



City of Albuquerque

Office of the City Clerk

Richard J. Berry, Mayor

Natalie Y. Howard, City Clerk

Interoffice Memorandum

April 10, 2017

To: CITY COUNCIL
From: NATALIE Y. HOWARD, CITY CLERK
Subject: BILL NO. R-17-160 ENACTMENT NO. R-2017-030

I hereby certify that on April 7, 2017, the Office of the City Clerk received Bill No. R-17-160 as signed by the president of the City Council, Dan Lewis. Enactment No. R-2017-030 was passed at the March 20, 2017 City Council meeting. Mayor Berry did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-17-160.

Sincerely,


Natalie Y. Howard
City Clerk

**CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL**

COUNCIL BILL NO. R-17-160 ENACTMENT NO. R-2017-030

SPONSORED BY: Isaac Benton

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

9 WHEREAS, the City adopted the North 4th Street Corridor Plan (“Corridor
10 Plan”) in 2010; and

11 WHEREAS, the City is currently developing an Integrated Development
12 Ordinance (IDO) that would establish a modern, city-wide system of tailorable
13 zones and design standards; and

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

18 WHEREAS, recent developments on 4th Street built under the standards of
19 the Corridor Plan have indicated that the development standards of that Plan’s
20 form-based North Fourth Mixed Use District (NFMXD) zone may not provide
21 enough direction with regard to building articulation and façade appearances
22 along major public thoroughfares; and

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

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

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

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

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

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

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

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

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

29 **SECTION 2. That upon the effective date of this Resolution and for a**
30 **period of six months thereafter, or until an updated Integrated Development**
31 **Ordinance is finally acted upon by the City Council and a new citywide Zone**
32 **Map is adopted, whichever first occurs, the City shall not approve any building**

1 permits under the provisions of the NFMXD Zone unless they comply with
2 Exhibit A: Interim Design Requirements for Building Façades.

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

6 SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
7 clause, word or phrase of this resolution is for any reason held to be invalid or
8 unenforceable by any court of competent jurisdiction, such decision shall not
9 affect the validity of the remaining provisions of this resolution. The Council
10 hereby declares that it would have passed this resolution and each section,
11 paragraph, sentence, clause, word or phrase thereof irrespective of any
12 provision being declared unconstitutional or otherwise invalid.

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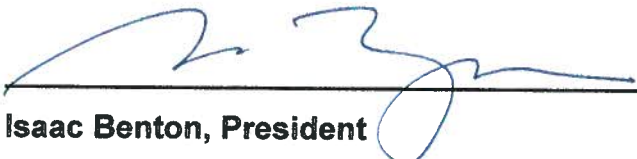
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1 PASSED AND ADOPTED THIS 20th DAY OF March, 2017
2 BY A VOTE OF: 7 FOR 1 AGAINST.

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4 **Against: Lewis**
5 **Excused: Winter**

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9 _____
10 **Isaac Benton, President**
11 **City Council**

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14 APPROVED THIS _____ DAY OF _____, 2017

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18 **Bill No. R-17-160**

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23 **Richard J. Berry, Mayor**
24 **City of Albuquerque**

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27 **ATTEST:**

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30 **Natalie Y. Howard, City Clerk**

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Exhibit A
Interim Design Requirements for Building Facades
North Fourth Street Rank Three Corridor Plan
NF-MXD Zone

The following requirements supplement those that exist in the North Fourth Street Rank Three Corridor Plan. In the event of a conflict, these Interim Design Requirements shall prevail.

A. Primary pedestrian entrances to each primary building shall be emphasized through variations in façade colors or materials, porticos, roof variations, recesses or projections, or other integral building forms.

B. Each primary building facade along each street frontage shall incorporate doors, pedestrian entrances, or windows, the lower edges of which are located no more than three feet above grade, distributed along the façade so that each horizontal façade length of 25 feet contains at least one of those features.

C. In addition, each primary building façade on each street frontage shall incorporate at least one of the following features so that each horizontal façade length of 40 feet contains at least one of the features:

- i. Portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather;
- ii. Sun shelves or other exterior building features designed to reflect sunlight into the building and reduce the need for interior lighting;
- iii. Raised planters between 12 and 28 inches above grade with the surface planted to achieve at least 75 percent vegetative cover at maturity.

D. In addition, each primary building street facade longer than 100 feet shall incorporate one of the following features, or a combination of those features, extending for at least 25 horizontal feet per 100 horizontal feet of the façade or part thereof:

- i. Outdoor seating adjacent to at least one of the street facades; if the outdoor seating is located on the south or west side of the building, at least 25 percent of the seating area shall be shaded;
- ii. Wall plane projections or recesses of at least six inches in depth, extending at least 25 percent of the length of the facade;
- iii. A vertical change in color, texture, or material occurring every 25 linear feet and extending at least 20 percent of the length of the facade; or
- iv. Art such as murals or sculpture coordinated through the City Public Arts Program.

E. For sites abutting 4th Street:

- i. Each primary building side or rear facade adjacent to a solely residential zone district shall have a similar level of façade articulation, materials, and detailing on side or rear façades as on the street façades.
- ii. Each ground floor facade facing a public street shall contain a minimum of 30 percent of its surfaces in non-opaque and non-mirrored windows and/or doors, with the window sill no higher than 30 inches above the finish floor.
- iii. Each second floor and higher floor facades shall contain a minimum of 30 percent of its surface in windows.

F. Building Placement along 4th Street:

Front setback	Maximum: 10 feet Minimum: 5 feet Premises with less than 75 feet of frontage: Maximum: 60 feet Minimum: 5 feet
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G. Street Trees: Street trees shall be placed in the setback area between the sidewalk and the building if replatting and/or dedication of right-of-way does not accommodate/create an appropriate planting strip between the curb and sidewalk.