

Overview of Proposed Amendments to the IDO Presented at the September 27th, 2017 LUPZ Hearing

Amendment	Topic	Description
A	Alcohol	This amendment will remove or change regulations that do not exist in our zoning code or regulatory framework today. In addition, this amendment will make the sale of liquor permissive or conditional in all equivalent zones to today's code.
B	Solar Rights	This amendment will remove language in the IDO that would otherwise be overreaching of how the state regulates solar energy collection and placement, access, and design of devices for such collection.
C	Vacation Process	This amendment will re-instate the City Council's authority to be the final body on determining whether a vacation is approved or not for vacations over a specific size.
D	CPO-6	This amendment would make changes to the height allowances in the Nob Hill CPO.
E	Uses in the Mixed-use Zones	This amendment would make changes to the Use Table to make use entitlements in the IDO consistent with today's use entitlements in the equivalent zones. This amendment applies changes to the "Mixed-Use" zones.
F	Uses in the NR-C Zone	This amendment would make changes to the Use Table to make use entitlements in the IDO consistent with today's use entitlements in the equivalent zones. This amendment applies changes to the "NR-C" zones.
G	Uses in the Non-Residential Zones	This amendment would make changes to the Use Table to make use entitlements in the IDO consistent with today's use entitlements in the equivalent zones. This amendment applies changes to the "Non-Residential" zones, not including the NR-C zone.
H	Uses in the Residential Zones	This amendment would make changes to the Use Table to make use entitlements in the IDO consistent with today's use entitlements in the equivalent zones. This amendment applies changes to the "Residential" zones.
I	Blood Services Establishments	This amendment would make changes to the Use Table, making regulation of Blood Service Establishments consistent with the Zoning Code today.
J	Neighborhood Edges	This amendment would apply a different Neighborhood Edge standard to areas designated "UC-MS-PT".
K	Dimensional Standards	This amendment would make several changes to the Dimensional Standards table as it relates to setbacks, and first-floor height requirements in mixed-use zones.
L	Residential Density	This amendment would remove density maximums in the IDO for residential zones.
M	Building Facades	This amendment would replace the IDO's requirements for façade treatments in UC-AC-MS-PT areas with new language.
N	R-1 and Residential	This amendment would make changes to use-specific standards and dimensional standards in various residential zones.
O	Procedural	This amendment will clarify the processes for hearings, deferrals, continuances, and notices of decision.
P	SU-1 Conversions	This amendment would alter the conversion rules for SU-1 zones that are greater than 20 acres.
Q	Walls and Fences	This amendment will institute a public review and approval process with associated criteria for walls and fences over 3 feet

Note: Proposed amendments are subject to change up until the time of adoption

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		high in the front and/or side yard setback.
R	Carports	This amendment will institute a public review and approval process with associated criteria for carports in the front or side setback.
S	Non-Conforming Uses	This amendment will increase the time in which a land use or structure may be discontinued before it becomes illegally non-conforming.
T	SU-2 Conversion	This amendment proposes a clean-up of several SU-2 zoning conversions.
U	Residential Development	This amendment makes several changes to residential development standards and definitions.
V	Usable Open Space	This amendment lowers the minimum amount of usable open space in high-density residential and mixed use areas. This change is only applicable in Urban Centers, Main Streets, and Premium Transit Areas.
W	Technical Edits	This amendment proposes many changes to the IDO that have are technical in nature and non-substantive. This amendment is similar to a "consent agenda", in that it contains an array of changes to various topics.
X	Cottage and Co-Housing	This amendment would reduce the potential number of units that could be developed as cottage or co-housing and adds a Usable Open Space requirement for the R-A zone.

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**LAND USE, PLANNING AND ZONING COMMITTEE
of the
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September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Jones

1. In the Permitted Use Table on page 113 of the IDO, on the line that reads "Liquor Retail", change the "C" (conditional use) under MX-M and NR-C to "P" (permitted use).
2. On page 175 of the IDO, strike the following portion of provision (c) under "Liquor Retail":
 1. Within 1,000 feet of any other liquor retail use
3. On page 175 of the IDO, section 4-3(D)(31)(c)(2), make the following addition:

Notwithstanding Subsection 1 above, this use is prohibited in the following locations:

 2. Within 500 feet of any residential or NR-PO zone district or any group home use [as measured from the nearest edge of the building housing the use to the nearest residential, NR-PO, or group home property line].
4. On page 161 of the IDO, strike provision (b) under "Bar, Nightclub, Restaurant, or Taproom and renumber 4-3(D)(7)(c) to 4-3(D)(7)(b)
5. In the Permitted Use Table on pages 137, 138, and 142 of the IDO, make the following changes in the MX-T columns:
 1. Change the line item "Bar" to "C" where it is currently not permitted.
 2. Change the line item "Restaurant" to "C" where it is currently "Conditional Vacant"
 3. Change the line item "Tap room or tasting room" to "C" where it is currently not permitted
 4. Change the line item "Liquor Retail" to "C" where it is currently not permitted.
6. In the Permitted Use Table on page 142 of the IDO, change the line item "Liquor Retail" in the NR-BP and NR-LM columns to "C" where it is currently

“Conditional Accessory”.

7. In the Permitted Use Table on pages 137, 138, and 142 of the IDO, make the following changes in the NR- GM column:

1. Change the line item “Bar” to “P” where it is currently not permitted.
2. Change the line item “Restaurant” to “P” where it is currently “Accessory”
3. Change the line item “Tap room or tasting room” to “P” where it is currently “Accessory”
4. Change the line item “Liquor Retail” to “C” where it is currently not permitted.

8. On page 175 of the IDO, in the use-specific standards for the use “Liquor Retail”, add the following:

4-3(D)(31)(c) In the following mapped areas, there are prohibitions on liquor retail as noted:

a. Nob Hill

Liquor retail is prohibited in the following mapped area.

[Insert map of CCR-1 and CCR-2 zones from the Nob Hill Highland Sector Development Plan]

b. Downtown Neighborhood Area – CPO-2, East Downtown – CPO-3, East Downtown - HPO-1

Liquor retail is prohibited in the MX-L and MX-M zones in CPO-2 and CPO-3, unless associated with a full-service grocery store.

c. North 4th Street Corridor, South Yale

Liquor retail is prohibited in the MX-L and MX-M zones, unless associated with a full-service grocery store, in the following mapped areas:

[Insert map of North 4th Street Corridor boundary]

[Insert map of the South Yale boundary]

d. University Neighborhoods

Liquor retail is prohibited in the MX-M zone in the following mapped area, unless associated with a full-service grocery store west of University Boulevard.

[Insert map of the University Neighborhoods SDP boundary]

9. In section 7-1 of the IDO, add the following definition in the appropriate alphabetical order:

Grocery Store: A general retail establishment which occupies at least 15,000 square feet, where more than 50% of the gross floor area is devoted to the sale of food products for home preparation and consumption, which typically also offers home care and personal care products.

Explanation: These changes to liquor-related provisions in the IDO remove or amend regulations that do not exist in our zoning code or regulatory framework today. In

A

addition, this amendment will make the sale of liquor permissive or conditional in all zone equivalents to today's code.

Amendment Update: The changes to this amendment bring forward provisions related to the sale of retail liquor as they exist in the referenced sector plans and adds a definition for a grocery store.

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COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Davis

1. On page 144 of the IDO, on the line that reads “Solar or geothermal energy generation”, separate out “Solar energy generation” and make it its own use category below geothermal energy generation.
2. In the new “Solar energy generation” category, add a “P” to every zone district.
3. On page 178 of the IDO, add a new use-specific standard with the following text: “Allowed per NMSA 1978 Section 3-18-1.”
4. On page 178 of the IDO, in use-specific standard 4-3(E)(6) Solar or Geothermal Energy Generation or Device, remove “Solar or” from the title. Remove subsections (c), (d), (e), and (f).
5. On page 214, table 5-1-4, separate “solar and wind energy systems” and add the following text for the solar line: “Allowed per NMSA 1978 Section 3-18-1.”

Explanation: NMSA 1989 Section 3-18-2 says that a “municipality shall not restrict the installation of a solar collector . . .” The removal of the above language in the IDO takes out language that would otherwise be overreaching of how the state regulates solar energy collection and placement, access, and design of devices for such collection.

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COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton

1. On page 364 of the IDO, add a new “Application type” and amend the application type “Vacation of Easement of Right-of-Way” in the table as follows:

TABLE 6-1-1: Summary of Development Review Procedures														
R = Review and/or Recommend D = Review and Decide AR = Appeal Review and Recommend AD = Appeal Review and Decision [] = Public Meeting < > = Public Hearing														
Application Type	Specific Procedures	Notice					Mtg s.	Review and Decision Authorities						
		Published	Mailed	Posted Sign	Electronic Mail	Web Posting	Pre-application Neighborhood	City Staff ⁽¹⁾	Examiner Zoning Hearing	Board Development Review	Landmarks Commission	Commission Environmental Planning	Land Use Hearing Officer	City Council ⁽²⁾
Administrative Decisions														
Vacation of Easement or Right-of-Way														
Vacation of Easement or Right-of-Way – City Council	Error: Reference source not found	X	X	X	X	X		X	R		<R >			<D>
Vacation of Easement or Right-of-Way - DRB	Error: Reference source not found	X ^[4]	X	X ^[4]	X	X		X	R		< D >		<AR >	<AD>

2. On page 440 of the IDO, create a new “Vacation of Easement or Right-of-Way – City

Council” section 6-6(I) including applicability, procedure, and review and decision criteria and renumber the subsequent sections accordingly. This section will address the following provisions:

The DRB has the authority to make a final decision on a request for vacation of easement or right-of-way, pursuant to section 6-6(I)(2)(c), unless the request is:

1. More than 500 square feet or the entire width of a platted alley, as that term is defined in section 14-16-7 of the IDO
2. More than 5,000 square feet or the entire width of a street, as that term is defined in section 14-16-7 of the IDO, including any or all of the public way adjoining such street as the term “public way” is defined in the traffic code.

In such a case that a request for vacation of easement or right-of-way meets the criteria above, the matter shall be forwarded to the City Council to determine if the vacation shall occur. The matter shall be placed on the City Council's consent agenda for approval without first going to any Council committee.]

Explanation: The City Council currently sees vacation requests of a certain size – the same sizes defined above. The IDO originally proposed that the Development Review Board would have final decision making authority on all vacations. It is appropriate for the City Council to retain final decision making authority on vacations of a certain size due to the potential impact such actions may have on surrounding land use and the transportation network.

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COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Davis

1. On page 98 of the IDO, amend the section 3-2(B)(6)(d)(b) and 3-2(B)(6)(d)(c) related to the Nob Hill CPO – 6 as follows:

3-2(B)(6)(d)(b)

~~Between Girard Boulevard and Aliso Avenue, height and density standards associated with the Main Street designation or Workforce Housing are not applicable. Height and density standards associated with the Premium Transit designation are only available within the blocks adjacent to the Premium Transit station.~~

Between Girard Boulevard and Aliso Drive, building heights shall not exceed 30 feet (2 stories) and building heights associated with UC-MS-PT shall not apply. The Workforce Housing height bonus or the podium parking height bonus may be applied, but not both. This would result in no more than one additional story.

3-2(B)(6)(d)(c)

~~Between Aliso Avenue and Graceland Drive, height and density standards associated with the Main Street designation do not apply.~~

Between Aliso Drive to Graceland Drive, building heights shall not exceed 45 feet (3 stories) and building heights associated with UC-MS-PT shall not apply. The Workforce Housing height bonus or the podium parking height bonus may be applied, but not both. This would result in no more than one additional story.

3-2(B)(6)(d)(d)

Between Graceland Drive to San Mateo, building heights shall not exceed 65 feet (5 stories) and building heights associated with UC-MS-PT shall not apply. The Workforce Housing height bonus or the podium parking height bonus may be applied, but not both. This would result in no more than one additional story.

2. On page 98 of the IDO, amend the section 3-2(B)(6)(d) to add a new subsection (d) to read as follows:

3-2(B)(6)(d)(e) note [1] in Table 5-1-1, note [2] in Table 5-1-2, and note [2] in Table 5-1-3 do not apply to the areas mapped in Section 3-2(B)(6)(d)1.a. above.

- a. Revise the Nob Hill/Highland Sector Development Plan's SU-2/CCR-3 zone to convert to MX-M.

Explanation: This change would better reflect the range of uses allowed in the SDP zone, now that the building heights are addressed through the Nob Hill/Highland CPO regulations.

Explanation: The first section of this amendment brings building heights in Nob Hill allowed in the IDO back to similar heights that the Nob Hill Sector Development Plan allows for. The second section of this amendment precludes buildings on a large enough lot from having unlimited building height.

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COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Jones

1. In the Use Table on page on page 147 of the IDO, on the line that reads "Parking of non-commercial vehicle", add an "A" to the MX-T column.
2. In the Use Table on page 134 of the IDO, on the lines that read "Dwelling, cluster development", "Dwelling, co-housing development" and "Dwelling, cottage development", add a "P" to the MX-T column.
3. In the Use Table on page 140 of the IDO, on the line that reads "Research or testing facility", ~~add a "P/C" to the MX-T and MX-L columns where it currently reads "CV"~~. change "CV" to "P/C" in the MX-T and MX-L columns.
4. In the Use-Specific Standards section on page 169 of the IDO, renumber the existing provision to "a" and add a subsection "b" to read: "If located in an MX-T or MX-L zone district, this use shall not exceed 10,000 square feet of gross floor area. If the use requires Conditional Use Approval, it is not permitted in MX-T or MX-L."
5. In the Use Table on pages 135 and 136, move the use "Library" from "Library, museum, or art gallery" to the use "Community Center" so that the use will read "Community Center or Library"
6. In the Use Table on page 139, on the line that reads "Light vehicle fueling station", add a "C" to the MX-L column.
7. In the Use Table on page 139, on the line that reads "Car wash", ~~add a~~ change the "C" to a "P" in the MX-L and MX-M columns.
8. On page 505 of the IDO, revise the definition of "Light vehicle fueling station" to remove the word "accessory" and replace it with the word "incidental"
9. In the Use Table on page 138, on the line that reads "Other Indoor Entertainment", add a "P" in the MX-L column.
10. In the Use Table on page 139 of the IDO, on the line that reads "Light vehicle sales and rental", add a "C" in the MX-L column.
11. In the Use Table on page 140, on the line that reads "Mortuary and crematorium", remove "crematorium" and make it its own use. Add a "P" in the column NR-SU for this use.
12. On page 59, Section 2-5(E)(2), add Crematorium to the list of uses requiring an NR-SU zone district.
13. In the Use Table on page 140, on the line that reads "Mortuary", add a "C" in the MX-L zone.

14. In the Use Table on page 141 of the IDO, on the line that reads “Self-storage”, add a “C” in the MX-L column. On page 170 of the IDO, amend the use-specific standard for self-storage 4-3(D)(25)(b) to include “MX-L”
15. In the Use Table on page 142 of the IDO, on the line that reads “Building and home improvement materials, large ~~is no longer permitted~~”, add a “C” to the MX-M column.
16. In the Use table on page 145 of the IDO, on the line that reads “Warehousing”, add a “C” to the MX-M column.
17. In the Use Table on page 141 of the IDO, on the line that reads “Drive-in theatre”, add a “C” to the MX-M column.
18. In the Use Table on page 145 of the IDO, on the line that reads “Outdoor storage”, add a “C” to the MX-M column.
19. In the Use Table on page 147 of the IDO, on the line that reads “Parking of more than two truck tractors and two semitrailers for more than two hours”, ~~add an~~ change the “CA” to an “A” to the MX-M column.
20. In the Use Table on page 142 of the IDO, on the line that reads “Building and home improvement materials, large ~~is no longer permitted~~”, add a “C” to the MX-H column.
21. In the Use table on page 145 of the IDO, on the line that reads “Warehousing”, add a “C” to the MX-H column.
22. In the Use Table on page 141 of the IDO, on the line that reads “Drive-in theatre”, add a “C” to the MX-H column.
23. In the Use Table on page 145 of the IDO, on the line that reads “Outdoor storage”, ~~add a~~ change the “CA” to a “C” to the MX-H column.
24. In the Use Table on page 147 of the IDO, on the line that reads “Parking of more than two truck tractors and two semitrailers for more than two hours”, add an “A” to the MX-H column.
25. ~~In the Use Table on page 141 of the IDO, on the line that reads “Adult retail”, remove the “P” in the MX-M column.~~
26. ~~In the Use Table on page 141 of the IDO, on the line that reads “Self-storage”, change the “P” to “C” in the MX-M column.~~

Explanation: These changes to the Use Table make use entitlements in the IDO consistent with today’s use entitlements in the equivalent zones.

Amendment update: Edits in blue to this amendment clarify the proposed language and revise it for consistency with the IDO. Additional changes to use entitlements are consistent with today’s use entitlements in equivalent zones.

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September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Jones

1. In the Use Table on page 141 of the IDO, on the line that reads “Outdoor storage”, add a “C” to the NR-C column.
2. In the Use Table on page 147 of the IDO, on the line that reads “Parking of more than two truck tractors and two semitrailers for more than two hours”, add an “A” to the NR-C column.
3. In the Use Table on page 139 of the IDO, on the line that reads “Heavy vehicle and equipment sales, rental, fueling, and repair”, add a “P” to the NR-C column.
4. In the Use Table on page 145 of the IDO, on the line that reads “Wholesaling and distribution center”, add a “P” to the NR-C column.
5. In the Use Table on Page 139 of the IDO, on the line that reads “Outdoor vehicle storage”, add a “C” to the NR-C column.
6. *In the Use Table on page 141 of the IDO, on the line that reads “Adult Retail”, remove the “P” in the NR-C column.*

Explanation: These changes to the Use Table make use entitlements in the IDO consistent with today’s use entitlements in the equivalent zones.

Amendment update: Edits in blue to this amendment clarify the proposed language and revise it for consistency with the IDO. Additional changes to use entitlements are consistent with today’s use entitlements in equivalent zones.

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COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

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1. In the Use Table on Page 142 of the IDO, on the line that reads "General retail, small", ~~add a change the "A" to a "P"~~ to the NR-BP column.
2. In the Use Table on Page 143 of the IDO, on the line that reads "Railroad yard", add a "C" to the NR-BP column.
3. In the Use Table on Page 142 of the IDO, on the line that reads "Pawn show", ~~add a change the "C" to "P"~~ to the NR-BP column.
4. In the Use Table on Page 139 of the IDO, on the line that reads "Car wash", ~~add a change the "A" to "P"~~ to the NR-BP column.
5. In the Use Table on Page 145 of the IDO, on the line that reads "Salvage Yard", add a "C" to the NR-BP column.
6. In the Use Table on Page 137 of the IDO, on the line that reads "Agriculture, general", add a "C" to the NR-BP column.
7. In the Permitted Use Table on Page 145 of the IDO, on the line that reads "Above-ground storage of fuels or feed", add a "C" to the NR-LM column.
8. In the Use Table on Page 141 of the IDO, on the line that reads "Other outdoor entertainment", ~~add a change the "A" to "P"~~ to the NR-LM column.
9. In the Use Table on Page 136 of the IDO, on the line that reads "Library, museum, or art gallery", add a "P" to the NR-LM column.
10. In the Use Table on Page 136 of the IDO, on the line that reads "High School", add a "C" to the NR-Lm column.
11. In the Permitted Use Table on Page 142 of the IDO, on the line that reads "General retail, small", ~~add a change the "A" to "P"~~ to the NR-LM column.
12. In the Use Table on Page 142 of the IDO, on the line that reads "Pawn ~~show~~ shop", ~~add a change the "A" to "P"~~ to the NR-LM column.
13. In the Use Table on Page 139 of the IDO, on the line that reads "Car wash", ~~add a change the "A" to "P"~~ to the NR-LM column.
14. In the Use Table on Page 145 of the IDO, on the line that reads "Salvage Yard", add a "C" to the NR-LM column.
15. ~~In the Use Table on page 140 of the IDO, on the line that reads "Club or event facility", add a "P" to the NR-GM column.~~
16. ~~In the Use Table on Page 141 of the IDO, on the line that reads "Other outdoor entertainment", add a "P" to the NR-GM column.~~
17. In the Use Table on Page 136 of the IDO, on the line that reads "Library,

- museum, or art gallery”, add a “P” to the NR-GM column.
18. In the Use Table on Page 142 of the IDO, on the line that reads “General retail, small”, ~~add a~~ change the “A” to “P” to the NR-GM column.
 - ~~19. In the Use Table on page 140 of the IDO, on the line that reads “Bank”, change the “CV” to “P” to the NR-GM column.~~
 20. In the Use Table on Page 142 of the IDO, on the line that reads “Pawn ~~show~~ shop”, add a “P” to the NR-GM column.
 21. In the Use Table on Page 139 of the IDO, on the line that reads “Car wash”, ~~add a~~ change the “A” to “P” to the NR-GM column.
 - ~~22. In the Use Table on Page 137 of the IDO, on the line that reads “Health club or gym”, add a “P” to the NR-GM column~~
 23. In the Use Table on Page 138 of the IDO, on the line that reads “Hotel or motel”, ~~add a~~ change the “C” to “P” to the NR-GM column.
 24. In the Use Table on Page 145 of the IDO, on the line that reads “Salvage Yard”, ~~add a~~ change the “C” to “P” to the NR-GM column.
 25. In the Use Table on page 142 of the IDO, on the line that reads “Building and home improvement materials, large is ~~no longer permitted~~”, ~~add a~~ change the “CV” to “C” to the NR-GM column.
 26. On page 143 of the IDO, in the footnote numbered 486, remove “machine shop”.
 27. On page 508 of the IDO, for the definition “Manufacturing, Light”, revise as follows:
 The assembly, fabrication, or processing of goods and materials, including machine shop, growing food or plants in an indoor structure, using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely primarily within a building. This use does not include any use that meets the definition of *Heavy Manufacturing* or *Special Manufacturing*.
 28. On page 508 of the IDO, In the definition for "Manufacturing, Heavy" revise as follows:
 The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than average impacts on the environment or that ordinarily have significant impacts on the use and enjoyment of other properties in terms of noise, smoke, fumes, odors, glare, or health or safety hazards. This use includes but is not limited to concrete or cement products manufacturing (excluding batch plant) or processing of stone (e.g. granite fabricators).

Explanation: These changes to the Use Table make use entitlements in the IDO consistent with today’s use entitlements in the equivalent zones.

Edits in blue to this amendment clarify the proposed language and revise it for consistency with the IDO. Additional changes to use entitlements and definitions are consistent with today’s use entitlements in equivalent zones.

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COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Jones

1. In the Use Table on page 146 of the IDO, on the line that reads “Family Home Daycare”, add an “A” to the R-MH column.
2. In the Use Table on page 134 of the IDO, on the lines that read “Dwelling, co-housing development” and “Dwelling, cottage development”, add a “P” to the R-MC column.
3. In the Use Table on page 134, on the line that reads “Assisted Living Facility, Nursing Home, or Independent Living Facility”, change the “C” to a “P” in the R-ML column.
4. In the Use Table on page 136, on the line that reads, “High School”, remove the “C” in the R-MC column.
5. In the Use Table on page 136, on the line that reads, “Library, Museum, or Art Gallery”, remove the “C” in the R-MC column.
6. On page 151 of the IDO, in section 4-3(B)(3), make the following changes: The number of dwelling units is determined by dividing the site area by the minimum lot size allowed in the zone rounded to the nearest whole number but shall not exceed ~~20~~. 50. In the Los Duranes CPO-5 area, the maximum number of dwelling units is 20.

Explanation: These changes to the Use Table make use entitlements in the IDO consistent with today’s use entitlements in the equivalent zones.

Amendment Update: Addition #3 makes the use table consistent with footnote 394 that indicates this use is allowed permissively wherever multi-family uses are allowed permissively. Addition #4 and #5 makes revisions to be consistent within the R-MC zone. Addition #6 clarifies the maximum number of units allowed in a cluster development per the zoning code and Los Duranes SDP today.

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AMENDMENT SPONSORED BY COUNCILOR Davis

On Page 140, add the following use to the Use Table (Table 4-2-1) in the Offices and Services category:

Blood Service Establishment

In the Use Table make Blood Services Establishment conditional or permissive in the following zones:

MX-M: Conditional

MX-H: Conditional

NR-C: Conditional

NR-BP: Permissive

NR-LM: Permissive

NR-GM: Permissive

In the Definitions section of the IDO, add the following definition:

Blood Service Establishments: An establishment which collects whole blood for either transfusion or further processing, or plasma for further processing, or use the plasmapheresis, plateletpheresis, or lenkapheresis process of blood removal from a donor. This does not apply to hospitals for human beings, laboratories for collection of personal blood samples or to temporary blood drives.

Explanation: These changes to the Use Table make regulation of Blood Service Establishments consistent with the Zoning Code today, per the Declaratory Ruling on Blood Service Establishments, April 11, 1980.

**LAND USE, PLANNING AND ZONING COMMITTEE
of the
CITY COUNCIL**

September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton

- 1. On page 323, in Section 5-9 Neighborhood Edges, 5-9(C) Building Height Stepdown, on the lines that read “the R-A, R-1, R-T, R-ML, or R-MC zone districts,” remove R-ML.

Explanation: The R-ML zone in the IDO permits 45’ in height and should not require a stepdown from an adjacent building.

- 2. In Section 5-9(C) Neighborhood Edges, add the following:
~~For UC-MS-PT areas, a building height stepdown is required of any portion of the building within 50 feet of the front, side, and rear lot lines abutting the R-A, R-1, R-T and R-MC zones districts to a maximum of 30 feet high.~~
5-9(C)(1) Primary and accessory buildings constructed on a Regulated Lot with a height greater than 30 feet shall reduce the perceived height of the building when viewed from the adjacent Protected Lot by “stepping down” building height of any portion of the building within 100 feet of the front, side, and rear lot line adjacent to Protected Lots lot lines to a maximum of 30 feet high.
5-9(C)(2) For UC-MS-PT areas, a building height stepdown is required of any portion of the building within 50 feet of the front, side, and rear lot lines abutting the R-A, R-1, R-T and R-MC zones districts to a maximum of 30 feet high.

Explanation: A height limit of 30 feet for properties 100 feet from low intensity residential zones is beyond what most zones in the UC-MS-PT areas presently require. Existing setback requirements in this area include 25 feet in the Downtown Neighborhood Area Sector Development Plan, 35 feet in EDO, and 50 feet in the Huning Highland sector development plan. This provision reflects the smaller lot sizes generally found in the areas mapped UC-MS-PT.

Amendment Update: Edits in blue to this amendment clarify the proposed language and revise it for consistency with the IDO.

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COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton

1. ~~On page 210, in the Mixed-use Zone District Dimensional Standards Table 5-1-2, on the line that reads “Density, residential maximum,” specify in the MX-L and MX-M categories that there are no maximum densities for UC-MS-PT areas.~~

~~Explanation: In areas where higher density is desired, building heights and other development constraints such as parking, setbacks, open space, and landscaping should be the limiting factor for density.~~

2. In the Mixed-use Zone District Dimensional Standards Tables, 5-1-1, 5-1-2 and 5-1-3 of the IDO, on the lines that read “Building height, maximum”, delete all references to “stories”.

Explanation: Today’s zoning code does not regulate buildings by “story”.

3. On page 211, in the Mixed-use Zone District Dimensional Standards Table 5-1-2, on the line that reads “Side, minimum”, change the regulation that reads “Interior: 5 ft.” to “**Interior: 0 ft.**” under MX-T, MX-L, MX-M, MX-H.

Explanation: In today’s zoning code, commercial zones do not require a side setback. In addition, a 5’ setback generates unusable space between buildings that can be difficult to secure and maintain.

4. On page 211, in the Mixed-use Zone District Dimensional Standards Table 5-1-2, add a new note:

[4] In UC-MS-PT areas, the first floor shall have a 12 ft. minimum distance between the finished floor and bottom of the roof structure or second floor structure.

Explanation: Requiring a 12’ minimum ground floor height in UC-MS-PT areas provides flexibility and adaptability for present and future ground floor uses.

Amendment Update: The update to this amendment removes the provision that

would have removed residential density maximums in the UC-MS-PT areas for MX-L and MX-M.

L

**LAND USE, PLANNING AND ZONING COMMITTEE
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September 13th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton

1. On page 206, in the Residential Zone District Dimensional Standards Table 5-1-1, delete the line that reads “Density, maximum”.
2. On page 210, in the Mixed-use Zone District Dimensional Standards Table 5-1-2, delete the line that reads “Density, residential maximum”.

Explanation: Residential density maximums do not apply to single family detached or townhouse development as these development forms are regulated by lot size. Densities apply to multifamily residential development. Through the IDO development is constrained through heights, setbacks, parking, and open space regulations. In addition the Building Code regulates the size of living spaces. It is therefore not necessary to provide a further limit on density of units. By requiring that multifamily development meet set densities new development may be required to build units that don't match the sizes that the market demands.

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September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton

1. On page 329, under Development Standards, 5-11(E)(1)(a) Building Facades, Urban Centers, Activity Centers, and Main Street and Premium Transit Areas, replace subsections 5-11(E)(1)(a)(1) thru 5-11(E)(1)(a)(4) with the following:

1. Ground floor building frontage shall be designed with 60% minimum of the building frontage glazed with transparent glass display windows, the lower edges of which are located no more than 30 inches above grade. Each ground floor facade facing a public street shall contain a minimum of 60 percent of its surfaces in clear, transparent windows and/or doors, the lower edges of which are located no more than 30 inches above grade. Windows may not be covered with signs or graphics. Signs or graphics covering windows or doors must comply with the provisions in Table 5-12-2. For commercial or office uses, active interior space must be visible to a depth of 20 feet from the exterior façade.

2. Each second floor and higher floor facades facing a public street or alley shall contain a minimum of 30% percent of its surface in windows and/or doors.

3. Except in DT and UC Urban Center areas, street-facing façades shall change each fifty feet (50') minimum a minimum of every 50 horizontal linear feet in height, or setback, or material.

4. Street Trees, Planters, portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather along no less than 50 percent of the length of street façades.

5. Except at property lines where fire walls are allowed by building and fire codes, each building side or rear facade adjacent to a Residential or Mixed-use zone district shall have a similar level of façade articulation, materials, and detailing on side or rear façades as on the street façades.

Explanation: Current IDO Development Standards for UC-AC-MS-PT and DT do not reflect urban characteristics. The requirement to pick several articulation

M

methods from a provided list and deploy them at specific intervals tends to create hyper-articulated buildings. This language is consistent with language in existing sector development plans.

Amendment Update: Edits in blue to this amendment clarify the proposed language and revise it for consistency with the IDO.

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September 13th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton

1. On page 265 of the IDO, in Parking and Loading, Section 5-5(F)(1)(a)3. ~~Add the following sentence~~ Revise the language as follows: Parking in Residential zone districts or for low-density residential development built since January 17, 2007 is prohibited on any portion of the front yard setback other than on a driveway or drive aisle meeting the standards of this IDO and the DPM. Driveways and off-street parking areas shall cover no more than 60% of the area of the front yard.

Explanation: This and amendments following are intended to maintain the provisions of existing low-density residential zoning. The Zoning Code today requires driveways and off-street parking areas to be limited to 60% of the front yard area. This requirement keeps parking out of front yard landscape areas.

2. On page 190, in Section 4-3(F)(5)(d), delete the line that reads: “An accessory dwelling shall not exceed 650 square feet of gross floor area.”

Explanation: In the Zoning Code today there is no current restriction on square footage for accessory dwellings. Instead, this is governed by the available lot area coverage, as it is today (#3, below).

3. On page 190, in Section 4-3(F)(5)(f), in the line that reads “A detached accessory dwelling shall not occupy more than 30 percent of the rear yard.” Change the sentence to read:
A detached accessory dwelling shall not occupy more than 25% of the side plus rear yard.

Explanation: The Zoning Code today limits the percent to 25% of the side plus rear yard. This maintains the same limitation as presently.

4. On page 80, in the Downtown Neighborhood Area – CPO-2, Section 3-2(B)(2)(b) Site Standards, add the following:
4. An accessory dwelling unit shall not exceed 650 net square feet gross square feet in area. A garage or shed attached to the accessory dwelling unit

shall not count towards the limit of 650 net square feet. gross square feet.

5. On page 90, in the High Desert Area – CPO-4, Section 3-2(B)(4)(b), add the following:
 3. An accessory dwelling unit shall not exceed 750 gross square feet in area. A garage or shed attached to the accessory dwelling unit shall not count towards the limit of 750 gross square feet.
6. On page 107, in the Volcano Mesa CPO-9, section 3-2(B)(9)(b), add the following:
 1. An accessory dwelling unit shall not exceed 650 gross square feet in area. A garage or shed attached to the accessory dwelling unit shall not count towards the limit of 650 gross square feet.

Explanation: The DNA SDP limits the size of Accessory Dwelling Units; this carries that area specific regulation over to CPO-2.

7. On page 190, in Section 4-3(F)(5)(g), remove “A detached accessory dwelling shall not exceed the height of the principal dwelling or 24 feet, whichever is less.”

Explanation: The Zoning Code today does not require the height of an accessory structure to be less than the principal structure. This allows the maximum height limit on the lot to prevail.

8. On page 294, in Section 5-6(E)(2)(b) Downtown, Urban Centers, and Main Street Areas, ~~below the line that reads “R-A, R-1, R-MC or R-T zone district.”~~ Add the following: revise as follows:
For buildings over 30’ in heights, a landscape buffer area at least 10 feet wide shall be provided along the adjacent property line. On deciduous tree at least 6 feet tall at the time of planting and at least 25 feet tall at maturity shall be provided for every 25’ of lot line, with spacing designed to minimize sound, light, and noise impacts.

An opaque wall, fence, or vegetative screen at least 6 feet tall shall be provided along the abutting property line.

1. The wall, fence, or vegetative screen shall be placed at least 6 feet inside the property line.
2. If a fence or wall is provided, the side facing the R-A, R-1, R-MC, or R-T zone district shall be at least as finished in appearance as the side facing the proposed development. Three (3) shrubs per 25 feet of lot line shall be provided between the wall and the property line of the R-A, R-1, R-MC, or R-T zone district.
3. For buildings over 30 feet in height, a landscape buffer area at least 10 feet wide shall be provided along the adjacent property line. One

deciduous tree at least 6 feet tall at the time of planting and at least 25 feet tall at maturity shall be provided for every 25 feet of lot line, with spacing designed to minimize sound, light, and noise impacts.

Explanation: This amendment would provide landscape buffering adjacent to single family uses to offset stepback reduction proposed in Amendment J. The provision of trees will enhance visual privacy for single family uses.

9. On page 205, in the Residential Zone District Dimensional Standards Table 5-1-1, on the lines that read Lot size, minimum, and Lot width minimum, remove all maximum widths and maximum sizes.

Explanation: The Zoning Code today does not impose lot size and width maximums. The intent of the new limitations is not clear. In addition, a larger number of existing platted lots exceed the maximums, and would become non-conforming lots.

10. On page 207, in the Residential Zone District Dimensional Standards Table 5-1-1, on the lines that read Side, Minimum, R-1C: change 10 ft to 5 ft, and R-1D: change 20ft to 10 ft.

Explanation: The Zoning Code today does not require a side setback of more than 10 feet. If R1-C is intended to have a lot width of a minimum of 50 ft, a 10 ft setback on each side would leave only 30 ft width remaining for development, and require an unnecessary 20 ft separation between dwellings.

11. On page 214, add a new line to Table 5-1-4 for accessory buildings with the following text:

[4] Accessory Building or Accessory Structure and Dwelling Unit, Accessory are permitted in the side and rear setback.

Explanation: The Zoning Code today allows accessory buildings to be located in the side and rear setbacks. The building code provides criteria for fire separation.

12. On page 207, in Residential Zone District Dimensional Standards Table 5-1-1 add a new note:

[5] Garages with street frontage shall be setback a minimum of 5' from the principal building façade and may not comprise more than 50% of the width of the street-facing building.

Explanation: Under certain circumstances, the Zoning Code today requires a front setback for garages. This addition would assure that garages would not dominate the front façade.

13. On page 497327, in Section ~~4-3(F)(13) Uses Accessory to Residential~~

~~Primary Use add the following: 5-11(C) RESIDENTIAL DEVELOPMENT, add the following after subsection 1:~~

2. Uses Accessory to a Residential Primary Use

a. This use shall not be located in the required front setback and shall not occupy over 25 percent of the side-plus-rear yards.

b. An accessory building in any required setback shall not exceed either the height of the primary structure, or any applicable height limitations imposed by Section 14-16-5-10 (Solar Access) unless it is in a required street side setback on a corner, at which point it shall not exceed the maximum height of a wall or fence allowed in Subsection 14-16-5-7(D).

c. On a corner lot, the rear yard of which abuts the front yard of a residentially-zoned lot, an accessory building shall comply with the same street side setback as the primary building.

d. An accessory building that is not covered by Subsection (c) above has no required setback from a lot line.

~~(d) Unless approved under a Site Development Plan, an accessory building on a lot, the principal use of which is a house or town house, shall not be located in the required front yard setback and shall not occupy over 25% of the side-plus-rear yards. An accessory structure in any required yard shall not exceed either 18 feet in height, or any applicable height limitations imposed by division (A)(7) of this section, except if it is in a required side-yard setback on a corner, it shall not exceed the height of the fence allowed by (A)(4) of this section.~~

~~(e) On a corner lot, the rear yard of which abuts the front yard of a residentially-zoned lot, an accessory building shall comply with the same side-yard setback on the street side as the principal building.~~

~~(f) An accessory structure which is not covered by division (b) above has no required setback from a lot line, except that an accessory structure used as a garage for off-street parking with access to an alley shall be set back a minimum of three feet from the alley.~~

~~(g) An accessory building that is 80 square feet in area or smaller and six feet in height, or smaller, must be at least five feet from another accessory building without living quarters on abutting lots and at least 10 feet from a dwelling or accessory living quarters on abutting lots.~~

~~(h) An accessory building that is larger in area or height than an accessory building as described in division (d) above must be at least five feet from any other accessory building without living quarters and at least 10 feet from any dwelling or accessory living quarters.~~

(i) e. No accessory building may extend across the width of the rear or side

yard unless a passage of at least five feet is provided at some point along the width.

(j) f. An accessory building may be connected to the principal building with a roof, provided that at least two sides of the connecting structure are not enclosed with a material other than that necessary for roof supports. The roof shall be located at least as far from the side lot lines as is the principal building.

Explanation: “Uses Accessory to Residential Primary Use” carries over the accessory structures from today’s Zoning Code. This continues the provisions of the Zoning Code today with respect to placement of accessory structures on the lot and the right to construct an open connecting covered walkway.

Amendment Update: Edits in blue to this amendment clarify the proposed language and revise it for consistency with the IDO.

**LAND USE, PLANNING AND ZONING COMMITTEE
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September 13th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A of O-17-43

AMENDMENT SPONSORED BY COUNCILOR Jones

- 1) On page 387 of the IDO, in section 6-4(M)(3)(b)(4), add the following text:
“Nothing in this IDO shall prohibit interested members of the public from testifying at public hearings [other than appeal hearings] before the decision-maker. . .”
- 2) On page 388 of the IDO, in section 6-4(M)(4)(a)(4), make the following changes:
Defer [the public hearing the matter] to a date no more than 60 calendar days following [the of the public hearing its first appearance on the agenda,] unless a longer deferral is [requested accepted] by the applicant.
- 3) On page 388 of the IDO, in section 6-4(M)(4)(a)(5), make the following changes:
“Continue the [public hearing matter] to a date no more than 60 calendar days following the [opening] of the public hearing, unless . . .”
- 4) On page 389 of the IDO, in Section 6-4(M)(4)(6)(a), make the following changes:
For each application where TABLE 6-1-1 requires a public hearing or policy decision, a Notice of Decision, including a list of any conditions attached to any permit or approval, shall be sent to each party to the matter and to any other person who has entered an appearance and requested a copy of the decision. The Notice of Decision shall be posted on the City website as soon as practicable and not more than 3 days after the final action on the matter [by any decision making officer or body other than the City Council. Notices of decision by the City Council must be posted within 10 days of the final action”.]
- 5) On page 393 of the IDO, delete subsection 6-4(T)(3) in its entirety.

Explanation: These amendments are intended to clarify the processes for hearings, deferrals, continuances, and notices of decision.

Item 1 clarifies that the opportunity to provide testimony at appeal hearings is limited to parties to the appeal.

Items 2 and 3 clean up technical matters relating to appeals and continuances.



Item 4 recognizes that the Council's enrollment process for Notices of Decision (NOD's) cannot be completed within the same timeframe as other bodies – the Council's action, being final, often requires internal staff circulation of the NOD for accuracy and completeness, presentation to the Council President for final signature, presentation to the City Clerk for authentication, and finally distribution to the parties and upload to the legislative portal. This process can't be completed within 3 days.

Item 5 removes a provision characterizing certain city charter requirements relating to veto. As it's written this section is inaccurate, and ultimately not necessary because the Charter itself is the sole source for Mayoral and Council authority including for the veto process.

**LAND USE, PLANNING AND ZONING COMMITTEE
of the
CITY COUNCIL**

September 13th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Jones

1. Revise the Conversion Map to reflect the following revised zone conversion Rule 4 for R-D and SU-1 zones:

Rule 4: R-D/PRD/PUD/PDA/PD Zones or SU-1 for Single-family Residential Use:

- a) Lots within Mesa del Sol or Westland convert to PC
- b) Lots with single-family uses convert to R-1 [2] or R-T based on AGIS land use layer data.
- c) Lots and sites that are 20 acres or more with other land uses, convert according to the uses and zones identified on their site plans, pursuant to Rule 5 or Rule 6, as appropriate.
- d) Lots and sites that are less than 20 acres with other land uses, including vacant land, converts to PD (even if another zone is named).

Explanation:

The IDO SU-1 Conversion Rule #4, shown above, was implemented after the Environmental Planning Commission, as a result of EPC Condition - Map 5. Each zone is reviewed against the rules, in consecutive order; the first rule that applies to a site is used to assign the conversion zone. One of the unintended consequences of this conversion was to assign PD zoning to numerous sites that exceed the size threshold established in the PD zone. The PD zone is appropriate for sites that are at least 2 acres but less than 20 contiguous acres of land. The addition of Rule 4.c prevents the establishment of PD zoning for sites that would be non-conforming as to size. This change would require additional analysis of a subset of R-D and SU-1 for PRD/PUD/PDA/PD zone's site plans to determine if a base zone can be assigned by applying the SU-1 conversion Rule #5 or #6.

**LAND USE, PLANNING AND ZONING COMMITTEE
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September 27th 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton, Davis

1. On page 306 of the IDO, in Table 5-7-1 revise Note 4 to add: "View fencing and courtyard wall height allowances above 3 ft. may not apply in all locations. Where allowed, they require approval by the ZEO pursuant to Subsection 6-6(M)."
2. On page 363 of the IDO, on the line that reads "Wall, Fence, or Sign Permit", remove "Sign permit" and make it its own line item after the line item "Impact Fee Assessment". In the new "Sign Permit" line item, copy the provisions in the table from "Wall or Fence Permit – Minor".
3. On page 363 of the IDO, on the line that reads "Wall, Fence" rename to read "Wall or Fence Permit – Minor".
4. On page 418 through page 422 of the IDO, in section 6-5(I), remove any regulations pertaining to walls and fences and move them to a new section 6-5(J) and renumber subsequent sections accordingly. Move the remaining section "Sign Approval" to 6-5(F) and renumber subsequent sections accordingly.
5. On page 365 of the IDO, create a new section 6-6(M) in table 6-1-1 titled "Wall or Fence Permit - Major" after the line item "Variance" and renumber subsequent sections. Add the following provisions in the table: "X" in the Published, Mail, Posted Sign, Electronic Sign, Web Posting columns. "<D>" in the City Staff column, "<AR>" in the Land Use Hearing Officer column, and "<AD>" in the City Council column.
6. On page 452 of the IDO, in new section 6-6(M), add the following text:

6-6(M) Wall or Fence Permit – Major.
All applicable provisions of Section 14-16-6-4 (General Procedures) apply unless specifically modified by the provisions of this Subsection 14-16-6-6(M).

6-6(M)(1) Applicability
This subsection 14-16-6-6(M) applies to all applications for walls and fences over 3 feet in height located between the front or side façade of the primary building and an abutting public street.

6-6(M)(2) Procedure

6-6(M)(2)(a)
The City Planning staff shall review the application and forward a recommendation to the ZEO pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).

6-6(M)(2)(b)

The ZEO shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).

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

6-6(M)(3)(a) The ZEO shall approve a Wall or Fence Permit – Major if the ZEO determines that the proposed wall or fence would strengthen or reinforce the established character of the surrounding area and at least one of the following conditions applies:

1. The parcel measures one-half acre or greater.
2. The parcel is located on a corner.
3. The parcel is located on a street designated as a collector or above, as defined by the LRTS Guide.
4. The parcel is located in an area where taller walls or fences are part of the established character of the surrounding area.

6-6(M)(3)(b) The design of any proposed wall or fence must comply with the provisions in section 5-7(E)(2) and 5-7(E)(3), as applicable.

7. Delete Subsection 6-6(L)(3)(b) about variance to walls to provide sound mitigation as duplicative of the new Subsection 6-6(M).

Explanation: Walls and fences in the front yard setback over 3 feet in height are a conditional use in the R-1 zone today. This amendment adds a public review process for wall and fences over 3 feet in height and located in the front yard setback. The criteria reflect the importance of protecting the character of the neighborhood, while also reflecting that walls over 3 feet in height in the front yard setback are appropriate under certain conditions. The existing articulation and façade standards in section 5-7(E)(2) and (3) address security and aesthetic concerns.

**LAND USE, PLANNING AND ZONING COMMITTEE
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September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton, Davis

1. On page 267 of the IDO, in section 5-5(F)(2)(a), add a new sentence to the end of 1. as follows :
“2. Carports in a required front or side setback require approval by the ZEO pursuant to Subsection 6-6(A).”

2. On page 364, in table 6-1-1 in the “Decisions Requiring a Public Meeting or Hearing Section”, add a new line item before Conditional Use Approval that reads “Carport in a Required Setback Approval” and renumber accordingly. Add the following provisions in the table: “X” in the Published, Mail, Posted Sign, Electronic Sign, Web Posting columns. “<D>” in the City Staff column, “<AR>” in the Land Use Hearing Officer column, and “<AD>” in the City Council column.

3. On page 424 of the IDO, create a new subsection 6-6(A) titled “Carports” and renumber accordingly. Add the following language:
6-6(A) Carport in a Required Setback Approval.
All applicable provisions of Section 14-16-6-4 (General Procedures) apply unless specifically modified by the provisions of this Subsection 14-16-6-6(A).
6-6(A)(1) Applicability
This subsection 14-16-6-6(A) applies to all applications for a carport within a required front or side setback.
6-6(A)(2) Procedure
6-6(A)(2)(a)
The City Planning staff shall review the application and forward a recommendation to the ZEO pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).
6-6(A)(2)(b)
The ZEO shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).
6-6(A)(3) Review and Decision Criteria
The ZEO shall approve the request if the ZEO determines that the proposed carport would strengthen or reinforce the established character

of the surrounding area and all of the following apply:

6-6(A)(3)(a) Any carport wall shall not be a hazard to traffic visibility, as determined by the Traffic Engineer.

6-6(A)(3)(b) The carport is not taller than the primary building on the property.

6-6(A)(3)(c) The design of any proposed carport in the front or side setback complies with the provisions in Subsection 5-5(F)(2)(a).

4. On page 484, revise the definition for “Building” as follows to clarify that carports are not considered buildings:

“Any fully enclosed structure built and maintained...”

Explanation: Carports located in the front or side yard setback are a conditional use in the R-1 zone today. This amendment adds a public review process for carports located in the front or side yard setback.

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COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Jones

1. On page 469 of the IDO, in section 6-8(C)(2)(a), Nonconforming Uses, replace “12” with “24” so that the sentence reads as follows :
“...when a nonconforming use of land or a structure is discontinued for a period of 24 consecutive months or more...”

2. On page 471 of the IDO, in section 6-8(D)(1), Nonconforming Structures, replace “12” with “24” so that the sentence reads as follows :
“...until the uses in the structure are discontinued or structure becomes vacant for a continuous period of 24 months or more...”

Explanation: Allowing more time before a non-conforming use or structure must terminate provides more flexibility for property owners seeking to find new tenants, or owners of a property.

**LAND USE, PLANNING AND ZONING COMMITTEE
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CITY COUNCIL**

September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Jones

1. Revise the Conversion Map to reflect the following revised SU-2 conversion zones:
 - a. Revise the Barelás Sector Development Plan's SU-2/WD (Warehouse District) zone to convert to MX-H.
 - b. Revise the East Gateway Sector Development Plan's SU-2/EG-C (Corridor) zone to convert to MX-H.
 - c. Revise the Huning Castle & Reynolds Addition Sector Development Plan's SU-2/RO (Residential/Office) zone to convert to MX-T.

Explanation: Because these Sector Development Plans (SDPs) established mixed-use zones specifically to allow a mix of residential and non-residential uses, this change would better reflect the full range of permissive uses established in the SDPs. The LUPZ conversion of these zones followed a strict conversion rule that matched the highest listed zone, in order to maintain the most intense permissive uses allowed. However, several SDPs intentionally created mixed-use zones, which were tailored to the existing and desired uses in the area. This was done through sector development plans, because at that time, the zoning code did not easily accommodate mixed-use zones. An unintended consequence of the conversion rule to match the highest allowed permissive uses was that some of the SDP mixed-use zones were converted to either a Residential only zone or a Non-Residential zone. This amendment would reinstate the mixed-use entitlements for the zones listed above.

- d. Revise the High Desert Sector Development Plan's SU-2/HD-R-LT zone to convert to R-1C for lots with detached, single-family dwellings with minimum lot sizes of 7,500 SF.

Explanation: The High Desert SDP R-LT zone differs in minimum lot size from the base zone: detached homes require 7,500 SF minimum lots. Because this SDP has different minimum lot size requirements for the HD-R-LT zone, the IDO Conversion zone should be updated to more closely match the R-1 flavor associated with those minimum lot

sizes.

e. Revise the Huning Highland Sector Development Plan's SU-2/NCR (Neighborhood Commercial/Residential) zone to convert to MX-L.

Explanation: This zone references C-1 and R-3, so it should convert to MX-L not R-ML.

f. Revise the Volcano Trails Sector Development Plan's SU-2/VTVC to convert to MX-L.

Explanation: This zone only references C-1, so it should convert to MX-L not MX-M.

LAND USE, PLANNING AND ZONING COMMITTEE
of the
CITY COUNCIL

September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Gibson

1. On page 64 of the IDO, in section 2-6(A)(3)(a), revise the minimum acreage for a PD zone district as follows:
“There is no minimum acreage size for a PD zone district. A PD zone district must contain less than 20 contiguous acres of land.”
2. On page 143 of the IDO, in TABLE 4-2-1, revise the permissibility of “Artisan Manufacturing” from “CV” to “[C]” in the MX-T zone district.
3. On page 162 of the IDO, in section 4-3(D)(10)(a), revise the sentence to decrease the minimum project size for a campground or recreational vehicle park:
“Minimum project size for a campground or recreational vehicle park is ~~5~~1 acre.”
4. On page 162 of the IDO, in section 4-3(D)(10)(b), revise the sentence to increase the maximum gross density within a campground:
“The maximum gross density within a campground shall be ~~15~~25 camp sites per acre. Land that is not accessible to campers shall not be included in the calculation of gross density.”
5. On page 487 of the IDO, in section 7-1, revise the name of the definition for “Campground” to be the following:
“Campground/Recreational Vehicle Park.”
6. On page 487 of the IDO, in Part 14-16-7 section 7-1, revise the definition for “Campground/Recreational Vehicle Park” as follows to clarify that campgrounds and recreational vehicle parks as follows:
“A lot developed or used for occupancy by tents and or recreational vehicles for transient dwelling purposes. A campground/recreational vehicle park may include recreational services, facilities, and activities for utilization by the public that provide the most comprehensive

livability options for residents.]”

7. On page 508 of the IDO, in section 7-1, add the following language to the definition of “Manufacturing, Artisan” to broaden the types of uses that are permitted in this land use category:

“Application, teaching, making, [design], fabrication, compounding, processing, assembling, [packaging], or treating of crafts or products by an artist, artisan, or craftsperson either by hand or with minimal automation, which may include [incidental storage], direct sales, to consumers. This use includes uses such as small-scale fabrication, manufacturing, and other industrial uses and processes typically not allowed in non-industrial zone districts including but not limited to welding, sculpting, and creation of products from stone, clay, ceramic, metal, textiles, wood, paper, plastic, electronics, or similar materials.”
8. On page 519 of the IDO, in section 7-1, revise the definition of “Recreational Vehicle” as follows to clarify the types of amenities that are found in a recreational vehicle and to add another type of recreational vehicle that is permitted:

“A motor vehicle or trailer equipped with living space and amenities ~~found in a home~~, including, but not limited to bus campers, camper trailers, pickup campers, travel trailers, motor homes, [park model trailers] and tiny houses.”
9. On page 527 of the IDO, in section 7-1, create a new definition of “Single Room Occupancy” as follows:

“[A type of residential development that provides dwelling units with separate sleeping areas and some combination of shared bath or toilet facilities. The building may or may not have separate or shared cooking facilities for the residents.]”

Explanation: These amendments support the long-term goal of enabling unique infill development projects to take place under the IDO and to diversify the City’s supply of affordable housing options that are integrated with employment opportunities.



**LAND USE, PLANNING AND ZONING COMMITTEE
of the
CITY COUNCIL**

September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton

1. On page 206 of the IDO, in table 5-1-1, under R-ML and R-MH, add the following text in the “Usable Open Space, Minimum” line:

UC-MS-PT: 50% Reduction

2. On page 210 of the IDO, in table 5-1-2, under MX-T, MX-L, MX-M, and MX-H, add the following text in the “Usable Open Space, Minimum” line:

UC-MS-PT: 50% Reduction

Explanation: Given the urban nature of UC-MS-PT areas, a reduction in usable open space is appropriate.

**LAND USE, PLANNING AND ZONING COMMITTEE
of the
CITY COUNCIL**

September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Jones

1. Revise the Integrated Development Ordinance and Zoning Conversion Map to incorporate all technical revisions in the attached spreadsheet of technical edits.

Explanation: Ongoing staff review and response to public comment identified a number of technical revisions that will make the draft clearer and easier to use and administer. The "Source" column indicates either staff recommendation or refers to a number that refers to the relevant line from the Staff Response to Public Comments Spreadsheet.

The spreadsheet also provides direction for AGIS to finalize the zoning conversion map based on zoning in place when the IDO becomes effective. This process will apply the conversion rules for base zones in the Zoning Code via 2-2-1 in the IDO; properties with SU-1 and R-D zoning, and properties in Sector Development Plans with SU-2 and SU-3 zoning. This process includes the conversion of R-1 zoned properties to the appropriate subzone (R-1A, R-1B, R-1C, and R-1D). Zone changes and subdivisions that are final as of the effective date of the IDO will therefore be converted appropriately in the final zoning conversion map.

Staff Proposed Technical Edits
 IDO Council Draft Submittal - LUPZ Hearing #3



LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
5	1-10(A)	Remove "amendment processes." Justification: Any amendment to an approved Site Plan must comply with the criteria and procedures established in Section 14-16-6-4.	127
32	2-4(E)(3)	Revise the photographs to indicate they are non-regulatory examples of building frontage types and building articulation.	1140
32	2-4(E)(3)	Revise the graphics to add dimensional information and labels.	1140
34	Table 2-4-11	Revise Table 2-4-11, line G as follows: DT1 = "less than 20 ft. from front and corner side lot lines: 45 ft. [1] // greater than or equal to 20 ft from front and corner side lot lines: 65 ft. [1]" DT2 & DT3 lower row = "greater than or equal to 20 ft. from front and corner side lot lines: N/A // All other lot lines: N/A"	Staff recommendation
34	Table 2-4-11	Revise note [3] to explain that an additional 12 ft. (or 1 story) in DT2 and an additional 24 ft. (or 2 stories) would be allowed within the first 20 feet for buildings with podium, structured, or subterranean parking.	1144, 1145
36	2-4(E)(3)(c)(7)	Revise: "Street trees shall be provided along all street frontages and shall otherwise be consistent with §6-6-2 (Street Tree Ordinance), §5-6 (Landscaping, Buffering, and Screening) , in particular §14-16-5-6(D) (Street Frontage and Frontage Landscaping)." Add FN: Revised since LUPZ draft to clarify the requirement for street trees on all streets in the MX-FB-DT zone, not only ones on collectors and above, as required by the Street Tree Ordinance.	Staff recommendation
40	2-4(E)(3)(d)	Revise the diagram to illustrate a required setback from the front property line and revise the label to read "Landscaped area between the sidewalk edge and building frontage".	1150, 1151
50	FN 152	Add text in a footnote to explain the redline text.	306
52	2-5(B)(1)	Revise the last sentence as follows: "processing, and institutional uses. Allowable uses are shown in TABLE 4-2-1: Use Table."	490
55	2-5(C)(1)	Replace "low-impact industrial uses" with "light manufacturing" in the last sentence.	490
59	2-5(E)(2)	Add "Fairground" to list of NR-SU uses.	Staff recommendation
79	3-2(B)(1)(f)	Add cross reference to Off-premises Sign Prohibition, Section 5-12(G)(1)(d)(2). Add cross reference to Electronic Sign Prohibition, Section 5-12(H)(3).	Staff recommendation
82	3-2(B)(2)(d)2.a.vi	Revising to re-incorporate glazing requirements from the DNA SDP for residential development (30% for low-density and multi-family). On page 82, add glazing requirements from the DNA SDP for non-residential building design (50%) as a new 3-2(B)(2)(d)2.b.iv to carry forward existing DNA regulations in a more complete way.	9
82	3-2(B)(2)(d)2.b.ii	Add "linear" to DNA - CPO-2 so that articulation is required to change every so many linear feet. Phrase consistently with Volcano Mesa CPO and Sawmill CPO.	Staff recommendation
84	3-2(B)(3)(a)	Replace CPO map with new version that includes buildings of note from the Nob Hill - Highland SDP.	Staff recommendation
84	3-2(B)(3)(d)2.d	Add "clear transparent" to second floor window provision before windows and/or doors.	Staff recommendation

Staff Proposed Technical Edits
 IDO Council Draft Submittal - LUPZ Hearing #3



LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
84	Map	Revise the CPO map to reflect the EDo map on page 10, which identifies all of the historic properties. Use Bernalillo County parcel boundaries.	Staff recommendation
90	3-2(B)(4)(d)	Add as new introductory sentence to apply to this whole section (4)(d): "The following building standards apply to all development in the Highlands Area, as mapped in 3-2(B)(4)(a)."	Staff recommendation
91	3-2(B)(4)(d)2.b	Revise to read: "Reflectivity: ...reflective or mirrored glass." Delete the rest of the provision (covered in definition of reflective or mirrored glass).	Staff recommendation
102	3-2(B)(7)(d)4	Revise to read "Reflective <u>or mirrored</u> glass..."	Staff recommendation
105	3-2(B)(8)(d)2.j	Revise to read "Reflective <u>or mirrored</u> glass..."	Staff recommendation
113	3-3(B)(1)(a)	Replace EDo HPO map with new one that excludes the Buildings of Note parcels, which are not regulated by the Landmark Commission, but includes historic properties identified in the EDo map on page 10.	Staff recommendation
121	3-3(E)(2)	New section. Revise the text into two sections (1) about HPO zone and (2) about City Landmarks, that protects all the features listed in 3-3(E)(1) as well as any other character defining features that may be interior, exterior, landscaping, etc.	Staff recommendation
123	3-4(B)(1)(c)1	Insert in second sentence ", if building has no higher point," before "the lowest elevation(s)..." Revise the illustration to show at least one sight line that is not located at the corner of the property where the southern property line meets the Coors Blvd. ROW.	516
123	3-4(B)(1)(c)2	Replace View Area definition with text of View Frame definition revised to begin with "The area within a [vertical rectangular frame etc.]"	517, 521
124	3-4(B)(1)(c)3	Delete "3. View Frame" and text. Retain illustration with revisions: delete "View Frames showing" in top label; replace " View Frames" with "View Areas" in 3rd label; move right-hand sightline to the right of property corner, while still intersecting high point of building.	518
124	3-4(B)(1)(e)1	In 1st sentence, add "mechanical equipment and associated screening," before "walls and fences" and replace "figure" with "section diagram". In 2nd sentence, replace "it" with "the natural grade (or finished grade, if infrastructure is already installed)". In last sentence, replace "single-family" with "low-density".	519
125	3-4(B)(1)(e)1	In illustration, change "Grade" to "Floor."	520
125	3-4(B)(1)(e)2	Replace "the view area" with "any view area" in text. In illustration, delete "within View Frame".	Staff recommendation
128	3-4(B)(2)(c)3	Revise to read as follows: "Additional height may be requested through a Variance - ZHE per Subsection 14-16-6-6(L) for Site Plan - Administrative, a Variance - DRB per Subsection 14-16-6-6(J) for a Site Plan - DRB, or a Variance - EPC per Subsection 14-16-6-6(L) for a Site Plan - EPC for any of the following allowable exceptions:"	Staff recommendation
129	3-4(B)(2)(e)	Revise to read "Reflective <u>or mirrored</u> glass..."	Staff recommendation
129	3-4(B)(2)(f)	Replace "ground" with "the nearest public street(s)"	Staff recommendation

Staff Proposed Technical Edits
 IDO Council Draft Submittal - LUPZ Hearing #3

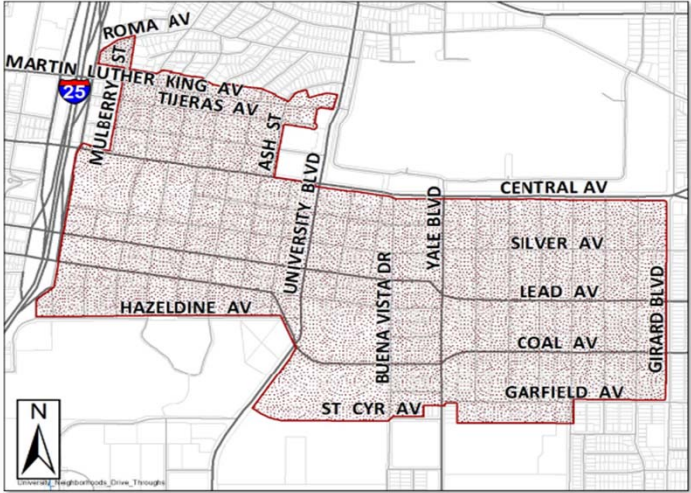


LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
132	4-1(G)(2)	Insert a new section: B. NR-PO-B: Uses may be specified in Master Plans, Resource Management Plans, or Site Plans beyond those listed by Table 4-2-1, as approved by the City Parks and Recreation Department/Open Space Division.	Staff recommendation
135	Table 4-2-1	Footnote 399: revise to reflect max size of 8 and that they don't include homeless and domestic abuse shelters or emergency shelters. The former will be part of a new use "Overnight Shelter" and the latter will be unregulated, as it is today.	Staff recommendation
136	Table 4-2-1	Remove the Conditional use of Museum or Art Gallery from the R-MC zone to preserve the intent of that zone.	683
136	Table 4-2-1	Remove the Conditional use of Library from the R-MC zone to preserve the intent of that zone.	Staff recommendation
136	Table 4-2-1	Remove "P" in R-MC for "High school." It breaks the pattern of C in other Residential zones and is not the primary use for the R-MC zone. Schools are allowed in many other zones.	Staff recommendation
136	Table 4-2-1	Add "Overnight shelter" with C's and P's in the same zones as Daytime gathering facility (as revised) and new 4-3(C)(5) in USS column.	Staff recommendation
140	Table 4-2-1	Remove "A" from R-MC, R-T, R-ML, and R-MH in the Office line. On page 169, delete the use-specific standard for office as it applies to only these zones.	Staff recommendation
141	Table 4-2-1	Add "P" in Fairgrounds for NR-SU	Staff recommendation
148	Table 4-2-1	Second kitchen within a house: make "A" in RA - MX-T. Change name to "Second kitchen within a dwelling".	Staff recommendation
151	4-3(B)(3)	Revise the definition for "Dwelling, Cluster Development" and the related Use-specific Standard to clarify that the Common Open Space area may be dedicated to the City as Major Public Open Space, if accepted by the Open Space Division of the Parks and Recreation Department.	864, 865
155	4-3(C)(1)	Add Library to the title of this section, to reflect the amendment to include library with the community center use.	683, 690, 697, 711, 714, 717, 724, 844
156	4-3(C)	Insert new (5) for Overnight shelter with "This use shall be located a minimum of 1,500 feet from any other Overnight shelter. Renumber the rest of the Civic/Institutional USS'. Update the USS refs in the Use Table.	Staff recommendation
156	4-3(C)(4)	Delete R-A and R-1. Delete "Library".	Staff recommendation
156	4-3(C)(5)(c)5	Revise to read: "shall be built to any ADA standards applicable to private recreational facilities."	1243

Staff Proposed Technical Edits
IDO Council Draft Submittal - LUPZ Hearing #3



LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
157	4-3(C)(5)(c)7	Use-specific Standard for NR-PO-C should be revised as follows: "Trails built in the NR-PO-C zone may be paved or unpaved and shall be built to City standards as required by the Development Process Manual (DPM). The trails shall be maintained by the property-owner or Homeowners Association. Signs shall be posted every ½ mile or at every intersection, whichever is closer, that indicate ownership and/or management and current contact information." Revise Footnote 577 to indicate that since the LUPZ draft, text about trails built in the public right-of-way was removed, as covered by the DPM.	1240
158	4-3(D)	Revise language associated with MPOS-related use-specific standards to clarify that the uses are conditional within 330 feet except where adjacent to MPOS (in which case they are prohibited).	613
160	4-3(D)(4)(b)1	Revise to include the phrase "or a combination of both."	873
160	4-3(D)(6)(a)1	Revise as follows: "...1,000 feet of another premises containing an adult entertainment or adult retail use." As currently drafted, this provision would disallow any establishment with both adult entertainment and adult retail.	1802
161	4-3(D)(7)	Add a new (c) as follows: In the MX-T zone district, restaurants, bars, and tap rooms or tasting rooms are limited to 10,000 square feet of gross floor area.	Staff recommendation
162	4-3(D)(10)	Revise Subsection 4-3(D)(10)(e) that reads as follows: "This use shall be set back a minimum of 20 feet from each lot line." Create a new Subsection 4-3(D)(10)(f) to read as follows: "This use shall be screened on all sides an opaque wall or vegetative screen at least 6 feet high unless they are set back at least 100 feet from any public right-of-way."	878
163	4-3(D)(13)	Add a new (a) as follows: "This use is prohibited within 330' of Major Public Open Space" and renumber subsequent provisions.	Staff recommendation
163	4-3(D)(13)(d)	Delete this provision per footnote 602.	326
163	4-3(D)(13)(d)	Delete the second instance of "must be" in Sections 4-3(D)(13), 4-3(D)(16), and 4-3(D)(17).	880, 896
164	4-3(D)(13)(e)	Revise 20 feet to be 25 feet to be consistent with the requirement for landscape buffers between industrial/heavy commercial and industrial uses. Review and revise other separation distances between industrial and residential for consistency.	882
164	4-3(D)(14)(c)	Revise "adjacent" to "abutting." Revise the sentence to read: "If located abutting a Residential zone district or residential component of a Mixed-use zone district, or where separated by an alley, a minimum 6-foot opaque fence, wall, or vegetated screen is required."	887
166	4-3(D)(18)(d)	Revise to alphabetize MX-FB-DT. Delete "standards," as this should be a reference to the area, not the standards.	892
170	4-3(D)(26)	Revise the reference to read "Balloon Fiesta Park Master Plan" to approximate the official adopted name, with the modification of dropping the word "Development," which is used to refer to private "Master	905
171	4-3(D)(28)	Delete subsections (b) and (c) as unnecessary for this use.	Staff recommendation

LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
175	4-3(D)(32)	Revise the distance separation for pawn shops to one mile apart, to track with the Small Loan Business provisions.	899
178	4-3(E)(6)(b)	Add a reference to the Rank 2 Facility Plan Electric System Transmission and Generation (2010-2020) in the Use-specific Standard in Subsection 4-3(E)(6)(b), similar to Subsection 4-3(E)(7)(a). Add language similar to Subsection 4-3(E)(5)(a) in Subsection 4-3(E)(6)(b).	1206
187	4-3(F)(2)(c)	Revise to read: "In all other zone districts where this use is allowed, this use may not exceed 50 square feet, unless accessory to a community garden, in which case this use may not exceed 100 square feet."	919
188	4-3(F)(4)(c)	Revise the reference to "Animal Control" to "City Animal Welfare Department."	923
188	4-3(F)(4)(c)	Revise to read: "Each stacking lane is limited to a maximum order board area of 50 square feet."	925
188	4-3(F)(4)(d)	Update the reference section number for Neighborhood Edges to read "14-16-4-9."	927
188	4-3(F)(4)(f)	Revise 1 st line to read "This use is prohibited in the following mapped areas as noted." Under 2. Revise to read "In the following mapped area, this use is: prohibited in the MX-M zone district; prohibited in the MX-L district unless associated with a use other than Restaurant or a use in the Retail Sales category." Remove hatched area from map.	Staff recommendation
190	4-3(F)(4)(f)	Insert a new "6. Volcano Heights (Urban Center) This use is prohibited within the Mixed-use zone districts in the following mapped area."	Staff recommendation
190	4-3(F)(5)	Revise the University Neighborhoods Map as pictured below. Add text before the map: "This use is prohibited in the Mixed-use zone districts in the following mapped area." 	Staff recommendation

Staff Proposed Technical Edits
IDO Council Draft Submittal - LUPZ Hearing #3



LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
194	4-3(F)(7)	Change language to clarify that screening must be at least 6 ft. high.	Staff recommendation
195	4-3(F)(9)(b)	Home occupation. Delete 11 as unnecessary and non-sensical. Home occupation is limited to inside the DU per definition and the DU is required to be the primary use.	Staff recommendation
196	4-3(F)(10)(a)	Add to the end: "Mobile Food Units that occupy the public right-of-way are regulated by the Traffic Code."	936
198	4-3(F)(14)(c)	Revise the regulated hours for animals to occupy an outdoor animal run to between 10:00 P.M. and 7:00 A.M.	942
200	4-3(F)(17)(k)	The Use-specific Standard for Second Kitchen Within a House has been included with the one above. Revise numbering and formatting to make this use a new §4-3(F)(18).	946
200	4-3(F)(17)(k)	Change header to: Second Kitchen w/in a Dwelling.	Staff recommendation
205	5-1(C)(1)(c)	Delete this provision - covered by the addition in the table listed below (adding other allowable uses to the table).	Staff recommendation
205	Table 5-1-1	Revise Table 5-1-1 by adding "and other allowable uses" after Townhouse in R-T and R-ML for Lot size, minimum and Lot width, minimum.	Staff recommendation
205	Table 5-1-1	Add a note to Table 5-1-1 that refers to the Family Housing Development Ordinance.	682, 691, 698, 712, 714, 716, 723, 730
210	Table 5-1-2	Add the minimum usable open space requirements for MF to MX-T. Footnote 853 mentions they were removed for townhouses, but MF is also allowed in this zone district.	Staff recommendation
211	Table 5-1-2	Revise Side, minimum 5 ft. for street side of corner lots.	1122
211	Table 5-1-2	Revise the row for 'Front Setback, Minimum' to add UC-MS-PT areas to the provision for having 50% of front property line width must be occupied by the primary building...	Staff recommendation
212	Table 5-1-3	Change "Impervious lot coverage, maximum" to "Building coverage of the lot, maximum.	301, 302, 949, 1762
220	5-2(F)(3)(a)	Revise the Los Duranes Map in the Acequia Standard section to add additional identifying features for clarity, including a label for Los Luceros street and Los Duranes Park.	953
228	5-3(C)(5)(a)	Revise to apply to new development involving "more than 1 parcel or sites that are over 5 acres in size..."	961
230	5-3(D)(3)(b)2.b	Revise as follows: "Any abutting public park, trail, MPOS, or other Civic or Institutional uses, as long as such access is coordinated with and approved by the Parks and Recreation Department or the property owner of the civic or institutional use."	963
234	5-4(C)(1)	Revise to add the following: "where the property is located, including without limitation those standards for Contextual Residential Development in Areas of Consistency in Section 14-16-5-1(C)(2), and ..."	1121

Staff Proposed Technical Edits
 IDO Council Draft Submittal - LUPZ Hearing #3



LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
239	5-4(E)(3)(b)	Revise as follows: "shall be provided and designed per the requirements in the DPM, which are summarized in Table 5-4-1 below." The intent is to have the DPM contain the standards and the IDO table summarize for convenience to the reader. If they become out of sync, it needs to be clear that the DPM has the requirements.	971
243	5-4(K)(1)(a)	Add "and DPM" at the end of sentence.	Staff recommendation
245	5-4(P)	Revise the first sentence to add at the end: "in accordance with technical standards in the DPM"	Staff recommendation
246	5-5(B)(1)(c)	Add a new (c) as follows: The minimum off-street parking requirement in the following mapped area is 50 percent of any requirement in Table 5-5-1. <i>[Insert map of the area currently zoned SU-2/WD in the Barelvas SDP.]</i>	430, 1525
247	5-5(B)(1)	Change heading to Exemptions and Reductions.	Staff recommendation
248	5-5(B)(1)	Insert new (c) The minimum amount of off-street automobile parking for land uses in the following mapped area is 50% of the requirements listed in Table 5-5-1 Off-street Parking Requirements. <i>[insert map of Barelvas WD zone]</i>	Staff recommendation
249	Table 5-5-1	Revise Table 5-5-1 as follows to clarify requirements by design capacity vs. gross floor area for more consistent enforcement: Adult or child daycare facility: 1 space per 400 sq. ft. GFA / UC-MS-PT: 1 space per 600 sq. ft. GFA Hospital: 1 space per 3 patient beds or 4 spaces per 1,000 sq. ft. GFA, whichever is greater Bar: 8 spaces per 1,000 sq. ft. GFA / UC-MS-PT: 5 spaces per 1,000 sq. ft. GFA Nightclub: 8 spaces per 1,000 sq. ft. GFA / UC-MS-PT: 5 spaces per 1,000 sq. ft. GFA Restaurant: 8 spaces per 1,000 sq. ft. GFA / UC-MS-PT: 5 spaces per 1,000 sq. ft. GFA Tap room or tasting room: 8 spaces per 1,000 sq. ft. GFA / UC-MS-PT: 5 spaces per 1,000 sq. ft. GFA Outdoor dining area: 5 spaces per 1,000 sq. ft. GFA outdoor seating space / AC-UC-MS-PT: No requirement	Staff recommendation
252	Table 5-5-1	Correct the Existing parking standard for restaurant without liquor to 1 space / 4 seats in Table 5-5-1 for archive purposes.	1722
259	5-5(C)(4)(b)	Revise to read: "Where 2 or more uses listed in Table 4-2-1: Use Table share <u>a structure or a parking lot that is within 330 feet of either site</u> , the total off-street parking..." This makes the shared parking requirements consistent with current practice and the zoning code's P-R zone requirements.	Staff recommendation
261	5-5(C)(4)(e)	Reinstate the content under Van and Carpool Heading from EPC Draft, which inadvertently got missed during the re-numbering of the LUPZ Interim Draft. Move the content that's showing under this heading in LUPZ Draft to a re-instated heading "On-street Parking."	Staff recommendation
265	5-5(F)(1)(a)(3)	Revise the enactment date for the front yard parking ordinance to June 12, 2007.	Staff recommendation
267	5-5(F)(2)(a)(3)	Replace "all applicable" with "clear sight triangle."	Staff recommendation
279	5-6(C)(2)	Add PT to the list of areas that only require a minimum of 10% landscape area.	15

Staff Proposed Technical Edits
 IDO Council Draft Submittal - LUPZ Hearing #3



LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
280	5-6(C)(3)	Move the standard from Subsection 6(D)(1)(a) to Subsection 5-6(C)(3) for clarity and consistency.	1124
286	5-6(C)(15)(b)	Replace "no later than...construction of" with "prior to the issuance of a final certificate of occupancy." Make similar revision in 2nd sentence.	Staff recommendation
288	5-6(D)	Revise as follows: "5-6(D)(1)(a) All development shall comply with Section 6-6-2 (Street Trees)."	1125, 1126
288	5-6(D)	Revise as follows: "5-6(D)(1)(b) Trees shall be planted in alignment with any similar street frontage landscaping on adjacent lots to the maximum extent practicable."	1125, 1126
288	5-6(D)	Revise as follows: "5-6(D)(1)(d) Only trees selected from the Official Albuquerque Plant Palette and Sizing List of low water use, drought tolerant, or xeric species and shown on a landscape plan can count toward the requirements of this Section 14-16-5-6(D) (Street Frontage Landscaping), with the following exception: a. Existing trees that are 8 inch caliper or larger may count toward street tree requirements, regardless of whether they appear on the Official Albuquerque Plant Palette and Sizing List or City or state list of prohibited or invasive species."	1125, 1126
288	5-6(D)	Revise as follows: "5-6(D)(1)(e) Planting areas necessary for trees in the frontage shall be a minimum of 4 feet by 4 feet for trees that attain 15-20 feet in height at maturity, 5 feet by 5 feet for trees that attain 20-40 feet in height at maturity, and 6 feet by 6 feet for trees that attain 40 or more feet in height at maturity. When less than the necessary planting area width is available, tree wells covered with tree grates shall be installed."	1125, 1126
288	5-6(D)	Revise as follows: "5-6(D)(1)(f) Street trees shall also meet any standards developed by the Parks and Recreation Department or other City department to implement Section 6-6-2 of ROA 1994 (Street Trees)."	1125, 1126
288	5-6(D)	Revise as follows: "5-6(D)(1)(g) Trees used to meet the requirements of this Subsection 14-16-0 may be counted toward any other IDO requirements for trees in the same location and toward equal percentages of required lot landscaping."	1125, 1126
288	5-6(D)	Revise as follows: "Additional Frontage Landscaping Required in Key Areas. 5-6(D)(2)(a) In Downtown, Urban Centers, and Main Street and Premium Transit areas, 50 percent of front setback area not used for pedestrian access to the building or constructed with pedestrian furniture and amenities shall be landscaped, and no part of the front setback area surface shall be asphalt."	1125, 1126
288	5-6(D)	Revise as follows: "5-6(D)(2)(b) Except in Downtown, Urban Center, Main Street, and Premium Transit station areas, commercial and mixed-use buildings with a footprint of more than 50,000 square feet shall have at least 1 tree and 3 shrubs planted along each 30 linear feet of each building façade facing a public right of-way, City Park, Major Public Open Space, or public trail, or major arroyo."	1125, 1126
296	5-6(E)(5)	Revise as follows: "...the following standards shall apply on the lot in the Area of Change, regardless of the proposed land use on that lot." Revise (a), (b), and (c) to add "abutting" before "lot" to make clear that the zones specified are for the Area of Consistency (which is not being regulated).	Staff recommendation
297	5-6(F)(1)(i)	Update reference to "Subsection i above" to read: "Subsection b below."	977
300	5-6(G)(2)(b)	Add a new 4 to allow an exemption in the case where the standard would violate state or federal safety rules.	1209

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
301	5-6(G)(3)(a)	Revise to read: "adjacent properties with low-density residential zoning." Revise this section to pull R-ML, R-MH, and MX zone districts into a separate standard that keeps the requirement to screen from adjacent lots. Make the same change in Section 5-6(G)(2)(a) for screening ground-mounted equipment.	501
312	5-7(E)(1)(c)	Insert "or any residential component of a Mixed-use zone district," after "Residential zone districts."	636
312	5-7(E)(2)(c)	Revise Option 3 to read: "Offset in wall alignment of at least 16 inches, spaced so that no more than 3 consecutive lots have the same wall alignment."	Staff recommendation
315	5-7(E)(4)	Move provision 5-7(E)(4)(b)3 to be a new (a)3 in order to prohibit unfinished CMU walls of any height adjacent to major arroyos or MPOS. Add a cross reference to the new provision where appropriate in the section.	632
319	5-8(B)(2)	Add a new (g) as follows: "Illuminated signs, including electronic signs, which are regulated in Section 14-16-5-12" in order to make clear that this section does not apply to signs, only lighting.	1022, 1455, 1457
319	5-8(B)(2)(e)	Revise line 2 to read: "Maximum illumination at the property line is not brighter than 200 foot lamberts."	Staff recommendation
319	5-8(C)(1)(a)	Revise measurement from "2 footcandles" to read "200 foot lamberts."	Staff recommendation
320	5-8(D)(3)	Revise measurement from "0.25 foot candles" to read "200 foot lamberts."	Staff recommendation
321	5-8(E)(1)(a)	Revise to read: "shall provide an illumination of at least 1 foot candle, not to exceed 4 foot candles."	Staff recommendation
322	5-8(E)(3)(b)	Revise to read: "shall provide an illumination of at least 1 foot candle, not to exceed 4 foot candles."	Staff recommendation
326	5-11(B)(3)	Delete this provision as unnecessary.	Staff recommendation
328	5-11(D)(2)(b)	On page 328, revise Subsection 5-11(D)(2)(b) as follows: In UC-MS-PT areas, each floor of every building façade that faces a public street shall contain a minimum of 20 percent of the façade as windows or doors.	9
328	5-11(D)(2)(b)	On page 328, revise Subsection 5-11(D)(2)(b) as follows: "In Urban Cnters, Main street areas, and Premium Transit areas, <u>each floor of every building façade that faces a public street shall contain a minimum of 20 percent of the façade as clear, transparent windows and/or doors.</u> "	9
329	5-11(D)(4)	Revise the text to read: "...between the front or primary façade of <u>each</u> multi-family building ..."	982
332	5-11(E)(1)(b)2.b	Remove "vertical" for clarity.	1114
332	5-11(E)(2)(a)	Revise to add "of ground floor area" after "40,000 square feet."	1116

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
336	5-12(D)	Change heading to "Permitting". Add new subsection "5-12(D)(1) Signs that Require a Permit" followed by the text under 5-12(F)(1) revised as follows: in the first sentence, correct and update the two Subsection references; in (e), delete "on-premises"; add "(h) Electronic signs require an annual permit." Reformat 5-12(D) into "5-12(D)(2) Activities that May Be Performed without a Permit" followed by the two paragraphs renumbered (a) and (b).	Staff recommendation
336	5-12(D)	Move text in 5-12(F)(1) to 5-12(D) to apply to on- and off-premises signs, with these changes and renumber subsequent sections accordingly: <ul style="list-style-type: none"> • Heading changed to "Signs that Require a Permit" • In (e), delete "on-premises". Make this a new 5-12(D) OR change 5-12(D) to "Permitting" with 2 subsections: (1) "Signs that Require a Permit" and (2) "Activities that May Be...." <ul style="list-style-type: none"> • Change 1st subsection ref to 14-16-5-12(E) or (D)(2) depending on selected organization. • Add (h) reinstating annual permit for electronic signs (ZC p. 3-36) 	Staff recommendation
336	5-12(D)	Remove any duplication regarding permitting of off-premises and electronic signs in 6-5(I)(2) and replace w/ cross reference to this section on permit approvals.	Staff recommendation
336	5-12(E)(3)	Add exception phrase from Subsection 5-12(C)(8).	Staff recommendation
338	5-12(F)	Insert a new subsection "5-12(F)(2)(b) Illumination" with the following: "1. No more than 1 sign per premises shall be illuminated, apart from the general illumination of the premises, between 10 pm and 7 am. 2. No portion of an illuminated sign shall have a luminance greater than 200 footlamberts between dusk and dawn, unless Subsection 14-16-5-12(H) (Electronic Signs) applies a more restrictive standard. 3. No sign or any part of any sign may move or rotate at a rate more often than once each 10 seconds, or change its message or picture at a rate more often than once each 8 seconds, with the exception of wind devices, the motion of which is not restricted." [Note that these are drawn from ZC 14-16-3-5(D)(1), (3), and (4)]	Staff recommendation
338	5-12(F)	Insert a new subsection "5-12(F)(2)(b) Illumination" with the following text: "1. Illuminated signs are not allowed on lots with low-density residential development. 2. No more than one sign per premises with other types of development shall be illuminated, apart from the general illumination of the premises, between 10 pm and 7 am. 2. No portion of an illuminated sign shall have a luminance greater than 200 foot lamberts at night, unless Subsection 14-16-5-12(H) (Electronic Signs) applies a more restrictive standard. 3. No sign or any part of any sign may move or rotate at a rate more often than once each 10 seconds, or change its message or picture at a rate more often than once each 8 seconds, with the exception of wind devices, the motion of which is not restricted	Staff recommendation

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
338	Table 5-12-1	Insert table under new subsection "5-12(F)(1)(a) General Regulations".	Staff recommendation
338	Table 5-12-1	Revise as follows: In Wall Sign/Maximum Number line, add "Use accessory to residential use: 1 per dwelling" and "Permissive Non-residential Uses, Approved Conditional Non-residential Uses, and Non-conforming Uses : 1 per street frontage". Delete line for Illumination. Replace "Monument Signs" with "Freestanding Signs". Create lines for Maximum Number, Maximum Size, insert "Residential uses:" before "None"; insert "Residential uses (except in low-density residential development):" before text in R-ML/R-MH column and delete ", no more than 24 sq. ft. each"; insert new line across all zone district columns with "Permissive Non-residential Uses, Approved Conditional Non-residential Uses, and Non-conforming Uses: 1 per street frontage."	Staff recommendation
338	Table 5-12-1	In the row for Window Display or Signs, replace the text in the third column with the following content: "Limited to signs not discernible from a public right-of-way."	Staff recommendation
338	Table 5-12-1	Insert a new row below the Window Display or Signs, with the following content: "Signs for Permitted Non-residential Uses; Approved Conditional Non-residential Uses; and Non-conforming Uses." Add a row below this with the following content: "Maximum number / 1 building-mounted or freestanding sign per street frontage." to apply to all zones. Add a row below this with the following content: "Maximum Size and Location / Max height of freestanding sign: 4 ft. Max. size of building-mounted or freestanding sign: 24 sq. ft." to apply to all zones.	Staff recommendation
339	Table 5-12-2	Revise to allow 1 wall or canopy sign per establishment per frontage for the zones in the first column. Projecting signs are allowed in lieu of a wall sign, so this provision would apply to projecting signs where a wall sign is not used.	1128, 1129
339	Table 5-12-2	Revise table to show 2 columns with zones noted as follows: First column: MX Zones, NR-C, NR-LM, NR-GM Second column: NR-BP, NR-SU, NR-PO, PD, PC	Staff recommendation
339	Table 5-12-2	Revise to add the following maximum size for MX-FB and NR-BP: 20% Delete "Other Zone Districts" as unnecessary.	Staff recommendation
339	Table 5-12-2	For wall sign location, replace "retail" with "establishment."	Staff recommendation
339	Table 5-12-2	In the second column, add the following text for maximum size and location of walls signs: "Per approved NR-BP Master Development Plan; NR-SU, PD, or PC Site Plan-EPC; or NR-PO Master Plan as applicable"	Staff recommendation
339	Table 5-12-2	In the Window Signs row, delete the second columns so that the 15% limit applies in all zones.	Staff recommendation
340	Table 5-12-2	In the Projecting Signs row, delete the text, and replace with the following content in the second column: "A projecting sign is allowed in lieu of - not in addition to - an allowable wall sign."	Staff recommendation
340	Table 5-12-2	In the Projecting Signs row, delete the text, and replace with the following content in the third column: "Per Approved Plan"	Staff recommendation

LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
340	Table 5-12-2	Insert a new row below the Projecting Signs row, with the following content: "Maximum Number / MX-H and MX-FB-DT: One per establishment frontage. Other Zone Districts: One sign per establishment."	Staff recommendation
340	Table 5-12-2	Insert a new row below the new Maximum Number row, with the following content: "Maximum Size / Same as maximum size of wall sign it replaces"	Staff recommendation
340	Table 5-12-2	Insert a new row below the new Maximum Size row, with the following content: "Maximum Projection / MX-FB-DT zone district and on N. 4th Street (as mapped in Section 14-16-5-12(G)(1)(d)8): ½ of the way across the sidewalk; ¾ of the way across the sidewalk on Central Avenue between 1st and 8th Streets. Other Zone Districts: 30 in. from building façade."	Staff recommendation
340	Table 5-12-2	In the Freestanding Sign section, insert a new column for the NR-BP, NR-SU, NR-PO, PD, PC zones that reads: "Per Approved Plan."	Staff recommendation
340	Table 5-12-2	In the Freestanding Sign, Type row, revise to delete the phrase "and pylon signs."	Staff recommendation
340	Table 5-12-2	Under Canopy Signs, revise Maximum Number to put MX-FB-DT first, then revise the rest of the existing text as follows: "Other Zone Districts: 1 per establishment per frontage"	Staff recommendation
341	5-12(F)(3)(b)	Revise as follows: 2. Reword as follows: "No portion of an illuminated sign shall have a luminance at night greater than 320 footlamberts, except within 40 feet of a Residential zone district where it shall not exceed 200 footlamberts." 3.c, delete 2nd sentence. Add "6. Within 40 feet of a Residential zone district no more than one sign per premises shall be illuminated, apart from the general illumination of the premises between 10 pm and 7 am "	Staff recommendation
341	5-12(F)(3)(b)	Replace "200" with "320". After "night", insert ", except within 40 feet of a Residential zone where the luminance shall be no greater than 200 footlamberts at night."	Staff recommendation
341	Table 5-12-2	In the Freestanding Sign, Maximum Number row, revise with the following content: "1 per 100 linear feet of street frontage along same lot."	Staff recommendation
341	Table 5-12-2	In the Freestanding Sign, Maximum Size row, revise to delete the line "NR-SU and NR-PO: determined on a site-specific basis."	Staff recommendation
341	Table 5-12-2	In the Portable Signs, Maximum Number row, revise the word "retail" to "establishment."	Staff recommendation
341	Table 5-12-2	Replace content in Portable signs with cross reference to Table 5-12-3 and subsection 5-12(F)(5)(c).	Staff recommendation
342	5-12(F)(4)	Joint Sign Premises – Delete "additional" and replace 150 with 100 ft to be consistent with existing zoning code. Adjust definition on p. 517 accordingly.	Staff recommendation
345	5-12(F)(5)(c)	Revise 1. as follows: "Portable signs are allowed in all Mixed-use and Non-residential zone districts, as regulated in Table 5-12-4."	Staff recommendation

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
346	Table 5-12-4	Location of Portable Signs - Replace language about vehicle and ped line of sight with "Cannot obstruct a clear sight triangle"	Staff recommendation
346	Table 5-12-4	Replace "business" with "establishment"	Staff recommendation
347	5-12(G)(1)	Revise as follows: in (b), delete "NR-C"; in (c), add "NR-BP"; add "(d) Off-premises signs are not allowed within 660 feet of the nearest edge of the right-of-way of Interstate 25 between the northern and southern boundaries of the City, and within 660 feet of the nearest edge of the right-of-way of Interstate 40 between the eastern and western boundaries of the City."	Staff recommendation
350	5-12(G)(1)(d)	Add "13. Volcano Heights" and insert small area map that corresponds to Volcano Heights SDP area to carry forward the prohibition on off-premises signs.	Staff recommendation
350	5-12(G)(2)(c)	Delete this provision per Legal Staff guidance to comply with Reed v. Gilbert decision.	Staff recommendation
351	Table 5-12-5	On page 351, revise the separation standard in Table 5-12-5 to read as follows: "From an existing freestanding on-premises sign."	Staff recommendation
351	Table 5-12-5	Add a topic line for "Maximum number" and a cell across all zone district columns that includes "new sign with removal of existing sign, see Subsections 15-12(G)(2)(b) and 15-12(H)(3)." Under "Minimum Separation", in 2nd line, replace "off-premise" with "on-premises".	Staff recommendation
351	Table 5-12-5	Add NR-BP to column with MX-M and NR-C. Add NR-SU, PD, PC to column with MX-H etc.	Staff recommendation
353	5-12(H)(1)	Retain number. Delete heading and text. Replace with: "The standards in this Subsection 14-16-5-12(H) apply to electronic signs, a specific type of illuminated sign, in addition to any other applicable standards in this Section 5-12 (Signs). In addition to a sign that is all electronic, the following also constitute an electronic sign: <ul style="list-style-type: none"> • An existing sign that is modified to make it partly or wholly electronic. • Any expansion of the electronic area of an electronic sign. Unless indicated otherwise, the standards in this Subsection 14-16-5-12(H) apply to both on-premises and off-premises electronic signs."	1029
354	5-12(H)(2)	Renumber as 5-12(H)(4) Illumination, Brightness, and Images. Revise (a) to read "Electronic signs shall not exceed an illumination level of 0.3 foot candles above ambient light as measured using a foot candle meter aimed directly at the sign face at a preset distance depending on sign area, as follows:"	1029, 1031, 1032, 1033
354	5-12(H)(2)	Insert table with 2 columns each titled "Area of Sign (sq. ft.)" and "Measurement Distance (ft.)" with the following data in 2 columns corresponding to sign area / distance: "10 / 32 15 / 39 20 / 45 25 / 50 30 / 55 35 / 59 40 / 63 45 / 67 50 / 71 55 / 74 60 / 77 65 / 81 70 / 84 75 / 87 80 / 89 85 / 92 90 / 95 95 / 97 100 / 100 300 / 150 378 / 200 672 / 250"	1029, 1031, 1032, 1033

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354	5-12(H)(2)	Under table, insert "For signs with an area other than those specifically listed in the above table the measurement distance may be calculated with the following formula: Measurement Distance in feet = Square Root of (Area of Electronic Sign Face in square feet x 100)." Insert new (b): "The luminance level shall also comply with regulations for illumination of on-premises or off-premises signs in Section 5-12 (Signs) as applicable." Renumber b) as c) and delete second sentence. Renumber (c) and (d). Delete (e). Renumber (f) and revise to read: "Any limit in the IDO on the number of illuminated signs on a particular lot or premises shall not apply to electronic signs that only display fuel prices at establishments with a heavy or light vehicle fueling station."	1029, 1031, 1032, 1033
354	5-12(H)(3)	Replace heading with: "Type and Maximum Number of Electronic Signs". Replace introductory paragraph with "(a) On-premises signs. If a premises meets the requirements for an electronic sign, the premises shall not have more than one electronic sign. The type of electronic sign is limited to a freestanding, wall, or a canopy sign and is also subject to provisions in Tables 5-12-1, 5-12-2, and 5-12-5. (b) Off-premises signs. Add "1. The modification of an existing off-premises sign that makes the sign an electronic sign shall constitute a new electronic sign. However, such modification shall not cause an existing off-premises sign located within 660 feet (1/8 mile) of the nearest edge of the right-of-way of Interstate 25 between the northern and southern boundaries of the city, and within 660 feet (1/8 mile) of the nearest edge of the right-of-way of Interstate 40 between the eastern and western boundaries of the city, to forfeit its status as a nonconforming sign only with respect to its location along Interstate 25 and Interstate 40." As 2. through 4, insert text of (H)(3)(b)1., 2., and 3. as 2, 3, and 4. Add 5.[insert text of (H)(3)(c), except replace "Subsection (b)" with "Subsections 1. through 3." [end of subsection]	1029
354	5-12(H)(3)(a)	Renumber as 5-12(H)(2) Prohibited Areas. Revise text as follows: "(a) No electronic sign shall be allowed within an HPO zone or state or nationally registered historic district. (b) No electronic sign shall be allowed in residential development in Residential zones. For other types of development in Residential zones, electronic signs are limited to 25 percent of the total sign area. (c) [insert text of 2.] (d) [insert text of 3.] (d) [insert text of 4., except replace "the adoption of this Subsection" with "the effective date of this IDO."	1029
363	Table 6-1-1	In the row for Minor Historic Certificate of Appropriateness, add requirement to post sign and add "<A>" in the LC column to show that an appeal of staff decision would go to the LC first, then on to Council, to match today's LUCC Ordinance.	Staff recommendation
374	6-3(D)	Add new section - Integrated Development Ordinance, and short paragraph about annual update process. cross reference section 6-4(E)(4) on page 379 in the section on who can file an application. Add sentence about recommendations from CPAs being included during these annual reviews.	Staff recommendation
375	6-3(E)(1)	Delete "Home Owners, Associations, and other groups" as these are required to be "Registered" not "Recognized"	Staff recommendation

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
378	6-4(C)(4)	Create a new Subsection 6-4(C)(4) that reads as follows: "If the RNA chooses to meet, the RNA must respond within 15 consecutive days of the certified letter being sent. The meeting must be scheduled for a date within 30 consecutive days of the meeting request being accepted by the RNA."	1624
381	6-4(I)(2)	Revise to read as follows: "Applications involving residential development shall be referred to Albuquerque Public Schools (APS) for review. No approvals shall be granted by the City..."	1671
383	6-4(K)(2)(f)	Revise to read: "For evictions related to the change of use or rezoning of manufactured home communities..."	Staff recommendation
404	6-4(X)(2)	Replace the text of Subsection 6-4(X)(2) with the following: "A minor amendment is one that meets all of the following criteria:" Add a new 6-4(X)(3) as follows: "Applications to amend an Administrative Decision (as listed in Table 6-1-1) may be approved by the same administrative entity that made the decision being modified, provided that the administrative entity determines that all of the criteria in Section 6-4(X)(2)(a) have been met." Add a new 6-4(X)(4) as follows: "Applications to amend a Decision Requiring a Public Meeting or Hearing (as listed in Table 6-1-1) may be approved by the Zoning Enforcement Officer (ZEO) provided that the ZEO determines that all of the criteria in Section 6-4(X)(2)(a) have been met." Add a new 6-4(X)(5) as follows: "All applications to amend a Policy Decision (as listed in Table 6-1-1) shall be processed as a new application of that type and may not be processed as a minor amendment "	Staff recommendation
413	6-5(D)	Revise the text and image to show that appeal of the decision by staff is to the LUCC, and that appeal of the LUCC's decision is to the City Council.	Staff recommendation
413	6-5(D)(1)(a)	Add walls/fences. Add cross reference to 6-5(I) for Walls/Fence permit	Staff recommendation
413	6-5-(D)(1)(a)1-4	Because this applies to HPO and Landmarks, differentiate between exterior changes (HPO) and changes to any character defining features, interior or exterior (City Landmark). Add a #5 to this list to cover City Landmarks. "Any character-defining feature on a designated Landmark."	Staff recommendation
415	6-5(F)(1)	Revise to add language that Site Plan - Admin requirements are part of submittal for building permit. Identify the building permits that do not require zoning review, such as upgrades of mechanical equipment, roof replacements, etc.	1159
415	6-5(F)(1)(a)1	Revise as follows: "All new low-density residential development." Co-housing and cottage housing are included in low-density residential development and would no longer need to be referred to explicitly here.	1659

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
416	6-5(F)(2)(a)	Revise to add a new sentence at to the end of the existing text: "An initial review with comments shall be completed within 10 business days of the receipt of a complete application."	1625
419	6-5(I)(1)(a)	Mention that landmarks/historic properties have to get Historic Certificate of Approval - Minor first. Add cross referece to Section 6-5(D)	Staff recommendation
426	6-6(B)(1)	Add to the end of the intro paragraph: "If a structure is of unknown age, it shall be presumed that the structure is over 50 years old for the purposes of this article." for consistency with today's LUCC Ordinance.	Staff recommendation
426	6-6(B)(2)	Replace this Procedure Section with the text from the existing text in the Landmarks and Urban Conservation Ordinance Sections 14-12-9(B)(3)-(12)	Staff recommendation
427	6-6(B)(3)(a)	add new (a) "The applicant must bear the burden of providing a sound justification, based on substantial evidence, for a Demolition Permit Application for structures that are at least 50 years old." Renumber following sections.	Staff recommendation
434	6-6(G)(1)	Add "Does not include platting action on land 5 acres or greater adjacent to MPOS that does not have an approved Site Plan - EPC."	Staff recommendation
436	6-6(G)(3)(a)	On page 432, delete Subsection 6-6(E)(3)(a). On page 436, delete Subsection 6-6(G)(3)(a).	Staff recommendation
436	6-6(H)(1)	Add "Does not include platting action on land 5 acres or greater adjacent to MPOS that does not have an approved Site Plan - EPC."	Staff recommendation
441	6-6(J)(1)	Add reference to the 5-5(F) Parking Location and Design to the applicability section to allow DRB to grant variances to provisions in this section.	Staff recommendation
441	6-6(J)(1)(b) [new]	Add the following: "No variance to standards in the Coors VPO-1 for structure height shall be granted."	Staff recommendation
441	6-6(J)(3)(a)	Add language about "minimum variance necessary to comply w/ IDO or DPM standard" to address constraint, mirroring language in Deviations about Fair Housing Act on page 390 and language on page 446 for EPC Variance.	Staff recommendation
445	6-6(K)(1)(a)	Add reference to 5-5 (Parking and Loading) and "that are" before "requested as part...".	Staff recommendation
447	6-6(K)(1)(e) [new]	Add the following: "No variance to standards in the Coors VPO-1 for structure height shall be granted."	Staff recommendation
448	6-6(L)(1)(a)	Add reference to 5-5 (Parking and Loading) to the applicability section so that only DRB can grant variances to provisions in that Part.	Staff recommendation
448	6-6(L)(1)(c) [new]	Add the following: "No variance to standards in the Coors VPO-1 for structure height shall be granted."	Staff recommendation

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
449	6-6(L)(3)	Add language about "minimum variance necessary to comply w/ IDO" to address constraint, mirroring language in Deviations about Fair Housing Act on page 390.	Staff recommendation
455	6-7(C)(1)(a)	Revise the graphic to indicate LC "Review, Recommend, and/or Decide"	Staff recommendation
455	6-7(C)(2)	Revise: "The LC shall adopt specific design guidelines, standards, or policies for the HPO zone or City landmark within 60-days following Council adoption. to reflect the more detail found in 14-12-7(C) of the Landmarks Ordinance.	Staff recommendation
457	6-7(C)(3)(c)11	Delete this subsection. Landmarks Commission doesn't review uses.	Staff recommendation
463	6-7(F)(2)(g)	Delete this language as inconsistent with Section 1-4(C). Zone change requests would go to either the EPC or the City Council based on the thresholds established by the IDO.	Staff recommendation
463	6-8(E)(1)	Revise to add the following: "width requirements, including without limitation those standards for Contextual Residential Development in Areas of Consistency in Section 14-16-5-1(C)(2), may be..."	1121
467	6-7(H) [new]	Create new section titled "Special Exception - EPC" to make it a policy decision, subject to guidance from the Comp Plan. Move language from page 447 Subsection 6-6(K)(3)(b) for criteria. Add the following language: "The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable goals and policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City." This exception can be granted for requests associated with any Site Plan. Add this to table 6-1-1 in the Policy Decisions section, providing notice and decision authority the same as Zone Map Amendment - EPC.	Staff recommendation
469	6-8(C)(2)(a)	Edit the language to make clear that the phrase "for a continuous period of 12 months" applies to both the discontinuance of the use and to vacancy of the structure.	339
470	6-8(C)(6)(a)	Add "When the owner intends to change the use of his/her land that would result in eviction of inhabited mobile or manufactured homes , notice shall be provided per Subsection 14-16-2-3(C)(2)(g)."	Staff recommendation
470	6-8(C)(6)(b)	Revise to 30 years to be consistent with Subsection 14-16-4-3(B)(2).	564
472	6-8(D)(8)(b)	The existing language is taken from the Zoning Code, which initially gave property owners 12 months to remove illegal materials. Now that the year has passed, this language should be revised as follows: "Walls or fences partially or wholly constructed of barbed tape, barbed wire, razor wire, or similar materials where these materials are not allowed pursuant to Subsection 5-7(E)(1)(c) are considered illegal and must be removed within the timeframe specified by Code Enforcement in notice provided to the property owner."	Staff recommendation

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
472	6-8(E)	<p>Replace text in this subsection with the following language:</p> <p>1) A lot that does not meet minimum lot size or width requirements for the zone district where it is located may be used without a variance if the lot was legally created and placed on the records of the County; and the use of the property is either permissive, has an approved conditional use, or is legally nonconforming. At least one of the following conditions must also apply:</p> <p>a) The existing structure(s) on the property is allowed or legally nonconforming.</p> <p>b) Any new structure or outdoor use proposed for the lot meets all of the following conditions:</p> <ol style="list-style-type: none"> 1. Complies with the dimensional standards for the zone district where the lot is located to the maximum extent practicable. 2. Does not exceed the maximum building height allowed in the zone district where the lot is located. 3. Does not include any encroachments that would otherwise be allowed pursuant to Table 5-1-4. <p>2) Lots in the R-MH zone district that are legally nonconforming as to minimum lot width or minimum lot size may be developed according to the dimensional standards for the R-ML zone district. No variance is required for such development.</p>	Staff recommendation
477	6-9(C)(1)(d)(7)	<p>Insert a new 8. "To terminate all or part of a Master Development Plan where constructed improvements are in violation of the terms and conditions attached to an approved Master Development Plan, per the same provisions (a) through (c) as in Subsection 6-9(C)(1)(d)7. for a Site Plan." Renummer existing 8 to 9.</p>	Staff recommendation
480	7-1	<p>Adjust definitions for uses that may receive freight by rail to clarify that loading and unloading deliveries from rail spurs is incidental to those uses, as is receipt of materials from freight trucks.</p>	816
484	7-1	<p>Revise the definition of Building to read: "A building is an independent, enclosed structure having 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. A detached building is one separated on all sides from adjacent buildings by open spaces from the ground up."</p>	Staff recommendation
490	7-1	<p>Revise definition of City Engineer to add final sentence: The City Engineer may delegate review/decision authority to an authorized representative or designee, including but not limited to, the City Hydrologist and the chief administrative engineer of the City's Traffic Engineering Division.</p>	Staff recommendation
491	7-1	<p>Revise: "Small: no more than 8; Medium: 9-18; Large 19+ Same breaks for Group Home.</p>	Staff recommendation
494	7-1	<p>Revise the Drive Aisle definition to read: "A private, unenclosed accessway with a stabilized surface allowing vehicular access..."</p>	Staff recommendation
494	7-1	<p>Revise the Driveway definition to read: "An unobstructed area with a stabilized surface leading from the street to a garage..."</p>	Staff recommendation

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
495	7-1	On page 495, revise the definition of Dwelling, Co-housing as follows: "A <u>low-density</u> residential development on an unsubdivided parcel with..." On page 152, add a new Subsection 4-3(B)(4)(d) as follows: "If the zone district allows two-family detached (duplex) or townhouse dwellings, a co-housing development may include those dwelling types." Renumber subsequent provisions accordingly.	Staff recommendation
495	7-1	Revise the definition for "Dwelling, Cluster Development" and the related Use-specific Standard to clarify that the Common Open Space area may be dedicated to the City as Major Public Open Space, if accepted by the Open Space Division of the Parks and Recreation Department.	865
495	7-1	Revise the definition of Dwelling, Cottage Development as follows: "A shared-interest <u>low-density</u> residential community in which <u>multiple</u> small individual <u>dwellings</u> are..." On page 153, add a new Subsection 4-3(B)(5)(c) as follows: "If the zone district allows two-family detached (duplex) or townhouse dwellings, a cottage development may include those dwelling types." Renumber subsequent provisions accordingly.	Staff recommendation
496	7-1	Move Emergency shelter definition to p. 515 and rename Overnight shelter. Remove "for a period not normally exceeding 30 consecutive days" as the use applies to establishments that operate continuously, and the 2nd sentence as it's now a separate use.	Staff recommendation
499	7-1	Front Façade. Re-alphabetize as "Facade, front." Add: "For the purposes of determining setbacks and allowable wall heights, the front façade includes the imaginary plane that extends across the entire property in alignment with the building's front façade." Add to measurement with a "see also".	Staff recommendation
501	7-1	Remove emergency shelter from definition of Group Home and update Footnote 2160.	Staff recommendation
508	7-1	In the definition for "Manufacturing, Heavy" add the following: "concrete or cement products manufacturing (excluding batch plant), processing of stone (e.g. granite fabricators), machine shop, metal stamps, tool and die making, and ice plant."	991
508	7-1	Add a definition for Master Development Plan as follows: "For the purposes of this IDO, a plan created by an applicant and approved by the City to achieve coordinated private development on larger sites that comprise more than one lot and building, such as campuses with institutional or mixed-use developments and business or industrial parks. A Master Development Plan includes a site layout indicating building placement, street configuration, and landscape areas and any use-specific or development standards for all or individual lots deemed necessary to implement a coordinated and cohesive design on the site, as long as the standards do not conflict with, or are no less restrictive than, standards in the IDO including those of any overlay zone that applies to the site. A Master Development Plan is required for development in an NR-BP zone district."	1632

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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
509	7-1	Add a definition for "Measurement, Accessory Dwelling Unit" as follows: If a maximum size for accessory dwelling units is specified, a garage or shed attached to the accessory dwelling unit shall not count toward the size."	929, 930
511	7-1	Mobile Food Unit, d.: Revise to be on "private property or in the public right-of-way, as regulated by the Traffic Code."	Staff recommendation
513	7-1	In the definition for Open Space, Usable, clarify that Usable Open Space is not required to be at ground level.	17
514	7-1	On page 514, revise definition for "Other Indoor Entertainment" to include the text from page 496 for "Indoor Entertainment" and delete the definition for "Indoor Entertainment" On page 514, revise definition for "Other Outdoor Entertainment" to include the text from page 496 for "Outdoor Entertainment" and delete the definition for "Outdoor Entertainment"	746
514	7-1	Delete "other" and alphabetize accordingly. Add examples from Footnote 517, page 147, with the phrase "including, but not limited to."	938
516	7-1	Revise the definition of "pawnbroker" to refer to pawn shop to be consistent with the Use Table.	835
517	7-1	Premises, Joint Sign: replace 150 with 100. Coordinates with change to p. 342.	Staff recommendation
524	7-1	Revise Sign, Freestanding to add a last sentence: "A freestanding sign does not include a portable sign. See Sign, Portable. See Sign, Monument." Delete definition of Sign, Pylon. Add def. for Monument sign as follows: "A sign with a maximum of two sign faces that is integrated into a solid structural frame beginning at the ground or is supported from the ground by two structures of the same material as the frame. See Sign, Freestanding." Add to Sign, Pole: "See Sign, Freestanding"	Staff recommendation
526	7-1	Add a definition for "Sign, Yard" (ref. Table 5-12-1 p. 338) , e.g. "A type of free-standing sign that is relatively small and short, typically supported by one or two wires or posts, and located in the front yard of a property."	Staff recommendation
526	7-1	Sign, Wall – delete “, in a window” because window sign is a distinct type in the IDO.	Staff recommendation
529	7-1	Add a definition for "street tree" that references the Street Tree Ordinance.	1127

Staff Proposed Technical Edits
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LUPZ Official Page	LUPZ Official Section	Change / Discussion	Source [# refers to Staff Response to Public Comment Matrix]
536	7-1	Revise to read as follows: "A development in which at least 30% of the dwelling units meet the definition of workforce housing in the City's Workforce Housing Opportunity regulations." The Workforce Housing Opportunity regulations specify that workforce housing requires 30% of their units at 80% AMI+30% income to housing. The exact language is not written into the IDO definition so that the two document do not get out of sync over time.	Staff recommendation
All	All	Replace "Subdivision Improvements Agreement" with "Infrastructure Improvements Agreement" wherever it appears in the IDO. Replace "SIA" with "IIA" where it appears.	Staff recommendation
All	All	Replace "solid wall or fence" with "opaque wall or fence" to be consistent with the phrase used in the wall Section 5-6.	878
All	All	Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.	Staff recommendation
All	All	Make any necessary editorial changes to the document, including minor text additions or revisions for clarity (without changing substantive content), additional cross references, reorganizing content for better clarity and consistency throughout the document, revisions to graphic content for clarity, and updating tables of contents.	Staff recommendation
Conversion Map	Conversion Map	Finalize the Conversion Map to apply the adopted conversion rules to the zoning in place as of the effective date of the IDO.	Staff recommendation
multiple	multiple	For Community Center or Library; Elementary or Middle School; High School; Auditorium or Theater; Indoor Residential Community Amenity; Restaurant; Other Indoor Entertainment; Club or Event Facility; Farmers' Market, add the following use-specific standard: <u>"If Table 4-2-1 indicates that this use is allowed in the R-A, R-1, R-T, or MX-T zone districts, it shall be subject to the same size limits applicable to religious institutions in that zone district, pursuant to Subsections 14-16-4-3(C)(6)(b) and (c)."</u>	Staff recommendation



**LAND USE, PLANNING AND ZONING COMMITTEE
of the
CITY COUNCIL**

September 27th, 2017

COMMITTEE AMENDMENT NO. _____ TO Exhibit A to O-17-49

AMENDMENT SPONSORED BY COUNCILOR Benton

1. On page 206 of the IDO, in table 5-1-1, in the line that reads “Usable Open Space, Minimum”, add the following text to the R-A column:

[Cottage/Co-Housing: 30% of the gross area of the project site]

2. On page 152 of the IDO, 4-3(B)(4)(e), revise as follows:

Maximum project density shall be measured in square feet of gross floor area in co-housing units, rather than in the number of dwelling units. The total gross square footage in co-housing dwelling units shall be no more than the total square footage allowed on an equal size property in the same zone district platted into standard lots, and **assuming** a standard dwelling unit size of ~~2,500~~ **2,000** square feet per dwelling unit. The portion of the development that is allocated for shared use is not included in the maximum square footage calculation.

Example:

On a 1 acre site in an R-A zone district, which has a minimum lot size of 10,890 square feet (1/4 acre) and allows 1 dwelling unit per lot, 4 dwelling units would be allowed on the site based on the zone district.

Assuming ~~2,500~~ **2,000** square feet for each dwelling unit, the site would be allowed ~~10,000~~ **8,000** square feet of gross floor area for dwellings, exclusive of the shared community space.

Assuming a size of 1,000 square feet for each dwelling unit in the co-housing development, ~~40~~ **8** dwelling units would be allowed on the 1 acre site.

3. On page 153 of the IDO, 4-3(B)(5)(e), revise as follows:

Maximum project density shall be measured in square feet of gross floor area in co-housing units, rather than in the number of dwelling units. The total gross square footage in co-housing dwelling units shall be no more than the total square footage allowed on an equal size property in the same zone district platted into standard lots, and **assuming** a standard dwelling unit size of ~~2,500~~ **2,000** square feet per dwelling unit. The portion of the development that is allocated for shared use is not included in the maximum square footage



calculation.

Example:

On a 1 acre site in an R-A zone district, which has a minimum lot size of 10,890 square feet (1/4 acre) and allows 1 dwelling unit per lot, 4 dwelling units would be allowed on the site based on the zone district.

Assuming ~~2,500~~ 2,000 square feet for each dwelling unit, the site would be allowed ~~10,000~~ 8,000 square feet of gross floor area for dwellings, exclusive of the shared community space.

Assuming a size of 1,000 square feet for each dwelling unit in the co-housing development, ~~10~~ 8 dwelling units would be allowed on the 1 acre site.

Explanation: Reducing the standard dwelling unit size reduces the potential number of units that could be developed. The additional requirement of 30% Usable Open Space in the R-A zone reflects the rural character of this zone.