1 VP
2 NH100

Apr 12 20 Staff not 5pm

**Comments to the EPC, Gary Eyster, 316 Amherst Dr NE, April 2017**

I am a director of the Nob Hill Neighborhood Association but I am addressing you personally .

3 Love Train

I also commend the Planning Department……Mikaela, Terra, Carrie… very available and earnest in their care. Andrew Webb formerly on council staff will be missed ….

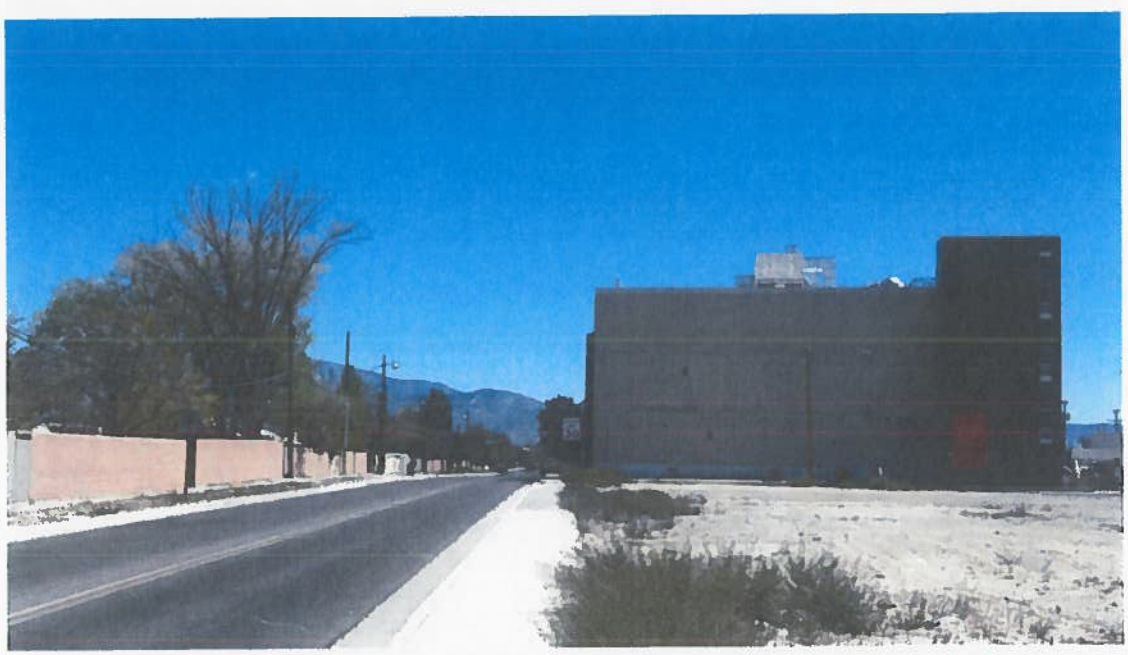
4 Support IDO

5 **BUT…major concerns about the draft….**Since the earliest meetings we were told that the provisions in our sector plans would be incorporated. Some of our SP has been brought forward

When it comes to building heights in the MX-M zone from Girard to Aliso our sector plan has been thrown out. In the draft the 39 ft. height from the sector plan is 45 ft. and even 65 ft. within a block of ART stops. I've even seen comments wanting 65 ft. up to 660 ft. from ART stops.

That's an attractive windfall for certain people but it imposes an unreasonable cost on the historic neighborhoods of Nob Hill. Nob Hill is a distinctive treasure…The draft lumps us in with the rest of the city in too many respects, sacrificing our uniqueness and all that can mean for tourism and historic character of surrounding neighborhoods.

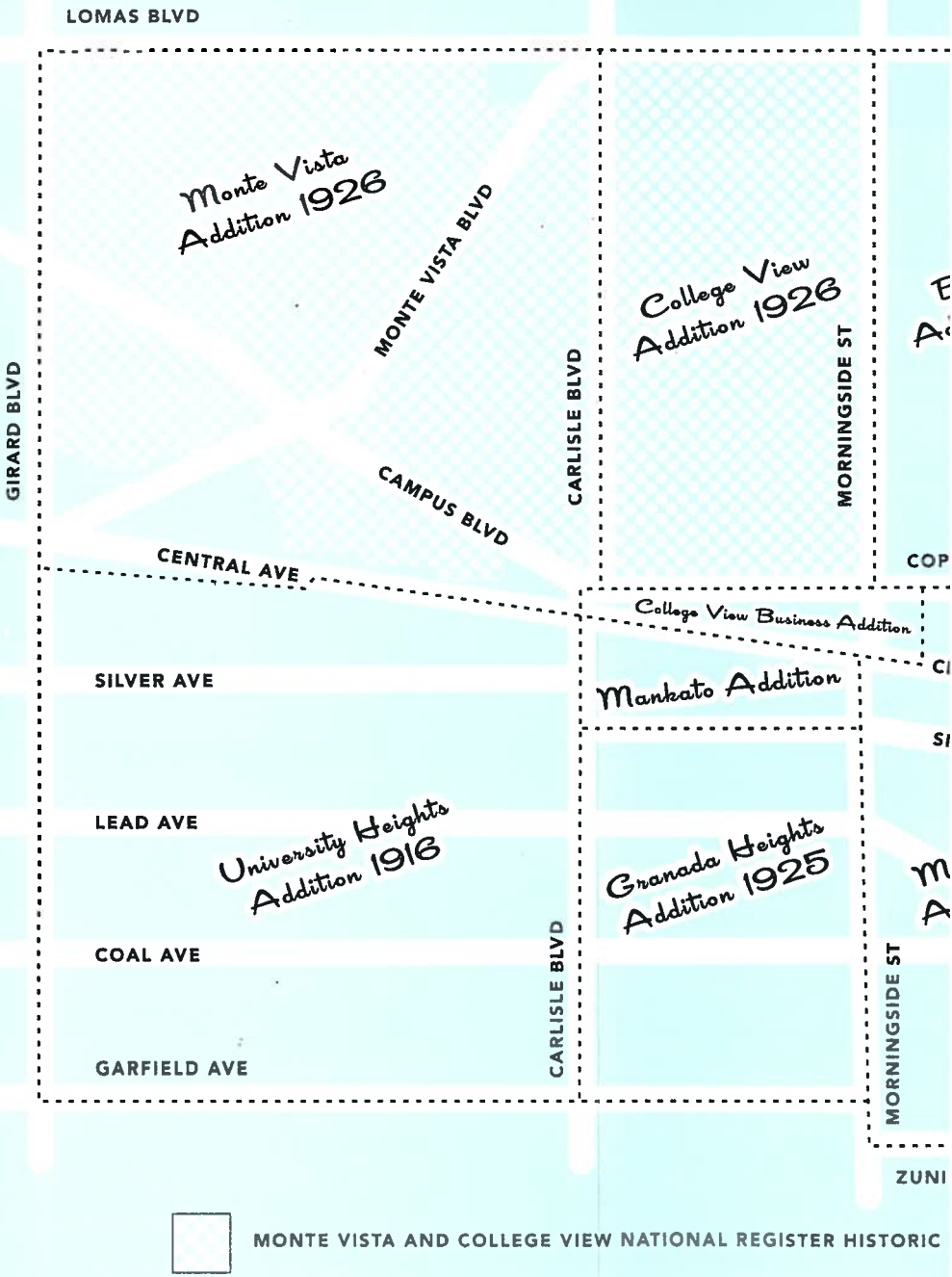
The photo below depicts the Century Link Building at Copper and Sierra Dr NE. The white portion is about 50 ft. high. It fundamentally changes the character of the neighborhood to the north. The draft could allow 45 ft. buildings on Copper or even 65 ft. with premium transit bonuses



11-1-0 1. MX-T ht
9-2-1 2. 39' } bonuses
12-0-0 3. 54' } like PT

Received 4-10-17

# Nob Hill Platted Additions




MONTE VISTA AND COLLEGE VIEW NATIONAL REGISTER HISTORIC

REC'D 4.10.17

# IDO

## What does Transportation Development Review Services do for the City?

1. Review all development in the city to ensure proper transportation infrastructure is built. This includes proposals for
    1. Building Permit Information
    2. Curb Cut Approvals
    3. Environmental Planning Commission (EPC)
    4. Development Review Board (DRB)
    5. Design Review Committee (DRC)
    6. Administrative Amendments (AA)
    7. Traffic Impact Study (TIS)
    8. Traffic Circulation Layout (TCL)
    9. Certificate of Occupancy (CO)
    10. Zoning Hearing Examiner (ZHE)
    11. Bernalillo County Zoning, Building, and Planning Reviews

2. Review proposed development and ensure it complies with
    1. Portions of the Traffic Code
    2. Sidewalk Ordinance
    3. Subdivision Ordinance
    4. Portions of the Zoning Code
    5. 43 Sector Development Plans
    6. 4 Design Overlay Zones
    7. 5 Corridor Plans
    8. 3 Area Plans
    9. 4 other regulatory type plans
    10. Development Process Manual
    11. General Engineering Principles

## Why we need a change to the current system

1. There are so many redundancies and conflicts; we are forced to make many judgement calls.
2. There has been a complete staff turnover and it is difficult to have consistency with new people.
3. We are short staffed, new staff takes so long to train, and we are so busy, it is difficult to complete a thorough training on all plans.
4. Since we are so busy, we welcome the prospect of reducing review time. The IDO will reduce the # of plans, plan interpretation and consulting with a manager for judgement calls.
5. Out of town, new applicants or private individuals have an extremely difficult time navigating the current system & understanding requirements.

## Examples of problems with the current system

1. Downtown Neighborhood Area Sector Development Plan –
   - Intended that no driveway cuts are allowed where alley way access is available.
   - Lots without alley access can have a driveway cut up to 16 ft.
   - However, a loophole exists. The plan is silent regarding prohibition of driveway cuts with alley access; therefore lots with alley access can essentially have a driveway cut and the max width could be based on DPM standards (12-22 ft).
2. Sawmill Wells Park Sector Development Plan
   - The Planning Director shall not approve any development meeting thresholds described in Section 23.8 of the DPM adjacent to the streets or intersections where the Level of Service is D,E, or F for truck terminals (Page 95).
3. Rio Grande Boulevard Corridor Plan
   - Construction plans for public right-of-way projects in the Design Overlay Zone shall be reviewed by the City Planner to ensure compliance with Design Overlay Zone Requirements (page 43).
   - Drivepad design shall be established and approved by the Mayor prior to issuance of construction Permits (Page C-15).

# Sector Plans with Site Plan Requirements

REC'D
4.10.17
Michael Vos

| Sector Plan | Admin. App'l | DRB | EPC | ZHE | ADC | Notes | Design stds | Prohibit-ted/ restricted uses | Deviation/ Variance process | Notes |
|---|---|---|---|---|---|---|---|---|---|---|
| Barelas SDP | X | | X | | | For SU-2 R-2 and R-3 mulit family projects ,<45,000sf AA, > 45, 000 sf, EPC (page 72) | Y | | N | |
| DT 2025 | X | | X | | | If allowed uses, processed thru A App'l (DRT); if not allowed, processed thru EPC (page 28b) | Y | Y | Y | 1- Plan says specifically no ZHE (page 28) |
| EGSDP (2010) | X | | X | | | SC/Large Retail Facility and SU-I sites only | Y | Y | Y | deviations to 5.5 and 5.6 can not be processed thru ZHE pages 5.8-5.9 |
| La Cuesta SDP | X | | X | | | Certain req'ments of SU-1 zoned properties (pg. 4) | | | N | |
| La Cueva SDP | | | X | | | For all development except residential development with >5000 sf lots- not req'd | Y | Y | N | |
| Los Duranes SDP | | X | | | | Only LD-MUD 1 +2 zones and PCD (pages 83 + 95) Advertised hearing thru DRB | Y | Y | N | |
| Huning Castle SDP | | | X | | | For CLD zone only (page 17) | | Y | N | |
| Huning Highland SDP | | | | X | | Site plan app'l req'd for b + b and parking lot uses. Approved by ZHE (page 32-34) | | | Y | For parking (page 39) |
| Martineztown/SB | | | X | | | Pages 73-77 | | | | |
| McClellan SDP | X | X | | | X | If there are significant site impacts or new construction, must go DRT to DRB then ADC. If no significant site impacts or renovations, just thru DRT (page 72) | Y | Y | N | |
| Nob Hill SDP | | | X | | | If sites are 5 acres or more (page 103) | Y | Y | N | |
| Nor Estes SDP | X | | | | | Development of densities >12 du/ac residential for Areas #12 + #13 and all non residential uses (page 25) | | | N | |
| North 4th CP | X | | | | | site plan is not required to be processed thru DRT but will expedite building permit review process. (pages 22-24) | Y | Y | Y | site plan must accompany any deviation request and the PD determines which body must review the site plan (DRB, EPC, AA) |
| North I-25 SDP | | X | | | | Sites are zoned SU-1 or SC, must be processed thru EPC per ZC. Restricted uses under the CP land use (page 28) | Y | Y | Y | page 31 under Design Regulation allows variance thru ZHE |
| NW Mesa Escarpment Plan | X | | | | | Site plans for all land uses thru AA unless SU-1, them comply with ZC - thru EPC (page 51) | Y | N | Y | If requesting changes to the Design Regulations, other than those specified in the Plan, constitute amendments to the Plan .Minor changes of 10% can be done administratively (page 50 Policy #7) |
| Sawmill SDP | | | X | | | Pages 78, 83-84/ SU-1 sites only | | | | |
| Seven Bar SDP | | | X | | | Pages 8- 13/ SU-1 sites only | | | | |
| St. Joseph's SDP | | | X | | | Pages 25-26 | | | | |
| South Yale SDP | X | X | X | | | Process is dependent on the compliance on use and form (page 14) | Y | Y | Y | Conditional uses thru ZHE, Minor/major deviations from dimensional stds of plan AA/EPC depending on % (page 14) |
| Tower/Unser SDP | | X | X | | | For properties zoned RD14du/ac and RD 20du/ac. "Planning Director after a public hearing by City Staff"=advertised hearing at DRB (page66)SU-2/YOW | | Y | N | |

# Sector Plans with Site Plan Requirements

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Trumbull SDP | | | X | | | International Marketplace If new construction that complies with the amended SDP, the DRT. If it does not comply with the plan (page 8 + Figure 14) | | Y | N | |
| University N SDP | | | | X | | Required with certain zoning categories (page 77) | | Y | N | |
| Uptown SDP | X | X | | | | URT then advertised DRB Page 95 | Y | y | Y | Pages 99-100 |
| Vineyard SDP | X | | X | | | Req'd for R-D zoned proprieties that are 3 ac or more and do not include houses and TH (page 4.7)-SU-2/C-1 + SU-2/O1+RT require EPC(page 4.8) | | Y | N | |
| VCSDP | X | X | | | | depends on the zone see review process within each zone category(63-75) | | | Y | page 59 |
| VHSDP | X | X | | | | see table 3.1 page 23 and pages 27-30 + 38-39 | | | Y | pages 31-37 |
| VTSDP | | X | | | | Page 19 | | | Y | page 20 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |

* unless otherwise noted, all SU-1 zoned sites within the Plan boundary, must comply with the SU-1 regulations of the Zoning Code. Review sector plan regulations because some have requirements that must be incorporated into the SU-1 site plans.

** if sector plan is not listed then site plans go straight to Building permit unless zoned SU-1

# Sector Plans with Site Plan Requirements

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Trumbull SDP | | | X | | | International Marketplace If new construction that complies with the amended SDP, the DRT. If it does not comply with the plan (page 8 + Figure 14) | | Y | N | |
| University N SDP | | | | X | | Required with certain zoning categories (page 77) | | Y | N | |
| Uptown SDP | X | X | | | | URT then advertised DRB Page 95 | Y | y | Y | Pages 99-100 |
| Vineyard SDP | X | | X | | | Req'd for R-D zoned proprieties that are 3 ac or more and do not include houses and TH (page 4.7)-SU-2/C-1 + SU-2/O1+RT require EPC(page 4.8) | | Y | N | |
| VCSDP | X | X | | | | depends on the zone see review process within each zone category(63-75) | | | Y | page 59 |
| VHSDP | X | X | | | | see table 3.1 page 23 and pages 27-30 + 38-39 | | | Y | pages 31-37 |
| VTSDP | | X | | | | Page 19 | | | Y | page 20 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |

* unless otherwise noted, all SU-1 zoned sites within the Plan boundary, must comply with the SU-1 regulations of the Zoning Code. Review sector plan regulations because some have requirements that must be incorporated into the SU-1 site plans.

** If sector plan is not listed then site plans go straight to Building permit unless zoned SU-1

## Michel, Racquel M.

**From:** Ortiz, Monica
**Sent:** Monday, April 10, 2017 10:18 AM
**To:** Michel, Racquel M.
**Subject:** Plan Checker review conflicts.

REC'D 4.10.17

Having been a plan checker for four years I have been able to make my job easier by creating my own paper binders and electronic files with information consisting from five different publications such as sector plans, DPM processes for design standards, standard specifications, zoning codes and drainage ordinance used to complete building permit reviews, certificate of occupancy inspections, ZHE reviews for my job requirements. My review time could be quicker if information is easier to find with in one document such as the IDO. The learning curve of our new employees that need to be trained how to locate all the information needed for reviews in five different locations is very time consuming and confusing as well. Explaining where to find requirements for Transportation submittals and Hydrology submittals to the public is very confusing for them. I am consistently getting complaints from outside engineering and architectural firms about locating information for COA Planning processes. We should have all design standards with in one document such as the DPM. Currently I have to go into the DPM, zoning code and sector plans to figure out what design standards are required for new construction. This review process takes time and for new reviewers or customers to the COA Planning process is outdated and needs to be consolidated into one location.

**Monica Ortiz**
Planning Department – Transportation & Hydrology
Development & Building Services Division
600 2nd St. NW, Suite 201
Albuquerque, NM 87102
t 505-924-3981
f 505-924-3864

# CITY OF ALBUQUERQUE

*Planning Department*
Suzanne Lubar, Director

REC'D 4.10.17

*Mayor Richard J. Berry*

April 10, 2017

EPC

Re: Approving IDO and DPM

To whom it may concern;

I Rudy Rael am all for the approval of the IDO and the DPM. This combination will help me in my job greatly and cut down on needles time finding the correct answers for the plans I review. I will not need to search several publications to come to the right conclusion for all the different areas in our city. Having one publication and one process manual will unify our city and will alleviate the bickering from developers as to why one area of the town does this and the other has to do that.

Another area which will be aided greatly is with the Flood Ordinance and maintain our good relationship with the Federal Emergency Management Agency (FEMA). If we do not keep the flood ordinance as a policy or make it mandatory as a LAW, the City of Albuquerque has a chance of being kicked out of the National Flood Insurance Program, which will cause a need for the city to explain to our citizens why their flood insurance rates are so high and why we do not get help from the FED when a natural disaster occurs.

I am all for this approval because it makes sense, it helps all the departments in the Development Review Section and in the long run help the developers of this city, in finding all their answers in one or two manuals and not need to call around until they get the right department with the right answer.

Respectfully;

Rudy E. Rael, CE, CFM
Engineer Assistant
Hydrology Section

PO Box 1293
Albuquerque
New Mexico 87103
www.cabq.gov

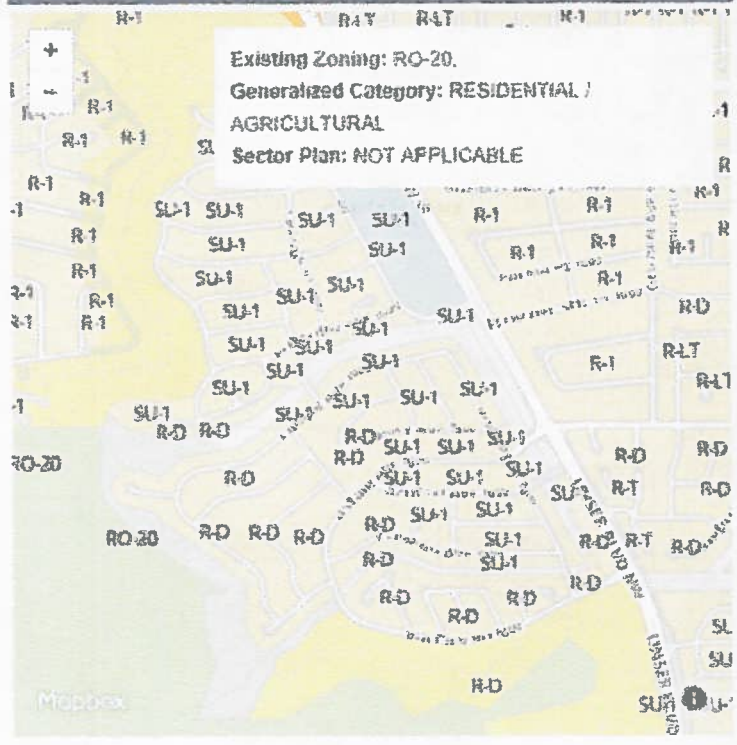
Dennis Newton REC'D 4.10.17

Start | Access My Account | Email | XFINITY Connect [sfvnaboa | IDO Zoning Conversion

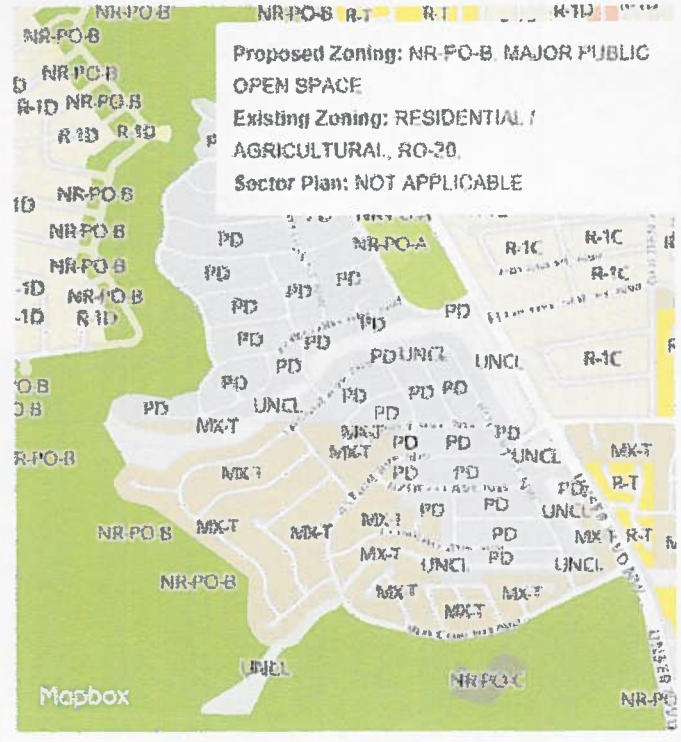
abc-zone.com/ido-zoning-conversion-map

Select location

## Existing Zoning



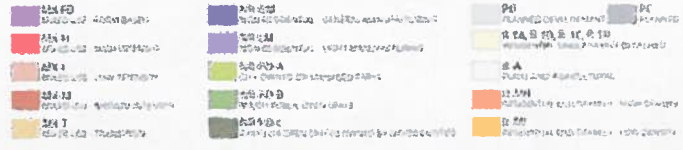

## IDO Zoning




### Existing Zoning District Categories

- COMMERCIAL
- OFFICE
- RESIDENTIAL / AGRICULTURAL
- INDUSTRIAL / WHOLESALE / MANUFACTURING
- RESIDENTIAL
- UTILITIES / TRANSPORTATION
- OPEN SPACE /

### IDO Zoning Districts



CONSENSUS PLANNING

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

REC'D
4.10.17

April 10, 2017

Karen Hudson, Chair.
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Re: Integrated Development Ordinance

Dear Madam Chair. and Commissioners:

The purpose of this letter is to transmit my comments on the Integrated Development Ordinance (IDO) currently under consideration by the Environmental Planning Commission. In general, I am in support of the IDO and commend the consultant and City staff on the job they have done to bring the IDO to this point. Staff has made themselves available to discuss areas of concern and have responded in a very thoughtful and deliberate manner. It is virtually impossible to catch every issue that may be contained in this densely written document, and consultant/agents will continue to find these as we bring projects forward through the entitlement process.

The following are my comments on the current draft:

1) **Los Duranes Sector Development Plan:** Los Duranes was one of the last areas brought into the IDO as a Character Protection Overlay Zone. I very much appreciate this recognition of Los Duranes as an area with unique history, character, and patterns of development. The Sector Plan was adopted only five years ago after waiting since the 1970s for an update. Most of the critical regulations were brought forward in the CPO proposed regulations. There are a few minor revisions that I believe would strengthen and better legitimize replacing the sector plan with the CPO:

   a. Setback Standards, Front Yard Setbacks, 2-7.2.4.c.i.a, page 76 – The impetus behind having the contextual requirements for front yard setbacks in the LDSDP was to maintain our non-uniform style of development in Los Duranes. The LDSDP labeled this regulation "Staggered Front Setback" to convey the purpose of the regulation. My request would be to add the word "staggered" back into the title of this regulation.

      It appears that the regulation for front setback when garages face the street has been removed. It is unclear whether this omission was to prohibit garages from facing the street or was this an oversight? My request would be to add the previous LDSDP language back in that

PRINCIPALS

James K. Strozier, AICP
Christopher J. Green, PLA, ASLA, LEED AP
Jacqueline Fishman, AICP

states: "Garages that have doors facing the street shall be setback not less than 20 feet from property line".

C.i.a.ii. and iii. page 76 – The front setback called out in these two sections require the setback to be within 5 feet of the average setback of existing buildings within 300 feet, and for new subdivisions, within a minimum of 5 feet set back or set forward from the front facade of principle dwelling locating on one adjoining property facing the same street. The LDSDP regulation was 6 feet and I request that this dimension be reinstated as written in the LDSDP.

b. Acequia Standards, 4-2.6.C.1., page 178 – I want to thank staff for making the previous revision that brought the acequia standard back to how it was written in the LDSDP, which was to measure the setback from the centerline of the ditch. The Acequia map on page 178 shows the various ditches within the neighborhood, but has only two street names and no ditch names on the map. My request is to add additional street and ditch names to the map so that readers understand where these facilities are located.

2. **Senior Living Facilities**
   a. Use Regulations, Table 3-2.1, page 106 - Assisted living and nursing home are called out in the Permitted Use Table, but independent living, memory care, and CCRCs are not. These senior living terms are not interchangeable. I question why assisted living and nursing home are conditional in the C-2 zone, but permissive in the C-3 zone. This seems arbitrary and unnecessary to differentiate. Further, Footnote 185 states that the use is 'P" where multi-family dwellings are allowed. My request would be to add these other levels of senior living into the Permitted Use Table and to revise the R-2 zone to allow these uses permissively.

   b. Off Street Vehicle Parking, 4-5.3, Table 4-5-1, page 203 - I strongly support the change from parking based on the number of bathrooms to the number of bedrooms; long overdue.

   c. Group Living, Assisted Living or Nursing Home, page 203 – The minimum parking required under assisted Living facility (1 space per 3 beds) or nursing home (1 space per 5 residential care beds, but not less than 2 spaces) is a significant improvement over the current regulation (1 space per 2 beds). However, this category does not take into consideration other levels of care in senior living facilities. The two other common categories are Independent Living (IL) and Memory Care. If the intent of the IDO is to require the same level of parking for Independent Living as typical multi-family, the project is likely to be overparked. While many IL residents have vehicles, most of these projects provide shuttle services to the residents. My suggestion would be to have a minimum of 1 space per IL unit, regardless of the number of bedrooms, and to call this out specifically in the Off-Street Parking Requirements Table 4-5.3. I would also suggest calling out Continuing Care Retirement Communities (CCRC) in a manner that describes how the applicant calculates parking for four different levels of care.

d. Definitions, 6-1, page 384 – Only Assisted Living Facility and Nursing Home are defined in the IDO. Assisted living is narrowly defined and does not reflect the typical facility being built in the community. My request is to either add separate definitions for Independent Living, Memory Care, and Continuing Care Senior Community or a combined definition for all levels of care as follows:

*"Senior Living Facility - housing designed specifically for seniors that may include different levels of care: independent living, assisted living, memory care, or skilled nursing, or any combination of the above. These projects may be designed as continuing care communities that allow residents to transfer to higher levels of care as needed. Support services typically include commercial level kitchens with shared dining facilities for residents; medical services with personnel that provide assistance with medication, administration, dressing, bathing, and social activities; activity rooms; indoor recreational amenities; gift shops; hair salons; administrative offices; laundry services; worship space; etc. Projects may be designed with all levels of care within one or more buildings on a site. Independent living units may be designed and constructed as part of a central building along with other levels of care or be designed and constructed as single family attached or detached units that include their own kitchen. Projects may also include overnight guest units to accommodate short term visitors."*

**3. Parking and Drive-Throughs**

a. Off Street Vehicle Parking, 4-5.1, Table 4-5-1, page 206: Restaurant parking has been modified in the IDO to allow the parking calculation to be either according to square feet or design capacity, whichever is greater. This is an improvement over the current Zoning Code. For UC-MS-PT, the minimum parking is 5 spaces per 1,000 sq. ft. GFA or 1 space per 3 persons design capacity, whichever is greater. However, in "other areas" the minimum parking goes up to 8 spaces per 1,000 sq. ft. GFA, but stays the same with 1 space per 3 persons design capacity as the UC-MS-PT. It seems like the minimum parking for design capacity in the "other areas" should be higher to reflect a more suburban location. As proposed, this is likely not enough parking for typical Albuquerque restaurant development. My suggestion would be to increase the design capacity to at least 4 persons.

b. Off Street Vehicle Parking, 4-5.1, Table 4-5-1, page 207: Bank parking standard was decreased from the current Code to the proposed IDO. For UC-MS-PT, the IDO requires 2.5 spaces per 1,000 SF GFA and for other areas, 4 spaces per 1,000 SF GFA. The number of spaces in the UC-MS-PT seems on the right track, but the regulation for other areas appears to be excessive. It is rare that you see any bank parking lot even close to being full, again, given the trend of on-line banking. My suggestion would be to either use the 2.5 spaces per 1,000 SF for all banks, regardless of location, or to step the requirement down for "other areas" to 3 spaces per 1,000 SF. I also question why both square foot (sq. ft.) and GFA (gross floor area) are used in the table. Typically, we calculate parking requirements based on net leasable area and do not include stairwells, closets, etc. My suggestion

CONSENSUS PLANNING

would be to use either GFA or net leasable area and remove the square footage as it is confusing.

b. Drive-Through Facilities and Vehicle Stacking Areas, 4-5.9, page 228 – Under Bank, Financial Institution, or Automated Teller Machine the minimum required stacking spaces is per lane and differentiates between Urban Centers, Main Streets and Other Areas. The previous stacking requirement was 6 spaces regardless of the number of lanes. The current proposal is 4 spaces per lane. However, for a recent application for a credit union, Raquel Michel (City Transportation Engineer) researched other communities and found that the minimum stacking requirement is 120 feet in total, which was subsequently applied to the credit union by the EPC. Another consideration is that fewer bank customers are using drive-through services and are opting to use on-line banking instead. There is simply no reason to require this amount of pavement for a bank in 2017. My request would be to revise the stacking requirement to 120 feet in total, regardless of how the number of lanes.

Thank you, as always, for the opportunity to comment on the IDO and your consideration of my suggestions

Sincerely,

Jacqueline Fishman, AICP
Principal

*PNM*
*2401 Aztec NE, Z200*
*Albuquerque, NM 87107*
*505-241-2792*
*www.pnm.com*

Rec'd 4.10.17

April 10, 2017

Chair Karen Hudson
City of Albuquerque
Environmental Planning Commission
600 2nd St NW
Albuquerque, NM 87102

Subject: Additional Comments - City of Albuquerque Draft Integrated Development Ordinance

Dear Ms. Hudson:

As a key utility stakeholder, PNM appreciates the opportunity to provide additional comments and suggested revisions to the City of Albuquerque Draft Integrated Development Ordinance (IDO). Suggested new language is shown underlined and in red, deletions are shown with strikethrough in red.

1. While the IDO Zoning Conversion Map was being developed, PNM requested equivalent zoning on two electric facility parcels; however, the existing IP zoning or equivalent for these two parcels was not carried forward into the current draft map. The two referenced electric facility parcels are Reeves Generating Station and Sandia Switching Station, both currently zoned "Industrial Park: IP" (Enclosure). The City's proposed zoning for both parcels is "Non-Residential Business Park: NR-BP". The current IP zoning allows for industrial uses in an industrial environment which is defined as follows:

   *This zone provides suitable sites for a wide range of industrial and commercial uses, provided such uses are conducted in a compatible and harmonious manner within industrial environments achieved through a Development Plan." Permissive uses include…"(19) Public utility use or structure and fire stations, provided their location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.*

   The definition of "Non-Residential–Business Park: NR-BP" is as follows:

   *The purpose of the NR-BP district is to accommodate a wide range of non-residential uses in close proximity while buffering potential impacts of each use from surrounding uses and adjacent areas. A wide variety of commercial, research, light assembly, development, office, distribution, showroom, processing, and institutional uses are permitted…*

   The definition of "Non-Residential–General Manufacturing: NR-GM" is as follows:

   *The purpose of the NR-GM zone district is to accommodate a wide variety of industrial, manufacturing, and heavy commercial uses, particularly those with noise, glare, or heavy traffic impacts, in areas separated from residential neighborhoods and lighter impact businesses and mixed-use areas.*

PNM is requesting the EPC to change the proposed zoning for the Reeves and Sandia parcels to NR-GM which is the most appropriate one-to-one conversion for the existing zone.

2. In Table 3-2-1 at the top of page 115 in the first line, it is recommended that "Solar or geothermal energy generation" is clarified that this category refers to private solar generation and not to utility-scale solar generation. Private solar generation is an accessory use; utility-scale generation is primary use and is permissive.

3. In Section 16-16-3-3.5, F. Solar or Geothermal Energy Generation or Device on page 141, is recommended that items 2, 3 and 4 which apply to primary use of the property be removed and placed under Section 16-16-3-3.5, G. Utility, Electric, also on page 141.

4. In Section 14-16-3-3-5, I. Co-locations and Public Utility Co-location, item iv, on page 146, it is recommended that the term "electric transmission line structure" is replaced with "public utility structure" to be consistent with the definition provided on page 416.

5. In Section 14-16-4-6-9, B. Maximum Height, on pages 250 and 251, it is recommended that the following statement regarding wall height in item 3 on page 251 is repeated at the end of item 1 on page 251. In the current IDO draft, it may be interpreted that taller walls for security reasons may only apply to the NR-LM and NR-GM zones; however, it is necessary to allow taller walls for security reasons in all zones in order to accommodate PNM's substation wall height as directed in the Rank II *Facility Plan: Electric System Transmission and Generation (2010 – 2020)* where all electric substation walls are allowed to be 12 feet in height (see Standard #15 in the Facility Plan on page 6). The 12' wall height is required at electric substations and switching stations for safety and security purposes. The recommended revision includes inserting the following language at the end of B. Maximum Height 1. at the top of page 251:

   *In any zone district except the NR-LM and NR-GM zone districts, a wall located between the front or side façade of a primary building and a public street, park, Major Public Open Space, trail or arroyo may not be more than 36 inches tall. Walls in other locations on the lot may not be more than eight feet tall and may be opaque. The Director, or their designee, may approve a taller wall if necessary for security reasons due to specific site conditions or the nature of the land use or related materials and facilities on the site.*

6. In Section 14-16-5-4.9 A. Referrals to Commenting Agencies on page 314, there is a concern that during the staff review of an application, if the review does not include those commenting agency subject matter experts currently reviewing applications, impacts will potentially be missed. In order to provide an efficient method for issues to be resolved early on in the review process, it is recommended that commenting agency review of the applicant's submittal materials be added as a review step on the Pre-Application form which would formalize the process as part of the EPC review.

7. In Section 14-16-5-5.2, H. Subdivision of Land-Minor, 1. Applicability, item a. iv. on page 351, it is recommended that the terms "pipes, wires" be deleted, as they are unnecessary and since the terms are not used anywhere else in the IDO. The sentence is clearer without the terms. Recommended revision:

   *Does not require installation of any significant infrastructure, other than ~~pipes, wires, and other~~ connections between permitted structures on the lot and existing infrastructure*

*~~pipes, wires,~~ and other systems located on or in an adjacent street or parcel of land; and…*

8. On page 375, in the definition of the term "Infrastructure" it is recommended to delete "lines, and appurtenances". The use of the term "Infrastructure" throughout the IDO should not apply to utility lines such as electric facilities, as these are already defined on page 425.
   *Infrastructure*
   *Streets, sidewalks, sanitary sewer and water system facilities, ~~lines and appurtenances,~~ drainage and flood control facilities, street lighting, and other improvements used by the public or used in common by owners of lots within a subdivision. Includes both private (owned by a non-governmental entity) and public (owned by a governmental entity) improvements.*

9. On page 119, Temporary Use Not Listed" in in the Permitted Use Table 3-2-1 and on page 163, 3-3.7 Temporary Uses, J. Temporary Use Not Listed, the language is short-sighted for construction project uses such as staging areas that typically last longer than 4 days. Since this is a case-by-case basis approval, the number of days should be removed and process made clearer.

10. On page 199, 4-4.12, Easements or Rights-of-Way, in section A. and in section D., suggest changing the term "infrastructure" to "facilities" as follows:
    A. *The Development Review Board may require rights-of-way or easements for public infrastructure or private ~~infrastructure~~ facilities.*

    D. *Easements may be jointly used for private ~~infrastructure~~ facilities with approval from the Development Review Board as specified in the Development Process Manual and in Section 5-5.2H (Subdivision of Land – Minor) or Section 14-16-5-5.2.I (Subdivision of Land – Major).*

11. On page 415, in the definition of Private Way, it is recommended to change the term "infrastructure" to "facilities" or "use" as follows:
    *Private Way*
    *A lot or easement that is not public right-of-way and that contains a street or alley providing access between public right-of-way and one or more lots. The term may include easements for public and private ~~infrastructure~~ facilities when such are established through a suitable legal document, along with the access rights.*

Thank you for your consideration of our comments.

Sincerely,

Laurie Moye

Laurie Moye
Coordinator, Regulatory Project and Public Participation

Enclosure

# SBMT

## ZONE CHANGE DISCREPENCIES

Chair and Commissioners, I am Carol Krause and the Secretary of the Santa Barbara Martineztown Neighborhood Association. Let me start by assuring you that this neighborhood association is in support of the IDO and have no intent to delay it .

We would like to go on record with our concerns and ask that more time be allowed before the last scheduled EPC meeting so that we and others can work with the Planning Department, identify, and present to the EPC all concerns and possible resolutions.

<u>Our first and most major issue</u> pertains to the designation of the proposed MX-L zoning in our historical and primarily one story neighborhood. MX-L allows for an excessive 35 ft height and would apply to our 3 current NRC (Neighborhood Residential Commercial)-designated areas. 2 of which are small and the third large area and of the greatest concern shown on map A, outlined in Red and Black, please notice how small, long and narrow all of these lots are. (See Maps A-B-C)

MX-L allows:

1. Up to 35 ft in height (instead of the current26ft) and up to 30 dwelling units per acre

As such for this area we are proposing:

To change the proposed MX-L designation to MX-T. They are both very similar in terms of land-use, with some conditional rather than permissive uses and only a few exclusions.

1. MX-T by allowing single family is more closely aligned with our current uses, height and zoning than MX-L is.
2. There is one property exception on Indian School that is nearly 1 acre already commercial use and sided by more commercial uses, this property could stay MX-L. (See Map C)

Our second and equally important issue pertains to land uses under the MX-T and MX-L designations:

1. They allow for large building-type land uses that are completely out of consistency, such as:
   a. Townhouses whose typical height is over 30ft
   b. Medium to Large Community Residential Facilities housing over eleven units.
   c. Medium to Large Group Homes, and
   d. Multi Family Dwellings

We ask that these uses be excluded from our currently designated NRC/Proposed MX-T area as they are completely inconsistent in use, size and height. This area is also designated an area of consistency under the new IDO so we feel this is appropriate.

We <u>think</u> (and please research this) we would not be infringing on anyone's current rights since our small narrow lots (based on our original acequia rights) are not big enough to be used for the above listed high density land uses. Also removing these land uses as allowed in MX-T would not permit a future new developer to combine various lots to get a property big enough to build a high-density building that is not in line with the current one story residential land use.

**Other discrepancies in zoning that we need time to address**

- **C-3 to MX-M**, the 45 ft Height is a major concern, the current height is restricted to 26ft unless on lots of 5 acres or more (which we do not have) and has an angle plain rule. With MX-M there is a NO Height Limit rule that applies to portions of the building located more than 100 ft from lot line on each side. With the exception of the area near Embassy Suites all of our MX-M areas are close and or surrounded by single family residences. While our small lots currently prevent this from happening it will not prevent someone from buying multiple lots and putting in such a building. This is unacceptable. The NO limit rule needs to be removed, restricted near residential uses or dropped to MX-L.
- A use that we would like to ensure is extended into the future is our secondary houses or Mother in Law homes, this is something engrained in our family oriented community and important that we keep this ability to have them.
- There are several properties next to the east edge of our current NRC area between Lomas and Mountain Rds. These properties abut the steep hillside and do not have road access other than short, very small narrow streets. They may be inappropriately zoned MX-M. (See Map A Blue circles)
- We need time to determine
    - if proposed setbacks/design standards will affect the building rights for property owners of our very narrow long lots.
    - If current businesses/conditional uses are grandfathered in when zoning changes.

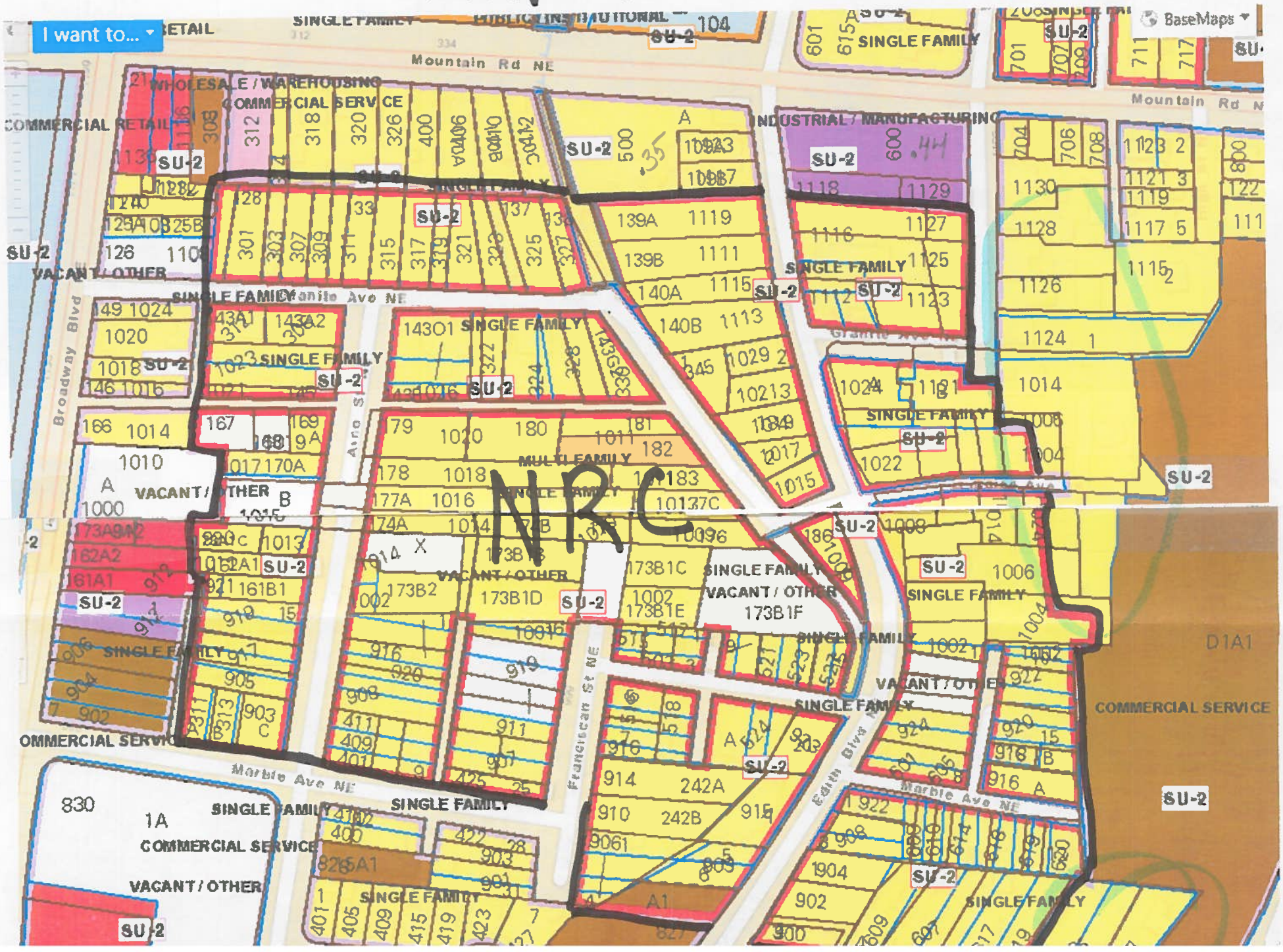
- if our agriculture, both small animal and small farming/gardening is going to be affected by these zone changes
- if building design can be regulated to be consistent with neighborhood or can that only be done through a CPO.

- I am sure we will find other discrepancies as we learn more and hope that we will have the opportunity to have those heard as well.

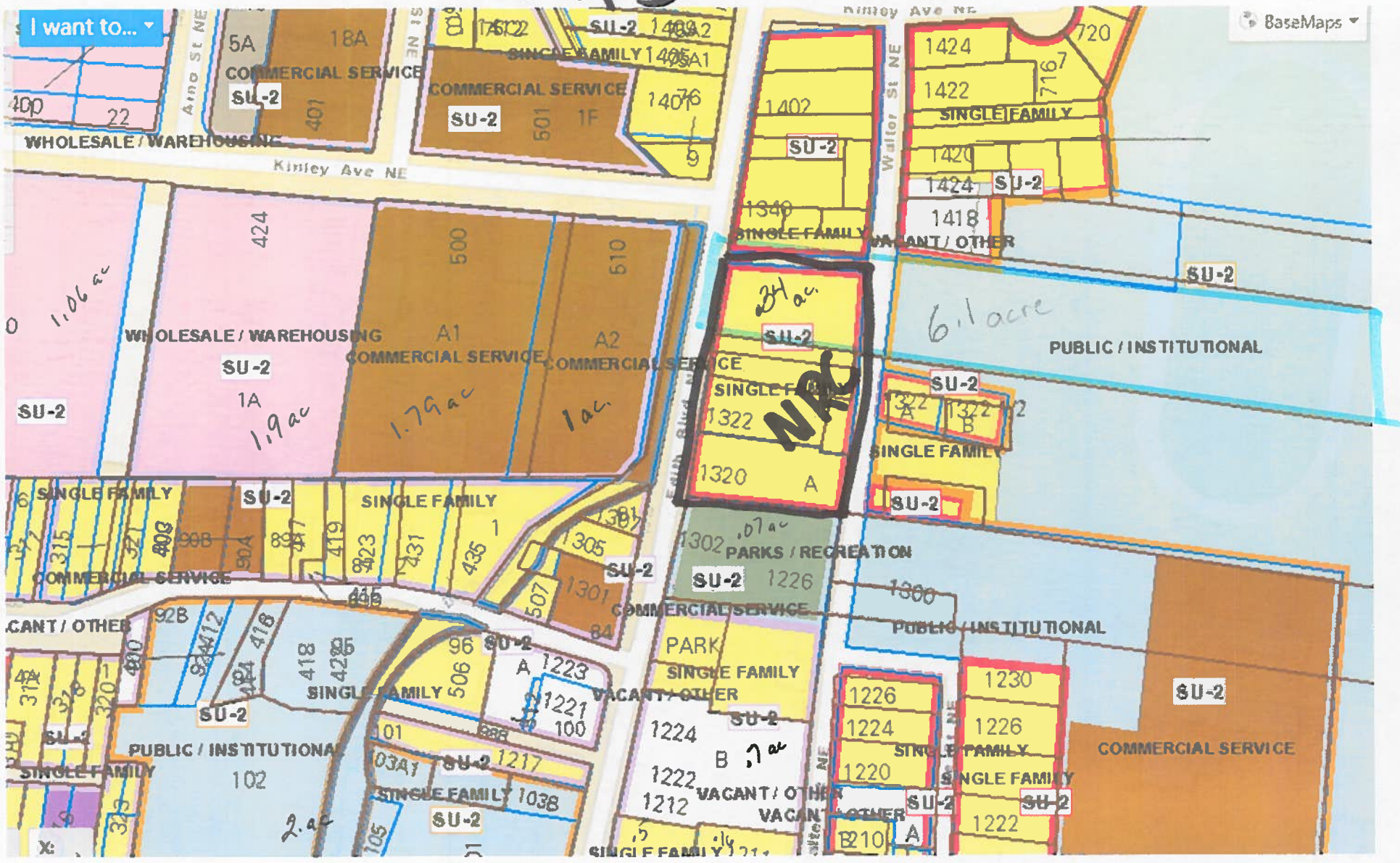
Thank you.

9-10-17 Carol Krause

# Map A

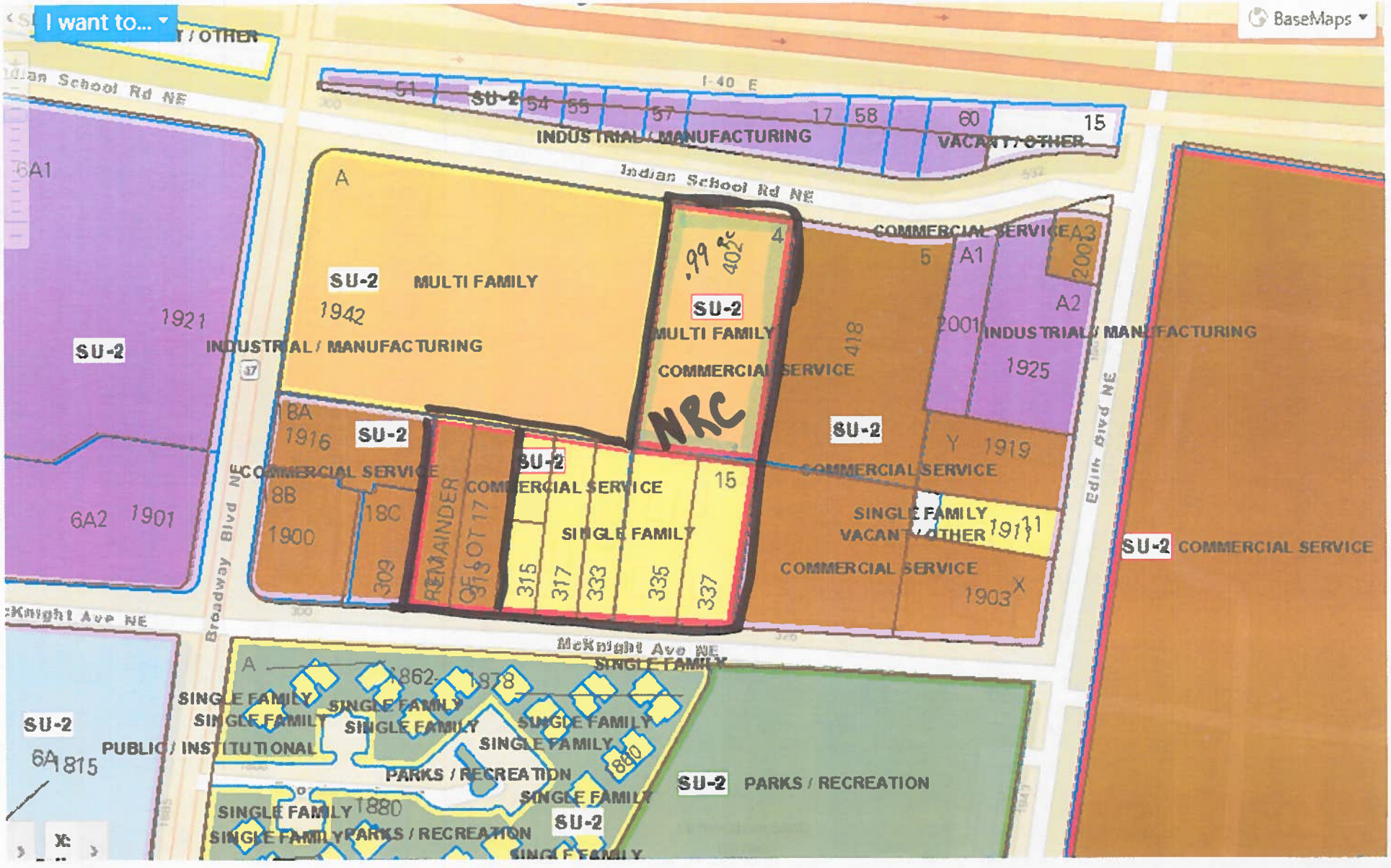


Map B




Lot size

Map C


I want to...
BaseMaps
I-40 E
Indian School Rd NE
INDUSTRIAL / MANUFACTURING
VACANT / OTHER
SU-2
MULTI FAMILY
COMMERCIAL SERVICE
INDUSTRIAL / MANUFACTURING
Broadway Blvd NE
Edith Blvd NE
McKnight Ave NE
SINGLE FAMILY
PUBLIC / INSTITUTIONAL
PARKS / RECREATION
.99 ac
402
NRC
REMAINDER OF LOT 17
315
317
333
335
337