



***Environmental
Planning
Commission***

***Agenda Number: 3
Project #: PR-2018-001843
Case #: RZ-2023-00040
Hearing Date: December 14, 2023***

Staff Report

Applicant City of Albuquerque Planning
Department

Request Amendments to the Integrated
Development Ordinance (IDO)
Text for the 2023 Annual IDO
Update

Location Citywide

Staff Recommendation

***That PR-2018-001843/RZ-2023-00040 be
continued for one month to the January 11,
2024 special EPC hearing.***

***Staff Planners
Michael Vos, AICP – Principal Planner
China Osborn – Senior Planner***

Summary of Analysis

The request is for various legislative amendments to the text of the Integrated Development Ordinance (IDO) for the IDO Annual Update required by IDO Subsection 14-16-6-3(D). The request consists of revisions identified as part of the Annual Update process to identify desired changes through a regular cycle of discussion among residents, businesses, City Staff, and decision makers (14-16-6-3(D)). Staff has collected approximately 60 proposed amendments requested by neighbors, developers, Staff, City Council, and the Administration.

The proposed amendments are found in a spreadsheet of “IDO Annual Update 2023 – EPC Review - Citywide” (see attachment). The following information is provided for each proposed change: item number, page number, IDO section reference, the proposed change, an explanation, and the source of the proposed change. The spreadsheet is the main component of the request.

The request is generally consistent applicable Comprehensive Plan Goals and policies that pertain to land use, implementation processes, and housing. The proposed changes are intended to address community-wide issues, foster economic development, and clarify regulatory procedures, while balancing these needs with the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.

As of this writing, Staff has received several public comments, mostly concerning walls, duplexes, overnight shelters, and outdoor lighting. Agency comments include landfills and Battery Energy Storage Systems. Staff recommends a continuance to a special EPC hearing on January 11, 2024 but will be prepared should the EPC choose to make its recommendation to City Council at the December 14, 2023 special hearing.

Comments received before November 27th at 9AM are attached to and addressed in this Staff Report. Comments received before December 7th at 9AM are attached, but not addressed. Clarifying materials received before December 12th at 9 AM (after publication of this report and more than 48 hours before the hearing) will be forwarded to the EPC for consideration at the hearing and are not attached to this report.

Table of Contents

I. INTRODUCTION	4
Background	4
Request	4
Applicability	5
Environmental Planning Commission (EPC) Role	5
II. ANALYSIS OF ORDINANCES, PLANS, AND POLICIES	5
Integrated Development Ordinance (IDO)	5
Charter of the City of Albuquerque	6
Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)	7
III. PROPOSED AMENDMENTS & DISCUSSION	10
Contextual Standards for Historic Protection Overlay Zones – 14-16-3-5(G) [Item #1]	10
Amplified Sound – Table 4-2-1; 14-16-4-3(F)(14); 14-16-7-1 [Items #2, #7, #50]	11
Cottage Development – 14-16-4-3(B)(4) [Item #3]	13
Walls and Fences – 14-16-4-3(D)(18); 14-16-4-3(D)(37); 14-16-5-7(D)(3)(a); Table 5-7-2 [Items #4, #5, #23 and #24]	15
Utilities and Waste Management – 14-16-4-3(E)(8); 14-16-5-2(H) [Items #6, #15, #55]	17
Cannabis Retail – Table 4-2-1; 14-16-4-3(D)(35) [Item #8]	20
Overnight Shelters – Table 4-2-1; Subsection 14-16-4-3(C)(6) [Item #9]	21
Definitions for Community Residential Facilities, Group Homes, Overnight Shelter and Nursing Homes – 14-16-7-1 [Items #46, #47, #48, #49]	23
Duplex – 14-16-4-3(B)(5); 14-16-4-3(F)(6) [Items #10, #13]	24
City Facilities – 14-16-2-5(E)(2); 14-16-4-1(A)(4) [Item #11, #54]	26
Dwelling, Live-Work – Table 4-2-1; 14-16-4-3(B)(7); 14-16-6-6(A) [Item #12]	28
Construction Mitigation – 14-16-5-2(K) [Item #16]	30
Recreational Vehicle, Boat, and Trailer Parking; Front Yard Parking – 14-16-5-5(B)(4); 14-16-5-5(F)(2); 14-16-6-8(G) [Items #17 and #42]	31
Parking Standards – 14-16-5-5(C)(7); 14-16-5-5(G)(3); 14-16-7-1 [Items #18, #19, #51]	32
Irrigation (Acequia) Standards – 14-16-5-2(G), [Item #14]	34
Landscaping – 14-16-5-6(B)(1); 14-16-5-6(C); 14-16-5-6(C)(5)(e); 14-16-5-6(C)(5)(d) [Items #20, #21, #57]	35

Sensitive Lands – 14-16-7-1 [Items #52, #53]	36
Façades – 14-16-5-11(E) [Item # 25]	37
Procedures – 14-16-6-2; 14-16-6-4; 14-16-6-8; Table 6-1-1; Table 6-4-2 [Items #26, #27, #28, #38, #39, #40, #41, #44, #45]	38
Notice and Referrals – 14-16-6-4(B); Table 6-1-1 (Items #29, #30, #31, #32, #33, #34, #35, #36, #37, #43)	40
Lighting – 14-16-4-3; 14-16-5-8, 14-16-5-12 [Item #56]	41
Tribal Referrals – 14-16-6-4-(J); 14-16-6-5(A); 14-16-7-1 [Item #58]	43
IV. PUBLIC OUTREACH	44
Meetings and Presentations	44
V. NOTICE	45
Required Notice for the EPC Hearing	45
Additional Notice Provided	45
VI. AGENCY & PUBLIC COMMENTS	46
Agency Comments	46
Public and Neighborhood Comments	46
VII. CONCLUSION	48
RECOMMENDATION – RZ-2023-00040 – December 14, 2023 – Text Amendment to the IDO – Citywide	48
CITY OF ALBUQUERQUE AGENCY COMMENTS	49
COMMENTS FROM OTHER AGENCIES	50

I. INTRODUCTION

Background

When it became effective in May 2018, the Integrated Development Ordinance (IDO) established a process to update zoning regulations annually. IDO Subsection 14-16-6-3(D) requires the Planning Department to prepare proposed amendments to the text of the IDO and submit them every calendar year for an EPC hearing in December. The IDO annual update process establishes a regular, required cycle for discussion among residents, businesses, City Staff, and decision-makers to consider any needed changes that were identified over the course of the year.

The 2019 IDO Annual Update that became effective in November 2020 establishes two types of amendments for zoning changes:

- Amendment to IDO Text – Citywide [Subsection 14-16-6-7(D)] and
- Amendment to IDO Text – Small Area [Subsection 14-16-6-7(E)].

Citywide text amendments apply generally throughout the city, are legislative in nature, and are reviewed using a legislative process. Text amendments that only apply to small areas in the city are quasi-judicial in nature, requiring a review process that includes mailed notice to affected property owners and a prohibition of ex parte communication with decision-makers about the proposed changes. City Councilors will be acting as legislators when adopting citywide text amendments and as quasi-judges when adopting text amendments only affecting properties in specific small areas.

Request

This request is for various citywide amendments to the text of the Integrated Development Ordinance (IDO) for the Annual Update required by Subsection 14-16-6-3(D). These citywide text amendments are accompanied by proposed text amendments to two small areas within the city – the Rail Trail small area and the Volcano Heights Urban Center, which were submitted separately pursuant to Subsection 14-16-6-7(E) and are the subject of other Staff Reports. The proposed citywide amendments, when combined with the proposed small area amendments, are collectively known as the 2023 IDO Annual Update.

A spreadsheet (see attachment) of approximately 60 proposed, citywide changes provides the following information for each proposed change:

- item number for tracking purposes,
- the page and section of the IDO that would be modified,
- the text proposed to change,
- an explanation of the purpose and/or intent of the change, and
- its source.

Since the submittal of the 2022 annual update, Staff has identified amendments to the IDO that could be made to improve the clarity, enforcement, and effectiveness of existing regulations. Changes were also collected from property owners, agents, developers, neighbors, the Administration, and City Councilors.

Applicability

The proposed IDO text amendments apply citywide to land within the City of Albuquerque municipal boundaries. The IDO does not apply to lands owned or controlled by another jurisdiction, such as the State of New Mexico, Federal lands, or tribal lands. Properties in unincorporated Bernalillo County or other municipalities, such as the Village of Los Ranchos and City of Rio Rancho, are also not subject to the IDO.

Environmental Planning Commission (EPC) Role

The EPC is hearing this case pursuant to Subsection 14-16-6-7(D), Amendment to IDO Text – Citywide. The EPC’s task is to review the proposed changes and make a recommendation to the City Council regarding the proposed IDO text amendments as a whole. The EPC is a recommending body with review authority and can submit Recommended Conditions of Approval as it deems necessary. As the City’s Planning and Zoning Authority, the City Council will make the final decision. This is a legislative matter.

II. ANALYSIS OF ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

The request for IDO Text Amendments – Citywide was submitted after the July 27, 2023 effective date of the 2022 Annual IDO Update; therefore, it is subject to applicable standards and processes therein. Subsection 14-16-6-3(D) Annual Updates to the IDO applies. Planning Staff compiled the requested changes and submitted them for EPC review and recommendation. The request fulfills the requirement for an IDO Annual Update.

The request is also required to meet the review and decision criteria for Amendment to IDO Text – Citywide in Subsections 14-16-6-7(D)(3)(a-c). The applicant’s justification letter (see attachment) demonstrates that the request adequately meets the criteria. The requirement is in plain text; Staff analysis follows in ***bold italic*** text.

Criterion 14-16-6-7(D)(3)(a)

The proposed amendment is consistent with the spirit and intent of the ABC Comp Plan, as amended (including the distinction between Areas of Consistency and Areas of Change), and with other policies and plans adopted by the City Council.

The proposed citywide text amendments are generally consistent with the spirit and intent of the Comprehensive Plan, and other policies and plans adopted by the City Council, because they would generally help guide growth and development and identify and address significant issues in a holistic way (Comprehensive Plan, p. 1-5). The proposed changes are consistent with Comprehensive Plan Goals and policies that direct the City to adopt and maintain an effective regulatory system for land use and zoning. Overall, the request generally meets Criterion 14-16-6-7(D)(3)(a). See Section III of this report for Staff’s policy analysis.

Criterion 14-16-6-7(D)(3)(b)

The proposed amendment does not apply to only one lot or development project.

The proposed citywide text amendments would apply throughout the city and not to only one lot or development project. The changes would apply across a particular zone district or for all

approvals of a designated type; therefore, the proposed citywide amendments are broad and legislative in nature. Proposed changes to specific zones (ex. mixed-use and non-residential zone districts) would apply equally in all areas with the same designation and are not directed toward any specific lot or project. Procedural changes would apply to all approvals of a certain type. Therefore, the request meets Criterion 14-16-6-7(D)(3)(b).

Criterion 14-16-6-7(D)(3)(c)

The proposed amendment promotes public health, safety, and welfare.

The request generally promotes the public health, safety, and welfare of the City because overall the proposed text amendments are consistent with a preponderance of applicable Comprehensive Plan Goals and Policies. (See Section III for Staff's in-depth policy analysis.) The proposed amendments are intended to address community-wide issues and clarify regulatory procedures, while balancing the Comprehensive Plan vision of protecting and enhancing existing neighborhoods. Therefore, the request meets Criterion 14-16-6-7(D)(3)(c).

Charter of the City of Albuquerque

The Citizens of Albuquerque adopted the City Charter in 1971. Applicable articles include:

Article I, Incorporation and Powers

The municipal corporation now existing and known as the City of Albuquerque shall remain and continue to be a body corporate and may exercise all legislative powers and perform all functions not expressly denied by general law or charter. Unless otherwise provided in this Charter, the power of the city to legislate is permissive and not mandatory. If the city does not legislate, it may nevertheless act in the manner provided by law. The purpose of this Charter is to provide for maximum local self-government. A liberal construction shall be given to the powers granted by this Charter.

Amending the IDO via text amendments is consistent with the purpose of the City Charter to provide for maximum local self-government. The revised regulatory language and processes in the IDO would generally help implement the Comprehensive Plan and help guide future legislation.

Article IX, Environmental Protection

The Council (City Commission) in the interest of the public in general shall protect and preserve environmental features such as water, air, and other natural endowments, ensure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment. To affect these ends the Council shall take whatever action is necessary and shall enact ordinances and shall establish appropriate Commissions, Boards or Committees with jurisdiction, authority, and Staff sufficient to effectively administer city policy in this area.

The proposed citywide text amendments would help ensure that land is developed and used properly and that an aesthetic and humane urban environment is maintained. The IDO is the implementation instrument for the City's Comprehensive Plan, which protects and promotes health, safety, and welfare in the interest of the public. Commissions, Boards, and Committees would have updated and clarified regulations to help facilitate effective administration of City policy in this area.

Article XVII, Planning

Section 1. The Council is the city's ultimate planning and zoning authority, including the adoption and interpretation of the Comprehensive Plan and the Capital Improvement Plan. The Council is also the city's ultimate authority with respect to interpretation of adopted plans, ordinances, and individual cases.

Amending the IDO through the annual update process is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. The IDO will help implement the Comprehensive Plan and ensure that development in the city is consistent with the intent of any other plans and ordinances that the Council adopts.

Section 2. The Mayor or his designee shall formulate and submit to the Council the Capital Improvement Plans and shall oversee the implementation, enforcement, and administration of land use plans.

Amending the IDO through the annual update process will help the Administration to implement the Comprehensive Plan vision for future growth and development and will help enforce and administer land use plans.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

The Comprehensive Plan and the IDO were developed together and are mutually supportive. The overarching purpose of the IDO (see Subsection 14-16-1-3) is to implement the Comprehensive Plan and protect the health, safety, and general welfare of the public.

The request for a text amendment to the IDO affecting properties citywide is generally consistent with a preponderance of applicable Comprehensive Plan Goals and policies, though some conflicts related to particular proposed amendments explained below in the Staff analysis in Section III of this Staff Report.

Chapter 4: Community Identity

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The proposed amendments would generally help enhance, protect, and preserve distinct communities and neighborhoods because they include additional protections to neighborhoods, such as distance separations, noise protections, and parking standards. Additional amendments would provide greater opportunities for development and economic activities that contribute to vital communities, while protecting their distinct character, such as allowance for duplexes, cottage developments and live-work opportunities. Therefore, the request is consistent with Goal 4.1 Character and Policy 4.1.4 Neighborhoods.

Chapter 5: Land Use

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would create a complete, healthy, and sustainable community because the proposed amendments include changes that could foster greater housing opportunities and housing types, preserve historic character in neighborhoods, strengthen local and small businesses, protect open space, create landscaped areas, and contribute to safer communities through lighting standards. The request is consistent with Policy 5.2.1 Land Uses.

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The proposed text amendments promote efficient development patterns and use of land because they help support development and re-development in established neighborhoods throughout the city by encouraging infill projects and small businesses. The request is consistent with Goal 5.3 Efficient Development Patterns.

Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

Sub-policy b): Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

The proposed amendments seek to minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, pollution, and traffic, through updated lighting standards for all developments, noise restrictions for outdoor amplified music, parking standards, and landscaping mitigations. The request is consistent with Policy 5.6.4 Appropriate Transitions.

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

The IDO annual update is a process that supports continued efforts to effectively and equitably implement the Comprehensive Plan. The proposed amendments seek to improve procedures, notification, transparency, and implementation of the IDO in order to further this Goal. The request is consistent with Goal 5.7 Implementation Processes.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

The IDO annual update process results in an updated regulatory framework that helps align priorities and create consistent outcomes. The request includes amendments that address land use and development standards, such as lighting, landscaping, sensitive lands, parking, distance separations for uses, and procedural clarifications that help support desired growth, high-quality development, economic development, and housing. The request is consistent with Policy 5.7.2 Regulatory Alignment.

Policy 5.7.4 Streamlined Development: Encourage efficiencies in the development review process.

The IDO annual update process provides a regular opportunity for residents and stakeholders to better understand and engage in the planning and development process. The proposed amendments include numerous changes that will contribute to more consistency regarding mailed and emailed notice, posted signs, and appeal procedures that provide opportunities for improved public engagement and more efficient processes. The request is consistent with Policy 5.7.4 Streamlined Development.

Chapter 7: Urban Design

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The request includes proposed amendments that seek to enhance the built environment and urban landscape through updated façade requirements for non-residential developments, lighting improvements, and landscape requirements. The amendments would contribute to context-sensitive design that enhances surrounding neighborhoods. The request is consistent with Policy 7.3.4 Infill.

Goal 7.4 Context-Sensitive Parking: Design parking facilities to match the development context and complement the surrounding built environment.

Policy 7.4.2 Parking Requirements: Establish off-street parking requirements based on development context.

The proposed text amendments include changes to off-street parking requirements for mixed-use and multi-family developments requiring parking facilities that match the development context and complement the surrounding built environment. Other amendments would limit the parking options available to single-family residences, possibly creating additional parking burdens for some property owners, especially those who park recreational vehicles on their properties. These changes do not consider contextual parking standards in existing single-family homes. Therefore, the request is partially consistent with Goal 7.4 Context Sensitive Parking and Policy 7.4.2 Parking Requirements.

Chapter 8: Economic Development

Policy 8.1.2 Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The proposed text amendments would generally foster a more robust, resilient, and diverse economy because they include changes that would allow more diverse economic activities throughout the city and provide an opportunity for entrepreneurs with home businesses. The request is consistent with Policy 8.1.2 Resilient Economy.

Chapter 9: Housing

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

The proposed amendments would allow a greater supply of housing by allowing two-family residences on lots with existing single-family residences and in cottage developments, thereby allowing for a greater variety of housing within existing neighborhoods and creating the opportunity to expand the city's existing housing supply. The request is consistent with Policy 9.1.1 Housing Options.

Goal 9.4 Homelessness: Make homelessness rare, short-term, and non-recurring.

Goal 9.5 Vulnerable Populations: Expand capacity to provide quality housing and services to vulnerable populations.

The proposed text amendments would change overnight shelters to a permissive use in the zones where they are currently a conditional use, with use-specific standards that establish thresholds under which they require a conditional use approval, including proximity to residential uses. Therefore, the request would expand the ability to provide more services to the unhoused, while at the same time protecting surrounding neighborhoods. The request is generally consistent with Goal 9.4 Homelessness and Goal 9.5 Vulnerable Populations.

Chapter 11: Heritage Conservation

Goal 11.2 Historic Assets: Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

The proposal includes a text amendment that would allow contextual setback standards to apply to properties in Historic Protection Overlay zones, which would preserve and enhance significant historic districts. This change would also help those seeking to maintain and improve historic properties or build in historic neighborhoods by allowing more flexibility in their site design, while maximizing consistency with the historic character of these distinct districts. The request is consistent with Goal 11.2 Historic Assets.

III. PROPOSED AMENDMENTS & DISCUSSION

The proposed citywide text amendments are presented and explained in the spreadsheet “IDO Annual Update 2023 – EPC Review – Citywide.” (See attachment.) This section focuses on the key substantive changes that warrant further discussion; many have garnered public comments.

These changes are grouped by category and referred to by page number to track with the IDO effective as of July 27, 2023. A detailed explanation of the proposed amendment is provided in plain text, followed by Staff analysis in *italic text*.

Contextual Standards for Historic Protection Overlay Zones – 14-16-3-5(G) [Item #1]

Summary:

This proposal from Historic Preservation staff would amend IDO page 120, adding a new Section 3-5(G), and renumbering subsequent sections. The proposal would require new development or

redevelopment in Historic Protection Overlay (HPO) zones to comply with contextual standards in Subsection 14-16-5-1(C)(2) for lot sizes, front setbacks, and side setbacks, unless the Landmarks Commission approves a different standard in a Historic Certificate of Appropriateness – Major pursuant to Subsection 14-16-6-6(D). The purpose of this proposal is to allow alternative site design standards on historic lots so that they follow historic development patterns rather than IDO zoning standards. Lots in historic districts tend to be smaller than the minimum lot sizes established by the IDO, and surrounding development often does not conform to setback requirements. This change would allow owners flexibility to design sites to follow the pattern of existing development and would give the Landmarks Commission authority to set and approve alternative standards as appropriate.

Some public comment was received expressing concern that this proposal would give the Landmarks Commission too much authority and flexibility; however, the Landmarks Commission already has the responsibility of determining appropriate design standards within HPOs. The proposed amendment makes the Landmarks Commission, not the Zoning Hearing Examiner, the appropriate body to determine appropriate setbacks if additional flexibility is needed for a particular development.

Policy Analysis: The proposed amendment to contextual standards in Historic Protection Overlay zones is consistent with the following Comprehensive plan Goals and Policies.

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Goal 11.2 Historic Assets: Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

Policy 11.2.3 Distinct Built Environments: Preserve and enhance the social, cultural, and historical features that contribute to the identities of distinct communities, neighborhoods, and districts.

The proposed amendment is generally consistent with Comprehensive Plan Goals and Policies because it will enhance the character of existing communities and historic neighborhoods, allowing their development to continue to observe the distinct patterns of the existing neighborhoods and historic districts. Furthermore, the adoption of this new section for the IDO will allow historic districts that include Areas of Change to apply the contextual setback standards, thereby eliminating the unequal application of IDO standards within the Historic Protection Overlay zone.

Amplified Sound – Table 4-2-1; 14-16-4-3(F)(14); 14-16-7-1 [Items #2, #7, #50]

Summary:

There are three proposed amendments related to amplified sound, all based on a request from the public. These amendments create a new accessory use in Table 4-2-1: Allowable Uses for Outdoor Amplified Sound. This accessory use would be permissive (A) in the following zone districts: MX-L, MX-M, MX-

H, NR-C, NR-BP, NR-LM, and NR-GM. The accessory use would be conditional (CA) in the MX-T zone district.

The amendment proposes new use-specific standards in a new Subsection 14-16-4-3(F)(14), renumbering subsequent subsections accordingly. The use-specific standards would prohibit amplified sound from speakers outside of a fully enclosed building between the hours of 10 p.m. and 7 a.m. near residential uses.

Staff received public comments via comments pinned on the IDO Annual Update 2023 Spreadsheet. Some questioned the potential overlap with regulations in the existing Noise Ordinance. The proposed amendment is written to complement but not conflict with the Noise Ordinance, and both would be enforced by the Environmental Health Department. Other comments recommended extending the curfew hours beyond 7 a.m. The amendment is written to be consistent with other morning hour regulations in the IDO (Community Garden, Self-storage, Nicotine Retail, Helipad, Home Occupation, Outdoor Animal Run). Some commenters requested larger distance from residential uses. The amendment proposes 330 feet (approximately 1 city block) as opposed to 100 feet, a measurement which is often used as a distance from residential uses.

Policy Analysis: The amendments to amplified sound are consistent with the following Comprehensive Plan Goals and Policies:

Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

5.6.2.f: Minimize potential negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality, and traffic.

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

5.6.6.b: Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

The proposed amendments would be generally consistent with the Comprehensive Plan by helping to ensure that the negative impacts of development near residential areas is minimized. The use-specific standards establish a curfew on outdoor amplified sound near residential areas and provide a transition that respects and protects nearby neighborhoods.

Cottage Development – 14-16-4-3(B)(4) [Item #3]

Summary:

The proposal to amend IDO Section 4-3(B)(4) on pages 159-161 adds 2 new use-specific standards for Cottage Development. The proposed amendment would allow cottage developments to be duplexes (i.e. connected on one side) and would require front porches on all dwellings in a Cottage Development, whether single-family or duplex. This amendment is intended to provide more flexibility for housing options while ensuring a consistent character of design.

Staff received a public comment recommending that the minimum lot size requirement for Cottage Developments be reduced. Subsections 4-3(B)(4)(a) and (b) require a minimum of 1 acre citywide or 10,000 square feet in an Urban Center (UC), Main Street (MS), or Premium Transit (PT) area. Reducing the minimum lot size would allow cottage development in more areas throughout the city. Long Range Planning staff commented that many residents in the Near Heights CPA expressed support for cottage development because it increases opportunities for living close to family and aging in place.

Policy Analysis: The proposed amendment is consistent with the following Goals and Policies:

Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

5.2.1.d: Encourage development that broadens housing options to meet a range of incomes and lifestyles.

5.2.1.h: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

5.2.1.n: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.3 Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.2 Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

7.3.2.e: Encourage high-quality development that capitalizes on predominant architectural styles, building materials, and landscape elements.

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

Policy 7.3.5 Development Quality: Encourage innovative and high-quality design in all development.

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

Policy 9.1.2 Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable, and mixed income housing options throughout the area.

Goal 9.2 Sustainable Design: Promote housing design that is sustainable and compatible with the natural and built environments.

Policy 9.2.3 Cluster Housing: Encourage housing developments that cluster residential units in order to provide community gathering spaces and/or open space.

- a) Encourage innovative and diverse options for intentional or communal living.

Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities.

The amendments are generally consistent with Comprehensive Goals and Policies encouraging more housing options for complete communities and more infill that encourages sustainable growth patterns and efficient use of existing infrastructure and public services. Reducing the minimum lot size for Cottage Developments would encourage more infill development and more housing developments that provide alternatives for people looking for multigenerational living and intentional communities. Staff has prepared a recommended Condition of Approval for EPC review.

The proposed requirement that all units in a Cottage Development have a front porch is only partially consistent with the following Comprehensive Goals and Policies:

Goal 9.6 Development Process: Promote cost-effective housing redevelopment and construction that meets community needs.

Policy 9.6.1 Development Cost: Reduce development costs and balance short-term benefits of delivering less costly housing with long-term benefits of preserving investment in homes and protecting quality of life.

The request to require front porches on all dwelling units will add construction cost to a Cottage Development Project. EPC should carefully consider whether this requirement is overly onerous,

potentially discouraging cottage development, or whether it is an appropriate requirement to establish consistent character for cottages that may be either single-family or duplex.

Walls and Fences – 14-16-4-3(D)(18); 14-16-4-3(D)(37); 14-16-5-7(D)(3)(a); Table 5-7-2 [Items #4, #5, #23 and #24]

Summary:

The request includes four changes related to wall and fences. The first two changes require walls via use-specific standards for Light Vehicle Fueling Stations (i.e. gas stations) and General Retail. Subsection 4-3(D)(18) and Subsection 4-3(D)(37) require a wall or fence at least 3 feet high around the perimeter of all general retail and light vehicle fueling stations and from the edges of the primary building to the side or rear property line. This amendment is intended to limit pedestrian access to designated public entrances. It is important to note that one effect of the proposed change will be that pedestrians may be pushed closer to traffic in the street; particularly where older sidewalks do not meet ADA standards.

The other two changes would allow taller front yard walls in low-density residential development. Subsection 14-16-5-7(D)(3)(a) would allow a front yard or street side yard wall up to 5 feet tall, if all the following requirements are met:

- (a) The wall is not located in a small area where taller walls are prohibited.
- (b) View fencing is used for portions of a wall above 3 feet.
- (c) The wall is set back at least 5 feet, and the setback area is landscaped with at least 3 shrubs or 1 tree every 25 feet along the length of the wall.

Additionally, the amendment would revise Table 5-7-2: Options for a Taller Front or Side Yard Wall so that a wall taller than 3 feet located less than 5 feet from the property line would still require a Wall or Fence Permit – Major.

The proposed change would allow a private, enclosed space in front yards that might increase a sense of safety, but it might also change the character of neighborhoods that have developed since 1959, when zoning first limited front yard walls to 3 feet in residential areas. The setback, view fencing, and landscaping requirements are all intended to enhance community character and ensure continued “eyes on the street.”

Many public commenters were opposed to the proposed change for taller walls in neighborhoods, and several were frustrated that this proposal was included again after being rejected the past two years. The amendment was drafted in response to general requests for taller walls in front yards that can provide more privacy and potentially more safety for young children and pets. Long-Range staff commented that some neighborhoods value protecting and preserving the distinct character of their communities above privacy and that residents in the Near Heights CPA have generally been opposed to allowing taller fences in residential areas.

Several public commenters opposed the required walls for the non-residential uses, citing concerns over the negative impact on connectivity for pedestrians and urban design in the built environment.

Participants in the Near Heights CPA in particular wanted to increase pedestrian access and maintain sightlines between buildings in retail areas.

Policy Analysis: The proposed amendments to fence heights are only partially consistent with the following Comprehensive Plan Goals and Policies:

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Goal 6.2 Multi-Modal System: Encourage walking, biking, and transit, especially at peak-hour commuting times, to enhance access and mobility for people of all ages and abilities.

Policy 6.2.3 Pedestrian & Bicycle Connectivity: Provide direct pedestrian and bicycle access to and circulation within Centers, commercial properties, community facilities, and residential neighborhoods.

Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

7.2.1.j: Emphasize pedestrian connections between buildings on a site and to adjacent uses.

Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.

7.2.2.b: Encourage building and site design that activates the pedestrian environment through building frontage, entrances, parking areas, and gathering spaces.

7.2.2.c: Support pedestrian activity along streets, including sidewalk dining, parquitos/parklets, and open streets events.

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.2 Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

The proposal to allow taller front-yard walls in low-density residential development is partly consistent with Policy 7.3.2 Community Character to the extent that it only allows residents to

increase wall heights if the walls are set back 5 feet, incorporate view fencing, and are paired with landscaping in the setback. Taller walls may contribute to a sense of safety; however, allowing taller walls than have been allowed since 1959 will change the character along the street of many existing neighborhoods. Therefore, the proposal is only partially consistent with Goal 7.3 Sense of Place, Policy 7.3.2 Community Character, and Policy 4.1.2 and conflicts with Goal 4.1 Character and Policy 4.1.1 Distinct Communities.

The proposal to require walls around light vehicle fueling and general retail generally conflicts with Goals and Policies encouraging pedestrian-oriented design, walkability, and connectivity because it intentionally limits pedestrian access to general retail; therefore, the proposed change conflicts with Goal 6.2 Multi-modal System, Policy 6.2.3 Pedestrian & Bicycle Connectivity, Goal 7.2- Pedestrian Accessible Design, Policy 7.2.1 Walkability, and Policy 7.2.2 Walkable Places.

The proposed change would also result in sporadic street walls in many more business districts, changing the character of the built environment; therefore, the proposal conflicts with Goal 7.3 Sense of Place and Policy 7.3.2 Community Character.

EPC should carefully consider the extent to which walls improve public safety and whether that community benefit outweighs the negative impact to connectivity, access, urban design, and community character encouraged by Comp Plan goals and policies.

Utilities and Waste Management – 14-16-4-3(E)(8); 14-16-5-2(H) [Items #6, #15, #55]

Summary:

There are two proposed amendments related to utilities and waste management. The first amendment includes 2 items on the spreadsheet that would create a new primary use – Battery Energy Storage System – that allows a private facility with utility-scale batteries to store electricity until needed on the electric grid. The amendment also makes a minor change to the definition of Electric Utility, which allows battery storage as an incidental use. The intent is that private, standalone Battery Energy Storage Systems would follow the proposed new regulations, while battery storage installed by the Public Service Company of New Mexico (PNM) would be regulated by the use-specific standards for Electric Utility. The proposed amendment for a standalone Battery Energy Storage System adds a new primary use to Table 4-2-1 allowing the use in the NR-LM and NR-GM zone districts, with new use-specific standards in Subsection 4-3, and new definitions in 14-16-7-1.

The Battery Energy Storage System amendment responds to a growing need for electric power as we move away from natural gas toward renewable energy sources, commonly referred to as “electrification.” The proposed amendment would allow electricity to be stored until it is needed during an energy shortage or an emergency – where it might be needed – helping to serve future economic growth in the city, improving the viability and efficiency of our electric utility, and allowing the private market to help fill this need throughout our city. As beneficial as this use is to the electric utility, the chemicals that allow the energy storage in batteries can pose a public safety hazard, as several facilities nationwide have experienced fires that resulted in plumes of smoke with toxic chemicals. The chemicals in the batteries can be combustible, and fires can be difficult to control and put out. For these reasons, the proposed amendment only allows this use in the NR-LM and NR-GM zone districts, which are

intended for manufacturing uses, and landscape buffers and distance separations from residential uses are required to ensure safety during an emergency.

PNM comments supported creating a new Battery Energy Storage System use but questioned whether some of the regulations were necessary. It is important to note that the IDO definition for Electric Utility is intended to regulate all the components that PNM needs for its facilities, so PNM would not be subject to the proposed regulations. In addition to meeting IDO regulations related to Electric Utility, PNM facilities are regulated by the New Mexico Public Regulatory Commission (NMPRC).

The other proposed amendment would revise the regulation related to landfill gas buffer areas, included in Section 14-16-5-2. The proposed change would exempt landfills closed within the last 30 years from review by the City's Environmental Health Department or any requirement to mitigate potential landfill gas that can pose health hazards due to methane and other byproduct gases.

The City's Environmental Services Division provided comments explaining that existing regulations for landfill mitigation were created in response to public health hazards and cautioning that the proposed language would all but eliminate any regulations for closed landfills in Albuquerque.

Policy Analysis: The proposed amendments to utilities and waste water management are consistent with the following Comprehensive plan Goals and Policies:

Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.4 Streamlined Development: Encourage efficiencies in the development review process.

Goal 8.2 Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

Policy 8.2.1 Local Business: Emphasize local business development.

Policy 8.2.3 Sustainable Business: Provide incentives for development projects and businesses that have sustainable economic characteristics.

8.2.3.a.: Encourage innovative, energy efficient design and construction, standards, and techniques.

8.2.3.d.: Promote businesses that have economic qualities and/or products that support sustainability.

Goal 12.1 Infrastructure: Plan, coordinate, and provide for efficient, equitable, and environmentally sound infrastructure to support existing communities and the Comp Plan's vision for future growth.

Policy 12.1.6 Energy Systems: Coordinate with energy providers to safeguard essential infrastructure to serve existing development and ensure a safe, adequate, and reliable supply to support growth.

Goal 12.3 Public Services: Plan, coordinate, and provide efficient, equitable, and environmentally sound services to best serve residents and protect their health, safety, and well-being.

Policy 12.3.2 Solid Waste Management: Maintain a clean and healthy community by providing solid waste services.

12.3.2.a: Minimize potential adverse environmental impacts of collection, transfer, and disposal.

Goal 13.1 Climate Change: Promote resource-efficient growth and development to help mitigate global climate change and adapt to its local impacts.

Policy 13.1.1 Resource-Efficient Development: Promote development in the city and county that works with nature to slow global climate change.

Goal 13.4 Natural Resources: Protect, conserve, and enhance natural resources, habitat, and ecosystems.

Policy 13.4.3 Energy Resources: Conserve energy and capitalize on renewable energy resources that are plentiful in our region, especially solar and wind energy.

Goal 13.5 Community Health: Protect and maintain safe and healthy environments where people can thrive.

Policy 13.5.1 Land Use Impacts: Prevent environmental hazards related to land uses.

Policy 13.5.3 Public Infrastructure Systems and Services: Coordinate with providers to ensure that systems and services do not compromise the health, safety, and welfare of the community.

The proposal to create a new use that allows a Battery Energy Storage System is consistent with Comp Plan Goals and Policies encouraging complete communities, efficient infrastructure, and sustainability. This use will improve the reliability and efficiency of existing electric utilities, particularly as more people transition away from gas appliances and heating systems. Generally, electric systems are more compatible with renewable energy sources, and this use will improve the viability and availability of electricity as it is needed during peak hours of use or on calm, cloudy days. To that extent, this use

improves the provision of environmentally sound services that help protect and maintain safe and healthy environments and communities; therefore, this amendment is consistent with Goal 5.2 Complete Communities, Policy 5.2.1 Land Uses, Goal 5.3 Efficient Development Patterns, Goal 8.2 Entrepreneurship, Policy 8.2.3 Sustainable Business, Goal 12.1 Infrastructure, Policy 12.1.6 Energy Systems, Goal 12.3 Public Services, Goal 13.1 Climate Change, Policy 13.1.1 Resource-efficient Development, Goal 13.4 Natural Resources, Policy 13.4.3 Energy Resources.

The proposed amendment is consistent with Comp Plan goals and policies related to ensuring public health and safety because the proposed amendment includes requirements for distance separations from residential uses, landscape buffers next to other uses, and other regulations to minimize risk related to the combustible toxic chemicals in the batteries. These use-specific regulations and development standards are intended to make amendment consistent with Goal 13.5 Community Health, Policy 13.5.1 Land Use Impacts, and Policy 13.5.3 Public Infrastructure Systems and Services.

The proposed amendment to landfill gas mitigation is consistent with goals and policies encouraging efficient review and decision processes (Goal 5.7 Implementation Processes and Policy 5.7.4 Streamlined Development), because development proposed within the existing former landfill buffer would no longer be required to be reviewed by the Environmental Health Department.

However, the amendment conflicts with Goal 12.1 Infrastructure, Goal 12.3 Public Services, Policy 12.3.2.a Solid Waste Management, Goal 13.5 Community Health and Policy 13.5.1 Land Use Impacts, because closed landfills continue to pose risks to public health and safety even after 30 years, and the proposed change would eliminate the ability to address these hazards and ensure that they are properly mitigated with new development and re-development and monitored over time.

EPC should carefully consider whether the potential for increased efficiency of reviews that may be achieved with the proposed amendment outweighs the potential negative impact on public health and safety.

Cannabis Retail – Table 4-2-1; 14-16-4-3(D)(35) [Item #8]

Summary:

City Council proposed five amendments related to cannabis retail. One amendment would align the existing distance separation between cannabis retail establishments in the use-specific standard in Subsection 14-16-4-3(D)(35)(c) to other distance separation requirements in the IDO, from 600 feet to 660 feet. The amendment would delete the provision that allows a cannabis retail establishment to get a conditional use approval to be closer than that distance. Because the distance separation would be a use-specific standard, no variances would be allowed. The proposed amendment would prohibit cannabis retail in the Mixed-Use – Transition (MX-T) zone district, which would change Table 4-2-1 and delete Subsection 14-16-4-3(D)(35)(j). Finally, the proposed amendment would delete the term Cannabis Microbusiness from the IDO, Section 7-1 because that term only appears in the deleted Subsection related to MX-T.

Public comments supported the proposed amendments.

Policy Analysis: The amendments to cannabis retail are consistent with the following Comprehensive Plan Goals and Policies:

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

The proposed amendments are consistent with Comprehensive Plan goals and policies that support healthy, complete communities and distinct neighborhoods because it strengthens a distance separation intended to prevent over-concentration of a use that could have negative impacts on surrounding areas and avoids overburdening any community with cannabis retail establishments.

Overnight Shelters – Table 4-2-1; Subsection 14-16-4-3(C)(6) [Item #9]

Summary:

A proposed amendment revises Table 4-2-1 to make overnight shelters permissive in all zone districts where they are currently allowed as Conditional (MX-M, MX-H, NR-C, NR-BP, NR-LM, NR-GM) and amends the existing use-specific standards in Subsection 14-16-4-3(C)(6) to limit the size of shelters to 50 beds or fewer. Above that size, a conditional use approval would be required. The proposed amendment makes overnight shelters conditional within 330 feet of residential zone districts and residential uses in mixed-use zones, allowing public input at a public hearing when the use might raise concerns for surrounding neighborhoods. The proposal would also make overnight shelters conditional within 1,500 feet of any other overnight shelter. The distance separation is intended to ensure that no community is overburdened with a use that might pose negative impacts on surrounding areas, and the conditional use process is intended to provide an opportunity for public input and for additional conditions to be required to address concerns and mitigate negative impacts.

This proposal responds to a need for additional shelters for unhoused people and would facilitate development that provides much-needed services for those experiencing homelessness.

The proposed amendment lessens the burden of lengthy approval processes for small overnight shelters that are not close to residential uses or to other overnight shelters. The change would allow the City and

other nonprofits working to address homelessness by providing housing to vulnerable populations, a much-needed service in the city.

Long Range staff commented that throughout the CPA Assessment processes in Near Heights, Southwest Mesa, East Gateway, and Central ABQ, neighbors expressed concern for people without shelter. Many participants in these planning processes supported increasing services for people experiencing homelessness.

Policy Analysis: The proposed amendments to overnight shelters are consistent with the following Comprehensive Plan Goals and Policies:

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.7 Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

5.3.7.a: Minimize the impacts of locally unwanted land uses on surrounding areas through policies, regulations, and enforcement.

5.3.7.b: Ensure appropriate setbacks, buffers, and/or design standards to minimize offsite impacts.

Goal 9.4 Homelessness: Make homelessness rare, short-term, and non-recurring.

Policy 9.4.1 Best Practices: Implement an appropriate and effective model to address chronic homelessness.

Policy 9.4.2 Services: Provide expanded options for shelters and services for people experiencing temporary homelessness.

Policy 9.4.3 Equitable Distribution: Support a network of service points that are easily accessible by residents and workers, geographically distributed throughout the city and county, and proximate to transit.

Goal 9.5 Vulnerable Populations: Expand capacity to provide quality housing and services to vulnerable populations.

Policy 9.5.1 Quality Housing: Ensure well-maintained, safe transitional and permanent housing for the lowest-income households that are most at risk of homelessness.

This proposal is consistent with Comprehensive Plan policies encouraging housing and services for vulnerable populations and people experiencing homelessness. The proposed amendment would make overnight shelters permissive, which has the immediate effect of getting an approval more quickly if all requirements are met, allowing these much-needed facilities to provide housing more quickly to those

in need. Therefore, the amendment is consistent with Goal 9.4 Homelessness, Policy 9.4.1 Best Practices, Policy 9.4.2 Services, Goal 9.5 Vulnerable Populations, and Policy 9.5.1 Quality Housing.

This proposal is consistent with Comprehensive Plan policies encouraging equitable distribution of services and locally unwanted land uses that provide a public good because it includes distance separations from residential uses and from other overnight shelters, as well as a requirement for a conditional use approval that requires a public hearing where public input can be taken and conditions of approval can be added to mitigate negative impacts.

Concerned residents nearby proposed overnight shelters would continue to have input in the process. This proposed amendment does not expand the areas where overnight shelters are an allowed use. Therefore, this proposal is consistent with Goal 5.3 Efficient Development Patterns, Policy 5.3.7 Locally Unwanted Land Uses, and Policy 9.4.3 Equitable Distribution.

Definitions for Community Residential Facilities, Group Homes, Overnight Shelter and Nursing Homes – 14-16-7-1 [Items #46, #47, #48, #49]

Summary:

Proposed amendments modify the definitions of Community Residential Facilities, Group Homes, Overnight Shelters, and Nursing Homes to be more consistent with the Federal Fair Housing Act and to clarify the differences among the related terms. The revised definitions are intended to improve enforcement. The proposed amendments do not change where these uses would be allowed either permissively or conditionally.

Public comments about these definitions showed confusion about the intent of the proposed changes. Commenters opposed any changes that would allow people with substance addictions not in recovery programs or people in the criminal justice system to live in residential neighborhoods. It is important to note that the definitions do not change these allowances. Both types of facilities would be regulated as group homes, which are not allowed in R-A, R-1, R-MC, or R-T.

Policy Analysis: The proposed definitions for Definitions for Community Residential Facilities, Group Homes, Overnight Shelter and Nursing Homes are consistent with the following Comprehensive plan Goal and Policies:

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

Policy 5.7.4 Streamlined Development: Encourage efficiencies in the development review process.

Policy 5.7.6 Development Services: Provide high-quality customer service with transparent approval and permitting processes.

The proposed amendments are consistent with the Goals and Policies related to implementation process because having clear, precise definitions help support improved procedures and processes to implement the Comprehensive Plan and achieve desired development in the city, as well as helping to update the regulatory framework needed to support both public service and quality of life priorities for the greater community. Having clear definitions helps encourage efficiencies in the development review process and creates transparency that supports consistent implementation, high-quality customer service, and efficiencies in development processes. The proposed changes to the definitions would not extend these uses in any zone district, nor allow them in zones they are currently not allowed. The updated definitions would simply align with current Federal Fair Housing Act regulations and provide greater clarity in the development review process and code enforcement efforts. Therefore, the proposed amendments are consistent with Goal 5.7 Implementation Processes, Policy 5.7.2 Regulatory Alignment, Policy 5.7.4 Streamlined Development, and Policy 5.7.6 Development Services.

Duplex – 14-16-4-3(B)(5); 14-16-4-3(F)(6) [Items #10, #13]

Summary:

Two amendments propose to change allowances for two-family detached (duplex) dwellings. One would allow duplexes permissive in R-1 on corner lots that are a minimum of 5,000 square feet, where additional access to driveways and on-street parking might be available. Other than this allowance, duplexes would only be allowed in the R-1A sub-zone, where the building straddles the lot line and each dwelling unit is on a separate lot. This proposal was pared down from a public comment requesting that up to 6 units be allowed on all R-1 lots citywide.

City Council submitted the other proposal (see Council Memo attached) that would allow duplexes permissively in the R-1 zone district where they are added to or created from an existing single-family house but make them conditional on a lot without an existing house. This amendment proposes changes to the use-specific standards for duplex and accessory dwelling units to allow a property owner to have one but not the other on the same lot. This amendment is intended to limit demolition of existing single-family residences and require an additional public hearing for public input and potential conditions of approval to ensure consistency with neighborhood character. The proposed changes ensure modest allowances for an additional unit while limiting the potential density of additional development in existing residential areas. This change would allow efficient use of existing infrastructure and investment in public services and facilities throughout the city while providing much-needed housing.

This amendment would expand housing options in residential development, which is also much needed in the city. In general, duplexes are considered a more affordable housing option for many families. They can also be added to create an additional independent living space within the main dwelling for other family members. From a land-use perspective, there is no way to distinguish a second kitchen in a dwelling, which is currently allowed, from an attached accessory dwelling unit (duplex). Therefore, allowing duplexes to be added on to an existing residential structure could effectively have very little effect on the character of existing residential neighborhoods. Further, these conversions can often be part of an anti-displacement strategy, as a family can live in one unit and rent the other or multi-generational families can continue to live and grow together, helping to cover living expenses.

The Mid-Region Metropolitan Planning Organization (MRMPO) commented that Connections 2040 Metropolitan Transportation Plan (MTP) supports duplexes as a way to gently increase density to

incentivize redevelopment, transit-oriented development, and infill in order to maximize the utility of existing infrastructure while providing for a mix of housing.

Long Range staff commented that community members appreciate the mix of housing types within neighborhoods, particularly in the Near Heights CPA. Two participants in the East Gateway CPA Assessment opposed allowing duplexes in single-family zones.

Public commenters generally opposed all the amendments for duplexes over concerns for property values and neighborhood character.

Policy Analysis: The amendments to duplexes are consistent with the following comprehensive plan Goal and Policy:

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

Policy 7.3.5 Development Quality: Encourage innovative and high-quality design in all development.

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

Policy 9.1.2 Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable, and mixed income housing options throughout the area.

Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities.

Goal 9.6 Development Process: Promote cost-effective housing redevelopment and construction that meets community needs.

Policy 9.6.1 Development Cost: Reduce development costs and balance short-term benefits of delivering less costly housing with long-term benefits of preserving investment in homes and protecting quality of life.

The proposed amendments allowing duplexes in more locations in Albuquerque are consistent with Comprehensive Plan policies encouraging housing options, affordability, infill, and gentle density. Given the existing shortage in housing in general and affordable housing in particular and the limited land currently zoned for this use, allowing duplexes in the R-1 zone could increase housing supply

created by converting existing single-family houses into two-family houses. Duplexes are a low-density residential use, and the land use impacts would be similar to single-family dwellings. Where duplexes are constructed, the shared roof and wall would not only reduce the cost of construction per dwelling unit, resulting in “naturally affordable” housing, but also these dwellings are all but indistinguishable from single-family homes as seen from the street, protecting the character of existing neighborhoods while providing an incremental increase in housing supply. Any proposed duplex would have to meet all parking requirements, design standards, and small-area standards in the IDO, ensuring that they are high-quality and consistent with the established requirements in low-density residential neighborhoods. Therefore, the proposed amendments are consistent with Goal 7.3 Sense of Place, Policy 7.3.4 Infill, Policy 7.3.5 Development Quality, Goal 9.1 Supply, Policy 9.1.1 Housing Options, Policy 9.1.2 Affordability, Goal 9.3 Density, Goal 9.6 Development Process, and Policy 9.6.1 Development Cost.

City Facilities – 14-16-2-5(E)(2); 14-16-4-1(A)(4) [Item #11, #54]

Summary:

Two amendments are proposed to help facilitate the development of city facilities. The first change would remove the requirement for police stations and fire stations to be zoned NR-SU (Non-residential—Sensitive use), which includes a process to review/decide a zone map amendment and a Site Plan – EPC. This amendment is intended to allow fire and police stations in more locations throughout the city to better-serve city residents and to lessen the burden of review at a public hearing. If approved, Subsection 14-16-2-5(E)(2)(f) would be deleted, and in Table 4-2-1, a new use for Fire station or police station would be added as a permissive use (P) in MX-M, MX-H, NR-C, NR-BP, NR-LM, and NR-GM.

The second change, in Subsection 14-16-4-1(A)(4), would exempt City facilities from requiring a Conditional Use Approval where it would be otherwise required in Table 4-2-1. The purpose of this change is to facilitate the development of City facilities that serve a public purpose by streamlining the review and approval process while still allowing conditions of approval to be added to mitigate potential negative impacts to surrounding properties and to ensure public health, safety, and welfare.

Long Range staff comments that some community members find the development process confusing, for both developers and neighbors. In one way, the proposed amendments would eliminate one potentially confusing step in the review/decision process for City facilities. In another way, the proposed amendments would eliminate a potential opportunity for community involvement in the decision-making process for vital public services.

Public comments generally opposed amendments that would make City facilities easier to develop over concerns about lack of notice and public input opportunities in the development review and decision process.

Policy Analysis:

The proposed amendment is consistent with the following Goals and Policies:

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Goal 12.3 Public Services: Plan, coordinate, and provide efficient, equitable, and environmentally sound services to best serve residents and protect their health, safety, and well-being.

Policy 12.3.1 Access to Public Services: Maximize residents' access to public services and distribute services equitably, whether they are provided by the City or County or in partnership with other agencies. [ABC]

Policy 12.3.3 Fire and Rescue: Provide comprehensive fire and rescue and emergency medical services to save and protect lives, property, and the environment in cooperation with the public and other agencies. [ABC]

Policy 12.3.4 Police and Sheriff: Maintain a safe and secure community by providing crime prevention, police protection, law enforcement, and investigative services in cooperation with the public and other agencies. [ABC]

The proposed amendment is consistent with Comprehensive Plan Goals and Policies encouraging public facilities that support the public good, provide public services, and protect lives, property, and the environment because the amendment would make developing police stations and fire stations an easier, faster process and would allow them in locations throughout the city without a zone change.

The proposed amendment is partially consistent with the following Goals and Policies:

Goal 12.5 Resources: Identify and allocate sufficient resources to support infrastructure, community facility, and public service needs in order to invest public dollars efficiently and effectively and to maintain a sound fiscal position.

Policy 12.5.6 Public Input: Provide information and opportunities for input about capital investment programming, project delivery, and funding priorities. [ABC]

The proposed amendments related to City facilities are partially consistent with Comprehensive Plan Goal 12.5 Resources and Policy 12.5.6 Public Input because while the amendments make it easier to provide needed City facilities that serve a substantial government interest by reducing the requirement for a public hearing (zoning map amendment/Site Plan hearing at EPC for fire/police stations and a conditional use hearing at the Zoning Hearing Examiner for uses listed as C in Table 4-2-1), contributing to a more efficient process, cutting down on staff time and City resources required to review and approve these facilities, these changes would also reduce opportunities for public input and community involvement in how and where these facilities are provided for the public good.

EPC should carefully consider whether the potential efficiencies in the development process and the provision of these public services and City facilities outweigh the benefit, potential improvement, and transparency/accountability that comes through the public input provided during public hearings.

Dwelling, Live-Work – Table 4-2-1; 14-16-4-3(B)(7); 14-16-6-6(A) [Item #12]

Summary:

The proposed change would allow small restaurants and retail establishments permissively in the R-1, R-T and R-ML zone districts. The amendments would modify Table 4-2-1 and use-specific standards in Subsection 14-16-4-3(B)(7). Cannabis retail and nicotine retail would be prohibited. This change would expand opportunities for neighborhood-serving restaurants, coffee shops, and retail while strengthening the local economy, creating additional opportunities for entrepreneurs, and supporting small-scale local businesses.

In the R-1 zone district, general retail and restaurants would be limited to 3,000 square feet or less and would only be allowed on corner lots that are a minimum of 5,000 square feet.

In the R-T and R-ML zone districts, this use would be permissive on corner lots that are a minimum of 5,000 square feet. In other locations, a Conditional Use Approval pursuant to Subsection 14-16-6-6(A), would be required.

This proposal allows for a return to the pattern of corner stores in neighborhoods, providing services within walking distance of more residences, contributing to the creating of a walkable, bikeable, and sustainable city, with thriving neighborhoods.

Long Range staff commented that this proposed change supports Southwest Mesa community members' desire to have increased access to neighborhood services, while prohibiting undesirable uses. While better served, Near Heights and Central ABQ neighbors also desired more amenities within walking distance of their homes.

Policy Analysis: The proposed amendment is consistent with the following Goals and Policies:

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

4.1.4.a: Respect existing neighborhood values and social, cultural, recreational resources.

4.1.4.b: Leverage community resources to identify issues, opportunities, and special places and promote strong community identity.

4.1.4.c: Support improvements that protect stable, thriving residential neighborhoods and enhance their attractiveness.

Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

5.2.1.a: Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

5.2.1.b: Encourage development that offers choice in transportation, work areas, and lifestyles.

5.2.1.d: Encourage development that broadens housing options to meet a range of incomes and lifestyles.

5.2.1.e: Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.

Goal 8.1 Placemaking: Create places where business and talent will stay and thrive.

Policy 8.1.2 Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

Goal 8.2 Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

Policy 8.2.1 Local Business: Emphasize local business development.

Policy 8.2.2 Diverse Talent: Promote a more inclusive ecosystem for developing entrepreneurs.

8.2.2.b. Promote efforts to reach potential entrepreneurs in the neighborhoods and industry sectors where they work.

The proposed amendments are consistent with Comprehensive Plan Goals and Policies supporting neighborhood-serving services, walkable and pedestrian-oriented development, complete communities, entrepreneurship, and local businesses because allowing live-work for small retail and restaurants on corner lots in neighborhoods will expand business opportunities for homeowners and entrepreneurs who otherwise could not purchase, maintain, or rent two properties, one for business and one for living. This proposal will foster a small, local, neighborhood-oriented economy, providing economic opportunities for many sectors of the community that may have otherwise been limited in their possibilities for economic growth.

Construction Mitigation – 14-16-5-2(K) [Item #16]

Summary:

The proposed amendment would revise Subsection 14-16-5-2(K) Preventing and Mitigating Construction Impact to include specific requirements for development next to Major Public Open Space or on lots where sensitive lands have been identified to help prevent or mitigate impacts from construction activities. (See relevant exhibit.)

Policy Analysis:

The amendment is consistent with the following Comprehensive Plan Goals and Policies:

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

Policy 4.1.5 Natural Resources: Encourage high-quality development and redevelopment that responds appropriately to the natural setting and ecosystem functions.

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.1 Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

Goal 10.3 Open Space: Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.

Goal 11.4 Archaeological & Paleontological Resources: Identify, acquire, and manage significant archaeological and paleontological sites for research, education, tourism, and recreational use.

Policy 11.4.5 Private Protections: Encourage the private protection of sensitive lands, such as rock outcrops or significant cultural, archaeological, volcanic, or geologic land through private conservation easements, or re-platting as private open space.

Goal 13.5 Community Health: Protect and maintain safe and healthy environments where people can thrive.

Policy 13.5.1 Land Use Impacts: Prevent environmental hazards related to land uses.

13.5.1.c: Mitigate potential adverse impacts – including noise, emissions, and glare – of new development on surrounding land uses during and after construction through land use regulations, environmental permitting, and enforcement.

This amendment would help protect and preserve the integrity of sensitive lands and Major Public Open Space by requiring fencing to protect sensitive lands during construction and pre- and post-construction coordination with the Parks and Recreation Department. Therefore, the proposed amendment is consistent with Goal 4.1 Character, Policy 4.1.3 Placemaking, Policy 4.1.5 Natural Resources, Goal 7.3 Sense of Place, Policy 7.3.1 Natural and Cultural Features, Goal 10.3 Open Space, Goal 11.4 Archaeological & Paleontological Resources, Policy 11.4.5 Private Protections, and Goal 13.5 Community Health, and Policy 13.5.1.c Land Use Impacts.

Recreational Vehicle, Boat, and Trailer Parking; Front Yard Parking – 14-16-5-5(B)(4); 14-16-5-5(F)(2); 14-16-6-8(G) [Items #17 and #42]

Two items requested by City Council pertain generally to parking in the front yard. The first specifically addresses the allowance to park or store a recreational vehicle, boat, or recreational trailer in the front yard of a property. The change deletes the existing allowance and criteria for placement in a front yard, perpendicular to the curb, and at least 11 feet setback from the curb with a prohibition of parking such vehicles in “...any portion of a front yard, whether that portion has been improved as a driveway or not.” The remaining subsections following this change within Subsection 5-5(B)(4)(d) will remain and be renumbered if this amendment passes.

The second proposed change amends two sections of the IDO regarding approved materials for front yard parking areas. First, this amendment changes the nonconforming site features section related to front yard parking areas in existence prior to June 17, 2007, which is when the City first began regulating front yard parking. Currently, if someone improved their front yard parking prior to the regulation of front yard parking using a list of accepted materials, they can continue to use that front yard parking even if it does not otherwise comply with current IDO requirements. Parking must cease on any unimproved portion of such lots. Where there are no improvements and parking began prior to requiring improvements, the parking may continue subject to the IDO limitations on maximum sizes.

This proposal deletes “compacted angular stone” from the list of materials that count as improvements in Subsection 14-16-6-8(G)(2)(a) 1.a. Further, it also amends Subsection 5-5(F)(2)(a) to stipulate that driveways and parking must meet other City codes and the DPM with the exception that “angular stone is not allowed.”

The result of this amendment would be that areas with compacted angular stone in the front yard would no longer be considered nonconforming as to parking if there are other improved surfaces to park on, and owners would be required to cease parking on those areas unless they are further improved and meet IDO standards. If the only existing parking on a site consists of compacted angular stone it could continue being used for parking under Subsection 14-16-6-8(G)(2)(a)2, if it meets the IDO size limits for front yard parking areas.

Policy Analysis: The proposed amendments to Parking are consistent with the following Comprehensive Plan Goals and Policies apply:

Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.1 – Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

The proposed amendments are partially consistent with Comp Plan policies encouraging pedestrian-friendly and walkable environments and enhancing and preserving distinct neighborhood character by reducing the area for and number of automobiles parking in front of homes along neighborhood streets.

The EPC should carefully consider the impacts of limiting such parking, particularly for recreational vehicles where some lots may be too small to park them in any other location on a property, or costs associated with improving long-existing front yard parking areas that will no longer be considered nonconforming if a property owner would like to continue using it. Several comments were received questioning the need for these amendments, particularly the impacts of eliminating the allowance of parking an RV in front of a home.

Parking Standards – 14-16-5-5(C)(7); 14-16-5-5(G)(3); 14-16-7-1 [Items #18, #19, #51]

Summary:

The primary proposed amendments related to parking standards has been proposed by City Council to implement maximum parking requirements within 330 feet of a transit facility. This proposed subsection would cap maximum parking at 100 percent of the minimum parking specified in the IDO for a development or set of uses. Parking maximums do not apply to structured parking options, but rather to surface parking lots.

A Transit Facility is defined in the IDO as “Land used for transit stations, terminals, depots, and transfer points, which may include shelters, park-and-ride lots, and/or related facilities on public or privately owned lots.”

Two more technical amendments have been proposed by Planning Department staff. The first revises the applicability of parking structure design standards for those included within multi-family residential “development” rather than “dwellings.” Multi-family dwellings are only one type of residential land use, and by expanding the applicability this provision applies these standards to other types of multi-family found in the Group Living category, such as assisted living facilities, community residential facilities, group homes, and dormitories, which are not currently subject to these requirements.

Finally, a second technical change is proposed to the definition of a garage to add single-story buildings designed for parking within multi-family development that are not currently captured as either a garage or a parking structure. This change also removes an existing conflict with the definition of a carport.

Policy Analysis: The proposed Parking amendments are consistent with the following Comprehensive Plan Goals and Policies:

Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.1 – Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Policy 6.1.2 Transit-Oriented Development: Prioritize transit-supportive density, uses, and building design along Transit Corridors.

Policy 6.1.3 Auto Demand: Reduce the need for automobile travel by increasing mixed-use development, infill development within Centers, and travel demand management (TDM) programs.

Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.

Goal 7.4 Context-Sensitive Parking: Design parking facilities to match the development context and complement the built environment.

Policy 7.4.1 Parking Strategies: Provide parking options, optimize parking efficiencies, and plan for parking as essential infrastructure.

Policy 7.4.2 Parking Requirements: Establish off-street parking requirements based on development context.

Policy 7.4.2.a: Discourage oversized parking facilities.

The proposed amendments are generally consistent with Goals and Policies related to promoting infill development, supporting transit (Policies 6.1.2 and 6.1.3), and promoting high-quality pedestrian-oriented neighborhoods (Policy 7.2.2). Providing parking maximums will prohibit oversized parking facilities from being constructed near transit facilities and may encourage development better suited for the pedestrian and transit context (Policy 7.4.2). The technical amendments proposed by staff clarify the applicability of building design standards to parking facilities (Policy 4.1.2).

The description of the parking maximum request from City Council specifies that it excludes park and ride facilities, but that is not reflected in the language of the amendment. City Council staff has requested that a condition of approval be applied to add this exclusion and ensure the proposed amendment meets the originally described purpose and intent.

Irrigation (Acequia) Standards – 14-16-5-2(G), [Item #14]

Summary:

The proposed amendment would revise existing irrigation (acequia) standards in Subsection 14-16-5-2(G) to require cluster development and multi-family dwellings to locate at least 25 percent of common open space or ground-level usable open space contiguously with irrigation ditch/acequia that are abutting the property line and connecting to this area via pedestrian walkways. Access to irrigation ditches/acequias would be subject to approval by the Middle Rio Grande Conservancy District (MRGCD).

Policy Analysis:

The proposed amendment to Irrigation Standards is consistent with the following Goals and Policies:

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.3 Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

Policy 5.3.4 Conservation Development: Encourage conservation development to promote private open space and preserve natural landscape, agricultural lands, and other features of the natural environment to encourage development that is sensitive to the open, natural character of the area and the geological and cultural conditions.

Goal 9.2 Sustainable Design: Promote housing design that is sustainable and compatible with the natural and built environments.

Policy 9.2.3 Cluster Housing: Encourage housing developments that cluster residential units in order to provide community gathering spaces and/or open space.

Goal 10.4 Coordination: Coordinate across disciplines, jurisdictions, and geographies to leverage limited resources, maximize efficiencies, and best serve the public's need for parks and recreation facilities.

Policy 10.4.4 Arroyos and Drainage: Work with MRGCD and AMAFCA to protect arroyos, drains, and acequias as part of Community Green Space.

10.4.4.b: Protect drainage or Open Space functions of arroyos from development impacts.

10.4.4.e: Encourage trails along suitable arroyos and irrigation ditches and design the facilities to protect the irrigation and drainage function.

The proposal is consistent with Comprehensive Plan policies that protect and provide access to open space, encourage conservation and sustainable design, and coordinate resources for the creation and protection of open space, parks, and recreation areas because it requires cluster development and multi-family development to design the site so that on-site open space is contiguous with acequias. This

amendment also directly fulfills Comp Plan Action 5.6.1.1: “Develop setback standards for and encourage clustering of open space along the irrigation system.”

Landscaping – 14-16-5-6(B)(1); 14-16-5-6(C); 14-16-5-6(C)(5)(e); 14-16-5-6(C)(5)(d) [Items #20, #21, #57]

Summary:

There are multiple amendments related to landscaping, including three Council memos and an exhibit.

Two Council memos relate to mulching requirements in Subsection 14-16-5-6. One proposed amendment removes mulching requirements for street trees in Subsection 14-16-5-6(C)(5)(e). The other amendment clarifies the radius measurement for required mulch in Subsection 14-16-5-6(C)(5)(d).

A separate Council memo would apply landscaping requirements to more projects by lowering the threshold percentages and dollar amounts in Subsection 14-16-5-6(B)(1).

City Planning Staff also proposed amendments to landscaping as an exhibit showing revisions to Subsections 14-16-5-6(C)(4), 14-16-5-6(C)(5), 14-16-5-6(C)(7), 14-16-5-6(C)(10), 14-16-5-6(C)(14), and the definition of warm season Grasses in Section 14-16-7-1. The proposed changes are intended to increase requirements for plants and irrigation, reduce water consumption, and improve survivability of landscaping in the high desert environment.

Staff received a few public comments of support for increasing landscaping requirements pinned on the IDO Annual Update 2023 Spreadsheet.

Policy Analysis: The proposed amendments to landscaping standards are consistent with the following Comprehensive Plan Goals and Policies:

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.4 Conservation Development: Encourage conservation development to promote private open space and preserve natural landscape, agricultural lands, and other features of the natural environment to encourage development that is sensitive to the open, natural character of the area and the geological and cultural conditions.

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.2 Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

Goal 11.3 Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

Policy 11.3.1 Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

Goal 13.2 Water Supply & Quality: Protect and conserve our region's limited water supply to benefit the range of uses that will keep our community and ecosystem healthy.

The proposed landscape amendments are generally consistent with Comprehensive Plan Goals and Policies encouraging efficient development, promoting natural features, and reinforcing a sense of place through context-sensitive design because the proposed amendments encourage more planting, better conditions to support vegetation, and development that is sensitive to the natural environment while contributing the protection and enhancement of natural features.

Sensitive Lands – 14-16-7-1 [Items #52, #53]

Summary:

The proposed amendments to Section 14-16-7-1 change the definitions of Sensitive Lands, specifically Large Stand of Mature Trees and Rock Outcropping. The amendments would revise the text of both definitions to be more realistic given the existing natural environment of Albuquerque. The proposed changes would apply sensitive land requirements in more situations by lowering the thresholds in the existing definitions.

Staff received public comments supporting these amendments pinned on the IDO Annual Update 2023 Spreadsheet. The comments supported protections for natural features and the value they add to Albuquerque.

Policy Analysis: The proposed amendments to Sensitive Lands are consistent with the following Comprehensive Plan Goals and Policies:

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.1 Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

7.3.1.a: Minimize alteration of existing vegetation and topography in subdivision and site design.

Goal 11.3 Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

Policy 11.3.1 Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

Policy 11.4.5 Private Protections: Encourage the private protection of sensitive lands, such as rock outcrops or significant cultural, archaeological, volcanic, or geologic land through private conservation easements, or re-platting as private open space.

Goal 13.4 Natural Resources: Protect, conserve, and enhance natural resources, habitat, and ecosystems.

Policy 13.4.4 Unique Landforms and Habitats: Protect areas with unique landforms, and crucial habitat for wildlife, through sensitive urban development or acquisition as Open Space.

The sensitive lands amendments are consistent with Comprehensive Plan Goals and Policies related to Cultural Landscapes, Natural and Cultural Features, and Sense of Place. The proposed amendment would help conserve more large trees and rock outcroppings by defining them as sensitive lands. Existing regulations require avoiding sensitive lands during site design. Where sensitive lands cannot be avoided, the EPC may approve variances that help balance the goal of conservation with the needs of a particular development. In general, this amendment helps conserve natural and cultural features by minimizing alteration of exiting vegetation and topography, which helps protect unique landforms and reinforces a sense of place in Albuquerque.

Façades – 14-16-5-11(E) [Item # 25]

Summary:

City Council proposed a change to Subsection 14-16-5-11(F) to expand the applicability of building design and façade requirements to non-residential development other than industrial development in NR-LM or NR-GM zone districts, as well as for industrial development in any zone district.

Currently, the IDO includes building design standards for low-density residential [14-16-5-11(C)], multi-family residential [14-16-5-11(D)], and mixed-use and non-residential zone districts [14-16-5-11(E)]. In the mixed-use and non-residential zones, the IDO excludes MX-FB, NR-LM, NR-GM, NR-SU, and NR-PO from these building design standards. MX-FB has its own separate standards, but development that occurs within the other four zone districts does not have specific building design standards. NR-LM and NR-GM zone districts allow some non-residential uses that are not in the Industrial category of uses. This amendment would apply design standards to these non-residential developments to improve the quality of buildings in these zones. This amendment seeks to improve the building design standards for restaurants, hotels, and many other possible uses in the NR-LM and NR-GM zone districts. The proposed amendment modifies the IDO's existing building design standards in other zones to maintain consistency.

The second half of this amendment applies building design standards to industrial developments in all zone districts except MX-FB, NR-SU, and NR-PO. MX-FB has a separate set of design standards. NR-SU and NR-PO are subject to review and approval by the EPC and/or have Master Plans and other governing documents that can set standards.

The proposed amendment modifies the existing building design standards in other zones to allow the same menu of options but require fewer of the features or lower percentages than more commercial or mixed-use development projects would require.

Policy Analysis: The proposed amendments to Façade requirements are consistent with the following Comprehensive Plan Goals and Policies:

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comprehensive Plan.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.2 Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

Policy 7.3.5 Development Quality: Encourage innovative and high-quality design in all development.

The proposed amendments are generally consistent with Comp Plan Goals and policies to enhance the character of neighborhoods and promote a sense of place because they add requirements for high-quality building designs regardless of the development type or zoning district. Improved building design along public streets using the menu of options already in the IDO will help create a sense of place and improve the overall visual quality of new development. Therefore, the proposed amendments are consistent with Goal 4.1 Character, Policy 4.1.2 Identity and Design, Goal 5.7 Implementation Processes, Policy 5.7.2 Regulatory Alignment, Goal 7.3 Sense of Place, Policy 7.3.2 Community Character, and Policy 7.3.5 Development Quality.

Procedures – 14-16-6-2; 14-16-6-4; 14-16-6-8; Table 6-1-1; Table 6-4-2 [Items #26, #27, #28, #38, #39, #40, #41, #44, #45]

Summary:

Several amendments address review and decision processes and related procedures. These amendments include:

- Requiring a pre-application meeting for minor Historic Certificates of Appropriateness, which matches the process for major applications and current practice, as staff fills out a pre-application form when talking to applicants as they submit their applications. [#26]
- Modifying the notice requirements for temporary window wraps to match temporary uses. [#27]
- Clarifying the EPC appointment process and making it more efficient. [#28]

- Extending the Period of Validity for Conditional Use approvals to extend the timeframe for expiration from 1 year to 2 years. [#38]
- Simplifying the procedure for requesting and receiving a time extension under 14-16-6-4(X)(4) to allow the Zoning Enforcement Officer (ZEO) to approve an extension if “Circumstances beyond the control of the applicant have prevented construction, use, or occupancy of the property...” [#39] (See exhibit.)
- Adding a referral to the Parks & Recreation Department Open Space Superintendent in the Variance – ZHE process for developments proposed next to Major Public Open Space. [#40]
- Removing the time limits for occupancy of nonconforming structures to encourage their reuse, maintenance, and improvement over time. Note: this change does not affect nonconforming uses, only structures. [#41]
- Clarifying the Period of Validity and expiration of Site Plans that go through either a Minor or Major Amendment process. [#44 and #45]

Policy Analysis: The proposed amendments to IDO Procedures are consistent with the following Goals and Policies:

Goal 5.7- Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

Policy 5.7.4 Streamlined Development: Encourage efficiencies in the development review process.

5.7.4.c: Provide streamlined approval processes for projects that meet the intent of the Comp Plan.

Policy 5.7.5 Public Engagement: Provide regular opportunities for residents and stakeholders to better understand and engage in the planning and development process.

Policy 5.7.6 Development Services: Provide high-quality customer service with transparent approval and permitting processes.

The proposed amendments are consistent with Comprehensive Plan Goals and Policies related to development procedures that implement the Comp Plan, support desired growth, encourage efficiencies, and provide transparency. The proposed changes would promote clarity and consistency in administration and enforcement by following standard practices for pre-application meetings when Historic properties are involved and the same notification processes for all temporary permits to allow for appropriate public input. Changes to public notice and appeals related to a consistent distance measurement are also consistent with other distance requirements throughout the IDO. The amendments provide greater clarity and efficiency for reuse of nonconforming structures and conditional uses, as well as providing clear guidance for how amendments to site plans affect expiration dates and how to go about requesting and obtaining an extension prior to expiration. Because these

amendments are intended to improve processes for efficiency, customer service, and public engagement, the amendments are generally consistent Goal 5.7 Implementation, Policy 5.7.2 Regulatory Alignment, Policy 5.7.4.a Streamlined Development, Policy 5.7.5 Public Engagement, and Policy 5.7.6 Development Services.

Notice and Referrals – 14-16-6-4(B); Table 6-1-1 (Items #29, #30, #31, #32, #33, #34, #35, #36, #37, #43)

Summary:

There are several proposed amendments to Subsection 14-16-6-4(B).

Items #29, #32, #33, #34, and #36 propose to replace the requirement to notice adjacent Neighborhood Associations or property owners with a set distance that is easily mapped and, in most cases, more generous than the existing requirement. This change would allow automation of a map query to generate a list of property owners or affected Neighborhood Associations to be notified. This “adjacency requirement” affects the Pre-submittal Neighborhood Meeting [#29], public notice to Neighborhood Associations [#32], Mailed Notice to property owners for zone changes [#33] and small area text amendments [#34], and Post-submittal Facilitated Meeting [#36]. These amendments are intended to improve these processes and ensure that all notice, meeting requests, and meeting summaries are provided as required.

Item #37 would revise the distance for standing for appeals by Neighborhood Associations to 330 feet for consistency with the proposed change to email notice.

Item #43 would allow emailed notice of Wireless Telecommunications Facilities (WTF) to Neighborhood Associations; currently, mailed notice is required.

Item #31 proposes to change the existing language for referrals to agencies for comment on development proposals to match current practice. Currently, the City does not delay administrative decisions to wait for agency comments. For decisions that go to a public hearing, the processes allow sufficient time to wait 15 days for agency comments. The proposed change clarifies that for administrative decisions, any comments received after the referral and prior to the decision shall be considered with the application materials in any further review and decision-making procedures, but the administrative decisions are not required to wait for comments. The current 15-day comment period for decisions requiring a public hearing will remain unchanged.

Item #35 clarifies the procedures for posted signs required for administrative decisions (Historic Certificates of Appropriateness – Minor, Alternative Signage Plan, and Site Plan – Administrative). Currently, the sign is required to be posted for the 15 days of the appeal period. The proposed change adds a requirement to post the sign at least 5 calendar days after submitting the application and 15 days after the decision through the appeal period. This change would delay the approval of these administrative decisions for at least 5 days. The posted sign requirements for decisions requiring public hearings will remain unchanged.

Policy Analysis:

The proposed amendment to IDO Notice and Referrals is consistent with the following Goals and Policies:

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

Policy 5.7.4 Streamlined Development: Encourage efficiencies in the development review process.

Policy 5.7.5 Public Engagement: Provide regular opportunities for residents and stakeholders to better understand and engage in the planning and development process.

Policy 5.7.6 Development Services: Provide high-quality customer service with transparent approval and permitting processes.

Each of the proposed changes to IDO Section 14-16-6-4 and Table 6-1-1 are intended to create more clear and efficient processes, while increasing chances for public participation and comment during the development approval process. Having clearly defined distances for noticing requirements, time-frames for reception of comments, and new and clear sign-posting requirements improve the transparency and effectiveness of the development process; therefore, the request is consistent with Goal 5.7 Implementation Processes, Policy 5.7.2 Regulatory Alignment, Policy 5.7.4 Streamlined Development, Policy 5.7.5 Public Engagement, and Policy 5.7.6 Development Services.

Lighting – 14-16-4-3; 14-16-5-8, 14-16-5-12 [Item #56]

Summary:

A significant amendment proposed in this Annual Update is an overhaul of the City’s Outdoor and Site Lighting regulations in Section 14-16-5-8. The City hired Clanton & Associates, an award-winning lighting design and engineering firm, to assist with evaluating existing regulations in the IDO and preparing proposed amendments, which are presented in an exhibit that would replace the existing section in its entirety. The proposed amendment is intended to improve compliance with the State’s Dark Sky Act and improve enforceability of lighting standards.

The proposed changes include modifications to existing provisions, restructuring of the existing Section 14-16-5-8, and new provisions to regulate Color Temperature and Color Rendering of installed luminaires, limit upright and glare, establish lighting designations by zone district to limit light trespass and total lumens allowed, and add specific regulations for sports lighting, seasonal lighting, and historic landmarks and districts.

Associated changes are also proposed for the Form-based zone districts in 14-16-2-4(E); use-specific standards for Self-storage and Wireless Telecommunications Facilities in 14-16-4-3; lots near Major

Public Open Space in 14-16-5-2(J); and illumination of signs in 14-16-5-12. Definitions are updated for new and revised terminology used throughout.

Changes to review procedures in Part 6 of the IDO include the allowance to submit an Outdoor and Site Lighting Performance Analysis for review as part of a Site Plan – EPC with specific criteria. If an applicant cannot meet the requirements or chooses to submit alternative lighting designs, a performance analysis of the proposed lighting can be evaluated through a Site Plan – EPC to ensure that alternative lighting meets best practices, mitigates any the harmful effects, and provides benefits.

Lastly, the amendment proposes to establish a date that all lighting must comply with the new standards. Subsection 14-16-6-8(G) for nonconforming site features would establish January 1, 2034 as the date by which all luminaires must come into compliance with these regulations. If lighting needs significant repairs or replacement sooner, a property owner would need to comply with the new regulations.

Nearly 20 pinned comments and several emailed letters were received on the lighting regulations in support of changes while also encouraging even more robust regulations consistent with Dark Sky communities, creating maps for lighting designations, removing lower limits for color temperature, adding additional limits related to lighting of flags, and concern about the extended nonconformities period before requiring property owners to come into compliance, among others.

Policy Analysis: The proposed amendment to Lighting is consistent with the following Comprehensive plan Goals and Policies:

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

Policy 4.1.5 Natural Resources: Encourage high-quality development and redevelopment that responds appropriately to the natural setting and ecosystem functions.

Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 10.2.2 Security: Increase safety and security in parks.

10.2.2.a: Minimize vandalism through adequate lighting, site design, and durable materials.

Goal 10.3 Open Space: Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.

Goal 13.4 Natural Resources: Protect, conserve, and enhance natural resources, habitat, and ecosystems.

The proposed Outdoor and Site Lighting regulations are consistent with Comprehensive Plan Goals and Policies related to preserving the character of communities and encouraging high-quality development that responds appropriately to its context, surrounding properties, open spaces, and natural habitats. The changes strike an appropriate balance between allowing for adequate lighting of outdoor spaces for navigating and ensuring safety while also encouraging less light overall to minimize our human impact on the night sky.

Tribal Referrals – 14-16-6-4-(J); 14-16-6-5(A); 14-16-7-1 [Item #58]

Summary:

This amendment proposed by City Council requires the City to refer applications for proposed development to Tribal Nations as commenting agencies. The amendment is intended to establish a formal mechanism to communicate with leaders of Indian Nations, Tribes, or Pueblos in New Mexico and tribal representatives serving on the City's Commission on American Indian and Native Alaskan Affairs about development that may impact tribal communities.

Referrals for comment would be required for proposed development in the following locations:

- Within 660 feet of the Petroglyph National Monument;
- Within 660 feet of Major Open Public Space;
- Within 660 feet of Tribal Lands;
- Within 660 feet of Northwest Mesa Escarpment View Protection Overlay Zone – VPO-2.

Tribal Nations may comment on proposed projects as they choose within the established timeframes for review. It is important to note that this request for citywide text amendments would only change the referral Major Public Open Space (which includes the Petroglyph National Monument) and tribal land because they are located throughout the city. The additional referral for applications within 660 feet of the VPO-2 boundary constitutes a small area text amendment, which requiring a separate application and a quasi-judicial review/decision process. An application was submitted to be reviewed at the regular EPC hearing in January 2024. The EPC should refrain from discussing the VPO-2 provision specifically while reviewing citywide amendments. Any changes can be addressed as part of the small area application review. While the Albuquerque Indian School Area was originally included in the submitted amendment, it is covered by the tribal land referral and will not be submitted separately. Planning staff will prepare a condition removing that language for the special hearing in January.

The amendment also proposes changes related to the review/decision process for an Archaeological Certificate in Subsection 14-16-6-5(A). Applicants are required to notify Tribal leaders via certified mail and email of proposed developments and include copies of notification with their applications. If the City Archaeologist requires the applicant to submit a treatment plan, the applicant must send a copy of the treatment plan to tribal leaders within five days of submittal to the City Archaeologist.

The proposed amendment adds definitions for “Indian Nation, Tribe, or Pueblo,” “Tribal Representative,” and “Tribal Land” to Section 14-16-7-1. The City’s Office of Native American Affairs maintains the list of contacts for tribal leaders and tribal representatives. Tribal governments are responsible for submitting in writing requests to map land as tribal land for the purpose of triggering referrals for comment when the City receives applications for proposed development within 660 feet.

Policy Analysis: The proposed amendment regarding Tribal Referrals is consistent with the following Comprehensive Plan Goals and Policies:

Goal 4.2 Process: Engage communities to identify and plan for their distinct character and needs.

Policy 4.2.2 Community Engagement: Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents.

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.5 Public Engagement: Provide regular opportunities for residents and stakeholders to better understand and engage in the planning and development process.

Goal 11.3 Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

Policy 11.3.1 Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

Establishing a system to refer applications to Indian Nations, Tribes, or Pueblos in New Mexico provides transparency and opportunities for discussion and engagement about development that may impact tribal communities. As the original and continuing stewards of cultural landscapes and natural and cultural features, tribal leaders can provide meaningful comments to guide appropriate development nearby. By improving development processes through comments and providing opportunities for engagement in development processes, the proposed amendment is consistent with Goal 4.2 Process, Policy 4.2.2 Community Engagement, Goal 5.7 Implementation Processes, Policy 5.7.5 Public Engagement, Goal 11.3 Cultural Landscapes, and Policy 11.3.1 Natural and Cultural Features.

IV. PUBLIC OUTREACH

Meetings and Presentations

The proposed amendments in the 2023 Annual Update were reviewed during two online public study sessions in October 2023 via Zoom, prior to application submittal for the EPC process. One session was held on October 12, 2023 in the evening and another session on October 13, 2023 over the lunch hour, covering the same content. Planning Staff presented the proposed text amendments and answered questions from participants for both the citywide and the small area amendments.

The presentations, in .pdf format and video format, are posted on the project webpage at: <https://abq-zone.com/ido-annual-update-2023#paragraphs-item-339>

Another public meeting to review and discuss the proposed changes was held on November 17, 2023 after the EPC application was submitted. A link to the presentation, in .pdf format and video format, is here: <https://abq-zone.com/ido-annual-update-2023#paragraphs-item-339>

The EPC held a study session regarding the proposed 2023 IDO amendments on December 7, 2023. This was a publicly-noticed meeting, although no public input is taken during study sessions. (See EPC Rules of Practice and Procedure, Article II, Section V.) The presentation from the study session and other information about the EPC hearing is available at this link: <https://abq-zone.com/ido-annual-update-2023#paragraphs-item-335>

V. NOTICE

Required Notice for the EPC Hearing

For an Amendment to IDO Text, public notice must be published, emailed, and posted on the web. (See Table 6-1-1: Summary of Development Review Procedures.)

The City published notice of the EPC hearing as a legal ad in the ABQ Journal newspaper on November 22, 2023.

Email notice was sent to the two representatives of each Neighborhood Association and Coalition registered with the Office of Neighborhood Coordination (ONC) pursuant to the requirements of IDO Subsection 14-16-6-4(K). Representatives without e-mail addresses were mailed first class letters. (See attachments.)

The City posted notice of the EPC hearing on the Planning Department website here: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

The City also posted notice of the application, the proposed changes to the IDO, and the EPC hearing on the project website here: <https://abq-zone.com/ido-annual-update-2023>

Additional Notice Provided

Email notice about the pre-application review meetings was sent to approximately 9,500 subscribers on the ABC-Z project update email list on September 15, 2022, and a reminder email was sent alongside a Comprehensive Plan update email on October 4, 2023. An email notice announcing submittal of the EPC application, the November 17th public meeting, December 7th EPC study session, and December 14th hearing was sent on October 27, 2023. Additional reminder emails were sent on November 3 and November 29, 2023.

VI. AGENCY & PUBLIC COMMENTS

Agency Comments

Agency comments were received from the Albuquerque Metropolitan Arroyo Flood Control District (AMAFCA), Mid-Region Metropolitan Planning Organization (MRMPO), Albuquerque Public Schools (APS), City of Albuquerque Environmental Health Department, City of Albuquerque Long Range Planning, Public Service Company of New Mexico (PNM), Albuquerque-Bernalillo County Water Utility Authority (ABCWUA) and the Solid Waste Management Division (SWMD). See comments below and in the attachments.

Public and Neighborhood Comments

Letters via e-mail

As of this writing, Staff has received approximately 30 written comments regarding the proposed citywide text amendments. The comments are from interested parties such as coalitions, neighborhood associations, and individuals. (See attachments.)

Neighborhood organizations that commented include, but are not limited to, the Santa Fe Village Neighborhood Association (NA), Parkland Hills NA, South Los Altos NA, Huning Castle NA, and Spruce Park NA. There is also a consolidated comment letter from the Inter-Coalition Council, which consists of members from various coalitions. There are also comments from individuals that are members of the neighborhood associations mentioned. (See attachments.)

These comments express strong opposition to the proposed walls and fences text amendments and ask why taller front yard walls are being considered again. Comments express concerns about duplexes, RV parking, overnight shelters, and outdoor lighting. Some commenters support duplexes. Two letters expressing concern about the exemption of landfills closed for more than 30 years from gas mitigation requirements. Some individuals expressed concern about the IDO annual update process in general, noting that the yearly update process is burdensome. There is one proposal to make the IDO update a bi-annual process, and others to add new amendments related to timelines for decisions and making changes to the use-specific standards for campgrounds and RV parks.

Pinned Comments

Staff also received comments via the IDO Annual Update 2023 Spreadsheet, which was posted on the ABC-Z project website available online here: <https://abq-zone.com/ido-annual-update-2023>. The spreadsheet was interactive and provided an opportunity for members of the public to pin a comment directly onto an item. Staff similarly received pinned comments on Exhibits and Council Memos. (See attachments.)

Approximately 216 comments were pinned on the IDO Annual Update Spreadsheet, Council Memos, and Exhibits. The topics and the number of pinned comments are shown in the table below. Several topics did not have any pinned comments (Preventing and Mitigating Construction Impact and Utilities).

Item Numbers	Topic	# of Pinned Comments
2, 7, 50	Amplified Sound	5
3	Cottage Development	7
4, 5, 23-24	Walls and Fences	28
8	Cannabis	6
9	Overnight Shelter	7
46-49	Community Residential Facilities, Group Homes, Overnight Shelter and Nursing Homes	8
10, 13	Duplex	31
11, 54	City Facilities	7
17, 42	RV, Boat and Trailer Parking/Front Yard Parking	15
18-19, 51	Parking Standards	5
14	Major Public Open Space	1
20-22, 57	Landscaping	8
52-53	Sensitive Lands	4
1	Design Standards	7
25	Facades	5
26-28, 37-41, 44-45	Procedures	7
29-36, 43	Notice and Referrals	15
56	Lighting	24
58	Tribal Referrals	6
N/A	General	12
12	Dwelling Live Work	8

The topic that garnered the most comments is duplexes, which includes comments on Item #10, Item #13, and the Council Memo for Item #13. Most of the pinned comments expressed strong opposition and concern. Many comments voiced concerns that the proposed amendments would change existing neighborhood character and reduce property values. Several commenters disliked that these amendments are proposed this year, following the defeat of duplexes in the Housing Forward amendments in 2022.

Walls and Fences received the second-most comments. Generally, commenters expressed opposition to requiring walls for General Retail and Light Vehicle Fueling Stations. Commenters questioned how walls and fences would reduce crime and requested to see more analysis and supporting information.

Many people also pinned comments to voice concern about and opposition to the Annual IDO Update process, public comment process, and the explanations and justifications of the amendments.

VII. CONCLUSION

The request is for citywide text amendments to the IDO. The Planning Department has compiled approximately 60 proposed changes and analyzed them for the EPC's review and recommendation to the City Council.

The request meets relevant application and procedural requirements in IDO Subsection 14-16-6-7(D) for citywide text amendments and is consistent with the Annual Update process established by IDO Subsection 14-16-6-3(D). This request meets the review and decision criteria for citywide text amendments in IDO Subsection 14-16-6-7(D)(3).

The proposed changes are generally consistent with applicable Articles of the City Charter and a preponderance of applicable Comprehensive Plan Goals and policies from Chapter 4: Community Identity, Chapter 5: Land Use, Chapter 7: Urban Design, Chapter 8: Economic Development, Chapter 9: Housing, Chapter 11: Heritage Conservation, and Chapter 13: Resilience and Sustainability.

Planning Staff held online study sessions and open houses regarding the proposed changes. The request was announced in the Albuquerque Journal, on the ABC-Z project webpage, and by e-mail. The Planning Department provided notice to neighborhood representatives via e-mail as required, and via mail for those without an e-mail address on file.

Interested parties, including various neighborhood organizations and individuals, provided comments that address a variety of topics. Topics generating the most interest and/or concern are duplexes, walls and fences, and outdoor lighting. Some neighborhood organizations expressed concern about the IDO update process and have questions about some of the proposed text amendments.

RECOMMENDATION – RZ-2023-00040 – December 14, 2023 – Text Amendment to the IDO – Citywide

That PR-2018-001843/RZ-2023-00040 be continued for one month to the January 11, 2024 special EPC hearing.



Michael Vos, AICP
Principal Planner



China Osborn
Senior Planner

Notice of Decision cc list:

List will be finalized subsequent to the EPC hearing on December 14, 2023.

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Long Range Planning

See attached email and comments dated November 21, 2023

CITY ENGINEER

Transportation Development

Hydrology Development

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Traffic Engineering Operations

Street Maintenance

WATER UTILITY AUTHORITY

Utility Services

No adverse comments.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

See attached email and comments dated November 27, 2023.

PARKS AND RECREATION

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

No comment at this time.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No adverse comments to the 5th annual update text amendments to the IDO.

ALBUQUERQUE PUBLIC SCHOOLS

No comment.

MID-REGION COUNCIL OF GOVERNMENTS

See attached memo dated November 20, 2023.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

PUBLIC SERVICE COMPANY OF NEW MEXICO

Please see attached letter dated November 27, 2023

Agency Comments

From: [Bolen, Rebecca A.](#)
To: [Vos, Michael J.](#); [Renz-Whitmore, Mikaela J.](#); [Osborn, China E.](#); [Jones, Megan D.](#)
Subject: Long Range Comments for IDO Application
Date: Tuesday, November 21, 2023 12:36:24 PM
Attachments: [EPC LR Comments_IDOTextCityWideFINAL.docx](#)

Hi all,

Long Range comments for RZ-2023-00040, Amendment to IDO Text – Citywide are attached. Have a great day,

Rebecca



REBECCA BOLEN

she | her | hers

principal planner

o 505.924.3843

m 505.362.1372

e rbolen@cabq.gov

cabq.gov/planning

Long Range Comments for December 2023 Special EPC Hearing

Case Number: RZ-2023-00040 _Amendment to IDO Text – Citywide

Address: *Citywide*

CPA/CPO: *Citywide*

Request: *Amendment to IDO Text*

Size of project site: *Citywide*

Case Planner: *Michael Vos*

Outdoor Amplified Sound #2, #7 & #50

Several participants in the Central ABQ and East Gateway Community Planning Area (CPA) assessments would welcome the addition of a creation of a new “Outdoor Amplified Sound” use, residential protections, and a definition.

Cottage Development #3

Many residents in the Near Heights CPA expressed support for cottage development, as it may increase opportunities for living in proximity to family and aging in place, if not in a person’s home than in their neighborhood.

General Retail - Walls/fences #4, Light Vehicle Fueling Station - Walls/fences #5, Walls & Fences - Front Yard Wall #23, Options for a Taller Front or Side Yard Wall #24

Participants in the CPA Assessments generally, and particularly in the Near Heights, wanted to increase pedestrian access and maintain sightlines between buildings in residential and retail areas. Changes requiring more fencing, especially around the perimeter of the property, should carefully consider the impact on pedestrians that may be pushed closer to traffic, in particular where older sidewalks do not meet ADA standards.

Residents in the Near Heights CPA have generally been opposed to allowing taller fences in residential areas.

Overnight Shelter #9

Throughout the CPA Assessment process in Near Heights, Southwest Mesa, East Gateway, and Central ABQ neighbors expressed concern for people without shelter. Many participants supported increasing services.

Dwelling, Two-family Detached (Duplex) #10 & #13

Near Heights community members appreciate the mix of housing types within neighborhoods. Two participants in the East Gateway CPA Assessment opposed allowing duplexes in single-family zones.

Conditional Uses for City Facilities #11

Some community members mentioned confusion around the development process, as the builder or a neighbor witnessing building. The EPC should carefully consider changes that complicate when and where standards are applied.

Dwelling, Live-work #12

This proposed change supports Southwest Mesa community members' desire to have increased access to neighborhood services while prohibiting undesirable uses. While better served, Near Heights and Central ABQ neighbors also desired more amenities within walking distance of their homes.

Landfill Gas Mitigation #15

Community members throughout the assessment process in all four CPAs expressed a desire for clean, safe, and sustainable neighborhoods and recreational amenities. Community members in the East Gateway CPA were particularly interested in the South Eubank Landfill and were pleased to learn about continuing monitoring. The EPC should carefully consider potential impacts of modifying standards for environmental monitoring.

From: [Barber, Charles A.](#)
To: [Vos, Michael J.](#); [Renz-Whitmore, Mikaela J.](#); [City of Albuquerque Planning Department](#)
Subject: ESD comments for IDO changes
Date: Monday, November 27, 2023 9:13:15 AM
Attachments: [Landfill Guidance change Implications 2023.pdf](#)
[image002.png](#)

Mikaela and Michael,

Here are our comments on the proposed IDO change.



CHARLES BARBER, P.G

manager | environmental services division
environmental health department

o 505.768.2630

m 505.228.5195

cabq.gov/environmentalhealth/

Technical Comments on the proposed change to Integrated Development Ordinance (IDO) section 5-2(H)

The Environmental Services Division (ESD) is providing input on the proposed change due to the significant health and safety risk that would be caused by removing protective language that ensures proper mitigation efforts are required near landfills older than 30 years. These landfills continue to actively produce toxic substances and represent a risk to the City and to the community. ESD proposes that this amendment be struck from the draft revisions.

The Environmental Health Department (EHD), ESD staff submits the following technical Comments on the proposed change of section 5-2(H) of the IDO.

Proposed changes impact

The elimination of landfills greater than 30 years in age from the IDO would remove all landfills currently regulated under this ordinance. This increases the hazards to City of Albuquerque (CABQ) residents due to the significant health and safety risk that would be caused by removing protective language that ensures that proper mitigation and remediation efforts are required for construction projects near landfills older than 30 years. The only two landfills meeting the proposed criteria are outside City of Albuquerque limits; Cerro Colorado municipal waste facility and Southwest Landfill construction waste facility, which are regulated by the New Mexico Environment Department (NMED).

History

The ordinance was originally developed to regulate areas around landfills within Albuquerque that were not regulated by either the State of New Mexico or the United States Environmental Protection Agency (US EPA). The "Interim Guidelines for Development within City Designated Landfill Buffer Zones" (Interim Guidelines) were drafted in part as a response to a settlement against the City by a local developer for landfill gas migration from the closed Los Angeles Landfill into the developer's property. The City paid over 2 million dollars in the Spring of 2000 to purchase the property from the developer. The City vowed to take a "programmatic approach to our landfill issues and not deal with them on a case-by-case basis." (See April 13, 2000, Albuquerque Journal Article "Curing a Methane Headache" https://infoweb.newsbank.com/apps/news/openurl?ctx_ver=z39.88-2004&rft_id=info%3Aaid/infoweb.newsbank.com&svc_dat=NewsBank&req_dat=1034BCED5D9D696D&rft_val_format=info%3Aofi/fmt%3Akev%3Amtx%3Actx&rft_dat=document_id%3Anews%252F0EAC54F9DB93EDA3).

At the time of drafting the Interim Guidelines, there was concern over the potential and active migration of gases from closed landfills. There was also concern that some of the former landfills were privately owned and that the City was no longer able to ensure that the sites were being adequately maintained and monitored. Another concern in developing the Interim Guidelines was that unregulated excavating and filling actions can be considered opening a formerly closed landfill per NMED criteria. This opening of the landfill would potentially require the entire landfill to come under the jurisdiction of current NMED Solid Waste Bureau regulations.

Current conditions

All landfills that fall under the ordinance are over 30 years of age and are non-engineered landfills. US EPA typically categorizes these sites as dump sites or open dumps and not landfills as they have very limited or no controls to prevent contaminant migration to the environment. These landfills do not have liners, do not have an engineered final cap, or extensive siting review. Typically, the landfills were placed in old sand and gravel quarries or in arroyos. These locations are particularly poor choices for the

siting of landfills as they increase the ability for gas to migrate from the site to surrounding areas due to the porosity of the soils. All CABQ closed landfills, with the exception of Los Angeles landfill, do not have an active gas collection and destruction system. All of these landfills did not segregate waste and therefore received waste that is considered hazardous waste under current regulations. The Los Angeles Landfill at 40 years post-closure has a complete landfill gas collection and flare system that controls gas migration to surrounding property. The flare operates continuously, 24 hours a day every day of the year. Based on testing of perimeter wells at Los Angeles Landfill it is calculated that landfill gas would migrate to neighboring properties in approximately 8 weeks if the landfill gas collection and destruction system was not present at the closed Los Angeles Landfill.

Land ownership

Some closed landfills are partly or entirely on land not owned by the City of Albuquerque. Nazareth, Los Angeles, and Yale landfills are on City-owned land. Kirtland landfills are located on federally-owned land. San Antonio, San Francisco, Atrisco, the west half of Eubank, Coronado, Menaul/University, Riverside, Seay Brothers, and Schwartzman landfills are mostly on private land. Sacramento Landfill is on NM Department of Transportation land. South Broadway Landfill and the east half of Eubank Landfill is located on State Land Office land.

What is the risk associated with landfills closed more than 30 years ago?

As the refuse in landfills decomposes, landfill gas is generated. Landfill gas is a mixture of methane, carbon dioxide and trace toxic gases (including but not limited to hydrogen sulfide and chlorinated solvents such as tetrachloroethene). As landfill gas is generated it may become pressurized within the landfill and the gas will move outside of the boundary of the landfill. A rule of thumb in the Solid Waste industry is that landfill gas is assumed to migrate up to 1,000 feet laterally if left uncontrolled and landfill gas can migrate over 1,000 feet through preferential pathways (sand and gravel layers or unprotected utility corridors). Landfill gas can then build up in buildings and other structures in the surrounding property, which is a potential explosion hazard (due to methane), as well as a health hazard due to the toxic gases in landfill gas.

Closed landfills in the desert southwest have a very long window as potential health hazards. The dry, arid environment allows landfill gas production to extend past the normal USEPA estimates for landfill gas production. As an example, the closed Yale landfill which operated from 1948-1965, still produces landfill gas with 20% methane. Methane is flammable at 5% concentrations and this landfill has been inactive for almost 60 years, double the post closure time frame suggested by USEPA and NMED.

Other potential issues with landfill gas migration are that some of the trace toxic gases (especially chlorinated solvents) that are left behind after the landfill gas has pushed out of the landfill will remain in the soil gas for decades. NMED has Vapor Intrusion Screening Levels (VISLs) that pertain to these situations and can impact the development on properties that are affected by the soil gas contamination. The trace toxic gases in the landfill gas also can have significant impacts on ground water quality. The closed Los Angeles Landfill had a contaminant plume that took several decades to remediate and still has a Voluntary Abatement Plan with NMED to monitor the groundwater. Almost all City operated closed landfills have groundwater contamination (most are below NMED regulatory standards).

Other concerns for development on or near closed landfills include:

- Differential settlement and subsidence due to landfill decomposition
- Landfill fires/spontaneous combustion of waste due to the increase of oxygen intrusion into the landfill

- Dangers to workers during construction
- Landfill gas migration into structures placed near landfills
- Water intrusion into these arid landfills will cause a dramatic increase in landfill gas generation

Other municipalities

The Interim Guidelines are not unique to the City of Albuquerque. In fact, our guidelines were partially based on the City of Tucson's Ordinance, which predates the Interim Guidelines. Several other States and Municipalities have landfill buffer zone ordinances, rules, and regulations (See City of Tucson Ordinance <https://www.tucsonaz.gov/files/sharedassets/public/v/1/city-services/environmental-services/documents/landfillord.pdf> and County of San Diego https://www.sandiegocounty.gov/content/dam/sdc/pds/docs/Hazardous_Guidelines.pdf as two examples.)

Current guidelines allow for buffers areas to be reduced or innovative approaches

The ordinance allows for landfills to have their buffer areas decreased, removed to the limits of the landfill, or the entire landfill removed from the ordinance based on modeling and testing. Holly and Oakland landfills were removed from the ordinance because all waste was removed from the properties. Atrisco Landfill is limited only to proper disposal of waste with no gas migration requirements after studies by ESD. Coronado Landfill is limited to the landfill boundaries with mitigations required for proper removal of waste and vapor intrusion on the landfill site. The guidelines under the ordinance allow for innovative or new state of the practice approaches. While other municipalities have very restrictive requirements, the guidelines as they currently exist allow for measured approaches that allow safe use of these hazardous properties.

Some recent issues

Yale Landfill, the City's second oldest landfill (operated from 1948 to 1965), recently had a fire in 2022 due to trash from the 1940's that still had not degraded. Nazareth Landfill requires annual landfill gas flaring and sealing of asphalt cracks to allow for RV parking during Balloon Fiesta. Development on San Antonio Landfill resulted in increased landfill gas migration towards neighboring houses that required implementation of powered venting by the landfill development project. Waterline leaks on San Antonio landfill caused landfill gas generation resulting in soil vapor readings exceeding 40% methane where previously they had been below 1%. Settlement along San Antonio Road from I-25 to Louisiana includes a continuous maintenance cost that would have been avoided if current IDO guidelines had been available for the engineers and planners.

Conclusion

In its current state the City of Albuquerque IDO provides a methodology for staff to review safe construction and individually tailored remediation around closed landfills and use of otherwise empty hazardous properties. The proposed amendment of the current IDO removes safeguards and exposes the City and its residents to potentially unsafe chemical exposures and explosive conditions.



Mid-Region Metropolitan Planning Organization

Mid-Region Council of Governments

809 Copper Avenue NW
Albuquerque, New Mexico 87102
(505) 247-1750-tel. (505) 247-1753-fax
www.mrcog-nm.gov

TO: Alfredo Salas

FR: Peach Anderson-Tauzer, Outreach & Engagement Planner

RE: MRMPO Comments for Environmental Planning Commission Cases Scheduled for December 14, 2023 Hearing

November 20, 2023

The following staff comments relate to transportation systems planning within the Albuquerque Metropolitan Planning Area (AMPA). Principal guidance comes from the *2040 Metropolitan Transportation Plan (MTP)* and the maps therein; *Transportation Improvement Program (TIP) for FFY 2016-2021*; the *Intelligent Transportation Systems (ITS) Regional Architecture*; and the *Roadway Access Policies* of the Transportation Coordinating Committee (TCC) of the Metropolitan Transportation Board (MTB).

#PR-2018-001843

RZ-2023-00040

MRMPO has no adverse comment. For informational purposes:

Appendix G of Connections 2040 (MTP) supports the following as it relates to the 2023 IDO Update: Two-Family Detached (Duplex) amendment.

- Incentivize redevelopment, transit-oriented development, and infill in order to maximize the utility of existing infrastructure.
- Increase alternative housing concepts such as tiny homes, co-housing, multi-generational housing, and accessory dwelling units.
- Promote a diverse mix of housing, in cost, unit types, and neighborhood settings.
- Promote fiscally responsible growth patterns.

Appendix G of Connections 2040 (MTP) recommends the following as it relates to the 2023 IDO Update: Parking maximums near transit facilities amendment.

- Adopt parking management strategies to decrease parking requirements in activity centers and redevelopment areas and increase parking costs in high demand locations.

RZ-2023-00043

MRMPO has no adverse comment.

RZ-2023-00044

MRMPO has no adverse comment.

If you have any questions or require further information, please do not hesitate to contact me by e-mail at panderson-tauzer@mrcog-nm.gov.

From: [Brito, Russell](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Maestas, Ken](#)
Subject: 2023 IDO Annual Update
Date: Monday, November 27, 2023 8:55:49 AM
Attachments: [image001.png](#)
[PNM - CABO IDO 2023 Annual Update - Nov 2023.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

EPC Chair Schaffer,

Public Service Company of New Mexico (PNM) appreciates this first opportunity to provide comments on proposed amendments to the Integrated Development Ordinance (IDO) for your consideration and requests changes for your recommendation to City Council. Attached is a letter that outlines PNM's concerns with the proposed amendments to address Battery Energy Storage Systems (BESSs).

Thank you,

Russell Brito

Land Use & Permitting Administrator
Environmental Services & Land Use Permitting



505.241.2798

u

Main Offices
Albuquerque, NM 87158 -1105
P 505 241-2849
F 505 241-2347
PNM.com



November 27, 2023

EPC Chair David Shaffer
c/o CABQ Planning Department
PO Box 1293
Albuquerque, NM 87103

Subject: 2023 IDO Annual Update

Dear Chair Shaffer,

Public Service Company of New Mexico (PNM) appreciates this first opportunity to provide comments on proposed amendments to the Integrated Development Ordinance (IDO) and requests several changes for your consideration and recommendation to City Council. PNM would like to thank Planning Department staff for their inclusion of a new Battery Energy Storage System (BESS) use that is imperative for the successful transition of electricity generation to emissions-free and renewable sources, such as solar and wind power.

Regulatory Background and Context

Critical infrastructure includes the physical and cyber systems and assets that are so vital to the United States that their absence or incapacity would have a debilitating impact on our physical and economic security, public health, and safety. The federal government identifies the electric grid system as critical infrastructure that provides the essential services that underpin American society. The United States Department of Homeland Security (DHS) categorizes the energy sector as one of 16 critical industries.

The DHS further identifies the energy sector as uniquely critical because it provides an enabling function across all critical infrastructure sectors. A stable energy supply supports health and welfare, the U.S. economy, and is a vital component of modern life. Electric utility facilities deliver this essential service to all end-users, including homes, businesses, schools, and other institutions.

The federal government regulates the nationwide, interconnected electric grid system, except in Texas that has its own separate electric grid. The Federal Energy Regulatory Commission (FERC) is an independent agency within the Department of Energy (DOE) that regulates the interstate transmission of electricity. The North American Electric Reliability Corporation (NERC) is a regulatory body, subject to oversight by FERC, that develops and improves the industry's reliability standards, monitors and enforces compliance, and issues penalties for violations or nonconformance. In October 2023, FERC directed NERC to develop reliability standards for wind, solar, and battery storage systems.

The New Mexico State Legislature adopted, and the Governor signed into law the Energy Transition Act (ETA) in 2019. The ETA fundamentally changes the dynamic for electricity generation and delivery by requiring all investor-owned utilities (IOUs), including PNM, to have a 100% emissions-free generation portfolio by 2045. In conjunction with wind and solar renewable generation sources, PNM needs BESS (Battery Energy Storage System) facilities, which are critically necessary to provide power when the sun is not shining and the wind is not blowing (intermittency).

A BESS is a utility-scale facility that consists of rechargeable batteries that stores energy from different sources and discharges the energy when it is needed. BESS can be used to balance the electric grid, provide backup power, and improve grid stability at the distribution level. Battery storage technologies are quickly evolving and making notable improvements in reliability, capacity, and safety every year.

The New Mexico Public Regulation Commission (NM PRC), a regulatory subdivision of the State, is charged with ensuring that IOUs comply with the ETA and its requirements for clean energy. PNM is on-track to meet the ETA requirements with ongoing interconnections of new, utility-scale solar and wind power generation and the implementation of new BESS facility projects.

PNM has a franchise agreement with the City of Albuquerque that allows electric facilities such as power lines and pole structures, switches, and transformers to be placed in the public right-of-way. This agreement, together with IDO standards and regulations for private properties provides the local government framework for the larger electric grid and its Electric Utility facilities and uses.

The electric grid is evolving to meet the challenges and opportunities presented by the ETA, including addressing the intermittency of renewable generation, extreme weather events becoming more frequent and disruptive, and accommodating numerous requests for interconnection to the larger system. And of course, the electrification of the transportation system is steadily increasing the demand for electricity and the infrastructure needed to support electric vehicles (EVs). Both short-duration and long-duration energy storage systems are needed to help address all variables to maintain and improve the safe and reliable provision of electric service in New Mexico.

BESS Technologies and Renewable Generation

The New Mexico Renewable Energy Transmission Authority (NM RETA) recently hosted their second annual Energy Storage Workshop on October 23 & 24, 2023. Several manufacturers, state and federal government officials, and research scientists shared details about the latest innovations and products that are becoming available for utility-scale BESS projects and applications.

Recent BESS technology advances have introduced both improvements to existing technologies and new technologies that are non-flammable, more cost-effective, and that use easily sourced materials with better availability at the national and global scale. Lithium-ion batteries, with their high operating and maintenance expenses, limited cycle life, and use of flammable liquids and toxic materials have until now dominated the energy storage sector. Newer BESS technologies include iron-air batteries (1/10th the cost of lithium ion), nickel-hydrogen batteries that have no thermal runaway risk and no flammable liquids or toxic materials, and systems that use hot & cold water as the storage medium (https://nmreta.com/energy_storage_workshop/).

BESSs can be single or combinations of technologies, including electrochemical batteries, thermal energy storage, and/or mechanical energy storage. In general, as the transition to emissions-free and renewable generation sources progresses, BESSs help to reduce costs, while improving resiliency, sustainability, and the safety of the electric grid. But this is only possible if BESSs are allowed to be located throughout PNM's service area, especially where the growth of load demand for electricity is occurring.

New load growth is increasingly driven by population growth, transitions to electric HVAC systems and electric appliances, economic development projects, and electric vehicles (EVs). BESSs are most effective when they are located near the load demand center and where there are existing electric utility facilities such as substations and renewable generation. The technical requirements for BESSs include interconnection to the distribution system, transformers, switches and other control equipment, and adequately sized sites that maximize efficacy, efficiency, and effectiveness.

IDO Annual Update

Currently, Electric Utility uses are a Permissive Primary use in every IDO Zone District except NR-SU (sensitive use) and NR-PO (parks and open space) where they are an accessory use:

Zone District >>	Residential						Mixed-use				Non-residential							Use-specific Standards	
	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	NR-SU	A	B		C
Land Uses																			
Electric utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	4-3(E)(8)

Existing IDO use and development standards reflect the IDO's acknowledgement that the electric grid and electric utility uses are critical infrastructure and are permissive or allowed uses in all Albuquerque communities and neighborhoods. Electric utility infrastructure is as important as stormwater facilities, potable water systems, wireless telecommunication, roadways, traffic control signals, and streetlights. Every other infrastructure system in the City of Albuquerque relies upon the electric grid to function in-part or in-full. The emergence of EVs and the growing demand for electricity to fuel them, along with the growing prevalence of renewable generation, also speak to the critical importance of Electric Utility uses that make up the electric grid.

Because the IDO's current definition for Electric Utility already includes battery storage, PNM in early October 2023 requested from Planning staff a single, comprehensive change to IDO Use Specific Standard (USS) 4-3(E)(8) for the Electric Utility use. This requested change was to clarify and ensure the continued allowance of this critical BESS use with development standards equal to those for a substation:

- For USS 4-3(E)(8) Subsections (a), (b), (c), and (d): **add + stand-alone Battery Energy Storage Systems (BESSs)** + in addition to substations.

The above requested change is the simplest, most straightforward way of addressing the emerging prevalence of BESSs, an Electric Utility use, that reflects the need for them to be as ubiquitous as substations, interspersed at technically regularized intervals throughout the City of Albuquerque and Bernalillo County.

Proposed IDO Amendments for Battery Energy Storage Systems

PNM, the public utility that provides Albuquerque's critical electric infrastructure and service, will be most directly affected by that these proposed 2023 Annual Update standards. Private, merchant developers of BESS systems will also be affected. PNM would like to take this first opportunity to address the proposed IDO Annual Update amendments drafted by Planning Department staff. The below comments include requested changes for the BESS use allowance, Use Specific Standards (USSs), landscaping standards, maintenance standards, and the BESS definition.

In general, the proposed standards for BESSs appear intended to protect the general health, safety, and welfare of City residents, but many of the proposals create intractable obstacles to the integration of these critical facilities into the electric grid where and when they are needed. As BESS facilities are critical to the State mandated transition to emissions-free and renewable generation sources, many of these proposed amendments could be contrary to the intent of and realistic and timely compliance with the Energy Transition Act (ETA).

Below are PNM's comments for the lengthy set of amendments proposed for BESS facilities:

Proposed Amendment

1. On page 154, in the Telecommunications, Towers, and Utilities sub-category of Industrial Uses in Table 4-2-1, add a new row for “Battery energy storage system” with a P in NR-LM and NR-GM to allow a battery energy storage system as a permissive primary use.

PNM response:

Because the current IDO definition for Electric Utility already identifies and includes battery storage and the Electric Utility use is allowed in all IDO Zone Districts, limiting BESSs to manufacturing zones is contrary to the definition of Electric Utility and the use’s permissive allowance in every IDO Zone District except NR-SU and NR-PO. Limiting BESS uses to manufacturing zones will severely hamper the ability of PNM and merchant developers to integrate battery energy storage systems into the distribution system in areas of increasing load demand for electricity in mixed-use, residential, and economic development that will occur in areas outside of the NR-LM and NR-GM Zone Districts.

BESS facilities are unmanned and if limited to only manufacturing zone districts will take away limited land that is needed for employment growth that is more appropriately located in NR-LM and NR-GM areas. PNM will be interested in the staff report analyses and reasoning for this proposed location limitation for BESSs that reflect the ongoing technological advances for reliability and safety and that address the need for Electric Utility uses to be located as close to electric load demand centers as possible. PNM requests that the BESS use be a Permissive Primary use in all IDO Zone Districts in exactly the same way as the more comprehensive Electric Utility use.

Proposed Amendment

2. On page 194, in Subsection 14-16-4-3(E), add a new Subsection for battery energy storage system with text as follows.

4-3(E) INDUSTRIAL USES

- 4-3(E)(2) Battery Energy Storage System [New]**
4-3(E)(2)(a) Energy storage system capacities, including array capacity and separation, are limited to the thresholds in the National Fire Protection Association (NFPA) standard 855.

PNM response:

- (a) PNM is not opposed to applicable fire safety regulations, but requests clarifications and answers to the following concerns and questions:
 - It is unclear who would enforce this new subsection for compliance with NFPA standard 855 thresholds. Would this be the Zoning Enforcement Officer (ZEO) within the Planning Department because it is in the IDO, or would it be the AFR Fire Code Official?
 - Would a review of a proposed BESS project per this new standard be part of an administrative site plan approval or would a separate process be applicable?
 - If there is a conflict between any existing section of the IDO and/or of the City’s Fire Code (14-2-1 et seq) and/or the International Fire Code (IFC), and/or the International Building Code (IBC) with this new requirement to comply with NFPA standard 855, will the ZEO or the Fire Code Official determine which regulation/standard shall apply?
 - Will this new subsection apply to non-electrochemical BESS projects that may rely on technologies such as thermal or mechanical energy storage?

4-3(E)(2)(b) The 1-hour average noise generated from the Battery Energy Storage System, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA (i.e. A-weighted decibel) as measured at any property line.

1. Applicants may submit equipment and component manufacturers noise ratings to demonstrate compliance.
2. The applicant may be required to provide Operating Sound Pressure Level measurements from locations evenly spaced every 100 feet along the property line to demonstrate compliance.

PNM response:

(b) PNM acknowledges its current obligation to comply with the City's Noise Control Ordinance (9-9-1 et seq) and requests clarifications and answers to the following concerns and questions:

- It is unclear who would be enforcing this new subsection for compliance with the 60 dBA sound level. Would this be the Zoning Enforcement Officer (ZEO) within the Planning Department because it is in the IDO or the Environmental Health Department that enforces the City's Noise Control Ordinance?
- If there is a conflict with the City's Noise Control Ordinance, which standard would prevail and who would make such a determination, the ZEO or the Environmental Health Department?
- Would a review of a proposed BESS project per this standard be part of an administrative site plan approval or would a separate process be applicable?
- If an applicant for a BESS project is required to provide sound level measurements, would the Planning Department or Environmental Health Department be reviewing and certifying compliance?

4-3(E)(2)(c) A landscaped buffer at least 25 feet wide containing 2 evergreen trees and 6 shrubs per 25 feet shall be provided along all property lines.

PNM response:

(c) This proposed 25 foot landscape buffer along all property lines makes development of critical BESS facilities infeasible, especially in infill areas where land is often only available as smaller parcels, but where electric load demand growth occurs with redevelopment and infill projects and the steady adoption of EVs.

Unlike the existing landscape requirements for substations (4-3(E)(8)), this proposed standard does not give any deference to "the safety and maintenance requirements of substations." BESS facilities are Electric Utility uses that require interconnections with the local distribution system, most of which are overhead lines that are not compatible with "2 evergreen trees and 6 shrubs per 25 feet . . . along all property lines" because of potential damage to the lines from tree limbs and branches. Underground lines in conduits and their junction boxes have similar potential to be damaged by tree roots. Because it is a USS, this subsection also conflicts with and will supersede (see IDO section 1-8(A)(2)) the current landscaping requirements in IDO section 5-6(C)(10) that are intended to protect critical infrastructure.

PNM is required by the NM PRC to interconnect not only private renewable generation sources, but also private BESS projects. Private merchant BESS developers may see this proposed requirement as a deal-breaker if it prevents a project from “penciling out” and making sense as an investment opportunity, which may detract from the electric grid reaching the goals and meeting the requirements of the State’s Energy Transition Act (ETA).

If public safety is the intent of this impractical landscape buffer around every BESS project, then the establishment of numerous, attractive nuisances for the unhoused, taggers, and vandals may well be the result, and not the furtherance of public safety. Critical infrastructure should not be subjected to the risks that a 25 foot landscape buffer on all sides presents, especially in “rear yard” areas located away from streets where public safety service providers (Albuquerque Police Department, Albuquerque Fire and Rescue, and Albuquerque Community Safety) need visibility.

PNM requests that BESS landscape requirements be identical to those for substations and not per subsection (c). PNM also requests that the wall requirement USS for substations be applicable to all BESS facilities as well.

4-3(E)(2)(d) All onsite utility lines and connections, including associated equipment, shall be placed underground or pad mounted, unless soil conditions, shape, or topography of the site as verified by the City Engineer dictate above-ground installation. Electrical transformers for utility interconnections may be above-ground if required by the utility provider.

PNM response:

- (d) Requiring that “all onsite utility lines and connections, including associated equipment, shall be placed underground or pad mounted” will make BESS facilities cost-prohibitive in many locations because existing overhead distribution lines will have to be “risered down” with new pole structures and conduits. This requirement may create conflicts between the Franchise Agreement that covers the public right-of-way and the IDO that covers private properties if changes on the private side require changes on the public right-of-way side that cannot be accommodated because of limited space or other existing infrastructure (streetlights, traffic signals, bus stop shelters, fire hydrants, sidewalks, etc.).

And pad mounted equipment is by definition above-ground, which may require the ZEO to determine what is pad mounted versus what is underground versus what is above ground on a case-by-case basis. These potential internal conflicts and the need to resolve them would add additional uncertainty and less predictability to the development review process for critical infrastructure. This undergrounding requirement is also in conflict with above subsection (c) because underground conduits and junction boxes may be in direct conflict with evergreen tree and shrub planting locations every 25 feet along all property lines.

Since this requirement for undergrounding is not a measurable standard and relies entirely upon the City Engineer for relief from its requirements, what “soil conditions, shape, or topography of the site” would they verify and per what dictating criteria?

PNM requests that this subsection (d) in its entirety not be recommended to City Council or included in any way as a USS for a BESS use.

4-3(E)(2)(e) This use is prohibited within 330 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district.

PNM response:

- (e) This proposed distance separation requirement from residential zones and residential uses makes development of critical BESS facilities infeasible, especially in infill areas where land is often only available as smaller parcels, but where electric load demand growth occurs with redevelopment projects and the adoption of EVs. BESS facilities need to be located as close to electric load demand centers as possible to be most effective.

Ideal BESS locations include where load growth is driven by mixed-use and residential development/redevelopment, new EV charging stations in single-family home garages and at multifamily residential parking areas. Load growth can also be driven where natural gas HVAC systems and appliances are being replaced by electrically powered systems and appliances, namely residential, mixed-use, and commercial areas. Available land is also a driving criterion for the location of new BESS projects and this proposed distance separation requirement even makes some manufacturing zone district (NR-LM and NR-GM) areas unavailable if there is adjacency to residential zone districts or residential uses.

Similarly to substations, BESS facilities do not generate electricity, do not produce emissions, and must be maintained per FERC and NERC requirements. Further, compliance with NFPA standard 855 thresholds (see (a) above) should hopefully and adequately address all fire safety concerns and potentialities. And finally, a requirement for a security wall around a BESS facility would help integrate it into any community or neighborhood context in the same way as security walls for a substation, an Electric Utility use allowed in all Residential and Mixed-Use Zone Districts (see existing IDO USS 4-3(E)(8)).

PNM requests that this subsection (e) in its entirety not be recommended to City Council or included in any way as a USS for a BESS use.

Proposed Amendment

3. On page 276, in the Telecommunications, Towers, and Utilities sub-category of Industrial Uses in Table 5-5-1, add a new row for "Battery energy storage system" with "No requirement" for parking.

PNM Response:

This amendment is logical and based in reality because BESS facilities, like substations, are unmanned and do not require parking for staff or customers.

PNM strongly supports proposed amendment number 3.

Proposed Amendment

4. On page 303, in Subsection 14-16-5-6(C)(10), add a new subsection with text as follows.

5-5(C) GENERAL LANDSCAPING STANDARDS

5-6(C)(10)

Planting near Utilities

5-6(C)(10)(h) [new] Planting of combustible plant material is prohibited within 25 feet in any direction of a battery energy storage system.

Ground cover and turf are allowed, provided that they do not form a means of readily transmitting fire.

PNM Response:

This amendment is in direct conflict with the proposed USS 4-3(E)(2)(c) that requires a landscape buffer with 2 evergreen trees and 6 shrubs per 25 feet along all property lines. Evergreen trees are extremely combustible plant material because of their high levels of oils, resins, and/or waxes. Shrubs are combustible plant material. “Ground cover and turf” could include crusher fine or other gravel, living vegetation, and/or artificial turf, depending on what section of the IDO is referenced. This proposed amendment is internally inconsistent because living vegetation and turf are all combustible regardless of their hydration or greenness and could form a means of readily transmitting fire. Any plant can burn, and especially evergreen trees and shrubs.

Furthermore, this proposed amendment is unnecessary because per IDO section 1-8(A)(2), if there is a conflict between this proposed Planting near Utilities amendment and the proposed BESS USS amendment, “the Use-specific Standard shall prevail regardless of whether the Use-specific Standard is more or less restrictive than the Development Standard.” If both this landscape standard, 5-6(C)(10)(h), and USS 4-3(E) are adopted, then this may present applicants and the Zoning Enforcement Officer (ZEO) with an unnecessary determination about which standard prevails for each and every BESS project. Again, these potential internal conflicts and the need to resolve them would add additional uncertainty and less predictability to the development review process for critical infrastructure.

PNM requests that this amendment in its entirety not be recommended to City Council or included in any way as part of the IDO Annual Update.

Proposed Amendment

5. On page 383, in Subsection 14-16-5-13(B)(7), add a new subsection with text as follows.

5-13(B) MAINTENANCE STANDARDS

5-13(B)(7)

Landscaping, Buffering, and Screening

5-13(B)(7)(d) [new] The area within 25 feet in any direction of a battery energy storage system shall be cleared of combustible vegetation and other combustible growth.

PNM Response:

This amendment is in direct conflict with the proposed USS 4-3(E)(2)(c) that requires a landscape buffer with 2 evergreen trees and 6 shrubs per 25 feet along all property lines and with Proposed Amendment 4 above ground cover and turf. All vegetation, regardless of hydration or greenness, is combustible and therefore any required living landscape (e.g. evergreen trees and shrubs every 25 feet along every property line) would then have to be cleared. Then the site would become non-compliant to the USS for

landscaping, subjecting a property owner to enforcement action to re-install the landscape that would then have to be cleared. Any plant can burn, especially evergreen trees and shrubs that contain oils, resins, and/or waxes.

PNM requests that this amendment in its entirety not be recommended to City Council or included in any way as part of the IDO Annual Update.

Proposed Amendment

6. On page 548, in Section 14-16-7-1, add a new term “Battery Energy Storage System” with text as follows.

Battery Energy Storage System

A utility-scale facility that stores energy from the electrical grid and then discharges it at a later time to provide electricity when needed. Electrochemical batteries may include, but are not limited to, lithium-ion, lead-acid, redox flow, and molten salt (including sodium-based chemistries). For the purposes of this IDO, batteries used in consumer products, including EV vehicles, are not included in this use. Battery storage associated with an electric utility is regulated separately. See *Electric Utility*.

PNM Response:

PNM is concerned about the inclusion of this defined term because it only refers to “Electrochemical batteries” when describing a Battery *Energy* Storage System. It should go further to include thermal energy and mechanical energy storage systems as BESS facilities as well. The portion of the definition that works well is the differentiation of a BESS from batteries used in EVs and other consumer products. The last sentence: “Battery storage associated with an electric utility is regulated separately.” is not necessary and should be removed because the first sentence makes it clear that a BESS is “utility-scale” and a private merchant BESS developer may or may not be associated with an electric utility and these applicants should be held to the same standards as a public utility for the same use.

PNM might support this amendment with the changes noted above.

Proposed Amendment

7. On page 617, in Section 14-16-7-2, add new acronyms as follows.

NFPA: National Fire Protection Association

dBA: A-weighted decibel (dB)

PNM Response:

PNM is not opposed to this amendment.

Comprehensive Plan Goals and Policies

This set of IDO amendments to address BESS facilities do not appear to further the following CompPlan Goals and Policies, which is a requirement of IDO Review and Decision criterion 6-7(B)(3)(a) for the IDO Annual Update:

Goal 5.3 Efficient Development Patterns

Policy 5.3.1 Infill Development

Policy 5.3.2 Leapfrog Development

Policy 5.3.3 Compact Development

Goal 5.4 Jobs-Housing Balance

Goal 5.7 Implementation Processes

Policy 5.7.2 Regulatory Alignment

Policy 5.7.4 Streamlined Development

Policy 5.7.6 Development Services

Goal 7.6 Context-Sensitive Infrastructure

Policy 7.6.3 Utility Infrastructure

Goal 8.1 Placemaking

Policy 8.1.2 Resilient Economy

Policy 8.1.5 Available Land

Goal 12.1 Infrastructure Systems

Policy 12.1.6 Energy Systems

Goal 12.4 Coordination

Policy 12.4.1 Collaborative Strategies

Policy 12.4.4 Joint Use

Goal 12.5 Resources

Policy 12.5.1 Cost-Benefit Analysis

Policy 12.5.2 Cost Allocation

Policy 12.5.4 Cost Efficiencies

Goal 13.1 Climate Change

Policy 13.1.1 Resource-Efficient Development

Policy 13.1.2 Greenhouse Gas Mitigation

Policy 13.1.3 Public Infrastructure and Facilities

Goal 13.3 Natural Hazards

Policy 13.3.1 Resilient Infrastructure

Goal 13.4 Natural Resources

Policy 13.4.3 Energy Resources

Goal 13.5 Community Health

Policy 13.5.3 Public Infrastructure Systems and Services

Conclusion

What started as a relatively simple request from PNM for a minor text amendment to the existing Use-specific Standard for the Electric Utility use (4-3(E)(8)) to add Battery Energy Storage System (BESS) and apply the same standards as those for an electric substation have morphed into a lengthy set of proposed amendments that will have detrimental and unintended consequences for the development and implementation of BESS projects. These consequences include making it much more difficult to develop BESS projects that are critically necessary to comply with and implement the State mandated transition to emissions-free and renewable generation sources (Energy Transition Act). And the potential internal conflicts contained in these proposed amendments would add additional uncertainty and less predictability to the City's development review process for this critical infrastructure.

Electric load demand growth comes from all land uses located in all IDO Zone Districts and BESS infrastructure should not be relegated to only manufacturing zones. PNM respectfully requests that this proposed language be amended and pared down as detailed in this letter to reflect technically and economically realistic design standards that respond to current and future BESS technologies. BESS projects are critical infrastructure that will be necessary in all communities throughout the City of Albuquerque and Bernalillo County.

Sincerely,



Russell Brito
Land Use & Permitting Administrator
Environmental Services & Land Use Permitting

Cc: Ken Maestas – PNM

City Council Comments

From: [Schultz, Shanna M.](#)
To: [City of Albuquerque Planning Department](#); [Vos, Michael J.](#)
Subject: 2023 IDO Annual Update - Parking Maximum Amendment
Date: Friday, December 1, 2023 3:58:56 PM
Attachments: [image001.png](#)

Good afternoon,

Councilor Fiebelkorn submitted an IDO Amendment related to parking maximums in proximity to transit facilities. In the explanation of this amendment there is indication that park & ride facilities would be exempted from the parking maximum requirement, however the proposed text change fails to mention the park & ride exemption. To ensure that the intention of the amendment is fully realized, staff requests that a condition be drafted to add in the park & ride exemption prior to the package being transmitted to the full City Council.

Please let me know if you have questions about this request.

Thank you,
Shanna



Shanna Schultz, AICP | Council Planning Manager
Albuquerque City Council Services
Office: (505) 768-3185



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Tribal Engagement – Amended Proposal

DATE: December 6, 2023

Dear Director Varela and Ms. Renz-Whitmore,

In the memo titled “2023 IDO Update: Tribal Engagement” that I sent you on October 20th there was mention of two small-mapped area proposals. This memo serves as an update for Planning Department staff and the public that there will not be a proposed IDO amendment to create the small mapped area titled “Albuquerque Indian School Area”, as outlined in the original memo.

Through the required pre-application facilitated meeting process, it was brought to staff’s attention that this proposed small mapped area is, in fact, not necessary for several reasons:

1. The boundary, as originally proposed, would have applied the new tribal engagement process to properties that are held in federal trust. Land that is held in federal trust is not required to comply with any local zoning regulations, including the proposed tribal engagement process.
2. Of stronger interest to stakeholders in the area is ensuring the tribal engagement process is implemented *surrounding* the land that is currently held in trust. Within the existing tribal engagement proposal is a requirement that development “within 660 feet of Tribal Land” be subject to the tribal engagement process. This requirement will ensure that development within 660 feet of the land held in trust at the Albuquerque Indian School will be subject to the tribal engagement process.

The pre-application facilitated meeting process successfully brought to my attention these issues with the original proposal. Thank you to those participants who reviewed the proposal and provided feedback to staff.

For these reasons, please disregard the portion of the October 20th memo that references the creation of a new Small Mapped Area to be called the “Albuquerque Indian School Area”. I will not be submitting an application to create this small mapped area.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: EPC Chair David Shaffer

FROM: Pat Davis, City Councilor for District 6
Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: Battery Energy Storage System (BESS) Text Amendments

DATE: December 7, 2023

In the 2023 IDO Annual Update packet there is an exhibit that contains proposed language to be amended into the IDO for a new land use called “Battery Energy Storage System (BESS)”. These proposed changes do not adequately respond to the need to regulate BESS facilities.

BESSs are crucial to our clean energy transition and meeting the ambitious goals of the Energy Transition Act. This exhibit represents a monumental shift in the treatment of battery storage. Currently, battery storage is included in the Electric Utility Use and as such is permissive in nearly all zone districts. However, the exhibit would relegate stand-alone BESSs to NR-LM and NR-GM and requires a distance separation of 330 feet from Residential zone districts, limiting site availability and moving them away from where they are most needed.

In addition to the zoning district concern, the exhibit makes BESSs unnecessarily difficult to site with by requiring a 25-foot landscaped buffer and a prohibiting any planting within 25 feet of a facility, which is either conflicting or results in a required 50 foot buffer. We also find the definition of a BESS to be lacking by only referring to “Electrochemical batteries” while other options exist for energy storage such as thermal and mechanical storage. Finally, it puts onerous requirements for undergrounding that are both cost prohibitive and difficult to interpret.

It appears that many of these requirements are being put forth as safety concerns, and while we respect the intention, they are ill founded and will result in unintended consequences including slowing our transition to clean energy and preventing reliability improvements to our grid.

We would please request that the Environmental Planning Commission not consider any amendments to the IDO related to BESSs at the December 14th hearing. Please defer any consideration of this item to your January hearing, if it’s the will of the commission to have a second meeting. This deferral time will allow staff to work with industry and subject matter experts to propose reasonable land use regulations for BESSs to the Commission.

In the instance that the commission will not have a second hearing on the 2023 IDO Annual Update, we request that a condition of approval to the full City Council as follows:

“This commission makes no recommendation regarding line item #55 in the IDO Annual Update spreadsheet and its associated exhibit. The regulation of BESS facilities requires more analysis and input from industry experts. The City Council should determine how to best

regulate these facilities in later stages of the 2023 IDO Annual update process, which will allow city staff adequate time to engage with industry professionals on best practices and appropriate language.”

We thank you for your consideration and for your willingness to serve our city in this crucial role.

APPLICANT INFORMATION



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input checked="" type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Alternative Landscape Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		Appeals
		<input type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: City of Albuquerque, Planning Department / Urban Design & Development		Phone: (505) 924-3860
Address: 600 2nd Street NW, 3rd Floor		Email: mvos@cabq.gov
City: Albuquerque	State: NM	Zip: 87102
Professional/Agent (if any):		Phone:
Address:		Email:
City:	State:	Zip:
Proprietary Interest in Site:		List <u>all</u> owners:

BRIEF DESCRIPTION OF REQUEST

Amendment to IDO Text - Citywide for the 2023 IDO Annual Update, as required by Section 6-3(D) of the IDO.

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: Citywide	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code:
Zone Atlas Page(s):	Existing Zoning:	Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres):

LOCATION OF PROPERTY BY STREETS

Site Address/Street: Citywide	Between:	and:
-------------------------------	----------	------

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

PR-2018-001843 / RZ-2022-00054 (2022), RZ-2021-00048 (2021), RZ-2020-00046 (2020), RZ-2019-00046 (2019); Project #1001620 (Adoption of the IDO)

Signature:	Date: October 26, 2023
Printed Name: Michael Vos, AICP	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees
Meeting/Hearing Date:			Fee Total:		
Staff Signature:		Date:	Project #		

Form Z: Policy Decisions

Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

☒ **INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)**

- ☒ Interpreter Needed for Hearing? No ☐ if yes, indicate language: _____
- N/A Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B) *Not required for Amendment to IDO Text - Citywide
- N/A Letter of authorization from the property owner if application is submitted by an agent
- N/A Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
- N/A Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

☐ **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

☐ **ADOPTION OR AMENDMENT OF FACILITY PLAN**

- ☐ Plan, or part of plan, to be amended with changes noted and marked
- ☐ Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable
- ☐ Required notices with content per IDO Section 14-16-6-4(K)(6)
- ☐ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
- ☐ Proof of emailed notice to affected Neighborhood Association representatives
- ☐ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

☒ **AMENDMENT TO IDO TEXT**

- ☒ Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked
- ☒ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)
- ☒ Required notices with content per IDO Section 14-16-6-4(K)(6)
- ☒ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
- N/A Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing *Not required for Amendment to IDO Text - Citywide

☐ **ZONING MAP AMENDMENT – EPC**

☐ **ZONING MAP AMENDMENT – COUNCIL**

- ☐ Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- ☐ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable
- ☐ Required notices with content per IDO Section 14-16-6-4(K)(6)
- ☐ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
- ☐ Proof of emailed notice to affected Neighborhood Association representatives
- ☐ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- ☐ Sign Posting Agreement

☐ **ANNEXATION OF LAND**

- ☐ Application for Zoning Map Amendment *Establishment of zoning must be applied for simultaneously with Annexation of Land.*
- ☐ Petition for Annexation Form and necessary attachments
- ☐ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)
- ☐ Board of County Commissioners (BCC) Notice of Decision

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: 

Date: October 26, 2023

Printed Name: Michael Vos, AICP

☒ Applicant or ☐ Agent

FOR OFFICIAL USE ONLY

Project Number:

Case Numbers

-

-

-

Staff Signature:

Date:



CITY OF ALBUQUERQUE

Planning Department
PO Box 1293
Albuquerque NM 87103



October 26, 2023

David Shaffer, Chair
Environmental Planning Commission
c/o City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Dear Chair Shaffer,

As required by IDO Subsection 14-16-6-3(D), we are submitting the 2023 annual update to the Integrated Development Ordinance (IDO) for the Environmental Planning Commission's review and recommendation to the City Council, the City's ultimate planning and zoning authority.

In order for the City's land use, zoning, and development regulations to stay up-to-date, the IDO has an annual update process built into its regulatory framework. The annual update for 2023 includes approximately 50 changes requested by members of the public, staff, and the City Administration. Each proposed change provides the page and section of the adopted IDO that would be modified, the text that is proposed to change, along with an explanation of the purpose or intent of the change. This document is the main body of the application for Amendments to IDO Text - Citywide.

These proposed amendments to the IDO text are consistent with the required Annual Update process described in IDO Subsection 14-16-6-3(D). The Planning Department has compiled the requested changes and is now submitting the proposed amendments for EPC's review and recommendation at a special hearing in December. A detailed staff analysis of the amendments will be submitted to the EPC, which will include an analysis of the decision criteria set forth in IDO Subsection 14-16-6-7(D)(3).

Sincerely,

Alan Varela, Director
Planning Department

October 26, 2023

David Shaffer, Chair
Environmental Planning Commission
c/o City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102



Dear Chair Shaffer,

Please accept this letter of justification, required by IDO Subsection 14-16-6-7(D)(3), of the request for a Text Amendment to the Integrated Development Ordinance (IDO), submitted for the Environmental Planning Commission's review and recommendation to the City Council as part of the annual update required by IDO Subsection 14-16-6-3(D).

The IDO is the regulatory tool to realize and implement the "Centers and Corridors" community vision set out in the Albuquerque-Bernalillo County Comprehensive Plan ("Comp Plan") in a coordinated, citywide context where existing communities can benefit from appropriate new development, while being protected from potential adverse effects. The IDO regulations coordinate with the City's Development Areas – Areas of Change and Consistency – that work together to direct growth to appropriate locations and ensure protections for neighborhoods, parks, and Major Public Open Space. The IDO implements the Comp Plan through regulations tailored to the City's designated Centers and Corridors.

In order for the City's land use, zoning, and development regulations to stay up-to-date, the IDO has a built-in annual update process within the regulatory framework. This process was established to provide a regular cycle for discussion among residents, City staff, and decision-makers to consider any needed changes that were identified over the course of the year. Since the completion of the 2022 annual update, Planning staff has collected approximately 60 proposed amendments. These amendments were requested by members of the public, staff, City Councilors, and the City administration. Proposed amendments are compiled into a table of "Citywide Proposed Text Amendments." Each proposed change provides a reference number, the page and section of the IDO that would be modified, the text that is proposed to change, an explanation of the purpose or intent of the change, and the source of the change (i.e. staff, Admin, public, or Council). In addition, several amendments proposed by City Council are accompanied with supporting memos, and several other proposed amendments include exhibits with longer, more detailed explanations of changes or additions for consideration. Together, these documents are the main body of the application for Amendments to IDO Text - Citywide.

Justification for an Amendment to IDO Text – Citywide under the Criteria in 14-16-6-7(D)(3)

These proposed amendments to the IDO text are consistent with the required Annual Update process described in IDO Subsection 14-16-6-3(D). The Planning Department has compiled the recommendations, analyzed proposed changes, and is now submitting the proposed amendments for EPC's review and recommendation in December. These proposed amendments to the IDO text meet the Review and Decision Criteria in IDO Subsection 14-16-6-7(D)(3).

- (a) These proposed amendments to the IDO text are consistent with the spirit and intent of the ABC Comp Plan, as amended (including the distinction between Areas of Consistency and Areas of Change), and with other policies and plans adopted by the City Council.
- (b) The proposed amendments do not apply to only one lot or development project. The amendments affect property citywide.
- (c) These proposed amendments promote public health, safety, and welfare.

Review and Decision Criterion 14-16-6-7(D)(3)(a)

These proposed amendments to the IDO text are consistent with Comp Plan policies that direct the City to adopt and maintain an effective regulatory system for land use, zoning, and development review. In general, these amendments further the following applicable goals and policies of the ABC Comprehensive Plan and protect the public health, safety, and welfare.

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

Policy 5.3.7 Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.1 Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan area as mapped in Figure 5-3.

Action 5.6.1.1 Develop setback standards for and encourage clustering of open space along the irrigation system.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas, where change is encouraged.

Sub-policy f): Minimize potential negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality, and traffic.

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

Sub-policy b): Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

Policy 5.7.4 Streamlined Development: Encourage efficiencies in the development review process.

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.1 Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

Policy 7.3.5 Development Quality: Encourage innovative and high-quality design in all development.

Goal 7.4 Context-Sensitive Parking: Design parking facilities to match the development context and complement the surrounding built environment.

Policy 7.4.3 Off-street Parking Design: Encourage well-designed, efficient, safe, and attractive parking facilities.

Goal 7.5 Context-Sensitive Site Design: Design sites, buildings, and landscape elements to respond to the high desert environment.

Policy 7.5.1 Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place.

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

Policy 9.1.2 Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable, and mixed-income housing options throughout the area.

Policy 9.2.3 Cluster Housing: Encourage housing developments that cluster residential units in order to provide community gathering spaces and/or open space.

Goal 9.4 Homelessness: Make homelessness rare, short-term, and non-recurring.

Policy 9.4.2 Services: Provide expanded options for shelters and services for people experiencing temporary homelessness.

Policy 9.4.3 Equitable Distribution: Support a network of service points that are easily accessible by residents and workers, geographically distributed throughout the city and county, and proximate to transit.

Review and Decision Criterion 14-16-6-7(D)(3)(b)

These proposed amendments to the IDO text include changes to regulations that apply citywide. None of the proposed text amendments to the IDO text apply to a single lot or development project. Where there are changes that apply to a narrower portion of the city, such as in select Centers and Corridors, the change is supported by Comprehensive Plan policies cited above. These are noted in the “Citywide Proposed Text Amendments,” where relevant. In other instances, there are changes that would apply across a particular zone district or for all approvals of a certain type. Because of this, the proposed amendments are legislative in nature.

Review and Decision Criterion 14-16-6-7(D)(3)(c)

These proposed amendments to the IDO text help promote economic growth and investment in the City as a whole. The proposed changes continue the Planning Department’s response to challenges in implementing new regulations and neighborhood protections in a real-world context with real-world projects. Changes responding to comments from a wide variety of community members, improving development outcomes, and increasing enforceability by staff, are addressed in the proposed text

amendments. This request promotes public health, safety, and welfare by improving the quality and the enforceability of the existing land use and zoning regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Vos", written in a cursive style.

Michael Vos, AICP
Principal Planner
Urban Design & Development Division
City Planning Department

SPREADSHEET OF PROPOSED TEXT AMENDMENTS-

IDO Annual Update 2023 – EPC Review – City-wide

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
1	120	3-5(G) [new]	Setbacks in HPOs Add a new Subsection with text as follows: " <u>New development or redevelopment shall comply with contextual standards for lot sizes, front setbacks, and side setbacks in Subsection 14-16-5-1(C)(2), unless the Landmarks Commission approves a different standard in a Historic Certificate of Appropriateness - Major pursuant to Subsection 14-16-6-6(D).</u> "	Applies contextual standards to all development in HPOs for lot sizes and setbacks. Contextual standards in 5-1(C)(2) apply only to low-density residential development in Areas of Consistency. Gives the Landmarks Commission the discretion to approve different lot sizes and setbacks on a case-by-case basis without a variance (which are reviewed by the Zoning Hearing Examiner).	Staff
2	155	Table 4-2-1	Outdoor Amplified Sound Create a new accessory use with use-specific standard and add an A in the following zone districts: MX-M, MX-L, MX-M, MX-H, NR-C, NR-BP, NR-LM, NR-GM Add a CA in MX-T	Adds outdoor amplified sound as an accessory use to enable a curfew between 10 p.m. and 7 a.m. See related amendment for 14-16-4-3(F)(14) and 14-16-7-1.	Public
3	159	4-3(B)(4)	Cottage Development See Council Memo for proposed amendments.	See Council Memo.	Council
4	186	4-3(D)(37)(a)	General Retail - Walls/fences Add a new Subsection (b) with text as follows and renumber subsequent Subsection accordingly: " <u>This use requires a wall or fence at least 3 feet high around the perimeter of the premises and from the edges of the primary building to and along the side or rear property line so that pedestrian access is controlled to designated access points and public access is blocked to the side and rear yard beyond public entrances.</u> "	Requires a perimeter wall for general retail stores to limit pedestrian access and deter crime.	Admin
5	175	4-3(D)(18)	Light Vehicle Fueling Station - Walls/fences Add a new Subsection with text as follows: " <u>This use requires a wall or fence at least 3 feet high around the perimeter of the premises and from the edges of the primary building to and along the side or rear property line so that pedestrian access is controlled to designated access points and public access is blocked to the side and rear yard beyond public entrances.</u> "	Requires a perimeter wall for gas stations to limit pedestrian access and deter crime.	Admin

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
6	198	4-3(E)(8)	Electric Utility Revise Subsections (a), (b), (c), and (d) to add battery storage in addition to substations. Revise Subsection (f) as follows: "Electric generation facilities, as defined <u>identified</u> in the Facility Plan for Electric System Transmission and Generation, are large-scale industrial developments and are only allowed in the NR-GM zone district."	Requires walls and landscaping for battery storage facilities associated with electric utilities. The definition of electric utility includes battery storage as an incidental activity in Section 7-1. Electric utilities are regulated separately from the standalone Battery Energy Storage System (BESS) proposed in another amendment.	Public
7	217	4-3(F)(14) [new]	Outdoor Amplified Sound Create a new subsection with text as follows and renumber subsequent subsections accordingly: <u>"If this use is within 330 feet of a Residential zone district or lot containing a residential use in a Mixed-use zone district, any amplified sound from speakers outside of a fully enclosed building shall be turned off between 10:00 p.m. and 7:00 a.m."</u>	Prohibits amplified sound after 10 p.m. near residential uses. Similar to prohibition of self-storage access.	Public
8	Multiple	4	Cannabis Retail See Council Memo for proposed amendments, including Table 4-2-1 and use-specific standard in Subsection 14-16-4-3(D)(35).	See Council Memo.	Council

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
9	Multiple	4	<p>Overnight Shelter Revise Table 4-2-1 to make permissive in all zone districts where currently allowed as Conditional (MX-M, MX-H, NR-C, NR-BP, NR-LM, NR-GM). Revise Subsection 14-16-4-3(C)(6) as follows: "(a) This use is prohibited within 1,500 feet in any direction of a lot containing any other overnight shelter. (b) This use shall be conducted within fully enclosed portions of a building. (a) [new] This use requires a Conditional Use approval pursuant to Subsection 14-16-6-6(A) for any of the following: 1. More than 50 beds in any zone district where allowed, except MX-H. 2. Locations within 1,500 feet in any direction of any other overnight shelter. 3. Locations within 330 feet of Residential zone districts or any residential use in a Mixed-use zone district. (c) (b) In the MX-M zone district, this use shall not exceed 25,000 square feet.</p>	Allows small overnight shelters permissively in zone districts where the use is currently only allowed conditionally. Requires conditional approval for larger shelters, shelters near residential, and shelters within 1500 feet of each other.	Staff
10	161	4-3(B)(5)(b)	<p>Dwelling, Two-family Detached (Duplex) Revise text as follows: "This use is prohibited in the R-1 zone district, except for the following: 1. In R-1A where 1 two family detached dwelling is permissive on 2 lots where the building straddles the lot line and each dwelling unit is on a separate lot. 2. On corner lots that are a minimum of 5,000 square feet."</p>	Allows duplexes in R-1 on corner lots that are at least 5,000 s.f.	Public
11	147	4-1(A)(4) [new]	<p>Conditional Uses for City Facilities Add a new subsection with text as follows and renumber subsequent subsections accordingly: "City facilities do not require a Conditional Use Approval where listed as 'C' in Table 4-2-1 because they serve a public purpose. Conditions of approval pursuant to Subsection 14-16-6-4(P) may be added by the decision-maker for the associated Site Plan to ensure conformance with the IDO and to ensure public health, safety, and welfare."</p>	Exempts City facilities from the conditional use process.	Admin

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
12	Multiple	4	Dwelling, Live-work On page 151, in Table 4-2-1, add a P in R-1 and change C to P in R-T and R-ML. On page 162, in Subsection 4-3(B)(7)(c), add cannabis retail and nicotine retail as prohibited uses. In Subsection (c)2, revise text as follows: "Any use <u>other than restaurant</u> in the Food, Beverage, and Indoor Entertainment category."	Allows live/work for very small retail and restaurants on corner lots in neighborhoods to open business opportunities for homeowners who otherwise could not purchase/maintain/rent two properties, one for business and one for living. Returns the pattern of corner stores in neighborhoods for services within walking distance of more residences. Prohibits cannabis retail and nicotine retail in all zone districts.	Public
12	Multiple	4 (cont'd)	Dwelling, Live-work (cont'd) On page 162, in Subsection 4-3(B)(7), add a new subsection (e) with text as follows: " <u>Where allowed in a Residential zone district, general retail and restaurant are limited to a total of 3,000 square feet or less.</u> " Add a new subsection (f) with text as follows: " <u>In the R-T and R-ML zone districts, this use is permissive on corner lots that are a minimum of 5,000 square feet. In other locations, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).</u> " Add a new subsection (g) with text as follows: " <u>In the R-1 zone district, this use is only allowed on corner lots that are a minimum of 5,000 square feet. Only general retail and restaurants are allowed.</u> "	(Cont'd from above)	Public
13	Multiple	4-3(B)(5)	Two-family Detached (Duplex) Dwelling See Council Memo for proposed amendments.	See Council Memo.	Council
14	241	5-2(G)	Irrigation (Acequia) Standards Add a new Subsection with text as follows: " <u>For cluster development and multi-family dwellings, locate at least 25 percent of common open space or ground-level usable open space to be contiguous with the irrigation ditch/acequia. These areas shall be made accessible from the remaining land via pedestrian walkways. Access to irrigation ditches/acequias is only allowed if approved by the Middle Rio Grande Conservancy District (MRGCD).</u> "	Follows the existing requirement for cluster development and multi-family dwellings next to Major Public Open Space in Subsection 14-16-5-2(J)(2)(a). Implements an action in the 2017 ABC Comprehensive Plan.	Comp Plan

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
15	242	5-2(H)	Landfill Gas Mitigation Revise text as follows: "Sensitive lands include landfill gas buffer areas, which comprise closed or operating landfills, <u>landfills closed within the last 30 years</u> , and the areas of potential landfill gas migration surrounding them. Development within landfill gas buffer areas, as established by Interim Guidelines for Development within City Designated Landfill Buffer Zones of the City Environmental Health Department and as shown on the Official Zoning Map, shall follow the Interim Guidelines to mitigate health hazards due to methane and other byproduct gases. All development within a landfill gas buffer requires a Landfill Gas Mitigation Approval pursuant to Subsection 14-16-6-4(S)(5) to ensure that potential health and safety impacts are addressed.	Exempts landfills closed more than 30 years ago from landfill gas mitigation procedures.	Admin
16	247	5-2(K)	Preventing and Mitigating Construction Impact See Exhibit for proposed amendment.	Adds requirements in the IDO for mitigating impact from construction activities next to Major Public Open Space or on properties where sensitive lands have been identified.	Staff
17	270	5-5(B)(4)(d)	RV, Boat, and Trailer Parking See Council Memo for proposed changes.	See Council Memo.	Council
18	282	5-5(C)(7)	Parking Maximums See Council Memo for proposed amendments.	See Council Memo.	Council
19	293	5-5(G)(3)	Parking Structures for Multi-family Residential Development Revise as follows: "All parking structures that provide parking for multi-family <u>residential development dwellings</u> , mixed-use development, and non-residential development shall comply with the following standards. These standards do not apply to any garage for low-density residential uses."	Broadens the applicability of these building design standards to all uses in the Group Housing sub-category in Table 4-2-1. See Development Definitions, Multi-family Residential Development.	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
20	297	5-6(B)(1)	Applicability - Landscaping See Council Memo for proposed amendments.	See Council Memo.	Council
21	301	5-6(C)(5)(d)	Soil Condition and Planting Beds - Mulching Requirement See Council Memo for proposed amendments.	See Council Memo.	Council
22	301	5-6(C)(5)(e)	Soil Condition and Planting Beds - Street Tree Mulching Requirement See Council Memo for proposed amendments.	See Council Memo.	Council
23	320	5-7(D)(3)(a)	Walls & Fences - Front Yard Wall Create a new subsection 1, renumbering subsequent subsections accordingly, with text as follows: <u>"For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 feet if all of the following requirements are met:</u> <u>(a) The wall is not located in a small area where taller walls are prohibited pursuant to Subsection (3) below.</u> <u>(b) View fencing is used for portions of a wall above 3 feet.</u> <u>(c) The wall is set back at least 5 feet, and the setback area is landscaped with at least 3 shrubs or 1 tree every 25 feet along the length of the wall."</u>	Allows 5 foot walls in front yard with view fencing for at least 2 feet at top, set back 5 feet, and landscaped.	Admin
24	321	Table 5-7-2	Options for a Taller Front or Side Yard Wall Revise the first row of text under View Fencing as follows: "< 5 10 ft. from lot line abutting the street"	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 5 feet from the property line.	Admin
25	349	5-11(E)	Building Design - Facades for NR-LM, NR-GM and Industrial Development in Any Zone District See Council Memo for proposed amendments.	See Council Memo.	Council
26	387	Table 6-1-1	Historic Certificate of Appropriateness - Minor Add requirement for Pre-application Meeting.	Matches current practice.	Staff
27	387	Table 6-1-1	Permit - Temporary Use / Temporary Window Wrap Add X in mailed notice requirement for Temporary Use Permit. Move footnote 3 to the mailed notice requirement on both uses.	Clarifies that the requirement for both uses is the same, matching the existing procedure in 14-16-6-5(D)(2)(a)3.	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
28	394	6-2(E)(2)(b)	<p>EPC Appointments 6-2(E)(2)(b) Prior to <u>When a vacancy on the EPC occurs or upon the resignation of an EPC member:</u> 1.The Mayor shall notify a City Councilor in writing that his/her District member's term will be expiring of office has expired or <u>that the position is otherwise will be</u> vacant, and that the City Councilor shall have 60 calendar days to submit recommended appointments to fill that position. If the City Councilor fails to submit 2 names within 60 calendar days of notification, the Mayor shall have the right to make the appointment subject to the advice and consent of the City Council.</p>	Allows the EPC appointment process to begin before the Commissioner leaves, eliminating or minimizing the time that a seat is vacant.	Staff
29	403	6-4(B)	<p>Pre-submittal Neigh Meeting Revise Subsection (1) as follows: "For applications that meet any of the following criteria, the applicant shall offer at least 1 meeting to all Neighborhood Associations <u>within 330 feet of whose boundaries include or are adjacent to</u> the subject property no more than 90 calendar days before filing the application. In such cases, project applications will not be accepted until a pre-submittal neighborhood meeting has been held, or the requirements for a reasonable attempt in Subsection (3) below have been met." Delete Subsection (2).</p>	<p>Replaces adjacency requirement with a set distance that is expected to achieve approximately the same result. Common administrative practice currently assumes .025 miles (132 feet) from the subject property line to pick up relevant Neighborhood Associations. For large roadways, ONC staff has to measure the roadway. If larger than 132 feet, ONC staff has to manually add Neighborhood Associations that are adjacent. The adjacency requirement precludes automation in GIS. This solution will help automate queries for required NA representative contacts. Note: 330 feet = 1/16 of a mile or approx. 1 city block See related proposed changes to make distances consistent for public notice [6-4(K)], post-submittal facilitated meeting [6-4(L)(3)(a)], and appeals [6-4(V)(2)(a)].</p>	Staff
30	403	6-4(B)(1)	<p>Pre-submittal Neighborhood Meeting See Council Memo for proposed amendments.</p>	See Council Memo.	Council

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
31	408	6-4(J)	Referrals to Agencies Revise second sentence as follows: <u>"For administrative decisions in Table 6-1-1, any comments received after such a referral and prior to the decision shall be considered with the application materials in any further review and decision-making procedures. For decisions that require a public hearing and policy decisions in Table 6-1-1, Any comments must be received within 15 calendar days after such a referral to shall be considered with the application materials in any further review and decision-making procedures."</u>	Matches current practice. Referring agencies receive notice of applications that are decided administratively, but the City will not delay these administrative decisions for 15 days until the comment period ends, as is done with decisions that require a public hearing.	Staff
32	409	6-4(K)	Public Notice to Neighborhood Associations Replace the adjacency requirement for notice to Neighborhood Associations with a set distance of 330 feet from the subject property in the following subsections: (2) Electronic Mail (3)(b)3 Mailed Notice to Neighborhood Associations	Replaces the "adjacent" requirement with a set distance to allow automation of the query for Neighborhood Associations. See related proposed changes to make distances consistent for pre-submittal neighborhood meeting [6-4(B)], post-submittal facilitated meeting [6-4(L)(3)(a)], and appeals [6-4(V)(2)(a)].	Staff
33	412	6-4(K)(3)(c)2	Mailed Notice to Property Owners Revise the second sentence as follows: <u>"For zoning map amendment applications only, adjacent properties shall be included where the edge of that 100-foot buffer area falls within any public right-of-way, adjacent properties shall be included."</u>	Removes the adjacency requirement to allow automation for the query for property owners in all but zoning map amendment cases. The State of New Mexico requires mailed notice to adjacent property owners within 100 feet excluding right-of-way for zoning map amendments.	Staff
34	412	6-4(K)(3)(d)2	Mailed Notice for Amendments to IDO Text - Small Area Revise text as follows: "All owners, as listed in the records of the Bernalillo County Assessor, of property located partially or completely within 100 feet in any direction of the proposed small area. Where the edge of that 100-foot buffer area falls within any public right-of-way, adjacent properties shall be included. "	Removes the adjacency requirement to allow automation for the query for property owners.	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
35	412	6-4(K)(4)	<p>Posted Sign Create new subsections, revise existing text as follows, and renumber subsequent subsections accordingly: "(a) Where Table 6-1-1 requires posted sign notice, the applicant shall post at least 1 sign on each street abutting the property that is the subject of the application, at a point clearly visible from that street. <u>(b) For administrative decisions, the sign shall be posted for at least 5 calendar days after submitting the application and 15 days after the decision through the required appeal period pursuant to Subsection 14-16-6-4(V)(3)(a)1.</u> <u>(c) For decisions requiring a public hearing or policy decisions, the sign shall be posted for at least 15 calendar days before a required the public hearing and for the required appeal period following any final decision, required pursuant to Subsection 14-16-6-4(U) and Subsection 14-16-6-4(V)(3)(a)1."</u></p>	Requires signs to be posted before administrative decisions. The existing language requires posting before the decision only for applications requiring a public hearing and after the decision for the appeal period for all applications.	Staff
36	415	6-4(L)(3)(a)	<p>Post-submittal Facilitated Meeting Revise the final sentence as follows: "The facilitator shall attempt to contact all Neighborhood Associations within 330 feet of whose boundaries include or are adjacent to the subject property."</p>	Replaces adjacency requirement with a set distance to allow automation of the query for Neighborhood Associations. See related proposed changes to make distances consistent for pre-submittal neighborhood meeting [6-4(B)], public notice [6-4(K)], and appeals [6-4(V)(2)(a)].	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
37	430	6-4(V)(2)(a)	<p>Appeals - Standing Based on Proximity for Neighborhood Associations In Subsection 14-16-6-4(V)(2)(a)5, revise text as follows: "Property owners (other than the applicant) and Neighborhood Associations on the basis of proximity for decisions as specified in Table 6-4-2. a. Distances noted in feet in Table 6-4-2 are measured from the nearest lot line of the subject property. Where the edge of that area falls within a public right of way, adjacent properties shall be included. b. Distances for Neighborhood Associations are based on the boundary on file with the ONC at the time the application for decision related to the subject property was accepted as complete. c. Where proximity is noted as "Includes or Is Adjacent," the Neighborhood Association boundary includes or is adjacent to the subject property." In Table 6-4-2, replace "Includes or Is Adjacent" and "660 feet" with "330 feet."</p>	Replaces "adjacent" with a set distance of 330 feet and matches that distance for all other decisions. See related proposed changes to make distances consistent for pre-submittal neighborhood meeting [6-4(B)], public notice [6-4(K)], and post-submittal facilitated meeting [6-4(L)(3)(a)].	Staff
38	438	Table 6-4-3	<p>Conditional Use Expiration Revise the period of validity for Conditional Use Approvals as follows: "2 years <u>1 year</u> after issuance if use is not begun, or 2 years <u>1 year</u> after use is discontinued or fails to operate"</p>	Extends conditional use approvals. Construction often takes longer than 1 year, and restarting a use also takes more time in recent years.	Public
39	436	6-4(X)	<p>Time Extensions See Exhibit for proposed amendments.</p>	Makes time extensions an administrative review/decision. Time extensions do not include changes to the original approval, when public notice takes place. The applicant must justify the request by showing that circumstances beyond their control prevented progress on the project. The shortage of construction workers and other delays are more common, so this administrative approval will help more projects get on the ground.	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
40	501	6-6(O)(2)	<p>Variance - ZHE Revise Subsection (b) as follows: "All applications in an HPO zone or on a property or in a district listed on the State Register of Cultural Properties or the National Register of Historic Places shall first be referred for review and comment 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." Add a new Subsection (c) with text as follows and renumber subsequent subsections accordingly: <u>"All applications on a property adjacent to Major Public Open Space shall be referred for review and comment by the Parks & Recreation Open Space Superintendent."</u></p>	Adds a procedure for the Open Space Superintendent to review variances requested adjacent to Major Public Open Space.	Staff
41	531	6-8(D)(1)	<p>Nonconforming Structures Create new subsections and revise text as follows: "<u>1.</u> Unless specified otherwise in this Section 14-16-6-8, a nonconforming structure shall be allowed to continue to be used, regardless of any change in ownership or occupancy of the structure, until the structure is vacant for a period of 2 years, or until unless another provision of this Section 14-16-6-8 requires the termination of the use. <u>2.</u> Mobile home dwellings are subject to provisions in Subsection 14-16-6-8(C)(7) (Mobile Home Dwellings). <u>3.</u> Signs are subject to provisions in Subsection 14-16-6-8(F) (Nonconforming Signs)."</p>	Allows nonconforming structures to be re-used even after being vacant for 2+ years. Note that a separate rule on nonconforming uses would continue to have a time limit of 2 years. This rule change would incentivize the reuse of existing buildings, while the nonconforming use rule would ensure compliance with allowable uses over time.	Staff
42	534	6-8(G)(2)(a) .a	<p>Front Yard Parking See Council Memo for proposed amendments.</p>	See Council Memo.	Council

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
43	Multiple	6	Wireless Telecommunications Facility - Public Notice In Table 6-1-1, add Email Notice requirement for WTFs. Move language in 6-4(K)(3)(b)2 to 6-4(K)(2) in a new Subsection.	Adds consistency with other decisions that provide notice to Neighborhood Associations in terms of receiving email notice. Note that Subsection 14-16-6-4(K)(2)(a) requires mailed notice if a Neighborhood Associate Representative does not have an email address on file with ONC. Subsection 14-16-6-4(K)(7)(b) requires that an applicant request updated information from the City and another attempt if the email bounces back.	Staff
44	Multiple	6-4(Y)	Minor and Major Amendments & Expiration (Post-IDO Approvals) Add a new Subsection 6-4(Y)(2)(d) with text as follows: <u>"An approved minor amendment does not affect the expiration of the original approval. Time extensions must be requested pursuant to Subsection 14-16-6-4(X)(4) (Extensions of Period of Validity)."</u> Add a new Subsection 6-4(Y)(3)(d) with text as follows: <u>"An approved major amendment replaces the original approval in terms of expiration, if one applies pursuant to Table 6-4-3."</u>	Clarifies how amendments affect the period of validity of the original approval. Matches existing practice.	Staff
45	Multiple	6-4(Z)	Minor and Major Amendments & Expiration (Pre-IDO Approvals) Make existing text a new Subsection 6-4(Z)(1)(a)1 and add a new Subsection 6-4(Z)(1)(a)2 with text as follows: <u>"An approved minor amendment does not affect the expiration of the original approval. Time extensions must be requested pursuant to Subsection 14-16-6-4(X)(4) (Extensions of Period of Validity)."</u> Add a new Subsection 6-4(Z)(1)(b)3 with text as follows: <u>"An approved major amendment replaces the original approval in terms of expiration, if one applies pursuant to Table 6-4-3."</u>	Clarifies how amendments affect the period of validity of the original approval. Matches existing practice.	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
46	556	7-1	Definitions, Community Residential Facility Revise text as follows: "A facility that is designed to provide a residence and services Any building, structure, home, or in which persons reside for a period of more than 24 hours and that is designed to help the residents adjust to the community and society and is used or intended to be used for the purposes of letting rooms, providing meals, and/or providing for persons who need personal assistance, personal services, personal care, and/or protective care, but not skilled nursing care. This use specifically includes, but is not limited to, facilities and who meet meeting the definition of a handicapped person or for other persons are protected against housing discrimination under the federal Fair Housing Act Amendments of 1998 (or as amended) and court decisions interpreting that Act.	Revised to make the definition more operational, enforceable, and parallel to other defined terms. See also proposed amendments for Group Home and Nursing Home in Section 7-1.	Staff
46	556	7-1 (cont'd)	Definitions, Community Residential Facility (cont'd) "For purposes of this definition, the term handicapped does not include persons currently using or addicted to alcohol or controlled substances who are not in a recognized recovery program. This use does not include 24-hour skilled nursing care. This use shall not include half way houses for individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system. See also <i>Family , Family Care Facility , and Group Home .</i>	(Cont'd from above)	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
46	556	7-1 (cont'd)	<p>Definitions, Community Residential Facility <i>(cont'd)</i></p> <p>Revise text as follows:</p> <p>"Community Residential Facility is divided into 2 categories based on the number of individuals residing in the facility (not the size of the structure).</p> <p>1.Community Residential Facility, Small: A facility housing between 6 and 8 individuals <u>receiving services, plus those providing services that do not meet the definition of a family in which personal service, personal assistance, personal care, and/or protective care are provided.</u></p> <p>2.Community Residential Facility, Large: A facility housing between 9 and 18 individuals <u>receiving services, plus those providing services that do not meet the definition of family in which personal service, personal assistance, personal care, and/or protective care are provided.</u></p>	(Cont'd from above)	Staff
47	568	7-1	<p>Group Home</p> <p>Revise text as follows:</p> <p>"A facility Any building, structure, home, facility, or place in which persons reside for a period of more than 24 hours that is designed to provide a residence and services help the residents adjust to the community and society and that is intended to be used for the purposes of letting rooms, providing meals, and/or providing personal assistance, personal services, personal care, and protective care to for persons that who need personal assistance, personal services, personal care, and/or protective care but do not meet the definition of a handicapped person or another person protected against housing discrimination under the federal Fair Housing Act Amendments of 1988 (as amended) and court decisions interpreting that Act, <u>but not skilled nursing care. This use does not include 24-hour skilled nursing care. This use includes other services as incidental activities if they comply with all local and State licensing requirements, including any required license by the New Mexico Department of Health.</u>"</p>	Revised to make the definition more operational, enforceable, and parallel to other defined terms. See also proposed amendments for Community Residential Facility and Nursing Home in Section 7-1.	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
47	568	7-1 (cont'd)	Group Home (cont'd) Revise text as follows: "This use includes shall include halfway houses for <u>includes facilities for persons</u> individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system. <u>This use includes facilities for persons currently using or addicted to alcohol or controlled substances who are not in a recognized recovery program.</u> "	(Cont'd from above)	Staff
48	583	7-1	Nursing Home Revise text as follows: "A facility designed to provide a residence, housing, meals, and medical- and health-related care for individuals, including 24-hour skilled nursing care. This definition includes facilities providing in-patient care for individuals suffering from a terminal illness. Such facilities may include commercial kitchens with shared dining facilities for residents; medical services with personnel that provide assistance with medication, administration, dressing, bathing, and social activities; activity rooms; indoor recreational amenities; gift shops; hair salons; administrative offices; laundry services; worship space; and overnight guest units for short-term visitors."	Revised to make the definition more operational, enforceable, and parallel to other defined terms. See also proposed amendments for Community Residential Facility and Group Home in Section 7-1.	Staff
49	586	7-1	Overnight Shelter "A facility that provides temporary or transitional sleeping accommodations for 6 or more persons within completely enclosed portions of a building with no charge or a charge substantially less than market rates. Such facilities may provide meals, personal assistance, personal services, social services, personal care and protective care. This use does not include 24-hour skilled nursing care, which is regulated as either hospital or nursing home for the purposes of this IDO."	Revised for consistency with other proposed changes. See proposed amendments for Community Residential Facility, Group Home, and Nursing Home in Section 7-1.	Staff

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
50	586	7-1	Outdoor Amplified Sound [new] Create a new term with text as follows and renumber subsequent subsections accordingly: <u>"Amplified sound from speakers outside of a fully enclosed building either permanently mounted or used more than 1 time per week. This use does not include amplified sound associated with a special event permit or a temporary use, which are regulated separately."</u>	Defines outdoor amplified sound to enable a curfew between 10 p.m. and 7 a.m. when used as an accessory use.	Public
51	587	7-1	Parking Definitions Garage Revise text as follows: <u>"A single-story structure or part of a building in a low-density residential development or a single-story structure in a multi-family residential development designed to accommodate motor vehicle parking spaces that are partially or completely enclosed, but not including a parking structure."</u>	Adds multi-family residential development to the definition of garage. Multi-story parking is defined as parking structure. Removes conflict with carport, which is defined as parking structure that is partially enclosed.	Staff
52	596	7-1	Sensitive Lands Large Stand of Mature Trees Revise existing text as follows: <u>"At least 3 A collection of 5 or more trees that are each at least 10 years old 30 years or older or with a trunk at least 8 inches in diameter at breast height (DBH), as measured by the City Forester, on a subject property having trunk diameters (as determined by Diameter at Breast Height — DBH) averaging at least 16 inches in diameter, as determined by the City Forester."</u>	Revised to be more realistic given existing trees in ABQ.	Staff
53	596	7-1	Sensitive Lands Rock Outcropping Revise existing text to read as follows: <u>"Bedrock or other stratum a minimum of 4 feet 6 feet high on its steepest side as measured from the adjacent 10 percent slope line and in excess of 300 500 square feet in surface area."</u>	Revised to be more realistic given existing rock outcroppings in ABQ.	Staff
54	Multiple	Multiple	Fire Station or Police Station On page 53, in Subsection 14-16-2-5(E)(2), delete subsection (f). On page 151, in Table 4-2-1, add a new use for Fire station or police station with P in MX-M, MX-H, NR-C, NR-BP, NR-LM, and NR-GM.	Allows fire stations and police stations to be permissive in existing zone districts. Currently, fire stations and police stations require a zone change to NR-SU and the adoption of a Site Plan - EPC.	Admin

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
55	Multiple	Multiple	Battery Energy Storage System (BESS) See Exhibit for a new use in Table 4-2-1, new use-specific standards in Subsection 4-3, and new definitions in 7-1.	Responds to recent applications for private battery energy storage systems and a Declaratory Ruling by the ZEO in early 2022. Establishes distance separations from residential, Major Public Open Space, religious institutions, and schools.	Staff
56	Multiple	Multiple	Outdoor and Site Lighting See Exhibit for proposed amendments, including: Revising USS for self-storage in 4-3(D)(29)(e) Revising USS for WTFs in 4-3(E)(12)(g) Replacing 5-8 with new text Revising illuminated sign standard in 5-12(E)(5)(a)2 Revising electronic sign standard in 5-12(H)(4) Adding, revising, and deleting definitions in 7-1	Updates existing lighting regulations to improve compliance with State's Dark Sky Ordinance and improve enforceability.	Staff
57	Multiple	Multiple	Landscaping Standards See Exhibit for proposed amendments in 5-6 and 7-1.	Increase requirements for plants and irrigation, reduce water consumption, and improve survivability of landscaping in the high desert environment.	Staff
58	Multiple	Multiple	Tribal Engagement See Council memo for proposed amendments, including the following Subsections: 14-16-6-4(J) Referrals to Commenting Agencies 14-16-6-5(A) Archaeological Certificate 14-16-7-1 Definitions	See Council memo	Council
59	All	All	Clerical Changes Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.	Covers general clerical corrections.	Staff
60	All	All	Editorial Changes 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.	Covers general editorial corrections.	Staff

IDO Annual Update 2023

Exhibit – Construction Mitigation

On page 247, revise Subsection 14-16-5-2(K) as follows.

5-2 SITE DESIGN AND SENSITIVE LANDS

5-2(K) PREVENTING AND MITIGATING CONSTRUCTION IMPACT

Construction abutting Major Public Open Space or on a lot with a sensitive land identified on the property shall prevent and mitigate potential negative impact. See the DPM for additional standards.

- 5-2(K)(1) The property owner shall provide photographs of any sensitive land identified on the property and/or the property edge abutting Major Public Open Space and a site plan with a keyed location of each photograph.
- 5-2(K)(2) The property owner's contractor shall hold a pre-construction meeting with City Parks & Recreation staff about Major Public Open Space and City Planning staff about sensitive lands to establish construction work activities and any access points, if necessary, to the Major Public Open Space or sensitive land.
- 5-2(K)(3) The property line abutting Major Public Open Space shall be fenced and signed to disallow entry during construction.
- 5-2(K)(4) Grading plans must ensure that the sensitive land is not compromised or damaged. Extensive fill adjacent to sensitive land shall be avoided to the maximum extent practicable.
- 5-2(K)(5) Before a Certificate of Occupancy may be granted, a post-construction meeting with Parks & Recreation or Planning staff, as relevant, shall be held to verify that the Major Public Open Space or sensitive land has been adequately protected during construction or that any damage has been restored pursuant to the DPM or relevant City Standard Specifications.]

IDO Annual Update 2023

Exhibit – Landscaping Amendments

1. On page 300, revise text in Subsection 14-16-5-6(C) as follows:

5-6(C) GENERAL LANDSCAPING STANDARDS

5-6(C)(4) Required Plant Materials and Site Amenities

- 5-6(C)(4)(a) A minimum of 5 ~~10~~ species must be used in the landscaped area.
- 5-6(C)(4)(d) No more than 10 percent of required landscape areas shall be cool season grass species. ~~Irrigated cool season grass shall not be planted on slopes exceeding 1:4 rise:run or planted in narrow or irregularly shaped areas (10 feet or less in any dimension) in order to avoid water waste. Any cool season grass shall be installed at least 3 feet in any direction from any impermeable hard surface. (A buffer using organic mulch can be used when planting cool season grass adjacent to impermeable surface.)~~
- 5-6(C)(4)(e) [new] No more than 20 percent of required landscape areas shall be warm season grass species.
- 5-6(C)(4)(f) [new] Irrigated grass shall not be planted on slopes exceeding 1:4 rise:run or planted in narrow or irregularly shaped areas (10 feet or less in any dimension) in order to avoid water waste.
- 5-6(C)(4)(g) [new] Any grass irrigated with sprinklers shall be installed at least 3 feet in any direction from any impermeable hard surface. (A buffer using organic mulch can be used when planting grass adjacent to impermeable surface.)

5-6(C)(5) Soil Condition and Planting Beds

- 5-6(C)(5)(d) A minimum depth of 2 inches ~~3 inches~~ of organic mulch, such as arborist mulch or native mulch woodchips, is required in all planting areas. (See figure below.) Decorative bark mulches, bark nuggets, and pecan shells are prohibited.

5-6(C)(7) Plant Material Spacing

- 5-6(C)(7)(a) Vegetation required by this Section 14-16-5-6 shall be located the following distances ~~at least 3 feet~~ in any direction from any fire hydrants, valve vaults, hose bibs, manholes, hydrants, and fire department connections:
 - 1. Shrubs: 3 feet
 - 2. Trees: 15 feet

5-6(C)(7)(d) [new] Shrubs, ornamental grasses, and groundcovers shall be spaced so that no plant is within ½ of the mature diameter of another plant.

5-6(C)(7)(e) [new] Trees shall be spaced so that no tree is within ½ the mature diameter of another tree.

5-6(C)(10) Planting near Utilities

5-6(C)(10)(e) All screening and vegetation surrounding ground-mounted transformers and utility pads must allow 10 feet of clearance in any direction for access and to ensure the safety of the work crews and public during maintenance and repair.

5-6(C)(14) Irrigation Systems

5-6(C)(14)(d) The irrigation system shall not spray or irrigate impervious surfaces, including sidewalks, driveways, drive aisles, hardscapes, or streets; non-landscaped areas; adjacent property; or parking and loading areas.

5. On page 571, revise text in Subsection 14-16-7-1 Definitions as follows:

Warm Season Grasses

Grasses that thrive when temperatures are 75 degrees or higher, including but not limited to, buffalo grass, blue grama, Indian rice grass, clover, thyme, and sand dropseed grass. These grasses are native and drought tolerant and have lower water requirements than cool season grasses.

IDO Annual Update 2023

Exhibit – Time Extension

1. On page 436, revise text in Subsection 14-16-6-4(X) as follows:

6-4(X) EXPIRATIONS OF APPROVALS

6-4(X)(2) Expiration or Repeal of Approvals

- 6-4(X)(2)(a) [new] Unless specified otherwise in this IDO, the DPM, an IIA, a Development Agreement approved by the City, or the terms attached to a permit or approval, each permit or approval shall be valid for the period of time shown in Table 6-4-3 and shall be of no force or effect after that time has passed, unless a major amendment or a time extension is approved ~~any of the following applies.~~
- 6-4(X)(2)(b) [new] For permits or approvals for which Table 6-4-3 shows an expiration, the approval of a major amendment pursuant to Section 14-16-6-4(Y) or Section 14-16-6-4(Z), as relevant, replaces the original approval in terms of the period of validity.

6-4(X)(4) Extensions of Period of Validity

6-4(X)(4)(a) General Provisions

1. Permits or approvals for which Table 6-4-3 shows an expiration may be granted 1 time extension not to exceed the original period of validity for that permit or approval by the ZEO, with the following exceptions.
 - a. Impact fee assessments may not be extended.
 - b. Any and any Permit – Sign for an electronic sign may not be extended.
 - c. Additional extensions for Preliminary Plats may be granted, but the Preliminary Plat may be required to come into compliance with any applicable standards adopted since the original application was accepted as complete.
2. The ZEO must determine whether the application for a time extension meets r each permit or approval for which Table 6-4-3 shows an expiration period, except an impact fee assessment or a Site Plan, the original decision-making body may approve 1 extension of validity for good cause shown for a time not to exceed the original period of validity for that permit or approval, provided that both of the following requirements are met.

- a. The applicant ~~or property owner submitted~~ submits a written request letter of justification for the requested time extension before the expiration of the original permit or approval ~~with the Planning Director~~.
- b. ~~The extension is considered and a decision made by the same decision-making body as the initial approval, except that no public hearing shall be required, if one would have been required under the IDO for the initial approval.~~
- c. Circumstances beyond the control of the applicant have prevented construction, use, or occupancy of the property pursuant to 14-16-6-4(X)(2)(b).

~~6-4(X)(4)(b)~~ Additional Provisions for Time Extensions of Approved Site Plans

- 1. ~~In addition to the finding in Subsection 14-16-6-4(X)(4)(a)2.c above, a Site Plan may be extended if the ZEO original decision-making body finds determines that at least 1 of the following provisions applies.~~
 - a. ~~The Site Plan is still consistent with current or desired conditions on the property and surrounding areas, and the owner intends to fully develop the site according to the Site Plan.~~
 - b. ~~There is little flexibility in how the site can be developed.~~
 - c. ~~There is a strong architectural or landscaping character on the site that should be preserved and that development according to the Site Plan will preserve that architectural or landscaping character.~~
- 2. ~~In addition to the findings in Subsection 14-16-6-4(X)(4)(a)2.c and 14-16-6-4(X)(4)(b)1 above, an An extension of an approved Site Plan — EPC for phased development of the site may be approved if the ZEO EPC finds determines that all of the following provisions apply.~~
 - a. ~~At last 50 percent of the first phase has been developed.~~
 - b. ~~The extension of the Site Plan is for later phases of the Site Plan.~~
 - c. ~~The Site Plan as previously approved is likely to be built in the future.~~
- 3. An Any extension of a Site Plan — EPC shall require a new meeting with the EPC and may require an update of any Traffic Impact Study (TIS) prepared for that Site Plan if the prior TIS is more than 5 years old and the City Engineer determines that background or anticipated traffic volumes or patterns in the surrounding area have changed since the TIS was prepared.

~~6-4(X)(4)(c)~~ ~~6-4(X)(4)(c)~~ Additional Provisions for Extensions of Preliminary Plats

~~In addition to the general provisions in Subsection (a) above,~~

~~additional extensions for Preliminary Plats may be granted by the DHO for good cause, but the Preliminary Plat may be required to come into compliance with any applicable standards adopted since the application was submitted.~~

IDO Annual Update 2023

Exhibit – Battery Energy Storage System

Proposed Amendments

1. On page 154, in the Telecommunications, Towers, and Utilities sub-category of Industrial Uses in Table 4-2-1, add a new row for “Battery energy storage system” with a P in NR-LM and NR-GM to allow a battery energy storage system as a permissive primary use.
2. On page 194, in Subsection 14-16-4-3(E), add a new Subsection for battery energy storage system with text as follows.
3. On page 276, in the Telecommunications, Towers, and Utilities sub-category of Industrial Uses in Table 5-5-1, add a new row for “Battery energy storage system” with “No requirement” for parking.
4. On page 303, in Subsection 14-16-5-6(C)(10), add a new subsection with text as follows.
5. On page 383, in Subsection 14-16-5-13(B)(7), add a new subsection with text as follows.
6. On page 548, in Section 14-16-7-1, add a new term “Battery Energy Storage System” with text as follows.
7. On page 617, in Section 14-16-7-2, add new acronyms as follows.

Part 14-16-4 Use Regulations

4-3 USE-SPECIFIC STANDARDS

4-3(E) INDUSTRIAL USES

4-3(E)(2) **Battery Energy Storage System [New]**

- 4-3(E)(2)(a) Energy storage system capacities, including array capacity and separation, are limited to the thresholds in the National Fire Protection Association (NFPA) standard 855.
- 4-3(E)(2)(b) The 1-hour average noise generated from the Battery Energy Storage System, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA (i.e. A-weighted decibel) as measured at any property line.
1. Applicants may submit equipment and component manufacturers noise ratings to demonstrate compliance.
 2. The applicant may be required to provide Operating Sound Pressure Level measurements from locations evenly spaced every 100 feet along the property line to demonstrate compliance.
- 4-3(E)(2)(c) A landscaped buffer at least 25 feet wide containing 2 evergreen trees and 6 shrubs per 25 feet shall be provided along all property lines.

- 4-3(E)(2)(d) All onsite utility lines and connections, including associated equipment, shall be placed underground or pad mounted, unless soil conditions, shape, or topography of the site as verified by the City Engineer dictate above-ground installation. Electrical transformers for utility interconnections may be above-ground if required by the utility provider.
- 4-3(E)(2)(e) This use is prohibited within 330 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district.

Part 14-16-5 Development Standards

5-6 LANDSCAPING, BUFFERING, AND SCREENING

5-5(C) GENERAL LANDSCAPING STANDARDS

5-6(C)(10) Planting near Utilities

- 5-6(C)(10)(h) [new] Planting of combustible plant material is prohibited within 25 feet in any direction of a battery energy storage system. Ground cover and turf are allowed, provided that they do not form a means of readily transmitting fire.

5-13 OPERATION AND MAINTENANCE

5-13(B) MAINTENANCE STANDARDS

5-13(B)(7) Landscaping, Buffering, and Screening

- 5-13(B)(7)(d) [new] The area within 25 feet in any direction of a battery energy storage system shall be cleared of combustible vegetation and other combustible growth.

Part 14-16-7 Definitions and Acronyms

7-1 DEFINITIONS

Battery Energy Storage System

A utility-scale facility that stores energy from the electrical grid and then discharges it at a later time to provide electricity when needed. Electrochemical batteries may include, but are not limited to, lithium-ion, lead-acid, redox flow, and molten salt (including sodium-based chemistries). For the purposes of this IDO, batteries used in consumer products, including EV vehicles, are not included in this use. Battery storage associated with an electric utility is regulated separately. See *Electric Utility*.

7-2 ACRONYMS

NFPA: National Fire Protection Association

dba: A-weighted decibel (dB)

IDO Annual Update 2023- Exhibit – Lighting

On page 42, create a new Subsection with text and table as follows.

Part 14-16-2 Zone Districts

2-4 MIXED-USE ZONE DISTRICTS

2-4(E) MIXED-USE – FORM-BASED ZONE DISTRICT (MX-FB)

2-4(E)(1) Purpose

2-4(E)(2) Other Standards

2-4(E)(3) District Standards

2-4(E)(3)(i) Outdoor and Site Lighting

Table 2-4-15: IDO lighting designations for the MX-FB Sub-zones indicate the allowable use for each sub-zone. Where multiple designations are indicated for a zone district, the note in the table identifies which designation shall be used depending on context.

Table 2-4-15: IDO Lighting Designations for the MX-FB Sub-zones

Lz2 = ANSI/IES Light Zone 2 Lz3 = ANSI/IES Light Zone 3

IDO Lighting Designations	MX-FB-ID	MX-FB-FX	MX-FB-AC	MX-FB-UD
Lz2	X	X	X	X
Lz3			X ¹	X ¹

Notes:

[1] Within UC-MS-PT-MT areas, a higher lighting designation is allowed unless the subject property is adjacent to any Residential zone district.

On page 183, revise text in Subsection 14-16-4-3(D)(29)(e) and Subsection 14-16-4-3(E)(1)(d) as follows:

Part 14-16-4 Use Regulations

4-3 USE-SPECIFIC STANDARDS

4-3(D) COMMERCIAL USES

4-3(D)(29) Self-Storage

4-3(D)(29)(e) Within 200 feet of any Residential zone district, internal lighting that is visible from the property line shall not exceed the maximum light trespass values listed in Table 5-8-3 for lighting designation Lz1 during the outdoor lighting curfew ~~be dimmed by 50 percent of the maximum foot lamberts allowed pursuant to Subsection 14-16-5-8(D)(6) between 10:00 P.M. and 7:00 A.M.~~

4-3(E) INDUSTRIAL USES

4-3(E)(12) Wireless Telecommunications Facility

4-3(E)(12)(g) Lighting and Signage

1. Only security lighting or lighting required by a State and/or federal agency is allowed, provided that all of the following requirements are met.
 - a. The location and cut-off angle of the light fixture shall be such that it does not shine directly on any public right-of-way, private way, or any lot containing a residential use.
 - b. Lighting shall not exceed maximum light trespass values in Table 5-8-3 for the relevant lighting designation during outdoor lighting curfew hours. ~~The lighting shall not have an off-site luminance greater than 1,000 foot lamberts at any point, and shall not have an off-site luminance greater than 200 foot lamberts measured from any private property in any Residential zone district.~~
2. Only signage required by State or federal law is allowed.

On page 244, revise text to read as follows:

Part 14-16-5 Development Standards

5-2 SENSITIVE LANDS

5-2(J) MAJOR PUBLIC OPEN SPACE EDGES

5-2(J)(1) Lots Within 330 Feet of Major Public Open Space

5-2(J)(1)(a) Outdoor Lighting

Regardless of zone district, the lighting designation shall be Lz0 or Lz1 subject to outdoor lighting curfew to protect natural ecosystems and their biodiversity.

On page 335, replace Section 14-16-5-8 in its entirety with the following text:

5-8 OUTDOOR AND SITE LIGHTING

5-8(A) PURPOSE

This Section 14-16-5-8 is intended to enhance the attractiveness and livability of the city, protect the safety of its residents, reduce light trespass between private properties, minimize disruption to natural ecosystems, and prevent the increase of unnecessary sky glow that reduces the visibility of stars in the night sky.

5-8(B) APPLICABILITY

All sources of light visible from the exterior of a property shall comply with the standards of this Section 14-16-5-8, unless specified otherwise in this IDO. This includes the use of outdoor lighting, hours of operation, and regulation of light trespass.

5-8(B)(1) Activities that Trigger Outdoor and Site Lighting Requirements ~~General~~

5-8(B)(1)(a) Maintenance and One-for-one Replacement

If an outdoor luminaire is not working or is damaged, the repair and/or replacement shall conform with the requirements of this Section.

5-8(B)(1)(b) Expansion, Renovation, and Redevelopment

The following activities shall require compliance with the requirements of this Section:

1. Expansion of the gross floor area by 25 percent or more.
2. Changes to the number of off-street parking spaces provided by 25 percent or more.
3. Changes to the number of luminaires by 25 percent or more.
4. Any change of land use to a different use category in Table 4-2-1.

5-8(B)(1)(c) New Development

Development involving the construction of a new building or new parking lot shall conform with the requirements of this Section.

5-8(B)(2) Exemptions

The following types of lighting are not subject to the requirements of this Section:

- 5-8(B)(2)(a) Lighting that is required by federal or state regulations that conflicts with this Section, including:
 - 1. Air-side facilities at the airport (runway, taxiway, and other facilities located inside the security fence) as regulated by the Federal Aviation Administration (FAA) for safety.
 - 2. Building codes and other illumination for means of emergency egress as regulated by the National Fire Protection Association (NFPA).
 - 3. Temporary outdoor lighting necessary for worker safety at construction sites.
 - 4. Outdoor lighting necessary for worker safety at farms, ranches, dairies, feedlots, or industrial, mining, or oil and gas facilities, as determined by the EPC in a Site Plan – EPC pursuant to Subsection 14-16-6-6(I) with an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).
- 5-8(B)(2)(b) Nighttime illumination of the United States of America flag and the New Mexico State flag that complies with one of the following illumination requirements:
 - 1. A luminaire mounted on top of the flagpole that only directs light downward.
 - 2. A maximum of 3 in-ground uplights, or 3 shielded spotlights that are surface mounted at grade, that direct light upward. The maximum beam spread of any individual light source shall be no more than 24 degrees. The maximum output of any individual luminaire shall be no more than 100 lumens per foot of flagpole height (e.g. 2,000 lumens for a 20-foot pole).
- 5-8(B)(2)(c) Neon signs and all other illuminated signs that are regulated pursuant to Section 14-16-5-12.

5-8(C) PROHIBITED LIGHTING

5-8(C)(1) Toxic and Energy Inefficient

- 5-8(C)(1)(a) Mercury vapor lights are prohibited.
- 5-8(C)(1)(b) Inefficient light sources (less than 45 lumens/watt) are prohibited for outdoor use, excluding seasonal and festoon lighting.

5-8(C)(2) Public Right-of-Way Interference

- 5-8(C)(2)(a) Any intentionally blinking, flashing, moving, revolving, or wavering lights that distract a motor vehicle operator in the public right-of-way are prohibited.
- 5-8(C)(2)(b) Any luminaire that may be confused as a traffic control device is prohibited unless authorized by federal, state, or city government.

5-8(C)(3) Obtrusive

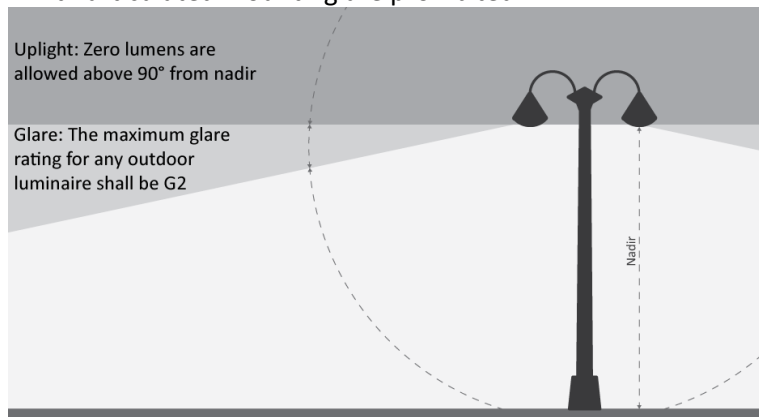
- 5-8(C)(3)(a) No luminaire specification shall exceed a (BUG) glare rating of G2.
- 5-8(C)(3)(b) Shielded spotlights and floodlights within 500 feet of any boundary regulated by Division 30-VI-2 of the Bernalillo County Code of Ordinances (North Albuquerque Acres and Sandia Heights Light Pollution Ordinance) are only allowed when used to illuminate alleys, parking structures, and maintenance areas.
- 5-8(C)(3)(c) Aerial lasers, beacons, and searchlights are prohibited at night, except for emergency use by authorized first responders.

5-8(D) GENERAL DESIGN AND ILLUMINATION STANDARDS

All sources of light visible from the exterior of a property subject to this Section 14-16-5-8 shall meet the following standards.

5-8(D)(1) Uplight Restrictions

- 5-8(D)(1)(a) Unless specified otherwise in this IDO, luminaires shall be fully shielded or have a U0 rating (i.e. a luminaire that emits zero lumens above 90 degrees from nadir). Unshielded floodlights with articulated mounting are prohibited.



- 5-8(D)(1)(b) Luminaires installed under canopies, porte cocheres, or beneath similar structures shall meet all of the following requirements.
 1. Luminaires shall be mounted to aim downward and installed flush-mounted or recessed above the lowest edge of the canopy such that the lowest part of the luminaire is shielded from view beyond the property line.
 2. The vertical fascia shall not be internally illuminated.
 3. All light emitted shall be substantially confined to the posts, façades, and ground surface directly beneath the perimeter of the canopy or similar structure.

5-8(D)(2) Correlated Color Temperature (CCT) and Color Rendering Index (CRI)

- 5-8(D)(2)(a) Unless specified elsewhere in this IDO, outdoor lighting shall have a minimum CCT of 2700K and a maximum of 3000K. The minimum CRI for these light sources shall be 65.

5-8(D)(2)(b) Light sources below 2700K with limited spectral emission and (CRI) values below 65, such as low-pressure sodium or amber LED, are allowed within NDZ or LzO lighting designations, pursuant to Subsection 14-16-5-8(E).

5-8(D)(3) Light Poles

Table 5-8-1 indicates the maximum height of light poles, measured from the finished grade to the top of the pole.

TABLE 5-8-1: MAXIMUM HEIGHT FOR LIGHT POLES	
Location, Development Type, or Type of Light	Maximum Height (ft.)
Bollard and pathway luminaires	4 ft.
Residential zone districts and HPO zones	12 ft.
Within 100 feet of Residential zone districts	16 ft.
Mixed-use development or allowable uses in the Offices and Services Sub-category of Table 4-2-1	20 ft.
Allowable uses in Table 4-2-1 in the following categories: Civic and Institutional Uses Commercial Uses other than the Offices and Services Sub-category Industrial Uses	25 ft.

5-8(D)(4) Façade, Wall/Fence, Landscape Feature, or Sculpture Lighting

Lighting to illuminate vertical surfaces to help people navigate and detect threats at night shall follow all the following requirements.

5-8(D)(4)(a) Non-white colored lighting is allowed for lighting vertical surfaces.

5-8(D)(4)(b) Articulated lights emitting light above 90 degrees from the nadir shall be shielded to contain light to their targeted surface/object. Windows in a dwelling are not allowed to be a target.

5-8(D)(5) Steps, Stairs, and Pedestrian Walkway Lighting

Lighting to illuminate trip and fall hazards such as stairs, curbs, and raised pavement shall follow ANSI/RP-43 standards.

5-8(D)(6) Deck and Outdoor Dining Lighting

5-8(D)(6)(a) Lighting used to illuminate patios, decks, balconies, terraces, gazebos, pergolas, or any other accessory structure, including festoon lighting, is subject to an outdoor lighting curfew.

5-8(D)(6)(b) Festoon lighting is exempt from the point light source restriction in Subsection 14-16-5-8(E)(4)(a).

5-8(D)(7) Security

Security lighting shall not be used continuously as a general deterrent during outdoor lighting curfew. Lighting to boost illumination levels for security as the primary objective, as described in *IES G-1 Security Lighting*, shall meet all of the following requirements.

- 5-8(D)(7)(a) Security lighting controlled by a motion sensor shall turn off or return to a dimmed level no more than 10 minutes after motion was detected.
- 5-8(D)(7)(b) Security/surveillance cameras emitting infrared light are allowed.
- 5-8(D)(7)(c) Illumination different from ANSI/IES standards may be reviewed and decided by requesting a Site Plan – EPC pursuant to Subsection 14-16-6-6(l) and providing an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).

5-8(E) LIGHTING DESIGNATIONS FOR ZONE DISTRICTS

Table 5-8-2: Lighting Designations by Zone District indicates the equivalent ANSI/IES lighting designations allowed in each zone district based on allowable land uses. Where multiple designations are indicated for a zone district, the notes in the table identify which designation shall be used depending on context.

Table 5-8-2: Lighting Designations by Zone District																		
NDZ = Natural Dark Zone Lz0 = Light Zone 0 Lz1 = Light Zone 1 Lz2 = Light Zone 2 Lz3 = Light Zone 3																		
Zone District	Residential						Mixed-Use				Non-Residential							
ANSI/IES Lighting Designation	R-A	R-1	R-T	R-MC	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-PO			
															A	B	C	D
NDZ																X ¹	X ¹	
Lz0	X ³	X ³	X ³	X ³	X ³		X ³								X ²	X ²	X ²	X ²
Lz1	X	X	X	X	X	X ^{3, 4}	X	X ⁴	X ⁴	X ⁴	X	X	X	X	X			X
Lz2						X		X	X	X	X ⁵			X ⁵	X ⁶			
Lz3									X ⁵	X ⁵					X ⁷			
Notes: [1] NDZ is required in NR-PO zones for open space where no anthropogenic light is allowed. [2] Lz0 is required in NR-PO zones for open space where some anthropogenic light is needed in hours of darkness, parks with minimal amenities, and parks or open space adjacent to low-density residential uses. [3] A lower lighting zone is required on subject properties with sensitive lands. [4] A lower lighting zone is required on subject properties adjacent to low-density residential uses. [5] In UC-MS-PT-MT areas, a higher lighting zone is allowed, unless the subject property is adjacent to any Residential zone district. [6] Lz2 is allowed in parks with high pedestrian activity and many amenities. [7] Lz3 is allowed in parks containing nighttime stadiums or entertainment activities.																		

5-8(E)(1) Planned Development Zone Districts

- 5-8(E)(1)(a) Existing PD or PC zone districts that did not establish lighting standards must come into compliance with the requirements of the lighting designation that most closely matches their current

land use and surrounding contexts as established in Table 5-8-2 pursuant to Subsection 14-16-6-8(G).

- 5-8(E)(1)(b) Any new PD or PC zone districts shall establish the lighting designation(s) that most closely matches the allowable uses of the zone districts in Table 5-8-2 and the lumen limits from Subsection 14-16-5-8(F) in the Site Plan – EPC, pursuant to Subsection 14-16-6-6(I), or Framework Plan, pursuant to Subsection 14-16-6-7(H), as relevant, with an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).

5-8(E)(2) Non-residential Sensitive Use (NR-SU) Zone District

- 5-8(E)(2)(a) Existing NR-SU zone districts that did not previously establish lighting standards must come into compliance with the requirements of the lighting designation that most closely matches their current land use and surrounding context as established in Table 5-8-2 pursuant to Subsection 14-16-6-8(G).
- 5-8(E)(2)(b) Any new NR-SU zone district shall establish the lighting designation(s) that most closely matches the allowable uses of a zone district in Table 5-8-2 and the lumen limits from Subsection 14-16-5-8(F) in their Site Plan – EPC pursuant to Subsection 14-16-6-6(I) with an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).

5-8(E)(3) Non-residential Parks and Open Space (NR-PO)

- 5-8(E)(3)(a) City Parks & Recreation staff shall identify environmentally sensitive areas that need protection from anthropogenic light and design outdoor and site lighting based on the lowest possible lighting designation in Table 5-8-2.
- 5-8(E)(3)(b) City Parks & Recreation staff shall identify adjacent properties and design outdoor and site lighting based on the appropriate lighting designation in Table 5-8-2.

5-8(E)(4) Light Trespass

- 5-8(E)(4)(a) Unless specified elsewhere in this IDO, all outdoor luminaires shall be located or optically shielded such that the point light source is not visible from adjacent property or public right-of-way.
- 5-8(E)(4)(b) The total illumination from outdoor light sources and interior light escaping from windows shall not exceed light trespass limits in Table 5-8-3, as measured at any location along the property line in both of the following ways:
1. Horizontally at finished grade with the light meter facing upward.
 2. Vertically at 5 feet (1.5 meters) above finished grade with the light meter aiming toward the subject property.

TABLE 5-8-3: LIGHT TRESPASS LIMITS BY LIGHTING DESIGNATION					
	NDZ	Lz0	Lz1	Lz2	Lz3

Footcandles (fc)	0.02	0.05	0.1	0.3	0.8
Lux (lx)	0.2	0.5	1.0	3.0	8
Luminance (cd/m ²)	0	1	20	40	80

5-8(E)(4)(c) If the total illumination from outdoor light sources and interior light escaping from windows exceeds light trespass limits in Table 5-8-3 at any point along the property light, lighting must be re-aimed, removed, turned off, or dimmed until compliance is reached.

5-8(F) TOTAL LUMEN ALLOWANCE

All sources of light visible from the exterior of a property shall meet the requirements of this Subsection 14-16-5-8(F). Only 20 percent of the total allowable site lumens in Table 5-8-4 or Table 5-8-5 is allowed to be uplight (i.e. light emitted above 90 degrees from nadir).

5-8(F)(1) Residential Uses

5-8(F)(1)(a) Total Lumen Allowance

Table 5-8-4 indicates the total exterior lumens allowed for each dwelling on a subject property.

TABLE 5-8-4: TOTAL LUMENS ALLOWED PER DWELLING				
ZONE DISTRICTS	Lz0	Lz1	Lz2	Lz3
R-A	3,000	5,000	-	-
R-1A	1,500	3,000	-	-
R-1B	2,500	4,500	-	-
R-1C	2,500	4,500	-	-
R-1D	3,000	5,000	-	-
R-T	12,000	20,000	-	-
R-MC	1,500	3,000	-	-
R-ML or MX-T	12,000	20,000	-	-
R-MH or MX-L	-	24,000	35,000	-
MX-M	-	24,000	35,000	49,000
MX-H	-	27,000	40,000	56,000

5-8(F)(1)(a) Additional Lumen Allowance

1. An additional 1,500 lumens are allowed for an accessory dwelling unit (ADU).
2. Outdoor walkways, outdoor stairs, and parking lots for multi-family dwellings, assisted living facilities, or nursing homes are allowed additional lumens pursuant to Table 5-8-5.

5-8(F)(2) Non-residential Development

Table 5-8-5 indicates the total lumens allowed from all outdoor light sources on properties with an allowable non-residential use.

TABLE 5-8-5: TOTAL SITE LUMENS ALLOWED - NON-RESIDENTIAL DEVELOPMENT					
Lighting Requirement	Unit	Lz0	Lz1	Lz2	Lz3
Tree, Landscape, and Sculpture Beds	lm / s.f.	0.5	1	2	4
Walkways/Stairs/Parking Lot	lm / s.f.	1.00	1.25	1.50	2.50
Outdoor Dining	lm / s.f.	n/a	2	2.5	3

5-8(G) ADDITIONAL STANDARDS FOR SPECIFIC TYPES OF LIGHTING

5-8(G)(1) Sports and Recreation

5-8(G)(1)(a) General

1. Lighting for recreational areas and outdoor sports, such as baseball, football, racquet sports, and similar sports, shall follow ANSI/IES RP-6 standards. Illumination shall be confined to within 150 feet (or one pole height, whichever is greater) of the play field, track, or bleacher.
2. Correct aiming, shielding, and/or internal louvers are required to prevent light trespass, glare, and light emitted above 60 degrees from nadir.
3. When allowed by permit, underwater pool, spa, and pool deck lighting shall not exceed ANSI/IES RP-6 standards.

5-8(G)(1)(b) Residential Recreational Amenity and Private Parks

1. For small courts located on property with a Residential use or located in private parks within the NR-PO-C sub-zone that serve fewer than 25 people, a performance analysis is not required for lighting that meets the requirements of Section 14-16-5-8(G), including the light pole heights in Table 5-8-1.
2. Lighting on the field of play is not allowed in Lz0.
3. Up to 2 light poles are allowed. Illuminance levels on the field of play shall not exceed any of the following, as relevant:
 - a. Lz2 or Lz3: 10 fc
 - b. Lz1: 5 fc
4. For additional lighting, or if 3 or more light poles are desired, a performance analysis pursuant to Subsection 14-16-6-4(H)(3) and a Site Plan – EPC pursuant to 14-16-6-6(I) are required.

5-8(G)(1)(c) Collegiate, Professional, Stadium, or Outdoor Entertainment Sports Facility

1. These facilities require a performance analysis pursuant to Subsection 14-16-6-4(H)(3) and a Site Plan – EPC pursuant to 14-16-6-6(I).
2. Pole mounting heights shall be based on the playability of the sport, photometric reports, and the player's glare zones per ANSI/IES RP-6.

3. Poles shall be anodized or otherwise coated to minimize glare from the luminaire. Wooden poles are also acceptable.
4. For sports fields where games will regularly be filmed or televised, a CCT of 4000K is allowed but not required.
5. Sports lighting luminaires shall have a CRI of at least 75.
6. Luminaires shall be extinguished 1 hour after the end of play.
7. Uplighting is allowed for aerial sports such as baseball and football. Uplighting shall be controlled separately from other sports lighting.

5-8(G)(2) Seasonal

- 5-8(G)(2)(a) Seasonal lighting is not allowed in lighting designation NDZ.
- 5-8(G)(2)(b) Seasonal lighting is allowed for up to 45 consecutive days up to 2 times per year.
- 5-8(G)(2)(c) Seasonal lighting is exempt from the uplight, CCT, CRI, and point light source restrictions in Subsections 14-16-5-8(D) and 14-16-5-8(E)(4)(a).

5-8(G)(3) Historic Landmarks and HPO Zones

Outdoor or site lighting on a historic landmark or in HPO zones that does not comply with the requirements in this Section but that are consistent with the time period and character of the historic structure may be allowed by the Landmarks Commission pursuant to a Historic Certificate of Appropriateness – Major pursuant to Subsection 14-16-6-6(D).

On page 359, revise Subsection 14-16-5-12(E)(5)(a)2 as follows:

5-12 SIGNS

5-12(E) STANDARDS APPLICABLE TO ALL SIGNS

5-12(E)(5) Illumination and Motion

5-12(E)(5)(a) General

2. No white portion of an illuminated sign shall exceed the luminance limits in Table 5-12-1 [new] during the hours of darkness.

TABLE 5-12-1 [new]: SIGN LUMINANCE LIMITS	
ANSI/IES Lighting Designation Lighting Designation	Maximum Luminance (Nits)
Lz1	108
Lz2	323
Lz3	685

3. [New] No other portion of an illuminated sign shall have a luminance greater than ~~200 foot lamberts~~ or 685 nits during the hours of darkness at night.

5-12(H) ELECTRONIC SIGNS

5-12(H)(4) Illumination, Brightness, and Images

- 5-12(H)(4)(b) Electronic signs shall not exceed an illumination level of 0.3 foot candles above ambient light as measured from a distance indicated in Table 5-12-5 based on sign area, with the light meter held perpendicular to the sign and targeting the color white.

On page 407, in Section 14-16-6-4 General Procedures, create a new Subsection (H) with heading “Analyses and Study Requirements” and make existing Subsection 6-4(H) Cumulative Impacts Analysis and 6-4(I) Traffic Impact Study subheadings in the new section. Add a new Subsection in the new Subsection (H) with text as follows:

Part 14-16-6 Administration and Enforcement

6-4 GENERAL PROCEDURES

6-4(H) [NEW] ANALYSES AND STUDY REQUIREMENTS

6-4(H)(3) [new] Outdoor and Site Lighting Performance Analysis Requirements

- 6-4(H)(3)(a) A performance analysis for outdoor and site lighting may be requested for EPC review as part of a Site Plan – EPC. A lighting plan pursuant to 14-16-6-4(H)(3)(b) below shall be submitted with the application for Site Plan – EPC.
- 6-4(H)(3)(b) The outdoor lighting plan shall include all of the following:
1. Luminaire locations, mounting heights, and aiming directions.
 2. Illuminating Engineering Society (IES) photometric data.
 3. Locations of buildings and structures.
 4. Location of trees and shrubs above 4 feet high.
- 6-4(H)(3)(c) An affidavit shall be submitted verifying that the lighting plan meets both of the following:
1. ANSI/IES standards.
 2. The requirements of Section 14-16-5-8.
- 6-4(H)(3)(d) The lighting plan is subject to the application completeness requirements of Subsection 14-16-6-4(G).

On page 485, in Subsection 14-16-6-6(I), add new subsections with text as follows:

6-6 DECISIONS REQUIRING A PUBLIC HEARING

6-6(I) SITE PLAN – EPC

6-6(I)(1) Applicability

6-6(I)(1)(a) This Subsection 6-6(I) applies to any of the following:

9. [New] Any application for development requesting an outdoor and site lighting performance analysis to determine compliance with lighting requirements.

6-6(I)(3) Review and Decision Criteria

6-6(I)(3)(h) If an outdoor or site lighting performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of Section 14-16-5-8(E) without sufficient mitigation and benefits that outweigh the expected impacts.

On page 535, in Subsection 14-16-6-8(G), add a new Subsection with text as follows:

6-7 NONCONFORMITY

6-7(A) NONCONFORMING SITE FEATURES

6-7(A)(1) Outdoor and Site Lighting

6-7(A)(1)(a) Outdoor and site lighting that does not satisfy the requirements of this IDO and that requires investment in electrical work or a new luminaire shall be considered nonconforming until January 1, 2034.

6-7(A)(1)(b) After January 1, 2034, unless otherwise specified in this IDO, all outdoor luminaires that do not satisfy the requirements of this IDO must be replaced or retrofitted to comply.

On page 545, in Section 14-16-7-1, add new terms with text as follows and revise existing terms as follows:

Part 14-16-7 Definitions & Acronyms

7-1 DEFINITIONS

ANSI/IES Standards

Standards developed by the American National Standards Institute (ANSI) and the Illuminating Engineering Society (IES), a professional organization of designers, architects, engineers, sales professionals, and researchers. For the purposes of this IDO, ANSI/IES standards are referenced for in Section 14-16-5-8 (Outdoor and Site Lighting).

Anthropogenic

Change of conditions caused or influenced by people.

BUG (Backlight, Uplight, Glare) Rating

A rating system for the quantity of light within specific beam angles, consisting of all of the following:

Backlight

A rating based on zonal lumens distributed behind a luminaire between 0 and 90 degrees from the vertical of nadir.

Uplight

A rating based on zonal lumens emitted above 90 degrees from the vertical of nadir.

Glare

A rating based on the zonal lumens distributed between 60 and 90 degrees from the vertical of nadir.

Candela

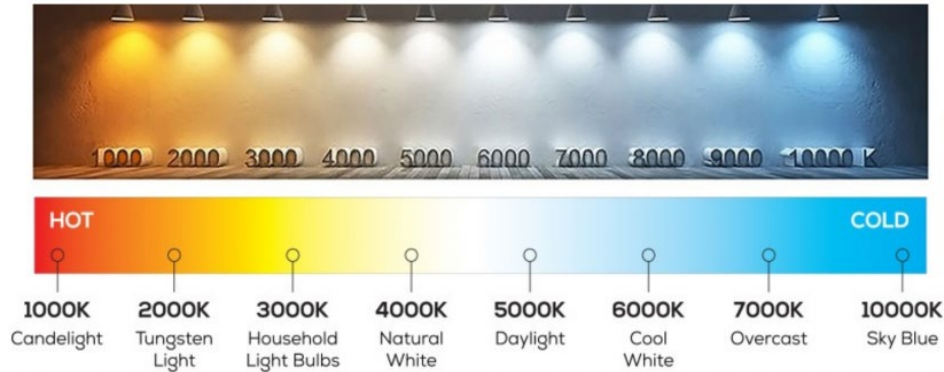
The International System of Units (SI) of luminous intensity in a given direction of a light source, measured in candela per square meter (cd/m²).

Color Rendering Index (CRI)

A measurement on a scale of 0 to 100 to describe the ability of a light source to render an object's colors as if it were being exposed to natural daylight. A score close to 100 indicates that an anthropogenic light source is a close match for natural light.

Correlated Color Temperature (CCT)

The color appearance of light emitted by a lamp. The CCT rating for a lamp is a measure of the "warmth" or "coolness" of its appearance and is measured in Kelvin (K). Lower CCT (2200K) appears very warm or amber. Medium CCT (2700K – 3000K) appears "warm white." High CCT (4000K +) appears "cool white" or "blue."



Festoon Lighting

String lighting with individual bulbs suspended between two or more points and capable of providing usable illuminance, subject to curfew. For the purposes of this IDO, festoon lighting is not considered seasonal lighting. See also *curfew* and *seasonal lighting*.

Foot Candle

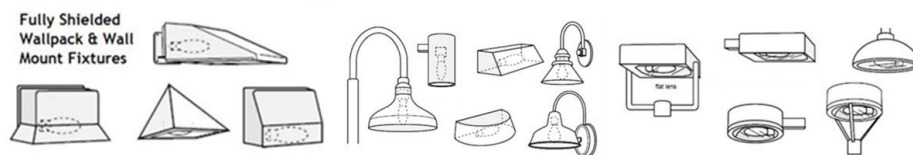
A unit of illumination of a surface that is equal to one lumen per square foot (lm/s.f.). For the purposes of this IDO, foot candles shall be measured at a height of 5 feet (1.5 meters) ~~3 feet~~ above finished grade by a digital light meter.

Foot Lambert

A unit of luminance equal to $1/\pi$ candela per square foot or 3.426 candela per square meter. 200 foot lamberts = 685 nits. See also *Measurement Definitions for Luminance*.

Fully Shielded Luminaire

Luminaires constructed and properly installed so that no light rays are directly emitted at angles above the horizontal plane as certified by a photometric test report and all light is effectively directed downward.



Glare

The sensation produced by luminance brightness within the visual field of vision that is ~~are~~ sufficiently greater than the luminance light level to which the eyes are already adapted to, causing ~~cause~~ annoyance, discomfort, or loss of in visual performance ~~and visibility~~.

Lighting Designations

Lighting designations align with the ANSI/IES lighting zone definitions, which serve as the basis for ANSI/IES lighting standards. For the purposes of this IDO, the lighting zones are summarized below.

Natural Dark Zone (NDZ)

Natural areas where no anthropogenic lighting is allowed at night.

Light Zone 0 (Lz0)

Predominantly dark areas with limited built environment. Responsible lighting techniques offer some environmental protection.

Light Zone 1 (Lz1)

Developed areas with quiet and dark character, commonly used for residential and lower-volume areas.

Light Zone 2 (Lz2)

Developed areas for commerce and recreation with moderate volume. Lighting and minimal signage inform people.

Light Zone 3 (Lz3)

Commercial signage and lighting are continuous as they compete to attract and entertain people.

Illuminance

A measurement for the amount of light falling onto a surface, commonly measured in the horizontal and/or vertical planes in Footcandles (Fc) or lux.

Light Trespass

Light traveling past property lines and illuminating properties without approval.

Luminaire

The complete electrical light unit, including the light source, housing, optics, and driver.

Luminance

The light source or surface brightness as it is perceived by the human eye, measured in candela per meter squared (cd/m²).

Measurement Definitions**Luminance**

The brightness of an object, expressed in terms of foot lamberts, determined from a point 5 feet above ground level on another premises or the public right-of-way, at least 20 feet in any direction from the object measured. See also *Foot Lambert*.

Lumen

A unit of measure to rate the quantity of light provided by a light source. A quantitative unit measuring the amount of light emitted by a light source. A lamp is generally rated in lumens.

Lux

A unit used to measure illuminance. One (1) lux is equal to 1 lumen per square meter (lm/m²).

Mounting Height

The vertical distance between the finished grade and the center of the apparent light source of the luminaire.

Outdoor Lighting Curfew

For the purposes of this IDO, the time between 10 P.M. and 7 A.M. when outdoor lighting and interior light escaping through windows must be reduced by at least 50 percent of the normal illuminance. For establishments with business hours later than 10 P.M., outdoor lighting curfew begins one hour after

closing. For establishments with business hours earlier than 7 A.M., outdoor lighting curfew ends one hour before opening.

Point Light Source

The exact place where illumination is produced (e.g. a light bulb filament or LED package) even when behind a clear lens.

Shielded Lighting

A floodlight with an accessory intended to block obtrusive light through either an optical intervention and/or a physical shield or louver.

Seasonal Lighting

Outdoor or site lighting that is portable, temporary, and decorative. This includes but is not limited to string lighting, icicle lighting, outline lighting, and lighted holiday inflatables that are not intended for general illumination. See also *Festoon Lighting*.

Security Lighting

Distinct from outdoor lighting installed for safe passage during hours of darkness, security lighting is installed to provide bright illumination for security to protect people, property, and infrastructure from physical or criminal threats.

On page 617, in Section 14-16-7-2 Acronyms and Abbreviations, add text as follows

7-2 ACRONYMS

ANSI - American National Standards Institute

BUG - Backlight, Uplight, Glare

CCT - Correlated Color Temperature

CD - Candela

CRI - Color Rendering Index

FC - Footcandle

IES - Illuminating Engineering Society

LED - Light Emitting Diode

LM - Lumen



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Isaac Benton, City Councilor for District 2
Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Cottage Development Use-Specific Standards

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

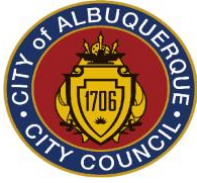
Purpose: The purpose of this amendment is to add new use-specific standards (USS) to the Cottage Development use. One USS will allow dwelling units to be connected on one side and the other will require front porches on all dwelling units in a Cottage Development.

Actions:

- Add two new use-specific standards to 4-3(B)(4) Cottage Development in appropriate numerical order as follows

[4-3(B)(4)(XX) In the R-1 zone district, dwelling units may be attached on one side.]

4-3(B)(4)(XX) Dwelling units shall have front porches.]



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Two-Family Detached (Duplex)

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

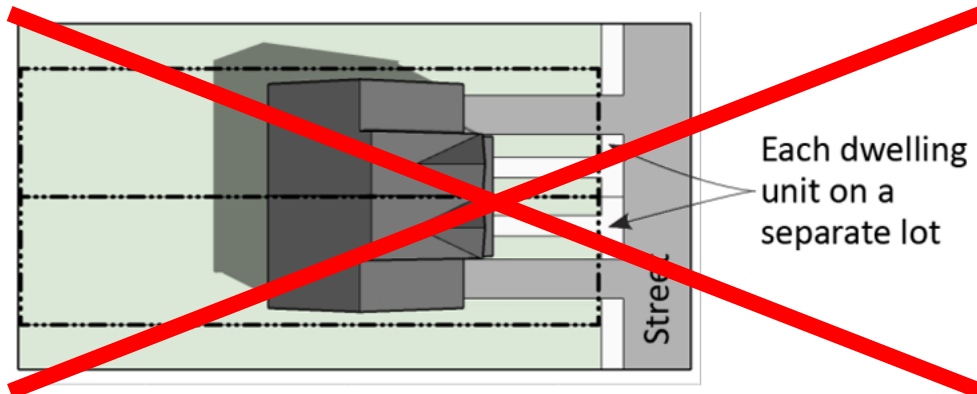
Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to allow two-family detached (duplex) dwellings in the entirety of the R-1 zone district and add new use-specific standards. Today, this dwelling type is only allowed in the R-1A sub district of R-1.

Actions:

- Delete 4-3(B)(5)(b) and the associated illustration as follows:

~~{4-3(B)(5)(b) This use is prohibited in the R-1 zone district, except in R-1A where 1 two-family detached dwelling is permissive on 2 lots where the building straddles the lot line and each dwelling unit is on a separate lot. (See figure below.)}~~



- Add use-specific standards to 4-3(B)(5) Two-Family Detached (duplex) in appropriate numerical order as follows:

4-3(B)(5)(XX) In the R-1 Zone District, this use is permissive on lots where the second dwelling unit is attached to or is within an existing building.

4-3(B)(5)(XX) In the R-1 Zone District, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) when the dwelling is constructed on a vacant lot.

4-3(B)(5)(XX) In the R-1 Zone District, this use is not allowed on a lot with an Accessory Dwelling Unit.

4-3(B)(5)(XX) Street facing facades must have at least one entrance and one window.]

- Add a use-specific standard to 4-3(F)(6) Dwelling Unit, Accessory as follows:

4-3(F)(6)(XX) In the R-1 Zone District, this use is not allowed on a lot with a Two-Family Detached (Duplex) dwelling.]



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Rene Grout, City Councilor for District 9

SUBJECT: 2023 IDO Update: Cannabis Retail

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is to make four changes to Cannabis Retail:

1. Remove the Conditional Use allowance for Cannabis Retail when a location is proposed within 600 feet of another location
2. Remove the distance separation exception for businesses with microbusiness licenses
3. Increase the distance separation requirement from 600 feet to 660 feet to be consistent with other measurements in the IDO
4. Remove the allowance of Cannabis Retail in the MX-T zone district.
5. Delete the definition of Cannabis Microbusiness, as there will be no regulations pertaining to microbusinesses if this amendment is to pass.

Actions:

- Amend Table 4-2-1: Allowable Uses on page 153 to remove the “P” from the Cannabis Retail line in the MX-T zone district.
- Amend Section 4-3(D)(35)(c) as follow:

~~4-3(D)(35)(c) [If located within 600 feet of any other cannabis retail establishment, this use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A), unless associated with an establishment licensed by the State as a cannabis microbusiness. Nothing herein prohibits multiple licenses from operating from a single “licensed premises” as defined by Sections 26-2C-1 to 26-2C-42 NMSA 1978.] [This use is prohibited within 660 feet of another cannabis retail location.]~~

- Delete section 4-3(D)(35)(j) as follows:

~~[4-3(D)(35)(i) In the MX-T zone district, this use is prohibited, unless associated with an establishment licensed by the State as a cannabis microbusiness, in which case this use shall not exceed 10,000 square feet of gross floor area.]~~

- Amend Section 7-1 Definitions to delete the definition of Cannabis Microbusiness:

~~**[Cannabis Microbusiness**~~

~~An establishment licensed by the State as an Integrated Cannabis Microbusiness or Cannabis Producer Microbusiness, as defined by Sections 26-2C-1 to 26-2C-42 NMSA 1978.]~~



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Rene Grout, City Councilor for District 9

SUBJECT: 2023 IDO Update: Boat and RV parking

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is disallow recreational vehicles and boats from parking in a front yard area, whether that front yard area has been improved or not.

Actions:

- Amend Section 5-4(B) as follows:

5-5(B)(4)(d) Parking of recreational vehicle, boat, and/or recreational trailer for more than 2 hours:

1. Allowed with the permission of the property owner of a premises with a primary residential use allowed by Table 4-2-1 in any Residential zone district or MX-T zone district.
2. Allowed with the permission of the property owner of a premises with a primary non-residential use allowed by Table 4-2-1 in any MX or NR zone district.
3. The vehicle must be parked in 1 of the following areas:

a. Inside an enclosed structure.

b. Outside in a side or rear yard.

~~[c. Outside in a front yard, with the unit perpendicular to the front curb and the body of the recreational vehicle at least 11 feet from the face of the curb.]~~

4. The vehicle shall not be parked in any portion of a front yard, whether that portion has been improved as a driveway or not.]



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Parking Maximums near Transit Facilities

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to implement a maximum parking requirement within proximity to Transit Facilities. This new requirement would exclude park & ride facilities, which fall under the general definition of 'transit facilities'. The IDO defines a transit facility as follows:

Transit Facility Land used for transit stations, terminals, depots, and transfer points, which may include shelters, park-and-ride lots, and/or related facilities on public or privately owned lots.

Actions:

- Amend 5-5(C)(7) Parking Maximums to add a new subsection in appropriate numerical order as follows:

[5-5(C)(7)(XX) Within 330 feet of a transit facility, the maximum number of off-street parking spaces provided shall be no more than 100 percent of the off-street parking spaces required by Table 2-4-13 or Table 5-5-1, as applicable.]



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Isaac Benton, City Councilor for District 2
Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Landscaping Applicability

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to reduce the applicability in which landscaping is required. The requirements are proposed to be lowered by a total of 20%.

Actions:

- Amend 5-6(B) APPLICABILITY as follows:

5-6(B)(1) The provisions of this Section 14-16-5-6 shall apply to any of the following, unless specified otherwise this IDO:

5-6(B)(1)(a) Construction of a new building containing multi-family, mixed-use, or non-residential development or an accessory parking structure.

5-6(B)(1)(b) Construction of a new parking lot containing ~~[25 20]~~ or more spaces, or expansion of an existing parking lot by ~~[25 20]~~ spaces or more.

5-6(B)(1)(c) Expansion of the gross floor area of an existing building containing multi-family, mixed-use, or non-residential development by ~~[2,500 2,000]~~ square feet or more, or ~~[25 20]~~ percent or more, whichever is less.

5-6(B)(1)(d) Renovation or redevelopment of an existing building containing multi-family, mixed-use, or non-residential development, including but not limited to reconstruction after fire, flood, or other damage, where the value of the renovation or redevelopment, indicated by building permits, is ~~[\$500,000 \$400,000]~~ or more.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Mulching Requirements

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to specify that the existing mulching requirement in the IDO – which currently requires that a minimum of 2 inches of mulch be required in planting areas – be specifically extended to two feet around any plant. The code does not currently have a requirement for how far the mulch around the base of a plant must extend.

Actions:

- Amend 5-6(C)(5)(d) as follows:

5-6(C)(5)(d) A minimum of 2 inches of organic mulch is required in all planting areas [within at least a 2-foot radius around the plant at anticipated mature size of the actual vegetation], with 3-4 inches recommended. (See figure below.)



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Isaac Benton, City Councilor for District 2
Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Street Tree Mulching Requirement

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

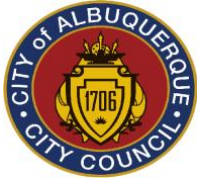
Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to remove the mulching requirement for trees that are considered street trees. Other trees on a project site that would not meet the definition of a street tree would continue to be subject to the mulching requirement. The IDO considers any tree within 20-feet of a street to be a street tree.

Actions:

- Amend 5-6(B) APPLICABILITY as follows:

5-6(C)(5)(e) Organic mulch is required as ground cover under trees [, not including street trees,] within a 5-foot radius around the tree trunk, but not directly against the trunk. In these areas, weed barrier fabric is prohibited. (See figure below.)



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Building Design

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to implement building design requirements for buildings which do not have such requirements. Today, the IDO provides building design requirements for low-density residential buildings, multi-family buildings, and buildings in mixed-use or non-residential zone districts that are within Urban Centers, Main Street Corridors, or Premium Transit Corridors

Actions:

- Create a new Section 5-11(F) as follows and renumber subsequent sections as necessary

[5-11(F) NON-RESIDENTIAL DEVELOPMENT OTHER THAN INDUSTRIAL DEVELOPMENT IN NR-LM OR NR-GM

All non-residential development, except Industrial development, in the NR-LM or NR-GM zone districts shall comply with the standards in this Subsection 14-16-5-11(F), except that Parking structures, including the portion of parking structures incorporated into a building with allowable primary and/or accessory uses, shall comply with the design standards in 14-16-5-5(G) (Parking Structure Design).

5-11(F)(1) Façade Design

Each street-facing façade shall incorporate at least 2 of the following features along at least 20 percent of the length of the façade, distributed along the façade so that at least 1 of the incorporated features occurs every 50 feet:

- a) Ground floor transparent windows
- b) Windows on upper floors

- c) Primary pedestrian entrances
- d) Sun shelves or other exterior building features designed to reflect sunlight into the building and reduce the need for interior lighting.
- e) Raised planters between 12 inches and 28 inches above grade with the surface planted to achieve at least 75 percent vegetative cover at maturity.
- f) Wall plane projections or recesses of at least 1 foot in depth at least every 50 feet of façade length and extending at least 10 percent of the length of the façade.
- g) A change in color, texture, or material at least every 50 feet of façade length and extending at least 20 percent of the length of the façade.
- h) Art such as murals or sculpture that is privately-owned or coordinated through the City Public Arts Program.
- i) Portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather.]

- Create a new Section 5-11(G) as follows and renumber subsequent sections as necessary

[5-11(G) INDUSTRIAL DEVELOPMENT IN ANY ZONE DISTRICT

All industrial development located in any zone district, excluding MX-FB, NR-SU, and NR-PO that does not meet the applicability requirements of Section 5-11(E) shall comply with the standards in this Subsection 14-16-5-11(G), except that Parking structures, including the portion of parking structures incorporated into a building with allowable primary and/or accessory uses, shall comply with the design standards in 14-16-5-5(G) (Parking Structure Design).

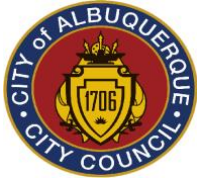
5-11(G)(1) Each street-facing façade less than 150 feet in length shall incorporate at least 1 of the following features along at least 15 percent of the length of the façade, distributed along the façade so that at least 1 of the incorporated features occurs every 50 feet:

- a) Transparent windows
- b) Wall plane projections or recesses of at least 1 foot in depth at least every 50 feet of façade length and extending at least 20 percent of the length of the façade.
- c) A change in color, texture, or material at least every 50 feet of façade length and extending at least 20 percent of the length of the façade.
- d) Art such as murals or sculpture that is privately-owned or coordinated through the City Public Arts Program.
- e) Portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather.

5-11(G)(2) Each street-facing façade shall incorporate at least 1 of the following features along at least 10 percent of the length of the façade, distributed along the façade so that at least 1 of the incorporated features occurs every 75 feet:

- a) Transparent windows
- b) Wall plane projections or recesses of at least 1 foot in depth at least every 75 feet of façade length and extending at least 10 percent of the length of the façade.

- c) A change in color, texture, or material at least every 75 feet of façade length and extending at least 20 percent of the length of the façade.
- d) Art such as murals or sculpture that is privately-owned or coordinated through the City Public Arts Program.
- e) Portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather.]



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Brook Bassan, City Councilor for District 4

SUBJECT: 2023 IDO Update: Pre-Submittal Meeting Validity Period

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

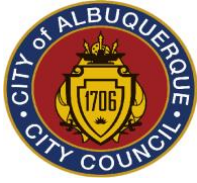
Purpose: The purpose of this amendment is to increase the time in which a pre-submittal neighborhood meeting is valid prior to an application being submitted. Today, the pre-submittal neighborhood meeting must occur within 90 days of the development application being filed. This amendment proposes to increase that timeline to one year.

Actions:

- Amend 6-4(B) as follows:

6-4(B) PRE-SUBMITTAL NEIGHBORHOOD MEETING

6-4(B)(1) For applications that meet any of the following criteria, the applicant shall offer at least 1 meeting to all Neighborhood Associations whose boundaries include or are adjacent to the subject property no more than ~~{90-calendar days}~~ [1 year] before filing the application. In such cases, project applications will not be accepted until a pre-submittal neighborhood meeting has been held, or the requirements for a reasonable attempt in Subsection (3) below have been met.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Rene Grout, City Councilor for District 9

SUBJECT: 2023 IDO Update: Front Yard Parking – Angular Stone

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is to remove “angular stone” as an allowed material that would meet the requirement of an improved surface for the purposes of front yard parking regulations in the IDO. Other gravel-like materials such as crusher fines will continue to be an allowed material.

Actions:

- Amend Section 6-8(G) to as follows:

6-8(G)(2)(a) Front Yard Parking Areas in Existence Prior to June 17, 2007

1. Front yard parking areas that do not satisfy the requirements of this IDO that were improved for and specifically dedicated to use as a front yard parking area prior to June 17, 2007 (when City Council adopted O-07-61, which first regulated front yard parking), and that otherwise satisfied the requirements of all applicable regulations in place at the time of their installation, may continue to be used as front yard parking areas pursuant to the provisions of this IDO governing nonconforming uses and structures.

a. For the purposes of this Subsection 14-16-6-8(G)(3), “improvements” include either impervious surfaces, such as concrete or asphalt, or all-weather pervious surfaces, such as recycled asphalt, compacted crusher fines ~~[, or compacted angular stone.]~~. In order to enjoy nonconforming status under this Section 14-16-6-8, any such improvements must have been installed for and be suitable for the specific purpose of front yard parking and maneuvering.

- Amend Section 5-5(F) as follows:

5-5(F)(2) Design, Access, and Circulation

The following standards apply to driveways, drive aisles, carports, parking lots, and parking structures unless specified otherwise in this IDO.

5-5(F)(2)(a) Low-density Residential Development

The following standards apply to all low-density residential development in any zone district except R-MC.

1. Driveways, parking areas, and curb cuts shall meet any applicable requirements in Subsection 14-16-5-3(C)(3)(b) (Driveways, Drive Aisles, and Access) and the DPM except that angular stone is not allowed.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Tribal Engagement

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is to integrate potentially impacted Tribal nations and their members within the development review and approval process. In the IDO today, there is no formal mechanism for Tribal nations within and around Albuquerque to be notified or otherwise included in the review and approval process of development activities. The proposed amendments below will create a formal process in which Tribal nations will be solicited for feedback on certain development applications and/or provided notice of development activity.

**6-4(J)(9) and 6-4(J)(10) will require two separate Text Amendment to IDO – Small Mapped Area applications. This language has been provided in this memo for illustrative purposes but should not be included by the Planning Department in the 2023 IDO Annual Update city-wide changes.*

Actions:

- Amend Section 7-1 to add a new definition as follows:

Indian Nation, Tribe, or Pueblo

For the purposes of this IDO, the designated chief executives of a federally recognized Indian Nation, Tribe, or Pueblo located wholly or partially in New Mexico. The Tribal Liaison with the City's Office of Native American Affairs shall maintain an updated list of the names and contact information for the chief executives of the Indian Nations, Tribes or Pueblos.

Tribal Representative

A tribally appointed representative currently serving on the City of Albuquerque Commission on American Indian/Alaska Native Affairs. The Tribal Liaison with the City's Office of

Native American Affairs shall maintain an updated list of the names and contact information for members of the City of Albuquerque Commission on American Indian/Alaska Native Affairs.

Tribal Land

Land held in trust, fee land, or land owned by the tribal government of an Indian Nation, Tribe, or Pueblo that the relevant tribal government requests in writing to be mapped by AGIS for the purpose of referrals to the tribal government as a commenting agency.]

- Amend Section 6-4 as follows:

6-4(J) REFERRALS TO COMMENTING AGENCIES

Following a determination that the application is complete, the Planning Director, ZEO, or any City staff designated to review applications in Table 6-1-1 shall refer applications for comment to the following departments or agencies, as noted below. Any comments received within 15 calendar days after such a referral shall be considered with the application materials in any further review and decision-making procedures.

6-4(J)(6) Development within 660 feet of the Petroglyph National Monument

6-4(J)(6)(a) National Park Service.

6-4(J)(6)(b) Open Space Division of the City Parks and Recreation Department.

[(6-4(J)(6)(c) Indian Nation, Tribes, or Pueblos

6-4(J)(6)(d) Tribal Representative

6-4(J)(7) Development within 660 feet of Major Public Open Space

6-4(J)(7)(a) Indian Nation, Tribes, or Pueblos

6-4(J)(7)(b) Tribal Representative

6-4(J)(8) Development within 660 feet of tribal land.

6-4(J)(8)(a) Indian Nation, Tribes, or Pueblos

6-4(J)(8)(b) Tribal Representative

6-4(J)(9) The ~~4-H Park~~ Albuquerque Indian School Area*

6-4(J)(9)(a) Indian Nation, Tribes, or Pueblos

6-4(J)(9)(b) Tribal Representative

6-4(J)(10) Development within 660 feet of the Northwest Mesa Escarpment View Protection Overlay Zone – VPO-2*

6-4(J)(10)(a) Indian Nation, Tribes, or Pueblos

6-4(J)(10)(b) Tribal Representative

6-4(J)(11) Archaeological Certificate Applications

6-4(J)(11)(a) Indian Nation, Tribes, or Pueblos are to receive the Certificate of No effect or the Certificate of Approval from the City Archaeologist.
6-4(J)(11)(b) Tribal Representative are to receive the Certificate of No effect or the Certificate of Approval from the City Archaeologist.]

- Amend Section 6-5 as follows:

6-5(A) Archaeological Certificate

6-5(A)(2) Procedure

6-5(A)(2)(a) [The applicant shall have all of the following responsibilities:

1. Provide notice of the application to Indian Nation, Tribes, or Pueblos by certified mail and by email that specifies the subject property and the proposed development.
2. Provide notice of the application to the tribal representatives by email that specifies the subject property and the proposed development.
3. Supply proof of notification to Indian nation, tribe, or pueblo and tribal representatives with the application.
4. Provide the treatment plan, if required, by email to Indian nation, tribe, or pueblo and tribal representatives within five business days that it is submitted to the City Archaeologist.]

PUBLIC NOTIFICATION

**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART I - PROCESS

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: Amendment to IDO Text - Citywide

Decision-making Body: City Council

Pre-Application meeting required: ☐ Yes ☒ No

Neighborhood meeting required: ☐ Yes ☒ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

PART II – DETAILS OF REQUEST

Address of property listed in application: City of Albuquerque - all properties

Name of property owner: All

Name of applicant: City of Albuquerque - Planning Department

Date, time, and place of public meeting or hearing, if applicable:

December 14, 2023, 8:30 am, Zoom: <https://cabq.zoom.us/j/2269592859> / (346) 248-7799, Meeting ID: 226 959 2859

Address, phone number, or website for additional information:

<https://abc-zone.com/ido-annual-update-2023>

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☐ Zone Atlas page indicating subject property.

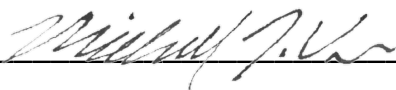
☐ Drawings, elevations, or other illustrations of this request.

☐ Summary of pre-submittal neighborhood meeting, if applicable.

☒ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

 (Applicant signature) 10/26/2023 (Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.

**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

Provide a site plan that shows, at a minimum, the following:

- ☐ a. Location of proposed buildings and landscape areas.
- ☐ b. Access and circulation for vehicles and pedestrians.
- ☐ c. Maximum height of any proposed structures, with building elevations.
- ☐ d. For residential development: Maximum number of proposed dwelling units.
- ☐ e. For non-residential development:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

[Note: Items with an asterisk (*) are required.]

Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed/Emailed to a Neighborhood Association

Date of Notice*: October 26, 2023

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: All - See attachment

Name of NA Representative*: All - See attachment

Email Address* or Mailing Address* of NA Representative¹: All - See attachment

Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* City of Albuquerque - all properties
Location Description All properties within City of Albuquerque boundary
2. Property Owner* Multiple
3. Agent/Applicant* [if applicable] City of Albuquerque - Planning Department
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
☐ Zoning Map Amendment
☒ Other: Amendment to IDO Text - Citywide

Summary of project/request²*:

Amendments proposed for the 2023 annual update of the Integrated Development Ordinance
affecting all properties to be decided legislatively.

5. This application will be decided at a public hearing by*:

☐ Environmental Planning Commission (EPC) ☒ City Council

This application will be first reviewed and recommended by:

☒ Environmental Planning Commission (EPC) ☐ Landmarks Commission (LC)

☐ Not applicable (Zoning Map Amendment – EPC only)

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: Thursday, December 14, 8:30 am

Location*³: Zoom: <https://cabq.zoom.us/j/2269592859> / (346) 248-7799, Meeting ID: 226 959 2859

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*⁴:

<https://abq-zone.com/ido-annual-update-2023>

Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁵ All - See <https://www.cabq.gov/planning/agis-maps>
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: ~~Attached to notice or provided via website noted above~~ N/A
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)

Explanation*:

N/A

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☐ Yes ☒ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

N/A

Public meetings were held October 12 & 13 to review proposed changes

See video and presentation here: <https://abq-zone.com/ido-annual-update-2023#paragraphs-item-339>

³ Physical address or Zoom link

⁴ Address (mailing or email), phone number, or website to be provided by the applicant

⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

Additional Information [Optional]:

From the IDO Zoning Map⁶:

1. Area of Property [typically in acres] City of Albuquerque boundaries
 2. IDO Zone District Multiple
 3. Overlay Zone(s) [if applicable] Application does not affect Overlay Zones
 4. Center or Corridor Area [if applicable] Multiple
- Current Land Use(s) [vacant, if none] Multiple

NOTE: For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: All - See attachment [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinurl.com/idozoningmap>

October 26, 2023

Authorized Representative
City of Albuquerque Recognized Neighborhood Association
Re: Application Submittal for Amendment to IDO Text - Citywide



Dear Neighborhood Association Representative,

As required by Integrated Development Ordinance (IDO) Subsection 14-16-6-7(D)(3), the Planning Department will be submitting the annual update to the Environmental Planning Commission (EPC) for review and recommendation to the City Council at a hearing in December 2023. This emailed letter fulfills the notice requirement in Table 6-1-1 for the Amendment to IDO Text – Citywide and as specified in IDO Subsection 14-16-6-4(K)(2).

Participation Details

To see the full list of proposed amendments and review presentations and videos from public review meetings in September and October, please visit the project webpage:

<https://abq-zone.com/ido-annual-update-2023>

To learn more about the proposed amendments, join us at one of the following events:

Annual Update Open House: **Friday, November 17, 2023, 12:00 pm – 1:30 pm** on Zoom

Zoom link: <https://cabq.zoom.us/j/91371262282>

To dial in by phone: (346) 248-7799, Meeting ID: 913 7126 2282, Passcode: CABQ

Environmental Planning Commission Study Session: **Thursday, December 7, 2023, 8:30 am**

Zoom:

Zoom link: <https://cabq.zoom.us/j/2269592859>

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

Come and listen or give **verbal comments** at the first **Environmental Planning Commission hearing**:

Thursday, December 14, 2023, 8:30 am

Zoom:

Zoom link: <https://cabq.zoom.us/j/2269592859>

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

Send **written comments for the record** to the Environmental Planning Commission:

email: Chair David Shaffer
c/o Planning Department
abcto@cabq.gov

regular mail: Chair David Shaffer
c/o Planning Department
600 Second Street NW, Third Floor
Albuquerque NM 87102

Deadlines:

- To be included in the staff report for EPC consideration, send comments by **9 am on Monday, November 27th**.
- To be included in the packet for EPC consideration, send comments by **9 am on Tuesday, December 12th**.

Purpose

The IDO is the regulatory tool to implement the “Centers and Corridors” community vision set out in the Albuquerque-Bernalillo County Comprehensive Plan (“Comp Plan”) in a coordinated, citywide context so that existing communities can benefit from appropriate new development, while being protected from potential adverse effects. The IDO regulations coordinate with the City’s Development Areas – Areas of Change and Consistency – that work together to direct growth to appropriate locations and ensure protections for low-density residential neighborhoods, parks, and Major Public Open Space. The IDO implements the Comp Plan through regulations tailored to the City’s designated Centers and Corridors. The IDO regulations are also coordinated with transportation and urban design policies in the updated Comp Plan.

In order for the City’s land use, zoning, and development regulations to stay up-to-date, the IDO built in an annual update process into the regulatory framework. This process was established to provide a regular cycle for discussion among residents, City staff, and decision-makers to consider any needed changes that were identified over the course of the year. For the 2023 annual update, staff collected approximately 60 amendments to improve the clarity and implementation of the adopted regulations. These clarifications and adjustments were gathered from staff, the public, the Administration, and Councilors and are compiled into a table of “Proposed Citywide Amendments.” Each proposed change provides the page and section of the adopted IDO that would be modified, the text that is proposed to change, an explanation of the purpose or intent of the change, and the source of the requested change. This document is the main body of the application for Amendments to IDO Text - Citywide.

You can review and/or download the Proposed Amendments and review process online here:

<https://abq-zone.com/ido-annual-update-2023>

Justification

These proposed amendments to the IDO text are consistent with the Annual Update process described in IDO Subsection 14-16-6-3(D). The Planning Department has compiled the recommendations and is now submitting the proposed amendments for EPC's review and recommendation at a public hearing. These proposed amendments to the IDO text meet all of the Review and Decision Criteria in IDO Subsection 14-16-6-7(D)(3).

These proposed Text Amendments to the IDO are also consistent with Comprehensive Plan policies that direct the City to adopt and maintain an effective regulatory system for land use, zoning, and development review. In general, these amendments further the following applicable goals and policies of the ABC Comprehensive Plan and protect the public health, safety, and welfare.

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

Policy 5.3.7 Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.1 Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan area as mapped in Figure 5-3.

Action 5.6.1.1 Develop setback standards for and encourage clustering of open space along the irrigation system.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas, where change is encouraged.

Sub-policy f): Minimize potential negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality, and traffic.

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

Sub-policy b): Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

Policy 5.7.4 Streamlined Development: Encourage efficiencies in the development review process.

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.1 Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

Policy 7.3.5 Development Quality: Encourage innovative and high-quality design in all development.

Goal 7.4 Context-Sensitive Parking: Design parking facilities to match the development context and complement the surrounding built environment.

Policy 7.4.3 Off-street Parking Design: Encourage well-designed, efficient, safe, and attractive parking facilities.

Goal 7.5 Context-Sensitive Site Design: Design sites, buildings, and landscape elements to respond to the high desert environment.

Policy 7.5.1 Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place.

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

Policy 9.1.2 Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable, and mixed-income housing options throughout the area.

Policy 9.2.3 Cluster Housing: Encourage housing developments that cluster residential units in order to provide community gathering spaces and/or open space.

Goal 9.4 Homelessness: Make homelessness rare, short-term, and non-recurring.

Policy 9.4.2 Services: Provide expanded options for shelters and services for people experiencing temporary homelessness.

Policy 9.4.3 Equitable Distribution: Support a network of service points that are easily accessible by residents and workers, geographically distributed throughout the city and county, and proximate to transit.

The project team would like to thank those of you who have been involved so far and encourage everyone to participate in the Annual Update process to help improve the IDO and ensure that it provides appropriate regulations to protect our community.

Please contact the ABC-Z team if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Vos", with a stylized flourish at the end.

Michael Vos, AICP
Principal Planner, Urban Design & Development
Planning Department, City of Albuquerque
505.924.3825
abcto@cabq.gov

Cc List of Neighborhood Associations

ABQ Park NA	District 4 Coalition of	Kirtland Community
ABQCore Neighborhood	Neighborhood Associations	Association
Association	District 6 Coalition of	Knapp Heights NA
Academy Estates East NA	Neighborhood Associations	La Luz Landowners
Academy Hills Park NA	District 7 Coalition of	Association
Academy North NA	Neighborhood Associations	La Mesa Community
Academy Park HOA	District 8 Coalition of	Improvement Association
Academy Ridge East NA	Neighborhood Associations	La Sala Grande NA
Alameda North Valley	Downtown Neighborhoods	Incorporated
Association	Association	Ladera West NA
Alamosa NA	East Gateway Coalition	Las Lomas NA
Albuquerque Meadows	Eastrange Piedra Vista NA	Las Terrazas NA
Residents Association	Eastridge NA	Laurelwood NA
Altura Addition NA	EDo NA Incorporated	Lee Acres NA
Altura Park NA	El Camino Real NA	Loma Del Rey NA
Alvarado Gardens NA	Elder Homestead NA	Los Alamos Addition NA
Alvarado Park NA	Embudo Canyon NA	Los Altos Civic Association
Anderson Hills NA	Enchanted Park NA	Los Duranes NA
Antelope Run NA	Fair West NA	Los Griegos NA
Arroyo Del Oso North NA	Four Hills Village	Los Poblanos NA
Avalon NA	Association	Los Volcanes NA
Barelas NA	Gavilan Addition NA	Mark Twain NA
Bear Canyon NA	Glenwood Hills NA	McDuffie Twin Parks NA
BelAir NA	Greater Gardner &	McKinley NA
Campus NA	Monkbridge NA	Mesa Del Sol NA
Cherry Hills Civic	Heritage East Association of	Mile Hi NA
Association	Residents	Molten Rock NA
Cibola Loop NA	Highland Business and NA	Monte Largo Hills NA
Cibola NA	Incorporated	Monterey Manor NA
Cielito Lindo NA	Highlands North NA	Mossman NA
Citizens Information	Historic Old Town	Mossman South NA
Committee of	Association	Near North Valley NA
Martineztown	Hodgin NA	Netherwood Park NA
Classic Uptown NA	Hoffmantown NA	Nob Hill NA
Clayton Heights Lomas del	Huning Castle NA	Nor Este NA
Cielo NA	Huning Highland Historic	North Albuquerque Acres
Comanche Foothills NA	District Association	Community Association
Countrywood Area NA	Indian Moon NA	North Campus NA
Crestview Bluff Neighbors	Inez NA	North Domingo Baca NA
Association	Jerry Cline Park NA	North Eastern Association
Del Norte NA	John B Robert NA	of Residents
Del Webb Mirehaven NA	Juan Tabo Hills NA	North Valley Coalition
Delamar NA		North Wyoming NA

Onate NA
Oso Grande NA
Palomas Park NA
Paradise Hills Civic
Association
Parkland Hills NA
Parkway NA
Pat Hurley NA
Peppertree Royal Oak
Residents Association
Piedras Marcadas NA
Pueblo Alto NA
Quaker Heights NA
Quigley Park NA
Quintessence NA
Rancho Sereno NA
Raynolds Addition NA
Rio Grande Boulevard NA
Riverview Heights NA
Route 66 West NA
San Jose NA
Sandia High School Area NA
Sandia Vista NA
Santa Barbara
Martineztown NA
Santa Fe Village NA
Sawmill Area NA
Siesta Hills NA
Silver Hill NA
Singing Arrow NA
Snow Heights NA
South Broadway NA
South Guadalupe Trail NA
South Los Altos NA
South San Pedro NA
South Valley Coalition of
Neighborhood Associations
South West Alliance of
Neighborhoods (SWAN
Coalition)
Southeast Heights NA
Spruce Park NA
SR Marmon NA
Stardust Skies North NA
Stardust Skies Park NA
Stinson Tower NA

Stronghurst Improvement
Association Incorporated
Summit Park NA
Supper Rock NA
Sycamore NA
Taylor Ranch NA
The Courtyards NA
The Paloma Del Sol NA
The Quail Springs NA
Thomas Village NA
Tres Volcanes NA
Trumbull Village Association
Tuscany NA
University Heights NA
Valle Prado NA
Valley Gardens NA
Vecinos Del Bosque NA
Victory Hills NA
Vineyard Estates NA
Vista Del Mundo NA
Vista Del Norte Alliance
Vista Grande NA
Vista Magnifica Association
Wells Park NA
West La Cueva NA
West Mesa NA
West Old Town NA
West Park NA
Westgate Heights NA
Westside Coalition of
Neighborhood Associations
Wildflower Area NA
Willow Wood NA
Winrock South NA
Yale Village NA

From: [Renz-Whitmore, Mikaela J.](#) on behalf of [City of Albuquerque Planning Department](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Michael Vos \(mvos@cabq.gov\)](#)
Bcc: [tiffany.m1274@gmail.com](#); [shirleylockyer@gmail.com](#); [rickrennie@comcast.net](#); [bacajoaquin9@gmail.com](#); [dukecity777@yahoo.com](#); [lepoep@msn.com](#); [nwaslosky@comcast.net](#); [Chipolson44@gmail.com](#); [dwehling@outlook.com](#); [adamjwar@hotmail.com](#); [prattsalwm@yahoo.com](#); [chris@ocksriderlawfirm.com](#); [elliellw@comcast.net](#); [arnoldtom@yahoo.com](#); [anvanews@aol.com](#); [jeanettebaca973@gmail.com](#); [jgallegoswccdg@gmail.com](#); [rsmith0822@aol.com](#); [timlcurt@yahoo.com](#); [archhero@aol.com](#); [wright.js@gmail.com](#); [nspero@phs.org](#); [rajackso@msn.com](#); [medexter49@gmail.com](#); [president@alvaradoneighborhood.com](#); [marybe9@gmail.com](#); [elissa.dente@gmail.com](#); [ilapitz@hotmail.com](#); [dwillingham@redw.com](#); [alexlrnm@comcast.net](#); [willieorr1@msn.com](#); [adonneighborhood@gmail.com](#); [avasecretary121@gmail.com](#); [avalon3a@yahoo.com](#); [lisapwardchair@gmail.com](#); [liberty.c.bell@icloud.com](#); [patsybeck@aol.com](#); [bstone@yahoo.com](#); [ealarid29@gmail.com](#); [flops2@juno.com](#); [kenny.stansbury@gmail.com](#); [calmartin93@gmail.com](#); [rvaughn.rv@gmail.com](#); [hhapp@juno.com](#); [gforrest47@comcast.net](#); [learrael@aol.com](#); [michael.alexander@altadt.com](#); [josefree@yahoo.com](#); [khattler@aol.com](#); [pat.duda.52@gmail.com](#); [martinez.renee@gmail.com](#); [kris042898@icloud.com](#); [johnwhalen78@gmail.com](#); [brt25@pm.me](#); [e.molinadodge@yahoo.com](#); [boyster2018@gmail.com](#); [meaganr@juno.com](#); [beck3008@comcast.net](#); [bob.borgeson@msn.com](#); [cmessersmith@q.com](#); [alotero57@gmail.com](#); [fourseven@comcast.net](#); [white1ink@aol.com](#); [rverble05@gmail.com](#); [elizabethsmithchavez@gmail.com](#); [susanpatcarroll@gmail.com](#); [dmmar2@gmail.com](#); [edueweke@juno.com](#); [mgriffee@noreste.org](#); [mandy@theremedayspa.com](#); [info@willsonstudio.com](#); [learnoldjones70@gmail.com](#); [mikekious@aol.com](#); [nobullbob1@gmail.com](#); [lamesainternationaldistrict@gmail.com](#); [treasurer@abqdna.com](#); [chair@abqdna.com](#); [dreikeja@comcast.net](#); [eastgatewaycoalition@gmail.com](#); [jrsphil1@hotmail.com](#); [robertdebra4055@gmail.com](#); [tgrasmussen@msn.com](#); [verriyq@yahoo.com](#); [irobertson@titan-development.com](#); [david@edoabq.com](#); [truillloabqbc@comcast.net](#); [cchristy4305@gmail.com](#); [mrkious@aol.com](#); [sp-wonderwoman@comcast.net](#); [dreikeja@comcast.net](#); [jhardgrave505@gmail.com](#); [plunkett5724@outlook.com](#); [financialhelp@earthlink.net](#); [paulsanchez7771@gmail.com](#); [artisticmediacoop@gmail.com](#); [elkaleyah@aol.com](#); [fhvapres@gmail.com](#); [bhaskins1@aol.com](#); [slernst@aol.com](#); [james.levy@gmail.com](#); [Faith Willmott](#); [wood_cpa@msn.com](#); [realtyofnewmexico@gmail.com](#); [willpawl@msn.com](#); [melissa.ann.pacheco@gmail.com](#); [omardurant@yahoo.com](#); [emh@adexec.com](#); [reynolds@unm.edu](#); [secretary@albuquerqueoldtown.com](#); [president@albuquerqueoldtown.com](#); [malloryabq@msn.com](#); [austenwalsh@gmail.com](#); [smurfmom@comcast.net](#); [brenda.marks648@gmail.com](#); [debzallen@ymail.com](#); [bsturge@gmail.com](#); [annlouisacarson@gmail.com](#); [ronzawis@abq.com](#); [Lynne Martin](#); [yemaya@swcp.com](#); [donna.yetter3@gmail.com](#); [danielle.e.boardman@outlook.com](#); [ericshirley@comcast.net](#); [larswells@yahoo.com](#); [suzy0910@comcast.net](#); [ryangiar@gmail.com](#); [Richard & Carrie Lujan](#); [bakieaikin@comcast.net](#); [kande0@yahoo.com](#); [dlreganabq@gmail.com](#); [dwillems2007@gmail.com](#); [sliceness@gmail.com](#); [patgllr@aol.com](#); [lamesainternationaldistrict@gmail.com](#); [5058041113rw@gmail.com](#); [lsgna67@gmail.com](#); [kellypetre@gmail.com](#); [heckert@swcp.com](#); [slcnalbg@aol.com](#); [annes@swcp.com](#); [r.griego04@comcast.net](#); [dvoth@uark.edu](#); [steidley@centurylink.net](#); [paul.gonzales01@comcast.net](#); [fcomfort94@gmail.com](#); [nissapatterson@gmail.com](#); [abroyer1@msn.com](#); [jarmijo12@outlook.com](#); [oronacarol@hotmail.com](#); [damian@modernhandcrafted.com](#); [don.dudley@dondudleydesign.com](#); [darlenesolis.laca@gmail.com](#); [athenalaroux@yahoo.com](#); [lee@lgnm.com](#); [billherring@comcast.net](#); [lqna505abq@gmail.com](#); [marybethorn@gmail.com](#); [don.newman@mac.com](#); [kjiboutz@gmail.com](#); [douglascooper@hotmail.com](#); [nedcarla@live.com](#); [joel.c.wooldridge@gmail.com](#); [bardean12@comcast.net](#); [drakelavellefamily@gmail.com](#); [jesselholly@gmail.com](#); [lucerowilfred@gmail.com](#); [catburns87106@gmail.com](#); [dmills544@gmail.com](#); [mbcarr92@gmail.com](#); [jbd2946@hotmail.com](#); [jillveagley@swcp.com](#); [maryann@hlsnm.org](#); [susanlaw009@comcast.net](#); [golfcindy5@gmail.com](#); [jamesonlr@outlook.com](#); [maryasena1@gmail.com](#); [britt@chipotlebutterfly.com](#); [wordsongLLC@gmail.com](#); [nearnorthvalleyna@gmail.com](#); [jsabatini423@gmail.com](#); [saramills@comcast.net](#); [wgannon@unm.edu](#); [jeffreyaehoe@comcast.net](#); [lucylongcares@gmail.com](#); [rpmartinez003@gmail.com](#); [uri.bassan@noreste.org](#); [shackley@berkeley.edu](#); [president@naaca.info](#); [tdavisnm@gmail.com](#); [sarakoplik@hotmail.com](#); [hhowerton9379@msn.com](#); [judiepellegrino@gmail.com](#); [ndpressley@msn.com](#); [matt.bohnhoff@gmail.com](#); [jasalazarm@gmail.com](#); [peggygnorton@yahoo.com](#); [wrbarry@msn.com](#); [nancic613@hotmail.com](#); [alexanderrahimi@yahoo.com](#); [srz29@aol.com](#); [janiemc07@gmail.com](#); [nobullbob1@gmail.com](#); [annwagner10@gmail.com](#); [wmarsh7@comcast.net](#); [lromero@comcast.net](#); [peterkalitsis@gmail.com](#); [phnacommunications@gmail.com](#); [marykloughran@comcast.net](#); [m_raleman@yahoo.com](#); [vicepresident.phna@gmail.com](#); [president.phna@gmail.com](#); [jnapacheco@gmail.com](#); [a.verardo@comcast.net](#); [rlawlor619@gmail.com](#); [debbie.a.koranyi@gmail.com](#); [tyler.richter@gmail.com](#); [auntiesym@msn.com](#); [lilqg2002@yahoo.com](#); [valarid@gmail.com](#); [mo01llama@gmail.com](#); [lisa.whalen@gmail.com](#); [qna.abq@gmail.com](#); [president@qna-abq.org](#); [aschwartz74@comcast.net](#); [debracox62@comcast.net](#); [janet.manry@gmail.com](#); [raynoldsneighborhood@gmail.com](#); [newmexmba@aol.com](#); [chowski83@gmail.com](#); [elenagonz@comcast.net](#); [tollhouse1@msn.com](#); [paulfava@gmail.com](#); [cherquezada@yahoo.com](#); [bacadeanna@gmail.com](#); [sjnase@gmail.com](#); [mikekious@aol.com](#); [john.l.jones.nm@gmail.com](#); [lulumu1213@gmail.com](#); [happygranny8@q.com](#); [theresa.illgen@aps.edu](#); [lnjalopez@msn.com](#); [joannwright1949@gmail.com](#); [jilibretto@gmail.com](#); [browne.amanda.jane@gmail.com](#); [mari.kempton@gmail.com](#); [siesta2napres@gmail.com](#); [dbodinem@gmail.com](#); [ja.montalbano@gmail.com](#); [123mbeck@gmail.com](#); [lawilliams751@gmail.com](#); [bjdniels@msn.com](#); [laurasmigi@aol.com](#); [tiffany.hb10@gmail.com](#); [fparmijo@gmail.com](#); [jasalazarm@gmail.com](#); [nicgonzales0218@gmail.com](#); [sdmarticos91@gmail.com](#); [notices@slananm.org](#); [khadijah bottom](#); [zabdiel505@gmail.com](#); [eschman@unm.edu](#); [dpatricio@gmail.com](#); [luis@wccdg.org](#); [jgallegoswccdg@gmail.com](#); [peter.belleto](#); [jpate@molzencorbin.com](#); [emailbrowns@aol.com](#); [pnsuift@comcast.net](#); [sallygar@srmna.org](#); [info@srmna.org](#); [tillery3@icloud.com](#); [mtbsh@comcast.net](#); [mateo.stratton@gmail.com](#); [lovelypeake@comcast.net](#); [arzate.boyles2@yahoo.com](#); [stnapres@outlook.com](#); [aberdaber@comcast.net](#); [wgsabatini@gmail.com](#); [franchini.kathryn@gmail.com](#); [joebrooks@homesinabq.com](#); [kmotheirish@gmail.com](#); [Kathleen Schindler-Wright](#); [richard@vigliano.net](#); [mg411@q.com](#); [mariancp21@gmail.com](#); [aboard111@gmail.com](#); [jackiecooke@comcast.net](#);

jaubele1012@comcast.net; rq1dq1@gmail.com; bob.mcelearney@yahoo.com; laurah067@gmail.com; gstone@swcp.com; rejoness7@msn.com; abqrmeyners@gmail.com; randm196@gmail.com; t0m2pat@yahoo.com; alyceice@gmail.com; landry54@msn.com; hlhen@comcast.net; vistadelnorte@me.com; mandy@theremedyspa.com; sricdon@earthlink.net; valle.prado.na@gmail.com; jlbeutler@gmail.com; ajuarez8.ad@gmail.com; drewjara72@gmail.com; vdb87105@gmail.com; altheatherton@gmail.com; info@willsonstudio.com; zarecki@aol.com; djesmeek@comcast.net; Chris Crum; dproach@sandia.gov; Jim Souter; vistadelnorte@me.com; bradyklovelady@gmail.com; Schaefer@unm.edu; madmiles@msn.com; beatfeet17@yahoo.com; mprando@msn.com; doreenmcknightnm@gmail.com; peggvd333@yahoo.com; westmesa63@gmail.com; ddee4329@aol.com; g.clarke45@comcast.net; gteffertz@gmail.com; definition22@hotmail.com; westparkna@gmail.com; navrmc6@aol.com; mattearchuleta1@hotmail.com; aboard111@gmail.com; elizabethkayhaley@gmail.com; ggarcia103@comcast.net; ltcaudill@comcast.net; pmeyer@sentrymgt.com; samijoster@gmail.com; donaldlove08@comcast.net; kloved26@gmail.com

Subject: IDO Annual Update 2023

Date: Thursday, October 26, 2023 10:43:00 AM

Attachments: 04a-CABQ-Official_public_notice_form-2019-EmailMail-IDOAnnualupdate2023-CHECKLIST.pdf
04b-Emailed-Mailed-Notice-PolicyDecisions-Print&Fill-IDO-Annual_update-Citywide.pdf
04c-IDONeighborhoodNotificationLetter-2023-citywide-cclist.pdf

Please see attached materials providing notice that the City of Albuquerque will be submitting an application on October 26, 2023 to amend the Integrated Development Ordinance (IDO) for the 2023 IDO Annual Update.

More details about the update, including the list of proposed changes, comment deadlines, and hearing information, are available here:

<https://abq-zone.com/ido-annual-update-2023>

Best,



REGULATORY PLANNING

o 505.924.3860

e abcto@cabq.gov

Mailed Notice - Neighborhood Association Representatives without Email Addresses

Association Name	First Name	Last Name	Address Line 1	Zip
Crestview Bluff Neighbors Association	Stephanie	Gilbert	908 Alta Vista Court SW	87105
Hoffmantown NA	Pamela	Pettit	2710 Los Arboles Place NE	87112
Monte Largo Hills NA	Tom	Burkhalter	13104 Summer Place NE	87112
Paradise Hills Civic Association	Tom	Anderson	10013 Plunkett Drive NW	87114
Valley Gardens NA	Robert	Price	2700 Desert Garden Lane SW	87105
Winrock South NA	John and Virginia	Kinney	7110 Constitution Avenue NE	87110

Hoffmantown NA
Pamela Pettit
2710 Los Arboles Place NE
Albuquerque NM 87112



Code Enforcement

CITY OF ALBUQUERQUE

Paradise Hills Civic Association
Tom Anderson
10013 Plunkett Drive NW
Albuquerque NM 87114

CITY OF ALBUQUERQUE

Crestview Bluff Neighbors Association
Stephanie Gilbert
908 Alta Vista Court SW
Albuquerque NM 87105



CITY OF ALBUQUERQUE

Valley Gardens NA
Robert Price
2700 Desert Garden Lane SW
Albuquerque NM 87105

CITY OF ALBUQUERQUE

Monte Largo Hills NA
Tom Burkhalter
13104 Summer Place NE
Albuquerque NM 87112



CITY OF ALBUQUERQUE

Winrock South NA
John & Virginia Kinney
7110 Constitution Avenue NE
Albuquerque NM 87110



Mr. Shahab Biazar
City Engineer
Planning Department
City of Albuquerque
600 2nd St. NW
Albuquerque, NM 87102

RE: October 2023 EPC Submittal – Public Mailed Notice Certification
Amendment to Integrated Development Ordinance (IDO) Text – Citywide

Dear Mr. Biazar,

Please accept this letter as certification of Mailed Notice as required by the IDO.

I, Alfredo Salas, do hereby certify and attest that I delivered 6 letters to the City of Albuquerque's mail room for first class stamping and delivery to the U.S. Post Office on October 26, 2023.

These letters were addressed to Neighborhood Association representatives without email addresses on file with the Office of Neighborhood Coordination for the city-wide request as required by IDO Subsection 14-16-6-4(K)(3)(b) and as shown on the attached exhibits.

Sincerely,

Alfredo Ernesto Salas
EPC Hearing Monitor
Planning Department
600 2nd Street NW, Third Floor
Albuquerque NM 87102

*

Received by Larry D. English Date 10-26-23

DFAS/Purchasing/Office Services (mail room)



Mr. Shahab Biazar
City Engineer
Planning Department
City of Albuquerque
600 2nd St. NW
Albuquerque, NM 87102

RE: October 2023 EPC Submittal – Public Mailed Notice Certification
Amendment to Integrated Development Ordinance (IDO) Text – Citywide

Dear Mr. Biazar,

Please accept this letter as certification of Mailed Notice as required by the IDO.

I, Alfredo Salas, do hereby certify and attest that I delivered 9 letters to the City of Albuquerque's mail room for first class stamping and delivery to the U.S. Post Office on October 27, 2023.

These letters were addressed to Neighborhood Association representatives where the email addresses on file with the Office of Neighborhood Coordination bounced or were returned as undeliverable for the city-wide request as required by IDO Subsection 14-16-6-4(K)(3)(b) and as shown on the attached exhibits.

Sincerely,

Alfredo Ernesto Salas
EPC Hearing Monitor
Planning Department
600 2nd Street NW, Third Floor
Albuquerque NM 87102

* Received by Larry Pugh Date 10-27-23
DFAS/Purchasing/Office Services (mail room)

From: Carmona, Delaina L.
To: Messenger, Robert C.
Subject: Citywide (Amendment to IDO Text - Citywide) Public Notice Inquiry Sheet Submission
Date: Wednesday, October 18, 2023 12:15:25 PM
Attachments: image001.png
image002.png
image003.png
image004.png
Citywide (Amendment to IDO Text - Citywide) for Robert Messenger as of 10-18-23.xls
image006.png

PLEASE NOTE:

The neighborhood association contact information listed below is valid for 30 calendar days after today's date.

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1	Address Line 2	City	State	Zip	Mobile Phone	Phone
ABQ Park NA	Tiffany	Mojarro	tiffany.m1274@gmail.com	7504 Sky Court Circle NE		Albuquerque	NM	87110		5053632643
ABQ Park NA	Shirley	Lockyer	shirleylockyer@gmail.com	7501 Sky Court Circle NE		Albuquerque	NM	87110	5057107314	
ABQCore Neighborhood Association	Rick	Rennie	rickrennie@comcast.net	326 Lucero Road		Albuquerque	NM	87048		5054502182
ABQCore Neighborhood Association	Joaquin	Baca	bacajaquin9@gmail.com	100 Gold Avenue	#408	Albuquerque	NM	87102		5054176689
Academy Estates East NA	James	Santistevan	dukecity777@yahoo.com	5609 Cometa Court NE		Albuquerque	NM	87111		5054508385
Academy Estates East NA	Larry	Pope	lepoppe@msn.com	9000 Galaxia Way NE		Albuquerque	NM	87111		5058213077
Academy Hills Park NA	Nadine	Waslosky	nwaslosky@comcast.net	9816 Compadre Lane NE		Albuquerque	NM	87111		5053621808
Academy Hills Park NA	Walter	Olson	Chipolson44@gmail.com	PO Box 14533		Albuquerque	NM	87191	5052282165	
Academy North NA	Debra	Wehling	dwehling@outlook.com	8112 Ruidoso NE		Albuquerque	NM	87109		5052807779
Academy North NA	Adam	Warrington	adamjwar@hotmail.com	8400 Parrot Run Road NE		Albuquerque	NM	87109		5056101820
Academy Park HOA	William	Pratt	prattsalwm@yahoo.com	6753 Kelly Ann Road NE		Albuquerque	NM	87109		5058561009
Academy Park HOA	Chris	Ockxider	chris@ockxiderlawfirm.com	6733 Kelly Ann Road NE		Albuquerque	NM	87109		5054894477
Academy Ridge East NA	Ellen	Wilsey	elliwil@comcast.net	10828 Academy Ridge Road NE		Albuquerque	NM	87111		5055033821
Academy Ridge East NA	Tom	Arnold	arnoldtom@yahoo.com	10901 Academy Ridge Road NE		Albuquerque	NM	87111	5055730535	
Alameda North Valley Association	Steve	Wentworth	anvanews@aol.com	8919 Boe Lane NE		Albuquerque	NM	87113		5058973052
Alamosa NA	Jeannette	Baca	jeannettebaca973@gmail.com	900 Field SW		Albuquerque	NM	87121	5053792976	5058362976
Alamosa NA	Jerry	Gallegos	jgallegoscwcd@gmail.com	5921 Central Avenue NW		Albuquerque	NM	87105	5053855809	5058362976
Albuquerque Meadows Residents Association	Rochelle	Smith	rsmith0822@aol.com	7112 Pan American Fwy NE	#342	Albuquerque	NM	87109		5053621415
Albuquerque Meadows Residents Association	Tim	Curatolo	timlcurt@yahoo.com	7112 Pan American Fwy. NE	#211	Albuquerque	NM	87109	7085679065	
Altura Addition NA	Denise	Hammer	archhero@aol.com	1735 Aliso Drive NE		Albuquerque	NM	87110		5052681250
Altura Addition NA	Jon	Wright	wright.j.s@gmail.com	1826 Solano Drive NE		Albuquerque	NM	87110	9898598457	
Altura Park NA	Neal	Spero	nspero@phs.org	4205 Hannett NE		Albuquerque	NM	87110	7346585577	
Altura Park NA	Robert	Jackson	rajacks@msn.com	4125 Hannett NE		Albuquerque	NM	87110		5052101458
Alvarado Gardens NA	Michael	Dexter	medexter49@gmail.com	3015 Calle San Ysidro NW		Albuquerque	NM	87107	5052897648	
Alvarado Gardens NA	Diana	Hunt	president@alvaradoneighborhood.com	2820 Candelaria Road NW		Albuquerque	NM	87107	5053635913	
Alvarado Park NA	Mary	Erwin	maryer9@gmail.com	PO Box 35704		Albuquerque	NM	87176	5052508158	
Alvarado Park NA	Elissa	Dente	elissa.dente@gmail.com	PO Box 35704		Albuquerque	NM	87176	5055733387	
Anderson Hills NA	Jan	LaPitz	jlapitz@hotmail.com	3120 Rio Plata Drive SW		Albuquerque	NM	87121		5058774159
Antelope Run NA	Dean	Willingham	dwillingham@redw.com	11809 Ibox Avenue NE		Albuquerque	NM	87111	5052502679	5052938986
Antelope Run NA	Alex	Robinson	alexlrnm@comcast.net	12033 Ibox Avenue NE		Albuquerque	NM	87111	5056109561	5052940473
Arroyo Del Oso North NA	Willie	Orr	willeorr1@msn.com	7930 Academy Trail NE		Albuquerque	NM	87109	3039105707	
Arroyo Del Oso North NA	Max	Dubroff	adoneighborhood@gmail.com	7812 Charger Trail NE		Albuquerque	NM	87109		5053856039
Avalon NA	Samantha	Pina	svasecretary121@gmail.com	423 Elohim Court NW		Albuquerque	NM	87121	5053633455	
Avalon NA	Lucy	Anchondo	avalon.3a@yahoo.com	601 Stern Drive NW		Albuquerque	NM	87121		5058396601
Barelas NA	Lisa	Padilla	lisapadwardchair@gmail.com	904 3rd Street SW		Albuquerque	NM	87102		5054537154
Barelas NA	Courtney	Bell	liberty.c.bell@cloud.com	500 2nd Street SW	#9	Albuquerque	NM	87102		5059299397
Bear Canyon NA	Patsy	Beck	patsybeck@aol.com	7518 Bear Canyon Road NE		Albuquerque	NM	87109		5052397897
Bear Canyon NA	Brian	Stone	bstone@yahoo.com	5800 La Madera NE		Albuquerque	NM	87109	5052715356	
BelAir NA	Elizabeth	Alarid	ealarid29@gmail.com	2932 Bel-Air NE		Albuquerque	NM	87110		5052708830
BelAir NA	Barb	Johnson	flopez@juno.com	2700 Hermosa Drive NE		Albuquerque	NM	87110	5053796187	
Campus NA	Kenny	Stansbury	kenny.stansbury@gmail.com	615 Vassar NE		Albuquerque	NM	87106		5054634276
Campus NA	Calvin	Martin	calmartin93@gmail.com	411 Girard Boulevard NE		Albuquerque	NM	87106		5054127669
Cherry Hills Civic Association	Roger	Vaughn	rvvaughnrv@gmail.com	6912 Red Sky Road NE		Albuquerque	NM	87111	5056882313	
Cherry Hills Civic Association	Hank	Happ	hhapp@juno.com	8313 Cherry Hills Road NE		Albuquerque	NM	87111	5052595656	5058289912
Cibola Loop NA	Ginny	Forrest	gforrest47@comcast.net	4113 Logan Road NW		Albuquerque	NM	87114	5054170373	
Cibola Loop NA	Julie	Rael	learael@aol.com	10700 Del Sol Park Drive NW		Albuquerque	NM	87114	5052358189	
Cibola NA	Michael	Alexander	michael.alexander@altadt.com	2516 Madre Drive NE		Albuquerque	NM	87112		5052842486
Cibola NA	Joseph	Freedman	josefree@yahoo.com	13316 Tierra Montanosa Drive NE		Albuquerque	NM	87112	7033077929	
Cielito Lindo NA	Karl	Hattler	khattler@aol.com	3705 Camino Capistrano NE		Albuquerque	NM	87111	5052506705	
Cielito Lindo NA	Patricia	Duda	pat.duda.52@gmail.com	3720 Camino Capistrano NE		Albuquerque	NM	87111	50544003735	5052922015
Citizens Information Committee of Martineztown	Renee	Martinez	martinez.renee@gmail.com	515 Edith Boulevard NE		Albuquerque	NM	87102	5054108122	5052474605
Citizens Information Committee of Martineztown	Kristi	Houde	kris042898@icloud.com	617 Edith Boulevard NE	#8	Albuquerque	NM	87102	5053661439	
Classic Uptown NA	John	Whalen	johnwhalen78@gmail.com	2904 Las Cruces NE		Albuquerque	NM	87110		5052651278
Classic Uptown NA	Bert	Davenport	btrt25@pm.me	2921 San Pablo Street NE		Albuquerque	NM	87110	7736206636	
Clayton Heights Lomas del Cielo NA	Eloisa	Molina-Dodge	e_molinadodge@yahoo.com	1704 Buena Vista SE		Albuquerque	NM	87106		5052434322
Clayton Heights Lomas del Cielo NA	Isabel	Cabrera	boyster2018@gmail.com	1720 Buena Vista SE		Albuquerque	NM	87106	5056592414	5052474494
Comanche Foothills NA	Ed	Browitt	meagann@juno.com	3109 Camino De La Sierra NE		Albuquerque	NM	87111		5052001985
Comanche Foothills NA	Paul	Beck	beck3008@comcast.net	3008 Camino De La Sierra NE		Albuquerque	NM	87111		5053507077
Countryside Area NA	Bob	Borgeson	bob.borgeson@msn.com	8129 Countrywood NE		Albuquerque	NM	87109	5052634181	
Countryside Area NA	Christine	Messersmith	cmessersmith@q.com	7904 Woodridge Drive NE		Albuquerque	NM	87105		5057105749
Crestview Bluff Neighbors Association	Alfred	Otero	alotero57@gmail.com	414 Crestview Drive SW		Albuquerque	NM	87105		5059445528
Crestview Bluff Neighbors Association	Stephanie	Gilbert		908 Alta Vista Court SW		Albuquerque	NM	87105	5053498113	5058865929
Del Norte NA	Mary	Bernard	fourfseven@comcast.net	6224 Baker Avenue NE		Albuquerque	NM	87109	5056201353	
Del Norte NA	Mary	White	white1ink@aol.com	4913 Overland Street NE		Albuquerque	NM	87109	5052083774	
Del Webb Mirehaven NA	Randy	Verble	rverble05@gmail.com	2316 Bates Well Lane NW		Albuquerque	NM	87120	6192036153	
Del Webb Mirehaven NA	Elizabeth	Smith Chavez	elizabethsmithchavez@gmail.com	2315 Woods Wash Way NW		Albuquerque	NM	87120		5055141862
Delamar NA	Susan	Carroll	susanpatcarroll@gmail.com	5013 San Luis Place NW		Albuquerque	NM	87107		505540723
Delamar NA	Gina	Brena	edmarz@gmail.com	5122 Ensenada Place NW		Albuquerque	NM	87107		5058581863
District 4 Coalition of Neighborhood Associations	Ellen	Dueweke	edueweke@juno.com	PO Box 90986		Albuquerque	NM	87199	5052800082	
District 4 Coalition of Neighborhood Associations	Mildred	Griffiee	mgriffiee@noreste.org	PO Box 90986		Albuquerque	NM	87199	5052659219	
District 6 Coalition of Neighborhood Associations	Mandy	Warr	mandy@theremedysdayspa.com	113 Vassar Drive SE		Albuquerque	NM	87106	5059808007	
District 6 Coalition of Neighborhood Associations	Patricia	Willson	info@willsonstudio.com	505 Dartmouth Drive SE		Albuquerque	NM	87110		5053790902
District 7 Coalition of Neighborhood Associations	Janice	Arnold-Jones	jeanoldjones70@gmail.com	7713 Sierra Azul Avenue NE		Albuquerque	NM	87110	5059778967	
District 7 Coalition of Neighborhood Associations	Michael	Kious	mikekious@aol.com	7901 Palo Duro Avenue NE		Albuquerque	NM	87111	5052394774	5052935457
District 8 Coalition of Neighborhood Associations	Bob	Fass	nobulb01@gmail.com	5226 Edwards Drive NE		Albuquerque	NM	87111	5055503868	
District 8 Coalition of Neighborhood Associations	Idalia	Lechuga-Tena	lameasinternationaldistrict@gmail.com	4405 Prairie Loft Way NE		Albuquerque	NM	87102	3013679830	
Downtown Neighborhoods Association	Glen	Salas	treasurer@abqdn.com	901 Roma Avenue NW		Albuquerque	NM	87102	5058507700	
Downtown Neighborhoods Association	Danny	Senn	chair@abqdn.com	506 12th Street NW		Albuquerque	NM	87112	5053218595	5052996670
East Gateway Coalition	Julie	Dreike	dreikeja@comcast.net	13917 Indian School Road NE		Albuquerque	NM	87123	5053822964	5052988312
East Gateway Coalition	Michael	Brasher	eastgatewaycoalition@gmail.com	216 Zena Lona NE		Albuquerque	NM	87123	2679924575	
Eastrange Piedra Vista NA	Jeff	Smith	jrshp11@hotmail.com	1119 Daskalos NE		Albuquerque	NM	87123		5052398245
Eastrange Piedra Vista NA	Debra	Cranwell	robertdebra4055@gmail.com	14349 Marquette Drive NE		Albuquerque	NM	87123		5052966857
Eastridge NA	Gail	Rasmussen	grasmussen@msn.com	12225 Cedar Ridge Drive NE		Albuquerque	NM	87112		5052280640
Eastridge NA	Vernity	Gershin	vernity@yahoo.com	12017 Donna Court NE		Albuquerque	NM	87122	8479774228	
Edo NA Incorporated	Ian	Robertson	robertson@titan-development.com	6300 Riverside Plaza Drive NW	200	Albuquerque	NM	87120	5052059229	
Edo NA Incorporated	David	Tanner	david@edoabq.com	124 Edith Boulevard SE		Albuquerque	NM	87102	50540140595	5053441704
El Camino Real NA	Linda	Trujillo	trujilloabq@comcast.net	PO Box 27288		Albuquerque	NM	87125	5055070912	
El Camino Real NA	Chris	Christy	cchristy4305@gmail.com	PO Box 27288		Albuquerque	NM	87125		5059804265
Elder Homestead NA	M. Ryan	Kious	mrkious@aol.com	1108 Georgia SE		Albuquerque	NM	87108	5052280918	
Elder Homestead NA	Sandra	Perea	sp-wonderwoman@comcast.net	800 California Street SE		Albuquerque	NM	87112	5052669253	5052056038
Embudo Canyon NA	Julie	Dreike	dreikeja@comcast.net	13917 Indian School Road NE		Albuquerque	NM	87112	5052630598	5052925724
Embudo Canyon NA	Joel	Hardgrave	jhardgrave505@gmail.com	13225 Agnes Court NE		Albuquerque	NM	87112		5052932056
Enchanted Park NA	Eddie	Plunkett	plunkett5724@outlook.com	2408 Hiawatha Drive NE		Albuquerque	NM	87112		5059779598
Enchanted Park NA	Gary	Beyer	financialhelp@earthlink.net	11620 Morenci Avenue NE		Albuquerque	NM	87112		5052443537
Fair West NA	Paul	Sanchez	paulsanchez77771@gmail.com	400 Cardenas Drive NE		Albuquerque	NM	87108		
Fair West NA	Sharon	Lawson	artisticmediacoop@gmail.com	405 Cardenas Drive NE		Albuquerque	NM	87108		

Four Hills Village Association	Ellen	Lipman	elkaleyah@aol.com	709 Wagon Train Drive SE		Albuquerque	NM	87123	5052380205	
Four Hills Village Association	Andrew	Lipman	fhwapres@gmail.com	709 Wagon Train Drive SE		Albuquerque	NM	87123		5054809883
Gavilan Addition NA	Bret	Haskins	bhaskins1@aol.com	5912 Pauline Street NW		Albuquerque	NM	87107		5058773893
Gavilan Addition NA	Alice	Ernst	slernst@aol.com	5921 Pauline Street NW		Albuquerque	NM	87107		5053444533
Glenwood Hills NA	James	Levy	james.levy@gmail.com	12804 Manitoba NE		Albuquerque	NM	87111		5058034040
Glenwood Hills NA	Forest	Owens	woody761@yahoo.com	12812 Cedarbrook NE		Albuquerque	NM	87111		5054537728
Greater Gardner & Monkbridge NA	David	Wood	wood_cpa@msn.com	158 Pleasant Avenue NW		Albuquerque	NM	87107	5052212626	
Heritage East Association of Residents	Daniel	Martinez	reallyofnewmexico@gmail.com	9109 Ridgefield NE		Albuquerque	NM	87109	5052633075	
Historic East Association of Residents	Paul	Jessen	willpawl@msn.com	9304 San Rafael Avenue NE		Albuquerque	NM	87109	5053133684	
Highland Business and NA Incorporated	Melissa	Pacheco	melissa.ann.pacheco@gmail.com	213 Madison Street NE		Albuquerque	NM	87108		5059997999
Highland Business and NA Incorporated	Omar	Durant	omaradurant@yahoo.com	305 Quincy Street NE		Albuquerque	NM	87108		5052654949
Highlands North NA	Elena	Hernandez	emh@adexec.com	6701 Arroyo del Oso Avenue NE		Albuquerque	NM	87109		5056882046
Highlands North NA	Mark	Reynolds	reynolds@unm.edu	6801 Barber Pl NE		Albuquerque	NM	87109		5053212968
Historic Old Town Association	David	Gage	secretary@albuquerqueoldtown.com	400 Romero Street NW		Albuquerque	NM	87104		5053289390
Historic Old Town Association	J.J.	Mancini	president@albuquerqueoldtown.com	400 Romero Street NW		Albuquerque	NM	87104		5053797472
Hodgin NA	Pat	Mallory	mallyorbq@msn.com	3916 Douglas MacArthur Road NE		Albuquerque	NM	87110	5052211567	
Hodgin NA	Austin	Walsh	austenwalsh@gmail.com	4521 San Andres Avenue NE		Albuquerque	NM	87110		5055148910
Hoffmantown NA	Pamela	Pettit		2710 Los Arboles Place NE		Albuquerque	NM	87112		5052991609
Hoffmantown NA	Stephanie	O'Guin	smurfmom@comcast.net	2711 Mesa Linda Drive NE		Albuquerque	NM	87112		5058403357
Huning Castle NA	Brenda	Marks	brenda.marks648@gmail.com	1726 Chacoma Pl. SW		Albuquerque	NM	87104	4692356598	
Huning Castle NA	Deborah	Allen	debcallen@ymail.com	206 Laguna Boulevard SW		Albuquerque	NM	87104		5052923644
Huning Highland Historic District Association	Ben	Sturge	bsturge@gmail.com	222 High SE		Albuquerque	NM	87102		5053895114
Huning Highland Historic District Association	Ann	Carson	annlouiscarson@gmail.com	416 Walter SE		Albuquerque	NM	87102		5052421143
Indian Moon NA	Ronald	Zawistowski	ronzawis@abq.com	8910 Princess Jeanne NE		Albuquerque	NM	87112	5054530905	
Indian Moon NA	Lynne	Martin	lmartin900@aol.com	1531 Espejo NE		Albuquerque	NM	87112	5059804107	5052940435
Inez NA	Maya	Sutton	yemaya@swcp.com	7718 Cutler Avenue NE		Albuquerque	NM	87110	5054634263	5052478070
Inez NA	Donna	Yetter	donna.yetter3@gmail.com	2111 Hoffman Drive NE		Albuquerque	NM	87110	5055504715	
Jerry Cline Park NA	Danielle	Boardman	danielle.e.boardman@outlook.com	1001 Grove Street NE		Albuquerque	NM	87110	5059805216	
Jerry Cline Park NA	Eric	Shirley	ericshirley@comcast.net	900 Grove Street NE		Albuquerque	NM	87110	5052682595	
John B Robert NA	Lars	Wells	larswells@yahoo.com	11208 Overlook Drive NE		Albuquerque	NM	87111		5052930468
John B Robert NA	Sue	Hilts	suz0910@comcast.net	11314 Overlook NE		Albuquerque	NM	87111		5052751758
Juan Tabo Hills NA	Ryan	Giar	ryangiar@gmail.com	2036 Salvator Drive SE		Albuquerque	NM	87123	5056979410	
Juan Tabo Hills NA	Richard	Lujan	richtriple777@msn.com	11819 Blue Ribbon NE		Albuquerque	NM	87123		
Kirtland Community Association	Elizabeth	Alkin	bakiealkin@comcast.net	1524 Alamo Avenue SE		Albuquerque	NM	87106		5052886324
Kirtland Community Association	Kimberly	Brown	kande0@yahoo.com	PO Box 9731		Albuquerque	NM	87119		5052429439
Knapp Heights NA	Daniel	Regan	dlreganabq@gmail.com	4109 Chama Street NE		Albuquerque	NM	87109	5052802549	
Knapp Heights NA	David	Willems	dwillems2007@gmail.com	7005 Prairie Road NE		Albuquerque	NM	87109	5055159680	
La Luz Landowners Association	Jonathan	Abdalla	slceness@gmail.com	6 Tumbleweed NW		Albuquerque	NM	87120		5053217795
La Luz Landowners Association	Pat	Gallagher	patg@r@aol.com	24 Link NW		Albuquerque	NM	87120		5058985364
La Mesa Community Improvement Association	Idalia	Lechuga-Tena	lamesainternationaldistrict@gmail.com	4405 Prairie Loft Way NE		Albuquerque	NM	87111	5055503868	
La Mesa Community Improvement Association	Rose	Walker	505804113r@comcast.net	1033 Utah NE	Apt. D	Albuquerque	NM	87110		5058041113
La Sala Grande NA Incorporated	DeeDee	Molina	ligna67@gmail.com	8600 La Sala Del Centro NE		Albuquerque	NM	87111		5052281918
La Sala Grande NA Incorporated	Kelly	Petre	kellypetre@gmail.com	3505 La Sala Redonda NE		Albuquerque	NM	87111		5055088105
Ladera West NA	Hope	Eckert	heckert@swcp.com	3300 Ronda De Lechusas NW		Albuquerque	NM	87120		5054808805
Ladera West NA	Steven	Collins	slcnal@q.com	7517 Vista Alegre Street		Albuquerque	NM	87120	5052694604	5053441599
Las Lomitas NA	Anne	Shaw	annes@swcp.com	8108 Corte de Aguila NW		Albuquerque	NM	87120		5053636583
Las Lomitas NA	Nancy	Griego	r.griego04@comcast.net	8024 Corte Del Viento NW		Albuquerque	NM	87120	5052286650	
Las Terrazas NA	Donald	Voth	dvoth@uark.edu	4323 Balcon Court NW		Albuquerque	NM	87120		5057920182
Las Terrazas NA	David	Steidley	steidley@centurylink.net	8434 Rio Verde Place NW		Albuquerque	NM	87120	5052496367	
Laurelwood NA	Paul	Gonzales	paul.gonzales01@comcast.net	7401 Maplewood Drive NW		Albuquerque	NM	87120	5052649215	
Laurelwood NA	Frank	Comfort	fcomfort94@gmail.com	7608 Elderwood Drive NW		Albuquerque	NM	87120	5053216886	
Lee Acres NA	Nissa	Patterson	nissapatterson@gmail.com	836 Floretta Drive NW		Albuquerque	NM	87107	5052592074	
Lee Acres NA	Allyson	Esquibel	abroyer1@msn.com	914 Fairway Road NW		Albuquerque	NM	87107	5052285789	
Loma Del Rey NA	Jessica	Armijo	jarmijo12@outlook.com	3701 Erbbe Street NE		Albuquerque	NM	87111		5054001221
Loma Del Rey NA	Carol	Orona	oronacarol@hotmail.com	8416 Palo Duro Avenue NE		Albuquerque	NM	87111		5052948016
Los Alamos Addition NA	Damian	Velasquez	damian@modernhandcrafted.com	301 Sandia Road NW		Albuquerque	NM	87107	5053798391	
Los Alamos Addition NA	Don	Dudley	don.dudley@dondudleydesign.com	302 Sandia Road NW		Albuquerque	NM	87107	5052806280	
Los Altos Civic Association	Darlene	Solis	darlenesolis.laca@gmail.com	915 Rio Vista Circle SW		Albuquerque	NM	87105	5059803592	
Los Altos Civic Association	Athena	La Roux	athenalaroux@yahoo.com	2831 Los Altos Place SW		Albuquerque	NM	87105	5125297048	
Los Duranes NA	Lee	Gamselsky	lee@lgannm.com	2412 Miles Road SE		Albuquerque	NM	87106		5058428665
Los Duranes NA	William	Herring	billherring@comcast.net	3104 Coca Road NW		Albuquerque	NM	87104	5053281553	
Los Griegos NA	Russell	Brito	lgnas05abq@gmail.com	PO Box 6041		Albuquerque	NM	87197		5059342690
Los Griegos NA	Mary Beth	Horton	marybethorn@gmail.com	4530 San Isidro Street NW		Albuquerque	NM	87107	2526755366	
Los Poblanos NA	Don	Newman	don.newman@mac.com	5723 Guadalupe Trail NW		Albuquerque	NM	87107		5053443900
Los Poblanos NA	Karon	Boutz	kboutz@gmail.com	1007 Sandia Road NW		Albuquerque	NM	87107		5053456002
Los Volcanes NA	Doug	Cooper	douglascooper@hotmail.com	6800 Silkwood Avenue NW		Albuquerque	NM	87121	5054171560	
Los Volcanes NA	Ted	Trujillo	nedcarla@live.com	6601 Honeylocust Avenue NW		Albuquerque	NM	87121	5058508375	
Mark Twain NA	Joel	Woodlridge	joe.l.woodlridge@gmail.com	1500 Indiana Street NE		Albuquerque	NM	87110	5053897840	5052662528
Mark Twain NA	Barbara	Lohbeck	bardeen12@comcast.net	1402 California Street NE		Albuquerque	NM	87110	5052519132	5052540285
McDuffie Twin Parks NA	Cathy	Drake	drakevallefamily@gmail.com	4203 Avenida La Resolana NE		Albuquerque	NM	87110	5052350405	
McKinley NA	Jesse	Holly	jesselholly@gmail.com	4303 Shepard Road NE		Albuquerque	NM	87110		5059998822
McKinley NA	Wilfred	Lucero	lucero.wilfred@gmail.com	3707 Headingley NE		Albuquerque	NM	87110		5058047141
Mesa Del Sol NA	Cathy	Burns	caburns87106@gmail.com	2201 Stieglitz Avenue SE		Albuquerque	NM	87106	5053304322	
Mesa Del Sol NA	David	Mills	dmills544@gmail.com	2400 Cunningham Avenue SE		Albuquerque	NM	87106	5052399052	
Millie Hi NA	Michelle	Carroll	mbcarr92@gmail.com	5317 Summer Avenue NE		Albuquerque	NM	87110	5759106446	
Millie Hi NA	Joan	Davis	jbd2946@hotmail.com	1405 Valencia Drive NE		Albuquerque	NM	87110		5054109379
Molten Rock NA	Jill	Yeagley	jillyeagley@swcp.com	7936 Victoria Drive NW		Albuquerque	NM	87120		
Molten Rock NA	Mary Ann	Wolf-Lyerla	maryann@hlnsm.org	5608 Popo Drive NW		Albuquerque	NM	87120		505892682
Monte Largo Hills NA	Tom	Burkhalter		13104 Summer Place NE		Albuquerque	NM	87112		5052392151
Monte Largo Hills NA	Susan	Law	susanlaw009@comcast.net	13101 Summer Place NE		Albuquerque	NM	87112		5052967719
Monte Largo Hills NA	Cindy	Miller	goftincindy5@gmail.com	12208 Casa Grande Avenue NE		Albuquerque	NM	87112		5052719466
Mossman NA	Lori	Jameson	jamesonlr@outlook.com	3543 Dakota Street NE		Albuquerque	NM	87110		5053061069
Mossman NA	Marya	Hjelling-Sena	maryasena1@gmail.com	3418 Dakota Street NE		Albuquerque	NM	87110		5052613660
Mossman South NA	Brittany	Ortiz	btritt@chiptolebutterfly.com	6213 Alta Monte NE		Albuquerque	NM	87110		5054104153
Mossman South NA	Sarah	Couch	wordsong.LC@gmail.com	6224 Alta Monte NE		Albuquerque	NM	87110		5056108295
Near North Valley NA	Heather	Norfleet	nearnorthvalleyna@gmail.com	PO Box 6953		Albuquerque	NM	87197	5056204368	
Near North Valley NA	Joe	Sabatini	jsabatini423@gmail.com	3514 6th Street NW		Albuquerque	NM	87107	5058507455	5053449212
Netherwood Park NA	Sara	Mills	saramills@comcast.net	2629 Cutler Avenue NE		Albuquerque	NM	87106	5054506712	
Netherwood Park NA	William	Gannon	wgannon@unm.edu	1726 Notre Dame NE		Albuquerque	NM	87106	5052497906	
Nob Hill NA	Jeff	Hoehn	jeffreyaehoehn@gmail.com	411 Aliso Drive SE		Albuquerque	NM	87108	5055069927	
Nob Hill NA	Lucille	Long	lucylongcares@gmail.com	308 Solano Drive SE		Albuquerque	NM	87108	5052503860	
Nor Este NA	Gina	Pioquinto	rpmartinez003@gmail.com	PO Box 9415		Albuquerque	NM	87199	5052385495	5058560926
Nor Este NA	Uri	Bassan	uri.bassan@noreste.org	9000 Modesto Avenue NE		Albuquerque	NM	87122	5054179990	
North Albuquerque Acres Community Association	Steve	Shackley	shackley@berkeley.edu	8304 San Diego Avenue NE		Albuquerque	NM	87122	5103933931	
North Albuquerque Acres Community Association	David	Neale	president@naaca.info	9500 Signal Avenue NE		Albuquerque	NM	87122		5055451482
North Campus NA	Tim	Davis	tdavism@gmail.com	2404 Hannett NE		Albuquerque	NM	87106	5052643524	
North Campus NA	Sara	Koplik	sarakoplik@hotmail.com	1126 Stanford NE		Albuquerque	NM	87106	5055705757	
North Domingo Baca NA	Lorna	Howerton	hhowerton9739@msn.com	7201 Peregrine Road NE		Albuquerque	NM	87113	5057157895	5058283083
North Domingo Baca NA	Judie	Pellegrino	judiepellegriano@gmail.com	8515 Murrelet Drive NE		Albuquerque	NM	87113		5058218516
North Eastern Association of Residents	Nancy	Presley-Naimark	ndpresley@msn.com	9710 Apache Avenue NE		Albuquerque	NM	87112	5052288516	
North Eastern Association of Residents	Matt	Bohrhoff	matt.bohrhoff@gmail.com	9500 Arvada Avenue NE		Albuquerque	NM	87112	5052200519	
North Valley Coalition	James	Salazar	jsalazarnm@gmail.com	5025 Guadalupe Trail NW		Albuquerque	NM	87107	5054895040	
North Valley Coalition	Peggy	Norton	peggy@norton@yahoo.com	3810 11th Street NW		Albuquerque	NM	87107		5053459567
North Wyoming NA	William	Barry	wbarry@msn.com	8124 Siguard Court NE		Albuquerque	NM	87109		5058211725
North Wyoming NA	Nanci	Cariveau	nancic613@hotmail.com	8309 Kirm Drive NE		Albuquerque	NM	87109		5058218673
Onate NA	Alex	Rahimi	alexanderahimi@yahoo.com	1816 Paige Place NE		Albuquerque	NM	87112	5053303320	
Onate NA	Sharon	Ruiz	srz29@aol.com	1821 Paige Place NE		Albuquerque	NM	87112	5052219565	5052981570
Oso Grande NA	Janie	McGuigan	janie07@gmail.com	4924 Purcell Drive NE		Albuquerque	NM	87111	5059181884	
Oso Grande NA	Bob	Fass	bobulbb01@gmail.com	5226 Edwards Drive NE		Albuquerque	NM	87111	5052394774	5052935457
Palomas Park NA	Ann	Wagner	annwagner10@gmail.com	7209 Gallinas Avenue NE		Albuquerque	NM	87109	5053622418	
Palomas Park NA	David	Marsh	wmarsh7@comcast.net	7504 Laster Avenue NE		Albuquerque	NM	87109	5054531644	
Paradise Hills Civic Association	Larry	Romero	lromero@comcast.net	5530 Edie Place NW		Albuquerque	NM	87114	5059801568	5058988757
Paradise Hills Civic Association	Tom	Anderson		10013 Plunkett Drive NW		Albuquerque	NM	87114	5053040106	5058972593
Parkland Hills NA	Peter	Kallis	peterkallis@gmail.com	921 Pampas Drive SE		Albuquerque	NM	87108		5054634356

Parkland Hills NA	Janet	Simon	phnacommunications@gmail.com	725 Van Buren Place SE		Albuquerque	NM	87108		5052390229
Parkway NA	Mary	Loughran	maryloughran@comcast.net	8015 Fallbrook Place NW		Albuquerque	NM	87120	5052497841	5058367841
Parkway NA	Ruben	Aleman	m_raleman@yahoo.com	8005 Fallbrook Place NW		Albuquerque	NM	87120	5053852189	
Pat Hurley NA	Barbara	Baca	vicepresident.phna@gmail.com	636 Attrisco Drive NW		Albuquerque	NM	87105	5052698555	
Pat Hurley NA	Julie	Radoslovich	president.phna@gmail.com	235 Mezcal Circle NW		Albuquerque	NM	87105	5053524440	
Peppertree Royal Oak Residents Association	Amy	Pacheco	jnapacheco@gmail.com	6104 Insnbrook Court NE		Albuquerque	NM	87111		5053328205
Peppertree Royal Oak Residents Association	Art	Verardo	a.verardo@comcast.net	11901 San Victorio Avenue NE		Albuquerque	NM	87111	5052966602	5052966602
Piedras Marcadas NA	Robin	Lawlor	rlawlor619@gmail.com	4905 Mikell Court NW		Albuquerque	NM	87114	2063275444	
Piedras Marcadas NA	Debbie	Koranyi	debbie.a.koranyi@gmail.com	9323 Drolet Drive NW		Albuquerque	NM	87114	5059919651	
Pueblo Alto NA	Tyler	Richter	tyler.richter@gmail.com	801 Madison NE		Albuquerque	NM	87110	5052392903	
Pueblo Alto NA	Tina	Valentine	auntiesym@msn.com	916 Madison Street NE		Albuquerque	NM	87110	5059480760	
Quaker Heights NA	Orlando	Martinez	lilog2002@yahoo.com	5808 Jones Place NW		Albuquerque	NM	87120	5053605017	5053605038
Quaker Heights NA	Vanessa	Alarid	valarid@gmail.com	5818 Jones Place NW		Albuquerque	NM	87120	5050306040	5050306040
Quigley Park NA	Maureen	Maier	mmo11lama@gmail.com	2935 Cardenas Drive NE		Albuquerque	NM	87110		5058885181
Quigley Park NA	Lisa	Whalen	lisa.whelen@gmail.com	2713 Cardenas Drive NE		Albuquerque	NM	87110		5052770268
Quintessence NA	QNA	Board	qna.abq@gmail.com	PO Box 22033		Albuquerque	NM	87154	4325285135	
Quintessence NA	Andrea	Landaker	president@qna-abq.org	10012 Coronado Avenue NE		Albuquerque	NM	87122	5057972466	
Rancho Sereno NA	Alan	Schwartz	aschwartz74@comcast.net	4409 Rancho Centro Court NW		Albuquerque	NM	87120		5058907142
Rancho Sereno NA	Debra	Cox	debracox62@comcast.net	8209 Rancho Paraiso NW		Albuquerque	NM	87120	5052388563	5057920448
Raynolds Addition NA	Janet	Manry	janet.manry@gmail.com	806 Lead Avenue SW		Albuquerque	NM	87102	8327073645	
Raynolds Addition NA	Margaret	Lopez	raynoldneighborhood@gmail.com	1315 Gold Avenue SW		Albuquerque	NM	87102	5052899857	
Rio Grande Boulevard NA	Doyle	Kimbrough	newmexmba@aol.com	2327 Campbell Road NW		Albuquerque	NM	87104	5052490938	
Rio Grande Boulevard NA	David	Michalski	chowski83@gmail.com	3533 Luke Circle NW		Albuquerque	NM	87107	5054807675	
Riverview Heights NA	Elena	Gonzalez	elenagonz@comcast.net	1396 Attrisco Drive NW		Albuquerque	NM	87105	5054508749	
Riverview Heights NA	Cyrus	Toll	tolhouse1@mtn.com	1306 Riverview Drive NW		Albuquerque	NM	87105	5052052513	
Route 66 West NA	Paul	Fava	paulfava@gmail.com	505 Parnelli Drive SW		Albuquerque	NM	87121	5053853202	
Route 66 West NA	Cherise	Quezada	cherquezada@yahoo.com	10304 Paso Fino Place SW		Albuquerque	NM	87121	5052631178	
San Jose NA	Deanna	Barela	bacadeanna@gmail.com	408 Bethel Drive SE		Albuquerque	NM	87102		
San Jose NA	Olivia	Greathouse	sjnase@gmail.com	408 Bethel Drive SE		Albuquerque	NM	87102		
Sandia High School Area NA	Michael	Kious	mikekious@aol.com	7901 Palo Duro Avenue NE		Albuquerque	NM	87110	5059778967	
Sandia High School Area NA	John L.	Jones	john.l.jones.rm@gmail.com	7713 Sierra Azul NE		Albuquerque	NM	87110	5056043456	
Sandia Vista NA	Lucia	Munoz	lulumu2123@gmail.com	316 Dorothy Street NE		Albuquerque	NM	87123	5056207164	
Sandia Vista NA	Brenda	Gebler	happygranny8@q.com	PO Box 50219		Albuquerque	NM	87181		5052935543
Santa Barbara Martinestown NA	Theresa	Ilgen	theresa.ilgen@aps.edu	214 Prospect NE		Albuquerque	NM	87102		505048620
Santa Barbara Martinestown NA	Loretta	Naranjo Lopez	lnajlopez@msn.com	1127 Walter NE		Albuquerque	NM	87102		5052707716
Santa Fe Village NA	Jo Anne	Wright	joanewright1949@gmail.com	6708 Lamar Avenue NW		Albuquerque	NM	87120		505201949
Santa Fe Village NA	Irene	Libretto	gilbretto@gmail.com	6917 Sweetbriar Avenue NW		Albuquerque	NM	87120	5164286582	
Sawmill Area NA	Amanda	Browne	browne.amanda.jane@gmail.com	1314 Claire Court NW		Albuquerque	NM	87104	6097600743	
Sawmill Area NA	Mari	Kempton	mari.kempton@gmail.com	1305 Claire Court NW		Albuquerque	NM	87104	6122260658	
Siesta Hills NA	Rachel	Baca	siesta2napres@gmail.com	1301 Odium SE		Albuquerque	NM	87108	5055630156	
Silver Hill NA	Don	Mciver	dbodinem@gmail.com	1801 Gold Avenue SE		Albuquerque	NM	87106		5053850464
Silver Hill NA	James	Montalbano	ja.montalbano@gmail.com	1409 Silver Avenue SE		Albuquerque	NM	87106	5052430827	
Singing Arrow NA	Meg	Beck	123mbeck@gmail.com	12800 Piru Boulevard SE		Albuquerque	NM	87123	3034892067	
Singing Arrow NA	Laurie	Williams	lawilliams751@gmail.com	512 Dorado Place SE		Albuquerque	NM	87123		5054536304
Snow Heights NA	Julie	Nielsen	bjdniels@msn.com	8020 Bellamah Avenue NE		Albuquerque	NM	87110	5053622313	5052923989
Snow Heights NA	Laura	Garcia	laursmig1@aol.com	1404 Katie Street NE		Albuquerque	NM	87110	5052355858	
South Broadway NA	Tiffany	Broadous	tiffany.hb10@gmail.com	215 Trumbull SE		Albuquerque	NM	87102	5055074250	
South Broadway NA	Frances	Armijo	fparmijo@gmail.com	915 William SE		Albuquerque	NM	87102	5050403473	5052487898
South Guadalupe Trail NA	James	Salazar	jsalazarnm@gmail.com	5025 Guadalupe Trail NW		Albuquerque	NM	87107	5054895040	
South Guadalupe Trail NA	Nicole	Gonzalez	nigonzalez0218@gmail.com	1500 Douglas MacArthur Road NW		Albuquerque	NM	87107	5753026897	
South Los Altos NA	Stephen	Martos-Ortiz	sdmartos91@gmail.com	429 General Somervell Street NE		Albuquerque	NM	87123		5058037736
South Los Altos NA	Jim	Ahrend	notices@slanar.mg	304 General Bradley NE		Albuquerque	NM	87123	6319874131	
South San Pedro NA	Bottom	Khadjah	khadjahasil@vizonz.org	1200 Madeira SE	#130	Albuquerque	NM	87108		5058327141
South San Pedro NA	Zabdiel	Aldaz	zabdiel505@gmail.com	735 Alvarado SE		Albuquerque	NM	87108		505363534
South Valley Coalition of Neighborhood Associations	Peter	Eschman	eschman@unm.edu	1916 Conita Real Avenue SW		Albuquerque	NM	87105		5058731517
South Valley Coalition of Neighborhood Associations	Patricio	Dominguez	dpatricio82@gmail.com	3094 Rosendo Garcia Road SW		Albuquerque	NM	87105		5052382429
South West Alliance of Neighborhoods (SWAN Coalition)	Luis	Hernandez Jr.	luis@wccdg.org	5921 Central Avenue NW		Albuquerque	NM	87105		
South West Alliance of Neighborhoods (SWAN Coalition)	Jerry	Gallejos	jgallejoswccdg@gmail.com	5921 Central Avenue NW		Albuquerque	NM	87105	5053855809	5058362976
Southeast Heights NA	Pete	Belleto	pmbdoc@yahoo.com	902 Valverde Drive SE		Albuquerque	NM	87108		5052064957
Southeast Heights NA	John	Pate	jpate@molenzcorbin.com	1007 Idelwilde Lane SE		Albuquerque	NM	87108	5052354193	
Spruce Park NA	Heidi	Brown	emalibrowns@aol.com	1603 Sigma Chi Road NE		Albuquerque	NM	87106		5052641783
Spruce Park NA	Peter	Swift	prowift@comcast.net	613 Ridge Place NE		Albuquerque	NM	87106		5053793201
SR Marmon NA	Sally	Garcia	sallygar@srmaa.org	PO Box 7434		Albuquerque	NM	87194		
SR Marmon NA	Em	Ward	info@srmaa.org	PO Box 7434		Albuquerque	NM	87194	5053048167	
Stardust Skies North NA	Tillery	Dingler	tillely3@icloud.com	7727 Hermanson Place NE		Albuquerque	NM	87110	5052200484	
Stardust Skies North NA	Mary	Hawley	mtbsh@comcast.net	7712 Hendrix Road NE		Albuquerque	NM	87110	5052595849	
Stardust Skies Park NA	Matt	Stratton	mateo.stratton@gmail.com	7309 Bellrose NE		Albuquerque	NM	87110	5054170004	
Stardust Skies Park NA	Kim	Lovely-Peake	lovelypeake@comcast.net	7100 Bellrose NE		Albuquerque	NM	87110		5052687969
Stinson Tower NA	Lucy	Arzate-Boyles	arzate.boyles2@yahoo.com	3684 Tower Road SW		Albuquerque	NM	87121	5059343035	
Stinson Tower NA	Bruce	Rizzieri	snrapres@outlook.com	1225 Rael Street SW		Albuquerque	NM	87121	5055858096	
Stronghurst Improvement Association Incorporated	Mark	Lines	aberdaber@comcast.net	3010 Arno Street NE		Albuquerque	NM	87107		5052504129
Stronghurst Improvement Association Incorporated	William	Sabatini	wsabatini@gmail.com	2904 Arno Street NE		Albuquerque	NM	87107	5052500497	
Summit Park NA	Kate	Franchini	franchini.kathryn@gmail.com	1809 Rita Drive NE		Albuquerque	NM	87106		5052699244
Summit Park NA	Joe	Brooks	joebrooks@homesinabq.com	1418 Wellesley Drive NE		Albuquerque	NM	87106	5059773474	
Supper Rock NA	Ken	O'Keefe	kmotheirs@gmail.com	600 Vista Abajo Drive NE		Albuquerque	NM	87123		5052969075
Supper Rock NA	Kathleen	Schindler-Wright	srock692@comcast.net	407 Monte Largo Drive NE		Albuquerque	NM	87123		5052752710
Sycamore NA	Richard	Vigliano	richard@vigliano.net	1205 Copper NE		Albuquerque	NM	87106		5059809813
Sycamore NA	Mardon	Gardella	rmg411@q.com	411 Maple Street NE		Albuquerque	NM	87106		5058436154
Taylor Ranch NA	Marian	Pendleton	mariancp21@gmail.com	5608 Equestrian Drive NW		Albuquerque	NM	87120	5053771744	
Taylor Ranch NA	Rene	Horvath	aboard211@gmail.com	5515 Palomino Drive NW		Albuquerque	NM	87120	5059852391	5058982114
The Courtyards NA	Jackie	Cooke	jackiecooke@comcast.net	8015 Dark Mesa NW		Albuquerque	NM	87120	4105985453	5058390388
The Courtyards NA	Jayne	Aubele	jaubele1012@comcast.net	2919 Monument Drive NW		Albuquerque	NM	87120	5059808703	5053526390
The Paloma Del Sol NA	Roland	Quintana	rq1dq1@gmail.com	10412 Calle Contento NW		Albuquerque	NM	87114	5052637220	
The Paloma Del Sol NA	Bob	McElearney	bob.mclearney@yahoo.com	5009 San Timoteo Avenue NW		Albuquerque	NM	87114	3122184454	
The Quail Springs NA	Laura	High	laurah067@gmail.com	7135 Quail Springs Place NE		Albuquerque	NM	87113		5054532756
The Quail Springs NA	Goldialu	Stone	gstone@swcp.com	7116 Quail Springs Place NE		Albuquerque	NM	87113		5057975597
Thomas Village NA	Rondall	Jones	rejones7@msn.com	3117 Don Quikote Court NW		Albuquerque	NM	87104	5059348799	
Thomas Village NA	Richard	Meyners	abqmeyners@gmail.com	3316 Calle De Daniel NW		Albuquerque	NM	87104		5052427319
Tres Volcanes NA	Rick	Gallagher	randm196@gmail.com	8401 Casa Gris Court NW		Albuquerque	NM	87120		5054048827
Tres Volcanes NA	Thomas	Borst	tom2pat@yahoo.com	1908 Selway Place NW		Albuquerque	NM	87120	5058034836	5053526563
Trumbull Village Association	Alyce	Ice	alyceice@gmail.com	6902 4th Street NE		Los Ranchos	NM	87107	5053150188	5053150188
Trumbull Village Association	Joanne	Landry	landry54@msn.com	7501 Trumbull SE		Albuquerque	NM	87108	5056046761	5056046761
Tuscany NA	Harry	Hendriksen	hhhen@comcast.net	10592 Rio Del Sol NW		Albuquerque	NM	87114		5058903481
Tuscany NA	Janelle	Johnson	vistadelnorte@me.com	PO Box 6270		Albuquerque	NM	87197		5053440822
University Heights NA	Mandy	Warr	mandy@theremedydayspa.com	113 Vassar Drive SE		Albuquerque	NM	87106	5054014367	5052659219
University Heights NA	Don	Hancock	sricdon@earthlink.net	105 Stanford SE		Albuquerque	NM	87106	5052622053	5052621862
Valle Prado NA	Steve	Shumacher	valle.prado.na@gmail.com	8939 South Sky Street NW		Albuquerque	NM	87114		
Valle Prado NA	Joshua	Beutler	jbeutler@gmail.com	7316 Two Rock Road NW		Albuquerque	NM	87114		5055036414
Valley Gardens NA	Robert	Price		2700 Desert Garden Lane SW		Albuquerque	NM	87105	5055506679	
Valley Gardens NA	Antoniette	Dominguez	ajuauez2.ad@gmail.com	4519 Valley Park Drive SW		Albuquerque	NM	87105	5054591074	
Vecinos Del Bosque NA	Andrew	Jaramillo	ndrewj72@gmail.com	1512 Trujillo Road SW		Albuquerque	NM	87105	5056731557	
Vecinos Del Bosque NA	Jennifer	Cruz	ndb87105@gmail.com	1512 Cerro Vista Road SW		Albuquerque	NM	87105	5058703297	
Victory Hills NA	Almya	Altherton	althertonnm@gmail.com	1107 Vassar Drive SE		Albuquerque	NM	87106	9786609532	
Victory Hills NA	Petrisa	Willson	info@willsonstudio.com	505 Dartmouth Drive SE		Albuquerque	NM	87106	5059808007	
Vineyard Estates NA	David	Zarecki	zarecki@aol.com	8405 Vintage Drive NE		Albuquerque	NM	87123		5058048806
Vineyard Estates NA	Elizabeth	Meek	djemeek@comcast.net	8301 Mendocino Drive NE		Albuquerque	NM	87122		5055080806
Vista Del Mundo NA	Chris	Crum	ccrum.vdm@gmail.com	1209 Sierra Larga Drive NE		Albuquerque	NM	87113		
Vista Del Mundo NA	Dennis	Roach	droach@sandia.gov	1382 Spirit Trail NE		Albuquerque	NM	87112		
Vista Del Norte Alliance	James	Souter	james@souter@msn.com	6928 Via del Cerro NE		Albuquerque	NM	87113		5052506366
Vista Del Norte Alliance	Janelle	Johnson	vistadelnorte@me.com	PO Box 6270		Albuquerque	NM	87197		5053440822
Vista Grande NA	Brady	Lovelyady	bradylovelyady@gmail.com	3508 Sequoia Road NW		Albuquerque	NM	87120		5053792552
Vista Grande NA	Richard	Schaefer	rschaefer@unm.edu	3579 Sequoia Place NW		Albuquerque	NM	87120	5059179909	
Vista Magnifica Association	Anna	Solano	madmilas@bmo.com	1616 Bluffside Place NW		Albuquerque	NM	87105		5054532587
Vista Magnifica Association	Tom	Salas	beatfeet17@yahoo.com	1704 Cliffside Drive NW		Albuquerque	NM	87105		5058364571

Wells Park NA	Mike	Prando	mprando@msn.com	611 Bellamah NW		Albuquerque	NM	87102		5054536103
Wells Park NA	Doreen	McKnight	doreenmcknightnm@gmail.com	1426 7th Street NW		Albuquerque	NM	87102		5056152937
West La Cueva NA	Peggy	Neff	peggyd333@yahoo.com	8305 Calle Soquille NE		Albuquerque	NM	87113		5059778903
West Mesa NA	Michael	Quintana	westmesa63@gmail.com	301 63rd Street NW		Albuquerque	NM	87105	5059330277	
West Mesa NA	Dee	Silva	ddee4329@aol.com	313 63rd Street NW		Albuquerque	NM	87105	5053627737	
West Old Town NA	Gil	Clarke	g.clarke45@comcast.net	2630 Aloysis Lane NW		Albuquerque	NM	87104		5058426620
West Old Town NA	Glen	Effertz	gteffertz@gmail.com	2918 Mountain Road NW		Albuquerque	NM	87104		5059800964
West Park NA	Dylan	Fine	definition22@hotmail.com	2111 New York Avenue SW		Albuquerque	NM	87104	6508147834	
West Park NA	Roxanne	Witt	westparkna@gmail.com	2213 New York Avenue SW		Albuquerque	NM	87104	5054005447	
Westgate Heights NA	Christoper	Sedillo	navmcc6@aol.com	605 Shire Street SW		Albuquerque	NM	87121	6193155051	
Westgate Heights NA	Matthew	Archuleta	mattearchuleta1@hotmail.com	1628 Summerfield Place SW		Albuquerque	NM	87121	5054016849	
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW		Albuquerque	NM	87120	5059852391	5058982114
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	elizabethhaley@gmail.com	6005 Chaparral Circle NW		Albuquerque	NM	87114	5054074381	
Wildflower Area NA	Glenn	Garcia	ggarcia103@comcast.net	4901 Goldenthread NE		Albuquerque	NM	87113		5052697832
Wildflower Area NA	Larry	Caudill	ltcaudill@comcast.net	4915 Watercress Drive NE		Albuquerque	NM	87113		5058570596
Willow Wood NA	Pamela	Meyer	pmeyer@sentrymt.com	4121 Eubank Boulevard NE		Albuquerque	NM	87111		5053237600
Willow Wood NA	Samantha	Martinez	samijoster@gmail.com	823 Glacier Bay Street SE		Albuquerque	NM	87123	5054638036	
Winrock South NA	John	Kinney		7110 Constitution Avenue NE		Albuquerque	NM	87110		5053215432
Winrock South NA	Virginia	Kinney		7110 Constitution Avenue NE		Albuquerque	NM	87110		5053215432
Yale Village NA	Donald	Love	donalddlove08@comcast.net	2125 Stanford Drive SE		Albuquerque	NM	87106	5054807175	
Yale Village NA	Kim	Love	klowe726@gmail.com	2122 Cornell Drive SE		Albuquerque	NM	87106	5056882162	

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project.
- Please use this online link to find the required forms you will need to submit your permit application. <https://www.cabq.gov/planning/urban-design-development/public-notice>.
- The Checklist form you need for notifying neighborhood associations can be found here: https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf.
- The Administrative Decision form you need for notifying neighborhood associations can be found here: <https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>.
- Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summan%20Table>

Thank you.



Dalaina L. Carmoua

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334

dlcarmoua@cabq.gov or DNC@cabq.gov

Website: www.cabq.gov/neighborhoods



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: webmaster@cabq.gov <webmaster@cabq.gov>

Sent: Tuesday, October 17, 2023 4:40 PM

To: Messenger, Robert C. <rmessenger@cabq.gov>

Cc: Office of Neighborhood Coordination <onc@cabq.gov>

Subject: Public Notice Inquiry Sheet Submission

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Public Notice Inquiry For:

Other (please specify in field below)

If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:

Amendment to IDO Text - Citywide (City Council)

Contact Name

Robert Messenger

Telephone Number

(505) 924-3837

Email Address

rmessenger@cabq.gov

Company Name

City of Albuquerque Planning Department

Company Address

600 2nd Street NW

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

Citywide (Amendment to IDO Text - Citywide)

Physical address of subject site:

Citywide

Subject site cross streets:

Citywide

Other subject site identifiers:

This site is located on the following zone atlas page:

various

Captcha

x

PUBLIC COMMENTS- Pinned

<https://ido.abc-zone.com/ido-annual-update-2022-epc-submittal-citywide-proposed-changes>

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
1	120	3-5(G) [new]	Setbacks in HPOs Add a new Subsection with text as follows: <u>"New development or redevelopment shall comply with contextual standards for lot sizes, front setbacks, and side setbacks in Subsection 14-16-5-1(C)(2), unless the Landmarks Commission approves a different standard in a Historic Certificate of Appropriateness - Major pursuant to Subsection 14-16-6-6(D)."</u>	Applies contextual standards to all development in HPOs for lot sizes and setbacks. Contextual standards in 5-1(C)(2) apply only to low-density residential development in Areas of Consistency. Gives the Landmarks Commission the discretion to approve different lot sizes and setbacks on a case-by-case basis without a variance (which are reviewed by the Zoning Hearing Examiner).	Staff
2	155	Table 4-2-1	Outdoor Amplified Sound Create a new accessory use with use-specific standard and add an A in the following zone districts: MX-M, MX-L, MX-M, MX-H, NR-C, NR-BP, NR-LM, NR-GM Add a CA in MX-T	Adds outdoor amplified sound as an accessory use to enable a curfew between 10 p.m. and 7 a.m. See related amendment for 14-16-4-3(F)(14) and 14-16-7-1.	Public
3	159	4-3(B)(4)	Cottage Development See Council Memo for proposed amendments.	See Council Memo.	Council
4	186	4-3(D)(37)(a)	General Retail - Walls/fences Add a new Subsection (b) with text as follows and renumber subsequent Subsection accordingly: <u>"This use requires a wall or fence at least 3 feet high around the perimeter of the premises and from the edges of the primary building to and along the side or rear property line so that pedestrian access is controlled to designated access points and public access is blocked to the side and rear yard beyond public entrances."</u>	Requires a perimeter wall for general retail stores to limit pedestrian access and deter crime.	Admin
5	175	4-3(D)(18)	Light Vehicle Fueling Station - Walls/fences Add a new Subsection with text as follows: <u>"This use requires a wall or fence at least 3 feet high around the perimeter of the premises and from the edges of the primary building to and along the side or rear property line so that pedestrian access is controlled to designated access points and public access is blocked to the side and rear yard beyond public entrances."</u>	Requires a perimeter wall for gas stations to limit pedestrian access and deter crime.	Admin

#001

Posted by **Patricia Willson** on **11/05/2023** at **11:36am** [Comment ID: 654] - [Link](#)

Agree: 3, Disagree: 0

This is a cut and paste from a comment on the Pre-EPC submittal that is so good, it bears repeating:

"...While there is probably good intent behind many of these proposed changes, most read as very self serving and don't relate to or benefit the majority of the homes or residents in the neighborhood. The housing market and real estate values are facing some tough days ahead, and the economy is somewhat fragile when it comes to consumer spending on things like home improvements, renovations, new development and redevelopment. It would be in the city's best interest, and the best interest of the homeowners in most neighborhoods to limit or eliminate changes to the current requirements which add to the expense and effort involved with maintaining and improving properties in our neighborhood and others. As it is, many of the restrictions or requirements are ignored, and little to no effort is made to enforce simple ordinances to preserve existing properties, so it's reasonable to ask how the city is prepared to enforce additional rules and restrictions or proposed changes. Like much of the country, Albuquerque has a housing supply issue and affordable housing issue on its hands, and if meaningful improvements are not made soon, the consequences for the greater community will be costly and long lasting. Rather than nitpicking apart the existing zoning codes, the city council should be focusing its resources on programs that incentivize the construction and development of modestly priced housing that is within reach for single professionals, young people, college grads, retirees, service members, teachers, police officers, and the lists goes on..."

#002

Posted by **Peter Swift** on **11/26/2023** at **11:46am** [Comment ID: 749] - [Link](#)

Agree: 0, Disagree: 0

Setting aside the substance of the proposed changes, the process itself for public comment is flawed and discriminatory. I'm reasonably computer literate, and I would find this commenting process too cumbersome to use if I didn't have two full-size monitors with two copies of the spreadsheet open at once (one switching back and forth to the supporting memos and other documents) and a separate copy of the IDO itself downloaded and open in the background. Simply from the perspective of creating user-friendly software, this process is a disaster. It completely excludes members of the public who don't have internet access and it functionally excludes those who rely only on a small screen. It really could be better.

#003

Posted by **Patricia Willson** on **11/01/2023** at **1:09pm** [Comment ID: 616] - [Link](#)

Agree: 2, Disagree: 0

I am repeating all my comments that were pinned on the Pre-EPC submittal, as they are still relevant. Where there was a reply to my comment, I am including that. I am concerned that, less than 24 hours after the comment period closed, the citywide changes numbered 60, up from 50!

The spreadsheet dated 10/10 had 50 items on 13 pages. This one (dated 10/12) has 30-something on 12 pages. Hard to keep up--need to buy more paper :(

Agree 0 Disagree 0

Peggy Neff Oct 25 2023 at 8:48AM

Poor system. Broken process. We will likely see the amendments that were previously part of the record return to us at LUPZ or at Council so to avoid public discussions. Shameful. The use of this questionable process has given the community cause for concern and eroded our trust, please, EPC stand up against this process, go back to what was originally promoted: community assessment areas review city wide substantive changes and then they go to the EPC. Put money into this. Albuquerque is unique and should remain so, we have limited resources and all our plans should reflect this. The city of the future is not built on greed it is built on united fronts, it is built where community is the highest concern. This process, where the EPC has come to see their role as one of making the decisions without community involvement, are we not concealing value decisions that community members need to be part of, eroding democracy?

#004

Posted by **Jane Baechle** on **11/03/2023** at **10:23am** [Comment ID: 628] - [Link](#)

Agree: 1, Disagree: 0

The "Explanation" should not be a mere restatement of the proposed change. It should provide some evidence of the merits of the proposal in order for those reading it to weigh its appropriateness and whether the potential benefit outweighs the cost of the change and should, therefore, be supported. If the Planning Dept. does not have the authority to require that level of analysis and evidence from the ones proposing a change, they surely should be given that authority.

#005

Posted by **Rene' Horvath** on **11/26/2023** at **9:47pm** [Comment ID: 766] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I agree with previous comments that reviewing 60 plus zoning amendments during the Holidays is extremely disrespectful to the community. Why so many amendments with cryptic explanations? Some are very technical, while others are too confusing to understand. These zoning amendments if not carefully thought through could negatively impact Albuquerque's unique character and quality of life. Why couldn't the comment period have been extended to the end of November, instead of the Monday right after the Thanksgiving weekend?

#006

Posted by **Mike Voorhees** on **11/17/2023** at **11:12am** [Comment ID: 698] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Having comments due immediately following major holidays is disrespectful of community participation and input. Please extend the comments period and change the schedule for the IDO updates away from the holiday season.

#007

Posted by **Jane Baechle** on **11/27/2023** at **7:49am** [Comment ID: 799] - [Link](#)

Agree: 0, Disagree: 0

I acknowledge I am repeating myself here but I am not the only one in SFV with this view. The process of reviewing, thoughtfully considering and providing informed comment on 60 citywide amendments, sorting through technical language and explanations which provide little more than a restatement of the change and no analysis of its potential consequences appears intended to make it as difficult as possible for residents and individual property owners to engage on land use issues. The SFVNA Board and a number of association members have followed these proposals since they were published and will continue to do so. We accept our mandate to serve as a recognized NA. We expect City leadership to engage in good faith. This process does not look like a genuinely good faith effort to us.

#008

Posted by **Amber Schwarz** on **11/07/2023** at **9:53am** [Comment ID: 675] - [Link](#)

Agree: 0, Disagree: 0

We do not want retail in our neighborhood, it would be vastly detrimental to it.

#009

Posted by **ICC committee (10 people)** on **10/27/2023** at **10:56am** [Comment ID: 585] - [Link](#)

Agree: 1, Disagree: 0

Additional requirements for business do not belong in the IDO. To fence EVERY gas station will be a huge burden.

#010

Posted by **Merideth Paxton** on **11/26/2023** at **9:50pm** [Comment ID: 767] - [Link](#)

Agree: 0, Disagree: 0

To state the concern about homelessness problems more specifically, residents are now required by city ordinance to keep the alleys behind their property clean. If this proposed revision moves encampments off commercial property, the alleys are a likely place where they will go. This would place individual residents in the position of having to clear the camps, which could be occupied by people with weapons and who (perhaps) are mentally unstable. Even if the odds of this situation are low, average citizens should not have to assume the vulnerability.

#011

Posted by **Patricia Willson** on **11/05/2023** at **11:32am** [Comment ID: 653] - [Link](#)

Agree: 1, Disagree: 0

This sets a bad precedent; putting decision making in the hands of an unelected commission of 7 individuals (Landmarks Commission)

#012

Posted by **Merideth Paxton** on **11/24/2023** at **11:52am** [Comment ID: 733] - [Link](#)

Agree: 0, Disagree: 0

This could make the retail areas look like prison camps and move the problems of homelessness into the alleys and yards for neighborhoods to fight.

#013

Posted by **Amber Schwarz** on **11/07/2023** at **9:53am** [Comment ID: 676] - [Link](#)

Agree: 0, Disagree: 0

We do not want this in our neighborhood.

#014

Posted by **Merideth Paxton** on **11/24/2023** at **11:27am** [Comment ID: 730] - [Link](#)

Agree: 0, Disagree: 0

Why doesn't the IDO update begin to consider solutions to the urban heat island problem that is now developing—15 days above 100 degrees last summer instead of our typical 3? The NM state climatologist has been concerned about this for several years. Planning approaches are being found elsewhere; see New York Times, September 18, 2023, "How to Cool Down a City." [link;smid=nytcare-ios-share&referringSource=articleShare](#)

#015

Posted by **Merideth Paxton** on **11/24/2023** at **11:31am** [Comment ID: 731] - [Link](#)

Agree: 0, Disagree: 0

This is an instance where it would be helpful to know why the Landmarks Commission feels a need for this authority.

#016

Posted by **Julie Dreike** on **10/31/2023** at **1:08pm** [Comment ID: 610] - [Link](#)

Agree: 1, Disagree: 0

No specifics about how high the wall will be—at least 3 feet, what is the maximum? I oppose ABQ becoming a city of walls. Walls do not prevent crime. What is the position of retail? Expense of building the wall will be passed on to customers. If a retail establishment wants a fence, they could build one. This mandate is not good policy

#017

Posted by **ICC IDO working group** on **11/03/2023** at **10:56am** [Comment ID: 630] - [Link](#)

Agree: 0, Disagree: 0

If I understand correctly the difference between "Cluster" and "Cottage" development, Cluster development allows single family and duplex development on smaller lots while preserving open space on the site in return. The number of units is determined by the area of the site divided by min. allowed lot size, rounded down to whole number. There is a clear diagram in the IDO. Cottage development allows shared facilities, therefore it's possible to have dwelling units without kitchens. Determination of number of units is by complicated calculation. There is no diagram in the IDO. Do I have this right?

#018

Posted by **Merideth Paxton** on **11/24/2023** at **11:26am** [Comment ID: 729] - [Link](#)

Agree: 0, Disagree: 0

Being asked to re-pin all the previous comments is an impediment to participation. It isn't even possible to search that version by author name to find my first remarks. I wonder why it wasn't possible to make the revisions for the EPC to the original Planning Department document.

#019

Posted by **Amber Schwarz** on **11/07/2023** at **9:52am** [Comment ID: 674] - [Link](#)

Agree: 0, Disagree: 0

I do not think they should be able to make these decisions without feedback or agreement by the neighborhood. Disagree.

#020

Posted by **Irene Libretto** on **11/08/2023** at **11:33am** [Comment ID: 683] - [Link](#)

Agree: 0, Disagree: 0

Disagree. This will do little to deter crime, and put a financial burden on small retail businesses.

#021

Posted by **Merideth Paxton** on **11/24/2023** at **11:54am** [Comment ID: 734] - [Link](#)

Agree: 0, Disagree: 0

This could make the gas stations look like prison camp units and move the problems of homelessness into the alleys and yards for neighborhoods to fight.

#022

Posted by **ICC IDO working group** on **11/03/2023** at **10:56am** [Comment ID: 631] - [Link](#)

Agree: 0, Disagree: 0

If I understand Benton & Fiebelkorn's Council Memo, this is an attempt to re-introduce duplexes into R-1 zones thru "Cottage" development (as duplexes and townhomes are already allowed in R-T and R-ML; see 4-3(B)(4)(c) 1.b). And while porches are nice everywhere, you can't legislate good design--Clr. Benton has told me that numerous times. Does a portal count as a porch?

#023

Posted by **Julie Dreike** on **10/31/2023** at **1:10pm** [Comment ID: 611] - [Link](#)

Agree: 0, Disagree: 0

Same comment as above for General Retail Wall/Fence. ABQ Administration should provide the data to support this mandate. If a fueling station wanted a wall, they could build it. Where there are walls currently, do they have less crime? Let's see the data.

#024

Posted by **Rene' Horvath** on **11/26/2023** at **10:38pm** [Comment ID: 770] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Who asked for this amendment? How will making outdoor amplified sound an accessory use make things better? There is already a noise ordinance that has an outdoor sound curfew from 10 pm-7am. I have heard complaints from people who have been awakened by amplified outdoor church services. I have also talked with neighbors wanting to close down a restaurant because of the outdoor amplified music. Will this amendment address daytime amplified sound? I do not want to encourage more amplified outdoor sound, by making it an Accessory use.

#025

Posted by **Jane Baechle** on **11/02/2023** at **4:13pm** [Comment ID: 624] - [Link](#)

Agree: 1, Disagree: 0

What is the rationale for this? It is impossible to support a mandate in the absence of a specific justification and a consideration of both costs and potential benefits.

Agree4 Disagree0

#026

Posted by **Jane Baechle** on **11/02/2023** at **4:12pm** [Comment ID: 623] - [Link](#)

Agree: 0, Disagree: 0

What is the rationale for this? It is impossible to support a mandate in the absence of a specific justification and a consideration of both costs and potential benefits.

Agree 4 Disagree 0

Reposting

#027

Posted by **ICC IDO working group** on **11/03/2023** at **10:57am** [Comment ID: 632] - [Link](#)

Agree: 1, Disagree: 0

I have read the Council Memo--Due to lack of information and lack of clarity I oppose. What problem is being solved? What area(s) are affected? What is the definition of a front porch? If there is a shared wall, I think that is a duplex, no longer a single dwelling cottage. Why require a front porch? Poorly developed amendment.

#028

Posted by **Jane Baechle** on **11/19/2023** at **3:20pm** [Comment ID: 705] - [Link](#)

Agree: 1, Disagree: 0

Monday, November 27, 2023 is the first day following the Thanksgiving holiday weekend, a time where many have family commitments and travel or are essential workers who are on the job. Establishing a due date and time at the start of that week and the start of the workday represents at best an effort to discourage public engagement. It would be more realistic to allow comments through the remainder of the month. That would still allow for nearly two weeks to send comments to the EPC>

#029

Posted by **Irene Libretto** on **11/08/2023** at **11:30am** [Comment ID: 682] - [Link](#)

Agree: 0, Disagree: 0

I disagree with the Landmarks Commission the authority to approve lot sizes without a variance being examined by the ZHE

#030

Posted by **Rene' Horvath** on **11/26/2023** at **10:59pm** [Comment ID: 772] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Same as above - Have you let the gas stations know about this amendment. It may be an idea they may want to do, but not be forced to do. Not sure how this would work in addressing crime issues. We should not mandate the use of walls and fences to solve crime.

#031

Posted by **Patricia Willson** on **11/01/2023** at **1:14pm** [Comment ID: 618] - [Link](#)

Agree: 1, Disagree: 0

Shouldn't this be dealt with within the COA Noise Control Ordinance? It is also problematic in early mornings--from churches having amplified music/services? Bad precedent to have regulations in multiple places.

#032

Posted by **Rene' Horvath** on **11/26/2023** at **10:58pm** [Comment ID: 771] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Does retail know about this amendment. It may be an idea they may want to do, but not be forced to do. I agree with previous comments that we don't want to be a city of walls and fences.

#033

Posted by **Patricia Willson** on **10/27/2023** at **10:35am** [Comment ID: 584] - [Link](#)

Agree: 0, Disagree: 0

Where are all the previous comments!!!!!!

#034

Posted by **Michelle Negrette** on **10/27/2023** at **11:53am** [Comment ID: 601] - [Link](#)

Agree: 0, Disagree: 0

Can variances still be applied for through the EPC or ZHE or is the LUCC the only body that make a decision related to lot size and setbacks?

#035

Posted by **Rene' Horvath** on **11/26/2023** at **10:00pm** [Comment ID: 768] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

We do not support an amendment that would undermine the character of historic Neighborhoods? It is unclear why this amendment is being proposed. Which staff requested this and why? Is this to reduce the load on the ZHE? How does the historic preservation planning staff feel about this? It is very important to maintain the character of Albuquerque's historic neighborhoods.

#036

Posted by **Patricia Willson** on **11/01/2023** at **6:19pm** [Comment ID: 619] - [Link](#)

Agree: 1, Disagree: 0

The entire Victory Hills NA board is concerned about this process and making sure our voices are heard. I am meeting with 11 folks right now.

#037

Posted by **ICC committee (10 people)** on **10/27/2023** at **10:57am** [Comment ID: 586] - [Link](#)

Agree: 0, Disagree: 0

Did this come from the Planning Director or the Mayor's office?









#038

Posted by **projectteam** on **10/26/2023** at **9:51am** [Comment ID: 574] - [Link](#)

Agree: 0, Disagree: 0

Click anywhere on the document to share a comment!

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
6	198	4-3(E)(8)	Electric Utility Revise Subsections (a), (b), (c), and (d) to add battery storage in addition to substations. Revise Subsection (f) as follows: "Electric generation facilities, as defined ^{identified} in the Facility Plan for Electric System Transmission and Generation, are large-scale industrial developments and are only allowed in the NR-GM zone district."	Requires walls and landscaping for battery storage facilities associated with electric utilities. The definition of electric utility includes battery storage as an incidental activity in Section 7-1. Electric utilities are regulated separately from the standalone Battery Energy Storage System (BESS) proposed in another amendment.	Public
7	217	4-3(F)(14) [new]	Outdoor Amplified Sound Create a new subsection with text as follows and renumber subsequent subsections accordingly: <u>"If this use is within 330 feet of a Residential zone district or lot containing a residential use in a Mixed-use zone district, any amplified sound from speakers outside of a fully enclosed building shall be turned off between 10:00 p.m. and 7:00 a.m."</u>	Prohibits amplified sound after 10 p.m. near residential uses. Similar to prohibition of self-storage access.   	Public
8	Multiple	4	Cannabis Retail See Council Memo for proposed amendments, including Table 4-2-1 and use-specific standard in Subsection 14-16-4-3(D)(35).	See Council Memo.     	Council

#039

Posted by **Patricia Willson** on **11/03/2023** at **12:25pm** [Comment ID: 636] - [Link](#)

Agree: 3, Disagree: 0

copying forward comments from Pre-EPC spreadsheet:

Greg Weirs Oct 23 2023 at 9:23PM

I support this amendment. The ZHE has granted the vast majority of conditional use requests, and microbusinesses are not significantly different in their impacts than non-micro businesses. While this particular amendment has not been considered by the NHNA, the association sent a letter requesting a very similar amendment.

Agree 3 Disagree 0

Peggy Neff Oct 25 2023 at 10:41AM

I suggest that the EPC ask Planning for a review of how many variances for Cannabis Retail have been approved. Why have you not required data? Deny it based on lack of data alone, set the precedent that you require data before making laws.

#040

Posted by **ICC IDO working group** on **11/03/2023** at **12:17pm** [Comment ID: 633] - [Link](#)

Agree: 1, Disagree: 0

Maybe there could be two cycles for annual amendments - one year for developers and contractors and large investors to advance their agenda and the next year for public protections such as this. Hate to see this go away, but really the process is wrong.

#041

Posted by **Patricia Willson** on **11/03/2023** at **12:17pm** [Comment ID: 634] - [Link](#)

Agree: 0, Disagree: 0

Shouldn't this be dealt with within the COA Noise Control Ordinance? It is also problematic in early mornings--from churches having amplified music/services? Bad precedent to have regulations in multiple places.

#042

Posted by **Jane Baechle** on **11/02/2023** at **4:14pm** [Comment ID: 625] - [Link](#)

Agree: 1, Disagree: 0

Jane Baechle Oct 25 2023 at 7:38AM

Strongly support. The allowance of cannabis retail within 660' is appropriate and reasonable. There should be no mechanism to alter that and concentrate cannabis retail in individual areas, esp. those likely to represent underserved or lower income neighborhoods and those where residents have fewer resources to navigate the conditional use ZHE hearing process.

#043

Posted by **Patricia Willson** on **11/03/2023** at **12:19pm** [Comment ID: 635] - [Link](#)

Agree: 0, Disagree: 0

This is confusing, regarding Item#5 on Pre-EPC spreadsheet. Is this the same issue but the distance changed from 100 to 330 feet? Based on whose input?

#044

Posted by **Jane Baechle** on **11/02/2023** at **4:15pm** [Comment ID: 626] - [Link](#)

Agree: 0, Disagree: 0

Jane Baechle Oct 25 2023 at 7:38AM

Strongly support. The allowance of cannabis retail within 660' is appropriate and reasonable. There should be no mechanism to alter that and concentrate cannabis retail in individual areas, esp. those likely to represent underserved or lower income neighborhoods and those where residents have fewer resources to navigate the conditional use ZHE hearing process.

#045

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:06am** [Comment ID: 588] - [Link](#)

Agree: 0, Disagree: 0

see ICC comment directly on Council Memo

#046

Posted by **Rene' Horvath** on **11/26/2023** at **11:08pm** [Comment ID: 773] - [Link](#)


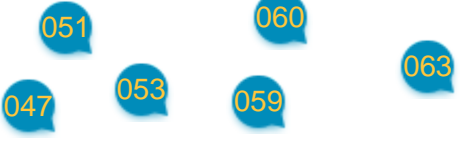

Type: Suggestion

Agree: 0, Disagree: 0

Support! This will help address neighborhood and business concerns of too many cannabis stores opening up in the

same area and will also help avoid diluting their customer base.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
9	Multiple	4	<p>Overnight Shelter</p> <p>Revise Table 4-2-1 to make permissive in all zone districts where currently allowed as Conditional (MX-M, MX-H, NR-C, NR-BP, NR-LM, NR-GM).</p> <p>Revise Subsection 14-16-4-3(C)(6) as follows:</p> <p>"(a) This use is prohibited within 1,500 feet in any direction of a lot containing any other overnight shelter.</p> <p>(b) This use shall be conducted within fully enclosed portions of a building.</p> <p><u>(a) [new] This use requires a Conditional Use approval pursuant to Subsection 14-16-6-6(A) for any of the following:</u></p> <ol style="list-style-type: none"> <u>1. More than 50 beds in any zone district where allowed, except MX-H.</u> <u>2. Locations within 1,500 feet in any direction of any other overnight shelter.</u> <u>3. Locations within 330 feet of Residential zone districts or any residential use in a Mixed-use zone district.</u> <p>(c) (b) In the MX-M zone district, this use shall not exceed 25,000 square feet.</p>	<p>Allows small overnight shelters permissively in zone districts where the use is currently only allowed conditionally. Requires conditional approval for larger shelters, shelters near residential, and shelters within 1500 feet of each other.</p> 	Staff
10	161	4-3(B)(5)(b)	<p>Dwelling, Two-family Detached (Duplex)</p> <p>Revise text as follows:</p> <p>"This use is prohibited in the R-1 zone district, except for the following:</p> <ol style="list-style-type: none"> 1. In R-1A where 1 two family detached dwelling is permissive on 2 lots where the building straddles the lot line and each dwelling unit is on a separate lot. <u>2. On corner lots that are a minimum of 5,000 square feet."</u> 	<p>Allows duplexes in R-1 on corner lots that are at least 5,000 s.f.</p> 	Public 067
11	147	4-1(A)(4) [new]	<p>Conditional Uses for City Facilities</p> <p>Add a new subsection with text as follows and renumber subsequent subsections accordingly:</p> <p><u>"City facilities do not require a Conditional Use Approval where listed as 'C' in Table 4-2-1 because they serve a public purpose. Conditions of approval pursuant to Subsection 14-16-6-4(P) may be added by the decision-maker for the associated Site Plan to ensure conformance with the IDO and to ensure public health, safety, and welfare."</u></p>	<p>Exempts City facilities from the conditional use process.</p> 	Admin

#047

Posted by **Merideth Paxton** on **11/24/2023** at **8:36pm** [Comment ID: 737] - [Link](#)

Agree: 1, Disagree: 0

The impacts of the limitation to corner lots with a minimum area of 5,000 square feet are unclear. The lot size could be met by a measurement of 50 feet by 100 feet, and there must be many such lots. If cars were parked along the curbs on all four corners of an intersection, could fire trucks and garbage trucks negotiate a turn there? In any case, this revision invites profit-driven real estate speculation. Why take neighborhoods away from owners who care about protecting the quality of life of the community?

#048

Posted by **Amber Schwarz** on **11/07/2023** at **9:57am** [Comment ID: 679] - [Link](#)

Agree: 0, Disagree: 0

Oppose, city facilities should require approval.

#049

Posted by **Julie Dreike** on **10/31/2023** at **1:16pm** [Comment ID: 614] - [Link](#)

Agree: 1, Disagree: 0

City needs to follow all the same standards as the public--after all the City is there to serve the public. DO NOT exempt the City to the rules.

#050

Posted by **Julie Dreike** on **10/31/2023** at **1:13pm** [Comment ID: 612] - [Link](#)

Agree: 1, Disagree: 0

Oppose permission process. Community needs to be involved. Lots of good ideas come from the public for improvements.

#051

Posted by **Julie Dreike** on **10/31/2023** at **1:15pm** [Comment ID: 613] - [Link](#)

Agree: 2, Disagree: 0

similar zoning change was voted down last year. Oppose this amendment.

Reply by **Peter Swift** on **11/26/2023** at **11:36am** [Comment ID: 747] - [Link](#)

Agree: 1, Disagree: 0

Adding to the previous comment: This appears to be an inappropriate use of the IDO update process to make substantive zoning changes without full council concurrence, circumventing the full council vote last summer on the subject of duplexes in R-1. I oppose the change on both process and substance. It's a bad idea being pushed in through a back door.

#052

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:17am** [Comment ID: 590] - [Link](#)

Agree: 0, Disagree: 0

Do these need to be indoors? If not, seems to just codify tent encampments.

Reply by **projectteam** on **10/27/2023** at **1:32pm** [Comment ID: 602] - [Link](#)

Agree: 1, Disagree: 0

Yes. The definition in 7-1 specifies that this is an indoor use.

#053

Posted by **Amber Schwarz** on **11/07/2023** at **9:56am** [Comment ID: 678] - [Link](#)

Agree: 2, Disagree: 0

Allowing duplex's in our neighborhood would only reduce property values and increase crime. No.

#054

Posted by **Rene' Horvath** on **11/26/2023** at **11:18pm** [Comment ID: 774] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

Should maintain Overnight shelters as a conditional use to allow public input to address any concerns.

#055

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:27am** [Comment ID: 592] - [Link](#)

Agree: 1, Disagree: 0

So City may buy a property and build or lease a waste transfer station, a detention center, an overnight shelter, treatment plant, half-way house OR A LNG FACILITY--without any notice????

ABSOLUTELY NOT.

#056

Posted by **Merideth Paxton** on **11/24/2023** at **8:42pm** [Comment ID: 738] - [Link](#)

Agree: 0, Disagree: 0

This is an outrageous expansion of the concept of eminent domain.

#057

Posted by **Jane Baechle** on **11/05/2023** at **7:43am** [Comment ID: 637] - [Link](#)

Agree: 1, Disagree: 0

Jane Baechle Oct 25 2023 at 7:42AM

The conditional use process provides a mechanism for public engagement that maximizes the success of individual efforts and approaches. The issues that contribute to homelessness are no less complex than they were two years ago when the IDO process was used to circumvent both public engagement and effective responses to this complex issue.

Reply by **Jane Baechle** on **11/05/2023** at **7:47am** [Comment ID: 639] - [Link](#)

Agree: 1, Disagree: 0

Effective responses to the needs for shelter for the unhoused will not come from circumventing public engagement and public comment. That is clearly the intent of this proposal.

#058

Posted by **Amber Schwarz** on **11/07/2023** at **9:54am** [Comment ID: 677] - [Link](#)

Agree: 0, Disagree: 0

Absolutely not, we do not want to allow this, it's basically giving permission for homeless camps, no thank you.

#059

Posted by **Rene' Horvath** on **11/26/2023** at **11:26pm** [Comment ID: 775] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

This amendment will create a lot of problems in terms of parking and traffic congestion at the corner of residential streets, affecting the access in and out of neighborhoods. Not only will it negatively change the character and status of R-1 zoning, (which is in an Area of Consistency); it also becomes a public safety issue due to street parking that will restrict access into the neighborhood. This should not be approved.

#060

Posted by **ICC IDO working group** on **11/03/2023** at **10:40am** [Comment ID: 629] - [Link](#)

Agree: 3, Disagree: 0

This is a zone change that requires notification to all R-1 property owners. 2 units do not = R-1, Single Family Residential.

If passed, duplexes in R-1 subdivisions would drastically change the character of established neighborhoods. This will result in second-story additions and garage conversions. Lack of conformity leads to diminished property values. Upzoning will lead to higher real estate property taxes.

Many existing single-family residential neighborhoods lack the infrastructure to accommodate the construction of duplexes, ie: utility connections, sewer line capacity, and parking.

#061

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:22am** [Comment ID: 591] - [Link](#)

Agree: 2, Disagree: 0

Oppose the MX-H exception--would allow >50 person shelter permissively? Maintain Conditional Use. Language is so convoluted it is hard to know what ramifications will be. CU allows the option for informed involvement.

#062

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:28am** [Comment ID: 593] - [Link](#)

Agree: 0, Disagree: 0

THIS IS OUTRAGEOUS--AND WE ARE MEANING TO SHOUT--LOUDLY

#063

Posted by **Jane Baechle** on **11/05/2023** at **8:02am** [Comment ID: 640] - [Link](#)

Agree: 2, Disagree: 0

This is arguably the worst proposal re: duplexes put forth to date. It provides no standards, removes public notice and comment and makes no attempt to address any of the well founded criticisms of changes to R-1 zoning, specifically converting a single family dwelling to a two family dwelling, across the city. It provides no evidence to consider the merits of such a change or any evidence that it will reasonably add to housing options. It is presented as coming from a member of the "public" with no indication of who that is and the likely benefit that would accrue to the proposer should this be enacted. If City leadership and the Planning Dept. is sincere about finding ways to increase "missing middle" housing options in ABQ, they need to publish only thoughtful and detailed proposals, clearly identified as to their source and with sufficient evidence for a debate of their merits. This is NOT an example of such a proposal.

#064

Posted by **Rene' Horvath** on **11/26/2023** at **11:31pm** [Comment ID: 776] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

The ICC has made very good points as to why City facilities should NOT be exempt from a conditional use hearing process. The public can give valuable input to solving some of our community issues if given a chance.

#065

Posted by **Jane Baechle** on **11/02/2023** at **4:19pm** [Comment ID: 627] - [Link](#)

Agree: 1, Disagree: 0

Jane Baechle Oct 25 2023 at 7:34AM

After reading the council memo, the following are evident to me: This is a fundamental change to property rights and entitlements for property zoned R-1. As such, it does not belong in the IDO annual review process. Permissive addition of duplexes was voted down in the 2022 IDO review process with good reason. This proposal attempts to address some of those but falls short on ensuring protection of neighborhood character, safety and welfare. At a minimum, any fundamental change of a dwelling unit to accommodate a second separate home should be a "conditional" use. The addition of a carport is a conditional use; surely a second home is as consequential for surrounding homes and a residential neighborhood. The Planning Dept. asserted that IDO 6-5(G)(1)(f)6 would protect individual and neighborhood interests in the addition of an ADU. I am doubtful that would be the case for an ADU and would not in the addition of a second attached dwelling unit.

Agree2 Disagree0

Reply by **Jane Baechle** on **11/05/2023** at **7:45am** [Comment ID: 638] - [Link](#)

Agree: 1, Disagree: 0

Please regard this as a comment on duplexes. The fact that it is pinned to the proposals re: shelters is evidence of the challenge of ensuring that comments are reflected in all of the documents published as part of the IDO review.

#066

Posted by **Jane Baechle** on **11/02/2023** at **10:39am** [Comment ID: 620] - [Link](#)

Agree: 1, Disagree: 0

This appears to be an effort on the part of City leadership to make an end run around public engagement and public comment on any project which encounters opposition. Regardless of the merits of a project or its contribution to the public health, safety and welfare, the conditional use designation exists to ensure that any project meets IDO standards for a conditional use and that it is fully vetted in a robust process involving the public and open meetings. If passed, this would set a terrible precedent. Surely the City administration and all members of Council recognize that City offices will eventually change hands and that removing standards and guardrails on development that suit one administration can be used for entirely different ends by a subsequent one. To say I vehemently oppose this would be an understatement.

#067

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:16am** [Comment ID: 589] - [Link](#)

Agree: 0, Disagree: 0

Was this change suggested by owner of corner properties? This is a change in zoning and does not belong in the annual amendment process. Where duplexes are currently allowed, the City hasn't maximized duplexes--does not belong in Citywide.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
12	Multiple	4	Dwelling, Live-work On page 151, in Table 4-2-1, add a P in R-1 and change C to P in R-T and R-ML. On page 162, in Subsection 4-3(B)(7)(c), add cannabis retail and nicotine retail as prohibited uses. In Subsection (c)2, revise text as follows: "Any use <u>other than restaurant</u> in the Food, Beverage, and Indoor Entertainment category."	Allows live/work for very small retail and restaurants on corner lots in neighborhoods to open business opportunities for homeowners who otherwise could not purchase/maintain/rent two properties, one for business and one for living. Returns the pattern of corner stores in neighborhoods for services within walking distance of more residences. Prohibits cannabis retail and nicotine retail in all zone districts.	Public 087
12	Multiple	4 (cont'd)	Dwelling, Live-work (cont'd) On page 162, in Subsection 4-3(B)(7), add a new subsection (e) with text as follows: " <u>Where allowed in a Residential zone district, general retail and restaurant are limited to a total of 3,000 square feet or less.</u> " Add a new subsection (f) with text as follows: " <u>In the R-T and R-ML zone districts, this use is permissive on corner lots that are a minimum of 5,000 square feet. In other locations, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).</u> " Add a new subsection (g) with text as follows: " <u>In the R-1 zone district, this use is only allowed on corner lots that are a minimum of 5,000 square feet. Only general retail and restaurants are allowed.</u> "	(Cont'd from above)	Public 073 077 081
13	Multiple	4-3(B)(5)	Two-family Detached (Duplex) Dwelling See Council Memo for proposed amendments.	See Council Memo.	Council 068 069 071 072 074 076 079 082 083 084 086
14	241	5-2(G)	Irrigation (Acequia) Standards Add a new Subsection with text as follows: " <u>For cluster development and multi-family dwellings, locate at least 25 percent of common open space or ground-level usable open space to be contiguous with the irrigation ditch/acequia. These areas shall be made accessible from the remaining land via pedestrian walkways. Access to irrigation ditches/acequias is only allowed if approved by the Middle Rio Grande Conservancy District (MRGCD).</u> "	Follows the existing requirement for cluster development and multi-family dwellings next to Major Public Open Space in Subsection 14-16-5-2(J)(2)(a). Implements an action in the 2017 ABC Comprehensive Plan.	Comp Plan 078

#068

Posted by **Peter Swift** on **11/26/2023** at **11:51am** [Comment ID: 750] - [Link](#)

Agree: 1, Disagree: 0

I entered this comment last month both here in the spreadsheet. Like all other comments, it was deleted in the spreadsheet but retained in the memo. I apologize for the redundancy, but I'm repeating it here.

This change effectively reinstates language from proposed O-22-54 Section 1 that was removed following public comment. This provision is not present in enacted O-23-54, and including it here seems to be contrary both to the majority vote of City Council in June 2023 and to the intent of the amendment process. This is a substantive change that has been proposed without adequate public notice or comment. The date on the memo is October 20, 2023, after the proposed change to the IDO had been posted without details.

#069

Posted by **Amber Schwarz** on **11/07/2023** at **9:58am** [Comment ID: 681] - [Link](#)

Agree: 1, Disagree: 0

Oppose, this would lower property values and increase crime.

Reply by **Debbie Conger** on **11/21/2023** at **8:42pm** [Comment ID: 708] - [Link](#)

Agree: 0, Disagree: 0

Agree with Amber.

#070

Posted by **Amber Schwarz** on **11/07/2023** at **9:57am** [Comment ID: 680] - [Link](#)

Agree: 1, Disagree: 0

Oppose, would ruin the look of the neighborhood, decreasing property values and increasing crime.

#071

Posted by **Debbie Conger** on **11/21/2023** at **8:48pm** [Comment ID: 712] - [Link](#)

Agree: 1, Disagree: 0

This will destroy many of our neighborhoods. We already have issues with people parking 2-4 cars in front yards in my

neighborhood and others. This is in addition to 2 cars in driveways. To our detriment, Code Enforcement does not enforce the rules about parking in front yards. This issue will be made worse with making duplexes permissive in R-1.

#072

Posted by **Debbie Conger** on **11/21/2023** at **8:51pm** [Comment ID: 713] - [Link](#)

Agree: 0, Disagree: 0

No! This will destroy many of our neighborhoods. The City does not enforce the rules on cars parked in front yards and this will make it worse. Our neighborhoods will lose more green space. How the City can think of doing this is beyond my understanding.

#073

Posted by **Rene' Horvath** on **11/26/2023** at **11:51pm** [Comment ID: 777] - [Link](#)

Type: Suggestion

Agree: 2, Disagree: 0

This amendment will also create a lot of problems in terms of parking and traffic congestion at the corner of residential streets, affecting the access in and out of neighborhoods. Not only will it negatively change the character and status of R-1 zoning, (which is in an Area of Consistency); it also becomes a public safety issue due to street parking that will restrict access into the neighborhood. This should not be approved.

#074

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:48am** [Comment ID: 598] - [Link](#)

Agree: 0, Disagree: 0

"See Council Memo" is a new layer of complications while trying to review changes.

Reply by **Debbie Conger** on **11/21/2023** at **8:43pm** [Comment ID: 709] - [Link](#)

Agree: 0, Disagree: 0

Agree with ICC comment.

Reply by **Peter Swift** on **11/26/2023** at **11:40am** [Comment ID: 748] - [Link](#)

Agree: 0, Disagree: 0

The comment is correct, and calls attention to a badly flawed and frankly discriminatory public comment process. I'm reasonably computer literate, and I would find this commenting process too cumbersome

to use if I didn't have two copies of the spreadsheet open at once with a separate copy of the IDO open in the background. Simply from the perspective of creating user-friendly software, this process is a disaster, and it completely excludes members of the public who don't have internet access or who rely only on a small screen.

#075

Posted by **Julie Dreike** on **10/31/2023** at **1:21pm** [Comment ID: 615] - [Link](#)

Agree: 3, Disagree: 0

Agree with ICC comments. The current locations of corner stores tend to be higher priced items, are a disadvantage to those living in poverty. Where is the data on where these are currently allowed in ABQ. Need a map to see impact to neighborhoods. People bought in neighborhoods expecting the character and zoning to remain.

#076

Posted by **Rene' Horvath** on **11/26/2023** at **11:53pm** [Comment ID: 778] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Don't support! There is no reason to support when there is a zoning designation for duplex already.

#077

Posted by **Jane Baechle** on **11/05/2023** at **9:12am** [Comment ID: 641] - [Link](#)

Agree: 2, Disagree: 0

First, this is fundamentally a zone change which effectively converts all low density residential zoning to a mixed use zone. It would effectively turn any corner lot into a spot zone, at least in my view.

It would be hugely damaging to the health, safety and welfare and the character of Santa Fe Village. On my review of the IDO Interactive Map, there are 82 properties in SFV which are corner lots of 5,000 s.f. There is no way that this area could safely accommodate 82 small retail establishments and/or restaurants. And yet, that is what this amendment proposes.

There is no reason to believe that such establishments would only be patronized by people who walk to them. There is no evidence or reason to believe that this change would serve only individuals or individual property owners rather than commercial interests with the financial resources to purchase and convert single family residential properties for rental income.

In fact, as was the case in Item #10, there is no evidence whatsoever provided to support the proposal or allow it to

be considered on its merits.

The assumption that most neighborhoods in ABQ ever were consistent with "the pattern of corner stores in neighborhoods for services within walking distance" is simply stated as fact. With the exception of downtown, Old Town and Nob Hill, I can think of no other neighborhoods where this description is accurate.

And, this amendment would make all such establishments permissive as well. Even if the "public" author of this proposal could support its potential gains over its likely costs sufficient to consider such a sweeping change, as a permissive use, there is zero engagement from the public, meaning the nearby property owners and neighborhood, impacted by any given establishment.

It again appears to me that the Planning Department engaged in no oversight or analysis of this proposal and the extent to which it is consistent with purpose statements of the IDO or goals and policies of the ABC Comp Plan. I hope that detailed analysis will be evident in the staff report to the EPC.

#078

Posted by **Rene' Horvath** on **11/26/2023** at **11:55pm** [Comment ID: 779] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Sounds good!

#079

Posted by **Jane Baechle** on **11/05/2023** at **9:14am** [Comment ID: 642] - [Link](#)

Agree: 0, Disagree: 0

Jane Baechle Oct 25 2023 at 3:05PM

IF passed, what use specific and design specific standards will apply? Protection overlays supersede other provisions; what consideration has been given to assuring that language is included. Would it be possible for a single story home to add a two story unit as a duplex and what limits will be placed to ensure any addition to the structure is consistent with the scale and design of the original structure?

Reply by **Jane Baechle** on **11/05/2023** at **9:27am** [Comment ID: 643] - [Link](#)

Agree: 1, Disagree: 0

Speaking as an individual, I am not reflexively opposed to the thoughtful addition of a duplex to low density residential property. There are a FEW homes in SFV large enough to become a two family dwelling and allow for true off street parking while complying with the current IDO standards for parking on the street facing portion of the property. Having said that, this is not what this proposal can be expected to ensure. It provides no

safeguards or standards to ensure that a duplex has no negative impacts on the neighborhood or nearby property. It would provide no limit on the number of properties that could be turned into a two family dwelling or consideration of neighborhood density. This will disproportionately harm older and modest neighborhoods. This reflects no acknowledgement of the availability of public transit to allow for reliance on something other than multiple personal vehicles per household. And, as a permissive use, it effectively precludes any genuine say on the part of affected property owners or the neighborhood as a whole.

Reply by **Debbie Conger** on **11/21/2023** at **8:44pm** [Comment ID: 710] - [Link](#)

Agree: 0, Disagree: 0

Good comments by Jane.

#080

Posted by **Steven Pan** on **11/27/2023** at **4:09am** [Comment ID: 798] - [Link](#)

Agree: 0, Disagree: 0

"It would be tyranny to say to a poor man who happens to own a lot within a residence district of palatial structures and his title subject to no servitude, that he could not erect an humble home upon it suited to his means, or that any residence he might erect must equal in grandeur those about it. Under his constitutional rights he could erect such a structure as he pleased, so long as it was not hazardous to others. It might proclaim his poverty; it might advertise the humbleness of his station; it might stand as a speaking contrast between his financial rank and that of his neighbors. Yet, it would be his "castle;" and the Constitution would shield him in its ownership and in its use.

If the citizen is not to be left free to determine the architecture of his own house, and the lawful and uninjurious use to which he will put it; if he is not to be permitted to improve his land as he chooses without hurt to his neighbors; if by law he is to be allowed to do these things only as officials or the public shall decree, or as may for the time suit the taste of a part of the community, the law might as well deal candidly with him and assert that he holds his property altogether at public sufferance. It might as well prescribe the kind of clothes he and his family shall wear and the sort of food they shall eat. Some people are as much offended by the clothes and diet of other people as they are by the style of their houses."

-Spann vs the City of Dallas November 2, 1921

#081

Posted by **Evelyn Rivera** on **11/20/2023** at **12:29pm** [Comment ID: 707] - [Link](#)

Agree: 2, Disagree: 0

Changes in zoning required notification to all R-1 homeowners.

Property values would be negatively effected by non-conforming uses, deemed a negative external influence, therefore having a negative impact on the values of R-1 properties.

#082

Posted by **Merideth Paxton** on **11/27/2023** at **8:27am** [Comment ID: 801] - [Link](#)

Agree: 0, Disagree: 0

Rejecting this concept will make an important contribution to calming the heat island effect in Albuquerque. Last summer there were 15 days with temperatures in the triple digit range in comparison with 3 days the previous year. The NM State Climatologist is already concerned about this problem in our city. Removing trees and landscape to densify residential structures and parking on impervious surfaces in the central city will only intensify the heat island effect. Now is the time to protect the environment instead of making the problem worse.

#083

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:51am** [Comment ID: 600] - [Link](#)

Agree: 1, Disagree: 0

"process" does not need streamlining; (re: more housing). We need more staff. Inpections take forever!

#084

Posted by **Merideth Paxton** on **11/27/2023** at **8:16am** [Comment ID: 800] - [Link](#)

Agree: 0, Disagree: 0

People who just want to enjoy the homes they own according to the R-1 zoning they purchased should not be displaced by property owners who are driven primarily by the desire for profit. Also, this is an example of why the broad-brush approach to city planning is so problematic. Dividing houses onto duplexes is unworkable in older neighborhoods with smaller lots and narrow streets. Allowing parking to be met along the curbs of narrow lots leaves no room for trash cans, nor emergency and service vehicles like ambulances and mail delivery vans. It is doubtful that firetrucks and garbage trucks could negotiate some narrow, curving streets if curbside parking fills both sides. All this was stated before City Council deleted the provision from O-22-54. Why does it keep coming back?

#085

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:34am** [Comment ID: 594] - [Link](#)

Agree: 3, Disagree: 0

As with our objections to Housing Forward; when you have purchased a home in R-1, R-t and R-ML zones, you have expectations of the surrounding neighborhood and do not expect a bodega to go in next door without notification. In Santa Fe Village, for example (which is all residential) there would be no accommodations for customer parking.

#086

Posted by **Debbie Conger** on **11/21/2023** at **8:45pm** [Comment ID: 711] - [Link](#)

Agree: 0, Disagree: 0

All the bubble comments that we added for the first go-round for staff report should be added here for the EPC. People should not be expected to add again. Doesn't the City realize we are not paid to do this and have limited time, many of us with full-time jobs?






#087

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:36am** [Comment ID: 595] - [Link](#)

Agree: 1, Disagree: 0

again, does this "Public" own corner lots? and belong to NAIOP?

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
15	242	5-2(H)	Landfill Gas Mitigation Revise text as follows: "Sensitive lands include landfill gas buffer areas, which comprise closed or operating landfills, <u>landfills closed within the last 30 years</u> , and the areas of potential landfill gas migration surrounding them. Development within landfill gas buffer areas, as established by Interim Guidelines for Development within City Designated Landfill Buffer Zones of the City Environmental Health Department and as shown on the Official Zoning Map, shall follow the Interim Guidelines to mitigate health hazards due to methane and other byproduct gases. All development within a landfill gas buffer requires a Landfill Gas Mitigation Approval pursuant to Subsection 14-16-6-4(S)(5) to ensure that potential health and safety impacts are addressed.	Exempts landfills closed more than 30 years ago from landfill gas mitigation procedures.	Admin
16	247	5-2(K)	Preventing and Mitigating Construction Impact See Exhibit for proposed amendment.	Adds requirements in the IDO for mitigating impact from construction activities next to Major Public Open Space or on properties where sensitive lands have been identified.	Staff
17	270	5-5(B)(4)(d)	RV, Boat, and Trailer Parking See Council Memo for proposed changes.	See Council Memo.   	Council
18	282	5-5(C)(7)	Parking Maximums See Council Memo for proposed amendments.	See Council Memo.  	Council
19	293	5-5(G)(3)	Parking Structures for Multi-family Residential Development Revise as follows: "All parking structures that provide parking for multi-family <u>residential development dwellings</u> , mixed-use development, and non-residential development shall comply with the following standards. These standards do not apply to any garage for low-density residential uses."	Broadens the applicability of these building design standards to all uses in the Group Housing sub-category in Table 4-2-1. See Development Definitions, Multi-family Residential Development.	Staff

#088

Posted by **Peter Swift** on **11/26/2023** at **11:56am** [Comment ID: 752] - [Link](#)

Agree: 0, Disagree: 0

I'm re-entering a comment I made in October that was deleted, like all comments on the spreadsheet. The comment remains on the cited memo, and is repeated here. If I understand this correctly, it would limit the maximum number of off-street parking spaces in the specified areas to the minimum currently required in the IDO. For example, if you have a two-bedroom home near an ART stop, you would be limited to 1 parking space. A four-bedroom duplex would be limited to 2 spaces. This might make sense in Manhattan, but I don't think Albuquerque is quite ready to say goodbye to the concept of the two-car family. (Which, among other things, has been a major factor in democratizing access to the work place over the last century, particularly for women.) Did I misunderstand something here?

#089

Posted by **Peter Swift** on **11/26/2023** at **11:53am** [Comment ID: 751] - [Link](#)

Agree: 0, Disagree: 0

I entered this comment on both the spreadsheet and memo in October. Like all other comments in the spreadsheet, it was deleted. I apologize for the redundancy, but here it is again.

This change will have a significant impact on many residents who currently own RVs, boats, or trailers. A change of this magnitude should have more opportunity for public notice and comment than has been provided here. Note that the date of the memo is October 20, 2023.

#090

Posted by **Rene' Horvath** on **11/27/2023** at **12:08am** [Comment ID: 781] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Don't support limiting parking near a transit shelter or bus stops. Bus riders often rely on the extra space of parking lots in shopping centers or businesses to park and catch the bus. Don't want to discourage bus ridership because there is no place for them to park and catch the bus. Albuquerque lacks parking near bus stops. I have been told by people who work in transit that the more you make it easy for people to catch the bus the more they will ride the bus.

#091

Posted by **Jane Baechle** on **11/06/2023** at **11:44am** [Comment ID: 666] - [Link](#)

Agree: 0, Disagree: 0

Jane Baechle Oct 25 2023 at 3:23PM

It is difficult for me to even picture how a low density residential property could comply with IDO 5-5(F)(2)(a) and still accommodate an RV, Boat or Trailer in the front yard. To the extent that is possible, I support requiring these to be parked in a side or rear yard. As with several previous proposals, they will have limited effect if not promptly and consistently enforced.

#092

Posted by **Rene' Horvath** on **11/27/2023** at **12:02am** [Comment ID: 780] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Support, addressing this issue as front yard parking has increased for RV's, and Boats. I'm starting to hear more complaints as a result. Side and rear yard parking could work as long as the vehicles don't stick out beyond the house, or dominate the visual appearance of the lot . They should also not block views of the neighbors or use the street as a parking lot.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
20	297	5-6(B)(1)	Applicability - Landscaping See Council Memo for proposed amendments.	See Council Memo. 099 109	Council
21	301	5-6(C)(5)(d)	Soil Condition and Planting Beds - Mulching Requirement See Council Memo for proposed amendments.	See Council Memo. 103	Council
22	301	5-6(C)(5)(e)	Soil Condition and Planting Beds - Street Tree Mulching Requirement See Council Memo for proposed amendments.	See Council Memo.	Council
23	320	5-7(D)(3)(a)	Walls & Fences - Front Yard Wall Create a new subsection 1, renumbering subsequent subsections accordingly, with text as follows: "For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 feet if 095 the following requirements are met: 094 (a) The wall is not located in a small area where taller walls are prohibited pursuant to Subsection (3) below. 093 (b) View fencing is used for portions of a wall above 3 feet. (c) The wall is set back at least 10 feet, and the setback area is landscaped with at least 3 shrubs or 1 tree every 25 feet along the length of the wall."	Allows 5 foot walls in front yard with view fencing for at least 2 feet at top, set back 5 feet, and landscaped. 100 102 111 104 107 106 098 101	Admin
24	321	Table 5-7-2	Options for a Taller Front or Side Yard Wall Revise the first row of text under View Fencing as follows: "<5 10 ft. from lot line abutting the street"	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 5 feet from the property line. 108 110 112	Admin
25	349	5-11(E)	Building Design - Facades for NR-LM, NR-GM and Industrial Development in Any Zone District See Council Memo for proposed amendments. 096 097	See Council Memo. 105	Council
26	387	Table 6-1-1	Historic Certificate of Appropriateness - Minor Add requirement for Pre-application Meeting.	Matches current practice.	Staff
27	387	Table 6-1-1	Permit - Temporary Use / Temporary Window Wrap Add X in mailed notice requirement for Temporary Use Permit. Move footnote 3 to the mailed notice requirement on both uses.	Clarifies that the requirement for both uses is the same, matching the existing procedure in 14-16-6-5(D)(2)(a)3.	Staff

#093

Posted by **Beth Silbergleit** on **11/02/2023** at **3:48pm** [Comment ID: 621] - [Link](#)

Type: Suggestion

Agree: 4, Disagree: 0

continue to be bewildered and dismayed that we cannot lay to rest the idea that increasing permissible wall heights in front yards is a good idea. It is not! Permissible front yard wall heights have been set at 3 feet since the 1950s. Public input to numerous zoning code updates throughout the decades has consistently reaffirmed that this is the appropriate height. Destruction of existing streetscape, diminished neighborhood safety by limiting eyes on the street, and a gradual transition to a city and neighborhoods that will be defined by walled-in front yards are the perils of raising wall heights. Those of us who live in historic neighborhoods have made that choice for a variety of reasons. The sense and aesthetics of community is a prime factor. This will be destroyed as walls begin to predominate the streetscape, even if the top few feet are transparent. I truly hope we can put this issue to rest and concentrate our energy on the many other issues pertaining to smart development in our City.

#094

Posted by **Dennis Trujillo** on **11/02/2023** at **4:06pm** [Comment ID: 622] - [Link](#)

Agree: 4, Disagree: 0

I again am in opposition to the proposal related to walls and fences extending the height of front yard walls from three feet to five feet. I am a long time resident of Albuquerque and of Nob Hill, I received my PhD from UNM and I retired as a historian for the state of New Mexico. I am concerned about our shared historical and cultural environment. Historically, Clyde Tingley signed Albuquerque's first zoning code in 1955, limiting permissive walls in front yards to 3 ft. in height. This architectural and social feature has remained in place in zoning updates of 1965, 1973, 1991, and the 2017 IDO. The IDO received an enormous amount of public input, rounds of public review, and no one suggested that it would be a good idea to make permissive walls, in front yards, anything other than 3 ft. in height. For 70 years now, the vast majority of walls built by homeowners in front yards, have been permissive 3 ft. walls; sometimes called garden walls. These front-yard walls are visible from the public way and remain a defining historic and cultural feature of our streetscape, neighborhoods and city. These walls preserve the concept of "eyes on the street," a valuable tool for public safety. Permissive walls in front yards up to 3 ft. high are an important part of the historic character of Albuquerque. Making 5 foot high walls (2 feet being transparent) permissive, would diminish our historic streetscape and the safety concept of "eyes on the street." Please do not let Albuquerque become fortress like, a city of high walls. 3 foot garden walls are important in our history, important to our future, important to our city.

Sincerely,

Dennis P. Trujillo, PhD

#095

Posted by **Marshall Mourar** on **11/24/2023** at **12:42pm** [Comment ID: 735] - [Link](#)

Agree: 0, Disagree: 0

As a Nob Hill homeowner, I also would like to weight in AGAINST this proposal to increase wall heights. I value 'eyes on the street': that pedestrians are visible from houses. I value it for the safety that it provides, and the sense of neighborliness.

#096

Posted by **Patricia** on **11/17/2023** at **9:30am** [Comment ID: 692] - [Link](#)

Agree: 0, Disagree: 0

This type of misguided attempt to make "pretty" non-residential development will only create additional costs and possibly be the deciding factor as to whether or not a company chooses to locate in Albuquerque. As soon-to-be-retired Councilor Benton has often said, you can't legislate good design.

#097

Posted by **Patricia** on **11/17/2023** at **9:31am** [Comment ID: 693] - [Link](#)

Agree: 0, Disagree: 0

and this type of misguided 'architectural' requirement is why we have the ridiculous fake storefront windows on the Carlisle building at Carlisle and Central.

#098

Posted by **Rene' Horvath** on **11/27/2023** at **12:25am** [Comment ID: 784] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I do not support this amendment, as this amendment increases the allowable front yard wall height which will negatively change the character of neighborhoods. The majority of neighborhoods want to maintain the character of the existing wall height and the openness it provides for their community. This amendment was brought up last year which received strong neighborhood opposition. Therefore this amendment should not be approved.

#099

Posted by **Rene' Horvath** on **11/27/2023** at **12:15am** [Comment ID: 782] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Don't support reducing any landscape requirements or parking requirements for multifamily. Usable open space and parking space requirements for apartments have already been reduced in prior IDO amendment updates. This is a quality of life issue. Landscaping provides a nice space for the tenants and a nice visual appearance as well. Don't reduce anymore landscaping or parking for multifamily.

#100

Posted by **Patricia Willson** on **11/01/2023** at **1:11pm** [Comment ID: 617] - [Link](#)

Agree: 3, Disagree: 0

Again (and again) I express my strong opposition to this change. View fences become solid fences and I have provided photographic proof of this in last year's update cycle--and will provide it again this year.

Agree 7 Disagree 0

Debbie Conger Oct 25 2023 at 8:06PM

Very true about view fences becoming solid fences. And view fences not actually providing a good view in certain lighting and from certain angles.

Reply by **Debbie Conger** on **11/21/2023** at **8:52pm** [Comment ID: 714] - [Link](#)

Agree: 0, Disagree: 0

I agree with all that Patty says above.

#101

Posted by **Jane Baechle** on **11/05/2023** at **9:47am** [Comment ID: 647] - [Link](#)

Agree: 2, Disagree: 0

On the archived version of this spreadsheet there are 45 separate bubbles of comments, many with multiple comments per bubble. All but one are opposed to the increase in front yard wall heights. That means that approximately 2% of those comments support this proposal and 98% oppose it. Given the failure of this idea to pass in the two previous IDO annual reviews, these numbers should be sufficient evidence that this is a proposal which should be removed from the 2023 IDO Annual review as well.

Reply by **Patricia Willson** on **11/05/2023** at **11:39am** [Comment ID: 655] - [Link](#)

Agree: 0, Disagree: 0

I agree with Jane Baechle's comment, especially as it is backed up with THE DATA concerning strong opposition.

#102

Posted by **Patricia Willson** on **11/05/2023** at **11:42am** [Comment ID: 656] - [Link](#)

Agree: 3, Disagree: 0

The Pre-EPC Submittal comment bubbles for Item #17 (now #23) are so overwhelming, they obscure the text. To expect the authors of those 40+ comments to have to post them again flies in the face of transparency and community involvement!

Reply by **Debbie Conger** on **11/21/2023** at **8:54pm** [Comment ID: 715] - [Link](#)

Agree: 2, Disagree: 0

Agree. I was just going to make that same comment. The authors of those 40+ comments should not be expected to post them again. Planning needs to add them back here. Or at the least - here is my comment: EPC, please ask to see all of the comments that were previously posted!

#103

Posted by **Rene' Horvath** on **11/27/2023** at **12:17am** [Comment ID: 783] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Support!

#104

Posted by **John Cochran** on **11/26/2023** at **7:42pm** [Comment ID: 757] - [Link](#)

Agree: 1, Disagree: 0

I am strongly opposed to making 5 foot tall walls permissive in R-1 zones because it would cause significant damage to our neighborhoods. We won't have family-friendly, inviting neighborhoods if the homes are walled-off from neighbors and visitors. This remains true even if the top 2 feet are "transparent;" because there will still be a 5 foot tall wall in the front yard.

If people are worried about a pet or young child getting out, they have their entire backyard, or they can go through a variance process to (possibly) build a taller wall in the front yard. Let's retain 3 foot walls in front yards, and not destroy the family-friendly character of our neighborhoods.

Finally, why is this proposal, which was defeated last year, being recirculated?

#105

Posted by **Patricia** on **11/17/2023** at **9:27am** [Comment ID: 691] - [Link](#)

Agree: 0, Disagree: 0

Obviously, the Council Memo placed on Item 23 Walls & Fences-Front Yard Wall, belongs here, in Item 25. This lack of attention to accuracy further underscores how unworkable and broken this update process is--does not inspire confidence!

#106

Posted by **JOHN Q PATE** on **11/27/2023** at **9:00am** [Comment ID: 803] - [Link](#)

Agree: 0, Disagree: 0

AGAIN? NO! The Southeast Heights Neighborhood Association has consistently opposed this misguided effort to raise the height of barriers between our streets and our homes.

At the Annual Meeting on October 25, 2022 we ONCE AGAIN discussed an effort at the City Zoning Department to modify the 3' height limit for walls within the front yard setbacks. Your neighborhood association has been continually dealing with this issue. We are opposed to this in the strongest possible terms. Someone is trying to convince people that it will make our neighborhood safer: That concept is flawed and just wrong. This item was brought to a vote of the Southeast Heights Neighborhood Association at the Annual Meeting in 2006 and has been discussed continuously since. Our policy and objection to the taller wall within the front yard setbacks has not changed.

Southeast Heights Neighborhood Association Policy - Garden Walls in Front Yard Setbacks

It has been a long-standing policy of the Board of the Southeast Heights Neighborhood Association to uphold the City Zoning Ordinance on walls and fences over 3 feet high within the setback in the front of homes. We therefore OPPOSE any application for a CONDITIONAL USE or a VARIANCE for construction of these walls for a number of reasons:

- In the spirit of keeping the historical nature of our neighborhood which was designed with broad avenues and houses with a primary orientation toward the street.

- One element of good neighborhoods is defensibility. Self-surveillance creates safer neighborhoods. Neighborhoods with private active living spaces with a view of the street activity require less martial resources and promote legal activities on the streets. The tall walls facing the street prohibit self-surveillance and put the legal activities behind walls and leaving the streets unwatched and consequently fewer safe spaces.
- In the same vein tall wall create a complete visual barrier conducive to burglaries and other undesirable activities while one's neighbors would be unable to see or respond appropriately. Additionally, it is a farce to promote tall walls in an effort to reduce crime. Nothing could be further from the truth.
- Tall walls provide spaces behind which people can hide.
- Tall walls disturb the sight lines and views down the streets.

Properties in our neighborhood do not generally have special circumstances that would justify violation of the zoning standards for construction of a wall of that height. Although the Board for the Southeast Heights Neighborhood Association is not the reviewing agency and the ultimate decision will be made by the City Zoning Hearing Examiner, we believe that it is the duty of the Board to promote the zoning standards affecting our neighborhood. The Board trusts that the hearing examiner reviews each case on its merits and ascertains that extenuating circumstances exist that would warrant an exception to any zoning code before granting approval. It is up to the applicant to show the City Zoning Hearing Examiner why any exception to the Zoning Ordinance should be granted.

Most disturbing regarding this effort, is that it seems counter to the fundamental reason we have a comprehensive masterplan and the IDO to guide urban development. The thesis of the document regarding residential areas is to preserve individual neighborhood character and to promote neighborhood interaction and walkability. The plan literally says consult with and listen to the neighborhoods. Closing off residences from the street is counter to maintenance of healthy, walkable, neighborhoods where the residents can keep an eye on neighborhood activities and assist in crime reduction and prevention.

There may be neighborhoods in Albuquerque where this is appropriate BUT NOT OURS! We do not want to live on impersonal, rarely walked-on urban canyons like you see elsewhere in the southwest. We have a very pedestrian, walkable neighborhood where we actually interact with our neighbors and their pets. We can see the street activities and they can see us and that is how we want to keep it.

Please consider what the neighbors want.

#107

Posted by **Jane Baechle** on **11/05/2023** at **9:38am** [Comment ID: 646] - [Link](#)

Agree: 1, Disagree: 0

Jane Baechle Oct 20 2023 at 11:26AM

This proposal with minimal differences has been defeated twice in the two previous IDO reviews. It has been widely opposed by residents, NAs as well as the EPC. No justification or explanation about how this will improve residential neighborhood character or integrity has ever been provided. It will significantly harm streetscapes and neighborhood character.

Reply by **Jane Baechle** on **11/05/2023** at **9:52am** [Comment ID: 648] - [Link](#)

Agree: 1, Disagree: 0

For the past two years, the SFVNA has opposed any increase in front yard wall heights. We have viewed it as damaging to the streetscape and the context of SFV which is surrounded on three side by the volcanic escarpment of the Petroglyph National Monument and where the streets wind through the neighborhood to follow the natural terrain. Front yard walls even as described in this year's proposal would damage the sense of space and connection to the natural landscape. Further, the experience and sense of space for walkers would be more adversely impacted.

#108

Posted by **Jane Baechle** on **11/16/2023** at **8:08am** [Comment ID: 686] - [Link](#)

Agree: 0, Disagree: 0

This proposal is the equivalent of Item #23 in its destruction of street scapes and neighborhood walkability. I am strongly opposed.

#109

Posted by **Jane Baechle** on **11/06/2023** at **1:30pm** [Comment ID: 667] - [Link](#)

Agree: 0, Disagree: 0

Jane Baechle Oct 25 2023 at 7:51AM

I strongly support increasing the requirements for landscaping. Please also ensure that Code enforcement has the resources and will to enforce them.

Agree1 Disagree0

#110

Posted by **Marshall Mourar** on **11/24/2023** at **12:46pm** [Comment ID: 736] - [Link](#)

Agree: 0, Disagree: 0

I am opposed. Again, any amendment that raises wall heights, or brings them closer to the lot line, interferes with "eyes on the street" and reduces public safety and enjoyment of our walking environment.

#111

Posted by **Jane Baechle** on **11/16/2023** at **8:07am** [Comment ID: 685] - [Link](#)

Agree: 1, Disagree: 0

It is well worth saying again to the readers of these comments, the original and now archived spreadsheet of comments on this proposal numbered more than 45 separate bubbles, some with multiple comments. Only one of those supported this proposal. Assuredly, most of those commenting on the original spreadsheet believed their comments would be widely shared and acknowledged. It is unlikely they could and have continued to follow new iterations of the Citywide changes and subsequent documents. Therefore, I am saying again that the proposal to permissively increase the height of front yard walls, no matter the qualifiers, is an idea in search of justification. It has no real support, should be removed from the citywide changes and prevented from being included in future annual reviews unless and until the planning department can document wide community support.

#112

Posted by **JOHN Q PATE** on **11/27/2023** at **9:04am** [Comment ID: 804] - [Link](#)

Agree: 0, Disagree: 0

This is the same as Item 23. SEHNA vigorously OPPOSES modification to heights of walls in our front yard setbacks and any argument for doing so are flawed and ill-conceived. When will P & Z start listening to the people who actually live and own property in the neighborhood.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
28	394	6-2(E)(2)(b)	EPC Appointments 6-2(E)(2)(b) Prior to <u>When a vacancy on the EPC occurs or upon the resignation of an EPC member:</u> 1.The Mayor shall notify a City Councilor in writing that his/her District member's term will be expiring of office has expired or <u>that the position is otherwise will be</u> vacant, and that the City Councilor shall have 60 calendar days to submit recommended appointments to fill that position. If the City Councilor fails to submit 2 names within 60 calendar days of notification, the Mayor shall have the right to make the appointment subject to the advice and consent of the City Council.	Allows the EPC appointment process to begin before the Commissioner leaves, eliminating or minimizing the time that a seat is vacant. <div>116</div> <div>117</div>	Staff
29	403	6-4(B)	Pre-submittal Neigh Meeting Revise Subsection (1) as follows: "For applications that meet any of the following criteria, the applicant shall offer at least 1 meeting to all Neighborhood Associations <u>within 330 feet of whose boundaries include or are adjacent to</u> the subject property no more than 90 calendar days before filing the application. In such cases, project applications will not be accepted until a pre-submittal neighborhood meeting has been held, or the requirements for a reasonable attempt in Subsection (3) below have been met." Delete Subsection (2). <div>113</div> <div>114</div>	Replaces adjacency requirement with a set distance that is expected to achieve approximately the same result. Common administrative practice currently assumes .025 miles (132 feet) from the subject property line to pick up relevant Neighborhood Associations. For large roadways, ONC staff has to measure the roadway. If larger than 132 feet, ONC staff has to manually add Neighborhood Associations that are adjacent. The adjacency requirement precludes automation in GIS. This solution will help automate queries for required NA representative contacts. Note: 330 feet = 1/16 of a mile or approx. 1 city block See related proposed changes to make distances consistent for public notice [6-4(K)], post-submittal facilitated meeting [6-4(L)(3)(a)], and appeals [6-4(V)(2)(a)].	Staff
30	403	6-4(B)(1)	Pre-submittal Neighborhood Meeting See Council Memo for proposed amendments.	See Council Memo. <div>115</div>	Council

#113

Posted by **Rene' Horvath** on **11/27/2023** at **12:36am** [Comment ID: 785] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

This amendment needs to be more clear. Currently adjacent does not include the ROW of roadways or utility easements within the 330 ft. distance for notification, so that NAs across the street, or utility easements such as an arroyo, can also be notified. Don't change the current language. Leave the "adjacency " language unchanged.

#114

Posted by **Jane Baechle** on **11/05/2023** at **9:56am** [Comment ID: 649] - [Link](#)

Agree: 0, Disagree: 0

Jane Baechle Oct 23 2023 at 3:12PM

Expediting notice of Neighborhood Associations and consistent identification of all those entities who are entitled to notice and the opportunity to comment is essential to demonstrate genuine public engagement. Is there any possibility this change in language could be used to or have the effect of disenfranchising neighborhoods? I am uncertain that it will have the actual effect of ensuring notice of all those who want or are entitled to it.

Reply by **Jane Baechle** on **11/05/2023** at **10:01am** [Comment ID: 650] - [Link](#)

Agree: 0, Disagree: 0

I appreciate the replies to my questions to Michael Vos and Mikaela about the potential for this change to disenfranchise any individual neighborhood and their detailed explanation that it would not. Nonetheless, I hope that is something that will also be discussed in the Planning Staff report and in the EPC discussion. It is essential to provide timely public notice and protect the right to notice to all.

#115

Posted by **Jane Baechle** on **10/30/2023** at **5:33pm** [Comment ID: 607] - [Link](#)

Agree: 0, Disagree: 0

Support. Measures that increase public engagement and notice are helpful.

#116

Posted by **Jane Baechle** on **11/06/2023** at **1:35pm** [Comment ID: 668] - [Link](#)

Agree: 2, Disagree: 0

I strongly support taking steps to ensure continuity and consistent representation of every district on the EPC. This is the deliberative body with land use and planning expertise and a working knowledge of the plans which govern land use decisions. I fail to see, however, the rationale for allowing any mayor to appoint a Commissioner to a body which advises the Council, either in the existing IDO or in any amendments.

#117

Posted by **Bridget Harrington** on **11/06/2023** at **3:17pm** [Comment ID: 671] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

Commissioner appointments for any office should be done via Special Election. We already have issues on the state level with the governor "appointing" her own biased choices to make decisions for us. If it affects property owners or renting residents, seats should be voted in, not appointed.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
31	408	6-4(J)	Referrals to Agencies Revise second sentence as follows: <u>"For administrative decisions in Table 6-1-1, any comments received after such a referral and prior to the decision shall be considered with the application materials in any further review and decision-making procedures. For decisions that require a public hearing and policy decisions in Table 6-1-1, Any comments must be received within 15 calendar days after such a referral to shall be considered with the application materials in any further review and decision-making procedures."</u>	Matches current practice. Referring agencies receive notice of applications that are decided administratively, but the City will not delay these administrative decisions for 15 days until the comment period ends, as is done with decisions that require a public hearing. <div>124</div>	Staff
32	409	6-4(K)	Public Notice to Neighborhood Associations Replace the adjacency requirement for notice to Neighborhood Associations with a set distance of 330 feet from the subject property in the following subsections: <div>118</div> (2) Electronic Mail <div>120</div> (3)(b)3 Mailed Notice to Neighborhood Associations <div>121</div>	Replaces the "adjacent" requirement with a set distance to allow automation of the query for Neighborhood Associations. See related proposed changes to make distances consistent for pre-submittal neighborhood meeting [6-4(B)], post-submittal facilitated meeting [6-4(L)(3)(a)], and appeals [6-4(V)(2)(a)].	Staff
33	412	6-4(K)(3)(c)2	Mailed Notice to Property Owners <div>119</div> Revise the second sentence as follows: <u>"For zoning map amendment applications only, adjacent properties shall be included where the edge of that 100-foot buffer area falls within any public right-of-way, adjacent properties shall be included."</u>	Removes the adjacency requirement to allow automation for the query for property owners in all but zoning map amendment cases. The State of New Mexico requires <div>125</div> notice to adjacent property owners within 100 feet excluding right-of-way for zoning map amendments.	Staff
34	412	6-4(K)(3)(d)2	Mailed Notice for Amendments to IDO Text - Small Area Revise text as follows: "All owners, as listed in the records of the Bernalillo County Assessor, of property located partially or completely within 100 feet in any direction of the proposed small area. Where the edge of that 100-foot buffer area falls within any public right-of-way, adjacent properties shall be included."	Removes the adjacency requirement to allow automation for the query for property owners. <div>122</div> <div>123</div>	Staff

#118

Posted by **Rene' Horvath** on **11/27/2023** at **12:49am** [Comment ID: 786] - [Link](#)

Agree: 0, Disagree: 0

I do not understand the need to replace the "Adjacency" language. I believe this will have a negative effect on Neighborhood notification. It is unnecessary to change the language, and therefore I do not support this change.

#119

Posted by **Rene' Horvath** on **11/27/2023** at **1:04am** [Comment ID: 787] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

It is unclear why the City wants to change the language for notification. The current language seems stronger. I recommend not changing the notification language.

#120

Posted by **Patricia** on **11/17/2023** at **9:36am** [Comment ID: 694] - [Link](#)

Agree: 0, Disagree: 0

None of this would be an issue if there was either an opt-in list serve for notifications, or a map where development projects were pinned (see DMD projects map: <https://www.cabq.gov/gis/map-views/municipal-development-projects>)

#121

Posted by **Jane Baechle** on **11/06/2023** at **11:00am** [Comment ID: 660] - [Link](#)

Agree: 0, Disagree: 0

Facilitating prompt notice should be a priority. It should also be clear that the change to 330' does not in any way disenfranchise any neighborhood association or coalition.

#122

Posted by **Rene' Horvath** on **11/27/2023** at **1:08am** [Comment ID: 788] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

It is unclear why the City wants to change the language for notification. The current language seems stronger. I recommend not removing the adjacency requirement for notification.

#123

Posted by **Jane Baechle** on **11/06/2023** at **11:02am** [Comment ID: 662] - [Link](#)

Agree: 0, Disagree: 0

As before, the timely notice to potentially affected properties is critically important as is ensuring that any change in language will not disenfranchise any property owner.

#124

Posted by **Jane Baechle** on **11/05/2023** at **10:02am** [Comment ID: 651] - [Link](#)

Agree: 0, Disagree: 0

Patricia Willson Oct 24 2023 at 3:19PM

I'm confused, I thought that for decisions that require a public hearing, you have 15 days to request a meeting, not to provide the comments.

Agree1 Disagree0

Jane Baechle Oct 25 2023 at 7:58AM

Clearly an example of the actual effect of a change in language may limit public input and increase the complexity of engaging on consequential land use issues.

Reply by **Jane Baechle** on **11/05/2023** at **10:06am** [Comment ID: 652] - [Link](#)

Agree: 0, Disagree: 0

Please assure that there is no restriction on the allowed time to request any public meeting. Many members of the public and even neighborhood association boards have multiple demands on their time and should be accorded the maximum amount of notice to weigh the ramifications of an application, request a meeting or provide comment.

Reply by **projectteam** on **11/07/2023** at **9:37am** [Comment ID: 673] - [Link](#)

Agree: 0, Disagree: 0

This section is about referrals to agencies for comment. This is not related to public comment or the request for a Neighborhood Meeting at all.

#125

Posted by **Jane Baechle** on **11/06/2023** at **11:02am** [Comment ID: 661] - [Link](#)

Agree: 0, Disagree: 0

As before, the timely notice to potentially affected properties is critically important as is ensuring that any change in language will not disenfranchise any property owner.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
35	412	6-4(K)(4)	<p>Posted Sign Create new subsections, revise existing text as follows, and renumber subsequent subsections accordingly: "(a) Where Table 6-1-1 requires posted sign notice, the applicant shall post at least 1 sign on each street abutting the property that is the subject of the application, at a point clearly visible from that street. <u>(b) For administrative decisions, the sign shall be posted for at least 5 calendar days after submitting the application and 15 days after the decision through the required appeal period pursuant to Subsection 14-16-6-4(V)(3)(a)1.</u> <u>(c) For decisions requiring a public hearing or policy decisions, the sign shall be posted for at least 15 calendar days before a required the public hearing and for the required appeal period following any final decision, required pursuant to Subsection 14-16-6-4(U) and Subsection 14-16-6-4(V)(3)(a)1."</u></p>	Requires signs to be posted before administrative decisions. The existing language requires posting before the decision only for applications requiring a public hearing and after the decision for the appeal period for all applications.	Staff
36	415	6-4(L)(3)(a)	<p>Post-submittal Facilitated Meeting Revise the final sentence as follows: "The facilitator shall attempt to contact all Neighborhood Associations 127 within 330 feet of whose boundaries include or are adjacent to the subject property." 126</p>	Replaces adjacency requirement with a set distance to allow automation of the query for Neighborhood Associations. See related proposed changes to make distances consistent for pre-submittal neighborhood meeting [6-4(B)], public notice [6-4(K)], and appeals [6-4(V)(2)(a)].	Staff

#126

Posted by **Rene' Horvath** on **11/27/2023** at **1:11am** [Comment ID: 789] - [Link](#)

Agree: 0, Disagree: 0

It is unclear why the City wants to change the language for notification. The current language seems stronger. I recommend not removing the adjacency requirement for notification.

#127

Posted by **Jane Baechle** on **11/06/2023** at **1:36pm** [Comment ID: 669] - [Link](#)

Agree: 2, Disagree: 0

As before, prompt notice is essential and is the widest possible and most inclusive public engagement process.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
37	430	6-4(V)(2)(a)	<p>Appeals - Standing Based on Proximity for Neighborhood Associations In Subsection 14-16-6-4(V)(2)(a)5, revise text as follows: "Property owners (other than the applicant) and Neighborhood Associations on the basis of proximity for decisions as specified in Table 6-4-2. a. Distances noted in feet in Table 6-4-2 are measured from the nearest lot line of the subject property. Where the edge of that area falls within a public right of way, adjacent properties shall be included. b. Distances for Neighborhood Associations are based on the boundary on file with the ONC at the time the application for decision related to the subject property was accepted as complete. c. Where proximity is noted as "Includes or Is Adjacent," the Neighborhood Association boundary includes or is adjacent to the subject property. In Table 6-4-2, replace "Includes or Is Adjacent" and "660 feet" with "330 feet."</p>	<p>Replaces "adjacent" with a set distance of 330 feet and matches that distance for all other decisions. See related proposed changes to make distances consistent for pre-submittal neighborhood meeting [6-4(B)], public notice [6-4(K)], and post-submittal facilitated meeting [6-4(L)(3)(a)].</p>	Staff
38	438	Table 6-4-3	<p>Conditional Use Expiration Revise the period of validity for Conditional Use Approvals as follows: "2 years <u>1 year</u> after issuance if use is not begun, or 2 years <u>1 year</u> after use is discontinued or fails to operate"</p>	<p>Extends conditional use approvals. Construction often takes longer than 1 year, and restarting a use also takes more time in recent years.</p>	Public
39	436	6-4(X)	<p>Time Extensions See Exhibit for proposed amendments.</p>	<p>Makes time extensions an administrative review/decision. Time extensions do not include changes to the original approval, when public notice takes place. The applicant must justify the request by showing that circumstances beyond their control prevented progress on the project. The shortage of construction workers and other delays are more common, so this administrative approval will help more projects get on the ground.</p>	Staff

#128

Posted by **donna griffin** on **11/05/2023** at **5:43pm** [Comment ID: 658] - [Link](#)

Agree: 1, Disagree: 0

section 6(V)2(a) 4 . appears to allow (correctly) anyone to appeal who has suffered an injury-in-fact. This does not comport with table 6-4-2 which appears to limit the basis of appeal only to linear feet. Additionally, the appearance of record is required (6-4(V) (2) b, but it is unclear if the appearance at a hearing on a matter can be construed as basis for standing regardless of the linear feet the appellant's property is from the property subject to the hearing on the record. For filing an appeal, it appears that one would follow 6-4 (V) (3)a but that is not the case. The IDO should be clear that each hearing unit has its own "rules" and that the planning department has requirement to submit an "application" and a fee of \$132 to file an appeal. Following the regulations at COA 14-16-6-4(V) (a) is fatal to an appeal and is disparate treatment of the parties involved.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
40	501	6-6(O)(2)	<p>Variance - ZHE Revise Subsection (b) as follows: "All applications in an HPO zone or on a property or in a district listed on the State Register of Cultural Properties or the National Register of Historic Places shall first be referred for review and comment 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." Add a new Subsection (c) with text as follows and renumber subsequent subsections accordingly: "<u>All applications on a property adjacent to Major Public Open Space shall be referred for review and comment by the Parks & Recreation Open Space Superintendent.</u>"</p>	<p>Adds a procedure for the Open Space Superintendent to review variances requested adjacent to Major Public Open Space.</p> <p>129</p> <p>132</p> <p>135</p>	Staff
41	531	6-8(D)(1)	<p>Nonconforming Structures Create new subsections and revise text as follows: "1. Unless specified otherwise in this Section 14-16-6-8, a nonconforming structure shall be allowed to continue to be used, regardless of any change in ownership or occupancy of the structure, until the structure is vacant for a period of 2 years, or until unless another provision of this Section 14-16-6-8 requires the termination of the use. 2. Mobile home dwellings are subject to provisions in Subsection 14-16-6-8(C)(7) (Mobile Home Dwellings). 3. Signs are subject to provisions in Subsection 14-16-6-8(F) (Nonconforming Signs)."</p>	<p>Allows nonconforming structures to be re-used even after being vacant for 2+ years. Note that a separate rule on nonconforming uses would continue to have a time limit of 2 years. This rule change would incentivize the reuse of existing buildings, while the nonconforming use rule would ensure compliance with allowable uses over time.</p>	Staff
42	534	6-8(G)(2)(a)1.a	<p>Front Yard Parking See Council Memo for proposed amendments.</p>	<p>See Council Memo.</p> <p>130</p> <p>131</p> <p>133</p> <p>134</p>	Council

#129

Posted by **Rene' Horvath** on **11/27/2023** at **1:19am** [Comment ID: 790] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Agree with Jane Baechle that the National Park Service for Petroglyph National Monument should also be notified of applications for properties adjacent to the monument so they can review and provide comment.

#130

Posted by **Debbie Conger** on **11/21/2023** at **8:59pm** [Comment ID: 716] - [Link](#)

Agree: 0, Disagree: 0

The City needs to enforce the existing IDO regulations about front yard parking. There are many R1 lots in my neighborhood that regularly have 2-4 cars parked in the front yards (and that's in addition to the cars already parked in the driveway) and that have little to no green space.

#131

Posted by **Peter Swift** on **11/26/2023** at **12:14pm** [Comment ID: 754] - [Link](#)

Agree: 0, Disagree: 0

This same comment appears in the supporting memo also.

Is this aimed at a specific size of angular stone? If so, why? It seems unnecessary--few people want to park on uneven angular boulders or cobbles, so maybe this is aimed at angular gravel coarser than crusher fines? I can imagine advantages to a driveway of compacted angular stones between approximately 1/2 inch and 1 inch in diameter--particles small enough to pack down flat and but large enough not to get stuck in your shoes like crusher fines. Is there really a pressing zoning issue to exclude this option? If so, please be specific about allowable particle sizes, and explain why. As an editorial observation, the proposed wording needs "or" inserted in front of "crusher fines" to be consistent with the preceding phrase "such as".

#132

Posted by **Jane Baechle** on **10/30/2023** at **5:01pm** [Comment ID: 606] - [Link](#)

Agree: 2, Disagree: 0

As I requested on the initial publication of these proposals, please add a requirement that the NPS Petroglyph National

Monument (PETR) Superintendent be provided the application for any variances on property adjacent to PETR. As before, I realize the NPS cannot be compelled to comment but they should have the same notice that is submitted to the Open Space Superintendent and should be allotted the same amount of time to provide a comment. This is especially relevant in the multiple neighborhoods where multiple homes share a property line with the NPS boundary.

#133

Posted by **Jane Baechle** on **11/06/2023** at **10:57am** [Comment ID: 659] - [Link](#)

Agree: 2, Disagree: 0

Jane Baechle Oct 25 2023 at 8:09AM

I support requirements to use appropriate materials for front yard parking and driveways. However, currently, the city fails to enforce existing IDO requirements re: how much of a front yard can be turned into a parking surface. Please assure enforcement of existing standards as well.

Agree2 Disagree0

Debbie Conger Oct 25 2023 at 8:38PM

Yes, please enforce existing standards for front yard parking.

Agree1 Disagree0

#134

Posted by **Rene' Horvath** on **11/27/2023** at **1:28am** [Comment ID: 791] - [Link](#)

Agree: 0, Disagree: 0

Agree that graveled front yard landscaped area should not be used as the parking areas for vehicles. Also Agree with Jane Baechle's and Debbie Conger that existing front yard regulations should be enforced.

#135



Posted by **Bridget Harrington** on **11/06/2023** at **3:10pm** [Comment ID: 670] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

As Jane Baechle mentioned in her comment, many homes in the Santa Fe Village community share or are close to the Petroglyph boundary. My home is one of those -- as are any homes directly on or with a cross-street of Rockcress or Montano. Homeowner input on this should be solicited prior to any changes. My high home value is partly because it shares that National Park boundary.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
43	Multiple	6	Wireless Telecommunications Facility - Public Notice In Table 6-1-1, add Email Notice requirement for WTFs. Move language in 6-4(K)(3)(b)2 to 6-4(K)(2) in a new Subsection. 	Adds consistency with other decisions that provide notice to Neighborhood Associations in terms of receiving email notice. Note that Subsection 14-16-6-4(K)(2)(a) requires mailed notice if a Neighborhood Associate Representative does not have an email address on file with ONC. Subsection 14-16-6-4(K)(7)(b) requires that an applicant request updated information from the City and another attempt if the email bounces back.	Staff
44	Multiple	6-4(Y)	Minor and Major Amendments & Expiration (Post-IDO Approvals) Add a new Subsection 6-4(Y)(2)(d) with text as follows: <u>"An approved minor amendment does not affect the expiration of the original approval. Time extensions must be requested pursuant to Subsection 14-16-6-4(X)(4) (Extensions of Period of Validity)."</u> Add a new Subsection 6-4(Y)(3)(d) with text as follows: <u>"An approved major amendment replaces the original approval in terms of expiration, if one applies pursuant to Table 6-4-3."</u>	Clarifies how amendments affect the period of validity of the original approval. Matches existing practice.	Staff
45	Multiple	6-4(Z)	Minor and Major Amendments & Expiration (Pre-IDO Approvals) Make existing text a new Subsection 6-4(Z)(1)(a)1 and add a new Subsection 6-4(Z)(1)(a)2 with text as follows: <u>"An approved minor amendment does not affect the expiration of the original approval. Time extensions must be requested pursuant to Subsection 14-16-6-4(X)(4) (Extensions of Period of Validity)."</u> Add a new Subsection 6-4(Z)(1)(b)3 with text as follows: <u>"An approved major amendment replaces the original approval in terms of expiration, if one applies pursuant to Table 6-4-3."</u>	Clarifies how amendments affect the period of validity of the original approval. Matches existing practice. 	Staff

#136

Posted by **Rene' Horvath** on **11/27/2023** at **1:32am** [Comment ID: 792] - [Link](#)

Agree: 0, Disagree: 0

Support mailed notice if NA representative does not have an email address.

#137







Posted by **Bridget Harrington** on **11/06/2023** at **3:21pm** [Comment ID: 672] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

The portions in the IDO about single family home conversion to two family...I'm not seeing anything in the documents about superceding the allowable size or definitions of a 2 family. The majority of homes in the Santa Fe Village community are too small to fit the legal size definition of 2fam, as well as there being challenges to adding separate entrances to properties that don't already have them. Same as retail and restaurants on corner lots...in order for that to happen, the property must also meet the standards for parking and traffic. Virtually no street in Santa Fe Village will accommodate increased retail traffic. Making parking in front of homes allowed for this proposed retail/restaurant allowance will inconvenience homeowners. Many of us do not have adequate parking as it is, with many having multiple vehicles and recreational trailers.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
46	556	7-1	Definitions, Community Residential Facility Revise text as follows: "A facility that is designed to provide a residence and services Any building, structure, home, or in which persons reside for a period of more than 24 hours and that is designed to help the residents adjust to the community and society and is used or intended to be used for the purposes of letting rooms, providing meals, and/or providing for persons who need personal assistance, personal services, personal care, and/or protective care, but not skilled nursing care. This use specifically includes, but is not limited to, facilities and who meet meeting the definition of a handicapped person or for other persons are protected against housing discrimination under the federal Fair Housing Act Amendments of 1998 (or as amended) and court decisions interpreting that Act.	Revised to make the definition more operational, enforceable, and parallel to other defined terms. See also proposed amendments for Group Home and Nursing Home in Section 7-1.  	Staff
46	556	7-1 (cont'd)	Definitions, Community Residential Facility (cont'd) "For purposes of this definition, the term handicapped does not include persons currently using or addicted to alcohol or controlled substances who are not in a recognized recovery program. This use does not include 24-hour skilled nursing care. This use shall not include half way houses for individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system. See also <i>Family , Family Care Facility , and Group Home .</i>	(Cont'd from above)    	Staff

#138

Posted by **Patricia** on **11/17/2023** at **9:52am** [Comment ID: 695] - [Link](#)

Agree: 0, Disagree: 0

If I'm understanding this correctly, then a small CRF (permissive in R-1) could go in next door with no notice?

#139

Posted by **Patricia** on **11/17/2023** at **9:57am** [Comment ID: 696] - [Link](#)

Agree: 0, Disagree: 0

Which means there could be 8 ex-cons in a halfway house next-door?

#140

Posted by **Rene' Horvath** on **11/27/2023** at **1:53am** [Comment ID: 793] - [Link](#)

Agree: 0, Disagree: 0

Seems OK. What Community Residential Facilities does Albuquerque have already?

#141

Posted by **Rene' Horvath** on **11/27/2023** at **2:58am** [Comment ID: 795] - [Link](#)

Agree: 0, Disagree: 0

What group of people does this type of Facility serve? It would be helpful to learn more about Community Residential Facilities and how they operate. What City Department does that?

#142

Posted by **Peter Swift** on **11/26/2023** at **12:20pm** [Comment ID: 755] - [Link](#)

Agree: 0, Disagree: 0

This seems to be an inappropriate use of the IDO update process to make a substantive zoning change without sufficient public notice and comment. This goes well beyond a simple revision of a definition. If the revision is genuinely needed to "make the definition more operational, enforceable, and parallel to other defined terms", the changes need greater visibility.

#143

Posted by **Jane Baechle** on **11/19/2023** at **3:31pm** [Comment ID: 706] - [Link](#)

Agree: 0, Disagree: 0

This not a "revised" definition. This is a fundamental rewrite which effectively changes the applicability of the use to previously ineligible individuals, including those with convictions for criminal activity, and removes the residents from any process of notification or comment. To be clear, this is going to disproportionately impact modest or low-income neighborhoods, many of which are already historically underserved and have high rates of socio-economic stressors. The IDO specifically call for the IDO to 1-3(D) Protect all communities, especially those that have been historically underserved and 1-3(E) Protect the quality and character of residential neighborhoods. this language is manifestly in conflict with those statements of purpose.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
46	556	7-1 (cont'd)	<p>Definitions, Community Residential Facility <i>(cont'd)</i></p> <p>Revise text as follows:</p> <p>"Community Residential Facility is divided into 2 categories based on the number of individuals residing in the facility (not the size of the structure).</p> <p>1.Community Residential Facility, Small: A facility housing between 6 and 8 individuals <u>receiving services, plus those providing services that do not meet the definition of a family in which personal service, personal assistance, personal care, and/or protective care are provided.</u></p> <p>2.Community Residential Facility, Large: A facility housing between 9 and 18 individuals <u>receiving services, plus those providing services that do not meet the definition of family in which personal service, personal assistance, personal care, and/or protective care are provided.</u></p>	<p>(Cont'd from above)</p> <p>144</p>	Staff
47	568	7-1	<p>Group Home</p> <p>Revise text as follows:</p> <p>"A facility Any building, structure, home, facility, or place in which persons reside for a period of more than 24 hours that is designed to provide a residence and services help the residents adjust to the community and society and that is intended to be used for the purposes of letting rooms, providing meals, and/or providing personal assistance, personal services, personal care, and protective care to for persons that who need personal assistance, personal services, personal care, and/or protective care but do not meet the definition of a handicapped person or another person protected against housing discrimination under the federal Fair Housing Act Amendments of 1988 (as amended) and court decisions interpreting that Act, but not skilled nursing care. This use does not include 24-hour skilled nursing care. This use includes other services as incidental activities if they comply with all local and State licensing requirements, including any required license by the New Mexico Department of Health."</p>	<p>Revised to make the definition more operational, enforceable, and parallel to other defined terms. See also proposed amendments for Community Residential Facility and Nursing Home in Section 7-1.</p>	Staff


#144

Posted by **Merideth Paxton** on **11/26/2023** at **10:21pm** [Comment ID: 769] - [Link](#)

Agree: 0, Disagree: 0

The separation of CRFs into Small and Large should be based on square footage of sleeping areas, not numbers of residents. Knowing how many people are actually living in a facility is difficult because operators could move occupants temporarily if they learn of inspections in advance.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
47	568	7-1 (cont'd)	Group Home (cont'd) Revise text as follows: "This use includes shall include halfway houses for <u>includes facilities for persons</u> individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system. <u>This use includes facilities for persons currently using or addicted to alcohol or controlled substances who are not in a recognized recovery program.</u> "	(Cont'd from above) 	Staff
48	583	7-1	Nursing Home Revise text as follows: "A facility designed to provide a residence, housing, meals, and medical- and health-related care for individuals, including 24-hour skilled nursing care. This definition includes facilities providing in-patient care for individuals suffering from a terminal illness. Such facilities may include commercial kitchens with shared dining facilities for residents; medical services with personnel that provide assistance with medication, administration, dressing, bathing, and social activities; activity rooms; indoor recreational amenities; gift shops; hair salons; administrative offices; laundry services; worship space; and overnight guest units for short-term visitors."	Revised to make the definition more operational, enforceable, and parallel to other defined terms. See also proposed amendments for Community Residential Facility and Group Home in Section 7-1.	Staff
49	586	7-1	Overnight Shelter "A facility that provides temporary or transitional sleeping accommodations for 6 or more persons within completely enclosed portions of a building with no charge or a charge substantially less than market rates. Such facilities may provide meals, personal assistance, personal services, social services, personal care and protective care. This use does not include 24-hour skilled nursing care, which is regulated as either hospital or nursing home for the purposes of this IDO."	Revised for consistency with other proposed changes. See proposed amendments for Community Residential Facility, Group Home, and Nursing Home in Section 7-1.	Staff






#145

Posted by **Rene' Horvath** on **11/27/2023** at **3:28am** [Comment ID: 796] - [Link](#)

Agree: 0, Disagree: 0

This amendment needs more explanation as to what clients Group Homes serve and where will they be located. It is important to have a successful program that serves those coming out of the criminal justice system or has addiction issues. We don't want to impact the surrounding Community. It would be good to know what drug treatment facilities Albuquerque has and how successful they are. Does Albuquerque currently have any successful models? Is there anyone that can explain how group homes operate? The more the public learns about these facilities the more we can determine what works, what doesn't and what is needed.

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
50	586	7-1	Outdoor Amplified Sound [new] Create a new term with text as follows and renumber subsequent subsections accordingly: "Amplified sound from speakers outside of a fully enclosed building either permanently mounted or used more than 1 time per week. This use does not include amplified sound associated with a special event permit or a temporary use, which are regulated separately."	Defines outdoor amplified sound to enable a curfew between 10 p.m. and 7 a.m. when used as an accessory use.	Public
51	587	7-1	Parking Definitions Garage Revise text as follows: "A single-story structure or part of a building in a low-density residential development <u>or a single-story structure in a multi-family residential development</u> designed to accommodate motor vehicle parking spaces that are partially or completely enclosed, but not including a parking structure."	Adds multi-family residential development to the definition of garage. Multi-story parking is defined as parking structure. Removes conflict with carport, which is defined as parking structure that is partially enclosed. 	Staff
52	596	7-1	Sensitive Lands Large Stand of Mature Trees Revise existing text as follows: " At least 3 A collection of 5 or more trees that are each at least 10 years old 30 years or older or with a trunk at least 8 inches in diameter at breast height (DBH), as measured by the City Forester, on a subject property having trunk diameters (as determined by Diameter at Breast Height — DBH) averaging at least 16 inches in diameter, as determined by the City Forester. "	Revised to be more realistic given existing trees in ABQ.  	Staff
53	596	7-1	Sensitive Lands Rock Outcropping Revise existing text to read as follows: "Bedrock or other stratum a minimum of <u>4 feet</u> 6 feet high on its steepest side as measured from the adjacent 10 percent slope line and in excess of <u>300</u> 500 square feet in surface area."	Revised to be more realistic given existing rock outcroppings in ABQ.  	Staff
54	Multiple	Multiple	Fire Station or Police Station On page 53, in Subsection 14-16-2-5(E)(2), delete subsection (f). On page 151, in Table 4-2-1, add a new use for Fire station or police station with P in MX-M, MX-H, NR-C, NR-BP, NR-LM, and NR-GM.	Allows fire stations and police stations to be permissive in existing zone districts. Currently, fire stations and police stations require a zone change to NR-SU and the adoption of a Site Plan - EPC.	Admin

#146

Posted by **Rene' Horvath** on **11/27/2023** at **2:36am** [Comment ID: 794] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Support! We've had planning documents that promoted the protection of existing mature tree on a parcel of land, by incorporating them in to the landscape. It would be good to promote that practice again as many trees have died in the last few years, due to drought. This amendment is a good start.

#147

Posted by **Rene' Horvath** on **11/10/2023** at **4:57pm** [Comment ID: 684] - [Link](#)

Agree: 3, Disagree: 0

Rock out crops are one of the most fascinating geological features of the mesa top. These basaltic hills are remnants of Albuquerque's volcanic activity. Some have petroglyphs on them. They are a very rare type of landscape worthy of preservation. It's unfortunate so many are destroyed; as they can be a great asset for a community to use along pedestrian trails, parks, view areas or corridors, landscape buffers or added attractions for a parcel of land. This definition better includes smaller outcrops in its description. I would encourage more creativity in using these unique features as they can add value and character to the area.

#148

Posted by **Jane Baechle** on **11/06/2023** at **11:05am** [Comment ID: 663] - [Link](#)

Agree: 1, Disagree: 0

Jane Baechle Oct 24 2023 at 9:51AM

I strongly support protection of the tree canopy and existing vegetation in designing development. In an arid and increasingly challenged landscape it is critical to preserve these both for the aesthetic benefit they confer as well as for their positive impact on the health and welfare of the people who live here.

#149

Posted by **Jane Baechle** on **11/06/2023** at **11:07am** [Comment ID: 664] - [Link](#)

Agree: 2, Disagree: 0

Jane Baechle Oct 24 2023 at 10:31AM

I also strongly support the protection of natural features of the landscape inc. rock outcroppings. These represent an invaluable asset to the landscape, particularly along the escarpment on on the NW mesa but anywhere they occur across the city. As above, these are not merely aesthetic considerations. The ABQ natural landscape is one of its greatest assets to Native people, residents, visitors, property owners and to our children. Our development laws and standards should assure its protection for current and future generations and protect the economic benefit the landscape provides to the entire area.

Agree4 Disagree0

Reply by **Jane Baechle** on **11/06/2023** at **11:26am** [Comment ID: 665] - [Link](#)

Agree: 2, Disagree: 0

I believe it is simply impossible to overstate the importance of this natural feature and its intrinsic value to the landscape and this City.

#150

Posted by **Michelle Negrette** on **10/27/2023** at **11:51am** [Comment ID: 599] - [Link](#)

Agree: 0, Disagree: 0

How is this interpreted if there is housing above the garage? Does the language need to include single-story structure?

Reply by **projectteam** on **10/30/2023** at **9:03am** [Comment ID: 605] - [Link](#)

Agree: 0, Disagree: 0

Multi-family housing above parking is considered podium parking per the definition of parking structure.

"Parking Structure

A multi-story structure or part of a multi-story building designed to accommodate motor vehicle parking spaces that are partially or completely enclosed, including podium parking..."

IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC Submittal

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
55	Multiple	Multiple	Battery Energy Storage System (BESS) See Exhibit for a new use in Table 4-2-1, new use-specific standards in Subsection 4-3, and new definitions in 7-1.	Responds to recent applications for private battery energy storage systems and a Declaratory Ruling by the ZEO in early 2022. Establishes distance separations from residential, Major Public Open Space, religious institutions, and schools.	Staff
56	Multiple	Multiple	Outdoor and Site Lighting See Exhibit for proposed amendments, including: Revising USS for self-storage in 4-3(D)(29)(e) 157 Revising USS 152/TFs in 4-3(E)(12) 154 Replacing 5-8 with new text 153 155 Revising illuminated sign standard in 5-12(E) 156a)2 Revising 151 ronic sign standard in 5-12(H)(4) 158 Adding, revising, and deleting definitions in 7-1	Updates existing lighting regulations to improve compliance with State's Dark Sky Ordinance 164 and improve enforcement 172 160 168 165 171 161 163 167 170	Staff
57	Multiple	Multiple	Landscaping Standards See Exhibit for proposed amendments in 5-6 and 7-1.	Increase requirements for plants and irrigation, reduce water consumption, and improve survivability of landscaping in the high desert environment. 162	Staff
58	Multiple	Multiple	Tribal Engagement See Council memo for proposed amendments, including the following Subsections: 14-16-6-4(J) Referrals to Commenting Agencies 14-16-6-5(A) Archaeological Certificate 14-16-7-1 Definitions	See Council memo 166 169	Council
59	All	All	Clerical Changes Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.	Covers general clerical corrections.	Staff
60	All	All	Editorial Changes 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.	Covers general editorial corrections.	Staff

#151

Posted by **Gary Starkweather** on **11/26/2023** at **8:24pm** [Comment ID: 759] - [Link](#)

Agree: 0, Disagree: 0

Color temperature lights should not have a lower limit or 3000K or 2700K. Narrow spectrum lights with no blue light are 2200K TO 1700K. Phrase as low as possible while providing adequate illumination.

#152

Posted by **Gary Starkweather** on **11/26/2023** at **8:21pm** [Comment ID: 758] - [Link](#)

Agree: 0, Disagree: 0

Color Maps need to be added for light zones to identify where the zones apply.

#153

Posted by **Gary Starkweather** on **11/26/2023** at **8:50pm** [Comment ID: 764] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

This Ordinance should state the Purpose

And should include "...to prevent the increase of unnecessary sky glow that reduces the visibility of stars in the night sky and to protect natural ecosystems and their biodiversity

#154

Posted by **Jim Price** on **11/25/2023** at **1:43pm** [Comment ID: 742] - [Link](#)

Agree: 0, Disagree: 0

I agree strongly with these revisions.

#155

Posted by **Gary Starkweather** on **11/26/2023** at **8:53pm** [Comment ID: 765] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Flag illumination upper limit missing.

Set upper limit on top mounted down facing flag pole luminaries to 3000 lumens at 5000K total emission maximum.

#156

Posted by **Gary Starkweather** on **11/26/2023** at **8:30pm** [Comment ID: 760] - [Link](#)

Agree: 0, Disagree: 0

When the draft references ANSI/IES Light Zone X, for different LZ's, add the ANSI/IES data in the same section for easy review.

#157

Posted by **Gary Starkweather** on **11/26/2023** at **8:34pm** [Comment ID: 761] - [Link](#)

Agree: 0, Disagree: 0

Table 2-14-15 for LZ2 , LZ3 MX-FB Sub Zones is not very helpful. Can this be restructured to be easier to understand? Context is murky at best.

#158

Posted by **Gary Starkweather** on **11/26/2023** at **8:42pm** [Comment ID: 762] - [Link](#)

Agree: 0, Disagree: 0

Re: Non conforming lighting - if electric or change of luminaries is needed shall be considered non-conforming thru 2034. What about un-permitted lights and lights non-conforming to the 1999 NSPA? Do they get to operate for 10 more years without having a permit or being constructed out of compliance with the State ACT?
Is this an amnesty program for all non compliant luminaries?

#159

Posted by **Gary Starkweather** on **11/26/2023** at **8:45pm** [Comment ID: 763] - [Link](#)

Agree: 0, Disagree: 0

Mixed Use in LZ2 has lights on all night. This should be restricted to on as needed or motion detection hardware.

#160

Posted by **Jon Eldredge** on **11/22/2023** at **5:13pm** [Comment ID: 723] - [Link](#)

Type: Suggestion

Agree: 3, Disagree: 0

Excess lighting has been linked with health problems and environmental disruption. Lighting consequently should be hooded and pointed only downward toward the intended objects such as cars in a driveway or a front porch steps. I agree with most comments in this section, but would add an important point. Law enforcement officers have told me that those bright lights that shine horizontally to illuminate an entire front yard and the street (a form of light trespassing per the city ordinance) actually hinder their efforts in spotting burglars or possible assailants. Unfortunately, these horizontally cast lights are marketed to and believed by many in the public to be a crime deterrent when the opposite is true.

#161

Posted by **Ed Barker** on **11/22/2023** at **4:28pm** [Comment ID: 722] - [Link](#)

Type: Suggestion

Agree: 2, Disagree: 0

Large cities, such as Albuquerque, contribute most of the light pollution that is a glow on the horizon from Ground-based Observatories and hinders the quality of the deep sky observations that are attempted. Following the Dark Sky recommendations' would help keep New Mexico on the favored Dark Sky, Observatory list, which is critical for bringing NSF, NASA and DOE funding to NM.

#162

Posted by **Peter Swift** on **11/26/2023** at **12:30pm** [Comment ID: 756] - [Link](#)

Agree: 0, Disagree: 0

I support these changes , but I'm a little surprised to see them introduced this late in the IDO process without more public notice and comment. Did I miss something in the process? I don't see a date on when the exhibit was posted.

#163

Posted by **Debbie Conger** on **11/21/2023** at **9:13pm** [Comment ID: 719] - [Link](#)

Agree: 3, Disagree: 0

This is a start, but more needs to be done to prevent the increase of unnecessary sky glow that reduces the visibility of stars in the night sky, impacts human health, damages natural ecosystems and their biodiversity, interferes with the migrations of birds and nocturnal insects.

As one example, the city's own proposal for the Rail Trail Tumbleweed is in conflict with these principles. Is a 25-foot LED statue representing an invasive plant truly a benefit that outweighs its impact on our night skies?

#164

Posted by **Debbie Conger** on **11/21/2023** at **9:05pm** [Comment ID: 717] - [Link](#)

Type: Suggestion

Agree: 3, Disagree: 0

The purpose 5-8(A) of the Outdoor and Site Lighting Standards should be directed by the 5 Principles for Responsible Outdoor Lighting created by DarkSky in coordination with the Illuminating Engineering Society:

- 1) Useful - Use light only if it is needed.
- 2) Targeted - Light should be directed only to where it is needed.
- 3) Low level - Illumination should be no higher than necessary.
- 4) Controlled - Light should be used only when it is useful.
- 5) Warm-colored - Use warmer-color lights where possible.

#165

Posted by **Derek Wallentinsen** on **11/24/2023** at **9:37am** [Comment ID: 728] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

I made comments back in October on the exhibit document. They do not show when linking off of link 1. Off link 2, they do show and that page is closed to comments. If the city is to use this functionality, it has to make it consistent.

Link 1

<https://abq-zone.com/ido-annual-update-2023-citywide-amendments-epc-submittal>

Link 2

<https://abq-zone.com/ido-annual-update-2023-exhibit-lighting-pre-epc-submittal>

#166

Posted by **Jane Baechle** on **10/31/2023** at **12:24pm** [Comment ID: 609] - [Link](#)

Agree: 0, Disagree: 0

Please see comments written directly on the Council Memo.

#167

Posted by **Debbie Conger** on **11/21/2023** at **9:07pm** [Comment ID: 718] - [Link](#)

Type: Suggestion

Agree: 2, Disagree: 0

I disagree with the lower CCT to 2700K. There should be no limit as long as the color rendition of the light is high enough. The lower the better, as lower CCT reduces the scattering of light and disturbance to human health and ecosystems.

#168

Posted by **Derek Wallentinsen** on **11/24/2023** at **9:13am** [Comment ID: 724] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

5-8(G)(1) The just-approved NM United stadium should be subject to these regulations.

#169

Posted by **Rene' Horvath** on **11/27/2023** at **3:43am** [Comment ID: 797] - [Link](#)

Agree: 1, Disagree: 0

Support! The mesa top is sacred to Native Americans. It would be good to get their input.

#170

Posted by **Derek Wallentinsen** on **11/24/2023** at **9:32am** [Comment ID: 727] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

5-8(F) Total site lumens for non-residential is leaving out limits for uses such as gas stations, car sales lots, etc. These footcandle limits need to be in there and should take into account ground reflection, as it is a significant contributor to sky glow for brightly lit areas, even if BUG standards are met.

#171

Posted by **Debbie Conger** on **11/21/2023** at **9:15pm** [Comment ID: 720] - [Link](#)

Agree: 4, Disagree: 0

There are other communities that have benefited by becoming dark sky communities that has resulted in the growing astro-tourism market. Let's make this amendment as robust as possible.!

#172

Posted by **Derek Wallentinsen** on **11/24/2023** at **9:17am** [Comment ID: 725] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

5-8(D)(7)(a) The interval for turning off or reduction in motion-sensed switching should be 5 minutes or less. Further, my walking my dog in my driveway should not set off my neighbor's motion detector. Their effectiveness must be limited to the property line.

IDO Annual Update 2023- Exhibit – Lighting

On page 42, create a new Subsection with text and table as follows.

Part 14-16-2 Zone Districts

2-4 MIXED-USE ZONE DISTRICTS

2-4(E) MIXED-USE – FORM-BASED ZONE DISTRICT (MX-FB)

2-4(E)(1) Purpose

2-4(E)(2) Other Standards

2-4(E)(3) District Standards

2-4(E)(3)(i) **Outdoor and Site Lighting**

Table 2-4-15: IDO lighting designations for the MX-FB Sub-zones indicate the allowable use for each sub-zone. Where multiple designations are indicated for a zone district, the note in the table identifies which designation shall be used depending on context.

Table 2-4-15: IDO Lighting Designations for the MX-FB Sub-zones

Lz2 = ANSI/IES Light Zone 2 Lz3 = ANSI/IES Light Zone 3				
IDO Lighting Designations	MX-FB-ID	MX-FB-FX	MX-FB-AC	MX-FB-UD
Lz2	X	X	X	X
Lz3			X ¹	X ¹

Notes:

[1] Within UC-MS-PT-MT areas, a higher lighting designation is allowed unless the subject property is adjacent to any Residential zone district.

#001

Posted by **Derek Wallentinsen** on **11/24/2023** at **9:23am** [Comment ID: 726] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I made comments back in October on this exhibit document. They do not show here. On another link, they do show and that page is closed to comments. If the city is to use this functionality, it has to make it consistent.

On page 183, revise text in Subsection 14-16-4-3(D)(29)(e) and Subsection 14-16-4-3(E)(1)(d) as follows:

Part 14-16-4 Use Regulations

4-3 USE-SPECIFIC STANDARDS

4-3(D) COMMERCIAL USES

4-3(D)(29) Self-Storage

4-3(D)(29)(e) Within 200 feet of any Residential zone district, internal lighting that is visible from the property line shall not exceed the maximum light trespass values listed in Table 5-8-3 for lighting designation Lz1 during the outdoor lighting curfew ~~be dimmed by 50 percent of the maximum foot lamberts allowed pursuant to Subsection 14-16-5-8(D)(6) between 10:00 P.M. and 7:00 A.M.~~

4-3(E) INDUSTRIAL USES

4-3(E)(12) Wireless Telecommunications Facility

4-3(E)(12)(g) Lighting and Signage

1. Only security lighting or lighting required by a State and/or federal agency is allowed, provided that all of the following requirements are met.
 - a. The location and cut-off angle of the light fixture shall be such that it does not shine directly on any public right-of-way, private way, or any lot containing a residential use.
 - b. Lighting shall not exceed maximum light trespass values in Table 5-8-3 for the relevant lighting designation during outdoor lighting curfew hours. ~~The lighting shall not have an off-site luminance greater than 1,000 foot lamberts at any point, and shall not have an off-site luminance greater than 200 foot lamberts measured from any private property in any Residential zone district.~~
2. Only signage required by State or federal law is allowed.

On page 244, revise text to read as follows:

Part 14-16-5 Development Standards

5-2 SENSITIVE LANDS

5-2(J) MAJOR PUBLIC OPEN SPACE EDGES

5-2(J)(1) Lots Within 330 Feet of Major Public Open Space

5-2(J)(1)(a) Outdoor Lighting

Regardless of zone district, the lighting designation shall be Lz0 or Lz1 subject to outdoor lighting curfew to protect natural ecosystems and their biodiversity.

On page 335, replace Section 14-16-5-8 in its entirety with the following text:

5-8 OUTDOOR AND SITE LIGHTING

5-8(A) PURPOSE

This Section 14-16-5-8 is intended to enhance the attractiveness and livability of the city, protect the safety of its residents, reduce light trespass between private properties, minimize disruption to natural ecosystems, and prevent the increase of unnecessary sky glow that reduces the visibility of stars in the night sky.

5-8(B) APPLICABILITY

All sources of light visible from the exterior of a property shall comply with the standards of this Section 14-16-5-8, unless specified otherwise in this IDO. This includes the use of outdoor lighting, hours of operation, and regulation of light trespass.

5-8(B)(1) Activities that Trigger Outdoor and Site Lighting Requirements General

5-8(B)(1)(a) Maintenance and One-for-one Replacement

If an outdoor luminaire is not working or is damaged, the repair and/or replacement shall conform with the requirements of this Section.

5-8(B)(1)(b) Expansion, Renovation, and Redevelopment

The following activities shall require compliance with the requirements of this Section:

1. Expansion of the gross floor area by 25 percent or more.
2. Changes to the number of off-street parking spaces provided by 25 percent or more.
3. Changes to the number of luminaires by 25 percent or more.
4. Any change of land use to a different use category in Table 4-2-1.

5-8(B)(1)(c) New Development

Development involving the construction of a new building or new parking lot shall conform with the requirements of this Section.

#002

Posted by **Jim Price** on **11/25/2023** at **2:02pm** [Comment ID: 746] - [Link](#)

Agree: 0, Disagree: 0

There should be some form of information provided to home builders and contractors. These ordinances are meaningless if they don't follow them.

#003

Posted by **Jim Price** on **11/25/2023** at **2:00pm** [Comment ID: 745] - [Link](#)

Agree: 0, Disagree: 0

Will there be an outreach to vendors of lighting? Even a volunteer group would be helpful to educate big box stores, lighting dealers, electrical supply houses etc.

5-8(B)(2) Exemptions

The following types of lighting are not subject to the requirements of this Section:

- 5-8(B)(2)(a) Lighting that is required by federal or state regulations that conflicts with this Section, including:
 - 1. Air-side facilities at the airport (runway, taxiway, and other facilities located inside the security fence) as regulated by the Federal Aviation Administration (FAA) for safety.
 - 2. Building codes and other illumination for means of emergency egress as regulated by the National Fire Protection Association (NFPA).
 - 3. Temporary outdoor lighting necessary for worker safety at construction sites.
 - 4. Outdoor lighting necessary for worker safety at farms, ranches, dairies, feedlots, or industrial, mining, or oil and gas facilities, as determined by the EPC in a Site Plan – EPC pursuant to Subsection 14-16-6-6(I) with an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).
- 5-8(B)(2)(b) Nighttime illumination of the United States of America flag and the New Mexico State flag that complies with one of the following illumination requirements:
 - 1. A luminaire mounted on top of the flagpole that only directs light downward.
 - 2. A maximum of 3 in-ground uplights, or 3 shielded spotlights that are surface mounted at grade, that direct light upward. The maximum beam spread of any individual light source shall be no more than 24 degrees. The maximum output of any individual luminaire shall be no more than 100 lumens per foot of flagpole height (e.g. 2,000 lumens for a 20-foot pole).
- 5-8(B)(2)(c) Neon signs and all other illuminated signs that are regulated pursuant to Section 14-16-5-12.

5-8(C) PROHIBITED LIGHTING

5-8(C)(1) Toxic and Energy Inefficient

- 5-8(C)(1)(a) Mercury vapor lights are prohibited.
- 5-8(C)(1)(b) Inefficient light sources (less than 45 lumens/watt) are prohibited for outdoor use, excluding seasonal and festoon lighting.

5-8(C)(2) Public Right-of-Way Interference

- 5-8(C)(2)(a) Any intentionally blinking, flashing, moving, revolving, or wavering lights that distract a motor vehicle operator in the public right-of-way are prohibited.
- 5-8(C)(2)(b) Any luminaire that may be confused as a traffic control device is prohibited unless authorized by federal, state, or city government.

5-8(C)(3) Obtrusive

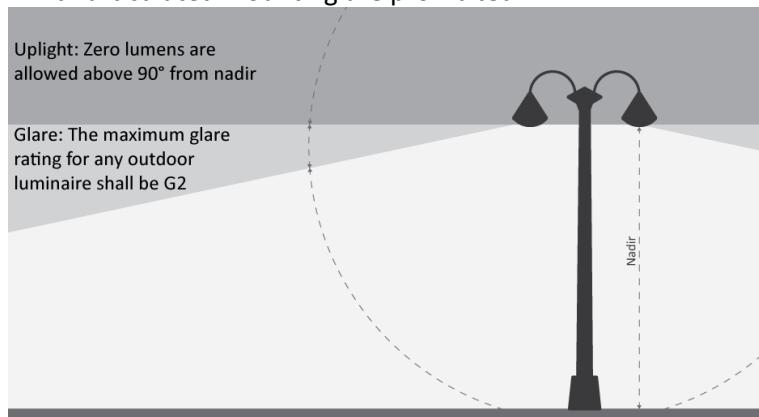
- 5-8(C)(3)(a) No luminaire specification shall exceed a (BUG) glare rating of G2.
- 5-8(C)(3)(b) Shielded spotlights and floodlights within 500 feet of any boundary regulated by Division 30-VI-2 of the Bernalillo County Code of Ordinances (North Albuquerque Acres and Sandia Heights Light Pollution Ordinance) are only allowed when used to illuminate alleys, parking structures, and maintenance areas.
- 5-8(C)(3)(c) Aerial lasers, beacons, and searchlights are prohibited at night, except for emergency use by authorized first responders.

5-8(D) GENERAL DESIGN AND ILLUMINATION STANDARDS

All sources of light visible from the exterior of a property subject to this Section 14-16-5-8 shall meet the following standards.

5-8(D)(1) Uplight Restrictions

- 5-8(D)(1)(a) Unless specified otherwise in this IDO, luminaires shall be fully shielded or have a U0 rating (i.e. a luminaire that emits zero lumens above 90 degrees from nadir). Unshielded floodlights with articulated mounting are prohibited.



- 5-8(D)(1)(b) Luminaires installed under canopies, porte cocheres, or beneath similar structures shall meet all of the following requirements.
 1. Luminaires shall be mounted to aim downward and installed flush-mounted or recessed above the lowest edge of the canopy such that the lowest part of the luminaire is shielded from view beyond the property line.
 2. The vertical fascia shall not be internally illuminated.
 3. All light emitted shall be substantially confined to the posts, façades, and ground surface directly beneath the perimeter of the canopy or similar structure.

5-8(D)(2) Correlated Color Temperature (CCT) and Color Rendering Index (CRI)

- 5-8(D)(2)(a) Unless specified elsewhere in this IDO, outdoor lighting shall have a minimum CCT of 2700K and a maximum of 3000K. The minimum CRI for these light sources shall be 65.

5-8(D)(2)(b) Light sources below 2700K with limited spectral emission and (CRI) values below 65, such as low-pressure sodium or amber LED, are allowed within NDZ or LzO lighting designations, pursuant to Subsection 14-16-5-8(E).

5-8(D)(3) Light Poles

Table 5-8-1 indicates the maximum height of light poles, measured from the finished grade to the top of the pole.

TABLE 5-8-1: MAXIMUM HEIGHT FOR LIGHT POLES	
Location, Development Type, or Type of Light	Maximum Height (ft.)
Bollard and pathway luminaires	4 ft.
Residential zone districts and HPO zones	12 ft.
Within 100 feet of Residential zone districts	16 ft.
Mixed-use development or allowable uses in the Offices and Services Sub-category of Table 4-2-1	20 ft.
Allowable uses in Table 4-2-1 in the following categories: Civic and Institutional Uses Commercial Uses other than the Offices and Services Sub-category Industrial Uses	25 ft.

5-8(D)(4) Façade, Wall/Fence, Landscape Feature, or Sculpture Lighting

Lighting to illuminate vertical surfaces to help people navigate and detect threats at night shall follow all the following requirements.

5-8(D)(4)(a) Non-white colored lighting is allowed for lighting vertical surfaces.

5-8(D)(4)(b) Articulated lights emitting light above 90 degrees from the nadir shall be shielded to contain light to their targeted surface/object. Windows in a dwelling are not allowed to be a target.

5-8(D)(5) Steps, Stairs, and Pedestrian Walkway Lighting

Lighting to illuminate trip and fall hazards such as stairs, curbs, and raised pavement shall follow ANSI/RP-43 standards.

5-8(D)(6) Deck and Outdoor Dining Lighting

5-8(D)(6)(a) Lighting used to illuminate patios, decks, balconies, terraces, gazebos, pergolas, or any other accessory structure, including festoon lighting, is subject to an outdoor lighting curfew.

5-8(D)(6)(b) Festoon lighting is exempt from the point light source restriction in Subsection 14-16-5-8(E)(4)(a).

5-8(D)(7) Security

Security lighting shall not be used continuously as a general deterrent during outdoor lighting curfew. Lighting to boost illumination levels for security as the primary objective, as described in *IES G-1 Security Lighting*, shall meet all of the following requirements.

- 5-8(D)(7)(a) Security lighting controlled by a motion sensor shall turn off or return to a dimmed level no more than 10 minutes after motion was detected.
- 5-8(D)(7)(b) Security/surveillance cameras emitting infrared light are allowed.
- 5-8(D)(7)(c) Illumination different from ANSI/IES standards may be reviewed and decided by requesting a Site Plan – EPC pursuant to Subsection 14-16-6-6(l) and providing an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).

5-8(E) LIGHTING DESIGNATIONS FOR ZONE DISTRICTS

Table 5-8-2: Lighting Designations by Zone District indicates the equivalent ANSI/IES lighting designations allowed in each zone district based on allowable land uses. Where multiple designations are indicated for a zone district, the notes in the table identify which designation shall be used depending on context.

Table 5-8-2: Lighting Designations by Zone District																		
NDZ = Natural Dark Zone Lz0 = Light Zone 0 Lz1 = Light Zone 1 Lz2 = Light Zone 2 Lz3 = Light Zone 3																		
Zone District	Residential						Mixed-Use				Non-Residential							
ANSI/IES Lighting Designation	R-A	R-1	R-T	R-MC	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-PO			
															A	B	C	D
NDZ																X ¹	X ¹	
Lz0	X ³	X ³	X ³	X ³	X ³		X ³								X ²	X ²	X ²	X ²
Lz1	X	X	X	X	X	X ^{3, 4}	X	X ⁴	X ⁴	X ⁴	X	X	X	X	X			X
Lz2						X		X	X	X	X ⁵			X ⁵	X ⁶			
Lz3									X ⁵	X ⁵					X ⁷			
Notes: [1] NDZ is required in NR-PO zones for open space where no anthropogenic light is allowed. [2] Lz0 is required in NR-PO zones for open space where some anthropogenic light is needed in hours of darkness, parks with minimal amenities, and parks or open space adjacent to low-density residential uses. [3] A lower lighting zone is required on subject properties with sensitive lands. [4] A lower lighting zone is required on subject properties adjacent to low-density residential uses. [5] In UC-MS-PT-MT areas, a higher lighting zone is allowed, unless the subject property is adjacent to any Residential zone district. [6] Lz2 is allowed in parks with high pedestrian activity and many amenities. [7] Lz3 is allowed in parks containing nighttime stadiums or entertainment activities.																		

5-8(E)(1) Planned Development Zone Districts

- 5-8(E)(1)(a) Existing PD or PC zone districts that did not establish lighting standards must come into compliance with the requirements of the lighting designation that most closely matches their current

land use and surrounding contexts as established in Table 5-8-2 pursuant to Subsection 14-16-6-8(G).

- 5-8(E)(1)(b) Any new PD or PC zone districts shall establish the lighting designation(s) that most closely matches the allowable uses of the zone districts in Table 5-8-2 and the lumen limits from Subsection 14-16-5-8(F) in the Site Plan – EPC, pursuant to Subsection 14-16-6-6(I), or Framework Plan, pursuant to Subsection 14-16-6-7(H), as relevant, with an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).

5-8(E)(2) Non-residential Sensitive Use (NR-SU) Zone District

- 5-8(E)(2)(a) Existing NR-SU zone districts that did not previously establish lighting standards must come into compliance with the requirements of the lighting designation that most closely matches their current land use and surrounding context as established in Table 5-8-2 pursuant to Subsection 14-16-6-8(G).
- 5-8(E)(2)(b) Any new NR-SU zone district shall establish the lighting designation(s) that most closely matches the allowable uses of a zone district in Table 5-8-2 and the lumen limits from Subsection 14-16-5-8(F) in their Site Plan – EPC pursuant to Subsection 14-16-6-6(I) with an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).

5-8(E)(3) Non-residential Parks and Open Space (NR-PO)

- 5-8(E)(3)(a) City Parks & Recreation staff shall identify environmentally sensitive areas that need protection from anthropogenic light and design outdoor and site lighting based on the lowest possible lighting designation in Table 5-8-2.
- 5-8(E)(3)(b) City Parks & Recreation staff shall identify adjacent properties and design outdoor and site lighting based on the appropriate lighting designation in Table 5-8-2.

5-8(E)(4) Light Trespass

- 5-8(E)(4)(a) Unless specified elsewhere in this IDO, all outdoor luminaires shall be located or optically shielded such that the point light source is not visible from adjacent property or public right-of-way.
- 5-8(E)(4)(b) The total illumination from outdoor light sources and interior light escaping from windows shall not exceed light trespass limits in Table 5-8-3, as measured at any location along the property line in both of the following ways:
1. Horizontally at finished grade with the light meter facing upward.
 2. Vertically at 5 feet (1.5 meters) above finished grade with the light meter aiming toward the subject property.

TABLE 5-8-3: LIGHT TRESPASS LIMITS BY LIGHTING DESIGNATION					
	NDZ	Lz0	Lz1	Lz2	Lz3

#004

Posted by **Jim Price** on **11/25/2023** at **1:49pm** [Comment ID: 743] - [Link](#)

Agree: 0, Disagree: 0

This must be included regardless of wattage or lumen output.

Footcandles (fc)	0.02	0.05	0.1	0.3	0.8
Lux (lx)	0.2	0.5	1.0	3.0	8
Luminance (cd/m ²)	0	1	20	40	80

5-8(E)(4)(c) If the total illumination from outdoor light sources and interior light escaping from windows exceeds light trespass limits in Table 5-8-3 at any point along the property light, lighting must be re-aimed, removed, turned off, or dimmed until compliance is reached.

5-8(F) TOTAL LUMEN ALLOWANCE

All sources of light visible from the exterior of a property shall meet the requirements of this Subsection 14-16-5-8(F). Only 20 percent of the total allowable site lumens in Table 5-8-4 or Table 5-8-5 is allowed to be uplight (i.e. light emitted above 90 degrees from nadir).

5-8(F)(1) Residential Uses

5-8(F)(1)(a) Total Lumen Allowance

Table 5-8-4 indicates the total exterior lumens allowed for each dwelling on a subject property.

TABLE 5-8-4: TOTAL LUMENS ALLOWED PER DWELLING				
ZONE DISTRICTS	Lz0	Lz1	Lz2	Lz3
R-A	3,000	5,000	-	-
R-1A	1,500	3,000	-	-
R-1B	2,500	4,500	-	-
R-1C	2,500	4,500	-	-
R-1D	3,000	5,000	-	-
R-T	12,000	20,000	-	-
R-MC	1,500	3,000	-	-
R-ML or MX-T	12,000	20,000	-	-
R-MH or MX-L	-	24,000	35,000	-
MX-M	-	24,000	35,000	49,000
MX-H	-	27,000	40,000	56,000

5-8(F)(1)(a) Additional Lumen Allowance

1. An additional 1,500 lumens are allowed for an accessory dwelling unit (ADU).
2. Outdoor walkways, outdoor stairs, and parking lots for multi-family dwellings, assisted living facilities, or nursing homes are allowed additional lumens pursuant to Table 5-8-5.

5-8(F)(2) Non-residential Development

Table 5-8-5 indicates the total lumens allowed from all outdoor light sources on properties with an allowable non-residential use.

TABLE 5-8-5: TOTAL SITE LUMENS ALLOWED - NON-RESIDENTIAL DEVELOPMENT					
Lighting Requirement	Unit	Lz0	Lz1	Lz2	Lz3
Tree, Landscape, and Sculpture Beds	lm / s.f.	0.5	1	2	4
Walkways/Stairs/Parking Lot	lm / s.f.	1.00	1.25	1.50	2.50
Outdoor Dining	lm / s.f.	n/a	2	2.5	3

5-8(G) ADDITIONAL STANDARDS FOR SPECIFIC TYPES OF LIGHTING

5-8(G)(1) Sports and Recreation

5-8(G)(1)(a) General

1. Lighting for recreational areas and outdoor sports, such as baseball, football, racquet sports, and similar sports, shall follow ANSI/IES RP-6 standards. Illumination shall be confined to within 150 feet (or one pole height, whichever is greater) of the play field, track, or bleacher.
2. Correct aiming, shielding, and/or internal louvers are required to prevent light trespass, glare, and light emitted above 60 degrees from nadir.
3. When allowed by permit, underwater pool, spa, and pool deck lighting shall not exceed ANSI/IES RP-6 standards.

5-8(G)(1)(b) Residential Recreational Amenity and Private Parks

1. For small courts located on property with a Residential use or located in private parks within the NR-PO-C sub-zone that serve fewer than 25 people, a performance analysis is not required for lighting that meets the requirements of Section 14-16-5-8(G), including the light pole heights in Table 5-8-1.
2. Lighting on the field of play is not allowed in Lz0.
3. Up to 2 light poles are allowed. Illuminance levels on the field of play shall not exceed any of the following, as relevant:
 - a. Lz2 or Lz3: 10 fc
 - b. Lz1: 5 fc
4. For additional lighting, or if 3 or more light poles are desired, a performance analysis pursuant to Subsection 14-16-6-4(H)(3) and a Site Plan – EPC pursuant to 14-16-6-6(I) are required.

5-8(G)(1)(c) Collegiate, Professional, Stadium, or Outdoor Entertainment Sports Facility

1. These facilities require a performance analysis pursuant to Subsection 14-16-6-4(H)(3) and a Site Plan – EPC pursuant to 14-16-6-6(I).
2. Pole mounting heights shall be based on the playability of the sport, photometric reports, and the player's glare zones per ANSI/IES RP-6.

3. Poles shall be anodized or otherwise coated to minimize glare from the luminaire. Wooden poles are also acceptable.
4. For sports fields where games will regularly be filmed or televised, a CCT of 4000K is allowed but not required.
5. Sports lighting luminaires shall have a CRI of at least 75.
6. Luminaires shall be extinguished 1 hour after the end of play.
7. Uplighting is allowed for aerial sports such as baseball and football. Uplighting shall be controlled separately from other sports lighting.

5-8(G)(2) Seasonal

- 5-8(G)(2)(a) Seasonal lighting is not allowed in lighting designation NDZ.
- 5-8(G)(2)(b) Seasonal lighting is allowed for up to 45 consecutive days up to 2 times per year.
- 5-8(G)(2)(c) Seasonal lighting is exempt from the uplight, CCT, CRI, and point light source restrictions in Subsections 14-16-5-8(D) and 14-16-5-8(E)(4)(a).

5-8(G)(3) Historic Landmarks and HPO Zones

Outdoor or site lighting on a historic landmark or in HPO zones that does not comply with the requirements in this Section but that are consistent with the time period and character of the historic structure may be allowed by the Landmarks Commission pursuant to a Historic Certificate of Appropriateness – Major pursuant to Subsection 14-16-6-6(D).

On page 359, revise Subsection 14-16-5-12(E)(5)(a)2 as follows:

5-12 SIGNS

5-12(E) STANDARDS APPLICABLE TO ALL SIGNS

5-12(E)(5) Illumination and Motion

5-12(E)(5)(a) General

2. No white portion of an illuminated sign shall exceed the luminance limits in Table 5-12-1 [new] during the hours of darkness.

TABLE 5-12-1 [new]: SIGN LUMINANCE LIMITS	
ANSI/IES Lighting Designation Lighting Designation	Maximum Luminance (Nits)
Lz1	108
Lz2	323
Lz3	685

3. [New] No other portion of an illuminated sign shall have a luminance greater than ~~200 foot lamberts~~ or 685 nits during the hours of darkness at night.

5-12(H) ELECTRONIC SIGNS

5-12(H)(4) Illumination, Brightness, and Images

- 5-12(H)(4)(b) Electronic signs shall not exceed an illumination level of 0.3 foot candles above ambient light as measured from a distance indicated in Table 5-12-5 based on sign area, with the light meter held perpendicular to the sign and targeting the color white.

On page 407, in Section 14-16-6-4 General Procedures, create a new Subsection (H) with heading “Analyses and Study Requirements” and make existing Subsection 6-4(H) Cumulative Impacts Analysis and 6-4(I) Traffic Impact Study subheadings in the new section. Add a new Subsection in the new Subsection (H) with text as follows:

Part 14-16-6 Administration and Enforcement

6-4 GENERAL PROCEDURES

6-4(H) [NEW] ANALYSES AND STUDY REQUIREMENTS

6-4(H)(3) [new] Outdoor and Site Lighting Performance Analysis Requirements

- 6-4(H)(3)(a) A performance analysis for outdoor and site lighting may be requested for EPC review as part of a Site Plan – EPC. A lighting plan pursuant to 14-16-6-4(H)(3)(b) below shall be submitted with the application for Site Plan – EPC.
- 6-4(H)(3)(b) The outdoor lighting plan shall include all of the following:
1. Luminaire locations, mounting heights, and aiming directions.
 2. Illuminating Engineering Society (IES) photometric data.
 3. Locations of buildings and structures.
 4. Location of trees and shrubs above 4 feet high.
- 6-4(H)(3)(c) An affidavit shall be submitted verifying that the lighting plan meets both of the following:
1. ANSI/IES standards.
 2. The requirements of Section 14-16-5-8.
- 6-4(H)(3)(d) The lighting plan is subject to the application completeness requirements of Subsection 14-16-6-4(G).

On page 485, in Subsection 14-16-6-6(I), add new subsections with text as follows:

6-6 DECISIONS REQUIRING A PUBLIC HEARING

6-6(I) SITE PLAN – EPC

6-6(I)(1) Applicability

6-6(I)(1)(a) This Subsection 6-6(I) applies to any of the following:

9. [New] Any application for development requesting an outdoor and site lighting performance analysis to determine compliance with lighting requirements.

6-6(I)(3) Review and Decision Criteria

6-6(I)(3)(h) If an outdoor or site lighting performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of Section 14-16-5-8(E) without sufficient mitigation and benefits that outweigh the expected impacts.

On page 535, in Subsection 14-16-6-8(G), add a new Subsection with text as follows:

6-7 NONCONFORMITY

6-7(A) NONCONFORMING SITE FEATURES

6-7(A)(1) Outdoor and Site Lighting

6-7(A)(1)(a) Outdoor and site lighting that does not satisfy the requirements of this IDO and that requires investment in electrical work or a new luminaire shall be considered nonconforming until January 1, 2034.

6-7(A)(1)(b) After January 1, 2034, unless otherwise specified in this IDO, all outdoor luminaires that do not satisfy the requirements of this IDO must be replaced or retrofitted to comply.

#005

Posted by **Jim Price** on **11/25/2023** at **1:56pm** [Comment ID: 744] - [Link](#)

Agree: 0, Disagree: 0

Non-conforming lighting should be dimmed or turned or shielding retro fitted if not replaced before 2034.

On page 545, in Section 14-16-7-1, add new terms with text as follows and revise existing terms as follows:

Part 14-16-7 Definitions & Acronyms

7-1 DEFINITIONS

ANSI/IES Standards

Standards developed by the American National Standards Institute (ANSI) and the Illuminating Engineering Society (IES), a professional organization of designers, architects, engineers, sales professionals, and researchers. For the purposes of this IDO, ANSI/IES standards are referenced for in Section 14-16-5-8 (Outdoor and Site Lighting).

Anthropogenic

Change of conditions caused or influenced by people.

BUG (Backlight, Uplight, Glare) Rating

A rating system for the quantity of light within specific beam angles, consisting of all of the following:

Backlight

A rating based on zonal lumens distributed behind a luminaire between 0 and 90 degrees from the vertical of nadir.

Uplight

A rating based on zonal lumens emitted above 90 degrees from the vertical of nadir.

Glare

A rating based on the zonal lumens distributed between 60 and 90 degrees from the vertical of nadir.

Candela

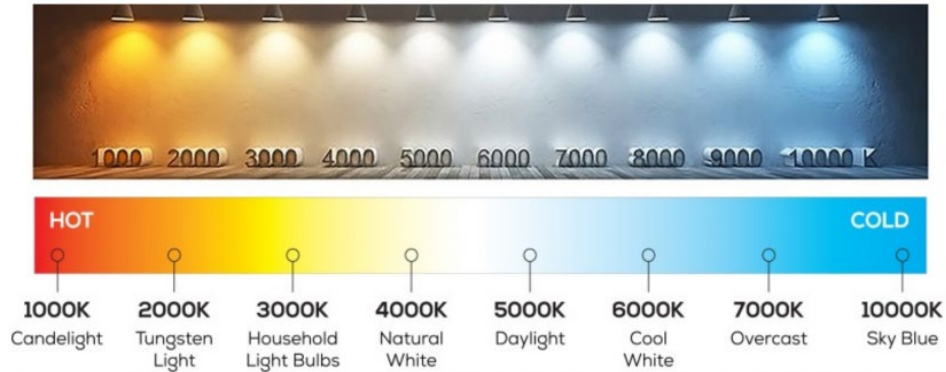
The International System of Units (SI) of luminous intensity in a given direction of a light source, measured in candela per square meter (cd/m²).

Color Rendering Index (CRI)

A measurement on a scale of 0 to 100 to describe the ability of a light source to render an object's colors as if it were being exposed to natural daylight. A score close to 100 indicates that an anthropogenic light source is a close match for natural light.

Correlated Color Temperature (CCT)

The color appearance of light emitted by a lamp. The CCT rating for a lamp is a measure of the "warmth" or "coolness" of its appearance and is measured in Kelvin (K). Lower CCT (2200K) appears very warm or amber. Medium CCT (2700K – 3000K) appears "warm white." High CCT (4000K +) appears "cool white" or "blue."



Festoon Lighting

String lighting with individual bulbs suspended between two or more points and capable of providing usable illuminance, subject to curfew. For the purposes of this IDO, festoon lighting is not considered seasonal lighting. See also *curfew* and *seasonal lighting*.

Foot Candle

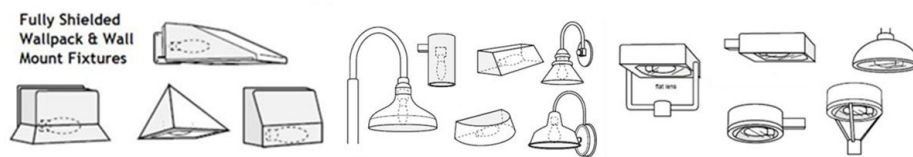
A unit of illumination of a surface that is equal to one lumen per square foot (lm/s.f.). For the purposes of this IDO, foot candles shall be measured at a height of 5 feet (1.5 meters) ~~3 feet~~ above finished grade by a digital light meter.

Foot Lambert

A unit of luminance equal to $1/\pi$ candela per square foot or 3.426 candela per square meter. 200 foot lamberts = 685 nits. See also *Measurement Definitions for Luminance*.

Fully Shielded Luminaire

Luminaires constructed and properly installed so that no light rays are directly emitted at angles above the horizontal plane as certified by a photometric test report and all light is effectively directed downward.



Glare

The sensation produced by luminance brightness within the visual field of vision that is ~~are~~ sufficiently greater than the luminance light level to which the eyes are already adapted to, causing ~~cause~~ annoyance, discomfort, or loss of in visual performance ~~and visibility~~.

Lighting Designations

Lighting designations align with the ANSI/IES lighting zone definitions, which serve as the basis for ANSI/IES lighting standards. For the purposes of this IDO, the lighting zones are summarized below.

Natural Dark Zone (NDZ)

Natural areas where no anthropogenic lighting is allowed at night.

Light Zone 0 (Lz0)

Predominantly dark areas with limited built environment. Responsible lighting techniques offer some environmental protection.

Light Zone 1 (Lz1)

Developed areas with quiet and dark character, commonly used for residential and lower-volume areas.

Light Zone 2 (Lz2)

Developed areas for commerce and recreation with moderate volume. Lighting and minimal signage inform people.

Light Zone 3 (Lz3)

Commercial signage and lighting are continuous as they compete to attract and entertain people.

Illuminance

A measurement for the amount of light falling onto a surface, commonly measured in the horizontal and/or vertical planes in Footcandles (Fc) or lux.

Light Trespass

Light traveling past property lines and illuminating properties without approval.

Luminaire

The complete electrical light unit, including the light source, housing, optics, and driver.

Luminance

The light source or surface brightness as it is perceived by the human eye, measured in candela per meter squared (cd/m²).

Measurement Definitions**Luminance**

The brightness of an object, expressed in terms of foot lamberts, determined from a point 5 feet above ground level on another premises or the public right-of-way, at least 20 feet in any direction from the object measured. See also *Foot Lambert*.

Lumen

A unit of measure to rate the quantity of light provided by a light source. A quantitative unit measuring the amount of light emitted by a light source. A lamp is generally rated in lumens.

Lux

A unit used to measure illuminance. One (1) lux is equal to 1 lumen per square meter (lm/m²).

Mounting Height

The vertical distance between the finished grade and the center of the apparent light source of the luminaire.

Outdoor Lighting Curfew

For the purposes of this IDO, the time between 10 P.M. and 7 A.M. when outdoor lighting and interior light escaping through windows must be reduced by at least 50 percent of the normal illuminance. For establishments with business hours later than 10 P.M., outdoor lighting curfew begins one hour after

closing. For establishments with business hours earlier than 7 A.M., outdoor lighting curfew ends one hour before opening.

Point Light Source

The exact place where illumination is produced (e.g. a light bulb filament or LED package) even when behind a clear lens.

Shielded Lighting

A floodlight with an accessory intended to block obtrusive light through either an optical intervention and/or a physical shield or louver.

Seasonal Lighting

Outdoor or site lighting that is portable, temporary, and decorative. This includes but is not limited to string lighting, icicle lighting, outline lighting, and lighted holiday inflatables that are not intended for general illumination. See also *Festoon Lighting*.

Security Lighting

Distinct from outdoor lighting installed for safe passage during hours of darkness, security lighting is installed to provide bright illumination for security to protect people, property, and infrastructure from physical or criminal threats.

On page 617, in Section 14-16-7-2 Acronyms and Abbreviations, add text as follows

7-2 ACRONYMS

ANSI - American National Standards Institute

BUG - Backlight, Uplight, Glare

CCT - Correlated Color Temperature

CD - Candela

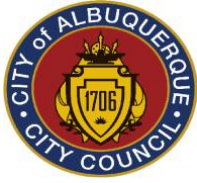
CRI - Color Rendering Index

FC - Footcandle

IES - Illuminating Engineering Society

LED - Light Emitting Diode

LM - Lumen



CITY OF ALBUQUERQUE

CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Rene Grout, City Councilor for District 9

SUBJECT: 2023 IDO Update: Boat and RV parking

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is to disallow recreational vehicles and boats from parking in a front yard area, whether that front yard area has been improved or not.

Actions:

- Amend Section 5-4(B) as follows:

5-5(B)(4)(d) Parking of recreational vehicle, boat, and/or recreational trailer for more than 2 hours:

1. Allowed with the permission of the property owner of a premises with a primary residential use allowed by Table 4-2-1 in any Residential zone district or MX-T zone district.
2. Allowed with the permission of the property owner of a premises with a primary non-residential use allowed by Table 4-2-1 in any MX or NR zone district.
3. The vehicle must be parked in 1 of the following areas:

a. Inside an enclosed structure.

b. Outside in a side or rear yard.

~~[c. Outside in a front yard, with the unit perpendicular to the front curb and the face of the recreational vehicle at least 11 feet from the face of the curb.]~~

~~4. The vehicle shall not be parked in any portion of a front yard, whether that portion has been improved as a driveway or not.]~~

#001

Posted by **Patricia Willson** on **10/25/2023** at **3:59pm** [Comment ID: 494] - [Link](#)

Agree: 0, Disagree: 0

please proof read for typos

#002

Posted by **Patricia Willson** on **10/25/2023** at **3:14pm** [Comment ID: 492] - [Link](#)

Agree: 0, Disagree: 0

What happened to the current 5-5(B)(4)(d), which currently reads "4. No part of the vehicle may extend over any public sidewalk or into any required clear sight triangle."

and what about items 5 through 11?? This memo is totally unclear; how does it affect the rest of the Section and where does it now say that you cannot block clear sight triangle??

#003

Posted by **Michael Porter** on **11/22/2023** at **9:53am** [Comment ID: 721] - [Link](#)

Agree: 0, Disagree: 0

The purpose for this change needs to clearly define the issue it purports to address. Agree with other comments that this issue needs to be widely advertised and discussed.

#004

Posted by **Peter Swift** on **10/21/2023** at **2:04pm** [Comment ID: 344] - [Link](#)

Agree: 1, Disagree: 0

This change will have a significant impact on many residents who currently own RVs, boats, or trailers. A change of this magnitude should have more opportunity for public notice and comment than has been provided here. Note that the date of the memo is October 20, 2023.

#005

Posted by **Patricia Willson** on **10/25/2023** at **4:01pm** [Comment ID: 495] - [Link](#)

Agree: 0, Disagree: 0

This seems to really discriminate against folks that live in areas with smaller lots and no alley access (much of Victory Hills, for example). The front yard area may be their only option.

#006

Posted by **Peter Swift** on **10/21/2023** at **1:50pm** [Comment ID: 342] - [Link](#)

Agree: 0, Disagree: 0

This proposed change would have substantive impacts on city residents who currently park RVs, boats, or trailers in driveways that face the street. Given that the memo is dated October 20, 2023, this seems like insufficient time for public notice and comment for a substantive change to the IDO.

Reply by **Peggy Neff** on **10/25/2023** at **12:44pm** [Comment ID: 478] - [Link](#)

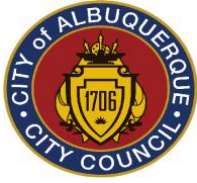
Agree: 0, Disagree: 0

Agreed. This is a taking, this is a substantive issue that affects multiple residents and visitors alike. Albuquerque has always been a place for travelers, why would this be disallowed.

What is the motivation for this? The term 'council' is not enough, requesting that the source field for public date to be amended to include '...in discussions with' so that it is clear why this is needed.

Perhaps what is needed is a time limit? But this type of amendment, on that affects every single resident, needs to go through a different process than one that reaches to 50-100 persons in order for the concept of notification to hold up in court.

RISK



CITY OF ALBUQUERQUE

CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Rene Grout, City Councilor for District 9

SUBJECT: 2023 IDO Update: Boat and RV parking

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is to disallow recreational vehicles and boats from parking in a front yard area, whether that front yard area has been improved or not.

Actions:

- Amend Section 5-4(B) as follows:

5-5(B)(4)(d) Parking of recreational vehicle, boat, and/or recreational trailer for more than 2 hours:

1. Allowed with the permission of the property owner of a premises with a primary residential use allowed by Table 4-2-1 in any Residential zone district or MX-T zone district.
2. Allowed with the permission of the property owner of a premises with a primary non-residential use allowed by Table 4-2-1 in any MX or NR zone district.
3. The vehicle must be parked in 1 of the following areas:

a. Inside an enclosed structure.

b. Outside in a side or rear yard.

~~[c. Outside in a front yard, with the unit perpendicular to the front curb and the face of the recreational vehicle at least 11 feet from the face of the curb.]~~

~~4. The vehicle shall not be parked in any portion of a front yard, whether that portion has been improved as a driveway or not.]~~

#001

Posted by **Patricia Willson** on **10/25/2023** at **3:59pm** [Comment ID: 494] - [Link](#)

Agree: 0, Disagree: 0

please proof read for typos

#002

Posted by **Patricia Willson** on **10/25/2023** at **3:14pm** [Comment ID: 492] - [Link](#)

Agree: 0, Disagree: 0

What happened to the current 5-5(B)(4)(d), which currently reads "4. No part of the vehicle may extend over any public sidewalk or into any required clear sight triangle."

and what about items 5 through 11?? This memo is totally unclear; how does it affect the rest of the Section and where does it now say that you cannot block clear sight triangle??

#003

Posted by **Michael Porter** on **11/22/2023** at **9:53am** [Comment ID: 721] - [Link](#)

Agree: 0, Disagree: 0

The purpose for this change needs to clearly define the issue it purports to address. Agree with other comments that this issue needs to be widely advertised and discussed.

#004

Posted by **Peter Swift** on **10/21/2023** at **2:04pm** [Comment ID: 344] - [Link](#)

Agree: 1, Disagree: 0

This change will have a significant impact on many residents who currently own RVs, boats, or trailers. A change of this magnitude should have more opportunity for public notice and comment than has been provided here. Note that the date of the memo is October 20, 2023.

#005

Posted by **Patricia Willson** on **10/25/2023** at **4:01pm** [Comment ID: 495] - [Link](#)

Agree: 0, Disagree: 0

This seems to really discriminate against folks that live in areas with smaller lots and no alley access (much of Victory Hills, for example). The front yard area may be their only option.

#006

Posted by **Peter Swift** on **10/21/2023** at **1:50pm** [Comment ID: 342] - [Link](#)

Agree: 0, Disagree: 0

This proposed change would have substantive impacts on city residents who currently park RVs, boats, or trailers in driveways that face the street. Given that the memo is dated October 20, 2023, this seems like insufficient time for public notice and comment for a substantive change to the IDO.

Reply by **Peggy Neff** on **10/25/2023** at **12:44pm** [Comment ID: 478] - [Link](#)

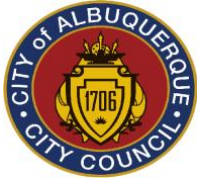
Agree: 0, Disagree: 0

Agreed. This is a taking, this is a substantive issue that affects multiple residents and visitors alike. Albuquerque has always been a place for travelers, why would this be disallowed.

What is the motivation for this? The term 'council' is not enough, requesting that the source field for public date to be amended to include '...in discussions with' so that it is clear why this is needed.

Perhaps what is needed is a time limit? But this type of amendment, on that affects every single resident, needs to go through a different process than one that reaches to 50-100 persons in order for the concept of notification to hold up in court.

RISK



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Building Design 001 002

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to implement building design requirements for buildings which do not have such requirements. Today, the IDO provides building design requirements for low-density residential buildings, multi-family buildings, and buildings in mixed-use or non-residential zone districts that are within Urban Centers, Main Street Corridors, or Premium Transit Corridors

Actions:

- Create a new Section 5-11(F) as follows and renumber subsequent sections as necessary

[5-11(F) NON-RESIDENTIAL DEVELOPMENT OTHER THAN INDUSTRIAL DEVELOPMENT IN NR-LM OR NR-GM]

All non-residential development, except Industrial development, in the NR-LM or NR-GM zone districts shall comply with the standards in this Subsection 14-16-5-11(F), except that Parking structures, including the portion of parking structures incorporated into a building with allowable primary and/or accessory uses, shall comply with the design standards in 14-16-5-5(G) (Parking Structure Design).

5-11(F)(1) Façade Design

Each street-facing façade shall incorporate at least 2 of the following features along at least 20 percent of the length of the façade, distributed along the façade so that at least 1 of the incorporated features occurs every 50 feet:

- a) Ground floor transparent windows
- b) Windows on upper floors

#001

Posted by **Patricia** on **11/17/2023** at **9:23am** [Comment ID: 689] - [Link](#)

Agree: 0, Disagree: 0

Why is this Council Memo placed in the Walls & Fences item?

#002

Posted by **Patricia** on **11/17/2023** at **9:24am** [Comment ID: 690] - [Link](#)

Agree: 0, Disagree: 0

Regardless of where this Memo belongs, it is mis-guided and full of unintended consequences.

- c) Primary pedestrian entrances
- d) Sun shelves or other exterior building features designed to reflect sunlight into the building and reduce the need for interior lighting.
- e) Raised planters between 12 inches and 28 inches above grade with the surface planted to achieve at least 75 percent vegetative cover at maturity.
- f) Wall plane projections or recesses of at least 1 foot in depth at least every 50 feet of façade length and extending at least 10 percent of the length of the façade.
- g) A change in color, texture, or material at least every 50 feet of façade length and extending at least 20 percent of the length of the façade.
- h) Art such as murals or sculpture that is privately-owned or coordinated through the City Public Arts Program.
- i) Portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather.]

- Create a new Section 5-11(G) as follows and renumber subsequent sections as necessary

[5-11(G) INDUSTRIAL DEVELOPMENT IN ANY ZONE DISTRICT

All industrial development located in any zone district, excluding MX-FB, NR-SU, and NR-PO that does not meet the applicability requirements of Section 5-11(E) shall comply with the standards in this Subsection 14-16-5-11(G), except that Parking structures, including the portion of parking structures incorporated into a building with allowable primary and/or accessory uses, shall comply with the design standards in 14-16-5-5(G) (Parking Structure Design).

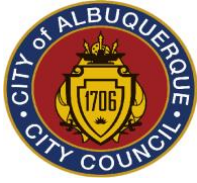
5-11(G)(1) Each street-facing façade less than 150 feet in length shall incorporate at least 1 of the following features along at least 15 percent of the length of the façade, distributed along the façade so that at least 1 of the incorporated features occurs every 50 feet:

- a) Transparent windows
- b) Wall plane projections or recesses of at least 1 foot in depth at least every 50 feet of façade length and extending at least 20 percent of the length of the façade.
- c) A change in color, texture, or material at least every 50 feet of façade length and extending at least 20 percent of the length of the façade.
- d) Art such as murals or sculpture that is privately-owned or coordinated through the City Public Arts Program.
- e) Portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather.

5-11(G)(2) Each street-facing façade shall incorporate at least 1 of the following features along at least 10 percent of the length of the façade, distributed along the façade so that at least 1 of the incorporated features occurs every 75 feet:

- a) Transparent windows
- b) Wall plane projections or recesses of at least 1 foot in depth at least every 75 feet of façade length and extending at least 10 percent of the length of the façade.

- c) A change in color, texture, or material at least every 75 feet of façade length and extending at least 20 percent of the length of the façade.
- d) Art such as murals or sculpture that is privately-owned or coordinated through the City Public Arts Program.
- e) Portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather.]



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Rene Grout, City Councilor for District 9

SUBJECT: 2023 IDO Update: Cannabis Retail

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is to make four changes to Cannabis Retail:

1. Remove the Conditional Use allowance for Cannabis Retail when a location is proposed within 600 feet of another location
2. Remove the distance separation exception for businesses with microbusiness licenses
3. Increase the distance separation requirement from 600 feet to 660 feet to be consistent with other measurements in the IDO
4. Remove the allowance of Cannabis Retail in the MX-T zone district.
5. Delete the definition of Cannabis Microbusiness, as there will be no regulations pertaining to microbusinesses if this amendment is to pass.

Actions:

- Amend Table 4-2-1: Allowable Uses on page 153 to remove the “P” from the Cannabis Retail line in the MX-T zone district.
- Amend Section 4-3(D)(35)(c) as follow:

~~4-3(D)(35)(c) [If located within 600 feet of any other cannabis retail establishment, this use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A), unless associated with an establishment licensed by the State as a cannabis microbusiness. Nothing herein prohibits multiple licenses from operating from a single “licensed premises” as defined by Sections 26-2C-1 to 26-2C-42 NMSA 1978.] [This use is prohibited within 660 feet of another cannabis retail location.]~~

- Delete section 4-3(D)(35)(j) as follows:

#001

Posted by **ICC committee (11 people)** on **10/27/2023** at **11:05am** [Comment ID: 587] - [Link](#)
Agree: 0, Disagree: 0

Can the municipality remove the CU option for less than 600 feet between cannabis establishment (based on state statute?). Also, can the amendment increase the distance?

Otherwise, we are in support of this amendment.

~~[4-3(D)(35)(i) In the MX-T zone district, this use is prohibited, unless associated with an establishment licensed by the State as a cannabis microbusiness, in which case this use shall not exceed 10,000 square feet of gross floor area.]~~

- Amend Section 7-1 Definitions to delete the definition of Cannabis Microbusiness:

~~**[Cannabis Microbusiness**~~

~~An establishment licensed by the State as an Integrated Cannabis Microbusiness or Cannabis Producer Microbusiness, as defined by Sections 26-2C-1 to 26-2C-42 NMSA 1978.]~~



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Isaac Benton, City Councilor for District 2
Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Cottage Development Use-Specific Standards

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore, 003

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to add new use-specific standards (USS) to the Cottage Development use. One USS will allow dwelling units to be connected on one side and the other will require front porches on all dwelling units in a Cottage Development.

Actions:

- Add two new use-specific standards to 4-3(B)(4) Cottage Development in appropriate numerical order as follows 002

[4-3(B)(4)(XX) In the R-1 zone district, dwelling units may be attached on one side.]

4-3(B)(4)(XX) Dwelling units shall have front porches.]

001

004

#001

Posted by **Merideth Paxton** on **11/24/2023** at **11:41am** [Comment ID: 732] - [Link](#)

Agree: 0, Disagree: 0

The front porch requirement seems arbitrary.

This overall approach should never be used for “urban infill” in existing neighborhoods because it undermines the incentives for maintaining lower density homes near urban centers.

#002

Posted by **Patrick Martin** on **11/17/2023** at **1:02pm** [Comment ID: 701] - [Link](#)

Agree: 0, Disagree: 0

I like it, who cares if a casita is fully separated or not?

#003

Posted by **Michelle Negrette** on **10/27/2023** at **11:41am** [Comment ID: 596] - [Link](#)

Agree: 0, Disagree: 0

I would like to see the minimum size for cottage development reduced. At two acres, this development type is only feasible in new developments and/or on large tracts in rural areas. The development type is appropriate for urban infill and has precedent in the bungalow courts found throughout the west. We have an example of this form near Menaul and Broadway. Limits could be placed (4-5 units) depending on smaller lots, but due to open space and setback requirements, this would typically be self limiting. This form could also be limited to single story on smaller lots if deemed to intense.

#004

Posted by **Patricia Willson** on **10/25/2023** at **4:03pm** [Comment ID: 496] - [Link](#)

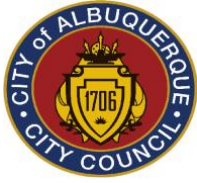
Agree: 0, Disagree: 0

Architectural design guidelines don't belong in the zoning code.

Reply by **Patricia Willson** on **10/25/2023** at **4:03pm** [Comment ID: 497] - [Link](#)

Agree: 0, Disagree: 0

As Councilor Benton has told me more than once; you can't legislate good design.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Rene Grout, City Councilor for District 9

SUBJECT: 2023 IDO Update: Front Yard Parking – Angular Stone

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is to remove “angular stone” as an allowed material that would meet the requirement of an improved surface for the purposes of front yard parking regulations in the IDO. Other gravel-like materials such as crusher fines will continue to be an allowed material.

Actions:

- Amend Section 6-8(G) to as follows:

6-8(G)(2)(a) Front Yard Parking Areas in Existence Prior to June 17, 2007

1. Front yard parking areas that do not satisfy the requirements of this IDO that were improved for and specifically dedicated to use as a front yard parking area prior to June 17, 2007 (when City Council adopted O-07-61, which first regulated front yard parking), and that otherwise satisfied the requirements of all applicable regulations in place at the time of their installation, may continue to be used as front yard parking areas pursuant to the provisions of this IDO governing nonconforming uses and structures.

a. For the purposes of this Subsection 14-16-6-8(G)(3), “improvements” include either impervious surfaces, such as concrete or asphalt, or all-weather pervious surfaces, such as recycled asphalt, compacted crusher fines ~~[, or compacted angular stone.]~~. In order to enjoy nonconforming status under this Section 14-16-6-8, any such improvements must have been installed for and be suitable for the specific purpose of front yard parking and maneuvering.

001

002

#001

Posted by **Merideth Paxton** on **11/27/2023** at **8:36am** [Comment ID: 802] - [Link](#)

Agree: 0, Disagree: 0

Could this include cement blocks with openwork that could contain dirt and grass? I have seen a driveway constructed this way, and the visual effect was much more attractive than asphalt as well as being less of a contributor to the heat island effect. I think this would be called a pervious surface, requiring a slight modification of the terminology here.

#002

Posted by **Peter Swift** on **11/26/2023** at **12:12pm** [Comment ID: 753] - [Link](#)

Agree: 0, Disagree: 0

Is this aimed at a specific size of angular stone? If so, why? It seems unnecessary--few people want to park on uneven angular boulders or cobbles, so maybe this is aimed at angular gravel coarser than crusher fines? I can imagine advantages to a driveway of compacted angular stones between approximately 1/2 inch and 1 inch in diameter-- particles small enough to pack down flat and but large enough not to get stuck in your shoes like crusher fines. Is there really a pressing zoning issue to exclude this option? If so, please be specific about allowable particle sizes, and explain why.

As an editorial observation, the proposed wording needs "or" inserted in front of "crusher fines" to be consistent with the preceding phrase "such as".

- Amend Section 5-5(F) as follows:

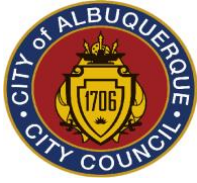
5-5(F)(2) Design, Access, and Circulation

The following standards apply to driveways, drive aisles, carports, parking lots, and parking structures unless specified otherwise in this IDO.

5-5(F)(2)(a) Low-density Residential Development

The following standards apply to all low-density residential development in any zone district except R-MC.

1. Driveways, parking areas, and curb cuts shall meet any applicable requirements in Subsection 14-16-5-3(C)(3)(b) (Driveways, Drive Aisles, and Access) and the DPM except that angular stone is not allowed.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Isaac Benton, City Councilor for District 2
Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Landscaping Applicability

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to reduce the applicability in which landscaping 002 required. The requirements are proposed to be lowered by a total of 20%.

Actions:

- Amend 5-6(B) APPLICABILITY as follows:

5-6(B)(1) The provisions of this S001 on 14-16-5-6 shall apply to any of the following, unless specified otherwise this IDO:

5-6(B)(1)(a) Construction of a new building containing multi-family, mixed-use, or non-residential development or an accessory parking structure.

5-6(B)(1)(b) Construction of a new parking lot containing ~~[25 20]~~ or more spaces, or expansion of an existing parking lot by ~~[25 20]~~ spaces or more.

5-6(B)(1)(c) Expansion of the gross floor area of an existing building containing multi-family, mixed-use, or non-residential development by ~~[2,500 2,000]~~ square feet or more, or ~~[25 20]~~ percent or more, whichever is less.

5-6(B)(1)(d) Renovation or redevelopment of an existing building containing multi-family, mixed-use, or non-residential development, including but not limited to reconstruction after fire, flood, or other damage, where the value of the renovation or redevelopment, indicated by building permits, is ~~[\$500,000 \$400,000]~~ or more.

#001

Posted by **Jim Price** on **11/25/2023** at **12:07pm** [Comment ID: 740] - [Link](#)

Agree: 0, Disagree: 0

This verbage is confusing. I think it means to create more landscaping by lowering the threshold required. Clarification is needed.

#002

Posted by **donna griffin** on **11/05/2023** at **5:13pm** [Comment ID: 657] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I agree completely with this expansion of the applicability of landscaping requirements to smaller parking lots and buildings. Anything to lessen the urban heat island. Just to note - I did find the language in the purpose stating the change would "reduce the applicability" to be completely misleading.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Mulching Requirements

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to specify that the existing mulching requirement in the IDO – which currently requires that a minimum of 2 inches of mulch be required in planting areas – be specifically extended to two feet around any plant. The code does not currently have a requirement for how far the mulch around the base of a plant must extend.

Actions:

- Amend 5-6(C)(5)(d) as follows:

5-6(C)(5)(d) A minimum of 2 inches of organic mulch is required in all planting areas [within at least a 2-foot radius around the plant at anticipated mature size of the actual vegetation], with 3-4 inches recommended. (See figure below.)

#001

Posted by **Patricia** on **11/17/2023** at **9:19am** [Comment ID: 687] - [Link](#)

Agree: 0, Disagree: 0

where do I find "figure below"? Do I need to go to the IDO 5-6(C)(5)(d)? This additional text is confusing--is it a 2-foot radius or a radius of the anticipated size--which could be 20' in diameter.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Parking Maximums near Transit Facilities

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to implement a maximum parking requirement within proximity to Transit Facilities. This new requirement would exclude park & ride facilities, which fall under the general definition of 'transit facilities'. The IDO defines a transit facility as follows:

Transit Facility Land used for transit stations, terminals, depots, and transfer points, which may include shelters, park-and-ride lots, and/or related facilities on public or privately owned lots.

Actions:

001

- Amend 5-5(C)(7) Parking Maximums to add a new subsection in appropriate numerical order as follows:

[5-5(C)(7)(XX) Within 330 feet of a transit facility, the maximum number of off-street parking spaces provided shall be no more than 100 percent of the off-street parking spaces required by Table 2-4-13 or Table 5-5-1, as applicable.]

002

#001

Posted by **Patrick Martin** on **11/17/2023** at **1:12pm** [Comment ID: 703] - [Link](#)

Agree: 0, Disagree: 0

People using transit facilities generally have to walk to where they are going; we shouldn't needlessly extend the distance they have to walk by allowing oversized parking lots. This is a good amendment.

#002

Posted by **Peter Swift** on **10/26/2023** at **1:23pm** [Comment ID: 581] - [Link](#)

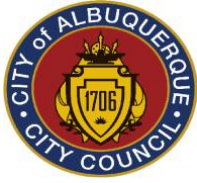
Agree: 2, Disagree: 0

If I understand this correctly, it would limit the maximum number of off-street parking spaces in the specified areas to the minimum currently required in the IDO. For example, if you have a two-bedroom home near an ART stop, you would be limited to 1 parking space. A four-bedroom duplex would be limited to 2 spaces. This might make sense in Manhattan, but I don't think Albuquerque is quite ready to say goodbye to the concept of the two-car family. (Which, among other things, has been a major factor in democratizing access to the work place over the last century, particularly for women.) Did I misunderstand something here?

Reply by **Patrick Martin** on **11/17/2023** at **1:05pm** [Comment ID: 702] - [Link](#)

Agree: 0, Disagree: 0

There's limited space near transit in this city, we shouldn't let people waste it with unnecessary private parking spaces. If you want to put two cars on your property, there's plenty of places to do that away from our transit facilities.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Brook Bassan, City Councilor for District 4

SUBJECT: 2023 IDO Update: Pre-Submittal Meeting Validity Period

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to increase the time in which a pre-submittal neighborhood meeting is valid prior to an application being submitted. Today, the pre-submittal neighborhood meeting must occur within 90 days of the development application being filed. This amendment proposes to increase that timeline to one year.

Actions:

- Amend 6-4(B) as follows:

6-4(B) PRE-SUBMITTAL NEIGHBORHOOD MEETING

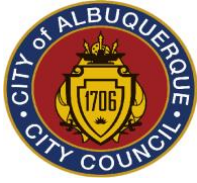
6-4(B)(1) For applications that meet any of the following criteria, the applicant shall offer at least 1 meeting to all Neighborhood Associations whose boundaries include or are adjacent to the subject property no more than ~~[90 calendar days]~~ [1 year] before filing the application. In such cases, project applications will not be accepted until a pre-submittal neighborhood meeting has been held, or the requirements for a reasonable attempt in Subsection (3) below have been met.

#001

Posted by **Jim Price** on **11/25/2023** at **12:09pm** [Comment ID: 741] - [Link](#)

Agree: 0, Disagree: 0

I agree with this.



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Isaac Benton, City Councilor for District 2
Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Street Tree Mulching Requirement

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to remove the mulching requirement for trees that are considered street trees. Other trees on a project site that would not meet the definition of a street tree would continue to be subject to the mulching requirement. The IDO considers any tree within 20-feet of a street to be a street tree.

Actions:

- Amend 5-6(B) APPLICABILITY as follows:

5-6(C)(5)(e) Organic mulch is required as ground cover under trees [, not including street trees,] within a 5-foot radius around the tree trunk, but not directly against the trunk. In these areas, weed barrier fabric is prohibited. (See figure below.)

#001

Posted by **Patricia** on **11/17/2023** at **9:20am** [Comment ID: 688] - [Link](#)

Agree: 0, Disagree: 0

again, reference to "See figure below"--with no figure below--makes it hard to understand the Council Memo



CITY OF ALBUQUERQUE CITY COUNCIL

001

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Tribal Engagement

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this proposed amendment is to integrate potentially impacted Tribal nations and their members within the development review and approval process. In the IDO today, there is no formal mechanism for Tribal nations within and around Albuquerque to be notified or otherwise included in the review and approval process of development activities. The proposed amendments below will create a formal process in which Tribal nations will be solicited for feedback on certain development applications and/or provided notice of development activity.

**6-4(J)(9) and 6-4(J)(10) will require two separate Text Amendment to IDO – Small Mapped Area applications. This language has been provided in this memo for illustrative purposes but should not be included by the Planning Department in the 2023 IDO Annual Update city-wide changes.*

Actions:

- Amend Section 7-1 to add a new definition as follows:

Indian Nation, Tribe, or Pueblo

For the purposes of this IDO, the designated chief executives of a federally recognized Indian Nation, Tribe, or Pueblo located wholly or partially in New Mexico. The Tribal Liaison with the City's Office of Native American Affairs shall maintain an updated list of the names and contact information for the chief executives of the Indian Nations, Tribes or Pueblos.

Tribal Representative

A tribally appointed representative currently serving on the City of Albuquerque Commission on American Indian/Alaska Native Affairs. The Tribal Liaison with the City's Office of

#001

Posted by **Janet Lipham** on **10/27/2023** at **6:46pm** [Comment ID: 603] - [Link](#)

Agree: 0, Disagree: 0

Tribal nations should have a say in development that potentially impacts their lands or their sacred sites. I support these amendments.

Native American Affairs shall maintain an updated list of the names and contact information for members of the City of Albuquerque Commission on American Indian/Alaska Native Affairs.

Tribal Land

Land held in trust, fee land, or land owned by the tribal government of an Indian Nation, Tribe, or Pueblo that the relevant tribal government requests in writing to be mapped by AGIS for the purpose of referrals to the tribal government as a commenting agency.]

- Amend Section 6-4 as follows:

6-4(J) REFERRALS TO COMMENTING AGENCIES

Following a determination that the application is complete, the Planning Director, ZEO, or any City staff designated to review applications in Table 6-1-1 shall refer applications for comment to the following departments or agencies, as noted below. Any comments received within 15 calendar days after such a referral shall be considered with the application materials in any further review and decision-making procedures.

6-4(J)(6) Development within 660 feet of the Petroglyph National Monument

6-4(J)(6)(a) National Park Service.

6-4(J)(6)(b) Open Space Division of the City Parks and Recreation Department.

[(6-4(J)(6)(c) Indian Nation, Tribes, or Pueblos

6-4(J)(6)(d) Tribal Representative

6-4(J)(7) Development within 660 feet of Major Public Open Space

6-4(J)(7)(a) Indian Nation, Tribes, or Pueblos

6-4(J)(7)(b) Tribal Representative

6-4(J)(8) Development within 660 feet of tribal land.

6-4(J)(8)(a) Indian Nation, Tribes, or Pueblos

6-4(J)(8)(b) Tribal Representative

6-4(J)(9) The ~~4-H Park~~ Albuquerque Indian School Area*

6-4(J)(9)(a) Indian Nation, Tribes, or Pueblos

6-4(J)(9)(b) Tribal Representative

6-4(J)(10) Development within 660 feet of the Northwest Mesa Escarpment View Protection Overlay Zone – VPO-2*

6-4(J)(10)(a) Indian Nation, Tribes, or Pueblos

6-4(J)(10)(b) Tribal Representative

6-4(J)(11) Archaeological Certificate Applications

003

002

#002

Posted by **Jane Baechle** on **10/31/2023** at **12:20pm** [Comment ID: 608] - [Link](#)

Agree: 0, Disagree: 0

These amendments are long overdue and the failure to actively include tribal representatives or to respect the pleas of NPS and neighborhood representatives to engage with and respect Native American voices and values when deciding amendments and development on the NW mesa has led to the approval of plans or changes that are in conflict with the protection of culturally sensitive landscapes. The passage by City Council of changes to the NW Mesa Escarpment VPO-2 last year is but one example. I appreciated Councilor Fiebelkorn's consistent opposition in both LUPZ and at Council to the VPO-2 changes. I wonder if those would have passed if Native American voices and views had been explicitly included in the deliberations.

#003

Posted by **Patricia Willson** on **10/26/2023** at **9:46am** [Comment ID: 573] - [Link](#)

Agree: 1, Disagree: 0

If I recall correctly; Councilor Fiebelkorn made an impassioned speech in support of tribal objections against VPO-2 late one night at Council (one of the June 2023 meetings?)--and then voted against their interests!

6-4(J)(11)(a) Indian Nation, Tribes, or Pueblos are to receive the Certificate of No effect or the Certificate of Approval from the City Archaeologist.
6-4(J)(11)(b) Tribal Representative are to receive the Certificate of No effect or the Certificate of Approval from the City Archaeologist.]

- Amend Section 6-5 as follows:

6-5(A) Archaeological Certificate

6-5(A)(2) Procedure

6-5(A)(2)(a) [The applicant shall have all of the following responsibilities:

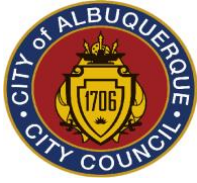
1. Provide notice of the application to Indian Nation, Tribes, or Pueblos by certified mail and by email that specifies the subject property and the proposed development.
2. Provide notice of the application to the tribal representatives by email that specifies the subject property and the proposed development.
3. Supply proof of notification to Indian nation, tribe, or pueblo and tribal representatives with the application.
4. Provide the treatment plan, if required, by email to Indian nation, tribe, or pueblo and tribal representatives within five business days that it is submitted to the City Archaeologist.]

#004

Posted by **Jane Baechle** on **10/25/2023** at **8:17am** [Comment ID: 445] - [Link](#)

Agree: 1, Disagree: 0

Acknowledgement and genuine inclusion of Native American and tribal voices is long overdue and examples of highly impactful changes made without the inclusion of their voices and values are readily identified. The public comment from Native American voices at the June 2022 meeting of Council where the 2022 IDO was passed are only the most recent example. I have personally watched hearing where tribal leadership and representatives were present and testified. It is past time to mandate their inclusion and attention to their views.



CITY OF ALBUQUERQUE

CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Alan Varela, Planning Director
Mikaela Renz-Whitmore, Manager, Urban Design and Development

FROM: Tammy Fiebelkorn, City Councilor for District 7

SUBJECT: 2023 IDO Update: Two-Family Detached (Duplex)

DATE: October 20th, 2023

Dear Director Varela and Ms. Renz-Whitmore,

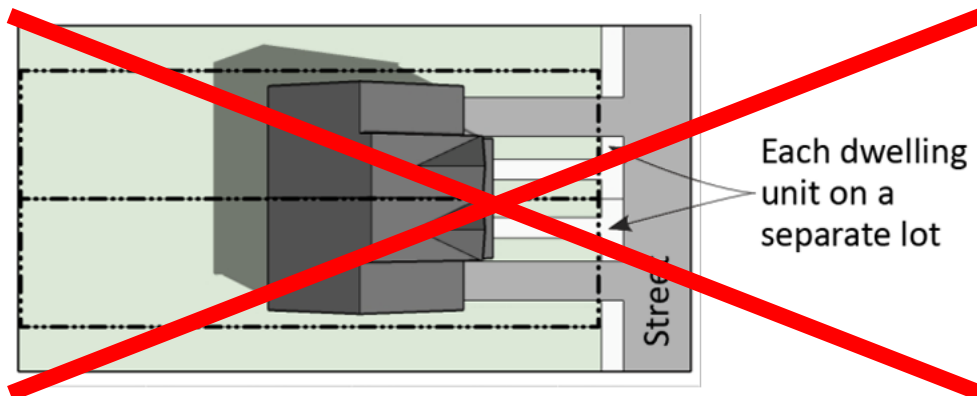
Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2023 IDO Annual Update.

Purpose: The purpose of this amendment is to allow two-family detached (duplex) dwellings in the entirety of the R-1 zone district and add new use-specific standards. Today, this dwelling type is only allowed in the R-1A sub district of R-1.

Actions:

- Delete 4-3(B)(5)(b) and the associated illustration as follows:

~~{4-3(B)(5)(b) This use is prohibited in the R-1 zone district, except in R-1A where 1 two-family detached dwelling is permissive on 2 lots where the building straddles the lot line and each dwelling unit is on a separate lot. (See figure below.)}~~



#001

Posted by **E J Rivera** on **10/28/2023** at **10:18am** [Comment ID: 604] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: -3

Purpose lacks substance, no analysis of risk and benefits.

Why is this being reintroduced, when it was defeated 8/21/2023.

This is a zone change that requires notification to all R-1 property owners. 2 units do not = R-1.

If passed duplexes in R-1 subdivisions would drastically change the character of established neighborhoods. This will result in second-story additions and garage conversions. Lack of conformity leads to diminished property values. Upzoning will lead to higher real estate property taxes.

In order for a property to have market value improvements need to conform to existing improvements in the subject's market area.

Improvements need to be economically feasible, not likely with today's interest rates.

Improvements need to be physically feasible, ie: utility connections, sewer line capacity, access to parking, setbacks, etc.

#002

Posted by **Michael Bouchey** on **11/17/2023** at **10:00am** [Comment ID: 697] - [Link](#)

Agree: 4, Disagree: 0

Both as a professional policy analyst at NMT who has written about urban planning issues, and a citizen of Albuquerque city council district 9 represented by Renee Grout, I am fully in support of policies that would add housing density to R-1 zoning. If we want to keep housing affordable, reduce homelessness, and have a fiscally sound city, policies such as adding duplex housing to R-1 are the least that the city can do. I would go so far as to suggest that all R-1 zoning allow low rise apartments and live-work shops and other small scale commercial arrangements. But given that these other essential changes are not currently on the agenda, adding duplexes is a good, though inadequate, start.

#003

Posted by **Patrick Martin** on **11/17/2023** at **1:00pm** [Comment ID: 700] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: -1

Housing costs are too high for us to have such restrictive zoning laws. We should legalize duplexes (and more!) across the city. If you care about reducing homelessness, you should care about increasing density. Let alone the environmental and sustainability benefits.

#004

Posted by **Peter Swift** on **10/21/2023** at **1:47pm** [Comment ID: 341] - [Link](#)

Agree: 8, Disagree: -1

This change effectively reinstates language from proposed O-22-54 Section 1 that was removed following public comment. This provision is not present in enacted O-23-54, and including it here seems to be contrary both to the majority vote of City Council in June 2023 and to the intent of the amendment process. This is a substantive change that has been proposed without adequate public notice or comment. The date on the memo is October 20, 2023, after the proposed change to the IDO had been posted without details.

#005

Posted by **Brenda Marks and Paul Howes** on **10/26/2023** at **2:06pm** [Comment ID: 582]

- [Link](#)

Agree: 1, Disagree: -4

My husband and I are vehemently opposed to the City going back to the well to try to cram down through the wrong process (an annual general update) duplexes in R-1 zones less than one year after the same proposal failed as a part of Housing Forward after residents finally got wind of it. You know as well as we do that allowing this use will do NOTHING to provide affordable housing for people between 30-80% of AMI. This is sneaky and outrageous. We object!

#006

Posted by **Patrick Martin** on **11/18/2023** at **4:29pm** [Comment ID: 704] - [Link](#)

Agree: 1, Disagree: -1

Per the Water 2120 report, "A significant shift to more high density development and infill would likely reduce overall per capita [water] use significantly". Allowing duplexes in R-1 zones is crucial to our city's sustainability and survival.

#007

Posted by **Patricia Willson** on **10/25/2023** at **4:09pm** [Comment ID: 498] - [Link](#)

Agree: 3, Disagree: -1

This change does not belong in the annual update process any more than Housing Forward did!

#008

Posted by **ICC committee (10 people)** on **10/27/2023** at **11:44am** [Comment ID: 597] - [Link](#)

Agree: 3, Disagree: -3

this will create sacrifice areas in some older neighborhoods (Spruce Park for example). Its proximity to UNM makes it a target for ghettoization. Another case of expectation of R-1 that is changed drastically by change from r-1 to higher densities. It destroys the quality of life to the extent that long-time residents move out and the area becomes high density eventually. Danger is it sets a precedent. Change from C to P destroys established neighborhoods

#009

Posted by **Patricia Willson** on **10/25/2023** at **4:21pm** [Comment ID: 502] - [Link](#)

Agree: 6, Disagree: -1

Amending something out of an amendment one year (taking duplexes out of R-1 in Housing Forward) and re-introducing it again the next year, reinforces my concern about Council's absolute lack of urban planning knowledge. Too bad this plan was not used to guide the wide range of housing types needed so desperately in Albuquerque:

https://documents.cabq.gov/planning/longrange-plan-revisions/Final_VisualizingDensity-2022.pdf?fbclid=IwAR1iqXW5lrwRCI-jgrIYHCvjPLXwuhutNhFB82ZwLqulNQCo4iWEsEDeRuU

Reply by **Patricia Willson** on **10/25/2023** at **4:22pm** [Comment ID: 503] - [Link](#)

Agree: 5, Disagree: 0

And this document was published in May, 2015; well before the CompPlan/IDO rehash!

Reply by **Patrick Martin** on **11/17/2023** at **12:47pm** [Comment ID: 699] - [Link](#)

Type: Suggestion

Agree: 1, Disagree: 0

I don't understand this comment. I agree that we need a variety of density options, but everything but the least dense is currently illegal to build in most of the city. This amendment would legalize building alternate, denser, types of single-family dwellings.

- Add use-specific standards to 4-3(B)(5) Two-Family Detached (duplex) in appropriate numerical order as follows:

4-3(B)(5)(XX) In the R-1 Zone District, this use is permissive on lots where the second dwelling unit is attached to or is within an existing building.

4-3(B)(5)(XX) In the R-1 Zone District, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) when the dwelling is constructed on a vacant lot.

4-3(B)(5)(XX) In the R-1 Zone District, this use is not allowed on a lot with an Accessory Dwelling Unit.

4-3(B)(5)(XX) Street facing facades must have at least one entrance and one window.]

- Add a use-specific standard to 4-3(F)(6) Dwelling Unit, Accessory as follows:

4-3(F)(6)(XX) In the R-1 Zone District, this use is not allowed on a lot with a Two-Family Detached (Duplex) dwelling.]

010

012

013

011

#010

Posted by **Merideth Paxton** on **11/24/2023** at **10:14pm** [Comment ID: 739] - [Link](#)

Agree: 1, Disagree: 0

To quote the position that was aptly stated by Peter Swift in the previous version of the current IDO update, "The relevant Council Memo is dated October 20, 2021, and appears to have been written after the proposed IDO changes were posted. The change effectively reinstates a provision from 2022 proposed version of O-22-54 Section 1 that was removed from the ordinance following public review and comment on the earlier version. This provision does not appear in the enacted O-23-54, and its inclusion in the IDO updates appears to contravene both due process and the majority position of the City Council."

#011

Posted by **Jane Baechle** on **11/05/2023** at **9:30am** [Comment ID: 645] - [Link](#)

Agree: 3, Disagree: -1

Multiple newer neighborhoods, including SFV and most of those nearby on ABQ's westside, have congregate mail boxes. Will the US Postal Service be required to install new mailboxes each time an additional dwelling unit is added?

#012

Posted by **Jane Baechle** on **11/05/2023** at **9:27am** [Comment ID: 644] - [Link](#)

Agree: 3, Disagree: -1

Jane Baechle Nov 5 2023 at 9:14AM

Jane Baechle Oct 25 2023 at 3:05PM IF passed, what use specific and design specific standards will apply? Protection overlays supersede other provisions; what consideration has been given to assuring that language is included. Would it be possible for a single story home to add a two story unit as a duplex and what limits will be placed to ensure any addition to the structure is consistent with the scale and design of the original structure?

reply

Agree0 Disagree0

Jane Baechle Nov 5 2023 at 9:27AM

Speaking as an individual, I am not reflexively opposed to the thoughtful addition of a duplex to low density residential property. There are a FEW homes in SFV large enough to become a two family dwelling and allow for true off street parking while complying with the current IDO standards for parking on the street facing portion of the property. Having said that, this is not what this proposal can be expected to ensure. It provides no safeguards or standards to ensure that a duplex has no negative impacts on the neighborhood or nearby property. It would provide no limit on the number of properties that could be turned into a two family dwelling or consideration of neighborhood density. This will disproportionately harm older and modest neighborhoods. This reflects no acknowledgement of the availability of public transit to allow for reliance on something other than multiple personal vehicles per

household. And, as a permissive use, it effectively precludes any genuine say on the part of affected property owners or the neighborhood as a whole.

#013

Posted by **Martha Bird** on **10/21/2023** at **1:52pm** [Comment ID: 343] - [Link](#)

Agree: 5, Disagree: -3

I am opposed to allowing duplexes in R-1 zoned areas.

PUBLIC COMMENTS-Letters

From: [Diane Agnew](#)
To: [City of Albuquerque Planning Department](#)
Subject: Comment on proposed changes - Item #15, IDO Page 242, Section 5-2(H)
Date: Tuesday, December 5, 2023 11:49:04 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

To Whom It May Concern:

My name is Diane Agnew and I am writing to submit comment on the Proposed Citywide Text Amendments, specifically Item #15 (page 242, Section 5-2(H)), pertaining to the establishment of landfill gas buffer areas. The proposed text amendments will completely eliminate the establishment of the landfill gas buffer zones, and therefore requirements for landfill gas mitigation, creating a serious concern for neighbors, businesses, and any construction workers working in close proximity to the City of Albuquerque's closed landfills. The addition of the language "closed within the last 30 years" encompasses all of the City's closed landfills, resulting in no instance of where a protective buffer would be maintained.

Closed landfills create a sustained exploration risk for many decades, likely lifetimes. Closure of landfills is a regulatory determined status and does not include the removal of waste. As a result, waste in the landfills continues to break down over time, generating landfill gases that are a concern for human health and the environment. The risks from landfill gases are well established, supported by decades of data from landfills located across the United States. The Agency for Toxic Substances & Disease Registry (ATSDR) has a website with information on the risks from landfill gases, an important consideration when considering revisions to the above referenced section of the IDO: <https://www.atsdr.cdc.gov/HAC/landfill/html/ch3.html>

The concern with the change is increased risk to nearby business and residents, risk to construction workers building new construction in the former landfill buffer areas, and risk to anyone who enters (or lives in) buildings constructed in the former landfill buffer areas.

Changes to Section 5-2(H) of the IDO should be done in coordination and consultation with the City of Albuquerque Environmental Health Department. Staff in this department conduct regular monitoring at each of the City's closed landfills and are therefore knowledgeable in the risks presented by the landfills and the importance of the buffer area.

Sincerely,

Diane Agnew
dkagnew@gmail.com
(505) 615-408

From: [Jane Baechle](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Renz-Whitmore, Mikaela J.](#); [Vos, Michael J.](#)
Subject: Please Append
Date: Monday, December 4, 2023 9:08:41 AM
Attachments: [Personal IDO 125.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Please append these attached written comments to the Staff Report to the ECP. They are submitted ahead of the deadline of December 5, 2023 @ 9:00 a.m. for such action by the Planning dept.

I appreciate your assistance and would also appreciate your confirmation these have been received and added.

Thank you so much,

Jane Baechle

Jane Baechle
7021 Lamar Avenue NW
Albuquerque, NM 87120
Jane.Baechle@gmail.com

Date: December 4, 2023

To: David Shaffer, Chair
Environmental Planning Commission

From: Jane Baechle
Resident, Albuquerque

Re: IDO 2023 Annual Review

Dear Commissioners:

The IDO outlines eighteen purpose statements for the Integrated Development Ordinance (IDO). They address its fundamental purpose to “Implement the adopted Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended” as well as multiple other statements outlining the characteristics of a vibrant and desirable place to live and work. None of the IDO purpose statements describe zoning laws as a mechanism to provide for public safety, address social problems like homelessness or decrease the cost and work of administering city responsibilities.

That, however, is what the IDO annual review and the 2023 proposed amendments attempt to do. This is also the basis for my *opposition* to the following proposals.

Item 4, 4-3(D)(37)(a), General Retail - Walls and Fences and Item 5, 4-3(D)(18), Light Vehicle Fueling Station - Walls and Fences.

If erecting a physical barrier and limiting pedestrian access was an effective deterrent to criminal activity, these business owners would be erecting such barriers under existing IDO provisions. There would be no indication to mandate them. The intent, then, appears to be to sidestep effective public safety measures and adherence to existing zoning standards re: walls and fences and push unlawful or undesirable behavior to neighborhoods and public spaces where individuals are left to lead on addressing those issues.

Item 29, 6-4(B), Pre-submittal Neigh Meeting, Item 32, 6-4(K) Public Notice to Neighborhood Associations, Item 36, 6-4(L)(3)(a), Post-submittal Facilitated Meeting and

Item 37, 6-4(V)(2)(a), Appeals - Standing Based on Proximity for Neighborhood Associations.

“Replaces adjacency requirement with a set distance that is expected to achieve approximately the same result.” This statement captures the fundamental error in these proposals quite succinctly. There is no place in the IDO where provisions with the force of law should be allowed to *approximately* meet any requirement, particularly the requirement to assure adequate public notice of zoning and development plans and decisions and the right of any involved party to appeal. The IDO contains a specific and legally binding definition of the term *adjacent*.

“Adjacent - Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private. See also Alley, Multi-use Trail, Private Way, Right-of-way, and Street.” This definition, and this definition only, should be the requirement by which the right of notice is determined to be met. The “automation” of the process of providing notice in any situation where it is required is not a defensible reason for disenfranchising any party required to be notified. The purpose of the IDO is not to decrease the administrative costs or burden of complying with zoning requirements or law.

I raised this issue with Planning Department staff and was told that no ABQ right of way exceeded 330’ with the possible exception of an interstate. I am confident there are neighborhoods separated by I-40 or I-25 where a proposed development in one would carry potentially immense consequences for an adjacent neighborhood on the opposite side of that interstate. Even if that were not the case, writing a provision which clearly and specifically contradicts the IDO definition is bad policy at best.

Item 1, 3-5(G), Setbacks in HPOs.

This represents another example of fundamentally bad policy. Whatever benefit might accrue from removing a decision from the established and IDO defined process for weighing the appropriateness of a variance request is unclear. While one may disagree with the ZHE on any number of decisions, that position belongs to an individual charged with making judgements consistent with the language of the IDO. There is no basis to conclude the Landmarks Commission, however knowledgeable and well intended, would be accountable for making decisions using that same legal standard.

Once again, those proposing changes to the IDO appear willing to allow unchecked authority to make land use decisions without adequate checks, safeguards or public input. Whether it is the Landmarks Commission or the City administration, the body that exists now will change over time and may adopt a direction with which one fundamentally disagrees.

Finally, I *support* **Item 56, Outdoor and Site Lighting**. I recognize the work and resources that went into crafting these proposals and respect the expertise of those involved.

I realize this is the third document I have submitted on the 2023 IDO Annual Review, documents reflecting my views as an individual as well as one representing those of the SFVNA Board. There will be more. The sheer number of proposed amendments makes it impossible to read,

consider and thoughtfully address their intended and unanticipated consequences in any single effort.

I also recognize this represents a huge amount of work for the Commissioners. I hope you have found the time to read and consider all my comments as well as those I anticipate you have received from others. I appreciate your service to our City and the time you devote to this process. I look forward to your analysis of these proposals.

Thank you for your time and consideration.

Sincerely,

Jane Baechle

From: [Kelsey Bicknell](#)
To: [City of Albuquerque Planning Department](#)
Subject: Public Comment Proposed IDO Changes - EPC Hearing
Date: Thursday, November 30, 2023 7:56:00 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Good morning,

I would like to submit the following comment on Item 15 of the proposed changes to the IDO.

Item 15 regarding the exemption of landfills closed for more than 30 years from landfill gas mitigation procedures should not be accepted by EPC as it will create a significant public health and safety risk. A closed landfill designation does not mean the landfill no longer presents risk, it means the landfill can no longer accept waste. All of the closed landfills within the City of Albuquerque were closed more than 30 years ago and many of them operated before landfill regulations were put in place in the late 1980s. This means the waste within the landfills is not well known and is likely mixed with organic waste, which produces dangerous gases (methane, hydrogen sulfide, carbon dioxide) when decomposing. Because of our arid environment, decomposition in landfills takes a long time and these dangerous gases continue to be produced by the landfill for much longer than 30 years post closure. The EPA developed the 30-year timeline as a guidance to regulators but if there is still significant risk, regulators can extend the post-closure care period to protect human health.

The landfill gas mitigation plan is designed to protect public health and safety by ensuring there are no pathways for landfill gases to enter areas of new development. This requires a thorough review of what gases the landfill is producing, what disturbances to the land surface are proposed, how landfill gas can migrate into the area of new development, and how landfill gas migration can be mitigated during construction. Omitting this step creates unacceptable risks for construction workers during development and for patrons of the development after its completion.

Thank you,
Kelsey Bicknell

From: emailbrowns@aol.com
To: [City of Albuquerque Planning Department](#)
Cc: [Davis, Pat](#)
Subject: SPNA Opposes IDO Changes
Date: Monday, November 27, 2023 2:22:14 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Dear Chairman Schaffer and Members of the EPC:

The Board of Directors of Spruce Park Neighborhood Association has voted to oppose the proposed changes in the Integrated Development Ordinance that are shown below because they would be detrimental to the livability of our neighborhood.

The following changes encourage profit-driven investment uses of residences at the expense of homeowners who simply wish to enjoy living in their homes over the long term. They destabilize neighborhoods, and item 13 was rejected by the City Council just last year.

Item 10, IDO page 151, 4-3(B)(5)(b) [Two-family Detached (Duplex) Dwelling]: This change allows duplexes in R-1 on corner lots that are at least 5,000 square feet.

Item 13, Multiple IDO pages, 4-3(B)(5) [Two-family Detached (Duplex) Dwelling]: Among other things, "In the R-1 Zone, this use is permissive on lots where the second dwelling unit is attached to or is within an existing dwelling." (In the R-1 Zone, this use is not allowed on a lot with an Accessory Dwelling Unit or with a Two-Family Detached (Duplex) dwelling.)

Item 12, Multiple IDO pages, IDO Section 4 (a table, which makes the following use permissive in R-1): "Live/work for very small retail and restaurants on corner lots in neighborhoods to open business opportunities for homeowners. . ."

In tandem, the following modifications are designed to "limit pedestrian access and deter crime" in commercial areas. The intent appears to be to reduce the problems caused by encroachments by homeless people. If the unhoused are diverted from general retail and gas stations, that increases the likelihood that problems in residential neighborhoods will increase, especially in older areas with alleys (including Spruce Park). Residents are required by ordinance to keep the alleys clean and already are clearing small encampments and detritus from the alleys behind their houses at personal cost. These modifications could mean encampments growing in size and occupancy of people who may be mentally unstable or possess weapons. Bonfires against buildings are another potential outcome. Average citizens should not have to assume the risks of living with these conditions. Moreover, there is no upper height limit, and the fence requirement would give Albuquerque the appearance of a prison camp. Businesses along Central Avenue that have erected compound-like fences have proven that barrier fencing does not work to solve the problems. Better

solutions for homelessness are needed.

Item 4, IDO page 186, 4-3(D)(37)(a) [General Retail-Walls/fences] and Item 5, IDO page 175, 4-3(D)(18) [Light Vehicle Fueling Station-Walls/fences]: Both provisions “require a wall or fence at least 3 feet high around the perimeter of the premises and from the edges of the primary building to and along the side or rear property line so that pedestrian access is controlled to designated access points and public access is blocked to the side and rear yard beyond public entrances.”

The following proposed revision gives City government powers that are vaguely defined and too broad. “Serving a public purpose” without specifics or details is not a sufficient basis for failing to balance governmental purpose with, in the Code’s words, ensuring “conformance with the IDO and to ensure public health, safety, and welfare”.

Eliminating a public process in favor of one shielded from the public rarely favors the public good. Stating that, “Conditions of approval...may be added by the decision-maker for the associated Site Plan...” is redundant and does nothing to add to the surety or transparency of a correct decision. Inherent in a Conditional Use decision are Conditions of Approval and reasoning for lack of enforceable conditions. Requiring the Conditional Use process provides a level of transparency and ensures compatible uses.

Item 11, IDO page 147, 4-1(A)(4) [new] Conditional Uses for City Facilities. This proposed revision exempts City facilities from the conditional use process. It states, “City facilities do not require a Conditional Use Approval where listed as C in Table 4-2-1 because they serve a public purpose. Conditions of approval pursuant to Subsection 14-16-6-4(P) may be added by the decision-maker for the associated Site Plan to ensure conformance with the IDO and to ensure public health, safety, and welfare.”

Thank you for considering our views regarding these important changes to the IDO.

Sincerely,

Heidi Brown, President

From: [KatyFrank Fuchs](#)
To: [City of Albuquerque Planning Department](#)
Subject: Comment for EPC Chair Shaffer
Date: Wednesday, November 29, 2023 4:00:19 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Regarding item #23 of the IDO Proposed Amendments

Spreadsheet - Please, please, please do not allow walls over 3' in front yards!

Please. No residential neighborhood in Albuquerque should be subjected to tall walls that only serve to turn walkable, friendly, community-building streetscapes into dangerous, unsightly alleyways. My neighbors and I in the historic Ridgecrest neighborhood are tired of this ridiculous subject repeatedly being proposed by planners. Please put that idea to rest once and for all.

Thank you. Katy Fuchs

614 Ridgecrest Dr SE

Sent from my iPhone

From: [Miriam Hicks](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Robert Sitkowski](#)
Subject: GAHP Contribution to 2023 IDO Update Process
Date: Wednesday, December 6, 2023 3:25:45 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

To David Shaffer, Chair
City of Albuquerque
Environmental Planning Commission

Dear Chairman Shaffer,

The Greater Albuquerque Housing Partnership (GAHP) respectfully offers the Environmental Planning Commission (EPC) the following for consideration as it engages in its annual update of the Integrated Development Ordinance (IDO) for 2023.

As established with the Mayor's Housing Forward initiative last year, the need for an increase in affordable housing units in the City of Albuquerque is dire and immediate. In its May 2023 publication entitled Spotlight: Homelessness Supports and Affordable Housing, the New Mexico Legislative Finance Committee Project Evaluation Unit concluded that Bernalillo County currently possesses 17,748 too few affordable rental units to meet the needs of low-income renters, i.e., those with incomes of 30 percent of the area median income or less (See Spotlight Figure 5, p. 10). As presented to the City Council on September 18, 2023 by the City of Albuquerque's Department of Health, Housing & Homelessness (HHH) Deputy Director of Housing Joseph Montoya, the City has a "goal of assisting 5000 new affordable units" in five years. We focus our following recommendations on changes to the recently-implemented Site Plan - Administrative Development Facilitation Team ("DFT") process and zoning approval process that will reduce risk and cost to housing developers, therefore increasing ability for developers to pursue development opportunities that satisfy our city's housing needs.

Deputy Director Montoya's slide entitled "Affordable Housing Plan – City Goal of Assisting 5000 New Affordable Units", states: "Expedite planning approvals for affordable housing developments." We agree with this stated goal because it aligns with the Planning Department's goals as well as the needs of housing developers. While there are likely many inventive ways to streamline the current various planning approval processes, GAHP suggests fine-tuning the newly implemented DFT process to add timelines to achieve this desired goal more effectively for, specifically, workforce or affordable single-family or multifamily developments that have successfully been awarded through a competitive process with the City of Albuquerque. We want to emphasize the importance of the award through a competitive process with the City of Albuquerque because it is through that process that a public private partnership with the City of Albuquerque is established and solidified with a development agreement that must be approved by City Council. From that point forward, these projects have been highly and competitively vetted to meet the housing needs and goals established by the City of Albuquerque and thus, should be considered a City of Albuquerque development by other city departments.

1. Provide a "fast-track process" for staff completeness review of proposed DFT applications prior to submittal to the DFT. We recommend that City staff assist the applicant to achieve the departmental approvals needed to deem the project ready for DFT submittal by implementing a 30 -day maximum departmental review period for competitively awarded City affordable housing projects;
2. Implement a requirement that comments on completed applications by reviewers must be submitted back to the applicant no less than four days prior to any DFT meeting. This will allow most minor corrections to be accomplished and presented at the DFT meeting. Currently, comments are provided the evening prior to the meeting, which has the practical effect of making the initial DFT meeting only one of no less than two DFT meetings. This

current practice makes it virtually impossible to achieve an approval at the initial DFT meeting; and

3. Implement a two-meeting maximum decision-making period on the completed application review process. Given the approvals required prior to the DFT meeting to deem the application is ready to be submitted for DFT review and approval, the applicant will have achieved a complete application and an alignment of zoning requirements prior the DFT meeting. This should allow a swift review and establishment of comments for efficient cure by the applicant. However, the DFT approval process continues to introduce an unreasonable amount of uncertainty in the real estate development process since DFT review is not subject to clearly articulated and reliable decision-making timeframes. Instead, once an application is “deemed complete” by staff, it can only then be submitted for DFT review. After that, there is no limit on the number of meetings at which the DFT will consider a complete application, since decision deferral times are not capped.

In summary, GAHP proposes that the IDO be amended to impose a 30-day maximum decision-making period on the DFT application completeness review and a two-meeting maximum decision-making period on the DFT decision process. These proposed updates would apply only to a specific subset of applicants: those single-family and multifamily development projects able to provide a letter of award from a City of Albuquerque department stating that the project has successfully won a competitive process in response to a City of Albuquerque (or combined City of Albuquerque and Bernalillo County) request for proposal and documenting the number of housing units with restricted rent at or below 80% Area Median Income. Such projects would have already received a substantial and time-consuming City review. Subjecting them to further indeterminate review at the DFT only increases the time that it takes to deliver much-needed affordable units.

GAHP urges the EPC and City of Albuquerque Planning Department to give these suggestions its most favorable consideration.

Thank you for your time and service as Chair of the EPC Board.

Sincerely,

Miriam J. Hicks, RA | Director of Housing Development

Greater Albuquerque Housing Partnership

O: 505.244.1614 | D: 505.705.3703 | www.abqgahp.org

From: [Tracy Jordan](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Grout, Renee](#); [Miller, Rachel R.](#)
Subject: IDO Annual Update 2023 -#17 Comments
Date: Friday, December 1, 2023 12:06:14 PM
Attachments: [Screenshot_20231201-115022.png](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Hi, I'm opposed to #17, see screen shot below - RV and boat storage related. I live next door to 3900 12th St NW which is an old converted gas station that is packed, and I mean packed, worsening and worsening over the past 5 years, with cars, trucks, trailers, boats on trailers, buses, you name it and looks exactly like a junk yard - worse actually as none of this is blocked in any way from view. The entire idea of #17 has got to be one quickest ways ever to take a residential area and turn it into a slew of mini junk/salvage/abandoned vehicle yards! It's so bad that if I ever wanted to sell my home, at this point, I worry it could actually be unsellable. Also, no matter how I look at it, I cannot figure what is the upside to this - who can I ask for an explanation of the benefits of this to me? Serious question. Finally, if you want photos of 3900 12th NW, just ask. Please confirm receipt of these comments.
Thanks, Tracy Jordan



Interactive Integrated
Development
Ordinance

Home



Select Language



IDO Annual Update 2023 - Council Memo - Boat and RV parking



These amendments and comments will be reviewed by the EPC at a hearing on December 14, 2023

This memo from Councilor Grout proposes amendments to IDO Subsection [14-16-5-5\(B\)\(4\)\(d\)](#).

- See other [proposed Citywide amendments](#).
- Send written comments to abcto@cabq.gov for consideration at future hearings.
- Review staff responses, other emailed comments, and hearing details (including Zoom link) on [this EPC webpage](#).
- Planning staff held an open house in **November** to answer questions. See details [here](#).
- Planning staff held 2 trainings in **October** to review these items. See meeting materials [here](#).
- Planning staff held 2 general trainings on the IDO in **September**. See meeting materials [here](#).



From: [Dana Loy](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update - Lighting
Date: Thursday, November 30, 2023 6:55:37 AM
Attachments: [Lighting Comments for City IDO.docx](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Dear EPC Chair Shaffer,

Our organization would like to submit the attached comments for the IDO Annual Update. Our comments concern Lighting.

We appreciate the opportunity to participate in this process.

Dana Loy

Dana Loy
Board Member
Climate and Conservation Committee
Bird Alliance of Central New Mexico
a chapter of the National Audubon Society

Nov-30-2023 EPC Draft Comments – Exhibit – Lighting
For full consideration in the staff report

The Bird Alliance of Central New Mexico (a chapter of the National Audubon Society) appreciates the opportunity to submit comments to improve the lighting in Albuquerque. We support the proposed changes, but we also urge the EPC to work on further strengthening sections of the IDO. As the biggest city and the place with the most lights, we have a responsibility to control our lights, especially the increasing skyglow. We ask that the IDO be strengthened through the following sections.

14-16-2-4(E)(3)(i) For clarity, color-coded maps of the Lighting Zones (LZs) in and around Albuquerque need to be created and made publicly available. While it's great that the city has a page with use zones that has a lot of information and that the city will make decisions based on sensitive adjacent areas, the proposal would be much clearer with the LZs on a dedicated map/filterable to turn off/on the underlying use zones.

Table 2-4-15: The mixed-use areas to encourage pedestrian uses should in general be kept to LZ2 standards so as to maintain pedestrian night vision.

Section 5-8(A) Purpose.

The following Illuminating Engineering Society/DarkSky International principles for responsible outdoor lighting design should be stated and direct the purpose of this section:

- 1) Useful - Use light only if it is needed.
- 2) Targeted - Light should be directed only to where it is needed.
- 3) Low level - Illumination should be no higher than necessary.
- 4) Controlled - Light should be used only when it is useful.
- 5) Warm-colored - Use warmer-color lights where possible.

In addition, please note that attractiveness and livability of the city includes preventing the increase of unnecessary sky glow that reduces the visibility of stars in the night sky, impacts human health, damages natural ecosystems and their biodiversity, and interferes with the migrations of birds and nocturnal insects.

As one example, the city's own proposal for the Rail Trail Tumbleweed is in conflict with these principles. A 25-foot LED statue representing an invasive plant is not a benefit that outweighs its impact on our night skies.

DOE says that only 1% of outdoor lighting serves a useful purpose. Albuquerque should have a larger percentage of good lighting.

5-8(B)(2)(b) Flagpole illumination downwards should have a lumens cap and that should be much less than that for uplights at the base, as the flag is very close to the light.

5-8(C)(3)(c) Aerial lasers should allow pointers for instructional purposes (i.e., astronomy education) and have a milliwatt limit ($\leq 5\text{mW}$ laser Federal limits).

5-8(D)(2) The minimum CCT should be unbounded. Lower CCT (for example, 2200K) should be allowed in all zones provided it meets the CRI requirement. Such lights are available. Warmer light scatters less and affects humans and other creatures natural patterns less.

In 5-8(D)(4), there is no lumens limit. This kind of lighting should be limited to no more than 20 percent of total. This is stated in another way in 5-8(F) but should be stated here, too.

5-8(D)(7)(a) The interval for turning off or reduction in motion-sensed switching should be 5 minutes or less. Further, motion detector effectiveness must be limited to the property line.

5-8(F) Total site lumens for non-residential is leaving out limits for uses such as gas stations, car sales lots, etc. These footcandle limits need to be in there and should take into account ground reflection, as it is a significant contributor to sky glow for brightly lit areas, even if BUG standards are met.

5-8(G)(1) The just-approved NM United stadium should be subject to these regulations.

5-8(G)(1)(c) 4. CCTs of 4000K are not necessary for filming, as modern cameras can adjust white balance for lower color temperatures. Sports fields should have 2700K lights with excellent CRI.

Thank you,
Dana Loy
Bird Alliance of Central New Mexico
A chapter of the National Audubon Society

From: [Jim Strozier](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Renz-Whitmore, Mikaela J.](#); [Chris Knopp](#)
Subject: IDO 2023 Amendments - Comments on proposed changes impacting BESS facilities
Date: Tuesday, November 28, 2023 10:14:36 AM
Attachments: [IDO Comment Letter 11.27.23.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

See attached letter. Please let either Chris or I know if you have any questions.

Thank you.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801



11/27/23

EPC Chair David Shaffer
c/o CABQ Planning Department
PO Box 1293
Albuquerque, NM 87103

Subject: 2023 IDO Annual Update

Dear Chair Shaffer,

Plus Energy is a developer and industry expert in the design, construction, and operating and maintaining Utility-Scale Battery Energy Storage Systems. We have been working with the City of Albuquerque Planning Department and recently completed a Zoning Map Amendment for a property adjacent to PNM's West Mesa Substation for the purpose of developing a new, state of the art BESS facility. The proposed IDO 2023 Annual Amendments raise significant concerns and would likely severely impact if not eliminate the ability to develop new BESS facilities within Albuquerque.

We have also coordinated with and agree with PNM's comments and concerns regarding the proposed amendments related to BESS facilities.

Our concerns are provided in *italics*.

4-3(E) INDUSTRIAL USES

4-3(E)(2) Battery Energy Storage System [New]

4-3(E)(2)(a) Energy storage system capacities, including array capacity and separation, are limited to the thresholds in the National Fire Protection Association (NFPA) standard 855.

Concern over how this is regulated and how it affects building permit review and approval times.

4-3(E)(2)(b) The 1-hour average noise generated from the Battery Energy Storage System, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA (i.e. A-weighted decibel) as measured at any property line.

- 1. Applicants may submit equipment and component manufacturers noise ratings to demonstrate compliance.**
- 2. The applicant may be required to provide Operating Sound Pressure Level measurements from locations evenly spaced every 100 feet along the property line to demonstrate compliance.**

Concern over how this is regulated and how it compares to and/or conflicts with the City's current

noise ordinance. If the purpose is to protect adjacent residents, should the noise measurement be taken at the adjacent residential property line? The residential property line could be on the other side of a street, drainage, or utility easement. Need to better understand the implications of this amendment.

4-3(E)(2)(c) A landscaped buffer at least 25 feet wide containing 2 evergreen trees and 6 shrubs per 25 feet shall be provided along all property lines.

This requirement raises a number of concerns related to safety, visual surveillance of the property, etc. Suggest that the standards be similar to that for a substation. Suggest that this requirement not recommended to the City Council for inclusion.

4-3(E)(2)(d) All onsite utility lines and connections, including associated equipment, shall be placed underground or pad mounted, unless soil conditions, shape, or topography of the site as verified by the City Engineer dictate above-ground installation. Electrical transformers for utility interconnections may be above-ground if required by the utility provider.

The preferred location for BESS facilities are locations where they are adjacent to or very close to existing sub-stations. Overhead connections are the most efficient way to provide for the necessary interconnection to the Power grid. Suggest that this requirement not recommended to the City Council for inclusion.

4-3(E)(2)(e) This use is prohibited within 330 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district.

It is unclear what the scientific basis is for the 330-foot separation standard. This will likely render most, if not all, potential BESS facility locations to be prohibited. Was there any type of analysis done based on existing industrial zoning, existing substations, and proximity to residential property? Suggest that this requirement not recommended to the City Council for inclusion.

Thank you for your consideration of our concerns.

Sincerely,

Chris Knopp

Chris Knopp
Director of Project Development, Central Region

From: [Schultz, Shanna M.](#)
To: [City of Albuquerque Planning Department](#)
Subject: FW: Letter to Members of the Albuquerque City Council
Date: Monday, November 27, 2023 3:58:38 PM
Attachments: [Final HCNA Ltr to Council.pdf](#)
[image001.png](#)

Please provide the attached public comment in the EPC record for the 2023 IDO Annual Update.

Thank you,
Shanna



Shanna Schultz, AICP | Council Planning Manager
Albuquerque City Council Services
Office: (505) 768-3185

From: Chavez, Aziza <azizachavez@cabq.gov>
Date: Monday, November 27, 2023 at 3:11 PM
To: Schultz, Shanna M. <smschultz@cabq.gov>, Morris, Petra <pmorris@cabq.gov>
Subject: Fwd: Letter to Members of the Albuquerque City Council

FYI

Aziza Chavez
Policy Analyst

Begin forwarded message:

From: brenda.marks648@gmail.com
Date: November 27, 2023 at 3:05:36 PM MST
To: "Sanchez, Louie E." <lesanchez@cabq.gov>, "Benton, Isaac" <ibenton@cabq.gov>, "Pena, Klarissa J." <kpena@cabq.gov>, "Bassan, Brook" <bbassan@cabq.gov>, "Lewis, Dan P." <danlewis@cabq.gov>, "Davis, Pat" <patdavis@cabq.gov>, "Fiebelkorn, Tammy" <tfiebelkorn@cabq.gov>, "Jones, Trudy" <trudyjones@cabq.gov>, "Grout, Renee" <rgrout@cabq.gov>
Subject: Letter to Members of the Albuquerque City Council
Reply-To: brenda.marks648@gmail.com

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Please select one or more City Councilors.

Louie Sanchez, District 1, Isaac Benton, District 2, Klarissa Peña, District 3, Brook Bassan, District 4, Dan Lewis, District 5, Pat Davis, District 6, Tammy Fiebelkorn, District 7, Trudy Jones, District 8, Renée Grout, District 9

Your First Name

Brenda

Last Name

Marks

Address Line 1

1726 Chacoma Place SW

Address Line 2

City

Albuquerque

State

NM

Email Address

brenda.marks648@gmail.com

Zip

87104

Phone Number

4692356598

Subject of your message

Letter to Members of the Albuquerque City Council

Enter Your Message Here

A letter from the Huning Castle Neighborhood Association Board is attached.

Captcha

x



November 25, 2023

Dear Councilmembers:

During the past year, our Huning Castle Neighborhood Association (HCNA) board spent considerable time reviewing O-22-54 and supporting studies referred to us by city staff. We also did our own serious research. After hearings before the Land Use, Planning & Zoning Committee, the City Council as a whole, and much advocacy on the part of neighborhoods across the city (including ours), the City Council in its final version of O-22-54, adopted on June 21, 2023, struck the proposed amendment to the IDO deleting the requirement that duplex dwellings have separate lots for each duplex unit. [See, IDO §14-16-4-3(B)(5)(b)]. The council ultimately adopted casitas permissibly in R-1 zones and rejected any changes to duplexes.

Now, merely four months later, without waiting to see how the adoption of casitas would play out, and with no additional data to support the deleted amendment's efficacy, Councilor Fiebelkorn has decided to bring the subject of duplexes back. It is unclear why this issue is being revisited, as no rationale has been provided.

During prior debate, we were informed that the problem is simply supply and demand and the barrier is zoning. We respectfully suggest that the issue is far more complex, requiring an economic analysis that includes variables that drive supply and demand (interest rates, availability of capital, projections of income, employment, inflation, recession, etc.) as well as physical analysis to determine likely areas of expansion (adequate lot size, roads, setbacks, utility access, etc.). According to the Federal Reserve, the rise in interest rates since January 2021 drove higher housing prices and is currently the major contributor to a slowing housing market, as homeowners are increasingly reluctant to leave behind their 3% mortgages by selling their current homes to buy another more expensive home at 7.5%. Changes in local zoning will not mitigate these national issues.

While we sympathize with our city's needs expressed in its revised Housing Forward Plan, we question the efficacy of an across-the-board up-zone policy to create more housing in the near term, or to create more affordable housing, given current economic conditions. None of the documents provided or referenced by the city cited data to support its housing theories. The actual results from similar cities that have up-zoned residential single-family zones to create more housing are mixed, at best, and depend on incentives provided to local developers to create more affordable units. In many major cities, comprehensive up-zoning has led to gentrification and higher market rates.

The proposed Amendment eliminates single-family (R-1) zoning in Albuquerque totally, without consideration of neighborhood character or the preferences of its residents. Some neighborhoods may welcome the change, but the policy behind the proposed Amendment fails to create a mechanism for neighborhoods such as ours, who believe the change may drive neighborhood decay in the future, to "opt out".

For all these reasons, HCNA strenuously objects to any attempt by Councilors to continue to bring this issue up at every opportunity until it passes. Huning Castle Neighborhood Association does not support this proposed amendment.

Sincerely,

Brenda Marks, President
Huning Castle Neighborhood A

From: [Carmen Marrone](#)
To: [City of Bloomington Planning Department](#)
Subject: IDO website
Date: Monday, December 4, 2023 12:44:21 PM

[EXTERNAL] Forward to phishking@cabq.gov and delete if an email causes any concern.

To whom it may concern:

I would like to take this opportunity to comment on the proposed amendments to the IDO document as it pertains to the North 4th Street Corridor. In order to maintain the character of the corridor and provide a more "walkable" street I propose that the MINIMUM SETBACK be increased to 15' in order to provide wider sidewalks and landscaping. The current proposal calls for a minimum setback of 10' which creates an imposing impact on the street especially if the building is taller than three stories. Also, if IDO doesn't already address this, I propose that a building facade along 4th street be no taller than three stories. If a developer desires a building greater than three stories, then the building setbacks should be increased to keep in character with the corridor.

I have attached photos of recent development along the corridor for your consideration. The first four are GOOD examples of development and comply with the IDO requirements. Please note that the buildings are 3 stories.

The 5th photo is an example of what should NOT be allowed. The front of the building is 4 stories and looms over the adjacent business. The building has no articulation and looks like a warehouse. The remainder of the building is stepped down to 3 stories and is articulated. The reverse should have happened in this case with the 3-story portion of the building being along 4th St. and the "warehouse" to the rear.

The final photo contains what is currently being developed on north 4th St. It is a car wash. Since IDO requires "building to the street" along 4th street, the owner has built this wall to fulfill this requirement and to screen the business. It is not attractive and does not promote the character of the corridor. This type of wall should not be allowed to continue.

I would be happy to work with city planners to improve the regulations for the North Street Corridor in order to provide a more walkable corridor. I am a retired city planner myself. Thank you for your consideration of my comments.

Carmen Marrone
carmenmarrone@aol.com











Sent from my iPhone

From: [Peggy Norton](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update 2023 - EPC Review and Recommendation
Date: Thursday, November 30, 2023 12:45:01 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

I do not support item#17 which allows storage of RV's and boats in any MX or NR zone category. This amendment will permit any allowed use lot to become an outdoor vehicle storage use lot, which is not allowed in any MX zone and is conditional in NR-C and NR-BP. I cannot imagine why we would want to degrade our neighborhoods with this. MX is a widely used zoning category and often is adjacent to residential lots.

Peggy Norton
3810 11th Street NW
ABQ

From: [Beth Silbergleit](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update 2023- Wall heights
Date: Sunday, December 3, 2023 7:44:14 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Chair Shaffer:

I continue to be bewildered and dismayed that we cannot lay to rest the idea that increasing permissible wall heights in front yards is a good idea. It is not! Permissible front yard wall heights have been set at 3 feet since the 1950s. Public input to numerous zoning code updates throughout the decades has consistently reaffirmed that this is the appropriate height. Destruction of existing streetscape, diminished neighborhood safety by limiting eyes on the street, and a gradual transition to a city and neighborhoods that will be defined by walled-in front yards are the perils of raising wall heights. Those of us who live in historic neighborhoods have made that choice for a variety of reasons. The sense and aesthetics of community is a prime factor. This will be destroyed as walls begin to predominate the streetscape, even if the top few feet are transparent. I truly hope we can put this issue to rest and concentrate our energy on the many other issues pertaining to smart development in our City.

From: [Johanna Stein](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update 2023 - EPC Review and Recommendation
Date: Wednesday, November 29, 2023 11:51:11 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.
Hi There,

I'm writing in support of duplexs in all R1 it has lots of benefits as mentioned last year by many and I continue to strongly support this update. Especially because it will provide a safe way for the many illegal ones to meet code and actually become safe dwellings.

Cheers,

Jo Stein District 7
Sent from my iPhone=

From: [Dennis P. Trujillo](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO walls
Date: Saturday, December 2, 2023 6:20:01 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Dear EPC Chair Shaffer—I am a long time resident of Albuquerque and of Nob Hill, I received my PhD from UNM and I retired as a historian for the state of New Mexico. I am concerned about our shared historical and cultural environment. Historically, Clyde Tingley signed Albuquerque's first zoning code in 1955, limiting permissive walls in front yards to 3 ft. in height. This architectural and social feature has remained in place in zoning updates of 1965, 1973, 1991, and the 2017 IDO. The IDO received an enormous amount of public input, rounds of public review, and no one suggested that it would be a good idea to make permissive walls, in front yards, anything other than 3 ft. In height. For 70 years now, the vast majority of walls built by homeowners in front yards, have been permissive 3 ft. walls; sometimes called garden walls. These front-yard walls are visible from the public way and remain a defining historic and cultural feature of our streetscape, neighborhoods and city. These walls preserve the concept of "eyes on the street," a valuable tool for public safety. Permissive walls in front yards up to 3 ft. high are an important part of the historic character of Albuquerque. Making 5 foot high walls (2 feet being transparent) permissive, would diminish our historic streetscape and the safety concept of "eyes on the street." Please do not let Albuquerque become fortress like, a city of high walls. 3 foot garden walls are important in our history, important to our future, important to our city.

Sincerely,
Dennis P. Trujillo, PhD

From: [Jeffrey Wiener](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update 2023 - EPC Review and Recommendation
Date: Tuesday, December 5, 2023 6:25:32 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

IDO Annual Update - Lighting EPC Chair Shaffer

Dear Chair Shaffer,

First I thank you and the fellow IDO committee members for considering and putting forward updated lighting regulations for Albuquerque. I am also appreciative of my City Council member for pushing forward the funding for the lighting study that led to these proposed changes. Light pollution in Albuquerque has progressively worsened with population expansion and growth of inexpensive white LEDs. The low cost and energy savings of LEDs make it too easy to leave on all night and pollute the skies with scattered blue wavelengths. In addition, uneducated businesses leave glaring lights on around their buildings all night in the name of safety and security, instead of using motion detectors. These issues are having serious negative effects on wilderness areas and inhabited areas alike in the Albuquerque metro area.

I have read the proposed updates to the lighting guidelines and respectfully request consideration of the following:

1) In 5-8(D) (2) (a) and (b): remove minimum CCT restrictions on lighting. Amber LEDs should be encouraged to be used in ALL areas except where it may be confused with traffic lights.

Lights with CCT below 2700K (eg Amber LEDs) cause less light pollution, less light scatter, less glare and is less harmful to animals, insects and humans. It is to be encouraged, not restricted.

2) 6-7 (A) (1) (a) change date for non-compliance from Jan 1, 2034 to Jan 1, 2029.

As mentioned light pollution and light trespass in Albuquerque is a serious and growing problem. We cannot wait 10 years for egregious light polluters to be corrected. Ask yourselves: why should a facility be allowed to continue mto keep bright lights on all night when there is no one present? It needlessly wastes energy, bothers neighbors, encourages crime, hurts the environment. The energy savings itself would pay for motion detectors.

Again, thank you for all you do. I appreciate your consideration.

Thank you.

Jeffrey C Wiener, PhD

Member: American Physical Society, Dark Sky International
12712 Northern Sky Ave NE
Albuquerque, NM 87111
jwieneri@comcast.net

Sent from my iPhone

From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Subject: Attn: EPC Chair Shaffer
Date: Tuesday, November 28, 2023 1:47:36 PM
Attachments: [CommentsForCouncil9.4.23.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Re: 2023 IDO Annual Update

Chair Shaffer,

I sent this email a moment ago but am not sure the attachments were selected so I am again sending 1) a letter to Council from September; and 2) a summary prepared for Parkland Hills Annual Meeting.

Thank You,

Patricia Willson

Victory Hills NA: President
District 6 Coalition: Treasurer
Inter-Coalition Council Representative

11.5.23 IDO SUMMARY

Albuquerque's first zoning code was adopted in 1959, was 58 pages long and established 14 zone categories. In 1975, a new zoning code was adopted, with 22 zone categories and 2 new 'special use' zones. Between 1976 and 2018, this code was amended nearly 200 times. Major updates were added in 1990 and 1994. Over 40 standalone sector development plans established more than 400 unique special use zones (SU-2 and SU-3) and over 770 categories of SU-1 zones were created.

In 2014, the City Council adopted a resolution which directed the Planning Department to update the Rank 1 policy document—the Comprehensive Plan—,overhaul the City's land use and zoning framework and update the Development Process Manual (DPM). Out-of-state consultants were hired to update the Comprehensive Plan and overhaul the zoning code. A local architect led the DPM update.

The CompPlan update took effect in April of 2017. Late in 2017 (at the end of the Berry administration) Council rushed thru the adoption of the Integrated Development Ordinance (IDO). It was amended twice before it took effect in 2018.

All this information can be found here: <https://abq-zone.com/background-coordination-abc-comp-plan>
The two slides below are from past City presentations; they show the relationship between the CompPlan and the IDO, and how the update cycles are supposed to work (the 5-year cycle has already been amended to 6 years). Only 3 of the 12 CPA Assessment Reports have been completed to date, but the CompPlan Update is currently proceeding regardless.



The 1-year update cycle for the IDO is cumbersome, unworkable, and has led to hundreds of changes in just the four years of adopted updates. It is difficult to find information on the number of changes each year; this spreadsheet is compiled from my own notes:

IDO Annual Updates (Citywide changes)			
YEAR	# OF CHANGES	# OF MEETINGS	# OF OPEN HOUSES
2019	256	12	4
2020	101	0	1
2021	55	6	3
2022	37	8	3
2023 (in progress)	60	2 (to date)	
	509		



September 5, 2023

Council President Davis and Councilors.

I would like to bring up two major points that I have spoken and written about many times.

- 1) Creation of metrics to differentiate between “technical/textual” and “substantive” amendments to the Integrated Development Ordinance.
- 2) Creation of an “opt-in” listserv in place of—or in addition to—the Two Points of Contact for Notification defined in the IDO and the NARO.

But first, some history: nearly 10 years ago, a NAIOP luncheon presentation became the catalyst for what I call ‘how we got to where we are’. I have three folders of documents titled:

- How ART came first...
- How CompPlan/IDO came second...
- How IDO-NARO compliance came third...

I am happy to share these documents widely; they include the 70 page PowerPoint presentation, titled “Albuquerque’s Innovation Corridor”, given at the January 27, 2014 NAIOP luncheon, the 42 page report prepared for the City by the Chicago Center for Neighborhood Technology (CNT) titled “The Scale of the Prize”, and many other documents.

The late Paul Lusk, architect, planner, and true visionary, summed up the ‘cart-before-the-horse’ process several years ago (the ‘draft’ he is referring to is the CNT study):

“The draft (with the boiler-plate boxes with the BIG \$ numbers, and with just the name of the city/client changed) that was produced early in the Berry ‘dynasty’ by a Chicago consultant touted (advocated for and apparently had connections to) using a high percentage of Federal \$\$ for Rapid Transit development -- and if you did so, great economic benefit would accrue to adjacent properties (2.9 \$Billion). ...

The consultant's report went on to say that 'of course, you will have to change your zoning code to allow capture of this great development (and profit) potential, and get rid of some of those pesky little stores along the way. Hence: became the 'IDO' -- which seeks to homogenize (but mostly has traumatized) Albuquerque.

But, of course, to justify and accommodate the IDO, you will have to 'update' the Comprehensive Plan, and get rid of all those quirky, old Sector Plans and Area Plans -- that (disconcertingly) reflect the inherent diversity of Albuquerque. And so!, we had the ass-backwards process of a grant for Transit -- driving the IDO -- driving the CompPlan.”

But of course, this is all water under the bridge now. How do we mitigate the damage done and prevent further damage to Albuquerque’s unique natural landscapes and promote sensitive development designs to complement and strengthen our communities and open space areas?

One word: NEIGHBORHOODS! Take advantage of the care and compassion people have for the places they live, and the extensive institutional knowledge that is being dismissed. Follow the long-range planning process of the Community Planning Area (CPA) assessments—the careful, thoughtful work that produces reports that reflect communication with people!

Which gets me back to my two points at the beginning: **stop using the IDO amendment process to make major changes to the zoning code**—changes that generally support the development community and disenfranchise neighborhoods. And **allow those who are interested to find the information** about development. I can look here and see what’s going on with road projects:

<https://www.cabq.gov/gis/map-views/municipal-development-projects>

... so why can’t there be a map of development projects?

Sincerely,

Patricia Willson

From: [Jane Baechle](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Renz-Whitmore, Mikaela J.](#); [Vos, Michael J.](#)
Subject: Comments to EPC 2023 IDO
Date: Wednesday, November 22, 2023 12:44:33 PM
Attachments: [2023 IDO Individual Comments.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

I am attaching a letter to EPC Chair Shaffer and request that it be included in the Planning Staff report to the EPC for review and consideration in the 2023 IDO Annual Review.

I understand the Planning Department offices will close today at 3 p.m. and remain closed until Monday, 11/27/2023 at 9:00 a.m. (which is also the deadline for submitting written comments to the EPC.)

In order to ensure that issues relevant to SFV are included, I am sending this letter as my individual comments. I have submitted these positions to members of the SFVNA Board. Initial responses from Board members support these positions.

I expect to send a follow up letter confirming SFVNA Board support.

I would appreciate confirmation that these comments have been received by the Planning Dept. and will be included.

Thank you for your time and attention.

Jane Baechle

Jane Baechle
7021 Lamar Avenue NW
Albuquerque, NM 87120
Jane.Baechle@gmail.com

Date: November 22, 2023

To: David Shaffer
Chair, EPC

From: Jane Baechle

Re: 2023 Annual Review of the IDO

The following comments reflect my recommendations to the Santa Fe Village Neighborhood Association (SFVNA) Board regarding selected proposed amendments to the Integrated Development Ordinance (IDO) put forth for consideration during the 2023 Annual Review. I am currently submitting them as an individual while the SFVNA Board has the opportunity to review and comment. Given that the deadline for comments to be included in the Planning Staff report is Monday, 11/27/2023, at 9 a.m., immediately after the Thanksgiving Holiday weekend, I want to be certain that issues relevant to Santa Fe Village are included.

As in prior comment on the IDO Annual Review, I again note that this process continues to be used by City Council and the City administration to make durable and substantial changes in zoning law in a manner that effectively circumvents the goals and policies of the ABC Comp Plan and significantly limits public engagement regarding consequential changes to neighborhood character and quality of life. The first purpose statement of the IDO calls for the IDO to “Implement the adopted Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended”, 1-3(A). Instead, the IDO Annual Review process is used to alter fundamental goals and policies of the Comp Plan yearly and ignores the Comp Plan’s stated intent to update it through a process of Community Planning Assessments where Albuquerque residents have the opportunity to address their views and priorities.

2023 Amendment Proposals, Position and Rationale

IDO Citywide Amendments, Item 10, IDO 4-3(B)(5)(b), **Dwelling Two-Family Detached (Duplex)**, Item 12, IDO Section 4, **Dwelling Live-Work**, and Item 13, IDO Section 4-3(B)(5), **Two-Family Detached (Duplex) Dwelling**

These three proposals would permissively allow a single family dwelling to be converted to a two family dwelling on any corner lot of 5,000 s.f. or greater, permissively allow small retail and/ or restaurants to be added to a dwelling on any corner lot of 5,000 s.f. or greater and permissively allow an existing single family dwelling to be converted to a two family dwelling on any property zoned R-1 unless it is already a duplex or has an ADU.

Position: *Oppose*

Rationale: These three proposals represent a de facto zone change in Santa Fe Village (SFV). Those who argue that converting a single family dwelling to a two family dwelling or adding small retail and restaurants to any R-1 zone is merely a redefinition of low density development are dissembling. These represent fundamental changes to property rights and entitlements of ABQ property owners. Further, if implemented, they would have a devastating effect on an already dense and compact neighborhood like SFV. On my review of the IDO interactive map, there are 82 properties in SFV which are corner lots 5,000 s.f. or greater. There is no way that if even a portion of these properties added a second dwelling unit or retail/restaurant use, the existing infrastructure of the neighborhood could support it. Any such change would profoundly damage the quality and character of SFV, negatively impact property values and create potential hazards.

As noted in last year's comments, SFV is unlikely to be the only low density residential neighborhood profoundly and deleteriously affected by this change. In addition to fundamental changes to neighborhood character, such a significant change makes no provision for consequent increased traffic flow, the need for parking and pedestrian safety on residential streets now carrying significantly increased traffic as well as potential traffic patronizing new commercial uses. Finally, any proposal to allow additional dwelling units should be a conditional use and include stringent development standards which protect neighborhood character and assure adherence to all elements of IDO development standards identified in IDO 14-16-5.

IDO Citywide Amendments, Item 23, IDO 5-7(D)(3)(a), **Walls and Fences-Front Yard Wall** Permissively allows front yard walls of 5 ft with the top two feet of view fencing, setback 5 ft. and landscaped.

Position-*Oppose*

Rationale: Santa Fe Village is a compact residential neighborhood with small to medium lots on curving streets which follow the natural contour of the land. The addition of view fencing on the upper 2 ft of a 5 ft foot wall still impede clear lines of sight, have a deleterious effect on the streetscape and sense of place and limit comfortable walking for 2 people at a time on 4 ft sidewalks. That will be the case with even a 5 ft setback. Landscaping the setback will not change the impact on the streetscape or walkability and the individual choice of how to landscape the setback may serve to detract from the awareness of the natural landscape.

The administrative demands of hearing requests for variances and waivers for non-conforming walls are not a reason to enact durable changes in the IDO, particularly changes which have been

consistently opposed by residents and neighborhood associations and for which there was only one comment out of 47 in support on the original spreadsheet of citywide changes.

IDO Citywide Amendments, Item 11, IDO 4-1(A)(4) (new), **Conditional Uses for City Facilities**

“Exempts city facilities from the conditional use process”

Position: *Oppose*

Rationale: This appears to be an effort by the City to limit public comment, disenfranchise ABQ residents and circumvent any opposition to or scrutiny of City projects. The conditional use process and the standards by which a conditional use request is to be evaluated are intended to protect the public from potentially objectionable and harmful uses. This is an unambiguous effort on the part of the City to avoid transparency and accountability for its facilities and land use decisions.

IDO Citywide Amendments, Item 9, IDO Section 4, **Overnight Shelter**

Allows overnight shelters permissively in zone districts where the use is now only allowed conditionally.

Position: *Oppose*

Rationale: As noted above, this appears to be an effort by the City to limit public comment, disenfranchise ABQ residents and circumvent any opposition to or scrutiny of overnight shelters. The conditional use process and the standards by which a conditional use request is to be evaluated are intended to protect the public from potentially objectionable and harmful uses. This is another unequivocal effort on the part of the City to avoid transparency and accountability in the development of overnight shelters.

Small Area Amendment, IDO 14-16-4-3(F)(5)(f)10, **Volcano Heights Urban Center**

Removes prohibition on drive-throughs in the Volcano Heights Urban Center

Position: *Oppose*

Rationale: This change is inconsistent with the intended design of an urban center as cited in the ABC Comp Plan, “Center, Urban – area intended to develop as a distinct, *walkable* district ...” (Italics mine) This use is also inconsistent with the landscape of the NW mesa and the designated area. The Volcano Heights Urban Center area begins on the east as one crests the escarpment on Paseo del Norte and its northern and eastern edges are in close proximity to the boundary of the Petroglyph National Monument.

IDO Citywide Amendments, Item 40, IDO 6-6(O)(2), **Variance-ZHE**

Requires notification of the ABQ Open Space Superintendent with review and comment on any variance request on property adjacent to MPOS.

Position: *Support*

Rationale: Major public open space represents a significant value to all residents of ABQ and should be protected from private development which would potentially negatively impact the public’s enjoyment and appreciation of it. Further it is my position that the requirement of

notification should include the Petroglyph National Monument (PETR) Superintendent when a property requesting a variance is adjacent to PETR. I appreciate that the City of ABQ and its officers cannot compel a review and response from the NPS but notification can be required.

IDO Citywide Amendments, Item 53, IDO 7-1, **Sensitive Lands Rock Outcropping**

Revises the definition of rock outcropping to reflect existing rock outcroppings in ABQ.

Position: *Support*

Rationale: Rock outcroppings represent one of the most prevalent features of sensitive lands on the NW mesa and in the area around SFV. The ABC Comp Plan goals and policies mandate the preservation of heritage landscapes as “features that contribute to the distinct identity of communities, neighborhoods, and cultural landscape” and represent a “community resource that provides physical, cultural, and economic benefits.”

In summary, opposition, where outlined, reflects my assessment that these proposals will have deleterious impacts on Santa Fe Village, its residents and homeowners and on the experience of the City, its neighborhoods and cultural landscapes. In contrast, I support amendments which strengthen protections of SFV, public lands and the landscape of the NW mesa and escarpment. I recognize this letter is lengthy and also note that the current list of proposed changes to the IDO exceeds 60 changes including the citywide and small area amendments. I respectfully request the Commissioners thoughtful consideration of these views and concerns.

Thank you for your time and attention.

Sincerely,

Jane Baechle

Resident of SFV and SFVNA Representative

From: [Jane Baechle](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Renz-Whitmore, Mikaela J.](#); [Vos, Michael J.](#); [Jane Baechle](#)
Subject: SFVNA Board Comment for the EPC on IDO 2023 Proposals
Date: Sunday, November 26, 2023 4:31:46 PM
Attachments: [2023 IDO EPC 11.22.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Good afternoon,

I hope you all have enjoyed a lovely Thanksgiving holiday.

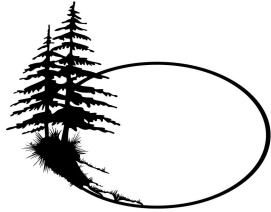
I am attaching the Written Public comments from the Santa Fe Village Neighborhood Association Board to be included in the Planning Staff Report to the Environmental Planning Commission for their consideration and yours in advance of the 12/14/2023 meeting to consider the 2023 proposals.

I respectfully request your assistance in ensuring they are provided to Chair Shaffer and members of the EPC.

I would also appreciate confirmation you have received these.

Thank you very much,

Jane Baechle



Santa Fe Village Neighborhood Association

5601 Bogart St. NW Albuquerque, NM 87120
sfvna2014@gmail.com

Date: November 26, 2023

To: David Shaffer
Chair, EPC

From: Jane Baechle, Representative
Santa Fe Village Neighborhood Association

Re: 2023 Annual Review of the IDO

The following comments reflect the views of the Santa Fe Village Neighborhood Association (SfVNA) Board regarding selected proposed amendments to the Integrated Development Ordinance (IDO) put forth for consideration during the 2023 Annual Review. Six of the seven elected SfVNA Board members have explicitly endorsed these comments; one member was unable to respond due to time constraints.

As in prior comment on the IDO Annual Review, we again note that this process continues to be used by City Council and the City administration to make durable and substantial changes in zoning law in a manner that effectively circumvents the goals and policies of the ABC Comp Plan and significantly limits public engagement regarding consequential changes to neighborhood character and quality of life. Nonetheless, as the elected representatives of our neighborhood association we are committed to engaging in this process, to represent the interests of our membership and neighborhood and address the consequences of these proposals.

2023 Amendment Proposals, SfVNA Position and Rationale

IDO Citywide Amendments, Item 10, IDO 4-3(B)(5)(b), **Dwelling Two-Family Detached (Duplex)**, Item 12, IDO Section 4, **Dwelling Live-Work**, and Item 13, IDO Section 4-3(B)(5), **Two-Family Detached (Duplex) Dwelling**

These three proposals would permissively allow a single family dwelling to be converted to a two family dwelling on any corner lot of 5,000 s.f. or greater, permissively allow small retail and/ or restaurants to be added to a dwelling on any corner lot of 5,000 s.f. or greater and

permissively allow an existing single family dwelling to be converted to a two family dwelling on any property zoned R-1 unless it is already a duplex or has an ADU.

SFVNA position: *Oppose*

Rationale: These three proposals represent a de facto zone change in Santa Fe Village (SFV). Those who argue that converting a single family dwelling to a two family dwelling or adding small retail and restaurants to any R-1 zone is merely a redefinition of low density development are dissembling. These represent fundamental changes to property rights and entitlements of ABQ property owners. Further, if implemented, they would have a devastating effect on an already dense and compact neighborhood like SFV. On my review of the IDO interactive map, there are 82 properties in SFV which are corner lots 5,000 s.f. or greater. There is no way that if even a portion of these properties added a second dwelling unit or retail/restaurant use, the existing infrastructure of the neighborhood could support it. Any such change would profoundly damage the quality and character of SFV, negatively impact property values and create potential hazards. Finally, any proposal to allow additional dwelling units should be a conditional use and include stringent development standards which protect neighborhood character and assure adherence to all elements of IDO development standards identified in IDO 14-16-5.

IDO Citywide Amendments, Item 23, IDO 5-7(D)(3)(a), **Walls and Fences-Front Yard Wall** Permissively allows front yard walls of 5 ft with the top two feet of view fencing, setback 5 ft. and landscaped.

SFVNA Position-*Oppose*

Rationale: Santa Fe Village is a low density residential neighborhood with small to medium lots on curving streets which follow the natural contour of the land. The addition of view fencing on the upper 2 ft of a 5 ft foot wall still impede clear lines of sight, have a deleterious effect on the streetscape and sense of place and limit comfortable walking for 2 people at a time on 4 ft sidewalks. That will be the case with even a 5 ft setback. Landscaping the setback will not change the impact on the streetscape or walkability and the individual choice of how to landscape the setback may serve to detract from the awareness of the natural landscape.

IDO Citywide Amendments, Item 11, IDO 4-1(A)(4) (new), **Conditional Uses for City Facilities**

“Exempts city facilities from the conditional use process”

SFVNA position: *Oppose*

Rationale: This appears to be an effort by the City to limit public comment, disenfranchise ABQ residents and circumvent any opposition to or scrutiny of City projects. The conditional use process and the standards by which a conditional use request is to be evaluated are intended to protect the public from potentially objectionable and harmful uses. This is an unambiguous effort on the part of the City to avoid transparency and accountability for its facilities and land use decisions.

IDO Citywide Amendments, Item 9, IDO Section 4, **Overnight Shelter**

Allows overnight shelters permissively in zone districts where the use is now only allowed conditionally.

SFVNA position: *Oppose*

Rationale: As noted above, this appears to be an effort by the City to limit public comment, disenfranchise ABQ residents and circumvent any opposition to or scrutiny of overnight shelters. The conditional use process and the standards by which a conditional use request is to be evaluated are intended to protect the public from potentially objectionable and harmful uses. Again, this is an unequivocal effort on the part of the City to avoid transparency and accountability of overnight shelters.

Small Area Amendment, IDO 14-16-4-3(F)(5)(f)10, **Volcano Heights Urban Center**

Removes prohibition on drive-throughs in the Volcano Heights Urban Center

SFVNA position: *Oppose*

Rationale: This change is inconsistent with the purpose of this urban center described as intended to "support pedestrian-friendly and transit-supportive development with particular emphasis on employment, while buffering pre-existing single-family neighborhoods and sensitive lands on the borders of the Plan area from higher-density development toward the center of the Plan area. The Plan seeks to create a walkable, urban center with a sense of place rooted in its unique volcanic context and with development that respects the Petroglyph National Monument, which includes over 10,000 acres of open space preserved in perpetuity by an act of Congress in 1990."

IDO Citywide Amendments, Item 40, IDO 6-6(O)(2), **Variance-ZHE**

Requires notification of the ABQ Open Space Superintendent with review and comment on any variance request on property adjacent to MPOS.

SFVNA position: *Support*

Rationale: Major public open space represents a significant value to all residents of ABQ and should be protected from private development which would potentially negatively impact the public's enjoyment and appreciation of it. Further it is our position that the requirement of notification should include the Petroglyph National Monument (PETR) Superintendent when a property requesting a variance is adjacent to PETR. We appreciate that the City of ABQ and its officers cannot compel a review and response from the NPS but notification can be required.

IDO Citywide Amendments, Item 53, IDO 7-1, **Sensitive Lands Rock Outcropping**

Revises the definition of rock outcropping to reflect existing rock outcroppings in ABQ.

SFVNA position: *Support*

Rationale: Rock outcroppings represent one of the most prevalent features of sensitive lands on the NW mesa and in the area around SFV. The ABC Comp Plan goals and policies mandate the preservation of heritage landscapes as "features that contribute to the distinct identity of communities, neighborhoods, and cultural landscape" and represent a "community resource that provides physical, cultural, and economic benefits."

IDO Citywide Amendments, Item 17, IDO 5-5(B)(4)(d), **RV, Boat and Trailer Parking** and Item 42, 608(G)(2)(a)1.a, **Front Yard Parking**

Prohibits front yard parking of RVs, boats and trailers and use of angular crushed stone as a parking surface in front yards.

SFVNA position: *Support*

Rationale: Preserve the desirability and protect the visual appeal of neighborhoods, particularly a compact and modest neighborhood like SFV, where even improved front yards are too small and narrow to allow a large vehicle to be parked.

IDO Citywide Amendment #58, Tribal Engagement

Establishes a mechanism to include Tribal nations and their members in the development review and approval process.

SFVNA position: *Support*

Rationale: Acknowledges the responsibility of City Council to assure engagement with Tribal people and inclusion of their voices in land use matters. This is a particularly salient issue for land in and along the heritage landscape of ABQ's NW mesa escarpment.

In summary, SFVNA opposition, where outlined, reflects our assessment that these proposals will have deleterious impacts on Santa Fe Village, its residents and homeowners and on the experience of the City, its neighborhoods and cultural landscapes. In contrast, we support amendments which strengthen protections of SFV, public lands and the landscape of the NW mesa and escarpment. This letter is lengthy. There are more than 60 changes including the citywide and small area amendments to the IDO proposed. We respectfully request the Commissioners thoughtful consideration of our views and concerns.

Thank you for your time and attention.

Respectfully submitted,

Jane Baechle

From: [JULIE DREIKE](#)
To: [City of Albuquerque Planning Department](#)
Cc: icc-working-group@googlegroups.com
Subject: Fwd: Opt-In Amendment to IDO request
Date: Tuesday, November 14, 2023 2:06:15 PM
Attachments: [Opt In amend to IDO II.docx](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Please see the email below sent to Council President Pat Davis and Councilor Renee Grout. This email has also been forwarded to all City Councilors.

Attached is the amendments needed for Opt-In.

I understand that Councilor Grout has shared this request with staff.

Please contact me with questions or further information on how to get this request on the proposed spreadsheet of amendments.

Julie Dreike
Secretary ICC

----- Original Message -----

From: JULIE DREIKE <dreikeja@comcast.net>
To: "patdavis@cabq.gov" <patdavis@cabq.gov>, "rgrout@cabq.gov" <rgrout@cabq.gov>, "seanforan@cabq.gov" <seanforan@cabq.gov>, "rrmiller@cabq.gov" <rrmiller@cabq.gov>
Cc: "icc-working-group@googlegroups.com" <icc-working-group@googlegroups.com>, "Renz-Whitmore, Mikaela J." <mrenz-whitmore@cabq.gov>
Date: 10/23/2023 1:35 PM MDT
Subject: Opt-In Amendment to IDO request

Dear Council President Pat Davis and Councilor Renee Grout,
Attached please find for your consideration amendments to the IDO that would address the need for members of the community to be notified of projects in the City affecting their community. We worked on these amendments at the behalf of the Inter-Coalition Council (ICC). The ICC members have reviewed these amendments and ask for your consideration for the introduction of these amendments.

The idea of individuals to be able to "Opt-In" for notifications has long been discussed. Councilor Davis, you may recall that you had first discussed this idea with constituents at least as early as 2019 as a way for individuals to be notified of projects that affect their community.

Councilor Grout, your support for community involvement dates to your election to the City Council in January 2022. Your recognition of the value of constituent involvement and consideration of how to make it easy for constituents to be informed and involved aligns with "Opt-In".

Why is Opt-In important:

- Not all parts of Albuquerque have Neighborhood Associations (recognized by the ONC or not). In fact, the number of Neighborhood Associations has decreased.

A person should not have to be a member of a group to receive notifications as defined in the IDO.

- Where there are Neighborhood Associations, not all neighbors are members.
- Where there are Neighborhood Associations, as volunteer organizations, most do not have the resources to make notifications.
- Notifications are the responsibility of the City of Albuquerque. Government and the people they serve deserve an informed public.
- Opt-In will require few resources beyond the initial set up. Several City Departments have similar Opt-In processes to receive newsletters from Departments. The technology is readily available.
- Opt-In is a user-friendly option as opposed to directing individuals to search a map or list.

The concept of Opt-In has been discussed for several years. Its time has come and can be accomplished with a few amendments to the IDO and a timeline for implementation.

Respectfully,

Debbie Conger, Resident District 6

Julie Dreike, Resident District 9

Definitions:

Interested Parties: Individuals who sign up for notifications, herein after called Opt-In List, from the City of Albuquerque as described within the IDO. The individual completes the Opt-In form on the City of Albuquerque Planning Department website. The individual can change their Opt-In designations through an update on the website, including unsubscribing from notification.

Interested Parties can Opt-In for notifications within any City Council Districts.

IDO pages 403-413

6-4(B)(2) If the project is not located within or adjacent to the boundaries of any Neighborhood Association, the applicant shall offer at least 1 meeting to all Neighborhood Associations whose boundaries include land within 1,320 feet (¼ mile) of the subject property **and Interested Parties who Opted-In for notifications of projects within the City Council District that the project is located in.** If no Neighborhood Association has land within that distance of the subject property **or no Interested Party is identified on the Opt-In list maintained by City Planning,** no pre-submittal neighborhood meeting shall be required.

6-4 (B) (3)

A meeting request shall be sent to the 2 representatives on file at the ONC for all applicable Neighborhood Associations via Certified Mail, return receipt requested, or via email. Either method constitutes a reasonable attempt to notify a Neighborhood Association of a meeting request.

Additionally, meeting request shall be sent by email to Interested Parties who have opted in to a notification list maintained by City Planning.

The requirements of Subsection 14-16-6-4(K)(7) (Documentation of Good Faith Effort Required) also apply.

6-4 (B) (4)

If the Neighborhood Association **or Interested Parties** chooses to meet, the Neighborhood Association **or Interested Party** must respond within 15 calendar days of the request (Certified Mail

or email) being sent. The meeting must be scheduled for a date within 30 calendar days but no fewer than 15 calendar days after the Neighborhood Association **or Interested Parties** accepts the meeting request, unless an earlier date is agreed upon.

~~If the Neighborhood Association declines the meeting, the applicant may proceed pursuant to Subsection (9) below.~~

If a meeting is not requested by a Neighborhood Association or, the applicant may proceed pursuant to Subsection (9) below.

6-4 (B) (7)

A summary of the meeting shall be prepared and emailed to the representatives **of the Neighborhood Association(s) and Interested Parties that requested the meeting** ~~representatives of the Neighborhood Association(s) that requested the meeting and any other meeting participants who signed in and provided an email address.~~

6-4 (B) (9)

Where Table 6-1-1 requires that a pre-submittal neighborhood meeting be held, and a meeting was not held, the requirement for a pre-submittal neighborhood meeting shall be waived if the applicant can demonstrate that reasonable attempts were made to notify a Neighborhood Association **and Interested Parties** as required by Subsections (1) through (4) above, and either no response was received within

15 calendar days of the notice being sent, or the notified the interested parties Neighborhood Association **or Interested Parties did not request a meeting.** ~~declined the meeting.~~

6-4(K)(2) Electronic Mail

Where Table 6-1-1 requires electronic mail notice, the applicant shall send an electronic mail notice to the e-mail addresses on file with the ONC for each Neighborhood Association whose boundaries include or are adjacent to the subject property **and those Interested Parties on the Opt-In list maintained by Planning Department.**

6-4(K)(7)(c)

Failure to provide evidence of timely mailing or electronic notice of required notices to Neighborhood Associations **or Interested Parties** shall result in

postponement of the public hearing unless the City receives written notice from each Neighborhood Association **or Interested Parties** required to receive mailed notice that it has received notice and has no objection to the hearing proceeding as scheduled, or unless Subsection (d) below applies.

6-4(K)(7)(d)

Failure to provide evidence of required mailed notice to any individual other than a Neighborhood Association **or Interested Parties** representative may result in the postponement of further review of the application unless the City determines that those parties required to receive mailed notice have received notice of the public hearing or unless Subsection (e) below applies

6-4(K)(7)(e)

If the applicant provides evidence that the required notices were timely provided, then failure of a property owner or Neighborhood Association **or Interest Parties** to receive actual notice due to changes of address since the latest update to the City or County real estate records, or due to changes of e-mail addresses since those were last provided to the City, or due to errors in postal delivery or newspaper publishing, or for other reasons beyond the control of applicant or City, shall not be grounds for a delay of application review or public hearings, or for appeal of the resulting decision,

From: [Hoffman, Jim](#)
To: [City of Albuquerque Planning Department](#)
Subject: Volcano Heights Urban Center - Small Area IDO Update ... Attention Chair Shaffer
Date: Friday, November 24, 2023 11:24:17 AM
Attachments: [image001.png](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Chair Shaffer,

I would like to express my support for the Volcano heights Urban Center Small Area IDO Update to allow drive-through uses.

Volcano Heights is a developing area of change that lacks local amenities.

The facilitated review meeting held on 10/18/23 did not include “all other known, interested Community Stakeholders”, as may directly impacted mixed-use property owners were not notified. As such, the meeting minutes cannot be construed as representing all community stakeholder views.

- The minutes state that allowing drive-through uses in Volcano Heights would lead to harmful impacts such as’
 - Drive-through business saturation, crowding and traffic problems, as seen near Starbucks, Bob’s Burgers and other locations off of Golf Course Road.
 - Environmental impacts on noise, light, air pollution.
- Actually, it is the lack of local amenities in Volcano Heights that contribute to these situations.
 - Residents north and west of Volcano Heights (e.g. Ventana Ranch, etc.) must drive along Unser and Paseo del Norte to locations below the escarpment rather than accessing local amenities. This contributes to the drive-through business saturation with longer driving distances which increase traffic congestion, noise, and pollution.

Volcano Heights is an area of great potential for the City of Albuquerque. The area has gone through extensive planning with all community stakeholders over 15+ years. The Volcano Heights Sector Development Plan (VHSDP) that resulted from this extensive planning allowed for drive-through uses in mixed use areas with certain conditional use limitations based on the type of street frontage.

Character Zone	Town Center	Regional Center	Village Center	Mixed-Use	Escarpment Transition	Neighborhood Transition
Land Use						
Commercial Uses (Office, Retail, Sales, and Service Uses)						
Retail Sales or Service with no drive through facility (includes alcohol sales). Excluded from this category are retail sales and service establishments geared toward the automobile.	P	P	P	P	C	NP
Auto-related Sales or Service establishments	C	P	C	C	NP	NP

The IDO which replaced the VHSDP did it’s best to carry over the zoning / allowable use requirements in the VHSDP; however, there was not a one-to-one correspondence. The prohibition of drive-through in the Volcano Heights mixed use zones is an example of a provision that was not carried over to the IDO.

I urge your support for the Volcano Heights Urban Center Small Area IDO Update.

Respectfully,

James Hoffman
817-689-4897

From: [Steven Pan](#)
To: [City of Albuquerque Planning Department](#)
Subject: Comment on IDO changes
Date: Monday, November 27, 2023 4:07:31 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

To the Chair (for comments on 2023 IDO changes),

Though I've submitted this comment before, I believe that the changes are far too conservative in terms of increasing density. I understand and can see there is much pushback from the community over duplexes, but really making at least four-plexes allowed city wide and getting rid of parking minimums altogether is the only way to increase housing affordability for all. This is the law of supply and demand at work (I'm not assuming you agree or disagree with this statement, that is simply my view).

As a city council meeting recently stated, 70% of burquenos could not re-buy the house they live in. If we want a future for the city, we must allow the law of supply and demand to work, decrease regulations, and give people back the rights to their own property to build. Yes, that means if my neighbor decides to put an apartment next to my house I am fine with that. We have to learn to live with each other. Also getting rid of parking minimums as was shown in the case of Minneapolis (<https://www.axios.com/local/twin-cities/2023/08/11/twin-cities-inflation-cools-lowest-nation>) would be an even greater help to boosting supply.

Steven

From: [paxtonm](#)
To: [JULIE DREIKE](#)
Cc: [City of Albuquerque Planning Department; icc-working-group@googlegroups.com](#)
Subject: Re: Fwd: Opt-In Amendment to IDO request
Date: Tuesday, November 14, 2023 7:16:20 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.
Great, Julie! Thank you! SPNA would also like to include the deputy city clerk, but I could only find contact information for the clerk (city clerk: Ethan Watson, cityclerk@cabq.gov). Would anyone happen to have what I need? Another odd discovery is that I couldn't find a direct email address for the EPC. I see that when we were fighting O-22-54, I used abcto@cabq.gov. Is there a better address?

Thanks,
Merideth

On Nov 14 2023 2:03 PM, JULIE DREIKE wrote:

> Please see the email below sent to Council President Pat Davis and
> Councilor Renee Grout. This email has also been forwarded to all City
> Councilors.

>
> Attached is the amendments needed for Opt-In.
>
> I understand that Councilor Grout has shared this request with staff.

>
>
> Please contact me with questions or further information on how to get
> this request on the proposed spreadsheet of amendments.

>
> Julie Dreike
> Secretary ICC

>
>> ----- Original Message -----

>> From: JULIE DREIKE <dreikeja@comcast.net>
>> To: "patdavis@cabq.gov" <patdavis@cabq.gov>, "rgrout@cabq.gov"
>> <rgrout@cabq.gov>, "seanforan@cabq.gov" <seanforan@cabq.gov>,
>> "rrmiller@cabq.gov" <rrmiller@cabq.gov>
>> Cc: "icc-working-group@googlegroups.com"
>> <icc-working-group@googlegroups.com>, "Renz-Whitmore, Mikaela J."
>> <mrenz-whitmore@cabq.gov>
>> Date: 10/23/2023 1:35 PM MDT
>> Subject: Opt-In Amendment to IDO request

>>
>> Dear Council President Pat Davis and Councilor Renee Grout,

>>
>> Attached please find for your consideration amendments to the IDO
>> that would address the need for members of the community to be
>> notified of projects in the City affecting their community. We
>> worked on these amendments at the behalf of the Inter-Coalition
>> Council (ICC). The ICC members have reviewed these amendments and
>> ask for your consideration for the introduction of these amendments.

>>
>>
>> The idea of individuals to be able to "Opt-In" for

>> notifications has long been discussed. Councilor Davis, you may
>> recall that you had first discussed this idea with constituents at
>> least as early as 2019 as a way for individuals to be notified of
>> projects that affect their community.
>>
>> Councilor Grout, your support for community involvement dates to
>> your election to the City Council in January 2022. Your recognition
>> of the value of constituent involvement and consideration of how to
>> make it easy for constituents to be informed and involved aligns
>> with "Opt-In".
>>
>> Why is Opt-In important:
>>
>> * Not all parts of Albuquerque have Neighborhood Associations
>> (recognized by the ONC or not). In fact, the number of Neighborhood
>> Associations has decreased.
>> * A person should not have to be a member of a group to receive
>> notifications as defined in the IDO.
>> * Where there are Neighborhood Associations, not all neighbors are
>> members.
>> * Where there are Neighborhood Associations, as volunteer
>> organizations, most do not have the resources to make notifications.
>> * Notifications are the responsibility of the City of Albuquerque.
>> Government and the people they serve deserve an informed public.
>> * Opt-In will require few resources beyond the initial set up.
>> Several City Departments have similar Opt-In processes to receive
>> newsletters from Departments. The technology is readily available.
>> * Opt-In is a user-friendly option as opposed to directing
>> individuals to search a map or list.
>>
>> The concept of Opt-In has been discussed for several years. Its
>> time has come and can be accomplished with a few amendments to the
>> IDO and a timeline for implementation.
>>

>> Respectfully,
>> Debbie Conger, Resident District 6
>> Julie Dreike, Resident District 9

>

> --

> You received this message because you are subscribed to the Google
> Groups "ICC Working Group" group.
> To unsubscribe from this group and stop receiving emails from it, send
> an email to icc-working-group+unsubscribe@googlegroups.com.
> To view this discussion on the web visit

> <https://groups.google.com/d/msgid/icc-working-group/1952518092.206307.1699995811715%40connect.xfinity.com>
> [1].

> For more options, visit <https://groups.google.com/d/optout>.

>

>

> Links:

> -----

> [1]

> https://groups.google.com/d/msgid/icc-working-group/1952518092.206307.1699995811715%40connect.xfinity.com?utm_medium=email&utm_source=footer

From: [Sal Perdomo](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Josh Rogers](#); [Ian Robertson](#)
Subject: IDO Annual Update 2023 - EPC Review and Recommendation
Date: Monday, November 27, 2023 7:10:54 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[IDO Letter to EPC - 2023 Amendments \(IDO\) 2023-11-20.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Good morning,

Please see the attached letter outlining comments to the 2023 IDO annual update. We are available if there are any questions.

Thank you,

Sal



SAL PERDOMO

Director of Acquisitions & Development

M (505) 261-1176 **P** (505) 515-2925

W www.titan-development.com

E sperdomo@titan-development.com

6300 Riverside Plaza, Ste. 200
Albuquerque, NM 87120

4903 Woodrow Unit A
Austin, TX 78756

CONFIDENTIALITY NOTICE: The information contained in this e-mail and any attachment(s) hereto is confidential and may be legally privileged. This email and any attachment(s) is intended only for the recipient(s) identified above. If you are not one of those intended recipients, you are hereby notified that any dissemination, distribution or copying of this e-mail or its attachments is strictly prohibited. If you have received this e-mail in error, please notify the sender of that fact by return e-mail and permanently delete the e-mail and any attachments to it immediately. Please do not retain, copy or use this e-mail or its attachments for any purpose, nor disclose all or any part of its contents to any other person.



November 27, 2023

Dear Members of the Environmental Planning Commission,

Titan Development has reviewed the 2023 Proposed Amendments to the IDO. The purpose of this letter is to state Titan's comments to the various Proposed Amendments. We appreciate Staff, Council, and EPC's continued support and effort to bring forward Amendments every year. We truly believe these updates make a positive impact on the community.

Section	IDO Policy	Proposed Change	Request and Commentary
Proposed Citywide Text Amendments (new)	New	N/A	Request: Add Data Centers as a new Use category to Table 4-2-1 Commentary: Data Centers are not currently defined as a use within the zoning code and should be added as a use and permissively allowed in MX-M and above. This user type is continuing to have interest in Albuquerque and will need to have more specific guidance from a zoning perspective.
Proposed Citywide Text Amendments (#4)	4-3(D)(37)(a)	Requirement for a 3' high perimeter wall around the General Retail Use	Request: Remove from consideration Commentary: This provision will not prevent or limit retail theft and will ultimately burden the retailer to construct an expensive wall around their property. Additionally, this requirement will impact the urban environment negatively creating a castle like look and feel around the entire property. Any wall under 8' feet can easily be scaled by a burglar. This is not the appropriate way to limit or decrease retail theft - it will make no difference.

NEW MEXICO
6300 Riverside Plaza, Ste. 200
Albuquerque, NM 87120

TEXAS
4903 Woodrow Ave, Bldg A
Austin, TX 78756

TITAN DEVELOPMENT

www.titan-development.com

Proposed Citywide Text Amendments (#5)	4-3(D)(18)	Requirement for a 3' high perimeter wall around the Light Vehicle Fueling Station Use	<p>Request: Remove from consideration</p> <p>Commentary: This provision will not prevent or limit theft and will ultimately burden the retailer to construct an expensive wall around their property. Additionally, this requirement will impact the urban environment negatively creating a castle like look and feel around the entire property. Any wall under 8' feet can easily be scaled by a burglar. This is not the appropriate way to limit or decrease theft - it will make no difference.</p>
Proposed Citywide Text Amendments (#7)	4-3(F)(14) [new]	Limiting amplified sound in certain areas from 7:00am to 10:00pm	<p>Request: Exclude this requirement in all MS-PT-UC areas and extend hours to 7:00am to 12:00am</p> <p>Commentary: This will impact New Mexico negatively by hampering the ability for small businesses to thrive in our walkable and urban areas. This will negatively impact the City's cool, up and coming neighborhoods including, Sawmill, EDo, WeDo, Nob Hill, University, and Downtown.</p>
Proposed Citywide Text Amendments (#52)	7-1	Creating more restrictive definition for a Large Stand of Mature Trees	<p>Request: Remove from consideration</p> <p>Commentary: Although the current definition of Large Stand of Mature Trees does not cover a significant portion of land in Albuquerque, this Sensitive Land will continue to become more relevant in the future as infill development becomes more common. The City should avoid creating long term issues with potential infill development in established areas.</p>
Proposed Citywide Text Amendments (#53)	7-1	Creating more restrictive definition for a Rock Outcropping	<p>Request: Remove from consideration</p> <p>Commentary: We do not understand how a rock outcropping is a Sensitive</p>

			Land in the first place, so why should the definition be made even more restrictive.
Small Area Text Amendments - Rail Trail	5-2(A)(3)	Adds an additional buffer to the Rail Trail	Request: Remove from consideration Commentary: The Rail Trail is intended to promote density and investment throughout the corridor where it is located. Adding an additional buffer to the Rail Trail is counterintuitive to the whole intent of the project. This provision does not promote investment and development along the rail trail and directly hampers buildable land around the rail trail.
Small Area Text Amendments - Rail Trail	5-2(A)(5)	Adds an additional height stepdown adjacent to the Rail Trail.	Request: Remove from consideration Commentary: The Rail Trail is intended to promote density and investment throughout the corridor where it is located. Adding a height restriction to the Rail Trail is counterintuitive to the whole intent of the project and will negatively impact investment along the corridor.
Memo - Industrial Building Design	5-11(G)(2)	Adds additional design requirements to Industrial building design	Request: Support with minor changes Commentary: We are in full support of this amendment, but would request a few minor changes to Section 5-11(G)(2). These changes include (1) clarify this section refers to street-facing facades over 150 feet and (2) under subsection b) include vertical projections or recessions in addition to horizontal projects and recessions.
Memo - Landscape Requirements	5-6(C)(4)(e)	No more than 20% of required landscape shall be warm season grass species.	Request: This should read "cool season grass species". Commentary: Cool season grass species require more water than warm season grass species. We believe this is an error.



**REAL ESTATE INVESTING
+ DEVELOPMENT EXPERTISE**

Memo - Landscape Requirements	5-6(C)(4)(g)	Sprinklered grass cannot be located within 3' of a hard surface (mulch can be used to buffer off of sidewalk).	Request: Expand to include gravel or some other form of material. Commentary: The requirement for mulch as a buffer is too specific and should be expanded.
Memo - Landscape Requirements	5-6(C)(5)	Species types of mulch to be used in Planting Beds	Request: Confirm location of Planting Beds to better match intent on amendment. Commentary: Additional clarification needs to be used to confirm the location of this requirement. The provision currently states "all planting areas", but is only intended to be used for "planting beds".

Thank you for allowing us the opportunity to state our positions on these Amendments and we look forward to working with you to bring this forward. Please reach out if you have any questions or need any clarifications on our positions. I can be reached at jrogers@titan-development.com or (505) 998-0163.

Thank you,

A handwritten signature in black ink, appearing to read 'JR Rogers'.

Josh Rogers
Partner
Titan Development

NEW MEXICO
6300 Riverside Plaza, Ste. 200
Albuquerque, NM 87120

TEXAS
4903 Woodrow Ave, Bldg A
Austin, TX 78756

TITAN DEVELOPMENT

www.titan-development.com

From: emeraldprops@aol.com
To: [City of Albuquerque Planning Department](#)
Cc: [Vos, Michael J.](#)
Subject: Attn: David Shaffer, re. Request for a modification to IDO section 4-3(d)(14)(e) Campground or Recreational Vehicle Park
Date: Sunday, November 5, 2023 7:26:44 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Dear Mr. Shaffer,

I have been in communication with Planning staff regarding the above-referenced proposed 2023 IDO update. Although this did not make it into the submittal of the Annual Update to EPC, I wish to pursue this submit this public comment/request so it will receive further discussion and consideration for inclusion in the 2023 update.

PROPOSED CHANGE: Restoring a modified version of the provision of Campground Regulations as per the old zoning code (before IDO) regarding a reduction of the required 20 feet required setback if screening is introduced.

This provision of the old code to allow for a reduction of the 20 feet setback was omitted when adopted into the IDO.

14-16-3-7(b)(4)(a)(1) did stipulate a 20 feet setback: *"Camp sites shall be set back a minimum of 20 feet from each property line."*

However, 14-16-3-7(b)(4)(b) went on to state *"The minimum setback requirements, above, may be reduced if the camp site is totally obscured from sight by off-site by natural barriers or a solid wall or fence at least six feet high"*

The current IDO language is strict regarding the 20 feet setback. The amended language 4-3(D)(14)(e) of the 2023 IDO update should be revised as follows:

"Camp sites shall be set back a minimum of ~~20~~ 10 feet from each property line"

The current IDO language does address screening requirements: 4-3(D)(14)(f) states *"Camp sites shall be screened on all sides by an opaque wall or vegetative screen at least 6 feet high unless they are set back at least 100 feet from any property line abutting a street."*

As I explained to Planning staff, a 10 foot setback is consistent and in some cases more restrictive than similar situations, and I believe this is a most reasonable request for the justifications explained below. It should be included as a proposed update to the IDO and have the opportunity to receive Council vote.

BACKGROUND AND JUSTIFICATION FOR THIS REQUEST: In June of 2021, amendment B22 which was sponsored by former Councilor Gibson, was unanimously supported by the City Council Land Use Committee. This amendment allowed for the permissive use of campgrounds to be built in NR-C zones. Revising 20' setback

requirement should have been part of this amendment. A mandatory 20' setback on smaller and well-located infill lots, many of them located in NR-C districts, imposes a significant hardship to those intending to serve this important need which would address those affected by unaffordable housing as well as help meet the high demand for RV accommodations of recreational and professional travelers. This proposed update is consistent with current trends which consider more effective use of some urban zones in order to properly address housing and accommodations.

The documented justification of the June, 2021 B22 City Council decision was:

- 1) High demand for well-located RV accommodations in Albuquerque
- 2) Lack of supply
- 3) Proposal is appropriately limited to appropriate NC zones
- 4) This will boost opportunity for more RV tourists and business travelers, a benefit to local economy
- 5) Not injurious to the community because there will be a separation between NR NR and Residential.

There is a shortage of RV-stay accommodations in Albuquerque and a great need for well-located sites which are in easy proximity to local vendors and services. This need has dramatically grown due to economic changes associated with the Covid-19 pandemic, as work and travel patterns have changed. In addition to the recognition of opportunities for affordable housing, there has been a significant increase in RV recreational travelers as well as those who work as contracted tradespeople and professionals, such as skilled construction workers - and especially traveling nurses. These people travel to work locales where they require a safe and desirable location to reside in their RVs on a short-term basis. Many traveling nurses stay in their own RV's and are unfortunately not able to accept contracts at Albuquerque hospitals because they cannot find a suitable park for their RV, so they accept contracts elsewhere. This has reached a crisis level, as many hospitals are challenged to fill positions with qualified traveling nurses. Albuquerque's location at the intersection of two major interstate highways enhances the vitality of this need. Another increasing sector of society are referred as "Digital Nomads". These are people who choose to embrace a location-independent, technology-enabled lifestyle that allows them to travel and work remotely, anywhere in the Internet-connected world.

In order to accommodate the demand described above, this proposed change should be included in the 2023 update, in order to enable developers of Recreational Vehicle Parks and campgrounds located on smaller parcels to design their improvements without the burden of this significant setback constraint which could render a project unfeasible. When presented to the Planning Department for Site Plan approval, code enforcement, recognizing the current IDO language, will reject any project that shows a setback less than 20 feet and the applicant must then go through the lengthy and discretionary process of obtaining a zoning variance.

Thank you for your attention this matter,

Dan Rich

(505) 304-4516

From: [Brito, Russell](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Maestas, Ken](#)
Subject: 2023 IDO Annual Update
Date: Monday, November 27, 2023 8:55:49 AM
Attachments: [image001.png](#)
[PNM - CABO IDO 2023 Annual Update - Nov 2023.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

EPC Chair Schaffer,

Public Service Company of New Mexico (PNM) appreciates this first opportunity to provide comments on proposed amendments to the Integrated Development Ordinance (IDO) for your consideration and requests changes for your recommendation to City Council. Attached is a letter that outlines PNM's concerns with the proposed amendments to address Battery Energy Storage Systems (BESSs).

Thank you,

Russell Brito

Land Use & Permitting Administrator
Environmental Services & Land Use Permitting



505.241.2798

u

Main Offices
Albuquerque, NM 87158 -1105
P 505 241-2849
F 505 241-2347
PNM.com



November 27, 2023

EPC Chair David Shaffer
c/o CABQ Planning Department
PO Box 1293
Albuquerque, NM 87103

Subject: 2023 IDO Annual Update

Dear Chair Shaffer,

Public Service Company of New Mexico (PNM) appreciates this first opportunity to provide comments on proposed amendments to the Integrated Development Ordinance (IDO) and requests several changes for your consideration and recommendation to City Council. PNM would like to thank Planning Department staff for their inclusion of a new Battery Energy Storage System (BESS) use that is imperative for the successful transition of electricity generation to emissions-free and renewable sources, such as solar and wind power.

Regulatory Background and Context

Critical infrastructure includes the physical and cyber systems and assets that are so vital to the United States that their absence or incapacity would have a debilitating impact on our physical and economic security, public health, and safety. The federal government identifies the electric grid system as critical infrastructure that provides the essential services that underpin American society. The United States Department of Homeland Security (DHS) categorizes the energy sector as one of 16 critical industries.

The DHS further identifies the energy sector as uniquely critical because it provides an enabling function across all critical infrastructure sectors. A stable energy supply supports health and welfare, the U.S. economy, and is a vital component of modern life. Electric utility facilities deliver this essential service to all end-users, including homes, businesses, schools, and other institutions.

The federal government regulates the nationwide, interconnected electric grid system, except in Texas that has its own separate electric grid. The Federal Energy Regulatory Commission (FERC) is an independent agency within the Department of Energy (DOE) that regulates the interstate transmission of electricity. The North American Electric Reliability Corporation (NERC) is a regulatory body, subject to oversight by FERC, that develops and improves the industry's reliability standards, monitors and enforces compliance, and issues penalties for violations or nonconformance. In October 2023, FERC directed NERC to develop reliability standards for wind, solar, and battery storage systems.

The New Mexico State Legislature adopted, and the Governor signed into law the Energy Transition Act (ETA) in 2019. The ETA fundamentally changes the dynamic for electricity generation and delivery by requiring all investor-owned utilities (IOUs), including PNM, to have a 100% emissions-free generation portfolio by 2045. In conjunction with wind and solar renewable generation sources, PNM needs BESS (Battery Energy Storage System) facilities, which are critically necessary to provide power when the sun is not shining and the wind is not blowing (intermittency).

A BESS is a utility-scale facility that consists of rechargeable batteries that stores energy from different sources and discharges the energy when it is needed. BESS can be used to balance the electric grid, provide backup power, and improve grid stability at the distribution level. Battery storage technologies are quickly evolving and making notable improvements in reliability, capacity, and safety every year.

The New Mexico Public Regulation Commission (NM PRC), a regulatory subdivision of the State, is charged with ensuring that IOUs comply with the ETA and its requirements for clean energy. PNM is on-track to meet the ETA requirements with ongoing interconnections of new, utility-scale solar and wind power generation and the implementation of new BESS facility projects.

PNM has a franchise agreement with the City of Albuquerque that allows electric facilities such as power lines and pole structures, switches, and transformers to be placed in the public right-of-way. This agreement, together with IDO standards and regulations for private properties provides the local government framework for the larger electric grid and its Electric Utility facilities and uses.

The electric grid is evolving to meet the challenges and opportunities presented by the ETA, including addressing the intermittency of renewable generation, extreme weather events becoming more frequent and disruptive, and accommodating numerous requests for interconnection to the larger system. And of course, the electrification of the transportation system is steadily increasing the demand for electricity and the infrastructure needed to support electric vehicles (EVs). Both short-duration and long-duration energy storage systems are needed to help address all variables to maintain and improve the safe and reliable provision of electric service in New Mexico.

BESS Technologies and Renewable Generation

The New Mexico Renewable Energy Transmission Authority (NM RETA) recently hosted their second annual Energy Storage Workshop on October 23 & 24, 2023. Several manufacturers, state and federal government officials, and research scientists shared details about the latest innovations and products that are becoming available for utility-scale BESS projects and applications.

Recent BESS technology advances have introduced both improvements to existing technologies and new technologies that are non-flammable, more cost-effective, and that use easily sourced materials with better availability at the national and global scale. Lithium-ion batteries, with their high operating and maintenance expenses, limited cycle life, and use of flammable liquids and toxic materials have until now dominated the energy storage sector. Newer BESS technologies include iron-air batteries (1/10th the cost of lithium ion), nickel-hydrogen batteries that have no thermal runaway risk and no flammable liquids or toxic materials, and systems that use hot & cold water as the storage medium (https://nmreta.com/energy_storage_workshop/).

BESSs can be single or combinations of technologies, including electrochemical batteries, thermal energy storage, and/or mechanical energy storage. In general, as the transition to emissions-free and renewable generation sources progresses, BESSs help to reduce costs, while improving resiliency, sustainability, and the safety of the electric grid. But this is only possible if BESSs are allowed to be located throughout PNM's service area, especially where the growth of load demand for electricity is occurring.

New load growth is increasingly driven by population growth, transitions to electric HVAC systems and electric appliances, economic development projects, and electric vehicles (EVs). BESSs are most effective when they are located near the load demand center and where there are existing electric utility facilities such as substations and renewable generation. The technical requirements for BESSs include interconnection to the distribution system, transformers, switches and other control equipment, and adequately sized sites that maximize efficacy, efficiency, and effectiveness.

IDO Annual Update

Currently, Electric Utility uses are a Permissive Primary use in every IDO Zone District except NR-SU (sensitive use) and NR-PO (parks and open space) where they are an accessory use:

Zone District >>	Residential						Mixed-use				Non-residential							Use-specific Standards	
	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	NR-SU	A	B		C
Land Uses																			
Electric utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	4-3(E)(8)

Existing IDO use and development standards reflect the IDO's acknowledgement that the electric grid and electric utility uses are critical infrastructure and are permissive or allowed uses in all Albuquerque communities and neighborhoods. Electric utility infrastructure is as important as stormwater facilities, potable water systems, wireless telecommunication, roadways, traffic control signals, and streetlights. Every other infrastructure system in the City of Albuquerque relies upon the electric grid to function in-part or in-full. The emergence of EVs and the growing demand for electricity to fuel them, along with the growing prevalence of renewable generation, also speak to the critical importance of Electric Utility uses that make up the electric grid.

Because the IDO's current definition for Electric Utility already includes battery storage, PNM in early October 2023 requested from Planning staff a single, comprehensive change to IDO Use Specific Standard (USS) 4-3(E)(8) for the Electric Utility use. This requested change was to clarify and ensure the continued allowance of this critical BESS use with development standards equal to those for a substation:

- For USS 4-3(E)(8) Subsections (a), (b), (c), and (d): **add + stand-alone Battery Energy Storage Systems (BESSs)** + in addition to substations.

The above requested change is the simplest, most straightforward way of addressing the emerging prevalence of BESSs, an Electric Utility use, that reflects the need for them to be as ubiquitous as substations, interspersed at technically regularized intervals throughout the City of Albuquerque and Bernalillo County.

Proposed IDO Amendments for Battery Energy Storage Systems

PNM, the public utility that provides Albuquerque's critical electric infrastructure and service, will be most directly affected by that these proposed 2023 Annual Update standards. Private, merchant developers of BESS systems will also be affected. PNM would like to take this first opportunity to address the proposed IDO Annual Update amendments drafted by Planning Department staff. The below comments include requested changes for the BESS use allowance, Use Specific Standards (USSs), landscaping standards, maintenance standards, and the BESS definition.

In general, the proposed standards for BESSs appear intended to protect the general health, safety, and welfare of City residents, but many of the proposals create intractable obstacles to the integration of these critical facilities into the electric grid where and when they are needed. As BESS facilities are critical to the State mandated transition to emissions-free and renewable generation sources, many of these proposed amendments could be contrary to the intent of and realistic and timely compliance with the Energy Transition Act (ETA).

Below are PNM's comments for the lengthy set of amendments proposed for BESS facilities:

Proposed Amendment

1. On page 154, in the Telecommunications, Towers, and Utilities sub-category of Industrial Uses in Table 4-2-1, add a new row for “Battery energy storage system” with a P in NR-LM and NR-GM to allow a battery energy storage system as a permissive primary use.

PNM response:

Because the current IDO definition for Electric Utility already identifies and includes battery storage and the Electric Utility use is allowed in all IDO Zone Districts, limiting BESSs to manufacturing zones is contrary to the definition of Electric Utility and the use’s permissive allowance in every IDO Zone District except NR-SU and NR-PO. Limiting BESS uses to manufacturing zones will severely hamper the ability of PNM and merchant developers to integrate battery energy storage systems into the distribution system in areas of increasing load demand for electricity in mixed-use, residential, and economic development that will occur in areas outside of the NR-LM and NR-GM Zone Districts.

BESS facilities are unmanned and if limited to only manufacturing zone districts will take away limited land that is needed for employment growth that is more appropriately located in NR-LM and NR-GM areas. PNM will be interested in the staff report analyses and reasoning for this proposed location limitation for BESSs that reflect the ongoing technological advances for reliability and safety and that address the need for Electric Utility uses to be located as close to electric load demand centers as possible. PNM requests that the BESS use be a Permissive Primary use in all IDO Zone Districts in exactly the same way as the more comprehensive Electric Utility use.

Proposed Amendment

2. On page 194, in Subsection 14-16-4-3(E), add a new Subsection for battery energy storage system with text as follows.

4-3(E) INDUSTRIAL USES

- 4-3(E)(2) Battery Energy Storage System [New]**
4-3(E)(2)(a) Energy storage system capacities, including array capacity and separation, are limited to the thresholds in the National Fire Protection Association (NFPA) standard 855.

PNM response:

- (a) PNM is not opposed to applicable fire safety regulations, but requests clarifications and answers to the following concerns and questions:
- It is unclear who would enforce this new subsection for compliance with NFPA standard 855 thresholds. Would this be the Zoning Enforcement Officer (ZEO) within the Planning Department because it is in the IDO, or would it be the AFR Fire Code Official?
 - Would a review of a proposed BESS project per this new standard be part of an administrative site plan approval or would a separate process be applicable?
 - If there is a conflict between any existing section of the IDO and/or of the City’s Fire Code (14-2-1 et seq) and/or the International Fire Code (IFC), and/or the International Building Code (IBC) with this new requirement to comply with NFPA standard 855, will the ZEO or the Fire Code Official determine which regulation/standard shall apply?
 - Will this new subsection apply to non-electrochemical BESS projects that may rely on technologies such as thermal or mechanical energy storage?

4-3(E)(2)(b) The 1-hour average noise generated from the Battery Energy Storage System, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA (i.e. A-weighted decibel) as measured at any property line.

1. Applicants may submit equipment and component manufacturers noise ratings to demonstrate compliance.
2. The applicant may be required to provide Operating Sound Pressure Level measurements from locations evenly spaced every 100 feet along the property line to demonstrate compliance.

PNM response:

(b) PNM acknowledges its current obligation to comply with the City's Noise Control Ordinance (9-9-1 et seq) and requests clarifications and answers to the following concerns and questions:

- It is unclear who would be enforcing this new subsection for compliance with the 60 dBA sound level. Would this be the Zoning Enforcement Officer (ZEO) within the Planning Department because it is in the IDO or the Environmental Health Department that enforces the City's Noise Control Ordinance?
- If there is a conflict with the City's Noise Control Ordinance, which standard would prevail and who would make such a determination, the ZEO or the Environmental Health Department?
- Would a review of a proposed BESS project per this standard be part of an administrative site plan approval or would a separate process be applicable?
- If an applicant for a BESS project is required to provide sound level measurements, would the Planning Department or Environmental Health Department be reviewing and certifying compliance?

4-3(E)(2)(c) A landscaped buffer at least 25 feet wide containing 2 evergreen trees and 6 shrubs per 25 feet shall be provided along all property lines.

PNM response:

(c) This proposed 25 foot landscape buffer along all property lines makes development of critical BESS facilities infeasible, especially in infill areas where land is often only available as smaller parcels, but where electric load demand growth occurs with redevelopment and infill projects and the steady adoption of EVs.

Unlike the existing landscape requirements for substations (4-3(E)(8)), this proposed standard does not give any deference to "the safety and maintenance requirements of substations." BESS facilities are Electric Utility uses that require interconnections with the local distribution system, most of which are overhead lines that are not compatible with "2 evergreen trees and 6 shrubs per 25 feet . . . along all property lines" because of potential damage to the lines from tree limbs and branches. Underground lines in conduits and their junction boxes have similar potential to be damaged by tree roots. Because it is a USS, this subsection also conflicts with and will supersede (see IDO section 1-8(A)(2)) the current landscaping requirements in IDO section 5-6(C)(10) that are intended to protect critical infrastructure.

PNM is required by the NM PRC to interconnect not only private renewable generation sources, but also private BESS projects. Private merchant BESS developers may see this proposed requirement as a deal-breaker if it prevents a project from “penciling out” and making sense as an investment opportunity, which may detract from the electric grid reaching the goals and meeting the requirements of the State’s Energy Transition Act (ETA).

If public safety is the intent of this impractical landscape buffer around every BESS project, then the establishment of numerous, attractive nuisances for the unhoused, taggers, and vandals may well be the result, and not the furtherance of public safety. Critical infrastructure should not be subjected to the risks that a 25 foot landscape buffer on all sides presents, especially in “rear yard” areas located away from streets where public safety service providers (Albuquerque Police Department, Albuquerque Fire and Rescue, and Albuquerque Community Safety) need visibility.

PNM requests that BESS landscape requirements be identical to those for substations and not per subsection (c). PNM also requests that the wall requirement USS for substations be applicable to all BESS facilities as well.

4-3(E)(2)(d) All onsite utility lines and connections, including associated equipment, shall be placed underground or pad mounted, unless soil conditions, shape, or topography of the site as verified by the City Engineer dictate above-ground installation. Electrical transformers for utility interconnections may be above-ground if required by the utility provider.

PNM response:

- (d) Requiring that “all onsite utility lines and connections, including associated equipment, shall be placed underground or pad mounted” will make BESS facilities cost-prohibitive in many locations because existing overhead distribution lines will have to be “risered down” with new pole structures and conduits. This requirement may create conflicts between the Franchise Agreement that covers the public right-of-way and the IDO that covers private properties if changes on the private side require changes on the public right-of-way side that cannot be accommodated because of limited space or other existing infrastructure (streetlights, traffic signals, bus stop shelters, fire hydrants, sidewalks, etc.).

And pad mounted equipment is by definition above-ground, which may require the ZEO to determine what is pad mounted versus what is underground versus what is above ground on a case-by-case basis. These potential internal conflicts and the need to resolve them would add additional uncertainty and less predictability to the development review process for critical infrastructure. This undergrounding requirement is also in conflict with above subsection (c) because underground conduits and junction boxes may be in direct conflict with evergreen tree and shrub planting locations every 25 feet along all property lines.

Since this requirement for undergrounding is not a measurable standard and relies entirely upon the City Engineer for relief from its requirements, what “soil conditions, shape, or topography of the site” would they verify and per what dictating criteria?

PNM requests that this subsection (d) in its entirety not be recommended to City Council or included in any way as a USS for a BESS use.

4-3(E)(2)(e) This use is prohibited within 330 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district.

PNM response:

- (e) This proposed distance separation requirement from residential zones and residential uses makes development of critical BESS facilities infeasible, especially in infill areas where land is often only available as smaller parcels, but where electric load demand growth occurs with redevelopment projects and the adoption of EVs. BESS facilities need to be located as close to electric load demand centers as possible to be most effective.

Ideal BESS locations include where load growth is driven by mixed-use and residential development/redevelopment, new EV charging stations in single-family home garages and at multifamily residential parking areas. Load growth can also be driven where natural gas HVAC systems and appliances are being replaced by electrically powered systems and appliances, namely residential, mixed-use, and commercial areas. Available land is also a driving criterion for the location of new BESS projects and this proposed distance separation requirement even makes some manufacturing zone district (NR-LM and NR-GM) areas unavailable if there is adjacency to residential zone districts or residential uses.

Similarly to substations, BESS facilities do not generate electricity, do not produce emissions, and must be maintained per FERC and NERC requirements. Further, compliance with NFPA standard 855 thresholds (see (a) above) should hopefully and adequately address all fire safety concerns and potentialities. And finally, a requirement for a security wall around a BESS facility would help integrate it into any community or neighborhood context in the same way as security walls for a substation, an Electric Utility use allowed in all Residential and Mixed-Use Zone Districts (see existing IDO USS 4-3(E)(8)).

PNM requests that this subsection (e) in its entirety not be recommended to City Council or included in any way as a USS for a BESS use.

Proposed Amendment

3. On page 276, in the Telecommunications, Towers, and Utilities sub-category of Industrial Uses in Table 5-5-1, add a new row for "Battery energy storage system" with "No requirement" for parking.

PNM Response:

This amendment is logical and based in reality because BESS facilities, like substations, are unmanned and do not require parking for staff or customers.

PNM strongly supports proposed amendment number 3.

Proposed Amendment

4. On page 303, in Subsection 14-16-5-6(C)(10), add a new subsection with text as follows.

5-5(C) GENERAL LANDSCAPING STANDARDS

5-6(C)(10)

Planting near Utilities

5-6(C)(10)(h) [new] Planting of combustible plant material is prohibited within 25 feet in any direction of a battery energy storage system.

Ground cover and turf are allowed, provided that they do not form a means of readily transmitting fire.

PNM Response:

This amendment is in direct conflict with the proposed USS 4-3(E)(2)(c) that requires a landscape buffer with 2 evergreen trees and 6 shrubs per 25 feet along all property lines. Evergreen trees are extremely combustible plant material because of their high levels of oils, resins, and/or waxes. Shrubs are combustible plant material. “Ground cover and turf” could include crusher fine or other gravel, living vegetation, and/or artificial turf, depending on what section of the IDO is referenced. This proposed amendment is internally inconsistent because living vegetation and turf are all combustible regardless of their hydration or greenness and could form a means of readily transmitting fire. Any plant can burn, and especially evergreen trees and shrubs.

Furthermore, this proposed amendment is unnecessary because per IDO section 1-8(A)(2), if there is a conflict between this proposed Planting near Utilities amendment and the proposed BESS USS amendment, “the Use-specific Standard shall prevail regardless of whether the Use-specific Standard is more or less restrictive than the Development Standard.” If both this landscape standard, 5-6(C)(10)(h), and USS 4-3(E) are adopted, then this may present applicants and the Zoning Enforcement Officer (ZEO) with an unnecessary determination about which standard prevails for each and every BESS project. Again, these potential internal conflicts and the need to resolve them would add additional uncertainty and less predictability to the development review process for critical infrastructure.

PNM requests that this amendment in its entirety not be recommended to City Council or included in any way as part of the IDO Annual Update.

Proposed Amendment

5. On page 383, in Subsection 14-16-5-13(B)(7), add a new subsection with text as follows.

5-13(B) MAINTENANCE STANDARDS

5-13(B)(7)

Landscaping, Buffering, and Screening

5-13(B)(7)(d) [new] The area within 25 feet in any direction of a battery energy storage system shall be cleared of combustible vegetation and other combustible growth.

PNM Response:

This amendment is in direct conflict with the proposed USS 4-3(E)(2)(c) that requires a landscape buffer with 2 evergreen trees and 6 shrubs per 25 feet along all property lines and with Proposed Amendment 4 above ground cover and turf. All vegetation, regardless of hydration or greenness, is combustible and therefore any required living landscape (e.g. evergreen trees and shrubs every 25 feet along every property line) would then have to be cleared. Then the site would become non-compliant to the USS for

landscaping, subjecting a property owner to enforcement action to re-install the landscape that would then have to be cleared. Any plant can burn, especially evergreen trees and shrubs that contain oils, resins, and/or waxes.

PNM requests that this amendment in its entirety not be recommended to City Council or included in any way as part of the IDO Annual Update.

Proposed Amendment

6. On page 548, in Section 14-16-7-1, add a new term “Battery Energy Storage System” with text as follows.

Battery Energy Storage System

A utility-scale facility that stores energy from the electrical grid and then discharges it at a later time to provide electricity when needed. Electrochemical batteries may include, but are not limited to, lithium-ion, lead-acid, redox flow, and molten salt (including sodium-based chemistries). For the purposes of this IDO, batteries used in consumer products, including EV vehicles, are not included in this use. Battery storage associated with an electric utility is regulated separately. See *Electric Utility*.

PNM Response:

PNM is concerned about the inclusion of this defined term because it only refers to “Electrochemical batteries” when describing a Battery *Energy* Storage System. It should go further to include thermal energy and mechanical energy storage systems as BESS facilities as well. The portion of the definition that works well is the differentiation of a BESS from batteries used in EVs and other consumer products. The last sentence: “Battery storage associated with an electric utility is regulated separately.” is not necessary and should be removed because the first sentence makes it clear that a BESS is “utility-scale” and a private merchant BESS developer may or may not be associated with an electric utility and these applicants should be held to the same standards as a public utility for the same use.

PNM might support this amendment with the changes noted above.

Proposed Amendment

7. On page 617, in Section 14-16-7-2, add new acronyms as follows.

NFPA: National Fire Protection Association

dBA: A-weighted decibel (dB)

PNM Response:

PNM is not opposed to this amendment.

Comprehensive Plan Goals and Policies

This set of IDO amendments to address BESS facilities do not appear to further the following CompPlan Goals and Policies, which is a requirement of IDO Review and Decision criterion 6-7(B)(3)(a) for the IDO Annual Update:

Goal 5.3 Efficient Development Patterns

Policy 5.3.1 Infill Development

Policy 5.3.2 Leapfrog Development

Policy 5.3.3 Compact Development

Goal 5.4 Jobs-Housing Balance

Goal 5.7 Implementation Processes

Policy 5.7.2 Regulatory Alignment

Policy 5.7.4 Streamlined Development

Policy 5.7.6 Development Services

Goal 7.6 Context-Sensitive Infrastructure

Policy 7.6.3 Utility Infrastructure

Goal 8.1 Placemaking

Policy 8.1.2 Resilient Economy

Policy 8.1.5 Available Land

Goal 12.1 Infrastructure Systems

Policy 12.1.6 Energy Systems

Goal 12.4 Coordination

Policy 12.4.1 Collaborative Strategies

Policy 12.4.4 Joint Use

Goal 12.5 Resources

Policy 12.5.1 Cost-Benefit Analysis

Policy 12.5.2 Cost Allocation

Policy 12.5.4 Cost Efficiencies

Goal 13.1 Climate Change

Policy 13.1.1 Resource-Efficient Development

Policy 13.1.2 Greenhouse Gas Mitigation

Policy 13.1.3 Public Infrastructure and Facilities

Goal 13.3 Natural Hazards

Policy 13.3.1 Resilient Infrastructure

Goal 13.4 Natural Resources

Policy 13.4.3 Energy Resources

Goal 13.5 Community Health

Policy 13.5.3 Public Infrastructure Systems and Services

Conclusion

What started as a relatively simple request from PNM for a minor text amendment to the existing Use-specific Standard for the Electric Utility use (4-3(E)(8)) to add Battery Energy Storage System (BESS) and apply the same standards as those for an electric substation have morphed into a lengthy set of proposed amendments that will have detrimental and unintended consequences for the development and implementation of BESS projects. These consequences include making it much more difficult to develop BESS projects that are critically necessary to comply with and implement the State mandated transition to emissions-free and renewable generation sources (Energy Transition Act). And the potential internal conflicts contained in these proposed amendments would add additional uncertainty and less predictability to the City's development review process for this critical infrastructure.

Electric load demand growth comes from all land uses located in all IDO Zone Districts and BESS infrastructure should not be relegated to only manufacturing zones. PNM respectfully requests that this proposed language be amended and pared down as detailed in this letter to reflect technically and economically realistic design standards that respond to current and future BESS technologies. BESS projects are critical infrastructure that will be necessary in all communities throughout the City of Albuquerque and Bernalillo County.

Sincerely,



Russell Brito
Land Use & Permitting Administrator
Environmental Services & Land Use Permitting

Cc: Ken Maestas – PNM

From: [D. Saumon](#)
To: [City of Albuquerque Planning Department](#)
Cc: newmexico@darksky.org
Subject: Albuquerque IDO Annual Update - Lighting
Date: Sunday, November 26, 2023 2:00:55 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Dear EPC Chair Staffer,

I have read the Integrated Development Ordinance (IDO) sections on Outdoor and Site Lighting and would like to offer some comments.

First, I am pleased that the city of Albuquerque is considering a strong and modern outdoor lighting ordinance. After the relamping of its street lights a few years ago, the dome of light above the city has become much brighter and of a white color, both detrimental to dark skies in the Albuquerque area and as far away as the Valles Caldera National Preserve. This ordinance will help compensate for this major set back in preserving dark skies.

I applaud the inclusion of explicit limits to light trespass, rules about security lighting, rules about areas near parks and open spaces, and the adoption of a curfew and of a 10-year amortization period for compliance.

It will be important to follow the adoption of the ordinance with a public education campaign, especially in view of the amortization period. Contractors will also need to be made aware of the new ordinance and become aware of good lighting practices which, in my experience, is sorely lacking.

Following are comments for needed improvements and clarification.

The ordinance must include a map of the city with an overlay of the lighting zones. This is very important to get a bird's eye view of its impact and implications.

4-3(D)(29) Why is there a call-out to "internal lighting" of self-storage? Presumably lighting of the interior of a self-storage space is off most of the time and being internal, should not contribute much to light trespass or light pollution.

5-8(A): The purpose statement must include the 5 principles of sound outdoor lighting. They were devised by the Illuminating Engineering Society and DarkSky International:

1) Useful - Use light only if it is needed.

- 2) Targeted - Light should be directed only to where it is needed.
- 3) Low level - Illumination should be no higher than necessary.
- 4) Controlled - Light should be used only when it is useful.
- 5) Warm-colored - Use warmer-color lights where possible.

Adding these principles to the purpose statement justifies the rules that follow and provides guidance for situations not explicitly stated in the ordinance where city staff may have to exercise judgment.

5-8(D)(2) CCT between 2700K and 3000K. There is no good reason for setting a lower limit to the CCT. While 2200K LED are still less common than 2700K, the industry and market are evolving rapidly. In a side-by-side comparison I have evaluated a HPS light, a 2200K LED with CRI=70 and a 2700K with CRI=75 in a parking lot. Because of its high CRI, the 2200K light provides ample color perception and looks very different from the HPS. Furthermore, the visual appearances of the 2200K and 2700K are not very different from each other, but the 2700K emits twice as much blue light (per lumen) as the 2200K (this can vary somewhat with the manufacturer). For the preservation of dark skies and to limit the environmental impact of outdoor lighting, it is very important to limit the emission of blue light (principle #5 above). Thus, 2200K is by far the better choice and will become easily available on the consumer market in just a few years. To summarize, there should not be a lower limit on the CCT, and the upper limit should be reduced to 2700K to limit blue light emissions

5-8(G)(2) There should be a site lumen limit for seasonal lighting.

6-6(I)(3) This language is quite opaque and should be clarified.

Definitions:

Curfew: This is a very important element of the ordinance and belongs in the main text.

Candela: Confusion between candela and candela per square meter. Needs clarification.

CCT: 4000K does not appear blue. The very useful graphics associated with this definition correctly display a nearly white color.

Foot candle: The sentence about how fc are measured does not belong in a definition of fc. Furthermore, it is inconsistent with the full text of 5-8(E)(4)(b) and the definition of Illuminance.

Best regards,

Didier Saumon

From: Parkland Hills Neighborhood Association

11/26/2023

To: Attention Chair Shaffer.

Email abcto@cabq.gov

**Re: Comments for the EPC regarding IDO Annual Update 2023 including:
IDO Annual Update 2023 - Proposed Citywide Text Amendments - EPC
Submittal “Printed 10/26/2023” - Submitted prior to 11/27, 9 am: Deadline
for written comments to be included in EPC staff report**

Chair Shaffer,

Please accept our comments from Parkland Hills Neighborhood Association for your consideration in making your recommendations to the Albuquerque City Council for adoption of proposed IDO Annual update 2023.

Table of Contents include the following:

1. Maps showing **Locations Overnights Shelters would be allowed with proposed IDO Zoning changes** including #9 IDO proposal identifying some of the permitted locations of overnight Shelters with up to 50 persons with no separation from other shelters and unlimited capacity of shelters in MX-H Zone. These would be permitted without any neighborhood input that currently is required by a Conditional use approval. Additionally if proposed IDO change #11 to exempts city from conditional use requirements, at any of the locations shown on the 2 maps, city facilities including overnight shelters and any other occupancies requiring neighborhood input through the conditional use process would be permitted without any input or approval process.
2. List of 2023 IDO proposed change comment list.
3. Review of possibly important 2023 Proposed IDO zoning changes
4. Reference showing current permissive and conditional use location for Community residential, group homes, and overnights shelters

PAST YEARS IDO (ZONING) HIGHLIGHTS

1. This is the third year in a row for the proposed change to make Overnight shelters Permissive in MX-M and MX-H and at least second year for increased wall height change proposals.
2. PHNA submission of IDO (zoning) proposal to clarify Wall/Fence zoning for variances on walls in front yards to be more consistent with neighborhood. If 6' wall proposed, then 20% of existing walls should be at least the 6' proposed, rather than 20% being anything over 3'. This was submitted by Parkland Hills Neighborhood Association.

Locations Overnights Shelters would be allowed with proposed IDO Zoning changes

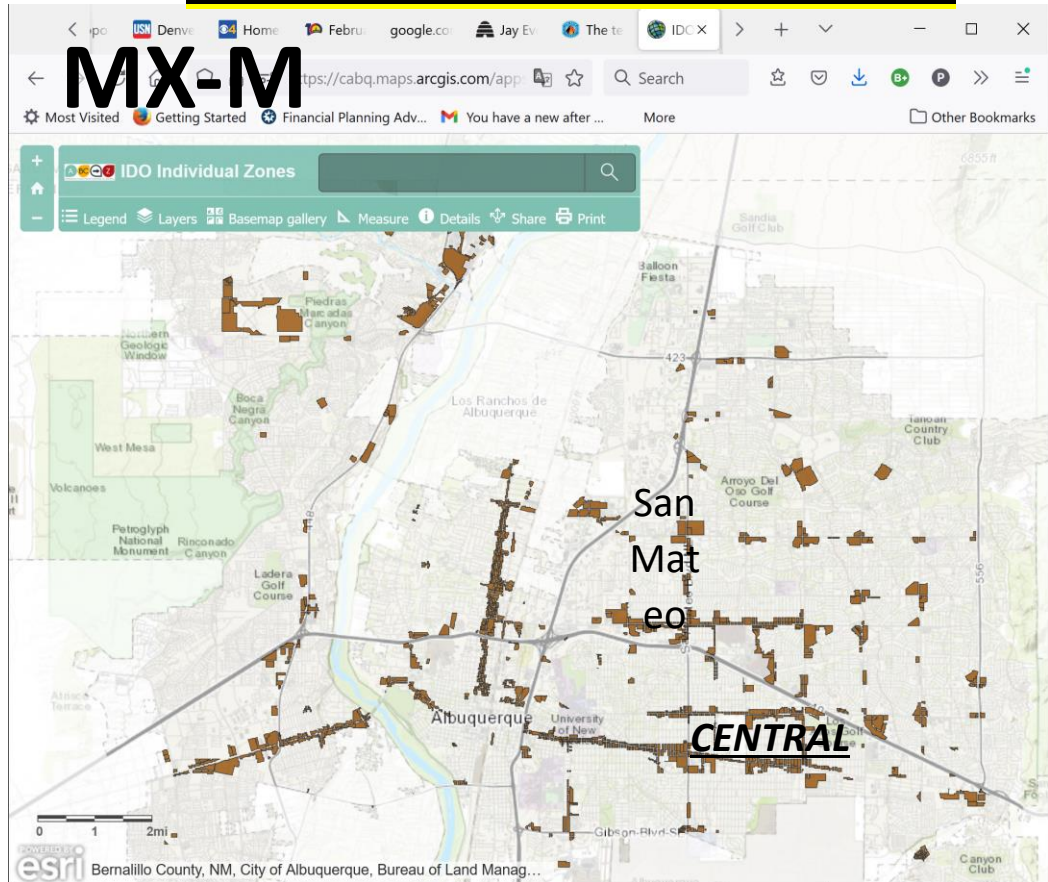
MX-M AND NR-C

LOCATIONS OVERNIGHT
SHELTER <50 PERSONS
PERMITTED WITHOUT
ANY NEIGHBORHOOD
INPUT ALLOWED.

UNLIMITED CAPACITY
IF CITY DOESN'T NEED
TO FOLLOW
CONDITIONAL USE
UNDER NEW
PROPOSAL.

50 OR 2500 IF ALL
PROPOSED CHANGES
OCCUR.

CHANGE WOULD
PERMIT NEXT TO R-1
WITH NO SEPARATION
FROM OTHER
OVERNIGHT SHELTER.
All shapes (or blobs) are
locations where these
building could be located.



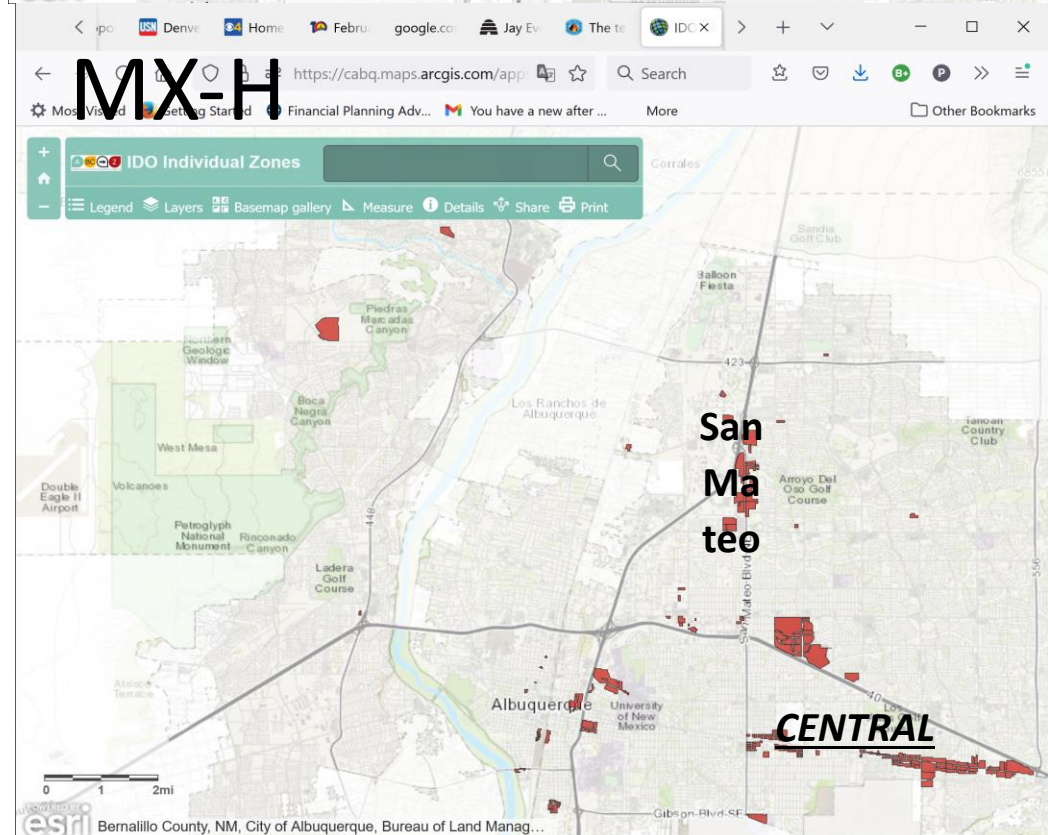
MX-H LOCATIONS

UNLIMITED
OVERNIGHT SHELTER
CAPACITY WITHOUT
ANY NEIGHBORHOOD
INPUT ALLOWED.

2500+ CAPACITY

CHANGE WOULD
PERMIT NEXT TO R-1
WITH NO SEPARATION
FROM OTHER
OVERNIGHT SHELTER.

All shapes (or blobs) are
locations where these
building could be located.



**LIST OF 2023 IDO COMMENTS OF EPC SUBMITTAL “10/26/2023” PROPOSED
CHANGES FROM PARKLAND HILLS NEIGHBORHOOD ASSOCIATION**

(DETAILED REVIEW ON FOLLOWING PAGES)

- A. Item 8. Cannabis minimum 660’ apart- no exceptions - **Support**
- B. Item 9. Overnight shelters permitted throughout city without neighborhood input permitted. **Oppose**
- C. Items 10 and 13. Two-family detached (duplex) dwellings in the entirety of the R-1 zone district **Oppose**
- D. Item 11. City buildings can ignore conditional use process and build without neighborhood input allowed. **Oppose**
- E. Item 12. Live/work allows all corner lots in single family residential zone to have 3000 sq feet of retail or restaurant. **Oppose**
- F. Item 23 & 24. Walls 5’ high with no setback in front yards at property lines. **Oppose**
- G. Items 29-37. Change to decrease time and decrease number of neighbors and neighborhood associations to notify of changes to zoning and what is permitted to be done on or with a property. Reduces opportunity for neighborhood input by keeping them in the dark. **Oppose and Support. See Individual Amendments**
- H. Items 46 & 47. Changes definition of Community residential facilities and Group homes. This could permit some to operate as overnight shelters and permit halfway houses and criminal diversion facilities in Residential neighborhoods. **Oppose**

A. 8 Multiple 4 – Cannabis Retail – Removal of Conditional use including increasing separation distance of establishments from 600 to 660’ of another retail location. Council Memo.

Support: Please support this amendment for the following reasons

- 1) Currently, conditional use can be requested which appears to usually be approved in spite of neighborhood concerns. This proposal could reduce dispensary concentration in individual areas, particularly areas that need economic development
- 2) A separation distance of 660 feet conforms to Albuquerque standard blocks which would provide a 2 block separation which would reduce community overburden
- 3) Removal of MX-T would remove this activity from residential zones. Currently there is a harmful burden in that smoking establishments do not need to prove that they provide a filtration system to remove fumes from adjacent residential areas, such as occurs on San Mateo with residence behind.

B. 9 Multiple 4 - Overnight Shelter

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
9	Multiple	4	<p>Overnight Shelter Revise Table 4-2-1 to make permissive in all zone districts where currently allowed as Conditional (MX-M, MX-H, NR-C, NR-BP, NR-LM, NR-GM). Revise Subsection 14-16-4-3(C)(6) as follows: “(a) This use is prohibited within 1,500 feet in any direction of a lot containing any other overnight shelter. (b) This use shall be conducted within fully enclosed portions of a building. (a) [new] This use requires a Conditional Use approval pursuant to Subsection 14-16-6-6(A) for any of the following: 1. More than 50 beds in any zone district where allowed, except MX-H. 2. Locations within 1,500 feet in any direction of any other overnight shelter. 3. Locations within 330 feet of Residential zone districts or any residential use in a Mixed-use zone district. (e) (b) In the MX-M zone district, this use shall not exceed 25,000 square feet.</p>	Allows small overnight shelters permissively in zone districts where the use is currently only allowed conditionally. Requires conditional approval for larger shelters, shelters near residential, and shelters within 1500 feet of each other.	Staff

Allows small overnight shelters permissively in zone districts where the use is currently only allowed conditionally. Requires conditional approval for larger shelters, shelters near residential, and shelters within 1500 feet of each other. Changes overnight shelters in MX-H zone to be permissive. **Staff**

Oppose: Please oppose this amendment for the following reasons:

- 1) **Overnight shelter** – up to 50 beds would be permitted to be located without any public input almost anywhere along Central, parts of San Mateo and Gibson, Lomas and Menaul Northeast and many intersections in the northeast heights. Please keep neighborhood input by opposing this change.
- 2) They would also be permitted within one block of many residential zones without public input and without inclusion of solutions to existing problems, particularly with services to the unhoused being concentrated in specific areas of the city such as Downtown and the international district, which already is overburdened. The use of ACS being at the Gibson Health Hub has not stopped the bridge at that location from encampments and the surrounding neighborhoods from the ramifications of this concentration, even when it is in the front yard of the ACS. This demonstrates the inability of the city to manage overnight shelters without conditions included to prevent significant adverse impacts.
- 3) Conditional use could allow overnight shelter to be located within 1500’ or others which is currently prohibited. Past experience has demonstrated that Neighborhood association input is commonly ignored as to safety concerns and Conditional use is usually given, no matter what the significant adverse impacts upon the neighborhood identified. This might as well be listed as permissive, which appears to be the intent of this proposal. See #11 also.

- 4) Overnight shelters of 50 or less would be permitted without neighborhood input where they currently require a conditional use permit approval without neighborhood input. This would permit these facilities almost anywhere along Central, AS IDENTIFIED BY THE INCLUDED ZONE MAPS.
- 5) Instead of overnight shelters being required to be 1500 feet apart (less than 5 blocks), it permits them to be less with a conditional use permit which recently has been easy to get no matter what the evidence to the contrary suggests. Past experience in conditional use permit hearings has demonstrated that Neighborhood input is commonly ignored as to safety concerns and this might as well be listed as permissive use.
- 6) MX-H would be permissive use for all overnight shelters without any capacity limits and without any public input. This is a continuation of the past 2 years efforts for the administration to make overnight shelters permissive in MX-H and MX-M zones. This takes away neighborhood association input, the people who help to maintain the “community of a neighborhood” and permits the city to overburden specific areas of the city, particularly District 6.
- 7) With the change definition of group homes and community residential facility, particularly the removal of residing for a period of 24 hours, this could possibly permit group homes and community residential facilities to act as overnight shelters. This would be done without public oversight and input and from the included allowable uses chart, could potentially place them in areas already overburdened with sheltering facilities.
- 8) This, along with the proposal requested by the administration, to permit any city property to ignore conditional use requirements without any neighborhood input, including placing overnight shelters of unlimited capacity throughout the city. (see maps for MX-M and MX-H for these permitted locations). Conditional use was included in the IDO for a valid reason, and this along with the ZHE’s readily approving conditional use activities could greatly harm communities not planned for these facilities and harm communities, particularly areas of District 6 in great need of economic development.

C. 10 161 4- 3(B)(5)(b) and 13 - Multiple proposals Two-family detached (duplex) dwelling - Public

Allows duplexes in R-1 on all lots. Alternate proposal is to permit them on corner lots that are at least 5,000 s.f. – These would allow **Duplexes** on all R-1 zoning that doesn’t have accessory dwelling unit without any neighborhood input and another proposal would allow duplexes on all corner lots. (SEE LAST PAGE FOR COUNCIL PROPOSAL)

10	161	4-3(B)(5)(b)	Dwelling, Two-family Detached (Duplex) Revise text as follows: "This use is prohibited in the R-1 zone district, except for the following: <u>1. In R-1A where 1 two-family detached dwelling is permissive on 2 lots where the building straddles the lot line and each dwelling unit is on a separate lot.</u> <u>2. On corner lots that are a minimum of 5,000 square feet."</u>	Allows duplexes in R-1 on corner lots that are at least 5,000 s.f.
13	Multiple	4-3(B)(5)	Two-family Detached (Duplex) Dwelling See Council Memo for proposed amendments.	See Council Memo.

(copy of proposed change #13 at end of this document)

Oppose: Please oppose these amendments for the following reasons:

- 1) All or corner R-1 lots could permit duplexes which could overwhelm some areas, though not all, with parking issues and density. Older neighborhoods would be subject to greater traffic, making it more dangerous for neighborhoods that have children or that would like to attract children into the housing mix. If accepted, this should be a conditional use so that neighborhood association input regarding burden, such as areas surrounding UNM which already have parking challenges could be addressed. We request that this either be a conditional use to permit greater increase in housing only in areas that can support it and to permit neighborhood input as ADU’s are already permissive.
- 2) As the city counts on street parking to meet the required parking needs, as stated above this could even more severely overburden neighborhoods if done as a permissive use throughout the city.
- 3) A these are unlimited size as opposed to ADU’s, they would more readily overburden due to the significant increase in density that could occur is this occurred on a moderate number of lots on one block.
- 4) Due to the conditional use process often limiting neighborhood consideration, some areas of the city should not include this option. Other areas of the city might be acceptable for this, but they would need to be carefully studied before this would be incorporated into the IDO.

D. 11. 147 4-1(A)(4) Conditional Uses for City Facilities Exempts City facilities from the conditional use process. **Admin**

11	147	4-1(A)(4) [new]	<p>Conditional Uses for City Facilities</p> <p>Add a new subsection with text as follows and renumber subsequent subsections accordingly:</p> <p><u>"City facilities do not require a Conditional Use Approval where listed as 'C' in Table 4-2-1 because they serve a public purpose. Conditions of approval pursuant to Subsection 14-16-6-4(P) may be added by the decision-maker for the associated Site Plan to ensure conformance with the IDO and to ensure public health, safety, and welfare."</u></p>	Exempts City facilities from the conditional use process.	Admin
----	-----	--------------------	--	---	-------

Oppose: Please oppose this amendment for the following reasons:

- 1) Looking at the allowable use chart beginning on page 151 of the current IDO, the major occupancy categories that would be changed would be the group living section and civic and institutional uses categories. These changes including overnight shelters and group homes (which could be used as overnight shelters per other proposed IDO proposed amendments) appear to be the primary categories affected by this proposal, in effectively making these a permissive use.
- 2) As an example, The city and the administration could place unlimited capacity overnight shelters and other uses that currently require conditional use without neighborhood input as to potential significant adverse impacts. This could mean that the city could contract to run or lease out any city owned property such as all the buildings along central or many other areas for these facilities.
- 3) All it would take is the city purchase of a building. This would be done without public oversight and input. This is a continuation of the past 2 years efforts for the administration to make overnight shelters permissive in MX-H and MX-M zones, which this change could effectively accomplish.

3 of 17 Printed 10/26/2023

12 Multiple. Allows live/work for very small retail and restaurants on corner lots in R-1 zone. limited to a total of 3,000 square feet or less." "In the R-T and R-ML zone districts, corner lots that are a minimum of 5,000 square feet. In "In the R-1 zone district, only allowed on corner lots minimum of 5,000 square feet. **Public**

Item #	IDO Page	IDO Section	Change / Discussion	Explanation
12	Multiple	4	<p>Dwelling, Live-work</p> <p>On page 151, in Table 4-2-1, add a P in R-1 and change C to P in R-T and R-ML.</p> <p>On page 162, in Subsection 4-3(B)(7)(c), add cannabis retail and nicotine retail as prohibited uses.</p> <p>In Subsection (c)2, revise text as follows:</p> <p><u>"Any use other than restaurant in the Food, Beverage, and Indoor Entertainment category."</u></p>	Allows live/work for very small retail and restaurants on corner lots in neighborhoods to open business opportunities for homeowners who otherwise could not purchase/maintain/rent two properties, one for business and one for living. Returns the pattern of corner stores in neighborhoods for services within walking distance of more residences. Prohibits cannabis retail and nicotine retail in all zone districts.
12	Multiple	4 (cont'd)	<p>Dwelling, Live-work (cont'd)</p> <p>On page 162, in Subsection 4-3(B)(7), add a new subsection (e) with text as follows:</p> <p><u>"Where allowed in a Residential zone district, general retail and restaurant are limited to a total of 3,000 square feet or less."</u></p> <p>Add a new subsection (f) with text as follows:</p> <p><u>"In the R-T and R-ML zone districts, this use is permissive on corner lots that are a minimum of 5,000 square feet. In other locations, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A)."</u></p> <p>Add a new subsection (g) with text as follows:</p> <p><u>"In the R-1 zone district, this use is only allowed on corner lots that are a minimum of 5,000 square feet. Only general retail and restaurants are allowed."</u></p>	(Cont'd from above)

Oppose: Please oppose these amendments for the following reasons:

- 1) In most single family residential neighborhoods, a corner lot would permit the opening of a small restaurant or store bringing increase traffic into neighborhoods.
 - a. With few exceptions, most small lots are over 5000 Square feet. This would create more urban settings which has not been the intent of R-1 neighborhoods to date. This is a major change in the philosophy of the intent of the IDO. An example is any corner could have a restaurant or small store.

2) Deliveries and activity of restaurants and stores that have enough business to sustain them.

- a. Restaurant and stores create waste. Food waste is especially problematic, from the smells, more frequent trash pickup, evening and possible nighttime activity. If someone has chosen to live along a mixed use area where it is planned for these activities, such as apartment along the central corridor, that is their decision going in knowing of these activities. R-1 neighborhoods that were not designed for that take away that choice. Older areas that were designed to accommodate commercial adjacent to residential, such as the Silver corridor is an example of an area designed for that condition. Most of the city is not planned for that. Future planning of new areas could include this opportunity in the master plan.
- b. This could and would provide reduce opportunities from neighborhoods with people walking. Albuquerque is not designed to be a walking city, except for small pockets. In areas such as the southeast, a lot of people walk and they have to walk in the street as sidewalks are not designed for walking due to driveway aprons which encourage people to walk in the street or not walk at all. This is different than other urban areas that either have planting strips so that sidewalks are flat or have short driveway aprons and very low curbs.

F. 23. and 24. Walls & Fences - Front Yard Wall and side yard walls- Allows 5 foot walls in front yard with view fencing for at least 2 feet at top, set back 5 feet, or possibly less than 5'. **Admin**

23	320	5-7(D)(3)(a)	<p>Walls & Fences - Front Yard Wall Create a new subsection 1, renumbering subsequent subsections accordingly, with text as follows: <u>"For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 feet if all of the following requirements are met:</u> <u>(a) The wall is not located in a small area where taller walls are prohibited pursuant to Subsection (3) below.</u> <u>(b) View fencing is used for portions of a wall above 3 feet.</u> <u>(c) The wall is set back at least 5 feet, and the setback area is landscaped with at least 3 shrubs or 1 tree every 25 feet along the length of the wall."</u></p>	Allows 5 foot walls in front yard with view fencing for at least 2 feet at top, set back 5 feet, and landscaped.
24	321	Table 5-7-2	<p>Options for a Taller Front or Side Yard Wall Revise the first row of text under View Fencing as follows: <u>"<5 ft. from lot line abutting the street"</u></p>	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 5 feet from the property line.

Oppose: Please oppose these amendments for the following reasons:

- 1) Permitting all 5' walls in the front yard, possibly located at property line, reduces or eliminates opportunity for neighborhood input and breaks up cohesiveness and character of a neighborhood. This is appropriate for some older areas of the city such as old town, but does not promote community in most of the northeast and southeast heights.
- 2) The administration tried to get similar wall changes passed last year and submits again after major public opposition last year.

G. 29, 31, 33, 34, 35, 36, 37 – NOTIFICATION AMENDMENTS

Includes changes of distance and time that Neighbors and Neighborhood Associations are required to be notified of changes to what functions and buildings

29 403 6-4(B) Pre-submittal Neigh Meeting

29	403	6-4(B)	<p>Pre-submittal Neigh Meeting Revise Subsection (1) as follows: "For applications that meet any of the following criteria, the applicant shall offer at least 1 meeting to all Neighborhood Associations <u>within 330 feet of whose boundaries include or are adjacent to the subject property</u> no more than 90 calendar days before filing the application. In such cases, project applications will not be accepted until a pre-submittal neighborhood meeting has been held, or the requirements for a reasonable attempt in Subsection (3) below have been met." Delete Subsection (2).</p>	<p>Replaces adjacency requirement with a set distance that is expected to achieve approximately the same result. Common administrative practice currently assumes .025 miles (132 feet) from the subject property line to pick up relevant Neighborhood Associations. For large roadways, ONC staff has to measure the roadway. If larger than 132 feet, ONC staff has to manually add Neighborhood Associations that are adjacent. The adjacency requirement precludes automation in GIS. This solution will help automate queries for required NA representative contacts. Note: 330 feet = 1/16 of a mile or approx. 1 city block See related proposed changes to make distances consistent for public notice [6-4(K)], post-submittal facilitated meeting [6-4(L)(3)(a)], and appeals [6-4(V)(2)(a)].</p>	Staff
----	-----	--------	--	---	-------

Support:

- 1) This amendment increases the distance required for notification of neighborhood associations providing greater opportunity for public participation.

31 408 6-4(J) - Referrals to Agencies [tight language confusing change]

Item #	IDO Page	IDO Section	Change / Discussion	Explanation
31	408	6-4(J)	<p>Referrals to Agencies Revise second sentence as follows: "<u>For administrative decisions in Table 6-1-1, any comments received after such a referral and prior to the decision shall be considered with the application materials in any further review and decision-making procedures. For decisions that require a public hearing and policy decisions in Table 6-1-1, Any comments must be received within 15 calendar days after such a referral to shall be considered with the application materials in any further review and decision-making procedures.</u>"</p>	<p>Matches current practice. Referring agencies receive notice of applications that are decided administratively, but the City will not delay these administrative decisions for 15 days until the comment period ends, as is done with decisions that require a public hearing.</p>

Oppose: Please oppose this amendment for the following reasons:

- 1) This may seem small, but this takes away citizen's rights. Removes the requirement that comments received within 15 days after referral to POSSIBLY be considered as the removal of the words **SHALL BE** now no longer requires that these comments be considered with ANY further review and decision making procedures.
- 2) This clearly takes away the requirement that neighborhood associations and neighbors comments be included in further reviews and decision making procedures. This effectively takes away existing rights to participate in government.
- 3) The explanation statement that states that this changes "matches current practice" clearly demonstrates that the city does not follow the IDO, and making it less stringent ensures that it is acceptable for the city to ignore the IDO and that they just need to not follow the regulations to justify changing them. The city often does this, even to the extent that a mediator for a variance said it was accepted practice for the city not to follow IDO procedures. Please do not give the city more opportunity to take away citizens rights.

33 412 6-4(K)(3)(c)2 - Mailed Notice to Property Owners – Staff and**34 412 6-4(K)(3)(d)2 - Mailed Notice for Amendments to IDO Text - Small Area - . Staff**

33	412	6-4(K)(3)(c)2	Mailed Notice to Property Owners Revise the second sentence as follows: " For zoning map amendment applications only, adjacent properties shall be included where the edge of that 100-foot buffer area falls within any public right-of-way, adjacent properties shall be included. "	Removes the adjacency requirement to allow automation for the query for property owners in all but zoning map amendment cases. The State of New Mexico requires mailed notice to adjacent property owners within 100 feet excluding right-of-way for zoning map amendments.
34	412	6-4(K)(3)(d)2	Mailed Notice for Amendments to IDO Text - Small Area Revise text as follows: "All owners, as listed in the records of the Bernalillo County Assessor, of property located partially or completely within 100 feet in any direction of the proposed small area. Where the edge of that 100-foot buffer area falls within any public right-of-way, adjacent properties shall be included. "	Removes the adjacency requirement to allow automation for the query for property owners.

33 412 6-4(K)(3)(c)2 - Mailed Notice to Property Owners - Staff**Oppose: Please oppose this amendment for the following reasons:**

1. Removes adjacent properties that are separated by a public right of way from being included in notifications. This causes a reduction in neighborhood and associations given notification. If it is due to automated software, as stated, simplicity would be to change it to 660 feet to inform neighbors so as not to reduce participation due to software limitations. Inclusion, rather than exclusion of citizen participation should be the end goal.

34 412 6-4(K)(3)(d)2 - Mailed Notice for Amendments to IDO Text - Small Area - . Staff**Oppose: Please oppose this amendment for the following reasons:**

1. Removes adjacent properties that are separated by a public right of way from being included in notifications. This causes a reduction in neighborhood and associations given notification. If it is due to automated software, as stated, simplicity would be to change it to 660 feet to inform neighbors so as not to reduce participation due to software limitations. Inclusion, rather than exclusion of citizen participation should be the end goal.

35 412 6-4(K)(4) Posted Sign - Staff

Item #	IDO Page	IDO Section	Change / Discussion	Explanation
35	412	6-4(K)(4)	Posted Sign Create new subsections, revise existing text as follows, and renumber subsequent subsections accordingly: "(a) Where Table 6-1-1 requires posted sign notice, the applicant shall post at least 1 sign on each street abutting the property that is the subject of the application, at a point clearly visible from that street. (b) <u>For administrative decisions, the sign shall be posted for at least 5 calendar days after submitting the application and 15 days after the decision through the required appeal period pursuant to Subsection 14-16-6-4(V)(3)(a)1.</u> (c) <u>For decisions requiring a public hearing or policy decisions, the sign shall be posted for at least 15 calendar days before a required the public hearing and for the required appeal period following any final decision, required pursuant to Subsection 14-16-6-4(U) and Subsection 14-16-6-4(V)(3)(a)1."</u>	Requires signs to be posted before administrative decisions. The existing language requires posting before the decision only for applications requiring a public hearing and after the decision for the appeal period for all applications.

Oppose: Please oppose this amendment for the following reasons:

- 1) In looking at table 6-1-1, This removes required posting for many applications that currently require this such as carport and wall or fence major. Besides reducing neighborhood participation opportunity, this makes it easier reduce neighbor input in a change that could severely impact the quality of the neighborhood such as in areas where a 6' high wall could go up without neighbors 200' away knowing about a public hearing. This is especially critical in that the planning department has said it not their responsibility to inform people of public hearings and they need to find out on their own.

36 415 6-4(K)(Q) Post-submittal Facilitated Meeting -**Staff**

36	415	6-4(L)(3)(a)	Post-submittal Facilitated Meeting Revise the final sentence as follows: "The facilitator shall attempt to contact all Neighborhood Associations within 330 feet of whose boundaries include or are adjacent to the subject property."	Replaces adjacency requirement with a set distance to allow automation of the query for Neighborhood Associations. See related proposed changes to make distances consistent for pre-submittal neighborhood meeting [6-4(B)], public notice [6-4(K)], and appeals [6-4(V)(2)(a)].	Staff
----	-----	--------------	--	---	-------

Support: Please support this amendment for the following reasons

- 1) This amendment increases the distance required for notification of neighborhood associations providing greater opportunity for public participation.

37 430 6-4(V)(2)(a) - Appeals - Standing Based on Proximity for Neighborhood Associations-

Item #	IDO Page	IDO Section	Change / Discussion	Explanation
37	430	6-4(V)(2)(a)	Appeals - Standing Based on Proximity for Neighborhood Associations In Subsection 14-16-6-4(V)(2)(a)5, revise text as follows: "Property owners (other than the applicant) and Neighborhood Associations on the basis of proximity for decisions as specified in Table 6-4-2. a. Distances noted in feet in Table 6-4-2 are measured from the nearest lot line of the subject property. Where the edge of that area falls within a public right of way, adjacent properties shall be included. b. Distances for Neighborhood Associations are based on the boundary on file with the ONC at the time the application for decision related to the subject property was accepted as complete. c. Where proximity is noted as "Includes or Is Adjacent," the Neighborhood Association boundary includes or is adjacent to the subject property. In Table 6-4-2, replace "Includes or Is Adjacent" and "660 feet" with "330 feet."	Replaces "adjacent" with a set distance of 330 feet and matches that distance for all other decisions. See related proposed changes to make distances consistent for pre-submittal neighborhood meeting [6-4(B)], public notice [6-4(K)], and post-submittal facilitated meeting [6-4(L)(3)(a)].

Oppose/Support: Please oppose and support this amendment for the following reasons:

1. **Oppose** reducing Neighborhood Association Standing for appeals from 660 feet to 330 feet, this clearly reduces the opportunity for neighborhood association standing, which is critical for major conditional use appeals. This reduces neighborhood associations participation, which is greatly detrimental as they are the connection of the community to government. An increase to 1000 feet would provide greater citizen inclusion.
2. **Support** changing in changing adjacent with 330' as it provides greater neighborhood inclusion.
3. Please Removes adjacent properties that are separated by a public right of way from being included in notifications. This causes a reduction in neighborhood and associations given notification. If it is due to automated software, as stated, simplicity would be to change it to 660 feet to inform neighbors so as not to reduce participation due to software limitations. Inclusion, rather than exclusion of citizen participation should be the end goal.

DEFINITION CHANGE PROPOSALS

G. 46 556 7-1 - Definitions, Community Residential Facility AND

G. 47 568 7-1 - Group Home Definition changes

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
46	556	7-1	<p>Definitions, Community Residential Facility</p> <p>Revise text as follows:</p> <p>"A facility that is designed to provide a residence and services Any building, structure, home, or in which persons reside for a period of more than 24 hours and that is designed to help the residents adjust to the community and society and is used or intended to be used for the purposes of letting rooms, providing meals, and/or providing for persons who need personal assistance, personal services, personal care, and/or protective care, but not skilled nursing care. This use specifically includes, but is not limited to, facilities and who meet meeting the definition of a handicapped person or for other persons are protected against housing discrimination under the federal Fair Housing Act Amendments of 1998 (or as amended) and court decisions interpreting that Act.</p>	Revised to make the definition more operational, enforceable, and parallel to other defined terms. See also proposed amendments for Group Home and Nursing Home in Section 7-1.	Staff
46	556	7-1 (cont'd)	<p>Definitions, Community Residential Facility (cont'd)</p> <p>"For purposes of this definition, the term handicapped does not include persons currently using or addicted to alcohol or controlled substances who are not in a recognized recovery program. This use does not include 24-hour skilled nursing care. This use shall not include half-way houses for individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system.</p> <p>See also <i>Family</i> , <i>Family Care Facility</i> , and <i>Group Home</i> .</p>	(Cont'd from above)	Staff
46	556	7-1 (cont'd)	<p>Definitions, Community Residential Facility (cont'd)</p> <p>Revise text as follows:</p> <p>"Community Residential Facility is divided into 2 categories based on the number of individuals residing in the facility (not the size of the structure).</p> <p>1. Community Residential Facility, Small: A facility housing between 6 and 8 individuals receiving services, plus those providing services that do not meet the definition of a family in which personal service, personal assistance, personal care, and/or protective care are provided.</p> <p>2. Community Residential Facility, Large: A facility housing between 9 and 18 individuals receiving services, plus those providing services that do not meet the definition of family in which personal service, personal assistance, personal care, and/or protective care are provided.</p>	(Cont'd from above)	Staff
47	568	7-1	<p>Group Home</p> <p>Revise text as follows:</p> <p>"A facility Any building, structure, home, facility, or place in which persons reside for a period of more than 24 hours that is designed to provide a residence and services help the residents adjust to the community and society and that is intended to be used for the purposes of letting rooms, providing meals, and/or providing personal assistance, personal services, personal care, and protective care to for persons that who need personal assistance, personal services, personal care, and/or protective care but do not meet the definition of a handicapped person or another person protected against housing discrimination under the federal Fair Housing Act Amendments of 1988 (as amended) and court decisions interpreting that Act, but not skilled nursing care. This use does not include 24-hour skilled nursing care. This use includes other services as incidental activities if they comply with all local and State licensing requirements, including any required license by the New Mexico Department of Health."</p>	Revised to make the definition more operational, enforceable, and parallel to other defined terms. See also proposed amendments for Community Residential Facility and Nursing Home in Section 7-1.	Staff

47	568	7-1 (cont'd)	<p>Group Home (cont'd)</p> <p>Revise text as follows:</p> <p>"This use <u>includes</u> shall include halfway houses for facilities for persons individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system. <u>This use includes facilities for persons currently using or addicted to alcohol or controlled substances who are not in a recognized recovery program.</u>"</p>	(Cont'd from above)	Staff
----	-----	-----------------	---	---------------------	-------

G. 46 556 7-1 - Definitions, Community Residential Facility -

Oppose: Please oppose these amendments for the following reasons:

- 1) This appears to allow these facilities to function as overnight shelters with the deletion of 24 hours. This overlap overnight shelter which is adding this phrase. This is another attempt for the third year in a row that could make overnight shelters permissive.
- 2) This adds facilities such as small halfway housed to be permitted in all residential areas. We disagree with these significant changes to the IDO definitions which appear to be a workaround for a system that was thoroughly vetted when adopted in 2018.

G. 47 568 7-1 - Group Home Definition changes include deletion of reside for more than 24 hours

Oppose: Please oppose these amendments for the following reasons:

- 1) This includes the elimination of 24 hour residence and **could include persons using this as an overnight shelter** and specifically includes people who are currently using alcohol or controlled substances. **Removal of 24 hours** creates this as part of the revision of the definition. This overlap overnight shelter which is adding this phrase.
- 2) This is another attempt for the third year in a row that could make overnight shelters permissive. We disagree with these significant changes to the IDO definitions which appear to be a workaround for a system that was thoroughly vetted when adopted in 2018.

End of 2023 Proposed IDO zoning change Parkland Hills Neighborhood Association Comments

Respectfully submitted,

Janet Simon

President, Parkland Hills Neighborhood Association (PHNA)

725 Van Buren PL SE, ABQ, NM 87108 Phone: 505-239-0229

References showing: 1) current permissive and conditional use location for Community residential, group homes, and overnights shelters 2) Council Memo #13

Part 14-16-4: Use Regulations

4-2: Allowable Uses

4-2 ALLOWABLE USES

Table 4-2-1: Allowable Uses

P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory
CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary
Blank Cell = Not Allowed

Zone District >>	Residential						Mixed-use				Non-residential								Use-specific Standards
	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	NR-SU	A	B	NR-PO	
Land Uses																			
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																			
RESIDENTIAL USES																			
Household Living																			
Dwelling, single-family detached	P	P	P	P	P		P												4-3(B)(1)
Dwelling, mobile home			P																4-3(B)(2)
Dwelling, cluster development	P	P		P	P		P												4-3(B)(3)
Dwelling, cottage development	P	P	P	P	P		P												4-3(B)(4)
Dwelling, two-family detached (duplex)		P		P	P		P												4-3(B)(5)
Dwelling, townhouse				P	P	P	P	P	P	P									4-3(B)(6)
Dwelling, live-work				C	C	P	P	P	P	P	CA	CA							4-3(B)(7)
Dwelling, multi-family					P	P	P	P	P	P		CV							4-3(B)(8)
Group Living																			
Assisted living facility or nursing home				C	P	P	P	P	P	P									
Community residential facility, small	P	P		P	P	P	P	P	P	P									4-3(B)(9)
Community residential facility, large					P	P	P	P	P	P									4-3(B)(9)
Dormitory						P	C	P	P	P									
Group home, small					C	P	P	P	P										4-3(B)(10)
Group home, medium					C	C	C	P	P	P									4-3(B)(10)
Group home, large						C			C	C									4-3(B)(10)
CIVIC AND INSTITUTIONAL USES																			
Adult or child day care facility			C	C	C	P	P	P	P	P	P	P	A	A					
BioPark																	P (in D)		4-3(C)(7)
Cemetery															P				
Community center or library	C	P		P	P	P	P	P	P	P	C	C	C	C		P		C	4-3(C)(1)
Correctional facility															P				
Elementary or middle school	C	C		C	P	P	P	P	P	P	P	P	CV			P		C	4-3(C)(2)
Fire station or police station															P				
High school	C	C		C	C	P	P	P	P	P	P	P	C			P			4-3(C)(3)
Hospital									P	P	P	P							4-3(C)(4)
Museum				CV	CV	C	P	P	P	P	P	P	P	P		P	A		4-3(C)(5)
Overnight shelter									C	C	C	C	C	C					4-3(C)(6)
Parks and open space	P	P		P	P	P	P	P	P	P	P	P	C	C	A	P	P	P	4-3(C)(7)
Religious institution	P	P		P	P	P	P	P	P	P	P	P	CV	CV					4-3(C)(8)
Sports field							CV	C	P	P	P	P	P	C		P		C	

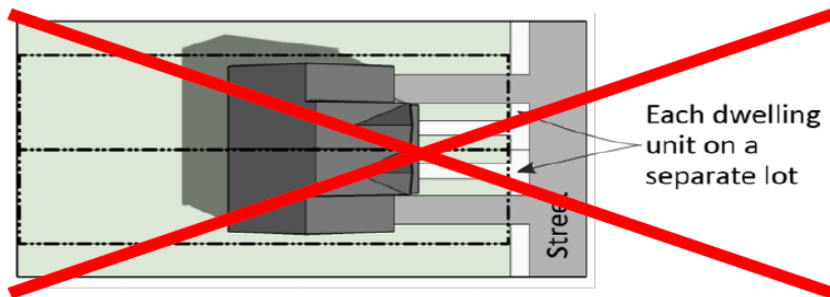
#13 - Two Family Detached Duplex

Purpose: The purpose of this amendment is to allow two-family detached (duplex) dwellings in the entirety of the R-1 zone district and add new use-specific standards. Today, this dwelling type is only allowed in the R-1A sub district of R-1.

Actions:

- Delete 4-3(B)(5)(b) and the associated illustration as follows:

~~[4-3(B)(5)(b) This use is prohibited in the R-1 zone district, except in R-1A where 1 two-family detached dwelling is permissive on 2 lots where the building straddles the lot line and each dwelling unit is on a separate lot. (See figure below.)]~~



- Add use-specific standards to 4-3(B)(5) Two-Family Detached (duplex) in appropriate numerical order as follows:

[4-3(B)(5)(XX) In the R-1 Zone District, this use is permissive on lots where the second dwelling unit is attached to or is within an existing building.]

4-3(B)(5)(XX) In the R-1 Zone District, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) when the dwelling is constructed on a vacant lot.

4-3(B)(5)(XX) In the R-1 Zone District, this use is not allowed on a lot with an Accessory Dwelling Unit.

4-3(B)(5)(XX) Street facing facades must have at least one entrance and one window.]

- Add a use-specific standard to 4-3(F)(6) Dwelling Unit, Accessory as follows:

[4-3(F)(6)(XX) In the R-1 Zone District, this use is not allowed on a lot with a Two-Family Detached (Duplex) dwelling.]

From: [Janet Simon](#)
To: [City of Albuquerque Planning Department](#)
Cc: [peter kalitsis](#)
Subject: RE: Comments for the EPC regarding IDO Annual Update 2023 including:
Date: Sunday, November 26, 2023 5:28:55 PM
Attachments: [Parkland Hills NA 2023 IDO PHNA Comments 11 26 2023.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

To: Attention Chair Shaffer

**Sincerely,
Janet Simon
President, PHNA**

From: [Derek Wallentinsen](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update - Lighting - EPC Chair Shaffer
Date: Sunday, November 26, 2023 2:17:50 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

EPC Chair Shaffer:

Nov-27-2023 EPC Draft Comments – Exhibit – Lighting
For full consideration in the staff report

I am a long-time Albuquerque resident and DarkSky International member who during my life here has seen the city grow enormously and the light pollution grow at an even greater rate.

Light pollution has scientifically-established economic and environmental consequences, which result in significant impacts to the ecology and human health of all communities.

In New Mexico, we still have the experience of standing beneath a starry night sky that inspires feelings of wonder and awe, and encourages a growing interest in science and nature, especially among young people and out-of-area visitors. The aesthetic beauty and wonder of a natural night sky is a shared heritage of all humankind. Albuquerque is the major source of artificial light at night and the major threat to dark skies in the state.

Astronomy—which is both hindered and endangered by unfettered light pollution—represents a statewide capital investment of more than \$1.3 billion and an annual economic return of over \$250 million, including an indirect attachment to more than 150,000 jobs through the aerospace and defense sector, much of it in Albuquerque.

New Mexico is internationally famous for its dark sky tourism, drawing people to its nine DarkSky International certified International Dark Sky Places, including Valle de Oro National Wildlife Refuge, and places like the Very Large Array. Albuquerque, as the hub of the state, benefits from much of this activity.

As the biggest city and place with the most lights, we have a responsibility here to the rest of the state to control our lights. I personally have viewed the light pollution dome of Albuquerque from places as far away as Bandelier, Chaco, and Magdalena. Satellite imagery and on-the-ground experience both show that the city's skyglow extends over a huge area of the state.

The changes proposed are much better than what has existed in the past; however, I urge the EPC to work on further strengthening the lightning parts of the IDO. Here are my comments on specific parts.

On the public input process: I made comments back in October on the exhibit document. They do not show when linking off of link 1. Off link 2,

they do show and that page is closed to comments. If the city is to use this functionality, it has to make it consistent.

Link 1

<https://abq-zone.com/ido-annual-update-2023-citywide-amendments-epc-submittal>

Link 2

<https://abq-zone.com/ido-annual-update-2023-exhibit-lighting-pre-epc-submittal>

14-16-2-4(E)(3)(i) For clarity, color-coded maps of the Lighting Zones (LZs) in and around Albuquerque need to be created and made publicly available. While it's great that the city has a page with use zones that has a lot of information and that the city will make decisions based on sensitive adjacent areas, the proposal would be much clearer with the LZs on a dedicated map/filterable to turn off/on the underlying use zones.

Table 2-4-15: The mixed-use areas to encourage pedestrian uses should in general be kept to LZ2 standards so as to maintain pedestrian night vision.

Section 5-8(A) Purpose.

The following Illuminating Engineering Society/DarkSky International principles for responsible outdoor lighting design should be stated and direct the purpose of this section:

- 1) Useful - Use light only if it is needed.
- 2) Targeted - Light should be directed only to where it is needed.
- 3) Low level - Illumination should be no higher than necessary.
- 4) Controlled - Light should be used only when it is useful.
- 5) Warm-colored - Use warmer-color lights where possible.

In addition, please note that attractiveness and livability of the city includes preventing the increase of unnecessary sky glow that reduces the visibility of stars in the night sky, impacts human health, damages natural ecosystems and their biodiversity, interferes with the migrations of birds and nocturnal insects.

As one example, the city's own proposal for the Rail Trail Tumbleweed is in conflict with these principles. Is a 25-foot LED statue representing an invasive plant truly a benefit that outweighs its impact on our night skies?

DOE says that only 1% of outdoor lighting serves a useful purpose. Shouldn't Albuquerque have a larger percentage of good lighting?

5-8(B)(2)(b) Flagpole illumination downwards should have a lumens cap and that should be much less than that for uplights at the base, as the flag is very close to the light.

5-8(C)(3)(c) Aerial lasers should allow pointers for instructional purposes (i.e., astronomy education) and have a milliwatt limit ($\leq 5\text{mW}$ laser Federal limits).

5-8(D)(2) The minimum CCT should be unbounded. Lower CCT (for example, 2200K) should be allowed in all zones provided it meets the CRI requirement. Such lights are available. Warmer light scatters less and affects humans and other creatures natural patterns less.

In 5-8(D)(4), there is no lumens limit. This kind of lighting should be limited to no more than 20 percent of total. This is stated in another way in 5-8(F) but should be stated here, too.

5-8(D)(7)(a) The interval for turning off or reduction in motion-sensed switching should be 5 minutes or less. Further, my walking my dog in my driveway should not set off my neighbor's motion detector. Their effectiveness must be limited to the property line.

5-8(F) Total site lumens for non-residential is leaving out limits for uses such as gas stations, car sales lots, etc. These footcandle limits need to be in there and should take into account ground reflection, as it is a significant contributor to sky glow for brightly lit areas, even if BUG standards are met.

5-8(G)(1) The just-approved NM United stadium should be subject to these regulations.

5-8(G)(1)(c) 4. CCTs of 4000K are not necessary for filming, as modern cameras can adjust white balance for lower color temperatures. Sports fields should have 2700K lights with excellent CRI.

Clear and dark skies,
Derek Wallentinsen

From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update 2023 - EPC Review and Recommendation
Date: Wednesday, November 22, 2023 1:28:07 PM
Attachments: [ICC LTR to EPC11.22.23 .pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Attn: EPC Chair Shaffer,

Please accept this letter from the Inter-Coalition Council (ICC) Working Group ahead of the Nov. 27, 9am deadline for inclusion in the Staff Report.

Thank you.

Patricia Willson

Victory Hills NA: President
District 6 Coalition: Treasurer
Inter-Coalition Council Representative

ICC Inter-Coalition Council

The ICC is a Council of Coalitions of Albuquerque and Bernalillo County Neighborhood Associations that has been meeting since May 2014 to reach consensus on broad, common concerns. Its purpose is to promote stronger, better neighborhoods and communities through group action and interfacing with the governmental, social, environmental, cultural and historic needs and interests of all residents.

Date: November 22, 2023
Re: IDO Annual Update 2023
Attn: EPC Chair Shaffer
From: Inter-Coalition Council (ICC) Working Group

The Inter-Coalition Council (ICC) Working Group has again been meeting weekly for the last seven weeks to review this year's Annual Update. To date that includes 3 Small Area Amendments and a Citywide spreadsheet of 17 pages with 60 items listed. Some of the items (Walls & Fences, Duplexes) are re-appearing for the second and third year in a row—after being denied at all three steps of the Annual Update process in previous years.

In reviewing other unified development codes and ordinances, we have found no other jurisdiction that mandates an **annual** update. Why is Albuquerque's Planning Department, the EPC, City Council, neighborhood leaders, and the general public forced to suffer through this agonizing, broken, months-long process **every year**? Everyone's time is valuable, especially during the holiday season.

We are encouraging individuals, Neighborhood Associations, and District Coalitions to pin their own comments on the spreadsheet, and to write their own letters detailing opposition (or support) for specific items.

Rather than comment on specific Citywide items and Small Area Amendments, the ICC Working Group respectfully requests that you—at the very least—adopt the amendment for 6-3(D) ~~ANNUAL~~ UPDATES TO THE IDO to be amended to BI-ANNUAL.

Sincerely,

Michael Brasher

Michael Brasher
Inter-Coalition Council President

Please note the number of text amendments over the last 5 years:

IDO Annual Updates (Citywide changes)			
YEAR	# OF CHANGES	# OF MEETINGS	# OF OPEN HOUSES
2019	256	12	4
2020	101	0	1
2021	55	6	3
2022	37	8	3
2023 (in progress)	60	2 (to date)	
	509		

From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Subject: 2023 IDO Update
Date: Monday, November 27, 2023 8:48:17 AM
Attachments: [CommentsForCouncil9.4.23.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Attn: EPC Chair Shaffer

Chair Shaffer,

We are about 15 minutes away from the first-thing-Monday-after-a-holiday deadline for inclusion in the Staff Report. I will save specifics on certain items (fences & walls, duplexes, overnight shelters) for a 48 hour submission, but I would like these two documents to be included now.

One is a letter to Council in early September of this year, the other is a summary prepared for the Parkland Hills NA Annual Meeting.

Thank you for your consideration and work on the EPC.

Patricia Willson

Victory Hills NA: President
District 6 Coalition: Treasurer
Inter-Coalition Council Representative

11.5.23 IDO SUMMARY

Albuquerque's first zoning code was adopted in 1959, was 58 pages long and established 14 zone categories. In 1975, a new zoning code was adopted, with 22 zone categories and 2 new 'special use' zones. Between 1976 and 2018, this code was amended nearly 200 times. Major updates were added in 1990 and 1994. Over 40 standalone sector development plans established more than 400 unique special use zones (SU-2 and SU-3) and over 770 categories of SU-1 zones were created.

In 2014, the City Council adopted a resolution which directed the Planning Department to update the Rank 1 policy document—the Comprehensive Plan—,overhaul the City's land use and zoning framework and update the Development Process Manual (DPM). Out-of-state consultants were hired to update the Comprehensive Plan and overhaul the zoning code. A local architect led the DPM update.

The CompPlan update took effect in April of 2017. Late in 2017 (at the end of the Berry administration) Council rushed thru the adoption of the Integrated Development Ordinance (IDO). It was amended twice before it took effect in 2018.

All this information can be found here: <https://abq-zone.com/background-coordination-abc-comp-plan>
The two slides below are from past City presentations; they show the relationship between the CompPlan and the IDO, and how the update cycles are supposed to work (the 5-year cycle has already been amended to 6 years). Only 3 of the 12 CPA Assessment Reports have been completed to date, but the CompPlan Update is currently proceeding regardless.



The 1-year update cycle for the IDO is cumbersome, unworkable, and has led to hundreds of changes in just the four years of adopted updates. It is difficult to find information on the number of changes each year; this spreadsheet is compiled from my own notes:

IDO Annual Updates (Citywide changes)			
YEAR	# OF CHANGES	# OF MEETINGS	# OF OPEN HOUSES
2019	256	12	4
2020	101	0	1
2021	55	6	3
2022	37	8	3
2023 (in progress)	60	2 (to date)	
	509		



September 5, 2023

Council President Davis and Councilors.

I would like to bring up two major points that I have spoken and written about many times.

- 1) Creation of metrics to differentiate between “technical/textual” and “substantive” amendments to the Integrated Development Ordinance.
- 2) Creation of an “opt-in” listserv in place of—or in addition to—the Two Points of Contact for Notification defined in the IDO and the NARO.

But first, some history: nearly 10 years ago, a NAIOP luncheon presentation became the catalyst for what I call ‘how we got to where we are’. I have three folders of documents titled:

- How ART came first...
- How CompPlan/IDO came second...
- How IDO-NARO compliance came third...

I am happy to share these documents widely; they include the 70 page PowerPoint presentation, titled “Albuquerque’s Innovation Corridor”, given at the January 27, 2014 NAIOP luncheon, the 42 page report prepared for the City by the Chicago Center for Neighborhood Technology (CNT) titled “The Scale of the Prize”, and many other documents.

The late Paul Lusk, architect, planner, and true visionary, summed up the ‘cart-before-the-horse’ process several years ago (the ‘draft’ he is referring to is the CNT study):

“The draft (with the boiler-plate boxes with the BIG \$ numbers, and with just the name of the city/client changed) that was produced early in the Berry ‘dynasty’ by a Chicago consultant touted (advocated for and apparently had connections to) using a high percentage of Federal \$\$ for Rapid Transit development -- and if you did so, great economic benefit would accrue to adjacent properties (2.9 \$Billion). ...

The consultant's report went on to say that 'of course, you will have to change your zoning code to allow capture of this great development (and profit) potential, and get rid of some of those pesky little stores along the way. Hence: became the 'IDO' -- which seeks to homogenize (but mostly has traumatized) Albuquerque.

But, of course, to justify and accommodate the IDO, you will have to 'update' the Comprehensive Plan, and get rid of all those quirky, old Sector Plans and Area Plans -- that (disconcertingly) reflect the inherent diversity of Albuquerque. And so!, we had the ass-backwards process of a grant for Transit -- driving the IDO -- driving the CompPlan.”

But of course, this is all water under the bridge now. How do we mitigate the damage done and prevent further damage to Albuquerque’s unique natural landscapes and promote sensitive development designs to complement and strengthen our communities and open space areas?

One word: NEIGHBORHOODS! Take advantage of the care and compassion people have for the places they live, and the extensive institutional knowledge that is being dismissed. Follow the long-range planning process of the Community Planning Area (CPA) assessments—the careful, thoughtful work that produces reports that reflect communication with people!

Which gets me back to my two points at the beginning: **stop using the IDO amendment process to make major changes to the zoning code**—changes that generally support the development community and disenfranchise neighborhoods. And **allow those who are interested to find the information** about development. I can look here and see what’s going on with road projects:

<https://www.cabq.gov/gis/map-views/municipal-development-projects>

... so why can’t there be a map of development projects?

Sincerely,

Patricia Willson

From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update 2023
Date: Monday, November 6, 2023 4:13:34 PM
Attachments: [Amendment 6-3\(D\) ProposedChanges.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

EPC Chair Shaffer;

Commissioner Shaffer,

Your time is valuable. Our time is valuable. You are already faced with reviewing—for the third year in a row—a proposed change to permissive fence heights in the front yard setback.

I am submitting another proposed amendment for review by the EPC: to make the ANNUAL UPDATE into a BI-ANNUAL UPDATE. Please see attached.

Respectfully,

Patricia Willson, AIA

Willson + Willson Architects
505 Dartmouth Drive SE
Albuquerque, NM 87106
V: (505) 266-8944
F: (505) 266-2746
[email: info@willsonstudio.com](mailto:info@willsonstudio.com)
<http://www.willsonstudio.com>

PROPOSED AMENDMENT TO 6-3 (D) ANNUAL UPDATES TO THE IDO
Submitted 11/7/23 by Patricia Willson

6-3(D) BI-ANNUAL UPDATES TO THE IDO

The Planning Department shall prepare amendments to the text of this IDO to be submitted once every other calendar year for an EPC hearing in December. These amendments shall be reviewed and decided pursuant to Subsection 14-16-6-7(D) (Amendment to IDO Text – Citywide) or Subsection 14-16-6-7(E) (Amendment to IDO Text – Small Area), as applicable. Submissions shall occur in odd-numbered years.

- 6-3(D)(1) Anyone may submit recommended changes to the Planning Department throughout the two years, particularly during the CPA assessment process, as set out in Subsection 14-16-6-3(E)(1) (Community Planning Area Assessments).
- 6-3(D)(2) The Planning Department shall compile these recommendations, perform analyses, revise recommendations as necessary, and submit proposed amendments that further applicable goals and policies of the ABC Comp Plan, as amended, as well as other City plans, and that protect the public health, safety, and welfare. Each proposed amendment shall include all of the following information:
- 6-3(D)(2)(a) The Item # of the change and the page of the IDO that the amendment would revise. When Item #'s change due to additions and/or deletions, the new Item # shall be followed by the former or original Item # in parenthesis.
- 6-3(D)(2)(b) The section number and heading of the IDO that the amendment would revise.
- 6-3(D)(2)(c) A summary to explain the amendment's intent, origin, and need.
- 6-3(D)(2)(d) A summary of the potential impact and analysis of potential consequences of the amendment.
- 6-3(D)(3) Changes recommended by a Community Planning Area (CPA) assessment that has been accepted by City Council pursuant to Subsection 14-16-6-3(E)(7) shall be submitted for consideration at this time.
- 6-3(D)(4) Notwithstanding the schedule for bi-annual updates to the IDO in this Subsection 14-16-6-3(D), the Planning Director may determine that an interim amendment to the text of this IDO shall be submitted for review and decision to prevent a significant threat to public health or safety.
- 6-3(D)(5) Within 90 days of the effective date of each bi-annual update, the Planning Department shall provide presentations and/or trainings for relevant City boards and commissions.