

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Clerical	All	All	Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.	Covers general clerical corrections.
Editorial	All	All	Make any necessary editorial changes to the document, including minor text additions, revisions for clarity (without changing substantive content), adding cross references, reorganizing content for better clarity and consistency throughout, revisions to graphic content for clarity, and updating tables of contents.	Covers general editorial corrections.
Measuring Distances	Multiple	Multiple	Unless noted otherwise in this table, remove the term "linear" when applied to a distance. Where needed, clarify whether the distance is a horizontal distance (length, width, or depth) or a vertical distance (height). Revise the associated phrases as necessary to accommodate this change grammatically or structurally.	All distances in this IDO are a linear measurement from one point to another, either in a vertical or a horizontal direction, unless a different form of measurement is described in a given provision. See related item for proposed changes for distance separations based on a radius.
Measuring Distances	Multiple	Multiple	For provisions that specify a distance separation, revise to use the following phrase: "...within XX feet in any direction of the [building, lot line, or premises] that contains the use."	Adds clarity about how to measure distances for distance separation. See related item for proposed change for linear distances to be measured horizontally or vertically.
Dwellings	Multiple	Multiple	Dwelling Definitions Review and edit for consistent use of "dwelling" versus "structure or building" versus "dwelling unit."	Calls for a consistency sweep for the terms "dwelling unit" vs. "dwelling" (which might be a building with multiple dwelling units). Dwelling unit is a defined term that includes a kitchen unless otherwise stated (example: accessory dwelling unit without kitchen). The term "dwelling" used with a use may be a dwelling unit (example: single-family) or multiple dwelling units (example: multi-family).

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Screening & buffers	Multiple	Multiple	Review all use-specific standards with regulations that require screening and revise for consistency with the edge buffer standards in Section 14-16-5-6.	Revision for consistency across the IDO. Provisions that duplicate standards in 14-16-5-6 will be deleted or replaced with a cross-reference to the appropriate section.
Outdoor vs. Indoor Uses	Multiple	Multiple	Revise for consistent use of the terms "outdoor" vs. "in a building" vs. "in the fully enclosed portion of a building" that refer to where uses are allowed to take place. "In a building" refers to uses or activities in a fully enclosed building or any area covered by a common roof. "In a fully enclosed portion of a building" would not include uses or activities in portions of a building only covered by a common roof but not fully enclosed by walls. "Outdoor" refers to uses or activities conducted outside of a building and the area covered by a common roof, but not fully enclosed by walls.	Consistency sweep for terms related to uses in a building vs. outdoor based on a related edit to the definition of building. (See Section 7 of this table). A legal precedent established that any area covered by a common roof is to be considered a building. The IDO defines a building as a fully enclosed space, which contradicts that precedent. This edit would ensure that the 3 explicit terms are used correctly: "outdoor," "in a building" (i.e. under common roof), and "in a fully enclosed portion of a building."
Street classifications	Multiple	multiple	Delete references to the LRTS Guide that are related to defining street classifications. Retain references to the LRTS Guide when referring to street connectivity standards in Subsection 5-3(E)(1).	The definitions for each street type will indicate the source of the map or document that designates these classifications. The MRCOG LRTS Guide defines and designates collector and above streets. The DPM defines and designates local streets.
Property	Multiple	Multiple	Review the IDO and edit for the use of these terms as defined: "project site," "premises," "lot line," and "property line."	Consistency sweep of terms that are defined to be distinct but that may be used as synonyms where more clarity is needed.
Neighborhood Meeting / Facilitated Meeting	Multiple	Multiple	Find/replace "Neighborhood Meeting" and "Facilitated Meeting" to "Pre-Application Neighborhood Meeting" and "Post-Application Facilitated Meeting," respectively, to distinguish them clearly.	See related Tech Edits and Council Amendment Q that propose to require all Neighborhood Meetings to be facilitated by ADR. This change in terms is intended to make clear where each meeting happens in the review/decision process.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Auto-related Uses	Multiple	Multiple	<p>Add definitions for automotive maintenance or servicing (activities related to maintenance and servicing, including but not limited to battery charging, tire repair, fluid adjustments, replacing lights and windshield wipers) vs. automotive repair (activities beyond maintenance and servicing). Look at other motor vehicle definitions and use-specific standards and revise to use these terms accordingly. Move all motor vehicle-related definitions into a new definition category in Section 7-1.</p> <p>“Automobile-dependent use” means automobiles and/or other motor vehicles are served by the use and the use would not exist without them, such as vehicle repair, light vehicle fueling station, car wash, or auto and truck sales.</p> <p>“Automobile-oriented use” means automobiles and/or other motor vehicles are an integral part of the use, such as drive-up, drive-in, and drive-through facilities.</p>	<p>Provides clarity in definitions related to auto repair and maintenance/servicing as well as auto-dependent vs. auto-oriented.</p>
Residential Protections & PC Zone	Multiple	Multiple	<p style="color: red;">Review all protections for R-1/R-T/residential uses in a Mixed-use zone to see to see if it is appropriate to add PC to the list.</p>	<p>Planned Community (PC) zone district may include many uses, including low-density residential development. It is regulated by a Framework Plan. Some of the IDO protections for residential uses (Neighborhood Edges, use-specific standards, etc.) should also protect low-density residential uses in the PC zone. For example, car wash would not require a 50' setback from a single-family residential use in a PC zone (as opposed to single-family in R-1, R-T, R-ML, or MX-T). See FAQ here for an index of such protections: https://abc-zone.com/faq/what-are-special-protections-residential-uses-residential-and-mixed-use-zones</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

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Other Regulations	2	1-7(A)(3) [new]	<p>Add a new subsection as follows and renumber subsequent subsections accordingly:</p> <p>"Other City regulations or state or federal laws may apply, even if the IDO is silent on these other applicable laws or regulations. Violations of these other applicable laws or regulations are not considered violations of this IDO."</p> <p>Renumber subsequent subsection accordingly.</p>	Clarifies that the IDO does not always identify other applicable regulations, and provides notice that it is up to the applicant to follow all local, state, and federal regulations.
Prior Approvals	4	1-10(A)(3) [new]	<p>Add a new subsection as follows:</p> <p>"When referencing prior approvals, the most recent approval, including any amendments, shall apply unless otherwise stated."</p>	Clarifies how to read and apply provisions from prior approvals.
Prior Approvals	4	1-10(A)(1)	<p>Replace second sentence with the following:</p> <p>"Any use standards or development standards associated with any prior approval or zoning designation establish rights and limitations and are exclusive of and prevail over any other provision of this IDO. Notwithstanding the prior approval, development on such a site is exclusively subject to the processes in Part 14-16-6 (Administration and Enforcement)."</p>	Strengthens language about use and development standards in prior approvals and makes explicit that processes are per IDO procedures, even when the prior approval specified a process.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

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Overlays	4	1-8(A)	<p>Revise as follows: "If two or more regulations in this IDO conflict with one other, the more restrictive provision shall prevail, unless specified otherwise, <u>with the following exceptions:</u> <u>(1) When the regulations of an Overlay zone conflict with any other regulation in this IDO, the regulations of the Overlay zone shall prevail regardless of whether the Overlay zone regulations are more or less restrictive than the other regulations. Where Overlay regulations are complementary with other IDO regulations, the Overlay regulations apply in addition to the other IDO regulations, unless specified otherwise. Where the Overlay zone is silent, other IDO regulations apply.</u></p>	Clarifies how to read and apply provisions in the IDO.
Use-specific Standards	4	1-8(A) [cont'd]	<p><u>(2) When any use-specific standard in Section 14-16-4-3 conflicts with a development standard in Part 14-16-5, the use-specific standard shall prevail regardless of whether the use-specific standard is more or less restrictive than the development standard. Where use-specific standards complement development standards in Part 14-16-5, use-specific standards apply in addition to the development standards. Where use-specific standards are silent, other development standards apply.</u></p>	Clarifies how to read and apply provisions in the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Area-specific Standards	4	1-8(A) [cont'd]	<p><u>(3) When area-specific regulations (i.e. Centers, Corridors, or small areas) conflict or differ from general regulations, the area-specific regulations prevail for development within the specified area regardless of whether the area-specific regulation is more or less restrictive than the general regulation. The area-specific regulations apply instead of, not in addition to, the general regulations, unless specified otherwise. Where the area-specific regulations are silent, general regulations apply."</u></p>	Clarifies how to read and apply provisions in the IDO.
Cross References & Applicability	4	1-8(B) [new]	<p>Add a new subsection as follows and renumber subsequent subsections accordingly: "If any regulation in this IDO refers to a regulation in another section of this IDO, the applicability of the referencing section prevails over the applicability in the referenced section, unless specified otherwise."</p>	Clarifies how to read and apply provisions in the IDO.
Building Codes	4	1-8(D) [new]	<p>Add a new subsection as follows and renumber subsequent subsections accordingly: "If any regulation in this IDO conflicts with Articles 14-1 and 14-3 of ROA 1994 (Uniform Administrative Code and Uniform Housing Code) or any other building safety codes, the provisions in those codes shall prevail."</p>	Eliminates any potential conflicts with the International Building Code and/or any other building safety codes.
Zoning in Public Rights-of-Way	7	2-1(B) [new]	<p>Add a new subsection as follows and renumber subsequent subsections accordingly: "Portions of parcels within the public right-of-way shall be designated as Unclassified (UNCL) on the Official Zoning Map."</p>	Codifies existing practice. See also related proposed change to definition of Zoning Boundary.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Usable Open Space	34	Table 2-4-11	Add a note to allow the amount of usable open space to be reduced by 50% in UC-MS-PT areas in the MX-ID and MX-FB subzones.	Mirrors a 50% reduction in UC-MS-PT area in other MX zones per Table 5-1-2. This edit helps to further implement the Centers & Corridors vision of encouraging density and urban character.
Glazing	37	2-4(E)(3)(f)3.b.i	Revise as follows: "Each second floor and higher façade facing a public street or alley shall contain a minimum of 40 <u>30</u> percent of its surface in clear, transparent windows and/or doors."	Revision for consistency with other zone districts.
Windows in Downtown	37	2-4(E)(3)(f)3.b.ii	Delete this subsection.	Responds to request from agent/developer. Removes the requirement that windows be vertical and 2x as tall as wide. This provision is overly restrictive and unnecessary.
Master Development Plans (NR-BP)	42	2-5(B)(3)(d)1 [new]	Add a new subsection as follows and renumber subsequent subsections accordingly: "Once a Master Development Plan has been approved, development can be approved through a Site Plan pursuant to the applicability, procedures, and criteria in Subsection 14-16-6-5(G) (Site Plan – Administrative), 14-16-6-6(F) (Site Plan – DRB), or 14-16-6-6(H) (Site Plan – EPC), as relevant."	Clarifies how to move forward with development in an approved Master Development Plan area.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Master Development Plans (NR-BP)	43	2-5(B)(3)(c)3 [new]	Add a new subsection as follows: "If the Master Development Plan does not specify certain development standards, or if there is no Master Development Plan but development is allowed pursuant to Subsection 14-16-2-5(B)(3)(e), Development Standards in Part 14-16-5 of this IDO apply. If there are no development standards for the NR-BP zone district or if an IDO standard specifies that it is 'per approved plan' in the NR-BP zone district, development shall meet the development standards established for the NR-C zone district."	This section establishes how to develop in the NR-BP zone district when there is no MDP or when the MDP does not contain specific development standards.
Master Development Plans (NR-BP)	44	2-5(B)(3)(e)1 [new]	Add a new subsection as follows: "For properties zoned NR-BP that are less than 20 acres without a Master Development Plan, unsubdivided lots can be subdivided pursuant to the criteria in Subsection 14-16-6-6(l) (Subdivision of Land - Minor)."	Clarifies the process to subdivide NR-BP properties less than 20 acres without an MDP. The IDO currently does not describe such a process, which makes it impossible to do under the current rules.
NR-SU	50	2-5(E)(3)(a)	Add additional sentence as follows: "Additional uses may be approved as accessory uses if they are found to be compatible with the proposed primary sensitive use, pursuant to Subsection 4-1(A)(3)(b)."	Table 4-2-1 indicates the sensitive uses that require NR-SU zoning and some other uses that are expected to be compatible with those uses. On redevelopment sites or sites with existing development, it may be appropriate to mix other accessory uses. Since NR-SU is decided as a zone change + site plan, the compatibility of these uses and appropriate mitigation measures can be decided as part of these discretionary decisions on a case-by-case basis. See related item for proposed changes to Subsection 4-1(A)(3)(b).

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Planned Development (PD) Zone District	53	2-6(A)(5) [new]	<p>Add a new subsection as follows: "Single-Family Development For PD zone districts that show a clear pattern of single-family residential land use based on a pre-IDO approval, a land owner may apply for a Site Plan - Administrative pursuant to Subsection 14-16-6-5(G) for low-density residential development that maintains the pattern of development in the surrounding subdivision."</p>	<p>Clarifies the IDO to be consistent with a May 29, 2018 memo from the ZEO to address a specific issue that arose from the Phase I zoning conversion rules that were adopted with the adoption of the IDO. Within the city, some vacant lands that were subdivided into a pattern of low-density residential development prior to the adoption of the IDO, but did not have an approved site plan identifying the planned low-density residential land uses, and these properties were converted to PD instead of R-1 or R-T.</p>
Planned Development (PD) Zone District	53	2-6(A)(3)(b)	<p>Replace text as follows: "A Site Plan – EPC that specifies uses, site standards, and development standards shall be reviewed and decided by the EPC in conjunction with review and decision of the zone change request pursuant to Subsection 14-16-6-7(F) (Zoning Map Amendment – EPC) or Subsection 14-16-6-7(G) (Zoning Map Amendment – Council), as relevant."</p>	<p>Clarifies that the accompanying zone change may be decided by the EPC or by City Council, pursuant to the size thresholds that determine what Zoning Map Amendment is required.</p>
Planned Community (PC) Zone District	55	2-6(B)7 [new]	<p>Add a new subsection as follows: "Once a Framework Plan has been approved, development can be approved through a Site Plan per the applicability, procedures, and criteria in Subsection 14-16-6-5(G) (Site Plan –Administrative), 14-16-6-6(F) (Site Plan – DRB), or 14-16-6-6(G) (Site Plan – EPC), as relevant."</p>	<p>Clarifies how to move forward with development in an approved Framework Plan area.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Downtown Neighborhood Area CPO-3	75	3-4(D)(5)(a)1.b [new]	Add a new subsection as follows: "The minimum rear yard setback for attached or detached garages off an alley is 5 feet."	This change carries forward a regulation adopted in the Downtown Neighborhood Area Sector Development Plan.
Downtown Neighborhood Area CPO-3	75	3-4(D)(5)(a)1	Revise Subsection b. to move the second sentence to be a new Subsection d. and add a new Subsection c. as follows: "b. Where alleys are not available, garages and other offstreet parking areas may be located on the side of the primary building. <u>c. A garage door facing the street shall be set back a minimum of an additional 5 feet beyond the horizontal plane of the front façade, which includes a porch façade.</u> d. No garage door facing a street shall be more than 9 feet wide."	This change carries forward a regulation adopted in the Downtown Neighborhood Area Sector Development Plan.
Downtown Neighborhood Area CPO-3	75	3-4(D)(5)(b)	Revise header as follows for Subsection 2: " <u>Non-residential and Mixed-use Development.</u> Remove mention of R-ML from 2.b. Add a new 1.e as follows and renumber subsequent subsections accordingly: "In the R-ML zone district, façades facing a public street shall change a minimum of every 50 linear feet in height, setback, or material."	Clarifies what rules will apply to mixed-use development consistent with the Downtown Neighborhood Area SDP. Moves rule applying to R-ML to the Residential subsection.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Downtown Neighborhood Area CPO-3	75	3-4(D)(5)(b)(1)f	Revise as follows: <u>"Regardless of residential building type and zone and regardless of Center or Corridor designation, facades shall meet..."</u>	Clarifies how this provision should be applied. The Building Design standards that are referred to are only for certain multi-family residential buildings. The intent in the CPO is that those Building Design standards should apply to all residential buildings within the CPO, regardless of location in or outside of a Center or Corridor area. There has been some confusion over whether the CPO applicability or the cross-referenced building articulation applicability applies in this CPO.
Downtown Neighborhood Area CPO-3	76	3-4(D)(5)(b)(2)d	Revise to require 50 percent, instead of 60 percent, of each ground floor façade to have clear, transparent windows and/or doors.	This change reverts to the regulation adopted in the Downtown Neighborhood Area Sector Development Plan.
Los Duranes CPO-6	85	3-4(G)(3)(a)1.a.	Replace "residential building" with "primary dwellings."	Replaces terminology to use a term that is defined in the IDO.
Los Duranes CPO-6	86	3-4(G)(3)(a)3	Replace "Multi-family residential buildings" with "Multi-family residential development."	Replaces terminology to use a term that is defined in the IDO. As defined in the IDO, this provision would apply to any building associated with the multi-family use.
Los Duranes CPO-6	87	3-4(G)(5)(e)2	Replace "Multi-family residential buildings" with "Multi-family residential development."	Replaces terminology to use a term that is defined in the IDO. As defined in the IDO, this provision would apply to any building associated with the multi-family use.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Nob Hill CPO-8 / Neighborhood Edge	92	3-4(l)(4)(c)(2)	<p style="color: red;">Revise Subsections a and b as follows:</p> <p style="color: red;">"a. For any portion of a building within 50 feet from the property line <u>of the Regulated lot</u> abutting Copper Avenue: 45 feet.</p> <p style="color: red;">b. For any portion of a building more than 50 feet and up to 100 feet from the property line <u>of the Regulated lot</u> abutting Copper Avenue: 65 feet"</p>	Clarifies how to measure regulations from the Neighborhood Edge section. See related item that adds a definition for measuring Neighborhood Edge regulations.
Nob Hill/Highland CPO-8	94	3-4(l)(5)(b)(4)b	<p>Revise as follows:</p> <p>"Be built to function as or appear as a <u>storefront or urban residential building frontage type</u>."</p>	This change clarifies what a residential façade is and links the regulation to defined terms.
North I-25 CPO-9	96	3-4(J)(1)	Replace the map of CPO-11 with an updated map that correctly indicates Sub-area 1 for the R-T zone district farther north on Horizon Boulevard and revises the former Sub-area 1 as Sub-area 2. See attached exhibit.	Corrects an error in the analysis when the CPO was developed.
Rio Grande Blvd. CPO-10	99	3-4(K)(3)(b)	<p>Replace text as follows:</p> <p>"Setback from the right-of-way of Rio Grande Boulevard between Indian School Road and Montano Road, minimum: 25 feet in the R-A zone and 20 feet in all other zones."</p>	Revises the standard to be consistent with the Rio Grande Corridor Plan to apply only to the setback from Rio Grande and makes the structure parallel with the Coors Blvd. CPO-11.
Rio Grande Blvd. CPO-10	100	3-4(K)(5)(b)3	Replace "non-residential development" with "mixed-use or non-residential development."	Maintains the intent of the original regulation from the Rio Grande Corridor Plan now that mixed-use development is allowed.
Sawmill/Wells Park CPO-11	103	3-4(L)(5)(b)8	<p>Revise as follows:</p> <p>Residential Buildings with over 35 linear feet of street-facing façade must be designed to appear as a collection of smaller buildings."</p>	Applies standard to all buildings in MX and NR zones. Eliminates the term "residential buildings," which is not defined in the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Sawmill/Wells Park CPO-11	103	3-4(L)(5)(c)	Replace header and text as follows: "Building Design for Mixed-use and Non-residential Development" "In Mixed-use and Non-residential zone districts, the following building design regulations apply:"	Applies building design standards to MX development, as well as NR development. Applies the standards to all zones (not just zones existing currently in the CPO area). This will ensure that even if a property owner got a zone change to a different MX or NR zone, the building design standards would apply.
Sawmill/Wells Park CPO-11	103	3-4(L)(5)(c)5	Revise as follows: "The <u>street-facing building facade of a building on Mountain Road or adjacent to a residential zone</u> shall change a minimum of every 35 linear feet in height, setback, or material."	Reinstates language from the Sawmill/Wells Park SDP. Provides options for compliance.
Volcano Mesa CPO-12	105	3-4(M)(4)	Revise as follows: 3-4(M)(4)(a) Building height, maximum: 18 feet. 3-4(M)(4)(b) <u>For cluster development, building height may be increased to 26 feet on a maximum of 75 percent of the building footprint.</u> 3-4(M)(4)(c) For all other low-density residential development, building height may be increased to 26 feet on a maximum of 50 percent of the building footprint.	Reinstates provision from the Volcano Cliffs SDP inadvertently omitted during the IDO adoption. Would apply throughout the Volcano Mesa CPO except for areas within the Northwest Mesa Escarpment VPO. The 18-ft. height limit was not in the Volcano Trails SDP but was extended to cover that area with the adoption of the Volcano Mesa CPO. This provision would provide an exception to that height limit for cluster development (which requires the dedication of 30% of the area for open space).
East Downtown HPO-1	112	3-5(F)(4)(d)1	Revise as follows: "Primary building entrances shall be oriented toward the sidewalk <u>abutting the façade of the building on the street with the highest vehicular traffic volume.</u> "	This change specifies the "most used street" as the street with the highest vehicular traffic volume.
Old Town HPO-5	115	3-5(J)(3)(a)	Revise as follows: "None, except that 1 off-street loading space <u>that meets the requirements of the DPM</u> shall be provided for each property..."	The DPM includes dimensional requirements for parking spaces. This revision reduces the potential for conflict between the IDO and the DPM as either document is revised in the future.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Coors VPO-1	121	3-6(D)(3)(c)	<p>Revise as follows: "A view plane 4 feet above the elevation of the east edge of the east driving lane on Coors Boulevard, <u>based on the elevation of the viewpoint for a given sightline</u>, and extending horizontally above <u>the sites</u> located east of Coors Boulevard." Add a label showing the "view point" in all applicable graphics.</p>	Clarifies that the height of the view plane is based on the location of the sightline(s) rather than the elevation of Coors adjoining or nearest the subject lot.
Coors VPO-1	122	3-6(D)(5)(b) [new]	<p>Insert a new subsection as follows: "No portion of a structure shall extend above the ridgeline of the Sandia Mountains that is visible within any view frame for a property." Renumber subsequent subsections accordingly. Clarify that the 16 ft and 20 ft height allowance for lots near or above elevation of Coors prevails over this additional regulation as well. Add a graphic of a view frame showing a wavy ridgeline and several structures whose tops do not extend above the segment of ridgeline that is immediately behind each one.</p>	This revision carries forward a provision from the Coors Corridor Plan that was unintentionally omitted from the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Coors VPO-1	122	3-6(D)(5)(a)	<p>Revise as follows: "No more than 1/3 of the height of structures (including building parapets, mechanical equipment and associated screening, walls, and fences) shall be allowed to penetrate above the view plane as shown in section diagram below, <u>with the following exceptions:</u> <u>1. A total height of 16 feet is allowed for structures other than walls in low-density residential development on a lot lots with developable area that is constrained because the natural grade (or finished grade, if infrastructure is already installed) is less than or equal to 10 feet below the elevation of the east edge of Coors Boulevard and the lot may include sensitive lands (see Subsection 14-16-5-2(C)), a total height of 16 feet for low-density residential and 20 feet for other uses is allowed (see figure below).</u></p>	<p>Organizes the existing text into 3 subsections for clarity. Adds a new clarification that the zone district establishes the maximum height for lots below Coors that might be allowed to be taller under the bulk and massing regulations. For example, there are a few undeveloped R-1 and R-A lots that are at a significantly lower elevation than Coors Blvd. where this VPO regulation would allow a building higher than 26 ft, the standard for the underlying zones. The intent of the VPO was not to allow buildings to be higher than the maximum heights established by the underlying zones.</p>
Coors VPO-1	122	3-6(D)(5)(a) [cont'd]	<p><u>2. A total height of 20 feet is allowed for structures other than walls in other types of development on a lot with developable area that is constrained because the natural grade (or finished grade, if infrastructure is already installed) is less than or equal to 10 feet below the elevation of the east edge of Coors Boulevard and the lot may include sensitive lands (see Subsection 14-16-5-2(C)).</u> <u>3. If the maximum height allowed by the zone district is lower than what would otherwise be allowed by the height, bulk, and massing regulations, the maximum height of the zone district shall apply."</u></p>	<p>Organizes the existing text into 3 subsections for clarity. Adds a new clarification that the zone district establishes the maximum height for lots below Coors that might be allowed to be taller under the bulk and massing regulations. For example, there are a few undeveloped R-1 and R-A lots that are at a significantly lower elevation than Coors Blvd. where this VPO regulation would allow a building higher than 26 ft, the standard for the underlying zones. The intent of the VPO was not to allow buildings to be higher than the maximum heights established by the underlying zones.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Northwest Mesa Escarpment VPO-2	124	3-6(E)(3)(c)2.a	<p>Revise as follows: "...For example, 1 foot of additional structure height may be granted for every 3 feet to 4 feet of drop in 4 foot difference <u>between the ground elevation and from a base elevation established at the top of the escarpment for lots on top of the mesa or at the base of the escarpment for lots below the mesa face (i.e. where the 9-percent slope line begins)...</u>"</p>	This revision clarifies that the base elevation may be at the top or bottom of the escarpment based on the location of the parcel to be developed. Reference to the 9% slope line removed as duplicative of the definition for "escarpment" in the IDO.
Northwest Mesa Escarpment VPO-2	125	3-6(E)(3)(c)2.b.	<p>Revise as follows: "<u>Structures that are Two-story construction that is located and designed so that...</u>"</p>	Deleted "Two-story" as this criterion should apply to any construction.
NR-SU	127	4-1(A)(3)(b)	<p>Make the second sentence a new subsection 1 and revise as follows: "<u>Accessory uses listed as allowable in the NR-SU zone district in Table 4-2-1 may be approved in conjunction with a primary NR-SU use if they are found to be compatible with or complementary to the proposed primary use. Additional uses may be approved as accessory to the proposed primary use if they are found to be compatible with the proposed primary uses. Accessory uses and shall be subject to any the relevant use-specific standards or any other standards deemed appropriate and necessary by the relevant decision-making body.</u>" Make the existing third sentence a new subsection 3.</p>	Sensitive uses require the NR-SU zone. Table 4-2-1 lists some uses expected to be compatible with these uses as allowable accessory uses. Other uses may be appropriate accessory uses. Since NR-SU is a discretionary decision that involves both the zone change and site plan approval, the decision-making body can deem which accessory uses are compatible and what standards may be necessary to mitigate any negative impacts of the sensitive use on the accessory uses.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Allowable Uses	130	Table 4-2-1	Daytime gathering facility Change "C" to "A" in MX-H and NR-LM zone districts.	Adds 2 zone districts where this use is allowed permissively when accessory to another primary use on the site. MX-H is the most-intense mixed-use zone, where this use would be the most appropriate. NR-LM is an appropriate zone for this use, since it is an intense non-residential zone but does not allow heavy manufacturing.
Allowable Uses	130	Table 4-2-1	Overnight shelter Change "C" to "A" in MX-H and NR-LM zone districts.	Adds 2 zone districts where this use is allowed permissively when accessory to another primary use on the site. MX-H is the most-intense mixed-use zone, where this use would be the most appropriate. NR-LM is an appropriate zone for this use, since it is an intense non-residential zone but does not allow heavy manufacturing.
Allowable Uses	130	Table 4-2-1	Remove "Community Residential Facility, Large" as unnecessary.	Facilities with 19+ individuals would be considered an Assisted Living Facility. See related item for change to definition of Community Residential Facility in Section 7-1.
Allowable Uses	130	Table 4-2-1	Change "Sorority or fraternity" to "Dormitory". Find/replace throughout the IDO.	Broadens the sorority or fraternity use to other users as a housing option with common kitchens and common bathrooms.
Allowable Uses	132	Table 4-2-1	In the MX-T zone, change bakery from CV to C and change general retail, small from A to P.	Adds bakery and general retail, small as primary uses allowable in the MX-T zone. See related item for proposed change to the use-specific standard for general retail, small.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Allowable Uses	133	Table 4-2-1	Insert a new land use for "Drainage facility" that is allowed in the same zones in the same manner as the row for "Utility, other major," with the exception that the use can be conditional (C) in NR-PO-C.	Creates a new land use for drainage facilities that is better aligned with the Land Use Categories. See related item for proposed definition edit to Utility, other major and new definition for Drainage facility.
Allowable Uses	133	Table 4-2-1	Wireless Telecommunications Facility Add a line for Small Cell to be permissive accessory (A) in all zones.	Added for consistency with new Small Cell Ordinance O-18-27 (Section 5-10-1 in the City's Code of Ordinances).
Allowable Uses	134	Table 4-2-1	Add "A" to the NR-PO-A column for "Mobile vending cart".	Requested revision from Parks & Recreation Department staff to allow for mobile vending in City parks.
Allowable Uses	134	Table 4-2-1	Add "A" to the NR-PO-A column for "Mobile food truck".	Requested revision from Parks & Recreation Department staff to allow for mobile food trucks in City parks.
Allowable Uses	134	Table 4-2-1	Add sub-categories for the Temporary Uses section of this table to clarify which Temporary Uses require a Permit and which do not. "Garage or yard sale" and "Hot air balloon takeoff/landing" do not require a Permit. All others do. Re-order use-specific standards as needed for consistency.	The existing language requires a Temporary Use Permit for garage/yard sales and hot air balloon takeoff/landing, which is not necessary and overly burdensome. This edit would codify existing practice.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Allowable Uses	134	Table 4-2-1	Revise R-T column for "Dwelling unit, accessory without kitchen" to "A".	There was an inconsistency in the old zoning system that allowed ADUs with kitchens in certain areas, but ADUs without kitchens (formerly "accessory living quarters") were conditional uses in other zones that allow single-family and townhouse development. This revision makes the treatment of ADUs without kitchens consistent with ADUs with kitchens. The R-T zone allows multiple single-family dwellings on one lot and ADUs with kitchens permissively, so it makes sense for ADUs without kitchens, which are generally considered less impactful than ADUs with kitchens and other dwelling types, to be allowed as well.
Single-family Dwelling	135	4-3(B)(1)(a)	Revise as follows: "In the <u>R-A and R-1</u> zone districts, only 1 single-family detached dwelling is allowed per lot..."	Reinstates a requirement from the old Zoning Code that was unintentionally omitted in the IDO.
Cluster Development	136	4-3(B)(2)(d)	Revise as follows: "The cluster development project site shall include a common open space set aside for agriculture, landscaping, on-site ponding, outdoor recreation, or any combination thereof..."	Allows open space associated with a cluster development to be provided in multiple locations on the project site.
Cluster Development	136	4-3(B)(2)(d)4	Revise as follows: "No structures are allowed in the common open space except <u>shade structures</u> or structures necessary for the operation and maintenance of the common open space."	Allows shade structures in common open space areas. Shade is an amenity that can increase the use of the open space. See related item for proposed changes to definition of Structure in Section 7-1.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Cottage Development	137	4-3(B)(3)(f)	<p>Revise as follows:</p> <p>"Maximum project density shall be measured in square feet of residential gross floor area, rather than in the number of dwelling units.</p> <p><u>1. In all zone districts, the total residential gross floor area shall be no more than the total residential gross floor area that would be allowed on an equal size property in the same zone district platted into standard lots of the minimum lot size established for that zone district in Table 5-1-1, calculated based on multiplied by a standard dwelling unit size of 2,000 square feet, assuming 1 dwelling unit per lot.</u></p> <p><u>2. In the R-T or R-ML zone districts, for which minimum lot sizes are established for different residential uses, the above calculation shall be based on the minimum lot size for the relevant low-density residential use (i.e. single-family or two-family detached if the cottage development will be single-family or two-family detached dwellings or townhouse if the cottage development will be townhouse dwellings).</u></p> <p><u>3. In the MX-T zone district, for which minimum lot sizes are not established in Table 5-1-2, minimum lot sizes established for the R-ML zone district in Table 5-1-1 for the relevant low-density residential use (i.e. single-family or two-family detached if the cottage development will be single-family or two-family detached dwellings or townhouse if the cottage development will be townhouse dwellings) shall be used for the above calculation."</u></p> <p>4. If the <u>cottage</u> development includes community building</p>	<p>Clarifies how the maximum residential gross floor area is calculated for cottage developments in zone districts with different minimum lot sizes for different low-density residential uses. Clarifies how to apply this calculation in MX-T, which does not have minimum lot sizes.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Townhouse Dwelling	138	4-3(B)(5)(c)	Revise as follows: "For properties on which the rear <u>or side</u> lot line abuts an R-A or R-1 zone district <u>or on which the rear lot line is across an alley from an R-A or R-1 zone district</u> , no townhouse dwelling may contain more than 3 dwelling units."	Broadens a provision to make townhouse development across an alley more compatible with the single-family detached scale of R-A and R-1.
Live-work Dwelling	138	4-3(B)(6)(d)	Revise as follows: "A wall sign no more than 8 square feet in size, or as allowed by the underlying zoning, whichever is <u>lesser greater</u> , <u>and</u> located no higher than the top of the ground floor of the building is allowed."	Minimizes the size of a sign.
Parks and Open Space	140	4-3(C)(8)(a)	Revise heading to "NR-PO-A or Other Zone District with a City-owned or City-operated Park."	Added to clarify what happens on City-owned or operated Park not zoned NR-PO-A
Parks and Open Space	140	4-3(C)(8)(b)	Revise heading to: "NR-PO-B or Other Zone District with City-owned or City-operated Major Public Open Space."	Added to clarify what happens on City-owned or operated Major Public Open Space not zoned NR-PO-B
Parks and Open Space	140	4-3(C)(8)(c)	Revise heading to: "NR-PO-C or Other Zone District with Parks or Open Spaces not Owned or Operated by the City."	Added to clarify what happens with non-City parks or open spaces not zoned NR-PO-C
Veterinary Hospital	144	4-3(D)(5)(a)	Revise as follows: "In the <u>MX-T</u> , <u>MX-L₂</u> and <u>MX-M</u> zone districts..."	Veterinary hospitals are Conditional in MX-T, so this revision extends the limitation on large animal veterinary hospitals from the more intense MX-L and MX-M zone districts to MX-T for consistency.
Bed and Breakfast	145	4-3(D)(12)(a) [new]	Add a new subsection as follows and renumber subsequent Subsections accordingly: "Alcohol sales for on-premises consumption is allowed, provided that the establishment complies with all New Mexico state law requirements, including but not limited to any required spacing from other uses or facilities."	Revision for consistency with other Use-specific Standards for uses that may have a liquor license to ensure compliance with state liquor laws.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Gas Stations	148	4-3(D)(17)(c)	Replace language as follows: "In the MX-L zone district, this use shall only be located where the vehicular access is from a street designated as collector and above. In the MX-M and higher zone districts, this use shall be located at least 330 linear feet from a residential use in a Residential or Mixed Use zone district if located on a local street."	Reinstates the requirement from the Zoning Code that in the MX-L zone district, access must be from a collector or above. Allows fueling stations on local streets in the MX-M zone and above, but with the condition that the fueling station is at least 330 feet from a residential zone.
Gas Stations	148	4-3(D)(17)(k)	Revise as follows: "In UC-AC-MS-PT-MT areas and the MX-H zone district, <u>the fully enclosed portion of any building containing a retail use with 1,000 square feet or more of gross floor area shall have a maximum setback of 15 feet. A canopy attached to the building with a common roof does not satisfy this standard.</u> "	Revised for consistency with the proposed change to the definition of "building" that would include any area covered by a common roof. Without this edit, a canopy connected to a convenience store that extends to the edge of the street would count toward the frontage requirement. The intent of the provision is to define and activate the street edge at a pedestrian scale. The canopy is open and at an auto-oriented scale so cannot meet this intent. This edit requires the convenience store to create the street edge, which activates the space, since that is the active use for pedestrians.
Auto Repair	149	4-3(D)(18)(E) [new]	Add a new subsection as follows: "In any Mixed-use zone district, automotive maintenance and servicing shall be conducted within fully enclosed portions of a building."	Revision for consistency with Use-specific standard for light vehicle sales and rental in the MX-H zone district to encourage more urban development in these areas. Extending provision to all MX zones.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Auto Sales	149	4-3(D)(19)(a)	Revise as follows: "Where allowed, accessory outdoor vehicle display, storage, or incidental maintenance or servicing areas must be screened from any adjacent <u>abutting</u> Residential zone district or residential component of any Mixed-use zone district as required by Section 14-16-5-6 (Landscaping, Buffering, and Screening)."	Removes the screening requirement for properties facing residential zones or uses when there is a road separating the use and the residential to discourage streetwalls, but keeps the screening requirement for side and rear property lines abutting residential zones or residential uses in MX zones.
Self-storage	155	4-3(D)(28)(f)	Add "-AC-" after "UC"	Revision for consistency with Subsection (e) above.
Retail	156	4-3(D)(34)(a)1	Revise as follows: <u>"Except in the NR-LM and NR-GM zone districts, this use may not..."</u>	Revision to address an inconsistency because outdoor storage is allowed permissively in NR-LM and NR-GM.
Retail	157	4-3(D)(34)(b)i	Revise as follows: "Large retail facilities containing <u>at least over 50,000 s.f...</u>"	Revision to be consistent with general retail definitions. Large retail facilities start at 50,000 s.f., but definition of general retail, medium includes 50,000 s.f. USS 4-3(D)(35)(a) that says only apply to >50,000 s.f.
Large Retail Facilities	158	4-3(D)(34)(b)3.f.ii	Revise as follows: <u>"Trees shall be provided along the walkway pursuant to Subsection 14-16-5-6(C)(4)(h).</u> Tree wells, planters, or supports for shading devices may encroach on the walkway up to 3 feet."	Revision to avoid conflict between this provision and Subsection 14-16-5-6(C)(4)(h).

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Retail in Old Town	159	4-3(D)(34)(c)	<p>Replace text as follows: "In the MX-T zone district, this use is allowed permissively on streets classified as collector and above and conditionally on local streets, with the following exceptions: 1. If the use is accessory to another primary use, the use is considered a permissive accessory use, regardless of street classification. 2. In the Old Town - HPO-5, the use is allowed permissively regardless of street classification."</p>	Allows small general retail permissively on busier streets and conditionally on local streets. Keeps the permissive accessory use allowed in the current IDO.
Wireless Telecommunications Facilities (WTFs)	166	4-3(E)(10)(a)1	<p>Revise as follows: "All proposed WTFs shall use concealed technology, with the following exceptions: a. Co-locations of WTFs on existing unconcealed towers. b. Co-locations of small cell WTFs on public utility structures. c. Public utility co-locations for WTFs other than small cell WTFs."</p>	Revises the provision for compliance with the new Small Cell Ordinance O-18-27 (Section 5-10-1 in the City's Code of Ordinances). As adopted in the IDO, this section provision excludes public utility co-locations from the concealment requirement for all WTFs. Because public utility co-locations are broadly defined in the IDO to be any utility structure, that would apply to light poles and electric poles the same as a large transmission tower. On the large transmission tower, the City's intent is to not conceal. On a street light or street utility/electric pole, it is the City's intent to require concealment technology. Revises (b) to use the IDO defined term.
Wireless Telecommunications Facilities (WTFs)	167	4-3(E)(10)(n) [new]	<p>Add a new subsection as follows: "Small Cell WTFs Small cell WTFs shall meet all requirements established by Section 5-10-1 of ROA 1994."</p>	Requires compliance with new Small Cell Ordinance O-18-27 (Section 5-10-1 in the City's Code of Ordinances).

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Wireless Telecommunications Facilities (WTFs)	169	4-3(E)(10)(i)1	Revise as follows: "All freestanding WTFs shall be surrounded by an opaque wall or fence at least 6 feet and not more than <u>10</u> feet high."	Revised from 9 ft. to 10 ft. to allow walls that adequately screen standard industry materials.
Wireless Telecommunications Facilities (WTFs)	170	4-3(E)(10)(l)1	Revise as follows: "Only architecturally integrated <u>and small cell</u> WTFs are allowed within any HPO zone, except that within the Old Town – HPO-5, WTFs other than <u>small cell</u> WTFs are prohibited."	Revises the provision for compliance with the new Small Cell Ordinance O-18-27 (Section 5-10-1 in the City's Code of Ordinances).
Wireless Telecommunications Facilities (WTFs)	170	4-3(E)(10)(m)2	Revise as follows: "Only architecturally integrated <u>and small cell</u> WTFs are allowed in the following mapped area.	Revises the provision for compliance with the new Small Cell Ordinance O-18-27 (Section 5-10-1 in the City's Code of Ordinances).
Accessory Dwelling Unit	176	4-3(F)(5)(g)	Revise as follows: "If accessory to residential development, the accessory dwelling unit can be attached or detached."	Clarifies how accessory dwelling units work when accessory to residential uses, in residential and mixed-use zones. As previously defined, ADUs would not be allowed as accessory to residential uses but would allow a detached ADU in zones that otherwise would not allow single-family detached uses.
Accessory Dwelling Unit	176	4-3(F)(5)(h)	Revise as follows: "If accessory to a non-residential use in the Mixed-use zone districts, the accessory dwelling unit shall be attached to the building with a non-residential use. In a Non-residential zone district, the accessory dwelling unit is allowed for the caretaker of the primary non-residential use and may be attached or detached."	Clarifies how accessory dwelling units work when accessory to non-residential uses. This edit carries over the provision that caretaker units are allowed in NR zones and add that they can be either attached or detached.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Accessory Dwelling Unit	178	4-3(F)(5)(j) [new]	<p>Add a new subsection as follows: "In the R-1 zone district, accessory dwelling units without kitchens require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A), except in areas where accessory dwelling units with kitchens are allowed permissively pursuant to Subsection (i) above." In Table 4-3-1, revise R-1 column for "Dwelling unit, accessory without kitchen" to "A" for consistency with this revision.</p>	Makes the treatment of ADUs without kitchens consistent with ADUs with kitchens. There was an inconsistency in the old zoning system that allowed ADUs with kitchens in certain areas, but ADUs without kitchens (formerly "accessory living quarters") were conditional uses in R-1.
Home Occupation	180	4-3(F)(9)(g)	<p>Revise as follows: "The outside appearance of the dwelling or unit shall not show evidence of the use, <u>including, but not limited to, outside storage, noise, dust, odors, noxious fumes, or other nuisances emitted from the premises,</u> except that one non-illuminated sign is allowed..."</p>	Reinstates language from the Zoning Code that provides additional clarity.
Home Occupation	180	4-3(F)(9)(h)	<p>Replace text as follows: "All parking requirements shall be met per Section 14-16-5-5 (Parking), including, but not limited to, Subsection 14-16-5-5(F)(2)(a) and Table 5-5-6 that limit front yard parking."</p>	The regulation as written is unenforceable, since parking for the residential use would be allowed if it met the standards in Subsection 5-5. The edit replaces the language with cross references to the provisions that limit front yard parking to keep the same intent that the lot with the home occupation should be indistinguishable from homes without a home occupation. See related edit to Subsection 4-3(F)(9)(g).

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Mobile Food Truck	182	4-3(F)(11)(i) [new]	Add a new subsection as follows: "In the NR-PO-A zone district, the mobile food truck must have written permission from the City Parks and Recreation Department, a copy of which shall be kept and maintained in the mobile food truck and made available for review by any City inspector at all times during operation of the mobile food truck in the NR-PO-A zone district."	Added in response to a request from Parks and Recreation to allow for mobile food truck vending in City parks.
Mobile Vending Cart	182	4-3(F)(12)(c) [new]	Add a new subsection as follows: "In the NR-PO-A zone district, the mobile vending cart must have written permission from the City Parks and Recreation Department, a copy of which shall be kept and maintained in the mobile vending cart and made available for review by any City inspector at all times during operation of the mobile vending cart in the NR-PO-A zone district."	Added in response to a request from Parks and Recreation to allow for mobile vending carts in City parks.
Construction Staging Area, Trailer, or Office	185	4-3(G)(2) [new]	Add a new subsection as follows: "This use is allowed to operate on private property off-site in any zone district, provided the use has written permission from the owner of the construction staging area site specifying the allowed use of the site and allowed location on the site, a copy of which shall be kept and maintained on the construction staging area site and made available for review by any City inspector at all times during the operation of the construction staging area at the site."	This addition allows the construction staging area to be offsite but requires proof of the property owner's permission.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Lot Width - R-1	190	Table 5-1-1	Revise the minimum lot width in R-1B to 35 ft.	Revised to a multiple of 5 to work better with the required minimum lot size of 5,000 s.f. The original number of 37.5 was established because it is exactly halfway between 25 ft. (R-1A minimum width) and 50 ft. (R-1C minimum width). The lot sizes do not work in the same way. The 5,000 s.f. lot size for R-1B is 500 s.f. closer to the minimum lot size for R-1A. This edit would reduce the minimum width to be slightly closer to the R-1A minimum width.
Setbacks - Garages	190	Table 5-1-1	Add a front setback requirement for front-loaded garages that states that driveways are a minimum length of 20' to accommodate one parked car without overhanging onto the sidewalk.	Reinstates a prior requirement in the Zoning Code that required a 20 foot front setback to accommodate driveways and off-street parking areas.
Setbacks - R-1A	191	Table 5-1-1	Add a note [7] on the interior minimum side setback for R-1A as follows: "In the R-1A zone district, one internal side setback may be 0 ft. if the opposite internal side setback is at least 10 ft."	Carries over a provision from the Zoning Code. Allows consistency with existing patterns of development. See also related item to allow an option of applying contextual standards for side setbacks in Subsection 5-1(C)(2)(c).
Workforce Housing Bonus - R-MH	191	Table 5-1-1	Add the 12 ft. Workforce Housing Bonus for Building Height in R-MH in UC-MS-PT-MT areas.	Extends the incentive for workforce housing to R-MH, which is intended as a high-density zone district, in areas designated by the Comprehensive Plan to encourage higher densities and better access to centralized services and amenities. See related item that adds MT to the Workforce Housing Bonus for MX zones in Table 5-1-2.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Setbacks - R-MC	191	Table 5-1-1	Revise footnote [2] to read: "In the R-MC zone district, setback standards apply to the entire project site, not to individual manufactured home spaces; <u>however, the minimum distance between dwellings is 10 ft. unless the applicant otherwise demonstrates the buildings comply with the fire code.</u> "	Codifies existing practice and fire code requirements for a 10 ft. separation for manufactured homes.
Contextual Standards	192	5-1(C)(2)(b)	Revise as follows: "...the minimum and maximum lot sizes for construction of new low-density residential development shall be based on the size of the Bernalillo County Tax Assessor's lot, or a combination of adjacent Tax Assessor's lots, in <u>on the portions of the blocks facing the same street as the block lot</u> where the new low-density residential development is to be constructed..." In Subsections 1 and 2, replace "average" with "average (calculated as an arithmetic mean)" and "on that block" with "on those blocks."	Clarifies the language to meet the intent that the character of the block is to be protected as experienced from the street. Block is defined in the IDO as the area bounded by streets, so as written the standard would apply to lots on half the street and the properties behind those lots, which will not achieve the intended protections.
Contextual Standards	192	5-1(C)(2)(b)4	Add a new subsection as follows: "In making these calculations, any lots owned by the applicant with existing site features that are to be preserved, such as areas of open space or existing structures, shall not be considered in the contextual standards calculations for lot size." Renumber subsequent subsections accordingly.	Provides an incentive to preserve open space and existing buildings. As larger properties come in for redevelopment, this may become more of an issue.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Contextual Standards	192	5-1(C)(2)	<p>Revise heading for subsection (c) to "Front Setbacks" and add a new subsection (d) Side Setbacks as follows: <u>"In any Residential zone district in an Area of Consistency, the side setback for construction of new low-density residential development may be based on the minimum side setback in Table 5-1-1 for the relevant zone district or the existing side setbacks of primary buildings on adjacent lots with low-density residential development facing the same street as the lot where the new low-density residential development is to be constructed."</u> Revise the titles of graphics illustrating the front setback to "Contextual Residential <u>Front</u> Setbacks..."</p>	<p>Allows a property owner to follow existing patterns instead of setbacks established by zone in Table 5-1-1. Variances require exceptionality of the lot. This provision would allow property owners to have the same side setback that other lots have on their block. Since zone standards change over time, this is another way to allow existing setback patterns in a particular location to prevail over new citywide standards. This is proposed as an option rather than a requirement because side setbacks can vary without changing the character of a block as drastically as front setbacks might.</p>
Workforce Housing Bonus - MX Zones	194	Table 5-1-2	<p>Add MT to workforce housing bonus and structured parking bonus.</p>	<p>Extends the incentive for workforce housing and structured parking to Major Transit corridors, where transit service can support and be supported by additional residential density, particularly for 1-car families and others who might benefit from good access to transit.</p>
Dimensional Standards	196	Table 5-1-4	<p>Revise the line for Architectural feature including awning to read: "May encroach up to 2 ft. into a required side or rear yard setback, but not closer than 3 ft. from any lot line. May encroach any amount into a required front yard setback; encroachments into the public right-of-way require an approved Revocable Permit."</p>	<p>Responds to a public comment about providing an awning on the building frontage that overhangs the sidewalk. As written, this would not be allowed because it is within or crosses the property line.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Sensitive Lands	198	5-2(A)	<p>Revise as follows: "The regulations in this Section 14-16-5-2 are established to minimize the impacts of development on natural environment <u>and cultural resources, to protect public health and safety from potential hazards on sensitive lands</u>, and to create more distinctive neighborhoods by connecting them to surrounding natural features and amenities. Site design standards are intended to enhance the visual appearance of non-residential development, promote street and neighborhood character, and strengthen the pedestrian environment."</p>	Revised to include cultural resources, since archaeological sites and acequias are included in these sensitive land protections, and the intent to protect public health and safety, given landfill and floodplain regulations
Sensitive Lands - Cluster Development / Cottage Development	198	5-2(C)(4)	<p>Revise as follows: "<u>For all development except cluster and cottage development, if</u> avoidance of sensitive lands..."</p>	Revised to avoid confusion and/or conflict between this provision and the use-specific standards for cluster and cottage development.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Sensitive Lands	202	5-2(G)	Replace 5-2(G) in its entirety with the the following: "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. The potential public health and safety impacts of development on lots in landfill gas buffer areas are identified and addressed pursuant to Subsection 14-16-6-X(X) (LANDFILL GAS MITIGATION APPROVAL)."	Removes duplication of standards established outside of the IDO and refers to them instead. Moves regulations pertaining to review/decision processes to Part 6 of the IDO. See related item for added a new Subsection 6-6(F).
Major Public Open Space / Cluster Development	205	5-2(H)(2)(a)2	Replace text as follows: "Locate at least 75 percent of ground-level usable open space or common open space, as applicable, contiguous with Major Public Open Space. The remaining 25 percent shall be accessible via trails or sidewalks. Access to the Major Public Open space is not allowed unless approved by the Open Space Division of the City Parks and Recreation Department."	Clarifies that usable open space in the form of balconies or rooftop gardens is not subject to this provision. See related changes proposed for cluster development in Council Amendment D, which would require clustering of dwelling units set off with common open space. This technical edit would make the two proposed changes complementary, instead of conflicting.
Garages / Driveways	209	5-3(C)(3)	Require a minimum of 20 ft. driveway in front of garages (that are not off alleys) in low-density residential development.	Reinstates a prior requirement in the Zoning Code that required a 20-foot front setback to accommodate driveways and off-street parking areas.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Walkways	211	5-3(D)(3)(b)3	Revise as follows: "In any Mixed-use zone district and for lots with uses in the Civic and Institutional and Commercial use categories in the NR-LM- any Non-residential zone district, the following requirements shall apply:"	Extends walkway requirements to more uses in all non-residential zone districts to better reflect the previous Large Retail Facility requirements and to encourage more pedestrian-friendly development. Reinstates the applicability to all non-residential zone districts.
Street Lights	213	5-3(E)(1)(e)2	Revise as follows: "Street lights on major local and local streets will normally be are required to be installed at the applicant's expense and shall be at locations approved by the DRB."	Clarifies that this is a requirement, not an option.
Private Streets	213	5-3(E)(1)(e)4	Revise as follows: "If a private way is approved, it shall clearly be identified as such on the final plat, which and the responsibility for operation and shall also state the beneficiaries and maintenance responsibilities of the private way shall be indicated on the plat . Any legal instrument intended to assure future operation and maintenance... "	Clarifying language.
Storm Drains	213	5-3(E)(1)(e)4 [new]	Add a new subsection as follows and renumber subsequent subsections: "All storm drain systems within private ways shall remain private unless they receive water from public facilities and the runoff is drained downstream to another public	Per City Hydrologist.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Stub Streets	214	5-3(E)(2)(a)	<p>Revise as follows: "Where <u>land adjacent to the new subdivision has been platted with stub streets, or with a local street ending at a street between the new subdivision and the adjacent land</u>, the new subdivision streets shall be designed to align <u>with those streets to allow through circulation, unless deemed impracticable by the DRB due to physical constraints, natural features, or traffic safety concerns.</u>"</p>	<p>Deletes "local" to make this provision apply to all street classifications, which will better implement the block size and connectivity standards in §5-4(E). The final phrase tracks with allowances in 5-3(E)(2)(b) so that the two sections are parallel.</p>
Stub Streets	214	5-3(E)(2)(b)	<p>Revise as follows: "Where adjacent land has not been platted, residential- subdivisions shall be designed with <u>stub street(s) intended as a future through connection(s) to the adjacent parcel provided according to the block lengths in Table 5-4-1, so that at least one local street within each 1,000 feet of is constructed as a stub street intended as a future through connection to the adjacent, unless this requirement is adjusted deemed impracticable by the DRB based on considerations due to physical constraints, natural features, or of traffic safety or traffic congestion concerns.</u>"</p>	<p>Deletes "residential" and block size standard to make this provision apply to all subdivision types. Revised standard will better implement the block size and connectivity standards in Subsection 5-4(E). Revision to the final phrase tracks with allowances in 5-2(C) so that the two sections are parallel.</p>
Master Development Plans (NR-BP)	217	5-4(C)(7)	<p>Replace text as follows: "In the NR-BP zone district, a Master Development Plan is required for lots 20 acres or more prior to platting action. For lots less than 20 acres zoned NR-BP, a Site Plan is required prior to development, but the property may be subdivided before or after a site plan is approved. In either case, subsequent platting must conform to the approved plan."</p>	<p>Revised to clarify an inconsistency between how NR-BP <20 acres vs. 20+ acres is handled.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Maintenance Easement	217	5-4(C)(8) [new]	Add a new subsection as follows: "If buildings are constructed on the zero lot line next to a lot that is not under the same ownership, the City may require the property owners to sign a maintenance easement prior to issuance of a building permit to allow future repairs of common walls."	This language from the Volcano Heights SDP was proposed to move to the DPM, but staff has reconsidered and would prefer that it be in the IDO. This provision codifies current practice.
DRB Waiver	219	5-4(F)(2)(a)	Replace "Variance" with "Waiver" and update cross reference to specific procedure.	Editorial change to track with proposed change to DRB - Variance.
DRB Waiver	221	5-4(I)(2)	Replace "Variance" with "Waiver" and update cross reference to specific procedure.	Editorial change to track with proposed change to DRB - Variance.
Utility Easements	223	5-4(L)(3)	Add the following: "Per the DPM, public water and/or sanitary sewer easement cannot be split by a lot line. The easement must be contained entirely within a single lot. Side yard easements are not acceptable for public waterline or sanitary sewer. Public water and sanitary sewer easements shall be located along corridors that allow for proper maintenance and operation (outside of parking spaces, etc.)."	Per ABCWUA request. Coordinates IDO standards with the DPM.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Downtown Parking Exemption	226	5-5(B)(2)(a)1	<p>Revise as follows: "Downtown Area Downtown Center" Delete map.</p>	<p>Makes the off-street parking exemption apply only within the Downtown Center as established by the Comprehensive Plan. The existing map in the IDO is the boundary of the Downtown 2025 Sector Development Plan, which included some blocks from the Downtown Neighborhood Area SDP, Huning Castle Reynolds Addition SDP, and McClellan Park SDP. Those areas were not converted to MX-FB zones, and this edit would make off-street parking requirements apply per Table 5-5-1 in those areas.</p>
Parking Reductions	234	5-5(C)(5)	<p>Revise as follows: "The minimum amounts of off-street automobile parking required by Table 5-5-1 and Table 5-5-2 above shall be adjusted by the factors shown in this Subsection 14-16-5-5(C)(5). These factors may be applied individually or in combination, <u>with each reduction being calculated from the requirement in Table 5-5-1 or Table 5-5-2.</u> The cumulative reduction in off-street spaces shall not exceed 50 percent of the parking spaces required by Table 5-5-1 and Table 5-5-2."</p>	<p>Clarifies that reductions are taken from the original requirement, not calculated from a reduced number from another allowed reduction.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Parking Reductions	234	5-5(C)(5)	<p>Revise this subsection as follows: Revise as follows the heading for 5-5(C)(5) Parking Reductions, Credits, and Allowances.</p> <p>Move the following subsections to a new Subsection 5-5(C)(6) Credits and renumber subsequent subsections accordingly: - 5-5(C)(5)(d) EV Charging - 5-5(C)(5)(e) Van/Carpool Parking - 5-5(C)(5)(f) On-street Parking</p> <p>Revise as follows the heading "Off-site Parking Allowance-Credit" and move Subsection 5-5(C)(5)(g) with the other credits to the new Subsection 5-5(C)(6).</p> <p>Revise 5-5(C)(5)(g)1. as follows: "The provision of required parking at an off-site parking area <u>may be counted toward required off-street parking spaces on a 1-for-1 basis and</u> is allowed for 100 percent of the required parking spaces..."</p> <p>Revise as follows the heading "Public Parking Allowance-Reduction"</p> <p>Revise as follows the heading "Parking Study Allowance-Reduction"</p> <p>See exhibit.</p>	<p>Reorganizes the section so that you can't take reductions for credits and to keep reductions together. Moves credits to a new section. Edits "Off-site Parking Allowance" to be a credit. Changes the name of the other allowances to reductions because they allow reductions.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Parking Reductions	236	5-5(C)(5)(f) [new]	Add a new subsection as follows and renumber subsequent subsections accordingly: "Shared Vehicle Programs Each off-street parking space designated and signed for the exclusive use of an existing car sharing program shall count as 4 spaces toward the satisfaction of a minimum off-street parking requirements."	Responds to efforts to implement a car sharing program in Albuquerque. If one or more such programs go into effect, this provision would encourage the inclusion of dedicated parking spaces for those programs.
Parking Reductions	236	5-5(C)(5)(c)2	Revise to add this phrase: " <u>Where Table 5-5-1 and Table 5-5-2 do not indicate a different parking requirement for PT areas, ...</u> "	Subsection 5-5(C)(5)(c)2 that allows a 50% reduction in required parking for any use or combination of uses in a PT area overlaps with reductions identified for specific uses in Table 5-5-1. This provision clarifies that you can't apply both reductions in PT areas.
Motorcycle Parking	238	5-5(D)(1)	Revise as follows: "In addition to parking spaces required by Table 5-5-1, <u>at least the minimum number of off-street parking spaces for motorcycles, mopeds, and motor scooters listed in Table 5-5-4 shall be provided on the site for all uses except those in the Residential use category. The minimum number of required motorcycle spaces shall be calculated based on the total number of required off-street parking spaces, after any reductions, credits, and allowances have been calculated.</u> " In Table 5-5-4, revise the header for the left column to read as follows: "Required Off-Street Parking Spaces"	Clarifies how to calculate the required minimum number of motorcycle spaces, for consistency with Subsection 5-5(C)(1)(b).

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Bicycle Parking	239	5-5(E)(1)	<p>Add the following sentence at the end of this subsection: "Where the minimum bicycle parking requirement in Table 5-5-5 is based on the number of off-street parking spaces, it shall be calculated based on the total number of off-street vehicle parking spaces provided on the site, regardless of the minimum requirement for off-street parking spaces." Revise the text in Table 5-5-5 to remove "required" before "off-street parking spaces".</p>	Revision to calculate bicycle parking requirements based on the number of spaces <i>provided</i> instead of the number of <i>required</i> spaces in order to encourage more balanced parking options.
Bicycle Parking	239	5-5(E)(2)	<p>Revise as follows: "The required bicycle parking spaces may be reduced or eliminated by the Planning Director based on site-specific conditions, including but not limited to isolation from other development and connectivity of the site to bicycle trails and facilities."</p>	Narrows the discretion of the Planning Director.
Grocery Parking	239	Table 5-5-5	<p>Add a new requirement as follows: "Grocery: 1 space / 2,000"</p>	Implements recommendations for bicycle parking rates as adopted in the City's Bikeways & Trails Facility Plan.
Carports	242	5-5(F)(2)(a)2.b	<p>Replace "Variance" with "Permit" and update the cross reference to the specific procedure accordingly.</p>	All exceptions to standards in Section 5-5 are currently reviewed/decided by DRB as a Variance - DRB. This is proposed to change to be Waivers reviewed/decided by DRB at a public meeting. Carports have had additional review at public hearings prior to the IDO. This would return that review/decision to be closer to the pre-IDO process. See related item for changes to Table 6-1-1 and Subsection 6-6(L).

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Ground Floor Height	247	5-5(G)(4)(a)	Revise as follows: "The <u>ground floor</u> street-facing façade of the parking structure shall have a minimum floor-to-ceiling height of 13 feet for a depth of at least 30 feet from the street to allow for conversion to a pedestrian active use when the market supports that use."	Specifies that only the ground floor is required to have 13 feet height, as higher floors are unlikely to convert to other uses over time.
Loading Spaces	247	Table 5-5-7	Delete the column for Minimum Size of Required Loading Spaces, as this content will move into the Development Process Manual.	The dimensions of standard, motorcycle, and accessible parking spaces are provided in the DPM, so it is more consistent to move the loading space dimensions to the
Loading Spaces	248	5-5(H)(3)	Delete section 5-5(H)(3), Design and Layout of Off-Street Loading Areas, as this content will move into the Development Process Manual.	The design and layout of parking spaces and vehicular circulation are provided in the DPM, so it is more consistent to move the loading space dimensions, design, and layout to the DPM.
Loading Spaces	248	Table 5-5-7	Revise the row for "All non-residential uses" as follows: "Minimum: 1 space / building on sites with adequate unbuilt lot area to accommodate a loading space meeting the standards of this Subsection 14-16-5-5(H). "	Requires non-residential development to provide one loading space unless they get a variance based on small lot size or other site constraints.
Landscaping	253	5-6(C)(4)(d)	Revise to read: "No more than 10 percent of required landscape areas shall be turf grass species requiring irrigation for survival after the first 2 growing seasons. Irrigated turf grass shall not be planted on slopes exceeding 1:4 rise:run <u>or planted in narrow or irregularly shaped areas (10 feet or less in any dimension) in order to avoid water waste. Any turf shall be installed at least 3' from any non-permeable hard surface (a buffer using mulch can be used when planting turf adjacent to non-permeable area).</u> "	Responds to request from ABCWUA.
Water Conservation	254	5-6(C)(4)(f)	Add reference to the Albuquerque Bernalillo County Water Utility Authority Water Waste Reduction Ordinance, §4-1-1.	Adds reference to another applicable ordinance adopted by ABCWUA.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Landscaping	254	5-6(C)(4)(h)	<p>Add a new sentence as follows: "Shade trees planted approximately 25 feet on-center are required along all required pedestrian walkways. At least one tree is required if the walkway is less than 25 feet long. A continuous trellis or green fence at least 8 feet high and 5 feet wide may be provided where there is insufficient space for a tree. If the walkway is less than 25 feet long, at least one tree is required, or where there is insufficient space for a tree, a trellis of at least 8 feet high for at least 5 feet of the walkway shall be provided."</p>	Carries over language from the Large Retail Facility use-specific standard as an optional alternative if the walkway is less than 25 feet long. Clarifies the 5 foot width phrase.
Landscaping	254	5-6(C)(5)(b)	<p>Revise as follows: <u>"A minimum of 2 inches of mulch is required in all planting areas, with 3-4 inches recommended. Impervious plastic weed barriers are prohibited."</u></p>	Responds to request from ABCWUA. Adds consistency with the Water Waste Reduction Ordinance, §4-1-1.
Landscaping	254	5-6(C)(5)	<p>Revise Subsection (b)1 as follows: <u>"Organic mulch is required as ground cover under trees within a 5-foot radius around the tree trunk, but not directly against the trunk."</u> Make 5-6(C)(5)(c) and (d) into new subsections 5-6(C)(5)(b)(2) and (3).</p>	Responds to request from agency/developer. Other organic mulches do not migrate as much and may be preferred. This edit also clarifies that the mulch is for ground cover, not beneath the root ball (as "surrounded" may be erroneously interpreted). The regulation has been narrowed to only apply to trees and to specify the size of the mulch area.
Landscaping	254	5-6(C)(5)(f)	<p>Revise as follows: <u>"If used, weed barriers shall be permeable weed barriers shall be used to optimize permeability and stormwater infiltration to the maximum extent practicable. Areas where organic mulch is required shall not have any type of weed barrier fabric installed."</u></p>	Responds to ABCWUA and public comments. Adjusts the language to meet the intent of having weed barriers be permeable if they are used, instead of requiring that weed barriers be used. Other techniques for weed control may be more effective and/or more beneficial to soil biomes, etc. See Amendment I that strikes the phrase "to the maximum extent practicable."

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Landscaping	255	5-6(C)(9)(a)	Revise as follows: "All planting of vegetated material or installation of any landscaping, buffering, or screening material in the public right-of-way shall require the prior approval of the City. <u>The property owner shall be responsible for the and may require an agreement with the City specifying maintenance, repairs, or liability responsibilities for all the landscaping placed in or over the public right-of-way.</u> "	Codifies current practice.
Irrigation	257	5-6(C)(14)	Add the following: "Irrigation systems shall comply with the ABCWUA's Cross Connection Ordinance."	Per ABCWUA request. Codifies current practice.
Landscaping / Utility Easements	258	5-6(C)(15)(c)	Delete the following text: "Any damage to utility lines resulting from the growth of plant materials that have been approved by the applicable public utility as part of a plan for landscaping, screening, or buffering on the public right-of-way shall be the responsibility of such public utility. If a public utility disturbs landscaping, screening, or buffering in the public right-of-way, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If the plant materials die despite those efforts, it is the obligation of the abutting property owner or landowner to replace the plant materials."	Per ABCWUA request. Landscaping is not allowed in the utility easement.
Edge Buffer	260	5-6(E)(1)[new]	If an Edge Buffer is required, the landscaped buffer area shall be next to the adjacent lot and maintained by the property owner. Any required or provided wall shall be interior to the property edge.	Provides clarity about the relationship between the landscaped area and the wall when edge buffers are required.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Edge Buffer	262	5-6(E)(4)(a)(2)	Add "drainage facility" to the list of industrial development types that are required to provide an Edge Buffer.	Retains the same applicability of the regulation, in light of creating a new IDO use for drainage facility. See related item for Table 4-2-1.
Landscaping	266	5-6(F)(2)d	<p>Move Subsection 5-6(F)(2)(c)3 to Subsection 5-6(F)(2)(d). Reorganize the text to read: Location and Dimension of Landscaped Areas</p> <p>1. Tree planting areas shall be 60 square feet per tree; the open tree planting area may be reduced to 36 square feet if the surface of a parking or vehicle circulation area adjacent to the planting area is of a permeable material, and combined with the open tree planting area, meets the 60 square foot per tree requirement.</p> <p>2. In parking areas of 100 spaces or more, the ends of parking aisles shall be defined as landscaped islands, no narrower than 8 feet in any dimension.</p>	Combines the regulations related to location and dimension of landscaped areas to the same section. It also clarifies that you could not consider the length of the parking space as the "width" of the planting area by specifying the landscaped islands must be 8 feet in any dimension.
Dumpsters	268	5-6(G)(3)(b) [new]	<p>Add a new subsection as follows: "Where a lot is abutting low-density residential development or lots zoned R-1, R-MC, or R-T, dumpsters for solid waste, but not for recycling, are prohibited in any required setback or landscape buffer area that is contiguous with the low-density residential development." Add a cross reference in IDO Subsection 5-9 Neighborhood Edge to this new regulation.</p>	Responds to recent cases where dumpster placement next to single-family residential has been problematic, mostly due to odor.
Dumpsters	268	5-6(G)(3)d	Reduce 8-foot screening wall to a minimum of 6 feet.	Reinstates standard from old Zoning Code.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Walls	272	5-7(C)(2)	Add a new last sentence: "Walls shall not encroach into public waterline or sanitary sewer easements."	Per ABCWUA request. Codifies current practice.
Walls	272	Table 5-7-1	Add a new last sentence to Note [1]: "For low-density residential development abutting a street classified as collector or above, the street side yard wall maximum height is 6 feet if it is setback 5 feet from the property line, without needing a Variance - ZHE approval."	Reinstates from the zoning code a taller wall allowance for side yard walls on streets with heavier traffic volumes and faster speeds to allow more of a buffer between the residence and the street traffic. The setback requirement protects the pedestrian environment on streets with higher traffic volumes/speeds that typically have no sidewalk buffer areas.
Walls	272	Table 5-7-1	Add a new Note [2] for "Wall in the front yard or street side yard" as follows: "For multi-family development, if view fencing is used, the maximum height is 6 feet."	Multi-family developments may require taller walls for security. Variances require exceptionality of the lot. This edit would allow taller walls if view fencing is provided. See related item for taller walls allowed in NR-BP and NR-C zone districts in Council Amendment L.
Walls	274	5-7(D)(3)(a)	Revise second sentence as follows: "Such elements shall have a maximum width of <u>5</u> <u>2</u> feet and are allowed at intervals of no less than 200 <u>50</u> feet."	Applies this regulation to more walls. 200 ft. is longer than most walls, which would exlude this provision from being applied in most instances.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Walls	274	5-7(D)(3)(d)	Revise as follows: " <u>For low-density development</u> in a Residential zone district or on a lot with low-density residential development in any other zone district that abuts a Residential zone district, where wall height is restricted to 3 feet by Table 5-7-1, a request for a taller wall that meets the height and location standards in Table 5-7-2 shall require Variance – ZHE to be reviewed and decided based on the criteria in Subsection 14-16-6-6(N)(3)(c) (Variance for a Taller Front or Side Yard Wall), except where a taller wall is prohibited pursuant to Subsection (f) below.	Clarifies that the taller front or side yard wall variance applies to low-density residential development only (not multi-family). See also related item to revise Subsection 6-6(N)(3)(c) Variance for a Taller Front or Side Yard Wall.
Lighting	282	5-8(B)(1)	Revise as follows: "All exterior lighting for multi-family, mixed-use and non-residential development shall comply with the standards of this Section 14-16-5-8 unless specified otherwise in this IDO...."	Revises applicability to reflect that existing regulations in this section apply to all residential development in residential zone districts in addition to multi-family, mixed-use, and non-residential development.
Lighting	283	5-8(C)(1)	Delete "floodlights" so that they are allowed.	Floodlights are primarily shielded security lights, which are used extensively throughout the city. See related item for Subsection 5-8(D)(3), which regulates light spillover from the property.
Lighting	284	5-8(D)(3)	Revise as follows: "All outdoor lighting shall be shielded and aimed so that light spillover onto the area 10 feet beyond the property line shall not exceed 200 foot lamberts at the property line except where adjacent to walkways, bicycle paths, driveways, or public or private streets	Per Code Enforcement request. The exceptions undercut the effectiveness of the regulation, since these areas are where many security lights are installed.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Neighborhood Edge	286	5-9(C)	Revise as follows: "... any portion of a primary or accessory building within 100 feet of the nearest Protected Lot property line shall step down..."	Adjusts the language to meet the intent of buildings within 100 feet of the protected lot should step down in building height. This edit would include alleys, streets, etc. between the protected lot and the regulated lot.
Neighborhood Edge	286	5-9(E)	Delete subsection (1). Move subsection (2) into Subsection (F).	Subsection (1) is misleading because edge buffer requirements in Section 5-6 have distinct applicability thresholds related to zones, uses, and Development Areas. This Subsection makes it seem like there are different thresholds related to Neighborhood Edges which is unnecessary and confusing. Subsection (2) is related to parking areas, which makes sense to be in Subsection (F).
Solar Access	287	5-10	Revise Subsection (B) as follows: "The standards in this Subsection 14-16-5-10 shall apply to development in <u>any zone district unless specified otherwise in this IDO.</u> " Add a new introductory paragraph to Subsection (C) as follows: "All development in the R-A, R-1, R-MC, and R-T zone districts shall comply with the standards in this Subsection 14-16-5-10(C)."	Clarifies that Subsection (D) (Permits for Solar Rights) applies to all development, whereas the Building Height requirements apply only in the low-density residential zone districts listed.
Solar Access	288	5-10(C)(2) [new]	Add a new subsection as follows: The building height restrictions in Subsection (1) above apply in the specified zone districts, as well as in the R-ML zone district within the following mapped area: [insert map of the University Neighborhoods Area] Renumber subsequent subsections accordingly.	Reinstates a requirement from the University Heights Sector Development Plan.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Building Design	291	5-11(D)	Reduce the applicability of multi-family development standards from 50 to 25 units.	Applies these building design provisions to more projects.
Building Design	291	5-11(D)(3)	Remove reference to parapet height not being included in building height.	Eliminates conflict with another section of the IDO that says parapets do count toward building height. When City Council made that change late in the adoption process, this ripple was missed.
Building Design	291	5-11(E)(1)	Revise as follows: "Ground Floor <u>Clear</u> Height. In any Mixed-use zone district in UC-MS-PT areas, the ground floor of primary buildings for development other than low-density residential development shall have minimum <u>clear</u> height of 12 feet."	Clarifies how the ground floor building height is intended to be measured, which is to exclude any area that is enclosed for HVAC equipment.
Building Design	293	5-11(E)(2)(b)(1)	Reduce the requirement for glazing from 60 percent to 50 percent.	Responds to comments from developers and agents that 60% is too onerous. See related item for buildings that face 2 or more streets.
Building Design	293	5-11(E)(2)(b)1.c [new]	Add a new subsection as follows: "Where a building faces a street on 2 or more sides, the primary façade shall contain a minimum of 60 percent of its surfaces in windows and/or doors, with the lower edge of the window sills no higher than 30 inches above the finished floor. The remaining street-facing façades shall contain a minimum of 30 percent of their surfaces in windows and/or doors with no minimum window sill height required. "	Reduces the standard for buildings on corners so that only the primary façade meets the higher requirement for glazing.
Signs	298	5-12(E)(2)	Turn existing language into (a) and add a new (b) as follows: "Signs shall not be located within public waterline and sanitary sewer easements."	Codifies current practice. Per ABCWUA request.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Signs	301	5-12(F)(1)	Move existing language to new subsection (a). Add a new subsection (b) as follows: "Notwithstanding Table 5-12-1 below, a Neighborhood Association representative on file with the ONC or applicant for a subdivision is allowed 1 monument or freestanding sign for every 5 acres of land within the Neighborhood Association boundary or proposed subdivision area, up to a maximum of 4 signs. Such a freestanding sign may only be mounted on a perimeter wall, and a letter of authorization from the property owner must be submitted with the application."	Allows signs for neighborhoods and subdivisions on private property. The ratio is intended to allow multiple signs for larger areas with multiple entrances/access points.
Signs	301	Table 5-12-1	Revise the maximum size for Wall Signs in the R-A zone district to 4 sq. ft.	Makes regulation consistent with the allowed sign size in R-A for "Agricultural sales stand".
Signs	301	Table 5-12-1	Add a new Note [1] to the "Residential Uses" row as follows: "This section includes Accessory Uses, including but not limited to home occupation and agricultural sales stand, if they are accessory to a primary Residential use. For other non-residential uses, see the "Allowed and Nonconforming Non-residential Uses" section of this table."	Clarifies that the provisions in the Residential Uses section of the table apply to certain accessory uses.
Signs	301	Table 5-12-1	Revise Note [1] (now Note [2] following the change above) as follows: "For low-density residential development in any zone district, wall signs <u>are only allowed for an associated Accessory Use on the property.</u> "	Makes this regulation consistent with other clarifications in Table 5-12-1.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Signs	301	Table 5-12-1	Add a new Note [3] on "Size, maximum" for all sign types in the Residential Uses section of the table as follows: "For wall signs and yard signs, the maximum size is the total amount of signage allowed per premises and may be achieved through one or multiple signs, as allowed by this table. For monument signs, the maximum size is per allowed sign."	Clarifies how maximum sign size is measured.
Signs	301	Table 5-12-1	In the column for R-ML and R-MH, add "Multi-family residential:" before "1 / street frontage".	Specifies that monument signs in these two zones are allowed only for multi-family residential uses. Low-density residential uses cannot have a monument sign.
Signs	302	Table 5-12-2	Add a sentence as follows: "On the ground floor, window signs shall be limited to 25 percent of the portion of windows and doors between 4 feet and 8 feet in height above the abutting sidewalk."	Clarifies that window signs are limited on the ground floor at eye level.
Signs	318	Table 5-12-6	Revise the first phrase in "Location" as follows: "Not allowed on the wall of a building in a low-density residential development."	Replaces "residential building" with defined term in the IDO. Residential development definition would include any accessory structure that is associated with the residential use. This edit would allow wall signs for multi-family development.
Maintenance	322	5-13(B)(2)(a)	Revise as follows: "All residential buildings, <u>as defined by the Uniform Housing Code</u> , shall be maintained to comply with Article 14-3 of ROA 1994 (Uniform Housing Code)	Clarifies that residential buildings are as defined by the Uniform Housing Code for the purposes of this provision.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Maintenance	322	5-13(B)(2)(b)	Revise as follows: "All commercial and industrial buildings, <u>as defined by the Uniform Administrative Code and Technical Code</u> , shall be maintained to comply with all building and technical codes as adopted under Article 14-1 of ROA 1994 (Uniform Administrative Code and Technical Codes)."	Clarifies that commercial and industrial buildings are as defined by the Uniform Administrative Code and Technical Codes for the purposes of this provision.
Maintenance	323	5-13(B)(6)(a)	Add reference to the Albuquerque Bernalillo County Water Utility Authority Water Waste Reduction Ordinance, §4-1-1.	Adds reference to another applicable ordinance adopted by ABCWUA.
Maintenance / Historic Signs	324	5-13(B)(10)	Add a new subsection (d) with header as follows: "Historic Signs" "Historic signs may be removed for restoration, repairs, and maintenance if they are to be restored to original character as determined by Historic Preservation staff through an approved Certificate of Appropriateness - Minor pursuant to Table 6-1-1 and Subsection 14-16-6-5(D). Historic signs shall be reinstalled in the same location within 120 calendar days 1 year. After that period, a new sign permit shall be required, unless an extension is granted by the Historic Preservation Planner. " Move existing Subsections c-e into a new subsection for "All Other Signs."	Provides an incentive and mechanism to restore historic signs. See related item to add a definition of historic signs in Section 7-1.
Notice	327	Table 6-1-1	Remove requirement for email notice for Sign Permit, Site Plan - Admin, Wall/Fence Permit - Minor.	Responds to request from Neighborhood Association representatives for less notice on decisions that are not made at a public meeting or hearing. Notice to Neighborhood Associations for these decisions was new to the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Notice	327	Table 6-1-1	Site Plan - Admin: add requirement for web posting.	Codifies current practice, since applications and building permits issued are available on POSSE/MESA, which would satisfy this requirement. See related item for change to email requirement.
Review / Decision	327	Table 6-1-1	Add a new row for Landfill Gas Mitigation Approval as follows and renumber subsequent subsections accordingly: No notice or meeting required. D in City Staff and add new specific procedure 6-2(F).	Codifies current practice. Moves procedure language from 5-2(G) to Part 6 of the IDO. See related item for edits to 5-2(G).
Review / Decision	327	Table 6-1-1	In Administrative Decisions, delete the rows and procedure subsections for the following: "Grading, Drainage, or Paving Approval" [6-5(C)] "Impact Fee Assessment" [6-5(E)] "Fugitive Dust Permit" [6-5(H)] Add a new Subsection "Building and Construction Permits and Related Decisions" in General Procedures and move relevant language from the procedure subsections. Remove unnecessary overlapping of information with the DPM or ordinances establishing these processes. Remove these decisions from Table 6-4-3 and Table 6-4-4. Change terminology as necessary to codify existing practice.	Removes decisions not regulated by the IDO that have procedures established in the DPM or by separate ordinances.
Review / Decision	327	Table 6-1-1	Change requirement to hold public hearings to public meetings for the following DRB decisions: Subdivision of Land - Major, Preliminary Plat; Vacation of Easement or Right-of-way - DRB; DRB - Variance. Update any references to public hearings related to DRB throughout the IDO accordingly.	DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. This change would return DRB processes closer to pre-IDO processes.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Review / Decision	327	Table 6-1-1	Historic Design Standards and Guidelines: Add X to Neighborhood column. Revise 6-6(E) accordingly.	Requires Neighborhood Meeting for Historic Design Standards and Guidelines.
Review / Decision	328	Table 6-1-1	Change the title of "Variance - DRB" to "Waiver - DRB" and realphabetize. Renumber related Specific Procedure accordingly. Replace all other references to Variance - DRB throughout the IDO accordingly. Rename "Wireless Telecommunications Facility Waiver" to "Waiver - Wireless Telecommunications Facility" for consistency. Replace all references to this procedure throughout the IDO accordingly.	DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. Exceptions to Sections 5-3 (Access and Connectivity), 5-4 (Subdivision of Land), and 5-5 (Parking and Loading) would be decided by DRB as a waiver, not as a variance, which is limited to exceptional lots per State statute. See related item for edits to Subsection 6-6(N). See related items for exceptions: Front yard parking and carports.
Review / Decision	328	Table 6-1-1	Revise decisions as follows: Vacation of Easement or <u>Public Right-of-way - Council</u> and "Vacation of Easement or Right-of-way - DRB." Remove Note 4 and add a new line for "Vacation of Public or Private Easement" with a note that this is for easements on a plat only. Required notice would be web posting. No Neighborhood Meeting is required. Review by City Staff. Decision by DRB. Same appeal as DRB Vacation of Right-of-Way.	Private easements are agreements between private entities and require less notice to surrounding stakeholders. This change pulls vacations of private easements out as a separate decision. See related item for Subsection 6-6(K)(2)(a).
Notice	328	Table 6-1-1	Add email notice requirement to Comp Plan updates and Text Amendments.	Requires email notice to Neighborhood Associations for Comp Plan and IDO amendments.
Notice	328	Table 6-1-1	Delete published notice requirement for Subdivision of Land - Major, Final Plat.	Published notice is required for Preliminary Plat, so published notice is not needed at Final Plat.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Small Areas	328	Table 6-1-1	Create a new decision in Table 6-1-1 for "Amendment of IDO Text for a Small Area" and add a new procedure per the attached Exhibit and revise the numbering of subsequent subsections. Revise the name of the existing "Amendment of IDO Text" to add "Citywide" at the end wherever it currently appears in the IDO.	Revises the existing approach for creating/amending CPOs and VPOs and adds the creation/amendment of any other small area and related regulations as a quasi-judicial decision. The IDO currently includes the creation or amendment of a CPO or VPO as a Zone Map Amendment, but the review/decision criteria is written contemplating zone changes for individual properties. The IDO carried over small area regulations from Sector Development Plans in use-specific standards, in development standards, and in procedures, but revisions to these standards or creation of new small areas would be done as a IDO Text Amendment under the existing IDO procedures. City Legal and Council Services legal advice is that rules for geographies smaller than citywide need to be processed as quasi-judicial decisions, which means more notice and more rigorous justification.
Zoning Hearing Examiner (ZHE)	335	6-2(J)	Add new language as follows: "The ZHE shall have professional experience in both land use and law."	Adds qualifications for the ZHE.
Small Areas	336	6-3(D)	Revise as follows: "These amendments shall be reviewed and decided pursuant to Subsection 14-16-6-7(D) (Amendment to IDO Text <u>Citywide</u>) or Subsection 14-16-6-7(D) (Amendment to IDO Text for a Small Area), as relevant."	See related item adding a new decision type for Amendment to IDO Text for a Small Area.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Training	337	6-3(D)(5) [new]	Add a new subsection as follows: "Within 90 days of the effective date of each annual update, the Planning Department shall provide presentations and/or trainings for relevant boards and commissions."	Codifies current practice and responds to requests for more trainings of relevant boards and commissions.
Neighborhood Meeting	339	6-4(C)(2)	Revise as follows: "If the project is not located within or adjacent to the boundaries of any Neighborhood Association, the applicant shall have offer at least 1 meeting with a Neighborhood Association to all Neighborhood Associations whose boundaries include land within 1,320 feet of the project site...."	Clarifies that Neighborhood Meeting request goes to all Neighborhood Associations within 1/4 mile of the project site.
Notice	339	6-4(C)(3)	Remove language about read receipt emails as unpractical. Replace with proof of sent email to required recipients.	Replaces impractical requirement to prove an email was sent with language that proof is required. For now, a printout of each email sent to a different address (or set of addresses) would suffice. If technology changes, other proof may become available.
Notice / Neighborhood Meeting	339	6-4(C)(3)	Revise as follows: "The applicant shall make available at the time of the meeting request relevant information and materials to explain the proposed project. At a minimum, the applicant shall provide a Zone Atlas page indicating the project location, an illustration of the proposed project (i.e. site plan, architectural drawings, elevations, and/or illustrations of the proposed application, as relevant), an explanation of the project, a short summary of the approval that will be requested (i.e. Site Plan - Admin, Variance, Wall Permit - Minor, etc.), and contact information for the applicant."	Requires the applicant to send relevant materials to the NA with the meeting offer.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Neighborhood Meeting	339	6-4(C)(4)	Revise as follows: "...within 30 consecutive calendar days of the meeting request being accepted by the Neighborhood Association but no fewer than 5 calendar days after the Neighborhood Association accepts the meeting request, unless an earlier date is agreed upon."	Ensures at least 5 days between the acceptance of the meeting and when it can be scheduled, unless an earlier date works for both parties.
Neighborhood Meeting	340	6-4(C)(5)	Add a new first sentence as follows: "The Pre-Application Neighborhood Meeting shall be facilitated by the City's Alternative Dispute Resolution (ADR) Office. If an ADR facilitator is not available within the required timeframe, the applicant can facilitate the meeting or arrange for another facilitator. All other requirements in Subsection 6-4(C) shall be met."	By request from ADR. Uses City resource and expertise to facilitate the Pre-application Neighborhood Meeting and prepare the summary report of the meeting, which is distributed to all participants per ADR procedures.
Neighborhood Meeting	340	6-4(C)(6)	Add a requirement that proof of the request for the pre-application neighborhood meeting has to be included in application materials.	Adds to the transparency of who the Neighborhood Meeting offer went to.
Neighborhood Meeting	340	6-4(C)(6) [new]	Add a new subsection as follows: "A summary of the meeting shall be prepared and emailed to the representatives of the NA that requested the meeting and any other meeting participants who signed in and provided an email address."	Requires the meeting summary to be sent to NAs and meeting participants by email. The meeting summary would also be available in the case file once an application is received by the City, at which point anyone could send comments or corrections.
Facilitated Meeting	340	6-4(D)	Add headers to these subsections: "Requesting a Facilitated Meeting" (D)(1) "Timing of a Facilitated Meeting" (D)(2) "Meeting Summary" (D)(3)	Provides structural clarity/organization for this provision. Note: the proposed changes for 6-4(D) are competing proposals with the Council Amendment Q for the same subsection.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Facilitated Meeting	340	6-4(D)(1)	<p>Add new subsections as follows:</p> <p>"(a) If a request for facilitated meeting is sent to Planning Department, the Planning Director will decide within 3 business days whether the facilitated meeting will be required.</p> <p>(b) If a facilitated meeting is requested at a public meeting or hearing, the decision-making body shall decide at the same meeting or hearing whether to require the facilitated meeting.</p> <p>(c) A facilitated meeting shall be required if all of the following criteria are met:</p> <ol style="list-style-type: none"> 1. The complexity and potential impacts of a proposed project warrant facilitation. 2. The requester has described the issue or opportunity to be discussed or negotiated at the facilitated meeting, and the decision-making body has the authority to implement the results of a negotiated agreement about that issue or opportunity. 3. There are changed conditions, new information, or new points of discussion not covered in a Neighborhood Meeting or public meeting or hearing that indicate that a facilitated meeting may be useful or lead to productive negotiation. 	<p>Adds clarity about who will decide whether a facilitated meeting is required and gives a timeline and criteria for the decision. Criteria are adapted from the memo dated July 18, 2018 and available online here: http://documents.cabq.gov/planning/UDD/FacilitatedMeetingsCriteria-IDO-16July2018.PDF</p> <p>Note: the proposed changes for 6-4(D) are competing proposals with Council Amendment Q for the same subsection.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Facilitated Meeting	340	6-4(D)(2)	<p>Make the existing language a new subsection and revise as follows: "(b) If a facilitated meeting is required by the City, the City shall assign a facilitator <u>from the Alternative Dispute Resolution (ADR) Office</u>. The facilitator shall attempt to schedule the facilitated meeting <u>to take place</u> within 15 consecutive <u>calendar</u> days <u>after the City notifies the applicant, the Neighborhood Associations, and the requester (if different) that the City is requiring the meeting.</u> The meeting shall occur within a period of 7 consecutive days prior to the next scheduled hearing or meeting of the decision-making body. <u>1. If reasonable attempts have been made to accommodate the schedules of both the applicant, and the Neighborhood Associations, and the requester (if different), and no meeting has occurred, the application may move forward shall proceed in the relevant review/decision process."</u></p>	<p>Sets a timeframe for the meeting summary to be submitted before a meeting or hearing. The result of this provision would be that if the summary isn't received in time for the hearing, the case could be heard or deferred but not decided. The case could be decided at the next public meeting or hearing after the meeting summary has been available for at least 7 days, allowing all parties time to review. Any comments or corrections to the meeting summary could be submitted as public comments to the decision-maker, per each decision-makers rules of conduct establishing deadlines for comments, or given verbally at the meeting or hearing as testimony. Note: the proposed changes for 6-4(D) are competing proposals with Council Amendment Q for the same subsection.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Facilitated Meeting	340	6-4(D)(2) (cont'd)	<p>(cont'd)</p> <p>"2. If a <u>facilitated meeting does take place</u>, the meeting summary <u>shall be submitted to the City no fewer than 7 calendar days before any hearing/meeting where a decision is made on the application.</u></p> <p><u>(c) If a facilitated meeting is not required, but the applicant and the Neighborhood Association(s) agree to a facilitated meeting, ADR shall assign a facilitator, and the meeting shall take place at a time convenient to both parties.</u></p> <p><u>1. The timing of the meeting and the delivery of the meeting summary shall follow ADR procedures.</u></p> <p><u>2. The application may proceed in the review/decision process, or the applicant may request a deferral. A deferral fee will be charged."</u></p>	<p>Sets a timeframe for the meeting summary to be submitted before a meeting or hearing. The result of this provision would be that if the summary isn't received in time for the hearing, the case could be heard or deferred but not decided. The case could be decided at the next public meeting or hearing after the meeting summary has been available for at least 7 days, allowing all parties time to review. Any comments or corrections to the meeting summary could be submitted as public comments to the decision-maker, per each decision-makers rules of conduct establishing deadlines for comments, or given verbally at the meeting or hearing as testimony.</p> <p>Note: the proposed changes for 6-4(D) are competing proposals with Council Amendment Q for the same subsection.</p>
Facilitated Meeting	340	6-4(D)(2)(a) [new]	<p>Add a new subsection as follows:</p> <p>"If a post-application facilitated meeting is required by the City, the decision-making body shall not make a decision or recommendation until after the facilitated meeting takes place or the deadline for the facilitated meeting passes, whichever comes first. If the scheduling of a required facilitated meeting results in a request for deferral from the applicant, no deferral fee shall apply."</p>	<p>Makes clear that when the City requires a facilitated meeting, it is agreeing not to decide on the application until the facilitated meeting takes place or the time limit for the meeting expires.</p> <p>Note: the proposed changes for 6-4(D) are competing proposals with Council Amendment Q for the same subsection.</p>
Applications	342	6-4(F)(3) [new]	<p>Add a new subsection as follows:</p> <p>"The applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary."</p>	<p>Adapts language from previous Zoning Code and applies to all applications.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Applications	342	6-4(F)(4) [new]	Add a new subsection as follows: "After an application has been submitted, the Planning Director may request additional materials, including but not limited to exhibits, as needed to determine whether the proposed project meets IDO requirements. The applicant must provide any such materials within administrative deadlines for the relevant review and decision process, or a deferral may be needed."	Distinguishes additional information that may be needed to review/decide an application after it is accepted as complete from items that are required <i>before</i> an application is accepted as complete.
Fees	342	Table 6-4-1	Delete table of fees from IDO.	City Council weighs in on fees through the annual budget process. Only some fees were established by the IDO; others are set by Planning Director. This edit proposes to have all fees established by the Planning Director, which would improve tracking/transparency by having them all in one place.
Notice	345	6-4(K)(2)(a)4 [new]	Add a new subsection as follows: "For applications where electronic mail notice is required, mailed notice to Neighborhood Association representatives is only required if there is no e-mail address on file for that representative."	Removes duplicated notice requirement.
Notice	345	6-4(K)(2)(b)2	Revise as follows: "All owners, as listed in the records of the County Assessor, of property located partially or completely within 100 feet (excluding public rights-of-way) of the property listed in the application or adjacent properties, if the public right-of-way is greater than the specified distance."	Revises the standard to be consistent with appeals calculation. Easier to administer than excluding ROW but ensures that adjacent properties are still notified.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Notice	346	6-4(K)(2)(f)	Add a note to Table 6-1-1 that says emailed notice to Neighborhood Associations is not required for Site Plan - Administrative submitted within 1 year of approval of a Subdivision - Major.	Suggested by a Neighborhood Association representative concerned about receiving too much notice for individual houses in a large subdivision. The subdivision approval was the more relevant decision for neighborhood input. See related item for suggested change to posted sign for large subdivisions.
Notice	346	6-4(K)(3)	<p>Move existing language to new subsection (a). Add a new subsection (b) as follows:</p> <p>"For single-family development that received an approval for Subdivision - Major within 1 year of an application for Site Plan - Administrative, an applicant can provide kiosks with weather protection where signs can be posted for as long as construction is active, in lieu of posting individual signs on each lot.</p> <p>(1) The kiosks must be located on private property at all entrances to the subdivision.</p> <p>(2) The same sign content required in the posted sign requirement must be shown but can be consolidated if applicable to multiple lots.</p> <p>(3) A map must clearly identify the lots with applications for Site Plan - Administrative.</p> <p>(4) A sign fee for each lot under construction will be charged."</p>	Responds to request from developers. Many subdivisions have phases with construction of multiple lots over years. This provision would add an option to consolidate signs in one place rather than posting on multiple vacant lots.
Notice	346	6-4(K)(3)	Add requirement for posted signs to remain up through the 15 days appeal period following a decision.	Extends notice through the appeal window.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Notice	346	6-4(K)(4)	<p>Break paragraph into subsections and add a new Subsection (b) as follows: "For applications where mailed notice is also required, electronic mail notice fulfills the mailed notice requirement to Neighborhood Association representatives in Subsection 14-16-6-4(K)(2)(a), except for requests for annexations and zone map amendment, which are subject to provisions in Subsection 6-4(K)(2)(c). If representatives do not have an e-mail address on file, mailed notice to those representatives is required."</p>	Removes duplicated notice requirement.
Notice	346	6-4(K)(6)	<p>Move this subsection up to be (1). Add a new subsection (a) as follows: "Each notice shall include all information required by the City for that type of application, as set forth in the DPM, applicable Facility Plan, or on the City's website." Add a new subsection (b) with existing language, revised to start with "<u>At a minimum...</u>"</p>	Establishes that information may be required in notices by other plans or the City website. Note: This tech edit is a competing proposal with Council Amendment Q for the same subsection.
Notice	346	6-4(K)(6)	<p>Add a subsection (b) that requires the following items for emailed and mailed notice: a Zone Atlas page indicating the project location; a site plan; architectural drawings, elevations of the proposed building(s), or other illustrations of the proposed application; and the summary of the Pre-submittal Neighborhood Meeting, as relevant. Add a subsection (c) that requires the following items for Site Plan applications only: total gross floor area, gross floor area (sq. ft.) for each proposed use, total number of dwelling units, site plan, building elevations, and landscaping plans.</p>	Responds to Neighborhood Association requests. Specifies additional requirements for notice.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Public Meetings	347	6-4(L)	Add to the first sentence "and is not quasi-judicial."	Further clarifies the difference between public meetings and hearings.
Public Hearings	347	6-4(M)(1)	Remove DRB from list of decision-makers that have public hearings.	DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. See related item for proposed changes to Table 6-1-1.
Public Hearings	349	6-4(M)(5)(e)	Remove reference to DRB in this list of decision-making bodies that hold public hearings.	DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. See related item for proposed changes to Table 6-1-1.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Waivers	351	6-4(O)(1) [new]	<p>Add a new subsection as follows: "For standards in the following subsections, requests for deviations beyond these thresholds or to standards not included in Table 6-4-2 will be reviewed and decided as Waivers pursuant to the following: 6-4(O)(1)(a) Subsection 14-16-6-6(new) (Waiver – DRB) for deviations from standards in Section 14-16-5-3 (Access and Connectivity), Section 14-16-5-4 (Subdivision of Land), Section 14-16-5-5 (Parking and Loading), or the DPM, except for the following standards: 1. Standards in Subsection 5-5(F)(2)(a)2, which require a Permit - Carport in Front or Side Setbacks pursuant to Subsection 6-6[new]. 2. Standards related to front yard parking in Subsection 5-5(F)(2)(a), Subsection 5-5(F)(1)(a)6, and Table 5-5-6 , which require a Variance - ZHE pursuant to Subsection 14-16-6-6(N). 6-4(O)(1)(b) Subsection 14-16-6-6(O) (Wireless Telecommunications Facility Waiver) for deviations from standards applicable to the erection or installation of a Wireless Telecommunications Facility (WTF) under this IDO."</p>	<p>Adjusts the language for the proposed change that exceptions to Sections 5-3 (Access and Connectivity), 5-4 (Subdivision of Land), and 5-5 (Parking and Loading) would be decided by DRB as a waiver, similar to the way deviations to WTF standards are reviewed and decided by EPC instead of ZHE. Explains that carports in front/side setbacks need a Permit decided by ZHE. Adds reference to WTF Waivers. See related items for changes to carports and front yard parking.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Variances	351	6-4(O)(1)	<p>Replace text as follows: "For all other IDO standards, requests for exceptions beyond these thresholds will be reviewed and decided as Variances pursuant to the following: 6-4(O)(1)(b) Subsection 14-16-6-6(M) (Variance – EPC) for exceptions to all other IDO standards associated with a Site Plan – EPC or requiring a Variance - EPC. 6-4(O)(1)(c) Subsection 14-16-6-6(N) (Variance – ZHE) for exceptions to all other IDO standards associated with a Site Plan – Administrative or Site Plan – DRB."</p>	Editorial change to track with proposed change to DRB - Variance.
Amendments	352	6-4(P)(1)	<p>Revise as follows: "If Table 6-1-1 or IDO Section 14-16-6-4(X)(Amendments of Approvals) or 6-4(Y)(Amendments of Prior Approvals) authorizes the City staff to make a decision on an application..."</p>	Adds other IDO sections that enable staff to decide an application (for minor amendments). Allows staff to add conditions on minor amendments.
Conditions of Approval	352	6-4(P)(3) [new]	<p>Add a new subsection and renumber subsequent sections accordingly: "Any conditions shall be met within 6 months of the approval, unless stated otherwise in the approval. If any conditions are not met within that time, the approval is void. The Planning Director may extend the time limit up to an additional 6 months."</p>	Reinstates provision from the Zoning Code related to zone map amendments [14-16-4-1(C)16(b)] and extends it to all approvals. See also related item about proposed change to Subsection 6-7(F)(2) related to the zoning certificate.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Timing of Decisions	353	6-4(S)	Retitle heading to "Timing of Decisions" Add a subsection as follows: "If the case is not heard by the relevant decision-making body within 6 months of the acceptance of the complete application because of continued requests for deferral by the applicant or the applicant fails to appear at the scheduled hearing date, the application is considered withdrawn, and a new application must be submitted meeting all standards and procedure requirements."	Establishes a disincentive to submit applications before the applicant is ready to move through the process and address comments.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Annexations	353	6-4(S)(3) [new]	<p>Add a new subsection as follows and renumber subsequent subsections accordingly:</p> <p>"In the case of an application where the City Council is the decision-making body except for Annexation of Land, once the appropriate board or commission has made a recommendation on the application, the Planning Director shall prepare and transmit the full record of the application to the Clerk of the City Council within 60 calendar days of the board or commission's recommendation. The Clerk of the City Council shall place it on the Letter of Introduction for the next regularly scheduled City Council meeting, provided that there is a sponsoring City Councilor and provided that there are at least 3 business days between when it was received and the next regular meeting."</p>	<p>Ensures due process for decisions related to City Council's land use and zoning authority by adding a timeframe for actions that require final decision by the City Council to be received by Council after a board or commission makes a recommendation. This would limit both the time the Planning Department can spend preparing and transmitting the record as well as the time for any necessary review by City Administration before the application is delivered to City Council. This provision is similar to the timeline already established for appeals. This provision would apply to the following decisions:</p> <ul style="list-style-type: none"> - Vacation of Easement or Right-of-way – Council - Adoption or Amendment of Comprehensive Plan - Adoption or Amendment of Facility Plan - Adoption or Amendment of Historic Designation - Amendment to IDO Text - Zone Map Amendment – Council

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Timing of Decisions	354	6-4(S)(5) [new]	<p>Add a new subsection as follows: "If any application accepted as complete prior to May 17, 2018, when the IDO became effective, has not been reviewed and decided within 3 years of its acceptance as complete the original effective date of the IDO, a new application must be submitted and processed in compliance with the requirements of this IDO, unless given an extension by the relevant decision-making body."</p>	<p>Ensures that submissions made before the adoption of the IDO, which can follow the pre-IDO rules, are not deferred indefinitely.</p> <p>Ensures that applications that do not make it through the review/decision making process in a timely manner are required to follow the most recently adopted regulations in the IDO.</p> <p>This provision limits the amount of time the City will have to administer 2 codes—the pre-IDO Zoning Code/Sector Development Plans and the IDO.</p> <p>This provision limits the amount of time that the City will have to administer multiple versions of the IDO, given that it will be updated every year. This limit is intended to be plenty of time for an application to make it through all necessary approvals. See also a related proposed addition to void an application if it has not been heard by the decision-maker within 6 months of it being accepted as complete because of deferral requests.</p>
Waivers	356	Table 6-4-3	Change Variance - DRB to Waiver - DRB and realphabetize accordingly.	Editorial change to track with proposed change to DRB - Variance.
Appeals	361	6-4(U)(3)(e)(5)	<p>Revise as follows: ". . . arguments of the parties. A vote of the City Council to reverse a lower decision must be approved by a majority of the entire membership of the Council."</p>	Clarifies the number of Council votes required in appeals decisions consistent with State statute.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Expirations	362	6-4(W)(2)(c) [new]	Add a new subsection as follows: "On properties that have not been developed pursuant to thresholds established in Subsection 6-4(W)(3)(b), the applicant, property owner, or an agent of the applicant or property owner has applied to the decision-making body that originally approved the site plan to accelerate the expiration and the decision-making body has agreed to set an accelerated expiration date."	Creates a mechanism to accelerate the expiration of site plans in situations where the property owner is not ready to replace the site plan with a new approval. Needed in cases where an IIA is tied to a site plan and cannot be removed while the site plan is in effect. Would not apply to site plans that are more than 50% developed, which are not subject to expiration. In those cases, the property owner would need to amend the site plan or replace it with a new one.
Expirations	362	Table 6-4-4	Change expiration for Site Plan - DRB to 7 years.	Makes Site Plan - DRB consistent with Site Plan - EPC.
Expirations	362	Table 6-4-4	Remove Infrastructure Improvements Agreement from the expiration table, as this is set by DPM.	Avoids duplication in IDO and DPM, which tends to result in conflict when 1 document or the other is amended.
Waivers	362	Table 6-4-4	Replace "Variance" with "Waiver" and realphabetize accordingly.	Editorial change based on edits to DRB - Variance.
Extensions	363	6-4(W)(4)(a)1.b	Revise as follows: "The extension is considered and a decision made via the same procedure required for the <u>by the same decision-maker</u> as the initial approval, except that no public hearing shall be required, if one would have been required for the initial approval."	Clarifies that the decision for an extension is by the original decision-maker but doesn't require a new application, new fees, new notice, etc.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Extensions	364	6-4(W)(4)(b) [new]	<p>Add a new subsection as follows and renumber subsequent subsections accordingly:</p> <p>"Additional Provisions for Extensions of Preliminary Plats"</p> <p>"In addition to the general provisions in Subsection (a) above, additional extensions for Preliminary Plats may be granted by DRB for good cause, but the plat may be required to come into compliance with any applicable standards adopted since the application was submitted."</p>	<p>Preliminary plats expire in 1 year. They are allowed 1 extension per Subsection 6-4(W)(4)(a)1. This edit would allow additional extensions but would require the application to meet any IDO standards adopted since the application was received.</p>
Waivers	365	6-4(X)(1)a	<p>Revise as follows and renumber subsequent subsections accordingly:</p> <p>"...If the applicant is requesting an amendment that would require a <u>Waiver or Variance</u> from any of these standards, a separate <u>request must be submitted</u> Variance must be requested per the relevant procedure, as follows:</p> <ol style="list-style-type: none"> 1. Section 14-16-6-6(new) (<u>Variance Waiver – DRB</u>) for exceptions to any standards in Section 14-16-5-4 (Subdivision of Land), Section 14-16-5-3 (Access and Connectivity), Section 14-16-5-5 (Parking and Loading), or any DPM standard, <u>except the following</u>: <ul style="list-style-type: none"> a. <u>Standards in Subsection 5-5(F)(2)(a)2, which require a Permit - Carport in Front or Side Setback pursuant to Subsection 6-6[new].</u> b. <u>Standards related to front yard parking in Subsection 5-5(F)(2)(a), Subsection 5-5(F)(1)(a)6, and Table 5-5-6 , which require a Variance - ZHE pursuant to Subsection 14-16-6-6(N).</u> 2. Section 14-16-6-6(O) (<u>Waiver - Wireless Telecommunications Facility (WTF) for deviations from standards applicable to the erection or installation of a under this IDO.</u> 	<p>Editorial change to track with proposed change to DRB - Variance.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Amendments	366	6-4(X)(2)(a)9 [new]	Add a new subsection as follows: "The amendment does not require major public infrastructure or significant changes to access or circulation patterns on the site."	Makes amendments affecting major public infrastructure and access/circulation go back to the original decision-maker.
Amendments	366	6-4(X)(2)(b) [new]	Add a new subsection as follows: "The Planning Director determines that the amendment warrants review by the original decision-maker."	Gives the Planning Director discretion to deem as major any amendments that warrant review by the original decision-maker.
Amendments	367	Table 6-4-5	Building height, maximum Replace Maximum Threshold as follows: "Increase: 10% Decrease: Any amount"	Allows a reduction of building height of any amount to be approved administratively as a minor amendment, since the off-site impacts of building height would be reduced as building height is reduced.
Amendments	368	6-4(Y)(1)(a)	Revise as follows: "Minor amendments may be granted by the <u>ZEO Planning Director</u> that meet the following requirements..." Add a new subsection (3) as follows: " <u>The requested change does not require major public infrastructure or significant changes to access or circulation patterns on the site, which would warrant additional review by the original decision-making body.</u> "	Codifies current practice. Gives staff the ability to decline to process as a minor amendment a requested change that would result in larger ripples on the site, which would be reviewed more appropriately by the original decision-making body.
Amendments	368	6-4(Y)(1)(c) [new]	Add a new subsection as follows: "No Deviations or Variances shall be granted for Minor or Major Amendments."	Per Subsection 1-10(A), projects can develop per standards specified in site plans approved pre-IDO. Minor or Major Amendments can be granted to pre-IDO site development plans, but deviations and variances are not appropriate. If they are needed, the project should come in with a new site plan per IDO standards.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Declaratory Rulings	372	6-5(B)	Add the following: "If the ZEO determines that the request for a declaratory ruling is not applicable to a proposed development or activity, the ZEO is not required to issue a declaratory ruling."	Allows the ZEO to decline to issue a declaratory ruling for requests that do not warrant a declaratory ruling. Reinstates language unintentionally omitted from Zoning Code.
Historic Sign	374	6-5(D)(1)(c) [new]	Add a new subsection as follows and renumber subsequent sections accordingly: "This Subsection 14-16-6-5(D) shall require a Historic Certificate of Appropriateness – Minor to be duly approved prior to a historic sign anywhere in the City being taken down and then reinstalled in the same location after being restored on-site or taken off-site for restoration, repair, or maintenance."	Adds a process to establish the appropriateness of the restoration of historic signs so a property owner can have flexibility to remove, restore, and re-erect signs on the original site. Avoids damage to historic signs that might result from enforcement of general IDO standards for signs. Without this provision, historic signs (which are more than likely nonconforming to IDO sign standards) would not be allowed to be re-installed and therefore may not be restored.
Landfill Gas Mitigation	376	6-5(F) [new]	Add a new subsection for Landfill Gas Mitigation Approval per attached Exhibit-Section 6-5F and renumber subsequent subsections accordingly.	Codifies the process for applying for a Landfill Gas Mitigation Approval and the criteria on which the decision will be based.
Site Plan - Admin	378	6-5(G)(1)(c)1.d	Revise as follows: "...with the exception of <u>development that includes a</u> grocery stores, which may be approved administratively with no more than <u>a total of 70,000</u> square feet of gross floor area.	Clarifies what happens if grocery stores are part of a larger development.
Site Plan - Admin	378	6-5(G)(1)(c)2.b	Add NR-BP and PC to the list of zone districts that can be reviewed/decided per Site Plan - Admin thresholds with an approved Master Development Plan or Framework Plan, respectively.	Clarifies that development in NR-BP and PC follows IDO thresholds for site plans after the required plans are approved.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Site Plan - Admin	378	6-5(G)(1)(c)2.g [new]	Add NR-PO-C property of any size not part of a proposed development that would meet the applicability of a Site Plan - DRB or Site Plan - EPC.	Clarifies that a park or open space in NR-PO-C can be decided as a Site Plan - Admin if it's not part of a larger project that will be decided as a Site Plan - DRB or Site Plan - EPC because the other components of the project meet those thresholds.
Site Plan - Admin	379	6-5(G)(2)(a)	Revise as follows: <u>The Site Plan – Administrative is submitted with an application for a building permit.</u> The ZEO shall review the application and make a decision on the Site Plan – Administrative <u>as part of the zone check during Building Permit review.</u> An initial review with comments shall be completed within 10 business days of the receipt of a complete application.	Codifies current practice.
Waivers	380	6-5(G)(2)(e)	Replace "Variance" with "Waiver" and update cross reference to specific procedure.	Editorial change to track with proposed change to DRB - Variance.
Notice	381	6-5(I)(2)(b)	Replace language as follows: "Supply proof of notification of abutting property owners of the use and intended duration of the use (e.g. number of days and/or hours of operation)."	Changes requirement from needing to get signatures of abutting property owners to needing to provide proof of notification to abutting property owners. Signatures may be hard to get. The intent is to require notice.
Notice	381	6-5(I)(2)(b) [new]	Add a new subsection as follows and renumber subsequent subsections accordingly: "Provide written permission from the property owner of the subject site (if different) for the temporary use for the requested duration (e.g. number of days and/or hours of operation)."	Adds a requirement to show that the property owner allows the temporary use, if the applicant does not own the property.
Conditional Use	385	6-6(A)(2)(c) [new]	Add a new subsection as follows: "A conditional use application must be decided before any variance for the subject property is decided."	Clarifies that conditional use approvals must come before variance approvals.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Conditional Use	385	6-6(A)(3)(b)	<p>Revise to read as follows:</p> <p>"It complies with all Use-specific Standards applicable to the use in Section 14-16-4-3; Neighborhood Edge regulations applicable to the project site in Section 14-16-5-9; and all Edge Buffer regulations applicable to the project site in Subsection 14-16-5-6(E). No variances to these standards are allowed associated with a conditional use."</p>	Clarifies that standards related to use must be met for a conditional use to be granted. Prohibits variances to use-related standards and buffering requirements.
Conditional Use	385	6-6(A)(3)(c) [new]	<p>Add a new subsection as follows, renumbering subsequent subsections accordingly:</p> <p>"It complies with all other applicable provisions of this IDO; the DPM; other adopted City regulations; and any conditions specifically applied to development of the project site in a prior permit or approval affecting the property. If a variance will be needed for any of these provisions, the ZHE must include a condition of approval that such a variance be reviewed and approved. If such a variance is not approved, the conditional use approval is invalidated."</p>	Clarifies that variances to non-use related standards must be approved before the conditional use is granted.
Conditional Use	386	6-6(A)(3)(e)	<p>Revise as follows:</p> <p>"<u>On a project site with existing uses</u>, it will not increase non-residential activity within 300 feet of a lot in any Residential zone district between the hours of 8:00 P.M. and 6:00 A.M."</p>	If the site is vacant, any use will increase activity during these hours. Clarifies that this regulation logically applies to sites with existing uses.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Demolition Outside of an HPO	386	6-6(B)(1)	<p>Revise as follows: "This Subsection 14-16-6-6(B) applies to demolition of structures that are at least 50 years old located within the following mapped <u>small</u> areas, regardless of whether they are registered on a state or national historic register or are eligible for listing. Add a new (a) and renumber subsequent subsections accordingly: "Neon signs along Central Avenue in locations pursuant to Subsection 14-16-5-12(F)(4)(a) (Neon Signs along Central Avenue)."</p>	Allows demolition review for historic signs within area where neon is encouraged along Central Ave. (formerly CANDOZ).
Site Plan - DRB	395	6-6(G)(1)	<p>Add NR-BP and PC to the list of zone districts that can be reviewed/decided per Site Plan - DRB thresholds with an approved Master Development Plan or Framework Plan, respectively.</p>	Clarifies that development in NR-BP and PC follows IDO thresholds for site plans after the required plans are approved.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Site Plan - DRB	395	6-6(G)(1)(a)	Create new subsections for exceptions to (1)(a) as follows: "1. Any application that requires major public infrastructure or complex circulation patterns on the site. 2. Any application that warrants additional staff collaboration at a DRB meeting as determined by the Planning Director."	Sends to DRB cases that need a higher level of technical review and coordination but that would otherwise meet the thresholds for Site Plan - Admin.
Site Plan - DRB / Cluster Development	396	6-6(G)(1)(e) [new]	Add a new subsection as follows: "Any application for cluster development for which the applicant requests DRB review, provided the Planning Director concurs with that request."	Allows an applicant to request DRB approval, since many cluster developments will need DRB review for platting actions.
Site Plan - DRB	396	6-6(G)(2)(e)	Replace text as follows: "The DRB may grant a Waiver pursuant to Subsection 6-6(new) as part of this approval."	Editorial change to track with proposed changes to DRB - Variance.
Site Plan - EPC	397	6-6(H)(1)(b)3	Revise as follows: "Any application for development on a <u>lot</u> 5 acres or greater adjacent to Major Public Open Space."	Clarifies that only development on lots 5 acres or greater has to go to EPC. Once a larger project site has been subdivided (which requires a Site Plan - EPC), development on the lots within that project site does not require EPC review unless any of those lots are still larger than 5 acres.
Waivers	399	6-6(I)(2)(b)	Replace "Variance" with "Waiver" and update cross reference to specific procedure.	Editorial change to track with proposed changes to DRB - Variance.
Subdivisions	400	6-6(I)(2)(f)	Revise as follows: "The applicant shall record the plat with the Bernalillo County Clerk within 5 business days <u>6 months</u> after DRB signatures...."	Follows similar practice in Bernalillo County. Immediate filing is not always possible, since additional signatures may be required, etc.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Subdivisions	401	6-6(J)(1)	<p>Revise as follows:</p> <p><u>"(a) This Section 14-16-6-6(J) applies to any application for a subdivision of land or combination of previously subdivided lots that is not eligible to be processed as a Subdivision of Land – Minor pursuant to Subsection 14-16-6-6(I).</u></p> <p><u>(b) The following applications for a subdivision of land require a prior approval and can then be processed as a Subdivision of Land - Minor; an application for Subdivision of Land - Major is not a substitute for the prior approval.</u></p> <p><u>1. Subdivision of land 5 acres or greater adjacent to Major Public Open Space requires a Site Plan – EPC.</u></p> <p><u>2. Subdivision of land that is zoned NR-SU or PD requires a Site Plan – EPC.</u></p> <p><u>3. Subdivision of land that is zoned NR-BP requires a Master Development Plan.</u></p> <p><u>4. Subdivision of land that is zoned PC requires a Framework Plan."</u></p>	Clarifies that the "exceptions" are approvals that require the approval of a different plan before subdivision and that once those plans are in place, subdivisions can be approved through the Subdivision - Minor process.
Waivers	401	6-6(J)(2)(a)2	Replace "Variance" with "Waiver" and update cross reference to specific procedure.	Editorial change to track with proposed changes to DRB - Variance.
Subdivisions	402	6-6(J)(2)(c)1	<p>Revise as follows:</p> <p>"The letter of advice on a Sketch Plat expires after one year. If a Preliminary Plat that meets all standards and requirements of this IDO and the DPM is not filed within one year of the letter of advice, the applicant must re-submit an application for Sketch Plat."</p>	Clarifies that they must reapply for sketch plat after 1 year. Codifies current practice.
Waivers	402	6-6(J)(2)(c)2	Replace "Variance" with "Waiver" and update cross reference to specific procedure.	Editorial change to track with proposed changes to DRB - Variance.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Subdivisions	404	6-6(J)(3)(a)1	<p>Revise as follows: "An application for a Preliminary Plat shall be approved if it meets all of the following criteria: 1. Is consistent with the ABC Comp Plan, as amended. 2. Complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property."</p>	DRB is a staff board for technical reviews and cannot hold quasi-judicial hearings. Given the definition of public hearings, the DRB does not make decisions based on policy, since it is not a discretionary decision-making body. See related item for edits to Subsection 6-6(N) and Table 6-1-1.
Vacations	405	6-6(K)(2)(a)	Delete subsection and renumber subsequent subsections accordingly.	Taken care of with related items for a new administrative decision for Vacation of Public or Private Easement.
Vacations	405	6-6(K)(2)(c)	Replace "public hearing" with "public meeting."	Editorial change to track with proposed changes to Table 6-1-1.
Vacations	405	6-6(K)(2)(f)	<p>Replace language as follows: "If a street, alley, drainageway, or other public right-of-way is vacated, the abutting zone districts shall be extended automatically to the new property line created by platting the vacated right-of-way into the abutting property."</p>	Codifies that if one owner buys the whole right-of-way, the whole ROW gets zoned according to the zoning of the surrounding property.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Vacations	405	6-6(K)(2)(f) [new]	<p>Add a new subsection as follows: "Within 7 days of the vacation approval, the applicant shall coordinate with the City's Real Property Division and send notice of the approved vacation via a first-class letter to all adjacent property owners. The letter shall include the following information, as well as any other information as directed by the City's Real Property Division: 1. The property owner has 30 days from the receipt of the notice to notify the City's Real Property Division of the intent to purchase the vacated right-of-way, or any portion thereof, or possibly forfeit their right to do so. 2. Within 7 days of receipt of the notice of intent to purchase, the City will provide the interested property owner with a purchase price for the desired portion of the vacated right-of-way. 3. Contact information for the City's Real Property Division."</p>	Reinstates language from the Zoning Code and provides additional clarity for the procedure.
Vacations	405	6-6(K)(2)(g) [new]	<p>Add a new subsection as follows: "Upon approval of the vacation, the applicant must plat the right-of-way within one year or the decision to vacate is voided. If the vacation created any floating zone lines, the plat shall establish lot lines that coincide with zone boundaries to the <u>maximum</u> extent practicable."</p>	Reinstates language from the Zoning Code that provides additional clarity and codifies current practice. Requires the plat to fix floating zone lines created by the vacation.
Vacations	405	6-6(K)(2)(i) [new]	<p>Add a new subsection as follows: "The City may retain, use or dispose of the right-of-way in any manner which the City, in its discretion, deems appropriate."</p>	Reinstates language from the Zoning Code.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Carports	406	6-6(L)(3)(d)	<p>Move subsection 6-6(L)(3)(d) Variance for a Carport in a Required Front or Side Setback to be a new decision in Table 6-1-1 with its own specific procedure so that ZHE reviews/decides. Change the name to "Permit - Carport in a Required Front or Side Setback." Notice = Mailed, Sign, Email, Web Replace reference to this procedure throughout the IDO accordingly.</p>	<p>All exceptions to standards in Section 5-5 are currently reviewed/decided by DRB as a Variance - DRB. This is proposed to change to be Waivers reviewed/decided by DRB at a public meeting. Carports have had additional review at public hearings prior to the IDO. This would return that review/decision to be closer to the pre-IDO process. See related change for Subsection 5-5(F)(2)(a)2.b.</p>
Waivers	406	6-6(L)	<p>Change the name of Variance - DRB to Waiver - DRB throughout this subsection and the IDO and move and renumber this subsection accordingly. Replace "variance" with "deviation" or "waiver" as appropriate throughout this subsection. Replace "hearing" with "meeting" throughout this subsection. Delete subsection 6-6(L)(3)(a)(1), which is a hardship or exceptionality criterion only applicable to variances. Delete subsection 6-6(L)(3)(b) Sidewalk Variance, as this procedure is covered by the DPM. Move subsection 6-6(L)(3)(c) Front Yard Parking to subsection 6-6(N) so that ZHE reviews/decides. See Exhibit A-1 in R-19-150 for mock-up of these changes.</p>	<p>DRB is a staff board for technical reviews and does not make discretionary decisions or hold quasi-judicial hearings. Deviations from standards in Sections 5-3 (Access and Connectivity), 5-4 (Subdivision of Land), and 5-5 (Parking and Loading) would be decided by DRB as a waiver, not as a variance, which is limited to exceptional lots (i.e. hardship criteria) per State statute. See related item for edits to Table 6-1-1 and Subsection 6-6(N). See related item for edits to Subsection 6-6(L)(3)(d).</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Waivers	407	6-6(L)(2)(b)	<p>Add a new subsection 1 as follows, move the existing language to be a new 2 and move the existing 1 and 2 to be subheadings of the new 2:</p> <p>"To qualify for a bulk land subdivision, the following size thresholds apply:</p> <ol style="list-style-type: none"> 1. Property zoned R-A, R-1, R-MC, or R-T must be at least 5 acres. 2. Property zoned R-ML, R-MH, any MX, or any NR zone must be at least 20 acres." 	Moves the language from the DPM to the IDO. Language is tied more closely to bulk land variance as described in the IDO.
Variance - EPC	410	6-6(M)(1)(c)2	<p>Replace language as follows:</p> <p>"A Variance to allow up to 19 feet above finished grade may be granted where grading requirements necessitate a minimum amount of fill for proper drainage."</p>	Carries over a provision from the Northwest Mesa Escarpment Plan inadvertently omitted from the IDO. See also proposed definition of finished grade.
Variance - EPC	411	6-6(M)(3)(a)	Revise so that VPO variances in Subsections b and c also have to meet general variance criteria.	State statutes define hardship/exceptionality criterion for variances. These VPO variances therefore need to meet that criterion in addition to specific criteria for each VPO.
Variance - EPC	411	6-6(M)(3)(a)1	Replace "subject property" with "a single lot".	Applies variances to individual lots, avoiding requests for variances to multiple lots," which would be more appropriately requested as a text amendment to the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Variance - EPC	411	6-6(M)(3)(a)1	<p>Revise as follows:</p> <p style="color: red;">"There are special circumstances applicable to the subject property that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, and physical characteristics, and such special circumstances were created either by natural forces, or by government eminent domain actions for which no compensation was paid...."</p>	Removes the restriction that size, shape, topography, location, surrounding, and physical characteristics can only be created by natural forces or eminent domain actions. This change reflects current practice, which says that these special circumstances cannot be self-imposed, but they don't have to be nature or government created only. Sometimes the special circumstances are an artifact of old platting by a previous owner, for example.
Variance - ZHE	412	6-6(N)(1)(a)1	Delete this subsection and renumber subsequent subsection accordingly.	Editorial change to reflect edits proposed for DRB - Variance.
Variance - ZHE	413	6-6(N)(2)(a)	<p>Add the following sentence at the end of this subsection:</p> <p style="color: red;">"No variances to use-specific standards in Section 14-16-4-3, Neighborhood Edge standards in Section 14-16-9, or Edge Buffer standards in Subsection 14-16-5-8(E) are allowed for a project site with an approved conditional use."</p>	Clarifies that variances to use-related standards, Neighborhood Edge, and Edge Buffers cannot be granted on sites where a conditional use has been approved. See related item that adds language to the decision criteria for conditional use in 6-6(A) that all of these standards must be met for an approval to be granted.
Variance - ZHE	413	6-6(N)(3)(a)1	Replace "subject property" with "a single lot".	Applies variances to individual lots, avoiding requests for variances to multiple lots," which would be more appropriately requested as a text amendment to the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Variance - ZHE	414	6-6(N)(3)(c)	<p>Move this subsection to be a new decision in Table 6-1-1, still decided by ZHE. Revise name to "Permit - Wall or Fence - Major."</p> <p>Notice = Mailed, Sign, Email, Web</p> <p>Change name of "Wall or Fence Permit - Minor" to "Permit - Wall or Fence - Minor" for consistency.</p> <p>Replace references to these procedures throughout the IDO accordingly.</p>	<p>State statutes define hardship/exceptionality criterion for variances. Because these criteria are different, this must be a different type of decision, still decided by the ZHE following the same notice as is required for Expansions of a Nonconforming Use or Structure.</p>
Variance - ZHE	414	6-6(N)(3)(c)	<p>Revise heading to "Variance for a Taller Wall in Front or <u>Street Side Yard</u>".</p> <p>Revise 3(c) as follows: "At least 20 percent of the properties <u>facing the same street</u> within 330 feet of the lot where the wall or fence is being requested have a wall or fence over 3 feet in the front <u>or street side yard. This distance shall be measured along the street from each corner of the subject property's front lot line and properties on both sides of the street shall be included in the analysis. See graphic below for an illustration of this measurement.</u>"</p>	<p>Revises heading to distinguish between an interior side yard wall (which is not included in the analysis) and a street side yard wall (which is included in the analysis if it faces the same street as the subject property) in determining whether to approve a taller wall. Revises the provision to clarify how to measure the distance and what properties to include in the analysis to determine whether a taller wall fits the character of the neighborhood. A graphic will be added to help clarify the provision.</p>
Variance - ZHE	414	6-6(N)(3)(c)	<p>Revise to read: "An application for a Variance for a wall in the front or street side yard of a lot with <u>low-density residential development in or abutting any Residential zone district</u>..."</p>	<p>Narrows the scope of this request to low-density residential only (not multi-family). Per public comment that this regulation may not be appropriate or feasible for higher-density residential developments, many of which have perimeter security fencing. See related item to allow taller walls as view fencing in multi-family developments. See also related edits to 5-7(D)(3)(d).</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Variance - ZHE	414	6-6(N)(3)(c)(3)(c)	Revise to read: "c. At least 20 percent of the properties <u>with low-density residential development</u> within 330 <u>linear</u> feet of the lot where the wall or fence is being requested <u>on both sides of the street</u> have a wall or fence over 3 feet in the front <u>or street side yard facing the same street as the subject property.</u> "	This variance is for a wall in the front or street side yard, so the applicability criteria should include street side yards in determining the area character. Also clarifies that the 20 percent of properties include those on both sides of the street, but only those with low-density residential uses.
Zone Change - EPC	426	6-7(F)(2)(c) [new]	Add a new subsection as follows and renumber subsequent subsections: "If the application is for a zone change from to an NR-BP zone district to another zone district, and there is an approved Master Development Plan, the applicant may choose to amend the Master Development Plan concurrently to remove the subject property from the Master Development Plan boundary or add standards relating to the subject property. The City may impose a condition for the applicant to do so. If no amendment to the Master Development Plan is made, the property will continue to be subject to relevant standards in the Master Development Plan."	Codifies current practice.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Zone Change - EPC	426	6-7(F)(2)(d)	<p>Revise as follows: "The City shall provide a zoning certificate to the applicant that documents the new zone district designation <u>after any City-level appeal possibilities have been concluded and all conditions of approval have been met.</u> If the Zone Map Amendment results in a floating zone line, the applicant shall be required to re-plat the property to establish lot lines that coincide with the zone boundary before a zoning certificate will be issued. See Subsection 5-4 for subdivision standards and Table 6-1-1 and Subsections 6-6(I) and 6-6(J) for procedures."</p>	Codifies current practice.
Zone Change - EPC	426	6-7(F)(2)(f) [new]	<p>Add a new subsection as follows: "If a zone map amendment is approved, the applicant can develop with an approved site plan. See Subsection 14-16-1-10(A) for Prior Approvals or Table 6-1-1 for Site Plan decisions."</p>	Added to clarify existing practice and provide cross references to prior approvals and review/decision procedures for site plans.
Zone Change - Council	430	6-7(G)(2)(g) [new]	<p>Add a new subsection as follows and renumber subsequent subsections: "If the application is for a zone change from an NR-BP zone district to another zone district, and there is an approved Master Development Plan, the applicant may choose to amend the Master Development Plan concurrently to remove the subject property from the Master Development Plan boundary or add standards relating to the subject property. The City may impose a condition for the applicant to do so. If no amendment to the Master Development Plan is made, the property will continue to be subject to relevant standards in the Master Development Plan."</p>	Codifies current practice.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Zone Change - Council	430	6-7(G)(2)(g)	Add a second sentence as follows: "If the Zone Map Amendment results in a floating zone line, the applicant shall be required to re-plat the property to establish lot lines that coincide with the zone boundary before a zoning certificate will be issued. See Subsection 5-4 for subdivision standards and Table 6-1-1 and Subsections 6-6(I) and 6-6(J) for procedures."	Codifies current practice.
Nonconforming Uses	432	6-8(C)(2) [new]	Add a new subsection as follows and renumber subsequent subsections accordingly: "Repair and Maintenance A structure containing a nonconforming use may be maintained, repaired, or altered, with limits on expansion pursuant to Subsection 14-16-6-8(3) (Expansion of Nonconforming Use)."	Clarifies that buildings containing nonconforming uses can be repaired and maintained similar to the parallel provision for nonconforming structures. Other provisions related to nonconforming uses, including discontinuance and expansion, would still apply.
Nonconforming Uses	433	6-8(C)(2)(b)	Revise as follows: "... in any <u>Mixed-use or Non-residential</u> zone district..."	Extends protections for nonconforming residential uses in MX zones (example: single-family uses in MX-L, MX-M, or MX-H) so that they have 5 years to discontinue the use and then resume the use before it is "lost."
Nonconforming Uses	434	6-8(C)(6)(d)	Revise as follows: "For changes of use or rezoning of developments that include mobile homes associated with bringing those developments into conformity that will result in expiration or termination of resident occupancy, see Subsection 14-16-2-3(C)(3) (R-MC Zone District Standards) <u>applies, regardless of zone district.</u>	Clarifies that the mobile home resident notification procedures (from the prior zoning code §14-16-3-21) apply regardless of the zone district the mobile home development has.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Nonconforming Lots	436	6-8(E)(1)(c)	Revise as follows: "Lots legally nonconforming to minimum lot width <u>or minimum lot size</u> in the R-MH zone district may <u>shall</u> be developed governed by the R-T <u>R-ML</u> zone in all respects..."	The IDO provision allows development on lots smaller than the minimum requirements in R-MH. Because R-MH is a multi-family zone district, allowing development per R-ML instead of R-T allows small apartments, townhouses, or single-family development. The original provision was unclear about whether this was an option or requirement. The proposed change makes the provision a requirement.
Nonconforming Site Features	436	6-8(G)(1)	Revise as follows: "...a parcel of land that does not comply with the standards of this IDO in Sections <u>14-16-4-3 (Use-specific Standards)</u> , 14-16-5-3 (Access and Connectivity); 14-16-5-5 (Parking and Loading); ..."	Allows properties that were developed prior to new use-specific standards to continue to be used as-is until redeveloping or expanding. Use-specific standards establish standards that require certain site features.
Alleys / Streets	446	7-1	Alley Replace the second sentence as follows: "For the purposes of <u>access, alleys are considered a type of street.</u> "	Clarifies that alleys serve as streets when it comes to access provisions (but not other requirements related to streets, such as the street tree ordinance). See related item revising the definition of street accordingly.
Bed and Breakfast	448	7-1	Bed and Breakfast Revise as follows: " A single family dwelling <u>A low-density residential development...</u> "	Bed and breakfast is allowed in zones that would allow a duplex or townhouse. This edit would allow bed and breakfasts to be a duplex or townhouse in the zones that allow both uses.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Building	449	7-1	<p>Revise definition of "building" as follows: "An independent, fully enclosed structure with a roof supported by columns or walls resting on its own foundations that is built and maintained for the support, shelter or enclosure of persons, animals, or property of any kind. <u>Unless specified otherwise in this IDO, this term refers to anything within the footprint of a common roof.</u> A detached building is one separated on all sides from adjacent buildings by open spaces from the ground up. See also Accessory Building, Front Façade, Street-facing Façade, Large Retail Facility, Primary Building, and Structure.</p>	<p>More accurately reflects the existing interpretation and practice for the administration of the IDO as applied to buildings. A canopy connected to a building would count as part of the building, and any activity that takes place under that canopy is considered "indoor." See other proposed edits for clarifications of the requirement for uses to take place within "fully enclosed portions of buildings."</p>
Car Sharing Program	451	7-1 [new]	<p>Add a new definition for "Car sharing program" as follows: "A self-service membership-based program that allows members to use a shared motor vehicle owned by that program on a short-term basis. Companies or programs that make motor vehicles available for rent where users enter into a separate written agreement each time they rent the vehicle are not considered car sharing programs."</p>	<p>Clarifies a proposed provision in Subsection 5-5(C)(5), which allows for a parking reductions for providing spaces for car sharing programs.</p>
Community Residential Facility	454	7-1	<p>Community Residential Facility Delete "Community Residential Facility, Large" as unnecessary. Revise Community Residential Facility, Small as follows: "A facility housing no more than between 6 and 8 unrelated individuals..."</p>	<p>Facilities with 19+ individuals would be considered an Assisted Living Facility. See related item for change to Allowable Use Table 4-2-1.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Construction Staging Area, Trailer, or Office	455	7-1	Construction Staging Area, Trailer, or Office Add to the end of the definition: "or on a nearby site"	Allows staging near but not on the development site, which is common practice. See related item for a new use-specific standard in Subsection 4-3(G)(2) that requires proof of written permission from the off-site property owner.
Deviation	457	7-1	Deviation Replace the definition of deviation with the following: "An exception to <u>IDO</u> standards that can be granted by the relevant decision-making body within thresholds established by Table 6-4-2 or based on criteria for a waiver for standards related to wireless telecommunications facilities or standards in Section 14-16-5-3 (Access and Connectivity), 14-16-5-4 (Subdivision of Land), or 14-16-5-5 (Parking and Loading) pursuant to Subsection 6-6 [new] (Waiver - DRB). See also <i>Waiver</i> ."	Broadens the definition to include deviations that are reviewed and decided as waivers (standards related to Wireless Telecommunication Facilities, Access & Connectivity, Subdivisions, and Parking).
Drainage Facility	458	7-1 [new]	Add a new definition as follows: Drainage Facility The system of structures for collecting, conveying and storing surface and stormwater runoff. Drainage facilities shall include but not be limited to all surface and stormwater runoff conveyance and containment facilities, including streams, pipelines, channels, ditches, wetlands, infiltration facilities, retention/detention facilities, erosion/sedimentation control facilities, and other drainage structures and appurtenances, both natural and manmade.	Provides a definition for a term used in the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Cottage Development	458	7-1	Dwelling Definitions Cottage Development Clarify that cottage developments may include dwelling units with or without kitchens.	Clarifies that dwelling units for cottage development can be with or without kitchens. The definition as adopted includes the term "dwelling" and "dwelling unit."
Driveway / Drive Aisle	458	7-1	Revise the definitions for driveway and drive aisle as follows: "Driveway An unobstructed area with a stabilized surface leading from the street to a garage or other allowed off-street parking area <u>in low-density residential development.</u> " "Drive Aisle A private, unenclosed accessway with a stabilized surface allowing vehicular access either to individual buildings or to parking space(s) within parking lots <u>in multi-family, commercial, and non-residential development.</u> In the case of single family attached and multi family dwellings, a drive aisle is an accessway shared by the residents and guests of 2 or more dwellings. "	Revision for consistency with updated DPM language.
Dormitory	458	7-1 [new]	Add a new definition as follows: "Dormitory A residence hall providing rooms for individuals or groups, with common spaces for living and cooking. Individual bedrooms may have a dedicated bathrooms or shared bathrooms. Dormitories are often established with a university or college, vocational school, or sorority or fraternity. See also <i>University or College , Vocational School , and Club or Event Facility .</i> "	Broadens the sorority or fraternity use to other users as a housing option with common kitchens and common bathrooms. See related item for Table 4-2-1 to replace "Sorority or fraternity" with "Dormitory" term.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Accessory Dwelling Unit	459	7-1	Dwelling Definitions Accessory Dwelling Unit Replace "subordinate" with "accessory." Delete this sentence, as it already appears in the use-specific standard in Subsection 4-3(F)(5)(h): "When accessory to a nonresidential use, an accessory dwelling unit serves as quarters for a caretaker."	Subsection 5-11(C)(3) already requires that accessory buildings be subordinate to the primary building and is not needed here. See proposed edit to Subsection 4-3(F)(5)(h) for ADUs accessory to non-residential uses.
Multi-family Dwelling	459	7-1	Dwelling, Multi-family Add a new sentence as follows: "Within mixed-use development, a building with more than 2 units is considered a multi-family dwelling."	Clarifies that this use includes 2 units within a mixed-use project. If 1 unit were included, that would be considered an ADU. Without this revision, 2 units would be regulated as a duplex, which has a definition that would not apply in a vertical mixed-use project.
Temporary Dwelling	459	7-1	Dwelling, Temporary Add new language as follows: "Tents cannot be used for temporary dwellings as regulated for this use."	Camping in a tent is considered an activity allowed on the land, not a "land use" as regulated by the IDO. This edit follows existing interpretation and practice for administering the IDO.
Special Flood Hazard Area	462	7-1 [new]	Flood Definitions Special Flood Hazard Area Add a new definition as follows: "The land area covered by the floodwaters of the base flood is the Special Flood Hazard Area (SFHA) as defined by FEMA and shown on NFIP maps."	Added to define a term used in the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Grade	464	7-1	<p>Grade</p> <p>Revise the term, re-alphabetize, and replace language as follows:</p> <p>"Finished Grade</p> <ol style="list-style-type: none"> 1. The elevation of the approved ground level at all points along a wall or fence. 2. The specified elevation on the grading plan approved by the City in conjunction with an approved Subdivision or Site Plan. (In the absence of such approved plans, natural grade applies.) <p>See also <i>Natural Grade</i> and <i>Measurement Definitions, Grade</i>."</p>	Distinguishes how to measure grade, which is relevant to both natural grade and finished grade (i.e. the grade that gets approved on a plan), from the definition needed for an approved grade. See related item for the measurement part of the definition to move to the Measurement Definitions, Grade.
Group Home	465	7-1	<p>Group Home</p> <p>Delete last sentence about supportive housing facilities.</p>	Supportive housing is not a defined term or defined use in the IDO. By deleting this sentence, supportive housing that meets the definition of Group Home will be regulated as Group Home. Supportive housing that meets the definition for multi-family or mixed-use development would be regulated accordingly. See also proposed edit to replace "Sorority or fraternity" with "Dormitory," which would be another possible use that supportive housing might match.
Group Home	465	7-1	<p>Group Home</p> <p>Add the following sentence to the end of the definition:</p> <p>"This use shall include half-way houses for individuals in the criminal justice system or residential facilities to divert persons from the criminal justice system."</p> <p>Revise Group Home, Small as follows: "A facility housing no more than <u>between 6 and 8</u> unrelated individuals...".</p>	<p>Carries over a sentence from Community Residential Facility definition to make clear that half-way houses are group homes.</p> <p>The change to the small group home definition distinguishes Group Home from "Family," which is defined to allow up to 5 unrelated individuals to live in a single-family dwelling. This edit confirms the current interpretation and administration of Group Homes.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Front Lot Line	470	7-1	<p>Lot Definitions Front Lot Line Revise as follows: "A legal boundary of a lot bordering on <u>abutting</u> a street. For the purpose of determining setback requirements on a corner lot, the side with the street number address is the front lot line. <u>For the purpose of determining setback requirements on an interior lot not abutting a street, the lot is not considered to have a front lot line.</u> For a through lot, the property owner may designate which of the 2 lot lines is the front lot line. See also <i>Measurement Definitions for Setback.</i>"</p>	Clarifies that on interior lot without access to a street (which includes "private way" that provides vehicular access across lots), there is no front lot line. See related item for the definition of Setback adding language about how to handle setbacks for interior lots not bordering a street.
Lot Line	470	7-1	<p>Lot Definitions Lot Line Add a new definition as follows: "A boundary of a deeded lot (i.e. a lot recorded and mapped by the Bernalillo County Assessor) or platted lot (i.e. a lot recorded by the Bernalillo County Clerk and mapped by AGIS)." Move the definitions for front, side, and rear lot lines to be subsections of this definition.</p>	Clarifies that regulations referring to "lot lines" would apply to deeded (i.e. ownership) or platted (i.e. subdivided) lots. Throughout Albuquerque, platted lot lines and ownership lot lines are not the same.
Property Line	470	7-1	<p>Lot Definitions Property Line Add a new definition as follows: "A boundary formed by the exterior lot lines of all lots making up a premises or project site."</p>	Defines a term used by the IDO. Distinguishes property line around multiple lots from lot line, since some standards (setbacks, for example), would apply to the exterior boundaries of a project site with multiple interior lots.
Major Vehicle Repair	470	7-1 [new]	<p>Add a new definition for Major Vehicle Repair as follows: "Any vehicle repair beyond minor vehicle repair."</p>	See explanation for Minor Vehicle Repair.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Minor Vehicle Repair	470	7-1 [new]	Add a new definition for Minor Vehicle Repair as follows: "Services for a vehicle that are part of regular maintenance, including but not limited to battery charging, tire repairs, and oil and fluid changes."	Light Vehicle Fueling definition mentions minor repairs, and minor/major vehicle repair is mentioned in the use-specific standard for Light Vehicle Repair in the MX zones. This defined term pulls language from the Light Vehicle Fueling definition. Adding this defined term is intended to clarify its use in 2 places of the IDO.
Lot Area	471	7-1	Delete the definition of Lot Area as unnecessary, since it is not used in the IDO.	The IDO does not use the term "lot area." The term "lot size" is used and is calculated to include easements, so a separate definition is not necessary.
Artisan Manufacturing	472	7-1	Manufacturing Definitions Artisan Manufacturing Add the following sentence: "This use does not include alcohol sales. Alcohol sales associated with brewing on-site is regulated pursuant to the tap room or tasting room use. See Tap Room or Tasting Room." Add cross reference to artisan manufacturing from Tap Room or Tasting Room.	Clarifies that sale of alcohol is regulated by tap room/tasting room, not as part of the incidental sales allowed with artisan manufacturing.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Building Height	473	7-1	<p>Measurement Definitions Building Height Revise as follows: " The vertical distance above the grade at each façade of the building, considered separately, to the top of the coping or parapet on a flat roof, whichever is higher; to the deck line of a mansard roof; or to the average height between the plate and the ridge of a hip, gable, shed, or gambrel roof. The height of a stepped or sloped building is the maximum height above grade of any distinct segment of the building that constitutes at least 10 percent of the gross floor area of the building. <u>The height of a building that is located on a sloped site is measured at the lowest ground elevation.</u> See also Building, Building Height Bonus, <u>Grade</u>, and Measurement Definitions for Ground Floor.</p>	<p>Specifies where building height is measured on a sloped site. Without this change, it is unclear if the building height would be measured at the top of the slope (resulting in the tallest possible building), in the middle or the average slope, or at the bottom of the slope (resulting in the most restrictive height measurement).</p>
Block Length	473	7-1 [new]	<p>Measurement Definitions Add a new definition for Block Length as follows: "The distance from centerline to centerline of two intersections. In the instance that a block is bounded by other obstructions, the measurement shall be from the centerline of the street to the edge of the obstruction. See DPM for additional explanation. See also <i>Block</i>. "</p>	<p>Clarifies how block length is measured.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Grade	474	7-1	<p>Measurement Grade</p> <p>Move existing language from "Grade" definition to Measurement Definitions and revise as follows: <u>"1. The average of the approved ground levels immediately adjacent to each façade of a building, considered separately.</u> <u>2. Where an earth embankment is placed against the side of a building or a retaining wall supporting a terrace is placed close to a building, grade shall be measured from the toe, or bottom, of the embankment or retaining wall; building floor level is irrelevant the finished floor of the building is not to be considered.</u> <u>See also <i>Finished Grade</i> and <i>Natural Grade</i>.</u>"</p>	<p>Moves existing language from definition of Grade to the Measurement Definitions. Removes the word "approved" because this definition applies to both finished grade (i.e. approved grade) and natural grade. This distinction is important for VPO standards related to building heights. See also related item for edits to Grade to become "Finished Grade."</p>
Ground Floor Height	474	7-1	<p>Measurement</p> <p>Revise "Ground Floor Height" as follows: "Ground Floor <u>Clear</u> Height The vertical distance of the interior of a ground floor, measured from the slab or <u>top of the</u> sub-floor to <u>the ceiling or</u> the bottom of the <u>exposed support structure for the second floor</u>. This is also referred to as 'floor-to-ceiling height.'"</p>	<p>Clarifies that the ground floor height is the clear space and does not include any portion of the second floor sub-floor or HVAC equipment space.</p>

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Neighborhood Edge	474	7-1 [new]	<p>Measurement Add a new definition for "Neighborhood Edge" as follows: "Any distance required by a Neighborhood Edge regulation is measured from the nearest point on the nearest lot line of the Protected Lot to the nearest point on the Regulated lot that contains the feature being regulated." Add a cross reference to this definition from "Measurement, Separation of Uses" and vice versa.</p>	Clarifies how to measure regulations from the Neighborhood Edge section.
Multi-use Trail	477	7-1	<p>Multi-use Trail Revise as follows: "A paved path physically separated from motorized vehicle traffic by an open space or barrier and constructed within the street right-of-way, <u>public access easement</u>, or within an independent right-of-way, including shared-use rights-of-way or utility or drainage easements that permits more than one type of non-motorized use."</p>	Adds another location where multi-use trails may be located.
Natural Grade	477	7-1	<p>Natural Grade Revise as follows: "Grade based on the original site contours, prior to any grading or addition or removal of earth. See also <i>Finished Grade</i> and <i>Measurement Definitions, Grade</i> ."</p>	Includes any change to natural state of the earth.
Non-residential Use	478	7-1 [new]	<p>Non-residential Use "Any primary use in Table 4-2-1 not listed in the Residential Use Category. See also <i>Residential Use</i> ."</p>	Defines a term used throughout the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Common Open Space / Cluster Development	479	7-1	Open Space Definitions Common Open Space Add: "For the purposes of the open space calculation in cluster development, parks do not count as common open space."	Distinguishes the purposes of parks and open space related to the requirement for common open space with cluster development.
Other Major Utility	480	7-1	Other Major Utility Revise as follows: "A facility sized or designed to serve the entire city, or a wide area of the city, and regulated as a public utility or common carrier by the state or other relevant jurisdiction or agency, including but not limited to major telephone facilities, natural gas facilities, water treatment plants, water pump stations, sewage treatment plants, stormwater drainage facilities, irrigation facilities, or similar public services, but shall not include mass transit or railroad depots or terminals or any similar traffic generating activity, any facility that provides wireless telecommunications services to the public, or any use listed separately in Table 4-2-1. See also Electric Utility, <u>Drainage Facility</u> , and Major Public Infrastructure."	Separates out the drainage facility uses, which have been made into a new IDO land use.
Outdoor Dining Area	481	7-1 [new]	Add a new definition as follows: "Outdoor Dining Area A covered or uncovered seating area where patrons of an establishment are served food and/or beverages to be consumed on-premises."	Defines the use "outdoor dining area," which is listed as an Accessory Use in Tables 4-2-1 and 5-5-1. This definition clarifies that food and/or drinks are included.
Residential Use	487	7-1 [new]	Residential Use "Any primary use listed in the Residential Use Category in Table 4-2-1. See also <i>Non-residential Use</i> ."	Defines a term used throughout the IDO.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Setback	488	7-1	Setback Replace language as follows: "1. A required distance between a structure and a lot line. 2. On an interior lot not abutting a street, side setbacks shall be followed for all lot lines. See also <i>Measurement Definitions for Setback and Lot Definitions for Front Lot Line , Side Lot Line , and Rear Lot Line .</i> "	Revises the definition to refer to the use of the term "setback" in the IDO as the required distance that the structure has to be away from the lot line. Clarifies how setbacks apply to interior lots without street access. Adds cross references to terms relevant for setbacks.
Temporary Sign	492	7-1	Sign Definitions Temporary Sign Add the following sentence: "They must be installed to be easily removed."	Helps to distinguish temporary signs from permanent signs, which are regulated with more design standards.
Historic Sign	492	7-1 [new]	Sign Definitions Historic Sign Any sign 50 years old or greater.	Defines a term that is used in a proposed edit in Section 5-12 that adds an incentive for restoring historic signs that get a Certificate of Appropriateness.
Small Areas	493	7-1 [new]	Add a new definition for "Small Area" as follows: "Area established pursuant to IDO procedures where IDO regulations tailored for that small area shall apply. Small areas adopted after May 18, 2018 shall be no less than 5 acres, shall include no fewer than 25 lots, and shall include properties owned by no fewer than 15 property owners."	Adds a definition for the term used throughout the IDO. (See Table II and Table III for a full list of all small areas in the IDO where tailored rules apply.) Establishes minimum size and property owner limits to avoid balkanization of the city.
Sports Court	493	7-1 [new]	Add a new definition as follows: "Sports Court Recreational facility for sports played on courts at least 20 feet by 30 feet (including, but not limited to, basketball, volleyball, tennis, handball, and racquetball), except facilities that meet the definition of stadium or sports field."	Adds a definition for a term used in Table 5-5-2.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Arterial	494	7-1 [new]	<p>Street Definitions Arterial</p> <p>Add a new definition as follows: "A street designated on the MRCOG Long Range Roadway System Map in the Long Range Transportation System Guide of the Metropolitan Transportation Plan that primarily serves large volumes of comparatively high-speed traffic and to which access is controlled. Arterial streets are separated into Regional Principal Arterial, Community Principal Arterial, or Minor Arterial based on the traffic the road accommodates. Principal Arterials bring people to an area, and Regional Principal Arterials bring people through an area. See DPM."</p>	Follows the designations of the regional Long Range Roadway System Map of the Long Range Transportation System (LRTS) Guide of the Metropolitan Transportation Plan (MTP).
Local Street	494	7-1	<p>Street Definitions Local Street</p> <p>Revise as follows: "A street that is primarily <u>used to</u> for access to abutting properties. It carries low traffic volumes <u>and</u> it may further be defined as an <u>Access Local, Normal Local, or Major Local Street</u>. and may be designated for Infrequent Parking or Intermittent Parking, subject to the standards and requirements of the DPM See DPM."</p>	Identifies the different types of local roads as established in the DPM. Deletes the text related to infrequent and intermittent parking, which is no longer used in the DPM.
Street / Alley	494	7-1	<p>Street Definitions Street</p> <p>Delete the following sentence: "For the purposes of this IDO, this term does not include alleys."</p>	See related item for proposed changes to the definition of alley. Alleys would count as streets for regulations pertaining to access.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Structure	495	7-1	Structure Revise as follows: "Anything constructed or erected above ground level that requires location on the ground or attached to something having a location on the ground but not including a tent, vehicle, vegetation, <u>trash can, bench, picnic table</u> , or public utility pole or line."	Exempts trash cans, benches, and picnic tables from being considered structures for the purposes of the IDO. Without this edit, these would be prohibited in open spaces. Note: Staff resolved the duplicate Tech Edit for the same subsection.
Bulk Land Subdivision	495	7-1	Subdivision Definitions Bulk Land Subdivision Add to the definition that a bulk land subdivision is "not to create parcels available for development without further subdivision or DRB site plan approvals..."	Clarifies the purpose of a bulk land subdivision and makes clear that additional approvals will be necessary to establish what infrastructure will be required.
Temporary Use	498	7-1 [new]	Use Definitions Add a new term and definition as follows: "Temporary Use A land use that is allowed for a short period of time on a property and allowable within a particular zone district permissively. Temporary uses are listed as T in Table 4-2-1. A temporary use may or may not require a permit from the Planning Department. Any temporary activity or event not listed in Table 4-2-1 is not considered a land use and therefore is not a temporary use as regulated by this IDO. A temporary use may be allowed on vacant land or combined with other primary or accessory uses allowable within that zone district, subject to IDO standards."	Adds a definition for a category of use in the IDO. Distinguishes a Temporary Use permit (decided by Planning Dept.) from a Special Events Permit (decided by Cultural Services Dept.). Clarifies that activities and events on a property are not considered land uses and therefore would not be regulated as Temporary Uses. Example: Camping out in your backyard or having a party.

Exhibit 1 - Proposed Technical Edits

EPC Review - Hearing #1 September 12, 2019

Topic	Page	Section	Change / Discussion	Explanation
Variance	499	7-1	<p>Variance</p> <p>Revise as follows:</p> <p>"Exceptions to dimensional standards or variations from the strict, literal application of standards in this IDO or the DPM. Variances from zoning standards are reviewed and decided by the ZHE or EPC, while Variances from technical standards in Section 14-16-5-3 (Access and Connectivity), Section 14-16-5-4 (Subdivision of Land), Section 14-16-5-5 (Parking and Loading), or any standard in the DPM or related to projects in public rights-of-way are decided by the DRB. The allowable use of premises may never be changed via a Variance."</p>	Editorial change based on edits to DRB - Variance.
Waiver	500	7-1	<p>Waiver</p> <p>Add a new definition as follows:</p> <p>"A deviation beyond the thresholds established in Table 6-4-2 or from standards not included in Table 6-4-2. See also Deviation."</p>	Waiver is a term used in the IDO for deviations from WTF standards beyond those allowed as an administrative deviation. The IDO does not define the term. This would add a definition that covers both Waiver - WTF as well as Waiver - DRB.
Small Cell	502	7-1	<p>WTF Definition</p> <p>Small Cell</p> <p>Replace second sentence with reference to Section 5-10-1 of ROA 1994.</p>	Defers to the new Small Cell Ordinance O-18-27 (Section 5-10-1 in the City's Code of Ordinances) that City Council adopted that establishes new dimensional standards.