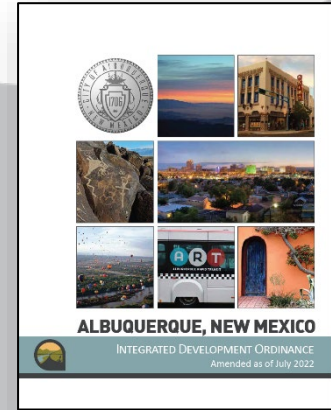


INTEGRATED DEVELOPMENT ORDINANCE



IDO Project Webpage:

<https://ido.abq-zone.com>

Annual Update 2023

December 7, 2023

EPC Study Session

Michael Vos
Principal Planner
mvos@cabq.gov

Shanna Schultz
Council Planning Manager
smschultz@cabq.gov

Mikaela Renz-Whitmore
Division Manager
mrenz@cabq.gov

**ONE
ALBUQUE
RQUE**

INFO

Get to Know Your IDO Training

[Handout](#) (PDF)

[Presentation](#) (PDF)

[Video](#)

Pre-EPC Submittal Public Review Meetings

[Presentation](#) (PDF)

[Video](#)

Pre-EPC Review Meeting

[Presentation](#) (PDF)

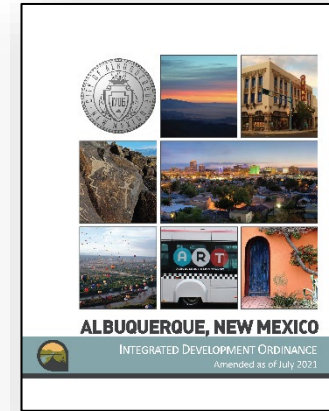
[Video](#)

EPC Study Session

You are here! Welcome!

[Meeting Materials](#)

Yes, we will post
the video and
presentation
online!



IDO Online

<https://ido.abq-zone.com>

2023 Annual Update Webpage

<https://abq-zone.com/ido-annual-update-2023>



IDO Zoning Map

<https://tinyurl.com/idozoningmap>

COMMENT OPPORTUNITIES

Written Comments

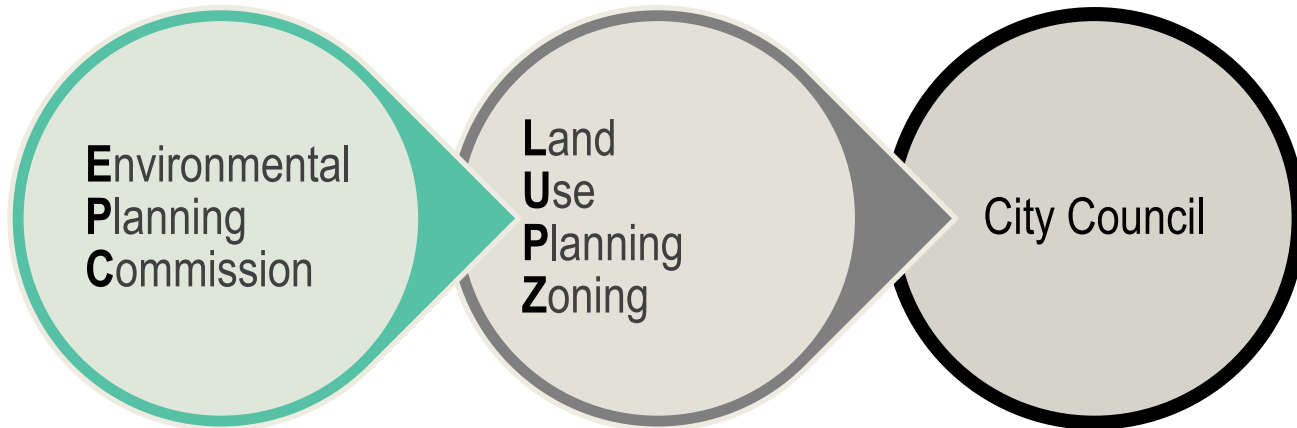
- 12/12, 9 am: Deadline for written comments for EPC consideration prior to the hearing (48-hour rule)
- Email abcto@cabq.gov addressed to Chair Shaffer

Verbal Comments

- 12/14, 8:30 am: EPC Hearing via [Zoom](#)

The screenshot shows the 'IDO Annual Update 2023 - Pre-EPC Submittal' page. At the top, there are navigation buttons: View, Edit, Pins, Comments, Report, and Embed. Below these is a search bar with 'projectteam' entered and a 'Comment' button. A green banner at the top of the content area says 'Click anywhere in the document to add a comment. Select a bubble to view comments.' Below this is a table with columns: Item #, IDO Page, IDO Section, Change / Discussion, Explanation, and Source. The table contains one row with Item # 31, IDO Page 412, and IDO Section 6-4(K)(4). The 'Change / Discussion' column contains text about 'Posted Sign' requirements. A magnifying glass icon is overlaid on the table. To the right of the table is a 'Comments' form with fields for 'Your name', 'E-mail', and 'Add Comment'. Below the form are 'Comment Type' (set to '- None -'), a checkbox for 'I have read and agree to the Terms & Conditions and Privacy Policy.', a checkbox for 'I'm not a robot' with a reCAPTCHA logo, and an 'Add Comment' button.

Item #	IDO Page	IDO Section	Change / Discussion	Explanation	Source
31	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) For administrative decisions, the sign shall be posted for at least 15 calendar days after submitting the application and 15 days after the decision through the required appeal period pursuant to Subsection 16-6-4(V)(3)(a)1. (c) For decisions requiring public hearing, the sign shall be posted for at least 15 calendar days after the public hearing and for the required appeal period pursuant to Subsection 16-6-4(V)(3)(a)1."		



EPC CASES

Citywide – IDO Annual Update

RZ-2022-00040

~ 60 changes

Multiple
sections

Legislative

Small Area – Rail Trail

RZ-2022-00043

~ 3 changes

14-16-5-2

14-16-5-5(C)(1)

7-1

Quasi-judicial

Small Area – Volcano Heights

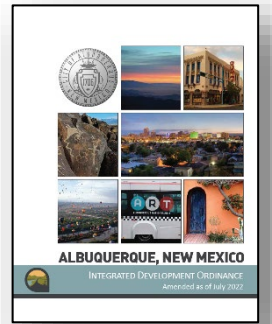
RZ-2022-00044

~ 1 change

14-16-4-
3(F)(5)f.10

EFFECTIVE DOCUMENT

Integrated
Development
Ordinance



<https://tinyurl.com/CABQ-IDO-12-2022>

1. General Provisions

2. Zone Districts

3. Overlay Zones

Zones

4. Use Regulations
Allowable Use Table
Use-specific Standards

Uses

5. Development Standards
Dimensional Standards Tables
General Regulations

Standards

6. Administration & Enforcement

Processes

7. Definitions & Acronyms

IDO Zoning Map



<https://tinyurl.com/IDOzoningmap>

UPDATES

2 changes:
HPOs, NR-SU

Zones

Part
2/3

11 changes:
Conditional Uses, Duplex, Cottage Development, Outdoor Amplified
Sound, General Retail, Light Vehicle Fueling, Cannabis Retail, Overnight
Shelter, Live-work, Electric Utility, Battery Energy Storage System

Uses

Part
4

14 changes:
Acequias, Landfill Gas Mitigation, Construction Mitigation, Front Yard
Parking, Parking, Landscaping, Walls, Lighting, Building Design

Standards

Part
5

20 changes:
Notice, EPC Appointments, Facilitated Meeting, Referrals,
Facilitated Meeting, Conditional Use, Time Extension,
Variance, Nonconforming Structures, Amendments

Processes

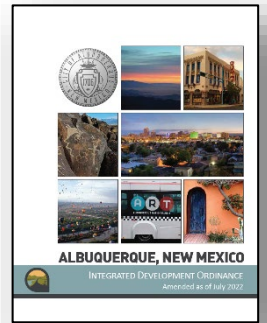
Part
6

8 changes:
Community Residential Facility, Group Home, Nursing Home,
Overnight Shelter, Garage, Trees, Rock Outcropping, BESS

Definitions

Part
7

Integrated
Development
Ordinance



<https://abq-zone.com/ido-annual-update-2023>

IDO Zoning Map



<https://tinyurl.com/IDOzoningmap>

SMALL AREA

Rail Trail [new]

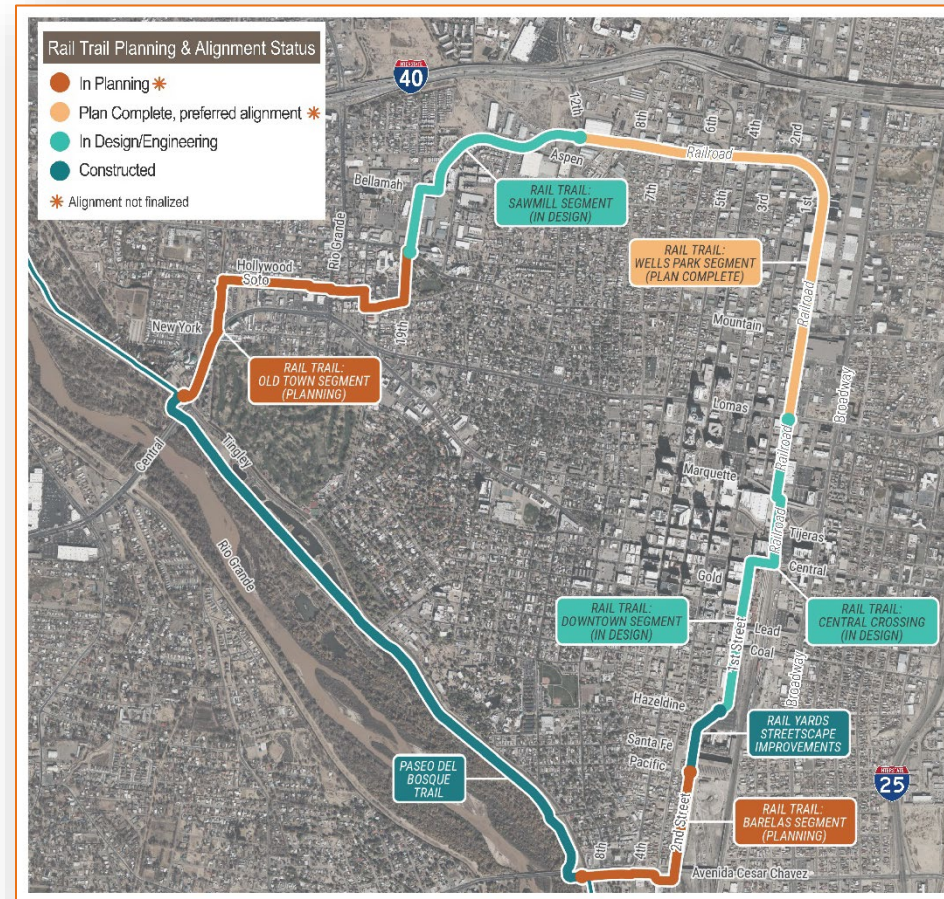
Staff

PROPOSED CHANGE

MAPPED AREA

5-2(X)(1) Applicability This Subsection 14-16-5-2(X) applies to development or redevelopment on lots adjacent to the Rail Trail, as mapped below.

5-2(X)(2) Access and Connectivity On-site pedestrian walkways shall connect to the Rail Trail, as long as such access is coordinated with and approved by the Parks and Recreation Department.



SMALL AREA

Rail Trail [new]

Staff

PROPOSED CHANGE

5-2(X)(3) Edge Buffer Landscaping

5-2(X)(3)(a) All new multi-family, mixed-use, or non-residential development other than industrial development shall provide a landscaped edge buffer area pursuant to Subsection 14-16-5-6(E)(2)(b)1 along the property line abutting the Rail Trail.

5-2(X)(3)(b) All new industrial development shall provide a landscaped edge buffer at least 15 feet wide along the property line abutting the Rail Trail, as specified in Subsection 14-16-5-6(E)(4)(b).

IDO TEXT

1. A landscaped edge buffer area at least 6 feet wide shall be provided. For buildings over 30 feet in height, the edge buffer area shall be at least 10 feet wide.

5-6(E)(4) Industrial Development Adjacent to Non-industrial Development

SMALL AREA

Rail Trail [new]

Staff

PROPOSED CHANGE

5-2(X)(4) Wall and Fences

5-2(X)(4)(a) For multi-family residential development, mixed-use development, and non-residential development other than industrial development, walls in any side or rear yard abutting the Rail Trail shall meet the requirements of Subsection 14-16-5-7(D)(3)(d).

5-2(X)(4)(b) For industrial development, chain link fencing (with or without slats) shall not be allowed on any portion of a site visible from the Rail Trail. Chain link fencing is allowed as temporary security fencing during active construction.

5-7(D)(3)(d) Development in NR-C or NR-BP Zone Districts

For development in any NR-C or NR-BP zone district, the maximum height of walls in any front or street side yard is 6 feet if the wall is set back at least 5 feet from the property line and if view fencing that is at most 50 percent opaque to perpendicular view is used for portions of a wall above 3 feet.

IDO TEXT

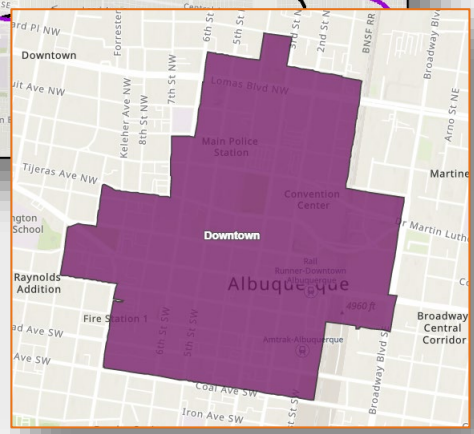
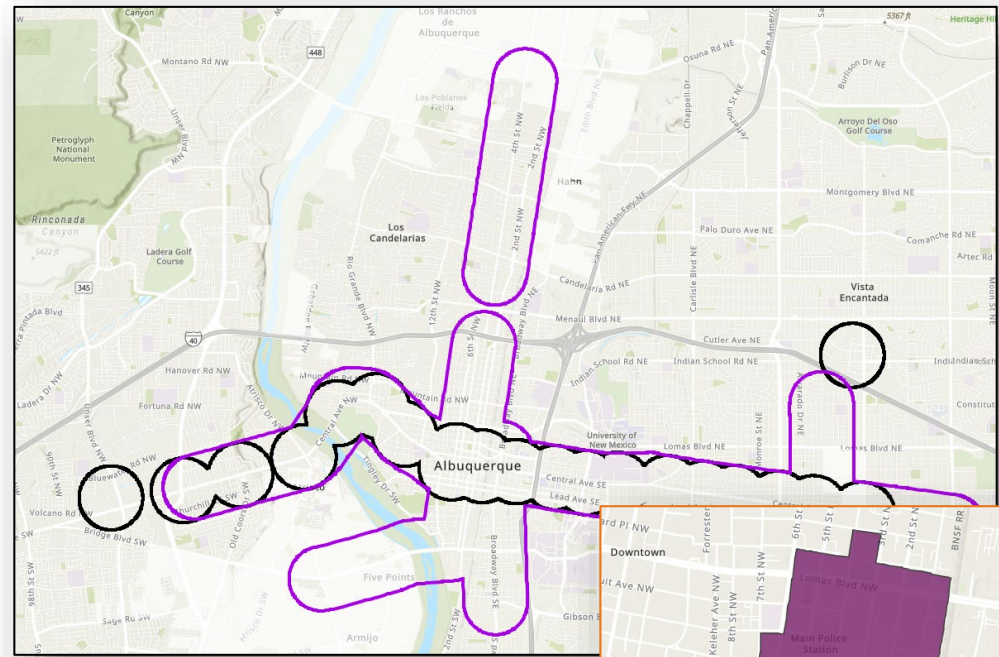
SMALL AREA Rail Trail [new]

Staff

PROPOSED CHANGE

5-2(X)(5) Building Height Stepdown
Except within the Downtown Center (DT) or a Main Street (MS) corridor, any portion of a primary or accessory building within 50 feet in any direction of the Rail Trail shall step down to a maximum height of 48 feet.

MAPPED AREAS



ONE
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SMALL AREA

Rail Trail [new]

Staff

PROPOSED CHANGE

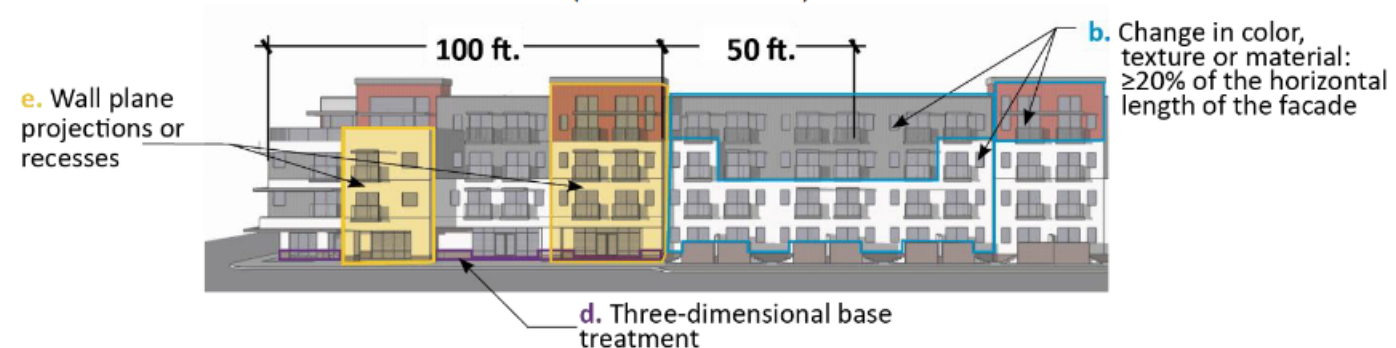
5-2(X)(6) Building Design

5-2(X)(6)(a) In the NR-LM or NR-GM zone districts, any façade facing the Rail Trail shall meet the requirements in Subsection 14-16-5-11(E)(2)(a)3.

5-2(X)(6)(b) Outdoor seating and gathering required by Subsection 14-16-5-11(E)(3) shall be located adjacent to the Rail Trail.

IDO TEXT

3. Each street-facing façade longer than 100 feet shall incorporate at least 1 of the following additional features (illustrated below):



SMALL AREA

Rail Trail [new]

Staff

PROPOSED CHANGE

Part
5

5-5(C) OFF-STREET PARKING

5-5(C)(1) Parking Reductions

5-5(C)(1)(a) Reduction for Proximity to a City Park or Trail [new]

The minimum number of off-street parking spaces required may be reduced by 10 percent if the proposed development is located within 330 feet in any direction of any City park or trail.

DEFINITION

Part
7

Rail Trail

The right-of-way and/or easements designated as the Albuquerque Rail Trail by the Rank 3 Albuquerque Rail Trail Master Plan and mapped by AGIS. For the purposes of this IDO, the Rail Trail Corridor is considered both a City trail and a street.

ONE
ALB
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QUE

SMALL AREA

Volcano Heights Urban Center – Drive-through facilities

Council

PROPOSED CHANGE

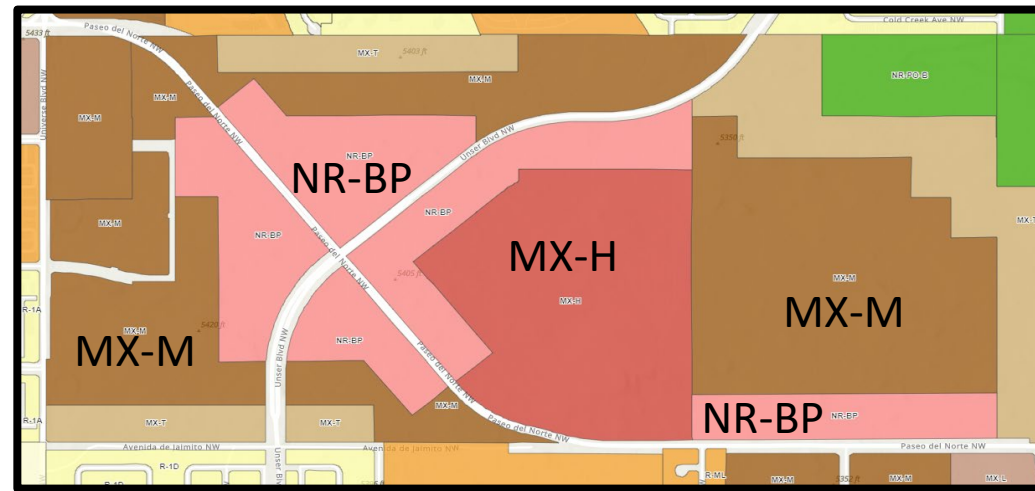
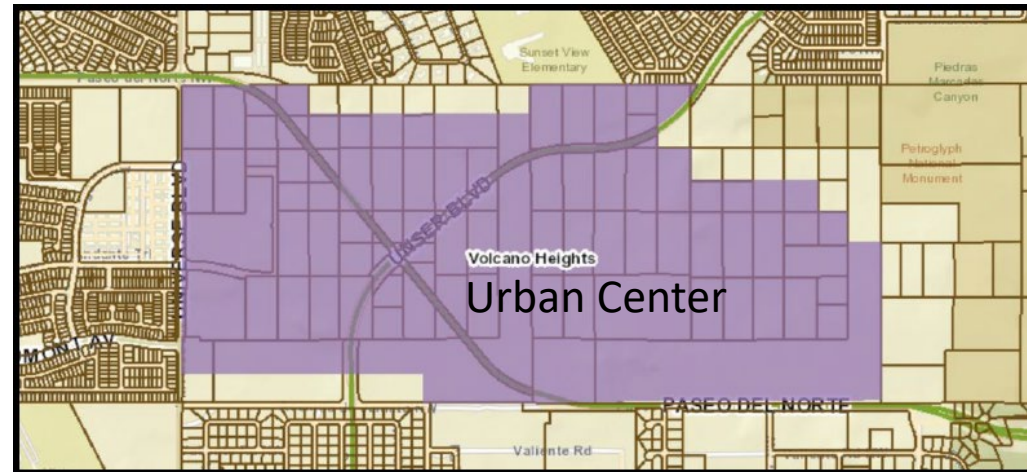
MAP

Delete the following prohibition:

10. Volcano Heights Urban Center

This use is prohibited in the Mixed-use zone districts in this Center as mapped in the ABC Comp Plan, as amended.

Allows drive-throughs in
MX-M and
MX-H



ONE
ALB
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ONE

HPO ZONES

Historic Protection Overlay Zone Districts

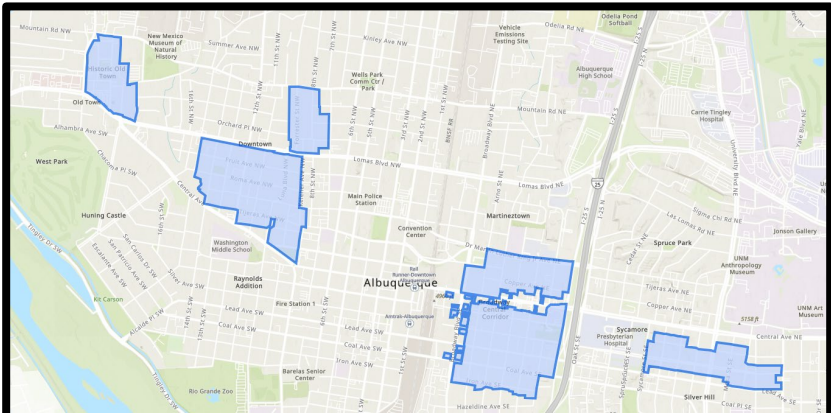
Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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></p>	<p>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).</p>

- 5-1(C)(2) Contextual Residential Development in Areas of Consistency
 - 5-1(C)(2)(a) Applicability
 - 5-1(C)(2)(b) Lot Size
 - 5-1(C)(2)(c) Front Setbacks
 - 5-1(C)(2)(d) Side Setbacks



NR-SU

Non-residential Sensitive Use Zone District

Admin

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Fire Station or Police Station On page 53, in Subsection 14-16-2-5(E)(2), delete subsection (f).</p> <p>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.</p>	<p>Allows fire stations and police stations to be permissive in existing zone districts.</p> <p>Currently, fire stations and police stations require a zone change to NR-SU and the adoption of a Site Plan - EPC.</p>

- 2-5(E)(2) Use and Development Standards
The following uses require an NR-SU zone district:
 - 2-5(E)(2)(a) Airport
 - 2-5(E)(2)(b) Cemetery
 - 2-5(E)(2)(c) Correctional facility
 - 2-5(E)(2)(d) Crematorium
 - 2-5(E)(2)(e) Fairgrounds
 - 2-5(E)(2)(f) Fire station or police station**
 - 2-5(E)(2)(g) Natural resource extraction
 - 2-5(E)(2)(h) Solid waste convenience center
 - 2-5(E)(2)(i) Stadium or racetrack
 - 2-5(E)(2)(j) Waste and/or recycling transfer station



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
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																			
CIVIC AND INSTITUTIONAL USES																			
Fire station or police station															P				

Table 4-2-1

Use-specific Standards

IDO Part 4
Allowable Uses

Distance Separations

From Residential Uses: Liquor retail, Heavy Manufacturing, etc.

From Open Space: Car wash, Gas stations, Manufacturing, etc.

Between uses: Group Homes, Pawn Shops, Bail Bonds, etc.

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		NR-A	NR-B
Land Uses																		
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																		
RESIDENTIAL USES																		
Household Living																		
Group Living																		
CIVIC AND INSTITUTIONAL USES																		
COMMERCIAL USES																		
Agriculture and Animal-related																		
Food, Beverage, and Indoor Entertainment																		
Lodging																		
Motor Vehicle-related																		
Offices and Services																		
Outdoor Recreation and Entertainment																		
Retail Sales																		
Transportation																		
INDUSTRIAL USES																		
Manufacturing, Fabrication, and Assembly																		
Telecommunications, Towers, and Utilities																		
Waste and Recycling																		
Wholesaling and Storage																		
ACCESSORY AND TEMPORARY USES																		
ACCESSORY USES																		
TEMPORARY USES																		

USE REGULATIONS

Conditional Use for City Facilities

Admin

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Add a new subsection with text as follows and renumber subsequent subsections accordingly: <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>

4-1(A) LISTED USES

Table 4-2-1 indicates allowable land uses in individual zone districts, with abbreviations as described in Subsection 14-16-4-1(C). Use-specific standards in Section 14-16-4-3 establish restrictions, requirements, additional allowances, or review procedures.

- 4-1(A)(1) Table 4-2-1 may indicate that a use is allowed in a particular zone district, while the Use-specific Standard may restrict that use in particular contexts or in specified areas. For example, a use may be allowed citywide but not next to residential uses, or a use may be allowed in a small area but not citywide in the same zone district.
- 4-1(A)(2) A blank cell in Table 4-2-1 indicates that the use is not allowed in that zone district.
- 4-1(A)(3) Definitions of each land use may allow another land use listed in the table as incidental to the defined use.
- 4-1(A)(4) Additional land uses or restrictions on the use of land in a particular zone district may be contained in Sections 14-16-2-3 through 14-16-2-6 (Zone Districts) or in an Overlay zone applicable to the subject property in Part 14-16-3.



OUTDOOR AMPLIFIED SOUND

New Accessory Use

Public

PROPOSED CHANGE

USE-SPECIFIC STANDARD

Change / Discussion	Explanation
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.

Change / Discussion	Explanation
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.

COTTAGE DEVELOPMENT

Council

Adds two use-specific standards to Cottage Development:

1. Allows units to be attached on one side
2. Requires dwelling units to have front porches



DUPLEX

Council

Proposes to allow duplexes in the R-1 zone district with the following new use-specific standards:

1. Permissive use if attached to an existing building
2. Conditional use if constructed on a vacant lot
3. Not allowed on lots with an Accessory Dwelling Unit
4. Street-facing facades must have one entrance and one window

TWO-FAMILY DWELLINGS

Use-Specific Standard

Public

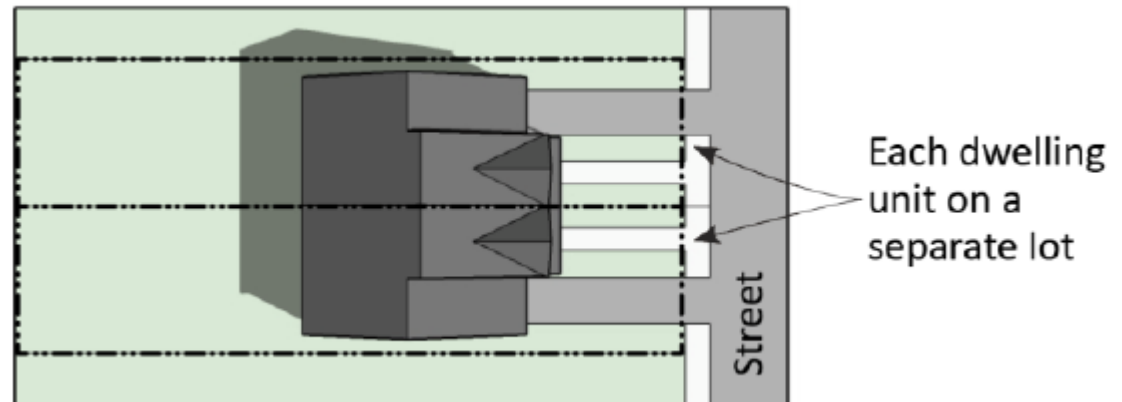
PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Revise text as follows: "This use is prohibited in the R-1 zone district, <u>except for the following</u>:</p> <ol style="list-style-type: none"><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>	<p>Allows duplexes in R-1 on corner lots that are at least 5,000 s.f.</p>

4-3(B)(5) Dwelling, Two-family Detached (Duplex)

- 4-3(B)(5)(a) Where this use is allowed and the 2 dwelling units are on separate lots, interior side setbacks required by the zone district shall not apply to any lot line where the 2 units share a common wall.
- 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.)



DWELLING, LIVE-WORK

Public

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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.</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: "Any use <u>other than restaurant</u> in the Food, Beverage, and Indoor Entertainment category."</p>	<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.</p>

4-3(B)(7)

Dwelling, Live-work

- 4-3(B)(7)(a) The business operator must obtain and maintain in effect at all times any City or State permit or license required for the operation of this use, including a business registration permit from the City.
- 4-3(B)(7)(b) The building and lot may be used for both a residence and a business that does not qualify as a home occupation being conducted by a resident of the building.
- 4-3(B)(7)(c) The building and lot shall not be used for any of the following uses identified in Table 4-2-1:
 1. Any use in the Agricultural or Animal-related category.
 2. Any use in the Food, Beverage, and Indoor Entertainment category.
 3. Any use in the Motor Vehicle-related category.
 4. Any use in the Industrial Uses category except artisan manufacturing or outdoor storage.
 5. Commercial services.
 6. Construction contractor facility and yard.
 7. Crematorium.
 8. Mortuary.
 9. Adult retail.
 10. Liquor retail.
- 4-3(B)(7)(d) A wall sign is allowed that is no more than 8 square feet in size or as allowed by the underlying zoning, whichever is lesser, and that is located no higher than the top of the ground floor of the building.

DWELLING, LIVE-WORK

Public

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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></p> <p>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></p> <p>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></p>	<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.</p>

4-3(B)(7)

Dwelling, Live-work

- 4-3(B)(7)(a) The business operator must obtain and maintain in effect at all times any City or State permit or license required for the operation of this use, including a business registration permit from the City.
- 4-3(B)(7)(b) The building and lot may be used for both a residence and a business that does not qualify as a home occupation being conducted by a resident of the building.
- 4-3(B)(7)(c) The building and lot shall not be used for any of the following uses identified in Table 4-2-1:
 1. Any use in the Agricultural or Animal-related category.
 2. Any use in the Food, Beverage, and Indoor Entertainment category.
 3. Any use in the Motor Vehicle-related category.
 4. Any use in the Industrial Uses category except artisan manufacturing or outdoor storage.
 5. Commercial services.
 6. Construction contractor facility and yard.
 7. Crematorium.
 8. Mortuary.
 9. Adult retail.
 10. Liquor retail.
- 4-3(B)(7)(d) A wall sign is allowed that is no more than 8 square feet in size or as allowed by the underlying zoning, whichever is lesser, and that is located no higher than the top of the ground floor of the building.

OVERNIGHT SHELTER



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<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: "(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:</p> <ol style="list-style-type: none"> More than 50 beds in any zone district where allowed, except MX-H. Locations within 1,500 feet in any direction of any other overnight shelter. Locations within 330 feet of Residential zone districts or any residential use in a Mixed-use zone district. <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.</p> <p>Requires conditional approval for larger shelters, shelters near residential, and shelters within 1500 feet of each other.</p>

- 4-3(C)(6) **Overnight Shelter**
- 4-3(C)(6)(a) This use is prohibited within 1,500 feet in any direction of a lot containing any other overnight shelter.
 - 4-3(C)(6)(b) This use shall be conducted within fully enclosed portions of a building.
 - 4-3(C)(6)(c) In the MX-M zone district, this use shall not exceed 25,000 square feet.

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
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																			
CIVIC AND INSTITUTIONAL USES																			
Adult or child day care facility			C	C	C	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	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	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	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	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	CV	CV						4-3(C)(8)
Sports field							CV	C	P	P	P	P	C		P		C		



CANNABIS RETAIL

Council

PROPOSED CHANGE

1. Removes Cannabis Retail as a permissive use in MX-T and associated use-specific standards
2. Removes the Conditional Use allowance for Cannabis Retail when located within 600 feet of another Cannabis Retail facility
3. Deletes definition of “Cannabis microbusiness”

IDO TEXT

- 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.
- 4-3(D)(35)(j) 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.

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GENERAL RETAIL



PROPOSED CHANGE

Change / Discussion	Explanation
<p>Add a new Subsection (b) with text as follows and renumber subsequent Subsections 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></p>	<p>Requires a perimeter wall for general retail stores to limit pedestrian access and deter crime.</p>

LIGHT VEHICLE FUELING

Admin

PROPOSED CHANGE

Change / Discussion	Explanation
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.

SELF-STORAGE



PROPOSED CHANGE

IDO TEXT



Change / Discussion	Explanation
<p>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 <u>not exceed the maximum light trespass values listed in Table 5-8-3 for lighting designation Lz1 during the outdoor lighting curfew</u> 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.</p>	<p>Updates existing lighting regulations to improve compliance with State’s Dark Sky Ordinance and improve enforceability.</p>

- 4-3(D)(29) Self-storage**
- 4-3(D)(29)(a) All storage shall be within fully enclosed portions of a building.
 - 4-3(D)(29)(b) Security fencing shall not include razor wire or barbed wire.
 - 4-3(D)(29)(c) Abutting any Residential zone district or lot containing a residential use in any Mixed-use zone district, an opaque wall or fence at least 6 feet and no more than 8 feet high or a landscape buffer at least 50 feet wide shall be provided along the abutting lot line.
 - 4-3(D)(29)(d) Within 100 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district, public access to any storage units is prohibited between 10:00 P.M. and 7:00 A.M.
 - 4-3(D)(29)(e) Within 200 feet in any direction of any Residential zone district, internal lighting that is visible from the property line shall 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(D)(29)(f) In the MX-L, MX-M, MX-H, and MX-FB zone districts, and on lots in the NR-C zone district within a UC-AC-MS-PT area, access to individual storage units shall be through interior corridors; direct access to individual units from outdoor areas is not allowed.
 - 4-3(D)(29)(g) In the NR-C zone district outside of UC-AC-MS-PT areas, exterior doors to individual storage units shall not face any abutting street frontage, or, if the site is located on a corner lot, shall not face the primary street frontage.



WTF

Wireless Telecommunications Facility

Staff

PROPOSED CHANGE

IDO TEXT

Click to see Exhibit

Change / Discussion

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

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

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.

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

The following regulations shall apply to all WTFs in any zone district unless specified otherwise in this IDO.

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. 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.

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ELECTRIC UTILITY



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Revise Subsections (a), (b), (c), and (d) to add battery storage in addition to substations.</p> <p>Revise Subsection (f) as follows: "Electric generation facilities, as <u>defined</u> 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."</p>	<p>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.</p> <p>Electric utilities are regulated separately from the standalone Battery Energy Storage System (BESS) proposed in another amendment.</p>

4-3(E)(8)

Electric Utility

- 4-3(E)(8)(a) Substation walls shall be set back a minimum of 10 feet from all property lines to allow for perimeter landscape.
- 4-3(E)(8)(b) Substation facilities shall be surrounded by a minimum 10-foot landscaped buffer area consisting of shrubs and other vegetation that complies with the safety and maintenance requirements for substations.
- 4-3(E)(8)(c) Substations shall be surrounded by a wall a minimum of 12 feet high wall.
- 4-3(E)(8)(d) All existing substations that undergo expansion shall meet the design standards for new substations.
- 4-3(E)(8)(e) All uses and associated facilities shall be subject to the terms and conditions in the Facility Plan for Electric System Transmission and Generation, as amended, except that battery storage facilities are not considered electric generation facilities and may be a primary activity in association with the electric utility use in the NR-BP, NR-LM, and NR-GM zone districts.
- 4-3(E)(8)(f) Electric generation facilities, as 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.



BESS

Staff

Battery Energy Storage System

PROPOSED CHANGE

Click to see Exhibit

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.

New use that 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.

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.

BESS

Staff

Battery Energy Storage System

PROPOSED CHANGE

Click to see Exhibit

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.

BESS

Staff

Battery Energy Storage System

PROPOSED CHANGE

Click to see Exhibit

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.

5-5(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. 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.

BESS

Staff

Battery Energy Storage System

PROPOSED CHANGE

Click to see Exhibit

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*.

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

NFPA: National Fire Protection Association

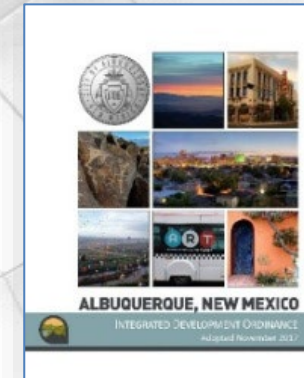
dBA: A-weighted decibel (dB)

Context
Rules

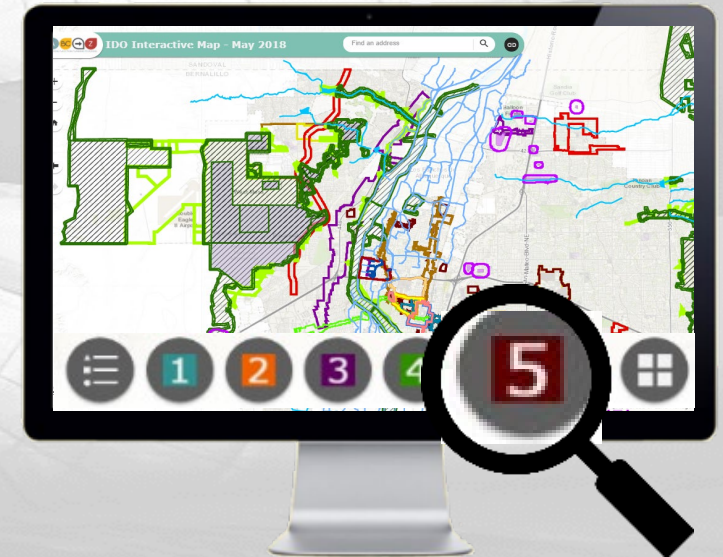
IDO Part 5 Development Standards

Rules that set quality standards for development

- 5-1 DIMENSIONAL STANDARDS
- 5-2 SITE DESIGN + SENSITIVE LANDS
- 5-3 ACCESS + CONNECTIVITY
- 5-4 SUBDIVISION OF LAND
- 5-5 PARKING + LOADING
- 5-6 LANDSCAPING, BUFFERING, +
SCREENING
- 5-7 WALLS + FENCES
- 5-8 OUTDOOR + SITE LIGHTING
- 5-9 NEIGHBORHOOD EDGES
- 5-10 SOLAR ACCESS
- 5-11 SIGNS



<https://tinyurl.com/CABQ-IDO-12-2022>



<https://tinyurl.com/IDOzoningmap>

SENSITIVE LANDS

Irrigation (Acequia) Standards

PROPOSED CHANGE

COMP PLAN TEXT

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. [A]

ACTION

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

Change / Discussion	Explanation
<p>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></p>	<p>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.</p>

SENSITIVE LANDS

Landfill Gas Mitigation

Admin

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Revise text as follows: "Sensitive lands include landfill gas buffer areas, which comprise closed or operating <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.</p>	<p>Exempts landfills closed more than 30 years ago from landfill gas mitigation procedures.</p>

5-2(H)

LANDFILL BUFFERS

Sensitive lands include landfill gas buffer areas, which comprise closed or operating landfills 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.

SENSITIVE LANDS

Major Public Open Space Edges

Admin

PROPOSED CHANGE

IDO TEXT

Click to see Exhibit

Change / Discussion	Explanation
<p>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.</p>	<p>Updates existing lighting regulations to improve compliance with State's Dark Sky Ordinance and improve enforceability.</p>

5-2(J) MAJOR PUBLIC OPEN SPACE EDGES

- 5-2(J)(1) Lots within 330 Feet of Major Public Open Space**
 The following standards apply to development within 330 feet in any direction of Major Public Open Space in order to enhance and protect Major Public Open Space. For additional standards regulating lots adjacent to major Public Open Space, see Subsection 14-16-5-2(J)(2) below.
- 5-2(J)(1)(d) Outdoor Lighting**
 Development shall design lighting pursuant to Section 14-16-5-8 (Outdoor and Site Lighting).

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SENSITIVE LANDS

Construction Mitigation

Staff

PROPOSED CHANGE

Click to see Exhibit

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 TEXT

5-2(K) PREVENTING AND MITIGATING CONSTRUCTION IMPACT
See the DPM for standards.

PARKING STRUCTURES

Parking Structure Design

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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."</p>	<p>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.</p>

5-5(G)(3)

Building Design Standards

All parking structures that provide parking for multi-family dwellings, 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 development.

- 5-5(G)(3)(a) Minimum and maximum setbacks for the parking structure are the same as those for the primary building.
- 5-5(G)(3)(b) No horizontal length of any façade shall extend longer than 40 feet without the inclusion of architectural elements such as decorative grillwork, louvers, translucent screens, alternating building materials, projection of lintels, portals, and other external features to avoid visual monotony. A change in color alone does not satisfy this requirement.
- 5-5(G)(3)(c) Each street-facing façade shall be designed to screen all parked vehicles to a height of 4 feet to conceal internal light sources when viewed from the public street.
- 5-5(G)(3)(d) The height of an accessory parking structure shall not exceed the height of the primary building it serves.
- 5-5(G)(3)(e) Where a parking structure is located beneath or within a primary building, if loading docks are provided, they shall be integrated into the parking structure.
- 5-5(G)(3)(f) For parking structures that occupy 75 percent or more of the street-facing façade of a building, any vehicular ingress/egress locations shall include a planter.
- 5-5(G)(3)(g) Where parking structures for multi-family residential development abut a street, the street-facing wall shall contain at least one opening of at least 5 feet in length for every 10 parking spaces on the ground floor.

FRONT YARD PARKING – ANGULAR STONE

Council

Proposes to disallow angular stone as an allowed material for the purposes of improved parking areas on a front yard.

BOAT AND RV PARKING

Council

Proposes to disallow the parking of recreational vehicles, boats, and/or recreational trailers in any portion of the front yard.

Council

PARKING MAXIMUMS NEAR TRANSIT FACILITIES

Proposes to add a new parking maximum:

- I. Within 330 feet of a transit facility

Transit Facility is defined 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.

LANDSCAPING APPLICABILITY

Council

Proposes to reduce the applicability thresholds for landscaping requirements by 20%

1. New parking lot containing 25 or more spaces → Change to 20 spaces
2. Expansion of an existing building by 2,500 square feet or 25% → Change to 2,000 square feet and 20%
3. Renovation or redevelopment of an existing building valued at \$500,000 or more → change to \$400,000

LANDSCAPING

General Landscaping Standards

Staff

PROPOSED CHANGE

IDO Annual Update 2023

Exhibit – Landscaping Amendments

Click to see Exhibit

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

Change / Discussion	Explanation
<p>Landscape Standards</p> <p>Exhibit includes changes to these sections:</p> <ul style="list-style-type: none"> • 5-6(C) General Landscaping Standards • 5-6(C)(4) Required Plant Materials and Site Amenities • 5-6(C)(5) Soil Condition and Planting Beds • 5-6(C)(7) Plant Material Spacing • 5-6(C)(10) Planting Near Utilities • 5-6(C)(14) Irrigation Systems • 7-1 Definition – Warm Season Grasses 	<p>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.</p>

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

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LANDSCAPING

General Landscaping Standards

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Staff

PROPOSED CHANGE

Click to see Exhibit

Change / Discussion	Explanation
<p>Landscape Standards</p> <p>Exhibit includes changes to these sections:</p> <ul style="list-style-type: none"> • 5-6(C) General Landscaping Standards • 5-6(C)(4) Required Plant Materials and Site Amenities • 5-6(C)(5) Soil Condition and Planting Beds • 5-6(C)(7) Plant Material Spacing • 5-6(C)(10) Planting Near Utilities • 5-6(C)(14) Irrigation Systems • 7-1 Definition – Warm Season Grasses 	<p>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.</p>

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.

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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.

MULCHING REQUIREMENTS

Council

Proposes to establish a 2-foot radius measurement in which mulching is to be provided around a plant.

STREET TREE MULCHING REQUIREMENTS

Council

Proposes to remove the mulching requirement (5-foot radius around the tree trunk) from street trees. Other trees not considered street trees must still comply.

WALLS & FENCES

Front Yard Wall

Admin

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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></p> <p><u>(a) The wall is not located in a small area where taller walls are prohibited pursuant to Subsection (3) below.</u></p> <p><u>(b) View fencing is used for portions of a wall above 3 feet.</u></p> <p><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>	<p>Allows 5 foot walls in front yard with view fencing for at least 2 feet at top, set back 5 feet, and landscaped.</p>

Zone Category	Residential	Mixed-use	Non-residential (NR-C, NR-BP) ^[1]	Non-residential (NR-LM, NR-GM)	See also:
Standard Wall Height					
Wall in the front yard or street side yard ^{[2][3][4][5]}	3 ft.	3 ft.	3 ft.	6 ft.	5-7(D)(2)
Wall in other locations on the lot ^{[6][7]}	8 ft.	8 ft.	8 ft.	10 ft.	5-7(D)(2)

Wall Type and Location	Maximum Wall Height	Illustration
View Fencing		
View fencing at most 50 percent opaque may be added above 3 ft. to increase the total height of the wall as follows:		
<10 ft. from lot line abutting the street	5 ft.	0
≥10 ft. from lot line abutting the street	6 ft.	0
Courtyard Walls		
≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive	6 ft.	5-7(D)(3)(g)2
Corner Lots		
On a corner lot where the rear yard abuts the front yard of a residentially zoned lot, a taller wall enclosing the rear yard may be approved as follows:		
<10 ft. from the lot line abutting the street	5 ft.	5-7(D)(2)

[1] The maximum wall heights in this table require an approval pursuant to the standards in Subsections 14-16-5-7(D)(3)(g) and 14-16-6-6(H) (Permit – Wall or Fence – Major).

WALLS & FENCES

Front Yard Wall

Admin

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Options for a Taller Front or Side Yard Wall</p> <p>Revise the first row of text under View Fencing as follows: "<u>5 ±0 ft. from lot line abutting the street"</p>	<p>Requires Permit - Wall or Fence - Major for 5-ft. walls less than 5 feet from the property line.</p>

Zone Category	Residential	Mixed-use	Non-residential (NR-C, NR-BP) ^[1]	Non-residential (NR-LM, NR-GM)	See also:
Standard Wall Height					
Wall in the front yard or street side yard ^{[2][3][4][5]}	3 ft.	3 ft.	3 ft.	6 ft.	5-7(D)(2)
Wall in other locations on the lot ^{[6][7]}	8 ft.	8 ft.	8 ft.	10 ft.	5-7(D)(2)

Table 5-7-2: Options for a Taller Front or Side Yard Wall^[1]

Wall Type and Location	Maximum Wall Height	Illustration
View Fencing		
View fencing at most 50 percent opaque may be added above 3 ft. to increase the total height of the wall as follows:		
<10 ft. from lot line abutting the street	5 ft.	0
≥10 ft. from lot line abutting the street	6 ft.	0
Courtyard Walls		
≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive	6 ft.	5-7(D)(3)(g)2
Corner Lots		
On a corner lot where the rear yard abuts the front yard of a residentially zoned lot, a taller wall enclosing the rear yard may be approved as follows:		
<10 ft. from the lot line abutting the street	5 ft.	5-7(D)(2)

[1] The maximum wall heights in this table require an approval pursuant to the standards in Subsections 14-16-5-7(D)(3)(g) and 14-16-6-6(H) (Permit – Wall or Fence – Major).

OUTDOOR AND SITE LIGHTING

Part
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Staff

Replace Section 14-16-5-8 in its entirety

PROPOSED CHANGE

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.

IDO TEXT

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 pollution between private properties, and prevent unnecessary sky glow that reduces visibility of stars in the night sky.

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OUTDOOR AND SITE LIGHTING

Staff

Replace Section 14-16-5-8 in its entirety

PROPOSED CHANGE

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.

IDO TEXT

5-8(B) APPLICABILITY

5-8(B)(1) General

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.

With new lighting and the replacement of luminaires (excepting lamp replacement), regardless of type, mounting, or location.

Examples of Fully Shielded Luminaires

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.

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OUTDOOR AND SITE LIGHTING

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Replace Section 14-16-5-8 in its entirety

PROPOSED CHANGE

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 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 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.

IDO TEXT

5-8(B)(2) Exemptions
 The following types of lighting are not subject to the requirements of this Section 14-16-5-8.

5-8(B)(2)(a) Outdoor light fixtures on advertisement signs on



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OUTDOOR AND SITE LIGHTING

Replace Section 14-16-5-8 in its entirety

Staff

PROPOSED CHANGE

IDO TEXT

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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 festival lighting.	
5-8(C)(2) Public Right-of-Way Interference	5
5-8(C)(2)(a) Any intentionally blinking, flashing, or strobing lights that distract a motor vehicle operator in the public right-of-way are prohibited.	lights on way
5-8(C)(2)(b) Any luminaires that may be confused as a traffic control device is prohibited unless authorized by federal, state, or city government.	5-8(C)(2)(b) Any li prohi
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 searchlights shall be within 500 feet of	

5-8(C) PROHIBITED LIGHTING

- 5-8(C)(1) Searchlights and spotlights are prohibited, except when used to illuminate alleys, parking structures, and maintenance areas. Where allowed for these purposes, such lights must be shielded and aimed so that they do not result in lighting on any adjacent property or public right-of-way exceeding 200 foot lamberts.
- 5-8(C)(2) Notwithstanding Subsection (1) above, all searchlights, spotlights, and floodlights are prohibited within 500 feet in any direction of the boundary of any area regulated by Division 30-VI-2 of the Bernalillo County Code of Ordinances (North Albuquerque Acres and Sandia Heights Light Pollution Ordinance).
- 5-8(C)(3) Lighting that is designed to be flashing, traveling, animated, or intermittent is prohibited, except for seasonal displays discontinued within 7 calendar days of the holiday for which the lighting was provided.
- 5-8(C)(4) Light types of limited spectral emission, such as low pressure sodium or mercury vapor lights, are prohibited. Light sources shall be color-correct types such as Halogen, LED, or metal halide.
- 5-8(D)(1)(f) All outdoor light fixtures shall generate at least 80 lumens per watt of energy consumed as shown on the manufacturer's specifications for the fixture.

OUTDOOR AND SITE LIGHTING

Staff

Replace Section 14-16-5-8 in its entirety

PROPOSED CHANGE

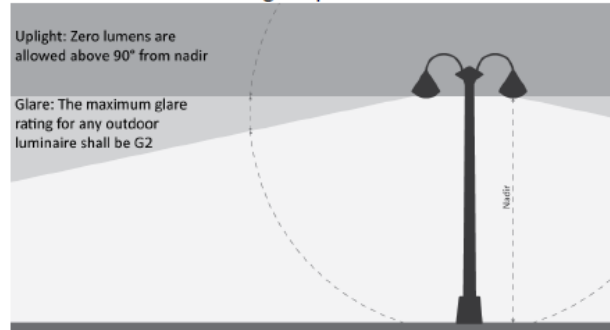
5-8(D) GENERAL DESIGN AND ILLUMINATION STANDARDS

All sources of light visible from the exterior of a property subject to this Section 14-16-5-8 shall meet all of the following standards.

Uplight Restrictions

5-8(D)(1)

5-8(D)(1)(a) Unless specified otherwise in this IDO, luminaires shall be fully shielded or have a UO 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. Light fixtures shall be 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, canopies, and ground surface directly beneath the perimeter of the canopy or similar structure.

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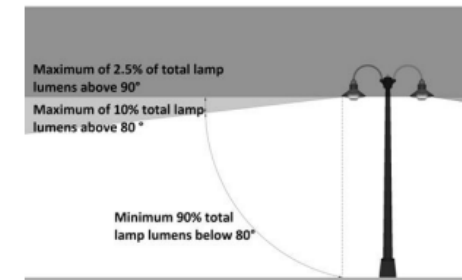
IDO TEXT

5-8(D) GENERAL DESIGN AND ILLUMINATION

All sources of light visible from the exterior of a property subject to this Section 14-16-5-8 shall meet all of the following standards.

5-8(D)(1) All outdoor lighting with light fixtures that are 150 watts or greater for incandescent light sources or 70 watts or greater for other types of light sources shall meet all of the following requirements.

5-8(D)(1)(a) Light fixtures shall be shielded using full cutoff light fixtures (i.e. a light fixture with zero intensity at or above 90 degrees above nadir and limited to a value not exceeding 10 percent of lamp lumens at or above 80 degrees).



5-8(D)(5)

Light fixtures installed in canopies or similar structures shall be flush-mounted or recessed above the lower edge of the canopy and shall be equipped with flat lenses that do not project below the canopy ceiling. The canopy fascia shall not be internally illuminated.

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PROPOSED CHANGE [NEW]

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 Lz0 lighting designations, pursuant to Subsection 14-16-5-8(E).

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."



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PROPOSED CHANGE

IDO TEXT

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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.

5-8(D)(3) The height of light poles, measured from the finished grade to the top of the pole, shall comply with the standards in Table 5-8-1 unless Part 14-16-2, Part 14-16-3, or any Use-specific Standard in Section 14-16-4-3 provides a different standard, or unless the property is located in the NR-PO-B sub-zone and the pole heights comply with a Master Plan approved by the EPC.

TABLE 5-8-1: MAXIMUM HEIGHT FOR LIGHT POLES

Zone District	Maximum Height, ft.
Bollard and pathway luminaires	4
Residential zone districts and HPO zones	12
Within 100 feet of Residential zone districts	16
Mixed use development or allowable uses in the	

Table 5-8-1: Maximum Height for Light Poles

Zone District	Maximum Height, ft.
Residential zone districts and HPO zones	16
Mixed-use zone districts	20
Non-residential zone districts	30
Within 100 feet in any direction of any Residential zone district	16
Adjacent to Major Public Open Space	20

5-8(D)(4) All outdoor light fixtures mounted on a building or structure other than a light pole, except for security lighting, shall be mounted at least 6 feet and no more than 15 feet above grade or no higher than 7 feet above the floor of a stoop or porch unless specified otherwise in this IDO.

5-8(E)(1) Pedestrian-scale Lighting
Pedestrian light fixtures shall comply with all of the following standards.

- 5-8(E)(1)(a) Pedestrian-scale lighting, including lighting for sidewalks, walkways, trails, and bicycle paths, shall provide an illumination of at least 1 foot candle, not to exceed 4 foot candles.
- 5-8(E)(1)(b) Pedestrian light poles shall be mounted no higher than 12 feet above grade and shall be placed a maximum of 100 feet apart.
- 5-8(E)(1)(c) Pedestrian bollard lamps shall be mounted no higher than 4 feet above grade and shall not exceed 900 lumens for any single lamp.

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PROPOSED CHANGE

- 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. Lighted signs or lighting fixtures above 90 degrees from the horizontal 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 sidewalks shall comply with the following requirements.
 - 5-8(D)(5)(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)(5)(b) Festoon lighting is exempt from the point light source restriction in Subsection 14-16-5-8(E)(4)(a).
- 5-8(D)(6) **Deck and Outdoor Dining Lighting**
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)(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 the outdoor lighting curfew. Lighting to boost illumination levels for security as a 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(I) and providing an outdoor and site lighting performance analysis pursuant to Subsection 14-16-6-4(H)(3).

IDO TEXT

- 5-8(E)(2) **Decorative Outdoor Lighting**
Outdoor lighting intended to enhance the decorative appearance of a building and/or landscaping shall comply with all of the following standards.
 - 5-8(E)(2)(a) Decorative outdoor lighting shall cast all light downward (rather than upward) against the building surface or onto a landscape feature.
 - 5-8(E)(2)(b) Decorative outdoor lighting shall not exceed 100 watts of incandescent luminescence or the equivalent. Decorative outdoor lighting shall be turned off between 11:00 P.M. and sunrise.
 - 5-8(E)(2)(c) Decorative outdoor lighting shall comply with the following standards and exemptions apply:
 1. Light fixtures for decorative outdoor lighting that are mounted on a building may be higher than allowed by Subsection 14-16-5-8(E)(4)(a), but as high as the top of the wall on which they are mounted.
 2. Decorative outdoor lighting in these areas is exempt from Subsections 14-16-5-8(E)(4)(a) and (b).
- 5-8(E)(3) **Parking Lots**
Outdoor lighting for parking lots shall comply with all of the following standards.
 - 5-8(E)(3)(a) Pedestrian walkways and bicycle paths in parking areas shall be lit with pedestrian-scale lighting.
 - 5-8(E)(3)(b) Maintained average luminance values in paved parking areas shall provide an illumination of at least 1 foot candle, not to exceed 4 foot candles.

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OUTDOOR AND SITE LIGHTING

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PROPOSED CHANGE

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.

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PROPOSED CHANGE [NEW]

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

Non-Residential							Residential						Misc	
District	ANSI/IES Lighting Designation	R-A	R-1	R-T	R-MC	R-ML	R-MH	MX-T	MX-L					
MX-FM														
MX-H														
NR-C														
NR-BP														
NR-LM														
NR-GM														
A														
B														
C														
D														
NR-PO														
NDZ														
Lz0														
Lz1														
Lz2														
Lz3														

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 uses (e.g., parks, open space, etc.) adjacent to high-density residential uses.
- [4] Lz1 is required in NR-PO zones for open space with moderate amenities.
- [5] Lz2 is required in NR-PO zones for open space with high amenities.
- [6] Lz3 is required in NR-PO zones for open space with high amenities and high-density residential uses.
- [7] Lz3 is allowed in parks with high amenities.
- [8] Lz3 is allowed in parks with high amenities.

- 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.

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PROPOSED CHANGE [NEW]

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.

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PROPOSED CHANGE

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.

	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.

IDO TEXT

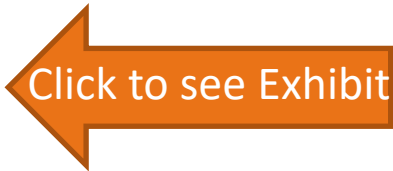
- 5-8(D)(1)(b) No light source for any outdoor light fixture shall be directly visible from a distance greater than 1,000 feet in any Residential zone district.
- 5-8(D)(1)(c) All outdoor lighting shall be aimed so that light spillover onto the area 10 feet beyond the property line shall not exceed 200 foot lamberts as measured from the property line facing the light source.
- 5-8(D)(1)(d) Outdoor light fixtures shall have a minimum light intensity of one lumen per square foot and a maximum intensity of 2 lumens per square foot unless specified otherwise in this IDO.
- 5-8(D)(6) All sources of light for non-residential development (excluding uses in the Lodging category) other than outdoor light fixtures as regulated above that are visible from the property line shall not exceed 300 foot lamberts as measured from the property line.
- 5-8(D)(6)(a) In UC-MS-PT areas, if the non-residential development is located within 10 feet of the property line, this measurement is taken from the mid-point of the abutting right-of-way, or from a distance of 50 feet, whichever is closer.
- 5-8(D)(6)(b) Neon signs are exempt from this requirement.

OUTDOOR AND SITE LIGHTING

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Replace Section 14-16-5-8 in its entirety

PROPOSED CHANGE [NEW]



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)(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(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.

OUTDOOR AND SITE LIGHTING

Replace Section 14-16-5-8 in its entirety

Staff

PROPOSED CHANGE

IDO TEXT

Click to see Exhibit

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.

5-8(D)(2)

Any sports lighting, floodlights, or searchlights allowed by this Section 14-16-5-8 shall be turned off between 11:00 P.M. and sunrise.

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.

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OUTDOOR AND SITE LIGHTING

Part
5

Replace Section 14-16-5-8 in its entirety

Staff

PROPOSED CHANGE

[Click to see Exhibit](#)

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).

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OUTDOOR AND SITE LIGHTING

Replace Section 14-16-5-8 in its entirety

Staff

PROPOSED CHANGE

5-12(E) STANDARDS APPLICABLE TO ALL SIGNS

5-12(E)(5) Illumination and Motion

5-12(E)(5)(a) General

- 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	Maximum Luminance (Nits)
Lz1	108
Lz2	323
Lz3	685

- [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.

IDO TEXT

5-12(E)(5)(a) General

- Signs may be internally or externally lit, provided that the light source is not directly visible from the public right-of-way or from adjacent properties unless specified otherwise in this IDO.
- No portion of an illuminated sign shall have a luminance greater than 200 foot lamberts or 685 nits at night.
- No sign or any part of any sign shall move or rotate at a rate of more than once each 10 seconds, with the exception of wind devices, the motion of which is not restricted.
- No sign or any part of any sign shall change its message or picture at a rate of more than once each 8 seconds.

- 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.

Table 5-12-5: Illumination Measurement Distance

Area of Sign (sq. ft.) ^[1]	Measurement Distance (ft.)	Area of Sign (cont.) ^[1]	Measurement Distance (cont.)
10	32	65	81
15	39	70	84
20	45	75	87
25	50	80	89
30	55	85	92
35	59	90	95
40	63	95	97
45	67	100	100
50	71	300	150
55	74	378	200
60	77	672	250

[1] For signs with an area other than those specifically listed in this table, the measurement distance may be calculated with the following formula: Measurement Distance (ft.) = square root of (Area of Electronic Sign (sq. ft.) x 100).

Click to see Exhibit

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BUILDING DESIGN

Council

Proposes to require façade articulation requirements for:

1. Non-residential development other than industrial development in NR-LM or NR-GM
2. Industrial Development in any zone district

PRE-SUBMITTAL NEIGHBORHOOD MEETING VALIDITY PERIOD

Council

Proposes to extend the time in which a Pre-Submittal Neighborhood Meeting report is valid from 90 days to 1 year.

FINDING THE BALANCE

Part
6

Community Input

Early consultation
& more public notice

Streamlined Approval Process

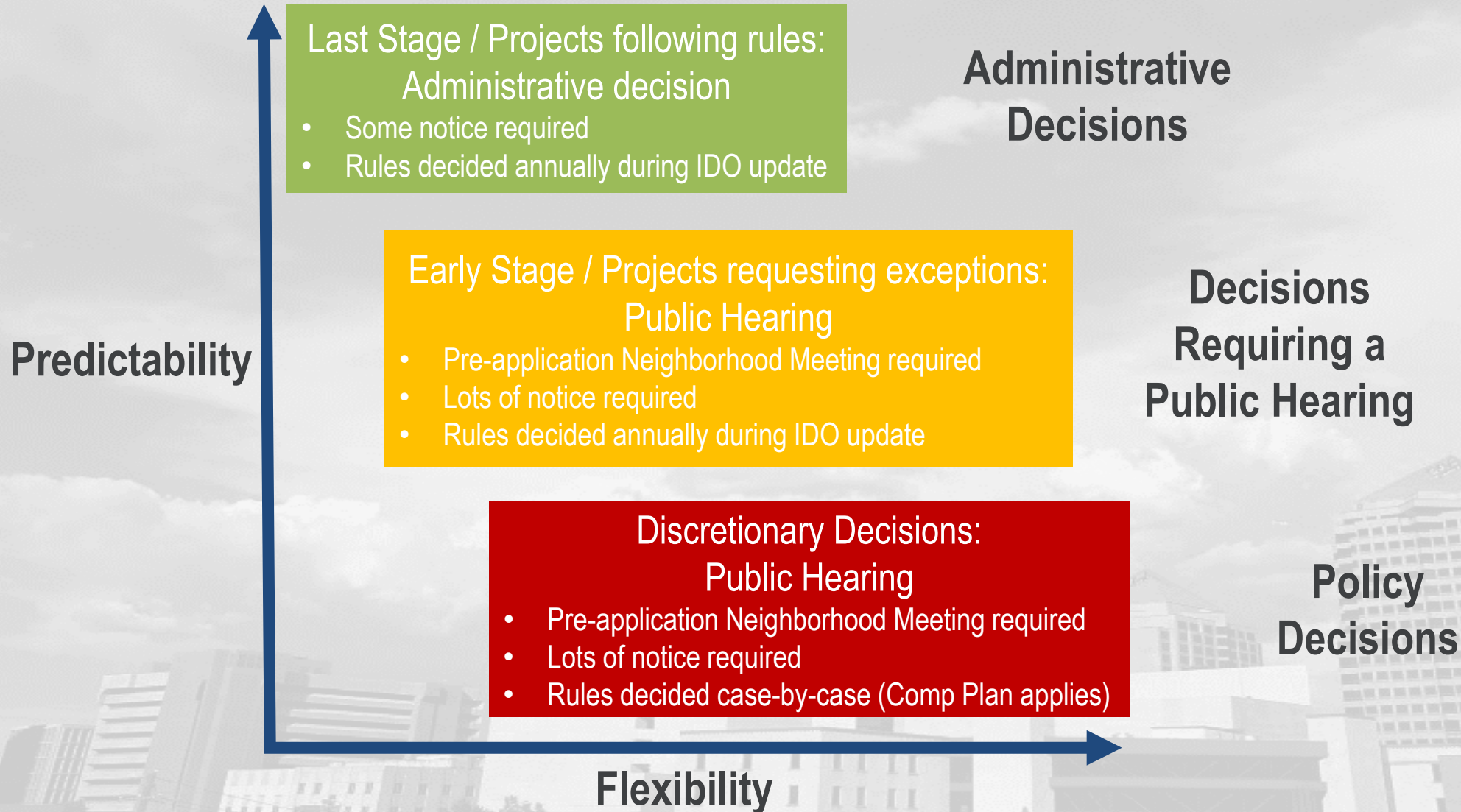
More administrative review

Intent

- If we get the rules right – and we continually work to get the rules right – and projects follow those rules, they get approved quickly.
- Asking for exceptions means more notice, more public input, and a longer process.

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FINDING THE BALANCE



**Table
6-1-1**

Table 6-1-1: Summary of Development Review Procedures

DHO = Development Hearing Officer EPC = Environmental Planning Commission LC = Landmarks Commission

ZHE = Zoning Hearing Examiner LUHO = Land Use Hearing Officer

X = Required [] = Public Hearing < > = Quasi-judicial Hearing

R = Review/Recommend D = Review and Decide AR = Appeal Review / Recommend AD = Appeal Review and Decide

Subsection	Mtgs		Public Notice					Review and Decision-making Bodies						Specific Procedures	
	6-4(B)	6-4(C)	6-4(K)(2)	6-4(K)(3)	6-4(K)(4)	6-4(K)(5)	6-4(K)(6)	6-2(B)	6-2(D)	6-2(E)	6-2(H)	6-2(J)	6-2(I)		6-2(A)
Application Type	Neighborhood	Pre-application	Email	Mailed	Posted Sign	Published	Web Posting	City Staff ^[1]	DHO	EPC	LC	ZHE	LUHO	City Council ^[2]	
Permit – Wall or Fence – Minor			X				X	D					<AR>	<AD>	6-5(F)
Site Plan – Administrative ^[4]	X ^[5]		X		X		X	D					<AR>	<AD>	6-5(G)

PRE-SUBMITTAL NEIGHBORHOOD MEETING

Table 6-1-1 + Section 6-4(C): ido.abc-zone.com

Forms: <https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

**Section
6-4(B)**

Table 6-1-1: Summary of Development Review Procedures
 DHO = Development Hearing Officer EPC = Environmental Planning Commission
 ZHE = Zoning Hearing Examiner LUHO = Land Use Hearing Officer
 X = Required [] = Public Hearing < > = Quasi-judicial Hearing
 R = Review/Recommend D = Review and Decide AR = Approval

Subsection	Mtgs	
	6-4(B)	6-4(C)
Application Type	Neighborhood	Pre-application
Administrative Decisions		
Site Plan – Administrative ^[4]	X ^[5]	[]
Decisions Requiring a Public Hearing		
Conditional Use Approval	X	[]
Demolition Outside of an HPO ^[6]	X	[]
Expansion of Nonconforming Use or Structure	X	[]
Historic Design Standards and Guidelines	X	[]
Master Development Plan	X	[]
Site Plan – EPC	X	[]
Vacation of Easement, Private Way, or Public Right-of-way		
Vacation of Public Right-of-way – Council	X	X
Vacation of Public Right-of-way – DHO	X	X
Variance – EPC	X	[]
Variance – ZHE	X	[]
Waiver – DHO	X	[]
Policy Decisions		
Adoption or Amendment of Historic Designation	X	X
Amendment to IDO Text – Small Area	X	[]
Zoning Map Amendment – EPC	X	[]
Zoning Map Amendment – Council ^[8]	X	[]

- Required content
- Required forms
- Email notice to Neigh Association reps
- Timing
 - NA reps have 15 days to respond yes/no
 - Meeting must be scheduled w/in 30 days of yes
- Facilitated by CABQ Alternative Dispute Resolution
- Report emailed to all who participated
- Applicant responds to discussion/concerns in submittal
- Report/response reviewed by decision-maker

PROCEDURES SUMMARY TABLE

Staff

Historic Certificate of Appropriateness

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
Historic Certificate of Appropriateness – Minor Add requirement for Pre-application Meeting.	Matches current practice.

Table 6-1-1: Summary of Development Review Procedures																
DHO = Development Hearing Officer EPC = Environmental Planning Commission LC = Landmarks Commission																
ZHE = Zoning Hearing Examiner LUHO = Land Use Hearing Officer																
X = Required [] = Public Hearing < > = Quasi-judicial Hearing																
R = Review/Recommend D = Review and Decide AR = Appeal Review / Recommend AD = Appeal Review and Decide																
Subsection	Mtgs		Public Notice				Review and Decision-making Bodies						Specific Procedures			
	6-4(B)	6-4(C)	6-4(K)(2)	6-4(K)(3)	6-4(K)(4)	6-4(K)(5)	6-4(K)(6)	6-2(B)	6-2(D)	6-2(E)	6-2(H)	6-2(J)		6-2(I)	6-2(A)	
Application Type	Neighborhood	Pre-application	Email	Mailed	Posted Sign	Published	Web Posting	City Staff ⁽¹⁾	DHO	EPC	LC	ZHE	LUHO	City Council ⁽²⁾		
Administrative Decisions																
Archaeological Certificate								D						<AR>	<AD>	6-5(A)
Historic Certificate of Appropriateness – Minor			X		X			D			<AD>			<AR>	<AD>	6-5(B)

PROCEDURES SUMMARY TABLE

Staff

Temporary Use and Temporary Window Wrap

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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.</p>	<p>Clarifies that the requirement for both uses is the same, matching the existing procedure in 14-16-6-5(D)(2)(a)3.</p>

Table 6-1-1: Summary of Development Review Procedures															
DHO = Development Hearing Officer EPC = Environmental Planning Commission LC = Landmarks Commission															
ZHE = Zoning Hearing Examiner LUHO = Land Use Hearing Officer															
X = Required [] = Public Hearing < > = Quasi-judicial Hearing															
R = Review/Recommend D = Review and Decide AR = Appeal Review / Recommend AD = Appeal Review and Decide															
Subsection	Mtgs		Public Notice				Review and Decision-making Bodies						Specific Procedures		
	6-4(B)	6-4(C)	6-4(K)(2)	6-4(K)(3)	6-4(K)(4)	6-4(K)(5)	6-4(K)(6)	6-2(B)	6-2(D)	6-2(E)	6-2(H)	6-2(J)		6-2(I)	6-2(A)
Application Type	Neighborhood	Pre-application	Email	Mailed	Posted Sign	Published	Web Posting	City Staff ^[1]	DHO	EPC	LC	ZHE	LUHO	City Council ^[2]	
Administrative Decisions															
Permit – Temporary Use ^[3]								D					<AR>	<AD>	6-5(D)
Permit – Temporary Window Wrap				X				D					<AR>	<AD>	6-5(E)

[1] May include Planning Department staff, Historic Preservation Planner, Impact Fee Administrator, Floodplain Administrator, City Engineer, Parks and Recreation Department staff, or others, depending on the type of application involved and delegation of responsibilities granted.
 [2] When a LUHO decision on an appeal is reviewed by City Council, the City Council will only hold a hearing if it does not uphold the LUHO decision.
 [3] Temp Use Permit requires notice to abutting property owners pursuant to Subsection 14-16-6-5(D)(2)(a)3.
 [4] See Subsections 14-16-6-4(K)(4)(b) and 14-16-6-4(K)(5)(a) for exceptions to posted sign and electronic mail requirements for any Site Plan – Administrative for low-density residential development in that subdivision within 2 years after the approval for Subdivision of Land – Major.
 [5] Required for applications that meet thresholds established in Subsection 14-16-6-4(B)(1)(b).
 [6] This procedure applies only if the Historic Preservation Planner determines, pursuant to Subsection 14-16-6-6(B)(2) (Demolition Outside of an HPO Procedure), that a hearing is necessary.
 [7] This procedure is for easements on a plat only.
 [8] Includes creation or amendment of text or map for APO, CPO, or VPO Zones.



DECISION-MAKING BODIES

EPC Appointments



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>EPC Appointments 6-2(E)(2)(b) <u>Prior to 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 that the position is otherwise will be 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>	<p>Allows the EPC appointment process to begin before the Commissioner leaves, eliminating or minimizing the time that a seat is vacant.</p>

6-2(E)(2)

Appointments

- 6-2(E)(2)(a) If an EPC member's term of office is ending, that member is eligible for reappointment to the EPC, and the City Councilor in whose District that member resides desires to reappoint the member, the City Councilor shall so notify the City Council and the member shall be reappointed subject to the advice and consent of the City Council.
- 6-2(E)(2)(b) When a vacancy on the EPC occurs:
 1. The Mayor shall notify a City Councilor in writing that his/her District member's term of office has expired or the position is otherwise vacant, and that the City Councilor shall have 60 calendar days to submit 2 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.
 2. The Mayor shall then recommend 1 of the 2 individuals recommended by the City Councilor for appointment with the advice and consent of the City Council.
 3. The Mayor shall deliver to the City Council the Mayor's recommendation from the 2 names submitted within 30 calendar days of delivery of the 2 names to the Mayor. If the Mayor fails to timely make a recommendation from the 2 names submitted, the City Councilor who submitted the names may appoint one of the 2 recommended members, subject to the advice and consent of the City Council.



GENERAL PROCEDURES

Pre-submittal Neighborhood Meeting

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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>

- 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 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.
- 6-4(B)(1)(a) Table 6-1-1 requires a meeting with a neighborhood to be offered for that type of application.
- 6-4(B)(1)(b) The application is a Site Plan – Administrative proposing a new building or multiple new buildings that include a total of any of the following:
1. More than 100 multi-family residential dwelling units.
 2. More than 50,000 square feet of non-residential development.

AGENCY REFERRALS

Timeframes

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<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>

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.

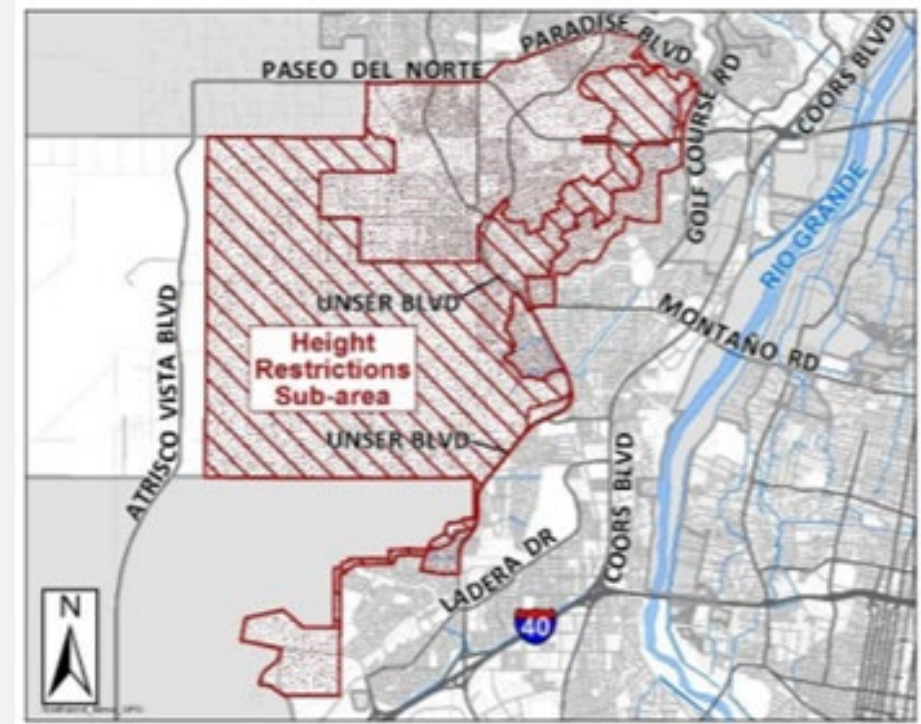
TRIBAL ENGAGEMENT

Council

Proposes to require tribal entities and/or representatives to be considered “commenting agencies” for development in the following locations:

1. Within 660 feet of the Petroglyph National Monument
2. Within 660 feet of MPOS
3. Within 660 feet of tribal land
4. ~~Within the Albuquerque Indian School Area~~
5. Within 660 feet of the Northwest Mesa Escarpment View Protection Overlay Zone*

Proposes to include tribal entities and/or representatives in the Archaeological Certificate process



PUBLIC NOTICE

Notice to Neighborhood Associations



PROPOSED CHANGE

IDO TEXT

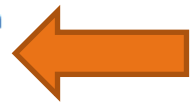
Change / Discussion	Explanation
<p>Public Notice to Neighborhood Associations Replace the adjacency requirement for notice to Neighborhood Associations with a set distance of 330 feet from the subject property in the following subsections: (2) Electronic Mail (3)(b)3 Mailed Notice to Neighborhood Associations</p>	<p>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)].</p>

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.



6-4(K)(3)(b) Notice to Neighborhood Associations
 Where Table 6-1-1 requires mailed notice, the applicant shall mail a notice to the 2 contact addresses on file with the ONC for Neighborhood Associations as follows.

- For applications related to a citywide Policy Decision: all Neighborhood Associations.
- For applications related to a Wireless Telecommunications Facility (WTF): any Neighborhood Association within 1,320 feet (¼ mile) in any direction of the subject property.
- For all other applications: any Neighborhood Association whose boundaries include or are adjacent to the subject property or small area.
- For applications where Table 6-1-1 requires electronic mail notice, mailed notice to Neighborhood Association representatives is only required if there is no e-mail address on file for that representative.



PUBLIC NOTICE

Mailed Notice to Property Owners



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Mailed Notice to Property Owners Revise the second sentence as follows: "<u>For zoning map amendment applications only, adjacent properties shall be included where</u> Where the edge of that 100-foot buffer area falls within any public right-of-way, adjacent properties shall be included."</p>	<p>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.</p>

6-4(K)(3)(c) **Notice to Property Owners**
 Where Table 6-1-1 requires mailed notice for Administrative Decisions, Decisions Requiring a Public Hearing, Amendments to Zoning Map, Adoption or Amendment of Historic Designation, or Annexation of Land, the applicant shall mail a notice to all of the following:

1. The owner of the property listed in the application.
2. 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 subject property. Where the edge of that 100-foot buffer area falls within any public right-of-way, adjacent properties shall be included.



PUBLIC NOTICE

Wireless Telecommunications Facilities



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Wireless Telecommunications Facility - Public Notice</p> <p>In Table 6-1-1, add Email Notice requirement for WTFs.</p> <p>Move language in 6-4(K)(3)(b)2 to 6-4(K)(2) in a new Subsection.</p>	<p>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.</p>

Table 6-1-1: Summary of Development Review Procedures

DHO = Development Hearing Officer EPC = Environmental Planning Commission LC = Landmarks Commission
 ZHE = Zoning Hearing Examiner LUHO = Land Use Hearing Officer
 X = Required [] = Public Hearing < > = Quasi-judicial Hearing
 R = Review/Recommend D = Review and Decide AR = Appeal Review / Recommend AD = Appeal Review and Decide

Subsection	Mtgs		Public Notice				Review and Decision-making Bodies						Specific Procedures			
	6-4(B)	6-4(C)	6-4(K)(2)	6-4(K)(3)	6-4(K)(4)	6-4(K)(5)	6-4(K)(6)	6-2(B)	6-2(D)	6-2(E)	6-2(H)	6-2(I)		6-2(L)	6-2(A)	
Application Type	Neighborhood	Pre-application	Email	Mailed	Posted Sign	Published	Web Posting	City Staff ⁽¹⁾	DHO	EPC	LC	ZHE	LUHO	City Council ⁽²⁾		
Site Plan – Administrative ⁽⁴⁾	X ⁽⁵⁾		X		X		X	D						<AR>	<AD>	6-5(G)
Wireless Telecommunications Facility Approval				X				D						<AR>	<AD>	6-5(H)

- 6-4(K)(3)(b) Notice to Neighborhood Associations**
- Where Table 6-1-1 requires mailed notice, the applicant shall mail a notice to the 2 contact addresses on file with the ONC for Neighborhood Associations as follows.
- For applications related to a citywide Policy Decision: all Neighborhood Associations.
 - For applications related to a Wireless Telecommunications Facility (WTF): any Neighborhood Association within 1,320 feet (¼ mile) in any direction of the subject property.



PUBLIC NOTICE

Amendment to IDO Text – Small Area

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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."</p>	<p>Removes the adjacency requirement to allow automation for the query for property owners.</p>

6-4(K)(3)(d) **Notice for Amendment to IDO Text – Small Area**
 Where Table 6-1-1 requires mailed notice for an application for an Amendment to IDO Text – Small Area, the applicant shall mail a notice to all of the following, in addition to Neighborhood Associations pursuant to Subsection 6-4(K)(3)(b)3:

1. The owners of the properties within the small area.
2. 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.**



PUBLIC NOTICE

Posted Sign

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Create new subsections, revise existing text as follows, and renumber subsequent subsections accordingly:</p> <p>"(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.</p> <p><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></p> <p><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>	<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.</p>

6-4(K)(4)

Posted Sign

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, for at least 15 calendar days before 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.

6-4(K)(4)(a) Signs shall be furnished by the City.

6-4(K)(4)(b) For a period of 2 years after a Subdivision of Land – Major is approved, required posted signs for any Site Plan – Administrative for low-density residential development within that subdivision may be provided on kiosks with weather protection, constructed at the applicant's expense, where signs can be posted for as long as construction is active, in lieu of posting individual signs on each lot.

1. The kiosks must be located on private property at all entrances to the subdivision.
2. The sign content required pursuant to Subsection 14-16-6-4(K)(1)(a) must be shown but can be consolidated if applicable to multiple lots.
3. A map that clearly identifies the lots with applications for Site Plan – Administrative must be included.

6-4(K)(4)(c) Posted sign notice is not required for appeals.

POST-SUBMITTAL FACILITATED MEETING



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Revise the final sentence as follows: "The facilitator shall attempt to contact all Neighborhood Associations <u>within 330 feet of</u> whose boundaries include or are adjacent to the subject property."</p>	<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)].</p>

6-4(L)(3) Timing of a Post-submittal Facilitated Meeting



- 6-4(L)(3)(a) Once notified by the Planning Director about the request for a post-submittal facilitated meeting, the applicant shall contact the City's Alternative Dispute Resolution (ADR) office to request the post-submittal facilitated meeting within 2 business days. The City shall assign a facilitator, who shall schedule the post-submittal facilitated meeting to take place within 15 calendar days of the request to ADR. The facilitator shall attempt to contact all Neighborhood Associations whose boundaries include or are adjacent to the subject property.
- 6-4(L)(3)(b) If reasonable attempts have been made to accommodate the schedules of the applicant, the Neighborhood Associations, and the requester (if different), and no post-submittal facilitated meeting has occurred, the application shall proceed in the relevant review/decision process. If no post-submittal facilitated meeting occurs, the facilitator shall provide documentation of the attempt to schedule the post-submittal facilitated meeting and that no post-submittal facilitated meeting was scheduled within the time allotted.
- 6-4(L)(3)(c) If a post-submittal facilitated meeting occurs, the facilitator shall submit a post-submittal facilitated meeting report, including but not limited to the meeting location, date, and time; attendees; and a summary of the discussion to the Planning Department within 7 calendar days of the post-submittal facilitated meeting.



APPEALS

Standing Based on Proximity for Neighborhood Associations

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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>

5. 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.
 - d. For application types with no distance specified, the final decision may be appealed pursuant to the Subsection indicated in Table 6-4-2.

Table 6-4-2: Standing for Appeals Based on Proximity to Subject Property

Application Type	Property Owners within Distance Specified	Neighborhood Associations within Distance Specified
Administrative Decisions		
Archaeological Certificate	100 ft.	Includes or Is Adjacent
Declaratory Ruling	14-16-6-4(V)(2)(a)3	
Historic Certificate of Appropriateness – Minor	100 ft.	Includes or Is Adjacent
Impact Fee Assessment	14-16-6-4(V)(2)(a)4	
Permit – Sign		

APPEALS

Standing Based on Proximity for Neighborhood Associations

Staff

PROPOSED CHANGE

Change / Discussion	Explanation
<p>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.</p> <p>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.</p> <p>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.</p> <p>c. Where proximity is noted as "Includes or Is Adjacent," the Neighborhood Association boundary includes or is adjacent to the subject property."</p> <p>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.</p> <p>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>

IDO TEXT

Table 6-4-2: Standing for Appeals Based on Proximity to Subject Property

Application Type	Property Owners within Distance Specified	Neighborhood Associations within Distance Specified
<i>Permit</i>	100 ft.	Includes or Is Adjacent
<i>Alternative Signage Plan</i>	330 ft.	660 ft.
Permit – Temporary Use	100 ft.	Includes or Is Adjacent
Permit – Wall or Fence – Minor	100 ft.	Includes or Is Adjacent
Site Plan – Administrative	100 ft.	Includes or Is Adjacent
Subdivision of Land – Minor	100 ft.	Includes or Is Adjacent
Wireless Telecommunications Facility Approval	330 ft.	660 ft.
Decisions Requiring a Public Hearing		
Conditional Use Approval	330 ft.	660 ft.
Demolition Outside of an HPO	330 ft.	660 ft.
Expansion of Nonconforming Use or Structure	100 ft.	Includes or Is Adjacent
Historic Certificate of Appropriateness – Major	330 ft.	660 ft.
Historic Design Standards and Guidelines	330 ft.	660 ft.
Master Development Plan	330 ft.	660 ft.
Permit – Carport	100 ft.	Includes or Is Adjacent
Permit – Wall or Fence – Major	100 ft.	Includes or Is Adjacent
Site Plan – EPC	330 ft.	660 ft.
Subdivision of Land – Major		
<i>Preliminary Plat</i> ⁽¹⁾	N/A	N/A
<i>Bulk Land Subdivision</i>	100 ft.	Includes or Is Adjacent
<i>Final Plat</i>	330 ft.	660 ft.
Vacation of Easement, Private Way, or Public Right-of-way		
<i>Vacation of Public or Private Easement</i>	100 ft.	Includes or Is Adjacent
<i>Vacation of Public Right-of-way – City Council</i>	330 ft.	660 ft.
<i>Vacation of Public Right-of-way – DHO</i>	100 ft.	Includes or Is Adjacent
Variance – EPC	330 ft.	660 ft.
Variance – ZHE	100 ft.	Includes or Is Adjacent
Waiver – DHO	100 ft.	Includes or Is Adjacent
Waiver – Wireless Telecommunications Facility	330 ft.	660 ft.
Policy Decisions		
Adoption or Amendment of Comprehensive Plan	14-16-6-4(V)(2)(a)3	
Adoption or Amendment of Facility Plan	14-16-6-4(V)(2)(a)4	
Adoption or Amendment of Historic Designation	330 ft.	660 ft.
Amendment to IDO Text – Citywide	14-16-6-4(V)(2)(a)4	
Amendment to IDO Text – Small Area	330 ft.	660 ft.
Annexation of Land	330 ft.	660 ft.
Zoning Map Amendment – EPC	330 ft.	660 ft.
Zoning Map Amendment – Council	330 ft.	660 ft.

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PERIOD OF VALIDITY

Conditional Use Expiration



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Conditional Use Expiration Revise the period of validity for Conditional Use Approvals as follows: "<u>2 years</u> 1 year after issuance if use is not begun, or <u>2 years</u> 1 year 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>



Type of Approval	Period of Validity
Administrative Decisions	
Archaeological Certificate	Expires with associated development approval
Building Permit	1 year
Declaratory Ruling	Does not expire, unless the section(s) of the IDO to which the ruling relates is amended
Development Agreement	As stated in Development Agreement
Grading, Drainage, or Paving Approval	1 year
Historic Certificate of Appropriateness – Minor	1 year
Impact Fee Assessment	4 years
Permit – Sign / Alternative Signage Plan	1 year
Permit – Temporary Use	As stated in the Temporary Use Permit
Permit – Temporary Window Wrap	6 months, or until 50% or more of the gross floor area of the ground floor is leased, whichever occurs sooner
Permit – Wall or Fence – Minor	1 year
Site Plan – Administrative	5 years
Wireless Telecommunications Facility Approval	5 years
Decisions Requiring a Public Hearing	
Conditional Use Approval	1 year after issuance if use is not begun, or 1 year after use is discontinued or fails to operate
Demolition Outside of an HPO	N/A
Expansion of Nonconforming Use or Structure	1 year
Historic Certificate of Appropriateness – Major	1 year
Historic Design Standards and Guidelines	Does not expire
Master Development Plan	7 years
Permit – Carport	1 year
Permit – Wall or Fence – Minor	1 year
Site Plan – EPC	7 years



AMENDMENTS

Major and Minor Amendments & Expiration

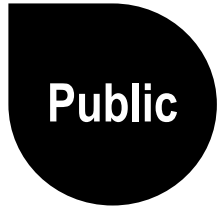
Public

PROPOSED CHANGES

Change / Discussion	Explanation
<p>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></p>	<p>Clarifies how amendments affect the period of validity of the original approval. Matches existing practice.</p>
Change / Discussion	Explanation
<p>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></p>	<p>Clarifies how amendments affect the period of validity of the original approval. Matches existing practice.</p>

AMENDMENTS

Time Extension



PROPOSED CHANGES

IDO Annual Update 2023
Exhibit – Time Extension



Change / Discussion	Explanation
<p>Time Extension Exhibit includes changes to these Subsections:</p> <ul style="list-style-type: none"> • 6-4(X) Expirations of Approvals • 6-4(X)(2) Expiration or Repeal of Approvals • 6-4(X)(4) Extensions of Period of Validity 	<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>

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.



AMENDMENTS

Time Extensior



PROPOSED CHANGES



Change / Discussion	Explanation
<p>Time Extension Exhibit includes changes to these Subsections:</p> <ul style="list-style-type: none"> • 6-4(X) Expirations of Approvals • 6-4(X)(2) Expiration or Repeal of Approvals • 6-4(X)(4) Extensions of Period of Validity 	<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>

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



SPECIFIC PROCEDURE


Variance – ZHE



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<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 <u>referred for review and comment reviewed</u> 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."</p> <p>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>

- 6-6(O)(2) **Procedure**
- 6-6(O)(2)(a) A Variance – ZHE may not be granted until after any necessary Conditional Use Approvals are obtained pursuant to Subsection 14-16-6-6(A).
 -  6-6(O)(2)(b) 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 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.
 - 6-6(O)(2)(c) The City Planning Department staff shall review the application and forward a recommendation to the ZHE.
 - 6-6(O)(2)(d) The ZHE shall conduct a public hearing and make a decision on the application.
 - 6-6(O)(2)(e) Any Variances granted that are associated with a Site Plan or other approval shall be noted on the approved Site Plan or other approval.

SPECIFIC PROCEDURE

Lighting Performance Analysis

Staff

PROPOSED CHANGE

IDO TEXT

Click to see Exhibit

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).

6-4(H) CUMULATIVE IMPACTS ANALYSIS REQUIREMENTS

- 6-4(H)(1) A cumulative impacts analysis is required prior to approval of a Site Plan – EPC for any development in the Railroad and Spur Small Area that meets the criteria in Subsection 14-16-5-2(E)(1). The cumulative impacts analysis shall be submitted as part of the application materials and is subject to the application completeness requirements of Subsection 14-16-6-4(G).

6-4(I) TRAFFIC IMPACT STUDY REQUIREMENTS

- 6-4(I)(1) A traffic impact study may be required pursuant to standards in the DPM or Subsection 14-16-5-2(E)(2)(c). The extent of the study or report will depend on the location of the project, the amount of traffic generated from the development, and the existing conditions in the project area.

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SPECIFIC PROCEDURE

Site Plan - EPC

Staff

PROPOSED CHANGE

IDO TEXT

Click to see Exhibit

6-6(l) SITE PLAN – EPC

6-6(l)(1) Applicability

- 6-6(l)(1)(a) This Subsection 6-6(l) 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(l)(3) Review and Decision Criteria

- 6-6(l)(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.

6-6(l)(3) Review and Decision Criteria

Any application for a Site Plan – EPC shall be approved if it meets all of the following criteria.

- 6-6(l)(3)(a) The Site Plan is consistent with the ABC Comp Plan, as amended.
- 6-6(l)(3)(b) The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the subject property and any related development agreements and/or regulations.
- 6-6(l)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.
- 6-6(l)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the maximum extent practicable.
- 6-6(l)(3)(e) The application mitigates any significant adverse impacts on the project site and the surrounding area to the maximum extent practicable.
- 6-6(l)(3)(f) If the subject property is within an approved Master Development Plan, the Site Plan meets any relevant standards in the Master Development Plan in addition to any standards applicable in the zone district the subject property is in.
- 6-6(l)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Small Area pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements), the Site Plan incorporates mitigation for all identified cumulative impacts. The proposed development will not create material adverse impacts on water quality or other land in the surrounding area through increases in traffic congestion, parking congestion, noise, vibration, light spillover, or other nuisances without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

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NONCONFORMITIES

Nonconforming Structures



PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<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 <u>unless</u> another provision of this Section 14-16-6-8 requires the termination of the use.</p> <p><u>2.</u> Mobile home dwellings are subject to provisions in Subsection 14-16-6-8(C)(7) (Mobile Home Dwellings).</p> <p><u>3.</u> 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>

6-8(D)(1) Authority to Continue
 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 another provision of this Section 14-16-6-8 requires the termination of the use. Mobile home dwellings are subject to provisions in Subsection 14-16-6-8(C)(7) (Mobile Home Dwellings). Signs are subject to provisions in Subsection 14-16-6-8(F) (Nonconforming Signs).

NONCONFORMITIES

Nonconforming Site Features

Staff

PROPOSED CHANGE

[Click to see Exhibit](#)

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.

DEFINITIONS

Community Residential Facility

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion

Explanation

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. 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 Family, Family Care Facility, and Group Home.

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.

Community Residential Facility

Any building, structure, home, or facility 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 personal assistance, personal services, personal care, and protective care, but not skilled nursing care. This use specifically includes, but is not limited to, facilities for persons meeting the definition of a handicapped person or for other persons protected against housing discrimination under the federal Fair Housing Act Amendments of 1998 (or as amended) and court decisions interpreting that Act. 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 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 *Family and Group Home*.

Community Residential Facility is divided into 2 categories based on the number of individuals residing in the facility (not the size of the structure).

1. **Community Residential Facility, Small:** A facility housing between 6 and 8 individuals that do not meet the definition of a family in which personal service, personal assistance, personal care, and/or protective care are provided.
2. **Community Residential Facility, Large:** A facility housing between 9 and 18 individuals that do not meet the definition of family in which personal service, personal assistance, personal care, and/or protective care are provided.

DEFINITIONS

Community Residential Facility

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion

Explanation

Definitions, Community Residential Facility (cont'd)

Revise text as follows:

"Community Residential Facility is divided into 2 categories based on the number of individuals residing in the facility (not the size of the structure).

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.

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.

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.

Community Residential Facility

Any building, structure, home, or facility 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 personal assistance, personal services, personal care, and protective care, but not skilled nursing care. This use specifically includes, but is not limited to, facilities for persons meeting the definition of a handicapped person or for other persons protected against housing discrimination under the federal Fair Housing Act Amendments of 1998 (or as amended) and court decisions interpreting that Act. 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 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 *Family and Group Home*.

Community Residential Facility is divided into 2 categories based on the number of individuals residing in the facility (not the size of the structure).

1. **Community Residential Facility, Small:** A facility housing between 6 and 8 individuals that do not meet the definition of a family in which personal service, personal assistance, personal care, and/or protective care are provided.
2. **Community Residential Facility, Large:** A facility housing between 9 and 18 individuals that do not meet the definition of family in which personal service, personal assistance, personal care, and/or protective care are provided.

DEFINITIONS

Group Home

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion

Explanation

Group Home

Revise text as follows:

"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."

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.

Group Home

Any building, structure, home, facility, or place in which persons reside for a period of more than 24 hours designed to 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 persons that 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 shall include halfway houses for individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system.

Group Home is divided into 3 categories based on the number of individuals residing in the facility (not the size of the structure).

1. **Group Home, Small:** A facility housing no more than 8 unrelated individuals receiving services, plus those providing services.
2. **Group Home, Medium:** A facility housing between 9 and 18 unrelated individuals receiving services, plus those providing services.
3. **Group Home, Large:** A facility housing 19 or more unrelated individuals receiving services, plus those providing services.

DEFINITIONS

Group Home

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Group Home (cont'd) Revise text as follows: "This use <u>includes</u> shall include <u>halfway houses for facilities for persons individuals</u> 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>	<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>

Group Home

Any building, structure, home, facility, or place in which persons reside for a period of more than 24 hours designed to 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 persons that 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 shall include halfway houses for individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system.

Group Home is divided into 3 categories based on the number of individuals residing in the facility (not the size of the structure).

1. **Group Home, Small:** A facility housing no more than 8 unrelated individuals receiving services, plus those providing services.
2. **Group Home, Medium:** A facility housing between 9 and 18 unrelated individuals receiving services, plus those providing services.
3. **Group Home, Large:** A facility housing 19 or more unrelated individuals receiving services, plus those providing services.

DEFINITIONS

Nursing Home

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Nursing Home Revise text as follows: "A facility designed to provide a <u>residence</u>, housing, meals, and medical- and health-related care for individuals, including <u>24-hour</u> 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."</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 Group Home in Section 7-1.</p>

Nursing Home

A facility designed to provide housing, meals, and medical- and health-related care for individuals, including 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. See also *Assisted Living Facility*, *Independent Living Facility*, and *Other Use Accessory to Residential Primary Use*.

DEFINITIONS

Overnight Shelter

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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 <u>24-hour</u> skilled nursing care, which is regulated as either hospital or nursing home for the purposes of this IDO."</p>	<p>Revised for consistency with other proposed changes. See proposed amendments for Community Residential Facility, Group Home, and Nursing Home in Section 7-1.</p>

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 skilled nursing care, which is regulated as either hospital or nursing home for the purposes of this IDO. See also *Campground or Recreational Vehicle Park, Hotel or Motel, Nursing Home, and Safe Outdoor Space*.

DEFINITIONS

Outdoor Amplified Sound [new]

Staff

PROPOSED CHANGE

Change / Discussion	Explanation
<p>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></p>	<p>Defines outdoor amplified sound to enable a curfew between 10 p.m. and 7 a.m. when used as an accessory use.</p>

DEFINITIONS

Parking Definitions / Garage

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>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."</p>	<p>Adds multi-family residential development to the definition of garage. Multi-story parking is defined as parking structure.</p> <p>Removes conflict with carport, which is defined as parking structure that is partially enclosed.</p>

Garage

A single-story structure or part of a building in a low-density residential development designed to accommodate motor vehicle parking spaces that are partially or completely enclosed, but not including a parking structure. For the purposes of this IDO, the terms two- or three-car garages refer to the garage width, assuming side-by-side parking, not tandem parking. See also *Front-accessed Garage, Parking Structure, Rear-accessed Garage, and Side-accessed Garage and Development Definitions for Residential Development*.

DEFINITIONS

Sensitive Lands / Large Stand of Mature Trees

Staff

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
<p>Revise existing text as follows: "<u>At least 3</u> 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.</p>	<p>Revised to be more realistic given existing trees in ABQ.</p>

Large Stand of Mature Trees

A collection of 5 or more trees 30 years or older or having trunk diameters (as determined by Diameter at Breast Height – DBH) averaging at least 16 inches in diameter, as determined by the City Forester.

[CABQ Official Plant Palette](#)

<https://www.cabq.gov/parksandrecreation/resources-rules/tree-information>

DEFINITIONS

Staff

Sensitive Lands / Rock Outcropping

PROPOSED CHANGE

IDO TEXT

Change / Discussion	Explanation
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.

Rock Outcropping

Bedrock or other stratum a minimum of 6 feet high on its steepest side as measured from the adjacent 10 percent slope line and in excess of 500 square feet in surface area.



RESOURCES

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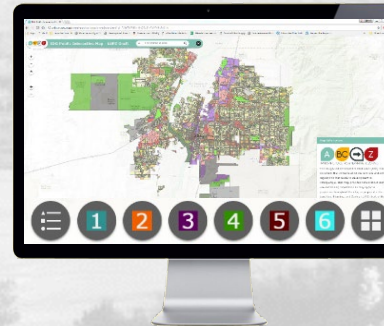
ABC-Z Project
abcto@cabq.gov

Interactive IDO



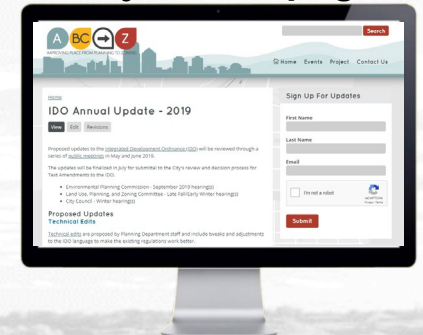
ido.abq-zone.com

IDO Zoning Map



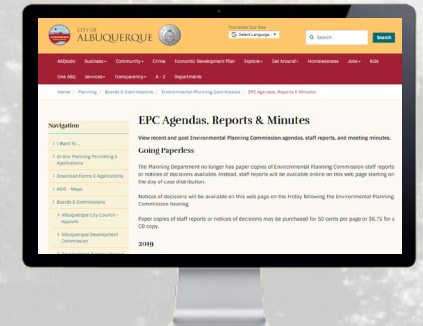
tinyurl.com/idozoningmap

Project Webpage



abq-zone.com

Planning Webpage



cabq.gov/planning

ABC Comp Plan



compplan.abq-zone.com