

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
2	1	1-3	<p><b>Purpose</b> Add new subsection as follows:  <u>"Provide processes for development decisions that balance the interests of the City, property owners, residents, and developers and ensure opportunities for input by affected parties."</u></p>	Adds a purpose statement related to transparent processes for development decisions. Public request.
3	5	1-8(A)(3)	<p><b>Relationship to Other Regulations</b> Revise the first sentence as follows:                      "When any area-specific regulation (i.e. for Centers, Corridors, or small areas) conflicts with any citywide regulation in <u>Part 14-16-2 (Zone Districts)</u>, Part 14-16-4 (Use Regulations), Part 14-16-5 (Development Standards), or Part 14-16-6 (Administration and Enforcement), 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 citywide regulation."</p>	Adds Part 2 (Zone Districts) to the list of where citywide standards might conflict with Center/Corridor/small area standards. MX-FB includes standards that would apply citywide as well as in Centers and Corridors. Staff request.
4	6	1-10(A)(1)	<p><b>Transitions from Previous Regulations</b> Revise the first sentence as follows:                      "Any approvals granted prior to the effective date of this IDO shall remain valid, subject to expiration pursuant to Subsection 14-16-6-4(X) (Expiration of Approvals) and to amendment pursuant to Subsection 14-16-6-4(Y) (Amendments of Approvals) or 14-16-6-4(Z) (Amendments of Pre-IDO Approvals), as applicable, <u>until they are replaced with an approval subject to allowable uses and development standards in this IDO pursuant to the procedures in Part 14-16-6 (Administration and Enforcement).</u>"</p>	Clarifies that new approvals can be sought per IDO uses, standards, and procedures to replace pre-IDO approvals. Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
5	41	2-4(E)(3)(h) 3 [new]	<p><b>MX-FB Zone</b> Add a new subsection with text as follows and renumber subsequent subsections accordingly:  <u>"If areas are required to be landscaped by 2 or more provisions of this IDO, landscaping provided that meets the greater requirement shall count toward fulfilling the overlapping requirements."</u></p>	Adds language consistent with Subsection 5-6(C)(3)(a) so that landscaping provided may count toward overlapping requirements. Staff request.
6	145	Table 4-2-1	<p><b>Overnight Shelter</b> Add a (P) to make this use permissive in MX-M and change from conditional (C) to permissive (P) in MX-H.</p>	Allows overnight shelters in zones where multi-family dwellings and social services are permissive. See related change for use-specific standard in Subsection 4-3(C)(6) for size limit in MX-M. Administration request.
7	151	4-3(B)(1)(b)	<p><b>Manufactured Homes</b> Replace text with the following:  <u>"The title of the manufactured home shall be provided to demonstrate that it was constructed on or after June 15, 1976, the effective date of the Federal Manufactured Housing Construction and Safety Standards Act of 1974."</u></p>	Allows enforcement of the definition of manufactured home to distinguish it from a mobile home (constructed before federal safety standards were in place). City Legal request.
8	151	4-3(B)(1)(b) [new]	<p><b>Manufactured Homes</b> Add a new subsection with text as follows and renumber subsequent subsections accordingly:  <u>"Each manufactured home shall have a certification plaque certifying compliance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974. The applicant shall provide proof of the certification plaque."</u></p>	Allows enforcement of the definition of manufactured home to distinguish it from a mobile home (constructed before federal safety standards were in place). City Legal request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
9	151	4-3(B)(1)(b)	<p><b>Manufactured Homes</b> Add a new subsection with text as follows:  <u>"For changes of use or rezoning of developments that include 2 or more manufactured homes that will result in expiration or termination of resident occupancy, the standards in Subsection 14-16-2-3(C)(3)(g) (R-MC Zone District Standards) apply, regardless of the zone district the development is in."</u></p>	Requires the 18-month notice to residents of manufactured homes when the use will be changed in zones other than R-MC, where this requirement already applies. Staff request.
10	156	4-3(B)(7)(a)	<p><b>Dwelling, Multi-Family Use-Specific Standards</b> Revise as follows:            "In DT-UC-MS-PT areas, this use shall provide somewhere on the lot at least 1 tree per ground floor dwelling unit, in addition to meeting all applicable standards in Section 14-16-5-6 (Landscaping, Buffering, and Screening):"</p>	Adds PT to be consistent with Subsection 4-3(B)(7)(d). Without this change, PT areas are also required to have 1 tree per second floor dwelling unit. PT, like the other Centers/Corridor areas in this provision, is appropriate for higher-density, urban development. Staff request.
11	158	4-3(C)(6)	<p><b>Overnight Shelter Use-Specific Standards</b> Make existing text a subsection and add a new subsection with text as follows:  <u>"This use shall be conducted within fully enclosed portions of a building."</u></p>	Requires overnight shelter to be an indoor use and removes potential overlap with campground use. Staff request.
12	158	4-3(C)(6)	<p><b>Overnight Shelter Use-Specific Standards</b> Make existing text a subsection and add new subsection with text as follows:  <u>"In the MX-M zone district, this use shall not exceed 25,000 square feet. Over that size, a Conditional Use Approval shall be required pursuant to Subsection 14-16-6-6(A)."</u></p>	Limits size of overnight shelters in MX-M as a permissive use. Makes the use conditional over that size. See related row to allow overnight shelters permissively in MX-M and MX-H in Table 4-2-1. Administration request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
13	160	4-3(C)(8)(a)	<p><b>Religious Institution Use-Specific Standards</b> Revise as follows: "Incidental activities, including but not limited to recreational, educational, overnight shelters, <u>and campgrounds</u>, are allowed, provided that the following conditions are met: 1. All incidental facilities must be operated by the religious institution. 2. Overnight shelters must comply with all applicable State and local regulations for overnight shelters. <u>For the purposes of this IDO, a conditional use approval is not required, but the use-specific standard for overnight shelters pursuant to IDO Subsection 14-16-4-3(C)(6) does apply.</u>"</p>	Clarifies that while overnight shelters are allowed permissively as an incidental activity associated with a Religious Institution, they must still meet the distance separation requirement of 1,500 feet between overnight shelters. Adds campgrounds to the list of incidental activities allowed as part of the religious institution use. See related item for a new subsection in 4-3(C)(8)(a) requiring that all use-specific standards for campgrounds also be met. Administration request.
14	160	4-3(C)(8)(a)	<p><b>Religious Institution Use-Specific Standards</b> [continued] <u>3. Campgrounds must comply with all all applicable State and local regulations for campgrounds. For the purposes of this IDO, a conditional use approval is not required, but the use-specific standards for campgrounds pursuant to IDO Subsection 14-16-4-3(D)(14) do apply.</u>"</p>	Requires campgrounds allowed as an incidental activity to the religious institution use to meet the use-specific standards for campgrounds in the IDO. Administration request.
15	176	4-3(D)(35)	<p><b>Cannabis Retail</b> Add a new subsection with following text: "Cannabis products or cannabis paraphernalia shall not be displayed within 5 feet of a window or door."</p>	Recommended by Cannabis consultant as a best practice and to implement State cannabis law 16.8.2.10 SECURITY AND LIMITED-ACCESS AREA. Generally, state laws prohibit growing, manufacturing, selling, or allowing use of cannabis in public view, including display of cannabis in windows.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
16	176	4-3(D)(35)	<p><b>Cannabis Retail</b>                      Add a new subsection with following text:                      "A drive-through or drive-up facility is prohibited as accessory to cannabis retail, pursuant to IDO Subsection 14-16-4-3(F)(4)."</p>	<p>Provides a cross reference to prohibition of drive throughs as accessory to cannabis retail.                      Recommended by Cannabis consultant as a best practice.</p>
17	176	4-3(D)(35)	<p><b>Cannabis Retail</b>                      Add a new subsection with following text:                      "A locked vault or safe or other secured storage structure shall be installed in the building, bolted to the floor or walls, to store cash and cannabis products overnight."</p>	<p>Recommended by Cannabis consultant as a best practice, following experiences and similar requirements in Portland, OR and Denver, CO. The state law allows but does not require the use of a vault for security purposes: "Licensees may store all non-growing cannabis, cannabis products, or cash not being actively handled for purposes of cultivating, packaging, processing, transporting, or selling within an adequately sized vault."</p>
18	184	4-3(D)(40)(c)	<p><b>Nicotine Retail Use-Specific Standards</b>                      Revise to add text as follows:                      "If allowed only as an accessory use, this use is prohibited unless accessory to and part of the same establishment as a general retail or grocery store use, <u>in which case this use is limited to no more than 50 percent of the gross floor area.</u>"</p>	<p>Operationalizes the allowance of nicotine retail as accessory to general retail or grocery store. Without this addition, the sale of any item not included in the definition of nicotine retail in Section 14-16-7-1 would make the use accessory. Staff request.</p>
19	199	4-3(F)(4)	<p><b>Drive-through or Drive-up Facility</b>                      Add a new subsection with the following text:                      "This use is prohibited accessory to cannabis retail."</p>	<p>Prohibits drive-throughs for cannabis retail.                      Recommended by Cannabis consultant as a best practice.</p>

**IDO Annual Update 2021 - EPC Review - Citywide**

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
20	206	4-3(F)(9)(b)	<p><b>Home Occupation</b>                      Add new subsections in the list of prohibited uses to add the following:  <u>"Cannabis retail."</u>  <u>"Nicotine retail."</u></p>	Prohibits cannabis retail and nicotine retail as home occupations. City Legal request.
21	206	4-3(F)(9)(b)(2)	<p><b>Home Occupation</b>                      Revise to read: "Any use in the Food, Beverage, and Indoor Entertainment category, except a catering service <u>that meets the requirements of the state Homemade Food Act and does not require a permit from the New Mexico Environment Department.</u>"</p>	Adds language connecting catering services done as a home occupation to the state requirements in the Homemade Food Act, which allows them to operate without an NMED food permit: "Food produced must be non-time/temperature control for safety (Non-TCS). Food that meets this definition only requires simple production steps and does not require refrigeration when complete." Staff request.
22	240	5-3(C)(3)(b)	<p><b>Access &amp; Connectivity, General Access &amp; Circulation</b>                      Revise text as follows:                      "For all low-density residential development, driveways accessed from the front or street side of the property shall be at least 20 feet long, <u>exclusive of the sidewalk or drive pad.</u>"</p>	Operationalizes the regulation on 20-foot minimum driveways by specifying that the sidewalk and drive pad are not included in the measurement. This change would measure the driveway to the sidewalk or drive pad, instead of from the curb. The intent is to keep parked vehicles off of the sidewalk to improve pedestrian movement. See related items for revised driveway definition and new drive pad definition in 7-1. Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
23	258	5-5(B)(2)(b)	<p><b>Parking Applicability, Exemptions &amp; Reductions</b>                      Revise to read as follows:  <u>"Expansion of the gross floor area of an existing primary building</u>  <del>Primary buildings</del> constructed prior to 1965 by less than 200 square feet does not trigger minimum off-street parking requirements, except those required to satisfy the Americans with Disabilities Act, <u>with the following exceptions.]</u></p> <ol style="list-style-type: none"> <li><u>On lots greater than 10,000 square feet, if the expansion reduces the number of existing parking spaces on the lot, then the off-street parking requirements must be met pursuant to this Section 14-16-5-5.</u></li> <li><u>On lots 10,000 square feet or less, if the number of existing parking spaces on the lot is reduced by more than 20 percent, then additional parking toward fulfilling the minimum number of off-street parking spaces required by Table 5-5-1 and Table 5-5-2 as adjusted by Section 14-16-5-5(C)(4) (Parking Adjustments and Credits) shall be provided pursuant to 14-16-5-5(B)(1)(d), regardless of whether there is a change of use."</u></li> </ol>	<p>Clarifies that this rule applies to an expansion of a pre-1965 building. Clarifies that if the building expansion reduces the number of parking spaces on lots over 10,000 SF, the site must come into full compliance with IDO parking regulations. Gives more flexibility for small lots to expand by up to 200 feet even if doing so removes up to 20 percent of the parking spaces, consistent with the approach in IDO Subsection 5-5(B)(1)(d) to incentivize re-use and re-development of existing buildings. Staff request based on Council project on San Pedro related to streetscape improvements.</p>
24	266	Table 5-5-1	<p><b>Minimum Off-street Parking Requirements</b>  <b>Uses with Parking Requirement by Seats</b>                      Add a new sentence to note [1] as follows:  <u>"If the minimum off-street parking requirement is for seats in a main assembly area, but the proposed main assembly area will not have seats, then the measurement shall be 1 space / 3 persons design capacity."</u></p>	<p>Addresses the parking requirement for uses in the table that require parking by seats in the main assembly area where no seats are provided. The proposed requirement is consistent with "Other indoor entertainment." Staff request.</p>
25	265	Table 5-5-1	<p><b>Artisan manufacturing - parking requirement</b>                      Reduce requirement from 3 spaces / 1,000 sq. ft. GFA to 1 space / 1,000 sq. ft. GFA.</p>	<p>Reduces requirement to be the same as light manufacturing. Request from affordable housing developer.</p>

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
26	266	Table 5-5-1	<b>Seasonal outdoor sales - parking requirement</b> Reduce requirement from 4 spaces / 1,000 sq. ft. of stall area and customer circulation area to 2 parking spaces per vendor stall.	Reduces requirement to be equivalent to Mobile food truck court. Request from affordable housing developer.
27	271	5-5(C)(8)(a)	<b>Accessible Parking</b> Revise as follows: "Within the off-street parking requirements of Table 5-5-1 and Table 5-5-2, as adjusted by Section 14-16-5-5(C)(5) (Parking Reductions) – and not in addition to those requirements – accessible parking shall be provided for all multi-family, and non-residential uses as required by the federal Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG), federal Fair Housing Act, and New Mexico Statutes Annotated, as amended, except where off-street parking is only provided in a residential driveway or garage."	Requires ADA parking for all uses unless parking is provided in a residential driveway or garage. Staff request.
28	281	5-5(G)(3)(e)	<b>Parking Structure Design, Building Design Standards</b> Revise to read: "Where a parking structure is located beneath or within a primary building, <u>if loading docks are provided, they shall be integrated into the parking structure.</u> "	Clarifies that loading docks are not required if a parking structure is integrated with a building. Staff request.
29	296	Table 5-6-3	<b>Street Frontage Landscaping</b> Revise first row of table from 15-20 to 0-20.	Addresses a hole in the regulation, as there are trees on the Official Plant List that are less than 15 feet at maturity. Staff request.
30	296	5-6(D)(2)	<b>Additional Frontage Landscaping</b> Revise to read as follows: " <u>For Commercial and mixed-use buildings with a footprint of more than 50,000 square feet in mixed-use or non-residential development, at least 1 tree and 3 shrubs shall be planted for every 30 feet along the length of any façade facing a City park or trail, Major Public Open Space, or major arroyo.</u> "	Revises existing standard to use defined terms in the IDO. Requires this additional landscaping in all non-residential development, not just buildings with uses in the commercial category of Table 4-2-1. Staff request.



## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
31	309	5-7(B)(1)	<p><b>Walls/fences Applicability</b>                      Revise text as follows:                      "The Standards in this Section 14-16-5-7 apply to new walls and replacement or repair of existing walls, unless modified elsewhere in this IDO. <u>If the IDO requires a screening wall or fence higher than allowed by maximum wall heights in IDO Subsection 14-16-5-7(D), the taller screening wall or fence requirement shall prevail.</u>"</p>	Addresses conflicting regulations for maximum wall heights and minimum screening wall heights. Staff request.
32	310	Table 5-7-1	<p><b>Walls &amp; Fences, Maximum Height</b>                      Revise Wall in the front yard or street side yard as follows:                      Residential: 4 ft. <del>3 ft.</del>                      Mixed-use: 4 ft. <del>3 ft.</del>                      Non-residential: 4 ft. <del>3 ft.</del></p>	Allows taller walls in the front and street-side yards in all zone districts to be decided by City staff as a Wall Permit - Minor. Currently, taller walls require a Wall Permit - Major to be decided by the Zoning Hearing Examiner. Administration request.
33	313	5-7(D)(3)(e) [new]	<p><b>Walls &amp; Fences, View Fencing in MX Zone Districts</b>                      Add a new subsection with the following text and renumber subsequent subsections accordingly:  <u>"For development in any Mixed-use zone district, the maximum height of walls in any front or street side yard is 5 feet if all of the following requirements are met, as applicable:</u>                      1) <u>For all development, the wall shall be set back at least 10 feet from the lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive.</u>                      2) <u>For all development, view fencing shall be used for portions of a wall above 3 feet.</u>                      3) <u>For mixed-use, multi-family residential, or non-residential development, the area between the wall and the property line shall be landscaped with at least 2 trees and 6 shrubs every 25 feet along the length of the wall."</u></p>	Allows taller walls in MX zone districts with a setback, view fencing, and landscaping. Administration request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
34	315	5-7(E)(1)(c) 3	<p><b>Walls &amp; Fences, Materials &amp; Design</b> Revise Subsection b to add a new sentence as follows: "<u>If any portion of the sidewalk is within the lot line, the setback shall be measured from the edge of the sidewalk closest to the wall.</u>"</p>	Clarifies that if a sidewalk is on private property, the wall with barbed wire needs to be set back 5 feet from the sidewalk for safety of pedestrians. Staff request.
35	324	5-8(D)1	<p><b>Outdoor Lighting</b> Revise text as follows: "All outdoor <u>lighting with</u> light fixtures <u>that are</u> 150 watts or greater for incandescent light sources or 70 watts or greater for other types of light sources shall <u>meet the following standards.</u> <u>(a) Light fixtures shall be shielded using full cutoff light fixtures (i.e. a light fixture with zero intensity at or above 90 degrees above nadir and limited to a value not exceeding 10 percent of lamp lumens at or above 80 degrees).</u> <u>Make existing Subsections 5-8(D)2-(D)5 into Subsections 5-8(D)(1)(b)-(e).</u> <u>Make existing Subsection 5-8(D)(10) into Subsection 5-8(D)(1)(f).</u></p>	Sets the applicability of <b>outdoor lighting</b> regulations in this Subsection to be consistent with the first provision. Staff request.
36	325	5-8(D)(2)	<p><b>Outdoor Lighting</b> Make this subsection a new (b) under Subsection 5-8(D)(1) as revised above and revise text as follows: "<del>No light source for any outdoor light fixture shall be directly visible from any adjacent property or public right-of-way and shall not be visible</del> from a distance greater than 1,000 feet in any Residential zone district."</p>	Removes overly broad provision that is not practical or desirable to enforce. All streetlights and stoplights would be out of compliance, for example. Staff request.
37	325	5-8(D)(3)	<p><b>Outdoor Lighting</b> Make this a new subsection (c) under Subsection 5-8(D)(1) as revised above and revise text as follows: Delete "shielded and" as already covered by proposed revision of 5-8(D)(1).</p>	Removes duplicate regulation.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
38	381	6-2(E)(1)	<p><b>Review &amp; Decision-making Bodies, Environmental Planning Commission</b>                      Revise to read as follows:                      "The EPC shall include a resident of each City Council District, with experience in community, urban, or natural resource planning; community organizing; architecture; landscape architecture; urban design; real estate development and/or finance; transportation; civil engineering; and/or <u>land use or environmental law...</u>"</p>	Adds several professional qualifications as relevant experience for an Environmental Planning Commissioner. Staff request.
39	430	Table 6-4-4	<p><b>Allowable Minor Amendments</b>                      Revise as follows:                      "Any <del>other</del> addition or revision that would otherwise be decided as a Permit – Sign, Permit – Wall or Fence – Minor, or Site Plan – Administrative."</p>	Allows amendments of prior approvals to be approved administratively by staff for decisions that would be able to be approved administratively by staff if they were submitted as new applications. Staff request.
40	444	6-5(G)(1)(d) [new]	<p><b>Administrative Decisions, Site Plan - Administrative</b>                      Add a new subsection with the following text and renumber subsequent subsections accordingly:                      "A Site Plan – Admin may be approved for property with a prior-<u>approved Site Plan, regardless of whether the prior-approved Site Plan is still valid pursuant to Subsection 14-16-6-4(X), subject to allowable uses and development standards in this IDO. If any portions of the proposed boundary overlap with a prior-approved Site Plan that will remain in place, a Major Amendment shall be required as described in Subsection 14-16-6-5(G)(2)(b) [new] below.</u>"</p>	Clarifies that a property owner can apply for a new site plan without having to amend a prior approval, unless the geography of the proposed site plan overlaps with portions of a prior-approved site plan that will remain in place. Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
41	444	6-5(G)(2)(b) [new]	<p><b>Administrative Decisions, Site Plan - Administrative</b> Add a new subsection with the following text and renumber subsequent subsections accordingly: <u>"If the boundary of a proposed site plan includes only a portion of the boundary of a prior-approved Site Plan that is still valid pursuant to Subsection 14-16-6-4(X), the prior-approved Site Plan must be amended through a Major Amendment pursuant to Subsection 14-16-6-4(Y) or Subsection 14-16-6-4(Z), as applicable, to remove the overlapping area proposed in a new site plan before an application for a new site plan that includes that overlapping area can be decided, because only one site plan shall apply to any property."</u></p>	Requires an amendment of a prior-approved Site Plan to remove overlapping portions of the boundary before a new site plan can be approved. Staff request.
42	444	6-5(G)(1)(e) 1.c	<p><b>Administrative Decisions, Site Plan - Administrative</b> Revise as follows: "All conversions of existing non-residential development to a residential use containing no more than <del>200</del> <u>100</u> dwelling units."</p>	Allows more conversions of non-residential development to residential use to be reviewed/decided administratively as an incentive to encourage re-use of existing buildings. Administration request.
43	446	6-5(G)(2)(e) [new]	<p><b>Administrative Decisions, Site Plan - Administrative</b> Add a new subsection and renumber subsequent subsections accordingly: "If the Site Plan will replace a prior-approved Site Plan, the project number, case number, site boundary, and date of the Notice of Decision of the original approval shall be noted <b>on the Site Plan.</b>"</p>	Provides a link between a prior approval and a new site plan. Staff request.
44	455	6-6(C)(3)(f)	<p><b>Decisions Requiring a Public Meeting or Hearing, Expansion of Nonconforming Use or Structure</b> Revise as follows: "The expansion will not increase an existing nonconformity <u>more than allowed by Subsection d or e above</u> or create a new nonconformity."</p>	Resolves a conflict between Subsections d and e (limiting expansion of nonconforming uses and structures to 25% of the gross floor area) vs. Subsection f (not allowing the expansion of a nonconformity). Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
45	466	6-6(I)	<p><b>Decisions Requiring a Public Meeting or Hearing, Site Plan - DRB</b>                      Add a new second sentence in Subsection (1) to read as follows:  <u>"A Site Plan – DRB may be approved for property with a prior-approved Site Plan, regardless of whether the prior-approved Site Plan is still valid pursuant to Subsection 14-16-6-4(X), subject to allowable uses and development standards in this IDO. If any portions of the proposed boundary overlap with a prior-approved Site Plan that will remain in place, a Major Amendment will be required as described in Subsection 14-16-6-5(I)(2)(c) [new] below."</u></p>	Clarifies that a property owner can replace an existing site plan with a new one per IDO uses, development standards, and procedures. Staff request.
46	467	6-6(I)(2)(c) [new]	<p><b>Decisions Requiring a Public Meeting or Hearing, Site Plan - DRB</b>                      Add a new subsection with text as follows and renumber subsequent subsections accordingly:  <u>"If the boundary of a proposed site plan includes only a portion of the boundary of a prior-approved Site Plan that is still valid pursuant to Subsection 14-16-6-4(X), the prior-approved Site Plan must be amended through a Major Amendment pursuant to Subsection 14-16-6-4(Y) or Subsection 14-16-6-4(Z), as applicable, to remove the overlapping area proposed in a new site plan before an application for a new site plan that includes that overlapping area can be decided, because only one site plan shall apply to any property."</u></p>	Requires an amendment of a prior-approved Site Plan to remove overlapping portions of the boundary before a new site plan can be approved. Staff request.
47	467	6-6(I)(2)(e) [new]	<p><b>Decisions Requiring a Public Meeting or Hearing, Site Plan - DRB</b>                      Add a new subsection with text as follows and renumber subsequent subsections accordingly:  <u>"If the Site Plan will replace a prior-approved Site Plan, the project number, case number, site boundary, and date of the Notice of Decision of the original approval shall be noted <b>on the site plan.</b>"</u></p>	Provides a link between a prior approval and a new site plan. Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
48	468	6-6(J)(1)(b) [new]	<p><b>Decisions Requiring a Public Meeting or Hearing, Site Plan - EPC</b>                      Add a new subsection with text as follows and renumber subsequent subsections accordingly:  <u>"A Site Plan – EPC may be approved for property with a prior-approved Site Plan, regardless of whether the prior-approved Site Plan is still valid pursuant to Subsection 14-16-6-4(X), subject to allowable uses and development standards in this IDO. If any portions of the proposed boundary overlap with a prior-approved Site Plan that will remain in place, a Major Amendment shall be required as described in Subsection 6-5(J)(2)(d) [new] below."</u></p>	Clarifies when a property owner can replace an existing site plan with a new one per IDO procedures versus when additional review is required (i.e. adding a previously prohibited use or affecting the boundary of a prior-approved site plan that will remain in place). Staff request.
49	468	6-6(J)(2)(d) [new]	<p><b>Decisions Requiring a Public Meeting or Hearing, Site Plan - EPC</b>                      Add a new subsection with text as follows and renumber subsequent subsections accordingly:  <u>"If the boundary of the new site plan includes a portion of the boundary of a prior-approved Site Plan that is still valid pursuant to Subsection 14-16-6-4(X), the prior-approved Site Plan must be amended through a Major Amendment pursuant to Subsection 14-16-6-4(Y) or Subsection 14-16-6-4(Z), as applicable, to remove the overlapping area proposed in a new site plan before an application for a new site plan that includes that overlapping area can be decided, because only one site plan shall apply to any property."</u></p>	Requires an amendment of a prior-approved Site Plan to remove overlapping portions of the boundary before a new site plan can be approved. Staff request.
50	469	6-6(J)(2)(g) [new]	<p><b>Decisions Requiring a Public Meeting or Hearing, Site Plan - EPC</b>                      Add a new subsection and renumber subsequent subsections accordingly:  <u>"If the Site Plan will replace a prior-approved Site Plan, the project number, case number, site boundary, and date of the Notice of Decision of the original approval shall be noted <b>on the site plan.</b>"</u></p>	Provides a link between a prior approval and a new site plan. Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
51	473	6-6(L)(1)(c)	<p><b>Decisions Requiring a Public Meeting or Hearing, Subdivision of Land - Major, Applicability</b>                      Revise subsections as follows:                      "This Subsection 14-16-6-6(L) applies to any application for a bulk land subdivision for either of the following:                      1. <u>A single lot at least 5 acres or multiple contiguous lots that total at least 5 acres</u>; in an R-A, R-1, R-MC, R-T, or PC zone district; and designated for residential development"                      "2. <u>A single lot at least 20 acres or multiple contiguous lots that total at least 20 acres</u>; in an R-ML, R-MH, or PC zone district or any Mixed-use or Non-residential zone district; and designated for mixed-use or non-residential development."</p>	Clarifies that "property" includes a single lot or multiple contiguous lots. Consistent with language from Site Plan - Admin. Staff request.
52	514	6-8(G)(3)(a)	<p><b>Nonconformities, Nonconforming Site Features</b>                      Revise to read as follows:                      "For the purposes of this Subsection 14-16-6-8(G)(3), 'improvements' include <u>either</u> impervious surfaces, <u>such as</u> concrete and asphalt, or all-weather pervious surfaces, such as <u>recycled asphalt, compacted crusher fines, or compacted angular stone.</u>"</p>	Clarifies the acceptable materials for pervious surfaces used for nonconforming front-yard parking.
53	525	7-1	<p><b>Adult or Child Day Care Facility</b>                      Revise the first sentence as follows:                      "A facility other than an occupied residence that provides care for more than 12 individual adults or children during the day. <u>For the purposes of this IDO, the City regulates child day care facilities that require a license from the state.</u>"</p>	Defines day cares based on the facilities required to be licensed by the state. Provides clarity for code enforcement, and the City can get a list of licensed day cares from the state to update the land use map. Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
54	532	7-1	<p><b>Definitions, Cannabis Definitions</b>  <b>Cannabis</b>                      Revise second sentence to read as follows:  <u>"The IDO regulates cannabis retail, cannabis cultivation, and cannabis-derived products manufacturing only. The IDO shall not</u> impede any personal allowances as established by Sections 26-2C-1 to 26-2C-42 NMSA 1978."</p>	Removes "commercial," as cannabis cultivation and cannabis-derived products manufacturing are industrial uses. Clarifies that the IDO does not regulate personal use.
55	532	7-1	<p><b>Definitions, Cannabis Definitions</b>  <b>Commercial On-site Consumption</b>                      Revise to replace "Commercial" in the term with "Licensed" and revise the definition as follows:                      "The <del>commercial</del> <b>cannabis</b> activity of smoking, vaporizing, and/or ingesting of cannabis or cannabis products in a cannabis consumption area licensed by the State <u>that is in a fully enclosed portion of a building.</u> <del>Commercial</del> <b>Licensed</b> on-site consumption is considered an incidental activity of cannabis retail. See <i>Cannabis Retail</i> ."                       Revise the term accordingly throughout the IDO.</p>	Removes "commercial" from this defined term. The IDO cannabis definition already says that the IDO only regulates commercial use of cannabis. The use of "commercial" here introduces ambiguity, as the state's cannabis permits for medical and recreational cannabis are beginning to overlap.
56	532	7-1 [ new]	<p><b>Definitions, Cannabis Definitions</b>  <b>Oil activation [new]</b>                      Add a new term with definition as follows:                      "The heating of dried cannabis or cannabis extract above 200 degrees Fahrenheit during the manufacturing of cannabis products."</p>	Recommended by Cannabis consultant. Defines term used in the use-specific standard for cannabis-derived products manufacturing. See related item to add a definition for cannabis odor control plan.
57	532	7-1 [ new]	<p><b>Definitions, Cannabis Definitions</b>  <b>Distillation [new]</b>                      Add a new term with definition as follows:                      "The heating of dried cannabis or cannabis extract for the purposes of separating one or more cannabinoids."</p>	Recommended by Cannabis consultant. Defines term used in the use-specific standard for cannabis-derived products manufacturing. See related item to add a definition for cannabis odor control plan.



## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
58	532	7-1 [ new]	<p><b>Definitions, Cannabis Definitions</b>  <b>Extraction [new]</b>                      Add a new term with definition as follows:                      "The use of any solvent except water to separate one or more cannabinoids from dried cannabis."</p>	Recommended by Cannabis consultant. Defines term used in the use-specific standard for cannabis-derived products manufacturing. See related item to add a definition for cannabis odor control plan.
59	532	7-1	<p><b>Definitions, Cannabis Definitions</b>                      Add a new term "Cannabis Odor Control Plan" with text as follows:                      "A written document, approved by a professional engineer or industrial hygienist, explaining plans for reducing cannabis odors <b>associated with cultivation, manufacturing, or licensed on-site consumption</b>, which must include, at a minimum, contact information, operating hours, a floor plan, a description and schedule of odor-producing activities, administrative controls such as employee training and maintenance, and engineering controls such as carbon filtration. "                      Replace all instances of "odor control plan" in the IDO with "cannabis odor control plan" for consistency with this definition.</p>	Operationalizes requirement to provide an odor control plan by adding what the plan must include, following best practices recommended by a cannabis public policy consultant working on this issue with the Environmental Health Department and Planning staff.
60	538	7-1	<p><b>Definitions, Development Definitions</b>  <b>Infill Development</b>                      Revise to read as follows:                      "<u>Development or redevelopment on a property within the 1960 City limits or, outside that boundary, development or redevelopment on an area of platted or unplatted land that includes no more than 20 acres of platted or unplatted land, that has a public water main and a public sewer main fronting the property within the City right-of-way, and where at least 75 percent of the adjacent lots are developed and contain existing primary buildings.</u>"</p>	Aligns the definition of infill with what is used by Family & Community Services for funding mechanisms and the City's Capital Improvement Program criteria.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
61	540	7-1 [new]	<b>Definitions, Drive Pad</b> [new] Add a new definition to read as follows: <u>"See definition in DPM."</u>	Helps operationalize the regulation on 20-foot driveways by specifying how to measure. See related items for changes to 5-3(C)(3)(b) and driveway definition in 7-1. Staff request.
62	540	7-1	<b>Definitions, Driveway</b> Revise text as follows: <u>"An unobstructed area for parking that is paved per DPM standards for pavement or alternative pavement with a stabilized surface leading from the street to a between the sidewalk (or drive pad if no sidewalk is required) and the garage or other allowed off-street parking area in low-density residential development. See the DPM for definition of drive pad and for paving standards. See also <i>Parking Definitions for Garage</i>."</u>	Helps operationalize the regulation on 20-foot driveways by specifying how to measure. See related items for 5-3(C)(3)(b) and new drive pad definition and new garage measurement definition in 7-1. Staff request.
63	540	7-1	<b>Definitions, Dwelling</b> Dwelling, Mobile Home Revise definition as follows: "A transportable structure that does not meet the construction safety standards of the federal Manufactured Housing Act of 1974. <u>For the purposes of this IDO, this definition includes transportable structures built prior to June 15, 1976, when the Act went into effect.</u> "	Provides clarity for Code Enforcement. Staff request.
64	554	7-1	<b>Definitions, Manufactured Home</b> Revise definition to add a new third sentence as follows: <u>"For the purposes of this IDO, manufactured homes are considered single-family detached dwellings."</u>	Clarifies the overlap between single-family dwellings and manufactured homes. Consistent with existing practice.
65	557	7-1	<b>Definitions, Measurement</b> <b>Façade</b> [new] Add a new term with the following text: <u>"When the IDO refers to a distance to a façade, the measurement shall be made to the closest perpendicular plane of a primary building façade. See also <i>Façade Definitions</i> and <i>Measurement Definitions for Garage</i>."</u>	Specifies how to measure required distances to a façade that may have varying masses. Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
66	557	7-1	<p><b>Definitions, Measurement</b>  <b>Garage</b> [new]                      Add a new term with the following text:  <u>"When the IDO refers to a distance to a garage, the measurement shall be made to the garage façade, not to the garage door. See also <i>Driveway and Parking Definitions for Garage</i>."</u></p>	Clarifies measurements related to garages. See related item for driveway minimum length in 5-3(C)(3)(b) and driveway definition in 7-1. Staff request.
67	558	7-1 [new]	<p><b>Definitions, Measurement Definitions</b>  <b>Required Off-street Parking Spaces</b> [new]                      Add the following text:  <u>"If an existing parking lot area does not have parking spaces striped, the number of existing parking spaces is to be measured by subtracting the area that would be required to meet all setbacks and landscaping areas required by the IDO and all drive aisles and circulation areas required by the DPM and dividing the remaining existing paved area by the dimensions of a parking space in the DPM."</u></p>	Operationalizes how to calculate existing parking spaces when the parking area does not include striping. Needed for Pre-1965 building parking exemption in Subsection 5-5(B)(2)(b) and applicability of parking requirements associated with a change of use in Subsections 5-5(B)(1)(c) and 5-5(B)(1)(d). Staff request.
68	579	7-1 [new]	<p><b>Definitions, Site Layout Plan</b>                      Add a new definition as follows:  <u>"The Site Layout Plan is a sheet in the Site Plan drawing set that locates and dimensions all features proposed in the development, including but limited to streets, private ways, pedestrian walkways, sidewalks, landscape areas, parking areas, buildings, structures, paving, steps, walls, and other site elements, such as lighting and site furniture. The Site Layout Plan also provides a comprehensive set of Reference Notes and other site data. Also may be referred to as a plot plan."</u></p>	Adds a definition for a term used by staff during review of site plans.

**IDO Annual Update 2021 - EPC Review - Citywide**

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
69	584	7-1	<p><b>Definitions, Transit Definitions</b>                      Peak Service Frequency                      Revise as follows:  <u>"The transit route frequency during peak periods (7:00 A.M. to 9:00 A.M. and 3:00 P.M. to 6:00 P.M.), as calculated by the City Transit Department using published transit schedules and mapped by AGIS. This frequency is generally calculated for the most frequent route, or combination of paired routes that act as one route, that stops at the transit stop or station in question and is based on the average frequency of the route. See <i>Transit Route Frequency</i> ."</u></p>	Revised to move content about the route frequency to become a new defined term. Staff request.
70	584	7-1 [new]	<p><b>Definitions, Transit Definitions</b>                      Transit Route Frequency                      Add a new term with definition as follows:  <u>"The average amount of time between buses arriving at transit stops or stations calculated by the City Transit Department using published transit schedules. This frequency is generally calculated for the most frequent route, or combination of paired routes that act as one route. For routes with segments that have frequencies with substantially different levels of service, different transit route frequencies may be designated by segment of the route. See <i>Peak Service Frequency</i> ."</u></p>	Adds a new term to help explain the methodology for calculating transit peak service frequency, which is used in the parking reduction allowances, for each bus stop based on the overall transit route service frequency. Staff request.
71	Multiple	6	<p><b>Subdivisions + Floating Zone Lines</b>                      Add a new subsection to 6-6(K)(2) Subdivision - Minor and 6-6(L)(2)(d) Subdivision - Major with text as follows:                      "If the subdivision will result in a lot line that does not coincide with a zone district boundary (i.e. create a "floating zone line"), the applicant shall obtain a Zoning Map Amendment - EPC or Zoning Map Amendment - City Council , as applicable, to establish zone boundaries that coincide with the lot line before a final plat shall be approved."</p>	Adds language to the minor and major subdivision processes to require fixing floating zone lines, similar to language in the process for Zoning Map Amendments in 14-16-6-7(G)(2)(f). Staff request.

## IDO Annual Update 2021 - EPC Review - Citywide

Revised for December 9, 2021

	A	B	C	D
1	Page	Section	Change / Discussion	Explanation
72	All	All	<b>Clerical Changes</b> Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.	Covers general clerical corrections.
73	All	All	<b>Editorial Changes</b> 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.