, Street Tree
31 Policies, is amended as follows: “(A)(1) Adequate room and spacing for
32 Street Trees shall be accommodated/provided pursuant to the details and
33 specifications developed by the City in the Development Process Manual. ...

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1 (B) Street trees shall be placed between the curb and the public sidewalk
2 and in the landscape/buffer area, unless traffic safety requires different
3 locations of trees, as specified in division (2) of this division (B). ... (B)(1)(b)
4 Where less than three feet of space exists, street trees shall not be planted
5 into the landscape/buffer area. ... (C)(6)(a) Plantings of ten (10) or fewer
6 trees may all be of the same genus; (b) Plantings of more than ten trees
7 must use at least two different genera, with roughly equal numbers of each;
8 ... (C)(7) One of every three street trees planted may be an accent tree per
9 the Official Albuquerque Plant Palette and Sizing List, provided the
10 guidelines in §14-16-5-6(D) are met.”

11 Section 22. City Code of Ordinances Section §6-6-2-7, More Detailed
12 Regulations, is amended as follows: “Regulations detailing the provisions
13 of §§ 6-6-2-1 et seq. should be enacted in coordination with and through the
14 Departments with installation and maintenance responsibilities, and be
15 amended by the Environmental Planning Commission for regulations in the
16 Integrated Development Ordinance and by the DPM Executive Committee
17 for technical standards in the Development Process Manual at an advertised
18 public hearing.”

19 Section 23. City Code of Ordinances Section §6-6-2-9, Appeals, is
20 amended as follows: “Appeals from the decision of the Mayor on requests
21 for waivers or variances may be taken to the City Council, through the Land
22 Use Hearing Officer, by filing written notice with the Planning Division
23 within 15 days after the request for variance has been decided.”

24 Section 24. City Code of Ordinances Part 6-7-2(B), Definitions, is
25 amended as follows: “Words not defined herein, but which are defined in
26 §14-16-7-1 of the Integrated Development Ordinance, are to be construed as
27 defined therein.”

28 Section 25. City Code of Ordinances Section 8-5-1-42(H), Mobile Food
29 Units on Public Streets, is amended as follows: “This section establishes
30 traffic code regulations pertaining to Mobile Food Units. Other aspects of
31 Mobile Food Units are regulated in other parts of the Municipal Code. Please
32 refer to Integrated Development Ordinance §14-16 and Health, Safety &
33 Sanitation Code §9-6-5.”

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1 Section 26. City Code of Ordinances Part 9-2-1-4, Definitions, is amended
2 as follows: "RESIDENTIAL ZONE. "Zone District, Residential" as defined in
3 the Integrated Development Ordinance."

4 Section 27. City Code of Ordinances Part 9-9-2, Definitions, is amended
5 as follows: "DOWNTOWN ARTS AND ENTERTAINMENT FOCUS AREA. The
6 area designated as the Downtown Arts and Entertainment Focus Area in the
7 Integrated Development Ordinance."

8 Section 28. City Code of Ordinances Section 9-10-1-7(B)(3)(e), Storage of
9 Solid Waste for Commercial and Multi-Family Dwelling Collection, is
10 amended as follows: "Commercial collection sites shall be paved with a
11 concrete apron meeting City of Albuquerque Solid Waste specifications for
12 the designated container. However, commercial collection sites approved
13 prior to October 1, 1985, which sites were paved in a way that met the off-
14 street parking requirements of the Zoning Code (§ 14-16-3-1(E)(1)) in effect
15 at the time of the issuance of building permit are exempt from the concrete-
16 paving requirement if the owner of the property agrees in writing to maintain
17 the paving and hold the city harmless for any damage to the pavement
18 resulting from solid waste collection."

19 Section 29. City Code of Ordinances Part 11-2-3, Definitions, is amended
20 as follows: "ADULT ENTERTAINMENT ESTABLISHMENT. An establishment
21 that meets the definition provided by §14-16-7-1 of the Integrated
22 Development Ordinance."

23 Section 30. City Code of Ordinances Part 12-2-28, Safety in Public
24 Places, is amended as follows: "ARTS AND ENTERTAINMENT DISTRICT.
25 The Arts and Entertainment District is roughly bordered by Copper Avenue
26 on the north, 8th Street on the west, the alley between Gold and Silver
27 Avenues to the south, and First Street to the East." ... "NOB HILL DISTRICT.
28 For purposes of this section, the Nob Hill District is the area within the
29 following streets: beginning at the intersection of Girard and Silver, then to
30 Monte Vista to Campus to Copper to Washington to Silver to Carlisle to
31 Silver to Girard."

32 Section 31. City Code of Ordinances Section 14-5-2-10(B), Multiple Use of
33 Rights-of-way and Easements, is amended as follows: "Certain drainage

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1 rights-of-way may be credited toward requirements for detached open
2 space in the Integrated Development Ordinance, except for any area which
3 is exclusively used for the drainage control, flood control, stormwater
4 control, or erosion control function.”

5 Section 32. City Code of Ordinances Section 14-8-2-3(A), Definitions, is
6 amended as follows: “REGISTERED NEIGHBORHOOD OR HOMEOWNER
7 ASSOCIATION. A neighborhood association other than the Recognized
8 neighborhood association for an area, homeowners association, or other
9 association that has notified the City Office of Neighborhood Coordination
10 of two persons' addresses where it wishes notice to be sent pursuant to §
11 14-8-2-1 et seq.”

12 Section 33. City Code of Ordinances Section 14-8-2-4(D), Criteria for
13 Recognition of Neighborhood Associations, is amended as follows: “The
14 appropriate district City Councilor and the City Office of Neighborhood
15 Coordination shall be furnished with names, addresses, email addresses,
16 and available phone numbers of current neighborhood association officers
17 and/or board members.”

18 Section 34. City Code of Ordinances Section 14-8-2-5, Responsibilities of
19 Recognized and Non-Recognized Neighborhood or Homeowner
20 Associations, is amended as follows: The word “non-recognized” is
21 replaced with “registered” throughout this section, including the title; the
22 word “Councillor” is replaced with “Councilor.”

23 Section 35. City Code of Ordinances Section 14-8-2-6, Responsibilities of
24 the City, is amended as follows: “(A) The Mayor shall make reasonable
25 attempts to provide electronic or mailed notice of City-initiated amendments
26 of Rank 1, Rank 2, or Rank 3 plans or new Rank 2 or Rank 3 plans to
27 recognized and registered neighborhood or homeowner associations
28 located partially or completely within or adjacent to the relevant plan area.
29 Notice is required at the initiation of the planning effort and at the
30 application for approval; proof of both notices shall be required when the
31 application is filed. The Mayor shall make reasonable attempts to provide
32 notice to such associations concerning all subsequent public hearings of
33 city boards, commissions, and task forces concerning such plan proposals,

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1 except hearings which have been deferred or continued to a specific time
2 announced at the prior hearing. (B) The Mayor shall make reasonable
3 attempts to give directly affected recognized and registered neighborhood
4 or homeowner associations prior mailed or electronic notice of pending
5 major city development and redevelopment projects and changes in
6 services by the city that will have a direct, significant impact on
7 neighborhoods adjacent to, for example, projects that would change the
8 size or type of city parks, building of new city facilities, relocation or
9 reconstruction of privately owned utilities that require a permit, or rerouting
10 of bus service. The Mayor shall provide prior electronic or mailed notice to
11 recognized and registered neighborhood or homeowner associations within
12 one mile of street construction, closure, and/or major repair. (C) The Mayor
13 shall require documentation of prior notice to recognized and registered
14 neighborhood or homeowner associations for development projects located
15 within or adjacent to the association boundary at the time of filing
16 applications, as specified in §14-16-6-1, Table 6-1-1. The Mayor shall send
17 electronic or mailed notices of the hearing to recognized and registered
18 associations for applications specified in §14-16-6-1, Table 6-1-1, as
19 specified in the relevant sub-section. (D) For the purpose of divisions (A),
20 (B), and (C) of this section, email or mailed notice to two contact addresses
21 of recognized or registered association representatives on file with the
22 Office of Neighborhood Coordination shall constitute reasonable attempt to
23 notify. (E) The city shall send an initial response electronically or by mail
24 within seven days of receipt of any correspondence received from any
25 recognized and registered association that requests an answer, definition,
26 or status of any city project within their boundaries.” ... “(F)(8) Along with
27 the district Councilor, serve when appropriate as a liaison between a
28 recognized neighborhood association and city agencies;” ... “(F)(12) Upon
29 request, assist the district Councilor and/or neighborhood associations in
30 the formation of alliances of neighborhood associations; and” ...

31 Section 36. City Code of Ordinances Section 14-8-2-7, Responsibilities of
32 Applicants and Developers, is amended as follows: “(A) Notification of land
33 use and development applications, shall be provided as required by §14-16-

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1 6-1 of the Integrated Development Ordinance, which specifies requirements
2 for mailed or electronic notice, posted signs, web postings, and/or
3 published notice. (B) Notification of applications for issuance or transfer of
4 liquor licenses shall provide notice of their proposal to any recognized and
5 registered neighborhood or homeowner association that includes or is
6 adjacent to the subject property. Certified letters, return receipt requested,
7 mailed to the two designated association representatives on file at the City
8 Office of Neighborhood Coordination constitutes a reasonable attempt to
9 notify an association. Failure by an applicant to show proof of either
10 notification in person or a reasonable attempt to give written notification of
11 its proposal to such designated association representatives shall be
12 grounds for a neighborhood association to request deferral of a hearing.
13 The application for such hearing shall include a signed statement that such
14 notification has been sent.”

15 Section 37. City Code of Ordinances Section 14-8-2-7(B), Responsibilities
16 of Applicants and Developers, is deleted in whole and replaced with the
17 following: “(C) Pre-Application meetings with City staff for land
18 development applications shall be held as outlined in §14-16-6-1 of the
19 Integrated Development Ordinance. The purpose and requirements for a
20 Pre-Application Meeting are provided in §14-16-6-4(B). (D) Neighborhood
21 meetings for land development applications shall be held as outlined in §14-
22 16-6-1 of the Integrated Development Ordinance. The purpose and
23 requirements for a Neighborhood Meeting are provided in §14-16-6-4(C).
24 These meetings may be recommended for Facilitation, as provided in §14-
25 16-6-4(D).”

26 Section 38. City Code of Ordinances Part 14-8-7, Board of Appeals for
27 Zoning Special Exceptions, is deleted in whole.

28 Section 39. City Code of Ordinances Part 14-9-3, Definitions, is amended
29 as follows: “WORKFORCE HOUSING. Dwelling units serving residents and
30 their families whose annualized income is at or below 80% of the Area
31 Median Income for Albuquerque (AMI) as adjusted for household size and
32 determined by the U.S. Department of Housing and Urban Development, and
33 whose monthly housing payment does not exceed 30% of the imputed

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1 income limit applicable to such unit or 35% under special conditions to be
2 defined in the Workforce Housing Plan. "Dwelling unit" is used in this article
3 as defined in the Integrated Development Ordinance (see §14-16-7-1)."

4 Section 40. City Code of Ordinances Part 14-11-3(A), Intent, is amended
5 as follows: "This article is intended to help achieve Article IX of the Charter
6 of the City of Albuquerque. It is also a means of conforming solar rights to
7 local plans and laws: the Albuquerque/Bernalillo County Comprehensive
8 Plan and the Integrated Development Ordinance of this code of ordinances.
9 It is intended to create orderly, harmonious, and economically sound
10 development in order to promote the health, safety, convenience, and
11 general welfare of the citizens of the city."

12 Section 41. City Code of Ordinances Section 14-13-1-4(E), Impact Fees;
13 Other Development Related Charges, is amended in title and as follows:
14 "Waivers to impact fees are as is provided in §14-19-15 Exemptions."

15 Section 42. City Code of Ordinances Section 14-13-2-2, Rank Importance
16 of City Plans, is amended as follows: "Adopted City plans to coordinate
17 land use, development, facilities, and resources are of varying rank
18 importance. Lower-ranking plans should be consistent with higher-ranking
19 plans, and when this is indisputably not the case, the conflicting provision
20 of the lower-ranking plan is null and void. Plans should identify how they
21 relate to relevant, higher-ranking plans. Ranked plans shall only contain
22 policy and may not be regulatory. The highest ranks of City plans are as
23 follows in this section and in § 14-13-2-4" ... "(B)(2)" ... "(C)(1) Metropolitan
24 Redevelopment Plans provide guidance to the Metropolitan Redevelopment
25 Agency on redevelopment efforts, catalytic projects, and public/private
26 partnerships, subject to amendment per the Metropolitan Redevelopment
27 Agency Ordinance (§14-8-4-3(B)), for an area with common characteristics,
28 typically one square mile but occasionally considerably smaller. (2) Master
29 Plans provide guidance to the implementing department for the
30 development of a City facility or joint facilities, such as a community center,
31 library, and/or park. Master Plans typically include land uses, site layout,
32 and design standards. (3) Resource Management Plans provide guidance to
33 the Parks and Recreation Department's Open Space Division about how

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1 best to manage and protect natural, historic, or cultural resources on City-
2 owned or City-managed Major Public Open Space (MPOS). Resource
3 Management Plans can also guide the overall planning, visitor uses,
4 budgeting, and decision-making for specific MPOS properties.”

5 Section 43. City Code of Ordinances Section 14-13-2-3, Planned Growth
6 Strategy, is amended as follows: “(B)(4) *Planned Communities in the City of*
7 *Albuquerque*. (B)(5) The current annexation review and decision criteria in
8 the Integrated Development Ordinance (Section 14-16-6-7(G)), in part,
9 indicate conditions under which an annexation request may be denied by
10 the City. (B)(6) The City shall request that the Albuquerque/Bernalillo
11 County Water Utility Authority (ABCWUA) continue to establish and update
12 new conservation goals below 135 gallons per person per day beyond 2024.
13 The City shall continue to be involved in the ABCWUA’s implementation of
14 the Water Resources Management Strategy including the updating of
15 building codes, zoning regulations, and technical standards for rainwater
16 harvesting.”

17 Section 44. City Code of Ordinances Section 14-13-2-4(B),
18 Redevelopment Plans, is amended as follows: “Metropolitan
19 Redevelopment Plans are Rank 3 plans that provide guidance to the
20 Metropolitan Redevelopment Agency on redevelopment efforts, catalytic
21 projects, and public/private partnerships, subject to amendment per the
22 Metropolitan Redevelopment Agency Ordinance (§14-8-4-3(B)), for an area
23 with common characteristics, typically one square mile or more but
24 occasionally considerably smaller.”

25 Section 45. City Code of Ordinances Section 14-13-2-5, Procedure for
26 Plan Adoption or Amendment; Fee, is deleted in whole.

27 Section 46. City Code of Ordinances Section 14-13-2-6, Annually Revised
28 Planning Program, is deleted in whole.

29 Section 47. The City Council hereby amends Part 14-13-3, et seq.,
30 Environmental Planning Commission, is deleted in whole. Sections 14-13-3-
31 5 Beautification Committee, 14-13-3-6 City of Albuquerque’s Greater
32 Albuquerque Bicycling Advisory Committee, 14-13-3-7 Open Space
33 Advisory Board, and 14-13-3-8 City of Albuquerque’s Greater Albuquerque

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1 Recreational Trails Committee are moved to become new Part 2-6-14, Part 2-
2 6-15, Part 2-6-16, and Part 2-6-17, respectively.

3 Section 48. City Code of Ordinances Part 14-17-5, Establishment of a
4 Family Housing Development, is amended as follows: “(C) Financial
5 Guarantee. In exchange for the density bonus, as specified in the Integrated
6 Development Ordinance Section 14-16-5-1, the developer and/or builder
7 shall provide a financial guarantee in favor of the city that is equal to the
8 appraised value of the increased density. The financial guarantee shall
9 become due and payable to the city, if the developer and/or builder fails to
10 sell a family affordable ownership unit to a qualified home buyer. The value
11 of the increased density shall be determined by a qualified appraiser who
12 shall perform an appraisal of the property. The city shall release the
13 financial guarantee as the developer and/or builder provides documentation
14 to the city that the family affordable ownership units have been sold to
15 qualified home buyers.” ... “(D)(1) That the proportionate amount of the
16 value of the density bonus and the fee rebate, provided for in the Integrated
17 Development Ordinance Section 14-16-5-1 and subparagraph E(2) of this
18 section, for the family housing development that is attributable to each
19 family affordable ownership unit shall be passed on by the developer and/or
20 builder to each qualified home buyer in the form of a deferred loan of a
21 portion of the purchase price of the family affordable ownership unit;” ...
22 “(E)(1) Density Bonus. Any Family Housing Development (FHD) located in
23 the R-1, RA or R-T zones is eligible for a density bonus. In these zones, the
24 FHD may be developed at a density that is at most 20% higher than normally
25 allowed under the Integrated Development Ordinance. All of the controlling
26 setback and open space requirements must be met for the zone in which the
27 FHD is located. (See the Integrated Development Ordinance, Section 14-16-
28 2-3(A), Section 14-16-2-3(B), Section 14-16-2-3(D), and Section 14-16-5-1(C))”

29 Section 49. City Code of Ordinances Part 14-19-15(A)(6), Exemptions, is
30 amended as follows: “Full or partial waivers of impact fees shall be
31 provided for projects within metropolitan redevelopment areas that meet the
32 criteria set forth in the Development Process Manual. Notwithstanding the
33 provisions of the Development Process Manual, such waivers shall be

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1 provided for both non-residential and residential development within the
2 metropolitan redevelopment area that conforms to the metropolitan
3 redevelopment area plan and any others applicable within the metropolitan
4 redevelopment area.”

5 Section 50. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
6 clause, word or phrase of this ordinance is for any reason held to be invalid
7 or unenforceable by any court of competent jurisdiction, such decision shall
8 not affect the validity of the remaining provisions of this ordinance. The
9 Council hereby declares that it would have passed this ordinance and each
10 section, paragraph, sentence, clause, word or phrase thereof irrespective of
11 any provisions being declared unconstitutional or otherwise invalid.

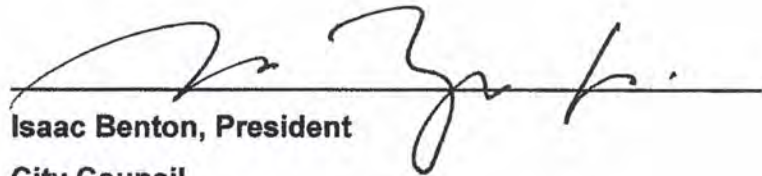
12 Section 51. COMPILATION. Sections 1 through 48 of this ordinance shall
13 amend, be incorporated in and made part of the Revised Ordinances of
14 Albuquerque, New Mexico, 1994.

15 Section 52. EFFECTIVE DATE AND PUBLICATION; INTERIM
16 AMENDMENTS. This legislation shall take effect six months after
17 publication by title and general summary. Any amendments to the IDO
18 proposed prior to the effective date shall be introduced through the normal
19 City Council process for direct review by Council or Committee of the
20 Council without any requirement for initial referral to the Environmental
21 Planning Commission or any other review board or body.
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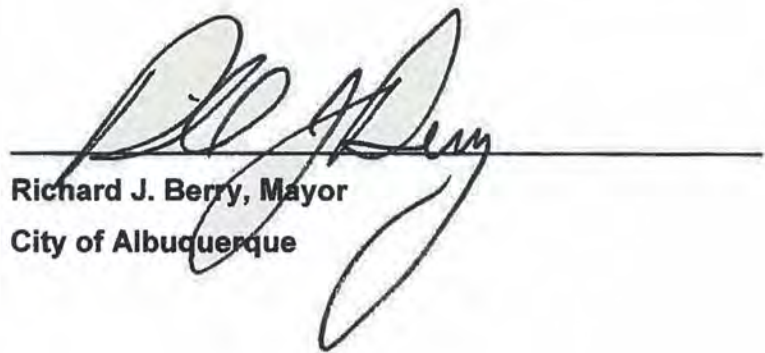
1 PASSED AND ADOPTED THIS 13th DAY OF November, 2017
2 BY A VOTE OF: 6 FOR 3 AGAINST.

3
4 For: Benton, Davis, Gibson, Harris, Jones, Lewis
5 Against: Peña, Sanchez, Winter
6
7


8
9 
10 Isaac Benton, President
11 City Council
12

13
14 APPROVED THIS 16 DAY OF NOVEMBER, 2017
15
16
17

18 Bill No. C/S O-17-49
19

20 
21
22 Richard J. Berry, Mayor
23 City of Albuquerque
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27 ATTEST:

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29 
30 Natalie Y. Howard, City Clerk
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IMPROVING PLACE FROM PLANNING TO ZONING

Published on *ABC-Z: Improving Place From Planning to Zoning* (<https://abc-zone.com>)

[Home](#) > Post-IDO Voluntary Zone Conversion Process

Purpose

In May 2018, City Council adopted [Resolution 18-29](#) ^[1] directing the Planning Department to create a process for property owners to request a zoning conversion (at no cost to the property owner) to address at least 1 of 5 criteria to address the issues discussed above for one year from the IDO's effective date of May 17, 2018.

From May 2018 to May 2019, the City accepted forms from property owners with [eligible properties](#), described in more detail [below](#).

City Review/Decision Process

The City submitted three batches of recommendations for zoning conversion rules for [eligible properties](#) for which property owners submitted a complete form by the May 17 deadline. Each property was given a Form ID number that tracks with the property owner form, numbered in the order they were received and processed by staff.

- **Batch 1** ^[2]: Submitted in November 2018 / Effective September 2019
- **Batch 2** ^[3]: Submitted in May 2019 / Approved November 2019
- **Batch 3** ^[4]: Submitted in August 2019 / Heading to step 2 of 3 in review/decision process

The review/decision process for each batch of properties will include 3 steps, each with a public hearing:

- **Step 1:** Environmental Planning Commission (EPC) - Review and recommendation
- **Step 2:** City Council's Land Use, Planning, and Zoning Committee (LUPZ) - Review and recommendation
- **Step 3:** City Council - Final decision



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Property owners are welcome to attend and testify at any or all of these hearings where their property is being considered, but attendance is not mandatory. Property owners, residents, business owners, neighborhood associations, and other individuals may submit written comments and/or give testimony at any public hearing throughout the process.

This process is expected to take at least 4 months and likely closer to 1 year for each batch of properties.

The property owner can withdraw from this voluntary process if the recommended conversion is not acceptable at any time before the City Council takes final action.

The [Official Zoning Map](#) [5] will be updated based on the City Council's final decision.

Background

When the City adopted a new [Integrated Development Ordinance](#) [6] (IDO) and [zoning map](#) [5] after 40 years under the old system of Zoning Code + Sector Development Plans, we converted over 1200 individual zones to a set of about 20, matching permissive uses in the old zones to the closest set of uses in one of the new IDO zones.

- As a 300-year old city that largely developed before zoning was ever created, Albuquerque has many properties with existing land uses that don't match zoning. The initial zoning conversion didn't address this land use-zoning mismatch.
- There are also many cases where single-family homes were built in zones that also allowed apartments, and those homeowners would rather have a zone that only allows single-family homes. The initial zoning conversion did not address this desire for a downzone.
- On other properties, for a variety of historical reasons, there are 2 zone lines. The initial zoning conversion did not fix these floating zone lines.
- Many of the City's old zones controlled uses and development standards for each property as a unique site plan. Many undeveloped properties never had such a plan to establish their uses, so

the initial zoning conversion used the title of the zone to match to the closest set of uses in the new set of IDO zones, which may not reflect the intentions of the property owner for future development.

- As a 40-year overhaul of our Zoning Code, the Integrated Development Ordinance made many changes to uses and zoning standards. The initial zoning conversion did not address conflicts between existing uses and new standards.

Eligible Properties

City Council [Resolution 18-29](#) ^[1] directed the Planning Department to create a [process](#) ^[7] for property owners to request a zoning conversion (at no cost to the property owner) for one of the following reasons:

- 1. Nonconforming Use:** address existing uses made nonconforming by the IDO or mismatches of land use and zoning that pre-existed the IDO.
 - FAQ: [How do I find out whether I have a nonconforming use?](#) ^[8]
 - *Example 1: You have a single-family detached house on a property zoned MX-L, MX-M, MX-H, NR-C, NR-LM, or NR-GM.*
 - *Example 2: You are operating an industrial use that was allowed in C-3 that is not allowed under the IDO conversion to MX-H.*
- 2. Voluntary Downzone:** downzone properties with low-density residential development (e.g. houses, duplexes, or townhomes) in an Areas of Consistency by property owner request (e.g. R-T to R-1).
 - *Example: You have R-T zoning but would like to have R-1 because you have a single-family house on your lot, and you're surrounded by other lots with single-family homes.*
- 3. Floating Zone Line:** request adjustments to fix floating zone lines that do not match lot lines.
 - FAQ: [How do I find out whether I have a floating zone line?](#) ^[9]
 - *Example: you have two zones on a lot because your platting doesn't match the zoning boundaries.*
- 4. Prior Special Use or R-D Zoning:** request a more appropriate zone for undeveloped properties formerly zoned with a Special Use zone (e.g. SU-1, SU-2, or SU-3) or R-D.
 - *Example 1: You have an undeveloped property that was zoned R-D but is now PD that was platted for a single-family home, and you want to convert to R-1.*
 - *Example 2: You have an undeveloped property that was zoned SU-1 for C-1 + self-storage that was converted to MX-L, and you would like to request that it convert to MX-M, which allows self-storage permissively.*
- 5. Size Thresholds:** request a more appropriate zone for properties with PD or NR-

BP zoning that do not comply with the minimum and maximum lot sizes set by those zone districts.

- *Example: You have PD zoning but your property is <2 acres or ≥ 20 acres.*
- *Example: You have NR-BP zoning but your property is <20 acres and is not part of an existing Master Development Plan.*

In December 2018 and March 2019, staff identified eligible properties on [this online map](#) [10] and sent mailed notice to the property owners on file with the Bernalillo County Assessor.

Zone Map Amendments

Please note that all property owners also have the option of requesting a zone change through the normal "zoning map amendment" process. There is a fee, and the request will be processed as a "quasi-judicial" procedure. From submittal deadline to the first hearing is 6 weeks. The zoning map amendment will need to be reviewed by the Environmental Planning Commission in all cases and by the City Council for properties over 10 acres in size.

- [How does the IDO handle zone changes?](#) [11]

Frequently Asked Questions

- [Does changing zoning affect my property taxes?](#) [12]
- [What was the process to get a follow-up zone conversion?](#) [7]

Resources

- [Integrated Development Ordinance](#) [13]
- [IDO Zoning Map](#) [5]
- [Map of Properties Likely to Be Eligible for the Follow-up Voluntary Zoning Conversion Process](#) [10]
- [Phase 1 Zoning Conversion Map](#) [14]
- [Phase 2 Zoning Conversion Map](#) [15]

Source URL: <https://abc-zone.com/post-ido-voluntary-zone-conversion-process>

Links:

[1] <https://abc-zone.com/document/ido-6-month-amendments-r-18-29>

- [2] <http://abc-zone.com/node/1067>
- [3] <http://abc-zone.com/node/1068>
- [4] <http://abc-zone.com/node/1069>
- [5] <http://tinyurl.com/IDOzoningmap>
- [6] <http://ido.abc-zone.com>
- [7] <https://abc-zone.com/faq/what-process-get-follow-zone-conversion>
- [8] <https://abc-zone.com/faq/how-do-i-find-out-whether-i-have-nonconforming-use#overlay-context=faq/how-do-i-find-out-if-i-have-nonconforming-use>
- [9] <https://abc-zone.com/faq/how-do-i-find-out-whether-i-have-floating-zone-line>
- [10] <http://tinyurl.com/zc-eligible>
- [11] <https://abc-zone.com/integrated-development-ordinance-frequently-asked-questions#zma>
- [12] <https://abc-zone.com/faq/how-does-zoning-affect-property-taxes>
- [13] <https://abc-zone.com/integrated-development-ordinance-frequently-asked-questions>
- [14] <https://abc-zone.com/node/315>
- [15] <http://tinyurl.com/batch3zc-map>

**CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL**

COUNCIL BILL NO. C/S R-17-240

ENACTMENT NO. R-2017-101

SPONSORED BY: **Trudy E. Jones and Isaac Benton**

1 RESOLUTION

**2 ESTABLISHING A PROCESS FOR IDO-RELATED ZONE MAP AMENDMENTS
3 THAT ARE TO BE PROCESSED BY THE CITY PLANNING DEPARTMENT
4 COMMENCING ON THE EFFECTIVE DATE OF THE IDO, AND CONCLUDING
5 WITHIN ONE YEAR THEREFROM.**

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

**11 WHEREAS, the City's zoning powers are established by the City Charter, in
12 which Article I, Incorporation and Powers, allows the City to adopt new
13 regulatory structures and processes to implement the Albuquerque-Bernalillo
14 County Comprehensive Plan ("Comp Plan") and help guide future legislation;
15 Article IX, Environmental Protection, empowers the City to adopt regulations
16 and procedures to provide for orderly and coordinated development patterns
17 and encourage conservation and efficient use of water and other natural
18 resources; and Article XVII, Planning, establishes the City Council as the
19 City's ultimate planning and zoning authority; and**

**20 WHEREAS, the City amended the Comp Plan in 2001 via R-01-343
21 (Enactment No. 171-2001) to identify Community Planning Areas and provide
22 goals and policies to protect and enhance distinct community identity in each
23 area; and**

**24 WHEREAS, the City Council adopted an updated Comp Plan on March 20,
25 2017 via R-16-108 (Enactment No. R-2017-026), including an updated
26 community vision based on a Centers and Corridors approach to growth,
27 including an updated Centers and Corridors map with boundaries for**

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1 and distances from the centerline for Corridors; priority designations for
2 transportation modes on each Corridor; and
3 WHEREAS, the Comp Plan establishes a hierarchy of Centers and
4 Corridors from the most to the least walkable, mixed-use, and dense, with
5 Downtown, Urban Centers, Premium Transit Corridors, and Main Street
6 Corridors all intended to be highly walkable, with a mix of residential and non-
7 residential land uses, and with higher-density and higher-intensity uses; and
8 WHEREAS, the Comp Plan includes goals and policies to protect
9 community health and maintain safe and healthy environments where people
10 can thrive; and
11 WHEREAS, the Comp Plan establishes a complementary set of
12 Development Areas – Areas of Change, where growth is encouraged and
13 higher-density and intensity uses are the most appropriate – and Areas of
14 Consistency, where the existing pattern of uses, density, and intensity is to be
15 maintained and reinforced over time; and
16 WHEREAS, the Integrated Development Ordinance (IDO) was drafted as
17 part of a citywide effort to update and replace the City’s 40-year-old, 1970’s-era
18 Comprehensive Zoning Code, and as the primary regulatory tool to implement
19 the Comp Plan for land within the municipal boundaries of the City of
20 Albuquerque; and
21 WHEREAS, the IDO’s stated purpose is to implement the Comp Plan;
22 ensure that all development in the City is consistent with the intent of other
23 plans and policies adopted by City Council; ensure provision of adequate
24 public facilities and services for new development; protect quality and
25 character of residential neighborhoods; promote economic development and
26 fiscal sustainability of the City; provide efficient administration of City land
27 use and development regulations; protect health, safety, and general welfare
28 of the public; provide for orderly and coordinated development patterns;
29 encourage conservation and efficient use of water and other natural
30 resources; implement a connected system of parks, trails, and open spaces to
31 promote improved outdoor activity and public health; provide reasonable
32 protection from possible nuisances and hazards and to otherwise protect and

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1 improve public health; and encourage efficient and connected transportation
2 and circulation systems for motor vehicles, bicycles, and pedestrians; and

3 WHEREAS, the IDO was drafted to be consistent with and implement Comp
4 Plan goals and policies; and

5 WHEREAS, the IDO helps to implement these goals and policies by
6 providing a set of zones (§14-16-2) that range from low intensity to high
7 intensity and designating the appropriate mix of land uses in each zone; and

8 WHEREAS, the City Council adopted an Official Zoning Map (§14-16-1-6)
9 that converted pre-existing zone districts from the City Comprehensive Zoning
10 Code to base zone districts in the IDO according to a set of zoning conversion
11 rules for base zones and Special Use zones (SU-1, SU-2, and SU-3) that
12 matched as closely as possible the permissive uses in each zone; and

13 WHEREAS, this conversion from approximately 1,200 zones to a set of 19
14 zones necessarily involved changes to individual uses allowed in many zones;
15 and

16 WHEREAS, as a result of the conversions some uses that were allowed in
17 the prior zone designations were changed to correspond with the Use Table in
18 the IDO (§14-16-4-2) that indicates land uses as permissive, conditional,
19 accessory, conditional accessory, conditional vacant, or temporary in each
20 zone district of the IDO; and

21 WHEREAS, the Community Planning Area assessment process is intended
22 to provide opportunities on a 5-year cycle to analyze and recommend zone
23 map amendments in specific geographic areas to better implement the Comp
24 Plan, particularly encouraging walkable, higher-density and higher-intensity
25 development in Centers and Corridors; and

26 WHEREAS, the intent of the IDO was to update the City's land use and
27 zoning framework for future development without eliminating or limiting the
28 ability of lawful, existing land uses to continue after the IDO's adoption; and

29 WHEREAS, the City understands that predictability of zoning and
30 compatibility of land use and zoning are essential in order to maintain and
31 strengthen economic value and viability for property owners and businesses,
32 and to ensure appropriate and adequate protections for neighboring
33 properties; and

1 WHEREAS, the Planning Department has committed to submitting a series
2 of zone map amendments as part of a phase II of the City's zoning conversion
3 process, where such amendments fall within the criteria outlined by this
4 resolution and are accompanied by written participation requests from
5 property owners; and

6 WHEREAS, the IDO incorporates and updates criteria for zone map
7 amendments (i.e. zone changes) previously set forth by R-270-1980, and
8 differentiates between criteria for Areas of Change and Areas of Consistency
9 to help implement the Comp Plan; and

10 WHEREAS, the IDO requires applicants requesting amendments of the
11 zoning map on properties wholly or partially within Areas of Consistency to
12 demonstrate that the new zone would clearly reinforce or strengthen the
13 established character of the surrounding Area of Consistency and would not
14 permit development that is significantly different from that character.

15 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
16 ALBUQUERQUE:

17 The City Planning Department shall administer a zone map amendment
18 process beginning on the effective date of the IDO pursuant to the following:

19 Section 1. Outreach. The City Planning Department shall do outreach and
20 advertising citywide to alert property owners of the opportunity to participate
21 in the zone map amendment process pursuant to this resolution. Outreach
22 efforts shall include coordination with Neighborhood Associations and other
23 relevant organizations to share information about the potential opportunities
24 and implications of zone changes.

25 Section 2. Eligible Properties. The City Planning Department shall evaluate,
26 analyze, process and recommend zone map amendments per the review and
27 decision criteria for amendments to the Official Zoning Map in the Integrated
28 Development Ordinance (IDO) for individual properties that fall within at least
29 one of the following categories:

30 A. Nonconforming Use. The zone map amendment request could
31 remedy a nonconforming use that became nonconforming as a result of the
32 IDO zone conversion process;

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1 **B. Voluntary Downzone.** The zone map amendment request is to
2 change to a less intense or less dense IDO zone district in an Area of
3 Consistency that is compatible in scale and intensity with the existing land
4 use at the site and surrounding development patterns;

5 **C. Floating Zone Line.** The zone map amendment request could remedy
6 a boundary that does not correspond to a lot line in either the Bernalillo
7 County Assessor's data or Albuquerque Geographic Information Systems
8 (AGIS) data (i.e. a "floating zone line");

9 **D. Prior Special Use Zoning.** The zone map amendment request is for
10 undeveloped property previously regulated by special use zoning (SU-1 or SU-
11 2), and an IDO zone designation other than what was assigned through the
12 conversion process would be more appropriate for the site; or

13 **E. Size Thresholds.** The zone map amendment request is for property
14 converted to PD or NR-BP zone districts that does not meet size thresholds
15 set by the IDO for those zone districts.

16 **Section 3. Process.**

17 **A. Request Form.** The Planning Department shall create a participation
18 request form that must be completed by the owner or agent representing any
19 premises that may be eligible to participate in this zone map amendment
20 process;

21 **B. Acceptance.** Such a participation request forms must be submitted to
22 and accepted as complete by the Planning Department within one year of the
23 IDO becoming effective, but will not be accepted prior to the IDO effective
24 date. For purposes of this section, a participation request will be deemed
25 complete upon submittal of a signed and fully completed participation request
26 form together with any supplemental material required by the Planning
27 Department. Any professional services costs associated with the preparation
28 of materials required for this submittal shall be borne by the individual
29 property owners;

30 **C. Determination of Eligibility.** The Planning Department shall evaluate
31 each participation request to determine whether it reasonably falls within the
32 criteria established by Section 2 of this Resolution. In the event that it does
33 not, the Planning Department shall decline to process the associated zone

1 map amendment. However, nothing shall prevent an owner so situated from
2 appealing this administrative determination by the Planning Department
3 through the appeal process established by the IDO, or from otherwise
4 pursuing a zone map amendment request for the subject premise through the
5 regular zone map amendment process established by the IDO;

6 **D. Final Decision Making Authority per IDO.** Pursuant to the IDO § 14-16-5-
7 5.3.E, the EPC's decision on zone map amendments for all individual premises
8 of less than 10 acres within Areas of Consistency, and less than 20 acres in
9 Areas of Change shall be final unless appealed. For premises in excess of
10 these acreage thresholds in the respective Areas of Change or Consistency,
11 zone map amendments are final only upon approval of the City Council.

12 **Section 4. Stay of Enforcement Pending Zone Change Requests.** The
13 Planning Department shall not enforce the provisions related to
14 nonconforming uses in Subsection 14-16-6-8(C) of the IDO for premises that
15 are eligible for and participating in the zone map amendment process
16 established by this resolution unless and until the final action on the relevant
17 zone map amendment fails to cure the nonconformity.

18 **Section 5. Use of Consultants.** The City shall engage consultants as
19 necessary to complete this project.


20 **Section 6. Cooperation with Departments.** All relevant City Departments
21 and Divisions, including but not limited to the Legal Department, Municipal
22 Development Department, Parks and Recreation Department, Cultural Services
23 Department, Senior Affairs Department, and the Office of Neighborhood
24 Coordination, shall work with the Planning Department as necessary to
25 coordinate and implement this project.

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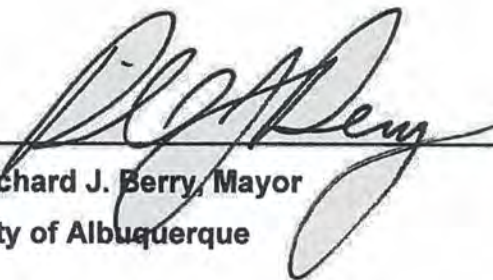
1 PASSED AND ADOPTED THIS 13th DAY OF November, 2017
2 BY A VOTE OF: 6 FOR 3 AGAINST.

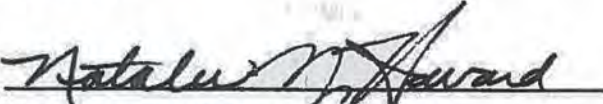
3
4 For: Benton, Davis, Gibson, Harris, Jones, Lewis
5 Against: Peña, Sanchez, Winter
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11 Isaac Benton, President
12 City Council

13
14 APPROVED THIS 16 DAY OF November, 2017

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17 Bill No. C/S R-17-240

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21 Richard J. Berry, Mayor
22 City of Albuquerque
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24
25 ATTEST:
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27 
28 Natalie Y. Howard, City Clerk
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City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Trina Gurule, Acting City Clerk

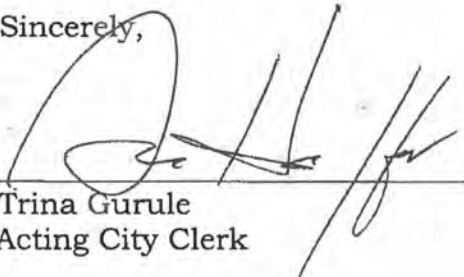
Interoffice Memorandum

May 9, 2018

To: CITY COUNCIL
From: TRINA GURULE, ACTING CITY CLERK
Subject: BILL NO. R-18-29 ENACTMENT NO. R-2018-019

I hereby certify that on May 9, 2018, the Office of the City Clerk received Bill R-18-29 as signed by the president of the City Council, Ken Sanchez. Enactment No. R-2018-019 was passed at the May 7, 2018 City Council meeting. Mayor Keller did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-18-29.

Sincerely,



Trina Gurule
Acting City Clerk

EXHIBIT

7

tabbles®

CITY of ALBUQUERQUE TWENTY THIRD COUNCIL

COUNCIL BILL NO. F/S R-18-29 ENACTMENT NO. R-2018-019

SPONSORED BY: Trudy E. Jones and Isaac Benton

1 RESOLUTION
2 REPEALING AND REPLACING C/S R-17-240; ESTABLISHING A PROCESS FOR
3 IDO-RELATED ZONING CONVERSIONS THAT ARE TO BE PROCESSED BY
4 THE CITY PLANNING DEPARTMENT COMMENCING ON THE EFFECTIVE DATE
5 OF THE IDO, AND CONCLUDING WITHIN ONE YEAR THEREFROM.

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

11 WHEREAS, the City's zoning powers are established by the City Charter, in
12 which Article I, Incorporation and Powers, allows the City to adopt new
13 regulatory structures and processes to implement the Albuquerque-Bernalillo
14 County Comprehensive Plan ("Comp Plan") and help guide future legislation;
15 Article IX, Environmental Protection, empowers the City to adopt regulations
16 and procedures to provide for orderly and coordinated development patterns
17 and encourage conservation and efficient use of water and other natural
18 resources; and Article XVII, Planning, establishes the City Council as the
19 City's ultimate planning and zoning authority; and

20 WHEREAS, the City amended the Comp Plan in 2001 via R-01-343
21 (Enactment No. 171-2001) to identify Community Planning Areas and provide
22 goals and policies to protect and enhance distinct community identity in each
23 area; and

24 WHEREAS, the City Council adopted an updated Comp Plan on March 20,
25 2017 via R-16-108 (Enactment No. R-2017-026), including an updated
26 community vision based on a Centers and Corridors approach to growth,
27 including an updated Centers and Corridors map with boundaries for Centers

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1 and distances from the centerline for Corridors; priority designations for
2 transportation modes on each Corridor; and

3 WHEREAS, the Comp Plan establishes a hierarchy of Centers and
4 Corridors from the most to the least walkable, mixed-use, and dense, with
5 Downtown, Urban Centers, Premium Transit Corridors, and Main Street
6 Corridors all intended to be highly walkable, with a mix of residential and non-
7 residential land uses, and with higher-density and higher-intensity uses; and

8 WHEREAS, the Comp Plan includes goals and policies to protect
9 community health and maintain safe and healthy environments where people
10 can thrive; and

11 WHEREAS, the Comp Plan establishes a complementary set of
12 Development Areas – Areas of Change, where growth is encouraged and
13 higher-density and intensity uses are the most appropriate – and Areas of
14 Consistency, where the existing pattern of uses, density, and intensity is to be
15 maintained and reinforced over time; and

16 WHEREAS, the Integrated Development Ordinance (IDO) was drafted as
17 part of a citywide effort to update and replace the City’s 40-year-old, 1970’s-era
18 Comprehensive Zoning Code, and as the primary regulatory tool to implement
19 the Comp Plan for land within the municipal boundaries of the City of
20 Albuquerque; and

21 WHEREAS, the IDO’s stated purpose is to implement the Comp Plan;
22 ensure that all development in the City is consistent with the intent of other
23 plans and policies adopted by City Council; ensure provision of adequate
24 public facilities and services for new development; protect quality and
25 character of residential neighborhoods; promote economic development and
26 fiscal sustainability of the City; provide efficient administration of City land
27 use and development regulations; protect health, safety, and general welfare
28 of the public; provide for orderly and coordinated development patterns;
29 encourage conservation and efficient use of water and other natural
30 resources; implement a connected system of parks, trails, and open spaces to
31 promote improved outdoor activity and public health; provide reasonable
32 protection from possible nuisances and hazards and to otherwise protect and

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1 improve public health; and encourage efficient and connected transportation
2 and circulation systems for motor vehicles, bicycles, and pedestrians; and

3 WHEREAS, the IDO was drafted to be consistent with and implement Comp
4 Plan goals and policies; and

5 WHEREAS, the IDO helps to implement these goals and policies by
6 providing a set of zones (§14-16-2) that range from low intensity to high
7 intensity and designating the appropriate mix of land uses in each zone; and

8 WHEREAS, the City Council adopted an Official Zoning Map (§14-16-1-6)
9 that converted pre-existing zone districts from the City Comprehensive Zoning
10 Code to base zone districts in the IDO according to a set of zoning conversion
11 rules for base zones and Special Use zones (SU-1, SU-2, and SU-3) that
12 matched as closely as possible the permissive uses in each zone; and

13 WHEREAS, this conversion from approximately 1,200 zones to a set of 19
14 zones necessarily involved changes to individual allowable uses in many
15 zones; and

16 WHEREAS, as a result of the conversions some uses that were allowed in
17 the prior zone designations were changed to correspond with the Use Table in
18 the IDO (§14-16-4-2) that indicates land uses as permissive, conditional,
19 accessory, conditional accessory, conditional vacant, or temporary in each
20 zone district of the IDO; and

21 WHEREAS, the Community Planning Area assessment process is intended
22 to provide opportunities on a 5-year cycle to analyze and recommend zone
23 map amendments in specific geographic areas to better implement the Comp
24 Plan, particularly encouraging walkable, higher-density and higher-intensity
25 development in Centers and Corridors; and

26 WHEREAS, the intent of the IDO was to update the City's land use and
27 zoning framework for future development without eliminating or limiting the
28 ability of lawful, existing land uses to continue after the IDO's adoption; and

29 WHEREAS, the City understands that predictability of zoning and
30 compatibility of land use and zoning are essential in order to maintain and
31 strengthen economic value and viability for property owners and businesses,
32 and to ensure appropriate and adequate protections for neighboring
33 properties; and

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1 WHEREAS, the Planning Department has committed to a phase II of the
2 City's comprehensive zoning conversion process, where such amendments
3 fall within the criteria outlined by this resolution, are accompanied by written
4 participation requests and agreement from property owners, and satisfy
5 conversion rules consistent with the Comprehensive Plan and the IDO
6 implementation goals; and

7 WHEREAS, C/S R-17-240 was adopted by the City Council on November 13,
8 2017 and established the process for zoning conversions related to the phase
9 II IDO conversion; and

10 WHEREAS, C/S R-17-240 erroneously designated the EPC as the final
11 decision maker on zoning conversions under the phase II process where the
12 City Council is required to be the final decision maker in this process, and
13 thus needs to be repealed and replaced to make this correction and related
14 changes.

15 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
16 ALBUQUERQUE:

17 SECTION I. C/S R-17-240 is hereby repealed in its entirety, and replaced
18 with this resolution.

19 SECTION II. The City Planning Department shall administer a zoning
20 conversion process beginning on the effective date of the IDO pursuant to the
21 following:

22 Section 1. Outreach. The City Planning Department shall do outreach and
23 advertising citywide to alert property owners of the opportunity to participate
24 in the zone map amendment process pursuant to this resolution. Outreach
25 efforts shall include coordination with Neighborhood Associations and other
26 relevant organizations to share information about the potential opportunities
27 and implications of zone changes.

28 Section 2. Eligible Properties. The City Planning Department shall evaluate,
29 analyze, process and recommend a phase II zoning conversion per zoning
30 conversion rules consistent with the Comprehensive Plan and the IDO
31 implementation goals, city-wide, for properties that fall within at least one of
32 the following categories:

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1 **A. Nonconforming Use.** The zoning conversion could remedy a
2 nonconforming use of the property;

3 **B. Voluntary Downzone.** The zoning conversion would result in a less
4 intense or less dense IDO zone district in an Area of Consistency that is
5 compatible in scale and intensity with the existing land use at the site and
6 surrounding development patterns;

7 **C. Floating Zone Line.** The zoning conversion could remedy a boundary
8 that does not correspond to a lot line in either the Bernalillo County
9 Assessor’s data or Albuquerque Geographic Information Systems (AGIS) City
10 parcel data (i.e. a “floating zone line”);

11 **D. Prior Special Use Zoning.** The zoning conversion is for undeveloped
12 property previously regulated by the Residential and Related Uses Zone,
13 Developing Area (R-D), or by special use zoning (SU-1, SU-2 or SU-3), and an
14 IDO zone designation other than what was assigned through the Phase 1
15 conversion process would be more appropriate for the site; or

16 **E. Size Thresholds.** The zoning conversion is for property converted to
17 PD or NR-BP zone districts that does not meet size thresholds set by the IDO
18 for those zone districts.

19 **Section 3. Process.**

20 **A. Request Form; Participation Agreement.** The Planning Department shall
21 create a participation request and agreement form that must be completed by
22 the owner(s) or agent representing the owners of any premises that may be
23 eligible for inclusion in this phase II zoning conversion process;

24 **B. Acceptance.** Such form must be submitted to and accepted as complete
25 by the Planning Department within one year of the IDO becoming effective, but
26 will not be accepted prior to the IDO effective date. For purposes of this
27 section, participation forms will be deemed complete upon submittal of a
28 signed and fully completed participation request and agreement form together
29 with any supplemental material required by the Planning Department. Any
30 professional services costs associated with the preparation of materials
31 required for this submittal shall be borne by the individual property owners;

32 **C. Determination of Eligibility.** The Planning Department shall evaluate
33 each participation request to determine whether it reasonably falls within the

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1 criteria established by Section 2 of this Resolution. In the event that it does
2 not, the Planning Department shall decline to process the associated zoning
3 conversion. However, nothing shall prevent an owner so situated from
4 appealing this administrative determination by the Planning Department
5 through the appeal process established by the IDO, or from otherwise
6 pursuing a zone map amendment request for the subject premise through the
7 regular zone map amendment process established by the IDO;

8 **D. Final Decision Making Authority.** The Phase II zoning conversion called
9 for by this resolution is part of the comprehensive, City-wide rezoning
10 associated with the IDO, and becomes effective only upon a final legislative
11 action by the City Council. Property owners that are not eligible for the
12 process outlined by this resolution, or that are otherwise unsatisfied with the
13 zoning on their respective properties notwithstanding the results of this phase
14 II process, may seek an individual zone map amendment through the relevant
15 IDO zone map amendment process outlined in Section 14-16-6-7.

16 **Section 4. Stay of Enforcement Pending Completion.** The Planning
17 Department shall not enforce the provisions related to nonconforming uses in
18 Subsection 14-16-6-8 of the IDO for premises that are eligible for and
19 participating in the zoning conversion process established by this resolution
20 unless and until the final action on the relevant zoning conversion fails to cure
21 the nonconformity.


22 **Section 5. Use of Consultants.** The City shall engage consultants as
23 necessary to complete this project.

24 **Section 6. Cooperation with Departments.** All relevant City Departments
25 and Divisions, including but not limited to the Legal Department, Municipal
26 Development Department, Parks and Recreation Department, Cultural Services
27 Department, Senior Affairs Department, and the Office of Neighborhood
28 Coordination, shall work with the Planning Department as necessary to
29 coordinate and implement this project.

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1 PASSED AND ADOPTED THIS 7th DAY OF May, 2018
2 BY A VOTE OF: 8 FOR 0 AGAINST.

3
4 **Excused: Harris**

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8 **Ken Sanchez, President**
9 **City Council**

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13 APPROVED THIS _____ DAY OF _____, 2018

14
15 Bill No. F/S R-18-29

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

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24
25 **ATTEST:**

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29 **Trina Gurule, Acting City Clerk**

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City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Katy Duhigg, City Clerk

Interoffice Memorandum

September 3, 2019

To: CITY COUNCIL

From: Camille Cordova, City Clerk Executive Assistant

Subject: BILL NO. O-19-65; ENACTMENT NO. O-2019-021

I hereby certify that on August 30, 2019, the Office of the City Clerk received Bill No. O-19-65 as signed by the president of the City Council, Klarissa J. Peña. Enactment No. O-2019-021 was passed at the August 5, 2019 City Council meeting. Mayor Keller did not sign the approved Ordinance within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Ordinance is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. O-19-65.

Sincerely,

Katy Duhigg
City Clerk



CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL

COUNCIL BILL NO. O-19-65 ENACTMENT NO. O-2019-021

SPONSORED BY: Trudy E. Jones and Isaac Benton, by request

ORDINANCE

1
2 **ADOPTING ZONING CONVERSION RULES FOR PROPERTIES IN BATCH 1 OF**
3 **THE PHASE 2 ZONING CONVERSION EFFORT AS DIRECTED BY CITY**
4 **COUNCIL RESOLUTION 18-29 AND UPDATING THE OFFICIAL ZONING MAP.**

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

10 **WHEREAS, the City’s zoning powers are established by the City charter, in**
11 **which Article I, Incorporation and Powers, allows the City to adopt new**
12 **regulatory structures and processes to implement the Albuquerque/Bernalillo**
13 **County Comprehensive Plan (“Comp Plan”) and help guide future legislation;**
14 **Article IX, Environmental Protection, empowers the City to adopt regulations**
15 **and procedures to provide for orderly and coordinated development patterns**
16 **and encourage conservation and efficient use of water and other natural**
17 **resources; and Article XVII, Planning, establishes the City Council as the**
18 **City’s ultimate planning and zoning authority; and**

19 **WHEREAS, the City Council adopted an updated Comp Plan on March 20,**
20 **2017 via R-16-108 (Enactment No. R-2017-026), including goals and policies to**
21 **maintain healthy, vibrant, and distinct communities through zoning and**
22 **design standards that are consistent with long-established residential**
23 **patterns; and**

24 **WHEREAS, the Comp Plan establishes a complementary pair of**
25 **Development Areas – Areas of Change, where growth is encouraged and**
26 **higher-density and higher-intensity uses are the most appropriate, and Areas**

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1 of Consistency, where the existing pattern of uses, density, and intensity is to
2 be maintained and reinforced over time; and

3 WHEREAS, the Integrated Development Ordinance (IDO) was drafted as
4 part of a citywide effort to update and replace the City's 40-year-old, 1970s-era
5 Comprehensive Zoning Code, and as the primary regulatory tool to implement
6 the Comp Plan for land within the municipal boundaries of the City of
7 Albuquerque; and

8 WHEREAS, the IDO's stated purpose is to implement the Comp Plan;
9 ensure that all development in the City is consistent with the intent of other
10 plans and policies adopted by City Council; ensure provision of adequate
11 public facilities and services for new development; protect quality and
12 character of residential neighborhoods; promote economic development and
13 fiscal sustainability of the City; provide efficient administration of City land
14 use and development regulations; protect health, safety, and general welfare
15 of the public; provide for orderly and coordinated development patterns;
16 encourage conservation and efficient use of water and other natural
17 resources; implement a connected system of parks, trails, and open spaces to
18 promote improved outdoor activity and public health; provide reasonable
19 protection from possible nuisances and hazards and to otherwise protect and
20 improve public health; and encourage efficient and connected transportation
21 and circulation systems for motor vehicles, bicycles, and pedestrians; and

22 WHEREAS, the IDO was drafted to be consistent with and implement Comp
23 Plan goals and policies; and

24 WHEREAS, the IDO helps to implement Comp Plan goals and policies by
25 providing a set of zone districts (§14-16-2) that range from low intensity to
26 high intensity and designating the appropriate mix of land uses in each zone
27 district; and

28 WHEREAS, with the adoption of the IDO, the City Council adopted zoning
29 conversion rules for approximately 750 categories of Special Use zones that
30 were site-specific (i.e. SU-1 zones), approximately 450 Special Use zones
31 established by the adoption of Sector Development Plans (i.e. SU-2 and SU-3
32 zones), and approximately 20 base zones from the Comprehensive Zoning
33 Code to convert pre-existing zone districts to base zone districts established

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1 by the IDO in the Official Zoning Map (§14-16-1-6) that matched as closely as
2 possible the permissive uses in each zone; and

3 WHEREAS, the intent of the IDO was to update the City's land use and
4 zoning framework to protect the character of existing development and to
5 regulate future development without eliminating or limiting the ability of
6 lawful, existing land uses to continue after the IDO's adoption; and

7 WHEREAS, the City understands that predictability of zoning and
8 compatibility of land use and zoning are essential in order to maintain and
9 strengthen economic value and viability for property owners and businesses,
10 and to ensure appropriate and adequate protections for neighboring
11 properties; and

12 WHEREAS, the Official Zoning Map is used to apply land use regulations in
13 the IDO to development throughout the city and in decision-making for zoning
14 map amendments and long-range planning; and

15 WHEREAS, an accurate and transparent Official Zoning Map is critical to
16 the City's role in providing for the health, welfare, and safety of the public; and

17 WHEREAS, updating the Official Zoning Map to better match zoning with
18 existing land uses is consistent with the objectives of the IDO and the Comp
19 Plan and benefits the City and property owners by eliminating
20 nonconformities where appropriate and improving the accuracy of information
21 and regulatory requirements for individual parcels; and

22 WHEREAS, many uses developed legally on properties either before City
23 zoning was established in 1959, before City zoning actions in subsequent
24 years that disallowed particular uses in particular zones, or before the IDO
25 established different allowable uses in the new zone districts, making such
26 existing uses legally nonconforming; and

27 WHEREAS, many properties in the City have developed with a low-density
28 residential use (e.g. townhouse, duplex, or single-family detached house) in
29 zones that otherwise would have allowed more dense and more intense uses,
30 and converting these properties to a zone district that allows less dense and
31 less intense uses with the permission of the property owner will help preserve
32 neighborhood stability and land use predictability – thus advancing two
33 leading objectives of the City's in the area of land use regulation; and

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1 **WHEREAS, there are many properties with two or more zone districts**
2 **covering a single lot (whether based on plat or deed) for a variety of historical**
3 **reasons, which has resulted in a floating zone line that cannot accurately be**
4 **associated with any actual physical boundary for purposes of implementing**
5 **the respective zoning requirements of the multiple zones; and**

6 **WHEREAS, there are many undeveloped properties with former Special**
7 **Use or R-D zoning, which often required further review and decision**
8 **processes to define allowable uses, that converted in Phase 1 to zones that**
9 **may not accurately allow uses matching those that were previously**
10 **anticipated and that are otherwise consistent with surrounding land use and**
11 **zoning patterns; and**

12 **WHEREAS, pursuant to the Phase 1 conversion rules, many properties**
13 **were converted to PD (which properties may or may not have an approved Site**
14 **Plan) or NR-BP (which properties may or may not have an approved Master**
15 **Development Plan) even though they do not all meet the size thresholds for**
16 **those zone districts established by the IDO, and although this may not impact**
17 **the ultimately usability of those properties, it does present a nonconformity**
18 **that can otherwise be cured; and**

19 **WHEREAS, City Council Resolution 18-29 directed the Planning**
20 **Department to create a Phase 2 zoning conversion process to evaluate,**
21 **analyze, process, and recommend citywide zoning conversions consistent**
22 **with the Comprehensive Plan and the IDO implementation goals, wherein**
23 **property owners would voluntarily convert the zoning on their properties to**
24 **address one or more of 5 following issues that were known at the time of the**
25 **IDO adoption but not resolved by the initial zoning conversion that became**
26 **effective as of May 17, 2018: 1) Nonconforming use(s), 2) Voluntary downzone,**
27 **3) Floating zone line(s), 4) Prior Special Use or R-D zoning, and 5) Size**
28 **thresholds for PD and NR-BP; and**

29 **WHEREAS, City Council Resolution 18-29 directed the Planning**
30 **Department to evaluate each property whose owner submitted a request and**
31 **agreement form to determine whether it reasonably falls within at least one of**
32 **the 5 identified criteria and decline to process those that do not; and**

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1 WHEREAS, for properties to be eligible through the nonconforming use
2 criterion, Planning Department staff determined that the existing use had to
3 have been legally allowed when the use began or that the use began before
4 the City established regulations on that use; and

5 WHEREAS, for properties to be eligible through the voluntary downzone
6 criterion, Planning Department staff determined that the property had to have
7 been zoned R-T, R-ML, R-MH, or MX-T and included an existing low-density
8 residential use (e.g. single-family detached house, duplex, or townhouse) and
9 that the property owner requested a less intense or less dense zone district
10 that still allowed the existing use; and

11 WHEREAS, for properties to be eligible through the floating zone line
12 category, Planning Department staff determined that the property had to have
13 2 zone districts on one parcel – either a platted parcel (as mapped by AGIS) or
14 deeded parcel (as mapped by the Bernalillo County Assessor) – and that the
15 zoning conversion would be completed along lot lines documented in the
16 AGIS layer called “City Parcel”; and

17 WHEREAS, for properties to be eligible through the prior Special Use or R-
18 D zoning criterion, Planning Department staff determined that the property had
19 to be undeveloped (i.e. contained no structure up to the time the Phase 2,
20 Batch 1 properties were submitted to the Environmental Planning Commission
21 for review and recommendation) and had previously been zoned SU-1, SU-2,
22 SU-3, or R-D; and

23 WHEREAS, for properties to be eligible through the size threshold criterion
24 for PD or NR-BP, Planning Department staff determined that a property zoned
25 PD had to be less than 2 acres in size or greater than 20 acres in size or that a
26 property zoned NR-BP had to be less than 20 acres in size and not part of an
27 approved Master Development Plan; and

28 WHEREAS, properties zoned NR-BP that are less than 20 acres in size and
29 part of an approved Master Development Plan are governed by the Master
30 Development Plan, and changing the zoning on those properties would make
31 it less transparent to the fact that they would still be governed by the Master
32 Development Plan unless the Master Development Plan were amended to
33 remove those properties from the Master Development Plan boundary; and

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1 **WHEREAS, for those properties whose owners requested conversion to a**
2 **zone district that did not match the land use and zoning pattern of the**
3 **surrounding area or that was not compatible, Planning staff recommended a**
4 **zoning conversion that was more compatible with the surrounding land use**
5 **and zoning pattern and that still resolved the relevant issues in the R-18-29**
6 **criteria; and**

7 **WHEREAS, there are many properties with lot lines that differ spatially**
8 **between platted lots (approved by the City, recorded by the Bernalillo County**
9 **Clerk, and mapped by AGIS) and deeded lots (recorded and mapped by the**
10 **Bernalillo County Assessor); and**

11 **WHEREAS, Phase 2 zoning conversions will be completed only on lots**
12 **mapped in the AGIS layer "City Parcel"; and**

13 **WHEREAS, in some cases a platting action may be needed to create a**
14 **platted parcel to be mapped in the AGIS layer "City Parcel" that corresponds**
15 **spatially with the piece of land on which the property owner desires the zoning**
16 **conversion; and**

17 **WHEREAS, the Planning Department conducted public outreach efforts**
18 **that included advertisements in print media, online media, and radio; inserts**
19 **mailed with the Property Tax Bill to all property owners in Albuquerque;**
20 **tabling at community events; attendance at Neighborhood Association**
21 **meetings; and office hour appointments; and**

22 **WHEREAS, owners of 122 eligible properties signed a Property Owner**
23 **Request and Agreement Form to opt in to the Phase 2 zoning conversion**
24 **process by the submittal date of the first batch of properties for review and**
25 **recommendation by the Environmental Planning Commission; and**

26 **WHEREAS, owners of 4 eligible properties (all of which were in Areas of**
27 **Consistency, with Form ID number 14 under Criterion 1 Nonconforming Use**
28 **and Form ID numbers 128-130 under Criterion 5 PD < 2 acres) opted out of the**
29 **Phase 2 zoning conversion process since the Environmental Planning**
30 **Commission review and recommendation and have been removed from the**
31 **Batch 1 properties for which City Council will consider adopting zoning**
32 **conversion rules; and**

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1 WHEREAS, Form ID #4 was removed from the Batch 1 properties for which
2 City Council will consider adopting zoning conversion rules. This property
3 was deemed ineligible for the Zone Conversion Process as it is not a non-
4 conforming use and does not meet any of the other criteria; and

5 WHEREAS, Planning staff confirmed the eligibility of these Batch 1
6 properties and recommended appropriate zoning conversions to address the 5
7 issues in R-18-29, meet the goals of IDO implementation, and further the goals
8 and policies in the Comp Plan; and

9 WHEREAS, Planning staff either confirmed the zoning conversion
10 requested by the property owner as appropriate or recommended a more
11 appropriate zoning conversion given the existing lawful use of the property
12 and the surrounding land use and zoning patterns; and

13 WHEREAS, the voluntary process established by R-18-29 necessarily
14 results in a phased conversion of various parcels on a citywide basis; and

15 WHEREAS, the City amended the Comp Plan in 2001 via R-01-343
16 (Enactment No. 171-2001) to identify Community Planning Areas and provide
17 goals and policies to protect and enhance distinct community identity in each
18 area; and

19 WHEREAS, the Comp Plan describes a Community Planning Area
20 assessment process to provide opportunities for community engagement and
21 analysis of each of the City's 12 Community Planning Areas every 5 years,
22 culminating in an update to the goals and policies in the Comp Plan, as
23 recommended by the assessments; and

24 WHEREAS, the IDO establishes a Community Planning Area assessment
25 process as the City's new process for long-range planning with communities,
26 intended to provide opportunities on a 5-year cycle to analyze and recommend
27 zoning and regulatory changes in specific geographic areas to better
28 implement the Comp Plan; and

29 WHEREAS, concerns about the resulting changes to zoning patterns from
30 Phase 2 zoning conversions can be addressed through Community Planning
31 Area assessments, which may result in recommendations to City Council for
32 future zoning actions for certain neighborhoods, districts, or corridors, as
33 appropriate; and

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1 WHEREAS, on January 10, 2019, the Environmental Planning Commission
2 (EPC), in its advisory role on land use and planning matters, recommended
3 approval of this request (Project 2018-001843, Case RZ-2018-00057).

4 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
5 ALBUQUERQUE:

6 Section 1. ZONING CONVERSION RULES. The City Council hereby adopts
7 zoning conversion rules for the properties in Batch 1 of the Phase 2 zoning
8 conversion process as listed in Exhibit X.

9 Section 2. OFFICIAL ZONING MAP. The City Planning Department shall
10 update the Official Zoning Map to reflect the adopted zoning conversion rules
11 for the Batch 1 properties in Exhibit X.

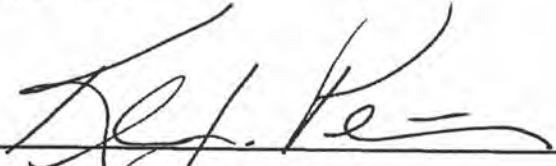
12 Section 3. SEVERABILITY. If any section, paragraph, sentence, clause,
13 word or phrase of this Ordinance is for any reason held to be invalid or
14 unenforceable by any court of competent jurisdiction, such decision shall not
15 affect the validity of the remaining provisions of this Ordinance. The Council
16 hereby declares that it would have passed this Ordinance and each section,
17 paragraph, sentence, clause, word or phrase thereof irrespective of any
18 provision being declared unconstitutional or otherwise invalid.

19 Section 4. EFFECTIVE DATE. This Ordinance shall take effect five days
20 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 5th DAY OF August, 2019
2 BY A VOTE OF: 8 FOR 1 AGAINST.

3
4 Against: Peña

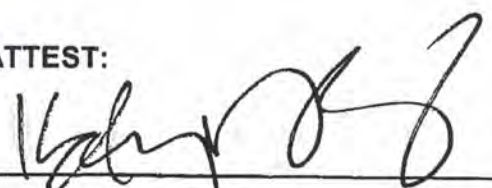
5
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7 
8 _____
9 Klarissa J. Peña, President
10 City Council

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12
13 APPROVED THIS _____ DAY OF _____, 2019

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16
17 Bill No. O-19-65

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

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25
26 ATTEST:

27 
28 _____
29 Katy Duhigg, City Clerk

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RULES FOR ZONING CONVERSION - BATCH 1 PROPERTIES
Organized by FORM ID

Form ID	Property Address	UPC	Legal Description	Owner Name	Development Area	Pre-IDO Zone	IDO Zone	Requested Zone	Recommended Zone	Criteria					Staff Notes
										1	2	3	4	5	
52	8512 Tierra Morena PI NE Albuquerque, NM 87122	102006405231911307	LT 14-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT. 1964 AC +/-	DURAN JUANITA C	CONSISTENCY	SU-2 / O-1 & R-T	R-MH	R-1B	R-1B	N	Y	N	N	N	This property is eligible for a zoning conversion as a voluntary downzone. R-1B is an appropriate zone conversion for this property.
53	8419 Tierra Morena PINE Albuquerque, NM 87122	102006401433511316	LT 5-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT. 1215 AC +/-	DURAN JUANITA C	CONSISTENCY	SU-2 / O-1 & R-T	R-MH	R-1B	R-1B	N	Y	N	N	N	This property is eligible for a zoning conversion as a voluntary downzone. R-1B is an appropriate zone conversion for this property.
54	6319 Mojave Aster Way NE Albuquerque, NM 87111	102306219426431403	TR 45-A-1 PLAT FOR LT 45-A-1 & TR 1-A-1 THE LEGENDS AT HIGHDESERT (BEING COMPRISED OF LT 45-A & TR 1-A THE LEGENDSAT HIGH DESERT) CONT. 1106 AC	FRON ERIC & SUSAN	CONSISTENCY	SU-2 / HD/C-1	R-MH	R-T	R-T	Y	N	N	N	N	The single-family dwelling on this property is legally nonconforming in the MX-L zone, so it is eligible for a zoning conversion. R-T is an appropriate zoning conversion given the zoning in the surrounding area.
55	701 Roma Ave NW Albuquerque, NM 87102	101405808608432007	* 138 012ARMILIO BROS ADD L138 TO 140	701 ENTERPRISE LLC	CONSISTENCY	SU-2 / DNA-MR	R-MH	R-MH	R-MH	Y	N	N	N	N	The existing use on the property (bed and breakfast) is legally nonconforming. This use is first permissive as a primary use in the R-MH zone district, which is an appropriate zone conversion for this property.
56	6216 Rio Hondo Dr NE Albuquerque, NM 87109	10190622671940641	* 012 003A REPLAT OF THE SECOND PORTION OF TRACT M OF UNIT # 2 BEAR CANYON VILLAGE	SEIBERT JACK E	CONSISTENCY	R-3	R-MH	R-T	R-T	N	Y	N	N	N	This property is eligible for a zoning conversion as a voluntary downzone. R-T is an appropriate zoning conversion because this area has a mix of attached and detached dwellings.
57	7416 Cielo Grande NE Albuquerque, NM 87109	101906217030221712	* 12 3 REPL OF TRS H & J UNIT 2 BEAR CANYON VILLAGE	SCROGGINS RICK & BALDWIN CAROLYN KAY	CONSISTENCY	R-3	R-MH	R-T	R-T	N	Y	N	N	N	This property is eligible for a zoning conversion as a voluntary downzone. R-T is an appropriate zoning conversion because this area has a mix of attached and detached dwellings.
58	7412 Cielo Grande NE Albuquerque, NM 87109	101906216430221713	* 13 3 REPL OF TRS H & J UNIT 2 BEAR CANYON VILLAGE	HUDSON JAMES F & SANDRA R	CONSISTENCY	R-3	R-MH	R-T	R-T	N	Y	N	N	N	This property is eligible for a zoning conversion as a voluntary downzone. R-T is an appropriate zoning conversion because this area has a mix of attached and detached dwellings.
59	6640 Casa Loma NE Albuquerque, NM 87109	101906217327421608	* 4 2 REPL OF TRS H & J UNIT 2 BEAR CANYON VILLAGE	REED RAY P & MARY W TRUSTEES REED RVLT	CONSISTENCY	R-3	R-MH	R-T	R-T	N	Y	N	N	N	This property is eligible for a zoning conversion as a voluntary downzone. R-T is an appropriate zoning conversion because this area has a mix of attached and detached dwellings.
60	7501 Tamarroon PI NE Albuquerque, NM 87109	101906222020140652	* 001 003A REPLAT OF THE SECOND PORTION OF TRACT M OF UNIT # 2 BEAR CANYON VILLAGE	LACKEY ALAN W & FAELYNN WYLDER LACKEY	CONSISTENCY	R-3	R-MH	R-T	R-T	N	Y	N	N	N	This property is eligible for a zoning conversion as a voluntary downzone. R-T is an appropriate zoning conversion because this area has a mix of attached and detached dwellings.
61	6704 Vista del Monte NE Albuquerque, NM 87109	101906218829320121	* 21 1 REPL OF TRS H & J UNIT 2 BEAR CANYON VILLAGE	LEE DAVID HAU TAK & GEORGETTE	CONSISTENCY	R-3	R-MH	R-T	R-T	N	Y	N	N	N	This property is eligible for a zoning conversion as a voluntary downzone. R-T is an appropriate zoning conversion because this area has a mix of attached and detached dwellings.

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by Councilor Sanchez that the rules be suspended for the purpose of extending the City Council meeting until 12:00 a.m. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, and Jones

Against: 1 - Harris

n. O-19-64

Amending Certain Portions Of Chapter 6, Part 5, Article 6 Of The City's Code Of Ordinances Known As The "Complete Streets Ordinance" To Incorporate Higher Standards Related To The Implementation Of Complete Streets Within The City (Benton)

A motion was made by Councilor Benton that this matter be Passed as Amended. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

o. O-19-65

Adopting Zoning Conversion Rules For Properties In Batch 1 Of The Phase 2 Zoning Conversion Effort As Directed By City Council Resolution 18-29 And Updating The Official Zoning Map (Jones and Benton, by request)

A motion was made by Councilor Jones that this matter be Amended. Councilor Jones moved Amendment No. 1. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by Councilor Jones that this matter be Amended. Councilor Jones moved Amendment No. 2. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

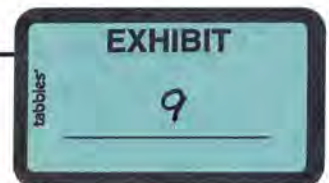
A motion was made by Councilor Sanchez that the rules be suspended for the purpose of extending the City Council meeting until 12:20 a.m. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, and Jones

Against: 1 - Harris

o. O-19-65

Adopting Zoning Conversion Rules For Properties In Batch 1 Of The Phase 2 Zoning Conversion Effort As Directed By City Council Resolution 18-29 And Updating The Official Zoning Map (Jones and Benton, by request)



CITY of ALBUQUERQUE

TWENTY THIRD COUNCIL

COUNCIL BILL NO. O-19-79 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton and Trudy E. Jones, by request

1 **ORDINANCE**

2 **ADOPTING ZONING CONVERSION RULES FOR PROPERTIES IN BATCH 2 OF**
3 **THE PHASE 2 ZONING CONVERSION EFFORT AS DIRECTED BY CITY**
4 **COUNCIL RESOLUTION 18-29 AND UPDATING THE OFFICIAL ZONING MAP.**

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

10 **WHEREAS, the City's zoning powers are established by the City Charter, in**
11 **which Article I, Incorporation and Powers, allows the City to adopt new**
12 **regulatory structures and processes to implement the Albuquerque/Bernalillo**
13 **County Comprehensive Plan ("Comp Plan") and help guide future legislation;**
14 **Article IX, Environmental Protection, empowers the City to adopt regulations**
15 **and procedures to provide for orderly and coordinated development patterns**
16 **and encourage conservation and efficient use of water and other natural**
17 **resources; and Article XVII, Planning, establishes the City Council as the**
18 **City's ultimate planning and zoning authority; and**

19 **WHEREAS, the City Council adopted an updated Comp Plan on March 20,**
20 **2017 via R-16-108 (Enactment No. R-2017-026), including goals and policies to**
21 **maintain healthy, vibrant, and distinct communities through zoning and**
22 **design standards that are consistent with long-established residential**
23 **patterns; and**

24 **WHEREAS, the Comp Plan establishes a complementary pair of**
25 **Development Areas – Areas of Change, where growth is encouraged and**
26 **higher-density and higher-intensity uses are the most appropriate, and Areas**

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1 of Consistency, where the existing pattern of uses, density, and intensity is to
2 be maintained and reinforced over time; and

3 WHEREAS, the Integrated Development Ordinance (IDO) was drafted as
4 part of a citywide effort to update and replace the City's 40-year-old, 1970s-era
5 Comprehensive Zoning Code, and as the primary regulatory tool to implement
6 the Comp Plan for land within the municipal boundaries of the City of
7 Albuquerque; and

8 WHEREAS, the IDO's stated purpose is to implement the Comp Plan;
9 ensure that all development in the City is consistent with the intent of other
10 plans and policies adopted by City Council; ensure provision of adequate
11 public facilities and services for new development; protect quality and
12 character of residential neighborhoods; promote economic development and
13 fiscal sustainability of the City; provide efficient administration of City land
14 use and development regulations; protect health, safety, and general welfare
15 of the public; provide for orderly and coordinated development patterns;
16 encourage conservation and efficient use of water and other natural
17 resources; implement a connected system of parks, trails, and open spaces to
18 promote improved outdoor activity and public health; provide reasonable
19 protection from possible nuisances and hazards and to otherwise protect and
20 improve public health; and encourage efficient and connected transportation
21 and circulation systems for motor vehicles, bicycles, and pedestrians; and

22 WHEREAS, the IDO was drafted to be consistent with and implement Comp
23 Plan goals and policies; and

24 WHEREAS, the IDO helps to implement Comp Plan goals and policies by
25 providing a set of zone districts (§14-16-2) that range from low intensity to
26 high intensity and designating the appropriate mix of land uses in each zone
27 district; and

28 WHEREAS, with the adoption of the IDO, the City Council adopted zoning
29 conversion rules for approximately 750 categories of Special Use zones that
30 were site-specific (i.e. SU-1 zones), approximately 450 Special Use zones
31 established by the adoption of Sector Development Plans (i.e. SU-2 and SU-3
32 zones), and approximately 20 base zones from the Comprehensive Zoning
33 Code to convert pre-existing zone districts to base zone districts established

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1 by the IDO in the Official Zoning Map (§14-16-1-6) that matched as closely as
2 possible the permissive uses in each zone; and

3 WHEREAS, the intent of the IDO was to update the City's land use and
4 zoning framework to protect the character of existing development and to
5 regulate future development without eliminating or limiting the ability of
6 lawful, existing land uses to continue after the IDO's adoption; and

7 WHEREAS, the City understands that predictability of zoning and
8 compatibility of land use and zoning are essential in order to maintain and
9 strengthen economic value and viability for property owners and businesses,
10 and to ensure appropriate and adequate protections for neighboring
11 properties; and

12 WHEREAS, the Official Zoning Map is used to apply land use regulations in
13 the IDO to development throughout the city and in decision-making for zoning
14 map amendments and long-range planning; and

15 WHEREAS, an accurate and transparent Official Zoning Map is critical to
16 the City's role in providing for the health, welfare, and safety of the public; and

17 WHEREAS, updating the Official Zoning Map to better match zoning with
18 existing land uses is consistent with the objectives of the IDO and the Comp
19 Plan and benefits the City and property owners by eliminating
20 nonconformities where appropriate and improving the accuracy of information
21 and regulatory requirements for individual parcels; and

22 WHEREAS, many uses developed legally on properties either before City
23 zoning was established in 1959, before City zoning actions in subsequent
24 years that disallowed particular uses in particular zones, or before the IDO
25 established different allowable uses in the new zone districts, making such
26 existing uses legally nonconforming; and

27 WHEREAS, many properties in the City have developed with a low-density
28 residential use (e.g. townhouse, duplex, or single-family detached house) in
29 zones that otherwise would have allowed more dense and more intense uses,
30 and converting these properties to a zone district that allows less dense and
31 less intense uses with the permission of the property owner will help preserve
32 neighborhood stability and land use predictability – thus advancing two
33 leading objectives of the City's in the area of land use regulation; and

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1 WHEREAS, there are many properties with two or more zone districts
2 covering a single lot (whether based on plat or deed) for a variety of historical
3 reasons, which has resulted in a floating zone line that cannot accurately be
4 associated with any actual recorded boundary for purposes of implementing
5 the respective zoning requirements of the multiple zones; and

6 WHEREAS, there are many undeveloped properties that had former Special
7 Use (SU) or R-D zoning, which often required further review and decision
8 processes to define allowable uses, that converted in Phase 1 to zones that
9 may not accurately allow uses matching those that were previously
10 anticipated and that are otherwise consistent with surrounding land use and
11 zoning patterns; and

12 WHEREAS, pursuant to the Phase 1 conversion rules, many properties
13 were converted to PD (which properties may or may not have an approved Site
14 Plan) or NR-BP (which properties may or may not have an approved Master
15 Development Plan) even though they do not all meet the size thresholds for
16 those zone districts established by the IDO, and although this may not impact
17 the ultimately usability of those properties, it does present a nonconformity
18 that can otherwise be cured; and

19 WHEREAS, City Council Resolution 18-29 directed the Planning
20 Department to create a Phase 2 zoning conversion process to evaluate,
21 analyze, process, and recommend citywide zoning conversions consistent
22 with the Comprehensive Plan and the IDO implementation goals, wherein
23 property owners would voluntarily convert the zoning on their properties to
24 address one or more of 5 following issues that were known at the time of the
25 IDO adoption but not resolved by the initial zoning conversion that became
26 effective as of May 17, 2018: 1) Nonconforming use(s), 2) Voluntary downzone,
27 3) Floating zone line(s), 4) Prior Special Use (SU) or R-D zoning, and 5) Size
28 thresholds for PD and NR-BP; and

29 WHEREAS, City Council Resolution 18-29 directed the Planning
30 Department to evaluate each property whose owner submitted a request and
31 agreement form to determine whether it reasonably falls within at least one of
32 the 5 identified criteria and decline to process those that do not; and

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1 WHEREAS, for properties to be eligible through the nonconforming use
2 criterion, Planning Department staff determined that the existing use had to
3 have been legally allowed when the use began or that the use began before
4 the City established regulations on that use; and

5 WHEREAS, for properties to be eligible through the voluntary downzone
6 criterion, Planning Department staff determined that the property was zoned
7 R-T, R-ML, R-MH, MX-T, MX-L or MX-M and had an existing low-density
8 residential use (e.g. single-family detached house, duplex, or townhouse), and
9 that there was a less intense or less dense zone district that still allowed the
10 existing use and was compatible with surrounding land use and zoning
11 patterns or that the property had a City park or Major Public Open Space in a
12 zone that was not NR-PO; and

13 WHEREAS, for properties to be eligible through the floating zone line
14 category, Planning Department staff determined that the property had to have
15 2 zone districts on one parcel – either a platted parcel (as mapped by AGIS) or
16 deeded parcel (as mapped by the Bernalillo County Assessor); and

17 WHEREAS, for properties to be eligible through the prior Special Use (SU)
18 or R-D zoning criterion, Planning Department staff determined that the
19 property had to be undeveloped (i.e. contained no structure up to the time the
20 Phase 2, Batch 2 properties were submitted to the Environmental Planning
21 Commission (EPC) for review and recommendation) and had previously been
22 zoned SU-1, SU-2, SU-3, or R-D; and

23 WHEREAS, for properties to be eligible through the size threshold criterion
24 for PD or NR-BP, Planning Department staff determined that a property zoned
25 PD had to be less than 2 acres in size or greater than 20 acres in size or that a
26 property zoned NR-BP had to be less than 20 acres in size and not part of an
27 approved Master Development Plan; and

28 WHEREAS, properties zoned NR-BP that are less than 20 acres in size and
29 part of an approved Master Development Plan are governed by the Master
30 Development Plan, and changing the zoning on those properties would make
31 it less transparent to the fact that they would still be governed by the Master
32 Development Plan unless the Master Development Plan were amended to
33 remove those properties from the Master Development Plan boundary; and

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1 WHEREAS, for those properties whose owners requested conversion to a
2 zone district that did not match the land use and zoning pattern of the
3 surrounding area or that was not compatible, Planning staff recommended a
4 zoning conversion that was more compatible with the surrounding land use
5 and zoning pattern and that still resolved the relevant issues in the criteria of
6 R-18-29; and

7 WHEREAS, there are many properties with lot lines that differ spatially
8 between platted lots (approved by the City, recorded by the Bernalillo County
9 Clerk, and mapped by AGIS) and deeded lots (recorded and mapped by the
10 Bernalillo County Assessor); and

11 WHEREAS, Phase 2 zoning conversions will be completed only on lots
12 mapped in the AGIS layer "City Parcel"; and

13 WHEREAS, in some cases additional survey information may be needed to
14 confirm a zone boundary that corresponds spatially with the piece of land on
15 which the property owner desires the zoning conversion; and

16 WHEREAS, the Planning Department conducted public outreach efforts
17 that included advertisements in print media, online media, and radio; inserts
18 mailed with the Property Tax Bill to all property owners in Albuquerque; an
19 insert mailed with the water bill to all developed properties; direct mailings to
20 property owners of over 30,000 properties that likely qualify for this process;
21 tabling at community events to distribute information; attendance and
22 presentations at Neighborhood Association meetings; and one-on-one office
23 hour appointments; and

24 WHEREAS, owners of 1,226 eligible properties signed a Property Owner
25 Request and Agreement Form to opt in to the Phase 2 zoning conversion
26 process by the May 17, 2019 deadline and were subsequently submitted as
27 the second batch of properties for review and recommendation by the EPC;
28 and

29 WHEREAS, four (4) parcels (lots 1-4) have been removed from the
30 proposed zoning conversion boundary for a premises that included 7 parcels
31 (Form ID 697) at the request of the property owner since the EPC, so that only
32 lots 5-7 will remain in the process for conversion to MX-H under the
33 nonconforming use category; and

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1 WHEREAS, one property owner provided additional information for Form ID
2 417 supporting a zoning conversion from MX-H to R-MC, rather than the MX-T
3 that staff initially recommended and EPC reviewed and recommended; and

4 WHEREAS, one property owner opted out of the Phase 2 zoning
5 conversion process for Form ID 1130; and

6 WHEREAS, the City of Albuquerque, as property owner, opted out of the
7 Phase 2 zoning conversion process for Form ID 1405 and Form ID 1473; and

8 WHEREAS, Planning staff confirmed the eligibility of these Batch 2
9 properties and recommended appropriate zoning conversions to address the 5
10 issues in R-18-29, meet the goals of IDO implementation, and further the goals
11 and policies in the Comp Plan; and

12 WHEREAS, Planning staff either confirmed the zoning conversion
13 requested by the property owner as appropriate or recommended a more
14 appropriate zoning conversion given the existing lawful use of the property
15 and the surrounding land use and zoning patterns; and

16 WHEREAS, the voluntary process established by R-18-29 necessarily
17 results in a phased conversion of various parcels on a citywide basis; and

18 WHEREAS, the City amended the Comp Plan in 2001 via R-01-343
19 (Enactment No. 171-2001) to identify Community Planning Areas and provide
20 goals and policies to protect and enhance distinct community identity in each
21 area; and

22 WHEREAS, the Comp Plan describes a Community Planning Area
23 assessment process to provide opportunities for community engagement and
24 analysis of each of the City's 12 Community Planning Areas every 5 years,
25 culminating in an update to the goals and policies in the Comp Plan, as
26 recommended by the assessments; and

27 WHEREAS, the IDO establishes a Community Planning Area assessment
28 process as the City's new process for long-range planning with communities,
29 intended to provide opportunities on a 5-year cycle to analyze and recommend
30 zoning and regulatory changes in specific geographic areas to better
31 implement the Comp Plan; and

32 WHEREAS, concerns about the resulting changes to zoning patterns from
33 Phase 2 zoning conversions can be addressed through Community Planning

1 Area assessments, which may result in recommendations to City Council for
2 future zoning actions for certain neighborhoods, districts, or corridors, as
3 appropriate; and

4 WHEREAS, on July 11, 2019, the EPC, in its advisory role on land use and
5 planning matters, recommended approval of this request (Project 2018-
6 001843, Case RZ-2019-00035).

7 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
8 ALBUQUERQUE:

9 Section 1. ZONING CONVERSION RULES. The City Council hereby adopts
10 zoning conversion rules for the properties in Batch 2 of the Phase 2 zoning
11 conversion process as listed in Exhibit X.

12 Section 2. OFFICIAL ZONING MAP. The City Planning Department shall
13 update the Official Zoning Map to reflect the adopted zoning conversion rules
14 for the Batch 2 properties in Exhibit X.

15 Section 3. SEVERABILITY. If any section, paragraph, sentence, clause,
16 word or phrase of this Ordinance is for any reason held to be invalid or
17 unenforceable by any court of competent jurisdiction, such decision shall not
18 affect the validity of the remaining provisions of this Ordinance. The Council
19 hereby declares that it would have passed this Ordinance and each section,
20 paragraph, sentence, clause, word or phrase thereof irrespective of any
21 provision being declared unconstitutional or otherwise invalid.

22 Section 4. EFFECTIVE DATE. This Ordinance shall take effect five days
23 after publication by title and general summary.

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

RULES FOR ZONING CONVERSION - BATCH 2 PROPERTIES
Organized by FORM ID

Form ID	Property Address	UPC	Legal Description	Owner Name	Development Area	Pre-IDO Zone	IDO Zone	Requested Zone	Recom-mended Zone	Criteria					Staff Notes
										1	2	3	4	5	
468	8427 Tierra Morena Pl NE	10200640253521314	LT 7-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT .1188 AC +/-	SCARPA PAUL J & MARIA L	CONSISTENCY	SU-2 / O-1 & R-T	MX-T	R-1	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
469	5117 Purcell Dr NE	102106134730511917	* 17 7 OSO GRANDE SUBE UNIT #2 CONT 0.096 AC	MARQUEZ DIANNA H	CONSISTENCY	SU-1 / PRD	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1A lot size, and many of the houses are built on the lot line, which is only allowed in the R-1A "flavor" of R-1, R-1A is an appropriate zone conversion.
470	13024 Sandia Point Rd NE	102306222035420740	LT 33 PLAT OF SUNSET RIDGE AT HIGH DESERT CONT 0.1754 AC	MELANCON DOLORES & NICHOLS	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is undeveloped and was formerly zoned R-D, so Criterion 4 applies. MX-T is a transitional zone that allows a mix of relatively low density and intensive uses that would be appropriate in this area, so that is an appropriate zoning conversion for this property.
471	Tracts 401, Land of Atirisco Grant Unit 7	101005652511340513	TR 401 UNIT 3 ATRISCO GRANT EXC NW/4Y POR TO R/WCCONT 9.9804 AC	HENRY SCOTT TRUSTEE HENRY RVT	CHANGE	R-D / R-1	PD	MX-T	MX-T	No	No	No	Yes	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1C is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1C development pattern.
472	5311 Cortaderia Pl NE	102306106446120619	LOT 27P-1 CORRECTED PLAT OF TIERRA DEL OSO SUBD AT HIGHT DESERT CONT 0.2692 AC M/L OR 11,727 SF M/L	GRAVEN JEAN	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1A	R-1C	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion 2). R-1A is an appropriate zoning conversion because this subdivision consists of a mix of detached single-family and duplex dwellings with a mix of lot sizes that reflected in the R-1A "flavor" of R-1.
473	13105 Sunrise Trail Pl	102306223346420627	LOT 18-B PLAT OF LOTS 18-A & 18-B CHACO RIDGE ATHIGH DESERT CONT .2171 AC	AGUILAR FERNANDO & KATHRYN R	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1A lot size, and many of the houses are built on the lot line, which is only allowed in the R-1A "flavor" of R-1, R-1A is an appropriate zone conversion.
474	10417 Camino del Oso NE	102106134126540461	*73 4 OF UNIT 6 OSO GRANDE SUBDIVISION CONT .1459 AC MORE OR LESS	MEYER MICHAEL JOSEPH & DENISE DIETRICH MEYER TRUSTEES MEYER FAMILY TRUST	CONSISTENCY	SU-1 / PRD	R-T	R-1A	R-1A	No	Yes	No	No	No	

RULES FOR ZONING CONVERSION - BATCH 2 PROPERTIES
Organized by FORM ID

Form ID	Property Address	UPC	Legal Description	Owner Name	Development Area	Pre-IDO Zone	IDO Zone	Requested Zone	Recommended Zone	Criteria 1	Criteria 2	Criteria 3	Criteria 4	Criteria 5	Staff Notes
823	11028 Cochiti Rd SE	102105626943210322	010E CENTRAL BUS ADD LTS 5 6 X 7	BOOHER RAYMOND R	CONSISTENCY	SU-2 / C-3	MX-H	R-MC	R-MC	Yes	No	No	No	No	This property contains a mobile home park that was established legally but is not allowed in the MX-H zone, so it is nonconforming. RM-C is the only zone in the IDO that allows mobile home parks, so that is an appropriate zoning conversion.
824	8505 Tierra Morena Pl NE	102006403633521312	LT 9-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT .1188 AC +/-	WRAY STEPHEN M	CONSISTENCY	SU-2 / O-1 & R-T	MX-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
825	5919 Silver Leaf Trail NE	102306202913830391	LT 68 BLK A PLAT OF THE TRILLIUM AT HIGH DESERT UNIT THREECONT 12,107 SF	WEST MICHAEL & KATERI TRUSTEES WEST REV FAMILY TRUST	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1A	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
826	7592 Keystone Dr NE	101906332326043209	LOT 1 KEYSTONE PARK ADDITION REPLAT OF LOTS 1-4 & 29-32 TRACT A UNIT A NORTH ALBUQUERQUE ACRES CONT 4548 SQ FT M/L	REEVES ROBIN L	CONSISTENCY	SU-1 / PRD	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1A lot size, and many of the houses are built on the lot line, which is only allowed in the R-1A flavor of R-1, R-1A is an appropriate zone conversion.
827	5013 Edwards Dr NE	102106142330510836	* 8 12 OSO GRANDE SUBRN UNIT 8 CONT 5,850 SQ FT	STRAIGHT CHRISTINA & STANLEY	CONSISTENCY	SU-1 / PRD	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
828	12604 Desert Marigold Lane NE	102306205720530335	LT 31 BLK A PLAT OF THE TRILLIUM AT HIGH DESERT UNIT 1 CONT 0.1210 AC M/L OR 5,271 SF M/L	VELASQUEZ BILL	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1B lot size, R-1B is an appropriate zone conversion.
829	8604 New Hampton Rd NE	102006109540120127	LT 18 BLK 1 CORRECTED PLAT OF LAMPLIGHTER ESTATES CONT 0.1645 AC M/L OR 7,166 SQ FT M/L	STAMM DAVID K & EDITH M TRUSTEES STAMM RYLT	CONSISTENCY	R-2	R-M/L	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1B lot size, R-1B is an appropriate zone conversion.
830	5609 Fulcon Ct NE	102006107744820135	LT 26 BLK 1 CORRECTED PLAT OF LAMPLIGHTER ESTATES CONT 0.2690 AC M/L OR 11,718 SQ FT M/L	NAGY PETER	CONSISTENCY	R-2	R-M/L	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1B lot size, R-1B is an appropriate zone conversion.

RULES FOR ZONING CONVERSION - BATCH 2 PROPERTIES
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										1	2	3	4	5	
901 A	1006 19th St NW	1013059321077318278 1	(IMPROVEMENT ONLY) LT 10-B PLAT OF LOTS 10-A THRU 10-E & LOTS 11-A THRU 11-F ARBOLEERA DE VIDA (BEING A REPLAT OF LOTS 10 & 11 ARBOLEERA DE VIDA)	SEGURA LAURIE A	CONSISTENCY	S-DR	R-ML	R-T	R-T	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because this area contains a mix of single-family detached, duplex, and townhouse uses, R-T is an appropriate zoning conversion. This property is part of the Sawmill Community Land Trust, so this conversion includes both the land parcel owned by the trust and the building owned by the property owner.
901 B	1006 19th St NW	1013059321077318278 1	(LAND ONLY) LT 10-B PLAT OF LOTS 10-A THRU 10-E & LOTS 11-ATHRU 11-F ARBOLEERA DE VIDA (BEING A REPLAT OF LOTS 10 & 11ARBOLEERA DE VIDA) CONT .0999 AC	SAWMILL COMMUNITY LAND GRANT	CONSISTENCY	S-DR	R-ML	R-T	R-T	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because this area contains a mix of single-family detached, duplex, and townhouse uses, R-T is an appropriate zoning conversion. This property is part of the Sawmill Community Land Trust, so this conversion includes both the land parcel owned by the trust and the building owned by the property owner.
902	828 Truman St NE	101705850618342414	* 008 009PUEBLO ALTO	TAYLOR PETER & LAMOTHE MARY KATE	CONSISTENCY	R-3	R-MH	R-T	R-T	Yes	No	No	No	No	The single-family dwelling on this property is nonconforming in the R-MH zone district. (Criterion #1 applies). R-T is an appropriate zoning conversion because it provides a transition from the surrounding R-MH and MX-1 and the R-1 neighborhood to the west.
903	6000 Wildflower Trail NE	102306207514031065	LT 8-A BLK C PLAT OF LTS 5-A THRU 14-A BLOCK CTHE TRILLIUM AT HIGH DESERT UNIT THREECONT 0.1658 AC	WHITTMAN ELLEN B	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1A	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
904	100 La Plata Rd NW	101506125540320288	*20 FOREST ACRES ADDITION	STEVENS CECILIA	CONSISTENCY	R-2	R-ML	R-1	R-1B	No	Yes	No	No	No	This property qualifies for a voluntary downzone (Criterion #2). R-1B is an appropriate zoning conversion for this single-family home because of the lot size pattern of nearby properties.
905	13508 Embudito View Ct NE	102306144428510148	LT 39 UNIT 2 PLAT OF UNIT 2 - WILDERNESS SUBDIVISION ANDUUNIT 3 - WILDERNESS SUBDIVISION AT HIGH DESERT A REPLATOF TRACT 13-B HIGH DESERT CONT .1837 AC	DUBOIS GEORGE A TRUSTEE LUTZ RVT	CONSISTENCY	SU-2 / HD/R-R	PD	R-1A	R-1C	No	No	No	No	Yes	The lots in this subdivision are zoned PD and less than 2 acres, so Criterion 5 applies. R-1C is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1C development pattern.
906	8500 Tierra Moreno Pl NE	102006403032121304	LT 17 -P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT .1188 AC +/-	ZHANG LUZHENG & HUA WANG	CONSISTENCY	SU-2 / O-1 & R-T	MX-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.

RULES FOR ZONING CONVERSION - BATCH 2 PROPERTIES
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Form ID	Property Address	UPC	Legal Description	Owner Name	Development Area	Pre-IDO Zone	IDO Zone	Requested Zone	Recom-mended Zone	Criteria	Staff Notes				
										1	2	3	4	5	
907	12616 Desert Marigold Ln NE	102306207120830332	LT 34 BLK A PLAT OF THE TRILLIUM AT HIGH DESERT UNIT 1 CONTO.1205 AC M/L OR 5,250 SF M/L	SCHIFANI WILLIAM G	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
908	8504 Tierra Morena Pl NE	102006403632121305	LT 16-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT .1188 AC +/-	JONES LEWIS E & NANCY L	CONSISTENCY	SU-2 / O-1 & R-T	MX-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
909	9200 Camino Viejo NW	101306412241621438	LT 1-P1 BLK 3 PLAT OF VISTA MONTECITO SUBD CONT 0.1508 AC M/L OR 6,569 SQ FT M/L	MITCHELL BRENDA NOWLIN TRUSTEE MITCHELL TRUST	CONSISTENCY	SU-1 / C-2 & R-2 USES	MX-M	R-T	R-T	Yes	Yes	No	No	No	The duplex on this property is nonconforming in the MX-M zone district. (Criterion #1 applies). R-T is an appropriate zoning conversion given the mix of single family detached dwellings, duplexes, and townhomes in this subdivision.
910	9208 Camino Viejo NW	101306412242321440	LT 3-P1 BLK 3 PLAT OF VISTA MONTECITO SUBD CONT 0.1326 AC M/L OR 5,776 SQ FT M/L	HUFF DEANNA M TRUSTEE HUFF LVT	CONSISTENCY	SU-1 / C-2 & R-2 USES	MX-M	R-1	R-1A	Yes	Yes	No	No	No	The duplex on this property is nonconforming in the MX-M zone district. (Criterion #1 applies). R-1A is an appropriate zoning conversion because duplexes are allowed in R-1A as long as each unit is on a separate lot, which is the case for this duplex.
911	13205 Jo Ln NE	102306229843021124	LOT 90A P1 PLAT OF LOTS 83A THRU 90A CHACO RIDGE AT HIGHDESERT A REPLAT OF LOTS 83 THRU 90 CHACO RIDGE AT HIGHDESERT CONT .1467 AC	ADAMS ROBERT M & JENNY M TRUSTEES ADAMS FAMILY RVJ	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1A is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1A development pattern.
912	8516 Tierra Morena Pl NE	102006405432421308	LT 13-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT .1285 AC +/-	CASWELL LARRY D JR & ERIN E	CONSISTENCY	SU-2 / O-1 & R-T	MX-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
913	10617 Casador del Oso NE	102106141132710201	*22.6 OSO GRANDE SUB'N UNIT 3 CONT 4,400 SQ FT	VETTER LARRY G	CONSISTENCY	SU-1 / PRD	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1A lot size, and many of the houses are built on the lot line, which is only allowed in the R-1A "flavor" of R-1, R-1A is an appropriate zone conversion.

RULES FOR ZONING CONVERSION - BATCH 2 PROPERTIES
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Form ID	Property Address	UPC	Legal Description	Owner Name	Development Area	Pre-IDO Zone	IDO Zone	Requested Zone	Recommended Zone	Criteria 1	Criteria 2	Criteria 3	Criteria 4	Criteria 5	Staff Notes
914	6000 Silver Leaf Trail NE	102306204914030971	LT 7 BLK E PLAT OF THE TRILLIUM AT HIGH DESERT UNIT THREECONT 7,615 SF	BRAINARD JOHN P & HERTHA A	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1A	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
915	10305 Oso Grande Rd NE	102106125133011308	* 7 1 OSO GRANDE SUBD UNIT #1 CONT 0.116 AC	GARSOW JAMES	CONSISTENCY	SU-1 / PRD	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1A lot size, and many of the houses are built on the lot line, which is only allowed in the R-1A "flavor" of R-1, R-1A is an appropriate zone conversion.
916	6031 Silver Leaf Trail NE	102306203217330302	LT 62 BLK A PLAT OF THE TRILLIUM AT HIGH DESERT UNIT 1 CONTO.1946 AC M/L OR 8,479 SF M/L	DREBING GEORGE & DREBING CARMEN TRUSTEES DREBING LVT	CONSISTENCY	SU-2 / HD/R-T	R-T	R-1	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
917	8401 Tierra Morena Pl NE	102006400132021320	LT 1-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT .1282 AC +/-	TRAN TYRONE C & QUACH ANH N	CONSISTENCY	SU-2 / O-1 & R T	MX-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
918	8423 Tierra Morena Pl NE	102006402033521315	LT 6-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT .1188 AC +/-	BLAND JEFFREY J & OLIVIA	CONSISTENCY	SU-2 / O-1 & R T	MX-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1A lot size, and many of the houses are built on the lot line, which is only allowed in the R-1A "flavor" of R-1, R-1A is an appropriate zone conversion.
919	10428 Casador del Oso NE	102106134828540434	*23 4 OSO GRANDE SUBD UNIT 4 CONT 0.101 AC	NEUMANN BONNIE M	CONSISTENCY	SU-1 / PRD	R-T	R-1A	R-1A	No	Yes	No	No	No	The single-family dwelling on this property is legally nonconforming in the MX-L zone, so it is eligible for a zoning conversion. R-1A is an appropriate zoning conversion given the size of the lots in this neighborhood and because of the mix of single-family detached and duplexes, which are allowed in R-1A as long as they are on separate lots.
920	6315 Greyleaf Trl NE	1023062265533710214	LOT 38 P-1 PLAT OF THE ENCLAVE AT HIGH DESERT A REPLAT OF TRACT 8C HIGH DESERT CONT .1084 AC	TISCHLER HOWARD M & DEBORAH ANN TRUSTEES TISCHLER RVT	CONSISTENCY	SU-2 / HD/C-1	MX-L	R-1A	R-1A	Yes	Yes	No	No	No	

RULES FOR ZONING CONVERSION - BATCH 2 PROPERTIES
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Form ID	Property Address	UPC	Legal Description	Owner Name	Development Area	Pre-IDO Zone	IDO Zone	Requested Zone	Recommended Zone	Criteria					Staff Notes
										1	2	3	4	5	
989	4623 Miramar Dr NW	101306407944321455	LT 3A-P1 BLK 6 PLAT OF LOT 1A-P1, BLOCK 1 LOT 3A-P1 BLOCK 68 TRACTS A-1-A & C-1-A VISTA MONTECITO SUBDIVISIONCONT 1.855 AC	DEWALT DAVID E JR & YVONNE M	CONSISTENCY	SU-1 / C-2 & R-2 USES	MX-M	R-1	R-1B	Yes	Yes	No	No	No	The single-family dwellings in this neighborhood are nonconforming in the MX-M zone district. R-1B is an appropriate zoning conversion because it allows single-family dwellings and is consistent with the lot sizes in this subdivision.
990	5219 Noreen Dr NE	102106137135512037	LT 101A BLK 4 PLAT OF LTS 97A-104A BLK 4 LTS 1A-7A BLK 5 LTS1A-10A BLK 6 OSO GRANDE SUBD UNIT 3 CONT 4,514.46 SQ FT M/L	JONES KRISTY D	CONSISTENCY	SU-1 / PRD	R-T	R-1	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1A lot size, and many of the houses are built on the lot line, which is only allowed in the R-1A 'flavor' of R-1, R-1A is an appropriate zone conversion.
991	9200 Miramar Ln NW	101306413740621431	LT 2-P1 BLK 2 PLAT OF VISTA MONTECITO SUBD CONT 0.1681 AC M/L OR 7,322 SQ FT M/L	JOHNSON TAMMY J	CONSISTENCY	SU-1 / C-2 & R-2 USES	MX-M	R-1	R-T	No	Yes	No	No	No	This property qualifies for the zoning conversion process as a voluntary downzone (Criterion 2). This is a neighborhood of mixed low-density residential housing types - single-family detached, duplexes, and townhouses. R-T is an appropriate zoning conversion because it is a downzone to better reflect the uses and allows the townhouse use.
992	345 Granite NE	101405851920944212	LOT 1 PLAT OF LOTS 1, 2 & 3 EDITH/GRANITE ADDITIONCONT 1.1089 AC	PRICE DIANA M	CONSISTENCY	SU-2 / NRC	MX-L	R-1B	R-1A	Yes	Yes	No	No	No	This property contains one single-family dwelling that is nonconforming in the MX-L zone district. The parcel is less than 5,000 square feet, so R-1A is an appropriate zoning conversion.
993	8405 Tierra Morena Pl NE	102006400132521319	LT 2-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT 1.291 AC +/-	MEYER MARK A & LOIS	CONSISTENCY	SU-2 / O-1 & R-T	MX-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.
994	4930 Casa del Oso NE	102106128422340407	*50.4 OSO GRANDE SUBD UNIT 5 CONT 0.169 AC	WOYAK DAWN C & GENE	CONSISTENCY	SU-1 / PRD	R-T	R-1A	R-1A	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone. Because the majority of properties in this neighborhood match the R-1A lot size, and many of the houses are built on the lot line, which is only allowed in the R-1A 'flavor' of R-1, R-1A is an appropriate zone conversion.
995	8501 Tierra Morena Pl NE	102006403133521313	LT 8-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT 1.188 AC +/-	GREGGOS GARY	CONSISTENCY	SU-2 / O-1 & R-T	MX-T	R-1B	R-1B	No	Yes	No	No	No	This property is eligible for a zoning conversion as a voluntary downzone (Criterion #2). R-1B is an appropriate zone conversion because this subdivision consists of all detached single-family dwellings and the lot sizes are consistent with the R-1B development pattern.

14. FINAL ACTIONS

- a. O-19-79 Adopting Zoning Conversion Rules For Properties In Batch 2 Of The Phase 2 Zoning Conversion Effort As Directed By City Council Resolution 18-29 And Updating The Official Zoning Map (Benton and Jones, by request)
- A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 1. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Jones, and Harris
- Excused:** 1 - Gibson
- A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 2. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Jones, and Harris
- Excused:** 1 - Gibson
- A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 3. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Jones, and Harris
- Excused:** 1 - Gibson
- A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 4. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Jones, and Harris
- Excused:** 1 - Gibson
- A motion was made by Councilor Jones that this matter be Passed as Amended. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Jones, and Harris
- Excused:** 1 - Gibson
- b. O-19-86 Amending Chapter 13 Of The Revised Ordinances Of Albuquerque To Add A New Section Requiring Persons Owning Or Managing A Place Of Public Accommodations To Activate Closed Captioning On Television Receivers (Borrego, Peña)
- A motion was made by Vice-President Borrego that this matter be Passed. The motion carried by the following vote:**
- For:** 7 - Peña, Borrego, Sanchez, Benton, Winter, Davis, and Jones
- Excused:** 2 - Gibson, and Harris



From: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>
Sent: Monday, May 14, 2018 11:13 AM
To: pj.scarpa@comcast.net
Subject: IDO Zoning

Hello Marialuz,

Thanks for checking your property and contacting us. The property you mention has been converted from SU-1 for O-1 and R-T to MX-T. The IDO proposes to convert permissive uses of existing zones to the closest matching IDO zone.

We have noted this property to be considered during the follow up zone change process. We will be in touch after the IDO becomes effective to provide more information about this process. For more information, see the project website: <https://abc-zone.com/post-ido-voluntary-zone-conversion-process>

Thanks for your understanding,

Carrie

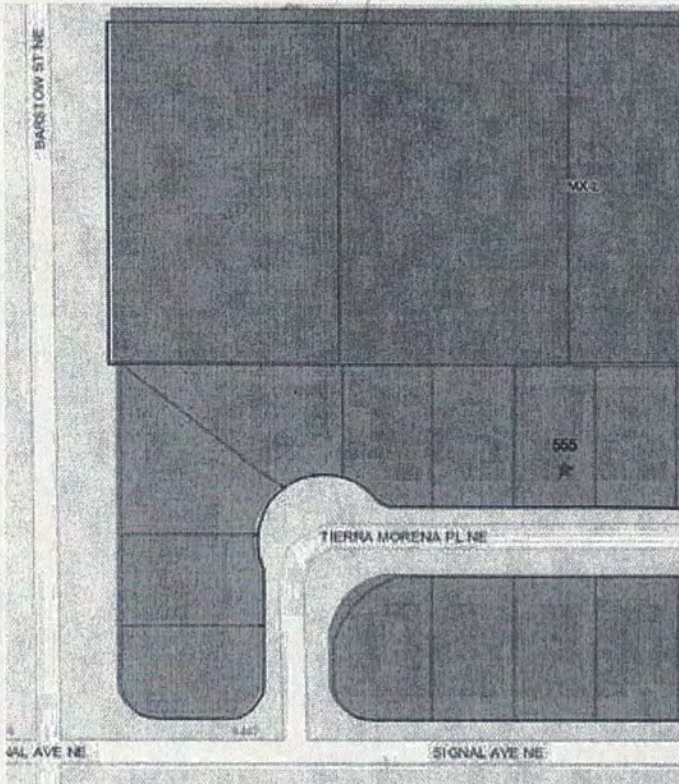
*Carrie Barkhurst, MCRP
Urban Design & Development/Long Range
City of Albuquerque Planning Department
Direct line 505-924-3879
kcbarkhurst@cabq.gov*

<http://www.abc-zone.com/>

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Sent: Monday, May 14, 2018 11:13 AM
To: pj.scarpa@comcast.net
Subject: IDO Zoning

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Thanks for your understanding,

Carrie

Carrie Barkhurst, MCRP
Urban Design & Development/Long Range
City of Albuquerque Planning Department
Direct line 505-924-3879
kcbarkhurst@cabq.gov





Tim Keller, Mayor



November 5, 2018

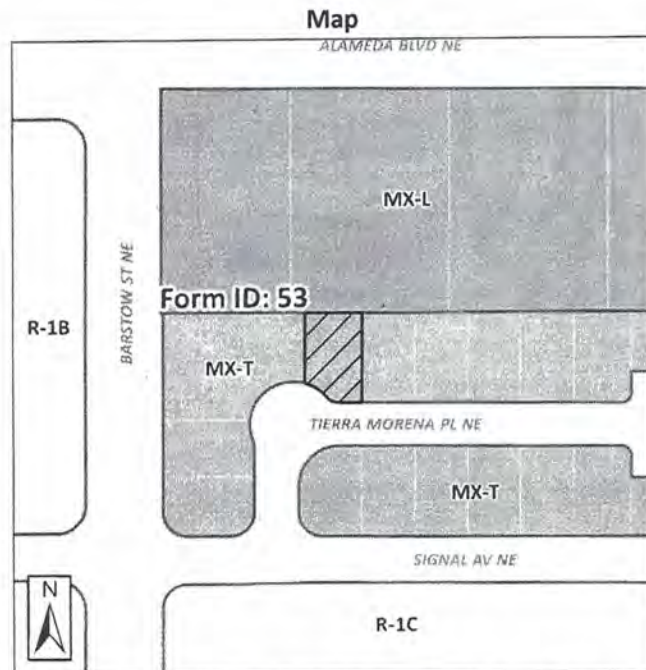
Dear property owner,

The Planning Department has received the Request and Agreement Form for a voluntary zoning conversion for the property indicated in the table below. This process was authorized by City Council through Resolution 18-29 directing the Planning Department to create a process for property owners to opt in to a one-year, voluntary zone conversion process at no cost to the property owner.

The table below provides an overview of the requested conversion and Planning staff recommendations. See map on the next page to confirm the area recommended for conversion (the subject property).

Zoning Conversion Request	
Form ID (for your reference)	53
Applicant Name	Juanita Duran
Subject Property Address	8419 Tierra Morena Pl NE
Zip Code	87122
Owner Name*	DURAN JUANITA C
Owner Address*	8419 TIERRA MORENA PL NE ALBUQUERQUE NM 87122
Legal Description*	LT 5-P1 CORRECTION PLAT OF TIERRA MORENA SUBDIVISIONCONT .1215 AC +/-
UPC Code*	102006401433521316
Current Zoning**	MX-T
Requested Zoning	R-1B
* From 2018 Bernalillo County Assessor records	
** From the City of Albuquerque Official Zoning Map	
Staff Recommendation	
Recommended Zone District	R-1B
Criteria 1 – Nonconforming Use	No
Criteria 2 – Voluntary Downzone	Yes
Criteria 3 – Floating Zone Line	No
Criteria 4 – Prior Special Use Zoning	No
Criteria 5 – Size Thresholds	No
Notes	This property is eligible for a zoning conversion as a voluntary downzone. R-1B is an appropriate zone conversion for this property.





The subject property is indicated with hatching.

The recommended zoning conversion described above will be included in the follow-up zoning conversion process. It will be submitted as a group with other properties that also qualify for this process. The application is anticipated to be submitted by November 29, for an EPC Hearing on January 10, 2019. You are not required to attend the hearing, but you are welcome to send in written comments and/or attend the hearing to observe or give verbal comments. EPC Hearings start at 8:30 am and are held in the Basement Hearing Room in the Plaza del Sol building, 600 2nd St. NW. More information about the agenda will be sent out in our email newsletter, or you can find it on the City webpage: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>.

If you included an email address in your request, it has been added to our email list. You will receive periodic project update email newsletters at that address. Those updates will also be posted on the ABC-Z project webpage. If you would like to add or change your email address in our records, please contact us using any of the methods described below.

If you would like to talk to Planning Staff about the recommended conversion, if you have any concerns about the information in this letter or the map, or if you would like to opt out of this process, please email abctoz@cabq.gov, visit the project website www.abc-zone.com, or phone the Planning Department at (505) 924-3860 and ask to speak to someone on the ABC-Z Planning Team.

Sincerely,

Long Range Planning Staff, City of Albuquerque

Email: abctoz@cabq.gov

Phone: 505-924-3860

Web: www.abc-zone.com

CC:

DURAN JUANITA C, 8419 TIERRA MORENA PL NE ALBUQUERQUE NM 87122

Juanita Duran, 8512 Tierra Morena PI NE Albuquerque, 87122

Juanita Duran, jcduran1@comcast.net



53 REC'D 10/26/18

Phase II IDO Zoning Conversion – June 2018 through May 2019
Request and Agreement Form

City Council adopted Resolution 18-29 directing the Planning Department to provide a process for property owners to opt in to a follow-up, voluntary process for a legislative zoning conversion if their property meets any of the following criteria:

1. **Nonconforming Use:** The existing use on the property was allowed when the use began but is not allowed in the IDO zone district, and a zoning conversion could remedy the nonconformity by converting to an appropriate zone that allows the use.
2. **Voluntary Downzone:** The property is in an Area of Consistency, and the zoning conversion would result in a voluntary downzone to a less intense zone (e.g. R-T to R-1) that allows the existing use and is compatible with the site and the area.
3. **Floating Zone Line:** The property has two or more zones on one lot, and the zoning conversion would result in selecting the most appropriate single zone to match platted lot lines.
4. **Prior Special Use Zoning:** The property was formerly zoned R-D or a Special Use zone (SU-1, SU-2, or SU-3) and is currently vacant, and the zoning conversion would result in a more appropriate IDO zone district for the site.
5. **Size Thresholds:** The property is zoned NR-BP but is less than 20 acres or the property is zoned PD but is less than 2 acres or greater than 20 acres (i.e. the property is nonconforming as to lot size), and the zoning conversion would result in a more appropriate IDO zone district that is compatible with the site and the area and meets size thresholds, if applicable.

Request

Owner's First Name: Juanita Owner's Last Name: Duran

Owner's Mailing Address (if different from the property below):

Street Address: 8512 Tierra Morena PI NE City: Albuquerque Zip Code: 87122

Owner's Phone: (404) 269-1753 Owner's Email: jcduan1@comcast.net

(If there are multiple owners of the property, please attach a list of all owners and their mailing and email addresses and provide signatures from each owner on separate copies of page 2 of this form.)

Agent (if any): _____

Agent's Phone: _____ Agent's Email: _____

Street Address for Property to Be Converted: 8419 Tierra Morena PI NE, Albuquerque NM

Zip Code: 87122

Legal Description / UPC Code (if known): _____

Current Zone: MX-T Requested Zone: R-1B

Zoning Conversion Criteria (list ALL the criteria numbers above that apply): R-1B Voluntary Downzone

Existing Land Use(s): Single Family Home



**Phase II IDO Zoning Conversion – June 2018 through May 2019
Request and Agreement Form**

Agreement

By signing below, you are acknowledging ALL of the following:

1. You are a legal owner of the property and have the authority to opt in to this zoning conversion process.
2. You are voluntarily opting in to the follow-up zoning conversion process specified in Resolution 18-29, and you accept the terms and procedures for this process. You understand that the City will submit your property as part of a package of requested zoning conversions if it meets the criteria in that resolution.
3. You understand that changing the zoning designation for your property will impact the allowable uses on the property.
4. You understand that this zoning conversion may impact the value of the property and that the City is not responsible for any change in value related to this zoning conversion.
5. You understand that the City will analyze the existing use(s), lot size, previous and current zoning, and surrounding zoning to evaluate the requested zoning conversion and that the City may recommend a conversion to a different zone that is more appropriate based on these factors.
6. You will receive mailed notice from the City confirming the requested zoning conversion or the recommendation for a different conversion, the criteria for zoning conversion, existing land use on the property, and the likely submittal date into the City's review and decision process. You will need to confirm receipt of the letter and your participation in the zoning conversion process within 10 business days by email or mail.
7. You understand that the requested zoning conversions will be reviewed by the Environmental Planning Commission and then the City Council's Land Use, Planning, and Zoning Committee, which will each make a recommendation to the City Council, and that the City Council will make the final decision.
8. You understand that each of these review and decision steps will include a public hearing, at which you and others can make comments, although your attendance is not required.
9. You understand that the City cannot guarantee the outcome of the review and decision process for this legislative zoning conversion.
10. You are aware that you have the right to seek counsel or hire an agent to use throughout the review and decision process.
11. You are aware that you can withdraw the property from this legislative zoning conversion process at any time before the City Council takes a final action.
12. You are aware that you can submit a Zoning Map Amendment for the property at any time through a separate, quasi-judicial process required by the Integrated Development Ordinance; including but not limited to, a full analysis of how the request meets the review and decision criteria in Subsection 6-7(F)(3) or 6-7(G)(3), as applicable.

Date: 10/26/2018

Property Owner Name (Please Print): Juanita C Duran

Property Owner Signature: Juanita C Duran

Digitally signed by Juanita C Duran
Date: 2018.10.26 11:34:58 -08'00'



Phase II IDO Zoning Conversion – June 2018 through May 2019
Request and Agreement Form

City Council adopted Resolution 18-29 directing the Planning Department to provide a process for property owners to opt in to a follow-up, voluntary process for a legislative zoning conversion if their property meets any of the following criteria:

- 1. Nonconforming Use: The existing use on the property was allowed when the use began but is not allowed in the IDO zone district, and a zoning conversion could remedy the nonconformity by converting to an appropriate zone that allows the use.
2. Voluntary Downzone: The property is in an Area of Consistency, and the zoning conversion would result in a voluntary downzone to a less intense zone (e.g. R-T to R-1) that allows the existing use and is compatible with the site and the area.
3. Floating Zone Line: The property has two or more zones on one lot, and the zoning conversion would result in selecting the most appropriate single zone to match platted lot lines.
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5. Size Thresholds: The property is zoned NR-BP but is less than 20 acres or the property is zoned PD but is less than 2 acres or greater than 20 acres (i.e. the property is nonconforming as to lot size), and the zoning conversion would result in a more appropriate IDO zone district that is compatible with the site and the area and meets size thresholds, if applicable.

Request

Owner's First Name: Stephen Owner's Last Name: Wray

Owner's Mailing Address (if different from the property below):

Street Address: City: Zip Code:

Owner's Phone: Owner's Email:

(If there are multiple owners of the property, please attach a list of all owners and their mailing and email addresses and provide signatures from each owner on separate copies of page 2 of this form.)

Agent (if any):

Agent's Phone: Agent's Email:

Street Address for Property to Be Converted: 8505 Tierra Morena Pl. NE

Zip Code: 87122

Legal Description / UPC Code (if known):

Current Zone: MX-T Requested Zone: R-1B

Zoning Conversion Criteria (list ALL the criteria numbers above that apply): 2

Existing Land Use(s): Residential, Single Family Detached





Phase II IDO Zoning Conversion – June 2018 through May 2019
Request and Agreement Form

Agreement

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6. You will receive mailed notice from the City confirming the requested zoning conversion or the recommendation for a different conversion, the criteria for zoning conversion, existing land use on the property, and the likely submittal date into the City’s review and decision process. You will need to confirm receipt of the letter and your participation in the zoning conversion process within 10 business days by email or mail.
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8. You understand that each of these review and decision steps will include a public hearing, at which you and others can make comments, although your attendance is not required.
9. You understand that the City cannot guarantee the outcome of the review and decision process for this legislative zoning conversion.
10. You are aware that you have the right to seek counsel or hire an agent to use throughout the review and decision process.
11. You are aware that you can withdraw the property from this legislative zoning conversion process at any time before the City Council takes a final action.
12. You are aware that you can submit a Zoning Map Amendment for the property at any time through a separate, quasi-judicial process required by the Integrated Development Ordinance, including but not limited to, a full analysis of how the request meets the review and decision criteria in Subsection 6-7(F)(3) or 6-7(G)(3), as applicable.

Date: 4/9/2019

Property Owner Name (Please Print): Stephen Wray

Property Owner Signature: Stephen Wray

Digitally signed by Stephen Wray
DN: cn=Stephen Wray, o, ou, email=swray6@comcast.net, c=US
Date: 2019.04.09 17:10:14 -06'00'

R-2019-035

**CITY OF ALBUQUERQUE
CITY COUNCIL**

INTEROFFICE MEMORANDUM

TO: Timothy M. Keller, Mayor

FROM: Stephanie M. Yara, Director of Council Services *SMY 9/23/19*

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. R-19-150 Adopting Interim Procedures For The Development Review Board Until The First Annual Update To The Integrated Development Ordinance Has Been Completed (Jones), which was passed at the Council meeting of May 20, 2019 by a vote of 9 FOR AND 0 AGAINST.

In accordance with the provisions of the City Charter, your action is respectfully requested.

SMY:mh
Attachment



**CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL**

COUNCIL BILL NO. R-19-150 ENACTMENT NO. R-2019-035

SPONSORED BY: Trudy E. Jones

1 RESOLUTION
2 ADOPTING INTERIM PROCEDURES FOR THE DEVELOPMENT REVIEW
3 BOARD UNTIL THE FIRST ANNUAL UPDATE TO THE INTEGRATED
4 DEVELOPMENT ORDINANCE HAS BEEN COMPLETED.

5 WHEREAS, the Development Review Board (DRB) is comprised of City
6 Staff with expertise in Planning, Engineering, Transportation, Zoning, Parks
7 and Recreation, and Water Utilities; and

8 WHEREAS, the DRB was created to offer efficient considerations of
9 technical standards, which would have otherwise required an applicant to
10 meet individually with the experts listed above; and

11 WHEREAS, the DRB's role is to consider if applications meet technical
12 standards set forth by adopted City documents; and

13 WHEREAS, the Integrated Development Ordinance (IDO) sets forth the DRB
14 as a discretionary board responsible for making some discretionary
15 approvals; and

16 WHEREAS, it is not practical for technical City Staff members to operate in
17 such a manner that prohibits them from communicating with members of the
18 public outside of a public hearing; and

19 WHEREAS, the interim procedures set forth in this resolution, which shall
20 be adopted into the IDO during the document's first annual update, clarify the
21 roles and responsibilities of the DRB.

22 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
23 ALBUQUERQUE:

24 Section 1. The interim guidelines for various processes and definitions in
25 the Integrated Development Ordinance as outlined in Exhibit A to this
26 resolution are hereby effective.

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1 Section 2. The Planning Department shall formally incorporate the changes
2 in Exhibit A as a part of the 2019 Integrated Development Ordinance annual
3 update process.

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1 PASSED AND ADOPTED THIS 20th DAY OF May, 2019
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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Klarissa J. Peña, President
City Council

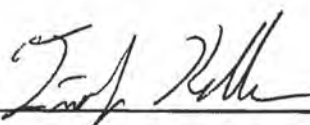
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14 APPROVED THIS 24 DAY OF May, 2019

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18 Bill No. R-19-150

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Timothy M. Keller, Mayor
City of Albuquerque

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27 ATTEST:

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Katy Duhigg, City Clerk

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Exhibit A to R-19-150

age	Section	Proposed Change	Explanation
219	5-4(F)(2)(a)	Replace "Variance" with "Waiver" and update cross reference to specific procedure.	Editorial change to track with proposed change to DRB - Variance.
221	5-4(I)(2)	Replace "Variance" with "Waiver" and update cross reference to specific procedure.	Editorial change to track with proposed change to DRB - Variance.
242	5-5(F)(2)(a) 2.b	Replace "Variance" with "Permit" and update the cross reference to the specific procedure accordingly.	All exceptions to standards in Section 5-5 are currently reviewed/decided by DRB as a Variance - DRB. This is proposed to change to be Waivers reviewed/decided by DRB at a public meeting. Carports have had additional review at public hearings prior to the IDO. This would return that review/decision to be closer to the pre-IDO process. See related item for changes to Table 6-1-1 and Subsection 6-6(L).
327	Table 6-1-1	Change requirement to hold public hearings to public meetings for the following DRB decisions: Subdivision of Land - Major, Preliminary Plat; Vacation of Easement or Right-of-way - DRB; and DRB - Variance. Update any references to public hearings related to DRB throughout the IDO accordingly.	DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. This change would return DRB processes closer to pre-IDO processes.
328	Table 6-1-1	Change the title of "Variance - DRB" to "Waiver - DRB" and realphabetize. Renumber related Specific Procedure accordingly. Replace all other references to Variance - DRB throughout the IDO accordingly. Rename "Wireless Telecommunications Facility Waiver" to "Waiver - Wireless Telecommunications Facility" for consistency. Replace all references to this procedure throughout the IDO accordingly.	DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. Exceptions to Sections 5-3 (Access and Connectivity), 5-4 (Subdivision of Land), and 5-5 (Parking and Loading) would be decided by DRB as a waiver, not as a variance, which is limited to exceptional lots per State statute. See related item for edits to Subsection 6-6(N). See related items for exceptions: Front yard parking and carports.
347	6-4(M)(1)	Remove DRB from list of decision-makers that have public hearings.	DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. See related item for proposed changes to Table 6-1-1.
349	6-4(M)(5)(e)	Remove reference to DRB in this list of decision-making bodies that hold public hearings.	DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. See related item for proposed changes to Table 6-1-1.

Exhibit A to R-19-150

Page	Section	Proposed Change	Explanation
350	6-4(O)(1)	<p>Replace text as follows: "For all other IDO standards, requests for exceptions beyond these thresholds will be reviewed and decided as Variances pursuant to the following: 6-4(O)(1)(b) Subsection 14-16-6-6(M) (Variance – EPC) for exceptions to all other IDO standards associated with a Site Plan – EPC or requiring a Variance - EPC. 6-4(O)(1)(c) Subsection 14-16-6-6(N) (Variance – ZHE) for exceptions to all other IDO standards associated with a Site Plan – Administrative or Site Plan – DRB."</p>	<p>Editorial change to track with proposed change to DRB - Variance.</p>
351	6-4(O)(1) [new]	<p>Add a new subsection as follows: "For standards in the following subsections, requests for deviations beyond these thresholds or to standards not included in Table 6-4-2 will be reviewed and decided as Waivers pursuant to the following: 6-4(O)(1)(a) Subsection 14-16-6-6(new) (Waiver – DRB) for deviations from standards in Section 14-16-5-3 (Access and Connectivity), Section 14-16-5-4 (Subdivision of Land), Section 14-16-5-5 (Parking and Loading) except for the following standards: 1. Standards in Subsection 5-5(F)(2)(a)2, which require a Permit - Carport in Front or Side Setbacks pursuant to Subsection 6-6[new]. 2. Standards related to front yard parking in Subsection 5-5(F)(2)(a), Subsection 5-5(F)(1)(a)6, and Table 5-5-6 , which require a Variance - ZHE pursuant to Subsection 14-16-6-6(N). 6-4(O)(1)(b) Subsection 14-16-6-6(O) (Wireless Telecommunications Facility Waiver) for deviations from standards applicable to the erection or installation of a Wireless Telecommunications Facility (WTF) under this IDO."</p>	<p>Adjusts the language for the proposed change that exceptions to Sections 5-3 (Access and Connectivity), 5-4 (Subdivision of Land), and 5-5 (Parking and Loading) would be decided by DRB as a waiver, similar to the way deviations to WTF standards are reviewed and decided by EPC instead of ZHE. Explains that carports in front/side setbacks need a Permit decided by ZHE. Adds reference to WTF Waivers. See related items for changes to carports and front yard parking.</p>
356	Table 6-4-3	<p>Change Variance - DRB to Waiver - DRB and realphabetize accordingly.</p>	<p>Editorial change to track with proposed change to DRB - Variance.</p>
362	Table 6-4-4	<p>Replace "Variance" with "Waiver" and realphabetize accordingly.</p>	<p>Editorial change based on edits to DRB - Variance.</p>

Exhibit A to R-19-150

Page	Section	Proposed Change	Explanation
365	6-4(X)(1)a	<p>Revise as follows and renumber subsequent subsections accordingly: "...If the applicant is requesting an amendment that would require a <u>Waiver or Variance</u> from any of these standards, a separate <u>request must be submitted</u> Variance must be requested per the relevant procedure, as follows: 1. Section 14-16-6-6(new) (Variance <u>Waiver</u> – DRB) for exceptions to any standards in Section 14-16-5-4 (Subdivision of Land), Section 14-16-5-3 (Access and Connectivity), Section 14-16-5-5 (Parking and Loading) <u>except the following</u>: a. Standards in Subsection 5-5(F)(2)(a)2, which require a Permit - <u>Carport in Front or Side Setback pursuant to Subsection 6-6[new]</u>. b. Standards related to front yard parking in Subsection 5-5(F)(2)(a), Subsection 5-5(F)(1)(a)6, and Table 5-5-6, which <u>require a Variance - ZHE pursuant to Subsection 14-16-6-6(N)</u>. 2. Section 14-16-6-6(O) (<u>Waiver - Wireless Telecommunications Facility (WTF) for deviations from standards applicable to the erection or installation of a</u> <u>under this IDO</u>.</p>	Editorial change to track with proposed change to DRB - Variance.
380	6-5(G)(2)(e)	Replace "Variance" with "Waiver" and update cross reference to specific procedure and remove reference to the DPM.	
396	6-6(G)(2)(e)	<p>Replace text as follows: "The DRB may grant a Waiver pursuant to Subsection 6-6(new) as part of this approval." And remove reference to the DPM.</p>	Editorial change to track with proposed changes to DRB - Variance.
399	6-6(I)(2)(b)	Delete this section in its entirety as it relates to the DPM.	Editorial change to track with proposed changes to DRB - Variance.
401	6-6(J)(2)(a)2	Replace "Variance" with "Waiver" and update cross reference to specific procedure and remove reference to the DPM.	Editorial change to track with proposed changes to DRB - Variance.
402	6-6(J)(2)(c)2	Replace "Variance" with "Waiver" and update cross reference to specific procedure and remove reference to the DPM.	Editorial change to track with proposed changes to DRB - Variance.

Exhibit A to R-19-150

Page	Section	Proposed Change	Explanation
404	6-6(J)(3)(a)	<p>Revise as follows: "An application for a Preliminary Plat shall be approved if it meets all of the following criteria: 1. Is consistent with the ABC Comp Plan, as amended. 2. Complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property."</p>	<p>DRB is a staff board for technical reviews and cannot hold quasi-judicial hearings. Given the definition of public hearings, the DRB does not make decisions based on policy, since it is not a discretionary decision-making body. See related item for edits to Subsection 6-6(N) and Table 6-1-1.</p>
405	6-6(K)(2)(c)	<p>Replace "public hearing" with "public meeting."</p>	<p>Editorial change to track with proposed changes to Table 6-1-1.</p>
406	6-6(L)	<p>Change the name of Variance - DRB to Waiver - DRB throughout this subsection and the IDO and move and renumber this subsection accordingly. Replace "variance" with "deviation" or "waiver" as appropriate throughout this subsection. Replace "hearing" with "meeting" throughout this subsection. Delete subsection 6-6(L)(3)(a)(1), which is a hardship or exceptionality criterion only applicable to variances. Delete subsection 6-6(L)(3)(b) Sidewalk Variance, as this procedure is covered by the DPM. Move subsection 6-6(L)(3)(c) Front Yard Parking to subsection 6-6(N) so that ZHE reviews/decides. See Exhibit A-1 for mock-up of these changes.</p>	<p>DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. Deviations from standards in Sections 5-3 (Access and Connectivity), 5-4 (Subdivision of Land), and 5-5 (Parking and Loading) would be decided by DRB as a waiver, not as a variance, which is limited to exceptional lots (i.e. hardship criteria) per State statute. See related item for edits to Table 6-1-1 and Subsection 6-6(N). See related item for edits to Subsection 6-6(L)(3)(d).</p>
406	6-6(L)(3)(d)	<p>Move subsection 6-6(L)(2)(a)1 to the ZHE with the following sections Move subsection 6-6(L)(3)(d) Variance for a Carport in a Required Front or Side Setback to be a new decision in Table 6-1-1 with its own specific procedure so that ZHE reviews/decides. Change the name to "Permit - Carport in a Required Front or Side Setback." Notice = Mailed, Sign, Email, Web Replace reference to this procedure throughout the IDO accordingly.</p>	<p>All exceptions to standards in Section 5-5 are currently reviewed/decided by DRB as a Variance - DRB. This is proposed to change to be Waivers reviewed/decided by DRB at a public meeting. Carports have had additional review at public hearings prior to the IDO. This would return that review/decision to be closer to the pre-IDO process. See related change for Subsection 5-5(F)(2)(a)2.b.</p>
411	6-6(M)(3)(a)	<p>Revise so that VPO variances in Subsections b and c also have to meet general variance criteria.</p>	<p>State statutes define hardship/exceptionality criterion for variances. These VPO variances therefore need to meet that criterion in addition to specific criteria for each VPO.</p>

Exhibit A to R-19-150

Page	Section	Proposed Change	Explanation
412	6-6(N)(1)(a) 1	Delete this subsection and renumber subsequent subsection accordingly.	Editorial change to reflect edits proposed for DRB - Variance.
414	6-6(N)(3)(c)	Move this subsection to be a new decision in Table 6-1-1, still decided by ZHE. Revise name to "Permit - Wall or Fence - Major." Notice = Mailed, Sign, Email, Web Change name of "Wall or Fence Permit - Minor" to "Permit - Wall or Fence - Minor" for consistency. Replace references to these procedures throughout the IDO accordingly.	State statutes define hardship/exceptionality criterion for variances. Because these criteria are different, this must be a different type of decision, still decided by the ZHE following the same notice as is required for Expansions of a Nonconforming Use or Structure.
457	7-1	Deviation Replace text as follows: "An exception to <u>IDO</u> standards that can be granted by the relevant decision-making body within thresholds established by Table 6-4-2 or based on criteria for a waiver for standards related to wireless telecommunications facilities or standards in Section 14-16-5-3 (Access and Connectivity), 14-16-5-4 (Subdivision of Land), or 14-16-5-5 (Parking and Loading) pursuant to Subsection 6-6(new) (Waiver - DRB). See also Waiver."	Broadens the definition to include deviations that are reviewed and decided as waivers (standards related to Wireless Telecommunication Facilities, Access & Connectivity, Subdivisions, and Parking).
499	7-1	Variance Revise as follows: "Exceptions to dimensional standards or variations from the strict, literal application of standards in this IDO or the DPM . Variances from zoning standards are reviewed and decided by the ZHE or EPC, while Variances from technical standards in Section 14-16-5-3 (Access and Connectivity), Section 14-16-5-4 (Subdivision of Land), Section 14-16-5-5 (Parking and Loading), or any standard in the DPM or related to projects in public rights-of-way are decided by the DRB. The allowable use of premises may never be changed via a Variance."	Editorial change based on edits to DRB - Variance.
500	7-1	Waiver Add a new definition as follows: "A deviation beyond the thresholds established in Table 6-4-2 or from standards not included in Table 6-4-2. See also Deviation."	Waiver is a term used in the IDO for deviations from WTF standards beyond those allowed as an administrative deviation. The IDO does not define the term. This would add a definition that covers both Waiver - WTF as well as Waiver - DRB.

Exhibit A-1 to R-19-150

6-6(L) WAIVER – DRB

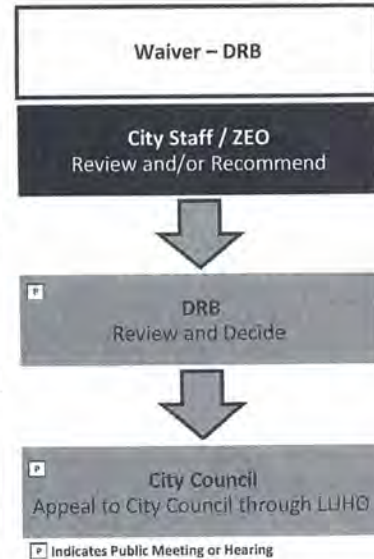
All applicable provisions of Section 14-16-6-4 (General Procedures) apply unless specifically modified by the provisions of this Subsection 14-16-6-6(L).

6-6(L)(1) Applicability

This Subsection 14-16-6-6(L) applies to application for a deviation from standards in Sections 14-16-5-3 (Access and Connectivity), 14-16-5-4 (Subdivision of Land), or 14-16-5-5 (Parking and Loading) beyond the thresholds established by Table 6-4-2 in Subsection 14-16-6-4(O), except the following:

6-6(L)(1)(a) Standards in Subsection 5-5(F)(2)(a)2, which require a Permit - Carport in Front or Side Setbacks pursuant to Subsection 6-6[new].

6-6(L)(1)(b) Standards related to front yard parking in Subsection 5-5(F)(2)(a), Subsection 5-5(F)(1)(a)6, and Table 5-5-6, which require a Variance - ZHE pursuant to Subsection 14-16-6-6(N).



6-6(L)(2) Procedure

6-6(L)(2)(a) General

1. The City Planning Department staff shall review the application and forward a recommendation to the DRB pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).
2. The DRB shall conduct a public meeting and make a decision on the application pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).
3. A Waiver – DRB may not be granted until after any necessary Conditional Use Approvals are obtained pursuant to Subsection 14-16-6-6(A).
4. A notice of any Variances, Waivers, or Deviations granted associated with a subdivision shall be placed on the final plat and on a separately recorded document, and any Variances, Waivers, or Deviations granted associated with a Site Plan shall be noted on the approved Site Plan.

6-6(L)(2)(b) Bulk Land Subdivision

Where a Waiver is requested based on a bulk land subdivision, all of the following procedures shall be followed in addition to the procedures in Subsection (a) above:

Exhibit A-1 to R-19-150

1. The use of the land for development and/or building purposes shall require review during the Subdivision or Site Plan approval process. Approval of a Waiver for a bulk land transfer does not indicate that land within that transfer complies with applicable Subdivision or Site Plan standards.
2. The plat shall reflect the applicant's agreement that building permits shall not be issued for any area where the Waivers apply before further subdivision and that recording of a final subdivision plat for the subject area has been completed.

6-6(L)(3) Review and Decision Criteria

An application for a Waiver – DRB shall be approved if it complies with the following criteria:

6-6(L)(3)(a) Any of the following applies:

1. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
2. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, state, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
3. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.
4. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

Exhibit A-1 to R-19-150

- 6-6(L)(3)(b)** The Waiver will not be materially contrary to the public safety, health, or welfare.
- 6-6(L)(3)(c)** The Waiver does not cause significant material adverse impacts on surrounding properties.
- 6-6(L)(3)(d)** The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.
- 6-6(L)(3)(e)** The Waiver will not conflict significantly with provisions of any city, county, or AMAFCA adopted plan, this IDO, or any other City code or ordinance.
- 6-6(L)(3)(f)** The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
- 6-6(L)(3)(g)** The Waiver will not materially undermine the intent and purpose of this IDO or the applicable zone district.
- 6-6(L)(3)(h)** The Waiver does not allow a lot or type of development that does not meet the applicable size, area, and development standards applicable in the zone district where the lot is located, unless a Deviation to such standards is within the thresholds established by Subsection 14-16-6-4(O) (Deviations) and is granted by the DRB as part of this approval.
- 6-6(L)(3)(i)** The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Section.

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

October 10, 2019

Group II U26 VC, LLC
& Volcano Cliffs, Inc.
8860 Desert Finch Lane NE
Albuquerque, NM 87109

Project #2019-002663
RZ-2019-00043 – Zone Map Amendment
(Zone Change)

LEGAL DESCRIPTION:

The above action for the northerly 436.01 feet of Lot 1, Block 2, Volcano Cliffs Unit 26 and Lot 1-A-1, Block 3, Volcano Cliffs Unit 26, zoned MX-L to MX-M, located at the southwestern corner and the southeastern corner of the intersection of Paseo del Norte Blvd. NW and Kimmick Dr. NW, containing approximately 16 acres. (C-11)
Staff Planner: Catalina Lehner (DEFERRED FROM SEPTEMBER 12, 2019 Hearing)

PO Box 1293

On October 10, 2019 the Environmental Planning Commission (EPC) voted to APPROVE Project 2019-002663, RZ-2019-00043, a Zone Map Amendment (Zone Change), based on the following findings:

FINDINGS:

1. The request is for a zone map amendment (zone change) for an approximately 16 acre site known as the northerly 436.01 feet of Lot 1, Block 2, and Lot 1A-1, Block 3, Volcano Cliffs Unit 26 (the "subject site"). The subject site is located at the southwestern corner and the southeastern corner of the intersection of Paseo del Norte Blvd. NW and Kimmick Dr. NW.
2. The subject site is not in an activity center designated by the Comprehensive Plan. The Volcano Heights Urban Center, one of the two designated urban centers in the City, is located north and west of the subject site.
3. The subject site is in an Area of Change. Paseo del Norte Blvd. NW is a designated Commuter Corridor with a Premium Transit Overlay. At this time, Premium Transit policies do not apply because no premium transit projects have identified station locations or have been funded in this location; only policies for the underlying corridor designation (Commuter Corridor) apply.
4. The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and located along a Commuter Corridor and adjacent to an urban center. The applicant is requesting the MX-M zone (Mixed

Albuquerque - Makin

EXHIBIT

16

OFFICIAL NOTICE OF DECISION

Project #2019-002263

October 10, 2019

Page 2 of 7

Use-Medium Intensity Zone) to facilitate future development of the subject site under a more intense zoning designation. The purpose of the MX-M zone is to provide a wide array of moderate-intensity retail, commercial, institutional, and moderate-density residential uses.

5. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is more than 330 feet from the Major Public Open Space and is outside the open space edges area. The IDO includes use-specific standards and development standards that address potential impacts to the Major Public Open Space in the area.
7. The IDO defines infill development as "an area of platted or unplatted land that includes no more than 20 acres of land and where at least 75 percent of the parcels adjacent to the proposed development have been developed and contain existing primary buildings". The request does not meet this definition because none of the lots adjacent to the subject site have developed.
8. The request generally furthers the following, applicable Comprehensive Plan Goal and policies regarding growth, as follows:
 - A. Goal 5.1-Centers and Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Policy 5.1.1- Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The request will capture regional growth along a designated Corridor and adjacent to an urban center and will not compete with the adjacent Urban Center. The subject site abuts a designated Commuter Corridor that is also a future Premium Transit Corridor, and a zone change that allows for more variety and intensity of uses along those Corridors will help fulfill the desire for regional growth and employment density in these areas. While the surrounding area is largely vacant, there is development farther away in all directions. Much of the vacant land is the designated Volcano Heights Urban Center, so promoting development that may lead to development of the adjacent Center is beneficial to the community.

- B. Policy 5.1.2-Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The request directs more intense growth to the subject site, which is located along a designated Corridor in an Area of Change. The request furthers this policy because changing the zoning for a portion of the property from MX-L to MX-M will allow for that more intense growth to occur while maintaining the appropriate density and scale of development within other nearby areas that are not along the Commuter Corridor and are considered Areas of Consistency.

OFFICIAL NOTICE OF DECISION

Project #2019-002263

October 10, 2019

Page 3 of 7

- C. Policy 5.1.12-Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

The request for a change from MX-L to MX-M will allow more intense, auto-oriented uses such as drive-through facilities and larger retail stores along Paseo del Norte, which is a designated Commuter Corridor with a posted speed limit of 35 miles per hour past the subject site. East of the subject site, below the escarpment, the speed limit is 45 miles per hour where the road cross section is more complete. In addition, the request considers the surrounding residential zoning and maintains the existing MX-L as a buffer to the lower-density residential/and uses developing to the south, as well as other residential lots and the Petroglyph National Monument approximately 785 feet to the east.

9. The request generally furthers the following Goal and policy with respect to Areas of Change:

Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request directs more intense growth to a site in an Area of Change adjacent to an Urban Center and Commuter Corridor. Allowing a greater variety of moderate intensity commercial uses and higher density housing will expand employment opportunities in the area and support the development of surrounding properties including the Urban Center, and support future higher-capacity transit service as desired along Paseo del Norte. In addition, the subject site is located adjacent to one of a limited number of truck freight routes in the northwest part of Albuquerque. The applicant has carefully considered the transitions and buffers to neighboring residential uses by leaving approximately 9.1 acres of property to the south and 6.42 acres to the east of the subject site with the existing MX-L zoning.

10. The request furthers the following, applicable Goal and policy with respect to complete communities:

Goal 5.2-Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

Policy 5.2.1- Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request will help "accommodate growth primarily in and around Centers connected by key Corridors" (Comprehensive Plan, p. 5-1). Development of the subject site with a shopping center and supportive uses would provide new opportunities for nearby residents to work,

OFFICIAL NOTICE OF DECISION

Project #2019-002263

October 10, 2019

Page 4 of 7

shop, and play closer to their homes and potentially by walking rather than driving. Additional development on nearby properties, where it is encouraged, with moderate intensity uses will contribute to quality of life of residents and commuters on Paseo del Norte Blvd. NW by providing additional goods and services conveniently accessible to neighborhoods.

11. The request furthers the following, applicable Goal and policy with respect to infrastructure:

- A. Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The request would support development of the site which, while in an area that is mostly undeveloped, has access to existing infrastructure including multiple-lane arterial roadways, storm drainage facilities, water and sewer, and other utilities unlike those properties located in the adjacent Urban Center. Development of the subject site will maximize use of infrastructure to support the public good and may help catalyze additional development in this area.

- B. Policy 7.6.2-Transportation Infrastructure: Match infrastructure capacity, design, and maintenance to the development context, expected land use intensities of abutting development, and all travel modes.

The request matches the proposed land use intensity to the abutting regional principal arterial and other more intense zoning categories along this Commuter Corridor. The City has made the expansion of Paseo del Norte Blvd. a high priority and changing the zoning of the subject site to MX-M will add complementary uses to the type of roadway planned to abut the subject site. Paseo del Norte Blvd. is a limited access roadway, so future development will coordinate auto access and circulation using Kimmick Dr., a future Collector street, and its signalized intersection with Paseo del Norte Blvd.

12. The applicant has justified the request pursuant to Integrated Development Ordinance (IDO) Section 6-7(F)(3)-Review and Decision Criteria for Zone Map Amendments, as follows:

- A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated that the request would further a preponderance of applicable Goals and policies.

- B. Criterion B: The subject site is located wholly in an Area of Change, so this criterion does not apply.

- C. Criterion C: A different zone district (MX-M) would generally be more advantageous to the community as a whole than the existing zoning (MX-L). The additional uses allowed by the MX-M zone may help facilitate development in the area, along a designated Commuter Corridor and adjacent to the Volcano Heights Urban Center, and would provide additional goods and services in close proximity to neighbors and commuters in this developing area.

OFFICIAL NOTICE OF DECISION

Project #2019-002263

October 10, 2019

Page 5 of 7

- D. Criterion D: The requested zone (MX-M) includes a greater variety of non-residential uses than the existing MX-L zone. In MX-L, only General Retail, Small is allowed. In MX-M, General Retail, Small and General Retail, Medium are allowed. General Retail, Large is a conditional use in MX-M.
- Other notable differences between the two zones are: bar, light vehicle fueling station, and light vehicle sales and rental, mortuary, pawn shop, and transit facility are conditional uses in MX-L but become permissive uses in MX-M. Hospital, catering service, and nightclub are not allowed in MX-L, but are permissive in MX-M. Liquor retail is an accessory use in MX-L and a permissive use in MX-M. A drive-through is a conditional use in MX-L and an accessory use in MX-M.
- The following uses, proposed to be permissive, are often considered harmful to adjacent property, the neighborhood, or the community: bar, light vehicle fueling station, light vehicle sales and rental, pawn shop, nightclub, liquor retail, and drive through. The distance separation between the subject site (Lot 1) and the nearest low-density residential use (R-1B zoned lots) is approximately 540 feet. This distance creates adequate separation to protect the low-density residential uses from harmful impacts. In addition, the IDO contains use-specific standards that further reduce the potential for harmful effects on adjacent property and the neighborhood.
- E. Criterion E: Infrastructure necessary for the subject site's development is in place, and infrastructure in the area continues to develop. The City Council passed legislation that prioritizes the intersection of Paseo del Norte and Unser Blvds., which is at the heart of the Volcano Heights Urban Center. Bill No. R-18-84 was enacted in November 2018 and includes roadway infrastructure in the City's capital implementation program (CIP).
- F. Criterion F: The subject site is located adjacent to Paseo del Norte Blvd. NW, a commuter corridor. The applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies, and is not relying on the subject site's location to justify the request.
- G. Criterion G: The applicant's justification is not based completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies.
- H. Criterion H: The request would not apply a zone district different from surrounding zone districts to one small area. The subject site is approximately 16 acres in size and does not constitute a strip of land along a street.
13. The affected neighborhood organizations are the Paradise Hills Civic Association and the Westside Coalition were required to be notified, which the applicant did. Property owners within 100 feet of the subject site were also notified, as required. Though the applicant's letter refers to the portion of Lot 1 north of the vacated ROW of Valiente Rd. NW, because there is no platted lot line, all of Lot 1 is required to be buffered for notification purposes. The corrected buffer resulted in three more parties required to be notified, which the applicant did more than 15 days before the public hearing, as required.

OFFICIAL NOTICE OF DECISION

Project #2019-002263

October 10, 2019

Page 6 of 7

14. A pre-application facilitated meeting was held on July 17, 2019, in which only three neighbors attended. Neighbors are opposed to the request and expressed several concerns that include consequences of the proposed zone change and overall effect on the area, range of uses that would be allowed, possibility of big box stores, increased building height affecting views, loss of character, and diminished property values. The applicant stated that the lots are not large enough for big-box stores and that the applicants are not developers, but want to sell the land.
15. Staff received letters of opposition from the Open Space Division and the National Park Service. The Open Space Division is concerned that the request may have adverse effects on the Major Public Open Space nearby and about future development near sensitive lands. The National Park Service is concerned that the request could have an adverse effect on the Petroglyph National Monument, and that the MX-M zone would allow additional uses that would be incompatible with the sensitivity of the cultural resources nearby. They prefer commercial development further from the monument to avoid such impacts. However, the distance between the proposed MX-M zone and the Major Public Open Space is approximately 560 feet to the south and 1,065 feet to the east; further away than other more intense or similar zoning is to Major Open Space on the north side of Paseo del Norte within the Volcano Heights Urban Center.
16. Three neighbors, who share the same concerns, submitted letters of opposition. They believe that many uses allowed under the MX-M designation are incompatible with the area's culturally sensitive nature and character protected by CPO-12. They believe that the existing zoning can provide for neighborhood-serving needs and that the zoning established by the IDO should not be readily discarded.
17. The National Park Service (NPS) has concerns about building height exceeding 35 feet and site lighting, which should be considered in the review of future site plan submittals. The applicant has expressed a willingness to work with the NPS to address such concerns.

CONDITION:

1. The zone map amendment shall not become effective until Lot 1, Block 2 is replatted and a lot line is created that corresponds to the proposed zone boundary, located at 436.01 feet south of the Paseo del Norte Blvd. NW right-of-way, and the plat is recorded.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **OCTOBER 25, 2019**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the IDO, Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time

OFFICIAL NOTICE OF DECISION

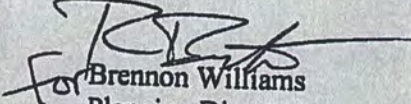
Project #2019-002263

October 10, 2019

Page 7 of 7

of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

Sincerely,


for Brennon Williams
Planning Director

BW/CL

cc: Group II U26 VC, LLC & Volcano Cliffs, Inc., 8860 Desert Finch Ln NE, ABQ, NM 87122
Consensus Planning, Inc., 302 Eight St. NW, ABQ, NM 87102
Westside Coalition of NAs, Rene Horvath, 5515 Palomino Dr. NW, ABQ, NM 87120
Westside Coalition of NAs, Harry Hendriksen, 10592 Rio Del Sol NW, ABQ, NM 87114
Paradise Hills Civic Association, Maria Warren 5020 Russell Dr. NW, ABQ, NM 87114
Paradise Hills Civic Association, Tom Anderson, 10013 Plunkett Dr., NW, ABQ, NM 87114
Bill Wright, 4112 Blue Ridge Pl., NE, ABQ, NM 87111
Modulus Architects, Attn: Angela Williamson, 100 Sun Ave. NE, Suite 305, ABQ, NM 87109
Sharon Stepler, 8220 Burdock St. NW, ABQ, NM 87120
Rene Horvath, ahorvath10@juno.com
Alan Varela, avarela@cabq.gov

Sent: Wednesday, June 12, 2019 3:45 PM
To: Planning PRT Team
Subject: Schedule PRT Monday, June 10, 2019

Here is the PRT scheduled for next week Monday, June 17, 2019.

11:00 P.M. Conditional Use		19-	
11:30 P.M. Conditional Use		19-	
1:00 P.M.	8400, 8450, 8474 Alameda NE	19-179	Area of Consistency
1:30 P.M.	1139 Marron Circle NE	19-180	Area of Consistency
2:00 P.M.	Universe and Paseo Del Norte	19-181	Area of Consistency
2:30 P.M.	7413 Holly Ave. NE	19-182	Area of Consistency
3:00 P.M.	Rosa Parks and Urraca	19-183	Area of Change CPO-12 – Volcano Mesa VPO-2 – Northwest Mesa Escarpment

Thank you,



GERALDINE DELGADO
senior office assistant
o 505.924.3860
e gdelgado@cabq.gov
cabq.gov/planning

Attachments:

19-179 - 8400, 8450, 8474 Alameda NE.pdf

3.2 MB



PRE-APPLICATION REVIEW TEAM (PRT) MEETING REQUEST

Pre-application Review Team (PRT) Meetings are available to help applicants identify and understand the allowable uses, development standards, and processes that pertain to their request. ***PRT Meetings are for informational purposes only; they are non-binding and do not constitute any type of approval.*** Any statements regarding zoning at a PRT Meeting are not certificates of zoning. The interpretation of specific uses allowed in any zone district is the responsibility of the Zoning Enforcement Officer (ZEO).
When you submit PRT notes to meet a Pre-application Meeting requirement in Table 6-1-1, you will be charged a \$50 PRT fee.

PA#: <u>19-179</u>	Received By: <u>G. Delgado</u> <small>Official Use only</small>	Date: <u>6.5.19</u>
APPOINTMENT DATE & TIME: <u>June 17, 2019 @ 1:00pm</u>		

Applicant Name: Dragonfly Development Phone#: (505) 764-9801 Email: cp@consensusplanning.com
Agent: Consensus Planning

PROJECT INFORMATION:

For the most accurate and comprehensive responses, please complete this request as fully as possible and submit any relevant information, including site plans, sketches, and previous approvals.

Size of Site: 3.4 acres Existing Zoning: MX-L Proposed Zoning: MX-L

Previous case number(s) for this site: _____

Applicable Overlays or Mapped Areas: La Cueva area sign regulations

Residential – Type and No. of Units: 93 apartments

Non-residential – Estimated building square footage: _____ No. of Employees: _____

Mixed-use – Project specifics: _____

LOCATION OF REQUEST:

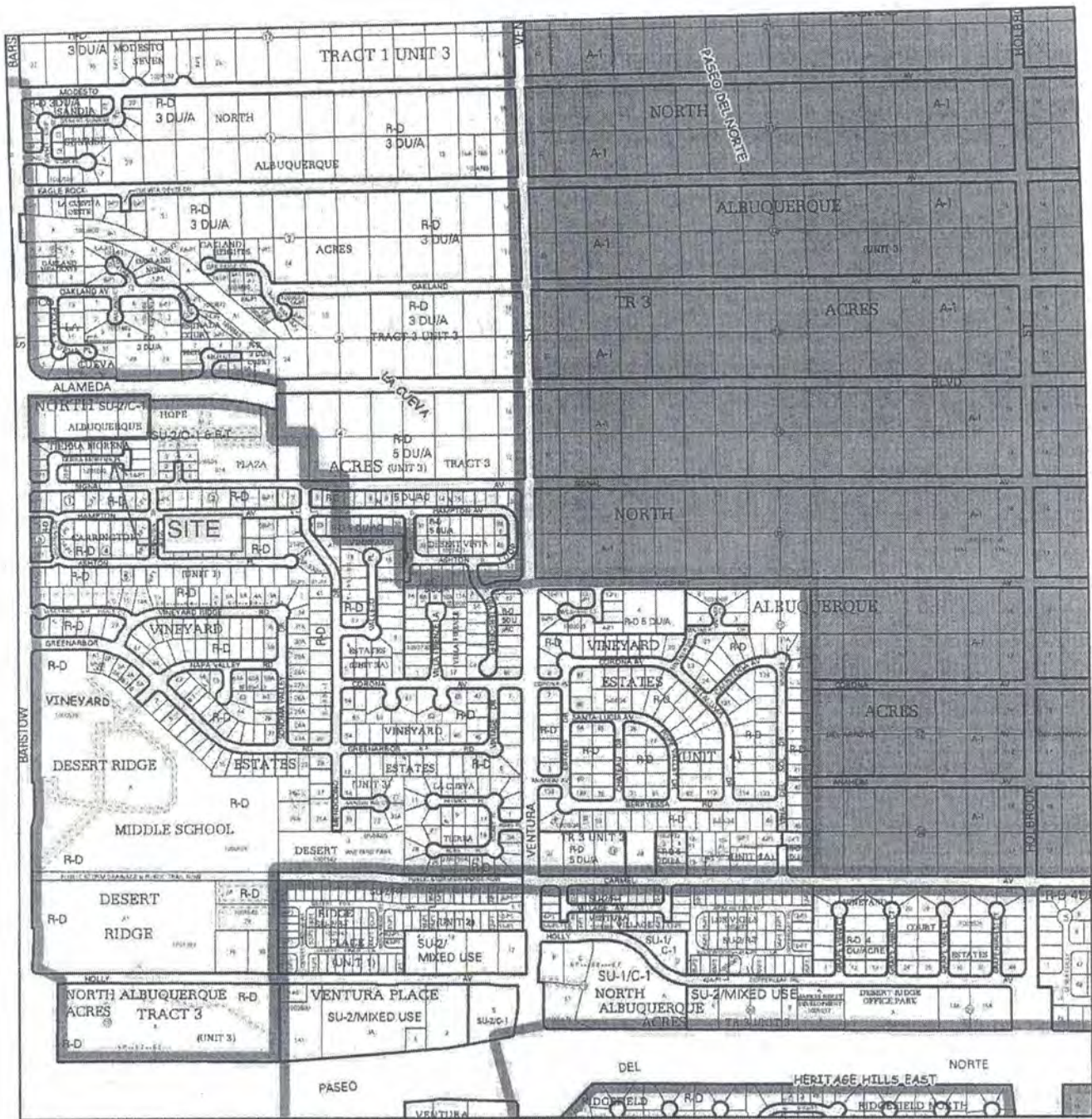
Physical Address: 8400, 8450, and 8474 Alameda NE Zone Atlas Page (Please identify subject site on the map and attach) C-20

BRIEFLY DESCRIBE YOUR REQUEST (What do you plan to develop on this site?)

Development of 93-unit apartment complex at the southeast corner of Alameda and Barstow NE.

QUESTIONS OR CONCERNS (Please be specific so that our staff can do the appropriate research)

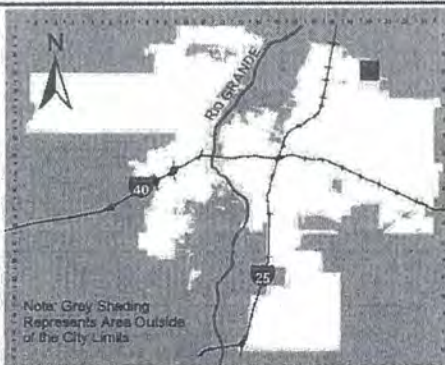
Proposed site plan is attached.



For more current information and details visit: <http://www.cabq.gov/gis>



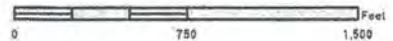
Map amended through: 1/28/2016



Zone Atlas Page:
C-20-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone
- Petroglyph Mon.



1. 200' Plan - West
T-252

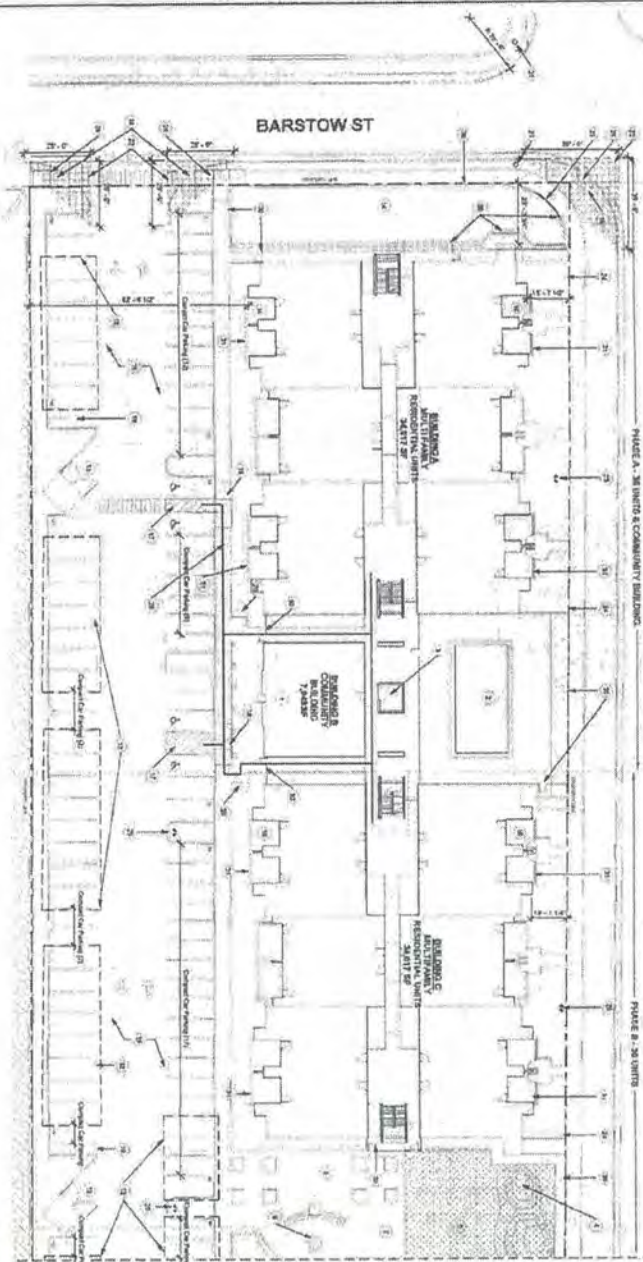
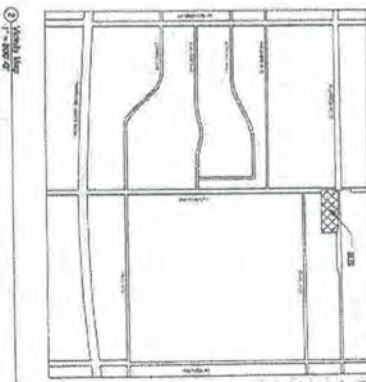
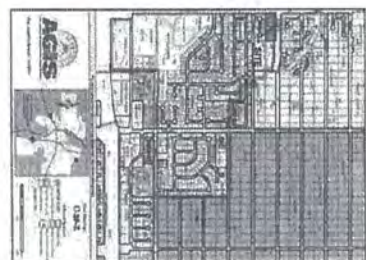
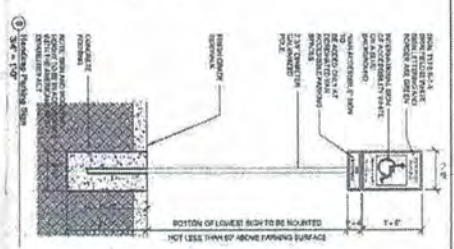
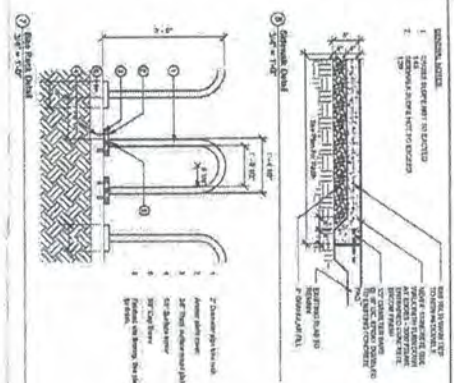


FIGURE A - 28 UNITS & COMMUNITY BUILDING

ALAMEDA BLVD

FIGURE B - 28 UNITS



2. 200' Plan - East
T-253



NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
2. ALL WALLS ARE 12" THICK UNLESS OTHERWISE NOTED.
3. ALL FLOORS ARE 4" THICK CONCRETE UNLESS OTHERWISE NOTED.
4. ALL ROOFS ARE 6" THICK CONCRETE UNLESS OTHERWISE NOTED.
5. ALL FOUNDATIONS ARE 12" THICK CONCRETE UNLESS OTHERWISE NOTED.
6. ALL STRUCTURAL ELEMENTS ARE TO BE CONCRETE UNLESS OTHERWISE NOTED.
7. ALL STRUCTURAL ELEMENTS ARE TO BE REINFORCED CONCRETE UNLESS OTHERWISE NOTED.
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REVISIONS:

NO.	DATE	DESCRIPTION
1	10/15/10	ISSUED FOR PERMIT
2	11/15/10	REVISED PER COMMENTS
3	12/15/10	REVISED PER COMMENTS
4	01/15/11	REVISED PER COMMENTS
5	02/15/11	REVISED PER COMMENTS
6	03/15/11	REVISED PER COMMENTS
7	04/15/11	REVISED PER COMMENTS
8	05/15/11	REVISED PER COMMENTS
9	06/15/11	REVISED PER COMMENTS
10	07/15/11	REVISED PER COMMENTS
11	08/15/11	REVISED PER COMMENTS
12	09/15/11	REVISED PER COMMENTS
13	10/15/11	REVISED PER COMMENTS
14	11/15/11	REVISED PER COMMENTS
15	12/15/11	REVISED PER COMMENTS
16	01/15/12	REVISED PER COMMENTS
17	02/15/12	REVISED PER COMMENTS
18	03/15/12	REVISED PER COMMENTS
19	04/15/12	REVISED PER COMMENTS
20	05/15/12	REVISED PER COMMENTS

PROJECT: ALAMEDA LUXURY APARTMENTS
CLIENT: JEEBS & ZUZU, LLC
ARCHITECT: JEEBS & ZUZU, LLC
CONTRACTOR: [REDACTED]

WWW.JTB&ANDZUZU.COM

ALAMEDA LUXURY APARTMENTS
 8100 ALAMEDA BLVD. NE
 ALBUQUERQUE, NM 87112

job no.: EAM
 drawn: JAZ
 checked: JAZ
 date: 6-4-19

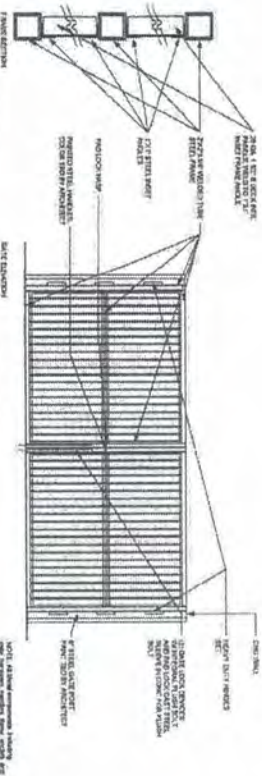


JEEBS & ZUZU, LLC.
 ARCHITECTS & CONTRACTORS
 MAKING HOUSE CALLS

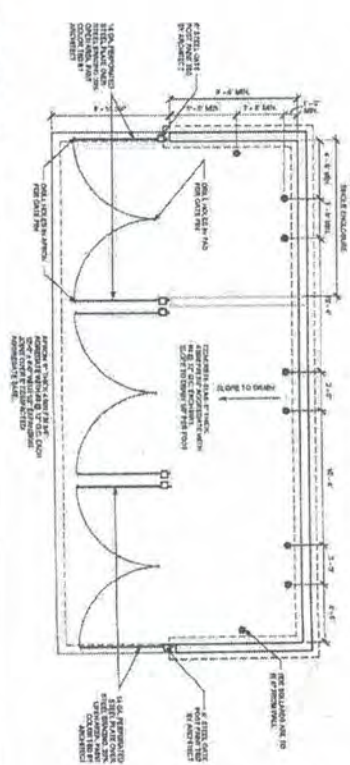
11030 REHABIL NE SUITE C
 ALBUQUERQUE, NM 87113
 P. 505-797-1318



TASY AS FIT



3) Triple Glazing, Aluminum Detail
1/2" = 1'-0"



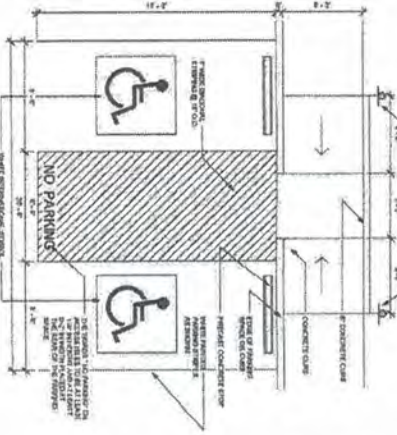
4) Triple Glazing, Aluminum Detail
1/2" = 1'-0"



5) Door Hinge Detail
1/2" = 1'-0"



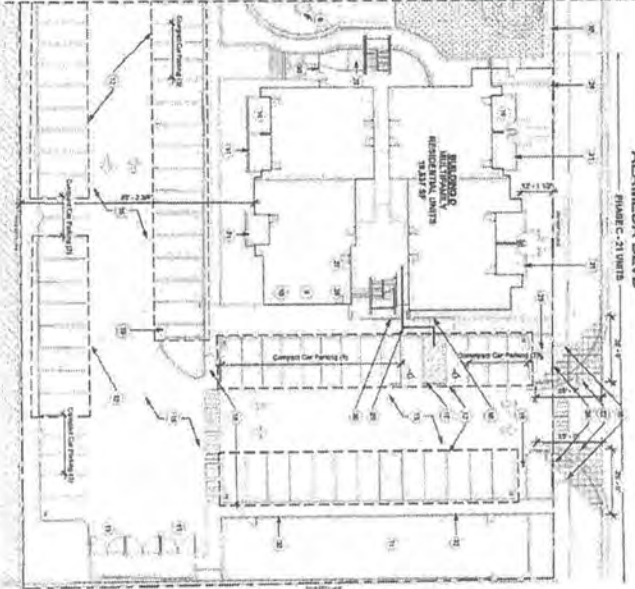
6) Door Hinge Detail
1/2" = 1'-0"



7) Door Hinge Detail
1/2" = 1'-0"



8) Window Sill Detail
1/2" = 1'-0"



9) Site Plan
1/2" = 20'-0"



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TASK AS PER

<p>ALAMEDA LUXURY APARTMENT</p> <p>8100 ALAMEDA BLVD. NE ALBUQUERQUE, NM 87122</p>	<p>job no.: EAW</p> <p>drawn: JAZ</p> <p>checked: JAZ</p> <p>date: 8-19</p>
--	---



JEEBS & ZUZU, LLC.
ARCHITECTS & CONTRACTORS
MAKING HOUSE CALLS



11030 MENAULNE SUITE C
ALBUQUERQUE, NM 87121
P. 505-777-1318

Subject: Site Plan comments for Alameda Luxury Apartments PR-2019-002496

From: "dave@jeebsandzuzu.com" <dave@jeebsandzuzu.com>

Date: 7/15/2019, 8:24 AM

To: "Gould, Maggie S." <MGould@cabq.gov>, "Dicome, Kym" <kdicome@cabq.gov>

CC: Jim Strozier <cp@consensusplanning.com>, 'Michael Vos' <Vos@consensusplanning.com>, 'Omega Delgado' <delgado@consensusplanning.com>, 'Philip Lindborg' <phillindborg@comcast.net>, 'zsnyder' <zsnyder@snyder-const.com>

Good Morning Maggie,

Thank you for your review and comments regrading our DRB application. I have provided a letter of response and clarification which I trust addressed the concerns noted. If you see anything that I missed or which I may have not fully understood, please let me know.

Thank You.
Dave Hickman

J. David Hickman
Jeebs & Zuzu, LLC
Office (505) 797-1318
Cell (505) 239-4264

=====
This message has been analyzed by Deep Discovery Email Inspector.

— Attachments: —

image001.jpg	0 bytes
LT MG - Monet Planning comments.pdf	2.1 MB





July 15, 2019

Maggie Gould
Planning Department
City of Albuquerque
Plaza del Sol, 600 2nd St
Albuquerque, NM 87102

RE: DRB Site Plan Comments
Project Number: PR-2019-002496
Application Number: SI-2019-00181
Project Name: Alameda Luxury Apartments

Dear Ms. Gould,

We appreciate your review of our recent application to the DRB for site plan approval. Thank you for your comments. I will endeavor to respond to each of them below. My clarifications are provided in red.

Site Plan

1. Only 3 motorcycle spaces are shown on the plan, 5 are shown in the parking calculations please clarify. The site plan does include 5 spaces. Three are shown on the west section and two additional spaces are provided on the east section. It should also be noted that in our own review of the parking layout, we noticed that the site plan exceeded the allowable percentage of compact car spaces. We have corrected this mistake. This required only small changes and one of these changes was the location of the motorcycle spaces. I have provided a noted and highlighted site plan which shows the locations of the compact spaces, the new locations of the motorcycle spaces and the accessible spaces.
2. Clarify matchline - it would be easier to review site plan on one sheet. We agree that the matchline is unfortunate, but the application and checklist requirements for both the scale of the drawings and the size of the sheets are very specific. Given the dimensions of the site, we were unable to meet each of these requirements without splitting the site onto two separate sheets.
3. Keyed note 32 does not appear to be on the plan- please clarify this fencing. The keynotes on both the west and east sheets are the same. This was to create less confusion. Note 32 is found on the east sheet and describes the fencing around the dog park area.
4. Relocate dumpster away from residential use on the south of the site. The dumpster locations were provided by solid waste in our review meeting with their staff. They plan to enter the site from Barstow, circle through and then leave onto Alameda. The dumpsters at the far east align with the dumpsters on the adjacent property to the east. The dumpsters along the south are to be recycle only. This was recommended by the Solid Waste staff and should help mitigate smells.



5. Property will require a replat prior to site plan approval. Yes, we understand. A replat of the property was submitted previously by Cartesian Surveying. The Project # is PR-2019-002496 and the application # is PS-2019-00044.
6. Clarify bicycle parking on the east of the development- rack should be provided. A bicycle parking pad and rack shall be provided adjacent to the western staircase of the eastern building. This has been noted by keynote #20. Additionally, indoor bike storage is also planned to be provided within this building.
7. 5-3(D)(3)(b) Network of Walkways. Paragraph 3 refers to the zoning designation of the property, which in this case is mixed use, so the requirements of this section would be applicable to this project. Subparagraph b is specific to all mixed use and non-residential projects. This project is strictly residential in nature (multifamily), so the 8 foot requirement would not apply. The base requirement then is a 4 foot sidewalk with an additional 2 foot requirement for the overhang of the parking spaces. A 6 foot sidewalk has been provided which connects each of the primary entrances to the public way.
8. 1. On-site pedestrian walkways that meet the minimum width required by the DPM shall be provided between the pedestrian entrances of each primary building on the site. On the updated parking plan I have highlighted the primary entrances of the buildings. The circulation throughout the buildings are on the interior, with the primary entrances being off the parking lot and adjacent to the community building for greater access control and security.
9. 2. On-site pedestrian walkways shall connect to all of the following: a. A sidewalk meeting the standards of the DPM along at least one lot frontage that extends to the boundary of the subject parcel. The six foot sidewalk extends to both Barstow and to Alameda.
10. 5-11-(D)(1)- entrances are not clear. See above.
11. 5-11(E)(2)(a)- it is not clear that the building meets this requirement- please explain. On both the Alameda and Barstow building facades, the buildings have been designed to included windows on the upper floors and an overhanging roof element which will shade the façade. We believe that these two elements satisfy the requirements of 5-11(D)(2)(a), which we think is the section being referenced in this comment. It should also be noted that one of the comments from the facilitated neighborhood meetings was a request to add further interest to the Barstow building elevation. We made some modifications to add further interest. I have attached an updated elevation of that façade.

Walls

1. 5-7(D)(1) shows allowed wall height. Confirm height and location of walls and fences (see note 3 above). We had incorrectly depicted the low yard walls along Alameda to be 4 feet tall. These have been revised to be 3 feet tall.



Landscape

1. Plan must reference the IDO , not previous code. The landscape plan sheets will be updated to reference the IDO instead of the City water ordinance.
2. Label streets. Will be corrected.
3. Street trees spacing- clarify canopy width 5-6(D)(1). A general note will be added to the Landscape Plan which restricts the selection of street trees to the City's Official Albuquerque Plant Palette and Sizing List. We believe that this is what is being requested from this comment. Please advise if this was not the intent.
4. Confirm that all parking spaces are within 100 feet of a tree 5-6 (F)(2)(c). All parking spaces are located not more than 100 feet from a shade tree in accordance with this section.
5. 5-6 (F)(1)(i) requires parking lot screening- for parking areas within 30 feet of the property line- a wall may not be possible , but evergreen landscaping also meets the. The southern edge of the property is bounded by an existing 6 foot CMU wall which will remain in its current configuration and height. We believe that the wall will satisfy any requirements for protection against headlights as is required by this section.
6. 4-3(B)(7)(a) requires 1 tree per ground floor unit and 1 tree per second floor unit- please clarify this on the landscaping plan. The property includes 31 ground floor units and 31 second floor units. 67 trees are provided which meets the requirement noted above. This schedule and computation have been added to the landscape plan.
7. Shade trees along required pedestrian walkways are required pursuant to Subsection 14-16-5-6(C)(4)(h) (Required Plant Materials and Site Amenities). The pedestrian route which extends throughout the property and connects to both Alameda and Barstow is planted with shade trees. A general note will be added to the Landscape Plan which restricts the selection of street trees to the City's Official Albuquerque Plant Palette and Sizing List. We believe that this is what is being requested from this comment. Please advise if this was not the intent.
8. Confirm compliance with section 5-6(C)(5)-
 - clarify mulch and gravel placement A general note referencing the requirements of mulch at planting beds and under tree canopies with the restrictions of crusher fines to 50 percent of any outdoor space will be added to the landscape plan.
 - it is not clear if wheel stops are provided All planting beds are protected from vehicle encroachment with a concrete curb. The curbs are typically 6 inches in height, but along the south edge of the property, they extend to 24 inches as described on the grading and drainage plans.



I hope that I have addressed your concerns and comments as you had intended. Please let me know if I have misinterpreted something, or if you feel that we have not sufficiently addressed your concern.

Again, we very much appreciate your time and efforts on our behalf.

Sincerely,

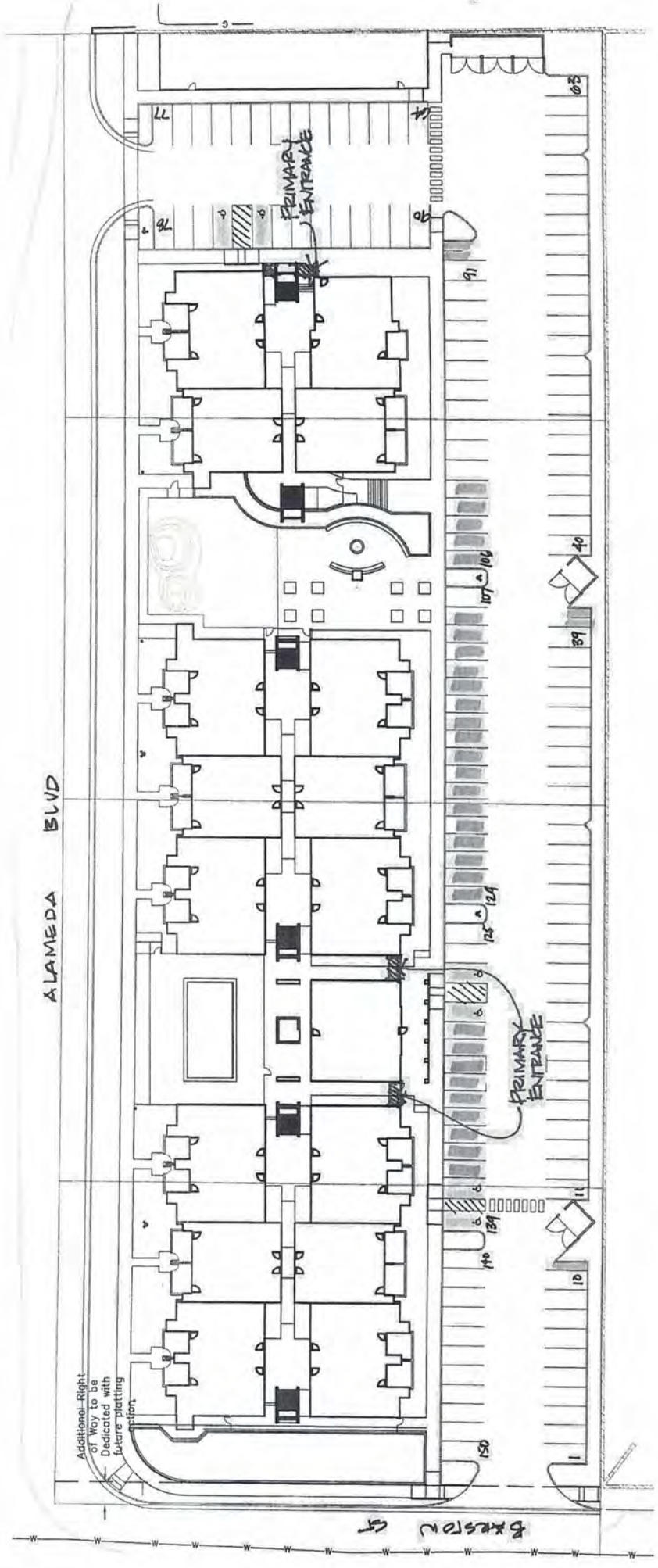
J. David Hickman,
Architect

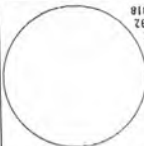
COLOR LEGEND

- [White Box] = ACCESSIBLE SPACE
- [Hatched Box] = COMPACT CAR SPACE
- [Dark Hatched Box] = MOTORCYCLE SPACE

Parking

- 150 SPACES TOTAL
- 6 ACCESSIBLE SPACES
- 2 VAN ACCESSIBLE SPACES
- 15 MOTORCYCLE SPACES
- 31 COMPACT SPACES





JEBDS & ZUZU, LLC
 ARCHITECTS & CONTRACTORS
 MARKING HOUSE CALLS
 1100 PENNAUL NE SUITE C
 ALBUQUERQUE, NM 87112
 P: 505-272-1318



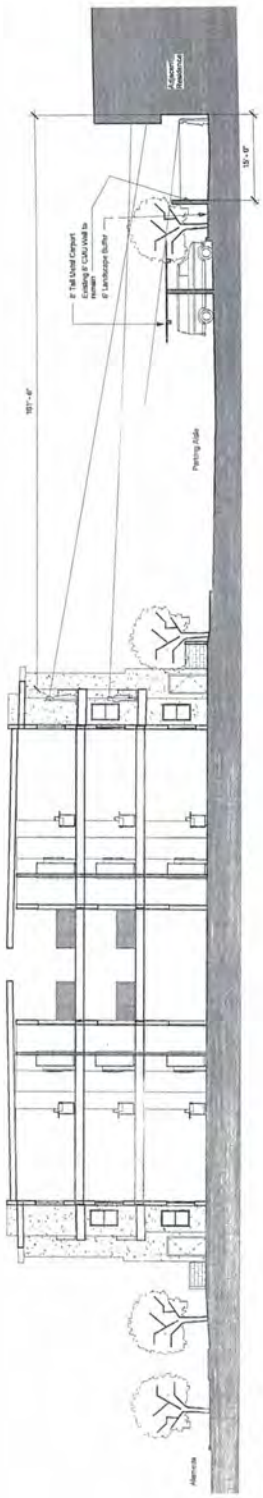
job no:
 drafter:
 checked:
 date: 6-4-19

ALAMEDA LUXURY APARTMENTS
 3400 ALAMEDA BLVD, NE
 ALBUQUERQUE, NM 87112

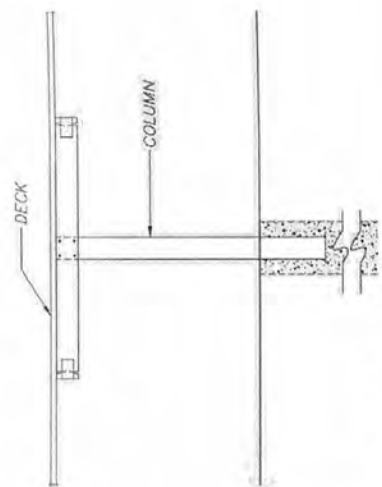
sheet no: DRB1Z

TABLA A3 PLT

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1 Site Cross Section
 1" = 10'-0"



Metal Covered Parking Detail



2 Aerial View Looking North



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 1100 MENAUNE ALBUQUERQUE, NM 87112
 SUITE C
 P-505-792-1318



job no: JDH
 drafter: J&Z
 checked: J&Z
 date: 6/4/19

ALAMDA LUXURY APARTMENTS
 8400 ALAMDA BLVD, NE
 ALBUQUERQUE, NM 87112

sheet no: 4

TA0Y A3 PL*

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Keyed Notes:

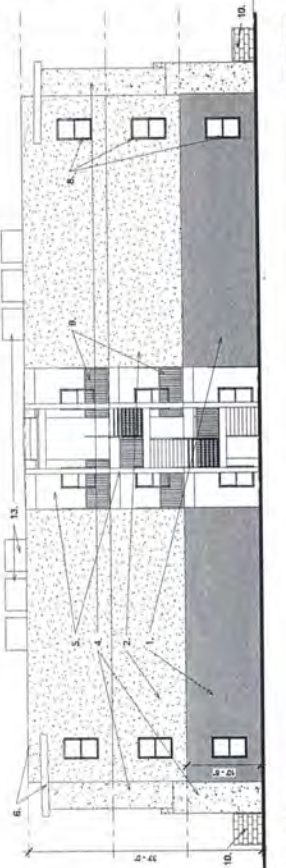
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2. Section Call #2: Roof (Key)
3. Section Call #3: Flat Ceiling (Key)
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① Phase A-South
1/8" = 1'-0"



② Phase A-West
1/8" = 1'-0"



③ Phase A-East
1/8" = 1'-0"



④ Phase A-North
1/8" = 1'-0"

Subject: RE: Site Plan comments for Alameda Luxury Apartments PR-2019-002496

From: "Dicome, Kym" <IMCEAEX-
_O=EXCHANGEORG1_OU=FIRST+20ADMINISTRATIVE+20GROUP_CN=RECIPIENTS_CN=E01298@eop-
nam12.prod.protection.outlook.com>

Date: 7/15/2019, 8:57 AM

To: 'Jim Strozier' <cp@consensusplanning.com>

Like herding cats....

From: Jim Strozier <cp@consensusplanning.com>

Sent: Monday, July 15, 2019 8:57 AM

To: Dicome, Kym <kdicome@cabq.gov>

Subject: RE: Site Plan comments for Alameda Luxury Apartments PR-2019-002496

Sounds good and understood. I appreciate your efforts on this.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801

From: Dicome, Kym <kdicome@cabq.gov>

Sent: Monday, July 15, 2019 8:34 AM

To: Jim Strozier <cp@consensusplanning.com>

Subject: RE: Site Plan comments for Alameda Luxury Apartments PR-2019-002496

Tuesday afternoon. Starting with the July 5th submittals for Major, applicants should be getting comments by the 17th if everyone complies with the internal schedule I have set up. Unfortunately things are a little disarray with Raquel leaving...

Kym



KYM E DICOME
development review board chair
o 505.924.3880
e kdicome@cabq.gov
cabq.gov/planning

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From: Jim Strozier <cp@consensusplanning.com>
Sent: Monday, July 15, 2019 8:29 AM
To: Dicome, Kym <kdicome@cabq.gov>
Subject: RE: Site Plan comments for Alameda Luxury Apartments PR-2019-002496

Will do. When can we expect comments from the other agencies?

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801

From: Dicome, Kym <kdicome@cabq.gov>
Sent: Monday, July 15, 2019 8:28 AM
To: 'dave@jeebsandzuzu.com' <dave@jeebsandzuzu.com>; Gould, Maggie S. <MGould@cabq.gov>
Cc: Jim Strozier <cp@consensusplanning.com>; Michael Vos <Vos@consensusplanning.com>; Omega Delgado <delgado@consensusplanning.com>; 'Philip Lindborg' <phillindborg@comcast.net>; 'zsnyder' <zsnyder@snyder-const.com>
Subject: RE: Site Plan comments for Alameda Luxury Apartments PR-2019-002496

Mr. Hickman;

Thank you for your response. Please also be prepared to address the issues brought up in the July 11th letter from Mr. Jim Griffee that I forwarded to Mr. Strozier last week. We will also.



KYM E DICOME
development review board chair
o 505.924.3880
e kdicome@cabq.gov
cabq.gov/planning

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From: dave@jeebsandzuzu.com <dave@jeebsandzuzu.com>
Sent: Monday, July 15, 2019 8:25 AM
To: Gould, Maggie S. <MGould@cabq.gov>; Dicome, Kym <kdicome@cabq.gov>
Cc: Jim Strozier <cp@consensusplanning.com>; 'Michael Vos' <Vos@consensusplanning.com>; 'Omega Delgado' <delgado@consensusplanning.com>; 'Philip Lindborg' <phillindborg@comcast.net>; 'zsnyder' <zsnyder@snyder-const.com>
Subject: Site Plan comments for Alameda Luxury Apartments PR-2019-002496

Good Morning Maggie,

Thank you for your review and comments regrading our DRB application. I have provided a letter of response and clarification which I trust addressed the concerns noted. If you see anything that I missed or which I may have not fully understood, please let me know.

Thank You.
Dave Hickman

J. David Hickman
Jeebs & Zuzu, LLC
Office (505) 797-1318
Cell (505) 239-4264

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Subject: RE: PR-2019-002496, Lot 1-A, Block 4, NAA Tract 3, Unit 3
From: "Bradley, Catherine P." <cbradley@cabq.gov>
Date: 9/27/2019, 11:09 AM
To: Jayson Pyne <cartesianjayson@gmail.com>
CC: Planning Plat Approval <platgisreview@cabq.gov>, "Gould, Maggie S." <MGould@cabq.gov>, "Dicome, Kym" <kdicome@cabq.gov>

Jayson, your .dxf for N ABQ Acres has been approved! This email will also notify the DRB office. Enjoy your weekend!

- Catherine



CATHERINE BRADLEY
gis coordinator
o 505.924.3929
e cbradley@cabq.gov
cabq.gov/planning

From: Jayson Pyne [mailto:cartesianjayson@gmail.com]
Sent: Friday, September 27, 2019 10:59 AM
To: Bradley, Catherine P.
Subject: Re: PR-2019-002496, Lot 1-A, Block 4, NAA Tract 3, Unit 3

Here you go Catherine

On Fri, Sep 27, 2019 at 10:04 AM Bradley, Catherine P. <cbradley@cabq.gov> wrote:

Jason, please send all 3 pages of the corrected .pdf. I need to save them as 1 document. Sorry!

- Catherine



CATHERINE BRADLEY
gis coordinator
o 505.924.3929
e cbradley@cabq.gov
cabq.gov/planning

From: Jayson Pyne [mailto:cartesianjayson@gmail.com]
Sent: Friday, September 27, 2019 9:37 AM
To: Bradley, Catherine P.
Subject: Re: PR-2019-002496, Lot 1-A, Block 4, NAA Tract 3, Unit 3



The DXF is correct, but the plat is not, I tied the ACS to the ROW Dedication, I changed it to the SW property corner. Here is the PDF of the Plat. Let me know if that works for you.

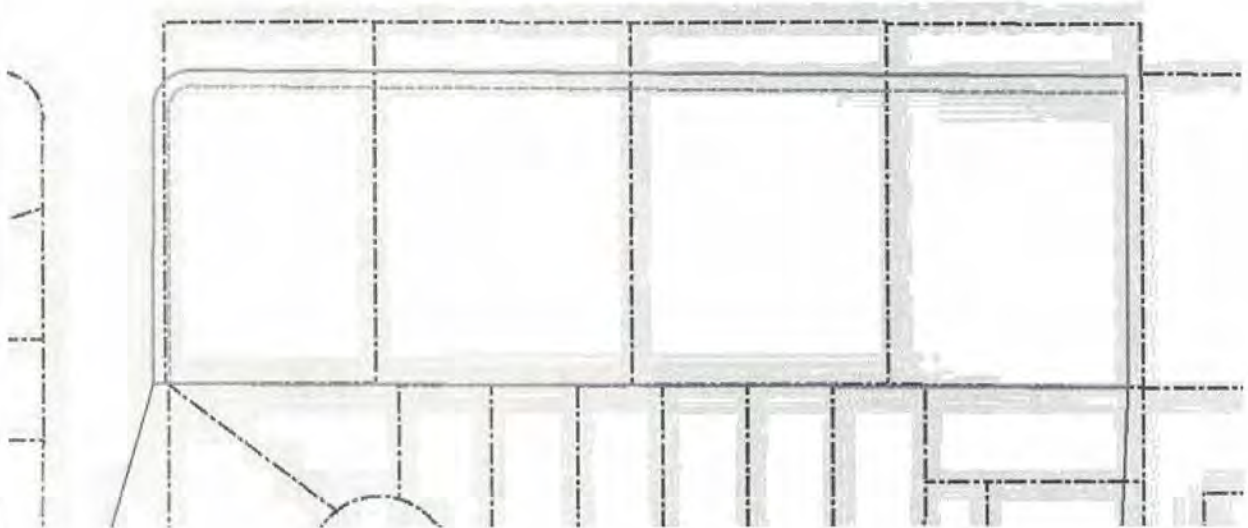
On Fri, Sep 27, 2019 at 9:25 AM Jayson Pyne <cartesianjayson@gmail.com> wrote:

Good Morning

Catherine, I see the error, I am fixing right now.

On Fri, Sep 27, 2019 at 9:17 AM Bradley, Catherine P. <cbradley@cabq.gov> wrote:

Jason, After looking at your dxf/pdf, there is a discrepancy btwn the dxf & plat. The tie on the left (Pink line) snaps to the parcel line (green line). According to the plat, the tie from 7_C19 should land 10 feet to the left of the parcel line, snapping to the ROW (not shown on the dxf). This shifts the entire lot 1-A to the west 10 feet. Please let me know if the dxf or plat is correct. Thanks!



- Catherine



CATHERINE BRADLEY

gis coordinator

o 505.924.3929

e cbradley@cabq.gov

cabq.gov/planning

From: Jayson Pyne [<mailto:cartesianjayson@gmail.com>]

Sent: Wednesday, September 25, 2019 2:15 PM

To: Planning Plat Approval

Subject: PR-2019-002496, Lot 1-A, Block 4, NAA Tract 3, Unit 3

Good Afternoon,

Attached you will find the DXF file for the above referenced project, as well as a PDF for the plat. The ground to grid factor used is 0.999653293.

Please let me know if you have any questions.

--

Thanks,

Jayson Pyne

CADD Tech
CSI-Cartesian Surveys Inc.
PO Box 44414
Rio Rancho NM 87174
(company) [505-896-3050](tel:505-896-3050)
(fax) [505-891-0244](tel:505-891-0244)
www.cartesiansurveys.com
Email: cartesianjayson@gmail.com

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Thanks,

Jayson Pyne

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Thanks,

Jayson Pyne

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Thanks,

Jayson Pyne

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