



Legislation Text

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CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-165 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

RESOLUTION

Establishing A Moratorium To Prohibit Cannabis Retail, Cannabis Cultivation, And Cannabis Manufacturing Uses In The Old Town Historic Protection Overlay Zone Until The Sooner Of July 1, 2022 Or When The 2021 Integrated Development Ordinance Annual Update Becomes Effective
(Benton)

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

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

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

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

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

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

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

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

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

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