

CITY of ALBUQUERQUE

TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-165

ENACTMENT NO. R-2021-040

SPONSORED BY: Isaac Benton

1 RESOLUTION

2 ESTABLISHING A MORATORIUM TO PROHIBIT CANNABIS RETAIL,
3 CANNABIS CULTIVATION, AND CANNABIS MANUFACTURING USES IN THE
4 OLD TOWN HISTORIC PROTECTION OVERLAY ZONE UNTIL THE SOONER OF
5 JULY 1, 2022 OR WHEN THE 2021 INTEGRATED DEVELOPMENT ORDINANCE
6 ANNUAL UPDATE BECOMES EFFECTIVE.

7 WHEREAS, during a special legislative session in 2021 the State of New
8 Mexico's legislature passed House Bill 2, the Cannabis Regulation Act; and

9 WHEREAS, this legislation legalizes adult-use cannabis in the state of New
10 Mexico, which will be available no later than Spring of 2022; and

11 WHEREAS, the City of Albuquerque's Integrated Development Ordinance
12 (IDO) currently contains regulations for Cannabis Retail, Cannabis Cultivation,
13 and Cannabis Manufacturing as explicitly defined land uses; and

14 WHEREAS, as the City welcomes cannabis businesses into the City, it
15 must also carefully consider possible impacts on Old Town to honor the
16 community's past efforts to preserve its historic character, and to account for
17 how its character contributes to the economic and cultural welfare of our City;
18 and

19 WHEREAS, the City is presently in the process of finalizing the 2020 IDO
20 annual update, but needs additional time to evaluate potential zoning limits for
21 cannabis within Old Town and to meet procedural obligations with respect to
22 any cannabis limitations or restrictions that may be established for Old Town;
23 and

24 WHEREAS, the next opportunity to address cannabis uses within Old Town
25 will be as part of the 2021 updates to the IDO which is anticipated to be
26 finalized by early summer, 2022.

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1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2 ALBUQUERQUE:

3 The City of Albuquerque shall not accept any building permits, land use, or
4 business registration applications or requests for Cannabis Retail, Cannabis
5 Cultivation, or Cannabis Manufacturing uses as defined in Section 14-16-7 of
6 the Integrated Development Ordinance within the Old Town Historic Protection
7 Overlay zone (HPO-5) as described in Section 15-16-3-5(J) of the Integrated
8 Development Ordinance until the sooner of July 1, 2022, or when the 2021 IDO
9 Annual Update becomes effective.

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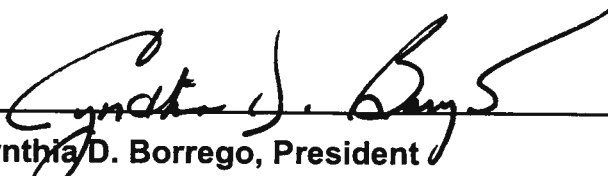
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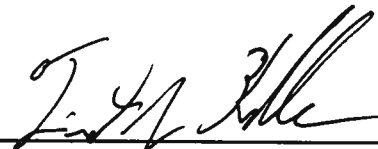
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1 PASSED AND ADOPTED THIS 21st DAY OF June, 2021
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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9 Cynthia D. Borrego, President
10 City Council
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14 APPROVED THIS 29 DAY OF June, 2021
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17 Bill No. R-21-165

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23 Timothy M. Keller, Mayor
24 City of Albuquerque
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28 ATTEST:

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31 Ethan Watson, City Clerk
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