



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

May 16, 2017

City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Project# 1001620
16EPC-40082 Amendment to Zoning Code or Subdivision
Regulations Text

LEGAL DESCRIPTION:

Adoption of the Integrated Development Ordinance (IDO) to replace the Zoning Code, Subdivision Ordinance, Airport Zone Ordinance, and Landmarks & Urban Conservation Ordinance and include portions of the Planning Ordinance and the Development Process Manual (DPM). City-wide.

Staff Planners: Catalina Lehner and Mikaela Renz-Whitmore

PO Box 1293

On May 15, 2017 the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL of Project #1001620/ 16EPC-40082, adoption of the Integrated Development Ordinance (IDO) and the Conversion Map, to the City Council based on the following Findings and subject to the following Conditions for recommendation of approval:

NM 87103 FINDINGS:

1. This request is for adoption of the Integrated Development Ordinance, or IDO. The IDO will repeal and replace the City of Albuquerque Comprehensive Zoning Code (the "Zoning Code", (§14-16-1-1 et seq.), the Subdivision Ordinance (§14-14-1-1 et seq.), the Airport Zone Ordinance (§14-15-1 et seq.), the Landmarks and Urban Conservation Ordinance (§14-12-1 et seq.), portions of the Planning Ordinance (§14-13-2-1 et seq.), and portions of the Development Process Manual (DPM), and incorporate them into a single, consolidated document.
2. Council Bill No. R-14-46 (Enactment R-2014-022), which became effective on May 07, 2014, directed the City to update the Albuquerque-Bernalillo County Comprehensive Plan (the "Comp Plan") and the land development regulations intended to implement it. The Comp Plan update and the new IDO were developed together through a planning effort called ABC-Z, undertaken to confirm the Centers and Corridors community vision, update goals and policies, and implement the vision and goals through updated regulations and review and approval processes.
3. On March 20, 2017, the City Council adopted the updated Comp Plan (R-16-108) and revised ROA 1994 to refer to Areas of Consistency and Areas of Change (O-16-27), and updated associated terms in annexation policies (R-16-109).

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4. The IDO is the implementation mechanism for the City's land use and policy document, the updated Comp Plan. The Comp Plan contains key elements, such as updated Centers and Corridors designations, updated Development Areas (i.e. Areas of Change and Areas of Consistency) and improved coordination with regional planning efforts, which establish a framework for the IDO and link the documents in a mutually supportive manner.
5. The IDO is a single document that includes a new Zoning Code, an updated Subdivision Ordinance, the Airport Zone Ordinance, and the Landmarks and Urban Conservation Ordinance, portions of the Planning Ordinance, and portions of the Development Process Manual (DPM), which will be clearer and easier to use than the existing documents. The IDO modernizes the City's development standards and processes, incorporates best practices, and integrates regulations from over 40 adopted sector development plans in order to implement the updated Comp Plan.
6. As directed by the City Council, the updated Comp Plan and the IDO were developed together and are mutually supportive. The new IDO furthers the purpose and intent of the updated Comp Plan, as well as the individual Comp Plan chapters, because it will serve to implement a course of action for harmonious development that will promote and health, safety, and welfare of the community and environment.
7. The IDO applies City-wide to land within the City of Albuquerque (the "City") municipal boundaries. The IDO does not apply to properties within other jurisdictions, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities.
8. The EPC is a recommending body to the City Council and has important review authority. The City Council, as the City's Planning and Zoning authority, will make the final decision. Adoption of the IDO is a legislative matter.
9. The purpose of the IDO is to:
 - A. Implement the Comp Plan.
 - B. Ensure that all development in the City is consistent with the spirit and intent of other plans and policies adopted by City Council.
 - C. Ensure provision of adequate public facilities and services for new development.
 - D. Protect quality and character of residential neighborhoods.
 - E. Promote economic development and fiscal sustainability of the City.
 - F. Provide efficient administration of City land use and development regulations.
 - G. Protect health, safety, and general welfare of the public.
 - H. Provide for orderly and coordinated development patterns.
 - I. Encourage conservation and efficient use of water and other natural resources.

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- J. Implement a connected system of parks, trails, and open spaces to promote improved outdoor activity and public health.
 - K. Provide reasonable protection from possible nuisances and hazards and to otherwise protect and improve public health.
 - L. Encourage efficient and connected transportation and circulation systems for motor vehicles, bicycles, and pedestrians.
10. The IDO's new and improved zoning system in has the following important, overarching benefits:
- A. New zone categories for walkable, urban areas that allow the careful mixing of residential and non-residential uses, with built-in "Neighborhood Edge" provisions to protect nearby residential neighborhoods.
 - B. New zone districts tailored for the City of Albuquerque regarding the uses allowed in each zone and the development standards tied to each zone.
 - C. Many tools within a flexible system, including overlay zones and use specific standards, to address the needs of small areas that differ from the rest of the City.
 - D. Regulations from adopted sector development plans are integrated, by either keeping a sector plan regulation, extending it City-wide, or updating it with more effective best practices City-wide.
 - E. DPM updates are coordinated to reflect the updated Comp Plan, remove conflicts between zoning regulations and technical standards, and provide clearer direction City-wide.
11. After adoption of the IDO, City Planning Staff will initiate an ongoing, proactive engagement and assessment process (Community Planning Area (CPA) assessments) to work with communities throughout the city to understand planning issues and develop solutions to address them. Performance measures will be used to track implementation of action items and progress toward Comp Plan Goals over time.
12. The IDO is consistent with the Constitution of the State of New Mexico, which allows municipalities to adopt a charter to provide for maximum local self-government (see Article X, Section 6- Municipal Home Rule). The City is a home rule municipality and has the authority to adopt a comprehensive plan as granted under Chapter 3, Article 19, Section 9 NMSA 1978 (3-19-9 NMSA 1978) and by the City Charter.
13. The IDO is consistent with the following, applicable articles of the City Charter:
- A. Article I, Incorporation and Powers: Creating the IDO is an act of maximum local self-government and is consistent with the purpose of the City Charter. The updated regulatory structure and processes in the IDO will help implement the updated Comp Plan and help guide future legislation.
 - B. Article IX, Environmental Protection: The IDO, which will help implement the updated Comp Plan, reflects best practices that will provide for orderly and coordinated

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development patterns and encourage conservation and efficient use of water and other natural resources. The IDO will help protect and enhance quality of life for Albuquerque's citizens by promoting and maintaining a high-quality and humane built environment. Commissions, Boards, and Committees will have up-to-date procedural guidance to better administer City policy and regulations.

- C. Article XVII, Planning: The review and adoption of the IDO is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. The IDO will help implement the updated Comp Plan and ensure that development in the City is consistent with the intent of other plans and ordinances that the Council adopts (Section 1). The IDO reflects best practices and will help the administration realize the Comp Plan's vision for future growth and development, and will aid in the enforcement and administration of land use plans (Section 2).
14. The IDO furthers the purpose and intent of the Planning Ordinance (Chapter 14- Zoning, Planning & Building, Article 13-Planning Goals and Objectives), which contains the Planned Growth Strategy (§14-13-1), as follows:
 - A. Part I: The IDO addresses the issues in the Planned Growth Strategy (PGS) report, which include deteriorated infrastructure, natural resource conservation and preservation, traffic congestion, infrastructure for new development, and the decline of some older neighborhoods, by: i) supporting the vision and concepts in the updated Comp Plan, and ii) creating a regulatory framework that respects established areas (i.e. neighborhoods and open space), while creating consistent quality for future development through consolidated development standards and a clarified, streamlined review and approval process.
 - B. Part K: The IDO improves the structure of development regulations by removing the pyramid structure of the 1970s Zoning Code, which relied on repeated cross-referencing to find what is allowed—a practice that led to inconsistencies and confusion. The Permitted Use Table in the IDO lists land uses by category and specifies whether they are permissive, conditional, accessory, or temporary within each zone (see Chapter 14-16-3-2, Table 3-2-1). Processes are found in a user-friendly summary table (see Chapter 14-16-5-1, Table 5-1-1).
 - C. The IDO incorporates modern best practices for land use planning and zoning. The IDO recognizes that some standards in sector development plans warrant application city-wide. Other standards are characteristic of smaller areas and therefore have been incorporated into overlay zones that protect character, historic status, and views, or into standards for mapped areas related to use, development, or review and approval processes. Application of the IDO regulations over time will implement the updated Comp Plan and minimize the gap between existing conditions and our shared community vision.
 - D. Part M: The IDO supports the community-building principles in the updated Comp Plan (i.e. sustainable development, complete communities, agency coordination, and support of small area planning efforts through the CPA process), because it will help them become reality over time by implementing standards for new development, overlay zones to protect designated areas, best practices in planning and zoning, and clarified and streamlined development processes.

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15. The IDO furthers the purpose and intent of the Planning Ordinance (Chapter 14- Zoning, Planning & Building, Article 14-Subdivision Regulations, §14-14-1), as follows:
 - A. Part A: The overarching purpose of the IDO is to implement the updated Comp Plan and ensure that development is consistent with the intent of other plans, policies, and ordinances adopted by the City Council.
 - B. Part B: Topics such as drainage, flood control, and sewer service will continue to be addressed at the DRB. Updated development standards and best practices in the IDO will help ensure provision of adequate light, air, solar access, open spaces, and water.
 - C. Part C: The IDO's updated development standards, incorporation of best practices, use of overlay zones, and clarified and streamlined development processes will help to ensure the harmonious, orderly, and coordinated development of land in the City, and help create efficiency in governmental operations.
 - D. Part D: The IDO will help promote the convenient circulation of people, goods, and vehicles while minimizing traffic hazards by better matching land uses to transportation corridors.
 - E. Part E: The IDO includes and updates the Subdivision Ordinance, which controls the subdivision of land in the City. Accurate surveying and recording of plats will continue at the Development Review Board (DRB), a technical Staff board.
 - F. Part F: The IDO will serve as a framework to help Staff and the public ensure the safety and suitability of land for development.
16. The IDO furthers and implements **Chapter 4- Community Identity**, of the updated Comp Plan because it establishes residential zone districts that correspond to existing, distinct neighborhoods and contains uses and standards that reflect the desire to protect and preserve them (Goal 4.1). The IDO retains existing standards that protect and enhance natural settings and ecosystems, including the Character Protection Overlay (CPO), View Protection Overlay (VPO), and Historic Protection Overlay (HPO) Zones. Development Standards, including Neighborhood Edges standards, will facilitate quality development while protecting residential neighborhoods and open spaces. Community members will be able to plan for their area's distinct character and needs through the CPA process (Goal 4.2 and Goal 4.3). Additional standards are proposed to be added to strengthen protections for Major Public Open Space (MPOS) when adjacent land is developed, which would further implement the concepts in Chapter 4.
17. The IDO furthers and implements **Chapter 5- Land Use**, of the updated Comp Plan because it provides various ways to actualize land use Goals regarding Centers and Corridors (Goal 5.1), Complete Communities (Goal 5.2), and City Development Areas (Goal 5.6) to help the community grow as a network of strong centers connected by multi-modal transportation corridors. The new IDO zones support the Centers and Corridors framework by fostering communities where residents can live, work, learn, shop, and play. Capturing regional growth in Centers will help shape the built environment into a sustainable development pattern, which will help maintain appropriate density and scale in areas where stability is desired. The Use Regulations in the new IDO will serve to support the new zones by allowing a wide range of uses where growth is desired (Areas of Change), and by limiting uses where stability is desired (Areas of Consistency). The Development Standards in the IDO correspond to and support various

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intentions in the Comp Plan, such as protecting sensitive lands and established neighborhoods (Areas of Consistency), and encouraging growth in Centers and along Corridors (Areas of Change).

18. The IDO furthers and implements **Chapter 6- Transportation**, of the updated Comp Plan because it provides a regulatory framework to support the Centers and Corridors vision by coordinating and integrating transportation infrastructure (Goal 6.1) and addressing the transportation aspects of safety (Goal 6.3), public health (Goal 6.4), equity (Goal 6.5), and economic development (Goal 6.6). In addition to identifying uses and intensities related to various modes, which help implement the Comp Plan concept of versatile corridor types, the IDO includes development standards and dimensional standards that accommodate all transportation modes while minimizing conflicts and maximizing efficient use of the available network (Goal 6.2). The IDO provides a variety of options to promote safe and efficient travel throughout the City and accommodate different modes in appropriate contexts, supported by adjacent and nearby land uses, while protecting existing neighborhoods.
19. The IDO furthers and implements **Chapter 7- Urban Design**, of the updated Comp Plan because it features new zone categories that will help support the Centers and Corridors framework and contains development standards that address dimensions, connectivity, site design, landscaping, solar access, and building design, which correspond to various intentions in the Comp Plan (i.e. context-sensitive development, preserving natural features, promoting walkability). The urban design Goals in the Comp Plan for Sense of Place (Goal 7.3), Site Design (Goal 7.5), and Infrastructure Design (Goal 7.6) focus on ensuring that design and development reflect the surrounding context and preserve natural features. Standards in the IDO will enable right-of-way design that helps create an appropriate balance of land use and transportation for each Center and Corridor type. The Comp Plan addresses parking strategies and options; the IDO, in conjunction with the DPM, provides standards that will minimize conflicts between various modes of transportation on sites.
20. The IDO furthers and implements **Chapter 8- Economic Development**, of the updated Comp Plan because it establishes new zones that foster development of diverse places (Goal 8.1) and encourages economic development efforts that improve quality of life and promote a robust and resilient economy. The MX (Mixed-Use) and NR (Non-Residential) zones promote economic development by allowing a wide variety of uses, while requiring transitions between commercial areas and neighborhoods. Mixed-use development can foster small business creation, promote entrepreneurship, and strengthen and diversify the local economic base (Goal 8.2), while providing more lifestyle choices in appropriate locations (such as Centers and Corridors) and promoting modes of travel other than the automobile. The Permitted Use Table clarifies what uses are allowed, and where, in order to accommodate projected growth (Goal 8.1 and Goal 8.2). New land use categories (ex. Artisan Manufacturing, Farmers Market, Community Garden, and Research or Testing Facility) support economic diversity and sustainability.
21. The IDO furthers and implements **Chapter 9- Housing**, of the updated Comp Plan because it provides varied options for different types of residents and households, from large lot single family homes to multi-family developments (Goals 9.1 and 9.3). Density is encouraged in

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appropriate places, such as in Centers and along Transit Corridors. More options for multi-family housing, and allowing a mix of uses to accommodate different lifestyles, will help with the provision of affordable and varied housing. The IDO provides a range of single-family housing categories that allow innovative development patterns, such as cluster development and co-housing, to address sustainable housing design (Goal 9.2). The IDO introduces a new use, daytime gathering facilities, to respond to concerns about services and facilities for the homeless (Goal 9.4). The new MX (Mixed-Use) zones will allow more choices for different lifestyles, including location of housing near goods and services to encourage non-auto modes of travel and serve a variety of populations (Goals 9.3 and 9.5). The IDO includes incentives (i.e. a height bonus for workforce housing) to provide more affordable housing options (Goal 9.6).

22. The IDO furthers and implements **Chapter 10- Parks and Open Space**, of the updated Comp Plan because it creates new zone districts, the NR-PO zones, which are specific to different types of parks and open space (Goal 10.3). The IDO furthers Goal 10.1 and Goal 10.2 because the NR-PO zones allow the provision of facilities and parks that meet residents' needs for recreation, education, and cultural activities. The flexibility of these zones promotes co-located facilities on park land and making trail connections to best leverage public investment (Goal 10.4). The IDO strengthens and clarifies development requirements for private property next to Major Public Open Space (MPOS), provides specific regulatory standards (i.e. as Section 14-16-4-2: Site Design and Sensitive Lands), and maintains design requirements from the Northwest Mesa Escarpment Plan and the Unser Blvd. Design Overlay Zone. Facility Plans, such as the Open Space Facility Plan, are retained and continue to support the Comp Plan (Goal 10.3) and help ensure that operations regarding the MPOS system are coordinated (Goal 10.4).
23. The IDO furthers and implements **Chapter 11- Heritage Conservation**, of the updated Comp Plan because it creates zones specific to different types of parks, open space, and agricultural uses at different scales (ex. the NR-PO zone) and preserves agricultural uses in various zone districts (Goal 11.1, Goal 11.3 and Goal 11.4). Also, the NR zones allow the provision of facilities that meet the needs of traditional communities with opportunities for recreation, education, resource preservation, and cultural activities (Goal 11.5). The IDO standards address what is required of development on private property near MPOS, arroyos, acequias, escarpments, wetlands, rock outcroppings, and archaeological sites, and contains standards regarding Site Design and Sensitive Lands. Other standards, such as overlay zones, will help maintain the historic character of established neighborhoods and a distinct built environment in distinct communities (Goal 11.2).
24. The IDO furthers and implements **Chapter 12- Infrastructure, Community Facilities, & Services**, of the updated Comp Plan because it carries over solar access provisions, addresses drainage, flood control, and energy through standards in the Development Process Manual (DPM) (Goal 12.1), and allows community facilities in multiple zones. Centers & Corridors are the most appropriate places for community facilities, given their central location, access via multiple transportation modes, and possibilities for synergy with other nearby services (Goal 12.2). The updated Comp Plan includes polices to ensure the safety and efficient provision of services; the IDO includes land-uses related to these services in Table 3-2-1 (Goal 12.3). The Comp Plan emphasizes collaboration among departments and agencies to leverage resources and efforts. The

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CPA assessment process, which gathers information across twelve City areas and emphasizes coordination with multiple departments, will be a key vehicle for implementing this Goal (Goal 12.4).

25. The IDO furthers and implements **Chapter 13- Resilience and Sustainability**, of the updated Comp Plan because it will help promote resource-efficient growth and development. The regulations will foster efficient development patterns and protect open spaces and habitat through context-sensitive development (Goal 13.1). The IDO allows and supports a diverse range of housing options and density patterns, moving the City toward more efficient water management (Goal 13.2). Through incentives to encourage development in appropriate locations (i.e. height and density incentives for land in Centers and along Transit Corridors), land that is prone to flooding and wildfires will have fewer development pressures (Goals 13.3 and 13.4). The IDO separates incompatible uses by zones and provides several standards (i.e. Site Design and Sensitive Lands, Access and Connectivity, Subdivision of Land) to ensure safe and healthy environments for people to live, work, and play (Goal 13.5). The CPA assessment process, codified in the IDO, will provide a rational approach to address the complex issues related to Environmental Justice.
26. The IDO will clarify zoning and general zoning regulations with a use table and development standards that create predictability and consistency. The Permitted Use Table (Table 3-2-1) clearly shows the categories of uses (i.e. residential, commercial) allowed in each zone and the type of use (i.e. permissive, conditional). The Development Standards will provide for quality development and ensure that new residential development reinforces the scale and character of established residential areas.
27. The IDO will streamline development review processes and make them more efficient and transparent (see Chapter 5- Administration and Enforcement). Because development standards will be stronger and more predictable, administrative review by Staff is appropriate, though public hearings will still be required for larger projects. A pre-application meeting with neighbors will be required for certain requests to ensure earlier input opportunities for the public. The Zoning Hearing Examiner, Landmarks Commission, EPC, Land Use Hearing Officer, and City Council processes and requirements will remain in place.

Findings Regarding Proposed Conditions

28. *MPOS*: Major Public Open Space (MPOS) includes sensitive lands that contribute to livability and quality of life, as well as help preserve and protect natural resources and ecosystems. Consistent with the Comp Plan, the IDO includes requirements to protect sensitive lands from development's potential, adverse impacts such as light spillage, pollution, noise, and litter. Development adjacent to and within 330 feet (the distance of a typical city block or 1/16 of a mile) of MPOS has the highest potential for adverse impacts. To avoid or mitigate these impacts, the IDO applies design standards intended to result in high-quality, context-sensitive development and restricts incompatible uses, such as certain automobile-oriented and industrial uses, within this distance. Environmental Planning Commission (EPC) review of development on parcels five acres or greater adjacent to MPOS is an appropriate use of the body's discretionary decision-making authority.

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29. *Industrial Use and Air Quality:* Quality of life in some residential areas is disproportionately impacted due to the proximity of industrially-zoned properties. A separation distance requirement for industrial uses that require more than a minor air quality permit is appropriate to protect quality of life for such residential neighborhoods. The distance requirement will contribute to improved quality of life for the City as a whole by helping prevent disproportionate concentrations of industrial uses in one area in the future, and allowing more opportunity for particulate emissions to dissipate over a larger geographic area without unduly affecting economic development opportunities, while respecting the region's unique characteristics.
30. *Building Height Standard:* The IDO allows increased building heights in certain zones and locations in order to implement the Comp Plan Vision to focus development in designated Centers and Corridors and in Areas of Change, while protecting Areas of Consistency and residential areas (i.e. Neighborhood Edge requirements). Rather than angle planes to calculate allowable height, which has proven difficult and cumbersome for stakeholders to apply, the IDO would allow building height to increase after the distance requirement of 100 feet is met on all sides of the lot. This method is straight-forward, predictable, and easy to understand.
31. *Parking Exemption for Small Infill Sites:* The Comp Plan envisions increased infill development in Centers and along Corridors, where Transit Oriented Development (TOD) is desired, especially in areas designated as Premium Transit (PT), Urban Centers (UC), and Main Streets (MS). The Development Standards in the IDO address off-street parking. To support this vision, a minimum parking requirement for sites 5,000 sf and less is not needed in PT, UC, and MS areas due to the emphasis on improved transit service and non-auto travel.
32. *Exceptional Design criteria for EPC site plans:* The EPC is charged with providing guidance on urban and regional planning as a means of protecting and improving the built and natural environments. The EPC has the expertise to determine, based on specific criteria for exceptional design in the IDO, if a site development plan is exceptional in terms of providing civic or environmental benefits or contributing to resilience and sustainability. Doing so, in exceptional circumstances, will support the Comp Plan's vision to promote land use planning that protects natural resources, minimizes the area's environmental footprint, or contributes to high-quality urban spaces.
33. *Master Development Plans:* Master development plans for new NR-BP (Non-Residential Business Park) zone designations, a minimum of 20 acres, must be reviewed by the EPC and City Council because they are large areas that need to be planned and considered cohesively due to potential impacts on the community and environment. The IDO will ensure that entitlements in existing master development plans are honored and that development can continue according to approved site layout and design standards.
34. *Community Residential Facilities:* The existing RT Residential Townhome Zone (§14-16-2-9) does not allow community residential facilities. Not allowing the Medium Community Residential Facility in the R-T zone of the IDO would be consistent with the current practice and would continue to help protect and preserve neighborhood character- especially in Areas of Consistency.

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35. *Group Homes:* The separation distance requirement for Group Homes in the existing Zoning Code has proven effective over time and has helped contribute to a more equitable distribution of these facilities throughout the metropolitan area. In order to maintain the practice that no area or neighborhood has a disproportionate number of group homes, and to protect and maintain neighborhood character as desired in the Comp Plan, a separation distance between group homes and a maximum number of groups homes for each Council District area are appropriate.
36. *MX-FB DT and Downtown 2025 Focus Areas:* The Comp Plan envisions that the Downtown Center will be a regional activity hub, with the area's tallest buildings, greatest walkability, and a variety of mixed uses to create synergy and promote economic development. Distinct geographic boundaries within the Downtown Center (MX-FB-DT zone) should reflect the uses and intents of the focus areas in the Downtown 2025 Plan for consistency.
37. *Administrative Approval Thresholds for Large Projects:* The IDO aims to provide predictability and consistent application of its regulations through a review process that includes administrative (Staff) review. Large projects are often a subject of concern due to their potential to generate impacts such as traffic, noise, and pollution. Therefore, it is appropriate that projects above this size (50,000 sf or more of general retail and 70,000 sf or more of a grocery store) be reviewed by the DRB at a public meeting so that interested parties, such as neighbors, may participate in the process.
38. *Standing:* Chapter 5 of the IDO, Administration & Enforcement, includes regulations related to standing for the purposes of appealing a development decision. These regulations should be consistent with both State of New Mexico law and the City's Neighborhood Recognition Ordinance (commonly known as O-92).
39. *Zoning Conversion Map:* The existing zoning map was used to identify today's zone categories for conversion to the closest match to the new IDO zones, in terms of permitted uses, so that consistency with existing entitlements is maintained. To implement the Comprehensive Plan, existing O-1, C-1, and C-2 zone districts, and their SU-1 and SU-2 equivalents, were generally converted to mixed-use zone districts to promote walkable, mixed-use development with a broad range of uses. To help address the imbalance of jobs and housing on the West Side of the Rio Grande, existing C-2 zone districts were converted to Non-Residential Commercial (NR-C) to ensure development related to services and employment. Within 660 feet of Premium Transit stations, existing C-2 zone districts on the West Side of the Rio Grande were converted to MX-M to allow a mix of commercial and medium-density residential uses to promote transit-oriented, mixed-use development. Although existing C-3 zone districts were generally converted to Non-residential Commercial (NR-C), existing C-3 zone districts within Centers and Corridors were converted to Mixed-Use High Intensity (MX-H) to promote the walkable, mixed-use, urban environment that the Comprehensive Plan encourages.
40. *Zoning and Land Use Mismatch:* In cases where land use and zoning are mismatched, the proposed IDO and the Conversion Map are not intended to legislatively address this issue. As a subsequent effort after the IDO is adopted, mismatches can be considered as a City-sponsored

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package of zone changes for small areas to be submitted for review/approval within a year of the IDO effective date.

41. *Effective Date and IDO Transition Period:* The EPC recommends to City Council that the IDO become effective as soon as possible after adoption, but allowing for a “transition period” of six months after the effective date. This transition period would allow property owners the option of continuing to plan and develop their land pursuant to the superseded Zoning Code or pursuant to the IDO, in order to preserve investments in design services, site preparation, and/or contractual obligations.
42. *R270-1980:* The IDO carries forward the requirements of R270-1980, criteria for evaluating zone change requests, which have served the City and decision-makers well for over 35 years. The criteria in the IDO are updated to reflect and respond to the distinction between Areas of Change and Areas of Consistency, in order to encourage and direct growth where it is expected and desired (Areas of Change) and to provide more protection for areas where stability is desired (Areas of Consistency).
43. The IDO includes requirements related to neighborhood organizations. The requirements should consistently refer to the Neighborhood Association Recognition Ordinance (§14-8-2 of the City Code of Ordinances, commonly known as O-92) and include notification requirements that reflect the existing requirements in that Ordinance.
44. Language that refers to the Zoning Code, the Subdivision Ordinance, the Airport Zone Ordinance, the Landmarks and Urban Conservation Ordinance, the Planning Ordinance, and the Development Process Manual (DPM) are found in various locations of ROA 1994. This language will need to be correspondingly revised with the adoption of the IDO in order to maintain internal consistency in ROA 1994.
45. The proposed IDO was announced in the Albuquerque Journal, the Neighborhood News and on the Planning Department’s web page. The Office of Neighborhood Coordination (ONC) sent e-mail notification to neighborhood representatives on December 29, 2016, as required, as part of the EPC application process. On May 5, 2017, Planning Staff sent a re-notification reminder to neighborhood representatives.
46. The public engagement process, which offered a range of opportunities for input, discussion, and consensus-building, featured a series of workshops and public meetings that included daytime focus groups organized by topic and evening meetings with a more traditional presentation and a question and answer session. The project team was invited to speak at over 100 meetings and local conferences. To reach more people and a broader cross-section of the community, the project team staffed booths and passed out promotional material at community events and farmers markets, and met with individuals and small groups during weekly office hours and periodic “Ask an Expert” zoning clinics.
47. Articles about the ABC-Z project appeared regularly in the City’s *Neighborhood News*, and ads specifically for the proposed IDO were placed in print and social media, as well as on local radio stations. There is also a social media page for the ABC-Z project on Facebook.

48. Staff received official written comments from agencies. Among the agencies that commented are the ABCWUA, the NMDOT, ABQ Ride, the City Parks and Recreation Department, and PNM. Their comments suggest specific revisions to clarify topics related to each agency's charge. Staff considered all comments carefully and is addressing them.
49. Comments submitted by interested parties cover a variety of topics, including but not limited to, time for public review and comment, annexation, effect on vulnerable populations, and the focus on Centers and Corridors. Some comments express concerns that regulations crafted to address localized issues are applied broadly and that sector plans are being replaced. Staff is considering all comments carefully and addressing them.
50. At the April 6, 2017 EPC hearing, some members of the public provided testimony that expressed general support for the improved clarity and consistency that the proposed IDO would provide. Support was also expressed for the Citizen's Academy and the idea of directing growth inward, in appropriate locations, rather than continuing the trend of sprawl development.
51. Some members of the public raised concerns that include, but are not limited to, the following: the IDO effort is progressing too quickly, the details of the document are not well understood by the public, increased use of administrative (Staff) approval would limit public input, EPC review would be greatly reduced from what it is currently, allowable building height and density would be too great, view preservation and the environment are insufficiently addressed, the Board of Appeals (BOA) would be eliminated, the sector development plan system would be replaced, more consideration for environmental justice issues is needed, and mixed use (M-X) zones could adversely affect established neighborhoods. Planning Staff and the EPC have considered all of these concerns and addressed them, many via proposed changes and additions to the IDO.
52. The EPC received substantial public testimony at the April 6, 2017 and April 10, 2017 hearings. At the April 10, 2017 hearing, the EPC decided that no further public testimony would be allowed at the April 24, 2017 hearing. At the April 24, May 4 and May 15, 2017 hearings, the EPC discussed a variety of topics, including but not limited to allowed uses, approvals processes, building height, open space, and centers and corridors.
53. Conditions for recommendation of approval are needed regarding the text of the IDO to address topics raised in public comments and agency comments, reflect EPC direction regarding topics discussed at the public hearings, and further clarify and ensure internal consistency within the document. These are attached to the EPC's recommendation in tabular form (see Attachment- EPC Recommended IDO Conditions of Approval- EPC Hearing #5).
54. Conditions for recommendation of approval are needed to correct errors regarding the zoning conversion map. These are attached to the EPC's recommendation in tabular form (see Attachment- EPC Recommended Conversion Map Conditions).

OFFICIAL NOTICE OF DECISION

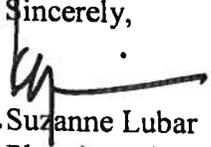
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PROTEST: It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation. If you wish to protest this decision, you must do so by **May 31, 2017**. The date of the EPC's non-final decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered the deadline for filing the appeal.

A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the protest is filed. You will receive notification if any person files a protest.

Sincerely,

Suzanne Lubar
Planning Director

SL/CLL

cc: List of Neighborhood Representatives from the Office of Neighborhood Coordination (ONC) letter dated 12-28-16

- G.P. 2820 Azar Pl. NW, ABQ, NM 87104
- Jaime Jaramillo, 302 8th St. NW, ABQ, NM 87102
- Karen Salazar, 219 Arvada Ave NE, ABQ, NM 87102
- Carl Salazar, 219 Arvada Ave NE, ABQ, NM 87102
- Rob Dickson, 301 Central NE, ABQ, NM 87102
- Kim Murphy, 8633 Kacey Ln SW, ABQ, NM 87105
- Christina Sandoval, 1801 4th St. NW, ABQ, NM 87103
- Laurie Moye, 2401 Aztec NE, ABQ, NM 87107
- Ken Balizer, 1912 Tierra Vida Pl. NW, ABQ, NM 87107
- Steven Abeyta, 2419 William St. SE, ABQ, NM 87102
- Michael Contreras, P.O. Box 91088, ABQ, NM 87199
- Pat Gallagher, 24 Link St. NW, ABQ, NM 87120
- Kathy Adams, 5 ARCO NW, ABQ, NM 87120
- David Blanc, 600 Central Ave NW, 87121
- Camille Varoz, 427 El Paraiso Rd NW, Los Ranchos, NM 87107
- David Silverman, 1419 Coal Ave SW, ABQ, NM 87104
- Jennifer Dann, 521 Tulane Dr. SE, ABQ, NM 87106
- Barbara Grothus, 905 Silver NW, ABQ, NM 87102
- Kalvin Davis, 201 Coal SW, ABQ, NM 87102
- Esther Abeyta, 2419, William SE, ABQ, NM 87102
- Elizabeth Vencill, 115 Quincy St. NE, ABQ, NM 87108
- Virginia Kinney, P.O. Box 1932, Tijeras, NM 87059
- Gary Eyster, 316 Amherst NE, ABQ, NM 87106

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Susan Michie, 402 Lafayette Pl. NE, ABQ, NM 87106
Govinda Haines, 336 Aliso Dr. NE, ABQ, NM 87108
Veronica Salinas, 336 Aliso Dr. NE, ABQ, NM 87108
Stephanie Zaslav, 333 Aliso Dr. NE, ABQ, NM 87108
Jeanne Whitehouse, 521 Aliso Dr. NE, ABQ, NM 87108
Dennis Trujillo, 613 Bryn Mawr NE, ABQ, NM 87106
Laurie Moye, c/o PNM, 415 Silver Ave SW, ABQ, NM 87158
Matt Vencill, 805 Van Buren Pl. SE, ABQ, NM 87108
Carol Krause, 800 Mountain Rd NE, ABQ, NM 87102
Nique, 1113 Edith Blvd NE, ABQ, NM 87102
Angela Vigil, 1405 Edith Blvd NE, ABQ, NM 87106
Diana Dorn Jones, 1108 Edith St. SE, ABQ, NM 87102
Pete Dinelli, 1309 Dakota NE, ABQ, NM 87110
Kristi Houde, 617 Edith NE #7, ABQ, NM 87102
Elizabeth Vencill, 115 Quincy St. NE, ABQ, NM 87108
David Solano, 1004 Walter St. SE, ABQ, NM 87102
Librada L. Marquez, 1011 ½ Edith NW, ABQ, NM 87102
Crista Solano, 1004 Walter St. NE, ABQ, NM 87102
Olivia Greathouse, 408 Bethel Dr. SE, ABQ, NM 87102
Beth Silbergler, 613 Bryn Mawr NE, ABQ, NM 87106
Jim Strozier, 302 8th St., NW, ABQ, NM 87102
Isaac Benton, City Councilor, 1 Civic Plaza, ABQ, NM 87102
Judy Young, 13309 Rachel Rd SE, ABQ, NM 87123
Keith Meyer, 6801 Jefferson NE, ABQ, NM 87109
Jackie Fishman, 302 8th St NW, ABQ, NM 87102
John Gallegos, 504 Camino Espanol NW, ABQ, NM 87107
Craig Vencill, 115 Quincy St NE, ABQ, NM 87108
Jim Wible, 6801 Jefferson NE, ABQ, NM 87109
Michelle Heath Vencill, 805 Van Buren Pl SE, ABQ, NM 87108

EPC Recommended IDO Conditions of Approval - 5/15/2017

Condition Number	Condition Type	EPC Page	EPC IDO Draft Section (14-16-XX)	EPC Recommended Condition	Comment No.
<i>(Comment numbers refer to Public Comments Spreadsheet unless otherwise noted)</i>					
1	Editorial	All	All	Edit the IDO for clarity, correctness, illustrative graphics, section references, and other non-substantive matters as well as any other changes to the EPC Draft made necessary by such edits.	Project Team
2	General Provisions	2	1-7	Revise to make existing language subsection a and add item b. with the following language: "Permitted and Conditional uses allowed under this IDO must be located within structures that meet the adopted Building Code and other applicable technical codes adopted by the City. Location in buildings that are not in compliance with this requirement is a violation of this IDO." Add a footnote that this is adapted from current Sec. 14-16-1-4(B).	Project Team
3	Agency Comments	2	1-7.1A (new)	Add new subsection with the following text: "The Mayor is responsible for the promulgation of rules necessary to fulfill the intent of this Ordinance. Authorized rules shall be published in the Development Process Manual (DPM). The terms and provisions of the DPM, as amended, shall be enforceable to the same extent as if incorporated into the text of this IDO."	DRB [3]
4	Agency Comment	4	1-9.3	Add cross reference to the requirements of the Solar Collector Ordinance Sections 7(B) and (C). Add a new Section 4-9.3 that cross references the Solar Collection Ordinance and the DPM. Coordinate language with the DPM update to require notes to be placed on plats regarding future restrictions and cross reference to the Solar Collector Ordinance.	DRB [173]
5	General Provisions	4	1-10	Revise for completeness, clarity, and consistency.	63, 99, 100, 102, 103, 119, 120, 122, 123
6	General Provisions	5	1-11	Add a new section 1-11 with the following language: "Figures and illustrations in this IDO are for illustration only. In the event of a conflict between an illustration and the text of this IDO, the text shall apply."	Project Team
7	Zone Districts	7	Table 2-2-2	Revise Table 2-2-1 and Table 3-21 to reflect changes to NR-C and MX-H conversions.	Project Team
8	Zone Districts	9	2-3, 2-4, 2-5	Revise Tables in Sections 2-3, 2-4, 2-5 to remove setbacks from alleys and cross reference acequia setbacks in Section 4-2.6.	156, 147, 195
9	Zone Districts	9	2-3, 2-4, 2-5	Revise Tables in Sections 2-3, 2-4, 2-5 and 4-1 to distinguish between building height and accessory structures and provide cross references to appropriate sections regulating accessory structure height.	Project Team

EPC Recommended IDO Conditions of Approval - 5/15/2017

Condition Number	Condition Type	EPC Page	EPC IDO Draft Section (14-16-XX)	EPC Recommended Condition	Comment No.
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10	Zone Districts	14	2-3.3.C.1	Review references to mobile and manufactured homes throughout the IDO for clarity about which is intended.	Project Team
11	Zone Districts	14	2-3.3.C.3	Revise for clarity about required usable open space.	Project Team
12	Zone Districts	25	2-4.3	Replace "four stories" with "three stories" to describe general building heights in MX-M.	Project Team
13	Zone Districts	33	2-4.5.C.2.v	Revise text and illustration in c to hold the corner for 50% of the front property line and add the requirement from Nob Hill CPO for street wall that holds the edge.	170
14	Agency Comments	34	2-4.5C.2.c.vii.b	Revise to read: "The <u>pedestrian connections</u> shall <u>be extensions of and</u> continue the existing street grid..."	Current Planning [118]
15	Zone Districts	36	2-4.5-C	Change graphic to show 60%.	Project Team
16	Zone Districts	38	2-4.5.C.2.f	Delete the Neighborhood Edges height protections for single-family residential uses in the MX-FB-DT zone in sections 2-4.5.C.2.f and 4-8.2.A.2.b.	863
17	Agency Comments	38	2-4.5C.2.f	Deleted per EPC direction.	Current Planning [113]
18	Zone Districts	41	Table 2-5-25	Revise NR-C building height to show 55 feet in UC-PT-MS and 35 feet [2] in other areas.	Project Team
19	Zone Districts	44	2-5.2.C	<p>Revise 2. to use the term "Master Development Plans."</p> <p>Add a new 3. to read: "For NR-BP sites of less than 20 acres without an approved Master Development Plan, development can be approved and amended through Site Plans per Table 5-1-1 and associated procedures in Sections 5-5."</p> <p>Add a new 4. to read: "For NR-BP sites of 20 acres or more, development requires a Master Development Plan to be reviewed and approved by the Environmental Planning Commission per Table 5-1-1 and Section 5.5.X [new]."</p> <p>Add a new 5. to read: "For sites that do not currently have the NR-BP zoning, the Master Development Plan and Zone Change request are reviewed by the Environmental Planning Commission and decided by City Council per Table 5-1-1 and Section 5.5.X [new]."</p> <p>Add a new 6. to read: "Approved Master Development Plans may be amended by the DRB per Table 5-1-1 and Section 5.5.X [new]."</p> <p>Add a new 7. to read: "See also Sections 5-6 for Nonconformities and 5-4.24 and 5-4.25 for amendments."</p>	Project Team
20	Overlay Zones	58	2-7	Add text to the end of the paragraph: "If the Overlay Zone is silent, other IDO requirements apply."	Project Team
21	Overlay Zones	60	2-7.1	Revise based on further coordination with City Aviation.	Project Team

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22	Overlay Zones	67	2-7.2.B	Review and revise CPO language for completeness, clarity, and consistency in terminology and structure for similar intent.	378
23	Overlay Zones	69	2-7.2.B.2.c.i	Revise to apply to "R-1A, R-T, and R-ML" properties only. Revise Section 2-7.2.B.2.c.iv, revise to apply to MX-L and MX-M properties abutting Central Ave. Revise footnote 107 to reference subsections ii and iii instead of i and ii.	173
24	Overlay Zones	71	2-7.2.B.3.d.i.a & b	Revise as follows: " <u>Within the CPO-3 zone, any portion of a building within 35 feet of a single-family Residential zone district shall be limited to 30 feet.</u> " Revise as follows: " <u>any portion of a structure</u> "	527
25	Overlay Zones	76	2-7.2.B.4.c.i.a & b	Revise language to read: " <u>To encourage staggered setbacks, the following standards are required for ...</u> "	751
26	Overlay Zones	76	2-7.2.B.4.c.i.a.ii.	Insert "See figure below." and replace "Los Duranes Front Yard Setbacks" figure with an updated version.	Project Team
27	Overlay Zones	77	2-7.2.B.4.d.iii.a.	Insert "See figure below." and replace "Los Duranes Facade Width" figure with an updated version.	Project Team
28	Overlay Zones	78	2-7.2.B.5	Rename CPO-5 "Nob Hill," since the area doesn't include any of Highland. Delete all instances of "Highland" within CPO.	275
29	Overlay Zones	79	2-7.2.B.5.d.i.b	Revise as follows: " <u>Within the CPO between Girard Blvd. and Aliso Ave...</u> " and replace the phrase "within one block of" with " <u>within the blocks contiguous to the most proximate intersection to a Premium Transit station.</u> "	1072, 1073, 1074
30	Overlay Zones	79	2-7.2.B.5.d.i.c	Revise as follows: " <u>Within the CPO between Aliso Ave. and Graceland Dr. ...</u> "	1072, 1073, 1074
31	Overlay Zones	79	2-7.2.B.5.d.ii	Replace photograph on page 79 with an illustration.	177
32	Overlay Zones	79	2-7.2B.5.d	Revise map for CPO-5 to show PT stations with streets labeled.	Project Team
33	Overlay Zones	87	2-7.2.B.8	Revise Volcano Mesa CPO-8 to reflect frontage requirements from the Volcano Heights SDP to ensure a highly walkable Urban Center.	Project Team
34	Agency Comments	90	2-7.3.B.1	Add the buildings marked as "Buildings of Note" in the 2005 EDo UCOZ document to the protected buildings of HPO-1. Revise the text to apply the historic building standards only to the noted buildings, and not new development that may occur on the same parcel.	Historic Preservation [83]
35	Agency Comments	90	2-7.3.B.1	Reinstate the southwest block of Central and Broadway into the East Downtown HPO-1.	Historic Preservation [76, 82]
36	Agency Comments	94	2-7.3.B.5	Revise Old Town HPO-5 map per direction from LUCC in agency comments lines 64-71.	Historic Preservation [64-71]

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37	Overlay Zones	94	2-7.3B.5	Revise map for HPO-5 per direction from LUCC to include land south of Mountain, west of 19th Street, and north of Lomas from the existing buffer area.	Project Team
38	Overlay Zones	94	2-7.3B.5.c	Replace 26' to 30' to be consistent with IDO building heights.	Project Team
39	Overlay Zones	94	2-7.3B.5.c	Delete "unless otherwise provided in this IDO," as potentially conflicting with the other standards in this section.	Project Team
40	Overlay Zones	98	2-7.4	Review and edit VPO language for completeness, clarity, and consistency in terminology and structure for similar intent.	Project Team
41	Overlay Zones	98	2-7.4.A	Add after "views" the following text: "such as those from public rights-of-way to cultural landscapes identified in the ABC Comp Plan"	Project Team
42	Overlay Zones	98	2-7.4.B.1	Revise the Coors VPO-1 to require the exterior color of structures to predominantly use the browns and/or greens of the Bosque environment.	1105
43	Overlay Zones	100	2-7.4B.2	Revise VPO-2 to add recently amended language about "natural grade." Add "natural grade" to definition of "Grade" consistent with its use in the Northwest Mesa Escarpment VPO. Add a cross reference to the VPO.	Project Team
44	Use Regulations	102	3-1, Table 3-2-1	Clarify "primary use" with incidental activities vs. uses that are listed as "accessory uses" in Section 3-1 and in Section 6-1 Definitions.	453
45	Use Regulations	102	3-1.1C	Add Park & Ride lot to the list after WTF of accessory uses that need not be accessory to the main use of the site.	Project Team
46	Use Regulations	102	3-1.1C	Revise text to read: "...lot. Accessory uses can be on a lot abutting the primary use in Mixed-use and Non-residential zones."	90, 439, 442, 453, 455
47	Use Regulations	103	3-1.3	Revise all references to the Planning Director to the Zoning Enforcement Officer.	Current Planning
48	Use Regulations	103	3-1.4	Revise the heading as follows: "Previously Allowed Uses". Label existing language as sub-section A. and replace parenthetical phrase after "...was a Permitted Use" with "or an approved Conditional use". Add a new subsection B. as follows: "Uses that were permissive or approved conditional uses prior to the effective date of the IDO and that are not allowed in the IDO zone district are nonconforming uses. See Section 5-6 Nonconformities."	848
49	Use Table	105	Table 3-2-1	Review the use of "permitted" vs. "allowable" for clarity and consistency.	Project Team
50	Use Table	106	Table 3-2-1	Remove the "P" in the R-T zone for the use Medium Community Residential Facility, consistent with existing regulations.	6

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Condition Number	Condition Type	EPC Page	EPC IDO Draft Section (14-16-XX)	EPC Recommended Condition	Comment No.
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51	Conversion Map Rules	107	FN 203	Revise the IDO Conversion Map to zone existing hospital sites that are currently zoned SU-1 for hospital as MX-H. Update footnote 203 to document this change.	67, 109
52	Use Table	107	Table 3-2-1	In Table 3-2-1, insert reference to a new Use Specific Standard requiring a distance separation of 1,500 ft. between Daytime gathering facilities.	Project Team
53	Use Table	107	Table 3-2-1	Add hospital as P in MX-M and add the following use specific standard: "In the MX-M zone district, this use is limited to no more than 20 overnight beds and may not include ambulance transportation to or from the facility."	Project Team
54	Use Table	110	Table 3-2-1	Revise Table 3-2-1 to add Heavy vehicle and equipment sales, etc. as conditional in NR-C. Revise Section 3-3.4.L and Section 6-1 for Definition for Heavy vehicle and equipment sales to be internally consistent.	1146
55	Use Table	110	Table 3-2-1	Revise Table 3-2-1 to make Car Wash conditional in the MX-FB-DT.	1148
56	Use Table	111	Table 3-2-1	Deleted based on direction of the EPC.	88, 188
57	Use Table	111	Table 3-2-1	Revise Construction contractor facility and yard to remove it as a conditional use in MX-M, add it as a conditional use in MX-H, and change it to be a permitted use within the NR-BP zone.	448, 1149
58	Use Table	112	Table 3-2-1	Add Outdoor Entertainment as a permitted use in NR-C and NR-BP.	Project Team
59	Use Table	113	Footnote 269	Revise Footnote 269 to delete reference to adding the use to the NR-C zone.	1154
60	Use Table	113	Table 3-2-1, Footnote 267	Add Pawn shop as conditional use in MX-L and fix footnote.	Project Team
61	Agency Comments	114	Table 3-2-1	Add Park-and-Ride lot as an accessory use in the NR-SU zone and a permitted use in the NR-BP zone. Add a use specific standard to indicate they must meet required parking lot standards in Section 4-5.6.	ABQ RIDE [135]
62	Use Table	116	Table 3-2-1	Revise Cold Storage Plant to be a conditional use within the NR-C and a permitted use within the NR-BP zone.	451
63	Use Table	116	Table 3-2-1	Add Drive-through or drive-up facility use as an accessory use within the NR-LM zone, since retail and restaurant uses are allowed in that zone.	455
64	Use Table	116	Table 3-2-1	Add Outdoor Storage as a conditional accessory use in NR-C.	1147
65	Use Table	118	Table 3-2-1	Add "Parking of more than two truck tractors and two semitrailers for more than two hours" as an accessory use in the NR-BP zone.	456
66	Use Table	118	Table 3-2-1	Review "Parking of non-commercial vehicle" as a use and potentially move the Use Specific Standards to the Section 4-5 (Parking Standards).	457

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Condition Number	Condition Type	EPC Page	EPC IDO Draft Section (14-16-XX)	EPC Recommended Condition	Comment No.
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67	Use Table	118	Table 3-2-1	Add "Dwelling unit, temporary" as a temporary use in R-A, R-1, and R-T.	Project Team
68	Agency Comments	118	Table 3-2-1	Revise the use "Construction trailer or office" to include " <u>Construction staging area</u> , trailer or office."	PNM [109]
69	Agency Comment	118	Table 3-2-1	Revise use specific standard for Solar or geothermal energy generation to indicate that where it allowed as an accessory use, it is private energy generation, and where allowed as a primary permissive use, it could be utility scale or private. Add a cross reference to Utility, Electric uses, and revise definitions and uses for consistency.	PNM [182, 183]
70	Use-Specific Standards	121	3-3.2.C.3.b	Delete standard, as it is redundant of C.3.a.	380
71	Agency Comments	121	3-3.2C.5	Add the following text: "Maintenance for Common Open Space areas is the responsibility of the property owner. See Section 4-12.2.J (Maintenance Standards)."	Parks & Rec [88]
72	Use-Specific Standards	123	3-3.2.G, fn 338	Review and revise Use Specific Standard for live/work vs. home occupation for completeness, clarity, and consistency in terminology and structure for similar intent.	Project Team
73	Use-Specific Standards	123	3-3.2.H	Add a provision that requires trees only for the first-floor dwelling units within DT-UC-PT-MS areas.	193
74	Use-Specific Standards	124	3-3.2.J	Add the following text: "This use shall be located a minimum of 1,500 feet from any other Group Home." Add "The total number of Group Homes shall not exceed 30 in each Council District." to reflect the intent of existing regulations.	504, 971
75	Use-Specific Standards	124	3-3.3	Create a new Use Specific Standard requiring a distance separation of 1,500 ft. between Daytime gathering facilities.	Project Team
76	Use-Specific Standards	124	3-3.3 - 3-3.6	Revise to prohibit the following uses adjacent to MPOS: drive throughs or car washes.	1113
77	Use-Specific Standards	124	3-3.3 - 3-3.6	Revise to prohibit the following uses within 330 feet of MPOS: gas stations, car repair, heavy manufacturing, special manufacturing, natural resource extraction, solid waste convenience center, and waste and/or recycling transfer station.	1113
78	Use-Specific Standards	124	3-3.3 - 3-3.6	Revise to make the following conditional uses within 330 feet of MPOS: drive throughs, car washes, light manufacturing, warehousing, and wholesaling and distribution center.	1113
79	Use-Specific Standards	129	3-3.4.G	Delete Subsection 4. Revise subsection 3 to read "alcohol sales are not permitted within 500 feet of a Residential zone district or within 300 feet of a Religious Institution or school" to be consistent with the state requirement.	979, 980, 981
80	Use-Specific Standards	137	3-3.4.CC	Add a new standard to carry forward the provision from the Large Retail Facility regulations that pertains to the required access for the different size facilities.	1119, 949

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81	Use-Specific Standards	139	3-3.4.FF.2	Revise as follows: "In Non-residential zones, all helipads for purposes other than ..."	817
82	Use-Specific Standards	139	3-3.5 4-6.5	Review and revise Sections 3-3.5 and 4-6.5 to be internally consistent.	1169, 1171, 1174
83	Use-Specific Standards	140	3-3.5.E	Add the following distance separation requirement to the use specific standards for each use listed under the Industrial category: "Industrial uses involving crushing or batching of various materials within an enclosed building or or outdoor that are determined by the City Environmental Health Department to require more than a minor air quality permit as a fixed, stationary source of particulate emissions may not occur within 1,000 feet of another such use. Examples of such uses include, but are not limited to, asphalt and/or cement batching; rock and/or asphalt crushing; and/or metal grinding, cutting, recycling, or fabrication.	bb, ee, 563, 564, 565, 785, 789, 1033, 1169, 1171, 1174, 1222
84	Agency Comments	141	3-3.5F	Move text related to primary use of the site to Section 3-3.5G.	PNM [102]
85	Use-Specific Standards	144	3-3.5.l.v	Add an exemption to v. at the end of the sentence to exempt small cells: "This requirement does not apply to free-standing small cell WTFs".	Current Planning
86	Use-Specific Standards	145	3-3.5.l.2.l.i	Replace with the existing language (C)(1): "Collocations and public utility collocations are encouraged. Such collocations or public utility collocations are not subject to the concealment requirements prescribed.....shall maintain the concealed nature of the facility".	Current Planning
87	Use-Specific Standards	146	3-3.5.2.l.iii	Add new text: iii. Small Free-Standing WTFs: a. The equipment for a small WTF shall be screened by use of a wall, fence, or other method such as a telco box, artificial rock, or decorative feature, which fully screens the equipment by use of opaque material. b. Pedestrian pathways and sidewalks shall not be blocked. c. Small WTFs are not subject to the landscaping requirements of this section.	Current Planning
88	Agency Comments	146	3-3.5.l.l.iv	Replace the phrase "electric transmission line structure" with " <u>public utility structure</u> " in this Section and throughout the document where it appears.	PNM [103, 184]
89	Use-Specific Standards	147	3-3.5.L.2	Revise language for consistency with zones where Outdoor Storage is permitted and with the provisions of 4-6.9.D on page 249 including applicability , i.e. abutting and adjacent to a Residential zone, residential component of MX zone, public park, MPOS, trail, or arroyo.	468
90	Use-Specific Standards	148	3-3.6.D	Specify the maximum size of order boards for drive-through restaurants and review for consistency with sign regulations in Section 4-11.	1112

EPC Recommended IDO Conditions of Approval - 5/15/2017

Condition Number	Condition Type	EPC Page	EPC IDO Draft Section (14-16-XX)	EPC Recommended Condition	Comment No.
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91	Use-Specific Standards	156	3-3.6.I	Add the following language to the end of the text: "including Chapter 9, Article 2 of the Albuquerque Code of Ordinances."	Project Team
92	Use-Specific Standards	156	3-3.6.J	Review for clarity, consistency with the existing Zoning Code and enforceability going forward.	Project Team
93	Use-Specific Standards	157	3-3.6.J.8	In the Use Specific Standard for Home Occupation, reduce the number of individuals that can be regularly attracted to the premises to two instead of four.	76
94	Use-Specific Standards	158	3-3.6L	Move items L.3-L.5 to Section 3-3.6K, since this language applies to mobile vending trucks, which would use parking spaces.	Project Team
95	Use-Specific Standards	162	3-3.7.C.2	Replace the text in C.2 to read: This use may only be located on the lot for the following timeframes: (a) From 30 days before construction begins to 30 days after issuance of a certificate of occupancy (for a structure) or 30 days after construction finishes (if no certificate of occupancy is required), if associated with a construction project; (b) From seven days before to seven days after a special event approved by the City or permitted under this IDO, or as stated in any approval for the special event approval issued by the City; or (c) if neither subsection (a) nor (b) applies, then not longer than a period of 30 consecutive days."	Project Team
96	Dimensional Standards	165	Table 4-1-1	Revise the dimensional standards for the R-ML zone to revise the minimum lot width to 50 feet and the minimum lot size to 5,000 SF.	352, 353
97	Dimensional Standards	166	Table 4-1-1	Remove reference to carports. Add provision for 20 foot setback to R-T for garages.	277
98	Contextual Development Standards	167	4-1.3.B	Review and revise the dimensional standards in Table 4-1-1 and the Residential Contextual Standards for workability with the Cluster, Co-housing, and Cottage Developments.	561, 1087-1092
99	Dimensional Standards	167	4-1.3.B	Revise the setback provisions to delete reference to "detached" dwellings so the Contextual Standards would also apply to Townhouses.	1048
100	Dimensional Standards	167	Table 4-1-1	Revise to allow 0 ft. setbacks for R-T and R-ML in UC-MS-PT for interior and street side of corner lots.	Project Team
101	Dimensional Standards	167	Table 4-1-1	Add to rear setback for R-1, R-T, R-ML, R-MH: "Garage off alley: 3 ft."	Project Team
102	Dimensional Standards	167	Table 4-1-1 & Table 4-1-2	For Interior Side Setback, add 0 ft. minimum for UC-MS-PT for R-MH and all MX zones.	147, 156, 195, 231, 246, 250, 270, 523, 524
103	Dimensional Standards	167	Table 4-1-1 & Table 4-1-2	For Streetside of Corner Lot Side Setback, add a 0 ft. minimum, 15 ft. maximum for UC-MS-PT for R-MH and all MX zones.	155

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104	Dimensional Standards	167	Table 4-1-1, Table 4-1-2, and Table 4-1-3	Add maximum stories, in addition to the building heights, in each zone and in the Zone Dimensional Standard Tables in Chapter 2.	140, 331, 333, ff, 232, 287, 315, 898, 1096, 1095, 1205
105	Dimensional Standards	169	Table 4-1-2	For Front Yard and Corner Yard, add a standard for MS that requires 50% of the building frontage to be provided at the corner.	150
106	Dimensional Standards	169	Table 4-1-2	Provide an upper tier of allowable density in MX-L, at 50 du/acre, and MX-M, at 100 du/acre, where taller building heights are allowed in those zones for UC-MS-PT areas.	349
107	Dimensional Standards	169	Table 4-1-2	Add to the Side setback cell: "UC-MS-PT - Interior: 0 ft. min."	Project Team
108	Dimensional Standards	169	Table 4-1-2	Add to all MX zones: "Garage off alley: 3 ft."	Project Team
109	Dimensional Standards	169	Table 4-1-2	In the right hand table cell opposite (Front yard and corner yard, from street" revise first line to read "UC- PT: 0 ft. min; 15 ft. max." Add a line after that reading "MS, 50% of front property line width must be occupied by the primary structure constructed within 15 feet of the property line. On a corner lot, the required 50% must begin at the corner." Footnote the change.	Project Team
110	Dimensional Standards	170	Footnote 555	Revise to note that this is a new bonus to help implement the existing Workforce Housing Ordinance.	Project Team
111	Dimensional Standards	170	Table 4-1-2	Revise the Maximum building height for the MX-L, MX-M, and MX-H zones in the UC-MS-PT line to add a new note "[3]" that reads as follows: "Any structured or podium parking provided may count toward one additional story in the MX-L and MX-M zones and two additional stories in the MX-H zone. For subterranean parking, one additional building story is allowed. For the purposes of this provision, up to 12 feet in height is allowed as a story."	702
112	Dimensional Standards	171	Table 4-1-3	Reduce building heights in the NR-C zone to 55 ft. within UC-MS-PT areas and 35 ft. in other areas, with note [2] for the 100-ft. rule.	791, 1115, 1256, 1273
113	Agency Comments	176	4-2.5C.4	Revise text to read "one-half mile for paved trails."	Parks & Rec [91]
114	Agency Comments	178	4-2.6.B	Revise text to read: "These standards apply to all MRGCD owned or maintained irrigation facilities and community acequia associations."	MRGCD [158]
115	Sensitive Lands	178	4-2.6.C.1	Revise map to add street labels.	753
116	Sensitive Lands	178	4-2.6B	Delete final sentence to remove language that involves encouraging as inappropriate for a regulatory document.	Project Team
117	Sensitive Lands	180	4-2.6C	Review for completeness, consistency, and clarity.	Project Team

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118	Sensitive Lands	181	4-2.8	Revise to address MPOS properties within 330 feet of MPOS, those adjacent to MPOS on any size property, those 5 acres or greater adjacent to the MPOS for appropriate design standards, and those adjacent to the Petroglyph National Monument per the attached revisions. [See MPOS Revisions Attachment.]	510, 512, 763, 767-769, 943, 946, 947, 1116, 1117, 1234-1237, 1239, 1240, 1245
119	Sensitive Lands	181	4-2.8.A	Add a reference to the Approvals section 5-5.2.F to indicate that site plans for properties that are 5 acres and larger and adjacent to MPOS go to the EPC for review/approval.	510, 512, 763, 767-769, 943, 946, 947, 1116, 1117, 1234-1237, 1239, 1240, 1245
120	Sensitive Lands	182	4-2.8.B	Remove this section in the IDO and move the content to the Development Process Manual (DPM). Delete subsection 2 as unnecessary, as it repeats language in the NWMEP VPO-2 and is not relevant to construction mitigation.	Project Team
121	Agency Comments	183	4-3.2.B.1	Edit the text to read as follows: "... safe access by users of all ages and abilities, including pedestrians, bicyclists, motorists, and transit riders to allow comfortable, convenient, and universally accessible street crossings, transit stops, and pedestrian access..."	DRB [2]
122	Development Standards	184	4-3.3.A	Remove illustrations and review and edit text for consistency with DPM updates to the transportation chapter.	Project Team
123	Agency Comments	185	4-3.3.A.4	Revise subsection a to delete "stub street" and subsection b to delete "cul-de-sacs." Revise the section to be consistent with the updates to the DPM transportation chapter.	DRB [4]
124	Agency Comments	186	Footnote 642	Replace "Development Review Board" with "City Engineer. "	DRB [5]
125	Development Standards	188	4-3.4	Move reference to Mixed-use Development to section B, to apply the same standards and requirements to Mixed-use development as to Non-residential Development.	Project Team
126	Agency Comments	188	Footnote 648	Revise to reflect the correct reference: 14-14-4-5(A)(7)(c).	DRB [6]
127	Access and Connectivity	189	4-3.4.B.2	Move subsections b-d to Section 4-3.4.C and make them applicable only within Mixed-use zone districts.	Project Team
128	Development Standards	189	4-3.4.B.2.b	Review development standards that were drawn from the Large Retail Facility regulations to determine if they should be made citywide, or if a new section should be created for retail facilities of a certain size.	157, 198, 551
129	Access and Connectivity	189	4-3.4.B.2.b.iii	Revise to exempt non-retail uses in NR-LM and all development in NR-GM from the sidewalk width provision and defer to DPM standards.	470

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130	Agency Comments	189	4-3.4.B.3.c	Edit language on sidewalk exceptions to be consistent with the DPM for the approach in areas other than Los Duranes.	DRB [7]
131	Access and Connectivity	189	4-3.4.B.2	Revise to distinguish between sidewalks in the public right-of-way and walkways on private property.	Project Team
132	Access and Connectivity	190	4-3.4.C	Add a requirement for a connection between primary buildings on the site and at least one sidewalk per block.	Project Team
133	Agency Comments	192	4-4.1	Add to subsection A: "and other plans, policies, and ordinances adopted by the City Council". Add to subsection F: "while while providing economy for governmental purposes and efficiency in governmental operations."	DRB [8]
134	Subdivision of Land	192	4-4.5.A.2	Add reference to pedestrian refuge in the purpose/role of medians.	Project Team
135	Subdivision of Land	194	4-4.5.C	Replace "mid-block pedestrian access points" with reference to what may be required per the DPM. Add "See also DPM for street standards."	Project Team
136	Subdivision of Land	194	4-4.5.C.2	Clarify that internal drive aisles and private streets qualify to form blocks. Consider larger block sizes in the NR-LM and NR-GM zone districts.	471
137	Agency Comments	195	4-4.6.C.5 (new)	Add a new subsection to read: " <u>Tracts for open space, drainage, landscaping or other communal purposes shall have their use, beneficiaries, and maintenance responsibilities clearly noted on the subdivision plat.</u> " Section 4-4.6D should be retained to be clear that in the future, the City will continue to prohibit remainder parcels.	DRB [9]
138	Agency Comments	198	4-4.11.B	Edit to read: "an appropriate tract shall be shows as reserved, deed restricted, or dedicated for public use on the plat."	DRB [10]
139	Agency Comment	199	4-4.12	Replace "private infrastructure" with "private facilities" in this Section and throughout the document where it appears.	PNM [198, 199]
140	Agency Comments	199	4-4.12.B	Revise as follows: "Easements or rights-of-way dedicated for public infrastructure shall be granted or dedicated, respectively, ..." Revise subsection B.1 as follows: "All easements or rights-of-way granted or designated, respectively, ..." Revise subsection B.3 as follows: "Easements with rights-of-way..."	DRB [11]
141	Agency Comments	199	4-4.12B.3	Revise the text to read "All ABCWUA easements shall be exclusive from all other underground utilities. ABCWUA easements shall not include storm drain facilities."	ABCWUA [47-50]
142	Agency Comments	199	4-4.12C	Revise text to read: "Utility easements may be required along any lot line."	DRB [12]
143	Agency Comments	199	4-4.13	Revise to read: "Development shall be required..."	DRB [13]

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144	Parking Standards	201	4-5.2.A.1.d	Create a new d that reads as follows: "Non-residential uses other than Restaurants in establishments of less than 3,000 s.f. in CPO-5 for Nob Hill." On page 80, Section 2-7.2.B.5.f, add a cross reference to Section 4-5.2.A.	884
145	Parking Standards	204	Table 4-5-1	Deleted at the direction of the EPC.	486
146	Parking Standards	204	Table 4-5-1	Review and revise the use of design capacity, square feet (sq.ft.), net leasable area, and GFA (gross floor area) for clarity and consistency.	756 (cont'd)
147	Parking Standards	207	Table 4-5-1	Add a new standard for hotel parking in UC-PT-MS areas of 2 spaces per 3 hotel rooms.	245, 254, 272, 274, 1176
148	Parking Standards	207	Table 4-5-1	Reduce the minimum parking required for Restaurant in UC-MS-PT to 1 space per 4 persons design capacity. Review other standards that mention design capacity and reduce them for UC-MS-PT areas.	756 (cont'd)
149	Parking Standards	208	Table 4-5-1	Revise minimum parking requirements for Bank to 2 spaces per 1,000 SF GFA for UC-MS-PT and 3 spaces per 1,000 SF GFA for other areas.	756 (cont'd)
150	Parking Standards	209	Table 4-5-1	Revise the maximum parking standards for office and retail to only apply to UC-MS-PT areas. Revise to use "building" consistently.	114
151	Parking Standards	212	Table 4-5-1	Add outdoor seating area in gross floor area parking requirements. Exclude outdoor seating areas from parking requirements in UC-PT-MS areas.	Project Team
152	Parking Standards	216	4-5.3.D.6 & 6.b	Revise to refer to on-street parking abutting any lot line instead of on-street parking in front of the subject property.	29
153	Parking Standards	218	4-5.4	Review and revise for clarity, completeness, and consistency with the DPM update for Transportation chapter.	Project Team
154	Parking Standards	219	4-5.5.D	Review and revise for clarity, completeness, and consistency with the DPM update for Transportation chapter.	Project Team
155	Parking Standards	221	4-5.6B.1.a.i	Edit subsections a.i and a.ii for clarity and move them to Table 4-1-4 to be with similar items.	Project Team
156	Parking Standards	222	4-5.6.B.1.b.ii	Revise map to include entire historic district.	Project Team
157	Parking Standards	222	4-5.6.B.2a	Revise threshold to 100,000 square feet.	Current Planning
158	Parking Standards	223	4-5.6.B.2	Move text from section 4-5.5D.3 here, as it is overarching design requirement, similar to other provisions in this section. Add "See the DPM" reference to 2.c. Add a new 2.d: "For parking lots with over 200 spaces, bicycle route shall be provided and clearly marked. See the DPM."	Project Team

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159	Parking Standards	223	4-5.6B	Review IDO requirements that overlap with DPM standards to make clear which would go to the ZHE (zoning requirements) for variances and which go to the DRB for variance (DPM standards). Revise Table 5-1-1 and subsequent relevant subsections in Section 5-5.	Project Team
160	Parking Standards	224	4-5.6.C.2.c	Revise to read: "Vehicular access to a primary non-residential use shall be located to avoid the need for traffic from an arterial or collector to use a local residential street for more than 150 feet to access the non-residential property, to the maximum extent practicable."	Project Team
161	HPO	224	4-5.6D.1	Revise to refer to EDO HPO-1, not Huning Highland. These are two adjacent Historic Protection Overlay zones with different standards.	Project Team
162	Development Standards	227	4-5.7.A.2	Revise 25 ft. to 40 ft.	158, 204
163	Development Standards	227	4-5.7.B	Add "Premium Transit Corridor."	159, 205
164	Development Standards	227	4-5.7A.2	Deleted - Duplication of Condition 162.	Project Team
165	Parking Standards	227	4-5.7B	Revise to include PT station areas in the list of places that require the ground floor of parking garages to be built to retrofit a liner building.	Project Team
166	Drive-through Facilities	229	4-5.9A	Revise the title to remove the "(per lane)" requirement for the Minimum Required Stacking Spaces to allow businesses to allocate the stacking spaces in the number of lanes that is optimal for the use or the site.	755 (cont'd)
167	Drive-through Facilities	229	4-5.9A	Revise the measurement for the required stacking space to be from the <u>end of queuing lane</u> to: _____. (change in text and table header). Revise text to read "20 feet is provided at <u>each</u> access point."	755 (cont'd)
168	Drive-through Facilities	229	4-5.9A	Split the retail and restaurant use into two lines and require 4 stacking spaces for restaurants in UC-DT-MS areas and 6 stacking spaces in other locations.	755 (cont'd)
169	Drive-through Facilities	229	4-5.9B	Add text as follows: "Drive-through aisles located adjacent to a street shall be screened by a solid masonry/block wall or landscape berm with a finished earth grade a minimum of forty-two inches in height. Each drive-through aisle shall be appropriately screened with a combination of decorative walls and landscape to prevent headlight glare and direct visibility of vehicles from adjacent streets and parking lots."	Project Team
170	Landscaping Standards	232	4-6.3	Review and revise text and graphics for completeness, clarity, and consistency with existing Zoning Code standards.	23, 24, 25, 26, 206, 207, 1037
171	Landscaping Standards	232	4-6.3.B.1	Revise second sentence to read "In these areas, landscaping required..."	23, 24, 25, 26, 1037

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172	Landscaping Standards	233	4-6	Revise references to "invasive vegetation" to "noxious weeds" and reference the noxious weed list.	1038
173	Landscaping Standards	234	4-6.3.E	Add a row to table 4-6-1 at the bottom for prohibited trees 4 in. or larger to receive 1 tree credit for preserving an existing tree.	1039
174	Landscaping Standards	236	4-6.3.J	Add required parking lot landscaping to the regulation about overlapping landscaping requirements. Confirm that Usable Open Space requirements are also allowed to be applied to the overall site landscape requirements.	474
175	Agency Comments	241	4-6.5.A.3	On page 241, Section 4-6.5.A.3, add reference to Section 4-8.5 (Neighborhood Edges) requirements.	Parks & Rec [95]
176	Wall and Fence Standards	245	4-6.6 & 4-6.9.B.1	Revise the wall height standard of a maximum of 36 inches to remove conflict with the Parking regulations, which require screening walls between 3 feet and 4 feet in height.	475
177	Landscaping Standards	247	4-6.7	Revise to begin the provision with "In all but DT, UC, MS, and PT areas,"	209
178	Fence & Wall Standards	248	4-6.8	In subsections A, B, and C, add the requirement to screen from view from Major Public Open Space, in addition to the public right-of-way.	Project Team
179	Fence & Wall Standards	250	4-6.9	Revise for clarity and consistency.	144, 1050
180	Agency Comments	250	4-6.9	Move the language allowing higher walls in PD to the wall permit section, so it will apply to walls in all zone districts.	PNM [185]
181	Fence & Wall Standards	250	4-6.9	Add a requirement that walls abutting Major Public Open Space and/or arroyos shall be constructed of materials and/or stuccoed with natural or earth-tone colors. Unfinished concrete block walls are prohibited abutting Major Public Open Space and/or arroyos.	Project Team
182	Fence & Wall Standards	250	4-6.9.A.2 4-6.5.B.2	Revise graphic illustration to reflect the correct 36" wall height and remove reference to opacity in the illustration. On Page 242 remove graphic and replace with a graphic that better illustrates the policies in Section 14-16-4-6.5.B.	278, 1050
183	Wall and Fence Standards	250	4-6.9.B.6.b	Revise as follows: "Walls, fences and retaining walls greater than three feet are not allowed in the front setback area of parcels with single-family detached dwellings, two-family detached dwellings, and townhouse dwellings in the mapped areas shown. <u>Exceptions do not apply in the mapped areas shown.</u> "	1099
184	Agency Comments	250	4-6.9B.1	Revise to read "... Major 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. <u>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.</u> "	PNM [104, 105]

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185	Wall and Fence Standards	252	4-6.9.B.6.b	Revise map to include entire College View historic district.	Project Team
186	Neighborhood Edges	262	4-8.2.A.2.a	Remove the exception for live-work dwelling in the applicability for the Neighborhood Edges protections.	664, 1102, 1143
187	Neighborhood Edges	263	4-8.5	Revise to read as follows: "For lots abutting the zone districts listed in Section 14-16-8.2.a or b, a special buffer..."	161, 211
188	Neighborhood Edges	263	4-8.6	Revise to exempt lots less than 10,000 square feet and revise the text to require 40 feet or 25% of the lot width or depth, whichever is less. Remove vehicle access driveways from this list.	212
189	Solar Access	265	4-9.3	Add text to subsection A.: "or angle plane equivalent."	Project Team
190	Development Standards	268	4-10.3	Revise the introductory text to begin with: "In the areas listed in Section 14-16-4.10.2.C,"	1100
191	Building Design	269	4-10.5.A	Revise the applicability of this section to require these enhanced building facades and entrance standards in Activity Centers.	1128
192	Building Design	270	4-10.5.A.e.ii	Add an illustration of the fenestration requirement.	Project Team
193	Building Design	271	4-10.5.B.2.d	Revise to read as follows: "The seating and gathering area shall be linked to the main entrance of the principal structure and the public sidewalk or internal driveway <u>or located adjacent to or to maximize views to public or private open space.</u> "	1129
194	Sign Standards	272	4-11	Revise the signage regulations for clarity, completeness, and consistency with direction from the Reed v. Gilbert case.	383
195	Sign Standards	278	Table 4-11-2	Delete "Lot must have 100' linear feet of frontage for the sign to be permitted."	222
196	Sign Standards	279	Table 4-11-2	Revise the text in the Freestanding Sign section to prohibit monument and pylon signs in the Nob Hill CPO-5. Revise footnote 1051 to refer to the Nob Hill Highland SDP.	1101
197	Maintenance Standards	296	4-12.2.E	Delete the phrase "and all drive-thru facilities and off-street loading areas" so that they are not exempted from being kept clean and maintained in good repair.	Current Planning
198	Administration	298	Table 5-1-1	Include "Master Plan" in the list of "Certain Plans."	Project Team
199	Administration	298	Table 5-1-1, 2-5.2.C, 1-10, 5-2.4 & 5-5	Add Master Development Plans for approval by EPC and amendment by DRB and revise Section 2-5.2.C accordingly. Review and revise Sections 1-10, 5-4.24, and 5-5 for consistency with proposed additions. In these sections, clarify how Master Development Plans and Site Plans approved prior to the IDO effective date will be treated. Coordinate with zone changes and Council review/approval thresholds.	63, 119, 120, 121, 536

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200	Administration	299	Table 5-1-1	Revise Table 5-1-1 and relevant subsections in Section 5-5 to add demolition of non-contributing structures to Administrative Decisions and reflect existing practice that only the demolitions for which staff recommends denial go to the Landmarks Commission.	Project Team
201	Agency Comments	299	Table 5-1-1	Edit to show that only Published and Web Posting Notice are required at Final Plat.	DRB [17]
202	Agency Comments	299	Table 5-1-1	Delete the word "Public" before "Easements."	DRB [18]
203	Agency Comments	299	Table 5-1-1	Delete "Posted Sign" requirement for Sidewalk Variance.	DRB [19]
204	Agency Comments	299		Revise the application type under "Subdivision fo Land - Major" to read: "Preliminary Plat (Including Variance and/or Subdivision Improvement Agreement/Extension)"	DRB [15]
205	Administration	301	5-2.4	Add "Parks and Recreation representative" to the list of members on the DRB.	Project Team
206	The Planning System	307	5-3.1	Replace with the following text: "...establishes long-range City Goals and policies for land use, urban design, economic development, housing, parks and open space, heritage conservation, infrastructure, community facilities and services, and resilience and sustainability, to guide growth and development in the metropolitan area."	Current Planning
207	Administration	308	5-3.4	Revise this section to update the reference to O-92 to read "the Neighborhood Recognition Ordinance." Revise to reflect the requirement to notify neighborhood associations that "cover, abut, or are across the public right-of-way from the subject site" to be consistent with current notification practice for zone map amendments. Review in conjunction with O-92 and recommend changes to ensure consistency and to eliminate any conflicts.	Project Team
208	Administration	311	5-4.3	Add the following new provision: "The applicant should provide information about the scope of uses with general square footages, general site layout, design guidelines, architectural style and/or conceptual elevations, and conceptual landscaping."	1131
209	Administrative	311	5-4.3.F	Add the following: "including areas of agreement and disagreement, and next steps in the process, if any."	Current Planning
210	Administration	311	5-4.4.A	Remove reference to applications requiring a Policy Decision so that the Planning Department has the discretion to require Facilitated Meetings for all application types.	948

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211	Administration	311	5-4.5A.1	Add "to the maximum extent practicable. In the case that not all of the property owners have consented in writing to the application, or when the ownership status of some parties is unclear (as shown on a title abstract or title insurance commitment), the owner shall attest in writing that all of the property owners shown on a title abstract or title insurance commitment have been notified of the application in writing at their last known address as shown on the property tax records of Bernalillo County."	Project Team
212	Administrative	312	5-4.5.C	Revise to replace "in substantially the same way" with "re-filed with the same requested change."	Current Planning
213	Administrative	313	5-4.8	Add " <u>shall</u> be rejected."	Current Planning
214	Administration	315	5-4.11.E	Revise as follows: "RNA located partially or completely within one-quarter (1/4) mile of the subject property listed in the application."	Project Team
215	Administration	315	5-4.B.	Add Manufactured Home Resident Notification from existing § 14-16-3-21 that requires 18 month prior notice of end of tenancy resulting from change of use (zoning) instead of the 6 month mandated by New Mexico Mobile Home Park Act (Chapter 47, Article 10, NMSA 1978). Add cross reference to R-MC zone district Section 2-3.3.	Project Team
216	Agency Comments	317	5-4.13	Add clarification that DRB hearings are not quasi-judicial. As a technical review board composed of City staff, the DRB is often contacted or contacts directly with applicants regarding technical design issues – these usually involve minimum standards and may not rise to the level of discussing the 'merits' of an issue. Provide additional or exception language as appropriate.	DRB [20]
217	Administrative	318	5-4.13.F	Break out the sentence and add the word remand, as follows: "A continuance, deferral, or remand may not be appealed."	Current Planning
218	Administrative	318	5-4.13.G	Delete the word "material" before finding.	Current Planning
219	Agency Comments	319	5-4.13.G.5	Add DRB to the list of review bodies that provide a written decision with findings after the hearing.	DRB [21]
220	Administration	320	5-4.15.B.4	Revise section B.4 to say that no deviations are allowed in properties within Overlay Zones for provisions that are regulated by that Overlay Zone. Revise Table 5-4-1 to delete reference to VPO.	p, 419
221	Administrative	320	Footnote 1215	Delete this footnote.	Current Planning
222	Administration	320	Table 5-4-1	Revise to address accessory buildings or structures.	Project Team
223	Administrative	321	5-4.15.B.1	Revise the following text to become a new B.2: "and not created by the actions of the property owner or another interested party." Renumber the following sections.	Current Planning

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224	Administration	323	5-4.19	Add a new D that describes the existing Zoning Code provision for Landmark determinations within 90 days.	Project Team
225	Administrative	323	5-4.19.C	Insert "in accordance with timing established by federal regulations" into the last sentence in section C. Delete subsections C.1 - C.3.	Current Planning
226	Administrative	324	5-4.21.B.1	Delete section 1.d, as this is covered by 1.e.	Current Planning
227	Administration	324	5-4.21.B.1.c	Revise as follows to be consistent with the notification requirements in 5-4.11.B and O-92: "An RNA whose boundaries include <u>located partially or completely within one-quarter (1/4) mile of the subject property that can demonstrate the showing of impact required by subsection 2 below; or...</u> "	1133
228	Administrative	325	5-4.21.C.1.b	Add that 15 days means 15 calendar days, excluding holidays.	Current Planning
229	Administrative	326	5-4.21.C.4	Elevate the Criteria for Decision as a separate letter D.	Current Planning
230	Administrative	328	Table 5-4.2	Delete the following: "if required conditions are met".	Current Planning
231	Administration	328	Table 5-4-2	Add expirations to the table for Master Plans and Master Development Plans.	Project Team
232	Agency Comments	328	Table 5-4-2	Move the "Development Agreement" application type to the Administrative Decisions section.	DRB [23]
233	Agency Comments	328	Table 5-4-2	Revise the period of validity for Vacation of Easements to read: "1 year, if not platted" and revise the type of approval to read: "Vacation of Easements"	DRB [24]
234	Administration	330	5-4.24	Revise for completeness, clarity, and consistency. Coordinate with edits to Section 1-10. Remove cross references to Table 5-4-1 (Deviations) and create a new table with the same thresholds, deleting the lines for lot area or lot width. Revise text to indicate that all amendments to lots require review and approval by the DRB.	63, 99, 100, 102, 103, 119, 120, 122, 123
235	Administration	330	5-4.24	Add a new Section 5-4.25 for amendments of approvals granted prior to the effective date of the IDO. Coordinate with edits to Section 1-10.	63, 99, 100, 102, 103, 119, 120, 122, 123
236	Administration	330	5-4.24.A.2	Replace "Metropolitan Redevelopment Plans" with "Resource Management Plan." Coordinate with edits to Section 1-10 and Section 5-5.3.A.	121
237	Administration	333	5-5.1.A.1.a	Revise to reflect minor Certificates of Appropriateness only per the existing Zoning Code. Move Major Certificate language to Section 5-5.2.A.	Project Team
238	Administration	334	5-5.1.C	Pull in text from Sections 4-6.9.C.2 and 3 on page 253.	Project Team

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239	Administration	337	5-5.1.F.1	Revise as follows: "All new civic, institutional, commercial, or industrial development with no more than 50,000 sq.ft., with the exception of grocery stores, which may be approved administratively up to and including 70,000 sq. ft.	1134, 1255
240	Administrative	337	5-5.1.F.1.d	Deleted - Duplication of Condition 239.	Current Planning
241	Administrative	340	5-5.1.H.2	Add a new b to state "Collocations on concealed WTFs".	Current Planning
242	Administration	342	5-5.2.A.3.g	After the first sentence, add "In the meantime, no permit for demolition can be issued."	Project Team
243	Administration	344	5-5.2.C.1	Revise Nob Hill Highland map to remove Characteristic Buildings as confusing, since they are not mentioned in the regulation.	Project Team
244	Administration	344	5-5.2.C.1	Add map of EDO CPO-3 as an area that is covered by the "Demolition of Non-Designated Structure Outside of HPO" to retain Staff and/or Lucc review of structures over 50 years old. Add to list of mapped areas after Table of Contents.	11, 14
245	Administration	345	5-5.2.C.2	Move these procedures to Certificate of Appropriateness Major and leave a cross reference here.	Project Team
246	Administration	346	5-5.2.D	Revise subsection c for clarity.	433
247	Administration	346	5-5.2.D.3.a	Remove subsection D.3.b and revise language for subsection D.3.a. for consistency with updates to similar criteria in other approval processes.	127
248	Administration	346	5-5.2.D.3.a	Edit text to read: "Will not create material negative impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration, without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts." Add a new b to read: "Will not increase non-residential activity within 300 feet of a lot in a Residential zone district between the hours of 8:00 p.m. and 6:00 a.m." Add a new c to read: "Will not negatively impact pedestrian or transit connectivity without appropriate mitigation."	Project Team
249	Administration	347	5-5.2.E.1	Revise Applicability subsection a to add: "with the exception of b below." Add a new section b to read: Any application for a site 5 acres or greater that is not adjacent to Major Public Open Space (which requires review of a Site Plan - EPC under Section 14-16-5-5.2.F).	510, 512, 763, 767, 769, 768, 943, 946, 947, 1116, 1117, 1234, 1235, 1236, 1237, 1239, 1240, 1245

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250	Sensitive Lands	348	5-5.2.F.1	Revise the Site Plan - EPC applicability to add all properties that are 5 acres and larger and adjacent to MPOS.	510, 512, 763, 767, 769, 768, 943, 946, 947, 1116, 1117, 1234, 1235, 1236, 1237, 1239, 1240, 1245
251	Administration	349	5-5.2.F.3	Add criteria for EPC to grant exceptions to IDO Dimensional and Development Standards for projects with exceptional design that provide positive civic and/or environmental benefits.	1107
252	Agency Comments	351	5-5.2.H.1.a.iv	Revise the text to read: "Does not require installation of any significant infrastructure, other than pipes, wires, and other-service 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"	PNM [107]
253	Agency Comments	353	5-5.2.H.3.c	Add the following review and decision criterion: " <u>A request must demonstrate that varying from the normal requirements will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning, or that extraordinary hardship or practical difficulty may result from strict compliance with the minimum standards.</u> "	DRB [26], DRB [30]
254	Agency Comments	353	5-5.2.H.3.c.	Revise to read: "If an adjustment from the applicable subdivision standards in this IDO or the Development Process Manual has been requested, <u>the Development Review Board shall not approve variances unless it shall make findings, based upon the evidence presented to it at a public meeting, that:</u> <u>(i.) The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community; and</u> <u>(ii.) The variance will not conflict significantly with the goals and provisions of any city, county, or AMAFCA adopted plan or policy, this IDO, or any other city code or ordinance; and</u> <u>(iii.) The variance will not permit, encourage or make possible undesired development in the 100-year Floodplain; and</u> <u>(iv.) The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements."</u>	DRB [29]; DRB [36]

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255	Agency Comments	353		In the procedure illustration, revise the title to read: "Preliminary Plat (Including Variance and/or <u>Subdivision Improvement Agreement/Extension.</u> "	DRB [31]
256	Agency Comments	355	5-5.2.1.2.e	Delete subsection iv.	DRB [35]
257	Agency Comments	356	5-5.2.1.3.c.	Add the following text: " <u>(v.) Where a waiver is based upon a bulk land transfer, development shall require subsequent further review for subdivision or site plan approval; such further review and approval must be more comprehensive than issuance of a building permit, and a notice of any waivers shall be placed on the final plat and on a separately recorded.</u> "	DRB [37]
258	Agency Comments	357	5-5.2J	Revise the title and the procedure illustration to read: "Vacation of Easement and Right-of-Way" Add to subsection 1 at the end of the applicability sentence: " <u>as well as private ways and easements shown on recorded plats.</u> "	DRB [38, 40]
259	Agency Comments	357	5-5.2J.2.a	Revise to read: "Notwithstanding the provisions of Table 5-1-1, Published and Posted Sign notice are not required when the application is for vacation of a private easement that does not involve a public right-of-way <u>and the Planning Director is satisfied that all the benefitted and burdened parties are clearly and completely defined and all agree to the vacation.</u> "	DRB [39]
260	Administrative	355 358	5-5.1.2.D.3.a.1 5-5.2.1.2.e.iv.a 5-5.2.k.3.a.i.a	Replace "be injurious" with "will cause significant adverse impact" Replace "injurious" with "will not cause significant adverse impact".	Current Planning
261	Administration	362	5-5.3.A	Remove reference to Metropolitan Redevelopment Plans from Section 5-5.3.A, because the approval of these plans is regulated by a separate standalone ordinance that is not being incorporated in the IDO, and ADC, not EPC, is the review body for this type of plan.	1197
262	Administration	362	5-5.3.A	Create a new subsection 2 specifying that the BioPark Master Plan is adopted and amended through a separate procedure managed by Cultural Services, as specified by the BioPark Master Plan.	Project Team
263	Administration	364	5-5.3.B.3.c	Review and revise the IDO to ensure consistency with R-270-1980.	1029
264	Administration	364	5-5.3.B.3	Revise per the attached edits to clarify criteria for zone changes in Areas of Change vs. Areas of Consistency. [See attached R-270-1980 revisions.]	1136
265	Administrative	371	5-5.3.E.3.e	Add a new section e stating that an amendment to this IDO shall not be for a single lot or a single project.	Current Planning

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266	Administration	328	Table 5-4-2, 1-10, 5-4.24 & 5-5	Revise to clarify the threshold at which approved site plans and Master Development Plans do not expire, including phasing and the amount of required on-site, below-ground infrastructure that must be constructed.	534
267	Administration	376	5-6.2F	Revise heading to read: "Mobile Home Dwellings and Mobile Home Development."	Project Team
268	Administration	377	5-6.3.E	Revise provision to read: "A nonconforming structure may be expanded in size by an amount not to exceed 25 percent, provided that the expansion will not increase an existing nonconformity or create a new nonconformity, if approved by the Zoning Hearing Examiner pursuant to Section 14-16-5-5.2.D."	126
269	Administrative	382	5-7.2	Add not paying impact fees as a new H.	Current Planning
270	Administrative	385	5-7.4.C	Add a new sentence at the end of this section as follows: "Any waiver of penalties shall be accompanied by a written rationale for the waiver."	Current Planning
271	Definitions	386	6-1	Revise the definition for "Accessory Use" as follows: on the same lot, or, in Mixed-use or Non-residential zones, the same premise, ..."	90, 439, 442, 453, 455
272	Definitions	387	6-1	Clarify that alleys do not count as streets for setback standards, unless specifically called out.	256, 258, 523
273	Definitions	387	6-1	Revise definition for "Bakery or Confectionary Shop" to read: "A facility for the production and sale of baked goods and confectioneries, primarily for retail sales to customers of the facility. Accessory sales to off-site customers is permitted. For uses with primary off-site sales, see Manufacturing, Light."	Project Team
274	Use	388	6-1	In Section 6-1, revise definitions of Artisan, Light, and Heavy Manufacturing to read "Manufacturing, Artisan," "Manufacturing, Light," and "Manufacturing, Heavy" so that these definitions can easily be found together.	1158
275	Definitions	389	6-1	Add a definition for 'Building.'	Current Planning
276	Definitions	390	6-1	Add a definition for Car Wash per footnote 232.	1270
277	Definitions	392	6-1	Revise definition for "Community Residential Facility" to reflect that small is 10 people, consistent with the existing Zoning Code.	6
278	Definitions	392	6-1	Review definitions for "abut," "adjacent," and "contiguous" and revise for clarity and consistency with usage throughout the document.	Project Team
279	Definitions	393	6-1	Delete the illustration of the View Area, retaining the text and adding a cross-reference to the View Frame definition.	1054, 1055

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280	Definitions	393	6-1	Move Coors Boulevard Corridor View Protection Overlay Zone Definitions from Section 6-1 to the Coors Boulevard VPO-1 in Section 2-7.4.	552, 376, 1052, 1106
281	Definitions	393	6-1	Revise View Frame definition as follows: A "View Frame is a vertical rectangular frame drawn 90° to a given sight line (in the plan view) at the highest point on the proposed building. The top of the view frame is established by the highest point of the Sandia ridgeline in the view frame. The bottom of the view frame is the elevation of the Coors ROW where the sight line begins. The left and right edges of the view frame are an upward projection of the property lines where the view frame crosses the property lines. If the distance between the left and right edges of the view frame is greater than 450', then additional sight lines will be added."	1063
282	Definitions	393	6-1	Review and edit the definition for "Corridor Area" and use consistently throughout the document.	Project Team
283	Definitions	394	6-1	Revise the illustration of View Frame by shifting the left and right vertical edges of the View Frame away from the corners of the property.	1056
284	Definitions	395	6-1	Add to "Daytime Gathering Facility" that ambulatory medical service is one of the list of services.	1077
285	Agency Comments	395	6-1	Revise the DRB membership to refer to an "ABCWUA representative." Add Parks and Recreation Department representative. On page 426, delete the definition for 'Water Resources Engineer.'	DRB [44]
286	Definitions	395	6-1	Add a definition for 'Deviation.' Revise the definition for Variance to distinguish between a ZHE and DRB approved variance.	Current Planning
287	Definitions	396	6-1	Review and edit the definition for "Downtown" and use throughout the document for consistency and clarity.	Project Team
288	Definitions	397	6-1 / 3-3.2.E	Revise the definition and Use Specific Standard for Cottage Development and Co-Housing Development to reference single-family uses.	1085
289	Definitions	398	6-1	Review and edit the definition for "Escarpment" for consistency with use throughout the document.	Project Team
290	Agency Comments	398	6-1	Add the following to the definition for Easement at the end: " <u>Easements may also be granted for open space, view protection, or specific uses.</u> "	DRB [41]
291	Agency Comment	398	6-1	Delete "public rights-of-way" in the Definition for Easements	DRB [177]
292	Definitions	400	6-1	Add "natural grade" to definition of "Grade" consistent with its use in the Northwest Mesa Escarpment VPO. Add a cross reference to the VPO.	Project Team

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293	Definitions	400	6-1	Revise the IDO to remove reference to "FAR," which is floor area ratio, because this is no longer a regulated concept.	Current Planning
294	Definitions	402	6-1	Add "emergency shelters" to definition of Group Home.	Project Team
295	Definitions	403	6-1	Review and edit the definitions for "Utility" and "Infrastructure" for consistency with use throughout the document.	Project Team
296	Definitions	404	6-1	Delete definition for "Hobby Breeder" as unnecessary.	Project Team
297	Agency Comments	404	6-1	Revise the definition for Infrastructure to replace "lines" with " <u>electric facilities.</u> "	PNM [108]
298	Definitions	405	6-1	Clarify the definition of "Landscape Area."	23, 24, 25, 26, 206, 207, 1037
299	Definitions	406	6-1	Add "boats" to definition of "Light vehicle sales and rental."	458, 463
300	Definitions	408	6-1	Deleted per EPC direction.	567
301	Definitions	408	6-1	Add language after the word applicant: "and are not self-imposed" and before "economic."	Current Planning
302	Definitions	412	6-1	In the definition of "Open space, usable," add a reference that rooftop decks may be included in usable open space.	23, 24, 25, 26, 1037
303	Agency Comments	412	6-1	Revise the definition for "Open Space, Major Public" to read: " <u>Publicly-owned spaces managed by the Open Space Division of the City Parks and Recreation Department, such as the Rio Grande State Park (i.e. the "Bosque"), the Petroglyph National Monument, the Sandia Foothills, etc. ...</u> "	Parks & Rec [99]
304	Definitions	416	6-1	Add definitions for 'Public Hearing' and 'Public Meeting.'	Current Planning
305	Definitions	417	6-1	Add illustrations of sign types.	383
306	Definitions	417	6-1	Add definition for "Resource Management Plan" to read as follows: Plans used to manage and protect natural, historic, or cultural resources and/or scenic views on City-owned or managed Major Public Open Space (MPOS). Resource Management Plans also help guide the overall planning, visitor uses, budgeting, and decision-making for specific individual MPOS properties.	Project Team
307	Definitions	419	6-1	Review and revise definition for Freestanding Sign for consistency with the sign regulations. Delete the last sentence and add a note to Table 4-11-2 reading: "The use of permitted portable signs shall not reduce the number of other freestanding signs permitted on the lot."	Project Team

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308	Definitions	421	6-1	Add definition for "Small Loan Business" as follows: "Any business requiring licensure under the New Mexico Small Loan Business Act, NMSA 1978 Sections 58-15-1 through 58-15-39, including but not limited to businesses offering Payday Loans, Title Loans, Installment Loans, or Refund Tax Anticipation Loans." Reference "Small Loan Business" in the definition of "bank."	465, 467
309	Agency Comments	423	Footnote 1626	Revise to read: "This is a new definition for stub streets, which is different from how they are currently defined by the City of Albuquerque. The definition is consistent with the regulations and intent to regulate streets that temporarily dead-end, until abutting development occurs to continue the road through. Footnote revised since EPC draft."	DRB [179]
310	Agency Comments	424	6-1	Revise definition for "Transit Facility to read as follows: "A land use for bus or rail stops, stations, terminals, shelters, transfer points, depots, park and ride lots, and/or related facilities on publicly or privately owned parcels."	ABQ RIDE [134]
311	Definitions	424	6-1	Add a definition for "Time Calculation."	Current Planning
312	Definitions	427	6-1	Add a definition for Small Wireless Telecommunications Facility as follows: A Wireless Telecommunications Facility that is designed to act as a booster site that provides increased localized network capacity. A small WTF has three or fewer antennas, no greater than 4 feet long each, and does not exceed 35 feet in height for a free-standing small WTF, and includes associated equipment cabinet(s).	Current Planning
313	Definitions	427	6-1	Delete language regarding "camouflaged into."	Current Planning
314	Definitions	428	6-1	Add "WTF, steel monopoles with exposed antennas."	Current Planning
315	Agency Comments	429	6-1	Revise the definition for Zoo to indicate that it " <u>may</u> be accredited by the American Zoological Association..."	Cultural Services [63]
316	Agency Comments	199	4-4.12.B	Revise as follows: "Easements or rights-of-way designated for public infrastructure shall be granted or dedicated, respectively, ..." Revise subsection B.1 as follows: "All easements or rights-of way granted or dedicated, respectively, ..."	DRB [174]
317	Agency Comments	299	Footnote 1119	Revise to read: "Currently, Preliminary Plat approvals (Including Variance and/or Subdivision Improvement Agreement/Extension), require neighborhood notification."	DRB [175]

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318	Agency Comments	352	5-5.2.H	Delete subsections 2.a.ii, 2.a.iii and 3.c to remove a Bulk Land Waiver from the variance section. Insert a new Item 2.a.ii after Item 2.a.i to read: "A request must demonstrate that varying from the normal requirements will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning, or that extraordinary hardship or practical difficulty may result from strict compliance with the minimum standards."	DRB [176]
319	Agency Comments	352	Footnote 1323	Revise text to read: "... The Subdivision Ordinance is specific to subdivision design standards, which include dimensions..."	DRB [176]
320	Agency Comments	406-407	6-1	Revise the definitions for Lot, subsections 2 and 3, to more closely reflect the definitions from the appropriate ordinances from the existing Zoning Code Definitions.	DRB [178]
321	EPC Hearing 4/24/17	305	5-2.9.B	Add Civil Engineer to the list of experience desirable for EPC Commissioners. Move the list of qualifications to section 5-2.9.B, and delete subsection 5-2.9.D.3.	EPC

Major Public Open Space Recommended Conditions of Approval

Conditions in other IDO Sections related to Major Public Open Space

Definitions

- Revise definition of Major Public Open Space to include: “such as Rio Grande State Park (i.e. the Bosque), the Petroglyph National Monument, the Sandia Foothills, etc.”

Walls Regulations

- Edit to Section 4-6.8.C (page 248): add – screen from MPOS (in addition to street)
- Edit to Section 4-6.8.A and B (page 28): add – screen from MPOS (in addition to street)
- Edit to Section 4-6.9 – Walls abutting Major Public Open Space and/or arroyos shall be constructed of materials and/or stuccoed with natural or earth-tone colors. Unfinished concrete block walls are prohibited abutting Major Public Open Space and/or arroyos.

Conditions in Section 3.3 in relevant Use Specific Standards for each use

Uses Prohibited within 330' of MPOS

- Light vehicle fueling
- Light vehicle repair
- Heavy manufacturing
- Special manufacturing
- Natural resource extraction
- Solid Waste Convenience Center
- Waste and/or Recycling Transfer Station

Uses Conditional within 330' of MPOS

- Drive-throughs
- Car washes
- Light manufacturing
- Warehousing
- Wholesaling and distribution center

Uses Prohibited Adjacent to MPOS

- Drive-throughs
- Car washes

Additions/Revisions to 4-2.8 and a new 4-2.9 (See also document format below)

	Within 330 feet*	Adjacent to MPOS	On properties 5+ acres Adjacent to MPOS
Building color	LRV 20-50% + blend with natural environment / trim provision	See within 330 feet	See within 330 feet
Walls		Xref to Section 4-6.9	Balance the needs for aesthetics that blend, safety/surveillance, and screening and privacy.
Mechanical equipment screening	Xref to section 4-6.8.A and B	See within 330 feet	See within 330 feet
Vehicle circulation, access, and parking	None	Xref to Section 4-6.8	<ul style="list-style-type: none"> Minimizes impact to MPOS
Grading/Stormwater Management	Section 4-4.10 and Section 4-4.8	See within 330 feet	Minimizes impact to MPOS
Safety/surveillance	Shall be designed using the principles of CPTED so as to deter crime and to facilitate security measures.	See within 330 feet	See within 330 feet
Lighting	<ul style="list-style-type: none"> Xref to Section 4-7.4 	<ul style="list-style-type: none"> Limited to 20 feet high. Xref to Section 4-7.4 	<ul style="list-style-type: none"> Located, designed, and oriented to be compatible with MPOS Shall consider periphery lighting Shall consider lighting pedestrian access acceptable to Parks and Recreation Open Space Division
Signage	<ul style="list-style-type: none"> Locate to minimize visibility from MPOS Illumination prohibited – add a new section and xref to Section 4-11.3.D.2.c Flashing/moving prohibited – xref to Section 4-11.3.D. Electronic xref to Section 4-11.6.F.2.c.i 	See within 330 feet	<ul style="list-style-type: none"> Located, designed, and oriented to minimize impact to MPOS

* Note: AGIS will create an interactive map of the MPOS areas and the MPOS Edge distance of 330 feet

4-2.8 Major Public Open Space Edges

A. Properties within 330' of Major Public Open Space

These standards and guidelines apply to development within 330' of Major Public Open in order to enhance the development and protect the Major Public Open Space. For additional standards and guidelines regulating adjacent properties, see Section 4-2.8.

1. Limit the colors of exterior surfaces of structures, including but not limited to mechanical devices, roof vents, and screening materials, to those with reflectance ranges between 20-50 percent of the light that falls on them (i.e. light reflective value (LRV) rating).
 - a. Colors shall blend with the surrounding natural environment and generally include yellow ochres, browns, dull reds, and grey greens, with the exception of trim materials on façades.
 - b. Trim materials on façades constituting less than 20 percent of the façade's opaque surface may be any color.
2. Screen mechanical equipment per Section 14-16-4-6.8A and 14-16-4-6.8 B.
3. Provide pedestrian and bicycle access to the Major Public Open Space consistent with the City's adopted Bikeways and Trails Facility Plan and as acceptable to the Parks and Recreation Open Space Division.
4. Use native and/or naturalized vegetation for landscaping materials.
5. Design lighting per Section 4-7.4.
6. Design signage per Section 4-11.3.D and Section 4-11.6.F.2.c.i and locate signs to minimize visibility from Major Public Open Space.

B. Properties Adjacent to Major Public Open Space

In addition to the standards and guidelines that apply within 330 feet of Major Public Open Space in subsection A above, the following standards and guidelines apply to development adjacent to Major Public Open Space.

1. Development on properties of any size adjacent to Major Public Open Space shall:
 - a. Be platted and/or designed to incorporate a single-loaded street between the Major Public Open Space and development, with access generally not allowed unless approved by the Parks and Recreation Department Open Space Division.⁶²⁵
 - b. Locate on-site open space to be contiguous with the Major Public Open Space.
 - c. Locate lower densities and less intense uses abutting the Major Public Open Space in Mixed-use zone districts.
 - d. Include a landscaped strip between off-street parking and the Major Public Open Space with a minimum width of 6 feet that varies in width to avoid the appearance of a hard, straight line. Plant selection shall include sufficient shrubs or trees to provide a visual barrier.
 - e. Limit height of site lighting luminaries to 20 feet.
 - f. Incorporate Crime Prevention through Environmental Design (CPTED) principles to deter crime and to facilitate security measures.
 - g. Locate and design vehicle access, circulation, and parking per Section 14-16-4-6.8.
 - h. Design grading per Section 4-4.10.
 - i. Manage stormwater per Section 4-4.8.
 - j. Design walls per Section 4-6.8.
 - k. Prevent and mitigate construction impact per the DPM.
2. For properties 5 acres or greater adjacent to Major Public Open Space, in addition to meeting the requirements in subsection 1 above, the proposed development shall not

create any material negative environmental impacts on the visual, recreational, or habitat values of the Major Public Open Space.

- a. Locate and design vehicle access, circulation, and parking to minimize impact to Major Public Open Space.
 - b. Design grading and manage stormwater to minimize impact to Major Public Open Space.
 - c. Locate, design, and orient site lighting to be compatible with Major Public Open Space, including consideration of periphery lighting and lighting of any pedestrian access to Major Public Open Space that is acceptable to the Parks and Recreation Open Space Division.
 - d. Design walls to balance the following needs as appropriate on a case-by-case basis:
 - i. Aesthetics that blend with the natural environment,
 - ii. Safety and surveillance, and
 - iii. Screening and privacy.
 - e. Locate, design, and orient signage to minimize impact to the Major Public Open Space.
3. Development on properties of any size adjacent to the Petroglyph National Monument shall:
- a. Comply with the requirements of sections A and B above.
 - b. Comply with the applicable standards of the Northwest Mesa Escarpment View Protection Overlay – VPO-2.
 - c. Comply with the Wireless Telecommunications Facilities concealment requirements in 14-16-3-3.5.
 - d. Comply with the applicable wall design and materials standards of 14-16-4-6.9.
 - e. Comply with the applicable sign restrictions in 14-16-4-11.6 and 14-16-4-11.7.

B. Preventing and Mitigating Construction Impact [\[Move whole section to DPM\]](#)

1. See the Development Process Manual (DPM) for information.
1. Width disturbance to slopes and vegetation, and cut and fill, shall be minimized and balanced against the need to provide for bikeways or other amenities within the right-of-way.
2. No grading is permitted within Escarpment areas with nine percent or greater slopes except as required for roads, trails, and utilities.⁶²⁶ a. Temporary construction barricades, or 20-foot construction setback, are required from Escarpment Face areas with 9 percent or greater slopes. b. If damage due to construction occurs on the escarpment side of the property line, it shall be mitigated at the expense of the property owner.
3. Corridors for construction projects shall be located to avoid impacts and destruction of petroglyphs or other archaeological sites and environmentally sensitive areas previously identified.
4. Areas that are damaged or altered shall be restored through replacement of boulders to approximate the original location, angle and surface exposure. Revegetation to approximate original cover with appropriate native or naturalized plants is required within 90 days of project completion.
5. The City shall be responsible for restoring existing damaged areas that lie within Major Public Open Space. The property owner shall be responsible for restoring damaged areas on lands accepted by the City to meet open space requirements; this shall occur prior to title transfer if the land is to be deeded to the City and shall be an ongoing responsibility of the property owner if the land remains private open space.

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Page 364, Section 14-16-5-5.3.B.3

3. Review and Decision Criteria

- c. An Amendment to Zoning Map may be approved if the decision-making body determines that:
 - i. The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the Comprehensive Plan and other applicable plans adopted by the City.
 - ii. If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the adopted Comprehensive Plan), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets at least one of the following criteria:
 - a. There was a typographical or clerical error (as opposed to an error in the judgment of the approving body) when the existing zone was applied to the property.
 - b. There has been a change in neighborhood or community conditions affecting the site.
 - c. A different zone district is more advantageous to the community as articulated by the Comprehensive Plan (including implementation of patterns of land use, development density and intensity, and connectivity) and other applicable adopted City plan(s).
 - iii. If the proposed amendment is located wholly in an Area of Change and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:
 - a. There was a typographical or clerical error (as opposed to an error in the judgment of the approving body) when the existing zone was applied to the property.
 - b. There has been a change in neighborhood or community conditions affecting the site.
 - c. A different zone district is more advantageous to the community as articulated by the Comprehensive Plan (including implementation of patterns of land use, development density and intensity, and connectivity) and other applicable adopted City plan(s).

- iv. The zone change does not include Permitted uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards associated with that use will adequately mitigate those harmful impacts.
- v. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems:
 - a. Have adequate capacity to serve the development made possible by the change of zone; or
 - b. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year, or
 - c. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or a Subdivision Improvements Agreement; or
 - d. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.
- vi. The applicant's justification for the requested zone change is not completely based on the property's location on a major street.¹³⁶²
- vii. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.
- viii. The zone change does not apply a zone category different from surrounding zone categories to one small area or one premises (i.e. create a "spot zone"), or to a strip of land along a street (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the Comprehensive Plan and:¹³⁶³
 - a. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zones; or
 - b. The site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or
 - c. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone.

EPC Recommended Conversion Map Conditions

Condition Number	Condition Type	EPC Recommended Condition	Comment No.
<i>(Comment numbers refer to Public Comments Spreadsheet unless otherwise noted)</i>			
Changes to the IDO Conversion Map as of December 29, 2016			
Map 1	Conversion Map Rules	Update the conversion map to address inconsistencies and changes to the conversion criteria made during EPC, as well as zone changes approved since December 2016.	393; Map Comment 38
Map 2	Conversion Map Rules	Revise the conversion for the Sawmill SDP SU-2/S-I zone from NR-LM to NR-BP to reintroduce the commercial and live-work uses currently allowed in the zone.	358; Map Comments 22 & 42
Map 3	Conversion Map Rules	Revise all conversions on the West Side of the Rio Grande for zones that reference the C-2 and C-3 zones to NR-C, except for properties within 660' of a Premium Transit Station, which should be converted to MX-M and MX-H, respectively.	53, 171, 356
Map 4	Conversion Map Rules	Deleted per direction from EPC.	728
Map 5	Conversion Map Rules	Review all of the land in the City zoned R-D and SU-1 for PRD to determine the best base zone based on existing approvals. Until this review can be completed, convert all R-D and SU-1/PRD to the PD zone.	421, 722, 1000, 1212; Map Comments 9, 24, 26, 28, 37, 40, 41, 47, 48, 50
Map 6	Conversion Map Rules	Add boundaries within the MX-FB-DT that reflect the use table in the Downtown 2025 Plan. Add a section on building heights that reflect the highest building heights per the allowable building types in each focus area.	862, 1177, 1178
Map 7	Conversion Map Rules	In the High Desert SDP, convert the SU-2/ HD R-R zone to NR-PO-C for the portions owned by the HOA and identified in the Open Space Plan. Convert the SU-2/ HD R-R zone to R-1 for the remainder, following the lot sizes to determine the appropriate subzone.	Project Team
Map 8	Agency Comments / Conversion Map	Convert the "SU-1 for Transit Facility and Day-care" to NR-LM to match the heavy vehicle maintenance use currently allowed as a permissive use under the SU-1 zone.	ABQ RIDE [144]
Map 9	Conversion Map Comments	Convert the large lots on Laguna Blvd. between San Carlos Dr. and Los Alamos Ave. to R-1B.	Map Comment 3
Map 10	Conversion Map Comments	This comment refers to a property at the NW corner of Edith and Dr. Martin Luther King, Jr. Ave. According to the City's Official Zone Map, the property's current zoning is SU-2/SM O-1. Staff researched this site and found no records of a zone map amendment for this property since adoption of the South Martineztown SDP, which shows the property as zoned SU-2/SM C-1. Consequently, the Official Zone Map will be revised to reflect the correct zoning for this site as SU-2/SM C-1, as well as in the IDO Conversion Map. The IDO conversion for the C-1 zone is MX-L.	Map Comment 4

EPC Recommended Conversion Map Conditions

Condition Number	Condition Type	EPC Recommended Condition	Comment No.
<i>(Comment numbers refer to Public Comments Spreadsheet unless otherwise noted)</i>			
Map 11	Conversion Map Comments	The site is currently zoned SU-1 for PDA and converted to PD. Given the information that C-2 is the highest permissive use allowed in the SU-1, the most appropriate conversion is NR-C. Based on policies to address the jobs-housing balance, C-2 zoning on the West Side is proposed to convert to NR-C unless it is within 660 ft. of a Premium Transit station. Those properties that are within 660 ft. of a PT station would be converted to MX-M. The subject property is more than 660 ft. from the proposed PT station areas on Central, which supports the conversion to NR-C.	Map Comment 5
Map 12	Conversion Map Comments	SU-1 for Neighborhood Commercial most closely aligns with C-1 zoning, which would convert to MX-L.	Map Comment 8
Map 13	Conversion Map Comments	This comment refers to a location at the SW corner of Coors Blvd. and Western Trail. Staff reviewed this area and revised the recommended conversion to MX-T, which is the conversion for current O-1 zones.	Map Comment 12
Map 14	Conversion Map Comments	See Line 85 above for a proposed Use Specific Standard to require a distance separation between industrial uses that require an air quality permit.	Map Comment 17
Map 15	Conversion Map Comments	This property is currently zoned through the North Fourth SDP as "M-1 or SU-2/NFTOD." To retain the industrial and manufacturing uses at this location, Planning will use the base zone instead of the opt in zone for the IDO conversion. This will result in a conversion to NR-LM in the IDO. Please submit a letter from the owner of record to authorize this change.	Map Comment 45
Map 16	Conversion Map Comments	The Riverview SDP zoning for the land surrounding the Open Space references both the R-2 and SU-1/PRD zones. The SU-2 conversion table originally proposed MX-T as the closest conversion in the IDO zones. Staff believes PD would be a better fit, to match other SU-1/PRD zones that are not within a SDP.	Map Comment 49
Map 17	Conversion Map Comments	Convert the land within the Rail Yards Master Plan to PD, to reflect the Master Plan that governs this site and the allowable uses.	Map Comment 168
Map 18	Conversion Map Comments	Revise the conversion for the West Route 66 SDP to more closely align with the uses identified in the SDP and with the updated C-2/C-3 conversion approach.	53, 171, 356
Map 19	Conversion Map Comments	Revise the conversion for the High Desert SDP SU-2/C-1 to MX-L.	Project Team