

CITY of ALBUQUERQUE

TWENTY SECOND COUNCIL

COUNCIL BILL NO. R-17-160 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

1 RESOLUTION

2 DECLARING A MORATORIUM OF UP TO SIX MONTHS OR UNTIL THE
3 UPDATED INTEGRATED DEVELOPMENT ORDINANCE IS FINALLY ACTED
4 UPON BY THE CITY COUNCIL, WHICHEVER FIRST OCCURS, ON ZONE
5 CHANGES AND THE ISSUANCE OF CERTAIN BUILDING PERMITS FOR MIXED
6 USE DEVELOPMENT PURSUANT TO THE NFMXD ZONE WITHIN THE
7 ADOPTED BOUNDARIES OF THE NORTH 4th STREET RANK THREE
8 CORRIDOR PLAN.

9 WHEREAS, the City adopted the North 4th Street Corridor Plan (“Corridor
10 Plan”)in 2010; and

11 WHEREAS, The City is currently developing an Integrated Development
12 Ordinance (IDO) that would establish a modern, city-wide system of tailorable
13 zones and design standards; and

14 WHEREAS, The proposed IDO would establish updated, detailed standards
15 for vertical and horizontal building articulation, pedestrian entrances, windows
16 and other characteristics aimed at creating an attractive, walkable built
17 environment; and

18 WHEREAS, recent developments on 4th Street built under the standards of
19 the Corridor Plan have indicated that the development standards of that Plan’s
20 form-based North Fourth Mixed Use District (NFMXD) zone may not provide
21 enough direction with regard to building articulation and façade appearances
22 along major public thoroughfares; and

23 WHEREAS, community members have requested that the Corridor’s design
24 standards be reviewed and strengthened to encourage development that is
25 more appropriate to the local context; and

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1 WHEREAS, the city proposes to replace the existing system of sector
2 development plans with the Integrated Development Ordinance; and

3 WHEREAS, the façade appearance and articulation standards proposed in
4 the IDO would be considerably more detailed than what exists in the Corridor
5 Plan; and

6 WHEREAS, it is expected that the City Council will consider adoption of the
7 IDO within the next six months; and

8 WHEREAS, new development or changes to zoning in the Rank Three
9 Corridor Plan boundary, prior to final City Council action on the adoption of
10 the proposed IDO is likely to result in development that is inconsistent with
11 the IDO's building façade, pedestrian access and articulation requirements
12 and narrative and policies in the Corridor Plan; and

13 WHEREAS, the Council determines that a short moratorium on zone
14 changes and on the issuance of any building permits within the adopted
15 boundaries of the existing Corridor Plan area will result in minimal
16 inconvenience while protecting the IDO's goals for Main Street-style
17 development in appropriate contexts and the community efforts that have
18 gone into the development of those regulations; and

19 WHEREAS, the intended purpose of this Resolution is to advance the
20 health, safety and welfare of the public and to further goals and policies
21 adopted by the Council.

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

24 SECTION 1. That upon the effective date of this Resolution and for a period
25 of six months thereafter, or until an updated Integrated Development
26 Ordinance is finally acted upon by the City Council and a new citywide Zone
27 Map is adopted, whichever first occurs, the City shall not act upon any change
28 to existing zoning or act upon any building permits under the NFMXD
29 provisions of the Corridor Plan, except as otherwise specifically exempted
30 under Section 2 below.

31 SECTION 2. This Resolution shall not apply to zone changes or building
32 permits under any other provision of the Corridor Plan other than those
33 proposed pursuant to or under the authority of the NFMXD Zone, or to building

1 permits that have been validly received and accepted by the City prior to final
2 City Council action adopting this resolution.

3 SECTION 3. This Resolution shall not apply to zone changes or building
4 permits under any other provisions under the Corridor Plan, or permits that
5 have been applied for prior to adoption of this Resolution by the Council.

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

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