

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
33 period of 15 days.

1 **SECTION 2. Council Staff in coordination with the Planning Department**
2 **shall propose an amendment to the IDO to be included in the 2020 IDO Annual**
3 **Update that will retain the ability to request a post-application facilitated**
4 **meeting for most Site Plan – Administrative decisions in a manner that will not**
5 **disrupt the Planning Department’s review and approval process and economic**
6 **development in the city.**

7 **SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,**
8 **clause, word or phrase of this resolution is for any reason held to be invalid or**
9 **unenforceable by any court of competent jurisdiction, such decision shall not**
10 **affect the validity of the remaining provisions of this resolution. The Council**
11 **hereby declares that it would have passed this resolution and each section,**
12 **paragraph, sentence, clause, word or phrase thereof irrespective of any**
13 **provision being declared unconstitutional or otherwise invalid.**

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