



Legislation Text

File #: R-17-160, Version: 2

**CITY of ALBUQUERQUE**  
**TWENTY SECOND COUNCIL**

COUNCIL BILL NO. R-17-160 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Isaac Benton

RESOLUTION

Declaring A Moratorium Of Up To Six Months Or Until The Updated Integrated Development Ordinance Is Finally Acted Upon By The City Council, Whichever First Occurs, On Zone Changes And The Issuance Of Certain Building Permits For Mixed Use Development Pursuant To The NFMXD Zone Within The Adopted Boundaries Of The North 4th Street Rank Three Corridor Plan  
(Benton)

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

WHEREAS, the City adopted the North 4<sup>th</sup> Street Corridor Plan (“Corridor Plan”) in 2010; and  
WHEREAS, the City is currently developing an Integrated Development Ordinance (IDO) that would establish a modern, city-wide system of tailorable zones and design standards; and

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

WHEREAS, recent developments on 4<sup>th</sup> Street built under the standards of the Corridor Plan have indicated that the development standards of that Plan’s form-based North Fourth Mixed Use

District (NFMXD) zone may not provide enough direction with regard to building articulation and façade appearances along major public thoroughfares; and

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

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

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

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

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

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

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

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

SECTION 1. That upon the effective date of this Resolution and for a period of six months thereafter, or until an updated Integrated Development Ordinance is finally acted upon by the City Council and a new citywide Zone Map is adopted, whichever first occurs, the City shall not act upon any change to existing zoning within the boundaries of the Corridor Plan.

SECTION 2. That upon the effective date of this Resolution and for a period of six months thereafter, or until an updated Integrated Development Ordinance is finally acted upon by the City Council and a new citywide Zone Map is adopted, whichever first occurs, the City shall not approve any building permits under the provisions of the NFMXD Zone unless they comply with

Exhibit A: Interim Design Requirements for Building Façades.

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

SECTION 4. 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.

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