

# CITY of ALBUQUERQUE

## TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-23-130 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Dan Lewis

- 1 RESOLUTION
- 2 DECLARING AN INTERIM STAY-OF-ENFORCEMENT ON CERTAIN
- 3 TEMPORARY USE RESTRICTIONS IN THE INTEGRATED DEVELOPMENT
- 4 ORDINANCES AS THEY APPLY TO FILM PRODUCTION; DIRECTING STAFF TO
- 5 PROPOSE AN AMENDMENT TO THE INTEGRATED DEVELOPMENT
- 6 ORDINANCE TO CREATE A TEMPORARY USE FOR FILM PRODUCTION.
- 7 WHEREAS, economic development initiatives within the State and City
- 8 have successfully promoted local film production as a continually emerging
- 9 industry and economic development driver for the community; and
- 10 WHEREAS, there are several film studios across Albuquerque that are
- 11 regulated by the Integrated Development Ordinance (IDO) as primary land
- 12 uses that generally utilize permanent structures and infrastructure; and
- 13 WHEREAS, notwithstanding the accommodation of permanent film studios,
- 14 the IDO does not presently contemplate temporary film production areas
- 15 where land would be utilized for film production for a limited duration, that will
- 16 not usually require permanent structures and infrastructure; and
- 17 WHEREAS, the IDO currently contemplates several specifically identified
- 18 temporary uses, but film production itself can only fall within the generic
- 19 heading of “Temporary Use Not Listed”, where it would be limited to 45-days
- 20 in duration and only within certain zone districts; and
- 21 WHEREAS, these limits could present a significant constraint for
- 22 temporary film production inconsistent with public investments aimed at
- 23 promoting economic development; and
- 24 WHEREAS, declaring a stay-of-enforcement on certain Temporary Use
- 25 limitations will offer a short-term solution for film production as a temporary
- 26 use while giving the City Council the opportunity to consider amendments to

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1 the IDO that specifically address film production as a temporary use going  
2 forward.

3 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
4 ALBUQUERQUE:

5 SECTION 1. Enforcement of the 45 consecutive day limitation found in “14-  
6 16-4-3(G)(10) Temporary Use Not Listed” is stayed for any Temporary Use  
7 Permit for film production.

8 SECTION 2. Enforcement of the limitation on “Temporary Use Not Listed”  
9 in the R-A, R-1, and R-T zone districts is stayed for any Temporary Use Permit  
10 for film production.

11 SECTION 3. Enforcement of Sections 14-16-5-5(B)(4)(a) and 14-16-5-  
12 5(B)(4)(b) (related to parking restrictions) is stayed in all zone districts for  
13 Temporary Use Permits for film production.

14 SECTION 4. City Council Staff is directed to evaluate and prepare an  
15 amendment for consideration by the City Council during the 2022 IDO annual  
16 update process to establish a new Temporary Use related to film production.  
17 The amendment shall also address, as relevant, parking restrictions in 14-16-  
18 5-5(B)(4)(a) and 14-16-5-5(B)(4)(b) for these types of Temporary Uses.

19 SECTION 5. DURATION. The stay-of-enforcement set forth by this  
20 resolution expires upon the passage of one year from its effective date, or  
21 until the 2022 update to the Integrated Development Ordinance becomes  
22 effective, whichever occurs first.

23 SECTION 6. If any section, paragraph, sentence, clause, word or phrase of  
24 this ordinance is for any reason held to be invalid or unenforceable by any  
25 court of competent jurisdiction, such decision shall not affect the validity of  
26 the remaining provisions of this ordinance. The Council hereby declares that it  
27 would have passed this ordinance and each section, paragraph, sentence,  
28 clause, word or phrase thereof irrespective of any provision being declared  
29 unconstitutional or otherwise invalid.

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