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.

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.
PASSED AND ADOPTED THIS 21st DAY OF June, 2021
BY A VOTE OF: _____9_____ FOR _____0_____ AGAINST.

[Signature]
Cynthia D. Borrego, President
City Council

APPROVED THIS 21st DAY OF June, 2021

[Signature]
Timothy McKeller, Mayor
City of Albuquerque

Bill No. R-21-165

[Signature]
Ethan Watson, City Clerk