

1 WHEREAS, the City seeks to encourage the repurposing of existing
2 properties into more long-term housing, in addition to the support of new
3 development; and

4 WHEREAS, the City also seeks to mitigate the excessive utilization of
5 dwelling units as short-term rentals in order to limit the effects of the housing
6 shortage and increase the utilization of existing properties as long-term
7 residential dwellings; and

8 WHEREAS, the majority of the City’s existing short-term rentals are
9 concentrated in areas such as Old Town, Downtown, and Nob Hill; and

10 WHEREAS, reasonable limitations on short-term rental properties aim to
11 address housing shortage issues as well as protect local residents and their
12 neighborhoods; and

13 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
14 ALBUQUERQUE:

15 SECTION 1. Section 13-9-6 of the Short Term Rental Ordinance is hereby
16 amended as follows:

17 § 13-19-6 STR PERMITS.

18 [(D) Separation requirement.

19 (1) The separation requirements contained in this Section 13-9-6(D) shall
20 apply only in the following areas in City Council Districts 2 and 6:

21 (a) Beginning at the intersection of Interstate 40 and Interstate 25,
22 south on I-25 to its intersection with Lomas, east on Lomas to its
23 intersection with San Mateo, south on San Mateo to its
24 intersection with Gibson, west on Gibson to its intersection with I-
25 25, north on I-25 to its intersection with ACC/ADH, west on
26 ACC/ADH to its intersection with the Rio Grande, north along the
27 Rio Grande to its intersection with I-40, and east along I-40 to its
28 intersection with I-25.

29 A map depicting these boundaries is attached as Exhibit A.

30 (2) An STR permit shall not be approved if it is located within 330 feet in
31 all directions of another approved STR permit.

32 (3) This separation requirement between STR permits does not apply to:

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(a) STR permits for single rooms within an owner-occupied dwelling unit.

(b) STR permits for accessory dwelling units (ADUs) when the property owner occupies the primary residence on the property.

[(4) All new STR permits shall be subject to the requirements and limitations of this Ordinance as of its effective date. However, any active STR permit closer than 330 feet in all directions of another active STR permit, prior to the effective date of this Ordinance, may continue to renew its permit, subject to all other provisions of this Ordinance in effect at the time of the renewal. If any such nonconforming permit lapses, the STRO will not be eligible to renew that permit, unless it is in full compliance with this Ordinance, including the distance separation requirement.]

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

SECTION 3. COMPILATION. SECTION 1 of this Ordinance shall amend, be incorporated in, and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect five (5) days after publication by title and general summary.