

Proposed amendments to the IDO for O-23-77

June 5th
City Council Meeting

Amendment	Topic	Note
B1	Light Vehicle Sales	--
B2	Temporary Use – Film Production	--
B3	Cottage Development - Buffer	--
B4	Barbed Wire - Sunset	--

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Check the ABC-Zone webpage for the latest version of the amendment packet:
<https://ido.abc-zone.com/ido-annual-update-2022>

B1 – Light Vehicle Sales

CITY COUNCIL of the CITY OF ALBUQUERQUE

June 5th, 2023

FLOOR AMENDMENT NO. _____ TO Exhibit A to O-23-77

AMENDMENT SPONSORED BY COUNCILOR: Isaac Benton

1. On page 172 of Exhibit A, add a new use-specific standard to “Light Vehicle Sales and Rental” as follows:

[4-3(D)(20)(g) This use is prohibited in the MX-L zone district on lots that are 21,780 square feet (½ acre) or less, and that are adjacent to low-density residential development.]

Explanation: Light Vehicle Sales and Rental uses may have a negative impact on the surrounding area when located on a small sized lot and adjacent to low-density residential uses. This amendment proposes to prohibit the Light Vehicle Sales and Rental land use from occurring on lots that are:

1. Zoned MX-L, and
2. Are adjacent to low-density residential development, and
3. Are ½ acre or less in size.

Low-density residential development is defined as:

Properties with residential development of any allowable land use in the Household Living category in Table 4-2-1 other than multi-family dwellings. Properties with small community residential facilities are also considered low-density residential development. Properties that include other uses accessory to residential primary uses are still considered low-density residential development for the purposes of this IDO. *See also Dwelling Definitions for Dwelling, Cluster Development; Dwelling, Cottage Development; Dwelling, Live-work; Dwelling, Single-family Detached; Dwelling, Townhouse; and Dwelling, Two-family Detached (Duplex); Manufactured Home, and Other Uses Accessory to Residential Primary Uses.*

B2 – Temporary Use – Film Production

CITY COUNCIL of the CITY OF ALBUQUERQUE

June 5th, 2023

FLOOR AMENDMENT NO. _____ TO Exhibit A to O-23-77

AMENDMENT SPONSORED BY COUNCILOR: Dan Lewis

In Exhibit A to O-23-77, create a new Temporary Use, Use-Specific Standards, a definition, and amend applicable parking regulations as follows:

1. In Table 4-2-1, on page 149, create a new use in the “Temporary Use” section called “Film Production”. Add a “T” to indicate this Temporary Use is allowed in the following zone districts: R-A, R-1, R-MC, R-T, R-ML, R-MH, MX-T, MX-L, MX-M, MX-H, NR-C, NR-BP, NR-LM, NR-GM, and NR-PO-A.
2. The following use-specific standards for Temporary Use – Film Production shall be created and numbered as appropriate:
 - a. This use is limited to five years.
 - b. When this use occurs in the NR-PO-A zone district, approval from the Parks and Recreation Department is required.
 - c. This use requires a sketch plan.

3. Create a new definition in 7-1 as follows:

[Film Production – For the purposes of this IDO, a temporary use that involves filming a movie, television show, commercial, or other type of televised media as the primary use of the property. Film production includes temporary structures, such as sets, lighting rigs, sound stages, and the parking of large vehicles.]

4. Amend sections 14-16-5-5(B)(4)(a) and 14-16-5- 12 5(B)(4)(b) as follows:

5-5(B)(4)(a) Parking of more than 2 truck tractors and 2 semitrailers for more than 2 hours:

[1.] Allowed with the permission of the property owner on a premises with a primary non-residential use allowed by Table 4-2-1 in the MX-M, MX-H, NR-C, NR-BP, NR-LM, and NR-GM zone districts.

[2. Allowed with the permission of the property owner on a premises with a Temporary Use – Film Production permit.]

5-5(B)(4)(b) Parking of heavy vehicles for more than 2 hours:

B2 – Temporary Use – Film Production

[1.] Allowed with the permission of the property owner of a premises with a primary non-residential use allowed by Table 4-2-1 in the in the MX-L, MXM, MX-H, or any Non-residential zone district.

[2. Allowed with the permission of the property owner on a premises with a Temporary Use – Film Production permit.]

Explanation: This amendment proposes to add a new Temporary Use for Film Production activities. The IDO adequately addresses *long-term* film activities, which often occur in permanent structures, but does not address film activities that wish to occur on a temporary basis on lots where there is not already a primary use on the site. This amendment will create the new temporary use in the IDO and also add appropriate use-specific standards and a definition to aid with enforcement.

This amendment also makes complimentary changes to certain parking provisions for parking activities associated with a Temporary Use – Film Production.

B3 – Cottage Development - Buffer

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

June 5th, 2023

FLOOR AMENDMENT NO. _____ TO Exhibit A to O-23-77

AMENDMENT SPONSORED BY COUNCILOR: Isaac Benton

In Exhibit A to O-23-77, amend 4-3(B)(4)(h) as follows:

4-3(B)(4)(h) Each project site shall maintain a landscape buffer at least 10 feet wide, meeting the requirements of Section 14-16-5-6 ~~[(E)] [(Landscaping, Buffering, and Screening)]~~ [EDGE BUFFER LANDSCAPING] along each side and rear lot line, and no portion of any primary or accessory structure may be located in that buffer area [except for a patio made of permeable material no larger than 175 square feet per dwelling unit.]

Explanation: This amendment proposes to add flexibility to the Cottage Development use-specific standard related to the requirement of a 10-foot landscape buffer. This amendment will allow a permeable patio no larger than 175 square feet per dwelling unit to be placed in the landscape buffer, which would otherwise not be allowed.

B4 – Barbed Wire – Sunset

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

June 5th, 2023

FLOOR AMENDMENT NO. _____ TO Exhibit A to O-23-77

AMENDMENT SPONSORED BY COUNCILOR: Renee Grout

1. On page 532 of Exhibit A, amend 6-8(D)(8) as follows:

6-8(D)(8)(b) Walls or fences partially or completely constructed of barbed tape, barbed wire, razor wire, or similar materials where these materials are not allowed pursuant to Subsection 14-16-5-7(E)(1)(c) are considered illegal and shall be removed within the following timeframes:

1. For Residential and Non-residential zone districts, as specified by the Code Enforcement Division of the City Planning Department in notice provided to the property owner.
2. For Mixed-use zone districts, by January 1st, ~~2023~~ 2028.

Explanation: This amendment proposes to extend a sunset clause related to the allowance of barbed wire as an allowed fencing material in mixed-use zone districts. The sunset on this provision in the IDO today expired on January 1st of this year. This amendment proposes to add an additional five years in which barbed wire would be a permitted material, after which time property owners would need to remove any portions of barbed wire fencing and replace them with an allowed fencing material.