

2020 IDO Annual Update - Citywide Text Amendments

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Page	Section	Change / Discussion	Explanation
1	1-3	<p>Add a new purpose statement labeled 1-3(L) as follows and renumber subsequent purpose statements as necessary:</p> <p>"Protect the abundant natural resources that characterize Albuquerque, including but not limited to Major Public Open Space, Sensitive Lands, the Rio Grande, and the waterways that lead to the river."</p>	<p>Adds a purpose statement related to the many IDO protections for Major Public Open Space and Sensitive Lands. See additional explanation in Council memo for citywide text amendments.</p>
115	3-5	<p>Add a new Subsection (D) as follows, renumbering subsequent subsections accordingly:</p> <p>"Adoption or Amendment of Landmark or Historic Protection Overlay Zone"</p> <p>(1) Amendments to the text of an HPO zone in this Subsection 14-16-3-5 or to any other standard in this IDO that applies specifically to an HPO zone shall be reviewed and decided pursuant to Subsection 14-16-6-7(C) (Adoption or Amendment of Landmark or Historic Protection Overlay Zone).</p> <p>(1) Amendments to Design Standards and Guidelines for an HPO zone or City Landmark shall be reviewed and decided pursuant to Subsection 14-16-6-6(E) (Historic Design Standards and Guidelines)."</p> <p>Renumber subsequent subsections accordingly.</p>	<p>Requires IDO provisions for HPOs to be reviewed by the Landmarks Commission (LC), which will make a recommendation to City Council, the final decision-making body. This reverts to pre-IDO practice, where the LC reviewed changes to the H-1 zone district (Old Town) and to provisions in the EDO Sector Development Plan. Note that Historic Standards and Guidelines are still reviewed and decided by the LC per 6-6(E).</p>
147	Table 4-2-1	<p>Drive-throughs and drive-ups</p> <p>Revise to add an accessory use (A) in the MX-L zone district.</p>	<p>Changes the allowance for drive-thrus from CA to A in the MX-L zone. See additional explanation in the Council Services memo for citywide text amendments.</p>
147	Table 4-2-1	<p>For the use "Dwelling unit, accessory without kitchen," make this use Permissive Accessory in the R-T zone, which is consistent with the allowances for an Accessory dwelling unit, with a kitchen."</p>	<p>Makes the allowance for ADUs without kitchens consistent with ADUs with kitchens. There was an inconsistency in the old zoning system that allowed ADUs with kitchens in certain areas, but ADUs without kitchens (formerly "accessory living quarters") were conditional uses in other zones that allow single family and townhouse development. The R-T zone allows multiple single-family dwellings on one lot, and ADUs with kitchens permissively, so it makes sense for ADUs without kitchens, which are generally considered less impactful than ADUs with kitchens and other dwelling types, to be allowed as well.</p>

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147	Table 4-2-1	<p>"Parking of more than 2 truck tractors and 2 semitrailers for more than 2 hours"</p> <p>"Parking of non-commercial vehicles"</p> <p>"Parking of recreational vehicle, boat, and/or recreational trailer"</p> <p>Remove these uses from Table 4-2-1. Remove from Table 3-3-1, Table 3-3-2, and Table 5-5-1 editorially as a result.</p> <p>Create a new Subsection 14-16-5-5(B)(4) Allowed Vehicles as shown in Exhibit 5-5. Move use-specific standards content to this new subsection and revise accordingly. Allow light vehicles to be parked in or adjacent to any zone district.</p> <p>Move content in Subsection 4-3(F)(15)(d) to Subsection 5-13(A).</p>	<p>Parking is generally not a separate land use but just incidental activity related to a primary use. See related items for Subsection 5-5(F)(1)(a)(5) and 7-1. See Exhibit for 5-5.</p>
147	Table 4-3-1	<p>On page 147, revise "Dwelling unit, temporary" to "Dwelling, temporary."</p> <p>Revise the term wherever else it appears in the IDO, including in the Use-specific Standard.</p>	<p>Eliminates the requirement for temporary dwellings to have a kitchen. Dwelling unit definition hinges on the presence of a kitchen.</p>
151	4-3(B)(3)(b)	<p>Dwelling, Cottage Development</p> <p>Revise text to read as follows:</p> <p>"The minimum project size for a cottage development is 10,000 square feet."</p>	<p>Reduces the minimum required lot size for cottage development to 10,000 square feet citywide. See additional explanation in the Council Services memo for citywide text amendments. Note: This is one of 3 proposed changes to cottage development that are overlapping and may be mutually exclusive.</p>
151	4-3(B)(3)(b)	<p>Dwelling, Cottage Development</p> <p>Revise to add a new subsection with text as follows:</p> <p>"This use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) if located on a lot outside of a UC-MS-PT area that is at least 10,000 square feet but no larger than 1 acre."</p>	<p>Adds cottage development on smaller lots citywide as a conditional use. See additional explanation in the Council memo for citywide text amendments. Note: This is one of 3 proposed changes to cottage development that are overlapping and may be mutually exclusive.</p>
151	4-3(B)(3)(b)2	<p>Dwelling, Cottage Development</p> <p>Revise text to read as follows:</p> <p>"In UC-MS-PT[-AC-DT-EC] areas or within 1,320 feet (¼ mile) of UC-MS-PT[-AC-DT-EC] areas: 10,000 square feet."</p>	<p>Allows cottage development on smaller lots in all Center types. See additional explanation in the Council memo for citywide text amendments. Note: This is one of 3 proposed changes to cottage development that are overlapping and may be mutually exclusive.</p>

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154	4-3(B)(7)(a)	<p>Dwelling, Multi-family Revise as follows: "...this use shall meet the following landscape standards: 1. Except in DT-UC-MS-TP areas, this use shall provide, somewhere on the lot, at least 1 tree..." Move text from 2 to be part a second sentence in Subsection 1. Renumber Subsection 3 accordingly. Add a new Subsection 3 and 4 with text as follows: "4. <u>Except in DT-UC-MS-PT areas, 25 percent of the net lot area shall contain landscaping. Tree canopies and ground-level plants shall cover a minimum of 75 percent of the total landscape area. Each tree counts as 16 square feet of live vegetation regardless of the actual size of the tree canopy or the size of the tree canopy in the Official Albuquerque Plant Palette.</u> 5. <u>Except in DT-UC-MS-PT areas, turf grass species requiring irrigation for survival after the first 2 growing seasons are restricted to 20 percent of the landscape area. Drought-tolerant grasses may cover up to an additional 70 percent of the landscape area.</u>"</p>	<p>Proposes revised standards submitted by the DRB chair in response to several multi-family projects that have been submitted under the IDO. See related item for proposed change to building design standards in Subsection 5-11(D). See additional explanation in the Memo from Planning Department Associate Director and DRB Chair.</p>
154	4-3(B)(7)(b) [new]	<p>Dwelling, Multi-family Add a new Subsection with text as follows and renumber subsequent subsections accordingly: "<u>No more than 30 percent of required usable open space can be private or occur on upper stories unless the lot is located within 660 feet in any direction of an NR-PO zone district or Major Public Open Space.</u>"</p>	<p>Proposes revised standards submitted by the DRB chair in response to several multi-family projects that have been submitted under the IDO. See related item for proposed change to building design standards in Subsection 5-11(D). See additional explanation in the Memo from Planning Department Associate Director and DRB Chair.</p>
155	4-3(B)(8)	<p>Community Residential Facility, Small or Large Delete subsections (c) and (d).</p>	<p>Removes 2 requirements on this use, which is defined as housing for people in classes protected by the Fair Housing Act, which prohibits local municipalities from placing regulations that treat a protected class (as defined by FHA) any differently than any other residential use. Removal of these requirements will ensure that the City of Albuquerque is in compliance with FHA standards. See additional explanation in the Council memo for citywide text amendments.</p>

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155	4-3(B)(9)	Group Home, Small, Medium, or Large Revise subsections (b) and (c) to remove references to Community Residential Facilities.	Removes the distance separation requirements between Group Homes and Community Residential Facilities (CRF). See related item removing requirements for CRFs in Subsection 4-3(B)(8). See additional explanation in the Council memo for citywide text amendments.
159	4-3(D)(3)(a)2	General Agriculture Revise to read: "For cows and horses in Residential zone districts <u>other than R-A</u> and Mixed-use zone districts, see Subsection 4-3(F)(3)(d)."	The R-A zone district is intended for general agriculture, which includes animal keeping. This change makes clear that a conditional use approval is not required to keep cows and horses in the R-A zone district. See related proposed change to Animal Keeping use-specific standard.
164	4-3(D)(17)(l)	Light Vehicle Fueling Station Revise to read: "In UC-AC-MS-PT-MT areas and/or the MX-H zone district..."	Clarifies the intent to apply to property that is either in a UC-AC-MS-PT-MT area, zoned MX-H, or both, in a designated center and zoned MX-H.
164	4-3(D)(17)(l)	Light Vehicle Fueling Station Revise text to read as follows: "In UC-AC-MS-PT-MT areas and the MX-H zone district, the fully enclosed portion of any building containing a retail use with 1,000 square feet or more of gross floor area shall have a maximum front setback of 15 feet. A canopy attached to the building with a common roof <u>may</u> satisfy this standard. <u>The requirements of 5-1(D)(2) do not apply to this use.</u>	Allows a gas station canopy to count toward the requirement that a building be within 15 feet of the front property line. Exempts gas stations from 5-1(D)(2), which requires that 50% of the building be located within 15 feet of the front property lines in UC-MS-PT areas. See additional explanation in the Council memo for citywide text amendments.
166	4-3(D)(19)	Light Vehicle Sales and Rental Revise text as follows: " In <u>UC-MS-PT areas</u> in the MX-H zone district, outdoor display or storage of vehicles is prohibited.	Limits this regulation to apply only in UC-MS-PT areas. See additional explanation in the Council memo for citywide text amendments.
172	4-3(D)(34)	Cannabis Retail Add a new Subsection (b) and renumber subsequent subsections accordingly: "This use may not include a storage or display area outside of fully enclosed portions of a building."	Clarifies that cannabis retail cannot occur outside a building. This is more restrictive than general retail, which allows outdoor display/storage with a conditional use approval.

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179	4-3(D)(42)	<p>Freight Terminal or Dispatch Center</p> <p>Make existing text a new Subsection 2 and create a new Subsection 1 with text as follows:</p> <p>"If no building is provided on the premises, this use must be screened from any adjacent Residential zone district or lot containing a residential use in any Mixed-use zone district as required by Section 14-16-5-6 (Landscaping, Buffering, and Screening)."</p>	Adds requirements to screen the use next to Residential zone districts even if a building is not proposed.
181	4-3(E)(2)	<p>Cannabis Cultivation Facility</p> <p>Delete "facility" from header.</p> <p>Add new Subsections (b) and (c) renumber subsequent subsections accordingly, with text as follows:</p> <p>"4-3(E)(2)(a) Except as specified in Subsection (b) below, all activities in this use must be conducted within the fully enclosed portions of a building unless a Conditional Use Approval is obtained pursuant to Subsection 14-16-6-6(A) to conduct specific activities outside of the fully enclosed portions of a building.</p> <p>4-3(E)(2)(b) An incidental storage area is allowed outside of the fully enclosed portions of a building, but must be screened from view from each property line as described in Subsection 14-16-5-6(G) (Screening of Mechanical Equipment and Support Areas)."</p>	Adds regulations consistent with light manufacturing to require all activities to occur inside unless a conditional use approval is granted. Allows a storage area but requires screening.
181	4-3(E)(3)	<p>Cannabis-infused Products Manufacturing</p> <p>Add new Subsections (b) and (c) renumber subsequent subsections accordingly, with text as follows:</p> <p>"4-3(E)(2)(a) Except as specified in Subsection (b) below, all activities in this use must be conducted within the fully enclosed portions of a building unless a Conditional Use Approval is obtained pursuant to Subsection 14-16-6-6(A) to conduct specific activities outside of the fully enclosed portions of a building.</p> <p>4-3(E)(2)(b) An incidental storage area is allowed outside of the fully enclosed portions of a building, but must be screened from view from each property line as described in Subsection 14-16-5-6(G) (Screening of Mechanical Equipment and Support Areas)."</p>	Adds regulations consistent with light manufacturing to require all activities to occur inside unless a conditional use approval is granted. Allows a storage area but requires screening.

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191	4-3(F)(3)	<p>Animal Keeping</p> <p>Revise first sentence in Subsection 4-3(F)(3)(d) to read: "In Residential <u>zone districts other than R-A or any Mixed-use zone district...</u>"</p> <p>Revise Subsection 4-3(F)(3)(e) to read: "Where general agriculture is allowed in the R-A zone district or any Non-residential zone district..."</p>	The R-A zone district is intended for general agriculture, which includes keeping animals. This change makes clear that a conditional use approval is not required to keep cows and horses in the R-A zone district. See related change to General Agriculture use-specific standard.
201	4-3(F)(11)(i)	<p>Mobile Food Truck</p> <p>Add a new sentence as follows: "Other sales or services may be allowed as approved by the City Parks and Recreation Director."</p>	Allows additional sales and services (e.g. a mobile "skate shop" or "bike repair service") at City parks via what the IDO calls a food truck, as requested by City Parks & Recreation staff. See related change for the definition of a food truck in Section 7-1 that would allow this exception.
204	4-3(G)(1)	<p>Circus</p> <p>Revise the first sentence as follows: "<u>This use may take place on a fairground, which requires a Site Plan - EPC related to the NR-SU zone district. Where this use is proposed in another zone district, a Site Plan - Administrative demonstrating...</u>"</p>	Clarifies the different Site Plans required. This use may, but is not required to, take place on a fairground, which requires NR-SU zoning and a Site Plan - EPC.
206	4-3(G)(4)	<p>Fair, Festival, or Theatrical Performance</p> <p>Revise the first sentence as follows: "<u>This use may take place on a fairground, which requires a Site Plan - EPC related to the NR-SU zone district. Where this use is proposed in another zone district, this use is limited to ...</u>"</p>	Clarifies the different Site Plans required. This use may, but is not required to, take place on a fairground, which requires NR-SU zoning and a Site Plan - EPC.
212	5-1(C)(2)(b)3	<p>Add a new sentence as follows: "<u>On lots with sensitive lands or adjacent to sensitive lands or Major Public Open Space, the lot may be up to 150 percent larger.</u>"</p>	Allows consolidations into larger lots to help preserve sensitive lands and limit the number of dwellings on and near sensitive lands and Major Public Open Space. See related item for new purpose statement of the IDO.
218	Table 5-1-4	<p>Add "Porch" with the following text: "<u>May encroach into a required setback, but not closer than 5 ft. from any lot line. May encroach up to the front lot line in UC-MS-PT areas.</u>"</p> <p>Add UC-MS-PT acronym explanations to top of table.</p>	Clarifies that portions of a building meeting the definition of porch may be in required setbacks. See related item to revise definition of porch to clarify. UC-MS-PT areas have 0 ft. front setbacks, so porches are also allowed to start at the front lot line.
218	Table 5-1-4	<p>Add "Swimming pool" with the following text: "<u>May encroach into a required setback, but in-ground swimming pools shall not be closer than 5 ft. from any lot line or building.</u>"</p>	Clarifies that swimming pools can be in required setbacks. Setbacks apply to buildings. Swimming pools are referred to in the IDO as accessory structures.

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221	5-2	Rename Subsection 5-2(C) "Site Design to Avoid Sensitive Lands." Add a new Subsection (D) Site Design to Respond to Climate and Geographic Features as shown in Exhibit 5-2(D)[new] and renumber subsequent subsections accordingly.	Adds a new site design provision intended to improve the building performance of Albuquerque developments. See additional explanation in Memo from Associate Planning Director and DRB Chair and Exhibit 5-2(K) [new].
221	5-2(C)(1)	Add "Riparian Areas" to the list of sensitive lands in proper alphabetical order and renumber the subsequent sensitive lands as necessary.	Adds a new type of sensitive land to avoid. See related item to add a definition in Section 7-1 that defers to a map maintained by the City Parks and Recreation Department. See additional explanation in the Council Services memo related to requests by Open Space Advisory Board and Open Space Staff.
221	5-2(C)(3) [new]	Add a new subsection and renumber subsequent subsection accordingly: "Landscaping on lots abutting arroyos shall be per section 5-6(C)(4)."	Editorial cross reference to proposed regulation of the landscaping next to arroyos. See additional explanation in Memo from Council Services about requests from Open Space Advisory Board and Open Space Staff. See related change to Subsection 5-6(C).
229	5-2(J)(2)(b)	Add a new Subsection 2 and renumber subsequent subsections: <u>"Not be located within 50 feet of any steep slopes, escarpments, wetlands, or riparian areas in the Major Public Open Space, excluding any single-loaded street or landscaped buffer pursuant to the requirements of 5-2(J)(2)(a)(1)."</u>	Adds an additional buffer from sensitive lands on Major Public Open Space. See additional explanation in Memo from Council Services about requests from Open Space Advisory Board and Open Space Staff. See related change to add a definition of riparian area in Section 7-1.
249	5-5(B)(1)(e) [new]	Add a new subsection with the following: <u>"Construction of a new parking lot, including any off-street parking required by Table 5-5-1."</u>	Adds a trigger to meet parking requirements when a new parking lot is constructed, even when a building is not proposed.
254	Table 5-5-1	Hotel or motel Add to the citywide rule " <u>or 1 space per 2 beds, whichever is greater.</u> " Add to UC-MS-PT: " <u>or 1 space per 4 beds, whichever is greater.</u> "	Addresses what parking should be required at a version of a hotel such as a hostel, where lodging is per bed vs. per guest room.
257	Table 5-5-1	Outdoor Dining Area Revise from 5 to 3 spaces / 1,000 sq. ft. GFA outdoor seating space	Reduces parking requirements for outdoor dining to incentivize this use. See additional explanation in the Council Services memo for citywide text amendments.

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262	5-5(C)(8)(a)	Revise to read as follows: "Within the off-street parking requirements of Table 5-5-1 and Table 5-5-2, as adjusted by Section 14-16-5-5(C)(5) (Parking Reductions) – and not in addition to those requirements – accessible parking shall be provided for all parking areas as required by the federal Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG) and New Mexico Statutes Annotated, as amended, <u>except where parking is only provided in a residential driveway.</u> "	Requires ADA parking for all uses and only exempts parking provided via residential driveways.
265	5-5(F)(1)(a)5	Delete this provision. See related items proposing a new Subsection 14-16-5-5(B)(4) Allowed Vehicles to regulate where you can park different types of vehicles in different zone districts.	This regulation is proposed to be adjusted and move into a new subsection proposed by related items to move parking as uses from Table 4-2-1. See Exhibit 5-5.
266	5-5(F)(1)(a)11	Revise to read as follows: "Required parking spaces for uses in the Civic and Institutional, Commercial, and Industrial use categories may be located in a designated parking area on a lot within 330 feet in any direction of the <u>premises</u> served by such parking..."	Clarifies that the use may be on multiple lots within a premises.
273	Table 5-5-8	Restaurant Revise the minimum stacking spaces as follows: General: 6 --> 12 UC-MS: 4 --> 6	Increases the number of minimum stacking spaces for drive-throughs or drive-ups associated with a restaurant. See additional explanation in the Council Services memo for citywide text amendments.
274	5-5(I)(2)(c)	Replace text as follows: "Drive-through service windows shall be angled at least 45 degrees from parallel with any abutting lot line of a Residential zone district so that it does not directly face the residential lot."	Gives an enforceable measurement for existing regulation.
276	5-6(C)(1)	Add a new sentence as follows: " <u>Landscaping shall be maintained per the requirements of 5-13(B)(6).</u> "	Adds a cross-reference to the General Landscaping requirements to point to the Operations and Maintenance section of the IDO. See additional explanation in the Council Services memo for citywide text amendments.
279	5-6(C)(4)	Add a new Subsection (e) with text as follows, renumbering subsequent subsections accordingly: " <u>Landscaping abutting arroyos shall consist of plants as approved by the Official Albuquerque Plant Palette.</u> "	Adds a regulation of the type of plants that may be used to meet landscaping requirements for multi-family, mixed-use, or non-residential development. See additional explanation in Memo from Council Services about requests from Open Space Advisory Board and Open Space Staff. See related change to add a cross reference to this requirement from 5-2(C)(3).

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287	5-6(E)(3)	Replace "multi-family dwellings" with "multi-family development."	Applies the Edge Buffer requirement to uses in the Group Living category, such as nursing home, since the definition "multi-family development" includes uses in the Group Living category.
288	5-6(E)(4)	Turn existing language into a new (1) and then add a new (2) as follows: <u>"Where multi-family development is adjacent to a lot with industrial development, a buffer shall be provided as specified for the relevant areas in Subsections (b) and (c) below."</u>	Requires multi-family development to buffer itself from existing industrial development. This is sometimes referred to as "coming to the nuisance." Currently, the IDO only requires industrial development to provide a buffer when it goes in first next to non-industrial development. This additional requirement helps ensure environmental justice for future residents.
303	5-7(E)(1)(b)	Delete "stucco over" so that CMU blocks are allowed.	Exposed CMU blocks are limited per Subsection 1 facing a public street or City park or trail. In those locations, either stucco or a textured/decorative CMU block could be used to comply.
305	5-7(E)(3)	Revise as follows: "Any portions of a wall <u>over 3 feet</u> facing a public street..."	Limits this regulation to taller walls, where these additional design standards are more appropriate to incorporate.
311	5-8(D)(3)	Revise as follows: <u>"...shall not exceed 200 foot lamberts as measured from the property line facing the light source."</u>	Clarifies that the measurement is to be taken facing the light source.
317	5-10(C)(1)	Revise to read as follows: "The building height shall not exceed the relevant heights shown in Table 5-10-1 or the maximum building height allowed by the zone district, whichever is less. The building heights in the table were determined based on the distance cardinally south from the northern property line and an angle plane of 32 degrees angle that allows 1 hour of Winter Solstice sunlight to hit at least 2 feet up on a southern-facing wall located 10 feet from the property line. Distances from the northern property line that were not whole numbers were rounded down."	Simplifies the regulation to track with the table versus requiring geometry for each application based on the angle plan. Resolves the conflict between the angle plane and the Table. The result also generally tracks better with established setback requirements, which are a complementary tool to ensure adequate solar access.
321	5-11(D)	Revise as shown in Exhibit - 5-11(D).	Proposes revised standards submitted by the DRB chair in response to several multi-family projects that have been submitted under the IDO. See related item for proposed changes to the use-specific standard in 4-3(B)(7). See additional explanation in the Memo from Planning Department Associate Director and DRB Chair.

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322	5-11(E)	<p>Mixed-use and Non-residential Zone Districts Revise as follows: "All mixed-use and non-residential development located in any Mixed-use or Non-residential zone district, excluding MX-FB, NR-LM, NR-GM, NR-SU, and NR-PO, <u>and multi-family development in UC-MS-PT areas</u> shall comply with the standards in this Subsection 14-16-5-11(E). <u>Standalone parking structures and the above-ground portion of parking structures incorporated into a building with allowable primary and/or accessory uses</u> shall comply with the design standards in Subsection 14-16-5-5(G) (Parking Structure Design). <u>Multi-family development outside of UC-MS-PT areas shall comply with the standards in Subsection 14-16-5-11(D) (Multi-family Residential Development)...."</u></p>	Editorial changes related to proposed change to change multi-family building design standards in 5-11(D) and proposed change to definition of parking structure in 7-1.
327	5-11(G)	<p>Revise the text as follows: "<u>Above-ground</u> portions of buildings that contain parking structures shall meet..."</p>	Clarifies that these standards are not intended to apply below ground.
336	5-12(F)(2)(b)	<p>Joint Sign Premises Delete subsections (1) and (2).</p>	Allows joint sign premises in more locations to reduce clutter (one sign, multiple businesses). See additional explanation in the Council memo for citywide text amendments.
353	5-13(A)(4)	<p>Glare Delete this provision and revise to become a new 5-6(G)(5) Outdoor Activity with text as follows: "High-temperature processes (such as combustion or welding), shall be screened from view by an opaque decorative wall or fence at least 6 feet tall but not more than 8 feet tall that incorporates at least 1 of the primary materials and colors of the nearest wall of the primary building (but excluding exposed CMU block) or a vegetative screen planted along the full length of the area to be screened and at least 8 feet high at the time of planting."</p>	Replaces existing provision with an enforceable standard and moves the regulations to a more appropriate location in the IDO.
360	Table 6-1-1	<p>Vacation of Public Right-of-way - City Council Vacation of Public Right-of-way - DRB Add requirement for pre-application meeting.</p>	Adds a requirement for pre-application meeting, which matches current practice.

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373	6-4(C)(1)	Revise the first sentence to read: "... to all Neighborhood Associations whose boundaries include or are adjacent to the subject <u>no more than 90 days</u> before filing the application."	Limits how early notice can be sent, recognizing that proposed development may have changed in the intervening time or Neighborhood Association representatives may have changed in the intervening time. The full Neighborhood Meeting process is a minimum of 45 days, so this is intended to allow early coordination but sets a reasonable limit.
404	6-4(X)	Revise the heading of this Subsection to "Expiration or Repeal of Approvals." Revise Subsection 6-4(X)(2)(c) to read as follows: "The decision-making body that approved the original site plan <u>repeals</u> the site plan. <u>The decision-making body may specify an expiration date for the site plan as part of the repeal decision; otherwise, the hearing date at which the decision to repeal was made is to be considered the expiration date. For the purposes of this IDO, the repeal follows the Major Amendment procedures in Subsection 14-16-6-4(Y)(3).</u> "	Adds specificity for how expirations will be processed (i.e. as repeals through major amendment process).
442	6-6(H)(2)	Add a new subsection (a) and renumber subsequent subsections accordingly with text as follows: " <u>All applications in an HPO zone or on properties or in districts listed on the State Register of Cultural Properties or the National Register of Historic Places shall first be reviewed by the Historic Preservation Planner pursuant to Subsection 14-16-6-5(B) (Historic Certificate of Appropriateness – Minor), and the Historic Preservation Planner shall send a recommendation to the ZEO.</u> "	Adds the same language about LC that is in Wall or Fence Permit - Minor and Variance - ZHE. See related item to add the same language to Variance - EPC.
444	6-6(I)(2)	Add a new Subsection (f) and renumber subsequent subsection accordingly with text as follows: " <u>The DRB may delegate authority to relevant City staff to determine technical review of compliance with conditions of approval, zoning standards, and technical standards.</u> "	Allows DRB to delegate authority to administrative approval for particular standards. This is particularly helpful for large projects that may come in with multiple phases, where not all details are known at the same level of detail for all portions of the site during the original approval.
445	6-6(I)(3)	Add a new Subsection (d) as follows: " <u>The Site Plan mitigates any significant adverse impacts on adjacent residential development or major public or private open space. Mitigation may be in the areas of wall height; access and driveway placement; landscape spacing, plant density, or alternative plantings.</u> "	Gives the DRB limited discretionary authority. See additional explanation in the Council Services memo for citywide text amendments.

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447	6-6(N)(2)	Add a new subsection (a) and renumber subsequent subsections accordingly with text as follows: <u>"All applications in an HPO zone or on properties or in districts listed on the State Register of Cultural Properties or the National Register of Historic Places shall first be reviewed by the Historic Preservation Planner pursuant to Subsection 14-16-6-5(B) (Historic Certificate of Appropriateness – Minor), and the Historic Preservation Planner shall send a recommendation to the ZEO."</u>	Adds the same language about LC that is in Wall or Fence Permit - Minor and Variance - ZHE. See related item to add the same language to Wall or Fence Permit - Major.
454	6-6(L)(2)(g)4	Revise to read as follows: "When all conditions of approval are satisfied, the DRB shall accept and sign the revised Final Plat. <u>The applicant</u> may then record it with the Bernalillo County Clerk as soon as possible, but in no case more than 6 months from date of DRB signature."	Revises the language to match the time allowed for recording Minor Subdivisions and current practice that the applicant records the plat with the clerk.
469	6-7(C)(1)	Add a new Subsection (f) as follows: <u>"Amend the text of an HPO zone or any standard in this IDO that specifically applies to an HPO zone."</u>	Requires IDO provisions for HPOs to be reviewed by the Landmarks Commission, which will make a recommendation to City Council, the final decision-making body. This reverts to pre-IDO practice, where the LC reviewed changes to the H1 zone district and to provisions in the EDo SDP. Note that Historic Standards and Guidelines are still reviewed and decided by the LC per 6-6(E).
471	6-7(D)(1)(a)	Revise as follows: <u>"Applications to create or amend an HPO zone boundary, the text of an HPO zone, or any standard in this IDO that specifically applies to an HPO zone, which are processed pursuant to Subsection 14-16-6-7(C)."</u>	Editorial change related to proposal to send changes to HPO zone text to Landmarks Commission per 6-7(C)(1).
473	6-7(E)(1)(a)	Revise as follows: <u>"Applications to create or amend an HPO zone boundary, the text of an HPO zone, or any standard in this IDO that specifically applies to an HPO zone, which are processed pursuant to Subsection 14-16-6-7(C)."</u>	Editorial change related to proposal to send changes to HPO zone text to Landmarks Commission per 6-7(C)(1).
495	6-9(B)	Add a new subsection with the following text: <u>"Removing or defacing any posted sign required for public notice after it is posted until the required duration of the sign posting is complete."</u>	Adds prohibition for tampering with sign posted for required notice.
499	6-9(C)(5)	Revise as shown in Exhibit - 6-9(C)(5) Civil Enforcement.	Civil enforcement is coordinated through the City Clerk's hearing officers. The City Clerk is trying to eliminate overlapping/conflicting procedures in multiple ordinances and instead referring to the Independent Hearing Office Ordinance (ROA 1994 Part 2-7-8). See Exhibit - C-9(C)(5).

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505	7-1	Accessory Structure Delete swimming pools. Add a new sentence as follows: <u>"Above-ground swimming pools are not considered accessory structures for the purposes of this IDO."</u>	See related item clarifying that in-ground swimming pools may encroach up to 5 feet in a required setback. Above-ground swimming pools are not regulated by the zoning code.
509	7-1	Building Add to second sentence the following: "...including, but not limited to, a porch, breezeway, or carport."	Provides specificity about what counts as a building if under a common roof.
510	7-1	Building Frontage Types / Arcade. Revise to say "...attached colonnade <u>or overhang structure</u> to create a covered passageway."	Broadens the definition to include structures that create an arcade without columns.
512	7-1	Cannabis Definitions Cannabis [new] Add a new definition as follows: <u>"As defined in NMSA 1978 § 7-34-4-7. For the purposes of this IDO, hemp is not regulated as cannabis. See also <i>Hemp</i> ."</u>	Adds a definition for a term used in the IDO. Definition defers to the state's regulations.
512	7-1	Cannabis Definitions Cannabis-derived product [new] Add a new definition as follows: <u>"A product, other than cannabis itself, that contains or is derived from cannabis, as regulated by NMSA 1978 § 7-34-4-7. See also <i>Hemp</i> ."</u> Throughout the IDO, replace "cannabis-infused" with "cannabis-derived" wherever it appears.	Adds a definition for a new term proposed to be added to the IDO. See related item for new Cannabis definition. Definition defers to the state's regulations.
512	7-1	Cannabis Definitions Hemp Add a new definition as follows: <u>"As defined by NMSA 1978 § 20-10-2-7." For the purposes of this IDO, hemp is not regulated as cannabis. See also <i>Cannabis</i> ."</u>	Adds a definition for a new term proposed to be added to the IDO. See related item for new Cannabis definition. Definition defers to the state's regulations. Hemp is used in a wide variety of products (rope, clothing, etc.). This definition makes clear that hemp products would not be regulated as cannabis retail in the IDO.

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512	7-1	<p>Calendar Days</p> <p>Revise to add a new second sentence to read as follows: <u>"Where this IDO refers to a period of multiple months or a period of one or more years, the final day of the period would fall on the corresponding date of the month in the future (i.e. if the period starts on May 18, a 3 month period would end on August 18; a 1-year period would end on May 18 of the following year.)"</u></p>	Clarifies how to measure calendar days to match existing practice.
517	7-1	<p>Development Definitions</p> <p>Infill Development</p> <p>Revise as follows: "An area of platted or unplatted land that includes no more than 20 acres of land <u>that has water and sewer service</u> and where at least 75 percent of the parcels adjacent to the proposed development have been developed and contain existing primary buildings."</p>	Revised for consistency with MTP/MRMPO definition. The City uses MTP/MRMPO for planning, policy, and analysis, so this change helps coordination efforts. Provides further distinction from what might be called "greenfield development" of undeveloped sites, typically at the edge of the City versus infill, which is tied to the Centers/Corridors vision and policy intent.
520	7-1	<p>Dwelling Definitions</p> <p>Dwelling, Cluster Development</p> <p>Add a new second sentence as follows: <u>"A cluster development does not increase the overall density of a development but rather allow dwellings to be grouped or clustered on smaller lots."</u></p>	Makes clear that cluster development does not increase the overall density of the development compared to a traditional subdivision development form. See additional explanation in the Council Services memo for citywide text amendment.
523	7-1	<p>Fairgrounds</p> <p>Revise definition as follows: "An area developed for the purpose of holding fairs, circuses, or exhibitions."</p>	There are related uses that can but do not need to take place on fairgrounds. See related items to revise use-specific standards for "circus" and "fair, festival, or theatrical performance" in Subsection 4-3.
525	7-1	<p>Glare</p> <p>Delete definition. See other proposed item to revise the only place where glare is used in the IDO that would eliminate the use of this term.</p>	See related item for proposed change to delete Subsection 5-13(A)(4) and move to a new Subsection 5-6(G)(5) Outdoor Activity, with revised language.
531	7-1	<p>Lot line</p> <p>Front lot</p> <p>Revise to add a final sentence with text as follows: "For the purposes of determining setback requirements on an interior lot that does not abut a street, the lot is not considered to have a front lot line. <u>In that case, all lot lines would be considered side lot lines."</u></p>	Clarifies how to treat lot lines when there is no front lot line. This situation happens in shopping centers, where there are often multiple lots, some of which are in the middle with no street frontage. In those cases, there is no need for a front setback different from the other lot lines.

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531	7-1	<p>Lot line Rear Lot</p> <p>Revise the second sentence to read as follows: "In the case of a lot that comes to a point at the rear, the rear lot line is established by connecting two points that are 10 feet from the rear point, measured along the side lot lines." Add an illustration of this measurement.</p>	Changes how to establish a rear lot line that returns to pre-IDO practice.
538	7-1	<p>Mobile Food Truck</p> <p>Add a new sentence as follows: <u>"Other sales or services may be allowed as specified elsewhere in this IDO."</u></p>	City Parks & Recreation staff has requested that additional sales and services (e.g. a mobile "skate shop" or "bike repair service") be allowed at City parks via what the IDO calls a food truck. See related change for the use-specific standard 4-3(F)(11)(i) for food trucks that would allow this exception.
541	7-1	<p>Open Space Definitions Common Open Space</p> <p>Revise the first sentence as follows: "The area of undeveloped land <u>and/or existing site features</u> within a cluster development that is set aside for the <u>preservation</u>, use and enjoyment by the owners and occupants of the dwellings in the development and includes <u>historic buildings or structures, sensitive lands, hazard prone areas</u>, agriculture, landscaping, on-site ponding, or outdoor recreation uses."</p>	Removes on-site ponding as an area that can be considered Common Open Space. Adds the preservation of existing site features, including historic buildings, sensitive lands, and hazard prone areas. See additional explanation in the Council Services memo for citywide text amendment.
543	7-1 [new]	<p>Outdoor Display [new]</p> <p>Add a new definition as follows: <u>"The display of retail goods outside but on the same property as the primary establishment. For the purposes of light vehicle sales and rental, outdoor inventory is considered to be outdoor display and not outdoor vehicle storage."</u></p>	Adds a defined term for outdoor display, which is regulated in the Old Town HPO and as a component of Light vehicle sales that is different from Outdoor vehicle storage.
544	7-1	<p>Parking Definitions Garage</p> <p>Revise text to read as follows: "A <u>single-story</u> structure or part of a <u>building in a low-density residential development</u> designed to accommodate motor vehicle parking spaces that are partially or completely enclosed."</p>	Revises the definition of garage to distinguish it from parking structures, which are related to building height bonuses.

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544	7-1 [new]	Parking Definitions Carport [new] Add a new definition as follows: <u>"A roofed structure for vehicles that is not enclosed on at least 2 sides. For the purposes of this IDO, carports are subject to building height maximums in the underlying zone district but are allowed to be in required setbacks pursuant to Table 5-1-4."</u>	Adds a definition for a term used in the IDO that clarifies how carports are treated in terms of height limits and setbacks.
544	7-1 [new]	Parking Definitions Front-access Garage [new] Add a new definition as follows: <u>"A garage in which the garage door is angled less than 45 degrees away from the front lot line (i.e. typically the street that the primary residence faces). See also <i>Side-access Garage</i> and <i>Rear-access Garage</i>."</u>	Adds a definition for a term used in the IDO that is enforceable and distinguishable from side-access and rear-access garages. See related items that add definitions for those types of garages.
544	7-1 [new]	Parking Definitions Rear-access Garage [new] Add a new definition as follows: <u>"A garage accessed from the rear lot line. See also <i>Front-accessed Garage</i> and <i>Rear-accessed Garage</i>."</u>	Adds a definition for a term used in the IDO that is enforceable and distinguishable from side-access and front-access garages. See related items that add definitions for those types of garages.
544	7-1 [new]	Parking Definitions Side-access Garage [new] Add a new definition as follows: <u>"A garage in which the garage door is angled at least 45 degrees away from the street that the primary residence faces. The access to this garage may be from the front lot line (i.e. typically the street that the primary residence faces) or a side lot line (i.e. from an abutting street in the case of a corner lot). See also <i>Front-accessed Garage</i> and <i>Rear-accessed Garage</i>."</u>	Adds a definition for a term used in the IDO that is enforceable and distinguishable from rear-access and front-access garages. See related items that add definitions for those types of garages.

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545	7-1	Parking Definitions Parking Structure Revise the first two sentences to read as follows: "A <u>multi-story</u> structure or part of a <u>multi-story building</u> designed to accommodate motor vehicle parking spaces that are partially or completely enclosed, including but not limited to underground or podium parking, associated with Multi-family, Mixed-use, and/or Non-residential development. ..."	Revises the definition of parking structure to distinguish it from garages. Parking structures are related to building height bonuses.
547	7-1	Porch Revise second sentence as follows: " <u>To be considered a porch, and not just part of the building, the porch façade facing a street must not be more than 50 percent enclosed (except for removable screens, screen doors, storm sashes, wrought iron security fencing, or awnings).</u> "	The definition of building includes anything within the footprint of a common roof, which could include a porch. See related item to clarify that porches can be in a setback, but only if it meets the definition of a porch and not just a building. This revision tries to clarify these overlapping definitions.
548	7-1	Public Hearing Delete the phrase "based on policy in addition to regulations."	See related item to provide limited discretion to DRB. If that item is adopted, DRB's decisions will be based only on the limited discretion granted by the IDO, not on policy. See additional explanation in the Council Services memo for citywide text amendment.
550	7-1	Seasonal Outdoor Sales Delete "or indoor."	Eliminates a contradiction of outdoor sales and general retail, which is indoor sales. If the sales happen under a common roof, then the definition of building would say that those sales are happening indoor and be allowed as general retail.
551	7-1 [new]	Sensitive Lands Riparian Area [new] Add a new definition with text as follows: " <u>Aquatic ecosystems and the transitional ecosystems surrounding them, as shown on the map maintained by the City Parks and Recreation Department. The transitional riparian ecosystem is characterized by distinctive vegetative communities and soils that are affected by the presence of surface and groundwater, and provides critical habitat, including for endangered species and migratory birds.</u> "	Adds a definition for a proposed type of sensitive land to avoid. See related item to add riparian areas to the list of sensitive lands in 5-2(C)(1). See additional explanation in the Council Services memo related to requests by Open Space Advisory Board and Open Space Staff.

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559	7-1	Structure Add a new second sentence with the following text: <u>"Swimming pools are considered structures, whether above-ground or in-ground."</u>	Swimming pools are described elsewhere in the IDO as accessory structures. See related item with revision to Table 5-1-4 about where in-ground swimming pools can be in required setbacks.
564	7-1	Vehicle Definitions Non-commercial vehicle Delete term.	See related items that replace this term in the IDO with parking of light vehicles vs. heavy vehicles in a new Subsection 5-5(F). See Exhibit 5-5. Light vehicle and heavy vehicle are defined separately.
565	7-1	Vehicle Definitions Heavy Vehicle Delete "vehicles." Add a new second sentence as follows: <u>"This use does not include any vehicle that meets a definition for a distinct vehicle in this IDO, including but not limited to Recreational Vehicle."</u>	Eliminates overlap in definitions.
569	7-1	Yard Definitions Front Yard Add new sentence as follows: <u>"If there is no primary building on the lot, the part of a lot within the minimum setback in the zone district on the side of the lot where the property will be addressed."</u>	Clarification needed for wall/fence height limits, which are tied to front yard vs. other parts of the yard, when no building is provided (and therefore no "front yard" defined).

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Multiple	Multiple	<p>Food Truck Court [new]</p> <p>In Table 4-2-1, add a new primary use in the Outdoor Recreation and Entertainment category: Food Truck Court, with use-specific standards in Subsection 4-3 and parking requirements in Table 5-5-1 as proposed in the Council memo for citywide text amendments.</p>	<p>Adds new use that allows food trucks to be the primary, i.e. only, use on a site. Currently, the mobile food truck use is only accessory. See additional explanation and proposed content in the Council Services memo for citywide text amendments.</p>
Multiple	Multiple	<p>Campgrounds and RV</p> <p>Remove references to Campground and RV Parks Use from Subsection 2-5(E)(2).</p> <p>Revise Table 4-2-1 Allowable Uses and associated use-specific standard to make this use permissive in MX-L and MX-M zones.</p> <p>Delete the P in the NR-SU zone district.</p> <p>Add the following text to Subsection 4-3(D)(13): "<u>Campgrounds and RV Parks constructed prior to the effective date of this IDO are allowed as a permissive primary use.</u>"</p>	<p>Allow the Campground and RV Park use to be done permissively in the MX-L and MX-M zones, rather than in a Non Residential Sensitive Use (NR-SU) zone. Avoids making existing campgrounds and RV Parks nonconforming by allowing them as a permissive primary use in the use-specific standard. See additional explanation in the Council Services memo for citywide text amendments.</p>
Multiple	Multiple	<p>Public Meeting</p> <p>Delete definition for term "Public Meeting."</p> <p>Strike all references to Public Meetings in the IDO and replace with the phrase "Public Hearing". Revise text editorially as needed.</p>	<p>See related item to provide limited discretion to DRB. If that item is adopted, all DRB meetings will be hearings, and there will be no need for the current distinction in the IDO. See additional explanation in the Council Services memo for citywide text amendments.</p>
All	All	<p>Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.</p>	<p>Covers general clerical corrections.</p>
All	All	<p>Make any necessary editorial changes to the document, including minor text additions, revisions for clarity (without changing substantive content), adding cross references, reorganizing content for better clarity and consistency throughout, revisions to graphic content for clarity, and updating tables of contents.</p>	<p>Covers general editorial corrections.</p>