## CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

COUNCIL	_ BILL NO R-21-140 ENACTMENT NO
SPONSORED BY: Brook Bassan	
1	RESOLUTION
2	DECLARING A STAY OF ENFORCEMENT ON SECTION 6-4(L)(2) OF THE
3	INTEGRATED DEVELOPMENT ORDINANCE RELATED TO THE DELAY OF A
4	FINAL DECISION BY THE PLANNING DEPARTMENT ON APPLICATIONS FOR
5	ADMINISTRATIVE DECISIONS.
6	WHEREAS, the ability to request a post-application facilitated meeting was
7	adopted during the 2019 Integrated Development Ordinance (IDO) update; and
8	WHEREAS, the purpose of this amendment to the IDO was to allow for
9	more neighborhood participation in certain administrative decisions if
10	requested; and
11	WHEREAS, the IDO today requires that after an application has been
12	submitted for a Site Plan – Administrative decision that there is a 15-day
13	period in which property owners within 330 feet of the subject site or
14	Neighborhood Associations within 660 feet of the subject site may request a
15	post-application facilitated meeting; and
16	WHEREAS, a Site Plan – Administrative is the "zoning check" for
17	applications that don't meet the threshold for an approval by the Development
18	Review Board or Environmental Planning Commission where the request is
19	determined to be in compliance with the IDO or not and an application can't
20	move on to other relevant reviewers until the Site Plan – Admin has been
21	approved by the Planning Department; and
22	WHEREAS, Site Plan – Administrative is applicable to small-scale
23	development that may not have as big of an impact on the surrounding
24	community as applications that are required to go before the Development

Review Board or the Environmental Planning Commission; and

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1 WHEREAS, the requirements of Section 6-4(L)(2) of the IDO require that no 2 final decision be made until the 15-day period in which an eligible party may 3 request a post-application facilitated meeting; and 4 WHEREAS, this unintended consequence of this addition to the IDO results 5 in all Site Plan – Administrative applications being left without a final decision 6 for at least 15 days; and 7 WHEREAS, in some instances the Planning Department is able to provide a 8 final decision on Site Plan – Administrative requests in a day for low-density 9 residential development or a matter of days for other Site Plan – 10 Administrative applications; and 11 WHEREAS, the Planning Department's review and approval software does 12 not have the ability for the Department to review an application when it first 13 enters the system but not issue an immediate "approval" or "denial" of the 14 application; and 15 WHEREAS, over the last several years the Planning Department has 16 worked diligently to reduce the time in which an applicant will receive 17 approval to continue with their development project for the purposes of 18 promoting economic development in the city; and 19 WHEREAS, a stay of enforcement is appropriate to issue for Section 6-20 4(L)(2) until the 2020 IDO Annual update is adopted; and 21 WHEREAS, Council Staff in coordination with the Planning Department will 22 prepare an amendment for the 2020 IDO Annual Update to allow for post-23 application facilitated meetings for Site Plan – Administrative decisions in a 24 manner that will not disrupt the Planning Departments review and approval 25 process and economic development within the City. 26 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF 27 **ALBUQUERQUE:** 28 SECTION 1. That upon the effective date of this Resolution and until the 29 2020 Integrated Development Ordinance Annual Update is finally acted upon 30 by the City Council, the City shall not act upon Section 6-4(L)(2) of the 31 Integrated Development Ordinance, which prohibits the Planning Department 32 from issuing a final decision on all Site Plan – Administrative Decisions for a

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period of 15 days.

SECTION 2. Council Staff in coordination with the Planning Department shall propose an amendment to the IDO to be included in the 2020 IDO Annual Update that will retain the ability to request a post-application facilitated meeting for most Site Plan – Administrative decisions in a manner that will not disrupt the Planning Department's review and approval process and economic development in the city. SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this resolution 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 resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.