Legislation Details (With Text)

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Title: Declaring An Interim Stay-Of-Enforcement On Certain Temporary Use Restrictions In The Integrated Development Ordinances As They Apply To Film Production; Directing Staff To Propose An Amendment To The Integrated Development Ordinance To Create A Temporary Use For Film Production (Lewis)

Sponsors: Dan Lewis

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Date	Ver.	Action By	Action	Result
6/1/2023	1	City Clerk	Published	
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5/23/2023	1	City Council	Sent to Mayor for Signature	
5/15/2023	1	City Council	Passed	Pass
5/1/2023	1	City Council	Introduced	
5/1/2023	1	President	To be heard at the Council Meeting	

CITY of ALBUQUERQUE
TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-23-130 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis

RESOLUTION

Declaring An Interim Stay-Of-Enforcement On Certain Temporary Use Restrictions In The Integrated Development Ordinances As They Apply To Film Production; Directing Staff To Propose An Amendment To The Integrated Development Ordinance To Create A Temporary Use For Film Production (Lewis)

DECLARING AN INTERIM STAY-OF-ENFORCEMENT ON CERTAIN TEMPORARY USE

RESTRICTIONS IN THE INTEGRATED DEVELOPMENT ORDINANCES AS THEY APPLY TO FILM PRODUCTION; DIRECTING STAFF TO PROPOSE AN AMENDMENT TO THE INTEGRATED DEVELOPMENT ORDINANCE TO CREATE A TEMPORARY USE FOR FILM PRODUCTION.

WHEREAS, economic development initiatives within the State and City have successfully promoted local film production as a continually emerging industry and economic development driver for the community; and

WHEREAS, there are several film studios across Albuquerque that are regulated by the Integrated Development Ordinance (IDO) as primary land uses that generally utilize permanent structures and infrastructure; and

WHEREAS, notwithstanding the accommodation of permanent film studios, the IDO does not presently contemplate temporary film production areas where land would be utilized for film production for a limited duration, that will not usually require permanent structures and infrastructure; and

WHEREAS, the IDO currently contemplates several specifically identified temporary uses, but film production itself can only fall within the generic heading of “Temporary Use Not Listed”, where it would be limited to 45-days in duration and only within certain zone districts; and

WHEREAS, these limits could present a significant constraint for temporary film production inconsistent with public investments aimed at promoting economic development; and

WHEREAS, declaring a stay-of-enforcement on certain Temporary Use limitations will offer a short-term solution for film production as a temporary use while giving the City Council the opportunity to consider amendments to the IDO that specifically address film production as a temporary use going forward.

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

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

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

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

SECTION 4. City Council Staff is directed to evaluate and prepare an amendment for

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

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

SECTION 6. If any section, paragraph, sentence, clause, word or phrase of this ordinance 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 ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

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