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1 **WHEREAS, the City offered a Pre-submittal Neighborhood Meeting as**
2 **required by the IDO and held the meeting on September 20, 2023 to present**
3 **and discuss the Rail Trail proposed changes, respond to questions, and**
4 **gather feedback; and**

5 **WHEREAS, the City provided all required notice for an Amendment to IDO**
6 **Text – Small Area, including publishing a legal ad in the Albuquerque Journal,**
7 **emailing two representatives of each neighborhood organization registered**
8 **with the Office of Neighborhood Coordination (ONC), mailing property owners**
9 **within the small area and within 100 feet, and posting notice on the Planning**
10 **Department website and on the project website; and**

11 **WHEREAS, the IDO requires an Amendment to IDO Text – Small Area to be**
12 **reviewed by the Environmental Planning Commission (EPC) and decided as a**
13 **quasi-judicial action by City Council as the City’s zoning authority in §14-16-6-**
14 **7(E)(2)(c) and (d); and**

15 **WHEREAS, the EPC held a study session for the 2023 IDO Annual Update**
16 **on December 7, 2023 and considered this request at two public hearings on**
17 **December 14, 2023 and January 11, 2024, prior to making a recommendation**
18 **on the request; and**

19 **WHEREAS, the EPC, following study and consideration, found that this**
20 **proposed amendment furthers the spirit and intent of the ABC Comp Plan,**
21 **including applicable goals and policies related to Land Use, Urban Design,**
22 **Economic Development, Housing, and Resilience and Sustainability and**
23 **therefore satisfies the review and decision criteria for an Amendment to IDO**
24 **Text – Small Area in §14-16-6-7(E)(3) and forwarded to the City Council a**
25 **recommendation of approval subject to findings and recommended conditions**
26 **in the record; and**

27 **WHEREAS, Planning staff has incorporated the proposed amendments**
28 **along with the EPC recommended conditions of approval into an exhibit for**
29 **review by City Council.**

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

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1 **SECTION 1. Amend IDO §14-16-5-2, §14-16-5-5, and §14-16-7-1 by adding**
2 **new content as shown in Exhibit A and renumbering subsequent subsections,**
3 **as needed.**

4 **SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,**
5 **clause, word or phrase of this ordinance is for any reason held to be invalid or**
6 **unenforceable by any court of competent jurisdiction, such decision shall not**
7 **affect the validity of the remaining provisions of this ordinance. The Council**
8 **hereby declares that it would have passed this ordinance and each section,**
9 **paragraph, sentence, clause, word or phrase thereof irrespective of any**
10 **provision being declared unconstitutional or otherwise invalid.**

11 **SECTION 3. COMPILATION. Section 1 of this ordinance shall be**
12 **incorporated in and made part of the Revised Ordinances of Albuquerque,**
13 **New Mexico, 1994.**

14 **SECTION 4. EFFECTIVE DATE. This ordinance shall take effect after**
15 **publication by title and general summary upon the sooner of the effective date**
16 **of the 2023 IDO Annual Update or January 31, 2025.**

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1 PASSED AND ADOPTED THIS 17TH DAY OF June, 2024
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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Dan Lewis, President
City Council

APPROVED THIS 2 DAY OF July, 2024

Bill No. O-24-17



Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:



Ethan Watson, City Clerk

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