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1 land uses and provides appropriate transitions and buffers to lower-intensity
2 uses nearby; procedures for review and decision of applications related to
3 land use and development in Part 6; and definitions and acronyms in Part 7;
4 and

5 WHEREAS, the IDO (§14-16-6-3) requires the City to submit proposed
6 changes on an annual basis to further the implementation of the Comp Plan;
7 and

8 WHEREAS, Planning staff compiled and submitted a request for
9 Amendment to IDO Text – Citywide with proposed amendments that would
10 improve the clarity and implementation of the IDO based on challenges in
11 applying regulations and neighborhood protections in real-world contexts with
12 real-world projects; and

13 WHEREAS, other proposed amendments to IDO text would establish a new
14 regulatory intent responding to changes in demands for housing and business
15 needs as well as other current trends; and

16 WHEREAS, the IDO requires an Amendment to IDO Text – Citywide to be
17 reviewed by the Environmental Planning Commission (EPC) and decided as a
18 legislative action by City Council as the City’s zoning authority in §14-16-6-
19 7(D)(2)(c); and

20 WHEREAS, the EPC found that the proposed amendments are consistent
21 with the spirit and intent of the ABC Comp Plan, including applicable goals
22 and policies relating to land use, economic development, heritage
23 conservation, and resilience and sustainability; and

24 WHEREAS, the City provided all required notice for an Amendment to IDO
25 Text – Citywide, including publishing a legal ad in the Albuquerque Journal,
26 emailing two representatives of each neighborhood organization registered
27 with the Office of Neighborhood Coordination (ONC), and posting notice on
28 the Planning Department website and on the project website; and

29 WHEREAS, the City provided additional notice with announcements on the
30 Planning Department webpage, and email notice sent to approximately 9,300
31 subscribers to the ABC-Z project update email list on October 11, 2022;
32 December 2, 2022; January 4, 2023; and January 6, 2023; and

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1 WHEREAS, though a neighborhood meeting is not required for an
2 Amendment to IDO Text – Citywide, Planning staff held two pre-submittal
3 public review meetings in October 2022 and one post-submittal public review
4 meeting in November 2022 on the 2022 IDO Annual Update to present and
5 discuss the proposed changes, respond to questions, and gather feedback;
6 and

7 WHEREAS, the EPC held a study session for the 2022 IDO Annual Update
8 on December 1, 2022, and considered this request at two public hearings on
9 December 8, 2022 and January 19, 2023, prior to making a recommendation on
10 the proposed text amendments; and

11 WHEREAS, the EPC, following study and consideration, found that the
12 proposed amendments satisfy the review and decision criteria for an
13 Amendment to IDO Text – Citywide in §14-16-6-7(D)(3) and forwarded to the
14 City Council a recommendation of approval subject to findings and
15 recommended conditions that are in the record; and

16 WHEREAS, Planning staff has incorporated the proposed amendments
17 along with the EPC recommended conditions of approval into a single redline
18 draft for review by City Council.

19 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
20 ALBUQUERQUE:

21 SECTION 1. The IDO text is amended as shown in Exhibit 1 (EPC Redline
22 Draft) as recommended by the EPC, except as modified by amendments
23 adopted subsequently in Section 2 and/or Section 3 below.

24 SECTION 2. The IDO text is amended from Exhibit 1 (EPC Redline Draft) by
25 Committee Amendments approved by the City Council’s Land Use, Planning,
26 and Zoning (LUPZ) Committee, as shown in Exhibit 2 (LUPZ Committee
27 Amendments).

28 SECTION 3. The IDO text is amended from Exhibit 1 (EPC Redline Draft)
29 and/or from Exhibit 2 (LUPZ Committee Amendments), as relevant, by Floor
30 Amendments approved by the City Council, as shown in Exhibit 3 (Council
31 Floor Amendments).

32 SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
33 clause, word or phrase of this ordinance is for any reason held to be invalid or

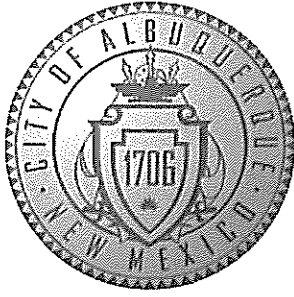
1 unenforceable by any court of competent jurisdiction, such decision shall not
2 affect the validity of the remaining provisions of this ordinance and each
3 section, paragraph, sentence, clause, word, or phrase thereof irrespective of
4 any provision being declared unconstitutional or otherwise invalid.

5 SECTION 5. COMPILATION. This ordinance shall be incorporated in and
6 made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

7 SECTION 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall
8 take effect one month after publication by title and general summary.

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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

February 24, 2023

TO: Pat Davis, President, City Council

FROM: Timothy M. Keller, Mayor *TJK*

SUBJECT: Project# 2018-001843 – RZ-2022-00054 (Amendment to IDO Text – Citywide): Adopting Citywide Text Amendments to the Integrated Development Ordinance (IDO) for the 2022 Annual Update

The attached, recommended legislation would enact various text amendments to the Integrated Development Ordinance (IDO). These amendments generally apply citywide and constitute the bulk of the 2022 IDO Annual Update.

BACKGROUND

IDO Subsection 14-16-6-3(D), which requires Annual Updates, establishes a regular cycle of discussion among residents, businesses, City Staff, and decision-makers to consider any suggested changes to the IDO identified over the course of the preceding year.

Portions of these required Annual Updates may take one of two types of text amendments outlined in the IDO: Amendments to IDO Text – Citywide [Subsection 14-16-6-7(D)] and Amendments to IDO Text – Small Areas [Subsection 14-16-6-7(E)]. Citywide text amendments apply generally throughout the City and are publically heard using a legislative process. Text amendments to Small Areas apply only to particular areas within the City and must be publically heard using a quasi-judicial process.

REQUEST

The proposed Citywide amendments in the attached legislation are the bulk of the 2022 IDO Annual Update. Separate legislation has been reviewed and transmitted for proposed small area amendments to the North 4th Character Protection Overlay zone (Council Bill O-23-72) and the Northwest Mesa View Protection Overlay zone (O-23-73), as well as the proposed amendments related to the Mayor's Housing Forward initiative (Council Bill O-22-54). All of these bills together are collectively known as the 2022 IDO Annual Update.

Regarding the general amendments, Staff has gathered approximately 49 proposed citywide amendments. The package of proposed IDO amendments consists of clarifications and adjustments requested by neighbors, developers, and staff.

The requested 2022 IDO Annual Update generally furthers applicable Comprehensive Plan Goals and policies that pertain to land use, implementation processes, economic development, and housing as elaborated in the Official Notification of Decision.

NOTIFICATION

Pursuant to the IDO, the required notice for text amendments must be published, emailed, and posted on the web. The City published the required notice in the newspaper and sent email notice to two representatives of each registered neighborhood organization. Mailed notice was sent to neighborhood representatives without email addresses, as required, and web notice was posted on the Planning Department website and on the IDO update project website <https://abc-zone.com/ido-annual-update-2022>.

In addition to the required notice, email notice was sent to the approximately 9,300 subscribers on the ABC-Z project email list on October 11, 2022; December 2, 2022; January 4, 2023; and January 6, 2023.

Staff received multiple comments expressing support, opposition, and recommending changes. However, there is general support for the request as a whole.

EPC PROCESS

The Environmental Planning Commission (EPC) reviewed the proposed amendments during two properly-noticed public hearings. At its December 8, 2022 hearing, the EPC discussed the proposed changes, heard public testimony, and voted to continue the IDO general Citywide updates to its regularly-scheduled hearing on January 19, 2023.

On January 19, 2023, the EPC continued its discussion of the IDO general Citywide updates and voted to forward a recommendation of Approval to the City Council. The Official Notification of Decision for the request contains the EPC's findings and recommended conditions, as applicable.

CONCLUSION

Regarding Project# 2018-001843, RZ-2022-00054, Adopting Citywide Text Amendments to the Integrated Development Ordinance (IDO) for the 2022 Annual Update, the EPC is forwarding a recommendation of Approval subject to conditions.

A redline draft of the IDO that incorporates the EPC's conditions is included with this transmittal of the record for the Council's consideration.

Cover Analysis

1. What is it?

This legislation would amend the Integrated Development Ordinance (IDO) with amendments and technical edits vetted through the IDO annual update process for 2022.

2. What will this piece of legislation do?

This legislation would amend zoning regulations, most of which apply City-wide, to help clarify intent, improve implementation, and establish new regulations that reflect new intent. These adjustments were requested by neighbors, developers, and Staff.

3. Why is this project needed?

The changes are needed to address community-wide issues, foster economic development, and clarify regulatory procedures, while balancing these needs with the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.

4. How much will it cost and what is the funding source?

There is no cost to the City.

5. Is there a revenue source associated with this contract? If so, what level of income is projected?

There is no revenue expected from this legislation.

6. What will happen if the project is not approved?

The IDO would remain as is and not be amended. Without the amendments, additional Staff time would be needed to develop processes and/or guidance materials to explain how Staff would administer and/or interpret regulations that are not clarified.

7. Is this service already provided by another entity?

Not applicable.

FISCAL IMPACT ANALYSIS

TITLE: Adopting Text Amendments to the IDO for the 2022 Annual Update R: O:
 FUND: 110
 DEPT: 4926000

- No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	Fiscal Years			
	2023	2024	2025	Total
Base Salary/Wages				-
Fringe Benefits at	-	-	-	-
Subtotal Personnel	-	-	-	-
Operating Expenses				-
Property			-	-
Indirect Costs	-			-
Total Expenses	\$ -	\$ -	\$ -	\$ -
<input checked="" type="checkbox"/> Estimated revenues not affected				
<input type="checkbox"/> Estimated revenue impact				
Amount of Grant	-			-
City Cash Match	-	-	-	-
City Inkind Match	-	-	-	-
City IDOH *15.30	-			-
Total Revenue	\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created 0

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

This legislation would amend the IDO text with citywide and small area changes vetted during the 2022 annual update process. These amendments would generally make land development and redevelopment more transparent, clarify certain requirements, and help ensure that projects are reviewed using the most appropriate process.

PREPARED BY:

Debbie Dombroski 2.27.2023
 FISCAL MANAGER (date)

APPROVED: DocuSigned by:

Alan Kula 3/17/2023 | 4:23 PM MST
 347B8886EF46443... (date)
 DIRECTOR

REVIEWED BY:

Haiyan Bao 3/10/2023 | 2:39 PM MST
 E1166E31D8C94B2
 EXECUTIVE BUDGET ANALYST (date)

DocuSigned by:

Lawrence Davis 3/10/2023 | 9:00 AM MST
 BD22ED78ED9344E
 BUDGET OFFICER (date)

DocuSigned by:

Christina Bao 3/10/2023 | 9:09 AM MDT
 E02C282349CC47D
 CITY ECONOMIST (date)

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General Citywide
2018-001843 – RZ-2022-00054

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PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

January 19, 2023

City of Albuquerque Planning Dept.
Urban Design & Development Div.
Attn: Michael Vos
600 Second St. NW, 3rd Floor
Albuquerque, NM 87106

Project #2021-001843
RZ-2022-00054– Text Amendments to the Integrated
Development Ordinance (IDO)- Citywide

LEGAL DESCRIPTION:

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO). This fourth annual update includes changes requested by neighbors, developers, staff, and Council Services. City-wide.
Staff Planners: Catalina Lehner, Michael Vos

On January 19, 2023, the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL to the City Council of Project #PR-2021-001843/RZ-2022-00054, City-wide text amendments to the Integrated Development Ordinance (IDO), based on the following Findings and subject to the following Conditions for recommendation of Approval:

FINDINGS:

1. The request is for various Citywide, legislative amendments to the text of the Integrated Development Ordinance (IDO) for the Annual Update required by IDO Subsection 14-16-6-3(D). The proposed Citywide amendments, when combined with the proposed Small-area amendments, are collectively known as the 2022 IDO Annual Update.
2. These Citywide text amendments are accompanied by proposed text amendments to Small Areas in the City, which were submitted separately pursuant to IDO Subsection 14-16-6-7(E) and are the subject of separate Staff reports and actions: North Fourth Street, CPO-9 (RZ-2022-00055) and Northwest Mesa Escarpment, VPO-2 (RZ-2022-00056).
3. The request was heard at the December 8, 2022 EPC hearing and was continued for a month to the January 19, 2023 hearing to allow for additional review, development of conditions, and input from members of the public.
4. The IDO applies Citywide to land within the City of Albuquerque municipal boundaries. The IDO does not apply to properties controlled by another jurisdiction, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities.

5. The EPC's task is to make a recommendation to the City Council regarding the proposed amendments to IDO text. As the City's Planning and Zoning Authority, the City Council will make the final decision. The EPC is a recommending body to the Council and has important review authority. This is a legislative matter.
6. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. Staff has collected approximately 49 proposed text amendments to the IDO requested by neighbors, developers, Staff, Council, and the Administration. The proposed changes would improve the effectiveness and implementation of adopted regulations, address community-wide issues, clarify regulatory procedures, and balance these needs with the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.
8. The request generally meets IDO Subsection 14-16-6-7(D)(3)(a-c), Review and Decision criteria for Amendment to IDO Text-Citywide, as follows:

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

The proposed Citywide text amendments are generally consistent with the spirit and intent of the Comprehensive Plan, and other policies and plans adopted by the City Council, because they would generally help guide growth and development and identify and address significant issues in a holistic way (Comprehensive Plan, p. 1-5). The proposed changes are consistent with Comprehensive Plan Goals and policies that direct the City to adopt and maintain an effective regulatory system for land use and zoning.

- B. Criterion b: The proposed amendment does not apply to only one lot or development project.

The proposed Citywide text amendments would apply throughout the City and not to only one lot or development project and, therefore, are legislative in nature. The changes would apply equally across a particular zone district or for all approvals of a certain type and are not directed toward any specific lot or project.

- C. Criterion c: The proposed amendment promotes public health, safety, and welfare.

The request generally promotes the public health, safety, and welfare of the City because overall the proposed text amendments are consistent with a preponderance of applicable Comprehensive Plan Goals and policies. The proposed amendments are intended to address community-wide issues and clarify regulatory procedures, while balancing the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.

9. The request is generally consistent with the following, relevant Articles of the City Charter:
- A. Article I, Incorporation and Powers. Amending the IDO via text amendments is consistent with the purpose of the City Charter to provide for maximum local self-government. The revised regulatory language and processes in the IDO would generally help implement the Comprehensive Plan and help guide future legislation.
 - B. Article IX, Environmental Protection. The proposed Citywide text amendments would help ensure that land is developed and used properly and that an aesthetic and humane urban environment is maintained. The IDO is the implementation instrument for the City's Comprehensive Plan, which protects and promotes health, safety, and welfare in the interest of the public. Commissions, Boards, and Committees would have updated and clarified regulations to help facilitate effective administration of City policy in this area.
 - C. Article XVII, Planning.
 - i. Section 1. Amending the IDO through the annual update process is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. The IDO will help implement the Comprehensive Plan and ensure that development in the City is consistent with the intent of any other plans and ordinances that the Council adopts.
 - ii. Section 2. Amending the IDO through the annual update process will help the Administration to implement the Comprehensive Plan vision for future growth and development, and will help with the enforcement and administration of land use plans.
10. The request is generally consistent with the following, applicable Goal and Policies in Chapter 5- Land Use and Chapter 7- Urban Design:
- A. Goal 5.3 - Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

In a broad sense, the proposed text amendments promote efficient development patterns and use of land. They help support development and re-development in older, established areas, UC-MS-PT areas, and include conversions to residential dwellings and historic building preservation.
 - B. Policy 5.3.7 - Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

The proposed text amendments address affordable housing (kitchen exemption) and methadone clinics (separation distance), which can be considered Locally Unwanted Land Uses (LULUs) because immediate neighbors often find them objectionable. The proposed changes would help facilitate careful location of such uses by supporting conversion of existing buildings to housing and clarifying separation distances between clinics. Relevant use-specific standards would be clearer and would continue to apply to protect neighborhoods.

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

The proposed amendments address edge landscape buffering, which provides transitions in Areas of Change for development abutting Areas of Consistency. The changes would clarify edge buffering requirement on premises and between project sites; some proposed amendments would help ensure adequate buffering but another would remove the requirement as duplicative.

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

The proposed text amendments include changes to off-street parking requirements based on development contexts where higher density is allowed; the resulting parking facilities would match the development context and complement the built environment. New provisions to address electric vehicle parking requirements also facilitate parking that better matches development context.

11. The request is generally consistent with the following, applicable Goal and policies in Chapter 5- Land Use, pertaining to implementation and processes:

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

The IDO annual update is a process that supports continued efforts to effectively and equitably implement the Comprehensive Plan. Some proposed amendments seek to improve procedures and implementation in order to further this Goal.

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

The IDO annual update process results in an updated regulatory framework that helps align priorities and create consistent outcomes. The request includes amendments that address affordable housing (kitchens), landscape buffering, mature trees, parking, and procedural clarifications that help support desired growth, high-quality development, economic development, and housing. Where they do not, conditions for recommendation of approval can be applied.

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

The IDO annual update results in an updated and clarified regulatory framework, which is part of the foundation for a transparent approval and permitting process. The proposed text amendments include changes to clarify how to apply provisions in the IDO (deviations, variances, waivers, site plan-admin), which would generally contribute to a more consistent process and support providing high-quality customer service.

12. The request is generally consistent with the following, applicable policy in Chapter 8- Economic Development:

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

The proposed text amendments would generally foster a more robust, resilient, and diverse economy because they include changes to clarify requirements (ex. edge buffering, notification), definitions, and processes, as well as support alternative energy technology (electric vehicles). These changes would contribute to predictability and consistency in the development process that would generally help support economic development efforts.

13. The request is generally consistent with the following Goal and policy pair in Chapter 11: Heritage Conservation:

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

Policy 11.2.2- Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest.

The proposed text amendments would allow staff review of historic buildings Citywide, which would help to preserve historic assets moving into the future, as well as promote the preservation of historic buildings that are determined to be significant at a local, state, and/or national level.

14. The request is generally consistent with the following Goal and policy pair in Chapter 13- Resilience and Sustainability:

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

Policy 13.1.2- Greenhouse Gas Mitigation: Mitigate greenhouse gas emissions in developments and streetscapes.

The proposed text amendments include new requirements regarding electric vehicles and a definition. Supporting and encouraging alternative energy would generally help encourage resource-efficient growth and is one way to mitigate climate change and greenhouse gas emissions, as future developments could accommodate more electric vehicles.

15. For cases in which a proposed text amendment would conflict with applicable Comprehensive Plan Goals and/or policies, Staff has provided conditions for recommendation of approval that address conflicts and provide clarification.
16. For an Amendment to IDO Text-Citywide, the required notice must be published, mailed, and posted on the web (see Table 6-1-1). A neighborhood meeting is not required. The City published notice of the EPC hearing as a legal ad in the ABQ Journal newspaper. First class mailed notice was sent to the two representatives of each Neighborhood Association and Coalition registered with the Office of Neighborhood Coordination (ONC) as required by IDO Subsection 14-16-6-4(K)(2)(a). Notice was posted on the Planning Department website and on the project website.
17. In addition to the required notice, on October 11, 2022 and December 2, 2022 e-mail notice was sent to the approximately 9,300 people who subscribe to the ABC-Z project update e-mail list. Additional notice for the January 19, 2023 EPC hearing was sent to the ABC-Z project update e-mail list on January 4, 2023 and January 6, 2023.
18. The proposed 2022 IDO Annual Updates were reviewed at two online public study sessions on October 21 and 22, 2022 via Zoom, prior to application submittal for the EPC process, and at a public meeting held on November 18, 2022. Planning Staff presented the proposed text amendments and answered questions. The presentations, in .pdf format and in video format, are posted on the project webpage at: <https://abc-zone.com>.
19. The EPC held a study session regarding the proposed 2022 IDO Annual Update on December 1, 2022. This meeting was publicly noticed, although no public input is received during Study Sessions (see EPC Rules of Practice and Procedure, Article II, Section V).
20. As of this writing, Staff has received approximately 45 written comments from neighborhood groups, individuals, and organizations. Comments were generally submitted as letters and emails with attachments. Other comments (approximately 86) were submitted online and pinned to the spreadsheet of proposed text amendments on the ABC-Z project website.
21. In sum, most neighborhood groups tend to oppose the proposed amendments regarding walls and fences and edge landscape buffers. Most neighborhood groups tend to support the proposed amendments regarding encroachments in setback areas and the removal of an exception to kitchen requirements for non-residential to residential conversions.
22. Though some comments oppose individual proposed amendments, and others recommend changes, there is general support for the request as a whole. The Conditions for Recommendation of Approval address many issues raised in the comments.

23. Item #11, Sensitive Lands/Mature Trees: This amendment needs further development and research to meet the intent of the proposal, which should be done and included in the 2023 IDO Annual Update.

CONDITIONS FOR RECOMMENDATION OF APPROVAL:

1. The proposed amendments in the spreadsheet “IDO Annual Update 2022 – EPC Submittal - Citywide” (see attachment) shall be adopted, except as modified by the following conditions.
2. Item #6 – Multi-Family, Kitchen Exemption for Multi-Family Housing:

Delete the proposed amendment, which would result in retention of the use-specific standard for multi-family dwellings that allows for conversions of non-residential uses into multi-family dwellings with alternative kitchen standards, and defers any specific changes to this standard to the Housing Forward initiative.

3. Items #7 and #19 – Car Washes:
 - A. As conveyor-operated facilities operate much like drive-through facilities, the following additional Use-specific standard shall be added to Subsection 14-16-4-3(D)(16): [Queuing lanes associated with this use shall comply with the requirements of Subsection 14-16-5-5(I)(2) (Drive-through or Drive-up Facility Design).]
 - B. The following Use-specific standard shall be added to Subsection 14-16-4-3(D)(16): [Vacuum stations shall be located away from public streets, any Residential zone district, or any lot containing a residential use in any Mixed-use zone district to the maximum extent practicable. If not practicable, at least 1 tree at least 8 feet high at the time of planting shall be provided for every 25 feet along the lot line in locations that would best screen the vacuum stations from the public right-of-way or the adjacent properties, in addition to all applicable standards in Section 14-16-5-6 (Landscaping, Buffering, and Screening).]
4. Item #10 – Encroachment: Relocate “bay window” from Architectural feature to the new row with “balcony” and revise the amendment text as follows: "May encroach any amount into a required front [or street side] yard setback; encroachments into the public right-of-way require an approved revocable permit."
5. Item #11 – Sensitive Lands/Mature Trees: Delete the proposed amendment (see Finding 23).
6. Items #13 and #15, Off-street Parking – Parking Maximums:

Adopt the proposed amendments, with the following changes to item #15:

- i. Make existing text Subsection (a) and add new subsections with text as follows:

"(b) In UC-MS-PT areas the maximum number of off-street parking spaces provided shall be no more than 125% of the off-street parking spaces required [by Table 2-4-13 or Table 5-5-1, as applicable], ~~calculated after all applicable parking reductions have been applied.~~

(c) In areas exempt from minimum required off-street parking spaces pursuant to Subsection 14-16-5-5(B)(2)(a), the maximum number of off-street parking spaces provided shall be ~~zero~~ [no more than 100% of the off-street parking spaces otherwise required by Table 2-4-13 or Table 5-5-1 for the proposed development, as applicable]."

7. Item #15: Revise the existing language in subsection 14-16-5-5(C)(7) as follows: "Parking maximums shown in Table 5-5-1 apply to parking lots, not to spaces provided in parking structures [, wrapped parking, or parking provided underground]."
8. Item #17, Electric Vehicle Parking – Townhouses: revise the proposed language as follows in order to expand this requirement to townhouse subdivisions where there may be more than 6 dwelling units but they are not all within a single structure: "All new townhouse ~~dwelling~~ [developments] containing more than 6 dwelling units shall provide all required off-street parking spaces as EV capable."
9. For Edge Landscape Buffers for Low-density Residential, revise the language in Subsection 14-16-5-6(E)(2) as follows:

"Where multi-family, mixed-use, or non-residential development other than industrial development occurs on a lot abutting or across an alley from a lot containing low-density residential development in an R-A, R-1, R-MC, ~~or~~ R-T [, or R-ML] zone district, a buffer shall be provided along the lot line, as specified for the relevant area below."

10. For Edge Landscape Buffers for Multi-family Residential Zone Districts, revise the language in Subsection 14-16-5-6(E)(3) as follows:

"Where mixed-use or non-residential development other than industrial development occurs on any lot abutting or across an alley from a lot in the R-ML or R-MH zone districts with [townhouse or] multi-family residential development, a buffer shall be provided along the lot line, as specified for the relevant area below."

11. Items #20 to #25 – Edge Landscape Buffers – Areas of Change and Consistency:

A. Adopt the proposed changes in Items #20-24 with following revision to the proposed language in Item #23:

- i. Where a ~~lot~~ premises partially or completely in an Area of Change is abutting or across an alley from a ~~lot~~ premises wholly [partially or completely] in an Area of Consistency (per City Development Areas in the ABC Comp Plan, as amended), the following standards shall apply on the lot(s) adjacent to the premises wholly [partially or completely] in the Area of ~~Change~~ Consistency, regardless of the proposed land use on that lot or premises unless specified otherwise in this IDO.

B. Delete the proposed amendment #25, which would delete all of Subsection 14-16-5-6(E)(5) and Table 5-6-5, in order to keep Edge Landscape Buffers for Areas of Change and Consistency, as proposed to be amended.

12. Items #26 and #27 Wall and Fences, Maximum height: Delete the proposed amendments, leaving maximum wall heights as currently regulated.
13. Item #34 – Appeals – Remand Hearings: Clarify language in the new Subsection 7 as follows:
 - A. “Planning Department staff shall notify the parties of the date and time of the remand hearing. Public notice pursuant to Table 6-1-1 for the original decision is not required. The decision by the original decision-making body at the remand hearing is considered final unless one of the parties [files a new appeal] appeals the decision to the LUHO.”
14. Item #36 – Minor Amendments – Circulation:
 - A. Replace the deleted circulation language with the requirement for a traffic impact study, which is a more objective standard, as follows:
 - i. “The requested change does not require major public infrastructure, ~~or~~ significant changes to access ~~or circulation patterns on to~~ the site, [or a traffic impact study,] which would warrant additional review by the original decision-making body.”
15. Related to Item #36 – Minor Amendments – Circulation: Apply the approved language from Item #36 and Subsection 14-16-6-4(Y)(1)(a)3, as amended, to Subsection 14-16-6-4(Z)(1)(a)(3).
16. Items #40 and #41, Demolition Outside of an HPO:
 - A. Adopt the proposed amendment as written, and make the following procedural changes in Subsection 14-16-6-6(B)(2):
 - i. 14-16-6-6(B)(2)(a) The Historic Preservation Planner shall review the demolition permit application within ~~15~~5 days after receipt of the application in order to determine whether to recommend review and decision by the Landmarks Commission (LC).
 - ii. 14-16-6-6(B)(2)(b) If the Historic Preservation Planner recommends demolition review by the LC, the LC shall notify the applicant and the Chief Building Official in writing within ~~15~~5 days and conduct a public hearing ~~within 60 days of receipt of the application~~ [at the next possible hearing date] to decide whether a 120-day review period shall be invoked.
 - iii. 14-16-6-6(B)(2)(d) No demolition permit may be issued prior to an LC hearing following a staff determination that the structure is subject to demolition review. If the Historic Preservation Planner does not notify the Chief Building Official within ~~15~~5 calendar days of receipt of the application that the structure is subject to demolition review, the City may proceed to issue the demolition permit.
17. New Amendment- Clean Room Accessory Use:
 - A. Create a new accessory use “Clean Room” in Table 4-2-1 allowing the use as Conditional Accessory (CA) in NR-BP and Permissive Accessory (A) in NR-LM and NR-GM zone districts.

- B. Define Clean Room in Section 14-16-7-1 as follows: “A facility to manufacture delicate and fragile components where processes and components are protected from any outside environmental factors. Cleanrooms include working with chemicals, volatile materials, and sensitive instruments. Other clean rooms that do not meet this definition are regulated as incidental activities associated with primary uses in the Industrial or Commercial categories.”
- C. Add a new Use-specific Standard for Clean Room with text as follows within Subsection 14-16-4-3(F) Accessory Uses:
- i. This use is only allowed when accessory to a use in the Industrial Uses Category pursuant to Table 4-2-1.
 - ii. This use must obtain all applicable State and federal permits or approvals for the activity and comply with the terms of those permits and approvals throughout the duration of the use.
 - iii. This use must comply with air quality permitting requirements found in Part 9-5 of ROA 1994 (Air Quality and Environmental Health Control).
 - iv. This use shall also comply with the distance separations in the Use-specific Standard for Heavy Manufacturing in Subsection 14-16-4-3(E)(5)(e).
- D. Add the following exception to the definition of Special Manufacturing: “This use does not include any use that meets the definition of Clean Room accessory to another use in the Industrial Uses Category pursuant to Table 4-2-1.”

APPEAL: For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

Sincerely,

Catalina Lehner

for Alan M. Varela,
Planning Director

AV/CL/MV

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OFFICIAL NOTICE OF DECISION

PR-2018-0001843 RZ-2022-00054

January 19, 2023

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EPC File



**Environmental
Planning
Commission**

**Agenda Number: 2
Project #: PR-2018-001843
Case #: RZ-2022-00054
Hearing Date: January 19, 2023**

Supplemental Staff Report

Applicant City of Albuquerque Planning Department

Request Amendments to the Integrated Development Ordinance (IDO) Text for the 2022 Annual IDO Update

Location Citywide

Staff Recommendation

That a recommendation of APPROVAL of PR-2018-001843/RZ-2022-00054 be forwarded to the City Council based on the Findings beginning on page 22, and the Conditions for Recommendation of APPROVAL beginning on page 28.

Staff Planners
*Catalina Lehner, AICP – Principal Planner
Michael Vos, AICP – Principal Planner*

Summary of Analysis

This request, for various legislative amendments to the text of the Integrated Development Ordinance (IDO) for the IDO Annual Update required by IDO Subsection 14-16-6-3(D), was continued for a month at the December 8, 2022 EPC hearing.

The request consists of revisions identified as part of the Annual Update process to identify desired changes through a regular cycle of discussion among residents, businesses, City Staff, and decision makers (14-16-6-3(D)). Staff has collected approximately 49 proposed amendments requested by neighbors, developers, Staff, City Council, and the Administration.

The proposed amendments are found in a spreadsheet of “IDO Annual Update 2022 – EPC Review - Citywide (see attachment). The following information is provided for each proposed change: item number, page number, IDO section reference, the proposed change, an explanation, and the source of the proposed change. The spreadsheet is the main component of the request.

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

As of this writing, Staff has received a several comments, mostly concerning walls and fences. Some comments include suggested revisions. Staff recommends that the EPC forward a recommendation of Approval, subject to conditions, to the City Council. The conditions are needed to provide clarity and consistency moving forward.

Comments received before January 9th at 9 AM are attached to and addressed in this Staff Report. Comments received before January 12th at 12 PM are attached, but not addressed. Clarifying materials received before January 17th at 9 AM (after publication of this report and more than 48 hours before the hearing) will be forwarded to the EPC for consideration at the hearing and are not attached to this report.

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I. OVERVIEW

This request is for various citywide amendments to the text of the Integrated Development Ordinance (IDO), as required by IDO Subsection 14-16-6-3(D). The request, which would apply Citywide and constitutes the 2022 Annual Update, was first heard at the December 8, 2022 Environmental Planning Commission (EPC) hearing. After hearing staff presentations and taking public comment, the EPC voted to continue the hearing for a month to the January 19, 2023 regular EPC hearing.

The proposed Citywide text amendments are accompanied by proposed Small Area amendments to the North 4th CPO-9 (RZ-2022-00055) and NW Mesa Escarpment VPO-2 (RZ-2022-00056). The EPC forwarded their recommendations on the Small Area amendments to City Council at the December 8, 2022 hearing.

A spreadsheet that explains each proposed change is included as an attachment to this Supplemental Staff report. The spreadsheet has also been available at the ABC-Z Project Website throughout the process: <https://abc-zone.com/ido-annual-update-2022>.

When the Supplemental Staff report is posted, the spreadsheet will be an attachment that will be available here:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

→ For subsections regarding Background, Request, Applicability and Environmental Planning Commission (EPC) Role, please refer to Section I. Introduction beginning on p. 4 of the December 8, 2022 Staff report.

II. ANALYSIS OF ORDINANCES, PLANS, AND POLICIES

→ Please refer to p. 5-11 of the December 8, 2022 Staff report for Staff’s analysis of the review and decision criteria for Amendment to IDO Text- Citywide [IDO 14-16-6-7(D)(3)(a-c)], the City Charter, and Comprehensive Plan as applied to the request.

III. PROPOSED AMENDMENTS & DISCUSSION

The proposed Citywide text amendments are presented and explained in the spreadsheet “IDO Annual Update 2022 – EPC Review – Citywide” (see attachment). The proposed changes are grouped by category and referred to by page number to track with the “IDO- Amended as of December 2022”, which is available here: <https://tinyurl.com/CABQ-IDO-12-2022>

→ Please refer to p. 11-32 of the December 8, 2022 Staff report for Staff’s full analysis of key substantive, proposed changes.

The following section focuses on the proposed text amendments discussed at the December 8, 2022 EPC hearing for which significant comments were provided and/or questions were raised, as well as those amendments that have received additional comment by January 9, 2023. If a proposed text amendment was not discussed at the hearing and/or was not the subject of substantive comments, please

refer to the original Staff report for an explanation. One new amendment is proposed (see page 18 for a proposed change to allow a new Clean Room Accessory Use.

For those amendments requiring additional discussion, an explanation of the proposed amendment is still provided in plain text, followed by additional Staff analysis in *italic text*. For purposes of the Supplemental Staff report, the original policy analysis is not included, but a brief summary of the applicable policies is provided for reference. The emphasis is on what changes occurred during the continuance period.

Mobile Food Truck Court – IDO Subsection 14-16-2-4(E)(3)(c), p. 35

→ Please refer to p. 11-12 of the December 8, 2022 Staff report for a full discussion of this change.

Deviations, Variances, Waivers – IDO Subsections 14-16-2-5(B)(3) and 2-6(B), p. 47 and 62

Two proposed amendments relate to deviations, variances, and waivers. One is for the NR-BP (Non-Residential Business Park) zone and pertains to Master Development Plans and the other is for the PC (Planned Community) zone and pertains to Framework Plans.

The proposed text amendment to the NR-BP zone would create a new subsection g at the end of 14-16-2-5(B)(3). Deviations, variances, and waivers to standards in Master Development Plans would be allowed using the same thresholds and procedures already in the IDO for each. The proposed text amendments to the PC zone would allow deviations, variances, and waivers to standards in Framework Plans and result in a new subsection 14-16-2-6(B)(8). An example of a Framework Plan is the Mesa del Sol Level B Community Master Plan.

The purpose of these amendments is to provide a process, consistent with existing IDO processes, through which deviations, variances, and waivers can be requested. The criteria for decision for each would still apply. Currently, there is no way for variation from standards in Master Plans (zoned NR-BP) and Framework Plans (zoned PC) other than amending the Plan itself.

Policy Analysis Recap: The amendments are generally consistent with Goal 5.7 – Implementation Processes, Policy 5.7.2 – Regulatory Alignment, and Policy 5.7.5 – Public Engagement. The changes provide clarity and consistency for available processes within the IDO framework.

→ Please refer to p. 12-13 of the December 8, 2022 Staff report for a full discussion of this change.

Update: Two comments were submitted since the December 8th EPC hearing on these changes, noting that plans adopted prior to the IDO contain procedures that should be retained unique to these areas. While this was true for some plans, this is not true of all adopted plans that remain in effect. Further, for plans that had special procedures, those procedures were superseded by the IDO upon its adoption and effective date in 2018. Per IDO Subsection 1-10(A)(3), “Notwithstanding any process specified in the pre-IDO approval, development on such a site is exclusively subject to the procedures and decision criteria established in Part 14-16-6 (Administration and Enforcement).” As such, it is not clear that any such procedures are available within these areas as the IDO is currently written, and it is appropriate to provide that clarity. Staff continues to recommend approval of these changes without any proposed conditions.

Dwelling, Townhouse – IDO Subsections 14-16-4-3(B)(6), p. 156

There are two proposed amendments related to townhouses. The purpose of the first amendment is to extend usable open space requirements, currently only if 6 or more dwellings are constructed on the same lot, to require usable open space for each unit even if the dwellings are separately platted onto their own lots. Regardless of how the units are subdivided and either owned or rented, it is beneficial to incorporate a minimum amount of open space for residents whether through balconies, patios, yards, or other landscaped open space areas.

The second townhouse amendment, proposed by City Council, is to remove the current limitation of 3 dwelling units within a townhouse dwelling structure when abutting R-A or R-1 zone districts within Urban Centers, Main Streets, and Premium Transit Station Areas (UC-MS-PT). This change would allow any number of attached townhouse dwelling units in more urban settings.

Policy Analysis Recap: The townhouse amendments are consistent with the following applicable Comprehensive Plan Goals and Policies:

Goal 5.1 Centers & Corridors, Policy 5.1.1 – Desired Growth, Policy 5.7.2 – Regulatory Alignment, Goal 9.2 – Sustainable Design, Policy 9.2.2 – High Quality, Goal 9.3 – Density, Policy 9.3.1 – Centers & Corridors, and Policy 9.3.2 – Other Areas

Update: A commenter requested additional discussion regarding the proposed exemption to the three-unit cap on townhomes within a single-structure abutting R-1 lots within UC-MS-PT areas. Another comment asked whether height stepdowns would continue to exist near these types of developments. The R-T (Residential – Townhouse) zone district has a maximum height requirement of 26 feet (approximately two stories) and all other zones that allow townhouses will continue to be governed by IDO Section 5-9 Neighborhood Edges, which limits building height close to low-density residential development to a scale consistent with R-1 zoning.

No conditions are proposed for these changes. As previously discussed, the exemption proposed by City Council is for urban locations such as along Central Avenue and within Uptown where the Comprehensive Plan encourages more urban development. Many of these locations have mixed-use zoning that allows multi-family residential development that is not subject to a cap on the number of dwelling units, so this change may make townhouse development a more feasible option to increase the diversity of housing types available in those areas.

Multi-Family Kitchen Exemption – IDO Subsection 14-16-4-3(B)(8)(e), p. 158

This amendment proposes to delete one of the eight use-specific standards for Dwelling, Multi-Family, Subsection (8)(e), in its entirety. Subsection (8)(e), which contains five sub-parts, allows a maximum of 100 units to be exempt from the definition of a Kitchen in multi-family developments resulting from a conversion of an existing non-residential development, which has received funding through the Department of Family and Community Services (FCS) and constitutes affordable housing. The sub-parts of Subsection (8)(e) establish what a kitchen must contain, that support services must be available, and limit unit size to two bedrooms. Please refer to p. 158 for all of the text.

The Subsection (8)(e) exemption is intended to facilitate and support conversion of non-residential uses, such as motels, into affordable housing by lessening the requirements associated with a kitchen for a maximum of 100 units- and only for projects that receive funding through FCS. The provision is narrowly-tailored and includes requirements (ex. separation of kitchen and bathroom and components of a kitchen) that provide for people’s basic needs while enabling more affordable housing to be provided.

Removal of Subsection (8)(e) would make it more difficult for the City to address the lack of affordable housing- one of the biggest challenges the City faces. Conversions of existing non-residential uses are one way to provide such housing and begin to assist under-housed individuals; removing this provision and creating a barrier to addressing a pervasive social issue is not recommended.

Policy Analysis Recap: The above-referenced amendment is generally inconsistent with the following applicable Comprehensive Plan Goals and Policies:

Goal 5.3- Efficient Development Patterns, Policy 5.3.1- Infill Development, Policy 5.3.7- Locally Unwanted Land Uses, Policy 9.1.1- Housing Options, Goal 9.3- Density, Goal 9.4- Homelessness, Goal 9.5- Vulnerable Populations, and Policy 9.6.1- Development Cost.

→ Please refer to p. 15 of the December 8, 2022 Staff report for the full policy analysis of this proposed change.

Update: Several additional comments have been made in support of this amendment based on concerns about the alternative kitchen requirements not being adequate, while comments in opposition reflect the need to provide additional housing options in the community (see attachments). It is important to note that this amendment conflicts with the proposed amendments in the Mayor’s Housing Forward initiative that are being reviewed separately (O-22-54). Staff recommends that this amendment be removed from consideration and to follow the recommendations made in Case #RZ-2022-00059 regarding the Housing Forward initiative to expand opportunities for non-residential conversions and increased supply of housing.

Car Washes – IDO Subsection 14-16-4-3(D)(16)(b and Table 5-5-8), p. 168 and 290

There are two proposed amendments related to car washes, which include clarification on the types of outdoor activities that are restricted by the separation requirement within the use-specific standards, as well as creating a new stacking requirement for automated, conveyor-operated car wash facilities that have become more popular recently.

→ Please refer to p. 16-17 of the December 8, 2022 Staff report for a full discussion of these changes.

Policy Analysis Recap: These amendments are generally consistent with the following applicable Comprehensive Plan policies and sub-policies:

Policy 5.6.4- Appropriate Transitions, Policy 5.7.2- Regulatory Alignment, Policy- 6.4.2 Air Quality, Policy 7.2.1- Walkability, Sub-policy 7.2.1.e, Sub-policy 7.6.2.a, Sub-policy 7.6.2.b, Policy 8.1.2- Resilient Economy, Policy- 8.2.1 Local Business, and Policy- 13.4.1 Air Quality.

***Update:** A few comments were received questioning why there has been an increase in these facilities and asking about water conservation measures generally. One comment expressed a concern that the existing 50-foot separation is too little. In addition to the 50-foot separation, which has existed since adoption of the IDO and is being clarified with these amendments, a landscaped edge buffer is required between these facilities and adjacent residential uses. As discussed at the December 8th EPC hearing, staff believes additional amendments should be added to ensure these uses are further screened in an attractive manner from the public right-of-way, which will help mitigate potentially adverse effects of this use and ensure a high-quality and pleasant pedestrian experience.*

The proposed conditions of approval include two additions to the Use-specific standards for car washes for these purposes. The first is to apply the drive-through facility standards for screening and buffering to the queuing lanes associated with the car wash, which will improve the streetscape by these facilities when the site design dictates placement of the queuing lanes adjacent to the street and sidewalk. The second new Use-specific standard is to encourage the placement of the vacuum stations away from streets and residential properties to the maximum extent practicable and provide for screening when not practicable. These additional changes are consistent with the above-referenced Comprehensive Plan policies.

Medical or Dental Clinic – IDO Subsections 14-16-4-3(D)(26)(a) and (b), p. 175

→ Please refer to p. 17-18 of the December 8, 2022 Staff report for a full discussion of these changes.

Encroachment – IDO Table 5-1-4, p. 231

This proposed amendment would remove a current allowance for balconies to encroach into a side or rear setback up to 2 feet, but not closer than 3 feet from a property line. This provision of the IDO is intended for “architectural features” and includes other features such as awnings, chimneys, and other ornamental features. As balconies may be occupied by people, a concern was raised by the public that these are more than just architectural features and should not be allowed to encroach closer than the minimum required setback in order to protect neighboring properties.

The amendment would move balconies to their own separate line in Table 5-1-4 and restrict potential encroachment to the front yard only. Staff believes an encroachment into the front yard is still appropriate, similar to that of a porch, as it may enhance the streetscape and pedestrian realm.

→ Please refer to p. 18 of the December 8, 2022 Staff report for a full discussion of this change.

Policy Analysis Recap: This amendment is consistent with following Comprehensive Plan policies 4.1.2- Identity and Design and 5.7.2- Regulatory Alignment

***Update:** At least four comments were submitted in support of this change and recommending “bay window” also be included in the proposed change. No written comments were submitted in opposition, although there has been some discussion with the EPC regarding the impact this may have on conversions or similar projects. It should be noted that in mixed-use zone districts, there is no minimum required interior side setback, so this will generally only arise within Residential zone districts (5’ side setback) and within rear yard setbacks (typically 10’ or 15’ depending on the zone*

district). To alleviate some concerns, a modification may be made to move balconies (with or without bay windows) as proposed, and allow them to encroach into the street side yard setback in addition to the front as the street side functions in a similar manner and would not have the same privacy concerns from the public as the interior side abutting a neighboring property.

Staff agrees that balconies and bay windows should be grouped together as suggested by public comment. In the proposed conditions of approval, a few options have been prepared for consideration by the EPC regarding this change:

- 1. Approve the change as proposed with the addition of bay windows. This will only allow balconies and bay windows to encroach into the front yard.*
- 2. Approve the change with the addition of bay windows and further allow encroachments for balconies and bay windows into the street side yard setback (but not the interior side or rear).*
- 3. Delete the proposed amendment as unnecessary because 2 feet is already a minimal encroachment as currently written.*

Sensitive Lands-Mature Trees – IDO Subsection 14-16-5-2(C)(2)(d), p. 233

The proposed amendment would replace the phrase “large stand of mature trees” with “established tree”. This would allow a single, established tree to be considered for preservation (see also the corresponding, proposed change to the definition Sensitive Lands, Large Stand of Mature Trees).

A new subsection is proposed to be added to 5-2(C) that would allow the City Forrester to evaluate large, mature trees and determine if the trees should be retained or replaced. Two options would be available to count towards avoiding sensitive lands. Applicants would need to either provide a landscape area equal to the area under the dripline (of the tree) or new trees to replace the mature ones, as determined by the City Forrester. Any new trees would be required to at least equal the diameter of the established tree being replaced. Staff suggests that the phrase “of the tree” be added after the word “dripline”.

Policy Analysis Recap: The change is consistent or partially consistent with the following Goals and Policies:

Goal 10.1 – Facilities & Access, Goal 10.3 - Open Space, Policy 11.3.1 – Natural and Cultural Features, and Goal 13.4 – Natural Resources

Update: *A few comments in opposition to this request have been received. One comment suggests removing this amendment and revisiting it at a future time upon completion of further research on best practices. It is clear to staff that the current regulations and definition for a “large stand of mature trees” has not been effective at preserving trees as desired. Staff also believes that this amendment, as written, provides a flexible approach for both the preservation of established trees and options to replace trees, if necessary, on a case-by-case basis. Therefore, staff’s recommendation is to adopt this amendment with two minor editorial changes as shown in the proposed conditions of approval regarding the dripline of the tree and where to measure the trunk diameter.*

Pedestrian Access – IDO Subsection 14-16-5-3(E)(1)(d)(4), p. 250

→ Please refer to p. 19-20 of the December 8, 2022 Staff report for a full discussion of this change.

Parking Maximums – IDO Subsection 14-16-5-5(C)(7) and Table 5-5-1, p. 268 and 276

These proposed amendments delete the maximum parking requirements currently found for only a few uses within UC-MS-PT areas and replaces those with a new subsection that applies a maximum parking requirement to all uses in UC-MS-PT areas. This proposed subsection would cap maximum parking at 125 percent of the minimum parking after all applicable parking reductions are applied. Further, a second proposed subsection would prohibit any surface parking in locations currently exempt from minimum parking, which includes Downtown, McClellan Park, and Old Town. These provisions would not apply to structured parking because an existing provision applying maximums only to parking lots will remain.

Policy Analysis Recap: The request is consistent with Policy 6.1.2 Transit-Oriented Development and Policy 6.1.3 Auto Demand to reduce auto demand and support transit, as well as Policy 7.2.2 Walkable Places. The proposed amendment is partially consistent with Goal 7.4 Context-Sensitive Parking, Policy 7.4.1 Parking Strategies, and Policy 7.4.2 Parking Requirements.

Update: A few comments were received in opposition to these proposed amendments. One neighbor was concerned about adequate parking for businesses, while a couple of comments from developers highlighted the portion of the amendment that dictates the maximum is taken after all possible reductions, which in many locations significantly reduces the minimum parking required below what the market may desire. Taken in combination with the cost of constructing structured parking, this may significantly impact the feasibility of development projects in infill locations, which is encouraged by the Comprehensive Plan.

Based on these comments, staff has drafted three options for the EPC's consideration, including adopting these changes as written, deleting them altogether, and proposing a middle-ground that bases the maximums upon the minimum parking required by use without considering available reductions and carries this over to the small areas so no development would be outright prohibited from providing a parking lot. An Applicant could still utilize reductions to construct fewer spaces, if desirable.

In addition, a comment was submitted identifying that underground and wrapped parking are defined separate from structured parking although they all work a similar way in practice. Due to the different definitions, underground and wrapped parking would not be exempt from the proposed limitation. To correct this, there is a recommended condition of approval to exempt underground and wrapped parking from maximum parking requirements. This should be adopted regardless of the direction the EPC goes with the main proposal to adopt parking maximums for all uses.

Electric Vehicle Parking – IDO Subsection 14-16-5-5(C)(9), p. 279

Several amendments are proposed related to electric vehicle (EV) parking. The IDO presently allows EV parking spaces to count for two required off-street parking spaces, and requires at least 2 percent of the parking spaces to include EV charging stations with a rating of 240 volts or higher when 200 or more parking spaces are constructed. As EV usage is projected to continue increasing, these amendments seek to expand EV infrastructure in new developments, as well as provide

additional capabilities for future expansions by the creation of “EV capable” requirements in addition to a minimum amount of charger installation in certain circumstances.

The first EV amendment clarifies that to get credit for two off-street parking spaces for each one EV space in subsection 5-5(C)(6)(a), the space must be equipped with an installed charger. The second amendment increases the current EV parking requirement for large parking lots from 2 percent to 5 percent of the spaces when 200 or more off street parking spaces are constructed. For a development with the minimum 200 parking spaces to trigger this requirement, this is an increase from 4 to 10 EV chargers that would be required to be installed.

Furthermore, these amendments propose to break out large multi-family and townhouse developments with their own EV parking requirements. Currently, EV chargers would only be required to be installed if these developments hit the minimum 200 parking spaces. For multi-family, the amendments would require 5 percent EV charger installation for any development with greater than 100 dwelling units, which effectively triggers compliance with smaller parking lots. In addition, 25 percent of the parking in these multi-family developments shall be provided as EV capable. Providing for this installation with the exception of the charger when a project is initially constructed saves on costs compared to retrofitting a project for this infrastructure in the future. For townhouse developments with greater than 6 dwelling units, all units are proposed to be EV capable, thus allowing the future occupant the ability to install a charger should they choose.

Policy Analysis Recap: The proposed changes are consistent with the following Comprehensive Plan Goals and Policies:

Policy 7.4.1 Parking Strategies, Goal 9.2 Sustainable Design, Policy 9.2.2 – High Quality, Policy 13.1.2 Greenhouse Gas Mitigation, and Sub-Policy 13.1.2.b to accommodate the use of motorized vehicles that run on alternative fuels through zoning and development regulations.

Update: A few comments were submitted regarding the proposed changes for EV parking. One comment speculated that the provision of EV charging may run contrary to affordable housing goals. Staff believes these goals for affordability and sustainability can be achieved in parallel, and is especially important to do so as more and more drivers are turning to electric vehicles.

The Great Plains Institute, in their “Summary of Best Practices in Electric Vehicle Ordinances,” identifies that retrofitting parking structures can be 91% or more expensive than outfitting this parking during initial construction. Therefore, it makes sense to begin having development accommodate this infrastructure initially rather than potentially moving the burden to succeeding residents, or developing sites that have no opportunities for a retrofit whatsoever.

Two other comments came from developers requesting consideration of 120-volt rather than 240-volt charging. The 240-volt or higher language is from the existing IDO requirement to include EV charging stations when more than 200 off-street parking spaces are constructed.

120-volt charging, known as “Level 1” charging, does not require specialized electrical installation, but it is a slow charge. For example, Level 1 charging typically provides 3-5 miles of range for each hour of charging. 240-volt or “Level 2” charging can be up to 5 times faster than Level 1, making them significantly more useful in charging a drained battery overnight.

In addition, electric vehicles often come with Level 1 chargers for owners to use in their standard electrical outlets, so reducing this requirement not only would result in less efficient electrical charging it would not necessarily provide much of a benefit to the residents above what they have from the initial purchase of their vehicle. To provide a long-term and meaningful benefit, it makes the most sense to make the higher voltage, and therefore faster charging, available. This is forward-thinking and useful in settings where there could be sharing of charging stations on a first-come, first-serve basis within the parking lot of a development, and for visitors to properties. Staff recommends proceeding with the proposed changes, as written, to stay up-to-date with this ever-increasing technology.

Staff recommends approval of a condition to Item #17 for townhouses, which slightly broadens the requirement to “development” as was discussed at the December 8, 2022 EPC hearing.

Edge Landscape Buffers – IDO Subsections 14-16-5-6(E)(2)(a) and (b), p. 306 and 307

→ Please refer to p. 22-24 of the December 8, 2022 Staff report for a full discussion of these changes.

A series of amendments are proposed to the Edge Buffer Landscaping Section 5-6(E) of the IDO, including competing amendments to Subsection 5-6(E)(5) and Table 5-6-5.

The purpose of these amendments to Subsection 5-6(E)(5) Area of Change Next to Area of Consistency attempt to resolve conflicts that have arisen over the first several years of implementing the IDO. Areas of Change and Consistency were adopted with the Comprehensive Plan in 2017 and are established based on platted lots and a methodology for mapping found within the Comp Plan, Appendix I. Since the Areas of Change and Consistency were mapped on existing lots, it is possible for redevelopment projects to include properties with both designations. When this occurs, as currently written, a property owner or developer must provide a landscape buffer between their own lots and not between themselves and the next development or premises. These amendments propose to change the language from “lots” to “premises” in order to shift the required buffer to the edge of the new development and therefore adjacent to the existing development that is intended to be protected.

Next, these amendments propose to consolidate the buffers for an Area of Change next to an Area of Consistency to 15 feet in width. Presently, a 15-foot buffer is required when adjacent to single-family residential, but it increases when next to a commercial property, which is counterintuitive. Creating a consistent 15-foot buffer width acknowledges that a buffer may be appropriate next to residential or non-residential properties due to differences in scale but would no longer require an Applicant to provide a larger buffer to a commercial shopping center than to a single-family house. Lastly, a competing amendment is proposed by City Council, which would delete Subsection 5-6(E)(5) and Table 5-6-5 in their entirety. The rationale for this is that the previous subsections and Table 5-6-4 provide adequate buffers for development between non-residential and multi-family to single-family, and the most intense industrial uses to non-industrial uses. It is important to recognize

that eliminating this subsection would eliminate buffers between different scales of commercial properties, unless they are industrial, as well as eliminate a buffer requirement that protects any low-density residential development that is incorrectly zoned and non-conforming because the Areas of Change and Consistency methodology picked up on those zoning and land use mismatches.

Policy Analysis Recap: Planning staff’s recommended changes are generally consistent with the following Comprehensive Plan Goals and Policies:

Goal 4.1- Character, Policy 4.1.2 - Identity and Design, Policy 4.1.4 Neighborhoods, Policy 5.1.2 Development Areas, Goal 5.6 City Development Areas, Policy 5.6.3 Areas of Consistency, Policy 5.6.4 Appropriate Transitions, Policy 5.7.2 – Regulatory Alignment

Update: At least three comments were submitted in opposition to any changes or reductions to the existing Edge Landscape Buffers. Conversely, two comments on behalf of developers were made in support of the City Council amendment (Item #25) to completely delete the subsection for buffers between Areas of Change and Areas of Consistency. Planning Staff recommends adoption of Items #20-24, with some conditions, because they adjust and clarify the buffer requirements in these areas and make them more workable. As such, staff further recommends that Item #25 be deleted as inconsistent with the above-referenced goals and policies because it would eliminate a tool that helps implement the Comprehensive Plan. While there is a belief that this tool may be unnecessary and duplicative, there are and will be applications for properties with zoning and land uses that necessitate use of the Area of Change and Area of Consistency subsection to provide for any buffer between those properties. Deleting this subsection in its entirety leaves open the possibility of a loss of protections. Therefore, staff believes Subsection 5-6(E)(5) should remain, with amendments to clarify the “partially and completely” language that is proposed as shown in the conditions of approval.

In addition to the proposed amendments in Items #20-24, staff has further found that the general Edge Buffer Landscaping sections warrant minor additional changes. Because the buffers in Subsections 5-6(E)(2), (3), and (4) are based on a combination of the underlying zoning and land use or development on the property there is concern a buffer will not be provided when a property has a low-density residential use on multi-family zoned land, particularly within the R-ML (Residential – Multi-family, Low Density) zone district. For example, single-family residential and duplexes are permissive in R-ML. Townhouses are permissive in R-ML and R-MH. These uses should be afforded similar protections to those same low-density uses within the R-1 and R-T zone districts. To correct for this, staff recommends adding R-ML to Subsection 5-6(E)(2) for low-density residential buffering, as well as adding the townhouse land use to Subsection 5-6(E)(3) in addition to multi-family. Please see the recommended conditions of approval for this change.

Walls & Fences – IDO Subsection 14-16-5-7(D)(3)(a) and (b), Table 5-7-2, p. 320, 321 and 322

→ Please refer to p. 24-25 of the December 8, 2022 Staff report for a full discussion of these changes.

Three text amendments are proposed with respect to walls and fences. The first amendment would create a new subsection in 5-7-(D)(3)(a)(1), at the start of the Section (Exceptions to Maximum Wall Height), which would allow walls in the front yards of low-density residential development provided the wall is no taller than 5 feet and has view fencing for at least two feet at the top and is

set back at least 2 feet. The first row under View Fencing, in Table 5-7-2, would be correspondingly revised to read “2 feet” from lot line abutting the street, rather than 10 feet (the second proposed amendment).

The third amendment pertains only to walls in multi-family developments in the R-ML (Residential Multi-Family Low Density) and the R-MH (Residential Multi-Family High Density) zone districts. In the R-ML zone [14-16-2-3(E)], primary land uses are townhouses and small-scale multi-family development. In the R-MH zone [14-16-2-3(F)], the primary land use is multi-family development. Taller, multi-storied buildings are encouraged. The proposed amendment would add the language “of walls in any front or street side yard” to clarify what the maximum height of 6 feet refers to.

Policy Analysis Recap: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

Goal 4.1- Character, Policy 4.1.2- Identity and Design, Policy 4.1.4- Neighborhoods, Goal 7.1- Streetscapes & Development Form, Goal 7.3- Sense of Place, Policy 7.3.2- Community Character

Update: The amendments focused on front yard wall heights for low-density residential development has received the most public input of any amendment in the package of amendments for the 2022 Annual Update. Well over 20 people have submitted written comment opposed and many also spoke at the December 8, 2022 EPC hearing. Allowing additional wall and fence height permissively citywide may run counter to neighborhood character and sense of place, particularly within older, established neighborhoods that were originally developed without walled yards. No specific comments were submitted in support of these changes.

Based on the strong opposition and many comments, staff has prepared conditions of approval for review by the EPC that provide 3 alternatives for discussion and action:

1. To proceed with the amendment, as proposed;
2. To adjust the wall height proposed to a compromise of 4 feet, while still utilizing view fencing for the portion above 3 feet; and
3. To delete the amendment in its entirety.

Hazardous Materials- IDO Subsection 14-16-5-13(A)(4), p. 377

→ Please refer to p. 26 of the December 8, 2022 Staff report for a full discussion of this change.

Community Planning Area Assessments- IDO Subsection 14-16-6-3(E), p. 396

→ Please refer to p. 26 of the December 8, 2022 Staff report for a full discussion of this change.

Mailed Notice to Property Owners – IDO Subsection 14-16-6-4(K)(3)(c and d), p. 407

→ Please refer to p. 27 of the December 8, 2022 Staff report for a full discussion of this change.

Post-Submittal Facilitated Meeting – IDO Subsection 14-16-6-4(L)(1)(a), p. 410

Post-submittal facilitated meetings may be requested by property owners within 330 feet of a subject site and/or by neighborhood associations within 660 feet of a subject site, except for requests for Site Plan-Admin for new low-density residential development.

The proposed text amendment would remove this exception and expand and clarify the provision, so that post-submittal facilitated meetings could be requested for Site Plan-Admin applications that propose new building(s) that meet the following thresholds: more than 100 multi-family dwellings; more than 50,000 sf of non-residential development; the application requires a public hearing; and the application is a policy decision that requires a neighborhood meeting.

→ Please refer to p. 27-28 of the December 8, 2022 Staff report for a full discussion and analysis of this change.

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

Goal 5.7 – Implementation Processes, Policy 5.7.2- Regulatory Alignment, and Policy 5.7.5- Public Engagement

Update: Since the December 25, 2022 version of the IDO has become effective, the Planning Department is transitioning the former responsibilities of the Development Review Board (DRB) to the Development Hearing Officer (DHO) and to Site Plan – Administrative processes. As part of this transition and to balance staff time, roles, and responsibilities, as well as to provide consistency for Applicants, the Planning Department is accepting Site Plan – Administrative applications for larger-scale developments (i.e. those previously Site Plan – DRB) through a new Development Facilitation Team rather than shifting all of these additional plan reviews to Code Enforcement staff, as has been and continues to be the case for smaller-scale projects.

This administrative threshold for who reviews the Site Plan – Administrative matches the pre- and post-submittal facilitated meetings thresholds found in the IDO and this proposed amendment with the exception of multi-family development, which is 50 dwelling units rather than 100 dwelling units. Planning staff recommends the EPC strongly consider a condition to reduce both the pre- and post-submittal meeting thresholds for multi-family residential development to 50 units to create consistency and to allow early feedback from interested parties, neighborhoods, and other stakeholders on these projects. Public engagement is important for the success of a project, and meeting with neighbors early in the process and prior to completion of full design may allow for practical changes in response to feedback and reduce delays once a project is submitted into the final review and approval process. See the proposed conditions for these options for consideration.

Appeals – Remand Hearings – IDO Subsection 14-16-6-4(V)(3)(d), p. 430

→ Please refer to p. 28 of the December 8, 2022 Staff report for a full discussion of this change.

The proposed amendment would clarify procedures for remand hearings. Staff suggests a condition to simplify the language, so that it is clear that the decision on remand is final unless a new appeal is filed.

Policy Analysis Recap: The proposed change is consistent with the following Comprehensive Plan Goals and Policies applicable to the request:

Goal 5.7- Implementation Processes, Policy 5.7.2- Regulatory Alignment, and Policy 5.7.4- Streamlined Development

Update: Two comments were received questioning this amendment, as it relates to recent appeals. However, this is a clarification of longstanding process on how appeals have been handled and not a new change. In addition, the proposed language including the proposed condition of approval has been reviewed by City Council legal staff and they agree with the proposed clarifications.

Minor Amendments – Circulation – IDO Subsection 14-16-6-4(Y)(2)(a)(9), p. 441

This amendment proposes to delete a provision that would elevate an amendment to a Site Plan from a Minor Amendment approved by staff, up to a Major Amendment approved by the original decision-making body due to changes in circulation patterns on the site. For old shopping centers originally approved by the EPC, this has arisen when the owner is redeveloping the site with new users on pads within the parking lot. Deletion of this provision would allow a property owner to obtain an administrative Minor Amendment approval, as long as the City Traffic Engineer reviews and approves the amendment in conjunction with any other required traffic approvals, and if the Minor Amendment meets the remaining criteria.

Staff has discussed this at length internally, and rather than eliminating this provision in its entirety, it may be more appropriate to amend the provision from a “significant change to circulation patterns,” which can be subjective to a more objective requirement whether or not the amendment triggers the need for a Traffic Impact Study (TIS). A TIS is required for any new development creating over 100 peak hour trips to and from a site. Projects above this threshold may warrant additional review by the original decision-making body. Options for the EPC’s consideration are included in the recommended conditions of approval.

Policy Analysis Recap: This amendment is consistent with the following Comprehensive Plan Goals and Policies:

Goal 5.7- Implementation Processes, Policy 5.7.2- Regulatory Alignment, and Policy 5.7.4- Streamlined Development

Update: Based upon discussion at the December 8, 2022 EPC hearing, staff has drafted a proposed condition for EPC consideration to make projects subject to a traffic impact study be reviewed and decided by the original decision-making body. Since then, a comment submitted by the development industry was made to support the proposed change, as currently written, to simply delete the “circulation patterns” language from the referenced section. These two options are presented in the recommended conditions of approval for EPC review, discussion, and action.

Once EPC determines the recommended option for this item, the same change should be carried forward to subsection 6-4(Z) Amendments of Pre-IDO Approvals, which has identical language. Bringing this proposed change forward in both sections will maintain consistency for how amendments of approvals are handled regardless of when the original approval occurred. A condition is provided for EPC consideration to accomplish this.

Site Plan- Administrative (various) – IDO Subsections 14-16-6-4(Y)(1)(a)(3), 6-5(G)(2), 6-5(G)(3), Table 6-4-3, p. 441, 456 and 434

→ Please refer to p. 29-30 of the December 8, 2022 Staff report for a full discussion of this change.

Demolition Outside of an HPO – IDO Subsection 14-16-6-6(B)(1) and (B)(2), p. 463 and 464

→ Please refer to p. 30-31 of the December 8, 2022 Staff report for a full discussion of these changes.

The proposed amendments, which pertain to Demolition Outside of an HPO (Historic Protection Overlay zone), would remove current language that limits staff review of historic structures to designated small areas only. The amendments would allow Historic Preservation Staff to review proposed demolitions of any structures 50 years or older Citywide, whether it is in a HPO zone or not.

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

Goal 4.1- Character, Policy 4.1.3- Placemaking, Policy 4.1.4- Neighborhoods, Goal 5.7- Implementation Processes, Policy 5.7.2- Regulatory Alignment, Goal 11.2- Historic Assets, and Policy 11.2.2- Historic Registration

Update: A few comments were made in opposition to this amendment at the December 8, 2022 EPC hearing and supplemented by written comments prior to the writing of this staff report. The primary concern surrounds the potential for a lengthy review process prior to obtaining a demolition permit. At least one comment was made in support of this amendment.

It is important to note that the 120-day review period within this section will not affect the vast majority of projects or demolition requests. It is likely that most dilapidated buildings will be granted demolition approval by staff within the initial timeframes established by Subsection 14-16-6-6(B)(2), which identifies that the Historic Preservation Planner has 15 days (at the most) to determine if a structure is historically significant enough to warrant additional review by the Landmarks Commission. Even if the Historic Preservation Planner forwards the request for additional review by the Landmarks Commission, they must hear it within 60 days and may grant demolition approval without further delays if they, after hearing from the Applicant and other stakeholders, determine that there is no viable alternative to demolition.

The Landmarks Commission reviewed and recommended approval of the expansion of this provision in order to potentially preserve and protect historic assets citywide.

The proposed text amendments would help preserve historic assets and promote preservation of historic buildings determined to be significant by providing a mechanism by which to discuss opportunities for restoration and alternatives to demolition. Due to the comments and prior questions and discussion, three alternatives are proposed in the conditions of approval for EPC consideration: to keep it as proposed, shorten the preliminary review dates so applicants can receive a response on their permit more quickly, and to remove the amendment altogether. Staff continues to recommend approval of this request, as written.

Zoning Map Amendment, Council – IDO Subsection 14-16-6-7(H)(1)(b), p. 520

→ Please refer to p. 31-32 of the December 8, 2022 Staff report for a full discussion of this change.

Definitions (various) – IDO Subsection 14-16-7-1, p. 561, 582, 585, and 591

→ Please refer to p. 32 of the December 8, 2022 Staff report for a full discussion of these changes.

The intent of the proposed amendments to Definitions is to provide clarification and support for regulations and processes in the IDO and to ensure a common understanding of a given term, which will help provide for consistent implementation.

The proposed amendments include one new definition and four revisions to existing definitions. The new definition of EV Capable would be added to the parking definitions. Revisions would be made to the definitions of Floodplain, Overnight Shelter, Personal and Business Services, and Large Stand of Mature Trees.

Update: *One comment was made in opposition to the proposed amendment to the definition of Overnight shelter. This change is to clarify the use as distinct from others in the IDO, and no changes are proposed.*

New Amendment: Clean Room Accessory Use

In order to support economic development initiatives, the Planning Department is requesting the addition of a new amendment to the 2022 Annual Update package. This amendment is to add a new accessory use for “Clean Room” to the Use Table 4-2-1 that will be Conditional Accessory (CA) in the NR-BP zone district and Permissive Accessory (A) in the NR-LM and NR-GM zone districts. A definition of the use will be added, as well as Use-specific standards.

Policy Analysis: The following Comprehensive Plan Goals and Policies are applicable to the requested amendment:

Policy 5.1.5 Employment Centers: Create Centers that prioritize employment opportunities and foster synergy among businesses.

Goal 5.4 Jobs-Housing Balance: Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.

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

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

Policy 8.1.3 Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending.

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

These proposed additional amendments to create a new Clean Room Accessory Use originated with questions raised with Planning Staff regarding both existing and proposed businesses seeking to potentially relocate or expand in Albuquerque. Many new and advancing industries, including those that the City is recruiting such as aerospace, bioscience, and directed energy utilize potentially hazardous chemicals, but do so in a safe and contained environment through the use of clean rooms.

When reviewing the IDO and its associated manufacturing definitions, the only use that currently allows the range of potential volatile inputs that might be found in some of these manufacturing processes is Special Manufacturing, which is only allowed Conditionally in the NR-GM zone district. The City has only a small amount of land zoned NR-GM, which is primarily located to the south and west of the Sunport and along the Railroad and Spur Small Area. Only a subset of that land is vacant or available for development. There is quite a bit more NR-BP and NR-LM zoned land potentially available for expansion of these important industries, which is also located within established business parks and near transportation corridors.

With advances in technology and safety procedures, the work in clean rooms is safe and can be expanded beyond the NR-GM zone district, which is what the proposed amendment seeks to do. The intent of the change is to provide additional opportunities for businesses to expand their operations in appropriate locations in Albuquerque, which is consistent with the Comprehensive Plan goals and policies to promote job growth, grow Employment Centers, and increase our economic base.

The new use is proposed as an accessory use because it is usually associated with an industrial use or within a larger industrial facility that may otherwise qualify as either light, heavy, or special manufacturing. Creation of a new use rather than expanding where Special Manufacturing is allowed is also beneficial in order to keep a primary use that has potentially significant off-site impacts limited to the NR-GM zone district with a Conditional Use process. Overall, staff believes this has significant positive potential to support efforts in the region related to job creation, especially with the types of technologies already being researched and developed locally.

IV. PUBLIC OUTREACH

→ Please refer to p. 32-33 of the December 8, 2022 Staff report for information regarding meetings and presentations provided.

V. NOTICE

→ Please refer to p. 3 of the December 8, 2022 Staff report for information regarding required notice and additional notice provided.

VI. AGENCY AND PUBLIC COMMENTS

→ Please refer to p. 33-35 of the December 8, 2022 Staff report for a discussion of comments from agencies, the public, and neighborhood representatives.

During the continuance period, Staff received several comments regarding the proposed Citywide text amendments (note: the O-54 housing-focused comments are associated with another Staff report). As of this writing, approximately 17 emails and/or attached letters were submitted by individuals, neighborhood associations, coalitions, and developers (see attachments).

Neighborhood organizations that commented include, but are not limited to, the Santa Fe Village Neighborhood Association (NA), the Embudo Canyon NA, the Citizens' Committee of Martineztown (CICM), the West Park NA, the Pat Hurley NA, the Knapp Heights NA, the SR Marmon NA, the Singing Arrow NA, and the Victory Hills NA. There is also a letter from the Inter-Coalition Council, which consists of members from various coalitions; commenters mentioned that they are affiliated with the District 4 Coalition or the District 6 Coalition (see attachments).

Several NAs expressed their continued opposition to the proposed amendments regarding walls and fences (SFVNA, ICC, Embudo Canyon NA, Pat Hurley NA, Singing Arrow NA, Victory Hills NA), which was defeated last year but is being reconsidered. They oppose raising allowable height, especially in front yards, because of adverse effects on neighborhood aesthetics, character, safety, and security. A process is already in place (Variance - ZHE) to request a higher wall; such walls should not be allowed permissively.

Other comments express opposition for the proposed amendments regarding parking maximums. Regarding review of historic buildings, there is both support and opposition from neighborhoods.

Comments from the development community indicate opposition to proposed amendments regarding deviations, variances, and waivers in framework plans, trees on sensitive lands, parking maximums, edge landscape buffering, and demolition outside an HPO. Support was expressed for allowing traffic circulation impacts and changes to a site to be considered minor amendments, and for tying the definition of floodplain to the FEMA definition (see attachments).

VII. CONCLUSION

The request is for Citywide text amendments to the IDO. Planning Department staff compiled and analyzed the approximately 49 proposed changes for the EPC's review and recommendation to the City Council.

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

Overall, the proposed changes are generally consistent with applicable Articles of the City Charter and a preponderance of applicable Comprehensive Plan Goals and policies from Chapter 5- Land Use, Chapter 8- Economic Development, Chapter 11- Heritage Conservation, and Chapter 13- Resilience and Sustainability.

Planning Staff held online study sessions and open houses regarding the proposed changes. The request was announced in the Albuquerque Journal, on the ABC-Z project webpage, and by e-mail. The Planning Department provided notice to neighborhood representatives via e-mail (and mail) as required.

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

Public comments were received prior to (and after) publication of the original December 8, 2022 Staff report. Additional comments were received during the continuance period leading up to publication of the January 19, 2023 supplemental staff report.

Staff recommends that the EPC forward a recommendation of Approval to the City Council, subject to conditions for recommendation of Approval needed to provide consistency and clarity.

RECOMMENDED FINDINGS – RZ-2022-00054, January 19, 2023

1. The request is for various Citywide, legislative amendments to the text of the Integrated Development Ordinance (IDO) for the Annual Update required by IDO Subsection 14-16-6-3(D). The proposed Citywide amendments, when combined with the proposed Small-area amendments, are collectively known as the 2022 IDO Annual Update.
2. These Citywide text amendments are accompanied by proposed text amendments to Small Areas in the City, which were submitted separately pursuant to IDO Subsection 14-16-6-7(E) and are the subject of separate Staff reports and actions: North Fourth Street, CPO-9 (RZ-2022-00055) and Northwest Mesa Escarpment, VPO-2 (RZ-2022-00056).
3. The request was heard at the December 8, 2022 EPC hearing and was continued for a month to the January 19, 2023 hearing to allow for additional review, development of conditions, and input from members of the public.
4. The IDO applies Citywide to land within the City of Albuquerque municipal boundaries. The IDO does not apply to properties controlled by another jurisdiction, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities.
5. The EPC’s task is to make a recommendation to the City Council regarding the proposed amendments to IDO text. As the City’s Planning and Zoning Authority, the City Council will make the final decision. The EPC is a recommending body to the Council and has important review authority. This is a legislative matter.
6. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. Staff has collected approximately 49 proposed text amendments to the IDO requested by neighbors, developers, Staff, Council, and the Administration. The proposed changes would improve the effectiveness and implementation of adopted regulations, address community-wide issues, clarify regulatory procedures, and balance these needs with the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.
8. The request generally meets IDO Subsection 14-16-6-7(D)(3)(a-c), Review and Decision criteria for Amendment to IDO Text-Citywide, as follows:
 - A. Criterion a: The proposed amendment is consistent with the spirit and intent of the ABC Comp Plan, as amended (including the distinction between Areas of Consistency and Areas of Change), and with other policies and plans adopted by the City Council.

The proposed Citywide text amendments are generally consistent with the spirit and intent of the Comprehensive Plan, and other policies and plans adopted by the City Council, because they would generally help guide growth and development and identify and address significant issues in a holistic way (Comprehensive Plan, p. 1-5). The proposed changes are consistent with

Comprehensive Plan Goals and policies that direct the City to adopt and maintain an effective regulatory system for land use and zoning.

- B. Criterion b: The proposed amendment does not apply to only one lot or development project.

The proposed Citywide text amendments would apply throughout the City and not to only one lot or development project and, therefore, are legislative in nature. The changes would apply equally across a particular zone district or for all approvals of a certain type and are not directed toward any specific lot or project.

- C. Criterion c: The proposed amendment promotes public health, safety, and welfare.

The request generally promotes the public health, safety, and welfare of the City because overall the proposed text amendments are consistent with a preponderance of applicable Comprehensive Plan Goals and policies. The proposed amendments are intended to address community-wide issues and clarify regulatory procedures, while balancing the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.

9. The request is generally consistent with the following, relevant Articles of the City Charter:

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

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

C. Article XVII, Planning.

i. Section 1. Amending the IDO through the annual update process is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. The IDO will help implement the Comprehensive Plan and ensure that development in the City is consistent with the intent of any other plans and ordinances that the Council adopts.

ii. Section 2. Amending the IDO through the annual update process will help the Administration to implement the Comprehensive Plan vision for future growth and development, and will help with the enforcement and administration of land use plans.

10. The request is generally consistent with the following, applicable Goal and Policies in Chapter 5- Land Use and Chapter 7- Urban Design:

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

In a broad sense, the proposed text amendments promote efficient development patterns and use of land. They help support development and re-development in older, established areas, UC-MS-PT areas, and include conversions to residential dwellings and historic building preservation.

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

The proposed text amendments address affordable housing (kitchen exemption) and methadone clinics (separation distance), which can be considered Locally Unwanted Land Uses (LULUs) because immediate neighbors often find them objectionable. The proposed changes would help facilitate careful location of such uses by supporting conversion of existing buildings to housing and clarifying separation distances between clinics. Relevant use-specific standards would be clearer and would continue to apply to protect neighborhoods.

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

The proposed amendments address edge landscape buffering, which provides transitions in Areas of Change for development abutting Areas of Consistency. The changes would clarify edge buffering requirement on premises and between project sites; some proposed amendments would help ensure adequate buffering but another would remove the requirement as duplicative.

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

The proposed text amendments include changes to off-street parking requirements based on development contexts where higher density is allowed; the resulting parking facilities would match the development context and complement the built environment. New provisions to address electric vehicle parking requirements also facilitate parking that better matches development context.

11. The request is generally consistent with the following, applicable Goal and policies in Chapter 5-Land Use, pertaining to implementation and processes:

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

The IDO annual update is a process that supports continued efforts to effectively and equitably implement the Comprehensive Plan. Some proposed amendments seek to improve procedures and implementation in order to further this Goal.

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

The IDO annual update process results in an updated regulatory framework that helps align priorities and create consistent outcomes. The request includes amendments that address affordable housing (kitchens), landscape buffering, mature trees, parking, and procedural clarifications that help support desired growth, high-quality development, economic development, and housing. Where they do not, conditions for recommendation of approval can be applied.

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

The IDO annual update results in an updated and clarified regulatory framework, which is part of the foundation for a transparent approval and permitting process. The proposed text amendments include changes to clarify how to apply provisions in the IDO (deviations, variances, waivers, site plan-admin), which would generally contribute to a more consistent process and support providing high-quality customer service.

12. The request is generally consistent with the following, applicable policy in Chapter 8- Economic Development:

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

The proposed text amendments would generally foster a more robust, resilient, and diverse economy because they include changes to clarify requirements (ex. edge buffering, notification), definitions, and processes, as well as support alternative energy technology (electric vehicles). These changes would contribute to predictability and consistency in the development process that would generally help support economic development efforts.

13. The request is generally consistent with the following Goal and policy pair in Chapter 11: Heritage Conservation:

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

Policy 11.2.2- Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest.

The proposed text amendments would allow staff review of historic buildings Citywide, which would help to preserve historic assets moving into the future, as well as promote the preservation of historic buildings that are determined to be significant at a local, state, and/or national level.

14. The request is generally consistent with the following Goal and policy pair in Chapter 13- Resilience and Sustainability:

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

Policy 13.1.2- Greenhouse Gas Mitigation: Mitigate greenhouse gas emissions in developments and streetscapes.

The proposed text amendments include new requirements regarding electric vehicles and a definition. Supporting and encouraging alternative energy would generally help encourage resource-efficient growth and is one way to mitigate climate change and greenhouse gas emissions, as future developments could accommodate more electric vehicles.

15. For cases in which a proposed text amendment would conflict with applicable Comprehensive Plan Goals and/or policies, Staff has provided conditions for recommendation of approval that address conflicts and provide clarification.
16. For an Amendment to IDO Text-Citywide, the required notice must be published, mailed, and posted on the web (see Table 6-1-1). A neighborhood meeting is not required. The City published notice of the EPC hearing as a legal ad in the ABQ Journal newspaper. First class mailed notice was sent to the two representatives of each Neighborhood Association and Coalition registered with the Office of Neighborhood Coordination (ONC) as required by IDO Subsection 14-16-6-4(K)(2)(a). Notice was posted on the Planning Department website and on the project website.
17. In addition to the required notice, on October 11, 2022 and December 2, 2022 e-mail notice was sent to the approximately 9,300 people who subscribe to the ABC-Z project update e-mail list. Additional notice for the January 19, 2023 EPC hearing was sent to the ABC-Z project update e-mail list on January 4, 2023 and January 6, 2023.
18. The proposed 2022 IDO Annual Updates were reviewed at two online public study sessions on October 21 and 22, 2022 via Zoom, prior to application submittal for the EPC process, and at a public meeting held on November 18, 2022. Planning Staff presented the proposed text amendments and answered questions. The presentations, in .pdf format and in video format, are posted on the project webpage at: <https://abc-zone.com>.
19. The EPC held a study session regarding the proposed 2022 IDO Annual Update on December 1, 2022. This meeting was publicly noticed, although no public input is received during Study Sessions (see EPC Rules of Practice and Procedure, Article II, Section V).

20. As of this writing, Staff has received approximately 45 written comments from neighborhood groups, individuals, and organizations. Comments were generally submitted as letters and emails with attachments. Other comments (approximately 86) were submitted online and pinned to the spreadsheet of proposed text amendments on the ABC-Z project website.
21. In sum, most neighborhood groups tend to oppose the proposed amendments regarding walls and fences and edge landscape buffers. Most neighborhood groups tend to support the proposed amendments regarding encroachments in setback areas and the removal of an exception to kitchen requirements for non-residential to residential conversions.
22. Though some comments oppose individual proposed amendments, and others recommend changes, there is general support for the request as a whole. The Conditions for Recommendation of Approval address many issues raised in the comments.

RECOMMENDATION – RZ-2022-00054 – January 19, 2023

That a recommendation of APPROVAL of PR-2018-001843, RZ-2022-00054, a request for Citywide, legislative Amendments to the text of the IDO, be forwarded to the City Council based on the preceding Findings and subject to the following Conditions for Recommendation of Approval.

CONDITIONS FOR RECOMMENDATION OF APPROVAL – RZ-2022-00054, January 19, 2023

1. The proposed amendments in the spreadsheet “IDO Annual Update 2022 – EPC Submittal - Citywide” (see attachment) shall be adopted, except as modified by the following conditions.
2. Item #6 – Multi-Family, Kitchen Exemption for Multi-Family Housing (see Finding 14):

Delete the proposed amendment, which would result in retention of the use-specific standard for multi-family dwellings that allows for conversions of non-residential uses into multi-family dwellings with alternative kitchen standards, and defers any specific changes to this standard to the Housing Forward initiative.

3. Items #7 and #19 – Car Washes:
 - A. As conveyor-operated facilities operate much like drive-through facilities, the following additional Use-specific standard shall be added to Subsection 14-16-4-3(D)(16): [Queuing lanes associated with this use shall comply with the requirements of Subsection 14-16-5-5(I)(2) (Drive-through or Drive-up Facility Design).]
 - B. The following Use-specific standard shall be added to Subsection 14-16-4-3(D)(16): [Vacuum stations shall be located away from public streets, any Residential zone district, or any lot containing a residential use in any Mixed-use zone district to the maximum extent practicable. If not practicable, at least 1 tree at least 8 feet high at the time of planting shall be provided for every 25 feet along the lot line in locations that would best screen the vacuum stations from the public right-of-way or the adjacent properties, in addition to all applicable standards in Section 14-16-5-6 (Landscaping, Buffering, and Screening).]

FOR CONDITION 4, THE EPC MUST SELECT 1 OPTION AND DELETE THE OTHER OPTIONS:

4. Item #10 – Encroachment:
 - A. Option 1: Relocate “bay window” from Architectural feature to the new row with “balcony” and leave the remainder of the amendment as proposed, only allowing an encroachment of any amount in the front yard.
 - B. Option 2: Relocate “bay window” from Architectural feature to the new row with “balcony” and revise the amendment text as follows: "May encroach any amount into a required front [or street side] yard setback; encroachments into the public right-of-way require an approved revocable permit."
 - C. Option 5: Delete proposed amendment in its entirety.
5. Item #11 – Sensitive Lands/Mature Trees:
 - A. In Subsection a, add “of the tree” after the word “dripline,” for clarification.

- B. In Subsection b, add “(as determined by Diameter at Breast Height – DBH)” after “diameters,” for clarification.

FOR CONDITION 6, THE EPC MUST SELECT 1 OPTION AND DELETE THE OTHER OPTIONS:

6. Items #13 and #15, Off-street Parking – Parking Maximums:
- A. Adopt the proposed amendments, as written.
 - B. Adopt the proposed amendments, with the following changes to item #15:
 - i. Make existing text Subsection (a) and add new subsections with text as follows:
 - "(b) In UC-MS-PT areas the maximum number of off-street parking spaces provided shall be no more than 125% of the off-street parking spaces required [by Table 2-4-13 or Table 5-5-1, as applicable], ~~calculated after all applicable parking reductions have been applied.~~
 - (c) In areas exempt from minimum required off-street parking spaces pursuant to Subsection 14-16-5-5(B)(2)(a), the maximum number of off-street parking spaces provided shall be ~~zero~~ [no more than 100% of the off-street parking spaces otherwise required by Table 2-4-13 or Table 5-5-1 for the proposed development, as applicable]."
 - C. Delete the proposed amendments in their entirety.
7. Item #15: Revise the existing language in subsection 14-16-5-5(C)(7) as follows: “Parking maximums shown in Table 5-5-1 apply to parking lots, not to spaces provided in parking structures [, wrapped parking, or parking provided underground].”
8. Item #17, Electric Vehicle Parking – Townhouses: revise the proposed language as follows in order to expand this requirement to townhouse subdivisions where there may be more than 6 dwelling units but they are not all within a single structure: "All new townhouse ~~dwelling~~ developments containing more than 6 dwelling units shall provide all required off-street parking spaces as EV capable."
9. For Edge Landscape Buffers for Low-density Residential, revise the language in Subsection 14-16-5-6(E)(2) as follows:
- “Where multi-family, mixed-use, or non-residential development other than industrial development occurs on a lot abutting or across an alley from a lot containing low-density residential development in an R-A, R-1, R-MC, ~~or R-T~~ [, or R-ML] zone district, a buffer shall be provided along the lot line, as specified for the relevant area below.”
10. For Edge Landscape Buffers for Multi-family Residential Zone Districts, revise the language in Subsection 14-16-5-6(E)(3) as follows:
- “Where mixed-use or non-residential development other than industrial development occurs on any lot abutting or across an alley from a lot in the R-ML or R-MH zone districts with [townhouse or] multi-family residential development, a buffer shall be provided along the lot line, as specified for the relevant area below.”

FOR CONDITIONS 11 AND 12, THE EPC MUST SELECT 1 OPTION AND DELETE THE OTHER OPTION:

11. Items #20 to #25 – Edge Landscape Buffers – Areas of Change and Consistency:

- A. Adopt the proposed changes in Items #20-24 with following revision to the proposed language in Item #23:
 - i. Where a ~~lot~~ premises partially or completely in an Area of Change is abutting or across an alley from a ~~lot~~ premises wholly [partially or completely] in an Area of Consistency (per City Development Areas in the ABC Comp Plan, as amended), the following standards shall apply on the lot(s) adjacent to the premises wholly [partially or completely] in the Area of Change Consistency, regardless of the proposed land use on that lot or premises unless specified otherwise in this IDO.
- B. Delete the proposed amendment #25, which would delete all of Subsection 14-16-5-6(E)(5) and Table 5-6-5, in order to keep Edge Landscape Buffers for Areas of Change and Consistency, as proposed to be amended.

12. Items #20 to #25 – Edge Landscape Buffers – Areas of Change and Consistency:

Adopt the proposed amendment #25, which would delete all of Subsection 14-16-5-6(E)(5) and Table 5-6-5 and delete proposed amendments #20 to #24.

FOR CONDITION 13, THE EPC MUST SELECT 1 OPTION AND DELETE THE OTHER OPTIONS:

13. Items #26 and #27 Wall and Fences, Maximum height:

- A. Option A: Leave the proposed amendments as written, creating a new subsection in 14-16-5-7(D)(3)(a) as follows:
 - i. "For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 feet if view fencing is used for portions of a wall above 3 feet and if the wall is set back at least 2 feet, except where a taller wall is prohibited pursuant to Subsection (3) below."
 - ii. Revise the first row of text under View Fencing in Table 5-7-2 as follows:
"≤ 40 ft. from lot line abutting the street"
- B. Option B: Revise the proposed amendment #26 as follows:
 - i. "For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 [4] feet if view fencing is used for portions of a wall above 3 feet and if the wall is set back at least 2 feet, except where a taller wall is prohibited pursuant to Subsection (3) below."
- C. Option C: Delete the proposed amendments, leaving maximum wall heights as currently regulated.

FOR CONDITION 14, THE EPC MUST SELECT 1 OPTION AND DELETE THE OTHER OPTION:

14. Item #33 – Post-submittal Facilitated Meetings:

- A. For continuity and consistency between the City’s administrative processes, revise the proposed thresholds in subsection 1, as follows:
 - i. 1. The application is a Site Plan – Administrative proposing a new building or multiple new buildings that include a total of any of the following:
 - i. More than 400 [50] multi-family residential dwelling units.
 - ii. More than 50,000 s.f. of non-residential development.
- B. Leave the thresholds as originally drafted to be consistent with the existing thresholds for the Pre-submittal Neighborhood Meeting requirement.

FOR CONDITION 15, THE EPC MUST SELECT 1 OPTION AND DELETE THE OTHER OPTION:

15. Related to Item #33 – For continuity and consistency between the City’s administrative processes and pre- and post-submittal meetings, revise the thresholds for Pre-submittal Neighborhood Meetings in IDO Subsection 14-16-6-4(B)(1)(b) as follows:

- A. “The application is a Site Plan – Administrative proposing a new building or multiple new buildings that include a total of any of the following:
 - 1. More than 400 [50] multi-family residential dwelling units.
 - 2. More than 50,000 s.f. of non-residential development.”
- B. Leave the thresholds as adopted by City Council in 2021.

16. Item #34 – Appeals – Remand Hearings: Clarify language in the new Subsection 7 as follows:

- A. “Planning Department staff shall notify the parties of the date and time of the remand hearing. Public notice pursuant to Table 6-1-1 for the original decision is not required. The decision by the original decision-making body at the remand hearing is considered final unless one of the parties [files a new appeal] appeals the decision to the LUHO.”

FOR CONDITION 17, THE EPC MUST SELECT 1 OPTION AND DELETE THE OTHER OPTION:

17. Item #36 – Minor Amendments – Circulation:

- A. Replace the deleted circulation language with the requirement for a traffic impact study, which is a more objective standard, as follows:
 - i. “The requested change does not require major public infrastructure, ~~or~~ significant changes to access ~~or circulation patterns on to~~ the site, [or a traffic impact study,] which would warrant additional review by the original decision-making body.”

B. Leave the amendment as written to simply delete “circulation patterns.”

18. Related to Item #36 – Minor Amendments – Circulation: Apply the approved language from Item #36 and Subsection 14-16-6-4(Y)(1)(a)3, as amended, to Subsection 14-16-6-4(Z)(1)(a)(3).

FOR CONDITION 19, THE EPC MUST SELECT 1 OPTION AND DELETE THE OTHER OPTION:

19. Items #40 and #41, Demolition Outside of an HPO:

A. Leave the amendment as written to allow for the potential demolition review of structures over 50 years old citywide.

B. Adopt the proposed amendment as written, and make the following procedural changes in Subsection 14-16-6-6(B)(2):

- i. 14-16-6-6(B)(2)(a) The Historic Preservation Planner shall review the demolition permit application within ~~15~~5 days after receipt of the application in order to determine whether to recommend review and decision by the Landmarks Commission (LC).
- ii. 14-16-6-6(B)(2)(b) If the Historic Preservation Planner recommends demolition review by the LC, the LC shall notify the applicant and the Chief Building Official in writing within ~~15~~5 days and conduct a public hearing ~~within 60 days of receipt of the application~~ [at the next possible hearing date] to decide whether a 120-day review period shall be invoked.
- iii. 14-16-6-6(B)(2)(d) No demolition permit may be issued prior to an LC hearing following a staff determination that the structure is subject to demolition review. If the Historic Preservation Planner does not notify the Chief Building Official within ~~15~~5 calendar days of receipt of the application that the structure is subject to demolition review, the City may proceed to issue the demolition permit.

C. Delete the proposed amendment and leave the demolition review process to those areas currently mapped.

20. New Amendment: Clean Room Accessory Use:

A. Create a new accessory use “Clean Room” in Table 4-2-1 allowing the use as Conditional Accessory (CA) in NR-BP and Permissive Accessory (A) in NR-LM and NR-GM zone districts.

B. Define Clean Room in Section 14-16-7-1 as follows: “A facility to manufacture delicate and fragile components where processes and components are protected from any outside environmental factors. Cleanrooms include working with chemicals, volatile materials, and sensitive instruments.”

C. Add a new Use-specific Standard for Clean Room with text as follows within Subsection 14-16-4-3(F) Accessory Uses:

- i. This use is only allowed when accessory to a use in the Industrial Uses Category pursuant to Table 4-2-1.

- ii. This use must obtain all applicable State and federal permits or approvals for the activity and comply with the terms of those permits and approvals throughout the duration of the use.
 - iii. This use must comply with air quality permitting requirements found in Part 9-5 of ROA 1994 (Air Quality and Environmental Health Control).
 - iv. This use shall also comply with the distance separations in the Use-specific Standard for Heavy Manufacturing in Subsection 14-16-4-3(E)(5)(e).
- D. Add the following exception to the definition of Special Manufacturing: “This use does not include any use that meets the definition of Clean Room accessory to another use in the Industrial Uses Category pursuant to Table 4-2-1.”
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Catalina Lehner

**Catalina Lehner, AICP
Principal Planner**



**Michael Vos, AICP
Principal Planner**

Notice of Decision cc list:

List will be finalized subsequent to the EPC hearing on January 19, 2023.

SPREADSHEET OF PROPOSED TEXT AMENDMENTS-

IDO Annual Update 2022 – EPC Review – City-wide

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
1	35	2-4(E)(3)(c)	<p>Mobile Food Truck Court in MX-FB Add a new subsection with the following text: "Mobile food truck court."</p>	Adds mobile food truck court as an allowable outdoor use. Mobile food truck is already listed, but when the mobile food truck court was added as a new use in 2020, staff missed adding it as an allowable use in MX-FB.	Staff
2	47	2-5(B)(3)	<p>NR-BP - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Master Development Plan Standards 1. Deviations from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by IDO Subsection 14-16-6-4(O). 2. Variances from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(O). 3. Waivers from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(P).</p>	Establishes how to request a special exception from a Master Development Plan standard.	Staff
3	62	2-6(B)	<p>PC - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Framework Plan Standards 1. Deviations from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by IDO Subsection 14-16-6-4(O). 2. Variances from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(O). 3. Waivers from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(P).</p>	Establishes how to request a special exception from a Framework Plan standard.	Staff

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
4	156	4-3(B)(6)(a)	Dwelling, Townhouse - Usable Open Space Revise text as follows: "For townhouse developments containing more than 6 dwelling units on a common lot , minimum usable open space shall be provided as follows:"	Extends usable open space requirements to townhouses with each dwelling unit on its own lot.	Staff
5	156	4-3(B)(6)(c)	Dwelling, Townhouse - UC-MS-PT exemption Revise text as follows: "Except in UC-MS-PT areas, For each townhouse dwelling shall not contain more than 3 dwelling units on properties with a rear or side lot line that abuts an R-A or R-1 zone district or with a rear lot line that is across an alley from an R-A or R-1 zone district, no townhouse dwelling may contain more than 3 dwelling units. <u>For each townhouse dwelling shall not contain more than 3 dwelling units on properties with a rear or side lot line that abuts an R-A or R-1 zone district or with a rear lot line that is across an alley from an R-A or R-1 zone district.</u> "	Exempts UC-MS-PT areas from a regulation intended to limit the scale of townhouses on properties near an R-A or R-1 zone district. UC-MS-PT areas encourage higher-density development and a more urban character of development, which conflict with this regulation.	Council - Benton
6	158	4-3(B)(8)(e)	Dwelling, Multi-family - Kitchen Exemption for Affordable Housing Delete this subsection and renumber subsequent subsections as necessary.	Removes the use-specific standard for multi-family dwellings that allows for conversions of non-residential uses into multi-family residential uses to provide a lesser kitchen when these conversions are associated with funding provided by the City's Family and Community Services Department in conjunction with an affordable housing project.	Council - Grout
7	168	4-3(D)(16)(b)	Car Wash Revise text as follows: "A car wash building and any associated outdoor activities, <u>including but not limited to vacuum stations, drying/polishing stations, and queuing lanes,</u> are prohibited within 50 feet in any direction of any Residential zone district or any lot containing a residential use in any Mixed-use zone district."	Clarifies what types of outdoor activity are precluded in the area less than 50 feet from residential areas. See also related proposed change for Subsection 5-5(1)(1)/Table 5-5-8.	Staff

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
8	175	4-3(D)(26)(a)	<p>Medical or Dental Clinic / Methadone Centers Revise text as follows: <u>Facilities that are considered methadone centers pursuant to Article 13-11 of ROA 1994 (Methadone Centers)</u> Facilities that dispense methadone as a primary activity are prohibited in the following locations:</p> <ol style="list-style-type: none"> 1. On lots within <u>Within</u>...330 feet in any direction of any other facility that dispenses methadone as a primary activity. 2. On lots within <u>Within</u> 330 feet in any direction of a lot containing a religious institution. 3. On lots within <u>Within</u> 500 feet in any direction of an R-1 zone district. 4. On lots within <u>Within</u> 500 feet in any direction of a lot containing an elementary, middle, or high school. 	Added reference to existing Methadone Centers Ordinance. Fixed distance separation measurement to be lot to lot for consistency with the IDO and to improve enforceability.	Staff
9	175	4-3(D)(26)(b)	<p>Medical or Dental Clinic / Syringe Exchange Facility Revise text in subsections 1-4 to begin with "On lots" to change the distance separation measurement to be lot to lot.</p>	Fixed distance separation measurement to be lot to lot for consistency with the IDO and to improve enforceability.	Staff
10	231	Table 5-1-4	<p>Encroachment Remove balcony from Architectural feature and make a new row for Balcony with text as follows: "May encroach any amount into a required front yard setback; encroachments into the public right-of-way require an approved revocable permit."</p>	Removes the allowance for balconies to encroach up to 2 ft. into a required side or rear yard setback, but not closer than 3 ft. from any lot line.	Public

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
11	233	5-2(C)	<p>Sensitive Lands / Mature Trees Revise text in Subsection 5-2(C)(2)(d) as follows: Established tree Large stands of mature trees Add a new subsection 5-2(C)(3) with text as follows and renumber subsequent subsections accordingly: <u>"Established trees shall be evaluated by the City Forester. Where maintaining a large mature tree is not desired by the City Forester, one of the following options may be substituted as approved by the City Forester to count as avoiding sensitive lands. Either option must be provided on the premises in addition to any landscaping required by IDO Subsection 14-16-5-6.</u> a. <u>A landscaped area equal to the area under the dripline shall be provided, with vegetative coverage that meets the requirement of IDO Subsection 14-16-5-6(C)(2)(c).</u> b. <u>Replacement trees shall be provided, whose total trunk diameters at the time of planting equal the diameter of the large mature tree."</u></p>	Revised to shift from multiple trees to a large tree. Provides an alternative replacement for the tree if the City Forester determines the tree is not healthy, etc. See related proposal to change the definition of this type of Sensitive Land.	Staff
12	250	5-3(E)(1)(d)4	<p>Pedestrian Access Revise text as follows: "Whenever cul-de-sacs are created, 1 20-foot wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or walkway, unless the City Engineer determines that public access in that location is not practicable due to site or topography constraints. <u>Walls or fences are not allowed within the easement."</u></p>	Clarifies existing practice and ensures that pedestrian access is not impeded by a wall or fence.	Staff
13	268	Table 5-5-1	<p>Off-street Parking - Parking Maximums Delete all parking maximum requirements associated with UC-MS-PT areas in Table 5-5-1.</p>	Together with associated change for a new Subsection 14-16-5-5(C)(2), adds parking maximums for all uses in UC-MS-PT areas.	Council - Benton

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
14	277	5-5(C)(6)(a)	<p>Electric Vehicle Charging Station Credit Revise text as follows: "Each off-street electric vehicle charging station with a rating of 240 volts or higher <u>installed in an off-street parking space</u> shall count as 2 vehicle parking spaces toward the satisfaction of minimum off-street parking requirements."</p>	Ties the parking credit to an installed Electric Vehicle (EV) charging station. See related proposed change to require EV-capable spaces in large townhouse developments in Subsection 5-5(C)(9).	Staff
15	278	5-5(C)(7)	<p>Off-street Parking - Parking Maximums Make existing text Subsection (a) and add new subsections with text as follows: "(b) In UC-MS-PT areas the maximum number of off-street parking spaces provided shall be no more than 125% of the off-street parking spaces required, calculated after all applicable parking reductions have been applied. (c) In areas exempt from minimum required off-street parking spaces pursuant to Subsection 14-16-5-5(B)(2)(a), the maximum number of off-street parking spaces provided shall be zero."</p>	Together with associated change with Table 5-5-1, adds parking maximums for all uses in UC-MS-PT areas. Prohibits surface parking for any use in Downtown Center, McClellan Park, and Old Town HPO-5.	Council - Benton
16	279	5-5(C)(9)	<p>Electric Vehicle Parking Make existing text into a subsection (a) and revise text as follows: "When more than 200 off-street parking spaces are constructed, at least <u>5</u> 2 percent of the vehicle parking spaces shall include electric vehicle charging stations <u>installed</u> with a rating of 240 volts or higher."</p>	Increases the existing requirement for Electric Vehicle (EV) charging stations in large parking lots.	Staff
17	279	5-5(C)(9)	<p>Electric Vehicle Parking Add a new subsection with text as follows: "<u>All new townhouse dwellings containing more than 6 dwelling units shall provide all required off-street parking spaces as EV capable.</u>"</p>	Adds a new requirement for Electric Vehicle (EV) charging stations in large townhouse developments. See related proposed change in Section 7-1 for a definition of EV capable in the Parking Definitions.	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
18	279	5-5(C)(9)	<p>Electric Vehicle Parking Add a new subsection with text as follows: <u>"All new multi-family residential development containing more than 100 dwelling units shall meet both of the following requirements.</u> i. <u>At least 5 percent of the required off-stree parking spaces shall have electric vehicle (EV) charging stations installed with a rating of 240 volts or higher.</u> ii. <u>At least 25 percent of the required off-street parking spaces shall be provided as EV capable."</u></p>	Adds a new requirement for Electric Vehicle (EV) charging stations in large multi-family developments.	Staff
19	290	Table 5-5-8	<p>Vehicle Stacking, Car Washes Revise existing "Car Wash" row to "Car Wash, <u>Self-service</u>" Add new row for "Car Wash, Conveyor-operated" with a general requirement of 12 stacking spaces and UC-MS requirement of 6 stacking spaces.</p>	Ensures adequate stacking and vehicle queuing for larger, automatic conveyor-operated car washes, which the city has seen an increase in applications for.	Staff
20	305	5-6(E)(2)(a)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General A landscaped edge buffer area at least 15 feet wide shall be provided on the subject property along the property line between the two properties.</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public
21	306	5-6(E)(3)(a)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General An edge buffer area at least 20 feet wide shall be provided on the subject property along the property line between the two properties.</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public

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Item	Page	Section	Change / Discussion	Explanation	Source
22	307	5-6(E)(4)(b)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General A landscaped edge buffer area at least 25 feet wide shall be provided on the subject property along the property line between the two adjacent properties...</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. Keeps 15-foot buffer and related text for drainage facilities as an exception to the tables. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public
23	308	5-6(E)(5)	<p>Edge Landscape Buffers - Areas of Change and Consistency Revise text as follows: Where a lot <u>premises partially or completely</u> in an Area of Change is abutting or across an alley from a lot <u>premises wholly</u> in an Area of Consistency (per City Development Areas in the ABC Comp Plan, as amended), the following standards shall apply on the <u>lot(s) adjacent to the premises wholly</u> in the Area of Change <u>Consistency</u>, regardless of the proposed land use on that lot <u>or premises unless specified otherwise in this IDO.</u></p>	Applies buffer requirements to the whole premises so project sites with both Area of Change and Area of Consistency designations are not providing buffers internally, but rather to development on adjacent properties. Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public
24	308	Table 5-6-5	<p>Edge Landscape Buffers - Areas of Change and Consistency Revise and merge all three rows in the General Buffering column with one requirement for a "Landscaped buffer area ≥15 ft."</p>	Applies a consistent buffer width for all Areas of Change next to Areas of Consistency. Larger Edge Buffer widths that apply based on development types elsewhere would prevail over this standard. Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public

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Item	Page	Section	Change / Discussion	Explanation	Source
25	308	5-6(E)(5) / Table 5-6-5	Edge Landscape Buffers - Areas of Change and Consistency Delete this subsection and renumber subsequent subsections as necessary. Delete Table 5-6-5.	Removes this requirement as unnecessary and duplicative regulation. This section sets forth landscaping requirements based on if the subject lot is within an Area of Change and is located next to an Area of Consistency. However, table 5-6-4 already sets forth landscaping requirements but instead bases the requirement on development types. It is not necessary to regulate landscaping based on Areas of Change or Consistency when there are other provisions (Table 5-6-4) that adequately regulate landscaping requirements. Note that this change conflicts with proposed change from the public for the same subsection.	Council - Jones
26	320	5-7(D)(3)(a)	Walls & Fences - Front Yard Wall Create a new subsection 1, renumbering subsequent subsections accordingly, with text as follows: <u>"For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 feet if view fencing is used for portions of a wall above 3 feet and if the wall is set back at least 2 feet, except where a taller wall is prohibited pursuant to Subsection (3) below."</u>	Allows 5 foot walls in front yard with view fencing for at least 2 feet at top and set back 2 feet. See related row for proposed deletion of Permit - Wall or Fence - Major in Table 6-1-1 and Subsection 14-16-6-6(H).	Admin
27	321	Table 5-7-2	Options for a Taller Front or Side Yard Wall Revise the first row of text under View Fencing as follows: " <u>< 10 ft. from lot line abutting the street</u> "	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 2 feet from the property line.	Admin
28	322	5-7(D)(3)(b)	Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts Revise text as follows: "For multi-family residential development in R-ML or R-MH zone districts, the maximum height <u>of walls in any front or street side yard</u> is 6 feet if view fencing is used for portions of a wall above 3 feet."	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 2 feet from the property line.	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
29	377	5-13(A)(4)	<p>Hazardous Materials Revise text as follows: "All uses and activities shall comply with all State <u>and federal</u> statutes and regulations..."</p>	Clarifies that compliance with federal standards must also be maintained. Also generally covered by Subsection 14-16-1-7(A)(3), 14-16-1-8(D), and 14-16-4-1(F).	Staff
30	396	6-3(E)	<p>Community Planning Area Assessments In Subsection (1), replace "at least once every 5 years" with "on an ongoing cycle." In Subsection (6), delete "At least every 5 years."</p>	Removes language that conflicts with City Council's Resolution R-22-42, which sets the cycle of assessments.	Staff
31	407 D	6-4(K)(3)(c)	<p>Mailed Notice to Property Owners Revise text as follows: "<u>Where Table 6-1-1 requires mailed notice for</u> For Administrative Decisions, Decisions Requiring a Public Hearing, Amendments to Zoning Map, Adoption or Amendment of Historic Designation, or Annexation of Land as shown in Table 6-1-1, the applicant shall mail a notice to all of the following:</p>	Makes text consistent with Subsection 6-4(K)(3)(b) and 6-4(K)(4), 6-4(K)(5), and 6-4(K)(6).	Staff
32	408 D	6-4(K)(3)(d)	<p>Mailed Notice to Property Owners Revise text as follows: "<u>Where Table 6-1-1 requires mailed notice for</u> For an application for an Amendment to IDO Text – Small Area as shown in Table 6-1-1, the applicant shall mail a notice to all of the following, in addition to Neighborhood Associations pursuant to Subsection 6-4(K)(3)(b)3:</p>	Makes text consistent with Subsection 6-4(K)(3)(b) and 6-4(K)(4), 6-4(K)(5), and 6-4(K)(6).	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
33	410	6-4(L)(1)(a)	<p>Post-submittal Facilitated Meeting Revise text as follows: "Once an application for a decision listed in Table 6-1-1 is accepted as complete by the City Planning Department, property owners within 330 feet and Neighborhood Associations within 660 feet in any direction of the subject property may request a post-submittal facilitated meeting <u>in any of the following circumstances:</u> , except for Site Plan – Administrative applications for new low density residential development as identified by Subsection 14-16-6-5(G)(1)(e)1.a, which are not subject to this provision. 1. <u>The application is a Site Plan – Administrative proposing a new building or multiple new buildings that include a total of any of the following:</u> i. <u>More than 100 multi-family residential dwelling units.</u> ii. <u>More than 50,000 s.f. of non-residential development.</u> 2. <u>The application is in the category "Decision Requiring a Public Hearing" in Table 6-1-1.</u> 3. <u>The application is in the category "Policy Decision" in Table 6-1-1, and Table 6-1-1 indicates that a Neighborhood Meeting is required for that application type."</u></p>	<p>Changes the 10-day delay of Administrative decisions in Table 6-1-1 to allow for a Post-submittal Facilitated Meeting to be consistent with the threshold for Pre-submittal Neighborhood meetings in Subsection 6-4(B)(1)(b). Changes the Post-submittal Facilitated Meeting requirement for Policy Decisions to be only for applications that require a Pre-submittal Neighborhood Meeting: Adoption or Amendment of Historic Designation, Amendment to IDO Text - Small ARea, Zoning Map Amendment - EPC, and Zoning Map Amendment - Council.</p>	Staff
34	430	6-4(V)(3)(d)	<p>Appeals - Remand Hearings Revise Subsection 6 to add text as follows: <u>"The LUHO shall notify the parties and Planning Department staff of the remand."</u> Add a new Subsection 7 with text as follows: <u>"Planning Department staff shall notify the parties of the date and time of the remand hearing. Public notice pursuant to Table 6-1-1 for the original decision is not required. The decision by the original decision-making body at the remand hearing is considered final unless one of the parties appeals the decision to the LUHO."</u></p>	<p>Clarifies procedures for remand hearings.</p>	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
35	434	Table 6-4-3	Period of Validity – Site Plan – Admin Revise 5 years to 7 years to be consistent with Site Plan – EPC.	Extends the period of validity for approved Site Plan - Administrative to be consistent with Site Plan - EPC.	Staff
36	441	6-4(Y)(1)(a)3	Minor Amendments - Circulation Revise text as follows: The requested change does not require major public infrastructure or significant changes to access or circulation patterns on to the site, which would warrant additional review by the original decision-making body.	Allows amendments that include changes to circulation contained within the site to be processed as minor amendments reviewed by the City Traffic Engineer if they meet other requirements and thresholds.	Public
37	456	6-5(G)(1)(f)6	Site Plan - Admin: New vs. redevelopment vs. expansion Revise text as follows: "expansion" --> "All expansions that increase <u>increases in the number of residential dwelling units originally approved on the subject property or increases to the gross floor area that expand the originally approved gross floor area beyond the threshold for Minor Amendment pursuant to Subsection 14-16-6-4(Y) or 14-16-6-4(Z).</u> "	Clarifies that any additional dwelling units and any non-residential gross floor area beyond what's allowed to be added through a minor amendment require a Site Plan - Administrative approval. Makes this subsection consistent with Minor Amendments in Subsection 14-16-6-4(Y)(2).	Staff
38	456	6-5(G)(2)(b)	Site Plan - Administrative - Procedure Revise text as follows: "An application for a Site Plan – Administrative is typically submitted with an application for a building permit. The ZEO shall review the application and make a decision on the Site Plan – Administrative as part of the zone check during building permit review."	Revised to reflect changing practice as a ripple of Site Plan - DRB moving to Site Plan - Administrative, which means more complicated projects will be reviewed by staff, likely separate from building permit submittals.	Staff
39	457	6-5(G)(2)(b)3	Site Plan - Administrative - Procedure Revise text in Subsection (b)(3) as follows: "The Notice of Decision shall be posted on the City website as soon as practicable and not more than 3 business days after the final action on any applicable building permit application."	Revised to reflect changing practice as a ripple of Site Plan - DRB moving to Site Plan - Administrative, which means more complicated projects will be reviewed by staff, likely separate from building permit submittals.	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
40	463	6-6(B)(1)	<p>Demolition Outside of an HPO - Citywide Revise text as follows: "This Subsection 14-16-6-6(B) applies to demolition of structures that are at least 50 years old located within the following small areas, regardless of whether they are registered on a State or national historic register or are eligible for listing. If a structure is of unknown age, it shall be presumed that it is over 50 years old for the purposes of this Subsection 14-16-6-6(B)." Delete Subsections (a), (b), (c), (d), and (e) as unnecessary to list separately, as the proposed change would apply citywide.</p>	Allows Historic Preservation staff to review proposed demolitions of any structures 50+ years old citywide, regardless of whether it is on the State or national historic register, a City landmark, or within a Historic Protection Overlay (HPO) zone. Recommended by Landmarks Commission.	Staff
41	464	6-6(B)(2)	<p>Demolition Outside of an HPO Replace "demolition permit application" with "application involving demolition" wherever it appears.</p>	Clarifies that all applications involving demolition (e.g. demolition permit or site plan for redevelopment) of a structure 50+ years old are subject to review by Historic Preservation staff.	Staff
42	520	6-7(H)(1)(b)	<p>Zoning Map Amendment - Council Revise text as follows: "Pursuant to Section 3-21-6 NMSA 1978, an application for a Zoning Map Amendment – EPC for which a protest of the final action has been received <u>within 15 calendar days of the Notice of Decision that meets both of the following criteria...</u>"</p>	Adds a time limit for submitting the protest, consistent with appeals.	Staff
43	561 D	7-1	<p>Definitions, Flood Definitions Floodplain Revise text as follows: Any land susceptible to being inundated by water <u>area that is subject to a one percent or greater chance of flooding in any given year (i.e. a base flood), as defined by the Federal Emergency Management Agency and shown on National Flood Insurance Program maps, from any source. The floodplain includes both the floodway and flood fringe. See also Sensitive Lands Definitions.</u></p>	Ties the definition of floodplain to FEMA definitions and to other defined terms for Flood in the IDO.	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
44	582	7-1	<p>Definitions, Overnight Shelter Revise term to "Transitional Shelter" wherever it appears in the IDO and revise definition as follows: "A facility that provides <u>temporary or transitional</u> sleeping accommodations for 6 or more persons for a period of less than 24 hours within completely enclosed portions of a building with no charge or a charge substantially less than market rates value. Such facilities it may provide meals and, <u>personal assistance, personal services, social services, personal care, and protective care.</u> Any such facility open to clients between 10:00 P.M. and 7:00 A.M. is considered an overnight shelter. This use does not include skilled nursing care, which is regulated as either hospital or nursing home for the purposes of this IDO. See also <i>Community Residential Facility, Group Home, Campground or Recreational Vehicle Park, Hotel or Motel, Nursing Home, and Safe Outdoor Space.</i>"</p>	Revises the definition so that it does not overlap with a hotel that happens to charge substantially less than market rates, a safe outdoor space that charges less than market rates but happens outdoors, or a nursing home, which includes skilled nursing care. Revised definition is intended to better match the operations of many shelters. Having definitions be as parallel as possible helps make their distinctions clear and enforceable.	Staff
45	582	7-1 [new]	<p>Parking Definitions, EV Capable Add a new term with text as follows: "<u>Parking spaces with a capped cable/raceway connected to an installed electric panel with a dedicated branch circuit(s) to install the infrastructure and equipment needed for a future electric vehicle (EV) charging station with a rating of 240 volts or higher.</u>"</p>	Adds a new term related to a proposed new requirement for multi-family and townhouse dwellings. See related rows for proposed change to off-street parking requirements in Subsection 5-5(C)(9).	Staff
46	585	7-1	<p>Definitions, Personal and Business Services Revise text as follows: "Establishments providing services to individuals or businesses for profit, including but not limited to bail bond providers, beauty and barber shops, shoe repair, tailor/alterations shops, tattoo parlors, taxidermy services, electronic data processing, and employment service; mailing, addressing, stenographic services; and specialty business service such as travel bureau, news service, exporter, importer, interpreter, appraiser, and film library."</p>	Clarifies that regulations related to personal and business services apply whether they are for-profit or non-profit.	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
47	591	7-1	<p>Sensitive Lands, Large Stand of Mature Trees Revise term and definition text as follows: Established Tree Large Stand of Mature Trees- "A tree A collection of 5 or more trees 30 years or older or having a trunk diameters (as determined by Diameter at Breast Height – DBH) averaging at least 8 16 inches in diameter, as determined by the City Forester, and listed as either Generally Recommended or Conditionally Recommended on the Official Albuquerque Plant Palette and Sizing List."</p>	Changes the sensitive land to be a single large tree from 5 or more and limits the tree to those recommended by the Official Plate Palette. See related row for change to Subsection 14-16-5-2(C).	Staff
48	All	All	<p>Clerical Changes Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.</p>	Covers general clerical corrections.	Staff
49	All	All	<p>Editorial Changes Make any necessary editorial changes to the document, including minor text additions, revisions for clarity (without changing substantive content), adding cross references, reorganizing content for better clarity and consistency throughout, revisions to graphic content for clarity, and updating tables of contents.</p>	Covers general editorial corrections.	Staff

PUBLIC COMMENTS

From: [Jane Baechle](#)
To: [City of Albuquerque Planning Department](#); [Renz-Whitmore, Mikaela J.](#)
Subject: Comments re: IDO for Staff Report
Date: Monday, January 2, 2023 2:28:48 PM
Attachments: [IDO Comments 142023.pdf](#)

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

I am attaching a letter from the Santa Fe Village Neighborhood Association Board re: proposed amendments to the IDO to be heard at the January 19, 2023 meeting of the EPC.

We respectfully request that they be included in the Staff Report.

I would also appreciate confirmation that the Planning Department has received our communication.

Thank you all very much.

Jane Baechle
SFVNA Board



Santa Fe Village Neighborhood Association

5601 Bogart Ave. NW Albuquerque, NM 87120
SFVNA2014@gmail.com

Date: January 2, 2023

To: Timothy MacEachen
Chair, EPC

From: Jane Baechle
Member, SFVNA Board

Re: O-22-54 and Citywide Amendments
2022 IDO Annual Review

The following comments were submitted to the Santa Fe Village Neighborhood Association (SFVNA) Board regarding O-22-54 and selected Citywide Amendments being considered at the January 19, 2023 meeting of the EPC. They are supported by the SFVNA Board.

These comments address three areas of concern for the SFVNA Board and our positions as a recognized neighborhood association charged with interacting “with their members, residents, and the city, strive to engage with community and land use planning, protect the environment, and promote the community welfare;” and “to foster communication between the recognized neighborhood association ... and city government on plans, proposals, and activities affecting their area.” Nothing could be more consequential for the residents and homeowners of Santa Fe Village than the amendments proposed for consideration as part of the 2022 IDO Annual Review. We have identified the following significant concerns: the Annual IDO process itself which is truly unavailable to all but a few individuals and effectively removes genuine public engagement, the deleterious effects of proposals in O-22-54 on SFV and selected proposals included in the Citywide amendments which also present potential harms to SFV.

The IDO Annual Review Process

The City makes multiple references to their statutory authority to enact and amend zoning laws in the introduction to O-22-54. Notably, there is no reference to NM Stat § 3-21-6 (2020) which calls for all parties and citizens to be heard. “No zoning regulation, restriction or boundary shall become effective, amended, supplemented or repealed until after a public hearing at which all parties in interest and citizens shall have an opportunity to be heard...” In Policy 4.2.2, sub policy (e), the ABC Comp Plan calls on the City to “Create robust and meaningful public

involvement processes to help build long-term consensus about growth and development in the Albuquerque area.” No doubt, the City considers the IDO Amendment process and Council meetings to meet this standard despite the limited number of individuals who have the time and resources to review lengthy and technical documents, to participate in daytime or hours long evening meetings or navigate the requirements of providing comments. Neighborhood association and coalition representatives and the Inter-Coalition Council have repeatedly opposed the use of the annual amendment process to implement sweeping, durable and highly consequential zoning law changes. Nonetheless, the City administration and Council continue to do so in direct conflict with NM State standards and ABC Comp Plan policies.

PR-2018-001843-RZ-2022-00059_Housing_Citywide

The SFVNA continues to *oppose* most provisions of this proposed ordinance. Specifically, Sections 1 and 2 represent significant potential harm to Santa Fe Village, a compact neighborhood of greater than 1000 homes. In the introduction to O-22-54, the City makes clear that the intention is to triple the number of dwelling units in areas zoned R-1. “WHEREAS, allowing two-family dwellings (duplexes) *and* accessory dwelling units in the R-1 zone district would immediately remove exclusionary effects, allow *triple* the number of dwellings on 68 percent of the city’s zoned properties (38% of the city’s total land area), ...” (Italics mine). Clearly, this statement disputes assurances of Planning Department staff and EPC Commissioners that existing zoning requirements related to setbacks, parking requirements and permitting requirements would effectively prevent the construction of dwelling units which fail to meet current IDO requirements and would turn SFV and similar modest neighborhoods into multiple lots with three dwelling units, front yards paved over for vehicles and narrow streets crowded with parked cars. Clearly, this scenario does not represent redevelopment that “reinforces the existing character of the neighborhood” or is consistent with a “low density” residential neighborhood.

If the City is sincere about providing options for multi-generation housing and avenues for increasing home ownership by allowing individual property owners to create a rental unit consistent with IDO standards, the City should be willing to do all of the following:

- Make both duplexes (or vertical second housing units) and accessory dwelling units *conditional* uses
- Limit each lot to one additional dwelling unit only
- Increase funding to the ZHE and that office to adequately hear and adjudicate all conditional use requests
- Provide adequate funding and require accountability of Code Enforcement to assure that non-conforming structures are promptly identified and removal required
- Provide a robust and well publicized educational effort to assure that all property owners understand that permits are required, that IDO requirements apply and that they will be required to remove non-conforming structures. At the December 20, 2022 meeting of the ZHE, four applicants explicitly stated they were unaware that a permit was required to build a wall.

The SFVNA also opposes Section 4, amending the IDO to eliminate building height maximums for multi-family residential development and mixed-use development. The text of O-22-54

would remove building height limits for any mixed use development. We appreciate the Planning Department analysis of the impact of this proposal, alternatives and clarifying language to indicate that any provisions removing height restrictions in mixed-use development would only apply to residential structures. The sweeping impact of the proposal as written would profoundly impact residential neighborhoods which are often in close proximity to both multi-family and mixed-use property, particularly, MX-T, MX-L and MX-M properties. While limiting additional heights to Areas of Change would somewhat decrease the impact city-wide, it would not protect low-density residential neighborhoods which may be in close proximity to Areas of Change particularly on the westside. Both the Planning Department analysis and public comments at the December 8, 2022 EPC meeting indicate that building height maximums play an insignificant role in the development of multi-family housing. Eliminating building height maximums as proposed in O-22-54 or as suggested by Planning staff offers little potential incentive to develop housing units in the identified zones and poses significant risks to nearby neighborhoods.

Finally, the SFVNA opposes Sections 5 and 6 of O-22-54 which would eliminate parking requirements for affordable housing and virtually eliminate parking requirements for multi-family development in mixed-uses zones by reducing the required parking to 75% of current requirements. Again, we appreciate the analysis of Planning Department staff. We agree with their recommendation to oppose the multi-family reduction in mixed-use development as outlined in Section 6. As they note, amended parking requirements passed in the 2021 IDO Annual Review were justified as right-sizing requirements across all types of development. It is not, then, reasonable to propose a further 75% reduction in requirements for housing and also claim that such a change is reasonable or sustainable.

The removal of parking requirements for low income housing remains problematic, even with the conditions proposed by Planning Staff. There is no evidence that people needing affordable housing will neither own a vehicle nor need one to get to work or other activities of daily living. In fact, the likelihood is that, if employed, it will be in jobs which require unusual or unpredictable hours and are located in scattered areas of the city. The Planning Staff Report plainly states, “ABQ Ride is struggling to maintain service on many routes that connect residential areas farthest from Downtown and major corridors.” Since that report was written, ABQ Ride has announced further route closures in an effort to prevent cancelled runs or significant delays on remaining routes. The argument that housing projects which provide less parking would incentivize residents to use public transit is provided with no evidence that such a response is a reasonable expectation. In all likelihood, the following statement is more accurate, “Reduced off street parking could result in spillover parking in nearby neighborhoods.”

Absent some clear parameters which assure true access to reliable and functional public transit, adequate employment options paying a reasonable wage and the availability of decent grocery stores in reasonable proximity to these properties, this proposal serves only to allow development of additional units in housing that serves the needs of neither low income nor market rate tenants or creates housing units designed to penalize the low income tenant by failing to provide off street parking for a personal vehicle. As with the parking reduction proposal of Section 5, the City cannot both claim that the 2021 IDO amendments to parking requirements were justified

because they brought off street parking requirements into line with true needs and also claim that this proposal will be workable, sustainable or “enhance, protect and preserve neighborhoods...”

The proposals in O-22-54 represent Exhibit A in the case against the use of the Annual IDO Review process to enact sweeping, durable and potentially costly (to ABQ residents and neighborhoods) changes to City zoning law. At the December 8, 2022, EPC hearing, the City reported these proposals were developed out of meetings with multiple stakeholders. Those “stakeholders” did not include any recognized neighborhood associations, neighborhood coalitions or the Inter-coalition Council despite NARO language which states,

“ WHEREAS, neighborhood associations can serve an important role in engaging community members at a grassroots level in local social justice and community issues, and in promoting collaborative community planning; and

WHEREAS, neighborhood associations are a source of important input from the community as they bridge the gap between residents and the government by providing information and engagement opportunities, and offer citizens a stronger role in organizing social change efforts in their neighborhoods.”

The housing shortage in ABQ is not a recent development. Planners and proponents of these proposals have acknowledged that many of these proposals will require years to impact housing supply, fail to address barriers of supply of construction materials and construction workers and argue that their impacts will be virtually unnoticeable because changes will happen “organically.” O-22-54 represents an effort by the City to bypass public engagement, avoid the work of accepting public input and crafting truly workable approaches and “promoting collaborative community planning.”

PR-2018-001843-RZ-2022-00054 Citywide General Amend: Walls and Fences-IDO Subsection 14-16-5-7(D)(3)(a) and (b), Table 5-7-2, p. 320, 321 and 322

The SFVNA continues to *oppose* increasing front yard wall heights, both as outlined in the proposed amendment and in the alternatives provided in the Planning Staff analysis for either a larger setback or 4’ wall. Both this amendment as originally proposed and the stated alternatives represent a jarring contrast with the streetscape and sense of place in Santa Fe Village (SFV). SFV is a very compact neighborhood, approximately one mile at its eastern boundary and approximately one-half mile deep at its widest point. It is surrounded on three sides by the escarpment and bisected by the middle branch of the San Antonio arroyo. The streets slope and curve to follow the natural terrain. When walking or driving into and around the neighborhood, the escarpment and natural features can be seen behind the homes. Coyote are regularly seen in the open spaces and have been seen on neighborhood streets. Quail and roadrunner enjoy front yards. The Petroglyph National Monument provides several access points to the monument land and three designated crossings from the canyon floor to the mesa above. Some SFV residents have 3’ or shorter walls at their property line; some have a taller wall, designed to blend in with the style of the home and well setback from the street without imposing on the streetscape. Clearly, it is possible to create a private front yard space under the existing IDO. The proposed changes are unnecessary and conflict with the IDO’s stated purpose to protect and enhance established neighborhoods and “reinforce an established sense of place.” The proposed

amendment would detract from the walkability of SFV and the perception of the neighborhood and the surrounding natural landscape. We respectfully ask the EPC to oppose this amendment and proposed alternatives.

**PR-2018-001843-RZ-2022-00054 Citywide General Amend: Demolition Outside of an HPO
- Citywide**

As an individual, I believe there is merit to this proposed amendment. There are properties on ABQ's westside which are clearly outside of a historic district and still have a significant history in this city which should either be considered for preservation or documented prior to being demolished. The property which includes St. Pius High School and the Catholic Center and once housed the University of Albuquerque is one example. Should it be sold at some point (and that was a consideration recently for the Archdiocese), it is likely that existing buildings would be demolished to allow for high-end homes like those nearby or other more profitable development. While the existing structures may not have sufficient value or character to preserve them, they surely have a history worth documenting prior to demolition. I appreciate the concern that the process of evaluation and documentation may be burdensome in some cases and fail to serve the interest of city residents. I respectfully ask the EPC to consider and recommend a middle path which would provide a reasonable and workable mechanism to protect or document structures which are part of the history of this city and do not meet the existing criteria for notification prior to demolition.

Thank you for your time and consideration.

From: [Michael Brasher](#)
To: [City of Albuquerque Planning Department](#); [Sanchez, Louie E.](#); [MacEachen, Brandon](#); [Benton, Isaac](#); [Molina, Nathan A.](#); [Pena, Klarissa J.](#); [Hernandez, Rachael M.](#); [Bassan, Brook](#); [Emillio, Dawn Marie](#); [Lewis, Dan P.](#); [Alvarez, Giselle M.](#); [Davis, Pat](#); [Foran, Sean M.](#); [Fiebelkorn, Tammy](#); [Rummler, Laura W.](#); [Jones, Trudy](#); [Chavez, Aziza](#); [Grout, Renee](#); [Miller, Rachel R.](#)
Subject: ICC Comments on IDO, Section 5 - 7
Date: Thursday, January 5, 2023 2:26:40 PM
Attachments: [Fences Letter.pdf](#)

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

Attached please find ICC comments on the IDO update, Section 5-7(D)(3)(a), Walls & Fences - Front Yard Wall Section 5-7(D)(3)(b), Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts

ICC Inter-Coalition Council

The ICC is a Council of Coalitions of Albuquerque and Bernalillo County Neighborhood Associations that has been meeting since May 2014 to reach consensus on broad, common concerns. Its purpose is to promote stronger, better neighborhoods and communities through group action and interfacing with the governmental, social, environmental, cultural and historic needs and interests of all residents.

January 5, 2023

Via email: abcto@cabq.gov
EPC Chair Timothy MacEachen

RE: IDO Annual Update 2022, Section: 5-7(D)(3)(a), Walls & Fences - Front Yard Wall
Section 5-7(D)(3)(b), Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts

Chairman MacEachen,

Last year similar amendments were submitted to increase the height of walls and fences. The ICC opposed the increase in the IDO Annual Update 2021. The EPC heard from the community and helped defeat the amendments.

The ICC again opposes the amendment to increase the height of walls and fences for the many reasons noted in public comment on the IDO interactive website. No comments were entered in support of increased heights of walls and fences.

We agree with the comments in the staff report:

Many older, established residential areas have a distinct character and were developed without walled yards. Walls could create a sense of enclosure that takes away from the connectivity of neighborhoods and the sense of safety that comes from having "eyes on the street." The proposed change would not enhance, protect, and preserve these distinct communities or protect the identity or cohesiveness of such neighborhoods (Goal 4.1, Policy 4.1.2, Policy 4.1.4).

...The proposed changes would result in changes to streetscapes and development, and could contribute to creating a range of environments and experiences (Goal 7.1)...

The ICC urges the EPC to defeat the amendments to increase the height of wall and fences. We hope that a defeat in the IDO Annual Update 2022 will put an end to proposals to increase height of walls and fences.

Sincerely,



Michael Brasher

Inter-Coalition Council President

From: [West Park Neighborhood](#)
To: [City of Albuquerque Planning Department](#)
Subject: Comment on IDO proposed change 15 - Off-street Parking Maximums
Date: Saturday, January 7, 2023 7:10:23 PM

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

Dear Chair MacEachen -

I am writing in opposition to a proposed change to the IDO, specifically item 15 in the IDO Annual Update 2022, establishing universal parking maximums for off-street parking spaces in Urban Center, Main Street, and Premium Transit areas.

These parking maximums are unlikely to provide much real-world impact, as the IDO currently includes multiple generous reductions to the parking minimums for development in these areas. The resulting lack of parking is already taxing public infrastructure in areas targeted by this change. We need to reconsider parking minimums, not impose pointless maximum requirements.

In our neighborhood just south of Old Town, we have seen how existing parking calculations force traffic to spill over for several blocks around new developments, turning residential streets into *de facto* parking lots during peak activity. The proposed parking maximums are well above what is actually being built, but still well below what is needed to accommodate the residents, visitors, workers, and customers of these overbuilt developments.

Codifying parking maximums in these areas offers no demonstrable benefit, and creates a regulation that no one appears to be in danger of violating. Capping maximums at such a low level discourages development that is actually considerate of its end users, and ultimately undermines the viability and livability of neighborhoods within our city core.

For these reasons, I strongly oppose proposed change 15 in the IDO Annual Update 2022.

Thank you for your consideration -
Matt Celeskey
West Park Neighborhood Association President
westparkna@gmail.com

From: [JULIE DREIKE](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Sanchez, Louie E.](#); [MacEachen, Brandon](#); [Benton, Isaac](#); [Molina, Nathan A.](#); [Pena, Klarissa J.](#); [Hernandez, Rachael M.](#); [Bassan, Brook](#); [Emillio, Dawn Marie](#); [Lewis, Dan P.](#); [Alvarez, Giselle M.](#); [Davis, Pat](#); [Foran, Sean M.](#); [Fiebelkorn, Tammy](#); [Rummler, Laura W.](#); [Jones, Trudy](#); [Chavez, Aziza](#); [Grout, Renee](#); [Miller, Rachel R.](#)
Subject: Attached letter for EPC
Date: Wednesday, January 4, 2023 4:27:54 PM
Attachments: [Fences from ECNA.pdf](#)

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

Please include in the staff report for the meeting on January 19, 2023

Respectfully,
Julie Dreike
President, Embudo Canyon NA

Embudo Canyon Neighborhood Association (ECNA)

Bounded on the West by Tramway, bounded on the North by Rover, bounded on the East by Camino De La Sierra and Open Space and bounded on the South by Lomas.

January 4, 2023

Via email: abctoz@cabq.gov
EPC Chair Timothy MacEachen
cc City Council

RE: IDO Annual Update 2022, Section: 5-7(D)(3)(a), Walls & Fences - Front Yard Wall
Section 5-7(D)(3)(b), Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts

Chairman MacEachen,

Last year similar amendments were submitted to increase the height of walls and fences. Embudo Canyon Neighborhood Association opposed the increase in the IDO Annual Update 2021. The EPC heard from the community and helped defeat the amendments.

Embudo Canyon NA Board reviewed the amendment and again opposes the increase the height of walls and fences for the many reasons noted in public comment on the IDO interactive website. No comments were entered in support of increased heights of walls and fences.

We agree with the comments in the staff report:

Many older, established residential areas have a distinct character and were developed without walled yards. Walls could create a sense of enclosure that takes away from the connectivity of neighborhoods and the sense of safety that comes from having "eyes on the street." The proposed change would not enhance, protect, and preserve these distinct communities or protect the identity or cohesiveness of such neighborhoods (Goal 4.1, Policy 4.1.2, Policy 4.1.4).

...The proposed changes would result in changes to streetscapes and development, and could contribute to creating a range of environments and experiences (Goal 7.1)...

ECNA urges the EPC to defeat the amendments to increase the height of wall and fences. We hope that a defeat in the IDO Annual Update 2022 will put an end to proposals to increase height of walls and fences.

Sincerely,

Julie Dreike

President, Embudo Canyon Neighborhood Association

From: [Kristi Houde](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Renee Martinez](#); [Roslyn Kloeppe](#); [Sergio Viscoli](#); [Meghan Martinez](#); [jessmartinez](#)
Subject: IDO Annual Update 2022 - EPC Comments
Date: Friday, December 30, 2022 2:13:40 PM

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

I thank you for the opportunity to publicly comment on behalf of the Citizens Information Committee of Martineztown the duly recognized neighborhood association representing South Martineztown. We support the Planning IDO Annual Update 2022 and the IDO Housing (O-22-54) amendment. The CICM believes redevelopment must reinforce the established character of the existing neighborhood. South Martineztown has long established and protected our neighborhood with its former Sector Plan that was folded into the current IDO. We have successfully opposed two recent variance requests for 6 feet high fences without setbacks in our neighborhood. We will continue to oppose high fence variance requests without setbacks from the property line.

Please contact me with any questions.
Kristi Houde,
CICM Board Member

From: [Michael Leach](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update 2023 Comments
Date: Monday, January 9, 2023 8:23:06 AM

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

Chairman MacEachen, I would like to make the following comments regarding the IDO:

Reducing parking requirements for increase housing I'm against. My concern is a safety issue for fire, ambulance and police services in cases of an emergency. Reducing parking requirements will only result in making parking in streets more prevalent by residents and when an emergency service is required I'm very concerned about emergency vehicles be able to get access to a property. The argument that people will use mass transit to these areas is not valid. Our mass transit presently is not being used.

My other concern is the historic preservation requirement on any building 50 years old or older will need to be approved by a Historic committee prior to being demolished. I would like this language removed from the IDO and have limited as it presently written to Historic districts of Albuquerque. If the language is not going to be removed, then the process of getting approval needs to be reduced from 120 days down to 30 days.

Thank you for your consideration of these points.

Sincerely,

Mike Leach, SIOR

SYCAMORE ASSOCIATES LLC

Industrial & Commercial Real Estate

Michael D. Leach, Licensed NM Real Estate Broker, License 7070

Mailing address:

PO Box 90608

Albuquerque, NM 87199-0608

Physical address:

8300-D Jefferson NE

Albuquerque NM 87113-1734

Phone - 505.345-5075 Fax - 505.345-5059

E-mail - mdl@sycamore-associates.com



Virus-free. www.avast.com

From: [Irene Libretto](#)
To: [City of Albuquerque Planning Department](#)
Subject: Comments regarding O-22-54 and selected Citywide amendments
Date: Monday, January 2, 2023 11:46:02 AM

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

Attn; Timothy Mac Eachen
Chair, EPC

I live at 6917 Sweetbrier Ave NW, in the Santa Fe Village Neighborhood.

I am fully in support of the positions stated in the letter submitted by the Board of the Santa Fe Village Neighborhood Association, regarding O-22-54 and selected Citywide amendments being considered at the January 19, 2023 meeting of the EPC.

Sincerely,
Irene J Libretto

From: [Julie Radoslovich](#)
To: [City of Albuquerque Planning Department](#)
Subject: Comments: IDO Annual Update
Date: Sunday, January 8, 2023 7:38:01 PM
Attachments: [IDO Comments PHNA 1 9 2023 FINAL .pdf](#)

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

Chair MacEachen:

Please consider these comments in the staff report for the upcoming EPC meeting. See email and attachment.

Date: January 9, 2023

To: Timothy MacEachen Chair, EPC

From: Julie A. Radoslovich, President, Pat Hurley Neighborhood Association

Re: O-22-54 and Citywide Amendments 2022 IDO Annual Review

Our community reactivated the Pat Hurley Neighborhood Associations this past fall, after several years of dormancy. We realized that if we were to have a voice within the city, we needed to establish recognition. Today, I bring our neighborhood voices to the table. I share some background information on our *vecino* for your reference.

“Pat Hurley neighborhood lies north of Central and just below the steep bluffs which line the west bank of the Rio Grande for several miles to the north. Though just across the river from Old Town and a short bus ride from downtown, the Pat Hurley neighborhood sometimes seems a world away, with its fields, gardens, irrigation ditches, and narrow winding roads. The upper park offers spectacular views of the city, with the Rio Grande in the foreground, against the backdrop of the Sandia Mountains” (*Albuquerque Neighborhood Walking Tour Series*, No. 3, 2006).

As a recently activated association, this was our first-time reviewing amendments in the Integrated Development Ordinance, and honestly, reviewing hundreds of pages along with comments from interested parties, has been a daunting task. In this revision, there are 49 amendments. **We are concerned the many amendments pushed forward through this IDO amendment process benefit the development community while removing protections set aside for neighborhoods.** There are far too many amendments without significant explanation or justification. I would ask that as amendments are developed within the IDO, readability be a priority. Brief impact statement should be provided for each amendment. At a minimum a brief description of what it is and why the city felt compelled to propose the amendment,

and the potential impact to neighborhoods, including benefits and risks.

Some concerns our association raises:

PR-2018-001843-RZ-2022-00059_Housing_Citywide

Building Heights Maximums: Section 4, amends the IDO to eliminate building height maximums for multi-family residential development and mixed-use development. This removes building height limits for any mixed-use development. As written, this would impact residential neighborhoods (like Pat Hurley) which are often in close proximity to both multi-family and mixed-use property, particularly, MX-T, MX-L and MX-M properties. While limiting additional heights to Areas of Change would somewhat decrease the impact city-wide, it would not protect low-density residential neighborhoods which may be in close proximity to Areas of Change particularly on the westside.

Parking: Sections 5 and 6 of O-22-54 would eliminate parking requirements for affordable housing and virtually eliminate parking requirements for multi-family development in mixed-uses zones by reducing the required parking to 75% of current requirements. Amended parking requirements passed in the 2021 IDO Annual Review were justified as right-sizing requirements across all types of development. It is not appropriate to propose a further 75% reduction in requirements for housing and also claim that such a change is reasonable or sustainable.

The removal of parking requirements for low-income housing remains problematic, even with the conditions proposed by Planning Staff. Is there evidence that shows people needing affordable housing will neither own a vehicle nor need one to get to work or other activities of daily living. Just this past month, ABQ Ride announced further route closures in an effort to prevent cancelled runs or significant delays on remaining routes. This proposal serves only to allow development of additional units in housing that creates housing units designed to penalize the low-income tenant by failing to provide off street parking for a personal vehicle. As with the parking reduction proposal of Section 5, the City cannot both claim that the 2021 IDO amendments to parking requirements were justified.

--

Julie A. Radoslovich (*she/her/ona*)
Pat Hurley Neighborhood Association
President

Date: January 9, 2023

To: Timothy MacEachen Chair, EPC

From: Julie A. Radoslovich, President, Pat Hurley Neighborhood Association

Re: O-22-54 and Citywide Amendments 2022 IDO Annual Review

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Some concerns our association raises:

PR-2018-001843-RZ-2022-00059_Housing_Citywide

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**PR-2018-001843-RZ-2022-00054 Citywide General Amend: Walls and Fences-IDO
Subsection 14-16-5-7(D)(3)(a) and (b), Table 5-7-2, p. 320, 321 and 322**

Wall Heights:

We are also concerned with increasing front yard wall heights, both as outlined in the proposed amendment and in the alternatives provided in the Planning Staff analysis for either a larger setback or 4' wall. It is possible to create a private front yard space under the existing IDO. The proposed changes are unnecessary and conflict with the IDO's stated purpose to protect and enhance established neighborhoods and "reinforce an established sense of place."

Thank you for listening to our concerns.

From: [Dan Regan](#)
To: [Lehner, Catalina L.](#); [Jones, Megan D.](#); [Hinojos, Mandi M.](#); [City of Albuquerque Planning Department](#)
Cc: ["Mark Reynolds"](#); ["Jim Griffee"](#); ["Dan Regan"](#); ["net"](#); ["Susan Timmerman"](#); ["Mildred Griffee"](#)
Subject: COMMENTS FOR NEXT EPC MEETING
Date: Friday, January 6, 2023 11:42:21 AM
Attachments: [IDO Comments 1 4 2023.pdf](#)

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

Please share this email and the attached document with the EPC Chair and Members and with the City Council Members. Please let me know when this has been done. Thank you for your assistance with this REQUEST. Dan R.

Dear EPC and City Council Members,

I write this as the President of the Knapp Heights Neighborhood Association, a Zoning / Development representative of the District 4 Coalition and as a D4C Alternate Representative on the Inter-Coalition Council.

First, I wholeheartedly support the thinking, observations and conclusions reached by Ms. Jane Baechle (Santa Fe Village NA) in the attached document from her Neighborhood Association. Ms. Baechle has been actively involved with the IDO machinations for multiple years and presents some very valid problems with the proposed O-22-54 and other proposed changes.

Second, the speed & process with which O-22-54 is being proposed for approval may be determined to be a violation of state law at some future date. BUT, what I know at this moment is that the rush job being put on by the City Administration and the City Council is NOT in the best interest of the residents of our city. There is no evidence of in-depth research on where the proposed changes could take us. Santa Fe tried the same thing with "casitas" back in 2019 and has pulled back from it because it did not accomplish the desire results.....it did not alleviate their homeless problems.....they just got more Airbnb units built!

Third, it feels like NIAOP's "seat at the table" is taking up as much room as it did when the ART project was rammed through & down the city's throats AGAINST the wishes of the city's residents and most of the merchants on Central. How many more fiascos can one city stand? When will THE PEOPLE of this city be listened to?

Fourth, California is currently experiencing an uncontrollable series of Rivers of Moisture and just hoping to survive. Albuquerque could be creating it very own "Perfect Storm" with all of the proposals being put forth, all at the same time.....but **we** could control what we do to ourselves.

To wit:

- we will remove height restrictions for apartment buildings;
- we will remove the 100 apartment limit from public consideration;
- we will seriously reduce parking slot requirements (by 75%) in cramped

- areas....relying, of course, on public transportation;
- which just so happens to be forced to reduce routes & frequencies due to low staffing;
 - we will not require full fridges & stoves in what may end up being permanent housing for the poor.....which means they will not be able to eat healthy meals and save when buying food;
 - without understanding property tax changes for multiple dwellings on previously zoned single family residences, we will open up EVERY single family lot to up to 3 residences on it;
 - without adequate staffing in the Planning/Zoning compliance of the City to take care of current problems and without regulations/specifications on the building of 2nd or 3rd residential units;
 - without any evidence of awareness (on the part of any city employee that I know of...and I've asked) of how many Abq. R-1 properties have been purchased by out of state or country investment corporations in the last 2-3 years.....and you know that they will not have the best interest of our citizens or city in mind!

I hope I am wrong, but Albuquerque, unlike California, has the ability to make some choices to not damage itself with unvetted and rushed multiple (6 major ones) zoning changes which could radically change the lived experience of being an Albuquerqueian. If all of these elements create a PERFECT STORM, the City will have broken the social, legal and financial contracts that every homeowner operated under when they purchased their home.

Thank you for your careful consideration of the above and the attached.

Daniel Regan
KHNA, President
D4C, Zoning / Development Rep.
ICC, Alternate Rep. for D4C



Santa Fe Village Neighborhood Association

5601 Bogart Ave. NW Albuquerque, NM 87120
SFVNA2014@gmail.com

Date: January 2, 2023

To: Timothy MacEachen
Chair, EPC

From: Jane Baechle
Member, SFVNA Board

Re: O-22-54 and Citywide Amemndments
2022 IDO Annual Review

The following comments were submitted to the Santa Fe Village Neighborhood Association (SFVNA) Board regarding O-22-54 and selected Citywide Amendments being considered at the January 19, 2023 meeting of the EPC.

These comments address three areas of concern for the SFVNA Board and our positions as a recognized neighborhood association charged with interacting “with their members, residents, and the city, strive to engage with community and land use planning, protect the environment, and promote the community welfare;” and “to foster communication between the recognized neighborhood association ... and city government on plans, proposals, and activities affecting their area.” Nothing could be more consequential for the residents and homeowners of Santa Fe Village than the amendments proposed for consideration as part of the 2022 IDO Annual Review. We have identified the following significant concerns: the Annual IDO process itself which is truly unavailable to all but a few individuals and effectively removes genuine public engagement, the deleterious effects of proposals in O-22-54 on SFV and selected proposals included in the Citywide amendments which also present potential harms to SFV.

The IDO Annual Review Process

The City makes multiple references to their statutory authority to enact and amend zoning laws in the introduction to O-22-54. Notably, there is no reference to NM Stat § 3-21-6 (2020) which calls for all parties and citizens to be heard. “No zoning regulation, restriction or boundary shall become effective, amended, supplemented or repealed until after a public hearing at which all parties in interest and citizens shall have an opportunity to be heard...” In Policy 4.2.2, sub policy (e), the ABC Comp Plan calls on the City to “Create robust and meaningful public

involvement processes to help build long-term consensus about growth and development in the Albuquerque area.” No doubt, the City considers the IDO Amendment process and Council meetings to meet this standard despite the limited number of individuals who have the time and resources to review lengthy and technical documents, to participate in daytime or hours long evening meetings or navigate the requirements of providing comments. Neighborhood association and coalition representatives and the Inter-Coalition Council have repeatedly opposed the use of the annual amendment process to implement sweeping, durable and highly consequential zoning law changes. Nonetheless, the City administration and Council continue to do so in direct conflict with NM State standards and ABC Comp Plan policies.

PR-2018-001843-RZ-2022-00059_Housing_Citywide

The SFVNA continues to *oppose* most provisions of this proposed ordinance. Specifically, Sections 1 and 2 represent significant potential harm to Santa Fe Village, a compact neighborhood of greater than 1000 homes. In the introduction to O-22-54, the City makes clear that the intention is to triple the number of dwelling units in areas zoned R-1. “WHEREAS, allowing two-family dwellings (duplexes) *and* accessory dwelling units in the R-1 zone district would immediately remove exclusionary effects, allow *triple* the number of dwellings on 68 percent of the city’s zoned properties (38% of the city’s total land area), ...” (Italics mine). Clearly, this statement disputes assurances of Planning Department staff and EPC Commissioners that existing zoning requirements related to setbacks, parking requirements and permitting requirements would effectively prevent the construction of dwelling units which fail to meet current IDO requirements and would turn SFV and similar modest neighborhoods into multiple lots with three dwelling units, front yards paved over for vehicles and narrow streets crowded with parked cars. Clearly, this scenario does not represent redevelopment that “reinforces the existing character of the neighborhood” or is consistent with a “low density” residential neighborhood.

If the City is sincere about providing options for multi-generation housing and avenues for increasing home ownership by allowing individual property owners to create a rental unit consistent with IDO standards, the City should be willing to do all of the following:

- Make both duplexes (or vertical second housing units) and accessory dwelling units *conditional* uses
- Limit each lot to one additional dwelling unit only
- Increase funding to the ZHE and that office to adequately hear and adjudicate all conditional use requests
- Provide adequate funding and require accountability of Code Enforcement to assure that non-conforming structures are promptly identified and removal required
- Provide a robust and well publicized educational effort to assure that all property owners understand that permits are required, that IDO requirements apply and that they will be required to remove non-conforming structures. At the December 20, 2022 meeting of the ZHE, four applicants explicitly stated they were unaware that a permit was required to build a wall.

The SFVNA also opposes Section 4, amending the IDO to eliminate building height maximums for multi-family residential development and mixed-use development. The text of O-22-54

would remove building height limits for any mixed use development. We appreciate the Planning Department analysis of the impact of this proposal, alternatives and clarifying language to indicate that any provisions removing height restrictions in mixed-use development would only apply to residential structures. The sweeping impact of the proposal as written would profoundly impact residential neighborhoods which are often in close proximity to both multi-family and mixed-use property, particularly, MX-T, MX-L and MX-M properties. While limiting additional heights to Areas of Change would somewhat decrease the impact city-wide, it would not protect low-density residential neighborhoods which may be in close proximity to Areas of Change particularly on the westside. Both the Planning Department analysis and public comments at the December 8, 2022 EPC meeting indicate that building height maximums play an insignificant role in the development of multi-family housing. Eliminating building height maximums as proposed in O-22-54 or as suggested by Planning staff offers little potential incentive to develop housing units in the identified zones and poses significant risks to nearby neighborhoods.

Finally, the SFVNA opposes Sections 5 and 6 of O-22-54 which would eliminate parking requirements for affordable housing and virtually eliminate parking requirements for multi-family development in mixed-uses zones by reducing the required parking to 75% of current requirements. Again, we appreciate the analysis of Planning Department staff. We agree with their recommendation to oppose the multi-family reduction in mixed-use development as outlined in Section 6. As they note, amended parking requirements passed in the 2021 IDO Annual Review were justified as right-sizing requirements across all types of development. It is not, then, reasonable to propose a further 75% reduction in requirements for housing and also claim that such a change is reasonable or sustainable.

The removal of parking requirements for low income housing remains problematic, even with the conditions proposed by Planning Staff. There is no evidence that people needing affordable housing will neither own a vehicle nor need one to get to work or other activities of daily living. In fact, the likelihood is that, if employed, it will be in jobs which require unusual or unpredictable hours and are located in scattered areas of the city. The Planning Staff Report plainly states, “ABQ Ride is struggling to maintain service on many routes that connect residential areas farthest from Downtown and major corridors.” Since that report was written, ABQ Ride has announced further route closures in an effort to prevent cancelled runs or significant delays on remaining routes. The argument that housing projects which provide less parking would incentivize residents to use public transit is provided with no evidence that such a response is a reasonable expectation. In all likelihood, the following statement is more accurate, “Reduced off street parking could result in spillover parking in nearby neighborhoods.”

Absent some clear parameters which assure true access to reliable and functional public transit, adequate employment options paying a reasonable wage and the availability of decent grocery stores in reasonable proximity to these properties, this proposal serves only to allow development of additional units in housing that serves the needs of neither low income nor market rate tenants or creates housing units designed to penalize the low income tenant by failing to provide off street parking for a personal vehicle. As with the parking reduction proposal of Section 5, the City cannot both claim that the 2021 IDO amendments to parking requirements were justified

because they brought off street parking requirements into line with true needs and also claim that this proposal will be workable, sustainable or “enhance, protect and preserve neighborhoods...”

The proposals in O-22-54 represent Exhibit A in the case against the use of the Annual IDO Review process to enact sweeping, durable and potentially costly (to ABQ residents and neighborhoods) changes to City zoning law. At the December 8, 2022, EPC hearing, the City reported these proposals were developed out of meetings with multiple stakeholders. Those “stakeholders” did not include any recognized neighborhood associations, neighborhood coalitions or the Inter-coalition Council despite NARO language which states,

“ WHEREAS, neighborhood associations can serve an important role in engaging community members at a grassroots level in local social justice and community issues, and in promoting collaborative community planning; and

WHEREAS, neighborhood associations are a source of important input from the community as they bridge the gap between residents and the government by providing information and engagement opportunities, and offer citizens a stronger role in organizing social change efforts in their neighborhoods.”

The housing shortage in ABQ is not a recent development. Planners and proponents of these proposals have acknowledged that many of these proposals will require years to impact housing supply, fail to address barriers of supply of construction materials and construction workers and argue that their impacts will be virtually unnoticeable because changes will happen “organically.” O-22-54 represents an effort by the City to bypass public engagement, avoid the work of accepting public input and crafting truly workable approaches and “promoting collaborative community planning.”

PR-2018-001843-RZ-2022-00054 Citywide General Amend: Walls and Fences-IDO Subsection 14-16-5-7(D)(3)(a) and (b), Table 5-7-2, p. 320, 321 and 322

The SFVNA continues to *oppose* increasing front yard wall heights, both as outlined in the proposed amendment and in the alternatives provided in the Planning Staff analysis for either a larger setback or 4’ wall. Both this amendment as originally proposed and the stated alternatives represent a jarring contrast with the streetscape and sense of place in Santa Fe Village (SFV). SFV is a very compact neighborhood, approximately one mile at its eastern boundary and approximately one-half mile deep at its widest point. It is surrounded on three sides by the escarpment and bisected by the middle branch of the San Antonio arroyo. The streets slope and curve to follow the natural terrain. When walking or driving into and around the neighborhood, the escarpment and natural features can be seen behind the homes. Coyote are regularly seen in the open spaces and have been seen on neighborhood streets. Quail and roadrunner enjoy front yards. The Petroglyph National Monument provides several access points to the monument land and three designated crossings from the canyon floor to the mesa above. Some SFV residents have 3’ or shorter walls at their property line; some have a taller wall, designed to blend in with the style of the home and well setback from the street without imposing on the streetscape. Clearly, it is possible to create a private front yard space under the existing IDO. The proposed changes are unnecessary and conflict with the IDO’s stated purpose to protect and enhance established neighborhoods and “reinforce an established sense of place.” The proposed

amendment would detract from the walkability of SFV and the perception of the neighborhood and the surrounding natural landscape. We respectfully ask the EPC to oppose this amendment and proposed alternatives.

**PR-2018-001843-RZ-2022-00054 Citywide General Amend: Demolition Outside of an HPO
- Citywide**

As an individual, I believe there is merit to this proposed amendment. There are properties on ABQ's westside which are clearly outside of a historic district and still have a significant history in this city which should either be considered for preservation or documented prior to being demolished. The property which includes St. Pius High School and the Catholic Center and once housed the University of Albuquerque is one example. Should it be sold at some point (and that was a consideration recently for the Archdiocese), it is likely that existing buildings would be demolished to allow for high-end homes like those nearby or other more profitable development. While the existing structures may not have sufficient value or character to preserve them, they surely have a history worth documenting prior to demolition. I appreciate the concern that the process of evaluation and documentation may be burdensome in some cases and fail to serve the interest of city residents. I respectfully ask the EPC to consider and recommend a middle path which would provide a reasonable and workable mechanism to protect or document structures which are part of the history of this city and do not meet the existing criteria for notification prior to demolition.

Thank you for your time and consideration.

From: [Josh Rogers](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Annual Update 2022 - EPC Comments
Date: Tuesday, January 3, 2023 12:30:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[IDO Letter to EPC - 2022 Amendments \(IDO\) 2023-01-03.pdf](#)

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

Please find the attached comments to the IDO Update.



JOSH ROGERS
Senior Vice President

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W www.titan-development.com
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January 3, 2022

Dear Members of the Environmental Planning Commission,

Titan Development has reviewed the 2022 Proposed Amendments to the IDO. The purpose of this letter is to state Titan's support or opposition to the various Proposed Amendments. We appreciate Staff, Council, and EPC's continued support and effort to bring forward Amendments every year. We truly believe these updates make a positive impact on the community.

Support

1. Citywide – Housing Amendments: We are in full support. Promoting favorable regulations for housing will increase the supply of housing units and further the goals of the Housing Forward Initiative to combat the current housing crisis. We believe the updates related to ADU's, Conversions from Non-Residential Development, Building Heights, and Parking are all acceptable ways to achieve greater housing and will have a profound impact on the housing supply in Albuquerque.
 - a. **Recommendation**: Support all amendments

Oppose

1. Item 2 – NR-BP – Deviations, Variances, Waivers: We oppose this Amendment. Most framework plans adopted prior to the establishment of the IDO contain procedures and processes for deviations and variations that include significant community input. These procedures should be retained.
 - a. **Recommendation**: Remove proposed amendment completely.
2. Item 6 – Dwelling, Multi-Family – Kitchen Exemption for Affordable Housing: We oppose this Amendment. We have analyzed several hotel conversion projects and many do not allow for a full kitchen with a stove due to the smaller size of the converted unit. In these scenarios, a hot plate, microwave, and sink is the only possible solution for the kitchen area. Overall, converting old hotels is an extremely viable solution to bringing affordable housing to a community, while also reducing the transient nature of hotels. Apartments typically will require background and credit checks that will further enhance the quality of renters in the area. Four Hills Studios along east Central Ave is a great example of how an old hotel can be converted into a quality affordable housing project that requires background checks.
 - a. **Recommendation**: Remove proposed amendment completely.
3. Item 11 - Sensitive Lands – Trees: We oppose this Amendment. This Amendment is not fully vetted and is not a great solution to offer additional protections to Sensitive Lands. This provision gives too much unilateral power to one individual and would have unintended consequences for development. Other markets have similar protections for "Heritage Trees" and offer additional solutions if a protected tree absolutely needs to be demolished or relocated. We believe this

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amendment should not be considered until it has been fully vetted and all angles have been considered. For example, our Journal Center project required the demolition of a few establish trees to provide safe and appropriate access to the site and was necessary for the site functionality, it wasn't an ideal scenario, but it was necessary unfortunately.

- a. **Recommendation:** Remove proposed amendment completely and bring it forward next year after best practices have been researched.
4. **Item 15 - Parking Maximums in UC-MS-PT Areas:** We oppose this Amendment. Subsection B states that in UC-MS-PT areas that the maximum number of off-street parking spaces shall be no more than 125% of the off-street parking spaces required, calculated after all applicable parking reductions have been applied. This is a major problem and could dissuade all development in these areas that are supposed to promote investment and development. This would force any development to include structured parking, which is not financially feasible. For example, our proposed Highlands East multi-family project along Central Ave includes a full parking structure and is currently on hold because the project is not financially feasible. This is a direct example of how this provision would have a direct negative impact on delivering housing to the community. By way of another example, our Highlands North and Broadstone Nob Hill multi-family projects along Central provided a parking ratio of 1.1 spaces per unit. This ratio is extremely tight and barely offers our residents enough parking. We have had to turn away many prospective tenants due to not having enough parking to satisfy their needs.
 - a. **Recommendation:** Remove this completely and let the market decide how best to park developments.
5. **Item 16 through 18 - EV Charging Stations:** We oppose this Amendment as written. Titan provides more than 5% EV Charging Stations at all of our multi-family properties. The issue with this amendment is requiring a 240 volt or higher charging station. Residents living at multi-family communities don't need a 240 volt or higher charging station – they only need a 110V outlet to provide a trickle charge. This amendment should be updated to remove the 240 volt or higher requirement and simply provide a 110V outlet that residents can plug into.
 - a. **Recommendation:** Remove the requirement for a 240v or higher for all residential and multi-family development. Replace this requirement with a 110V outlet.
6. **Item 20 through 24 – Edge Landscape Buffers:** We oppose this Amendment and support Item 25 proposed by Councilor Jones. Table 5-6-4 already sets forth landscaping buffer requirements based on development type and therefore Table 5-6-5 should be removed as it is an unnecessary and duplicative regulation.
 - a. **Recommendation:** Move forward with Item 25 to remove Table 5-6-5 and the requirement for Edge Landscape Buffers between Areas of Change and Consistency.
7. **Item 40 - Specific Procedure – Demolition Outside of an HPO:** We oppose this Amendment. Albuquerque has a serious problem with dilapidated buildings around the City. These buildings promote crime and make the City look old and unkept. Creating another layer of approvals to

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demolish old buildings will enhance crime and negatively promote a poor image for the City. This Amendment should absolutely be removed from consideration.

- a. **Recommendation:** Remove proposed amendment completely.
- b. **Recommendation:** Reduce the 120-day review period to 30 days (as outlined in Section 6.6 (B) (2)).

Thank you for allowing us the opportunity to state our positions on these Amendments and we look forward to working with you to bring this forward. Please reach out if you have any questions or need any clarifications on our positions. I can be reached at jrogers@titan-development.com or (505) 998-0163.

Thank you,

A handwritten signature in black ink, appearing to read "JR Rogers", with a long horizontal flourish extending to the right.

Josh Rogers
Senior Vice President
Titan Development

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From: [Rhiannon Samuel](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Renz-Whitmore, Mikaela J.](#)
Subject: NAIOP Comments on 2022 IDO Amendments
Date: Monday, January 9, 2023 8:49:39 AM
Attachments: [image001.png](#)
[EPC Memo from NAIOP New Mexico.pdf](#)
Importance: High

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

Hello,

Please find NAIOP New Mexico's comments on the 2022 IDO Amendments for the EPC's consideration.

Could you please confirm you are in receipt of this email?

Respectfully,

Rhiannon Samuel

Executive Director

(m) 505.980.8892 (o) 505.345.6976

RSamuel@NAIOPNM.org

Mailing: PO Box 27324 Albuquerque, NM 87125

Physical: 435 Montano Road NE Albuquerque, NM 87107



To: City of Albuquerque Environmental Planning Commission (EPC)
From: NAIOP Commercial Real Estate Development Association, New Mexico Chapter
Date: January 9, 2023
Subject: Review of 2022 Integrated Development Ordinance (IDO) Amendments

This memo outlines NAIOP New Mexico’s review of the proposed 2022 IDO Amendments for both the annual update and the special focus on housing.

Proposed Amendment	Page & Section Explanation	Comments	Position
Ordinance O-22-54- Housing Forward Plan	Expands permissions for ADUs and duplexes, expands conversions of non-residential developments, reduces parking requirements	These changes would expand housing options and support the City’s goal of adding at least 5,000 additional housing units. As stated in the 2022 City of Albuquerque Housing and Entrepreneurship Needs Assessment Report, these housing units are needed to fill a major deficit in affordable housing. This proposed amendment provides creative tools to address the current housing crisis.	Support
Item #2	Page 47 Section 2-5(B)(3) NR-BP - Deviations, Variances, Waivers Establishes how to request a special exception from a Master Development Plan standard	Most framework plans adopted prior to the establishment of the IDO contain procedures and processes for deviations and variations that include significant community input. These procedures should be retained.	Oppose
Item #6	Page 158 Section 8 4-3(B)(8)(e) Removes the use-specific standard for multi-family dwellings that allows for conversions of non-residential uses into multi-family residential uses to provide a	This provision is important tool to provide affordable housing for people experiencing homelessness and other vulnerable members of our community in a cost-effective manner. A dwelling unit without a full kitchen can provide safe, adequate shelter for individuals that might otherwise not have access to a dwelling unit. The ability to provide	Oppose

Proposed Amendment	Page & Section Explanation	Comments	Position
	<p>lesser kitchen when these conversions are associated with funding provided by the City's Family and Community Services Department in conjunction with an affordable housing project.</p>	<p>limited kitchen facilities reduces the cost of providing affordable housing, allowing more units to be constructed. The current provision supports ABC Comp Plan Goal 9.5 "Vulnerable Populations: Expand capacity to provide quality housing and services to vulnerable populations" and Policy 9.1.1 "Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households"</p>	
<p>Item #11</p>	<p>Page 233 5-2(C) Sensitive Lands / Mature Trees Revised to shift from multiple trees to a large tree. Provides an alternative replacement for the tree if the City Forester determines the tree is not healthy, etc. See related proposal to change the definition of this type of Sensitive Land.</p>	<p>The proposed language would significantly expand the existing requirements and does not include any criteria the City Forester might use to determine whether a large mature tree should be preserved. The process of evaluation by the City Forester would be onerous and add significant time to the design and development process. Site planning could not occur until the City Forester made their determination.</p>	<p>Oppose</p>

Proposed Amendment	Page & Section Explanation	Comments	Position
Item #13	Page 268 Section Table 5-5-1 Off-street Parking - Parking Maximums Together with associated change for a new Subsection 14-16-5-5(C)(2), adds parking maximums for all uses in UC-MS-PT areas.	This proposal would prohibit surface parking for any use in the Downtown center, McClellan Park, and the Old Town HPO-5. This prohibition on surface parking would require any parking provided on site to be structured. This adds significant cost to any development project. This would be particularly impactful for market-rate housing developments where market demands require parking spaces be provided for dwelling units. The cost of providing structured parking is prohibitive for many developments to the extent that requiring structured parking would prevent certain development from being feasible. The approval of this Item #13 would create a barrier for housing developments within the Downtown center, in conflict with ABC Comp Plan Policy 5.1.1(d) "Encourage the development of multi-unit, multi-story apartments and mixed-use residential buildings in Downtown, Urban Centers, and Activity Centers to increase housing density and expand housing options and affordability".	Oppose
Item #15	Page 279 Section 5-5(C)(7) Off-street Parking - Parking Maximums Together with associated change with Table 5-5-1, adds parking maximums for all uses in UC-MS-PT areas. Prohibits surface parking for any use in Downtown Center, McClellan Park, and Old Town HPO-5.	Parking min is 1 space per unit, if the 75% reduction passes, then you have a minimum of 0.25, then apply the maximum of 125% of that, and the most you can do is 0.3125 spaces per unit. This is not feasible and will hurt multifamily developments in this corridor	Oppose
Item #16	Page 279 Section 5-5(C)(9) Electric Vehicle Parking Increases the existing requirement for Electric Vehicle (EV) charging stations in large parking lots.	Item #16 proposes to increase the existing requirement for Electric Vehicle (EV) charging stations in large parking lots from 2 to 5 percent of the total vehicle parking spaces. The proposed increased requirements would accommodate the increasing number of electric vehicles in our community	Support

Proposed Amendment	Page & Section Explanation	Comments	Position
Items #17-18	<p>Page 279 Section 5-5(C)(9)</p> <p>Adds a new requirement for Electric Vehicle (EV) charging stations in large townhouse developments. See related proposed change in Section 7-1 for a definition of EV capable in the Parking Definitions</p> <p>Adds a new requirement for Electric Vehicle (EV) charging stations in large townhouse developments. See related proposed change in Section 7-1 for a definition of EV capable in the Parking Definitions</p>	<p>Items #17 and #18 proposes a new requirement for EV capable spaces to be provided in large townhouse developments and in large multi-family developments and for EV charging stations to be provided within large multifamily.</p> <p>In these projects 120V is sufficient, the fast charge of 240V at these residential properties is not needed or recommended for regular use by Electric Car makers.</p> <p>PROPOSED AMENDMENT: 240V to 120V</p>	Support- but amendment needed
Items #20-24	<p>Pages 305- 308</p> <p>Edge Landscape Buffers</p> <p>Apply a consistent buffer width of 15 ft for all Areas of Change next to Areas of consistency to the entire premise rather than separate lots</p>	<p>Items #20, #21, and #22 would remove the buffer width requirements from the narrative text of Section 5-6(E)(2)(a) to rely solely on the buffer width requirement of Table 5-6-5, the buffer requirements in Areas of Change next to Areas of Consistency. Item #23 proposes to apply buffer requirements to the whole premises of project sites rather than separate lots. Item #24 proposes to apply a consistent buffer width of 15 ft for all Areas of Change next to Areas of Consistency. Larger edge buffers would still apply based on development types.</p> <p>Buffering based on development type provides adequate shielded for protected lots. The boundaries of the Areas of Change and Areas of Consistency are not always consistent with parcel boundaries which makes administering the buffering requirements challenging</p>	Oppose
Item #25	Page 308 Section 5-6(E)(5) / Table 5-6-5	Item #25 proposes a different option for the edge buffer requirements by eliminating Section 5- 6(E)(5) and Table 5-	Support

Proposed Amendment	Page & Section Explanation	Comments	Position
	<p>Edge Landscape Buffers - Areas of Change and Consistency</p> <p>Removes this requirement as unnecessary and duplicative regulation. This section sets forth landscaping requirements based on if the subject lot is within an Area of Change and is located next to an Area of consistency. However, table 5-6-4 already sets forth landscaping requirements but instead bases the requirement on development types. It is not necessary to regulate landscaping based on Areas of Change or Consistency when there are other provisions (Table 5-6- 4) that adequately regulate landscaping requirements. Note that this change conflicts with proposed change from the public for the same subsection.</p>	<p>6-5, the sections that require buffering for Areas of Change next to Areas of Consistency.</p>	
<p>Item #36</p>	<p>Page 441 Section 6-4(Y)(1)(a)3</p> <p>Minor Amendments - Circulation Allows amendments that include changes to circulation contained within the site to be processed as minor amendments reviewed by the City Traffic Engineer if they meet other requirements and thresholds.</p>	<p>This proposed amendment would simplify the review process for minor site plan amendments. The City Traffic Engineer is a subject matter expert on site circulation and provides adequate and thorough review of such revisions. Removing the requirement for original decision-making body review of these modifications would streamline the development process and reduce the case load for decision-making bodies</p>	<p>Support</p>
<p>Item #40</p>	<p>Page 464 Section 6-6(B)(2) Demolition Outside of an HPO</p> <p>Clarifies that all applications involving demolition (e.g. demolition permit or site plan for redevelopment) of a structure 50+</p>	<p>The existing mechanisms for protecting historic structures, including the State and national historic registers, the City landmark designations, and HPO zone district, provide adequate protections for the historically significant sites and structures within our community. This revision would create an</p>	<p>Oppose</p>

Proposed Amendment	Page & Section Explanation	Comments	Position
	years old are subject to review by Historic Preservation staff.	onerous process for demolition of structures by adding a 120-day review period to obtain a demolition permit. This extended process would provide little benefit in terms of protecting historic resources and would add significant time to developments requiring demolition	
Item #43	Page 561 D Section 7-1 Definitions, Flood Definitions Floodplain Ties the definition of floodplain to FEMA definitions and to other defined terms for Flood in the IDO.	This proposed amendment would provide consistency with other appeal procedures.	Support
Non-residential Business Park Zone District (NRBP) and Planned Community Zone District (PC) Amendments	The proposed amendment to the NR-BP and PC Zone Districts would create a new section for deviations, variances, and waivers from framework plan standards	These established procedures within framework plans were vetted through community processes and approved by Council. These procedures should be retained.	Oppose
Northwest Mesa View Protection Overlay Zone (VPO-2) Amendments	Revise building and structure height to make those standards applicable only to the portion of the lot that falls within the VPO-2 boundary	These clarifications contain the height standards of the VPO-2 district to the sensitive areas identified within the district boundary while providing more flexibility for the portion of the lot outside the boundary	Support

Items NAIOP would like to see included in the 2022 IDO amendments:

Section & Page in IDO	Issue	Solution
<p><u>6-4(Z)</u></p>	<p><u>6-4(Z) AMENDMENTS OF PRE-IDO APPROVALS</u></p>	<p>Proposed Change: deleting the “circulation patterns’ in section 6-4(Z)(1)(a) 3. from this section. As long as circulation patterns meet the DPM requirements and all IDO standards, a change in circulation particularly within an existing parcel on a larger shopping center site does not constitute a need for a Major Amendment.</p>
<p><u>5-9(D)(1)</u></p>	<p>Having to go through an original approving body to get approval for a new drive through to be put in.</p> <p>The issue with 5-9(D)(1)b that regulates circulation and stacking is that this is already addressed by limiting order boards and service windows which have to be located at least 50 feet in any direction from any abutting residential zone district or residential use in a mixed use zone. This is a tremendous amount of real estate</p>	<p>Proposed solution: the required edge buffer requirement be sufficient to meet this requirement and that we get rid of this requirement altogether since the standard limiting order boards and service windows would remain.</p>
	<p>Non-city, commenting agencies taking months to respond.</p>	<p>Drop requirement for non-City agencies to approve studies prior to submittal to DRB. Allow studies to be completed prior to final approval of site plan.</p>
	<p>Repetitive and unnecessary notification</p>	<p>Remove requirement for notifying neighborhoods again if submitting for permit less than a year after having received DRB approval.</p>

From: [CATHERINE SLEGL](#)
To: [City of Albuquerque Planning Department](#)
Subject: Zoning, multi-family, height restrictions, etc.
Date: Tuesday, January 3, 2023 6:44:00 PM

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

Hello,

Our neighborhood association has sent our thoughts on these upcoming matters.

My hope is that you realize we care deeply about our city and that you take your constituents' emails into careful consideration.

We aren't always convinced that anyone in planning and zoning care what we want.

Please understand that the multiple family dwelling issue has certain places that may not be greatly affected yet has many places that cannot support this idea.

Let's help Albuquerque reach its potential as a desirable place to live. Please give great thought to your decisions and please listen to us. The law abiding, tax payers are the lifeblood of this city, please keep our wishes in the forefront.

Thank you for your consideration.

Catherine Slegl
Santa Fe Village, Albuquerque.

Sent from my iPhone

From: [SRMNA](#)
To: [City of Albuquerque Planning Department](#)
Subject: sloppy amendments proposals
Date: Tuesday, January 10, 2023 9:33:22 PM

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

The matrix, IDO Annual Update 2022 - EPC Submittal - Citywide, appears to have been hastily or sloppily put together. Right off the bat, on page one, it is not clear where the proposed changes are to go. "Add a new subsection" without identifying what the subsection index leaves the reader to guess the meaning and is too ambiguous for an ordinance change. Also, by what authority are city staff simply adding text to the ordinance and referring to a subsection (14-16-6-4(O)) that appears to be nonexistent?

--

S. R. Marmon Neighborhood Association
Albuquerque, New Mexico
srmna.org
505.304.8167

From: [Singing Arrow](#)
To: [City of Albuquerque Planning Department](#)
Cc: [East Gateway Coalition](#)
Subject: Singing Arrow Neighborhood Association Opposition Responses to 0-22-54 & ISO Annual Update
Date: Thursday, January 5, 2023 8:39:13 PM
Attachments: [Endorsements to ICC Letters.pdf](#)

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

At a Singing Arrow Neighborhood Association Meeting on 1/5/2023, members present endorsed the ICC's letters opposing:

- Amendment to 0-22-54 Section 3. Amend the Integrated Development Ordinance to Exempt All Conversions from Non-Residential Development to Multi-Family Dwellings from the Definition of Kitchen. (See attached with signatures)
- IDO Annual Update 2022, Section: 5-7(D)(3)(a), Walls & Fences - Front Yard Wall Section 5-7(D)(3)(b), Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts (See attached with signatures)

We appreciate your registering our opposition to these proposed changes.

Sincerely,

Wanda Umber
Secretary
Singing Arrow Neighborhood Association

ICC Inter-Coalition Council

The ICC is a Council of Coalitions of Albuquerque and Bernalillo County Neighborhood Associations that has been meeting since May 2014 to reach consensus on broad, common concerns. Its purpose is to promote stronger, better neighborhoods and communities through group action and interfacing with the governmental, social, environmental, cultural and historic needs and interests of all residents.

January 5, 2023

Via email: timothy@epc.org
EPC Chair Timothy MacEachen

RE: O-22-54

SECTION 3. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE TO 10 EXEMPT ALL CONVERSIONS FROM NON-RESIDENTIAL DEVELOPMENT TO MULTI-FAMILY DWELLINGS FROM THE DEFINITION OF KITCHEN.

Chairman MacEachen,

The Inter-Coalition Council (ICC) supports expanded housing based upon research, analysis and public input. According to Census data, New Mexico's population has decreased by 3,333 from July 2021 to July 2022. Information on the Housing Forward ABQ website contains conflicting information on counts of homelessness with prior information released by the City. Some data is based upon a very small survey.

In the IDO update of 2021 the ICC opposed the change to the definition of a kitchen for dwellings that receive funding through the City of Albuquerque Department of Family and Community Services as affordable housing as defined by Article 14-21 of ROA 1994 (Affordable Housing Implementation Ordinance). The ICC continues to oppose this definition and supports the IDO update of 2022 amendment to delete subsection 4-3(B)(8)(e).

The ICC opposes the IDO update of 2022, section 3 to exempt all conversions from non-residential development to multi-family dwellings from the definition of kitchen.

The reasons for our opposition include:

- The staff report states the "modern living" housing may result in affordable housing (page 27). No analysis is provided that would indicate that developers would provide affordable housing based upon the change in the ordinance. Consideration should be given to requiring a percentage of affordable housing in these conversions.
- Providing substandard kitchens conflicts with the USDA Food and Nutrition Service which works to end hunger and obesity through the administration of 15 federal nutrition programs including WIC and Supplemental Nutrition Assistance Program.
- Provides lower-income households with substandard kitchens. Affluent households have full kitchens with a cooking stove, range or oven and a refrigerator with a freezer area.
- The proposed definition kitchen does not support healthy meal preparation. New Mexico has a higher rate of obesity and diabetes than surrounding states. Prepared, boxed food is higher in fat, sodium and sugar.

- Conflicting information is being provided to the public. Director Carol Pierce stated at the public meetings on converting Hotel/Motels to Housing that these units will be long term rentals. In the slide presentation accompanying the meetings the following statement appears: "Not only for people experiencing homelessness." (Slide 6 of 15). This statement indicates that this is housing for the homeless.
- Overall Housing Forward plan lacks data or contains conflicting data. The range of housing need from 13,000-30,000 is a red flag. We know of no other organization that could make a plan for millions of dollars of expenditures based upon a variance of this amount.
- Lack of enforcement of current ordinances regarding rental property. This lack of enforcement has created doubt that vacant hotels that do not currently meet building codes for apartments will be adequately inspected and held to standards to provide safe and affordable apartments.

If the City of Albuquerque plans on allowing substandard kitchens in the conversion of non-residential property, the following should be considered:

- Location(s) should not negatively affect the character of the neighborhood. Consideration must be given to the history of the property regarding safety and crime. Consideration of location to create balance in the community for housing mix.
- Within the 40 hours of support services a week, require the service provider offer residences with nutrition and cooking classes free of charge at the apartment building.
- Require a refrigerator that supports storage of food received from USDA Food and Nutrition Service or food items bought on sale. (WIC provides fruits and vegetables that will spoil if not stored properly.) This storage will allow low-income households to stretch their dollars.
- Require a refrigerator that includes freezer space to accommodate freezing of left overs and the ability of households to freeze food received from USDA Food and Nutrition Service or food items bought on sale. This storage will allow low-income households to stretch their dollars.
- Amend to state microwave AND induction cooktop with built in safety controls.
- Amend to state multiple electric outlets. (This would support additional common kitchen appliances such as a toaster, crockpot, or coffee maker to be used in a safe manner.)

Sincerely,

Michael Brasher

Inter-Coalition Council President

Doger Wilson
Pat Han
Susan Romano
Ilene Stralla
Shirley S. (Lindley)

ICC Inter-Coalition Council

The ICC is a Council of Coalitions of Albuquerque and Bernalillo County Neighborhood Associations that has been meeting since May 2014 to reach consensus on broad, common concerns. Its purpose is to promote stronger, better neighborhoods and communities through group action and interfacing with the governmental, social, environmental, cultural and historic needs and interests of all residents.

January 5, 2023

Via email: timothy@epc.org
EPC Chair Timothy MacEachen

RE: IDO Annual Update 2022, Section: 5-7(D)(3)(a), Walls & Fences - Front Yard Wall
Section 5-7(D)(3)(b), Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts

Chairman MacEachen,

Last year similar amendments were submitted to increase the height of walls and fences. The ICC opposed the increase in the IDO Annual Update 2021. The EPC heard from the community and helped defeat the amendments.

The ICC again opposes the amendment to increase the height of walls and fences for the many reasons noted in public comment on the IDO interactive website. No comments were entered in support of increased heights of walls and fences.

We agree with the comments in the staff report:

Many older, established residential areas have a distinct character and were developed without walled yards. Walls could create a sense of enclosure that takes away from the connectivity of neighborhoods and the sense of safety that comes from having "eyes on the street." The proposed change would not enhance, protect, and preserve these distinct communities or protect the identity or cohesiveness of such neighborhoods (Goal 4.1, Policy 4.1.2, Policy 4.1.4).

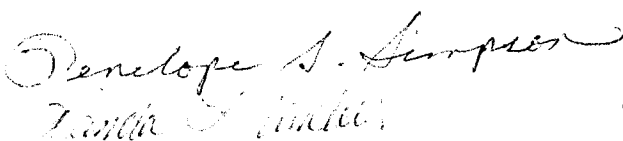
...The proposed changes would result in changes to streetscapes and development, and could contribute to creating a range of environments and experiences (Goal 7.1)...

The ICC urges the EPC to defeat the amendments to increase the height of wall and fences. We hope that a defeat in the IDO Annual Update 2022 will put an end to proposals to increase height of walls and fences.

Sincerely,

Michael Brasher

Inter-Coalition Council President



Denelope S. Simpson
Denelope S. Simpson

ICC Inter-Coalition Council

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We agree with the comments in the staff report:

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Sincerely,

Michael Brasher

Inter-Coalition Council President

*Laura Anderson Susan Rowland
Jenna Stull*

From: [Mike Voorhees](#)
To: [Lehner, Catalina L.](#); [City of Albuquerque Planning Department](#)
Cc: [René Horvath](#)
Subject: Fwd: Submission of Recommended Change to the IDO Under 14-16-6-3(D)(1)
Date: Monday, November 28, 2022 12:24:59 AM
Importance: High

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

Please acknowledge receipt and confirm if this proposal will be included in the Staff Report.

Catalina,

On October 12, 2022, I sent the below email to the abctoz@cabq.gov address, submitting a recommended change to the IDO. To date, I have received no acknowledgement of this submission. I am again submitting this for inclusion in the current Staff Report for this year's round of proposed IDO changes. Please let me know that you received this and if it will be included in the Staff Report.

Sincerely,
Michael T. Voorhees

Begin forwarded message:

From: Mike Voorhees <mike@cyonic.com>
Subject: **Submission of Recommended Change to the IDO Under 14-16-6-3(D)(1)**
Date: October 12, 2022 at 10:54:28 AM MDT
To: abctoz@cabq.gov
Cc: Rene' Horvath <aboard111@gmail.com>, "Hendricks, Nancy E" <Nancy_Hendricks@nps.gov>, legacy@cybermesa.com

TO: Planning Department Personnel

This is a submission of a recommended change to the IDO under 14-16-6-3(D)(1).

14-16-6-3(D)(1) **Anyone may submit recommended changes to the Planning Department *throughout the year***, particularly during the CPA assessment process, as set out in Subsection 14-16-6-3(E)(1) (Community Planning Area Assessments).

Please include the following recommended change in the Planning Department submission to the EPC hearing in December:

Remove the words "low density residential" and replace with the word "all" in 14-16-3-4(N)(1) Applicability, as shown below.

14-16-3-4(N)(1) Applicability

The CPO-13 standards apply to ~~low-density residential~~ all development in the following mapped area. Where the CPO-13 boundary crosses a lot line, the entire lot is subject to these standards.

Rationale for change: The current limitation on the applicability of the Volcano Mesa CPO-13 is inconsistent with the explicitly stated policies for view protection and cultural heritage protection of the Comprehensive Plan as well as the policies from the Volcano Cliffs Sector Development Plan that were specifically incorporated into the Comprehensive plan. This includes the limitations on mixed-use development that was supposed to "provide for small offices, shops, community facilities, or townhouses with ground-floor home occupations including office, retail, and service activities at the neighborhood scale extending goods and services to locations that may not be able to support major retail." These concerns were affirmed in the recent decision by the ZHE, but ongoing proposals to build multiple three-story structures continue to threaten the character of Volcano Mesa and are incompatible with the intent of CPO-13, and the Vision, Goals, and Policies of the Comprehensive Plan.

Thank you for your attention in this matter.

Sincerely,
Michael T. Voorhees

From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Subject: Comments regarding O-22-54
Date: Sunday, January 8, 2023 8:52:12 PM
Attachments: [LTR reO-22-54 frVHNA.pdf](#)
[ATT00001.htm](#)

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

EPC Chair MacEachen and Commissioners,

You have received letters from the Inter-Coalition Council (ICC) regarding O-22-54; Sections 2-ADUs and Section 3-Kitchen Exemptions—I fully support the ICC’s position on these letters (in addition to their letter regarding the IDO Annual Update Section 5-7 Walls & Fences). I have also personally submitted a letter regarding Walls & Fences.

The attached letter was approved by the Victory Hills NA Board of Directors. VHNA is located in District 6; the Victory Addition—platted in 1942—was the first subdivision developed in Albuquerque during WWII. Our neighborhood association was formed 40 years ago. While many neighbors support some of the sections of O-22-54, in general we are opposed to allowing this legislation to be considered contemporaneously with the 2022 IDO Annual Update.

Respectfully,

Patricia Willson

Victory Hills NA: President
District 6 Coalition: Treasurer
Inter-Coalition Council Representative

January 8, 2023

Via email: abcto@cabq.gov
EPC Chair Timothy MacEachen

Re: Project #: PR-2018-001843
Case #: RZ-2022-00059 – Amendments to the IDO re: Housing Forward Initiative
(Council Bill No. O-22-54)

Chairman MacEachen,

The Victory Hills Neighborhood Association (VHNA), located in Council District 6, is opposed to the inclusion of the above-referenced Ordinance in the 2022 IDO Annual Update. These six substantive changes do not belong in the annual update process.

The tone of Mayor Keller’s October 28, 2022, Inter-Office Memo to Council President Benton about this legislation is one of panic and emergency:

“...emergency text amendments...rapidly worsening housing shortage...alarming and growing gap...promptly remove regulatory barriers...the proposed changes are intended to be transformative, which is fitting for the crisis facing our local government...severity and urgency of the present housing crisis...”

The Albuquerque / Bernalillo County Comprehensive Plan guides decisions on zone changes and new plans and regulations. According to *Section 2.3.1 Population Growth*, the area population is predicted to increase by ≈46% by the year 2040, adding around 311,000 new residents:

“...growth is expected and must be planned for, particularly to grow in sustainable ways and protect our quality of live and the character of our vibrant communities.”

Another concern we have is the lack of Agency comments. The Staff Report notes ≈70 written comments from individuals and neighborhood organizations, but of the 25 Agencies listed, five responded with “no comment” or “none” and only two agencies—the Mid-Region Council of Governments and the Public Service Company of NM—provided comments. MRCOG’s Mid-Region Metropolitan Planning Organization’s (MRMPO) thoughtful 3-page letter lists several relevant strategies relating to both the O-22-54 case and the Citywide IDO Annual Update amendments.

However, PNM’s response expresses concern regarding increased load demand:

“The PNM electric grid can support infill development and redevelopment that utilizes existing electric infrastructure. But the resulting increased electric load demands may require the installation of upgraded equipment...that can safely accommodate the resulting load growth.”

The fact that 18 out of 25 Agencies did not comment on this Legislation does not seem to support the tone of panic and emergency expressed in its introduction. There are many valid concepts contained in this legislation; perhaps each Section should be a separate bill and be given the community input and thoughtful discussion that each Section warrants. For example, in the Near Heights CPA Assessment Report, of the more than 100 community members submitting feedback on the topic of ADUs, about 65% support them permissively, and about 25% support them as a conditional use.

Let’s not ignore the Comprehensive Plan and the long-range Planning Assessment Area Reports in lieu of this crisis mode legislation attached to the IDO Annual Update.

Respectfully,

The VHNA Board of Directors
Patricia Willson, President

From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Sanchez, Louie E.](#); [MacEachen, Brandon](#); [Benton, Isaac](#); [Molina, Nathan A.](#); [Pena, Klarissa J.](#); [Hernandez, Rachael M.](#); [Bassan, Brook](#); [Emillio, Dawn Marie](#); [Lewis, Dan P.](#); [Alvarez, Giselle M.](#); [Davis, Pat](#); [Foran, Sean M.](#); [Fiebelkorn, Tammy](#); [Rummler, Laura W.](#); [Jones, Trudy](#); [Chavez, Aziza](#); [Grout, Renee](#); [Miller, Rachel R.](#)
Subject: Comments regarding Citywide IDO amendments
Date: Friday, January 6, 2023 11:13:32 AM
Attachments: [LTR reWalls&Fences.pdf](#)
[ATT00001.htm](#)

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

EPC Chair MacEachen, Commissioners, Councilors and Policy Analysts:

I know you have been receiving many comments regarding the entire package of Citywide IDO Amendments, as well as the Housing Forward Initiative changes in O-22-54. In discussions with Inter-Coalition Council (ICC) members, the Victory Hills Neighborhood Association (VHNA) board, and District 6 Coalition (D6) officers, I have reviewed objections to many of the over-reaching citywide changes that are proposed by the two cases before the EPC at the upcoming January 19th hearing.

However, the attached letter drills down to one specific item...the seemingly never-ending request to make higher walls permissive in front yard setbacks. One wall. One house. One corner. Look at these pictures and tell me you don't see the potential for this happening everywhere.

Sincerely,

Patricia Willson

Victory Hills NA: President
District 6 Coalition: Treasurer
Inter-Coalition Council Representative

January 6, 2023

Via email: abcto@cabq.gov
EPC Chair Timothy MacEachen

Re: Project #: PR-2018-001843
Case #: RZ-2022-00054 – Text Amendments to IDO – Citywide
Section 5-7(D)(3)(a), Walls & Fences – Front Yard Wall
Section 5-7(D)(3)(b), Walls & Fences, Multi-Family Development in R-ML, R-MH

Chairman MacEachen,

Last year, the EPC defeated the amendment proposing to allow 4' walls permissively in the front yard setback. This year, one of the proposed amendments would allow walls in the front yards of low-density residential development provided the wall is no taller than 5 feet and has view fencing for at least two feet at the top and is set back at least 2 feet.

This is potentially more egregious than the 4' permissive height requested (and defeated) last year—it may easily lead to solid 5' walls in the front yard setback. Please note this example in the University Heights neighborhood:



The first photo shows the wall as it had existed for many years; the upper “view” portion was obstructed with bamboo screening. The second photo was taken last month; the view portion is filled solid. Whether this work was done by the homeowner or a tenant is immaterial—it presents a serious code violation, especially since this is on a corner lot.

As noted last year, the procedure for permitting a taller wall is in place. Changing it from **conditional** to **permissive** will likely lead to many more violations. Additional staff—in both planning and code enforcement—along with better education for homeowners, contractors and fence companies, would be a better solution.

Respectfully,

Patricia Willson
Victory Hills NA President, District 6 Coalition Treasurer, Inter-Coalition Council Representative

From: [Jane Baechle](#)
To: [City of Albuquerque Planning Department](#)
Subject: PR-2018-001843-RZ-2022-00054 Citywide General Amend
Date: Monday, January 16, 2023 4:47:13 PM

[EXTERNAL] Do not click on links or open attachments unless you were expecting the email, recognize the sender, and know the content is safe. Forward to phishing@cabq.gov and delete if an email causes any concern.

I am submitting the following comments as an individual.

Walls & Fences – IDO Subsection 14-16-5-7(D)(3)

I respectfully ask the EPC Commissioners to oppose any permissive increase in wall heights in low density residential zones. It is clear from the Staff report that, to date, no one has come forward to provide written or public comment in support of this proposal. Multiple individuals and neighborhood associations, however, have spoken and written in opposition.

Demolition Outside of an HPO – IDO Subsection 14-16-6-6(B)(1) and (B)(2)

I respectfully ask the EPC to support this amendment as presented. ABQ has developed across the city from a number of areas with a rich history not merely in a few, central parts of the city. There are historic structures whose history will be lost if not acknowledged and documented prior to being torn down.

Thank you for your consideration.

Jane Baechle

From: [Debbie-South Los Altos](#)
To: [City of Albuquerque Planning Department](#)
Subject: 48 Hour Rule Submission - EPC Hearing Jan. 19, 2023
Date: Monday, January 16, 2023 6:35:09 PM

[EXTERNAL] Do not click on links or open attachments unless you were expecting the email, recognize the sender, and know the content is safe. Forward to phishing@cabq.gov and delete if an email causes any concern.

EPC Chair Timothy MacEachen

48 Hour Rule Submission - EPC Hearing Jan. 19, 2023

Chairman MacEachen and Commissioners:

As I've stated in prior emails, I am opposed to allowing ADUs and walls/fences over three feet as being permissive in R-1 zones. I am also opposed to duplexes as permissive in R-1.

I won't bore you by repeating everything I've already said. And I wish I could give you this input in-person or via zoom. However, I work for a living and have work meetings which conflict with this January 19 (and often other) hearings.

Today I want to expand on one thing that I mentioned before, and perhaps this is the most important thing. And this is the fact that the City of Albuquerque's Code Enforcement is not adequately staffed and never has been. In regard to walls and fences, it is this understaffing that has led homeowners to believe that walls and fences over three feet are permissively allowed. This then leads to them building something over three feet, being reported to Code Enforcement by a more knowledgeable neighbor, and then having to go before the ZHE to request a variance. Many or most of these, even if they allow a partial view over three feet, result in safety issues because they violate the clear-sight triangle and the mini-clear-sight triangle. The ZHE then often allows them to stand, regardless of whether they are in compliance or have been permitted, because there are others on nearby properties and because the homeowner has already spent money. Many of these homeowners would not have built these walls or fences over three feet to begin with if they knew they were not permissive. The City needs to educate homeowners.

I fear that allowing ADUs and duplexes as permissive in R-1 will result in ADUs being built that are not in compliance with setbacks, easements, and other requirements. And without adequate staffing of Code Enforcement, very little will be done. Code Enforcement needs staffing that is adequate to respond to reports of ADUs or duplexes being built without permits and not in compliance. And the staffing needs to be enough that they are able to respond on weekends and evenings. In some neighborhoods, such as mine, many structures, including walls and fences, are built by homeowners themselves in the evenings during the summer and on weekends year-round. They also need to have staff to regularly drive through neighborhood and notice and cite issues themselves instead of only relying on neighbor reporting neighbor.

Allowing walls and fences, even with partial views over three feet, in addition to destroying the sense of community in neighborhoods, will enable the "hiding" of illegal structures, and

more cars than allowed in front yards. Speaking of cars in front yards - this is another area which Code Enforcement has not enforced. The aesthetics of neighborhoods such as mine are being destroyed by this lack of enforcement. There are homes in my neighborhood that have four vehicles parked in a small front yard, with no green space left. Reporting to 311 has not resulted in action.

I have a friend who lives in San Francisco, a city that has dense housing. But it is also a beautiful city. How do they have both density and beauty? They enforce building and other codes. Here are two examples from my friend: (1) He topped a street tree, which was not allowed. He was fined \$1800 and made to replace the tree with another mature tree. (2) A client of his started building an accessory dwelling unit on his property. He was reported because of the noise and a code enforcement person went out immediately, found the unpermitted structure, fined him \$25,000, and made him tear it out. Large fines? Yes. But the fines are what pay for adequate code enforcement staff.

The bottom line - until Code Enforcement is adequately staffed, and the City has the funds and desire to educate homeowners of the codes, the City should not make ADUs and duplexes permissive in R-1 and should not make walls and fences over three feet permissive.

Respectfully,

Debbie Conger

A 40+ year resident of the South Los Altos neighborhood (Wyoming-Eubank, Central-Copper)

From: [JULIE DREIKE](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Sanchez, Louie E.](#); [MacEachen, Brandon](#); [Benton, Isaac](#); [Molina, Nathan A.](#); [Pena, Klarissa J.](#); [Hernandez, Rachael M.](#); [Bassan, Brook](#); [Emillio, Dawn Marie](#); [Lewis, Dan P.](#); [Alvarez, Giselle M.](#); [Davis, Pat](#); [Foran, Sean M.](#); [Fiebelkorn, Tammy](#); [Rummler, Laura W.](#); [Jones, Trudy](#); [Chavez, Aziza](#); [Grout, Renee](#); [Miller, Rachel R.](#)
Subject: IDO update regarding duplexes in R-1
Date: Monday, January 16, 2023 8:44:43 PM

[EXTERNAL] Do not click on links or open attachments unless you were expecting the email, recognize the sender, and know the content is safe. Forward to phishing@cabq.gov and delete if an email causes any concern.

On Saturday the Embudo Canyon Neighborhood Association met for our annual meeting.

I placed in informal poll on a board to receive feedback on 4 of the items being considered.

I am sharing the results with you as the President of ECNA. Obviously this is NOT a scientific sample. It is the result of engaged neighbors who came to the meeting. Not all members there participated.

- 1) Increasing the height of front fences.--50% against, 25% no opinion, 25% in favor
- 2) Motel/Hotel conversions with lesser kitchens--62.5% against lesser kitchens, 37.5% in favor. (The questions was only about the kitchens)
- 3) Reducing parking requirements--50% against, 37.5% no opinion, 12.5% in favor
- 4) Elimination of R-1 single family housing with the change to allow ADUs and Duplexes in R-1. 67% against, 11% no opinion, 22% in favor.

Since most of our neighborhood is R-1, I think this is an important point to consider.

These are my personal comments:

As I have spoken with neighbors, MOST have not heard of this massive proposal. Most mention their chose this area to buy a home, one of their largest investments, because it is zoned single family. Some mentioned that they have renters on their street who also rent in the area because of it being a single family area.

As you send your decisions forward, I hope you will at a minimum caution that the change to single family zoning does not belong in an annual update to the IDO. This change has not been widely communicated to the public. Data and analysis has not been completed. This change should be slowed to allow the public to be informed and provide valuable input.

I look forward to the EPC meeting on Dec 19 and will share additional comments at that time. In particular the one evening meeting that was held regarding Housing Forward, giving neighbors a chance to listen and ask questions. These are people who do not work in the development or real estate business and can best attend meetings in the evening.

Respectfully,
Julie Dreike

From: [Peggy Neff](#)
To: [City of Albuquerque Planning Department](#)
Cc: [P. Davis Willson](#); [Rene" Horvath](#); [Michael Brasher](#); [Elizabeth Kay Haley](#); [JULIE DREIKE](#); [Loretta Naranjo Lopez](#); [KAREN BAEHR](#); [Valere McFarland](#); [peter belletto](#); [Peter Kalitsis](#); [Donald H. Couchman](#); [Debbie Slana](#); [Sue Flint](#); [John Ingram](#); [Swent999](#); [Peggy Norton](#); [Dan Regan](#); [Tyler Richter](#); [=David Wood CPA=](#); [Summit Park Neighborhood Association](#); [University Heights Neighborhood Association](#); [Ruhika Caughfield](#); [WILLA PILAR](#); [Rummler, Laura W.](#); [Jacques Chouinard](#); [Heather Sandoval](#); [pdinelli aol](#)
Subject: Public Comment for EPC Agenda Items 1-19-23
Date: Tuesday, January 17, 2023 6:06:27 AM
Attachments: [EPC Public Comments - Peggy Neff O-22-59 and O-22-54 1-17-23.pdf](#)

[EXTERNAL] Do not click on links or open attachments unless you were expecting the email, recognize the sender, and know the content is safe. Forward to phishing@cabq.gov and delete if an email causes any concern.

To Whom It May Concern,

Please can you forward my attached comments to the EPC commissioners and acknowledge receipt of this email.

Thank you,

Peggy Neff

Peggy Neff Other Path LLC 505-977-8903

Peggy Neff
3025 Marble Ave. NE
Albuquerque, NM 87106

Timothy MacEachen
CABQ EPC, Chair

January 17, 2023

REF: Public Comments to Project #2018-001843 CASE RZ-22022-006059 (O-22-57) and Project #2018-001843 RZ-CASE 2022-0054 (O-22-54)

We must find new ways.

This is the fourth year that I am again compelled to write to you about the unsustainable nature of the Integrated Development Ordinances' Annual Update/Text Amendments. I am presenting this same argument against both O-22-57 and O-22-54 and asking again, that the EPC seriously consider the consequences of continuing to endorse this crumbling process, think SOS.

THE BROKEN PROCESS

The original intent as presented to the public in 2016-2017 of the IDO's Annual Update/Text Amendment process (Annual Update) was that this process was to cover textual and technical issues that were not fully attended to through the sector plan incorporation, the zone code ordinance amalgamation, and the on-going adjustments to align with standing law, systems, codes, regulations, policies, protocols and plans such as the Bernalillo Comprehensive Plan, New Mexico State Statute, and Federal guidelines and law.

The job of creating the IDO was so big that we needed to review on an annual basis, relevant, significant yet minor changes that were in line with good housekeeping and forward thinking. However, substantive city-wide amendments were to be addressed on a cycle of 5 years with forums held at all community planning areas meetings. This is documented in the original training sessions of the IDO. At that time, I raised both oral and written questions regarding this process.

To continue to hear and validate substantive changes to our zone code through this Annual Update is Bad Governance. That is, these decisions you are making are in violation of acceptable norms (see many of the comments from the public quoting references to State Statutes and Bern. Comp Plan policies). The fact that the Annual Update continues to place economic growth above community planning is unacceptable. We still do not see R-1980-270, which placed the responsibility for planners to consider communities before economic gains, as being fully incorporated into the process as it exists.

Additionally, the process is not equitable, the majority of the of the changes over the last years and many of those proposed this year benefit large investors, the development community and realty industry members and present as 'takings' from current property owners.

Furthermore, the basic democratic tenant of notifications, making sure that those affected by changes of the law understand the changes, has not been met. While there are comments from a dozen or so Neighborhood Associations, amounting to maybe 100 persons, they are not presented to you in a

comprehensive manner nor can the public review them in this fashion. I agree with many of the statements put to you that the Annual Update process is confusing, presents as arbitrary and capricious, and continues to set a precedent where we see persons in power taking great advantage of the process.

We have witnessed the passing of the IDO amendments, over the last several years, where over 95% were drafted by private firms, individual planners, members of the public from construction, realty and investment sectors, and Council Members. Very few amendments came from the public, even though we submitted many. We now see that the established means are being used by the Mayor to expedite wide sweeping changes to our zone code without public consent.

Allowing this Annual Update, without representational rules in place, we are fortifying the roots of oligarchy here in Albuquerque. The problem is that we are growing distrust in democratic processes and further estranging the public from processes which they are supposed to own.

The process is broken. Please see your responsibility in this cyclical disorder and require the Planning Department to develop a separate system for addressing substantive amendments versus Technical/Textual Updates.

PREVIOUS REQUEST FOR DATA AND FULL DISCLOSURE STILL A MEANS TO APPROACH A BETTER PROCESS

Last year community members were effective in petitioning for changes to this broken process that resulted in a better numbering system for review of ordinances, but we failed miserably on getting the Planning Department (including this commission) and the City Council to recognize and insist on more fundamental changes in order to provide a better, elementary, understanding of the various requested, substantive, changes within the amendments of the Annual Update.

Through the Inner Coalition Council, we asked the Planning Department, the EPC, LUPZ, and Council to provide the supporting information for each substantive amendment. We provided a simple matrix with 3 metrics to determine if an amendment was substantive: is this a public safety issue, is there significant public opposition, is a change of three or more items in one section of the IDO.

I continue to believe that, in upcoming court cases appealing various amendments, it may be deemed a due process violation, that the Planning Department, the EPC, and City Councilors continue to deny Albuquerque property owners the following pieces of information for zone code changes:

1. Data that shows the justification of the need for each substantive amendment
2. A complete explanation of how the change benefits the public
3. Examples of the proposed change, with maps of where the change will apply
4. A summary statement of the expected impact
5. A summary of possible unintended consequences
6. Verification that affected City Departments support/oppose for each amendment
7. Responses to all questions raised by community members
8. A summary of public comments

To provide this amount of detail is not beyond the role and responsibility of the Planning Department. One can see how imperative that this type of process be applied to the Mayor's Housing Ordinance. I personally feel a wave of ignorance looking through the proposal and the comments.

CURRENT QUESTIONS UNANSWERED AND DATA DOES NOT SUPPLY ENOUGH INFORMATION FOR APPROVAL

The following questions have not been answered in regard to the 49 amendments in the Annual Update.

Ref	Change / Discussion	Questions
2 & 3	NR-BP - Deviations, Variances, Waivers	<p>? Does this reduce the ability for community to be engaged in the discussion of the Deviation, Variance, or Waiver?</p> <p>? How can we provide for oversight and build protections for Public Health issues that are a part of the unintended consequences?</p>
4 & 5	Dwelling, Townhouse	<p>? Need to know where and how many are impacted and how they are to be notified of this change - in addition to the notifications for annual amendments or we run the risk of appeals based on 'taking'?</p>
10	Encroachment	<p>? Isn't this a public safety issue as we are seeing balconies in the fire easements?</p> <p>? Shouldn't we also remove bay windows? If an owner wants a bay window, they should reduce their footprint, not encroach into easements? Perhaps burglar bars and balustrades? Are these features maybe?</p> <p>? Don't we need a definition of 'feature' to avoid confusion and unintended consequences or a better way to phrase - these are allowed and these are not based on the concept of encroachment?</p>

Ref	Change / Discussion	Questions
11 & 47	Sensitive Lands / Mature Trees	<p>? Doesn't this need to be both a and b - not one or the other?</p> <p>? Using Coronado Park as an example, could end up with zero trees in the event the parcel changes ownership?</p> <p>? Shouldn't the measurement of average breast height be included here?</p>
13 & 15	Off Street Parking Maximums	<p>Full disclosure on where this is coming from is necessary,</p> <p>Serious community concerns on this one</p>
16, 17, 18 & 45	Electrical Vehicle Parking	<p>This fits into a 'substantive' amendment and would be better served with a fuller discussion and understanding that would come with a better set of data as to examples and unintended effects of the needs i.e. 240 v/s 210</p>
20, 21, 22, 23, 24, & 25	Edge Landscape Buffers	<p>Explanation of Source, Examples, Maps and Unintended Consequences need to be supplied by planning (this is spot zoning as per a current issue at Alameda and Louisiana)</p>
26, 27 & 28	Walls & Fences	<p>? Why is this coming before the public again when we voted this down just last year? Is there a way to amend the amendment process so that decisions taken against amendments can be held over for a period of time?</p> <p>? We need data, does the argument that planning staff are overworked serve as a justifiable reason to rewrite law?</p> <p>? Shouldn't the director of planning recuse himself from drafting amendments to the law for which he is supposed to provide oversight?</p> <p>? Isn't this in direct conflict with BernCo design ordinance guidelines?</p> <p>- See multiple public comments</p>

Ref	Change / Discussion	Questions
30	Community Planning Area Assessments	<p>? Isn't this being in opposition to the public's stated position that citywide amendments need to be discussed at all CPA meetings or Due Process is not served?</p> <p>? Shouldn't we be encouraging participation and transparency by creating more opportunity for CPA's to meet on more condensed cycle? This appears to be in opposition to principles that strengthen democracy.</p> <p>? If this is a budget concern, we are not responding correctly. We need and we have said that public engagement is a high priority. This is shameful.</p>
34	Appeals - Remand Hearings	<p>? Doesn't this appear to be a taking? Wouldn't we do better to codify the past practice where concerned public/businesses could sign up to be informed regarding a LUHO decision?</p> <p>? Don't we also need to be informed regarding the place?</p> <p>? Doesn't a remand to the LUHO prompt a recommendation to the City Council? Isn't this adding another layer of appeals/administration?</p> <p>? Don't we need a review here of how Due Process is truncated? Needs a summary of unintended consequences.</p> <p>? Perhaps we need to find out where this is coming from?</p>
36	Minor Amendments - Circulation	<p>? It seems that many changes to the circulation patterns at a site are dependent on volume changes. Would removing this clause reduce the need for traffic assessments and impacts where</p> <p>? Doesn't this seem to be effectively reducing traffic safety, making it a public safety amendment - there by necessitating a full disclosure of the source of this amendment, mapping where this can be applied: i.e. current plans for more sq ft building pads in current shopping centers?</p>

Ref	Change / Discussion	Questions
37, 38, & 39	Site Plan - Admin:	<p>? This is going to come back to be heard in the courts because Planning is not providing for public notifications and more information and a better process for discussions and a venue for individuals to be involved in site plans that affect their property values.</p>
42	Zoning Map Amendment - Council	<p>? Doesn't this need to be business days - especially over holidays!? Yet another taking.</p>
48	Clerical Changes	<p>? Isn't this what the annual update process was supposed to be?</p> <p>list necessary</p> <p>? Where is the oversight for this process? Isn't its bad form (Not best practices) to have this task in same dept that is crafting the changes? One example is when the IDO in the 2020 update process was changed by a council staff and no one had a record who had changed them.</p>
49	Editorial Changes	<p>? Isn't this what the annual update process was supposed to be?</p> <p>? Where is the oversight for this process? Isn't its bad form (Not best practices) to have this task in same dept that is crafting the changes?</p> <p>? With so many changes coming with the remove of the DRB, doesn't it serve Due Process if these are logged somewhere and have some scrap of public oversight?</p>

In regard to the Mayor's Housing Initiative, I can only say with .02% population growth rate and with major community concerns and with the poor dissemination of information to the public, we can take more than 2 months to address this substantive change.

Where are the caps on speculative housing contracts, where are the targeted incentives for builds in Metropolitan Redevelopment Areas, where are the public surveys – where are the Neighborhood Association Meetings?

IN SUMMARY

One cannot expect that those in positions of power and influence will see the EPC's continued acquiescence to participate in this broken process as a green light to go ahead with more substantive changes to our property rights. The fact that the EPC will not address the brokenness of the process, makes the EPC complicit in the 'taking' that this process embraces and is obviously expanding.

While I agree completely with comments made by Michael Brasher, Rene Horvath, Julie Dreike, Evelyn Feltenez, Patti Willson, Kristi Houde, Debbie Conger, Meredith Paxton, Juanita Luddike, Brenda Martinez, Irene Libretto, Michael Leah, Michael Voorhies, Julie Kutz, Tammy Fiebelkorn and the anonymous constituent, Judy Young, Dan Regan, Julie Radoslovich, and Richard Schaefer, I am appalled that the EPC considers this sufficient public comment to advise the commission on these serious issues.

All three of the Neighborhood Associations that I belong to have not formed group consensus on either of these ordinances, how can there be representation when notification and understanding are missing. The IDO is, to many of us who continue to find time in the early morning hours to weigh in, a shameless, flagrant, brazen scheme to benefit the few while feigning to benefit our community.

Again, I ask that the EPC to host an open, public discussion regarding the need, effects, and consequences of the broken IDO Amendment Process. Again, I ask that the EPC require the Planning Department to establish a separate and distinct process that engages the Albuquerque community in substantive changes to our property rights and our zone codes. Godspeed.

Disappointed, again,

Peggy Neff

From: [SRMNA](#)
To: [City of Albuquerque Planning Department](#)
Subject: EPC: IDO Annual Update and O-22-54
Date: Thursday, January 12, 2023 10:55:00 AM
Attachments: [EPC letter.pdf](#)

[EXTERNAL] Do not click on links or open attachments unless you were expecting the email, recognize the sender, and know the content is safe. Forward to phishing@cabq.gov and delete if an email causes any concern. Please find attached comments from the SRMNA Board of Directors to Chair MacEachen and the EPC for the hearing on January 19, 2023, on the IDO Update. Please acknowledge receipt and inclusion in the staff report for the hearing.

Thank you,

--

S. R. Marmon Neighborhood Association
Albuquerque, New Mexico
srmna.org
505.304.8167



S. R. Marmon Neighborhood Association
P. O. Box 7434
Albuquerque, New Mexico 87194

www.srmna.org

January 11, 2023

Timothy MacEachen, Chair
Environmental Planning Commissioners
c/o Planning Department
600 2nd Street NW, 3rd Floor
Albuquerque, New Mexico 87102

Re: IDO update and O-22-54

Dear Chairman MacEachen and Commissioners:

The S. R. Marmon Neighborhood Association (SRMNA) Board of Directors opposes elements of O-22-54, the Housing Forward Initiative (HFI), and elements of the proposed text amendments to the Integrated Development Ordinance (IDO).

The proposed changes to R-1 zones that permissively allow increased density fail to consider parking effects on residential streets. The exemption of affordable housing from off-street parking requirements and huge reductions in the parking requirement in multi-family dwellings in mixed-use zones exacerbate the problem for neighborhoods. The dismissive position, "They can take the bus," is oblivious to the lack of adequate public transportation on the West Side. We recently learned of the proposed suspension of the 790 route and proposed reduction in service of the 155 on the West Side, with commuter services already suspended. Which bus are residents of all of this theoretical housing going to take? Please deny these proposals.

Who is going to enforce occupancy limits in converted units? The plan to provide housing with reduced kitchens or without a kitchen likely will amplify the convenience factor of processed foods to the detriment of childhood health. The elimination of maximum building heights for multi-family residential and mixed-use zones is a ridiculous notion. It invites legal challenge and demonstrates immaturity.

There is a general sloppiness in the preparation of O-22-54, with inconsistencies in "may" and "can" use and in demarcations of newly proposed material. There is further sloppiness in the proposed text amendments: incomplete subsection identifiers and references to an apparently nonexistent subsection. Further, explanations may state the obvious change but omit the justification for the change or give a hypothetical justification.

The repeated return of a proposed increase in allowed wall heights in low-density residential neighborhoods raises the suspicion of an individual within the City of Albuquerque administration wanting to put up a non-compliant wall on his or her property and thinking it is fine to change the rules for the entire city to accommodate him or her. Please don't reward this thinking.

Finally, all of the amendments directed to further intensification of housing development ignore the numbers that show a stable or decreasing unhoused population in the city, minimal population growth in the city, a decreasing state population, and rental pricing policies by the private sector that optimize profit over occupancy.

Sincerely,
(electronically approved)
The SRMNA Board of Directors

info@srmna.org

505.304.8167

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January 19, 2023

CITY OF ALBUQUERQUE

ENVIRONMENTAL PLANNING COMMISSION

M I N U T E S

Agenda Item 2
Project Number PR-2022-001843, RZ-2022-00054

January 19, 2023

COMMISSION MEMBERS:

Tim MacEachen, Chairman
David Shaffer, Vice Chairman
Joseph Cruz
Richard Meadows
Jonathan R. Hollinger
Jana Lynne Pfeiffer
Gary L. Eyster, P.E. (Ret.)
Robert Stetson
Dennis F. Armijo, Sr.

PLANNING STAFF:

Mikaela Renz-Whitmore, Planning Mgr.
Michael Vos, Principal Planner
Catalina Lehner, Senior Planner
Alfredo Salas, Senior Admin. Asst.
Matt Myers, EPC Attorney

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CHAIR MACEACHEN: Let's go to Agenda Item Number 2. And for that, we'll go to the city. Who is going to speak first?

MS. LEHNER: Good afternoon, Mr. Chair, Commissioners and members of the public. I'm Catalina Lehner, a principal planner with the city's planning department, and this is Agenda Item Number 2. It is PR-2018-001843, RZ-20 -- 2022-0054, a request for a recommendation to the city council regarding various citywide text amendments to the IDO, or Integrated Development Ordinance. This request was continued at the EPC special hearing on December 8th, 2022.

The IDO housing amendments were heard as a continuance just prior to this request, and text amendments to the two small areas VPO-2, Northwest Mesa Escarpment, and CPO-9 North 4th Street, were heard last month. These four requests comprise the 2022 annual update for the IDO.

The EPC's role is to make a recommendation to the city council, which will make the final decision. The proposed citywide amendments are a legislative matter.

There are approximately 49 of the citywide amendments, which are found in the spreadsheet that the also attached to the supplemental staff report, as well as are any additional comments received during the continuance period.

Supplemental staff report contains an update regarding most of the proposed amendments based on information received during the continuance period and on additional analysis by staff.

The proposed citywide text amendments generally meet the review and decision criteria for amendment to IDO texts citywide in Subsection 14-16-6-7(D)(3).

As a whole, the request is generally consistent with applicable comprehensive plan goals and policies, as shown in the original analysis.

Where changes are needed to better support applicable goals and policies, staff has crafted conditions for recommendation of approval. These are discussed in the supplemental staff report and found as conditions after the findings, which begin on Page 22. The conditions for recommendation of approval begin on Page 28.

Note that many of the conditions are written as a choice between two or three options. The EPC is to choose one and then discard the others.

Staff received a variety of comments during the continuance period. As of the writing of the staff report, approximately 17 e-mails and/or attached letters were submitted by individuals, neighborhood associations, coalitions and developers. The comments expressed support for some amendments and opposition for others.

Regarding PR-2018-00043 [sic], RZ-2022-00054, staff recommends that the EPC forward a recommendation of approval to the city council subject to conditions needed to provide consistency and clarification moving forward.

Thank you.

CHAIR MACEACHEN: Thank you, Ms. Lehner.

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Any questions for Ms. Lehner, before we go on to the applicant?

So who will speak now, Ms. Lehner?

MS. LEHNER: Mr. Chair, Commissioners, I turn it over to Michael Vos.

CHAIR MACEACHEN: Him again?

MR. VOS: Chair and Commissioners, thank you again, this is Michael Vos, principal planner with the planning department and our zoning -- the zoning team lead.

I'm also joined -- for some perspective, there's some city council proposals within this package of amendments, so Shanna Schultz, from the city council office, I may ask her to provide perspective on some of those, as well, as we go through these.

This presentation is for the citywide IDO annual update, which, as was just explained, about 50 changes. You heard the housing just before this and then the small areas that you heard in December and moved forward to the city council process.

The IDO annual update is broken up in these groupings, as shown on the screen. This presentation is only going to go through, like the staff report, those that receive more significant comment and have conditions associated with them. If there was something that, really, no one had an opinion about, we defer to the previous December staff report and just the recommendation to move forward as those amendments were proposed.

So the first amendments that received some public comment are the proposals to add an allowance or to clarify that there is an allowance to apply for deviations, variances and waivers to master development plans within the NR-BP zone district, as well as within the PC, or planned community, zone district.

These zone districts require that master plans get formed before a development occurs. Some of these plans may be quite old, and they include specific development standards and not just showing what development might occur on a lot. So new development must comply with those plans.

An applicant is always able to apply to amend a plan, but there may be special circumstances that warrant their ability to go forward with a deviation or a variance, for instance.

These are not for uses and they're not for non-numeric standards. Deviations are small, variances are bigger, and waivers are to specific sections of the code and are engineering standards in the development process manual.

The comments that we received, a couple from the development industry, came with a perspective that those master plans sometimes had their own processes with regard to asking for something different. And I think, as was written in the staff report, that might be true for some, but not all of these old plans that would remain in place for these zone districts.

And the applicability criteria of the IDO basically supersedes those individualized processes. So we want people to use the processes that are available in the IDO and the criteria for those IDO processes.

So with that said, staff is not recommending actually any conditions. I just wanted to address the comments that we

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received in regard to that.

The next change for discussion comes from city council for townhouse dwellings in urban centers, main street and premium transit areas, which are the highlighted areas on the map, to allow for more dwelling units to be within a single building, even when adjacent to R-1. On this one, as well, we are not proposing any changes to our -- you know, our perspective and conditions that were in our staff report.

The comments were worried about heights and the light next to single-family neighborhoods. And this proposed change does not make any changes to building heights. The neighborhood edge protections remain. You know, the townhouse zone district can only be two stories. And so this basically allows a more flexible approach to townhouses in zones that may be allowed in an apartment complex to make it a more feasible option to develop, you know, more of a row-style home and provide a new and kind of different housing type within the City of Albuquerque.

And since this came from city council, I would just ask if Shanna has anything else to add with regard to this one shuts.

MS. SCHULTZ: Thanks, Mr. Vos. I'll just add that this change was generated out of a council resolution that put this requirement on pause until it could be considered as a part of the 2022 IDO annual update.

For just a little bit of context, only townhouses as a use get limited in this way or regulated in this way in terms of scale. You know, if you were developing any other kind of building type, aside from setback and height restrictions, there's no limit that you can only have a certain amount of building in these areas.

And so it seemed a little arbitrary to limit townhouses in this way when we don't limit other land uses.

To make it a little more tailored, we did suggests that this change only be applicable in the more urban areas of town, which is the urban centers, main street corridors, and premium transit areas.

I'd be happy to answer any questions, if there's still confusion on the intent or what this is aiming to do.

MR. VOS: Thanks, Shanna.

And the next one, if Shanna wants to perhaps come back on this, staff, as you just made -- as you all just made a decision on the Housing Forward bill to move forward on the expansion of the allowances for kitchens, for conversions of hotels and other nonresidential uses, staff's recommendation in our proposed conditions is to delete this amendment, which was submitted by Councilor Grout and to go with the decision that you just made on the housing bill.

But I will let Shanna provide the councilors' perspective on this one.

MS. SCHULTZ: Thanks again, Mr. Vos.

VICE CHAIR SHAFFER: Real quick, Chair.

CHAIR MACEACHEN: I was muted. I'm sorry. Commissioner Shaffer.

VICE CHAIR SHAFFER: No problem.

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I'm glad you just said that, Mr. Vos.

And I didn't mean to cut you off, Ms. Schultz. I apologize.

You just jogged my memory on something from last month. What was the one if we made a decision on the first one that then affected how this one was? There was something that was tied in. Which one was that?

MR. VOS: Chair and Commissioner Shaffer, this amendment, as you just acted and made a recommendation on the Housing Forward bill, basically, that recommendation conflicts with this proposal that would delete the whole section about alternative kitchens standards for (inaudible) --

VICE CHAIR SHAFFER: Okay. So it is this one, then?

MR. VOS: It is this one.

VICE CHAIR SHAFFER: Okay.

MR. VOS: So our recommended conditions at Condition Number 2 in the staff report is to delete this amendment, and therefore, go with the recommendation you made. That is the cleanest way to go about it. But if Shanna has comments, I will let her speak out.

MS. SCHULTZ: Thanks, Mr. Vos, for letting me speak. I appreciate it.

I'll just reiterate that you did just make a bunch of changes to kind of expand the requirements, or maybe lessen the requirement for these types of conversions. But you still have an opportunity to kill those conversions in their totality through this amendment. And that is what Councilor Grout has put forward.

I won't reiterate what I mentioned during the last bill about her intentions for putting this forward. I guess the only piece of new information I could offer is, I have pulled up some photos, if anyone's interested, of three conversions within the City of Albuquerque that do provide kitchens that meet the full definition of a kitchen.

So there are three successful hotel or motel conversions that are fully rented in town that did not need to provide any kind of lesser kitchen. They were able to meet the IDO requirements. And so I could offer that as information, if anyone is interested. Otherwise, Councilor Grout requests that you do not delete her proposed amendments and instead would recommend to the city council that it move forward.

Happy to stand for any questions. Thank you.

COMMISSIONER EYSTER: Eyster. I'd love to see the pictures.

MS. SCHULTZ: Okay. If now is an appropriate time, I can share my screen to show the three complexes that I am aware of, there might be more, in Albuquerque.

Okay. Can you all see my screen?

COMMISSIONER EYSTER: Yes.

MS. SCHULTZ: Okay. So this is the first example. This is Boulevard 2500, which is a converted hotel. And what you can see

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right here is a small, two-burner electric or perhaps induction cooktop that has been incorporated into the countertop itself.

Otherwise, this room, you know -- this dwelling unit is relatively small. I'm sorry let me get back to the photo I was just at.

Here's kind of another shot of what some of these units end up looking like. And, again, there is a kind of surface-level countertop cooktop that would meet the definition of a kitchen in the IDO today. So that's one example. That's Boulevard 2500.

Next is ABQ Encore. These hotel rooms or previous hotel rooms maybe were a little bit bigger, because this is a significantly larger kitchen. And off to the right here, next to the refrigerator, you can, again, see a two-burner electric or induction-style cooktop that is on the counter. Here's a larger shot of kind of what that kitchen looks like in context of the room. Again, would meet the requirement -- or, I'm sorry, the definition of a kitchen in the IDO today without any changes.

And then the last one that I can show an example of is millennium flats, which is the west downtown area. Again, the same exact type of product, which is a small, two-burner electric cooktop, just right into the counter there. They also provided a microwave in addition to that.

But these are three examples of conversions that have happened in the last several years that do meet the full definition of a kitchen without any changes. I think Councilor Grout would support that there are examples that this is a totally doable product, as we have seen happen in the city recently.

Thanks for the opportunity to share those.

CHAIR MACEACHEN: Commissioner Shaffer.

VICE CHAIR SHAFFER: Those look great. When can I sign up? I'm moving in, looks better than my kitchen.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: Thanks, Chair.

Ms. Schultz, Condition 2 in the staff report says delete the proposed amendment, and you said Councilor Grout asked us not to delete, and then we will get kitchens like we just saw?

MS. SCHULTZ: Mr. Chair, Commissioner Eyster, that's correct.

Councilor Grout, I think, would respectfully request that you delete Condition Number 2, which would leave her proposal within this year's IDO annual update, which would then go on to delete the allowance for lesser kitchens in their entirety.

COMMISSIONER EYSTER: The proposed condition says to delete the amendment and so if we want to get -- if we want to vote against that, then these kitchens would remain?

MS. SCHULTZ: Mr. Chair, Commissioner Eyster, if your goal is to still require full kitchens with these nonresidential conditions, the motion that you would want to make would be to delete Condition Number 2. That would -- unless Mike is pointing at me because I'm saying something in direct -- that would leave

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Councilor Grout's proposal intact.

CHAIR MACEACHEN: Commissioner Shaffer, and then we'll go to Commissioner Meadows. You're muted.

VICE CHAIR SHAFFER: Thank you. We're going to have this contextual thing again, and I have a feeling that we need Mr. Vos to clarify. Because I'm not quite sure we're saying the same thing. So I would appreciate some clarification.

CHAIR MACEACHEN: Mr. Vos.

MR. VOS: Thank you, Chair and Commissioners. And I might fuel some additional -- I'm trying to think of what we're looking for.

It's a complication, because I'm not entirely sure, since those kitchens that were shown in those photographs don't have ovens, whether or not they actually meet the definition of a full kitchen in the IDO.

Part of what we believe, pushing for the alternative kitchen requirements is, that we need the alternative kitchen requirements in order to allow that type of a kitchen more broadly as just the cooktop, whether or not it is set in the countertop.

MS. SCHULTZ: Mr. Chair, if I might offer a perspective on that definition.

The definition in the IDO says that that you're required to have a cooking stove, comma, range, comma, or oven. My interpretation of that is that you can do any one of those three things to meet the requirement.

And those examples that I just showed, I think a cooking stove, those would be examples of full cooking stoves, which would meet the definition of a kitchen.

I don't want to pretend like I have the final determination on how definitions are interpreted in the IDO. But given the use of where the commas are, especially that Oxford comma, that would be my argument.

CHAIR MACEACHEN: Commissioner Meadows.

COMMISSIONER MEADOWS: Yeah. So I'm just trying to remind everybody what we're doing here.

And those pictures, those look like pretty high-end units that even have dishwashers in them. And we're trying to provide more affordable housing units, especially for people that might be homeless. And where we try to limit not having full kitchens in areas of consistency, everybody wanted to vote against that.

So I'm sort of confused what we're doing here. But anyway, I think you can still build a full kitchen, if you want a full kitchen, in your hotel conversion, right? It's just you're not required to.

Thank you.

CHAIR MACEACHEN: Thank you, Commissioner Meadows.

COMMISSIONER ARMIJO: This is Commissioner Armijo.

CHAIR MACEACHEN: Commissioner Armijo.

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COMMISSIONER ARMIJO: I was getting some heartburn here, because we've already voted to delete or to do away with this whole kitchen requirement. And now, it would be -- you know, we're trying to vote on this again? Are we going to vote against ourselves?

MS. SCHULTZ: Mr. Chair, Commissioner Armijo, I think that would be Councilor Grout's request, yes, that maybe you change your minds between the last bill and this one.

The topic was raised in two separate matters, which, I think, is why it's a little confusing. But there is now an opportunity now to change your mind, if I had maybe been so convincing.

CHAIR MACEACHEN: Opportunity. I like her verbiage.

COMMISSIONER ARMIJO: Thank you. Okay.

CHAIR MACEACHEN: Mr. Vos.

MR. VOS: Thank you, Chair and Commissioners.

So since we've created all that confusion, we'll let the public comment occur on that and your debate happen. And you can all choose just to continue moving forward with the way you did vote, split your vote and, you know, tell city council that you're not sure. But that -- we can have that discussion more as we get further along today.

I'm going to reshare my screen on that and move forward.

The next change that received some comments was with regard to car washes. These changes are to clarify what -- an existing requirement for separation from residential uses, what has to meet that separation, as it has not been clear to staff to date, as well as to allow additional stacking spaces for the ever-popular express car wash that is getting built all over Albuquerque.

The comments that we received were pretty general in nature and not really specific to these amendments. One comment questioned the existing 50-foot, which I would point out has existed since 2017, when the IDO has adopted. So we're not proposing to change the 50-foot, just add the clarifying language.

But further staff review has resulted in the proposed Condition Number 3 to sort of enhance the screening requirements for the separation areas and the stacking lanes and where people place vacuum stations.

As they work through their site design, it's likely that some of these will be along sidewalks or facing our streets, so we're proposing conditions that basically, you need to provide an attractive screen so that when people view the car wash from the public right-of-way, it looks nice.

CHAIR MACEACHEN: Mr. Vos.

MR. VOS: Yes.

CHAIR MACEACHEN: Where did this car wash change come from?

MR. VOS: The car wash change was generated by staff based on our review of several of these new ones that are getting built around town, and looking for more clarity and --

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CHAIR MACEACHEN: No, that's fine. I just --

MR. VOS: -- (inaudible).

CHAIR MACEACHEN: It gives me perspective, if I know where they came from.

MR. VOS: Yes, this one came from staff.

CHAIR MACEACHEN: Please continue.

MR. VOS: The next proposed change that generated some public comment was with regard to balcony encroachments. This is a change that came from the public and is to -- right now, balconies are exempt, to some extent, from our setback requirements and can encroach up to 2 feet into a side yard setback next to an adjacent property.

We are proposing to move balconies to their own separate line and have them no longer be able to encroach in the side, but they can continue to encroach in the front.

We received at least four public comments in support of this, as well as requesting that we treat bay windows in a similar fashion. No comments were submitted opposed to this change, although prior EPC discussions, I think it was Commissioner Shaffer, questioned some of the potential ramifications of making this change. So we provided three options in the conditions.

Option 1 is to go with the way that it's written and add bay window to it. Staff believes that treating balconies and bay windows the same should continue.

Option 2 is to relocate balconies and bay windows, but sort of lessen the restriction so that they can -- if you have a corner lot, you can project into your street side yard but not the interior side yard.

Or Option 3 would be to delete the proposed amendment in its entirety and just leave the encroachment language as it is today.

Staff's recommendation is to go with the option Number 2 on this change.

With regard to sensitive lands, we are proposing a change in how we protect trees and preserve them. Right now, the language is a large stand of mature trees, which has -- it's five trees of a certain size and age. It's -- after this being in effect now for a few years, staff and our friends in the parks and recreation department have acknowledged that the current language does not really lead to meaningful preservation of trees. Because if you have one or two really nice trees, well, that's not five, so there's nothing to stop someone from cutting them down when they do their site design.

We are proposing that it be changed to a single large, established tree, with the definition here as shown on the left side of the screen, making it a little bit -- having more trees that meet the definition, and then ones that are recommended by our plant palette.

The process that would happen is that the trees, if they meet this new definition, would be evaluated by the city forester, and it gives some flexibility for the city forester to allow someone to remove that tree if it's in poor condition or if they can

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provide alternative means of providing landscaping.

We see this as a flexible change. We did receive comments that this needs more work. I believe it was Titan Development submitted a comment that said to sort of remove this amendment and bring it back at a future date.

Staff recommends continuing with the amendment as written. We do think that it is flexible. The current approach has not resulted in adequate tree protection, so making some sort of change is warranted. And we would recommend that you do adopt this amendment with some minor editorial clarifications in Condition Number 5.

The next amendment, which came from Councilor Benton, is for parking maximums. It takes the current parking maximums that only exist for a handful of uses, deletes those, and creates a new maximum parking requirement that would apply to all uses in our UC-MS-PT areas. And in areas that are exempt from parking, shown here with the mapped areas, Old Town, downtown and McClellan Park, which is sort of north of Lomas, near downtown, would be prohibited from providing parking.

And this is parking in a surface parking lot. Structured parking is exempt. So basically would require your parking to be required in a parking structure.

The comments that were received were generally opposed to these maximums as they are written. One neighbor desired adequate parking be provided for businesses and patrons of those businesses. Specific reference was made to Old Town in recent news stories about parking availability for Old Town shops.

Developers pointed out that the calculation, as the amendment is currently written, are after reductions are taken. And then the way the math works out is that it's too few parking spaces for the market, and that the cost of constructing parking structures, is not feasible. So essentially, it would stop development from occurring in these areas where we would like to see some nice infill happening.

Staff is proposing -- or has shown three options in the conditions to adopt the proposed amendments as written by council staff, adopt the amendments with the proposed changes, which would essentially change the requirement from 125 percent after the parking reductions are applied, to just 125 percent of the minimum.

You don't need to worry about -- you could still take the reductions if you want to do fewer parking spaces. But the maximum would be just based on the table in the IDO.

And in the areas as written surface parking is prohibited, we would propose making that a 100 percent of the minimum that would be required if those tables applied.

And the final amendment is to just delete the proposed amendments in their entirety, which would leave parking minimums in place, per the IDO, and not apply any maximums.

And with that, I will let Shanna Schultz speak for the city council perspective on this proposal.

CHAIR MACEACHEN: So I'm going to go to Commissioner Hollinger first, and then we'll hear from Ms. Schultz.

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COMMISSIONER HOLLINGER: Appreciate it. Thank you, Chair.

Mr. Vos, I lost you somewhere in regard to the parking, and you said that it would be prohibited. Can you help me understand what that means and why?

MR. VOS: Thank you, Chair and Commissioner Hollinger.

There are three areas in the city, downtown, Old Town and McClellan Park where the IDO does not require a property owner to provide parking.

If this amendment is adopted as written by city council staff, if you were developing a project in one of those areas, you could not do a surface parking lot. This change would require all of your parking -- either require you to not provide parking, or have your parking be in a parking structure.

COMMISSIONER HOLLINGER: Okay. That's the part I was missing. Thank you.

CHAIR MACEACHEN: Ms. Schultz

MS. SCHULTZ: Thank you, Chair and Commissioners.

The intention behind this amendment from Councilor Benton, specifically in the more urban areas, as Mr. Vos mentioned, main street areas, premium transit and urban centers, is to kind of force a different development form that otherwise might be built.

Typically, there's kind of only four things that one can do on a site. You can put a building there, you can put parking there, you can put landscaping there, or you can put other site amenities.

And by limiting the number of parking spaces that you can put on a site, it forces you to think about those other more usable, maybe more pleasant things that a site could build.

In our more urban areas of town, this is appropriate, to have less surface parking and more of those other things.

In terms of housing, for example, we might want to incentivize building more units and less parking. This doesn't impact parking minimums at all. So the parking minimums would stay the same. The IDO acknowledges there is a minimum amount of parking required. We would still ask for those minimum spaces to be required, but it would cap parking maximums as 125 percent.

When council staff was working on this amendment for Councilor Benton, we looked to other cities to see how they have handled parking maximums and if they have been successful. We looked at Fort Worth, Texas; Colorado Springs, Colorado; Tempe, Arizona; Las Vegas, Nevada; Salt Lake City, Utah; and Boise, Idaho.

Those are all municipalities that have had a 125 percent parking maximum in place for many years at this point, and it doesn't seem to have broken their system in any significant way. So trying to look to other cities and best practices within planning. And parking maximums are increasingly becoming a best practice in the industry.

Councilor Benton, I think, would likely request that you either go with Option 1 or 2 here. One would be to just keep his proposal as he wrote it. 2, would be to nuance his proposal a little bit. I can't say today if he has an official position on

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the options that the planning department has offered. But from a policy perspective, I think he would, you know, appreciate hearing a little bit of nuance on his request.

And we would certainly request that you not go with Option Number 3, which would be to delete the request in its entirety.

Happy to stand for any questions. Thank you for the time.

CHAIR MACEACHEN: Commissioners. Super.

Does that conclude the applicant's presentation?

MR. VOS: Chair, Commissioners, I will try to move quickly.

CHAIR MACEACHEN: I'm not trying to -- I'm just trying to figure out where we're going next.

MR. VOS: Maybe we're halfway. I'll move us along.

COMMISSIONER ARMIJO: This is Commissioner Armijo. Before you go on, what is staff's recommendation on the last one?

MR. VOS: Well, I think what you're going to hear from the public comment, from the development community, is basically the way it's written is completely unworkable. I would probably push for option Number 2, to add some nuance, but to add a maximum to the IDO, I think is probably my recommendation.

COMMISSIONER ARMIJO: Thank you.

CHAIR MACEACHEN: Okay. Mr. Vos, you're back on the clock.

MR. VOS: Sounds good. The next set of changes are regarding electric vehicle charging stations.

We have, since the IDO got adopted, required the installation of electric vehicle chargers when a parking -- when more than 200 parking spaces get developed at a rate of 2 percent. We also provide credits for those electric vehicle chargers in the amount of, basically, two -- it counts as two parking spaces for each one charging space, to sort of incentivize their installation.

This one on the screen right now, for the amendment, is to clarify that the two vehicle -- the two space credit is for an installed EV charger, which is associated with the fact that we are sort of going to start asking for -- we're proposing to start asking for EV capable spaces in development, which I will get to in a moment.

Our overall requirement as it currently exists, like I said, was 2 percent of spaces in a 200-plus space parking area. We are proposing to increase that to five parking -- or 5 percent. In 200 spaces, that goes from a requirement of four EV chargers to ten EV chargers, for some perspective.

The next is for when townhouses are developed, that if they're doing more than six, which is a threshold we use in the IDO for larger scale townhouse developments, that all of the off-street parking in those townhouses be EV capable.

And there's a definition for EV capable of essentially installing -- having the right electrical service and the conduit to an outlet where you could install a 240-volt charger.

For multi-family, we are proposing that 5 percent of the spaces

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in those developments be installed when the development has 100 or more dwelling units.

Right now in the IDO, apartments are subject to the 200 space general standard. By proposing this change to 100 dwelling units, it slightly reduces the number of parking spaces that would be built before someone is required to install the electric vehicle chargers.

And then in addition to having 5 percent installed, that we are proposing 25 percent EV capable for future installation, should it become necessary. And, again, here's that definition of EV capable on the screen.

We received a few comments on these changes, and specifically the 240-volt requirement, from the development side. And whether -- and then one of the comments about whether or not these additional requirements, how we balance them with sort of providing more affordable housing.

I note here that the Great Plains Institute has written a summary of best practices in electric vehicle ordinances. EVs are becoming more and more popular. And we're going to continue to see that transition and that installation of the charger and making things EV capable up front. For future installation, to make future installation easier, can be 91 percent or more cheaper when they do it up front than when they retrofit. Retrofitting is more much expensive.

Staff has not proposed any changes to the percentage requirements, the voltages and things, based on these comments. We just have one minor proposed condition for the townhouses, to change that from dwellings to developments, which is just a really minor change on how we look at those six units.

I'm sure following public discussion and getting to your commission discussion, we can always come back to this one, as well.

The next proposed changes are several regarding edge buffers. There are competing amendments in this case. Staff has proposed some changes to edge buffering to sort of clarify and fix some things, I guess might be an appropriate term, that we've discovered when implementing the IDO.

If you adopt changes that I'll show on the next slide, these deletions on this screen are only to remove a potential conflict with other amendments.

For buffers between areas of change and consistency, which is the primary change that this amendment addresses, right now, it is between lots and it does not reflect premises and the potential that lots get replatted, where a lot line may move and all of a sudden, a property has both an area of change and an area of consistency.

So this amendment basically changes the language from the lot to a premises, and those premises that are partially or completely in an area of change or an area of consistency.

We are also proposing in these buffer situations to reduce the buffering requirement to 15 feet across the board. It is -- because this is more of a -- what has been pointed out to staff is that the way the table is currently written, it's possible that you need to provide a 25-foot buffer next to a commercial shopping center, but not next -- but a 15-foot buffer next to

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something else, like a neighborhood. The 15 feet across the board maintains consistency and provides for a nice edge to a development.

Here's sort of an example, where if a development is, you know -- if they're developing the top of these black boxes and they're kind of -- they would have to do a buffer potentially in the middle of their development to buffer themselves. If they're doing, like, you know, two commercial uses on those two lots, they would have to put a buffer in between their two commercial uses, where, really, the intent as shown on the right side is doing the buffer to those lots that are next to them, the different ownership and different premise.

A competing amendment was submitted by city council staff that would just delete the area of change and consistency buffers altogether. And I will turn it over to Ms. Schultz to describe that one.

MS. SCHULTZ: Thanks, Mr. Vos.

Commissioners, I'm going to put on my Councilor Jones hat now. This amendment was generated by Councilor Jones.

In reviewing the landscaping requirements in the IDO, there's two tables that currently provide buffering requirements. There's one that asks you to look at what use you are versus what use is next to you, and provide an appropriate buffer. And then there's a second table that asks you to look at areas of change and areas after consistency and provide a buffer based on those.

In an already complex document, Councilor Jones doesn't feel like we need both of those tables, that the one that really nuances out what your use is versus the type of use that you're next to is a much more nuanced way in kind of reflecting on impact in terms of how large a buffer should be.

So the request from Councilor Jones would be that the buffer requirement table related to areas of change and consistency go away in its entirety. In terms of your conditions, these are Conditions 11 and 12, of which you will have to pick one over the other. And Councilor Jones would certainly request that you keep Condition 12 and delete Condition 11.

Happy to answer any questions. Thank you.

CHAIR MACEACHEN: Councilors -- Commissioners, whoever you guys are. Commissioners.

COMMISSIONER STETSON: Commissioner Stetson.

CHAIR MACEACHEN: Commissioner Stetson.

COMMISSIONER STETSON: Yeah. My question would be this. If we were to support this item, would we then also be opposing 20 through 24?

MR. VOS: Yes, Chair and Commissioner Stetson. Michael Vos. Yes, if you support Councilor Jones' amendment to delete, you would be opposing proposed Amendments 20 through 24.

COMMISSIONER STETSON: Thank you.

CHAIR MACEACHEN: Commissioners, anyone?

Okay. Mr. Vos.

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MR. VOS: So on these competing amendments, we received comments, both opposed to any changes to the edge buffering requirements as they're currently written, as well as some developer support of city council's Amendment Number 25 that would eliminate the change in consistency buffers in their entirety.

Based on the varying perspectives of commenters and comments received, and the analysis that we've done, staff would recommend adoption of Items 20 through 24 and deletion of Councilor Jones', amendment, to strike that balance and keep a tool in place that helps implement the comprehensive plan.

The comprehensive plan has areas of change and areas of consistency that are intended to be different -- of different scales and different types of development. And creating a nice edge between them, I think, is useful.

I would also note that this is a situation where the more restrictive provision applies. So if something requires a buffer in one section that is greater than what we're proposing to change here, that one would take precedence.

We've also, since we have the hood open on -- we're proposing to have the hood open on edge buffers, Conditions 9 and 10 for our standard edge buffering adjacent to residential uses, staff has noted that low density residential can be developed in a multi-family zone district. And as the way the edge buffers are currently written, they don't get protected. So we are proposing language that would add protections for those instances.

So as was mentioned, Conditions 11 and 12 are two options. Condition 11 is staff's recommendation, and Condition 12 is city council's recommendation for your consideration and discussion.

Any questions on that? I saw Vice Chair Shaffer unmuted himself, so I'm wondering if he had a question or not. Maybe not.

VICE CHAIR SHAFFER: I didn't. I probably hit something in user error mode. But I appreciate you checking with me.

CHAIR MACEACHEN: Caffeine, Commissioner Shaffer. Caffeine.

MR. VOS: All right. I will move on.

COMMISSIONER HOLLINGER: Commissioner Hollinger.

CHAIR MACEACHEN: Commissioner Hollinger.

MR. VOS: Oh, yes, Commissioner Hollinger.

COMMISSIONER HOLLINGER: Okay. Mr. Vos, to make this short and simple, it sounds like Councilor Jones is asking us to keep Number 12. And it sounds like that was based on clarity and simplicity. Whereas, staff's recommendation is to keep 11, and that is to protect edge buffers. Does that summarize everything?

MR. VOS: Chair and Commissioner Hollinger, that is a pretty apt and short description.

Number 11 keeps these edge buffers, adds some nuance, keeps those protections. 12 would delete them and simplify the application of the IDO.

COMMISSIONER HOLLINGER: Okay. And I can I direct that same question at Ms. Schultz

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MS. SCHULTZ: Mr. Chair, Commissioner Hollinger, yeah, I would agree with both Mike's assessment and yours, that that's a distilled way to think about these two options.

COMMISSIONER HOLLINGER: Thank you. Okay.

CHAIR MACEACHEN: Thank you, Commissioner Hollinger.

Mr. Vos.

MR. VOS: All right. Thank you, Mr. Chair, Commissioners.

The next change that received the most public comment of any of the proposed amendments is an amendment to increase the height of the front yard walls for low density residential development from 3 feet to 5 feet if the top 2 feet are composed of view fencing, which is fencing that one can see through, and that it gets set back from the property line 2 feet to prevent a tall wall being built immediately next to a sidewalk.

CHAIR MACEACHEN: Mr. Vos, where did this one come from?

MR. VOS: This was a change proposed by the administration. Right now, any taller wall than 3 feet has to either get a wall permit major or a variance. We see a lot of those coming through the zoning hearing examiner process. And the administration felt that it's potentially appropriate to find a way to allow someone to get a taller wall without having to spend the time, expense and effort going through the zoning hearing examiner. And that's a long way of saying it was the administration that brought this forward.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: I'd be happy to wait until Mr. Vos is done, Chair.

CHAIR MACEACHEN: Thank you, Commissioner Eyster.

Mr. Vos.

MR. VOS: Thank you, Chair and Commissioners.

Here's a slide about those wall permits that someone needs to go through and the criteria by which they need to justify their request. If this amendment is approved, those taller 5-foot walls with view fence would be a minor wall permit, like up at the top right now. They are major or done by a variance.

As I mentioned, these changes to wall heights have received the most public comment of any amendment. The public comment is generally against this change.

We've proposed three options, which is the proposal as written, to increase it to 5 feet; a potential compromise, to go to 4 feet instead of 5 feet, still requiring a view fence above 3 feet; and Option C, to delete the proposed amendments and just leave our current process of regulating front yard walls.

And that is it for this amendment, should Commissioner Eyster want to jump in now.

COMMISSIONER EYSTER: Yes, Chair, may I?

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CHAIR MACEACHEN: Commissioner Eyster, sure.

COMMISSIONER EYSTER: Thank you.

Thank you, Mr. Vos. Again, great to hear from you on these ideas.

Does this proposal address walls in a person's backyard?

MR. VOS: Chair and Commissioner Eyster, no. The front yard wall height limitation is for front yards and street side yards.

Your walls built anywhere else on a property, sort of other -- other side yard, back yard, I believe can be built to 8 feet tall.

COMMISSIONER EYSTER: Got it, yeah. So side yard and backyard, you can go to 6 feet or an 8 feet, with an engineer's seal, right? But anyway, this is just a front yard?

MR. VOS: Right.

COMMISSIONER EYSTER: And also, if you're on a corner, it'll also affect your side yard.

And so you said that a property owner could -- there's a process for a property owner to seek a permit to build a taller wall in their front yard, correct?

MR. VOS: Chair and Commissioner Eyster, that is correct.

COMMISSIONER EYSTER: And that's called a wall permit major, and that is decided by the ZHE.

So you've indicated that the administration has requested this because maybe there's too much effort being put in by the ZHE on wall permit major?

MR. VOS: Chair and Commissioner Eyster, I think that is part of it. I think part of it is us hearing from some members of our development community that want to do front yard walls in certain parts of town. In the valley, maybe, for instance, taller walls are a sort of more regular occurrence, and if it's deemed to be appropriate, you know, adding extra hurdles just to add hurdles is not necessarily desirable to put in our code. So we're --

COMMISSIONER EYSTER: So they think it's just hurdles to create hurdles; I would argue that.

IDO Section 5-7 says that the purpose of the regulation walls is to enhance the visual appearance of developments in the city and establish a consistent attractive street scrape, promote street and neighborhood character.

So I would take issue with the administration's characterization of it that way.

I would also take issue with the amount of work that the ZHE does on these. I looked at the hearing agenda for the hearing that was held on Tuesday this week. There were 22 requests, everything from setbacks, carports, home daycare, cannabis retail.

Of the 22, three were for a permit wall major. So I don't think it's really causing that much work.

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You said that the administration has stated that there are those who want to do this. I have seen so many comments in opposition to this that I've lost count. Do you have any written comments in support of this?

MR. VOS: Chair and Commissioner Eyster, there, I believe, is no comment in support of this particular change. I have -- I will say I have recently talked to an architect that said that they were supportive, but didn't know that this was coming forward, otherwise, they would have written in. But no -- so we'll see if anyone who is on the call today has those comments. But no written comments prior to the 48-hour rule deadline or by the 48-hour rule deadline (inaudible) the board.

COMMISSIONER EYSTER: Thank you. That's my last question.

CHAIR MACEACHEN: Commissioner Meadows.

COMMISSIONER MEADOWS: Yeah, so I want to ask Mr. Vos, so I live in the valley, and many of the homes in the valley, we have courtyards in the front yard. We don't have short little fences like you have up in the Northeast Heights. And it looks perfectly appropriate where we live.

So if I want a courtyard in my front yard, what do I have to do?

MR. VOS: Chair and Commissioner Meadows, thank you for that question.

Right now, as heights are limited to 3 feet in a front yard, if you would like a courtyard wall, that is one of the taller walls described. Under wall permit major in Table 5-7-2, you can -- there's some design characteristics.

You would have to apply to get approval of that major wall permit and meet the decision criteria, which I have on the screen here, of which includes either being on a collector or busier roadway, on a half-acre lot, so that my apply to the larger lots in the valley, or be on a street where 20 percent of the lots within 330 feet of you have taller courtyard walls.

COMMISSIONER MEADOWS: Yeah, so I just want to point out that there are different aesthetics about front yards and privacy and -- so what works up in the Northeast Heights may not work in other parts of town. And so for some people, they do see this as a hurdle. So I just want to point that out. Thank you.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Thank you, Commissioner Meadows.

Commissioner Eyster.

COMMISSIONER EYSTER: Thank you, Chair.

You make a good point, Commissioner Meadows, and that's why the council, in 2017, when they created the wall permit major, they said if you're in an area where these are common, and 20 percent, is really a low bar, then you're going to get your wall permit major, no problem. And I know that the ZHE issues quite a few wall permits major. And it's generally -- it's often those in areas where there are a lot of walls already, or where the neighborhoods were built with that principle.

Thanks for your question.

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CHAIRMAN MACEACHEN: Thank you, Commissioner Eyster.

Mr. Vos, I mean, didn't we hear this last IDO revision, too? I mean, wasn't this already on our table and addressed and it comes back each year? Or am I just old and don't remember well?

MR. VOS: Thanks for the question, Chair MacEachen.

You did hear this proposed amendment, or one that was very similar to it, to allow a 5-foot tall wall with view fence. I believe last year you voted to remove that amendment from the package that got sent forward to city council. And it is, indeed, back in front of you. I think it's a slightly modified version. It's not identical. But yes.

CHAIR MACEACHEN: So there's nothing wrong with my memory?

MR. VOS: You are correct.

CHAIR MACEACHEN: Mr. Vos, you were in the private sector back then. Have you switched positions?

MR. VOS: I have.

CHAIR MACEACHEN: I won't put you on -- please continue, Mr. Vos.

COMMISSIONER EYSTER: Oh, Chair, Eyster. Chair, could I address your question a little further?

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: You're right, we got the same kind of public input last year as I've seen this year. And we've voted not to send this forward but to remove it from the recommended package.

It goes to LUPZ after us, as you all know. And a councilor in LUPZ did reintroduce it, but it did fail for lack of a second. I've seen several comments in the staff reports that say that people hope that we'll defeat this again and that that would put an end to proposals to increase heights of walls and fences in front yards.

CHAIR MACEACHEN: Commissioner Shaffer.

VICE CHAIR SHAFFER: I was just going to say -- thank you, Chair. I mean, it's run its course. I don't think there's anything in the IDO that prevents someone from resubmitting the same thing over and over again. But, yeah, I don't -- maybe there's a statute of limitations that you can only do once every -- maybe that's a change for next year, you can only submit the same question once every five years.

CHAIR MACEACHEN: Mr. Vos.

MR. VOS: All right. Hopefully I'm nearing the end here.

The next amendment is regarding post-submittal facilitated meetings. Since we've changed to site plan administrative, yeah, for all of our -- not all, almost all of our site plans with DRB going away and being replaced by the development hearing officer, we are proposing to add some language regarding sort of what situations may warrant a most submittal facilitated meeting that are listed here. And those are for developments of more than 100 multi-family residential dwelling units, 50,000 square feet of nonresidential, and the like, and those that require hearings.

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This language is -- tracks with an amendment that was approved by city council in the last annual update for pre-submittal neighborhood meetings regarding the 100 multi-family residential dwelling units and 50,000 square feet of nonresidential development.

And this right here, it's different types of plans for approvals that require the neighborhood meeting and the ones that could trigger the post-submittal neighborhood meeting requirement.

Some commentary on this, the city has transitioned -- or is transitioning from the development review board to the new development hearing officer, which began on Christmas this year.

Previously, projects over 50 dwelling units were reviewed by DRB and allowed -- and pre-submittal meetings were allowed at that threshold, but city council increased this to 100 in the last annual update, as they tweaked the rules, along with the changes to the development review board.

Staff, in our administration of the IDO and how we are beginning to handle site plans administrative, now that all of the DRB site plans are also administrative, we're internally keeping a 50-unit threshold, just for ease of administering all of the IDO.

And we would strongly urge your support for a proposed condition that would change the pre- and post-submittal meetings from 100 dwelling units down to 50.

This allows consistency between what used to occur and what will be occurring. It'll track with your administrative process and it'll allow, you know, increased public involvement on projects which, I think, leads to better results.

CHAIR MACEACHEN: Mr. Schultz, do you want to jump in there?

MS. SCHULTZ: Yes, Mr. Chair, if I might have an opportunity to comment on this.

I will note that this amendment was not generated from council. And I have only spoken to amendments generated from councilors today. However, this amendment is addressing a council policy that the council adopted just about seven months ago, about where these thresholds should be.

And there was some intentionality in raising that threshold from 50 to 100, to perhaps reduce some barriers, or at least maybe speed up the process in getting multi-family development approved.

This amendment moves that policy preference backwards and is pretty opposite of what the council chose to act on last June.

That would just be my kind of comment and context for this particular change.

VICE CHAIR SHAFFER: Thank you. I appreciate that.

Mr. Vos, where did this come from?

MR. VOS: Thank you for that question, Chair.

This proposed reduction from 100 to 50 is a staff request. As I mentioned, we're figuring out how to administer all of these administrative site plans, and we used to have a 50-unit

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threshold between administrative and DRB. And sort of the easiest procedural thing for us to do is to continue to keep that threshold based on basically who is the administrative person that gets to review those administrative site plans.

So if you're less than 50 units, you're going to continue to go straight to a building permit. And our zoning plan reviewers will review that.

For projects over 50 dwelling units, you will submit your site plan application over the counter, with our development review services division, and they will review that.

And so for keeping with that sort of process, we think that allowing the bigger projects, over 50, the opportunity to have some meetings. And to have all of the projects that go through development review services go by the same process is consistent and clear for applicants.

And I will note that our associate director, Jolene Wolfley, has jumped on to comment on staff's perspective, as well.

CHAIR MACEACHEN: Thank you.

Ms. Wolfley.

MS. WOLFLEY: Thank you, Chairman MacEachen and Members of the EPC.

One thing that happens -- or one thing that's happened with these changes to the DHO and site plans, all of the DRB site plans going to site plan admin, it means that there's no public meetings anymore for those large site plans that were going to the DRB.

And sometimes, if the public is not aware that a site plan is going on or they don't have an opportunity to comment on that site plan, then the last thing they can do is appeal the site plan.

So we -- part of this reason for this change is that in the realm of the DRB and the multi-family applications we have seen, the most common area of appeal is multi-family.

So even though a developer may think, well, this will slow me down if I need to do a pre-submittal neighborhood meeting, time spent at the beginning of the project to go ahead and let the community know what's going on, if they want to have a pre-submittal neighborhood meeting, you're not required to, but you're just required to offer one, and that way, some conversations can be had early on, and then, in the long run, this hopefully should help avoid appeals that we see happening. So that's one reason this is put forward.

In addition, it just creates a lot of confusion, as Mr. Vos was saying, in our process, related to which -- if everything that was in this basket of 50 needs a pre-submittal neighborhood meeting, it's just a little easier for us to work. And that's why some of this initiative was put forward in this cycle of amendments.

CHAIR MACEACHEN: I appreciate that. Thank you.

Commissioner Shaffer.

VICE CHAIR SHAFFER: Thank you, Chair.

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Ms. Wolfley, I have a question for you. Thank you for having -- that little part was missing, which then made me think about -- and please let me know, I've already -- it's new, so you'll have to tell me, what is your new department's name that's handling these?

MS. WOLFLEY: Development facilitation team.

VICE CHAIR SHAFFER: So that group now, is seeing it. So the idea behind this, of getting rid of the DRB and having the new outside people handle certain things was to free up the staff that didn't have necessarily the time, I should say, they need to do their job instead of going to DRB things.

We've now created the group to now see those things, but we want to add another -- move this number back down to have another meeting. So it's going to add the workload back on, because now it's got to have another preapplication meeting for everything this size, is what we're asking? I just am confused.

MS. WOLFLEY: Yeah, yeah. No, it's very -- it's very confusing.

But before this change that removed the DRB, if you had a project that was 50 multi-family units or more, you were required to do a pre-submittal neighborhood meeting. That's where it gets confusing, between a preapplication meeting and a pre-submittal neighborhood meeting. So this isn't about pre-application meetings. This is about --

VICE CHAIR SHAFFER: Pre-submittal.

MS. WOLFLEY: -- the meeting with the neighborhood. You send out an e-mail to the two contacts or of the various neighborhoods who might be touching in your project, and then they can decide if they want to have a meeting with you. And that all happens before you submit.

And one of the main concepts of the whole IDO was to push those conversations between people who live in an area and a new development coming to that area as early in the process as possible, because for a developer, it's a lot cheaper to make changes earlier on and they can consider what the neighborhood is requesting, and then they can submit as they choose.

But if in this new process, the neighborhoods receive notice if they're under 100 multi-family units, they'll only receive notice when the application is already submitted. They won't be able to come to a public meeting. And if they feel aggrieved, then their next option to appeal and that's --

VICE CHAIR SHAFFER: And I get that.

MS. WOLFLEY: -- more problematic, yeah.

VICE CHAIR SHAFFER: Ms. Wolfley, I get that part.

MS. WOLFLEY: Okay.

VICE CHAIR SHAFFER: That's what I'm kind of confused now. And that makes sense, because, you know, no one wants to eliminate public comment. That's not the question, I guess.

It says proposed condition, reduce the pre-application meeting threshold. And then we get down to where it says pre-submittal meeting, which are two different things that you just said.

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And then I'm guessing that's because the pre-submittal meeting is falling under the umbrella of the pre-application meeting.

MR. VOS: Chair.

VICE CHAIR SHAFFER: Yes, sir.

MS. WOLFLEY: I'll have to have Mr. Vos speak about the post-submittal neighborhood meeting, because that's something I don't know about.

Our request from DFT staff was to focus on the pre-submittal neighborhood meeting being restored back to 50 multi-family units or above.

CHAIR MACEACHEN: Mr. Vos.

MR. VOS: Yeah. And, Chair -- thanks, Chair and Commissioner Shaffer, for the questions and comments.

This slide, I will just point out where I have pre-application on this slide, I meant pre-submittal. So --

VICE CHAIR SHAFFER: Okay. Well that handles that part. So now I'm back to my -- so it's the same thing that we're talking about.

So it's the pre-submittal meeting. And I get the premise. You want people to have as much input as possible. Nobody wants to take that away. I got it. And I also see it from the development standpoint, yes, you are 100 percent correct, you want to get those changes on the front end, instead of hiring a gazillion consultants, and then having a gazillion consultants redo their paperwork. I get it.

I guess I'm just confused on -- like I said, we took -- we gave staff back time for how we added in the new hearing person, and then now we're trying to -- it just seems counter productive, kind of, for what Ms. Schultz is say, they've already gone through this, they've already vetted it up to the hundred, and why are we going backward to put work back on the plates of people that ideally were supposed to not have the work back on their plates.

MS. WOLFLEY: If I could, Mr. Shaffer, just clarifying.

So these pre-submittal neighborhood meetings don't involve the staff. That is the applicant going out to the neighborhoods, with the facilitator from the alternative dispute resolution program. It doesn't involve more staff time.

VICE CHAIR SHAFFER: I would argue that it does just because of the paperwork side. The city staff does handle the paperwork side, has to process it. It's not a hundred percent on the applicant. But that's okay. I understand what you're saying.

So thank you, Chair.

CHAIR MACEACHEN: Thank you, Commissioner Shaffer.

Mr. Vos.

MR. VOS: Thank you, Chair and Commissioners. I think we'll hear more about this, I'm sure, later on from you all. So I will move us forward.

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The next change, regarding appeals and the language, we're proposing to add some language about remand hearings. This is really a clarification of our processes.

And we did receive two comments sort of questioning the purpose of the amendment. Like I said, this is really a clarification, and we are asking for one condition that is an even further clarification of the proposed language, to just make it very clear about what we mean.

And we have run this proposed condition language through the city council's legal staff, and they are in agreement with what is proposed in Condition 17.

CHAIR MACEACHEN: Commissioners.

Please continue, Mr. Vos.

MR. VOS: The next amendment requested from the public is a change to minor amendments.

Right now, an amendment to a previously approved plan can be approved administratively within thresholds that are shown in the table on the screen here, 6-4-4, unless those changes require major public infrastructure, significant changes to access or circulation patterns on the site.

There's been concern that circulation patterns really elevate certain projects to a major amendment that may have to come, for instance, in front of you all through the full planning commission hearing process, when it's really not that major of a change.

We've received a couple of developer comments to keep the amendment as written, to simply delete the circulation patterns language.

Staff, as discussed in December, has proposed a potential condition to sort of offer a more objective criterion versus a change to circulation versus basically adding in that it could be minor if it does not require a traffic-impact study.

And if it does require a traffic-impact study, it would continue to be elevated to a major amendment, which sort of tracks better with the expected impact of the use that's making the change to the circulation and not the circulation pattern, in and of itself.

That's in a proposed condition.

And then we have a -- it's a new amendment, but it's really -- the IDO has two different minor amendment sections, or an amendment section for IDO approvals and an amendment section for pre-IDO approvals. So whichever direction the commission chooses to go with the amendment, we would propose that that language also get carried forward to the other section.

That was just an oversight on our part.

Next is a procedure for demolition outside of a historic protection overlay zone, or HPO.

This proposal, right now, there are just a handful of historic protection overlay zones where demolition or changes to a structure get reviewed by our historic preservation staff and/or

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the landmarks commission. And then we have two mapped areas around Nob Hill and the downtown neighborhoods that are not historic protection overlay zones, but still have a demolition review procedure.

This proposal is to expand that demolition procedure citywide so that there's the opportunity for our historic preservation staff to at least review demolitions for buildings that are over 50 years old to see if there's any sort of historic significance and to be able to document them and the like.

The way this process works is initially just a staff historic preservation planner review of the demolition permit. If staff determines that the building is not significant and doesn't warrant sort of additional protection or documentation, they can approve the demolition at that staff level. And it's likely that most reviews will be approved at the staff level.

The other option is to elevate that review to the landmarks commission. The landmarks commission then needs to decide whether or not to approve of the demolition, or to delay that demolition for up to 120 days through a -- it's a review period, to see if there's alternative designs to rehabilitate a structure, to develop around a structure, for the city to landmark and purchase the structure.

And there are criteria by which the landmarks commission has to judge that and be in the public interest, the historical significance of the structure in question: Contribution to economic development for tourism, enhancing the historic identity and the condition of the structure, itself. If the structure is too dilapidated and too expensive to do anything with, would be a rationale for letting it be demolished.

We note that recent demolition review applications have been approved by our commission without actually invoking the 120-day review period. And there's been a couple in Nob Hill and one downtown.

The landmarks commission did review and provide a recommendation on this request for approval. And we received a couple of comments that were approved -- opposed the amendment out of concern for a possible 120-day delay.

We think that this -- staff -- again, it's flexible. Most projects that propose a demolition will likely get staff level approval very quickly. And most sites probably will not have to be delayed as this -- if this amendment is approved.

CHAIR MACEACHEN: Mr. Vos, who came up with 120 days?

MR. VOS: Chair MacEachen and Commissioners, that is an excellent question.

CHAIR MACEACHEN: I'm not trying to catch you. I just -- it seems to me, there's middle ground here. They don't like the 120 days, but they're not against some review. I don't know that we need 120 days. I'm just wondering where it came from.

MS. RENZ-WHITMORE: Mr. Chair, Commissioner, I can jump in real quick.

CHAIR MACEACHEN: Sure.

MS. RENZ-WHITMORE: So the 120 days came pre-Integrated Development Ordinance. This was part of the original landmarks

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commission ordinance that established procedures surrounding the landmarks commission.

And the 120 days is really about giving an appropriate amount of time to schedule the hearing, have the hearing, get back with the applicant, talk to city council if we need to. And it's meant to be a good chunk of time.

But that's why staff has the initial right to kind of say, "You know what? We don't even need the review period."

So I think there are some safeguards in place so that it's not 120 days for every demolition permit. It's only for the ones that actually go to the landmarks, the landmarks says, "Yes, let's invoke the 120 days, because it's worth that amount of time."

CHAIR MACEACHEN: Thank you, I appreciate that clarification.
 Commissioner Shaffer.

VICE CHAIR SHAFFER: Thank you, Chair.

Thank you for telling us where the 120 days come from. And I'm just going to tell you what I heard come through in this. And I don't mean heard from people, I heard Mr. Vos just say.

What I heard was: Rarely does it take very long from what they've seen in the past, which, to this time, has been for a limited area. This would be citywide. So we don't have -- that's not contextually accurate to compare, I don't think.

We've heard that rarely does it ever get to the next level. Again, if you've got a larger volume, you're going to have a larger amount of things to look at.

Again, as I said last time, I'm a hundred percent not -- or in agreement, we don't want to demolish any historical building whatsoever. And I just don't like the verbiage that we're saying, "Well, it's never taken that long before, but it could take that long." That's such an open door on the back end.

I think that people deserve -- as we have kind of bandied about on other ways to get permits out and, you know, staffing up for the city, how do we do this, give them a time limit, blah, blah, blah, all these things for permitting and other things, that this also is another area that two months of them to review it, you should be able to figure out from the historic preservation review, landmark commission review, in two months whether or not that is a historically significant building or not.

I think that the 120 days is too long. I think that the intent is correct, that yeah, you have to have some sort of safeguard in there. But I also think that you can determine that, if it was a historic building within 120 days or not -- or sooner than 120 days.

CHAIR MACEACHEN: Thank you, Commissioner Shaffer.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: That's a good idea, and after we've heard public input, we could discuss more. But, you know, we could send to the council a 60-day review period. I don't see why we

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couldn't send that to them, because they're still going to be looking at this in detail.

CHAIR MACEACHEN: I agree. Thank you, Commissioner Eyster.

COMMISSIONER ARMIJO: Commissioner Armijo.

CHAIR MACEACHEN: Commissioner Armijo.

COMMISSIONER ARMIJO: I kind of see a flaw in this. What happens after 120 days? There's nothing here that says what happens. I think it has to either say after 120 days, if something is not done, demolition can proceed, or something.

MS. RENZ-WHITMORE: Let me just jump in again. Sorry.

Mr. Chairman, Commissioner Armijo, so the language in the IDO already says after 120 days, the demolition can go forward.

The 120 days again, just to clarify, is not about whether this is a historic building. That's already pretty much been determined by the historic preservation staff after they say, "You know what? This one, of all the demolition permits we've looked at, this one needs to go to the landmarks commission to decide whether or not to put a 120-day delay on the demolition permit."

The 120 days is about trying to talk with the property owner, to try to get money to purchase it, to try to save the building and not -- and basically, get the applicant to want to withdraw the demolition permit because something else is going to happen with the building. That takes a bit of time, so that's the 120 days.

It's not about whether this is an important building. It's about can we figure out something to do other than demolish it.

CHAIR MACEACHEN: Commissioner Shaffer.

VICE CHAIR SHAFFER: Okay. And that makes sense. That's not what this says. So I agree with what you just said. If it's gone -- so where is the time limit, then, for staff to decide, then send it to historic preservation review, then once, as you just said, okay, so here's where this is? Because that's not what that said before. So I'm glad we're going through this.

But go ahead, Mr. Vos, because now you've got this. Walk us through that step. And I would not be opposed to what Ms. Renz-Whitmore just said, if there was also the front end decision-making criteria that has a time limit on it.

MR. VOS: Thank you, Chair and Commissioner Shaffer and others.

I should have brought this up before we opened the whole floor up. We are proposing some options, and a this has a middle option to kind of tweak some of those initial time lines.

And this sort of shows the IDO language, you know, would strike through it and whatnot, as it's written.

So the procedure right now is, the historic preservation planner shall review the demolition application within 15 days after receipt to determine -- to make their determination. So that's within that first 15 days, they can approve demolition of the structure if it's not historically significant.

So Section B is, if the historic preservation planner recommends that it be elevated to the landmarks commission, basically, the

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city notifies the applicant or property owner and the building official that there needs to be a pause for this hearing to occur.

The current language reads that that has to occur within 60 days of receipt of demolition application. And then the landmarks commission then decides whether or not to invoke the 120 days to do further review.

And as you can see written here, we have an alternative, suggested recommendation -- or a suggested condition for your consideration that would shorten those initial time frames, to have staff review it in five days and then basically schedule the hearing as quickly as possible for the landmarks review.

CHAIR MACEACHEN: Commissioner Shaffer.

VICE CHAIR SHAFFER: Chair, thank you. I would 100 percent recommend Option B, is what I would say. Because that gives -- that put specific -- and that's all anyone wants. They want a specific a time line to follow so they know they can plan.

And once that one, Subsection B -- 2.A, 2.B and 2.D happens, the city has done its due diligence. It can then go to the -- the 120-day review period is on a structure that actually requires it and I don't think anybody has a problem with that. So I would support this Option B.

CHAIR MACEACHEN: Thanks to all the commissioners. I think that solved a lot of things and the input was critical to doing that. Thank you.

Mr. Vos.

MR. VOS: Thank you, Chair and Commissioners. And this is the last of the amendments.

After we made our submittal, we, as staff, based on, again, different projects and inquiries that we are seeing, we are proposing a new accessory use for a clean room for economic development purposes.

Clean rooms are used in a lot of high-tech industries that provide base jobs for the community. And right now, our manufacturing definitions, because clean rooms often involve volatile chemicals, even if they're contained and well regulated, fall under special manufacturing.

Special manufacturing is only a conditional use in our most intense general manufacturing zone districts, which we do not have much of. So there's limited opportunities within the city limits to have some of these sort of clean room industrial manufacturing businesses.

By adding this clean room as an accessory use, we would define it as shown here. It would be permissive as accessory to say a light manufacturing business, which we would still keep special manufacturing as a potential use because there are some businesses that produce hazardous materials versus the inputs. But if the only hazard is our input and the output is something that's benign, and you fall under this definition of a clean room, you could do this accessory and permissively in NR-LM and have the opportunity to get a conditional-use approval to do it in NR-BP.

CHAIR MACEACHEN: Mr. Vos.

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MR. VOS: Yes.

CHAIRMAN MACEACHEN: Can you go back a slide, please. So, and, again, I'm not trying to be picky about this, but where did the definition of clean room come from? And is that a definition that people in that industry will accept as their definition of what they're doing?

MR. VOS: This definition was developed by staff after quite a bit of research. We feel pretty confident in that it will allow the type of businesses that we intend it to. And, you know, we need to keep it narrowly tailored. We're not trying to open the door to anything. But it was a staff-created definition based on research of best practices and what clean rooms (inaudible) --

CHAIR MACEACHEN: And you could have --

MR. VOS: -- do with the industry.

CHAIR MACEACHEN: You could have nailed that. I don't know that. But I would just wish that somebody that uses clean rooms and needs them doesn't say, "God, that's almost perfect, we just need this." So I don't know if we need further input or not.

MR. VOS: Chair and Commissioners, if there are members of the public or among yourselves that are those experts and want to double-check our work, I am open to suggestions. We can always -- if we hit a road bump down the road and someone comes in and says, "You know what? Your definition doesn't really work," we can correct that in a future annual update.

CHAIR MACEACHEN: Thank you. I'm not trying to be difficult. I promise.

MR. VOS: Appreciate that.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: That sounds smart, Chair. And I wonder if we couldn't just -- like, again, Mr. Vos to come up with a quick finding while we're hearing public input, unless we think it should be a condition. Thank you.

CHAIR MACEACHEN: Commissioner Shaffer.

VICE CHAIR SHAFFER: So -- thank you, Chair. I have built probably ten clean rooms. The missing component out of this is the fact that you don't have any of those things. In some aspects of a clean room, you're keeping the dust out and it's a negative pressure situation. And you're not doing any of these volatile materials, sensitive -- well, you have sensitive instruments.

And I guess where the hang-up may be, is the "and." Maybe it should say "or."

MR. VOS: Chair and Commissioner Shaffer, I appreciate that comment.

I'd also like to point out that defining a clean room as a use for zoning purposes, we don't necessarily want to -- if someone is doing a clean room just to keep, you know, particles out and there are no hazards, that may not meet the definition of special

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manufacturing or this clean room. Because this proposed use of a clean room for zoning purposes is more restrictive than your light manufacturing, for instance.

So we want to leave open the door where someone that's doing a clean room, you know, just to keep the dust out, can just -- can just go forward in some of these places. Maybe it's a change to our name here.

VICE CHAIR SHAFFER: Yeah.

MR. VOS: Like, it's not a clean room, it's something else.

VICE CHAIR SHAFFER: That's what I'm thinking, and --

MR. VOS: But --

VICE CHAIR SHAFFER: -- I don't mean to interrupt you, but I'm just saying, you're going to unintentionally pigeonhole somebody who doesn't have any of these things into a more restrictive thing -- I don't know, a zoning to meet that they're not doing any of that, just because by nature of the name of their business is a clean room.

MR. VOS: Chair and Commissioner Shaffer, I think what -- we can move forward to public comment here. I can think about this.

And maybe Commissioner Eyster's suggestion of a finding to explore this definition or at least the name of this new use, if you feel it's appropriate to add such a use to the IDO, we can craft something, potentially, to address that concern.

VICE CHAIR SHAFFER: I agree. Let's just think about it. We'll hear public comment, but let's table it. I think that maybe there's a potential renaming of just -- than just clean room. It takes into what literally that last sentence says, which is clean rooms, including working with chemicals, volatile materials, sensitive instruments type of a clean room.

There's got to be some other way to name it, so let's think about that.

CHAIR MACEACHEN: Thanks everybody for their input.

Commissioners, does anybody have anything before we go to public comment? Great. I appreciate that. We'll move on to public comment.

Mr. Salas.

Oh, are you still going, Mr. Vos? I'm sorry. I thought I heard last thing. And maybe I jumped ahead.

MR. VOS: Thanks for that, Chair. The very last slide was we do have some proposed use-specific standards, making sure that they have their permits. This is consistent with all of our other industrial uses.

And then, basically, creating an exception that says if you meet the clean room definition and that definition only, you're not special manufacturing.

And with that, we can turn it over to public comment.

CHAIR MACEACHEN: Thank you, sir. We sure appreciate you and your help. Nobody was trying to be hard on you. We're just

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trying to get it right.

So, Mr. Salas.

MR. SALAS: Yes, Chair and Commissioners. The first speaker is going to be Julie Dreike.

CHAIRMAN MACEACHEN: Julie, are you with us? ?

MS. DREIKE: I am. Thank you.

CHAIR MACEACHEN: Wait. I'm trying to find you on my screen. Oh, there you are, right down there.

Okay. You've already spoken earlier today and were sworn in. I think that's good. Go ahead and plow on.

MS. DREIKE: Thank you very much. Appreciate everyone's long day today and appreciate you accepting public comment.

I wanted to comment on fences and walls. And I know you've received a lot of written comment already, and I was included in that. And so I'm going to quote Tom Udall and say: We're at the point of the agenda where everything's been said, but not everyone has said it.

So I will skip saying it again, but tell you two stories of fences in my neighborhood.

One was being built right next door, over 3 feet tall. We called in a complaint, inspector came out, told the person that they were over the limit and to pile up rocks in front so that it would now measure the 3 feet.

The next one was just recently, when I was out walking the dog and they were building a fence in the neighborhood. And I went and I talked the guys that were building the fence. And they were very well informed of the (inaudible) and I was very pleased to hear that and (inaudible) conversation with them.

So when we talk about trusting city or trusting development, I think that we have to have trust, but verify, and the importance of inspection and enforcement and holding people accountable to that.

Sometimes when people see a fence that's been built it's someplace else and it's -- maybe they got a variance or did the permit process, they think, oh, well, that's okay. They don't know the background of it and maybe they're going to go ahead with that.

Both of these circumstances has licensed contractors building, but they had no accountability because it goes back to the owner.

So I just will continue to beat the drum of enforcement and holding people accountable.

The one option that you have that was presented by staff was to approve 4 feet. I ask you not to do that and keep it at 3 feet, that we be a welcoming community and that it's a walkable community.

And, again, thank you all very much for accepting public comment.

CHAIR MACEACHEN: Thank you. Thanks for hanging around all day. We appreciate that.

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Mr. Salas.

MR. SALAS: Yes, Chair and Commissioners. The next speaker is going to be Patricia Willson.

CHAIR MACEACHEN: Ms. Willson, you're up.

MS. WILLSON: Thank you, Commissioners.

Regarding Item 10, encroachment, I would request that you support Option 2, which would allow bay windows and balconies only on the street side setback on a corner lot.

As the author of that change, I had originally proposed not allowing it on either side yard setback, which would have been Option 1. But looking at the other options, Option 2 would be the most desirable one.

Then Items 26 and 27, walls and fences, I respectfully request you support Option C to delete the proposed amendments, leaving maximum wall heights in the front yard setback at currently regulated.

Thank you very much.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: Thank you, Chair.

Thank you very much, Ms. Willson, for your input today. I had a hard time getting over to the right spot in the conditions on that issue about bay windows and balconies. Do you know the -- which condition number that is?

MS. WILLSON: I'm only looking at my 48-hour letter, where it was listed as Item Number 10, encroachment, so I don't -- yeah.

COMMISSIONER EYSTER: I think I got it here. And you were asking us to support Option 2?

MS. WILLSON: That's correct.

COMMISSIONER EYSTER: Really appreciate you being here today. Thank you.

MS. WILLSON: Thank you, too. And I'm waiting for one more agenda item. So I'm going to have as long a day as you guys are, so thank you very much.

CHAIR MACEACHEN: You should run for EPC.

MS. WILLSON: No, thank you, sir.

CHAIR MACEACHEN: Commissioners, anything before we move on?

Mr. Salas.

MR. SALAS: Yes. The next speaker is going to be Jane Baechle.

CHAIR MACEACHEN: Jane, are you with us?

MS. BAECHLE: Yes, I am. Thank you.

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CHAIR MACEACHEN: Okay. Again, you've already been sworn in, so the floor is yours.

MS. BAECHLE: Thank you. So I want to comment on two items, the first as a neighborhood association representative. The second, as an individual. The first one is like the previous two speakers, I would like you to oppose any change in front yard wall heights.

I've tried in written comments to give as detailed a picture as I possibly could of what Santa Fe Village is like, and how out of context and damaging to the streetscape higher walls would be.

And I just want to expand a little bit on a comment that Commissioner Eyster made on a different case. I've attended the last two zoning hearing examiner meetings and I can tell you that in the December meeting, four individuals asserted that they were there to ask for permission to retain a nonconforming wall that, A, they had no idea any permitting was required to construct a wall. And, again, at this meeting this week, the first person to speak on a wall request had erected a 6-foot wall that she was there to ask to be allowed to continue.

So I really hope that there's no change and more effort to inform and enforce.

And then finally, on a personal level, I did want to ask the commissioners to find a way to protect potential historic buildings outside of designated historic areas.

Albuquerque's West Side actually has some I think significantly historic structures. Are they worth preserving? Possibly not, but at least they should be considered and that documented prior to demolition.

So thank you all for a long day. Thank you for listening. And I appreciate your time and attention.

CHAIR MACEACHEN: Thank you. We appreciate your time, as well.

VICE CHAIR SHAFFER: Chair.

CHAIR MACEACHEN: Commissioner Shaffer.

VICE CHAIR SHAFFER: Just real quick. And thank you, Ms. Baechle, for those comments. And I agree with you. There definitely -- I wish there was a really cool futuristic database that logged every single building ever built, and then somebody just kind of whittled them down as they stuck around and what was cool and all that stuff. But I know they're getting there. The historical society people are doing that whenever they can and whenever they come across them, and so that's a good thing.

I did want to tell Mr. Vos, I sent you a message on a potential right. So just so you can look at that. Thank you.

CHAIR MACEACHEN: Thank you, Commissioner Shaffer.

Mr. Salas.

MR. SALAS: Yes, Chair and Commissioners. The next speaker is going to be Peter Kalitsis.

CHAIR MACEACHEN: Peter, you're back? Looking for Peter. There he is.

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Sir, you have been sworn in. You've got the floor again.

MR. KALITSIS: And I'm speaking for the neighborhood association, so I'm requesting the additional time, please.

CHAIR MACEACHEN: Sure.

MR. KALITSIS: Okay. Again, I'm Peter Kalitsis, speaking only on a couple of amendments which may seem actually small. One wasn't even addressed. But for clarity, we were concerned about the planning update comments, two specifically.

One had to do with remand hearings. And if the statement is this is a clarification of longstanding process on how appeals have been handled and not a new change, this is not how they have been handled. This is a new change.

Unfortunately, the counsel for the city council, it sounds like they're not aware of it. The planning department, the LUHO, does not follow this. This is contrary to what the LUHO follows, so it will be changed. Whether the LUHO is following the requirements, the LUHO is not doing it this way.

So we request that you include in the planning update comments that you send to the city council these facts to demonstrate that this is a change. That's one.

The other one has to do with the definition of overnight shelter. And the planning comments on this says this -- this was not -- this is not going to change anything.

The concern is that it really will, because the explanation of the amendment clearly, when you look at it, identifies that it will change hotel use as overnight shelters.

The explanation says revise the definition so it does not overlap with hotel that happens to charge substantially less than the market rates.

If it's trying to change to transitional shelter from overnight shelter and they don't want to overlap hotels that charge substantially less than market rates, which can be cheap, in effect, it is an overnight shelter.

In the planning update, we request that the planning department include this factor in there, since the planning department, or whoever put the explanation in -- this is part of the explanation for this change.

I'm not clear on it. I thought it was pretty clear just from reading. I'm getting this from reading the proposed chart on the amendments. It's been in there for a few months. I hope you request that the planning department include the fact that this is a change based upon their explanation.

Thank you. I very much appreciate your time. And yes, I'm tired, and I know -- I appreciate your time and you have so much more after this to do, I'm sorry to say. I'm glad I'm not going to be here for the whole meeting and beyond. But your service is so -- the more I attend, the more I appreciate. Thank you.

CHAIR MACEACHEN: Well, we appreciate your attention to detail.

Mr. Salas.

MR. SALAS: Yes, Chair and Commissioners. The next speaker is

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going to be Rene Horvath.

CHAIR MACEACHEN: Ms. Horvath. There you are. Welcome back.

MS. HORVATH: Well, thank you.

CHAIR MACEACHEN: You have been sworn in. Are you speaking on behalf of your neighborhood association now?

MS. HORVATH: Yes, yes.

CHAIR MACEACHEN: You have five minutes.

MS. HORVATH: Okay. Thank you. I'll try to be quick. I did send in comments at the December 8th hearing, and I just want to go over just a few of these.

Let's see. There is Councilor Benton's townhouse amendments, going from three to six townhouses in urban areas, but I notice on top of the mesa, it would also go up there. I'm a little worried about increasing the density up there. So I just want to share my concern.

And then I'd also like to see Central's historic character preserved. So I think more discussion on how to do that is needed.

Okay. Then, on -- I noticed you were talking about the kitchen exemption. Well, the only thing I would comment on that is, as I read the conversions, last year, when this first came up, talking about helping the homeless, it was more for transitional housing and to do lesser kitchens.

But as I look at -- well, I see in the packet, in Housing Forward, it looks like we're going to do that for more permanent market rate housing. So in a way, I thought that Councilor Grout's amendment was helpful in those photos that were shown, was helpful, that if we can do, you know, like more of a full kitchen for market rate permanent apartments, we may want to think about that.

If we're trying to do it for transition, helping the hopeless, yeah, lesser kitchen and maybe a main kitchen down in the office area to serve the population there. That might work better. So I'm just throwing out that idea as we work through this kitchen debate.

Well, car washes. I did talk to Michael Vos, and yes, I'm glad we're talking about separation of 50 feet, but I would recommend a hundred feet or more. Especially with the Mister Car Washes, which are kind of loud, with their washing stations and their vacuuming and their -- the car engine noises. If you're backed up behind somebody's home, it seems like we need to push that back further away.

And I did some measuring of some of them on Coors, and they're like 200 feet away from the backyard wall of residents, and I think that helps buffer them better. So I just want to throw out that idea, that they may want to work on that some more.

Balconies and bay windows, yes, I agree with the previous speakers. I know that Ms. Willson has worked on this, and it makes sense. It's more to preserve the privacy of the next-door neighbor. So yes, Number 2, with the focus on the interior setbacks, not on the street side setbacks, Number 2 is more appropriate. So I support that.

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Okay. Councilor Benton's parking maximums. I'm a little concerned that, again, we're looking at reducing parking and it has Old Town in there and downtown. That's a big concern.

It always comes up every year, reducing parking. But I just don't think we're there yet, and I would not support that.

Walls and fences, yes. Okay. This has been a big issue. I was on a wall task force about 15 years ago, and that was a big issue then. I know they wanted to kind of streamline it and get things approved really quick, but when you change the wall height and the view fencing to what they want to do, I think it's going to change the character of the neighborhoods that wants to maintain the 3-foot wall height with the view fencing.

And so there is more risk in changing those neighborhoods' character, the ones that want to maintain what we've got already, if we approve a change. So I would delete this amendment. I would not support it.

If we, you know, down the road, if we can work and solve some of this issue, because I know some neighborhoods like the taller walls, and that's their character, but I think it would put the other neighbors' character at risk.

Let's see. This talk about pre-submittal meetings versus post, I did appreciate Mikaela's explanation, as well as Ms. Wolfley's. And I do agree, 50 dwelling units for a facilitated meeting, and I would like to see the pre-submittal meeting. Because I think we can tackle some issues before they submit it in to help avoid some problems and would help get a better product as a result.

And then, okay, last one, the demolition of historic building structures, I strongly support it because I love our historic areas. It gives Albuquerque a lot of character. And if we need more time to pick out the ones that need more time to preserve, I would go for it. I know some buildings, yeah, they're not going to be worth anything. They need to be torn down. And I think the landmarks committee knows the difference. So I would support their request.

CHAIR MACEACHEN: Thank you, Ms. Horvath. I appreciate your comments today.

MS. HORVATH: Thank you.

CHAIR MACEACHEN: Mr. Salas.

MR. SALAS: Yes, Chair and Commissioners. The next speaker is going to be Rhiannon Samuel.

CHAIR MACEACHEN: Ms. Samuel, are you with us?

MS. SAMUEL: Yes, sir, I'm here.

CHAIR MACEACHEN: Okay. You've been sworn in. I assume you're speaking on behalf of NAIOP. And you have five minutes.

MS. SAMUEL: Thank you. I appreciate it. And I appreciate everyone's time. I've had the fortunate ability to tap in and out of the meeting. But you guys have been here the entire time, so thank you.

Now, I want to leave my comments with the fact that NAIOP looks for policies that model predictability, transparency and

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accountability. And everything that we have commented on on the IDO reflects these principles.

On the demolition outside of an HPO, we also appreciate all of our historic buildings, and especially those within the HPO. But that's why we have that model. We are still vetting building demolitions in areas that have already been deemed to be historic.

By having this additional time line, we're taking away from the predictability of the development process, which is already quite onerous, and is months upon months more exhaustive than any of our peer states.

We also support Councilor Jones' edge landscape buffers and we hope that you move forward with her amendment to the IDO. It makes it more predictable to utilize our system on development. And, again, we need to be more competitive with our peer states, and the predictability will help with that.

Additionally, on the parking maximums, we submitted comments that we were opposed to it. But after Mr. Vos' comments, we feel like we could agree with his option Number 2. I think that would be a nice compromise. Where we see more of the opportunities is allowing (inaudible) market to dictate where or how much parking is needed. But if we need to have something in place, we're okay with that, again, Option 2.

And finally, one that we put a comment on and was briefly mentioned in Mr. Vos' presentation, we believe that 120 volts for multi-family is more appropriate than 240.

And for a frame of reference there, 240 volts is really about like a speed charging for your electric vehicle. If somebody is plugging in their vehicle overnight at a multi-family complex, 240 is going to be too much. And, in fact, many manufacturers say you don't want to do that because it's going to deteriorate the lifespan of your battery. And so that's why we think 120 is sufficient for multi-family.

But with all of that, I'm sure I can talk for a long time on all of our thoughts, but I'll leave it there. But, again, thank you for your time and consideration.

CHAIR MACEACHEN: Thank you, we appreciate it.

Mr. Salas.

COMMISSIONER HOLLINGER: Hollinger.

CHAIR MACEACHEN: Oh, I'm sorry. Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thanks, Chair. I was just wondering if I could just ask the last speaker a quick question in regard to the voltage.

Did you say that a 240-volt system would degrade the quality of a battery over time as opposed to a 120-volt system?

MS. SAMUEL: That is what has been shared with me, because that is what is considered like a rapid charge. And so similar to your phone, you don't always want to have a rapid charge on it and you need to allow for it to slow charge and preserve the lifespan.

And I misspoke before. It's 110 volts, not 120.

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COMMISSIONER HOLLINGER: Okay. Thanks for that clarity. I have some different views, but I just want to make sure I understood you correctly.

CHAIR MACEACHEN: Thank you, Commissioner Hollinger.

Mr. Salas.

MR. SALAS: Yes, Chair and Commissioners. The next speaker is going to be Sal Perdomo.

CHAIR MACEACHEN: Sal, is that you? I can still call you Sal, right?

MR. PERDOMO: You can still call me Sal.

CHAIR MACEACHEN: Okay. You're sworn in. Please proceed.

MR. PERDOMO: Thank you. I wanted to speak on the next set of amendments here. And, again, thank you, Commissioners, Chair and Commissioners, for all of your work today. As Rhiannon said, we've had the pleasure of jumping on and off, and you guys have had to stay on for the whole time.

So I'm going to run through our list. You received our letter, as well. I'm trying to follow which options were proposed by the city, so I apologize if I get some of those mixed up.

But we'll start with Item 2, which is the deviations, variances and waivers in the NR-BP zone. We oppose this amendment. We believe it should be removed completely. Quite a bit of time has been put in by both developers and neighbors to make sure these site plan or subdivisions and master development plans are encompassing of the concerns of the neighbors and of the developers, and we think that this amendment should be removed because it compromises that work that was done previously.

Regarding Item Number 11, which is the sensitive lands, trees, we oppose this amendment, as well. It should be removed completely and reconsidered after further research has been done.

Mr. Vos spoke on this, as well.

We still believe that this hasn't been fully vetted and think it is appropriate, but we've worked in a number of other markets that have, I think, much more well thought out provisions and regulations on trees and how they're handled, especially mature trees.

Next, regarding Item 15, parking maximums in UC-MS-PT areas, we oppose this amendment, as well. We reviewed the options that were proposed by city staff and do agree that Option Number 2 is a good compromise and think that -- believe that EPC should approve Option Number 2 as proposed by city staff.

Regarding Items 16 through 18, this is the EV charging station, Rhiannon spoke to this. Commissioner Hollinger asked a question about it, as well. The requirement for a 240-volt outlet should be removed and replaced with a 110-volt or higher outlet on multi-family projects.

Next item, regarding Items 20 through 24, which is the edge landscape buffers, we oppose Items 20 through 24 and support the Item 25 as proposed by Councilor Jones.

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Last here is Item 40, this is the specific procedure in the demolition outside of an HPO. We oppose this amendment and recommend it be removed completely. City staff proposed three options. We believe Option 2 is certainly an improvement, but it doesn't really address concerns from the business community.

We strongly support Option 3. I think that demolishing old buildings, especially if they're not historic, should not require additional review by the city and should not make our city look older and more tired.

Those are all of my comments. Thank you for allowing me to present. I'm happy to answer any questions.

CHAIR MACEACHEN: Thank you. I appreciate it.

Are there any questions for Sal before we go on?

COMMISSIONER HOLLINGER: Hollinger.

CHAIR MACEACHEN: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thank you, Chair.

So, Mr. Perdomo, in regard to the electronic -- the charging stations, I think we had a discussion about this last time. And the difference between installation of the 120 versus 240 was cost relative; is that correct?

MR. PERDOMO: That's correct.

COMMISSIONER HOLLINGER: And it was your opinion that 120-volt system would still be adequate

MR. PERDOMO: That is correct, for overnight charging. And I believe, just a matter for clarification, I believe it is 110 volts. But I could certainly be mistaken.

COMMISSIONER HOLLINGER: Very good. Okay. Thank you, sir.

CHAIR MACEACHEN: Thank you.

Mr. Salas, is there anyone else left to speak?

MR. SALAS: Chair and Commissioners, nobody else is signed up to speak.

If anybody else wishes to speak, please say so now.

I believe that's it, Chair.

CHAIR MACEACHEN: Thank you, I sure appreciate it. Long day for you, too, Mr. Salas.

So here we are, we're going to go to the applicant, have them refute anything they have heard from public comment and make their closing statement.

MR. VOS: Appreciate the opportunity, and I'll try to keep this as short as possible. And we'll be available for any of your questions as we move along here.

Regarding the appeal's language, I guess when staff says that it is -- the proposed language is the general practice, that is how appeals have historically happened. There may have been a one-off situation, where the LUHO recommended something

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differently, but we're trying to ensure that our practice, as it has been done historically for most appeal processes is consistent and codifying that into the IDO.

The demolition procedures, we would want -- we definitely recommend the expansion. I think the compromise in direction in the early days as proposed by that second option is valuable and would like to see the commission recommend that. If not, the way it's written currently.

If we get into a discussion about other alternatives rather than deleting it in its entirety, I think we, as staff, would entertain those, rather than -- well, we'll see what the commission's pleasure is, I guess, when we get to that point.

For the tree preservation, and, like I said earlier, we believe this is a flexible approach that will allow staff to analyze and see and potentially protect some important and useful trees.

With the comment that more vetting can occur, I agree. We continually vet the IDO through this process. You know, I think we can adopt what we think is this flexible standard and move forward in a positive direction with tree preservation. And if there are things in there that are not working, we can revisit those. That doesn't mean we shouldn't adopt the standard in the first place, when it can provide fruitful results for the City of Albuquerque.

I believe that the -- and then I guess on the EV charging station, I wrote some of this in the report, the 120-volt is the current technology. 110 is what it used to be, but they're basically the same type of plug. It's what's in your house for a standard outlet.

The 240-volt, sometimes it's 220, it's essentially the outlet that is required for a dryer or a stove. And that is -- and those in electric vehicle parlance are Level 1 and Level 2 charging stations. Our requirement is for a Level 2 charging station at the 240-volt.

And I point out, that is not a DC, direct current, fast charge station. The Level 2, I don't believe, is going to degrade a battery in these newer electric vehicles significantly. But it does provide an adequately fast charge for someone that might be driving longer distances.

If someone is going to drive, you know, between here and Santa Fe, it's going to take some time, quite a bit of time, to charge their car on a Level 1, 110- or -20-volt charger. So there's I think -- we would strongly, strongly urge the commission to keep the 240-volt minimum requirement for our EV charging in place.

With that, I think I can urge your support of the amendments. Happy to respond to any of your questions, and we'll work through each of the conditions together when we get to that point.

CHAIR MACEACHEN: Thank you, Mr. Vos.

Commissioners.

COMMISSIONER HOLLINGER: Hollinger

CHAIR MACEACHEN: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thank you, sir.

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Mr. Vos, there you are. During your presentation, you had language displayed for the conduit for the charging stations. I didn't quite have a chance to review that before you changed slides. Do you have the ability to bring that up again?

MR. VOS: I do. Just give me a moment. That was quite a while ago.

COMMISSIONER HOLLINGER: That was back (inaudible).

MR. VOS: I believe this is the -- Chair and Commissioner Hollinger, the one that you were looking for.

COMMISSIONER HOLLINGER: Yes, sir. That's what I needed to see. Thank you.

CHAIR MACEACHEN: Commissioners, anybody have anything for Mr. Vos?

Does staff have closing comments or reactions to public comment?

Well, there we go. Okay. Well, having said all that, we've gotten to the point where we can start weeding through this again.

Mr. Shaffer, you're the commissioner in charge of weeding through.

VICE CHAIR SHAFFER: Well, I -- thank you, Chair. I appreciate the designation.

The easiest way we're going to do it, because Mr. Vos formatted this one differently than the last one, we're going to have to go through each thing. And obviously we don't have to reread everything. But he literally gave us a bread crumb path at the end of each one of the changes. And we're going to have to be careful again, because some of these are changes from the original proposal, and look at them to make sure we understand if we're voting a yay or a nay on an original proposal or the changes.

He did a really good job of giving us -- by kind of helping us eliminate that by putting an Option A, B or C, most of them being, approve the change, leave it as is, or in the case of the historic building, then gave us a completely different option of a Number 2.

So I think the easiest thing -- it would be really cool if Michael -- if Mr. Vos has put -- had like a synopsis slide show of just those ending slides for each one of the items. But I doubt he has that. We're probably going to have to slide through each one them.

COMMISSIONER ARMIJO: So do you propose we do a straw vote again on each one of these conditions?

CHAIR MACEACHEN: Yeah, we'll see what --

VICE CHAIR SHAFFER: I think so. Oh, sorry.

CHAIR MACEACHEN: We'll take the temperature.

Yeah, Mr. Vos, you want to start from the beginning?

MR. VOS: We certainly may.

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CHAIR MACEACHEN: If you have a better idea, we're open to things.

MR. VOS: I think this is a great idea. And so I've pulled up our recommended conditions of approval that go through.

Condition Number 1 is to adopt the proposed amendment. So do we change them?

And then, I did -- we did talk about and you heard a few public comments on Items 1 through 5. We, as staff, did not propose any changes to those.

So these -- condition starts with --

CHAIR MACEACHEN: Mr. Vos, if you could --

MR. VOS: -- Item Number 6, so --

CHAIR MACEACHEN: Mr. Vos, if you could make that a little bigger.

MR. VOS: Yeah.

CHAIR MACEACHEN: Ms. Schultz is writing in saying -- there we go. Thank you, sir. Didn't mean to interrupt you.

COMMISSIONER EYSTER: Eyster here.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: Thank you, Chair. There could be some proposals for which staff didn't produce conditions. And normally, what we'll do is we'll just, you know, look at number -- and, Chair, you'll say, "Number 1, any concerns?" If none, we go to Number 2.

But maybe he could just tell us, "Okay. Number 1 was this." And you can say, "Anybody want to talk about it? Or do we just go on."

CHAIR MACEACHEN: I appreciate that.

Commissioner Shaffer.

VICE CHAIR SHAFFER: I was going to say the same thing. Because yeah, we may skip one by accident. Because there has been public comment previously -- everything today came on what we see, so I think it's --

CHAIR MACEACHEN: So, Mr. Vos, if you could keep this handy, because I'm sure we'll be going back to it, and start with the first thing we discussed.

MR. VOS: So the very first amendment, which wasn't even discussed in today's staff report, was probably food trucks downtown. So we received no comment in that, so we can probably just move on.

But the first thing that got some discussion today was the deviations, variances procedures for NR-BP and the PC zone districts.

CHAIR MACEACHEN: Commissioners.

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Next item, Mr. Vos.

MR. VOS: The next item was to change how we limit townhouse dwellings, dwelling units within a building to allow in our urban centers, main street, premium transit areas more units in a building.

CHAIR MACEACHEN: Commissioners.

You're doing so well, Mr. Vos. Don't break the streak.

MR. VOS: The next item is what's on your screen, multi-family kitchen exemptions. The condition as written in the report is to delete Councilor Grout's amendment, which will default to the decision that you made earlier on the Housing Forward initiative.

CHAIR MACEACHEN: Thank you, Mr. Vos. I think we need to be consistent, so I would go with deleting this, as well.

Commissioners.

COMMISSIONER ARMIJO: This is Commissioner Armijo. I agree.

CHAIR MACEACHEN: Thank you, Commissioner Armijo.

COMMISSIONER HOLLINGER: Hollinger.

CHAIR MACEACHEN: Do you want to get on the record, Commissioner Hollinger?

COMMISSIONER HOLLINGER: I do. Last time --

CHAIR MACEACHEN: Yes, sir. Please continue.

COMMISSIONER HOLLINGER: I do oppose.

CHAIR MACEACHEN: Okay. I appreciate that.

Mr. Vos.

VICE CHAIR SHAFFER: This is, yeah, Commissioner Shaffer. I support sticking with what we voted on the first time and being consistent. So real quick, just so -- I want to be clear. Sorry. The thing is --

CHAIR MACEACHEN: Let's do it right.

VICE CHAIR SHAFFER: -- that this -- that Number 2, then, would go away because -- no, that stays because --

MR. VOS: No. Chair and Commissioner Shaffer, this amendment, as we wrote it, was staff's recommendation, and your recommendation was adopt Housing Forward and delete the councilor's amendment.

VICE CHAIR SHAFFER: Okay. Just want to be sure.

MR. VOS: So leaving this alone accomplishes what you're saying.

VICE CHAIR SHAFFER: Thank you, Mr. Vos.

CHAIR MACEACHEN: Keeping us on course, Commissioner Shaffer. We appreciate it.

Mr. Vos.

MR. VOS: The next items were regarding car washes. We -- you

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heard a couple comments on them. Staff is recommending additional screening, which is what is shown in the proposed Condition 3.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Yes, Commissioner Eyster.

COMMISSIONER EYSTER: Thank you, Chair.

There was public comment about increasing the buffer from 50 feet to a larger amount. But that's really not on the table in the annual update, is it Mr. Vos?

MR. VOS: Commissioner Eyster, this is our opportunity to revisit our IDO standards. We, as staff, were not proposing a change in the 50 feet. As I mentioned, that's existed since 2017, when the IDO was adopted and seems to be working. Our change this year was to clarify what it applies to, just to make sure staff remains internally consistent.

The 50 feet also matches the requirements that we have for drive-through lanes and the like for restaurants, so, I mean, the 50 feet seems to be working and is consistent for varying things. So that would be my comment on that. But it's open to your discretion.

COMMISSIONER EYSTER: I would be reluctant to add things at the EPC hearing, because, in general, beyond what has been discussed before, because people just don't like it when we bring up new things out of nowhere. I think it's something that bears looking at, but it's something that maybe should be looked at in a future update.

CHAIR MACEACHEN: Thank you. I appreciate that, Commissioner Eyster.

Anybody have strong feelings about car wash language?

Mr. Vos.

MR. VOS: The next items in the report, didn't garner any discussion.

VICE CHAIR SHAFFER: Chair, I'm sorry. Just so I'm clear, can we go right back up. So are we -- everyone is agreeing to leave Condition 3? Because this is a condition that we're agreeing to. So everyone is agreeing to leave these two conditions?

CHAIR MACEACHEN: That's my understanding.

VICE CHAIR SHAFFER: I'm sorry, Conditions 3.A and B, I should say.

COMMISSIONER EYSTER: Yes.

VICE CHAIR SHAFFER: Okay. Thank you. I just wanted us to say that.

MR. VOS: Thank you, Chair and Commissioners. So the next items in the report garnered really no discussion.

So we are here on Condition Number 4, regarding the encroachment of balconies and bay windows.

Staff's recommendation is to go with Option Number 2, which you

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heard some support from public comment.

COMMISSIONER HOLLINGER: Hollinger.

VICE CHAIR SHAFFER: Chair.

CHAIR MACEACHEN: Commissioner Hollinger.

COMMISSIONER HOLLINGER: I just want to make sure that I heard Option 2. That was the front door only approach?

MR. VOS: Chair and Commissioner Hollinger, Option 2 is the front. And then if you have a corner lot, you would also be able to do the street side yard.

COMMISSIONER HOLLINGER: Very good. No opposition here.

COMMISSIONER ARMIJO: This is Commissioner Armijo.

CHAIR MACEACHEN: Commissioner Armijo.

COMMISSIONER ARMIJO: I agree with Option Number 2.

CHAIR MACEACHEN: Commissioner Shaffer.

VICE CHAIR SHAFFER: So I -- the only -- this is -- because I've seen this design before. The only issue I have with that is, you have a setback. I'd hate people to get confused with setback with property line. So property line, what everyone's concern is, is that if you're -- if for some reason you had a building built right on your property line and your balcony was hanging out over their backyard, that's what people were voicing their opinion for. And, of course, nobody wants that.

But the setbacks that are set in place, you're not necessarily having that component in place. And this is what I had brought up in December. You've got a lot of buildings that are, as we talked about, getting converted to multi-family and affordable housing that they need to use that -- and I guess in here, we're calling it bay window, but it's, you know, the Juliet balconies that you don't actually walk out on, but it does have a guardrail that is sticking out from the building that does exceed the edge of the building, but you're not actually -- you know, you don't have a usable balcony.

So I just think that when you go to Option 2, you no longer have that Juliet balcony option for the back of a building because of the fear of, oh, you have a balcony going into someone's backyard, which you wouldn't have.

So I think it's a little bit of a misnomer and a misconception that that's what the encroachment language said.

So I don't know, Mr. Vos, can you either clarify or agree with what I'm saying, or say no, I'm not saying it right.

MR. VOS: Chair and Commissioner Shaffer, I think you're partially right and partially maybe misunderstanding some of the public comment.

The minimum side setback for residential properties is typically 5 feet. And this would allow a balcony to overhang up to 3 feet to a property line.

And the public comment received absolutely takes issue with someone being able to have a balcony sort of less than that

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5 feet or up to 3 feet away from, you know, their property line, not overhanging the neighbor's yard.

The rear yard setback is 15 feet, typically. So maybe the fear is not as much of an issue for rear yards.

But I would also point out, you know, a lot of buildings may have additional setbacks than that minimum. This is only an encroachment into the minimum. So if you're building a setback, you know, 20 feet, you can project 5 feet out to that minimum 15-foot setback and not even use this provision.

VICE CHAIR SHAFFER: Okay.

MR. VOS: This provision is only if you're built to your minimum setback.

VICE CHAIR SHAFFER: Okay. That helps me. So then I'm wondering why Option A wouldn't be -- then if that's the case, I'm wondering what's wrong with Option A, just because of the -- if it's in the front yard, what's the difference? Then you're encroaching on yourself. So I'm confused on why B is better than A.

MR. VOS: Chair and Commissioner Shaffer, Option A and then Option B, right now, you can encroach a certain amount into your side and rear, and you can encroach however much you want into the front, doesn't matter.

When making this change, we would stop the encroachments in the side and the rear, and we would continue to allow someone to project into the front yard. We think that allowing a front yard, or in the case of Option 2, a street side yard projection creates an interesting streetscape and is useful because it doesn't actually impact your neighbor.

VICE CHAIR SHAFFER: Okay. Thank you. I'll yield and I'll support B. Thank you.

CHAIR MACEACHEN: So just for clarification, B is actually 2, so Option 2 is kind of what we're leaning towards; is that correct?

COMMISSIONER EYSTER: Yeah.

CHAIR MACEACHEN: Commissioners, is everybody okay?

COMMISSIONER EYSTER: Yes.

CHAIR MACEACHEN: Mr. Vos.

MR. VOS: I'll just go ahead and make that change to our document here.

VICE CHAIR SHAFFER: Perfect.

MR. VOS: The next amendments are the sensitive lands, mature trees amendments. Staff recommended that you continue with the way we had proposed it, to allow that additional tree preservation with these A and B clerical editorial edits to the language.

You did hear public comment saying that more time was needed to fully vet this proposal.

CHAIR MACEACHEN: So, Mr. Vos, I saw two numbers there. I saw 16-inch and I saw 8-inch. It was 16, and now you're recommending

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8; is that correct?

MR. VOS: That is correct.

CHAIR MACEACHEN: And 8 is a pretty mature tree. And if they want more time to vet it, they can bring it up like they do the 2-foot tall every year; is that correct?

MR. VOS: Chair and Commissioners, if we find out that tree size is too small or it's just not working, we can bring it back next year, we can bring it back two years from now, we can --

CHAIR MACEACHEN: So I can support this (inaudible) --

MR. VOS: -- try it again either way.

CHAIR MACEACHEN: -- and I'd go with your recommendation.
Commissioners.

COMMISSIONER ARMIJO: This is Commissioner Armijo. I agree.

COMMISSIONER STETSON: Commissioner Stetson. I agree.

CHAIR MACEACHEN: Thank you, sir.

VICE CHAIR SHAFFER: I would say, just having to deal with this a lot, 8, it sounds like it's a big tree, it's really not that big of a tree. And you run into that more often than you think. It's not, when you're having to take into consideration other things where that tree happens to be, like with the city saying, "Well, yeah, you're going to have to maintain the sidewalks through this section," and now all of a sudden you're in the drip line where, what do you do?

Then you're kind of stuck in a Catch-22 from two different provisions of city saying you have to have a sidewalk here, but you can't touch the tree, so now you can't do anything. So I understand where they're coming from on it. So it's not that big of a tree, and you run into it more than you think.

MR. VOS: Chair and Commissioner Shaffer, I think we have -- I believe our intent was if -- especially if we require a sidewalk to be installed that affects one of these trees, there's the provisions for that tree to be replaced with new trees or landscape area on the site.

VICE CHAIR SHAFFER: And I would tell you, sir, that somebody needs to talk to some other people in the planning department about that. Because that is not an option some of the time. I will tell you that I've sat and argued that point, and they were, like, "Yeah, come up with a new design and then come back to us," and you can't.

So I just think, again, I agree with saying I think that the idea is right. I think it needs more work, is what I will say.

CHAIR MACEACHEN: Well, for today's work, we can live with what they've recommended. Is that true, Commissioners?

COMMISSIONER HOLLINGER: Hollinger.

CHAIR MACEACHEN: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thank you.

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Commissioner Shaffer, would you feel more comfortable if the 16-inch as opposed to 8-inch was brought back in?

VICE CHAIR SHAFFER: I think that the -- I like the part of A, where it talks about the drip line, because that part's important. That actually does add some clarification. That kind of -- so a tree's drip line is basically its canopy and where it falls. Which, then, if you're not cutting out the roots of the tree to get that sidewalk in, then you can preserve the tree.

So there's -- some of that stuff touches on itself just by saying 16-inch, but now you -- if you have a 16-inch tree, you have a much bigger canopy and a much bigger drip line, and then you're a much bigger root.

So it's kind of -- that's why I'm saying it's got some more vetting to do versus making a clear statement. But saying 16 may actually bring in a bigger problem. So that's -- I -- I -- yeah.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: Thanks, Chair. I wonder if the commission would support an alternate condition that says that this needs to be worked through better and looked at next year, instead.

VICE CHAIR SHAFFER: I would support that, just because that there's so much to discuss. And I don't -- no one want to -- again, nobody wants to kill these cottonwoods or any of the trees that are going down, but it's just you run into it a heck of a lot more that you think you do in developing areas.

CHAIR MACEACHEN: Mr. Vos, is that an option?

MR. VOS: Chair and Commissioners, should you choose to pursue that, we can certainly go that way?

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: It seems best to me, Chair, if we get a motion and a second and a vote, since it's a new condition. It would be a changed condition.

CHAIR MACEACHEN: So what you're looking for is a motion to kick the can down the road until next year?

COMMISSIONER EYSTER: I hate to use that terminology, but yes.

CHAIR MACEACHEN: I'm sorry, I was not degrading at all. I was not. I'm just getting clarity here.

COMMISSIONER EYSTER: Yeah, I could take a shot at a motion, if you'd like.

CHAIR MACEACHEN: Let's see what the commissioners have to say.
Commissioners.

COMMISSIONER ARMIJO: Why can't we do a straw vote to see who would like to leave it as is now, as opposed -- you know, before we go on this path?

CHAIR MACEACHEN: Okay. Let's do that.

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Commissioner Shaffer.

VICE CHAIR SHAFFER: All I would like to just say is --

COMMISSIONER EYSTER: What's the question?

VICE CHAIR SHAFFER: I had a question in regard to that. If -- if -- picture this. If we did switch it to say, hey, this needs to be further vetted and we recommend that staff revisits this, and that's one of our conditions, city council doesn't have to accept that.

What the rest of the commissioners are saying is they want it as written. So guess what, if we don't -- if they don't accept our recommendation of vetting it, you're -- the commissioners are going to get what they want, which was as written.

So I would just suggest, as an option, and if city council decides not to accept that condition, they don't have to, and then you'll have it as written.

CHAIR MACEACHEN: My experience, the city council does whatever they want anyway, but --

VICE CHAIR SHAFFER: That's what I mean.

CHAIR MACEACHEN: -- I see your point.

So I'm going to go ahead and ask how many commissioners can support what's written. And if we can't get there that way, then we'll try to skin the cat another way.

And so I would go with Commissioner Shaffer first, and I suppose you're saying: I'd like to have new language and a new motion.

VICE CHAIR SHAFFER: That is correct, yes, sir.

CHAIR MACEACHEN: Commissioner Shaffer is a no.

Commissioner Cruz.

COMMISSIONER CRUZ: I'm fine with it as written.

CHAIR MACEACHEN: Thank you, sir.

Commissioner Meadows.

COMMISSIONER MEADOWS: I'm fine with it as written.

CHAIR MACEACHEN: Thank you, Commissioner Meadows.

Commissioner Hollinger.

COMMISSIONER HOLLINGER: Commissioner Hollinger is no. I support --

CHAIR MACEACHEN: Commissioner Hollinger --

COMMISSIONER HOLLINGER: -- Commissioner Shaffer's thought.

CHAIR MACEACHEN: Okay.

Commissioner Pfeiffer

COMMISSIONER PFEIFFER: Commissioner Pfeiffer, no.

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CHAIRMAN MACEACHEN: Could you repeat that. I'm sorry.

COMMISSIONER PFEIFFER: Commissioner Pfeiffer is a no.

CHAIR MACEACHEN: A no. Okay.

Commissioner Eyster.

COMMISSIONER EYSTER: Eyster, no.

CHAIR MACEACHEN: Eyster is a no.

Commissioner Stetson.

COMMISSIONER STETSON: Commissioner Stetson, no. Commissioner Shaffer is correct.

CHAIR MACEACHEN: Commissioner Stetson is no.

Commissioner Armijo.

COMMISSIONER ARMIJO: Armijo as written.

CHAIR MACEACHEN: Okay. Commissioner Armijo as written. I'm an as written. However, Commissioner Shaffer gets to make a new motion now. (Inaudible).

VICE CHAIR SHAFFER: Chair, I defer. I thought Commissioner Eyster was coming up with the wording for it.

CHAIR MACEACHEN: Well, between the two of you, give me a motion.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Yes, sir.

COMMISSIONER EYSTER: On Condition 5, sensitive lands and mature trees, we will not use A and will not use B. We'll say delete the proposed amendment or -- okay. Delete the proposed amendment, and if council wants to pursue this, it needs to be further developed.

COMMISSIONER STETSON: Commissioner Stetson. I can approve. I can agree with that.

CHAIR MACEACHEN: We have a motion and a second.

Commissioner Shaffer.

VICE CHAIR SHAFFER: Commissioner Shaffer, aye.

CHAIR MACEACHEN: Commissioner Cruz.

COMMISSIONER CRUZ: I'll say aye. I'll switch over.

CHAIR MACEACHEN: Cruz is an aye.

Commissioner Meadows.

COMMISSIONER MEADOWS: Sure, why not. Aye.

CHAIR MACEACHEN: This is the most lukewarm motion ever.

Ms. Renz-Whitmore, do you have something to add before we go on with our vote? You popped in, I saw.

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MS. RENZ-WHITMORE: Mr. Chair, I really appreciate that. I'm hoping that the second part of that motion can actually be a finding and not a condition.

So the condition would be, here's the action to take, delete it. Finding would be, you know, this should be further vetted for --

CHAIR MACEACHEN: Oh, I like that.

MS. RENZ-WHITMORE: -- for a future --

CHAIR MACEACHEN: I'm glad you popped in.

Commissioner Eyster, can you live with that?

COMMISSIONER EYSTER: Of course.

CHAIR MACEACHEN: So we're going to delete that altogether and have a finding that asks them to re-vet that and to rework it. Is that kind of where we're going?

MS. RENZ-WHITMORE: And you can leave it as open as you want. You can just say this idea should be vetted further, or you can direct staff to do that, or you can ask council to consider it.

CHAIR MACEACHEN: Oh, no. I'm not going that route.

Commissioner Shaffer.

VICE CHAIR SHAFFER: No, and she's right. We were -- it's a finding. We're saying -- the condition is delete it. And then the finding definitely needs to be -- because we do think it needs to be vetted. We don't want to leave it up in everybody else's hands. And it need to be vetted further.

CHAIR MACEACHEN: More extensively vetted? How is that?

VICE CHAIR SHAFFER: Yeah, it needs to be vetted more extensively to achieve the desired results.

CHAIR MACEACHEN: Mr. Vos, do you have all that?

MR. VOS: I believe I do. I'm writing as you --

CHAIR MACEACHEN: Oh, we're in trouble now.

Ms. Schultz.

MS. SCHULTZ: Mr. Chair, Commissioners, just a question of clarity, as council staff will largely have to deal with with the findings and conditions packet once the packet gets over here.

Are you wanting council staff and council to investigate this further as part of the 2022 IDO annual update? Or are you asking that staff push this to 2023, which would be submitted later this fall to allow adequate time to get appropriate parties together?

CHAIR MACEACHEN: I'm out in 2025. If you could push --

VICE CHAIR SHAFFER: 2023. Ms. Schultz, I appreciate that. It's considered for the next annual update.

MS. SCHULTZ: Thank you, Commissioners. That's helpful for me.

CHAIR MACEACHEN: So we'll delete that and we'll have a finding

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that asks for a little more extensive research by whoever may be researching. Is that fair?

VICE CHAIR SHAFFER: That's what --

COMMISSIONER HOLLINGER: Hollinger.

VICE CHAIR SHAFFER: That's what Mr. Vos is typing now, and...

CHAIR MACEACHEN: Okay. So --

COMMISSIONER HOLLINGER: Hollinger.

CHAIR MACEACHEN: Commissioner Hollinger.

COMMISSIONER HOLLINGER: So when we are stating that -- thank you, Chair. If we're stating that it needs to be further investigated, should we provide a bit more direction? Maybe as not to impede development?

CHAIR MACEACHEN: Well, I don't know if we say "impede." Maybe you can say that considers drip lines and considers sidewalks and other, you know, landscape features.

Commissioner Shaffer, I knew you'd have words.

VICE CHAIR SHAFFER: I would say just that meets the intent of the current proposal. I mean, it's -- they have an intention that they're trying to meet, and that's clear, but it needs to be developed further.

CHAIR MACEACHEN: Okay. Do we need a vote on that now to delete that?

VICE CHAIR SHAFFER: Yes.

CHAIR MACEACHEN: Okay. So do we have a motion to delete it?

COMMISSIONER STETSON: So moved. This is Commissioner Stetson.

CHAIR MACEACHEN: Thank you, Commissioner Stetson. (Inaudible) second.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster is the second.

We'll go to a vote.

Commissioner Shaffer.

VICE CHAIR SHAFFER: Commissioner Shaffer, aye.

CHAIR MACEACHEN: Commissioner Shaffer is an aye.

Commissioner Cruz.

COMMISSIONER CRUZ: Commissioner Cruz is aye.

CHAIR MACEACHEN: Commissioner Cruz is an aye.

Commissioner Meadows. Aye.

COMMISSIONER MEADOWS: Commissioner Meadows, aye.

CHAIR MACEACHEN: Commissioner Meadows is an aye.

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Commissioner Hollinger.

COMMISSIONER HOLLINGER: Hollinger, aye.

CHAIR MACEACHEN: Commissioner Hollinger is an aye.

Commissioner Pfeiffer.

COMMISSIONER PFEIFFER: Commissioner Pfeiffer, an aye.

CHAIR MACEACHEN: Commissioner Pfeiffer is an aye.

Commissioner Eyster.

COMMISSIONER EYSTER: Eyster, aye.

CHAIR MACEACHEN: Commissioner Eyster is an aye.

Commissioner Stetson.

COMMISSIONER STETSON: Commissioner Stetson, aye.

CHAIR MACEACHEN: Commissioner Stetson is an aye.

Commissioner Armijo.

COMMISSIONER ARMIJO: What the heck, aye.

CHAIR MACEACHEN: Commissioner Armijo is an aye.

Chair is an aye.

(9-0 vote. Motion approved.)

CHAIR MACEACHEN: Mr. Vos, you're up again, sir.

MR. VOS: Thanks. And hopefully you all saw the additional Finding 23 in this -- and I referenced that in the condition to delete here.

The next topic is the maximum parking requirements proposed by Councilor Benton. You have -- we've presented three options as proposed by city council staff, the sort of compromised position, which I think you heard some comments on, and then deleting the maximums in their entirety.

CHAIR MACEACHEN: Commissioners.

Commissioner Meadows.

COMMISSIONER MEADOWS: I support the compromise.

CHAIR MACEACHEN: Okay. So there's a compromise.

Who crafted the compromise, Mr. Vos?

MR. VOS: Chair and Commissioners, I believe I drafted that language.

CHAIR MACEACHEN: You have no recollection.

MR. VOS: At this time of the day, I'm not sure I do.

CHAIR MACEACHEN: Do any of the commissioners have strong feelings about any one of these three choices? Commissioners.

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VICE CHAIR SHAFFER: Chair, we're talking about, just so we're clear, because we have Option -- we have 6.A, 6.B, 6.C. so Commissioner Meadows, you're supporting 6.B?

COMMISSIONER MEADOWS: (No audible response.)

VICE CHAIR SHAFFER: I'll support Commissioner Meadows.

CHAIR MACEACHEN: So we have a couple of people feeling it for Item B. Anyone else?

COMMISSIONER ARMIJO: This is Armijo. I support Item B, also.

CHAIR MACEACHEN: Okay. The option for -- I mean, the compromise for Commissioner Armijo.

Commissioner Eyster

COMMISSIONER EYSTER: I support.

CHAIR MACEACHEN: The compromise?

COMMISSIONER EYSTER: I support the compromise.

CHAIR MACEACHEN: Commissioner Stetson.

COMMISSIONER STETSON: I'm in the minority. I support C.

CHAIR MACEACHEN: Okay. I get that.

Commissioner Pfeiffer.

COMMISSIONER PFEIFFER: I support the 6.B.

CHAIR MACEACHEN: 6.B. okay. So I think we've got plenty of votes to go with B. Is everybody okay with that, or do we need a roll call vote?

COMMISSIONER CRUZ: Yes, I'll go with B, as well.

CHAIR MACEACHEN: Thank you, Commissioner Cruz.

Mr. Vos.

VICE CHAIR SHAFFER: Chair.

CHAIR MACEACHEN: Yes.

VICE CHAIR SHAFFER: I wanted to thank Mr. Vos for taking care of my OCD and getting all those fonts changed correctly. I was getting a little stressed out. Thank you.

CHAIR MACEACHEN: Great. Now you've spoiled him, Mr. Vos.

MR. VOS: Chair and Commissioners, this next condition, Item Number 7, I think I failed to mention earlier, but it is just a clarification, since we're talking about the maximum parking requirements and how parking structures are exempt.

We define parking structures and then we separately define wrapped parking, and then parking that might be underground, which they function similarly, but are proposing to add this language.

And our recommendation would be to do this no matter what you did with the previous Condition 6.

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CHAIR MACEACHEN: Does anybody have heartburn over that?

Mr. Vos, please continue.

MR. VOS: The next item in the staff report are the changes for electric vehicle parking, which is reflected in proposed Condition 8. This is just our proposed townhouse change from dwellings to developments.

For clarity, you heard several comments about voltages and the like. We would --

CHAIR MACEACHEN: This isn't dealing with voltages yet.

MR. VOS: -- (inaudible) keeping the 240.

CHAIR MACEACHEN: This isn't dealing with voltages yet, correct?

MR. VOS: This is not dealing with voltages. You can dispense with this proposed minor condition, but this would be the time to talk about electric vehicles more generally. This is the only staff proposed condition. We did not produce options for your consideration.

COMMISSIONER MEADOWS: So, Mr. Chair.

CHAIR MACEACHEN: Yes, sir, Commissioner Meadows.

COMMISSIONER MEADOWS: So I have a plug-in hybrid, and I use -- at home, I use a 110-volt outlet, and it's just fine. But I only have a 40-mile range. So if I had a 200- or 300-mile range, charging it overnight with 110 would not be enough. You would need a faster charger.

So I do support the 220-volt, but now I -- you know, maybe they're asking for too many charging station, or maybe that needs to be looked at. But I think if you stay with the 110, it's not going to charge some of the newer EVs overnight. So thank you.

CHAIR MACEACHEN: So from what I understand, when they did the math, even a 200-space parking lot would only have ten with the new amounts. So I don't think there's any overkill on ten parking place out of 200.

And I agree with you on the 220.

Commissioners.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: Thank you, Chair.

So Commissioner Meadows, you're saying that if you had to go to Santa Fe or Taos every day, you couldn't charge your car up at night? It's not -- 110 is not enough?

COMMISSIONER MEADOWS: Well, I couldn't anyway on a charge, because I have a hybrid, but --

COMMISSIONER EYSTER: Oh, yeah.

COMMISSIONER MEADOWS: But yeah, if I had a full EV, I don't think a 110 would charge it up enough to go long distance.

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COMMISSIONER EYSTER: So that is counter to the information we were given by a couple of the witnesses. But I'm inclined to go with what you're saying, since you have one and I think you must understand it better than most people.

CHAIR MACEACHEN: Thank you, Commissioner Eyster.

Commissioners.

COMMISSIONER HOLLINGER: Hollinger.

CHAIR MACEACHEN: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thank you, sir.

So I just want to put this out there, because I think what we're failing to talk about is ampacity. Everybody keeps talking about voltage, and there's differing views, if it's 110 or 120. But really, the difference comes down the copper, so what the wire can support. And if you have a 240-volt system, you need less wire to support more amperage. So that's just ohms law.

My concern is that if you have install to a 120-volt system at a certain gauge of wire, you're limiting your future for charging. So as vehicles probably will have a higher demand, if we say that, "Okay. Look, you're only required to put in a 120-volt line," then you're restricting your ampacity.

So I think looking forward, it's important to have a 240-volt system, less copper, higher ampacity.

CHAIR MACEACHEN: I was going to say that. I mean, that is exactly what I was going to say.

Commissioners.

COMMISSIONER EYSTER: Eyster. Where are we with the condition and the 240? We don't have it in there. I guess we would need to add it.

MR. VOS: Chair and Commissioner Eyster, if I may. The way the proposal is written is to go with the 240-volt. That's how the IDO has treated it.

COMMISSIONER EYSTER: Okay.

MR. VOS: So just to stay with 240, it requires no action on your part.

COMMISSIONER EYSTER: Okay. Thank you, Mr. Vos.

CHAIR MACEACHEN: So we're looking at the definition of parking right now, Item 7?

MR. VOS: We are looking at Number 8, electric vehicle parking.

CHAIR MACEACHEN: Oh, that. Okay. Oh, that's just one word, development versus dwellings.

Does anybody have heartburn over that one?

COMMISSIONER ARMIJO: No.

CHAIR MACEACHEN: Good job. So item -- oh, this is edge buffers.

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Is this Councilor Jones'?

MR. VOS: Chair and Commissioners, we're not quite to Councilor Jones'.

9 and 10 are sort of collective picks that staff is proposing, since low density single-family can get built in the multi-family low density zone district. If that occurs they're actually not protected by our buffer requires as they're currently written.

So we're sort of adding that R-ML to the low density section in Number 9. And then in Number 10, clarifying townhouses or multi-family in those, go by the other section.

CHAIR MACEACHEN: Commissioners.

I don't think anybody has a problem with it. Please continue.

MR. VOS: So, Chair and Commissioners, we are now to the competing amendments, 20 through 25 for edge landscaped buffers.

20 through 24 being staff's recommended changes to accommodate a change in how we do the area of change and area of consistency, and Condition 12 -- so this is, you're choosing between Condition 11 or Condition 12.

Condition 12 would be to adopt Item 25, which is Councilor Jones' amendment to delete buffers between areas of change and consistency altogether.

CHAIR MACEACHEN: And your recommendation is?

MR. VOS: Staff's recommendation is to go with Item 11. We developed these proposals to sort of provide the nuance that we think is necessary to continue implementing them. And there are some situations where you may have a residential home that's zoned for commercial use, and in that instance, they may be an area of consistency because of the land use.

And so there are some places where it is necessary to utilize the area of change and consistency. I think it's not entirely correct to say that this area of change and consistency buffer is entirely duplicative or unnecessary because we have the other buffering section.

CHAIR MACEACHEN: Commissioners.

COMMISSIONER MEADOWS: Mr. Chair.

CHAIR MACEACHEN: Commissioner Meadows.

COMMISSIONER MEADOWS: So I was wondering, Mr. Vos, could you give us an example of where a lot might have both a use buffer and an area of change buffer on the same lot, where it would come into effect?

MR. VOS: Sure. So if you are developing multi-family residential on a lot that's adjacent to a single-family neighborhood, if you're in one of our corridors doing that multi-family, you're likely in an area of change that's next to an area of consistency.

If, per the regular buffering, by use you're required, because you're adjacent to R-1, to provide a 15-foot buffer, area of change next to area of consistency, the consistency being R-1, you're required to do a 15-foot buffer. So it's kind of a wash.

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If you were industrial, next to a nonindustrial, which is a different use separation buffer requirement, and let's say it's next to that single-family neighborhood, the use buffering would require a 25-foot edge landscape buffer. But if the industrial was area of change versus area of consistency, it would require just 15 feet by the area of change and consistency. But the more restrictive bigger buffer is what applies.

Going in the opposite direction, this has occurred, where there's a residential subdivision that the zoned mixed-use and someone wants to build apartment, multi-family next door to mixed-use. In that situation, there is no land use required buffer between a multi-family development and a mixed-use district.

However, because that mixed-use zone district was developed as a single-family neighborhood, it is an area of consistency, and therefore, in that instance, it actually -- the area of change and consistency rules, as they're written today, would require a 25-foot buffer.

We are proposing that in amendments 20 through 24 to reduce that to 15 to just be consistent with the rest of buffers for single-family.

So three different potential sort of scenarios that could occur, and the last one sort of explaining why staff thinks it's important to go with Number 11.

MS. RENZ-WHITMORE: Could I jump in with one more, Mr. Chair?

CHAIR MACEACHEN: Sure.

MS. RENZ-WHITMORE: Mike did a great job thinking through that on the fly.

The only thing that I would add is, let's say there's two mixed-use developments, one is in a center and automatically gets to be two stories taller, and then adds a bonus, let's say for workforce housing. It can suddenly be 40 stories more than this same use that's in an area of consistency and wouldn't have those same bonus heights.

This buffer between area of change and consistency also accommodates that change of scale, even though there's no use difference.

So I think, again, this is about where the city is encouraging additional development intensity, not just change of use. And I think that's, for me, the most important example for where the area of change and consistency actually kicks in. Because we are continually encouraging development and redevelopment in those areas of change.

CHAIR MACEACHEN: Commissioners.

COMMISSIONER HOLLINGER: Hollinger.

CHAIR MACEACHEN: Commissioner Hollinger.

COMMISSIONER HOLLINGER: I'll support staff's recommendation, Number 11. Correct in.

CHAIR MACEACHEN: Mr. Vos, is that correct?

MR. VOS: Chair and Commissioner Hollinger, that's correct.

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CHAIR MACEACHEN: Keep us straight.

Commissioner Stetson.

COMMISSIONER STETSON: I'm in support of 25 and I oppose 20 through 24, if that's helpful.

COMMISSIONER ARMIJO: Can you scroll down a little bit so I can see.

This is Commissioner Armijo, I support the staff's recommendation.

CHAIR MACEACHEN: Thank you, Commissioner Armijo.

Commissioners, feel strongly in a particular direction?

COMMISSIONER MEADOWS: And Commissioner Meadows, I support the staff compromise.

CHAIR MACEACHEN: Thank you, Commissioner Meadows.

Commissioner Shaffer. Commissioner Hollinger.

COMMISSIONER HOLLINGER: Hollinger (inaudible).

CHAIR MACEACHEN: Pfeiffer.

COMMISSIONER HOLLINGER: I'll just go on record and say that I think that Councilor Jones had good intent to simplify the process, but hearing staff's thorough explanation led me to support their decision.

CHAIR MACEACHEN: Any strong feelings, Commissioner Pfeiffer?

COMMISSIONER PFEIFFER: I support staff in their recommendations.

CHAIRMAN MACEACHEN: It sounds to me we're heading staff's way. Would someone like to make a motion.

COMMISSIONER HOLLINGER: So moved. Hollinger.

CHAIR MACEACHEN: So Commissioner Hollinger has a motion. Do we have a second?

COMMISSIONER ARMIJO: Armijo, second.

CHAIR MACEACHEN: Commissioner Armijo is a second. We'll go to a vote.

Commissioner Shaffer.

VICE CHAIR SHAFFER: I really enjoyed the explanation that Mr. Vos gave. It clarified in a long fashion there. I'll support staff's. So yes.

CHAIR MACEACHEN: Commissioner Shaffer is a yes.

Commissioner Cruz.

COMMISSIONER CRUZ: Commissioner Cruz, yes.

CHAIR MACEACHEN: Commissioner Cruz is a yes.

Commissioner Meadows.

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COMMISSIONER MEADOWS: Commissioner Meadows, yes.

CHAIR MACEACHEN: Commissioner Meadows is a yes.
Commissioner Hollinger.

COMMISSIONER HOLLINGER: Hollinger, aye.

CHAIR MACEACHEN: Commissioner Hollinger is an aye.
Commissioner Pfeiffer.

COMMISSIONER PFEIFFER: Commissioner Pfeiffer, an aye.

CHAIR MACEACHEN: Commissioner Pfeiffer is an aye.
Commissioner Eyster.

COMMISSIONER EYSTER: Eyster, staff.

CHAIR MACEACHEN: Oh, which is an aye.

COMMISSIONER EYSTER: That would be an aye.

CHAIR MACEACHEN: Commissioner Stetson.

COMMISSIONER STETSON: All right. Commissioner Stetson, aye.

CHAIR MACEACHEN: We liked an aye from Commissioner Stetson.
Commissioner Armijo.

COMMISSIONER ARMIJO: Aye.

CHAIR MACEACHEN: Commissioner Armijo is an aye.
Chair is an aye. (9-0 vote. Motion approved.)

CHAIR MACEACHEN: Mr. Vos, you're up once again.

VICE CHAIR SHAFFER: Let him finish his cleanup.

MR. VOS: Chair and Commissioners, now that you've made that decision, the conditions are now going to be out of -- the number is going to be different, because I just deleted Number 12.

But the next is the maximum height for walls and fences and front yards.

CHAIRMAN MACEACHEN: So let's give you a minute to renumber things, because I do not want to get things confused again.

In fact, you guys want to take a 10-minute break?

COMMISSIONER ARMIJO: I think we can probably dispose of this one right away. We've already voted on this thing last year, the fences item. The fences. I think it's a no-brainer.

VICE CHAIR SHAFFER: And he already got through it.

CHAIR MACEACHEN: You want to muscle through, that's fine.

MR. VOS: So, Chair and Commissioners, this is your three options that were discussed earlier to increase the wall height as

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proposed, potential compromise of 4 feet, and Option C to delete it.

COMMISSIONER ARMIJO: This is Armijo. I go for C.

COMMISSIONER EYSTER: Eyster.

CHAIR MACEACHEN: Yes, sir.

COMMISSIONER EYSTER: The public has documented enormous downside. The administration has not demonstrated any upside. I would like to delete the proposed amendment.

CHAIR MACEACHEN: Commissioners. Let's turn it around.

Commissioner Armijo, why don't you make that a motion.

Commissioner Eyster, you make it a second and we'll vote.

COMMISSIONER ARMIJO: So done. I move for Option C.

CHAIR MACEACHEN: Commissioner Eyster.

COMMISSIONER EYSTER: I second. Okay. We'll go to roll call vote.

Commissioner Shaffer.

VICE CHAIR SHAFFER: Commissioner Shaffer, Option C.

CHAIR MACEACHEN: Good job. What were we voting on, C?

Commissioner Cruz.

COMMISSIONER CRUZ: Commissioner Cruz, aye.

CHAIR MACEACHEN: Commissioner Cruz is an aye.

Commissioner Meadows.

COMMISSIONER MEADOWS: Commissioner Meadows, aye.

CHAIR MACEACHEN: Commissioner Meadows is an aye.

Commissioner Hollinger.

COMMISSIONER HOLLINGER: Hollinger, no.

CHAIR MACEACHEN: No? Okay. Commissioner Hollinger, no.

COMMISSIONER HOLLINGER: I do understand that's the public's opinion. That's my stance. So I'm probably going to get out-voted anyway, but for the record, I'll put that out there.

CHAIR MACEACHEN: It's important to stand up.

Commissioner Pfeiffer.

COMMISSIONER PFEIFFER: Commissioner Pfeiffer, aye.

CHAIR MACEACHEN: Commissioner Pfeiffer is an aye.

Commissioner Eyster.

COMMISSIONER EYSTER: Eyster, aye.

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CHAIR MACEACHEN: Commissioner Eyster is an aye.

Commissioner Stetson.

COMMISSIONER STETSON: You know, Commissioner Stetson is going to go with Commission Hollinger. It's a nay.

CHAIR MACEACHEN: Good group to be with.

Commissioner Armijo.

COMMISSIONER ARMIJO: Commissioner Armijo, aye.

CHAIR MACEACHEN: Chair is an aye.

(7-2 vote. Motion approved
with Commissioners Hollinger
and Stetson voting no.)

CHAIR MACEACHEN: Mr. Vos.

MR. VOS: All right.

COMMISSIONER PFEIFFER: (Inaudible).

CHAIR MACEACHEN: Oh, Commissioner Pfeiffer, yes, ma'am.

COMMISSIONER PFEIFFER: I'm sorry, I thought you were looking -- I'm sorry, I didn't turn off my mute.

CHAIR MACEACHEN: Okay. We okay going with Mr. Vos now?

Mr. Vos.

MR. VOS: Chair and Commissioners, the next several items in the report were items that received no public comment, so this item 13 in the conditions jumps ahead to the post-submittal facilitated meetings. This is the discussion we had earlier that ties in Condition 14 for a potential change to pre-submittal meetings and the thresholds that are -- there they go by when they're required.

CHAIR MACEACHEN: Okay. So Commissioner Eyster, comments on this?

Commissioner Shaffer.

VICE CHAIR SHAFFER: I'm confused. So we're asking on this one, and this is where staff is recommending in the report, since we're not looking at that -- in the presentation, we're looking at leaving it, correct, and then there's these options?

MR. VOS: Chair and Commissioner Shaffer, so for post-submittal facilitated meetings, the proposed annual update amendments are to add this language, with a 100-unit threshold that matches existing language in the IDO for pre-submittal.

This language does not exist at all for post-submittal today. In addition to adding that language, we, staff's proposal so to adjust that 100-unit threshold downward to 50.

So your two options are 50-unit threshold to have a meeting for this, or to just go with the way we -- the amendment was originally introduced, to add this language with 100 units.

CHAIR MACEACHEN: So I would support the 100 units.

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VICE CHAIR SHAFFER: This is Commissioner Shaffer. I would, too. There was a reason they got to where they -- again, not to take away from anybody having a pre-submittal meeting. But they already vetted this, went through it, came up with the hundred-unit number, and now that the -- now that we've switched the roles of who sees this, they're wanting to switch it back. And I think that it's been vetted correctly the first time and I don't want to undue that work, because there's nothing -- there's been no case study history to support that it was done incorrectly.

So I would say B.

COMMISSIONER ARMIJO: This is Commissioner Armijo. Even if we say to -- we want to make them 50, you know what's going to happen when it goes to the full council, it'll be back at 100. So I agree with Commissioner Shaffer.

COMMISSIONER EYSTER: Yeah.

COMMISSIONER HOLLINGER: Hollinger

CHAIR MACEACHEN: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thank you, Chair. I just wanted to recognize that I did hear public comment, I believe it was from Ms. Horvath, and she was urging that we opt for the 50-count version.

However, I'm going to lean with the rest of my commissioners, and say that the hundred count probably makes sense. And if need be, that could always be addressed again.

CHAIR MACEACHEN: So if we've got general consensus and enough votes not to take a vote, does anybody have heartburn with going with a hundred?

So let's put it at 100.

Mr. Vos, you're up again.

MR. VOS: Chair and Commissioners, to just go with what's been in the document, we can just completely delete that.

And so this was related to that. I just want to reiterate, this is now talking about pre-submittal versus post-submittal.

CHAIR MACEACHEN: My suggestion would be back to 100. Anybody have heartburn with that?

VICE CHAIR SHAFFER: Second that. It stays consistent.

MR. VOS: Then we have this Condition Number 13, is the next section from the report for appeals and the remand hearing language.

You heard, I believe, one public comment that this maybe is not standard practice. I think that's based on a one-off instance and that this language, which has been vetted by legal staff, is to codify what has historically been our standard practice.

VICE CHAIR SHAFFER: Chair.

CHAIR MACEACHEN: Commissioner Shaffer.

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VICE CHAIR SHAFFER: I heard the word "legal," so I'm pressing my opt-out button and referring to Counsel Myers, because I -- I want to be careful, obviously. We want to be careful on our commission that we're not putting ourselves in a position that puts the city in a position. So I want to be in the right position.

MR. MYERS: This is Matt Myers. I am not the counsel that they are referring to when they say they've talked about this with counsel.

VICE CHAIR SHAFFER: I'm aware of that. I'm just saying you're our counsel, though. And so I know that they've vetted it through their counsel, and that's wonderful.

So are you we -- if we -- I guess let me ask you the question. The question for you, from me, would be if we agreed with their condition of approval, how it's done here, are we okay following somebody else's legal approval?

MR. MYERS: Yeah, yeah. Let me just read it real quickly. Let me just read through it. Okay?

Yes, yes. Thank you for asking, Commissioner Shaffer. And I think that is fine.

CHAIR MACEACHEN: Commissioners, everybody okay with this?

VICE CHAIR SHAFFER: Yes, sir.

CHAIR MACEACHEN: Super.

Mr. Vos.

MR. VOS: Next section here, proposed Condition 14 is related to the deletion of circulation patterns from the criteria that would elevate a minor amendment to a major amendment.

As was discussed, you could -- an option is to add the language or a traffic-impact study, so those projects that do require a traffic study would be elevated to the original decision-making body.

COMMISSIONER MEADOWS: Mr. Chair.

CHAIR MACEACHEN: Educate Commissioner Meadows.

COMMISSIONER MEADOWS: So I support this recommendation from staff to tie it to a traffic-impact study. I think that makes sense.

CHAIR MACEACHEN: So just a question. Does this raise the level of how many traffic studies we'll need because of this? I'm trying to understand it. Because to me, there are no traffic study guys out there anymore. They'll all retired or gone away.

MR. VOS: Chair and commissioner, no. We require a traffic scoping form with any development. And if the development per our traffic engineers meets the thresholds, you need to do a traffic study.

What this requirement does is basically says that if your development was an amendment to an old site plan and you hit that threshold to require a traffic study, you would have to come back to the original decision-making body and not do it administratively.

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But it would not change the number of studies that are required or not required.

CHAIR MACEACHEN: I appreciate that. It's kind of a sore spot with me.

Commissioners. So is everybody okay with the staff recommended minor modification to this? Is anybody opposed to it?

Nobody's opposed to it. Go on, Mr. Vos.

MR. VOS: Number 15, as was mentioned, we would recommend that that exact same change gets carried forward to the other section. There's probably not much of a reason to discuss that one.

Demolition outside of an HPO, and that's (inaudible) --

VICE CHAIR SHAFFER: I would recommend we go with 16.B.

CHAIR MACEACHEN: 16.B. oh, yeah, yeah, yeah. I'd go with that, as well.

UNIDENTIFIED COMMISSIONER: I'm in agreement, as well.

CHAIR MACEACHEN: Does anybody have trouble with 16.B?

Mr. Vos, please continue.

VICE CHAIR SHAFFER: He's got to clean it up.

MR. VOS: And finally is our --

CHAIR MACEACHEN: I like "finally."

MR. VOS: There were a couple other things in the report; again, very few, things in the way of public comment that initiated any discussion.

So the final is to add the amendment as was discussed for a clean room. And this highlighted language is what we've come up with for your consideration, based on Commissioner Shaffer's questions and discussion earlier.

VICE CHAIR SHAFFER: So, Chair.

CHAIR MACEACHEN: Commissioner Shaffer. I'm sorry. I was reading it.

VICE CHAIR SHAFFER: No problem. And what he had put on there, just I had said, instead of creating a completely new definition, I just maybe said put an exclusion comment so it clearly excludes people -- a clean room that doesn't engage in those activities, that this section doesn't apply to, is what I had suggested.

CHAIR MACEACHEN: Good suggestion.

VICE CHAIR SHAFFER: I was hoping it would have made it simpler to have an exclusion versus creating a whole new definition.

CHAIR MACEACHEN: Absolutely.

Commissioners.

UNIDENTIFIED COMMISSIONER: I support Commissioner Shaffer's position.

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CHAIR MACEACHEN: Good. I appreciate that. So --

COMMISSIONER HOLLINGER: Second that. Commissioner Hollinger.

CHAIR MACEACHEN: What's that, Commissioner Hollinger? I'm sorry.

COMMISSIONER HOLLINGER: I said second that.

CHAIR MACEACHEN: Oh, good, good.

So I don't see any opposition. We can continue with that. I will take -- Commissioner Cruz had to leave. And Commissioner Pfeiffer is either leaving or just about to leave, probably about 15 minutes. So let's keep forging ahead.

MR. VOS: Chair and Commissioners, that is it for -- so unless there's additional questions or discussion based on anything you heard today, you may be ready to proceed.

VICE CHAIR SHAFFER: Mr. Vos, what did that -- can you scroll up just a little bit. It changed that now to 17, because it renumbered everything all over. So I just was writing that down.

MR. VOS: Yeah, it's 23 findings, with the additional finding we made, and 17 conditions.

VICE CHAIR SHAFFER: Chair, I'm ready to make a motion, when you're ready.

CHAIR MACEACHEN: I am so ready.

VICE CHAIR SHAFFER: Okay. In the matter of Agenda Item Number 2, PR-2018-001843, RZ-2022-00054, I move for approval based on the staff report and Findings 1 through 22, with added finding Number 23, and the conditions that have been modified, with options selected and renumbered 1 through 17 that we just put on record.

CHAIR MACEACHEN: Well done.

So do I have a second?

COMMISSIONER STETSON: Second. Stetson.

CHAIR MACEACHEN: Second by Commissioner Stetson. We'll go to a roll call vote if there's no conversation.

Commissioner Shaffer.

VICE CHAIR SHAFFER: Commissioner Shaffer, aye.

CHAIR MACEACHEN: Commissioner Cruz is gone.

Commissioner Meadows.

COMMISSIONER MEADOWS: Commissioner Meadows, aye.

CHAIR MACEACHEN: Commissioner Meadows is an aye.

Commissioner Hollinger.

COMMISSIONER HOLLINGER: Hollinger, aye.

CHAIR MACEACHEN: Commissioner Hollinger is an aye.

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Commissioner Pfeiffer.

COMMISSIONER PFEIFFER: Commissioner Pfeiffer, an aye.

CHAIR MACEACHEN: We got one more vote out of you, didn't we?

Commissioner Eyster.

COMMISSIONER EYSTER: Eyster, aye.

CHAIR MACEACHEN: Commissioner Eyster is an aye.

Commissioner Stetson.

COMMISSIONER STETSON: Stetson, aye.

CHAIR MACEACHEN: Commissioner Stetson is an aye.

Commissioner Armijo.

COMMISSIONER ARMIJO: Armijo, aye.

CHAIR MACEACHEN: Commissioner Armijo is an aye.

Chair is an aye. It passes. Hallelujah.

(8-0 vote. Motion approved.
Commissioner Meadows not present.)

**EPC Minutes, Agenda Item 2
January 19, 2023**

RE: CITY OF ALBUQUERQUE EPC MEETING MINUTES OF
JANUARY 19, 2023, AGENDA ITEM 2

TRANSCRIPTIONIST'S AFFIRMATION

I HEREBY STATE AND AFFIRM that the foregoing is a correct transcript of an audio recording provided to me and that the transcription contains only the material audible to me from the recording and was transcribed by me to the best of my ability.

IT IS ALSO STATED AND AFFIRMED that I am neither employed by nor related to any of the parties involved in this matter other than being compensated to transcribe said recording and that I have no personal interest in the final disposition of this matter.

IT IS ALSO STATED AND AFFIRMED that my electronic signature hereto does not constitute a certification of this transcript but simply an acknowledgement that I am the person who transcribed said recording.

DATED this 13th day of February 2023.

/S/

_____Kelli A. Gallegos_____



ENVIRONMENTAL PLANNING COMMISSION AGENDA

Thursday, January 19, 2023
8:40 a.m.

Due to COVID-19 this meeting is a Public Zoom Video Conference

Members of the public may attend via the web at this address: <https://cabq.zoom.us/j/2269592859> or by calling the following number: 1 301 715 8592 and entering Meeting ID: 226 959 2859

MEMBERS

Tim MacEachen, Chair
David Shaffer, Vice Chair

Joseph Cruz
Richard Meadows
Jonathan R. Hollinger
Mrs. Jana Lynne Pfeiffer

Gary L. Eyster P.E. (Ret.)
Robert Stetson
Dennis F. Armijo, Sr.

NOTE: A LUNCH BREAK AND/OR DINNER BREAK WILL BE ANNOUNCED AS NECESSARY

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are also reviewed at the beginning of the hearing. Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff – 5 minutes; Applicant – 10 minutes; Public speakers – 2 minutes each. An authorized representative of a recognized neighborhood association or other organization may be granted additional time if requested. Applicants and members of the public with legal standing have a right to cross-examine other persons speaking pursuant to Article 3, Section 2D, of the EPC Rules of Practice & Procedure.**

All written materials – including petitions, legal analysis and other documents – should ordinarily be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing. Cross-examination of speakers is possible per EPC Rules of Conduct.

NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.

Call to Order:

- A. Pledge of Allegiance
- B. Roll Call of Planning Commissioners
- C. Suspension of the Rules- Article I, Section 4 and Article II, Section 2A of the EPC Rules of Practice & Procedure
- D. Zoom Overview
- E. Announcement of Changes and/or Additions to the Agenda
- F. Approval of Amended Agenda
- G. Swearing in of City Staff

1. Project# 2018-001843

RZ-2022-00059 – Text Amendments to Integrated Development Ordinance (IDO)—City-wide

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO) to address the need for more housing opportunities/ the Housing Forward initiative. This fourth annual update includes changes requested by neighbors, developers, staff, and Council Services. City-wide.

Staff Planners: Mikaela Renz-Whitmore, Michael Vos

2. Project# 2018-001843

RZ-2022-00054 – Text Amendments to Integrated Development Ordinance (IDO)—City-wide

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO). This fourth annual update includes changes requested by neighbors, developers, staff, and Council Services. City-wide.

Staff Planners: Catalina Lehner, Michael Vos

Note: Item 3 will be heard no earlier than 1 pm.

3. Project # PR-2022-007919

RZ-2022-00060– Zoning Map Amendment (Zone Change)

Dawson Jarlwala, DK Development NM, requests a zoning map amendment from R-T to R-ML, for all or a portion of Lot 22, Block 27, University Heights Addition, located at 305 Girard Blvd. SE, between Lead Ave. SE and Coal Ave. SE, approximately 0.2 acre (K-16)

Staff Planner: Leroy Duarte

4. Project # PR-2018-001560

SI-2022-02318 - Site Plan- Major Amendment
SI-2022-02414 – Site Plan - EPC

Consensus Planning, agent for Pulte Group, requests a Site Plan- Major Amendment and a Site Plan-EPC, for all or a portion of Tract A-1 and Tract A-2, Plat of Tracts A-1 and A-2 Hoffmantown Baptist church site (a replat of Tract A Hoffmantown Baptist church site and Tract B-2 Yorba Linda subdivision), located at 8888 Harper Dr. NE, at the SW corner of Harper Rd. NE and Ventura St. NE, approximately 60 acres. (E-20)

Staff Planners: Megan Jones and Leroy Duarte

5. Project # PR-2018-001389
RZ-2022-00064 – Zoning Map Amendment (Zone Change)

Modulus Architects & Land Use Planning, agent for Armstrong Central Unser Blvd LLC, requests a zoning map amendment from MX-M to NR-C, for all or a portion of Tracts 1-4 and Tract 14, Unser Crossings, zoned MX-M, located at the SW corner of the intersection of Central Ave. and Unser Blvd., approximately 22.4 acres (K-09-Z)
Staff Planner: Megan Jones

6. OTHER MATTERS

- A. Approval of the December 15, 2022 Action Summary Minutes
- B. EPC Election of Officers

7. ADJOURNMENT

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

December 9, 2022

City of Albuquerque Planning Dept.
Urban Design & Development Div.
Attn: Michael Vos
600 Second St. NW, 3rd Floor
Albuquerque, NM 87106

Project #2021-001843
RZ-2022-00054– Text Amendments to the Integrated
Development Ordinance (IDO)- Citywide

LEGAL DESCRIPTION:

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO). This fourth annual update includes changes requested by neighbors, developers, staff, and Council Services. City-wide.
Staff Planners: Catalina Lehner, Michael Vos

On December 8, 2022, the Environmental Planning Commission (EPC) voted to CONTINUE PR-2021-001843/RZ-2022-00054, City-wide text amendments to the Integrated Development Ordinance (IDO), for one month to the regular EPC public hearing on January 19, 2023.

APPEAL: For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

Sincerely,

for Alan M. Varela,
Planning Director

AV/CL

cc: Michael Vos, COA Planning Department, UDD,
Eleanor Walther eawalth@comcast.net
Peter kalitsis, peterkalitsis@gmail.com
Jane Baechle, Jane.Baechle@gmail.com
Rene Horvath, aboard111@gmail.com

OFFICIAL NOTICE OF DECISION

PR-2018-0001843

December 8, 2022

Page 2 of 2

Patricia Willson, 505 Dartmouth Dr SE, Albuquerque, NM 87106
Julie Dreike, 13917 Indian School Rd NE, Albuquerque, NM 87112
Peggy Neff, peggyd333@yahoo.com
Greg Weirs, 328 Sierra Pl NE, Albuquerque, NM 87108
Mike Voorhees, mike@cyonic.com
Sal Perdomo, sperdomo@Titan-Development.com
Julie Radoslovich, 235 Mezcal Cir NW, Albuquerque, NM 87105
Legal, dking@cabq.gov
EPC File



**Environmental
Planning
Commission**

**Agenda Number: 4
Project #: PR-2018-001843
Case #: RZ-2022-00054
Hearing Date: December 08, 2022**

Staff Report

Applicant City of Albuquerque Planning Department

Request Amendments to the Integrated Development Ordinance (IDO) Text for the 2022 Annual IDO Update

Location City-wide

Staff Recommendation

That PR-2018-001843/RZ-2022-00054 be continued for one month to the January 19, 2023 regular EPC hearing.

**Staff Planners
Catalina Lehner, AICP – Principal Planner
Michael Vos, AICP – Principal Planner**

Summary of Analysis

The request is for various legislative amendments to the text of the Integrated Development Ordinance (IDO) for the IDO Annual Update required by IDO Subsection 14-16-6-3(D). The request consists of revisions identified as part of the Annual Update process to identify desired changes through a regular cycle of discussion among residents, businesses, City Staff, and decision makers (14-16-6-3(D)). Staff has collected approximately 49 proposed amendments requested by neighbors, developers, Staff, City Council, and the Administration.

The proposed amendments are found in a spreadsheet of “IDO Annual Update 2022 – EPC Review - City-wide (see attachment). The following information is provided for each proposed change: item number, page number, IDO section reference, the proposed change, an explanation, and the source of the proposed change. The spreadsheet is the main component of the request.

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

As of this writing, Staff has received a several comments, mostly concerning walls and fences. Some comments include suggested revisions. Staff recommends a continuance to the regular EPC hearing on January 19, 2023, but will be prepared should the EPC choose to make its recommendation at the December 8, 2022 special hearing.

Comments received before November 28th at 9AM are attached to and addressed in this Staff Report. Comments received before December 1st at 12 PM are attached, but not addressed. Clarifying materials received before December 6th at 9 AM (after publication of this report and more than 48 hours before the hearing) will be forwarded to the EPC for consideration at the hearing and are not attached to this report.

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I. INTRODUCTION

Background

Upon its original adoption in May 2018, the Integrated Development Ordinance (IDO) established a process through which it can be updated annually. IDO Subsection 14-16-6-3(D) requires Annual Updates to the IDO, stating that the Planning Department shall prepare amendments to the text of the IDO and submit them every calendar year for an EPC hearing in December. The IDO annual update process established a regular, required cycle for discussion among residents, businesses, City Staff, and decision-makers to consider any needed changes that were identified over the course of the year.

Adoption of the 2019 IDO Annual Update in November 2020 established two types of annual IDO updates:

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

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

Request

This request is for various city-wide amendments to the text of the Integrated Development Ordinance (IDO) for the Annual Update required by IDO Subsection 14-16-6-3(D). These city-wide text amendments are accompanied by proposed text amendments to two small areas within the City – the North Fourth Corridor Character Protection Overlay Zone (CPO-9) and the Northwest Mesa Escarpment View Protection Overlay Zone (VPO- 2) – which were submitted separately pursuant to Subsection 14-16-6-7(E) and are the subject of other Staff Reports. The proposed city-wide amendments, when combined with the proposed small area amendments, are collectively known as the 2022 IDO Annual Update.

A spreadsheet (see attachment) of approximately 49 proposed, city-wide changes provides the following information: item number for tracking purposes, the page and section of the IDO that would be modified, the text proposed to change, an explanation of the purpose and/or intent of the change, and its source.

Starting with the 2020 annual update, Staff identified improvements that could be made to improve the clarity, enforcement, and effectiveness of existing regulations. Changes were also collected from property owners, agents, developers, neighbors, the Administration, and City Councilors.

Applicability

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

Environmental Planning Commission (EPC) Role

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

II. ANALYSIS OF ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

The request for IDO text amendments- Citywide was submitted after the July 28, 2022 effective date of the 2021 Annual IDO Update and therefore is subject to applicable standards and processes therein. Subsection 14-16-6-3(D) Annual Updates to the IDO, applies. Planning Department Staff compiled the requested changes and submitted them for EPC review and recommendation as required. The request fulfills the requirement for an IDO Annual Update.

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

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

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

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

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

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

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

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

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

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

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

Charter of the City of Albuquerque

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

Article I, Incorporation and Powers

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

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

Article IX, Environmental Protection

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

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

Article XVII, Planning

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

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

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

Amending the IDO through the annual update process will help the Administration to implement the Comprehensive Plan vision for future growth and development, and will help with the enforcement and administration of land use plans.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

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

The request for a text amendment to the IDO-City-wide generally furthers a preponderance of applicable Comprehensive Plan Goals and policies, though some conflicts emerge and are explained below in the Staff analysis.

Chapter 4: Community Identity

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

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

The amendments include clarification regarding edge landscape buffering, open space calculations (townhouse), established trees, and supporting historic preservation efforts that would contribute to enhancing, protecting, and preserving distinct communities in at the neighborhood level. Other, related changes would provide clarification for enforcement purposes (townhouse, medical and dental clinic) and updated definitions, which would make zoning and land use more transparent and accurate.

Additional amendments would affect parking maximums and surface parking, allow multi-family dwellings to have a lesser kitchen (or not) to facilitate affordable housing, and allow taller walls and fences, could potentially affect established areas and change their character.

The request would generally help enhance, protect, and preserve distinct communities and neighborhoods in some aspects. In other aspects, distinct communities and neighborhoods may not be entirely protected and preserved due to changes the proposed amendments could bring. Therefore, the request is partially consistent with Goal 4.1- Character, and Policy 4.1.4- Neighborhoods.

Chapter 5: Land Use

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

In a broad sense, the proposed text amendments promote efficient development patterns and use of land. They help support development and re-development in older, established areas, UC-MS-PT areas, and include conversions to residential dwellings and historic building preservation. The request is generally consistent with Goal 5.3- Efficient Development Patterns.

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

The proposed text amendments address affordable housing (kitchen exemption) and methadone clinics (separation distance), which can be considered Locally Unwanted Land Uses (LULUs) because immediate neighbors often find them objectionable. The proposed changes would help facilitate careful location of such uses by supporting conversion of existing buildings to housing and clarifying separation distances between clinics. Relevant use-specific standards would be clearer and would continue to apply to protect neighborhoods. The request is generally consistent with Policy 5.3.7-Locally Unwanted Land Uses.

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

The proposed amendments address edge landscape buffering, which provides transitions in Areas of Change for development abutting Areas of Consistency. The changes would clarify edge buffering requirement on premises and between project sites; some proposed amendments would help ensure adequate buffering but another would remove the requirement as duplicative. The request is partially consistent with Policy 5.6.4- Appropriate Transitions.

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

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

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

The IDO annual update process results in an updated regulatory framework that helps align priorities and create consistent outcomes. The request includes amendments that address affordable housing (kitchens), landscape buffering, mature trees, parking, and procedural clarifications that help support desired growth, high-quality development, economic development, and housing. Where they do not, conditions for recommendation of approval can be applied. The request is generally consistent with Policy 5.7.2- Regulatory Alignment.

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

The IDO annual update process provides a regular opportunity for residents and stakeholders to better understand and engage in the planning and development process. The proposed amendments to create consistency regarding mailed notice could improve public engagement. However, other proposed amendments (Site Plan-Admin) support more review of development proposals at the staff (administrative) level, which does not include a public hearing and could mean less opportunity to engage and participate. The request is partially consistent with Policy 5.7.5-Public Engagement.

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

The IDO annual update results in an updated and clarified regulatory framework, which is part of the foundation for a transparent approval and permitting process. The proposed text amendments include changes to clarify how to apply provisions in the IDO (deviations, variances, waivers, site plan-admin), which would generally contribute to a more consistent process and support providing high-quality customer service. The request is generally consistent with Policy 5.7.6- Development Services.

Chapter 7: Urban Design

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

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

The proposed text amendments include changes to off-street parking requirements based on development contexts where higher density is allowed; the resulting parking facilities would match the development context and complement the built environment. New provisions to address electric vehicle parking requirements also facilitate parking that better matches

development context. The request is generally consistent with Goal 7.4-Context Sensitive Parking and Policy 7.4.2- Parking Requirements.

Chapter 8: Economic Development

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

The proposed text amendments would generally foster a more robust, resilient, and diverse economy because they include changes to clarify requirements (ex. edge buffering, notification), definitions, and processes, as well as support alternative energy technology (electric vehicles). These changes would contribute to predictability and consistency in the development process that would generally help support economic development efforts. The request is generally consistent with Policy 8.1.2- Resilient Economy.

Chapter 9: Housing

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

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

The proposed text amendments would encourage affordable housing development (kitchen exemption) by facilitating more conversions to multi-family, which is one way to help make homelessness short-term and non-recurring, as well as expand capacity to provide quality housing and services to vulnerable populations. The request is generally consistent with Goal 9.4- Homelessness and Goal 9.5- Vulnerable Populations. Note: the proposed amendment to prohibit the kitchen exemption would be inconsistent with Goal 9.4 and Goal 9.5. Therefore, in sum, the request is partially consistent with Goal 9.4-Homelessness and Goal 9.5- Vulnerable Populations.

Chapter 11: Heritage Conservation

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

Policy 11.2.2- Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest.

The proposed text amendments would allow staff review of historic buildings City-wide, which would help to preserve historic assets moving into the future, as well as promote the preservation of historic buildings that are determined to be significant at a local, state, and/or national level. The request is generally consistent with Goal 11.2- Historic Assets and Policy 11.2.2- Historic Registration.

Chapter 13- Resilience and Sustainability

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

Policy 13.1.2- Greenhouse Gas Mitigation: Mitigate greenhouse gas emissions in developments and streetscapes.

The proposed text amendments include new requirements regarding electric vehicles and a definition. Supporting and encouraging alternative energy would generally help encourage resource-efficient growth and is one way to mitigate climate change and greenhouse gas emissions, as future developments could accommodate more electric vehicles. The request is generally consistent with Goal 13.1- Climate Change and Policy 13.1.2- Greenhouse Gas Mitigation.

III. PROPOSED AMENDMENTS & DISCUSSION

The proposed City-wide text amendments are presented and explained in the spreadsheet “IDO Annual Update 2022 – EPC Review – Citywide” (see attachment). This section focuses on the key substantive changes that warrant further discussion; many have garnered public comments. These changes are grouped by category and referred to by page number to track with the “IDO- Amended as of December 2022”, which will become effective as the amendment process is underway, and includes the change to incorporate the new Development Hearing Officer (DHO) for the Development Review Board (DRB). The document is available here:

https://documents.cabq.gov/planning/IDO/2021_IDO_AnnualUpdate/IDO-2021AnnualUpdate-2022-12-25-Effective.pdf

A detailed explanation of the proposed amendment is provided in plain text, followed by Staff analysis in *italic text*.

Mobile Food Truck Court – IDO Subsection 14-16-2-4(E)(3)(c), p. 35

Mobile Food Truck Court was added as a use in the IDO during the 2020 Annual Update. Adding Mobile Food Truck Court at the time allowed for food trucks to be the primary, i.e. only, use on a site, and creating a new use for Mobile Food Truck Courts allowed further opportunities for mobile food vendors to have a space to offer their goods and services to the public. The 2020 Annual Update created a definition for the use, identified where it was allowed, and established Use-specific Standards for its operation.

The Mixed-use Form-based Zone District (MX-FB) regulates uses differently than other zone districts in the IDO, and no changes were made to the MX-FB Zone District when Mobile Food Truck Court was added to the IDO. Per Table 2-4-10, essentially all uses are allowed in MX-FB unless they are explicitly prohibited. In this case, Mobile Food Truck Court is an allowable use within MX-FB. However, MX-FB requires all allowable uses to be conducted within a fully enclosed portion of a building. While the IDO currently provides exceptions to this indoor use requirement for a limited number of uses, including Mobile Food Trucks as accessory uses, it does not extend to Mobile Food Truck Courts as a potential primary use of a property with MX-FB zoning. The requested amendment

would allow an exception for standalone Food Truck Courts to be developed and conducted outdoors within the MX-FB zone.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendments:

Policy 5.1.3 – Downtown: Strengthen Downtown’s identity as a regional hub for the highest-intensity development, with concentrated job and commercial activity supported by the highest-density housing.

Policy 5.1.3.a: Support pedestrian-oriented development.

Policy 5.1.3.e: Encourage plazas and other open spaces to provide an inviting atmosphere for pedestrians and support a diversity of uses.

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

The proposed amendment is generally consistent with Land Use Policies 5.1.3 because the MX-FB zone is the zone district comprising the entirety of the Downtown Center. Amending the IDO to allow the requested exception supports opportunities for pedestrian-oriented development and plazas associated with Mobile Food Truck Courts without requiring a building to be constructed or renovated to contain the Food Truck Court. Furthermore, the proposed language brings the allowance for Mobile Food Truck Courts in alignment with an existing exception for Mobile Food Trucks, which are separately regulated as an accessory use. Therefore, the proposed amendment is generally consistent with Policy 5.7.2 Regulatory Alignment.

Deviations, Variances, Waivers – IDO Subsections 14-16-2-5(B)(3) and 2-6(B), p. 47 and 62

Two proposed amendments relate to deviations, variances, and waivers. One is for the NR-BP (Non-Residential Business Park) zone and pertains to Master Development Plans and the other is for the PC (Planned Community) zone and pertains to Framework Plans.

The proposed text amendment to the NR-BP zone would create a new subsection g at the end of 14-16-2-5(B)(3). Deviations, variances, and waivers to standards in Master Development Plans would be allowed using the same thresholds and procedures already in the IDO for each. The proposed text amendments to the PC zone would allow deviations, variances, and waivers to standards in Framework Plans and result in a new subsection 14-16-2-6(B)(8). An example of a Framework Plan is the Mesa del Sol Level B Community Master Plan.

The purpose of these amendments is to provide a process, consistent with existing IDO processes, through which deviations, variances, and waivers can be requested. The criteria for decision for each would still apply. Currently, there is no way for variation from standards in Master Plans (zoned NR-BP) and Framework Plans (zoned PC) other than amending the Plan itself.

A potential, unintended consequence of the proposed amendments is that, for any given master or framework plan, multiple deviations, variances, and waivers could accumulate over time and prove difficult to track and could be missed. Any changes should be incorporated into the Plan for

the sake of clarity for the user and the public. Furthermore, particularly if the changes are significant and numerous, it would be more transparent and effective to amend the Plan.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendments:

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

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

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

The proposed amendments would generally improve implementation processes because they would use the criteria in existing processes, which all require general consistency with the Comprehensive Plan (5.7). These updates to the IDO regulatory framework would generally help support growth, economic development, and housing- and perhaps more because they would provide for clarity and consistency in available processes (5.7.2). In addition, the established processes (except for the minor deviations in Table 6-4-1) require one or more types of public notification.

Dwelling, Townhouse – IDO Subsections 14-16-4-3(B)(6), p. 156

There are two proposed amendments related to townhouses. The purpose of the first amendment is to extend usable open space requirements, currently only if 6 or more dwellings are constructed on the same lot, to require usable open space for each unit even if the dwellings are separately platted onto their own lots. Regardless of how the units are subdivided and either owned or rented, it is beneficial to incorporate a minimum amount of open space for residents whether through balconies, patios, yards, or other landscaped open space areas.

The second townhouse amendment, proposed by City Council, is to remove the current limitation of 3 dwelling units within a townhouse dwelling structure when abutting R-A or R-1 zone districts within Urban Centers, Main Streets, and Premium Transit Station Areas (UC-MS-PT). This change would allow any number of attached townhouse dwelling units in more urban settings.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendments:

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

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

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

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

Policy 9.2.2 – High Quality: Encourage quality and innovation in new housing design and construction, materials, and energy and water conservation.

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

Policy 9.3.1 – Centers & Corridors: Encourage higher density, multi-unit housing and mixed-use development in Downtown, Urban, Activity, and Village Centers, and along Premium and Major Transit Corridors to capture growth, relieve development pressure at the edge of the urban footprint, and maintain low densities in rural areas.

Policy 9.3.2 – Other Areas: Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.

The proposed amendments are generally consistent with goals and policies related to Land Uses and Housing to promote greater densities in designated Centers and Corridor areas to capture growth and maintain the scale of other locations outside of those areas. Removing the 3-unit per townhouse dwelling cap in these urban locations allows for another type of quality, sustainable, and dense housing. In conjunction with this change, extending the usable open space requirement regardless of subdivision and ownership of individual units will encourage further high-quality development and sustainable site design. This change is also consistent with Policy 5.7.2 Regulatory Alignment by extending an existing use-specific standard to all larger townhouse developments and not just those located on a common lot.

Multi-Family Kitchen Exemption – IDO Subsection 14-16-4-3(B)(8)(e), p. 158

This amendment proposes to delete one of the eight use-specific standards for Dwelling, Multi-Family, Subsection (8)(e), in its entirety. Subsection (8)(e), which contains five sub-parts, allows a maximum of 100 units to be exempt from the definition of a Kitchen in multi-family developments resulting from a conversion of an existing non-residential development, which has received funding through the Department of Family and Community Services (FCS) and constitutes affordable housing. The sub-parts of Subsection (8)(e) establish what a kitchen must contain, that support services must be available, and limit unit size to two bedrooms. Please refer to p. 158 for all of the text.

The Subsection (8)(e) exemption is intended to facilitate and support conversion of non-residential uses, such as motels, into affordable housing by lessening the requirements associated with a kitchen for a maximum of 100 units- and only for projects that receive funding through FCS. The provision is narrowly-tailored and includes requirements (ex. separation of kitchen and bathroom and components of a kitchen) that provide for people’s basic needs while enabling more affordable housing to be provided.

Removal of Subsection (8)(e) would make it more difficult for the City to address the lack of affordable housing- one of the biggest challenges the City faces. Conversions of existing non-residential uses are one way to provide such housing and begin to assist under-housed individuals;

removing this provision and creating a barrier to addressing a pervasive social issue is not recommended.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

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

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

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

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

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

Overall, providing fewer affordable housing options would not help make homelessness rare, short-term, and non-recurring (Goal 9.4); a multitude of tools is needed to bring to address the issue. The proposed amendment could potentially result in less efficient development patterns and infill development because it would remove an incentive to convert existing non-residential uses to residential; buildings suitable for such a conversion are mostly in developed parts of the City and in appropriate places to absorb increased housing density (Goal 5.3, Policy 5.3.1, and Goal 9.3).

Dis-incentivizing conversions of existing buildings would result in fewer affordable housing units provided, and thereby would generally not support the development of housing for a variety of income levels- since more affordable housing is needed to balance increases in market-rate multi-family development (Policy 9.1.1). Conversions can serve to reduce development costs and help provide less costly housing, which in the long-term would help to address housing needs and foster stability. Furthermore, fewer under-housed persons could be served if the proposed amendment is approved. These persons would remain vulnerable due to the reduced capacity to provide housing for them (Goal 9.5). More persons would remain on the streets and in permitted or non-permitted camps, so the amendment could help exacerbate a LULU (Policy 5.3.7).

Car Washes – IDO Subsection 14-16-4-3(D)(16)(b and Table 5-5-8), p. 168 and 290

There are two proposed amendments related to car washes, which include clarification on the types of outdoor activities that are restricted by the separation requirement within the use-specific standards, as well as creating a new stacking requirement for automated, conveyor-operated car wash facilities that have become more popular recently.

Currently, the use-specific standards for car washes requires a separation between the “associated outdoor activities” and nearby residential properties. However, it does not state what those activities are. The City has seen an increase in the construction of new car washes and the renovation of others, and in practice this separation requirement has been applied to payment kiosks, vacuums, and other similar uses. In a few instances, it has not been applied to the queuing lane beyond the location of the payment kiosk, so these amendments seek to clarify that the queuing lane is considered an activity for the purposes of this use along with the others.

In addition, the newer conveyor-operated facilities have greater turnover and traffic considerations than self-service car washes. The IDO currently only has one vehicle stacking requirement for all car washes regardless of type, so the amendments seek to clarify that the existing requirement is for smaller self-service car washes, while a new, larger stacking requirement of 12 stacking spaces is implemented for the conveyor-operated facilities with a reduction to 6 stacking spaces in UC-MS areas.

As these amendments may result in different site configurations and placement of queuing lanes or vacuums located closer to the front of a site in order to locate them away from residential properties, staff believes an additional amendment should be added to ensure these uses are screened in an attractive manner from the public right-of-way.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendments:

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

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

Policy 6.4.2 Air Quality: Reduce the adverse effects of automobile travel on air quality through coordinated land use and transportation that promote the efficient placement of housing, employment, and services and improve the viability of multi-modal transportation options.

Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

Policy 7.2.1.e: Promote trees and landscape elements in the public right-of-way, along trails, and within private development to ensure a high-quality, pleasant, and healthy built environment.

Policy 7.6.2.a: Design sites to coordinate auto access, circulation, and building placement to minimize harmful effects of traffic on single-family neighborhoods adjacent to major streets.

Policy 7.6.2.b: Employ street trees, barriers, buffering, and other landscape design methods to minimize the effect of traffic on adjacent uses.

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

Policy 8.2.1 Local Business: Emphasize local business development.

Policy 13.4.1 Air Quality: Maintain good air quality that complies with federal standards to safeguard public health and enhance quality of life for all residents.

These car wash amendments are generally consistent with Comp Plan Goals and Policies that help ensure adequate transitions between car washes and neighboring residential, as well as coordinating automobile circulation and site design and encouraging new business development as car washes have become increasingly popular in recent years. The amendments also further Policy 5.7.2 by better aligning the queuing lane separation and overall stacking requirements for conveyor-operated facilities with similar requirements for drive-through facilities. As newer facilities function more like drive-through facilities it is appropriate to create additional buffers to adjacent residential and ensure proper stacking is provided.

Although the amendments would ensure each site's capacity can accommodate increased automobile traffic, an increase in the numbers of idling vehicles waiting will increase pollution from tailpipe emissions and decrease air quality in the surrounding area. Therefore, the request may conflict with Comp Plan policies to improve air quality and reduce impacts on surrounding neighborhoods. Along with the proposed changes and potential effects on site design, an additional use-specific standard to provide landscape buffers between car wash queuing lanes and vacuums and the public right-of-way would mitigate some of the adverse effects of this use and be consistent with sub-policies 7.2.1.e and 7.6.2.b by minimizing the effects of traffic and ensuring a high-quality and pleasant pedestrian experience.

Medical or Dental Clinic – IDO Subsections 14-16-4-3(D)(26)(a) and (b), p. 175

There are two proposed amendments proposed for the Use-specific Standards for the Medical or Dental Clinic use. Specifically, these changes add a cross-reference to the Methadone Centers Ordinance, Article 13-11 ROA 1994 for clinics that dispense methadone, and clarify the distance separation requirements for both methadone centers and syringe exchange facilities.

Policy Analysis: These amendments further the following Comprehensive Plan policies:

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

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

The proposed amendments are consistent with Policy 5.7.2 because the additional cross-reference to Article 13-11 ROA 1994 ensures the IDO is coordinated with other applicable regulations for such facilities and makes applicants aware of additional requirements outside of the IDO, similar to the Use-specific Standard already in place for syringe exchange facilities.

The changes regarding distance separations further Policy 5.3.7 and 5.7.2 by clarifying that the separation for methadone centers and syringe exchange facilities are lot to lot, which makes this language internally consistent with other parts of the IDO and increases enforceability of the provisions.

Encroachment – IDO Table 5-1-4, p. 231

This proposed amendment would remove a current allowance for balconies to encroach into a side or rear setback up to 2 feet, but not closer than 3 feet from a property line. This provision of the IDO is intended for “architectural features” and includes other features such as awnings, chimneys, and other ornamental features. As balconies may be occupied by people, a concern was raised by the public that these are more than just architectural features and should not be allowed to encroach closer than the minimum required setback in order to protect neighboring properties.

The amendment would move balconies to their own separate line in Table 5-1-4 and restrict potential encroachment to the front yard only. Staff believes an encroachment into the front yard is still appropriate, similar to that of a porch, as it may enhance the streetscape and pedestrian realm.

Public comment has been received to extend this amendment to bay windows, which are similarly treated. Bay windows may also be occupied spaces, so it seems appropriate to move them along with balconies in order to limit their encroachment into side and rear setbacks. A recommended condition of approval is included for this change.

Policy Analysis: This amendment furthers the following Comprehensive Plan policies:

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

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

This amendment is consistent with Policy 4.1.2 because removing the allowance for an occupiable space from encroaching into a required setback protects abutting properties through the character of the building design. It is also consistent with Policy 5.7.2 because the change supports high-quality housing and neighborhood development. The proposed condition of approval to include bay windows within this change will also create consistency with these policies.

Sensitive Lands-Mature Trees – IDO Subsection 14-16-5-2(C)(2)(d), p. 233

The proposed amendment would replace the phrase “large stand of mature trees” with “established tree”. This would allow a single, established tree to be considered for preservation (see also the corresponding, proposed change to definition Sensitive Lands, Large Stand of Mature Trees).

A new subsection is proposed to be added to 5-2(C) that would allow the City Forrester to evaluate large, mature trees and determine if the trees should be retained or replaced. Two options would be available to count towards avoiding sensitive lands. Applicants would need to either provide a landscape area equal to the area under the dripline (of the tree) or new trees to replace the mature ones, as determined by the City Forrester. Any new trees would be required to at least equal the diameter of the established tree being replaced. Staff suggests that the new subsection be added to the end of the provision as (7) rather than (3) with subsequent renumbering, and that the phrase “of the tree” be added after the word “dripline”.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

Goal 10.1 – Facilities & Access: Provide parks, Open Space and recreation facilities that meet the need of all residents and use natural resources responsibly.

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

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

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

The text amendments, proposed by the Parks and Recreation Department, would help them to provide parks, open space, and recreation facilities that meet residents’ needs for green space and use natural resources responsibly (Goal 10.1). In a broad sense, the amendments could generally help protect ecosystems by potentially removing invasive species and ensuring replacement vegetation that supports the natural habitat (Goal 13.4).

However, the integrity and quality of the region’s natural features (whether a stand of trees or a single tree) could be affected due to the new, proposed process that would facilitate replacement of established trees and substitution with regular landscaping. Similarly, natural features such as established trees, which contribute to a place’s distinct identity, could be adversely affected. The request is partially consistent with Goal 10.3 and Policy 11.3.1.

Pedestrian Access – IDO Subsection 14-16-5-3(E)(1)(d)(4), p. 250

The proposed amendment to IDO Subsection 5-3(E)(1)(d)(4) is a clarification of an existing practice to ensure that pedestrian access is not impeded by a wall or fence. The IDO requires that pedestrian access is provided whenever practicable at the end of cul-de-sacs. In some cases, this easement is over a private property and not a separate tract or parcel of land. This change makes it

clear within the IDO that the property owner cannot extend a wall in such a way that it would narrow or block the pedestrian access easement. This reinforces the purpose and beneficiaries of the easement that is granted.

Policy Analysis: This amendment furthers the following Comprehensive Plan policies:

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

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

Policy 6.2.3.e: Design subdivisions to provide multiple vehicular and pedestrian access points.

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

Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

Policy 7.2.1.f: Discourage gated and/or walled communities and cul-de-sacs.

This amendment aligns the IDO with the essential purpose of establishing pedestrian access easements whenever cul-de-sacs are created (Policy 5.7.2) such that pedestrians have direct access from within residential neighborhoods to adjacent Centers, Corridors, commercial properties, community facilities, and sidewalks. Maintaining these easements after they are created help ensure convenient and comfortable pedestrian travel, thus increasing walkability in all environments. The request is consistent with Policy 6.2.3, Goal 7.2, and Policy 7.2.1.

Parking Maximums – IDO Subsection 14-16-5-5(C)(7) and Table 5-5-1, p. 268 and 276

These proposed amendments delete the maximum parking requirements currently found for only a few uses within UC-MS-PT areas and replaces those with a new subsection that applies a maximum parking requirement to all uses in UC-MS-PT areas. This proposed subsection would cap maximum parking at 125 percent of the minimum parking after all applicable parking reductions are applied. Further, a second proposed subsection would prohibit any surface parking in locations currently exempt from minimum parking, which includes Downtown, McClellan Park, and Old Town. These provisions would not apply to structured parking because an existing provision applying maximums only to parking lots will remain.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

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

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

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

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

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

Policy 7.4.2.a: Discourage oversized parking facilities.

If approved, the proposed amendments would be consistent with Goals and Policies related to promoting infill development, supporting transit (Policies 6.1.2 and 6.1.3), and promoting high-quality pedestrian-oriented neighborhoods (Policy 7.2.2). Providing parking maximums will prohibit oversized parking facilities from being constructed and prohibiting surface parking in Downtown, McClellan Park, and Old Town may complement the urban built environment of those areas.

However, the EPC should carefully consider whether the proposed maximums will discourage residential development opportunities by limiting options and flexibility for property owners due to the costs of constructing structured parking or by requiring the maximum to come after all possible reductions are applied, thus lowering the maximum below the general minimum requirements of Table 5-1-1. The request is partially consistent with Goal 7.4 Context-Sensitive Parking and Policies 7.4.1 and 7.4.2. Should the EPC desire, Staff can provide options and clarifications for the EPC to consider as proposed conditions for recommendation of approval.

Electric Vehicle Parking – IDO Subsection 14-16-5-5(C)(9), p. 279

Several amendments are proposed related to electric vehicle (EV) parking. The IDO presently allows EV parking spaces to count for two required off-street parking spaces, and requires at least 2 percent of the parking spaces to include EV charging stations with a rating of 240 volts or higher when 200 or more parking spaces are constructed. As EV usage is projected to continue increasing, these amendments seek to expand EV infrastructure in new developments, as well as provide additional capabilities for future expansions by the creation of “EV capable” requirements in addition to a minimum amount of charger installation in certain circumstances.

The first EV amendment clarifies that to get credit for two off-street parking spaces for each one EV space in subsection 5-5(C)(6)(a), the space must be equipped with an installed charger. The second amendment increases the current EV parking requirement for large parking lots from 2

percent to 5 percent of the spaces when 200 or more off street parking spaces are constructed. For a development with the minimum 200 parking spaces to trigger this requirement, this is an increase from 4 to 10 EV chargers that would be required to be installed.

Furthermore, these amendments propose to break out large multi-family and townhouse developments with their own EV parking requirements. Currently, EV chargers would only be required to be installed if these developments hit the minimum 200 parking spaces. For multi-family, the amendments would require 5 percent EV charger installation for any development with greater than 100 dwelling units, which effectively triggers compliance with smaller parking lots. In addition, 25 percent of the parking in these multi-family developments shall be provided as EV capable meaning the developer provides a capped cable/raceway connected to an electric panel with a dedicated circuit capable of handling the future installation of an EV charger. Providing for this installation with the exception of the charger when a project is initially constructed saves on costs compared to retrofitting a project for this infrastructure in the future. For townhouse developments with greater than 6 dwelling units, all units are proposed to be EV capable, thus allowing the future occupant the ability to install a charger should they choose.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

Policy 9.2.2 – High Quality: Encourage quality and innovation in new housing design and construction, materials, and energy and water conservation.

Policy 13.1.2 Greenhouse Gas Mitigation: Mitigate greenhouse gas emissions in developments and streetscapes.

Policy 13.1.2.b: Accommodate the use of motorized vehicles that run on alternative fuels through zoning and development regulations.

The proposed amendments for electric vehicle (EV) parking are consistent with the Comp Plan by providing parking options for users of EVs and planning for EV charging and parking as essential infrastructure for the future. In addition, including EV chargers and EV capable parking in new residential projects, these amendments further Goal 9.2 and Policy 9.2.2 to encourage high quality, sustainable housing design, as well as providing additional opportunities to mitigate greenhouse gases by accommodating alternative fuel EVs through the zoning and development regulations of the IDO (Policy 13.1.2).

Edge Landscape Buffers – IDO Subsections 14-16-5-6(E)(2)(a) and (b), p. 306 and 307

A series of amendments are proposed to the Edge Buffer Landscaping Section 5-6(E) of the IDO, including competing amendments to Subsection 5-6(E)(5) and Table 5-6-5.

The first three amendments are editorial in nature to remove a duplication of the width requirements also listed in Table 5-6-4, as well as a potential conflict with Table 5-6-5 if the proposed amendment to Table 5-6-5 is approved as described below.

The next two amendment to Subsection 5-6(E)(5) Area of Change Next to Area of Consistency attempt to resolve conflicts that have arisen over the first several years of implementing the IDO. Areas of Change and Consistency were adopted with the Comprehensive Plan in 2017 and are established based on platted lots and a methodology for mapping found within the Comp Plan, Appendix I. Since the Areas of Change and Consistency were mapped on existing lots, it is possible for redevelopment projects to include properties with both designations. When this occurs, as currently written, a property owner or developer must provide a landscape buffer between their own lots and not between themselves and the next development or premises. These amendments propose to change the language from “lots” to “premises” in order to shift the required buffer to the edge of the new development and therefore adjacent to the existing development that is intended to be protected.

Next, these amendments propose to consolidate the buffers for an Area of Change next to an Area of Consistency to 15 feet in width. Presently, a 15-foot buffer is required when adjacent to single-family residential, but it increases when next to a commercial property, which is counterintuitive. Creating a consistent 15-foot buffer width acknowledges that a buffer may be appropriate next to residential or non-residential properties due to differences in scale but would no longer require an Applicant to provide a larger buffer to a commercial shopping center than to a single-family house.

Lastly, a competing amendment is proposed by City Council, which would delete Subsection 5-6(E)(5) and Table 5-6-5 in their entirety. The rationale for this is that the previous subsections and Table 5-6-4 provide adequate buffers for development between non-residential and multi-family to single-family, and the most intense industrial uses to non-industrial uses. It is important to recognize that eliminating this subsection would eliminate buffers between different scales of commercial properties, unless they are industrial, as well as eliminate a buffer requirement that protects any low-density residential development that is incorrectly zoned and non-conforming because the Areas of Change and Consistency methodology picked up on those zoning and land use mismatches.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

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

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

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

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

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

The proposed amendments to the Edge Landscape Buffers Section are intended to address issues that have arisen through implementation of the IDO and the review and approval process of real-world projects using the IDO regulations. Not all projects occur entirely within an Area of Change or an Area of Consistency. Furthermore, the methodology and mapping of Areas of Change and Consistency occurred in 2017 and has remained static while projects consolidate and subdivide various lots. This has led to occasions where an Applicant has been required to create a buffer from themselves in the middle of a redevelopment project and other inconsistencies. These amendments would further Policy 5.7.2 Regulatory Alignment by eliminating such inconsistencies and potentially creating standardized buffers between Areas of Change and Consistency regardless of use or zoning.

The amendments, with the exception of the proposed Council amendment to delete Subsection 5-6(E)(5) are consistent with several goals and policies related to neighborhood character, Development Areas, Areas of Consistency, and Areas of Change. The competing Council amendment is inconsistent with these goals and policies and would eliminate a tool that helps implement the Comp Plan, as well as protect non-conforming low-density residential uses and ease the transition between different scales of development. Staff recommends moving forward with the changes without eliminating the subsection as proposed by Council. Options can be provided with proposed conditions for recommendation of approval.

Walls & Fences – IDO Subsection 14-16-5-7(D)(3)(a) and (b), Table 5-7-2, p. 320, 321 and 322

Three text amendments are proposed with respect to walls and fences. The first amendment would create a new subsection in 5-7-(D)(3)(a)(1), at the start of the Section (Exceptions to Maximum Wall Height), which would allow walls in the front yards of low-density residential development provided the wall is no taller than 5 feet and has view fencing for at least two feet at the top and is set back at least 2 feet. The first row under View Fencing, in Table 5-7-2, would be correspondingly revised to read “2 feet” from lot line abutting the street, rather than 10 feet (the second proposed amendment).

The third amendment pertains only to walls in multi-family developments in the R-ML (Residential Multi-Family Low Density) and the R-MH (Residential Multi-Family High Density) zone districts. In the R-ML zone [14-16-2-3(E)], primary land uses are townhouses and small-scale multi-family development. In the R-MH zone [14-16-2-3(F)], the primary land use is multi-family development. Taller, multi-storied buildings are encouraged. The proposed amendment would add the language “of walls in any front or street side yard” to clarify what the maximum height of 6 feet refers to.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

Goal 7.1- Streetscapes & Development Form: Design streetscapes and development form to create a range of environments and experiences for residents and visitors.

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

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

The proposed amendments would allow walls in the front yards of low-density residential development, which is defined as everything except multi-family development. Neighborhood character and sense of place are protected through design. Many older, established residential areas have a distinct character and were developed without walled yards. Walls could create a sense of enclosure that takes away from the connectivity of neighborhoods and the sense of safety that comes from having “eyes on the street.” The proposed change would not enhance, protect, and preserve these distinct communities or protect the identity or cohesiveness of such neighborhoods (Goal 4.1, Policy 4.1.2, Policy 4.1.4).

Although allowing a taller maximum height for view fencing would create an opportunity for natural surveillance, this would also deter from protecting the identity and character of communities through scale of development. Newer low-density residential areas with the allowed 3-foot walls would be able to add 2 feet of view fencing, which could affect the character of these areas, though to a lesser degree than if there were no existing walls. The proposed changes would result in changes to streetscapes and development, and could contribute to creating a range of environments and experiences (Goal 7.1). In some areas, however, the addition of walls and view fencing would not constitute context-sensitive streetscape design and would not reinforce an established sense of place (Goal 7.3).

Hazardous Materials- IDO Subsection 14-16-5-13(A)(4), p. 377

The proposed amendment would clarify that compliance with Federal statutes, in addition to local regulations regarding hazardous materials, must be maintained. Staff suggests adding the word “applicable” for additional clarification.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

The proposed change would generally encourage efficiencies in the development review process (Policy 5.7.4) by providing clarification regarding requirement, which would also foster a transparent permitting process and support high-quality customer service (Policy 5.7.6).

Community Planning Area Assessments- IDO Subsection 14-16-6-3(E), p. 396

The proposed amendment would remove existing language that specifies that Community Planning Area (CPA) Assessments be done “at least every five years” and replace it with “an ongoing cycle”. The change would result in consistency with Council Bill R-22-42, which establishes an ongoing cycle of CPA assessments.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

Goal 4.1- Process: Engage communities to identify and plan for their distinct character and needs.

Policy 4.2.1- Community Planning Areas: Use Community Planning Areas to track conditions and progress toward implementation of the community vision over time and organize planning efforts to identify distinct community character.

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

The proposed amendment would generally support efforts to conduct the CPA Assessments moving forward, because the continuing cycle would support organizing planning efforts to engage communities and support a community vision (Goal 4.1 and Policy 4.2.1). The amendment would also update the IDO regulatory framework that supports the quality of life priorities that emerge through the CPA process (Policy 5.7.2).

Mailed Notice to Property Owners – IDO Subsection 14-16-6-4(K)(3)(c and d), p. 407

The proposed amendments would clarify and strengthen the connection between the language in Subsection 14-16-6-4(K)(3), which contains requirements for mailed notice to property owners for various types of development applications (c) and Small Areas (d). The amendment would add the language “Where Table 6-1-1 requires mailed notice,” at the start of (c) and (d), so it would be clear that the requirements in the Table apply and are consistent with the provisions.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

Facilitating clarity and consistency is a way to help employ procedures that contribute to effectively and equitably implementing the Comprehensive Plan (Goal 5.7), as well as support high-quality customer service with a transparent approval and permitting process (Policy 5.7.6). The clarity and consistency regarding mailed notice would also generally help residents and stakeholders better understand and engage in the development process.

Post-Submittal Facilitated Meeting – IDO Subsection 14-16-6-4(L)(1)(a), p. 410

Post-submittal facilitated meetings may be requested by property owners within 330 feet of a subject site and/or by neighborhood associations within 660 feet of a subject site, except for requests for Site Plan-Admin for new low-density residential development.

The proposed text amendment would remove this exception and expand and clarify the provision, so that post-submittal facilitated meetings could be requested for Site Plan-Admin applications that propose new building(s) that meet the following thresholds: more than 100 multi-family dwellings; more than 50,000 sf of non-residential development; the application requires a public hearing; and the application is a policy decision that requires a neighborhood meeting.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

Providing clarity is a way to generally help employ procedures that contribute to effectively and equitably implementing the Comprehensive Plan (Goal 5.7). The amendments would establish thresholds for post-submittal facilitated meetings, which would help provide opportunities for residents and stakeholders to engage in the development process (Policy 5.7.5), while generally improving a regulatory framework supports desired growth, housing, and economic development (Policy 5.7.2).

Appeals – Remand Hearings – IDO Subsection 14-16-6-4(V)(3)(d), p. 430

The proposed amendment would clarify procedures for remand hearings. A new subsection 7 would be added to 6-4(V)(3)(d) and require that the Planning Department notify the parties regarding the date and time of the remand hearing. The second proposed sentence states that “The decision by the original decision-making body at the remand hearing is considered final unless one of the parties appeals the decision to the LUHO”.

This sentence is confusing because it convolutes the original decision-making body with the decision to be made on remand. Staff suggests a condition to simplify the language, so that it is clear that the decision on remand is final unless a new appeal is filed.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

The proposed amendment to clarify an existing procedure would generally help update a regulatory framework and support implementation processes that aim to make Comprehensive Plan concepts a reality (Policy 5.7.2 and Goal 5.7). With some additional clarification, the proposed amendment would support efficiency in the development review process (Policy 5.7.4).

Minor Amendments – Circulation – IDO Subsection 14-16-6-4(Y)(2)(a)(9), p. 441

This amendment proposes to delete a provision that would elevate an amendment to a Site Plan from a Minor Amendment approved by staff, up to a Major Amendment approved by the original decision-making body due to changes in circulation patterns on the site. For old shopping centers originally approved by the EPC, this has arisen when the owner is redeveloping the site with new users on pads within the parking lot. Deletion of this provision would allow a property owner to obtain an administrative Minor Amendment approval, as long as the City Traffic Engineer reviews and approves the amendment in conjunction with any other required traffic approvals, and if the Minor Amendment meets the remaining criteria.

Staff has discussed this at length internally, and rather than eliminating this provision in its entirety, it may be more appropriate to amend the provision from a “significant change to circulation patterns,” which can be subjective to a more objective requirement whether or not the amendment triggers the need for a Traffic Impact Study (TIS). A TIS is required for any new development creating over 100 peak hour trips to and from a site. Projects above this threshold may warrant additional review by the original decision-making body. Options for the EPC’s consideration are included in the recommended conditions of approval.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

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

The proposed amendment, as originally requested, would encourage greater efficiencies in the development review process and potentially allow more projects to be approved through an administrative process and Minor Amendment rather than bringing Site Plans back to the original decision-making body. Therefore, the request furthers Policy 5.7.4 Streamlined Development. The proposed amendment, as requested or with an updated requirement related to a Traffic Impact Study, would effectively implement the Comp Plan and help support desired growth through the IDO review and approval procedures. Should the EPC choose to approve either option for this proposed amendment, it should also be carried forward to IDO Subsection 6-4(Z)(1)(a)(3), which includes an identical provision related to amendments of pre-IDO Site Development Plan approvals.

Site Plan- Administrative (various) – IDO Subsections 14-16-6-4(Y)(1)(a)(3), 6-5(G)(2), 6-5(G)(3), Table 6-4-3, p. 441, 456 and 434

The proposed amendments to Section 14-16-6 address administration and enforcement, and development review procedures; this section discusses those as related to the Site Plan Administrative process. An amendment to table 6-4-4 Allowable Amendments would allow amendments of prior approvals to be approved administratively by staff for decisions that would be able to be approved administratively if they were submitted as new applications.

Several amendments to IDO Subsection 14-16-6-5(G)(1)(d) relate Site Plan - Administrative. The amendments clarify that a property owner can apply for a new Site Plan - Administrative without having to amend a prior approval, unless the geography of the proposed site plan overlaps with portions of a prior-approved site plan that will remain in place [IDO Subsection 14-16-6-

5(G)(1)(d)]. If there are any overlapping boundaries, an amendment of the prior approved site plan to remove the overlapping portions of the boundary is needed before a new site plan can be approved [IDO Subsection 14-16-6-5(G)(2)(b)].

Additionally, decisions made administratively for the replacement of a prior-approved site plan, as described above, would require the new site plan to be linked to the prior-approved site plan. The project number, case number, site boundary, and date of the decision of the original approval shall be noted on the newly approved site plan [IDO Subsection 14-16-6-5(G)(2)(e)]. This would ensure that a connection is made between the newly approved site plan and the prior approved site plan.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

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

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

If approved, the proposed amendments would be consistent with Implementation Goal 5.7, Regulatory Alignment Policy 5.7.2, Streamlined Development Policy 5.7.4 and sub policy 5.7.4.a, and Development Services policy 5.7.6. The proposed changes would promote clarity and consistency in administration and enforcement by allowing amendments of prior approvals, that are within the same thresholds of new approvals to be reviewed administratively (Permit – Sign, Permit – Wall or Fence – Minor, Site Plan Administrative). The amendments would not only allow for consistency in the channels required for review, they would provide applicants an avenue for keeping a prior-approved site plan, while making the desired amendments in a concise manner.

Demolition Outside of an HPO – IDO Subsection 14-16-6-6(B)(1) and (B)(2), p. 463 and 464

The proposed amendments, which pertain to Demolition Outside of an HPO (Historic Protection Overlay zone), would remove current language that limits staff review of historic structures to designated small areas only. The amendments would allow Historic Preservation Staff to review proposed demolitions of any structures 50 years or older City-wide, whether it is in a HPO zone or not.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

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

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

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

Policy 11.2.2- Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest.

The proposed text amendments would allow staff review of historic buildings City-wide, which would help preserve historic assets and promote preservation of historic buildings determined to be significant at a local, state, and/or national level (Goal 11.2 and Policy 11.2.2). The regulatory framework that supports historic preservation efforts would be updated and the process improved to better facilitate implementation of Comprehensive Plan Goals and policies regarding historic assets (Goal 5.7 and Policy 5.7.2). Furthermore, allowing demolition review City-wide could help protect special places in the built environment that contribute to the distinct identity of communities (Goal 4.1 and Policy 4.1.3).

Zoning Map Amendment, Council – IDO Subsection 14-16-6-7(H)(1)(b), p. 520

The proposed amendment would add the phrase “within 15 calendar days of the Notice of Decision” to 6-7(H)(1)(b). A Zoning Map Amendment- Council cannot be appealed, since the EPC is not the final decision-making body. Rather, if a party disagrees with the EPC’s decision as a recommending body, they can file a protest of the decision (rather than an appeal). Consistent with appeals, however, is the 15-day timeframe for filing. The proposed amendment would add this language to the protest provision for clarity going forward.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

The proposed amendment would create consistency between related procedures would generally help update a regulatory framework and support implementation processes that aim to make Comprehensive Plan ideas a reality (Policy 5.7.2 and Goal 5.7). The proposed amendment would create clarity and encourage an efficiency in the development review process (Policy 5.7.4).

Definitions (various) – IDO Subsection 14-16-7-1, p. 561, 582, 585, and 591

The intent of the proposed amendments to Definitions is to provide clarification and support for regulations and processes in the IDO and to ensure a common understanding of a given term, which will help provide for consistent implementation.

The proposed amendments include one new definition and four revisions to existing definitions. The new definition of EV Capable would be added to the parking definitions. Revisions would be made to the definitions of Floodplain, Overnight Shelter, Personal and Business Services, and Large Stand of Mature Trees.

Policy Analysis: The following Comprehensive Plan Goals and Policies apply to the above-referenced amendment:

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

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

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

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

The proposed amendments to Definitions would help support improved procedures and processes to implement the Comprehensive Plan (Goal 5.7), as well as help to update the regulatory framework needed to support desired growth, economic development, and quality of life priorities (Policy 5.7.2). Having clear definitions helps encourage efficiencies in the development review process (Policy 5.7.4) and create transparency that supports consistent implementation and high-quality customer service (Policy 5.7.6).

IV. PUBLIC OUTREACH

Meetings and Presentations

The proposed 2022 annual updates were reviewed at two online public study sessions in October 2022 via Zoom, prior to application submittal for the EPC process. One session was held on October 20th in the evening and another session on October 21st over the lunch hour (same content). Planning Staff presented the proposed text amendments and answered questions from participants for both the City-wide and the small area amendments.

The presentations, in .pdf format and video format, are posted on the project webpage at: <https://abc-zone.com/document/ido-annual-update-2022-pre-epc-review>

A public meeting to review and discuss the proposed changes was held on November 18, 2022. A link to the presentation, in .pdf format and video format, is here: <https://abc-zone.com/ido-annual-update-2022#Meetings>

The EPC held a study session regarding the proposed 2022 IDO amendments on December 1, 2022. This was a publicly-noticed meeting, although no public input is received during Study Sessions (see EPC Rules of Practice and Procedure, Article II, Section V).

V. NOTICE

Required Notice for the EPC Hearing

For an Amendment to IDO Text, the required notice must be published, e-mailed, and posted on the web (see Table 6-1-1: Summary of Development Review Procedures). A neighborhood meeting is not required for an Amendment to IDO Text-City-wide. The City published notice of the EPC hearing on November 21, 2022, the legal ad, in the ABQ Journal newspaper.

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

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

The City also posted notice of the application, the proposed changes to the IDO, and the EPC hearing on the project website at this address: <https://abc-zone.com/ido-annual-update-2022>

Additional Notice Provided

E-mail notice about the pre-application review meetings was sent to approximately 10,000 subscribers on the ABC-Z project update email list on October 11, 2022. Another e-mail notice, which provided information about the EPC hearing for the proposed text amendments, was sent on December 1, 2022.

VI. AGENCY & PUBLIC COMMENTS

Agency Comments

Few agency comments were received. Albuquerque Public Schools (APS), the Solid Waste Management Division (SWMD), and PNM stated that they have “no comment”. PNM had substantive comments with last year’s IDO annual update.

Public and Neighborhood Comments

Letters via e-mail

As of this writing, Staff has received approximately 12 written comments regarding the proposed City-wide text amendments (note: the housing-focused comments regarding O-54-22 are associated with another Staff report). The comments are from interested parties such as coalitions, neighborhood associations, and individuals (see attachments).

Neighborhood organizations that commented include, but are not limited to, the Santa Fe Village Neighborhood Association (NA), the Westside Coalition of NAs, the Taylor Ranch NA, the Southeast Heights NA, the Embudo Canyon NA, the District 6 Coalition of NAs, and the Victory Hills NA. There is also a consolidated comment letter from the Inter-Coalition Council, which consists of members from various coalitions (see attachment). There are also comments from individuals.

These comments express strong opposition to the proposed walls and fences text amendments and ask why this is being considered again. One individual provided photo examples regarding this amendment. Some individuals expressed concern about the IDO annual update process, and suggest that people become more involved. It was also mentioned that starting at the beginning of the year, rather than the end, might make it easier for the public to participate because it's after the holidays.

Pinned Comments

Staff also received comments that response to the IDO Annual Update 2022 Spreadsheet, which was posted on the ABC-Z project website <https://abc-zone.com>. The spreadsheet was interactive and provided an opportunity to pin a comment directly onto a line-item (see attachments).

As of this writing, approximately 86 pinned comments were submitted. A few topics did not have any pinned comments (ex. Mailed Notice, Post-submittal Facilitated Meeting, Site Plan- Admin). For those that did, the number is indicated in the following table. In some cases, a comment was pinned to a particular topic row in the spreadsheet, but it addressed a different topic. These are noted as much as possible, below.

Topic	# of Comments
General Comment	1
Mobile Food Truck Court	1
Deviations, Variances, Waivers	2
Dwelling, Townhouse	2
Multi-Family Kitchen Exemption	7
Car Wash (5)/Vehicle Stacking	4
Medical or Dental Clinic	2
Encroachment/Balcony	6
Mature Trees	2
Parking Maximums	4
Electric Vehicles	6
Edge Landscape Buffers	10 shown, 5 on topic
Walls and Fences	21 shown, 5 more elsewhere
Hazardous Materials	3
CPA Assessments	2
Appeals- Remand Hearings	1
Demolition outside HPO	2
Zoning Map Amendment-Council	1
Definitions	1

By far, the most commented on topic is Walls and Fences and almost all comments indicate strong opposition. People wonder why the amendment is being considered again, since it was last year. They oppose raising allowable height, especially in front yards, because of adverse effects on neighborhood aesthetics and character, as well as providing hiding places for crime. Many point out that there's a process already in place (Variance -ZHE) to request a higher wall and that such walls should not be allowed permissively.

Edge Landscaping Buffers/Areas of Change and Consistency received the second-most comments. One individual would like the sizes to refer to Table 5-6-4, Edge Buffer Development Type Summary, and stated that Areas of Change are becoming more residential over time.

Some people would like to see more analysis and supporting information in the development of the proposed text amendments. Other state that examples and impact analyses would be helpful for their understanding.

VII. CONCLUSION

The request is for City-wide text amendments to the IDO. The Planning Department has compiled approximately 49 proposed changes and analyzed them for the EPC's review and recommendation to the City Council.

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

The proposed changes are generally consistent with applicable Articles of the City Charter and a preponderance of applicable Comprehensive Plan Goals and policies from Chapter 5- Land Use, Chapter 8- Economic Development, Chapter 11- Heritage Conservation, and Chapter 13- Resilience and Sustainability.

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

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

Staff recommends a continuance for one month to the regular EPC hearing on January 19, 2023, but will be prepared should the EPC choose to make its recommendation at the December 8, 2022 special hearing.

RECOMMENDED FINDINGS – RZ-2022-00054, December 8, 2022

1. The request is for various City-wide, legislative amendments to the text of the Integrated Development Ordinance (IDO) for the Annual Update required by IDO Subsection 14-16-6-3(D). The proposed City-wide amendments, when combined with the proposed Small-area amendments, are collectively known as the 2022 IDO Annual Update.
 2. Staff has collected approximately 49 proposed text amendments to the IDO requested by neighbors, developers, Staff, Council, and the Administration. The proposed changes would improve the effectiveness and implementation of adopted regulations, address community-wide issues, clarify regulatory procedures, and balance these needs with the Comprehensive Plan vision of protecting and enhancing existing neighborhoods.
 3. Interested parties including various neighborhood groups, individuals, and organizations provided comments that cover a variety of topics. Topics generating the most interest and/or concern allowing duplexes and accessory dwelling units in the R-1 zone district. Some neighborhood organizations expressed concern about the process, and requested answers to questions about some of the proposed text amendments.
 4. As of this writing, Staff has received many comments from the public. Some include suggested revisions. Staff recommends a continuance for one month to the regular EPC hearing on January 19, 2023.
-
-

Catalina Lehner

**Catalina Lehner, AICP
Principal Planner**

Michael Vos

**Michael Vos, AICP
Principal Planner P**

Notice of Decision cc list:

List will be finalized subsequent to the EPC hearing on December 8, 2022.

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Long Range Planning

CITY ENGINEER

Transportation Development

No comments.

Hydrology Development

New Mexico Department of Transportation (NMDOT)

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Traffic Engineering Operations (Department of Municipal Development)

Street Maintenance (Department of Municipal Development)

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER: none

WATER UTILITY AUTHORITY

Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division- no comment

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No adverse comments to zone change.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

No adverse impacts.

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

Please see attached memo dated 1-14-2021

APPLICATION INFORMATION

CITY OF ALBUQUERQUE

Planning Department
PO Box 1293
Albuquerque NM 87103



October 27, 2022

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

Dear Chair MacEachen,

As required by IDO Subsection 14-16-6-3(D), we are submitting the 2022 annual update to the Integrated Development Ordinance (IDO) for the Environmental Planning Commission's review and recommendation to the City Council, the City's ultimate planning and zoning authority.

In order for the City's land use, zoning, and development regulations to stay up-to-date, the IDO has an annual update process built into its regulatory framework. The annual update for 2022 includes approximately 35 changes requested by members of the public, staff, and the City Administration. Each proposed change provides the page and section of the adopted IDO that would be modified, the text that is proposed to change, along with an explanation of the purpose or intent of the change. This document is the main body of the application for Amendments to IDO Text - Citywide.

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

Sincerely,

Alan Varela (Oct 25, 2022 11:18 MDT)

Alan Varela, Director
Planning Department



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

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

APPLICATION INFORMATION

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

BRIEF DESCRIPTION OF REQUEST

Amendment to IDO Text - Citywide for the 2022 IDO Annual Update, as required by Section 6-3(D) of the IDO.

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

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

LOCATION OF PROPERTY BY STREETS

Site Address/Street: Citywide	Between:	and:
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CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

PR-2018-001843 / RZ-2021-00048 (2021), RZ-2020-00046 (2020), RZ-2019-00046 (2019); Project #1001620 Case #16EPC-40082 (Adoption of the IDO)

Signature:	Date: October 27, 2022
Printed Name: Michael Vos, AICP	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date: Project #

Form Z: Policy Decisions

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

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

INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)

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

ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN

ADOPTION OR AMENDMENT OF FACILITY PLAN

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

AMENDMENT TO IDO TEXT

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

ZONING MAP AMENDMENT – EPC

ZONING MAP AMENDMENT – COUNCIL

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

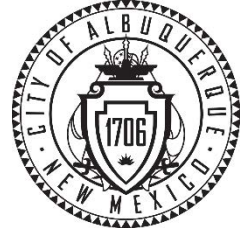
ANNEXATION OF LAND

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

<i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i>		
Signature:	Date: October 27, 2022	
Printed Name: Michael Vos, AICP	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent	
FOR OFFICIAL USE ONLY		
Project Number:	Case Numbers	
	-	
	-	
	-	
Staff Signature:		
Date:		

October 27, 2022

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



Dear Chair MacEachen,

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

The IDO is the regulatory tool to realize and implement the “Centers and Corridors” community vision set out in the Albuquerque-Bernalillo County Comprehensive Plan (“Comp Plan”) in a coordinated, citywide context where existing communities can benefit from appropriate new development, while being protected from potential adverse effects. The IDO regulations coordinate with the City’s Development Areas – Areas of Change and Consistency – that work together to direct growth to appropriate locations and ensure protections for low-density residential neighborhoods, parks, and Major Public Open Space. The IDO implements the Comp Plan through regulations tailored to each of the City’s designated Centers and Corridors. The IDO regulations are also coordinated with transportation and urban design policies in the updated Comp Plan, as well as updated technical standards for infrastructure in the Development Process Manual (DPM).

In order for the City’s land use, zoning, and development regulations to stay up-to-date, the IDO built in an annual update process into the regulatory framework. This process was established to provide a regular cycle for discussion among residents, City staff, and decision-makers to consider any needed changes that were identified over the course of the year. Since the completion of the 2021 annual update, Planning staff has collected approximately 50 proposed amendments. These amendments were requested by members of the public, staff, City Councilors, and the City administration. Proposed amendments are compiled into a table of “Citywide Proposed Text Amendments.” Each proposed change provides a reference number, the page and section of the IDO that would be modified, the text that is proposed to change, an explanation of the purpose or intent of the change, and the source of the change (i.e. staff, Admin, public, or Council). In addition, several amendments proposed by City Council with supporting memos are included individually for consideration. Together, these documents are the main body of the application for Amendments to IDO Text - Citywide.

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

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

- 1) These proposed amendments to the IDO text are consistent with the spirit and intent of the ABC Comp Plan and other policies and plans adopted by the City Council.
- 2) None of the proposed text amendments to the IDO text apply to a single lot or development project. They would affect property citywide.
- 3) These proposed amendments to the IDO text are required because of changed conditions or circumstances in all or a significant portion of the city, and the changes are required in order to promote economic growth and investment in the City as a whole that will not create material risks to the public health, safety, and general welfare.

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

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

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

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

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

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

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

Goal 5.6 City Development Areas

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

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

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

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

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

Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

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

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

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

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

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

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

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

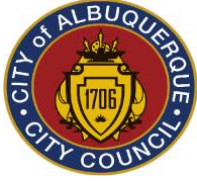
This request promotes public health, safety, and welfare by improving the quality and the enforceability of the existing land use and zoning regulations.

These proposed amendments to the IDO text are also required to promote economic growth and investment in the City as a whole. The proposed changes respond to challenges in implementing new regulations and neighborhood protections in a real-world context with real-world projects. Changes in market demands for housing and business needs, coupled with the imperative of protecting private property and the character of existing neighborhoods, are addressed in the proposed text amendments.

Sincerely,



Mikaela Renz-Whitmore, Division Manager, Urban Design & Development
City Planning Department



CITY OF ALBUQUERQUE

CITY COUNCIL

INTEROFFICE MEMORANDUM

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

FROM: Trudy Jones, City Councilor

SUBJECT: IDO Amendment – Landscape Buffer

DATE: Wednesday, October 26th

Director Varela and Mrs. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2022 IDO Annual Update.

- **Purpose:** The purpose of this requested amendment is to remove section 5-6(E)(5) from the IDO as unnecessary and duplicative regulation. This section sets forth landscaping requirements based on if the subject lot is within an Area of Change and is located next to an Area of Consistency. However, table 5-6-4 already sets forth landscaping requirements but instead bases the requirement on development types. It is not necessary to regulate landscaping based on Areas of Change or Consistency when there are other provisions (table 5-6-4) that adequately regulate landscaping requirements.

- **Actions:**

1. Strike 5-6(E)(5) and renumber subsequent sections as necessary

~~**[5-6(E)(5) Area of Change Next to Area of Consistency**~~

~~Where a lot in an Area of Change is abutting or across an alley from a lot in an Area of Consistency (per City Development Areas in the ABC Comp Plan, as amended), the following standards shall apply on the lot in the Area of Change, regardless of the proposed land use on that lot.~~

Table 5-6-5: Edge Buffer – Development Area Summary^[1]

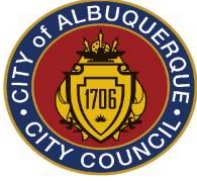
Lot in Area of Change Next to	Specific Standard	Buffering in UC-MS-PT
Area of Consistency in R-A, R-1, R-MC, or R-T		Landscaped buffer area ≥15 ft.
Area of Consistency in R-ML or R-MH	14-16-5-6(E)(3)	Landscaped buffer area ≥20 ft.
Area of Consistency in Mixed-use, NR-C, or NR-PO	14-16-5-6(E)(4)	Landscaped buffer area ≥25 ft.

Wall, fence, or vegetative screen ≥6 ft.

[1] See subsections 14-16-5-6(E)(5)(a), 14-16-5-6(E)(5)(b), and 14-16-5-6(E)(5)(c) for the complete buffer standards for Development Areas.

DELETE TABLE

- ~~5-6(E)(5)(a) If the lot in the Area of Consistency is in an R-A, R-1, R-MC, or R-T zone district, the requirements of Subsections 14-16-5-6(E)(1) and 14-16-5-6(E)(2) shall apply.~~
- ~~5-6(E)(5)(b) If the lot in the Area of Consistency is in an R-ML or R-MH zone district, the requirements of Subsections 14-16-5-6(E)(1) and 14-16-5-6(E)(3) shall apply.~~
- ~~5-6(E)(5)(c) If the lot in the Area of Consistency is in any Mixed-use, NR-C, or NR-PO zone district, the requirements of Subsections 14-16-5-6(E)(1) and 14-16-5-6(E)(4) shall apply.]~~



CITY OF ALBUQUERQUE

CITY COUNCIL

INTEROFFICE MEMORANDUM

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

FROM: Renee Grout, City Councilor

SUBJECT: IDO Amendment – Non-Residential Conversions

DATE: Wednesday, October 26th

Director Varela and Mrs. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2022 IDO Annual Update.

- **Purpose:** The purpose of this requested amendment is to remove the use-specific standard for Multi-Family development that allows for conversions of non-residential uses into multi-family residential uses to provide a lesser kitchen when these conversions are associated with funding provided by the City’s Family and Community Services Department in conjunction with an affordable housing project. All multi-family housing should conform to standards that seek to protect the health, safety, and welfare of occupants for residential whether the project is affordable or not to contribute positively to quality of life for residents and the surrounding area.

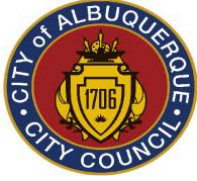
- **Actions:**

1. Strike 4-3(B)(8)(e) in it’s entirety and renumber subsequent sections as necessary.

~~[4-3(B)(8)(e) In Mixed use zone districts, a maximum of 100 dwelling units resulting from a conversion of existing non-residential development to a residential use shall be exempt from the definition of kitchen in IDO Section 14-16-7-1 in multi-family residential dwellings that receive funding through the City of Albuquerque Department of Family and Community Services as affordable housing as defined by Article 14-21 of ROA 1994 (Affordable Housing Implementation Ordinance), if all of the following requirements are met:~~

- ~~1. A separate kitchen and bathroom shall be provided in each dwelling unit.~~
- ~~2. The kitchen shall include all of the following requirements:~~

- a. ~~A sink of adequate size and shape for washing dishes and food items (as opposed to washing hands).~~
 - b. ~~A refrigerator that includes a separate freezer compartment.~~
 - c. ~~A countertop surface, an appliance for warming food (such as microwave or hotplate), and an electrical outlet that allows the appliance to be plugged in safely.~~
3. ~~An accessory or primary use for office or personal services shall be provided on the same premises for service coordination.~~
4. ~~An agreement shall be provided with application materials to prove that a minimum of 40 hours of support services a week will be provided to residents.~~
5. ~~Units shall have a maximum of 2 bedrooms, and occupancy shall be limited as follows:~~
- a. ~~2 people per efficiency unit.~~
 - b. ~~2 people per 1-bedroom unit.~~
 - c. ~~4 people per 2-bedroom unit.]~~



CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

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

FROM: Isaac Benton, City Councilor

SUBJECT: IDO Amendment – Parking Maximums

DATE: Wednesday, October 26th

Director Varela and Mrs. Renz-Whitmore,

Please include the following proposed amendment in the packet of materials to be submitted to the Environmental Planning Commission for the 2022 IDO Annual Update.

- **Purpose:** The purpose of this requested amendment is to institute parking maximums in areas where surface parking is undesirable. Currently, the IDO does not limit how much parking a property owner may provide with a development which can result in excess parking on a site. In Centers and Corridors, it's appropriate to limit the amount of surface parking provided. This will require the site be developed with other features, such as landscaping, building footprint, or other usable site amenities. The proposed request will only impact Urban Centers, Main Street Corridors, and Premium Transit Areas.
- **Actions:**
 1. Strike all "parking maximum" requirements that are associated with UC-MS-PT areas in table 5-5-1.
 2. Create a new 5-5(C)(2) as follows and renumber subsequent sections:

5-5(C)(2) Maximum off-street parking

5-5(C)(2)(a) In UC-MS-PT areas the maximum parking spaces provided shall be no more than 125% of the required off-street parking spaces required, calculated after all applicable parking reductions have been applied.

5-5-(C)(2)(b) In areas where the minimum required off-street parking spaces in 5-5(B)(2)(a) parking spaces, the maximum parking spaces provided shall also be zero.]

SPREADSHEET OF PROPOSED TEXT AMENDMENTS-

IDO Annual Update 2022 – EPC Review – City-wide

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
1	35	2-4(E)(3)(c)	<p>Mobile Food Truck Court in MX-FB Add a new subsection with the following text: "Mobile food truck court."</p>	Adds mobile food truck court as an allowable outdoor use. Mobile food truck is already listed, but when the mobile food truck court was added as a new use in 2020, staff missed adding it as an allowable use in MX-FB.	Staff
2	47	2-5(B)(3)	<p>NR-BP - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Master Development Plan Standards 1. Deviations from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by IDO Subsection 14-16-6-4(O). 2. Variances from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(O). 3. Waivers from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(P).</p>	Establishes how to request a special exception from a Master Development Plan standard.	Staff
3	62	2-6(B)	<p>PC - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Framework Plan Standards 1. Deviations from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by IDO Subsection 14-16-6-4(O). 2. Variances from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(O). 3. Waivers from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(P).</p>	Establishes how to request a special exception from a Framework Plan standard.	Staff

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
4	156	4-3(B)(6)(a)	Dwelling, Townhouse - Usable Open Space Revise text as follows: "For townhouse developments containing more than 6 dwelling units on a common lot , minimum usable open space shall be provided as follows:"	Extends usable open space requirements to townhouses with each dwelling unit on its own lot.	Staff
5	156	4-3(B)(6)(c)	Dwelling, Townhouse - UC-MS-PT exemption Revise text as follows: " <u>Except in UC-MS-PT areas, For each townhouse dwelling shall not contain more than 3 dwelling units on properties with a rear or side lot line that abuts an R-A or R-1 zone district or with a rear lot line that is across an alley from an R-A or R-1 zone district, no townhouse dwelling may contain more than 3 dwelling units.</u> "	Exempts UC-MS-PT areas from a regulation intended to limit the scale of townhouses on properties near an R-A or R-1 zone district. UC-MS-PT areas encourage higher-density development and a more urban character of development, which conflict with this regulation.	Council - Benton
6	158	4-3(B)(8)(e)	Dwelling, Multi-family - Kitchen Exemption for Affordable Housing Delete this subsection and renumber subsequent subsections as necessary.	Removes the use-specific standard for multi-family dwellings that allows for conversions of non-residential uses into multi-family residential uses to provide a lesser kitchen when these conversions are associated with funding provided by the City's Family and Community Services Department in conjunction with an affordable housing project.	Council - Grout
7	168	4-3(D)(16)(b)	Car Wash Revise text as follows: "A car wash building and any associated outdoor activities, <u>including but not limited to vacuum stations, drying/polishing stations, and queuing lanes</u> , are prohibited within 50 feet in any direction of any Residential zone district or any lot containing a residential use in any Mixed-use zone district."	Clarifies what types of outdoor activity are precluded in the area less than 50 feet from residential areas. See also related proposed change for Subsection 5-5(1)(1)/Table 5-5-8.	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
8	175	4-3(D)(26)(a)	<p>Medical or Dental Clinic / Methadone Centers Revise text as follows: <u>Facilities that are considered methadone centers pursuant to Article 13-11 of ROA 1994 (Methadone Centers)</u> Facilities that dispense methadone as a primary activity are prohibited in the following locations:</p> <ol style="list-style-type: none"> 1. On lots within <u>Within</u>...330 feet in any direction of any other facility that dispenses methadone as a primary activity. 2. On lots within <u>Within</u> 330 feet in any direction of a lot containing a religious institution. 3. On lots within <u>Within</u> 500 feet in any direction of an R-1 zone district. 4. On lots within <u>Within</u> 500 feet in any direction of a lot containing an elementary, middle, or high school. 	Added reference to existing Methadone Centers Ordinance. Fixed distance separation measurement to be lot to lot for consistency with the IDO and to improve enforceability.	Staff
9	175	4-3(D)(26)(b)	<p>Medical or Dental Clinic / Syringe Exchange Facility Revise text in subsections 1-4 to begin with "On lots" to change the distance separation measurement to be lot to lot.</p>	Fixed distance separation measurement to be lot to lot for consistency with the IDO and to improve enforceability.	Staff
10	231	Table 5-1-4	<p>Encroachment Remove balcony from Architectural feature and make a new row for Balcony with text as follows: "May encroach any amount into a required front yard setback; encroachments into the public right-of-way require an approved revocable permit."</p>	Removes the allowance for balconies to encroach up to 2 ft. into a required side or rear yard setback, but not closer than 3 ft. from any lot line.	Public

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
11	233	5-2(C)	<p>Sensitive Lands / Mature Trees Revise text in Subsection 5-2(C)(2)(d) as follows: Established tree Large stands of mature trees Add a new subsection 5-2(C)(3) with text as follows and renumber subsequent subsections accordingly: <u>"Established trees shall be evaluated by the City Forester. Where maintaining a large mature tree is not desired by the City Forester, one of the following options may be substituted as approved by the City Forester to count as avoiding sensitive lands. Either option must be provided on the premises in addition to any landscaping required by IDO Subsection 14-16-5-6.</u> a. <u>A landscaped area equal to the area under the dripline shall be provided, with vegetative coverage that meets the requirement of IDO Subsection 14-16-5-6(C)(2)(c).</u> b. <u>Replacement trees shall be provided, whose total trunk diameters at the time of planting equal the diameter of the large mature tree."</u></p>	Revised to shift from multiple trees to a large tree. Provides an alternative replacement for the tree if the City Forester determines the tree is not healthy, etc. See related proposal to change the definition of this type of Sensitive Land.	Staff
12	250	5-3(E)(1)(d)4	<p>Pedestrian Access Revise text as follows: "Whenever cul-de-sacs are created, 1 20-foot wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or walkway, unless the City Engineer determines that public access in that location is not practicable due to site or topography constraints. <u>Walls or fences are not allowed within the easement."</u></p>	Clarifies existing practice and ensures that pedestrian access is not impeded by a wall or fence.	Staff
13	268	Table 5-5-1	<p>Off-street Parking - Parking Maximums Delete all parking maximum requirements associated with UC-MS-PT areas in Table 5-5-1.</p>	Together with associated change for a new Subsection 14-16-5-5(C)(2), adds parking maximums for all uses in UC-MS-PT areas.	Council - Benton

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Item	Page	Section	Change / Discussion	Explanation	Source
14	277	5-5(C)(6)(a)	<p>Electric Vehicle Charging Station Credit Revise text as follows: "Each off-street electric vehicle charging station with a rating of 240 volts or higher <u>installed in an off-street parking space</u> shall count as 2 vehicle parking spaces toward the satisfaction of minimum off-street parking requirements."</p>	Ties the parking credit to an installed Electric Vehicle (EV) charging station. See related proposed change to require EV-capable spaces in large townhouse developments in Subsection 5-5(C)(9).	Staff
15	278	5-5(C)(7)	<p>Off-street Parking - Parking Maximums Make existing text Subsection (a) and add new subsections with text as follows: "(b) In UC-MS-PT areas the maximum number of off-street parking spaces provided shall be no more than 125% of the off-street parking spaces required, calculated after all applicable parking reductions have been applied. (c) In areas exempt from minimum required off-street parking spaces pursuant to Subsection 14-16-5-5(B)(2)(a), the maximum number of off-street parking spaces provided shall be zero."</p>	Together with associated change with Table 5-5-1, adds parking maximums for all uses in UC-MS-PT areas. Prohibits surface parking for any use in Downtown Center, McClellan Park, and Old Town HPO-5.	Council - Benton
16	279	5-5(C)(9)	<p>Electric Vehicle Parking Make existing text into a subsection (a) and revise text as follows: "When more than 200 off-street parking spaces are constructed, at least <u>5</u> 2 percent of the vehicle parking spaces shall include electric vehicle charging stations <u>installed</u> with a rating of 240 volts or higher."</p>	Increases the existing requirement for Electric Vehicle (EV) charging stations in large parking lots.	Staff
17	279	5-5(C)(9)	<p>Electric Vehicle Parking Add a new subsection with text as follows: "<u>All new townhouse dwellings containing more than 6 dwelling units shall provide all required off-street parking spaces as EV capable.</u>"</p>	Adds a new requirement for Electric Vehicle (EV) charging stations in large townhouse developments. See related proposed change in Section 7-1 for a definition of EV capable in the Parking Definitions.	Staff

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
18	279	5-5(C)(9)	<p>Electric Vehicle Parking Add a new subsection with text as follows: <u>"All new multi-family residential development containing more than 100 dwelling units shall meet both of the following requirements.</u> i. <u>At least 5 percent of the required off-stree parking spaces shall have electric vehicle (EV) charging stations installed with a rating of 240 volts or higher.</u> ii. <u>At least 25 percent of the required off-street parking spaces shall be provided as EV capable."</u></p>	Adds a new requirement for Electric Vehicle (EV) charging stations in large multi-family developments.	Staff
19	290	Table 5-5-8	<p>Vehicle Stacking, Car Washes Revise existing "Car Wash" row to "Car Wash, <u>Self-service</u>" Add new row for "Car Wash, Conveyor-operated" with a general requirement of 12 stacking spaces and UC-MS requirement of 6 stacking spaces.</p>	Ensures adequate stacking and vehicle queuing for larger, automatic conveyor-operated car washes, which the city has seen an increase in applications for.	Staff
20	305	5-6(E)(2)(a)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General A landscaped edge buffer area at least 15 feet wide shall be provided on the subject property along the property line between the two properties.</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public
21	306	5-6(E)(3)(a)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General An edge buffer area at least 20 feet wide shall be provided on the subject property along the property line between the two properties.</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public

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Item	Page	Section	Change / Discussion	Explanation	Source
22	307	5-6(E)(4)(b)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General A landscaped edge buffer area at least 25 feet wide shall be provided on the subject property along the property line between the two adjacent properties...</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. Keeps 15-foot buffer and related text for drainage facilities as an exception to the tables. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public
23	308	5-6(E)(5)	<p>Edge Landscape Buffers - Areas of Change and Consistency Revise text as follows: Where a lot <u>premises partially or completely</u> in an Area of Change is abutting or across an alley from a lot <u>premises wholly</u> in an Area of Consistency (per City Development Areas in the ABC Comp Plan, as amended), the following standards shall apply on the <u>lot(s) adjacent to the premises wholly</u> in the Area of Change <u>Consistency</u>, regardless of the proposed land use on that lot <u>or premises unless specified otherwise in this IDO.</u></p>	Applies buffer requirements to the whole premises so project sites with both Area of Change and Area of Consistency designations are not providing buffers internally, but rather to development on adjacent properties. Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public
24	308	Table 5-6-5	<p>Edge Landscape Buffers - Areas of Change and Consistency Revise and merge all three rows in the General Buffering column with one requirement for a "Landscaped buffer area ≥15 ft."</p>	Applies a consistent buffer width for all Areas of Change next to Areas of Consistency. Larger Edge Buffer widths that apply based on development types elsewhere would prevail over this standard. Note that this change, and related changes, conflict with the proposed change by Councilor Jones.	Public

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Item	Page	Section	Change / Discussion	Explanation	Source
25	308	5-6(E)(5) / Table 5-6-5	Edge Landscape Buffers - Areas of Change and Consistency Delete this subsection and renumber subsequent subsections as necessary. Delete Table 5-6-5.	Removes this requirement as unnecessary and duplicative regulation. This section sets forth landscaping requirements based on if the subject lot is within an Area of Change and is located next to an Area of Consistency. However, table 5-6-4 already sets forth landscaping requirements but instead bases the requirement on development types. It is not necessary to regulate landscaping based on Areas of Change or Consistency when there are other provisions (Table 5-6-4) that adequately regulate landscaping requirements. Note that this change conflicts with proposed change from the public for the same subsection.	Council - Jones
26	320	5-7(D)(3)(a)	Walls & Fences - Front Yard Wall Create a new subsection 1, renumbering subsequent subsections accordingly, with text as follows: <u>"For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 feet if view fencing is used for portions of a wall above 3 feet and if the wall is set back at least 2 feet, except where a taller wall is prohibited pursuant to Subsection (3) below."</u>	Allows 5 foot walls in front yard with view fencing for at least 2 feet at top and set back 2 feet. See related row for proposed deletion of Permit - Wall or Fence - Major in Table 6-1-1 and Subsection 14-16-6-6(H).	Admin
27	321	Table 5-7-2	Options for a Taller Front or Side Yard Wall Revise the first row of text under View Fencing as follows: " <u>< 10 ft. from lot line abutting the street</u> "	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 2 feet from the property line.	Admin
28	322	5-7(D)(3)(b)	Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts Revise text as follows: "For multi-family residential development in R-ML or R-MH zone districts, the maximum height <u>of walls in any front or street side yard</u> is 6 feet if view fencing is used for portions of a wall above 3 feet."	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 2 feet from the property line.	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
29	377	5-13(A)(4)	<p>Hazardous Materials Revise text as follows: "All uses and activities shall comply with all State <u>and federal</u> statutes and regulations..."</p>	Clarifies that compliance with federal standards must also be maintained. Also generally covered by Subsection 14-16-1-7(A)(3), 14-16-1-8(D), and 14-16-4-1(F).	Staff
30	396	6-3(E)	<p>Community Planning Area Assessments In Subsection (1), replace "at least once every 5 years" with "on an ongoing cycle." In Subsection (6), delete "At least every 5 years."</p>	Removes language that conflicts with City Council's Resolution R-22-42, which sets the cycle of assessments.	Staff
31	407 D	6-4(K)(3)(c)	<p>Mailed Notice to Property Owners Revise text as follows: "<u>Where Table 6-1-1 requires mailed notice for</u> For Administrative Decisions, Decisions Requiring a Public Hearing, Amendments to Zoning Map, Adoption or Amendment of Historic Designation, or Annexation of Land as shown in Table 6-1-1, the applicant shall mail a notice to all of the following:</p>	Makes text consistent with Subsection 6-4(K)(3)(b) and 6-4(K)(4), 6-4(K)(5), and 6-4(K)(6).	Staff
32	408 D	6-4(K)(3)(d)	<p>Mailed Notice to Property Owners Revise text as follows: "<u>Where Table 6-1-1 requires mailed notice for</u> For an application for an Amendment to IDO Text – Small Area as shown in Table 6-1-1, the applicant shall mail a notice to all of the following, in addition to Neighborhood Associations pursuant to Subsection 6-4(K)(3)(b)3:</p>	Makes text consistent with Subsection 6-4(K)(3)(b) and 6-4(K)(4), 6-4(K)(5), and 6-4(K)(6).	Staff

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
33	410	6-4(L)(1)(a)	<p>Post-submittal Facilitated Meeting Revise text as follows: "Once an application for a decision listed in Table 6-1-1 is accepted as complete by the City Planning Department, property owners within 330 feet and Neighborhood Associations within 660 feet in any direction of the subject property may request a post-submittal facilitated meeting <u>in any of the following circumstances:</u> , except for Site Plan – Administrative applications for new low density residential development as identified by Subsection 14-16-6-5(G)(1)(e)1.a, which are not subject to this provision. <u>1. The application is a Site Plan – Administrative proposing a new building or multiple new buildings that include a total of any of the following:</u> <u>i. More than 100 multi-family residential dwelling units.</u> <u>ii. More than 50,000 s.f. of non-residential development.</u> <u>2. The application is in the category "Decision Requiring a Public Hearing" in Table 6-1-1.</u> <u>3. The application is in the category "Policy Decision" in Table 6-1-1, and Table 6-1-1 indicates that a Neighborhood Meeting is required for that application type."</u></p>	Changes the 10-day delay of Administrative decisions in Table 6-1-1 to allow for a Post-submittal Facilitated Meeting to be consistent with the threshold for Pre-submittal Neighborhood meetings in Subsection 6-4(B)(1)(b). Changes the Post-submittal Facilitated Meeting requirement for Policy Decisions to be only for applications that require a Pre-submittal Neighborhood Meeting: Adoption or Amendment of Historic Designation, Amendment to IDO Text - Small ARea, Zoning Map Amendment - EPC, and Zoning Map Amendment - Council.	Staff
34	430	6-4(V)(3)(d)	<p>Appeals - Remand Hearings Revise Subsection 6 to add text as follows: <u>"The LUHO shall notify the parties and Planning Department staff of the remand."</u> Add a new Subsection 7 with text as follows: <u>"Planning Department staff shall notify the parties of the date and time of the remand hearing. Public notice pursuant to Table 6-1-1 for the original decision is not required. The decision by the original decision-making body at the remand hearing is considered final unless one of the parties appeals the decision to the LUHO."</u></p>	Clarifies procedures for remand hearings.	Staff

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
35	434	Table 6-4-3	Period of Validity – Site Plan – Admin Revise 5 years to 7 years to be consistent with Site Plan – EPC.	Extends the period of validity for approved Site Plan - Administrative to be consistent with Site Plan - EPC.	Staff
36	441	6-4(Y)(1)(a)3	Minor Amendments - Circulation Revise text as follows: The requested change does not require major public infrastructure or significant changes to access or circulation patterns on to the site, which would warrant additional review by the original decision-making body.	Allows amendments that include changes to circulation contained within the site to be processed as minor amendments reviewed by the City Traffic Engineer if they meet other requirements and thresholds.	Public
37	456	6-5(G)(1)(f)6	Site Plan - Admin: New vs. redevelopment vs. expansion Revise text as follows: "expansion" --> "All expansions that increase <u>increases in the number of residential dwelling units originally approved on the subject property or increases to the gross floor area that expand the originally approved gross floor area beyond the threshold for Minor Amendment pursuant to Subsection 14-16-6-4(Y) or 14-16-6-4(Z).</u> "	Clarifies that any additional dwelling units and any non-residential gross floor area beyond what's allowed to be added through a minor amendment require a Site Plan - Administrative approval. Makes this subsection consistent with Minor Amendments in Subsection 14-16-6-4(Y)(2).	Staff
38	456	6-5(G)(2)(b)	Site Plan - Administrative - Procedure Revise text as follows: "An application for a Site Plan – Administrative is typically submitted with an application for a building permit. The ZEO shall review the application and make a decision on the Site Plan – Administrative as part of the zone check during building permit review."	Revised to reflect changing practice as a ripple of Site Plan - DRB moving to Site Plan - Administrative, which means more complicated projects will be reviewed by staff, likely separate from building permit submittals.	Staff
39	457	6-5(G)(2)(b)3	Site Plan - Administrative - Procedure Revise text in Subsection (b)(3) as follows: "The Notice of Decision shall be posted on the City website as soon as practicable and not more than 3 business days after the final action on any applicable building permit application."	Revised to reflect changing practice as a ripple of Site Plan - DRB moving to Site Plan - Administrative, which means more complicated projects will be reviewed by staff, likely separate from building permit submittals.	Staff

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
40	463	6-6(B)(1)	<p>Demolition Outside of an HPO - Citywide Revise text as follows: "This Subsection 14-16-6-6(B) applies to demolition of structures that are at least 50 years old located within the following small areas, regardless of whether they are registered on a State or national historic register or are eligible for listing. If a structure is of unknown age, it shall be presumed that it is over 50 years old for the purposes of this Subsection 14-16-6-6(B)." Delete Subsections (a), (b), (c), (d), and (e) as unnecessary to list separately, as the proposed change would apply citywide.</p>	Allows Historic Preservation staff to review proposed demolitions of any structures 50+ years old citywide, regardless of whether it is on the State or national historic register, a City landmark, or within a Historic Protection Overlay (HPO) zone. Recommended by Landmarks Commission.	Staff
41	464	6-6(B)(2)	<p>Demolition Outside of an HPO Replace "demolition permit application" with "application involving demolition" wherever it appears.</p>	Clarifies that all applications involving demolition (e.g. demolition permit or site plan for redevelopment) of a structure 50+ years old are subject to review by Historic Preservation staff.	Staff
42	520	6-7(H)(1)(b)	<p>Zoning Map Amendment - Council Revise text as follows: "Pursuant to Section 3-21-6 NMSA 1978, an application for a Zoning Map Amendment – EPC for which a protest of the final action has been received <u>within 15 calendar days of the Notice of Decision that meets both of the following criteria...</u>"</p>	Adds a time limit for submitting the protest, consistent with appeals.	Staff
43	561 D	7-1	<p>Definitions, Flood Definitions Floodplain Revise text as follows: Any land susceptible to being inundated by water <u>area that is subject to a one percent or greater chance of flooding in any given year (i.e. a base flood), as defined by the Federal Emergency Management Agency and shown on National Flood Insurance Program maps, from any source. The floodplain includes both the floodway and flood fringe. See also Sensitive Lands Definitions.</u></p>	Ties the definition of floodplain to FEMA definitions and to other defined terms for Flood in the IDO.	Staff

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
44	582	7-1	<p>Definitions, Overnight Shelter Revise term to "Transitional Shelter" wherever it appears in the IDO and revise definition as follows: "A facility that provides <u>temporary or transitional</u> sleeping accommodations for 6 or more persons for a period of less than 24 hours within <u>completely enclosed portions of a building</u> with no charge or a charge substantially less than market rates value. Such facilities <u>it may provide meals and, personal assistance, personal services, social services, personal care, and protective care.</u> Any such facility open to clients between 10:00 P.M. and 7:00 A.M. is considered an overnight shelter. <u>This use does not include skilled nursing care, which is regulated as either hospital or nursing home for the purposes of this IDO. See also <i>Community Residential Facility, Group Home, Campground or Recreational Vehicle Park, Hotel or Motel, Nursing Home, and Safe Outdoor Space.</i></u>"</p>	Revises the definition so that it does not overlap with a hotel that happens to charge substantially less than market rates, a safe outdoor space that charges less than market rates but happens outdoors, or a nursing home, which includes skilled nursing care. Revised definition is intended to better match the operations of many shelters. Having definitions be as parallel as possible helps make their distinctions clear and enforceable.	Staff
45	582	7-1 [new]	<p>Parking Definitions, EV Capable Add a new term with text as follows: "<u>Parking spaces with a capped cable/raceway connected to an installed electric panel with a dedicated branch circuit(s) to install the infrastructure and equipment needed for a future electric vehicle (EV) charging station with a rating of 240 volts or higher.</u>"</p>	Adds a new term related to a proposed new requirement for multi-family and townhouse dwellings. See related rows for proposed change to off-street parking requirements in Subsection 5-5(C)(9).	Staff
46	585	7-1	<p>Definitions, Personal and Business Services Revise text as follows: "Establishments providing services to individuals or businesses for profit, including but not limited to bail bond providers, beauty and barber shops, shoe repair, tailor/alterations shops, tattoo parlors, taxidermy services, electronic data processing, and employment service; mailing, addressing, stenographic services; and specialty business service such as travel bureau, news service, exporter, importer, interpreter, appraiser, and film library."</p>	Clarifies that regulations related to personal and business services apply whether they are for-profit or non-profit.	Staff

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
47	591	7-1	<p>Sensitive Lands, Large Stand of Mature Trees Revise term and definition text as follows: Established Tree Large Stand of Mature Trees- "A tree A collection of 5 or more trees 30 years or older or having a trunk diameters (as determined by Diameter at Breast Height – DBH) averaging at least 8 16 inches in diameter, as determined by the City Forester, and listed as either Generally Recommended or Conditionally Recommended on the Official Albuquerque Plant Palette and Sizing List."</p>	Changes the sensitive land to be a single large tree from 5 or more and limits the tree to those recommended by the Official Plate Palette. See related row for change to Subsection 14-16-5-2(C).	Staff
48	All	All	<p>Clerical Changes Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.</p>	Covers general clerical corrections.	Staff
49	All	All	<p>Editorial Changes Make any necessary editorial changes to the document, including minor text additions, revisions for clarity (without changing substantive content), adding cross references, reorganizing content for better clarity and consistency throughout, revisions to graphic content for clarity, and updating tables of contents.</p>	Covers general editorial corrections.	Staff

PUBLIC COMMENTS- Pinned to Online Spreadsheet

<https://ido.abc-zone.com/ido-annual-update-2022-epc-submittal-citywide-proposed-changes>

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
1	35	2-4(E)(3)(c)	<p>Mobile Food Truck Court in MX-FB Add a new subsection with the following text: "Mobile food truck court."</p>	Adds mobile food truck court as an allowable outdoor use. Mobile food truck is already listed, but with 001 the mobile food truck court was added as a new use in 2020, staff missed adding it as an allowable use in MX-FB.	Staff
2	47	2-5(B)(3)	<p>NR-BP - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Master Development Plan Standards 1. Deviations from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by IDO Subsection 14-16-6-4(O). 2. Variances from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(O). 3. Waivers from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(P).</p>	Establishes how to request a special exception from a Master Development Plan standard. 002 004	Staff
3	62	2-6(B)	<p>PC - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Framework Plan Standards 1. Deviations from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by IDO Subsection 14-16-6-4(O). 2. Variances from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(O). 3. Waivers from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(P).</p>	Establishes how to request a special exception from a Framework Plan standard. 003	Staff

#001

Posted by **Peggy Neff** on **11/23/2022** at **7:32am** [Comment ID: 246] - [Link](#)

Agree: 1, Disagree: 0

This amendment presents as a good example of a fundamental flaw in the broken IDO Annual Update process. This year, as we began discussions regarding amendments and pointed to this as a non-substantive change to our zone code, planners insisted that this too would be a substantive change. It was as if they had planned to have these discussions here at the beginning of the process to divert the issue that the Annual Update process needs a different approach for substantive changes to our zone code.

The public had highlighted this change as a substantive change in the 2020 amendments, but having had that pass (without our concerns and questions being addressed: our request for examples, risk analysis, beneficiary statements, impact summary and a salient digest of public comments) this then becomes an appropriate, non-substantive update. The planners, working without metrics to gauge whether or not an update amendment is textual/technical in nature versus an update being a substantive change to our zone code, continue to obfuscate the issues at hand.

In addition, the public made a suggestion to address this oversight by suggesting an improvement to the process. We proposed a complimentary amendment to the IDO sections where the Annual Update process is defined. It could read something like: when a substantive amendment is considered, the associated impact analysis will review the applicability of the change for each zone code.

But planners do not want to listen to public concerns.

#002

Posted by **Peggy Neff** on **11/23/2022** at **7:51am** [Comment ID: 247] - [Link](#)

Agree: 1, Disagree: 0

Again, at the public discussions, public questions were not responded to by the planners. With out our questions being considered, we cannot determine the nature of this change (if it is substantive or textual/technical in nature) to our zone code.

Last year, in the IDO Annual Update ordinance for 2020, it was legislated that each proposed amendment would be given an identifier/number and it's source captured. The numbering system was faulty at the onset of the 2021 process but has been modified to qualify. However the source information does not qualify here.

It is important that the source (and in this, the motivations) for amendments be full disclosed in order to understand the need for this change to our zone code.

It is not clear to the public what is driving this change. We asked for examples, impact, risk, beneficiaries but were denied. We still have questions on this amendment:

Does this reduce the ability for community members to be engaged in the discussions for deviations, variances, waivers? (this would be evidenced in a requisite impact statement)

Does this benefit developers over residents? (this would be evidenced in a requisite beneficiaries statement)

Are there current plans in process that need this change to move forward? (this would be evidenced in a requisite risk statement - to avoid the illegal process of using law changes to provide certain individuals with legislation to favor their developments, a process known as spot zoning)

Prior to this approval don't we need metrics for these Deviations, Variances and Waivers that provide for a full review of public health issues to to protect residents and sensitive lands from unintended consequences of this change? (this would be evidenced with a requisite set of examples and maps where this amendment would affect changes)

Sad.

#003

Posted by **Peggy Neff** on **11/23/2022** at **7:52am** [Comment ID: 248] - [Link](#)

Agree: 0, Disagree: 0

See comments to #3.

#004

Posted by **Rene' Horvath** on **11/26/2022** at **12:57am** [Comment ID: 278] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Amendments #2 and #3 need better explanation. It is unclear what is being proposed. Please explain the intent of the two proposed amendments: on how to request special exceptions to NR-BP Master Development Plan standards and PC Framework Plan standards. Development standards are important to the Community in order to maintain

quality development. Will these amendments strengthen or weaken development standards, or any negotiated site plan agreements?

#005

Posted by **Patricia Willson** on **11/24/2022** at **10:38am** [Comment ID: 277] - [Link](#)

Agree: 2, Disagree: 0

A general comment: I find it problematic that there is no way to make interactive, online comments for Case RZ-2022-00059 Text Amendments to IDO - Citywide (Housing Forward). These 6 major, substantive changes to the IDO should not be happening in the annual text amendment process. The blowback about Safe Outdoor Spaces will pale in comparison to the reaction to the changes in this case!

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
4	156	4-3(B)(6)(a)	Dwelling, Townhouse - Usable Open Space Revise text as follows: "For townhouse developments containing more than 6 dwelling units on a common lot, minimum usable open space shall be provided as follows:"	Extends usable open space requirements to townhouses with each dwelling unit on its own lot.	Staff
5	156	4-3(B)(6)(c)	Dwelling, Townhouse - UC-MS-PT exemption Revise text as follows: "Except in UC-MS-PT areas, For each townhouse dwelling shall not contain more than 3 dwelling units on properties with a on which the rear or side lot line that abuts an R-A or R-1 zone district or with a on which the rear lot line that is across an alley from an R-A or R-1 zone district, no townhouse dwelling may contain more than 3 dwelling units. "	Exempts UC-MS-PT areas from a regulation intended to limit the scale of townhouses on properties near an R-A or R-1 zone district. UC-MS-PT areas encourage higher-density development and a more urban character of development, which conflict with this regulation.	Council - Benton
6	158	4-3(B)(8)(e)	Dwelling, Multi-family - Kitchen Exemption for Affordable Housing Delete this subsection and renumber subsequent subsections as necessary.	Removes the use-specific standard for multi-family dwellings that allows for conversions of non-residential uses into multi-family residential uses provide a lesser kitchen when these conversions are associated with funding provided by the City's Family and Community Services Department in junction with an affordable housing project.	Council - Grout
7	168	4-3(D)(16)(b)	Car Wash Revise text as follows: "A car wash building and any associated outdoor activities, <u>including but not limited to vacuum stations, drying/polishing stations, and queuing lanes,</u> are prohibited within 50 feet in any direction of any Residential zone district or any lot containing a residential use in any Mixed-use zone district."	Clarifies what types of outdoor activity are precluded in the area less than 50 feet from residential areas.	Staff

#006

Posted by **Rene' Horvath** on **11/26/2022** at **4:46pm** [Comment ID: 283] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I agree with community comments in supporting this amendment to ensure affordable housing has full kitchen appliances to operate in order for the homeowner/tenant to provide cost effective meals for their families. Note: public testimony at City Council meetings from tenants who have lesser kitchens, have expressed that lesser kitchens are less cost effective in providing nutritious meals for their families, making affordable housing less affordable. Therefore I support this amendment to ensure we have full kitchens in affordable housing.

#007

Posted by **Peggy Neff** on **11/23/2022** at **8:40am** [Comment ID: 250] - [Link](#)

Agree: 1, Disagree: 0

While I fully support this change and applaud Councilor Grout for bringing back this issue, this is an example of how significantly broken the IDO Annual Update Process is broken (as is the circus of the SOS amendment from last year).

The negation of a full section within the IDO would qualify an amendment as substantive if the ICC's IDO Amendment Committee's 2020 suggested metrics were applied here. During the 2020 IDO Annual Amendment process, the ICC's IDO Amendment Committee suggested to the EPC that simple metrics could be used to determine if an amendment is textual/technical in nature or substantive. We had agreed that substantive zone code changes need more information, a wider notification process, and a better application of best practices to adequately address impact, beneficiaries, and risk. Without examples of substantive changes and a better understanding of public concerns we set the city up for a true abuse of power and a serious deviance of justice.

Zoning laws are to be stable, reliable - things that homeowners with \$20,000 down can depend on. They are not to be changed annually like this. With this IDO Annual Update Process flying through without public questions being fully addressed, without proper information for our commissioners to read and analyze, we are creating systems for Oligarchy to become entrenched and destroying established systems of Democracy that we fought to have in place.

#008

Posted by **Willa Pilar** on **11/21/2022** at **10:40am** [Comment ID: 222] - [Link](#)

Agree: 1, Disagree: 0

Where in the technical development review process is water use evaluated? Also, how are these standards interpreted and enforced?

#009

Posted by **Peggy Neff** on **11/23/2022** at **8:22am** [Comment ID: 249] - [Link](#)

Agree: 2, Disagree: 0

We need examples for this amendment.

We need an impact analysis for this change as we may need more notifications as we cannot determine if 20% of residents that will be impacted by this change have even been notified in order to make a written comment about this. (See NM State Statue 2021 New Mexico Statutes

Chapter 3 - Municipalities

Article 21 - Zoning Regulations

Section 3-21-6 - Zoning; mode of determining regulations, restrictions and boundaries of district; public hearing required; notice...C. If the owners of twenty percent or more of the area of the lots and [of] land included in the area proposed to be changed by a zoning regulation or within one hundred feet, excluding public right-of-way, of the area proposed to be changed by a zoning regulation, protest in writing the proposed change in the zoning regulation, the proposed change in zoning shall not become effective unless the change is approved by a majority vote of all the members of the governing body of the municipality or by a two-thirds vote of all the members of the board of county commissioners.)

While we have seen that IDO Annual Updates pass through EPC and City Council with majority votes and therein this passage is nullified. The true nature of the notification legislation is not being addressed.

We need numbers of those impacted and some way to confirm that those impacted are aware of this change: as per findings for notifications in state statutes in regard to

(see 2021 New Mexico Statutes

Chapter 3 - Municipalities

Article 21 - Zoning Regulations

Section 3-21-6 - Zoning; mode of determining regulations, restrictions and boundaries of district; public hearing required; notice, ANNOTATIONS IV

Notice: Purpose of section. — In New Mexico, substantial compliance with the statutory notice provisions would satisfy

the purpose of this section, but where substantial compliance with mandatory publication requirements is not met, the action of the zoning authority is invalid. *Nesbit v. City of Albuquerque*, 1977-NMSC-107, 91 N.M. 455, 575 P.2d 1340. The public believes that Due process is subverted by the current publication of these amendments without responses to our questions and that public bodies refusing to provide information on law changes is a breach of their responsibilities.

and

Notice: Determination of adequate notice. — In order to meet the statutory requirement of adequate notice, it must be determined whether notice, as published, fairly apprised the average citizen reading it with the general purpose of what was contemplated. If the notice is insufficient, ambiguous, misleading or unintelligible to the average citizen, it is inadequate to fulfill the statutory purpose of informing interested persons of the hearing so that they may attend and state their views. *Bogan v. Sandoval Cnty. Planning & Zoning Comm'n*, 1994-NMCA-157, 119 N.M. 334, 890 P.2d 395, cert. denied, 119 N.M. 168, 889 P.2d 203 (1995); *Nesbit v. City of Albuquerque*, 1977-NMSC-107, 91 N.M. 455, 575 P.2d 1340. The public believes that this standard has not been met since the inception of the IDO. (This would be evidenced in a requisite risk analysis for both textual/technical and substantive amendments since 2017).

For TLTRers: The IDO Annual Update process is negatively impacting property values for single family homes across the city and has significantly reduced the capacity for an individual to hold on to his/her property rights.

#010

Posted by **Peggy Neff** on **11/23/2022** at **9:28am** [Comment ID: 251] - [Link](#)

Agree: 2, Disagree: 0

Public questions regarding estimates of beneficiaries, impact summaries, examples, and risk were not addressed.

We also asked to have the site plan buffers extended for this use, but were denied the opportunity to have this amendment included in the packet to the EPC.

We asked if there were any current site plans in place for this change and were told no, but this would need to be in writing in order to have it apply in a court of law in a case regarding spot zoning. And, we were denied this.

There was additional dialog on this issue regarding how a hydrology analysis would be affected for each such site plan. Given that community concerns are no longer to be heard at a public hearing for such site plans, how is oversight for water use to be affected?

The public does not trust the Abq planning department, we have lost faith in the Abq City Administration. We do not believe that planning, nor the city admin, prioritizes residential rights over and above economic gains. This is something that R 1980-270 did to protect Albuquerque residents - simply stating that community concerns would be weighed prior to and above development plans, but residents lost that protection in the faulty translation process at the IDO's inception in 2017. Subsequent attempts to build residents' protection back into the IDO have basically been met with disdain by planning officials and staff and by City Councilors' empty rhetorical amendments to the IDO. For example the purpose to protect communities was added during the 2019 IDO Annual Amendment process by Councilor Bassan. This change was accompanied by the promise to create metrics that would provide guidance to planners in adhering to this protection. But the following year the person who was working in planning to help achieve this was transferred out of planning and long term planners then said the following year, that the department was no longer working on metrics such as these.

We need ways and means to protect our residents' investments in their property. But we do not have them. This benefits NAIOP and realtors as people move in and out at an astounding rate. This also benefits investment realty as more and more ownerships transfer over to absent landlords and rental opportunities. This data is somewhere, where is the leadership that needs to bring this to the surface. Oh wait, they moved out of town.

#011

Posted by **Julie Dreike** on **11/09/2022** at **1:10pm** [Comment ID: 209] - [Link](#)

Agree: 3, Disagree: 0

I support this amendment to delete the allowable substandard kitchens. Having apartments with only a microwave and small refrig is bad public policy. 1) Substandard kitchens do not support individuals and families making cost effective nutritious meals. With the high rate of diabetes and obesity in NM we cannot have a public policy that contributes to poor health. With a microwave only, meals would be primarily processed "boxed" meals high in sodium and fat. Regarding costs, with only a small refrig and limited freezer proceeded meals are more expensive. Additionally, little space for fresh fruits and veggies. Without the ability to cook a meal, there would be no left overs. The proposal for substandard kitchens is in conflict with programs the administration and others have for teaching nutrition and meal preparation aimed at those living in poverty. While I support the conversion of unused space to apartments for the housing needs, full kitchens need to be included for good public policy.

#012

Posted by **Patricia Willson** on **11/22/2022** at **10:22am** [Comment ID: 233] - [Link](#)

Agree: 1, Disagree: 0

This Amendment is in direct conflict with a change proposed in O-22-54. (As an aside, not having all the changes in the same place adds a level of frustration and aggravation to those who volunteer their time to review this!)

I do agree with this change; as providing healthy food with only a microwave and/or a hotplate is challenging in the least and dangerous at most. There are many hospitality industry "micro kitchens" that could fit the bill--however, it's always about the money.

#013

Posted by **Rene' Horvath** on **11/27/2022** at **1:52am** [Comment ID: 284] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I agree that distance is needed between the car wash building and adjacent residents due to noise and fumes. This has been a major concern expressed by residents at prior EPC meetings. Fifty feet is not enough distance. Has any research been done to determine the distance needed to address impacts related to noise and fumes? Google earth show distances between residents and car washes at over 100 ft. to 250 feet. The further away the better. I would recommend car wash buildings be at least 200 ft. away from residents. Place vacuum stations and drying/polishing stations on the opposite side of the building away from residents, which also helps to buffer the noise.

#014

Posted by **Patricia Willson** on **11/22/2022** at **10:17am** [Comment ID: 232] - [Link](#)

Agree: 1, Disagree: 0

Will 5-9 Neighborhood Edges still apply to increased density of townhomes adjacent to R-A or R-1 zones? (specifically 5-9(C)(2) Building Height Step-down in UC, MS and PT areas)

#015

Posted by **Patricia** on **11/21/2022** at **2:55pm** [Comment ID: 224] - [Link](#)

Agree: 3, Disagree: 0

There seems to be a huge increase in the number of automated car wash businesses popping up all over town. I am concerned about noise to adjacent properties, water usage, etc.

#016

Posted by **Deborah Conger** on **11/22/2022** at **2:03pm** [Comment ID: 235] - [Link](#)

Agree: 3, Disagree: 0

I support this and agree with the comments given by Patricia Willson and Julie Dreike. In order to break the cycle of poverty, people need full kitchens. Not having a full kitchen results in having to buy processed foods and not being able to prepare foods in bulk to freeze. In addition, hot plates are too common a cause of fires.

#017

Posted by **Debbie** on **11/21/2022** at **8:53pm** [Comment ID: 229] - [Link](#)

Agree: 0, Disagree: 0

I support Councilor Grout's amendment and fully agree with Julie Dreike's comments.

#018

Posted by **Patricia Willson** on **11/22/2022** at **10:24am** [Comment ID: 234] - [Link](#)

Agree: 1, Disagree: 0

Has there been any research on the seemingly recent increase in these car washes in Albuquerque? Was there an article in some Car Wash Trade Magazine portraying us as the low hanging fruit location for your next franchise???

#019

Posted by **Rene' Horvath** on **11/26/2022** at **3:48pm** [Comment ID: 282] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

This Amendment to increase Town house density along certain corridors needs more explanation, and discussion. There are certain areas that are labeled urban centers, main street, premium transit areas that may be more historical, rural, or near sensitive /natural/cultural areas, where increasing the density of townhomes may not be appropriate, as they might not fit with the scale and character of the surrounding area. This amendment should not be approved until appropriate locations along these corridors have been determined for town house density increases.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
8	175	4-3(D)(26)(a)	<p>Medical or Dental Clinic / Methadone Centers Revise text as follows: <u>Facilities that are considered methadone centers pursuant to Article 13-11 of ROA 1994 (Methadone Centers) Facilities that dispense methadone as a primary activity</u> are prohibited in the following locations:</p> <ol style="list-style-type: none"> 1. <u>On lots within</u> Within...330 feet in any direction of any other facility that dispenses methadone as a primary activity. 2. <u>On lots within</u> Within 330 feet in any direction of a lot containing a religious institution. 3. <u>On lots within</u> Within 500 feet in any direction of an R-1 zone district. 4. <u>On lots within</u> Within 500 feet in any direction of a lot containing an elementary, middle, or high school. 	Added reference to existing Methadone Centers Ordinance. Fixed distance separation measurement to be lot to lot for consistency with the IDO and to improve enforceability.	Staff
9	175	4-3(D)(26)(b)	<p>Medical or Dental Clinic / Syringe Exchange Facility Revise text in subsections 1-4 to begin with "On lots" to change the distance separation measurement to be lot to lot.</p>	Fixed distance separation measurement to be lot to lot for consistency with the IDO and to improve enforceability.	Staff
10	231	Table 5-1-4	<p>Encroachment Remove balcony from Architectural feature and make a new row for Balcony with text as follows: "May encroach any amount into a required front yard setback; encroachments into the public right-of-way require an approved revocable permit."</p>	Removes the allowance for balconies to encroach up to 2 ft. into a required side or rear yard setback, but not closer than 3 ft. from any lot line.	Public

025

#020

Posted by **Peggy Neff** on **11/23/2022** at **9:37am** [Comment ID: 253] - [Link](#)

Agree: 2, Disagree: 0

This amendment is in response to a suggestion by the public and I fully support it. As well, I support the additional restriction on bay windows. Yes, this would be a substantive issue using the ICC's suggested metrics, as it is a public health issue as the encroachment affects the fire corridor. Information on this would be beneficial and in fact, very telling, in that it is a huge taking of the IDO.

The EPC should ask a long range planner to calculate the actual taking that was done in 2018 when this was enacted. One would take all R-1 built out to 1 story add up the square footage for a second story on sides and back and subtract 30" for every foot and that is what we as residents lost to the IDO. Shame. How can any of the EPC commissioners or the City Councilors not see this apparent 'taking' by developers. (A requisite risk analysis would have shown this directly)

#021

Posted by **Peggy Neff** on **11/23/2022** at **9:29am** [Comment ID: 252] - [Link](#)

Agree: 1, Disagree: 0

A clear example of a necessary textual/technical update.

#022

Posted by **Patricia** on **11/21/2022** at **2:57pm** [Comment ID: 225] - [Link](#)

Agree: 0, Disagree: 0

also remove bay windows from the architectural features allowed to encroach; allowing a person on a balcony or sitting in a window 30 inches from your property line is a real invasion of privacy. If the architectural feature is that important, have it be at the 5' setback and move back from there!

Reply by **Patricia Willson** on **11/23/2022** at **12:19pm** [Comment ID: 270] - [Link](#)

Agree: 1, Disagree: 0

replying to earlier comments I made without my last name; so that they will be passed on to EPC

#023

Posted by **Rene' Horvath** on **11/26/2022** at **2:46pm** [Comment ID: 280] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Agree, there should be a distance requirement for Methadone clinics. I don't understand the reason to lump Medical and Dental clinics with the Methadone clinic requirements. Please explain. Also be aware, that drug dealers have targeted certain drug treatment clinics to do drug deals with clients that are going in and out of the clinic. What is being done to prevent this from happening?

#024

Posted by **Rene' Horvath** on **11/26/2022** at **3:13pm** [Comment ID: 281] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I support this amendment to keep balconies from encroaching into the required setback areas. I would also include bay windows in this requirement. This would help resolve privacy and encroachment issues with the adjacent neighbors.

#025

Posted by **Jim Griffee** on **11/22/2022** at **4:03pm** [Comment ID: 240] - [Link](#)

Agree: 2, Disagree: 0

I am aware the IDO and building code before it allowed shade structures to within 3' of a lot line but I was not aware until now that the IDO currently allows the same for a balcony. I'm shocked. I support this proposed amendment. In instances where a property owner believes the restriction is too severe, the owner can petition for variance after coordinating with the neighbor property owner(s). I'm not sure how the IDO would handle non-conformance of existing properties if this amendment were to be adopted.

#026

Posted by **Peggy Neff** on **11/23/2022** at **9:39am** [Comment ID: 254] - [Link](#)

Agree: 0, Disagree: 0

Need a definition of 'feature'.

#027

Posted by **Patricia Willson** on **10/28/2022** at **1:43pm** [Comment ID: 206] - [Link](#)

Type: Suggestion

Agree: 3, Disagree: 0

include "Bay Window" as an architectural feature that also should not encroach on 5' side yard setback.

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
11	233	5-2(C)	<p>Sensitive Lands / Mature Trees Revise text in Subsection 5-2(C)(2)(d) as follows: <u>Established tree</u> Large stands of mature trees Add a new subsection 5-2(C)(3) with text as follows and renumber subsequent subsections accordingly: <u>"Established trees shall be evaluated by the City Forester. Where maintaining a large mature tree is not desired by the City Forester, one of the following options may be substituted as approved by the City Forester to count as avoiding sensitive lands. Either option must be provided on the premises in addition to any landscaping required by IDO Subsection 14-16-5-6.</u> <u>a. A landscaped area equal to the area under the dripline shall be provided, with vegetative coverage that meets the requirement of IDO Subsection 14-16-5-6(C)(2)(c).</u> <u>b. Replacement trees shall be provided, whose total trunk diameters at the time of planting equal the diameter of the large mature tree."</u></p>	<p>Revised to shift from multiple trees to a large tree. Provides an alternative replacement for the tree if the City Forester determines the tree is not healthy, etc. See related proposal to change the definition of this type of Sensitive Land.</p>	Staff
12	250	5-3(E)(1)(d)4	<p>Pedestrian Access Revise text as follows: "Whenever cul-de-sacs are created, 1 20-foot wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or walkway, unless the City Engineer determines that public access in that location is not practicable due to site or topography constraints. <u>Walls or fences are not allowed within the easement.</u>"</p>	<p>Clarifies existing practice and ensures that pedestrian access is not impeded by a wall or fence.</p>	Staff
13	268	Table 5-5-1	<p>Off-street Parking - Parking Maximums Delete all parking maximum requirements associated with UC-MS-PT areas in Table 5-5-1.</p>	<p>Together with associated change for a new Subsection 14-16-5-5(C)(2), adds parking maximums for all uses in UC-MS-PT areas.</p>	Council - Benton
14	277	5-5(C)(6)(a)	<p>Electric Vehicle Charging Station Credit Revise text as follows: "Each off-street electric vehicle charging station with a rating of 240 volts or higher <u>installed in an off-street parking space</u> shall count as 2 vehicle parking spaces toward the satisfaction of minimum off-street parking requirements."</p>	<p>Ties the parking credit to an installed Electric Vehicle (EV) charging station. See related proposed change to require EV-capable spaces in large townhouse developments in Subsection 5-5(C)(9).</p>	Staff

#028

Posted by **Jim Griffee** on **11/22/2022** at **3:01pm** [Comment ID: 239] - [Link](#)

Agree: 0, Disagree: 0

Making this additional encroachment permissive is not appropriate. I am sure there are instances where this additional encroachment would not compromise a neighbor's privacy or street-front appeal but in these instances a variance can be requested after coordinating with the neighbor/neighborhood.

#029

Posted by **Peggy Neff** on **11/23/2022** at **9:52am** [Comment ID: 257] - [Link](#)

Agree: 2, Disagree: 0

This appears to be associated with current discussion on townhouse developments along the west mesa and, in that, it has to be considered spot zoning change. This change needs to be in a publicly vetted, community engaged process of an approval of a single site plan. There after one could see a wider application of this issue brought to the public in a change to our zone code. Changing our zone code to facilitate a developer's needs is not best practice and sets the city up for risk and sets a bad precedent.

#030

Posted by **Peggy Neff** on **11/23/2022** at **9:48am** [Comment ID: 256] - [Link](#)

Agree: 0, Disagree: 0

Without a clear impact statement associated with this zone change, how can anyone approve it?

#031

Posted by **Peggy Neff** on **11/23/2022** at **9:46am** [Comment ID: 255] - [Link](#)

Agree: 2, Disagree: 0

We need examples of this. The intention was unclear. With clear written response to our questions we would be able to see how the IDO will protect areas that are currently zoned for parks when they are sold by the city. One can imagine that where an underlying zone might influence this removal of trees being replaced by bushes. This was discussed without written responses regarding the case at Coronado Park. (A requisite statement on possible unintended consequences would address this)

#032

Posted by **Jim Griffie** on **11/23/2022** at **6:38pm** [Comment ID: 276] - [Link](#)

Agree: 1, Disagree: 0

Off street parking is important. Charging stations are important. But don't trade off one for the other. Find a better way to incentivize installation of charging stations or maybe better yet, let market demand handle it.

#033

Posted by **Julie Dreike** on **11/09/2022** at **1:12pm** [Comment ID: 210] - [Link](#)

Agree: 1, Disagree: 0

Suggest adding a clarification where the trunk is measured

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
15	278	5-5(C)(7)	<p>Off-street Parking - Parking Maximums Make existing text Subsection (a) and add new subsections with text as follows: "(b) In UC-MS-PT areas the maximum number of off-street parking spaces provided shall be no more than 125% of the off-street parking spaces required, calculated after all applicable parking reductions have been applied. (c) In areas exempt from minimum required off-street parking spaces pursuant to Subsection 14-16-5-5(B)(2)(a), the maximum number of off-street parking spaces provided shall be zero."</p>	Together with associated change with Table 5-5-1, adds parking maximums for all uses in UC-MS-PT areas. Prohibits surface parking for any use in Downtown Center, McClellan Park, and Old Town HPO-5.	Council - Benton
16	279	5-5(C)(9)	<p>Electric Vehicle Parking Make existing text into a subsection (a) and revise text as follows: "When more than 200 off-street parking spaces are constructed, at least 5 2 percent of the vehicle parking spaces shall include electric vehicle charging stations installed with a rating of 240 volts or higher."</p>	Increase the existing requirement for Electric Vehicle (EV) charging stations in large parking lots.	Staff
17	279	5-5(C)(9)	<p>Electric Vehicle Parking Add a new subsection with text as follows: "All new townhouse dwellings containing more than 6 dwelling units shall provide all required off-street parking spaces as EV capable."</p>	Adds a new requirement for Electric Vehicle (EV) charging stations in large townhouse developments. See related proposed change in Section 7-1 for a definition of EV capable in the Parking Definitions.	Staff
18	279	5-5(C)(9)	<p>Electric Vehicle Parking Add a new subsection with text as follows: "All new multi-family residential development containing more than 100 dwelling units shall meet both of the following requirements. i. At least 5 percent of the required off-stree parking spaces shall have electric vehicle (EV) charging stations installed with a rating of 240 volts or higher. ii. At least 25 percent of the required off-street parking spaces shall be provided as EV capable."</p>	Adds a new requirement for Electric Vehicle (EV) charging stations in large multi-family developments.	Staff
19	290	Table 5-5-8	<p>Vehicle Stacking, Car Washes Revise existing "Car Wash" row to "Car Wash, Self-service" Add new row for "Car Wash, Conveyor-operated" with a general requirement of 12 stacking spaces and UC-MS requirement of 044 stacking spaces.</p>	Ensures adequate stacking and vehicle queuing for larger, automatic conveyor-operated car washes, which the 042 has seen an increase in applications for.	Staff

#034

Posted by **Peggy Neff** on **11/23/2022** at **10:04am** [Comment ID: 261] - [Link](#)

Agree: 2, Disagree: 0

Again, the public requests that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process.

Furthermore, it is the my understanding that the IDO Annual Update process does not meet the standards noted in NM State Statute for gauging successful achievement of notification as pertains to zone code changes to our city.

#035

Posted by **Rene' Horvath** on **11/26/2022** at **2:01am** [Comment ID: 279] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Please explain what the amendment wants to achieve, in regards to parking. There have been lots of conflicts associated with not having enough parking in many areas of town, such as Nob Hill, Downtown, University, and Old Town areas. More recently the Journal reported on Old Town businesses not having enough parking spaces for their businesses and their customers. Customers have said they will stop shopping in areas that do not provide enough parking. Please do not reduce parking at this time as it affects the quality of life in Albuquerque.

#036

Posted by **Peggy Neff** on **11/23/2022** at **10:01am** [Comment ID: 260] - [Link](#)

Agree: 2, Disagree: 0

This whole section is substantive and needs a wider discussion than 40 persons.

#037

Posted by **Peggy Neff** on **11/23/2022** at **9:55am** [Comment ID: 258] - [Link](#)

Agree: 2, Disagree: 0

I agree with the given statements and again suggest that zone code amendments include impact statements, beneficiary notes, risk analysis (where possible unintended consequences are addressed) and examples.

#038

Posted by **Peggy Neff** on **11/23/2022** at **10:00am** [Comment ID: 259] - [Link](#)

Agree: 2, Disagree: 0

Again, the public requests that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process.

#039

Posted by **Julie Dreike** on **11/09/2022** at **1:18pm** [Comment ID: 212] - [Link](#)

Agree: 3, Disagree: 0

With an increase in applications is the city reviewing water use and water conservation at these businesses?

#040

Posted by **Julie Dreike** on **11/09/2022** at **2:08pm** [Comment ID: 217] - [Link](#)

Agree: 2, Disagree: 0

I am interested in staff analysis of how this would affect costs of a townhouse in light of the housing shortage in the city. With projections of 30%-50% EVs by 2030 it would seem this should be a market driven option. Why the requirement for all when some cannot afford an EV, why would they be forced to pay for EV charging capability? Seems contrary to affordable housing needs.

#041

Posted by **Leslie Padilla** on **11/27/2022** at **9:21pm** [Comment ID: 289] - [Link](#)

Agree: 1, Disagree: 0

Has this proposal been vetted with experts? Most EV charging--to be efficient and done off-peak (not during busy times of the day for the electric system)--should be done overnight at home. While this proposal may seem virtuous, I'm not sure it's well thought out.

#042

Posted by **Deborah Conger** on **11/22/2022** at **2:07pm** [Comment ID: 236] - [Link](#)

Agree: 1, Disagree: 0

I agree with Julie Dreike's suggestion that this requirement for stacking be reviewed and analyzed for all drive up establishments. There are many examples of cars stacking on busy streets.

#043

Posted by **Carrie Barkhurst** on **11/21/2022** at **3:54pm** [Comment ID: 228] - [Link](#)

Agree: 1, Disagree: 0

The parking structure definition excludes underground parking, which is built at the same or higher expense than above ground structured parking. The parking maximum exemption should also apply to projects with underground parking, particularly in mixed use developments that may serve multiple destinations and uses. For the purposes of encouraging and supporting higher density development, underground parking is functionally the same as structured parking and as such, should be added to 5-5(C)(7)(a).

#044

Posted by **Julie Dreike** on **11/09/2022** at **1:17pm** [Comment ID: 211] - [Link](#)

Agree: 1, Disagree: 0

Suggest this requirement for stacking be reviewed and analysis for all drive up establishments. Many examples of cars stacking on busy streets.

#045

Posted by **Jim Griffie** on **11/11/2022** at **12:50pm** [Comment ID: 218] - [Link](#)

Agree: 1, Disagree: 0

A very indirect and obscure way to achieve the prohibitions stated in the Explanation column...if that is indeed the intent of this amendment. As such, it carries a risk of causing confusion that might result in it to be applied areas of town were it should not be.

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
20	305	5-6(E)(2)(a)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General 050</p> <p>A landscaped edge buffer area at least 15 feet wide shall be provided on the subject property along the property line between the two properties.</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 048	Public
21	306	5-6(E)(3)(a)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General 052</p> <p>An edge buffer area at least 20 feet wide shall be provided on the subject property along the property line between the two properties.</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 047	Public
22	307	5-6(E)(4)(b)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General 051</p> <p>A landscaped edge buffer area at least 25 feet wide shall be provided on the subject property along the property line between the two adjacent properties...</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. Keeps 15-foot buffer and related text for drainage facilities as an exception to the tables. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 046	Public
23	308	5-6(E)(5)	<p>Edge Landscape Buffers - Areas of Change and Consistency Revise text as follows: Where a lot <u>premises partially or completely</u> in an Area of Change is abutting or across an alley from a lot <u>premises wholly</u> in an Area of Consistency (per City Development Areas in the ABC Comp Plan, as amended), the following standards shall apply on the <u>lot(s) adjacent to the premises wholly</u> in the Area of Change <u>Consistency</u>, regardless of the proposed land use on that lot <u>or premises unless specified otherwise in this IDO.</u></p>	Applies buffer requirements to the whole premises so project sites with both Area of Change and Area of Consistency designations are not providing buffers internally, but rather to development on adjacent properties. Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 049	Public

#046

Posted by **Peggy Neff** on **11/23/2022** at **10:08am** [Comment ID: 264] - [Link](#)

Agree: 1, Disagree: 0

These amendments support developers over current residents and should be addressed individually to protect communities rights to participate in decisions that affect their own properties.

Again, the public requests that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process.

Furthermore, it is the my understanding that the IDO Annual Update process does not meet the standards noted in NM State Statute for gauging successful achievement of notification as pertains to zone code changes to our city.

Reply by **Patricia Willson** on **11/23/2022** at **12:37pm** [Comment ID: 271] - [Link](#)

Agree: 1, Disagree: 0

Amendment B10, passed last year, provided a watered down version of A20 (presented at the 2nd LUPZ hearing 3.30.22), which failed for lack of a second. Many of us have been asking for these protections for years!

#047

Posted by **Peggy Neff** on **11/23/2022** at **10:07am** [Comment ID: 263] - [Link](#)

Agree: 1, Disagree: 0

See comment in #20.

#048

Posted by **Peggy Neff** on **11/23/2022** at **10:06am** [Comment ID: 262] - [Link](#)

Agree: 1, Disagree: 0

The question about whether or not this would affect the approval of the site plan at Alameda and Louisiana has not been addressed in writing by the planning department. This another example of spot zoning where the applicant is in process and the planning department is changing laws in order to facility that particular plan. Shame.

#049

Posted by **Jim Griffee** on **11/22/2022** at **5:39pm** [Comment ID: 244] - [Link](#)

Agree: 1, Disagree: 0

Changing the regulated property from those in Areas of Change to those in Areas of Consistency is seems illogical. I would think it would be the properties in Areas of Change rather than those in Area of Consistency that would be more likely to be in development/redevelopment and therefore able to incorporate the buffers. I also get the impression that the mindset is that Areas of Change are more non-residential than Area of Consistency but is this necessarily the case given the new focus on housing including conversion of commercial space into residential.

#050

Posted by **Jim Griffee** on **11/22/2022** at **5:24pm** [Comment ID: 241] - [Link](#)

Agree: 1, Disagree: 0

Replace the deleted phrase with a reference to size requirement in Table 5-6-4.

#051

Posted by **Jim Griffee** on **11/22/2022** at **5:24pm** [Comment ID: 243] - [Link](#)

Agree: 1, Disagree: 0

Replace the deleted phrase with a reference to size requirement in Table 5-6-4.

#052

Posted by **Jim Griffee** on **11/22/2022** at **5:24pm** [Comment ID: 242] - [Link](#)

Agree: 0, Disagree: 0

Replace the deleted phrase with a reference to size requirement in Table 5-6-4.

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
24	308	Table 5-6-5	Edge Landscape Buffers - Areas of Change and Consistency Revise and merge all three rows in the General Buffering column with one requirement for a "Landscaped buffer area ≥15 ft."	Applies a consistent buffer width for all Areas of Change next to Areas of Consistency. Larger Edge Buffer widths that apply based on development types elsewhere would prevail over this standard. Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 059	Public
25	308	5-6(E)(5) / Table 5-6-5	Edge Landscape Buffers - Areas of Change and Consistency Delete this subsection and renumber subsequent subsections as necessary. Delete Table 5-6-5. 072	Removes this requirement as unnecessary and duplicative regulation. This section sets forth landscaping requirements based on if the subject lot is within an Area of Change and is located next to an Area of Consistency. However, table 5-6-4 already sets forth landscaping requirements but instead 058 s the requirement on development types. It is not necessary to regulate landscaping based on Areas of Change or Consistency when there are other provisions (Table 5-6-4) that adequately regulate landscaping requirements. Note that this change conflicts with proposed change from the public for the same subsection.	Council - Jones
26	320	5-7(D)(3)(a)	Walls & Fences - Front Yard Wall Create a new subsection 1, renumbering subsequent subsections accordingly, with text as follows: " <u>For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 feet if view fencing is used for portions of a wall above 3 feet and if the wall is set back at least 2 feet, except where a taller wall is prohibited pursuant to Subsection (3) below.</u> "	Allows 5 foot walls in front yard with view fencing for at least 2 feet at top and set b 064 feet. See related row for 071 posed deletion of Permit - Wall or Fence - 056 in Table 6-1-1 at 067 subsection 14-16-6-6(H) . 063 070 066 068 061 057	053 054 in 055
27	321	Table 5-7-2	Options for a Taller Front or Side Yard Wall Revise the first row of text under View Fencing as follows: " <u>20 ft. from lot line abutting the street"</u>	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 2 feet from the property line. 069 065 060	Admin

#053

Posted by **Rene' Horvath** on **11/28/2022** at **3:04am** [Comment ID: 294] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Walls usually generate a lot of community interest as they represent the aesthetic character for the community. Most of Albuquerque does not have front yard walls, or has followed the 3 foot wall height requirement for a front yard wall.

Changing the rules would create a lot of resentment. There are areas of town where the taller walls with view fencing are more prevalent such as the Southwest area of town, where I used to live. Since this amendment could change the visual character of a community resulting in a lot of community resentment, if approved; I recommend not passing this amendment. Perhaps in the future, a solution could be reached through more community discussion to allow a simpler approval process for only certain small areas of town where tall view walls are already prevalent. But it should be carefully done so it would not affect areas of town that want to maintain the current rules.

#054

Posted by **Willa Pilar** on **11/21/2022** at **11:01am** [Comment ID: 223] - [Link](#)

Agree: 3, Disagree: 0

There seems to be no singularly-interpretable set of standards for erecting CMU walls or front yard fences. As a result, improperly built walls fail and this looks derelict. Aesthetic irregularities increase this neglected feel. For example, it's permissible for home owners to stucco/paint only one side of a CMU wall and leave the untreated side exposed to the neighborhood, this degrades neighborhood character. Also, the 3ft height restriction is for safety -- "eyes on the street" and this passive safety measure should remain the norm. Lastly, these height variances being decided administratively (by DHO rather than ZHE, perhaps?) communicates an unwillingness from Planning Dept to hear neighborhood voice.

#055

Posted by **Julie Dreike** on **11/23/2022** at **3:59pm** [Comment ID: 275] - [Link](#)

Agree: 0, Disagree: 0

In addition to my previous comments--Regarding the statement that higher fences are needed in the front yard for children and pets--a look at google earth will quickly identify that most of ABQ have back yards for children and pets to us safely.

#056

Posted by **James Montalbano** on **11/14/2022** at **1:52pm** [Comment ID: 220] - [Link](#)

Agree: 2, Disagree: 0

For reasons stated by others, I oppose raising the allowable height of a fence beyond 3 feet. Turning Abq into a gated community will not foster awareness among neighbors and won't solve any security problems. In fact, it will introduce security problems in cases where thieves get more places to hide. There is no reason to amend a rule that has existed for many many years.

#057

Posted by **Julie Dreike** on **11/09/2022** at **1:36pm** [Comment ID: 213] - [Link](#)

Agree: 3, Disagree: 0

I oppose the increase in the height of the fence in front and side street yard for the same reasons I opposed it on the update last year. 1) changes the character of a neighborhood. 2) Do not want us to become a city of fences. 3) Safety concerns related to line of site. This applies to crime and safety of pedestrians. A higher fence gives criminals space to hide behind. A high fence creates safety hazards for people walking by a fence and a car backing out of a driveway--rear view mirrors cannot see around the fence. Pedestrians walking on the sidewalks approaching corners with visibility blocked by the fence. I have heard those supporting the increase that a 3 ft fence does not keep children or dogs in. The city has existed for hundreds of years with no fences or 3 ft fences without a related crisis for children or dogs. There is a way for people to request a higher fence.

#058

Posted by **Peggy Neff** on **11/23/2022** at **10:11am** [Comment ID: 266] - [Link](#)

Agree: 1, Disagree: 0

Substantive changes should be dealt with differently than Textual/Technical changes. These are important issues affecting hundreds of thousands of individuals properties. Without a full analysis of who all is affected, you cannot determine if notice has been fully achieved and in that as EPC commissioners, you participate in the taking and put yourselves at risk.

#059

Posted by **Peggy Neff** on **11/23/2022** at **10:09am** [Comment ID: 265] - [Link](#)

Agree: 0, Disagree: 0

See above comments

#060

Posted by **Debbie** on **11/21/2022** at **9:05pm** [Comment ID: 231] - [Link](#)

Agree: 1, Disagree: 0

I agree with Patricia's comment regarding the amendment to Table 5-7-2.

#061

Posted by **Peggy Neff** on **11/23/2022** at **10:11am** [Comment ID: 267] - [Link](#)

Agree: 2, Disagree: 0

Again, the public requests that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process.

Furthermore, it is the my understanding that the IDO Annual Update process does not meet the standards noted in NM State Statute for gauging successful achievement of notification as pertains to zone code changes to our city.

#062

Posted by **Michael Brasher** on **11/27/2022** at **6:15pm** [Comment ID: 285] - [Link](#)

Agree: 0, Disagree: 0

I agree with the comments of JA Montalbano and others opposing the increase in fence height. There is a real safety concern about children who may not be seen as a driver backs out without a clear view.

#063

Posted by **Jasper Hardesty** on **11/02/2022** at **9:18pm** [Comment ID: 207] - [Link](#)

Type: Suggestion

Agree: 3, Disagree: 0

Why does this bad idea to raise allowable front wall heights keep coming up? Anyone who has looked at data and studied site design, safety, and security knows that the taller the wall, the less safe and secure is the site. For example, the GSA guidelines for site security note that landscape features (walls, fences, vegetation) "offer attractive hiding places and limit visibility. Such [landscaping] can also hinder first responders from accessing the building and

site quickly in the event of an emergency." (https://www.wbdg.org/FFC/GSA/site_security_dg.pdf). Good safety and security site design requires good visibility to help detect and deter intruders. Not only does good visibility provide better security for the resident of a property, but it also allows them to see suspicious activity at their neighbors' properties.

This is especially true for residential districts, where taller walls impede site lines to neighbors, pedestrians and motorists while also detracting from a neighborhood's character, commerce, and vitality.

For example, a family that I performed landscaping services for in Albuquerque had me tear out a large hedge of pyracantha after they had been robbed twice in one year. Their neighbors told them that they were home during both robberies but could not see any activity at their property due to the height of the vegetative wall that prevented visibility. It was obvious from the manner of theft that the robbers used the hedge to conceal their actions during both thefts. After removing the tall hedge, all neighbors were better able to surveil each others houses and there were no further robberies.

I strongly oppose this proposed change that would compromise the character, safety, and security of our neighborhood. I reside in the Southeast Heights Neighborhood.

Reply by **Patricia Willson** on **11/23/2022** at **12:45pm** [Comment ID: 273] - [Link](#)

Agree: 0, Disagree: 0

excellent comment--I hope the EPC listens...

#064

Posted by **Leslie Padilla** on **11/27/2022** at **9:25pm** [Comment ID: 290] - [Link](#)

Agree: 0, Disagree: 0

I strongly oppose any IDO changes that would make it permissive to build higher walls in front or side yards. Our neighborhoods in the southeast are walkable, friendly, and safe precisely due to the LACK of high walls. Fortresses should not be the default in many neighborhoods. For all the reasons that others articulate better than I can, please do not change this section of the IDO.

#065

Posted by **Michael Brasher** on **11/27/2022** at **6:26pm** [Comment ID: 286] - [Link](#)

Agree: 0, Disagree: 0

I agree with the comments from Patty Willson and Debbie Conger

#066

Posted by **Andrew Schuler** on **10/27/2022** at **2:31pm** [Comment ID: 203] - [Link](#)

Agree: 5, Disagree: 0

I strongly oppose any modifications to increase wall height limits in front yards. In addition to increasing places for criminals to hide, tall walls destroy our neighborhoods and our feeling of community. I am a resident in the SE Heights Neighborhood.

#067

Posted by **Deborah Conger** on **11/22/2022** at **2:22pm** [Comment ID: 237] - [Link](#)

Agree: 2, Disagree: 0

I am opposed to this amendment to 5-7(D)(3)(a) for the reasons stated by the others who have made comments. Walls or fences higher than 3 feet should not be allowed as Permissive. Many fences or walls that are on paper transparent are not because of the angle of the wrought iron and/or the block pillars. There are already many instances of walls and fences in my neighborhood that violate the clear-sight triangles at intersections and that violate mini clear-sight triangles at driveways. Also, walls and fences right up against the sidewalks make it uncomfortable for people to walk when the sidewalks are narrow. Allowing this proposed change will not make Albuquerque more walkable. It will destroy aesthetics and give thieves more places to hide. We need "eyes on the street". It is my understanding that Mayor Keller requested this in part because of the many requests for variances that go before the ZHE. Rather than changing the ordinance, it would be far better for the City to educate the citizens of Albuquerque on not just the ordinance, but on the reasons that 3 foot height should be the maximum in most cases. Many of the requests that go before the ZHE are because people build walls or fences not knowing the ordinance is in place. They think this because of all the out-of-compliance ones that are in place.

Reply by **Deborah Conger** on **11/27/2022** at **7:42pm** [Comment ID: 288] - [Link](#)

Agree: 0, Disagree: 0

Looking at the amendment again, I realize my comment about walls and fences right up against the sidewalk may not be applicable if this means 2 feet set back from the sidewalk (if there is one), not the curb. However, I am still opposed to this amendment for all the reasons I've already stated and that others have stated.

#068

Posted by **Leslie Padilla** on **11/27/2022** at **11:48pm** [Comment ID: 293] - [Link](#)

Agree: 0, Disagree: 0

Could it please be clarified who proposed this amendment? The document says only "admin."

#069

Posted by **Patricia** on **11/21/2022** at **3:04pm** [Comment ID: 227] - [Link](#)

Agree: 1, Disagree: 0

Applicants should be REQUIRED to know where their property line is, as opposed to "it's a good idea to know where your property line is" . I have seen variance requests because a designer drew the property line at the face of the curb--three entities at fault here: the property owner for not providing correct information; the designer for not doing their due diligence; the plan reviewer for not catching this IMMEDIATELY.

#070

Posted by **Patricia** on **11/21/2022** at **3:01pm** [Comment ID: 226] - [Link](#)

Agree: 1, Disagree: 0

Please provide data on how many variance requests there are for higher than 3 ft walls in the front yard setback. If the staff is so burdened by this, there needs to be more staff. A higher wall does NOT deter crime, and I don't buy the dog & toddler argument.

Reply by **Patricia Willson** on **11/23/2022** at **12:44pm** [Comment ID: 272] - [Link](#)

Agree: 0, Disagree: 0

I am replying to my own comment because I did not have my last name in the first one--and want to make sure this comment is transmitted to EPC.

#071

Posted by **Debbie** on **11/21/2022** at **9:03pm** [Comment ID: 230] - [Link](#)

Agree: 2, Disagree: 0

I am opposed to this amendment to 5-7(D)(3)(a). Walls or fences higher than 3 feet should not be allowed as Permissive. Even "transparent" is not transparent if over 3 feet because of the needed closeness of iron fencing to prevent children's heads getting caught and also because of the block pillars. There are already many instances of walls and fences in my neighborhood that violate the clear-sight triangles at intersections and that violate mini clear-sight triangles at driveways. In addition, walls and fences right up against the sidewalks make it uncomfortable for people to walk when the sidewalks are narrow.

Reply by **Deborah Conger** on **11/27/2022** at **7:38pm** [Comment ID: 287] - [Link](#)

Agree: 0, Disagree: 0

I am replying so that I can add my last name so that my comment is on record. Also, I see now that there is a provision that the wall need to be set back two feet, so I realize my comment about walls right up against the sidewalk is not applicable to this amendment. I also want to point out though that as written this seems to allow 5 foot chainlink fences in front yards. This will make our neighborhoods look like prison yards. Please do not allow this.

#072

Posted by **Jim Griffie** on **11/22/2022** at **6:13pm** [Comment ID: 245] - [Link](#)

Agree: 1, Disagree: 0

It appears to me that Item 23+24 and item 25 have comparable stated goals which is to remove redundancy, but there is a subtle difference. Where 23+24 would make the properties in Areas of Consistency the regulated properties, by deleting all of section 5-6(E)5 as proposed by item 25 the distinction between Areas of Change and Areas of Consistency are lost making the regulated property the one that is more commercial and/or higher residential density no matter which side of the boundary it is on. Granted, in most cases that would be the property within the Area of Change. But again, I raise the same point I made in item 23 and that is which properties are more likely to be in development/re-development and in a better position to incorporate the buffers, those in the Areas of Change or those in the Areas of Consistency?

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
28	322	5-7(D)(3)(b)	<p>Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts Revise text as follows: "For multi-family residential development in R-ML or R-MH zone districts, the maximum height of walls in any front or street side yard is 6 feet if view fencing is used for portions of a wall above 3 feet."</p>	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 2 feet from the property line. 075 079 077 073	Staff
29	377	5-13(A)(4)	<p>Hazardous Materials Revise text as follows: "All uses and activities shall comply with all State and federal statutes and regulations..."</p>	Clarifies that compliance with federal standards must also be maintained. Also generally covered by Subsection 14-16-1-7(A)(3), 14-16-1-7(B), and 14-16-1-1(F). 080 076 078	Staff
30	396	6-3(E)	<p>Community Planning Area Assessments In Subsection (1), replace "at least once every 5 years" with "on an ongoing cycle." In Subsection (6), delete "At least every 5 years." 081</p>	Removes language that conflicts with City Council's Resolution R-22-42, which sets the cycle of assessments. 074	Staff
31	407 D	6-4(K)(3)(c)	<p>Mailed Notice to Property Owners Revise text as follows: "Where Table 6-1-1 requires mailed notice for For Administrative Decisions, Decisions Requiring a Public Hearing, Amendments to Zoning Map, Adoption or Amendment of Historic Designation, or Annexation of Land as shown in Table 6-1-1, the applicant shall mail a notice to all of the following:</p>	Makes text consistent with Subsection 6-4(K)(3)(b) and 6-4(K)(4), 6-4(K)(5), and 6-4(K)(6).	Staff
32	408 D	6-4(K)(3)(d)	<p>Mailed Notice to Property Owners Revise text as follows: "Where Table 6-1-1 requires mailed notice for For an application for an Amendment to IDO Text – Small Area as shown in Table 6-1-1, the applicant shall mail a notice to all of the following, in addition to Neighborhood Associations pursuant to Subsection 6-4(K)(3)(b)3:</p>	Makes text consistent with Subsection 6-4(K)(3)(b) and 6-4(K)(4), 6-4(K)(5), and 6-4(K)(6).	Staff

#073

Posted by **Andrew Schuler** on **10/27/2022** at **2:32pm** [Comment ID: 204] - [Link](#)

Agree: 3, Disagree: 0

I strongly oppose any modifications to increase wall height limits in front yards. In addition to increasing places for criminals to hide, tall walls destroy our neighborhoods and our feeling of community. I am a resident in the SE Heights Neighborhood.

#074

Posted by **Peggy Neff** on **11/23/2022** at **10:18am** [Comment ID: 269] - [Link](#)

Agree: 2, Disagree: 0

I just want to say shame on you all for really solidifying that community inputs and discussions are not necessary.

When Community Planning Area Assessments were first discussed (you can go back to the recordings and the questions that were posed to planners where written responses to questions were not required), city wide amendments would be discussed at CPA's giving the opportunity for substantive amendments to be fully vetted and for council representation to it's CPA to be clear.

Continuing down this way is not fortifying democratic processes it is removing the public further from the goals of public engagement.

#075

Posted by **James Montalbano** on **11/14/2022** at **1:53pm** [Comment ID: 221] - [Link](#)

Agree: 3, Disagree: 0

For reasons stated by others, I oppose raising the allowable height of a fence beyond 3 feet. Turning Abq into a gated community will not foster awareness among neighbors and won't solve any security problems. In fact, it will introduce security problems in cases where thieves get more places to hide. There is no reason to amend a rule that has existed for many many years.

#076

Posted by **Deborah Conger** on **11/22/2022** at **2:24pm** [Comment ID: 238] - [Link](#)

Agree: 0, Disagree: 0

I agree with this.

#077

Posted by **Julie Dreike** on **11/09/2022** at **1:38pm** [Comment ID: 214] - [Link](#)

Agree: 1, Disagree: 0

I oppose the increase in the height of the fence in front and side street yard for the same reasons I opposed it on the update last year. 1) changes the character of a neighborhood. 2) Do not want us to become a city of fences. 3) Safety concerns related to line of site. This applies to crime and safety of pedestrians. A higher fence gives criminals space to hide behind. A high fence creates safety hazards for people walking by a fence and a car backing out of a driveway--rear view mirrors cannot see around the fence. Pedestrians walking on the sidewalks approaching corners with visibility blocked by the fence. I have heard those supporting the increase that a 3 ft fence does not keep children or dogs in. The city has existed for hundreds of years with no fences or 3 ft fences without a related crisis for children or dogs. There is a way for people to request a higher fence.

#078

Posted by **Peggy Neff** on **11/23/2022** at **10:14am** [Comment ID: 268] - [Link](#)

Agree: 1, Disagree: 0

The task of aligning the IDO with State and National standards should be a priority of long term planning staff. It is a substantive task and should be done as a separate task and not part of an IDO Annual Update to textual and technical changes.

#079

Posted by **Berthold E. Umland** on **10/27/2022** at **3:26pm** [Comment ID: 205] - [Link](#)

Agree: 5, Disagree: 0

I live in the SE Heights and am fine with higher walls around the back yard but I oppose increasing the height of walls in the front yard due to the risk of criminal activity hidden from view as well as the aesthetic consideration of sight lines when we are walking in the neighborhood.

#080

Posted by **Julie Dreike** on **11/09/2022** at **1:44pm** [Comment ID: 215] - [Link](#)

Agree: 1, Disagree: 0

Support the amendment. All of the IDO should be in compliance with state and federal statues and regulations.

#081

Posted by **Patricia Willson** on **11/23/2022** at **12:55pm** [Comment ID: 274] - [Link](#)

Agree: 0, Disagree: 0

I suppose this change is requested because the first CPA (Near Heights) took a lot longer than planned. Perhaps the city could hire more long range planners to accomplish a process carefully defined in the Comprehensive Plan, rather than adjust the process time.

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
33	410	6-4(L)(1)(a)	<p>Post-submittal Facilitated Meeting Revise text as follows: "Once an application for a decision listed in Table 6-1-1 is accepted as complete by the City Planning Department, property owners within 330 feet and Neighborhood Associations within 660 feet in any direction of the subject property may request a post-submittal facilitated meeting <u>in any of the following circumstances:</u> , except for Site Plan – Administrative applications for new low-density residential development as identified by Subsection 14-16-6-5(G)(1)(e)1.a, which are not subject to this provision. 1. The application is a Site Plan – Administrative proposing a new building or multiple new buildings that include a total of any of the following: i. More than 100 multi-family residential dwelling units. ii. More than 50,000 s.f. of non-residential development. 2. The application is in the category "Decision Requiring a Public Hearing" in Table 6-1-1. 3. The application is in the category "Policy Decision" in Table 6-1-1, and Table 6-1-1 indicates that a Neighborhood Meeting is required for that application type."</p>	Changes the 10-day delay of Administrative decisions in Table 6-1-1 to allow for a Post-submittal Facilitated Meeting to be consistent with the threshold for Pre-submittal Neighborhood meetings in Subsection 6-4(B)(1)(b). Changes the Post-submittal Facilitated Meeting requirement for Policy Decisions to be only for applications that require a Pre-submittal Neighborhood Meeting: Adoption or Amendment of Historic Designation, Amendment to IDO Text - Small ARea, Zoning Map Amendment - EPC, and Zoning Map Amendment - Council.	Staff
34	430	6-4(V)(3)(d)	<p>Appeals - Remand Hearings Revise Subsection 6 to add text as follows: <u>"The LUHO shall notify the parties and Planning Department staff of the remand."</u> Add a new Subsection 7 with text as follows: <u>"Planning Department staff shall notify the parties of the date and time of the remand hearing. Public notice pursuant to Table 6-1-1 for the original decision is not required. The decision by the original decision-making body at the remand hearing is considered ⁰⁸²final unless one of the parties appeals the decision to the LUHO."</u></p>	Clarifies procedures for remand hearings.	Staff
35	434	Table 6-4-3	<p>Period of Validity – Site Plan – Admin Revise 5 years to 7 years to be consistent with Site Plan – EPC.</p>	Extends the period of validity for approved Site Plan - Administrative to be consistent with Site Plan - EPC.	Staff

#082

Posted by **Leslie Padilla** on **11/27/2022** at **9:38pm** [Comment ID: 291] - [Link](#)

Agree: 0, Disagree: 0

These changes are clearly (but badly) designed to address procedural and substantive due process problems the City faced in the appeal by neighborhood groups of the conditional use permit for the Gateway Center. The City (the permit applicant) failed to give neighborhood associations notice of a remand hearing and they had no idea the remand hearing took place. This was manifestly unfair, and the LUHO found it a violation of due process. It doesn't make sense that the LYHO would notify parties of any remand -- he/she is not the one who conducts remand hearings! To simply change the IDO to eliminate the need for notice does not alleviate the due process concerns.

The second part of this change does not take into account instances (as with the Gateway conditional use permit appeal) when only discrete issues are remanded, but the rest of the original decisionmakers' decision is not remanded. None of these changes should be accepted. It is exceptionally disappointing to see the City's Planning department deal with legitimate neighborhood issues by attempting to amend the IDO to try to erase the issues.

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
36	441	6-4(Y)(1)(a)3	<p>Minor Amendments - Circulation Revise text as follows: The requested change does not require major public infrastructure or significant changes to access or circulation patterns on <u>to</u> the site, which would warrant additional review by the original decision-making body.</p>	Allows amendments that include changes to circulation contained within the site to be processed as minor amendments reviewed by the City Traffic Engineer if they meet other requirements and thresholds.	Public
37	456	6-5(G)(1)(f)6	<p>Site Plan - Admin: New vs. redevelopment vs. expansion Revise text as follows: "expansion" --> "All expansions that increase <u>increases in</u> the number of <u>residential</u> dwelling units <u>originally</u> originally approved <u>on the subject property</u> or <u>increases to the gross floor area that expand the originally approved gross floor area beyond the threshold for Minor Amendment pursuant to Subsection 14-16-6-4(Y) or 14-16-6-4(Z).</u>"</p>	Clarifies that any additional dwelling units and any non-residential gross floor area beyond what's allowed to be added through a minor amendment require a Site Plan - Administrative approval. Makes this subsection consistent with Minor Amendments in Subsection 14-16-6-4(Y)(2).	Staff
38	456	6-5(G)(2)(b)	<p>Site Plan - Administrative - Procedure Revise text as follows: "An application for a Site Plan – Administrative is typically submitted with an application for a building permit. The ZEO shall review the application and make a decision on the Site Plan – Administrative as part of the zone check during building permit review."</p>	Revised to reflect changing practice as a ripple of Site Plan - DRB moving to Site Plan - Administrative, which means more complicated projects will be reviewed by staff, likely separate from building permit submittals.	Staff
39	457	6-5(G)(2)(b)3	<p>Site Plan - Administrative - Procedure Revise text in Subsection (b)(3) as follows: "The Notice of Decision shall be posted on the City website as soon as practicable and not more than 3 business days after the final action on <u>any applicable building permit application.</u>"</p>	Revised to reflect changing practice as a ripple of Site Plan - DRB moving to Site Plan - Administrative, which means more complicated projects will be reviewed by staff, likely separate from building permit submittals.	Staff

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Item	Page	Section	Change / Discussion	Explanation	Source
40 085	463	6-6(B)(1)	<p>Demolition Outside of an HPO - Citywide Revise text as follows: "This Subsection 14-16-6-6(B) applies to demolition of structures that are at least 50 years old located within the following small areas, regardless of whether they are registered on a State or national historic register or are eligible for listing. If a structure is of unknown age, it shall be presumed that it is over 50 years old for the purposes of this Subsection 14-16-6-6(B)." Delete Subsections (a), (b), (c), (d), and (e) as unnecessary to list separately, as the proposed change would apply citywide.</p>	Allows Historic Preservation staff to review proposed demolitions of any structures 50+ years old citywide, regardless of whether it is on the State or national historic register, a City landmark, or within a Historic Protection Overlay (HPO) zone. Recommended by Landmarks Commission. 083	Staff
41	464	6-6(B)(2)	<p>Demolition Outside of an HPO Replace "demolition permit application" with "application involving demolition" wherever it appears.</p>	Clarifies that all applications involving demolition (e.g. demolition permit or site plan for redevelopment) of a structure 50+ years old are subject to review by Historic Preservation staff.	Staff
42	520	6-7(H)(1)(b)	<p>Zoning Map Amendment - Council Revise text as follows: "Pursuant to Section 3-21-6 NMSA 1978, an application for 084 Zoning Map Amendment – EPC for which a protest of the final action has been received <u>within 15 calendar days of the Notice of Decision</u> that meets both of the following criteria..."</p>	Adds a time limit for submitting the protest, consistent with appeals.	Staff
43	561 D	7-1	<p>Definitions, Flood Definitions Floodplain Revise text as follows: Any land susceptible to being inundated by water <u>area that is subject to a one percent or greater chance of flooding in any given year (i.e. a base flood), as defined by the Federal Emergency Management Agency and shown on National Flood Insurance Program maps, from any source. The floodplain includes both the floodway and flood fringe.</u> See also Sensitive Lands Definitions.</p>	Ties the definition of floodplain to FEMA definitions and to other defined terms for Flood in the IDO.	Staff

#083

Posted by **Rene' Horvath** on **11/27/2022** at **11:40pm** [Comment ID: 292] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I Support expanding the Landmark Commission's ability to review specific 50 year old or older buildings citywide; as many structures may not be within a Historic overlay zone but still have historic or architectural significance. Hopefully, this will give the public a chance to express interest in the preservation of significant buildings. If this had been in place a few years ago the westside may have been able to preserve the 3 beautiful southwest style/adobe buildings on the Poole Property homestead, instead of them being demolished.

#084

Posted by **Julie Dreike** on **11/09/2022** at **1:50pm** [Comment ID: 216] - [Link](#)

Agree: 3, Disagree: 0

Suggest this be 15 business days

#085

Posted by **Peter Swift** on **11/09/2022** at **11:02am** [Comment ID: 208] - [Link](#)

Agree: 1, Disagree: 0

I think I entered a similar comment in October, but I can't verify that, so here it is again.

Item 40, "Demolition Outside of an HPO", seems unworkably broad, with its requirement that all structures of uncertain age be assumed to be over 50 years old, and that their demolition requires review and approval by the city preservation planning staff. Applying this requirement city-wide is an enormous expansion of the responsibility of the preservation planner. Applying it to all structures in the city (including, per IDO definition, "Anything constructed or erected above ground level that requires location on the ground or attached to something having a location on the ground but not including a tent, vehicle, vegetation, trash can, bench, picnic table, or public utility pole or line") seems to be a major overreach by the planning staff. Consider, for example, the number of property owners who will ignore the requirement when replacing aging chain link fencing or removing derelict utility sheds.

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
44	582	7-1	<p>Definitions, Overnight Shelter Revise term to "Transitional Shelter" wherever it appears in the IDO and revise definition as follows: "A facility that provides <u>temporary or transitional</u> sleeping accommodations for 6 or more persons for a period of less than 24 hours <u>within completely enclosed portions of a building</u> with no charge or a charge substantially less than market rates <u>value</u>. Such facilities it may provide meals and, <u>personal assistance, personal services, social services, personal care, and protective care.</u> Any such facility open to clients between 10:00 P.M. and 7:00 A.M. is considered an overnight shelter. This use does not include skilled nursing care, which is regulated as either hospital or nursing home for the purposes of this IDO. See also <i>Community Residential Facility, Group Home, Campground or Recreational Vehicle Park, <u>Hotel or Motel</u>, <u>Nursing Home</u>, and <u>Safe Outdoor Space</u>.</i>"</p>	Revises the definition so that it does not overlap with a hotel that happens to charge substantially less than market rates, a safe outdoor space that charges less than market rates but happens outdoors, or a nursing home, which includes skilled nursing care. Revised definition is intended to better match the operations of many shelters. Having definitions be as parallel as possible helps make their distinctions clear and enforceable.	Staff
45	582	7-1 [new]	<p>Parking Definitions, EV Capable Add a new term with text as follows: 086 <u>Parking spaces with a capped cable/raceway connected to an installed electric panel with a dedicated branch circuit(s) to install the infrastructure and equipment needed for a future electric vehicle (EV) charging station with a rating of 240 volts or higher."</u></p>	Adds a new term related to a proposed new requirement for multi-family and townhouse dwellings. See related rows for proposed change to off-street parking requirements in Subsection 5-5(C)(9).	Staff
46	585	7-1	<p>Definitions, Personal and Business Services Revise text as follows: "Establishments providing services to individuals or businesses for profit, including but not limited to bail bond providers, beauty and barber shops, shoe repair, tailor/alterations shops, tattoo parlors, taxidermy services, electronic data processing, and employment service; mailing, addressing, stenographic services; and specialty business service such as travel bureau, news service, exporter, importer, interpreter, appraiser, and film library."</p>	Clarifies that regulations related to personal and business services apply whether they are for-profit or non-profit.	Staff

#086

Posted by **Jim Griffie** on **11/11/2022** at **2:55pm** [Comment ID: 219] - [Link](#)

Agree: 2, Disagree: 0

While I see some merit in pre-installing infrastructure to facilitate the future installation of EV charging stations at (or near since there are 2 port stations that can service two vehicles at once) some or all required off-street residential parking spaces, I fear this definition will result in a very expensive installation that will never be used. I say this not because I am an EV naysayer, but because the definition is not sufficient to assure the adequacy of the pre-installed infrastructure to support even today's charging technology (e.g. 240v is not sufficient to be called a rating without also specifying either the amperage or wattage) and not adaptive enough to support the evolving EV charging technology. It is one thing to require the raceways to be installed, it is a whole other thing to prescribe the power supply and distribution topography of an installation to support charging services to all required parking spaces. My recommendation is to either find and quote an industry standard, develop and reference a far more detailed specification in the DPM, or at the very least require pre-install design be reviewed and approved by a city engineer with knowledge of the most current charging technology forecast.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
47	591	7-1	<p>Sensitive Lands, Large Stand of Mature Trees Revise term and definition text as follows: Established Tree Large Stand of Mature Trees- "A tree A collection of 5 or more trees 30 years or older or having a trunk diameters (as determined by Diameter at Breast Height – DBH) averaging at least 8 16 inches in diameter, as determined by the City Forester, <u>and listed as either Generally Recommended or Conditionally Recommended on the Official Albuquerque Plant Palette and Sizing List.</u>"</p>	Changes the sensitive land to be a single large tree from 5 or more and limits the tree to those recommended by the Official Plate Palette. See related row for change to Subsection 14-16-5-2(C).	Staff
48	All	All	<p>Clerical Changes Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.</p>	Covers general clerical corrections.	Staff
49	All	All	<p>Editorial Changes Make any necessary editorial changes to the document, including minor text additions, revisions for clarity (without changing substantive content), adding cross references, reorganizing content for better clarity and consistency throughout, revisions to graphic content for clarity, and updating tables of contents.</p>	Covers general editorial corrections.	Staff

NOTIFICATION

From: [Carmen Delana L.](#)
 To: [Yos, Michael J.](#)
 Subject: Amendment to IDO Text - Citywide (City Council)
 Date: Tuesday, October 25, 2022 12:34:22 PM
 Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image007.png](#)

PLEASE NOTE:
 The City Council recently voted to update the Neighborhood Association Recognition Ordinance (NARO) and the Office of Neighborhood Coordination (ONC) is working to ensure all neighborhood associations and neighborhood coalitions are in compliance with the updated ordinance. There will likely be many updates and changes to association and coalition contact information over the next several months. With that in mind, please check with the ONC every two (2) weeks to ensure that the contact information you have for associations and coalitions is up to date.

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1	Address Line 2	City	State	Zip	Mobile Phone	Phone
ABQ Park NA	Tiffany	Mojarro	tiffany.m1274@gmail.com	7504 Sky Court Circle NE		Albuquerque	NM	87110	5053632643	
ABQ Park NA	Shirley	Lockyer	shirleylockyer@gmail.com	7501 Sky Court Circle NE		Albuquerque	NM	87110	5057107314	
ABCORE Neighborhood Association	Rick	Rennie	rickrennie@comcast.net	326 Lucero Road		Albuquerque	NM	87048		5054502182
ABCORE Neighborhood Association	Joaquin	Baca	bacajoaquin9@gmail.com	100 Gold Avenue	#408	Albuquerque	NM	87102		5054176689
Academy Estates East NA	James	Santistevan	dukecity777@yahoo.com	5609 Cometa Court NE		Albuquerque	NM	87111		5054508385
Academy Estates East NA	Larry	Pope	lepope@msn.com	9000 Galaxia Way NE		Albuquerque	NM	87111		5058213077
Academy Hills Park NA	Nadine	Waslosky	nwaslosky@comcast.net	9816 Compadre Lane NE		Albuquerque	NM	87111		5053621808
Academy Hills Park NA	Donald	Couchman	dhc@zianet.com	6441 Concordia Road NE		Albuquerque	NM	87111	5052698335	5058212421
Academy North NA	Debra	Wehling	dwehling@outlook.com	8112 Ruidoso NE		Albuquerque	NM	87109		5052807779
Academy North NA	Adam	Warrington	adamjwar@hotmail.com	8400 Parrot Run Road NE		Albuquerque	NM	87109		5056101820
Academy Park HOA	William	Pratt	prattsalwm@yahoo.com	6753 Kelly Ann Road NE		Albuquerque	NM	87109		5058561009
Academy Park HOA	Chris	Ockslider	chris@ocksliderlawfirm.com	6733 Kelly Ann Road NE		Albuquerque	NM	87109		5054894477
Academy Ridge East NA	Ellen	Wilsey	elliw@comcast.net	10828 Academy Ridge Road NE		Albuquerque	NM	87111		5055033821
Academy Ridge East NA	Tom	Arnold	arnoldtom@yahoo.com	10901 Academy Ridge Road NE		Albuquerque	NM	87111	5055730535	
Alameda North Valley Association	Steve	Wentworth	anvanews@aol.com	8919 Boe Lane NE		Albuquerque	NM	87113		5058973052
Alamosa NA	Jeanette	Baca	jeanettebaca973@gmail.com	900 Field SW		Albuquerque	NM	87121	5053792976	5058362976
Alamosa NA	Jerry	Gallegos	jgallegoswccdg@gmail.com	5921 Central Avenue NW		Albuquerque	NM	87105	5053855809	5058362976
Albuquerque Meadows Residents Association	Frances	Cunzeman	j.c.fc.cunz@gmail.com	7112 Pan American E Frwy	#388	Albuquerque	NM	87109	4102920596	
Albuquerque Meadows Residents Association	Judy	Green	sandjaig@hotmail.com	7112 Pan American E Frwy	#25	Albuquerque	NM	87109		5052289486
Altura Addition NA	Denise	Hammer	archhero@aol.com	1735 Aliso Drive NE		Albuquerque	NM	87110		5052681250
Altura Addition NA	Colin	Adams	colinadams@earthlink.net	1405 Solano Drive NE		Albuquerque	NM	87110		5055544066
Altura Park NA	Neal	Spero	nspero@psh.org	4205 Hannett NE		Albuquerque	NM	87110	7346585577	
Altura Park NA	Robert	Jackson	rajacks@msn.com	4125 Hannett NE		Albuquerque	NM	87110		5052101458
Alvarado Gardens NA	Mike	Dexter	medexter49@gmail.com	3015 Calle San Ysidro NW		Albuquerque	NM	87107	5052897648	
Alvarado Gardens NA	Diana	Hunt	president@alvaradoneighborhood.com	2820 Candelaria Road NW		Albuquerque	NM	87107		5053635913
Alvarado Park NA	Mary	Erwin	marybe9@gmail.com	PO Box 35704		Albuquerque	NM	87176	5052508158	
Alvarado Park NA	Elissa	Dente	elissa.dente@gmail.com	PO Box 35704		Albuquerque	NM	87176	5055733387	
Anderson Hills NA	Kristi	McNair	321kris@gmail.com	3127 Rio Plata Drive SW		Albuquerque	NM	87121	5053211748	
Anderson Hills NA	Jan	LaPitz	jlapitz@hotmail.com	3120 Rio Plata Drive SW		Albuquerque	NM	87121		5058774159
Antelope Run NA	Dean	Willingham	dwillingham@redw.com	11809 Ibox Avenue NE		Albuquerque	NM	87111	5052502679	5052938986
Antelope Run NA	Alex	Robinson	alexlrnm@comcast.net	12033 Ibox Avenue NE		Albuquerque	NM	87111	5056109561	5052940473
Arroyo Del Oso North NA	Willie	Orr	willieorr1@msn.com	7930 Academy Trail NE		Albuquerque	NM	87109	3039105707	
Arroyo Del Oso North NA	Max	Dubroff	adonneighborhood@gmail.com	7812 Charger Trail NE		Albuquerque	NM	87109		5053856039
Avalon NA	Joseph	Damon	avalonmw@comcast.net	9205 Harbor Road NW		Albuquerque	NM	87121		5052709643
Avalon NA	Lucy	Anchondo	avalon3a@yahoo.com	601 Stern Drive NW		Albuquerque	NM	87121		5058396601
Barelas NA	Bell	Courtney	liberty.c.bell@icloud.com	500 2nd Street SW	#9	Albuquerque	NM	87102		5059299397
Barelas NA	Lisa	Padilla	lisa@swop.net	904 3rd Street SW		Albuquerque	NM	87102		5054537154
Bear Canyon NA	Patsy	Beck	patsybeck@aol.com	7518 Bear Canyon Road NE		Albuquerque	NM	87109		5052397897
Bear Canyon NA	Brian	Stone	bstone@yahoo.com	5800 La Madera NE		Albuquerque	NM	87109	5052715356	
BelAir NA	Seth	Arseneau	ions82@hotmail.com	2838 Manzano Street NE		Albuquerque	NM	87110	5059078314	
BelAir NA	Barb	Johnson	flops2@juno.com	2700 Hermosa Drive NE		Albuquerque	NM	87110	5053796187	5058890293
Campus NA	Kenny	Stansbury	kenny.stansbury@gmail.com	615 Vassar NE		Albuquerque	NM	87106		5054634276
Campus NA	Calvin	Martin	calmartin93@gmail.com	411 Girard Avenue NE		Albuquerque	NM	87106		5054127669
Cherry Hills Civic Association	Hank	Happ	hhapp@juno.com	8313 Cherry Hills Road NE		Albuquerque	NM	87111		5052595656
Cherry Hills Civic Association	Ellen	Dueweke	edueweke@juno.com	8409 Cherry Hills Road NE		Albuquerque	NM	87111	5055731537	
Cibola Loop NA	Ginny	Forrest	gforrest47@comcast.net	4113 Logan Road NW		Albuquerque	NM	87114		5054170373
Cibola Loop NA	Julie	Rael	learrael@aol.com	10700 Del Sol Park Drive NW		Albuquerque	NM	87114	5052358189	
Cibola NA	Michael	Alexander	michael.alexander@altadt.com	2516 Madre Drive NE		Albuquerque	NM	87112		5052842486
Cibola NA	Joseph	Freedman	josefree@yahoo.com	13316 Tierra Montanosa Drive NE		Albuquerque	NM	87112	7033077929	
Cielito Lindo NA	Karl	Hattler	khattler@aol.com	3705 Camino Capistrano NE		Albuquerque	NM	87111	5052506705	5052989928
Cielito Lindo NA	Patricia	Duda	pat.duda.52@gmail.com	3720 Camino Capistrano NE		Albuquerque	NM	87111	5054403735	5052922015
Citizens Information Committee of Martineztown	Renee	Martinez	martinez.renee@gmail.com	515 Edith Boulevard NE		Albuquerque	NM	87102	5054108122	5052474605
Citizens Information Committee of Martineztown	Kristi	Houde	kris042898@icloud.com	617 Edith Boulevard NE	#8	Albuquerque	NM	87102	5053661439	
Classic Uptown NA	John	Whalen	johnwhalen78@gmail.com	2904 Las Cruces NE		Albuquerque	NM	87110		5052651278
Classic Uptown NA	Bert	Davenport	brt25@pm.me	2921 San Pablo Street NE		Albuquerque	NM	87110	7736206636	
Clayton Heights Lomas del Cielo NA	Eloisa	Molina-Dodge	e_molinadodge@yahoo.com	1704 Buena Vista SE		Albuquerque	NM	87106		5055015051
Clayton Heights Lomas del Cielo NA	Isabel	Cabrera	boyster2018@gmail.com	1720 Buena Vista SE		Albuquerque	NM	87106	5056592414	5052424494
Comanche Foothills NA	Ed	Browitt	meaganr@juno.com	3109 Camino De La Sierra NE		Albuquerque	NM	87111		5052001985
Comanche Foothills NA	Paul	Beck	beck3008@comcast.net	3008 Camino De La Sierra NE		Albuquerque	NM	87111		5052001985
Countrywood Area NA	Bob	Borgeson	bob.borgeson@msn.com	8129 Countrywood NE		Albuquerque	NM	87109	5053507077	
Countrywood Area NA	Christine	Messersmith	cmessersmith@q.com	7904 Woodridge Drive NE		Albuquerque	NM	87109	5052634181	
Crestview Bluff Neighbors Association	Alfred	Otero	alotero57@gmail.com	414 Crestview Drive SW		Albuquerque	NM	87105		5057105749
Crestview Bluff Neighbors Association	Stephanie	Gilbert		908 Alta Vista Court SW		Albuquerque	NM	87105	5059445528	
Del Norte NA	Mary	Bernard	fourofseven@comcast.net	6224 Baker Avenue NE		Albuquerque	NM	87109	5053498113	5058865929
Del Norte NA	Mary	White	white1ink@aol.com	4913 Overland Street NE		Albuquerque	NM	87109	5056201353	
Del Webb Mirehaven NA	Randy	Verble	rverble05@gmail.com	2316 Bates Well Lane NW		Albuquerque	NM	87120	7208837774	
Del Webb Mirehaven NA	Elizabeth	Smith	elizabethsmithchavez@gmail.com	2315 Woods Wash Way NW		Albuquerque	NM	87120	6192036153	

Lee Acres NA	Allyson	Esquibel	abroyer1@msn.com	914 Fairway Road NW	Albuquerque	NM	87107	5052285789	
Loma Del Rey NA	Jessica	Armijo	jarmijo12@outlook.com	3701 Erbbe Street NE	Albuquerque	NM	87111		5054001221
Loma Del Rey NA	Carol	Orona	oronacarla@hotmail.com	8416 Palo Duro Avenue NE	Albuquerque	NM	87111		5052948016
Los Alamos Addition NA	Damian	Velasquez	damian@modernhandcrafted.com	301 Sandia Road NW	Albuquerque	NM	87107	5053798391	
Los Alamos Addition NA	Don	Dudley	don.dudley@dondudleydesign.com	302 Sandia Road NW	Albuquerque	NM	87107	5052806280	
Los Altos Civic Association	Darlene	Solis	darlenesolis.laca@gmail.com	915 Rio Vista Circle SW	Albuquerque	NM	87105	5059803592	
Los Altos Civic Association	Athena	La Roux	athenalaroux@yahoo.com	2831 Los Altos Place SW	Albuquerque	NM	87105	5125297048	
Los Duranes NA	Lee	Gamelsky	lee@iganm.com	2412 Miles Road SE	Albuquerque	NM	87106		5058428865
Los Duranes NA	William	Herring	billherring@comcast.net	3104 Coca Road NW	Albuquerque	NM	87104		5053281553
Los Griegos NA	Mary Beth	Thorn	marybethorn@gmail.com	4530 San Isidro Street NW	Albuquerque	NM	87107	2526755366	
Los Griegos NA	Susan	Carter	susanleecarter@me.com	4519 Compound North Ct. NW	Albuquerque	NM	87107		5056703222
Los Poblanos NA	Don	Newman	don.newman@mac.com	5723 Guadalupe Trail NW	Albuquerque	NM	87107		5053443900
Los Poblanos NA	Karon	Boutz	kjboutz@gmail.com	1007 Sandia Road NW	Albuquerque	NM	87107		5053456002
Los Volcanes NA	Alma	Ramirez	acr@q.com	6616 Honeylocust Avenue NW	Albuquerque	NM	87121		5058313595
Los Volcanes NA	Jenny	Sanchez	jennybsanchez1@q.com	6512 Honeylocust Avenue NW	Albuquerque	NM	87121		5058360117
Mark Twain NA	Joel	Woodriddle	joel.c.woodriddle@gmail.com	1500 Indiana Street NE	Albuquerque	NM	87110	5053897840	5052666258
Mark Twain NA	Barbara	Lohbeck	bardean12@comcast.net	1402 California Street NE	Albuquerque	NM	87110	5052591932	5052540285
McDuffie Twin Parks NA	Vicky	Kauffman	wickykauffman53@gmail.com	PO Box 35097	Albuquerque	NM	87176	5054013015	
McDuffie Twin Parks NA	Cathy	Drake	drakelavellefamily@gmail.com	4203 Avenida La Resolana NE	Albuquerque	NM	87110	5052350405	
McKinley NA	Marjorie	Padilla	mp1646@gmail.com	3616 Aztec Road NE	Albuquerque	NM	87110		5058811646
McKinley NA	Geraldine	Griego	griegocruz@comcast.net	3018 Solano Drive NE	Albuquerque	NM	87110	5052592517	5058811281
Mesa Del Sol NA	Cathy	Burns	catburns87106@gmail.com	2201 Stieglitz Avenue SE	Albuquerque	NM	87106		5053304322
Mesa Del Sol NA	David	Mills	dmills544@gmail.com	2400 Cunningham Avenue SE	Albuquerque	NM	87106	5052399052	
Mile Hi NA	Joan	Davis	jbd2946@hotmail.com	1405 Valencia Drive NE	Albuquerque	NM	87110		5054109379
Mile Hi NA	Matt	Carroll	mbcarr92@gmail.com	5317 Summer Avenue NE	Albuquerque	NM	87110		5759106446
Molten Rock NA	Jill	Yeagley	jillyeagley@swcp.com	7936 Victoria Drive NW	Albuquerque	NM	87120		
Molten Rock NA	Mary Ann	Wolf-Lyerla	maryann@hlsnm.org	5608 Popo Drive NW	Albuquerque	NM	87120		5058992682
Monte Largo Hills NA	Tom	Burkhalter		13104 Summer Place NE	Albuquerque	NM	87112		5052392151
Monte Largo Hills NA	Susan	Law	susanlaw009@comcast.net	13101 Summer Place NE	Albuquerque	NM	87112		5052967719
Monterey Manor NA	Cindy	Miller	golfcindy5@gmail.com	12208 Casa Grande Avenue NE	Albuquerque	NM	87112		5052719466
Mossman NA	Marya	Sena	maryasena1@gmail.com	3418 Dakota Street NE	Albuquerque	NM	87110		5052613660
Mossman NA	Lori	Jameson	jamesonlr@outlook.com	3543 Dakota Street NE	Albuquerque	NM	87110		5053061069
Mossman South NA	Brittany	Ortiz	britt@chipotlebutterfly.com	6213 Alta Monte NE	Albuquerque	NM	87110		5054104153
Mossman South NA	Sarah	Couch	wordsongllc@gmail.com	6224 Alta Monte NE	Albuquerque	NM	87110		5056108295
Near North Valley NA	Jacob	Trujillo	nearnorthvalleyna@gmail.com	PO Box 6953	Albuquerque	NM	87197	5052213670	5059487162
Near North Valley NA	Joe	Sabatini	jsabatini423@gmail.com	3514 6th Street NW	Albuquerque	NM	87107	5058507455	5053449212
Netherwood Park NA	Sara	Mills	saramills@comcast.net	2629 Cutler Avenue NE	Albuquerque	NM	87106	5054506712	
Netherwood Park NA	William	Gannon	wgannon@unm.edu	1726 Notre Dame NE	Albuquerque	NM	87106	5052497906	
Nob Hill NA	Jeff	Hoehn	jeffh@clnabq.org	411 Aliso Drive SE	Albuquerque	NM	87108		5055069327
Nob Hill NA	Gary	Eyster	meyster1@me.com	316 Amherst Drive NE	Albuquerque	NM	87106	5059911388	
Nor Este NA	Uri	Bassan	uri.bassan@noreste.org	9000 Modesto Avenue NE	Albuquerque	NM	87122	5054179990	
Nor Este NA	Gina	Pioquinto	rpmartinez2003@gmail.com	9015 Moonstone Drive NE	Albuquerque	NM	87113	5052385495	5058560926
North Albuquerque Acres Community Association	Steve	Shackley	shackley@berkeley.edu	8304 San Diego Avenue NE	Albuquerque	NM	87122	5103933931	
North Albuquerque Acres Community Association	David	Neale	president@naaca.info	9500 Signal Avenue NE	Albuquerque	NM	87122		5055451482
North Campus NA	Tim	Davis	tdavisnm@gmail.com	2404 Hannett NE	Albuquerque	NM	87106	5052643524	
North Campus NA	Sara	Koplik	sarakoplik@hotmail.com	1126 Stanford NE	Albuquerque	NM	87106	5055705757	
North Domingo Baca NA	Lorna	Howerton	hhowerton9379@msn.com	7201 Peregrine NE	Albuquerque	NM	87113		5057157895
North Domingo Baca NA	Judie	Pellegrino	judiepellegirino@gmail.com	8515 Murrelet NE	Albuquerque	NM	87113		5058218516
North Eastern Association of Residents	Nancy	Presley-Naimark	ndpresley@msn.com	9718 Apache Avenue NE	Albuquerque	NM	87112	5052288516	
North Eastern Association of Residents	Matt	Bohnhoff	matt.bohnhoff@gmail.com	9500 Arvada Avenue NE	Albuquerque	NM	87112	5052200519	
North Valley Coalition	Peggy	Norton	peggnorton@yahoo.com	P.O. Box 70232	Albuquerque	NM	87197	5058509293	5053459567
North Valley Coalition	Doyle	Kimbrough	newmexmba@aol.com	2327 Campbell Road NW	Albuquerque	NM	87104	5052490938	5053441363
North Wyoming NA	William	Barry	wrbarry@msn.com	8124 Siguard Court NE	Albuquerque	NM	87109		5058211725
North Wyoming NA	Nanci	Carriveau	nancic613@hotmail.com	8309 Krim Drive NE	Albuquerque	NM	87109		5058218673
Onate NA	Alex	Rahimi	alexanderrahimi@yahoo.com	1816 Paige Place NE	Albuquerque	NM	87112	5053303320	
Onate NA	Sharon	Ruiz	srz29@aol.com	1821 Paige Place NE	Albuquerque	NM	87112	5052219565	5052981570
Oso Grande NA	Janie	McGuigan	janiemc07@gmail.com	4924 Purcell Drive NE	Albuquerque	NM	87111		5059181884
Oso Grande NA	Bob	Fass	nobullbob1@gmail.com	5226 Edwards Drive NE	Albuquerque	NM	87111		5052394774
Palomas Park NA	Ann	Wagner	anwagner10@gmail.com	7209 Gallinas Avenue NE	Albuquerque	NM	87109	5053622418	
Palomas Park NA	David	Marsh	wmarsh7@comcast.net	7504 Laster Avenue NE	Albuquerque	NM	87109	5054531644	
Paradise Hills Civic Association	Tom	Anderson		10013 Plunkett Drive NW	Albuquerque	NM	87114	5053040106	5058972593
Parkland Hills NA	Mary	Darling	mlrdarling56@yahoo.com	650 Monroe Street SE	Albuquerque	NM	87108		5052201854
Parkland Hills NA	Janet	Simon	phnacommunications@gmail.com	725 Van Buren Place SE	Albuquerque	NM	87108		5052390229
Parkway NA	Mary	Loughran	marykloughran@comcast.net	8015 Fallbrook Place NW	Albuquerque	NM	87120	5052497841	5058367841
Parkway NA	Ruben	Aleman	m_raleman@yahoo.com	8005 Fallbrook Place NW	Albuquerque	NM	87120	5053852189	
Pat Hurley NA	Barbara	Baca	postbbaca@gmail.com	636 Atrisco Drive NW	Albuquerque	NM	87105	5052696855	
Pat Hurley NA	Julie	Radoslovich	julieradoslovich@gmail.com	235 Mezcal Circle NW	Albuquerque	NM	87105	5053524440	
Peppertree Royal Oak Residents Association	Paul	Perez	paul@paulperez.net	11809 San Victorio Avenue NE	Albuquerque	NM	87111	4158105639	
Peppertree Royal Oak Residents Association	Art	Verardo	a.verardo@comcast.net	11901 San Victorio Avenue NE	Albuquerque	NM	87111	5053796721	5052966602
Piedras Marcadas NA	Robin	Lawlor	rlawlor619@gmail.com	4905 Mikell Court NW	Albuquerque	NM	87114	2063275444	
Piedras Marcadas NA	Debbie	Koranyi	debbie.a.koranyi@gmail.com	9323 Drolet NW	Albuquerque	NM	87114	5059919651	
Pueblo Alto NA	Tina	Valentine	auntiesym@msn.com	916 Madison Street NE	Albuquerque	NM	87110	5059480760	
Pueblo Alto NA	Tyler	Richter	tyler.richter@gmail.com	801 Madison NE	Albuquerque	NM	87110	5052392903	
Quaker Heights NA	Orlando	Martinez	lilog2002@yahoo.com	5808 Jones Place NE	Albuquerque	NM	87120	5053605017	5053605038
Quaker Heights NA	Vanessa	Alarid	valarid@gmail.com	5818 Jones Place NW	Albuquerque	NM	87120	5055030640	5055030640
Quigley Park NA	Eric	Olivas	eoman505@gmail.com	2708 Valencia Drive NE	Albuquerque	NM	87110		5059344540
Quintessence NA	Andrea	Landaker	president@qna-abq.org	10012 Coronado Avenue NE	Albuquerque	NM	87122	5057972466	
Rancho Sereno NA	Sander	Rue	sanderrue@comcast.net	7500 Rancho Solano Court NW	Albuquerque	NM	87120	5053010189	
Rancho Sereno NA	Debra	Cox	debracox62@comcast.net	8209 Rancho Paraiso NW	Albuquerque	NM	87120	5052388563	5057920448
Raynolds Addition NA	Joe	Alfonso	ju1089@gmail.com	1008 Central SW	Apt. H Albuquerque	NM	87102	9016041298	
Raynolds Addition NA	Margaret	Lopez	raynoldsneighborhood@gmail.com	1315 Gold Avenue SW	Albuquerque	NM	87102	5052899857	
Rio Grande Boulevard NA	Eleanor	Walther	ewalth@comcast.net	2212 Camino De Los	Albuquerque	NM	87107		5053421820

Rio Grande Boulevard NA	Doyle	Kimbrough	nemexmba@aol.com	2327 Campbell Road NW		Albuquerque	NM	87104	5052490938	5053441363
Riverview Heights NA	Cynthia	Doe	cyn DOE@hotmail.com	1414 Crescent Drive NW		Albuquerque	NM	87105		5059343951
Riverview Heights NA	Cyrus	Toll	tollhouse1@msn.com	1306 Riverview Drive NW		Albuquerque	NM	87105	5052052513	5058311657
Route 66 West NA	Paul	Fava	paulfava@gmail.com	505 Parnelli Drive SW		Albuquerque	NM	87121	5053853202	
Route 66 West NA	Cherise	Quezada	cherquezada@yahoo.com	10304 Paso Fino Place SW		Albuquerque	NM	87121	5052631178	
San Jose NA	Deanna	Barela	bacadeanna@gmail.com	408 Bethel Drive SE		Albuquerque	NM	87102		
San Jose NA	Olivia	Greathouse	sjnase@gmail.com	408 Bethel Drive SE		Albuquerque	NM	87102		
Sandia High School Area NA	Ed	Mascarenas	donnamascarenas@msn.com	8217 Dellwood Road NE		Albuquerque	NM	87110		5052941730
Sandia High School Area NA	Michael	Kious	mikekious@aol.com	7901 Palo Duro NE		Albuquerque	NM	87110	5059778967	5058812564
Sandia Vista NA	Lucia	Munoz	lulumu1213@gmail.com	316 Dorothy Street NE		Albuquerque	NM	87123	5056207164	
Sandia Vista NA	Brenda	Gebler	happygranny8@q.com	PO Box 50219		Albuquerque	NM	87181		5052935543
Santa Barbara Martineztown NA	Loretta	Naranjo Lopez	lnjaiopez@msn.com	1127 Walter NE		Albuquerque	NM	87102		5052707716
Santa Barbara Martineztown NA	Theresa	Ilgen	theresa.ilgen@aps.edu	214 Prospect NE		Albuquerque	NM	87102		
Santa Fe Village NA	Russ	Poggensee	rpoggens@gmail.com	6917 Sweetbriar Avenue NW		Albuquerque	NM	87120	5163139791	
Santa Fe Village NA	Jane	Baechle	jane.baechle@gmail.com	7021 Lamar Avenue NW		Albuquerque	NM	87120	5054006516	
Sawmill Area NA	Jaime	Leanos	jaime.leanos@gmail.com	1427 15th Street NW		Albuquerque	NM	87104		5054635396
Sawmill Area NA	Dina	Afek	dina.afek@gmail.com	1503 Summer Avenue NW		Albuquerque	NM	87104	5204041988	
Siesta Hills NA	Rachel	Baca	siesta2napres@gmail.com	1301 Odium SE		Albuquerque	NM	87108	5055630156	
Silver Hill NA	Don	Mcvver	dbodinem@gmail.com	1801 Gold Avenue SE		Albuquerque	NM	87106		5053850464
Silver Hill NA	James	Montalbano	ja.montalbano@gmail.com	1409 Silver Avenue SE		Albuquerque	NM	87106	5052430827	
Singing Arrow NA	Singing Arrow NA		abqsana@gmail.com	12614 Singing Arrow SE		Albuquerque	NM	87123		5056750479
Singing Arrow NA	Judy	Young	youngjudy@ymail.com	13309 Rachel Road SE		Albuquerque	NM	87123	5053503108	
Snow Heights NA	Julie	Nielsen	bjdnleis@msn.com	8020 Bellamah Avenue NE		Albuquerque	NM	87110	5053622313	5052923989
Snow Heights NA	Laura	Garcia	laurasmigi@aol.com	1404 Katie Street NE		Albuquerque	NM	87110	5052355858	
South Broadway NA	Tiffany	Broadous	tiffany.hb10@gmail.com	215 Trumbull SE		Albuquerque	NM	87102		5055074250
South Broadway NA	Frances	Armijo	fparmijo@gmail.com	915 William SE		Albuquerque	NM	87102	5054003473	5052478798
South Guadalupe Trail NA	Heather	Brislen	brislen@gmail.com	4905 Guadalupe Trail NW		Albuquerque	NM	87107	5052803126	
South Guadalupe Trail NA	Andy	Apple	andyapple62@gmail.com	5116 Guadalupe Trail NW		Albuquerque	NM	87107	5052281273	
South Los Altos NA	Jim	Ahrend	notices@slanm.org	304 General Bradley NE		Albuquerque	NM	87123	6319874131	
South Los Altos NA	Stephen	Martos-Ortiz	sdmartos91@gmail.com	429 General Somervell Street NE		Albuquerque	NM	87123		5058037736
South San Pedro NA	Khadijah	Bottom	khadjahs@vizonz.org	1200 Madeira SE	#130	Albuquerque	NM	87108		5058327141
South San Pedro NA	Zabdiel	Aldaz	zabdiel505@gmail.com	735 Alvarado SE		Albuquerque	NM	87108		5052363534
South Valley Coalition of Neighborhood Associations	Peter	Eschman	eschman@unm.edu	1916 Conita Real Avenue SW		Albuquerque	NM	87105		5058731517
South Valley Coalition of Neighborhood Associations	Patricio	Dominguez	dpatriciod@gmail.com	3094 Rosendo Garcia Road SW		Albuquerque	NM	87105		5052382429
South West Alliance of Neighborhoods (SWAN Coalition)	Luis	Hernandez Jr.	luis@wccdg.org	5921 Central Avenue NW		Albuquerque	NM	87105		
South West Alliance of Neighborhoods (SWAN Coalition)	Jerry	Gallegos	jgallegoswccdg@gmail.com	5921 Central Avenue NW		Albuquerque	NM	87105	5053855809	5058362976
Southeast Heights NA	Pete	Belletto	pmbdoc@yahoo.com	902 Valverde Drive SE		Albuquerque	NM	87108		5052064957
Southeast Heights NA	John	Pate	jpate@molzencorbin.com	1007 Idlewild Lane SE		Albuquerque	NM	87108	5052354193	5052552984
Spruce Park NA	Peter	Swift	psnswift@comcast.net	613 Ridge Place NE		Albuquerque	NM	87106		5053793201
Spruce Park NA	John	Cochran	jrcochr@gmail.com	1300 Los Lomas Road NE		Albuquerque	NM	87106		5052391988
Spruce Park NA	Bart	Cimenti	bartj505@gmail.com	1502 Roma Avenue NE		Albuquerque	NM	87106		5052591918
SR Marmon NA	Sally	Powell	sally@srma.org	3301 Coors Boulevard NW	#R170	Albuquerque	NM	87120		5056200068
SR Marmon NA	Em	Ward	info@srma.org	PO Box 7434		Albuquerque	NM	87194	5053048167	
Stardust Skies North NA	Tillery	Dingler	tilley3@icloud.com	7727 Hermanson Place NE		Albuquerque	NM	87110	5052200484	
Stardust Skies North NA	Mary	Hawley	mtbsh@comcast.net	7712 Hendrix Road NE		Albuquerque	NM	87110	5052595849	
Stardust Skies Park NA	Matt	Stratton	mateo.stratton@gmail.com	7309 Bellrose NE		Albuquerque	NM	87110	5054170004	
Stardust Skies Park NA	Kim	Lovely-Peake	lovelypeake@comcast.net	7100 Bellrose NE		Albuquerque	NM	87110		5052687969
Stinson Tower NA	Bruce	Rizzieri	stnapres@outlook.com	1225 Rael Street SW		Albuquerque	NM	87121	5055858096	
Stinson Tower NA	Lucy	Arzate-Boyles	arzate.boyles2@yahoo.com	3684 Tower Road SW		Albuquerque	NM	87121	5059343035	
Stronghurst Improvement Association Incorporated	Mark	Lines	aberdaber@comcast.net	3010 Arno Street NE		Albuquerque	NM	87107		5052504129
Stronghurst Improvement Association Incorporated	William	Sabatini	wqsabatini@gmail.com	2904 Arno Street NE		Albuquerque	NM	87107	5052500497	
Summit Park NA	Kate	Franchini	franchini.kathryn@gmail.com	1809 Rita Drive NE		Albuquerque	NM	87106		5052699244
Summit Park NA	Joe	Brooks	joebrooks@homesinabq.com	1418 Wellesley Drive NE		Albuquerque	NM	87106	5059773474	
Supper Rock NA	Kathleen	Schindler-Wright	srock692@comcast.net	PO Box 50577		Albuquerque	NM	87101		5052752710
Supper Rock NA	Ken	O'Keefe	cnkokeefe@msn.com	600 Vista Abajo Drive NE		Albuquerque	NM	87123		5052969075
Sycamore NA	Richard	Vigilano	richard@vigilano.net	1205 Copper NE		Albuquerque	NM	87106		5059809813
Sycamore NA	Mardon	Gardella	mg411@q.com	411 Maple Street NE		Albuquerque	NM	87106		5058436154
Taylor Ranch NA	Linda	Vrooman	lindavrooman61@gmail.com	5135 San Jorge NW		Albuquerque	NM	87120	9705561110	
Taylor Ranch NA	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW		Albuquerque	NM	87120	5059852391	5058982114
The Courtyards NA	Jackie	Cooke	jackiecooke@comcast.net	8015 Dark Mesa NW		Albuquerque	NM	87120	4105985453	5058390388
The Courtyards NA	Jayne	Aubele	jaubele1012@comcast.net	2919 Monument Drive NW		Albuquerque	NM	87120	5059808703	5053526390
The Paloma Del Sol NA	Roland	Quintana	rq1dq1@gmail.com	10412 Calle Contento NW		Albuquerque	NM	87114	5052637220	
The Paloma Del Sol NA	Bob	McElearney	bob.mcelearney@yahoo.com	5009 San Timoteo Avenue NW		Albuquerque	NM	87114	3122184454	
The Quail Springs NA	Laura	High	laurah067@gmail.com	7135 Quail Springs Place NE		Albuquerque	NM	87113		5054532756
The Quail Springs NA	Goldialu	Stone	gstone@swcp.com	7116 Quail Springs Place NE		Albuquerque	NM	87113		5057975597
Thomas Village NA	Debbie	Ridley	dirhealing@aol.com	3247 Calle De Deborah NW		Albuquerque	NM	87104		5052435554
Thomas Village NA	Richard	Meyners	abqrmeyners@gmail.com	3316 Calle De Daniel NW		Albuquerque	NM	87104		5052427319
Tres Volcanes NA	Rick	Gallagher	randm196@gmail.com	8401 Casa Gris Court NW		Albuquerque	NM	87120		5054048827
Tres Volcanes NA	Thomas	Borst	t0m2pat@yahoo.com	1908 Selway Place NW		Albuquerque	NM	87120	5058034836	5053526563
Trumbull Village Association	Alyce	Ice	alyceice@gmail.com	6902 4th Street NE		Los Ranchos	NM	87107	5053150188	5053150188
Trumbull Village Association	Joanne	Landry	landry54@msn.com	7501 Trumbull SE		Albuquerque	NM	87108	5056046761	
Tuscany NA	Harry	Hendriksen	hihen@comcast.net	10592 Rio Del Sol NW		Albuquerque	NM	87114		5058903481
Tuscany NA	Janelle	Johnson	vistadelnorte@me.com	PO Box 6270		Albuquerque	NM	87197		5053440822
University Heights NA	Mandy	Warr	mandy@theremedayspa.com	119 Vassar Drive SE		Albuquerque	NM	87106	5054014367	5052659219
University Heights NA	Don	Hancock	sricdon@earthlink.net	105 Stanford SE		Albuquerque	NM	87106	5052622053	5052621862
Valle Prado NA	Steve	Shumacher	valle.prado.na@gmail.com	8939 South Sky Street NW		Albuquerque	NM	87114		
Valle Prado NA	Joshua	Beutler	jbeutler@gmail.com	7316 Two Rock Road NW		Albuquerque	NM	87114		5055036414
Valley Gardens NA	Robert	Price		2700 Desert Garden Lane SW		Albuquerque	NM	87105	5055506679	
Valley Gardens NA	Antoinette	Dominguez	ajuauez8.ad@gmail.com	4519 Valley Park Drive SW		Albuquerque	NM	87105	5054591734	

Vecinos Del Bosque NA	Harrison (Tai)	Alley	taialleyh@gmail.com	1316 Dennison SW		Albuquerque	NM	87105		5059806151
Vecinos Del Bosque NA	Rod	Mahoney	rmahoney01@comcast.net	1838 Sadora Road SW		Albuquerque	NM	87105	5056813600	5058425140
Victory Hills NA	Alymay	Atherton	altheatherton@gmail.com	1107 Vassar Drive SE		Albuquerque	NM	87106	9786609532	
Victory Hills NA	Patricia	Willson	info@willsonstudio.com	505 Dartmouth Drive SE		Albuquerque	NM	87106	5059808007	
Vineyard Estates NA	David	Zarecki	zarecki@aol.com	8405 Vintage Drive NE		Albuquerque	NM	87122		5058048806
Vineyard Estates NA	Elizabeth	Meek	djesmeek@comcast.net	8301 Mendocino Drive NE		Albuquerque	NM	87122		5055080806
Vista Del Mundo NA	Chris	Crum	ccrum.vdm@gmail.com	1209 Sierra Larga Drive NE		Albuquerque	NM	87112		
Vista Del Mundo NA	Dennis	Roach	dproach@sandia.gov	13812 Spirit Trail NE		Albuquerque	NM	87112		
Vista Del Norte Alliance	James	Souter	jamesouter@msn.com	6928 Via del Cerro NE		Albuquerque	NM	87113		5052506366
Vista Del Norte Alliance	Janelle	Johnson	vistadelnorte@me.com	PO Box 6270		Albuquerque	NM	87197		5053440822
Vista Grande NA	Dana	Skaar	dana@nationalheat.com	3504 Sequoia Court NW		Albuquerque	NM	87120		5054631484
Vista Grande NA	Richard	Schaefer	Schaefer@unm.edu	3579 Sequoia Place NW		Albuquerque	NM	87120		
Vista Magnifica Association	Anna	Solano	madmiles@msn.com	1616 Bluffs Drive NW		Albuquerque	NM	87105		5054532587
Vista Magnifica Association	Gabriela	Marques	olivegabrielam@gmail.com	1729 Cliffside Drive NW		Albuquerque	NM	87105	4849880460	
Wells Park NA	Mike	Prando	mprando@msn.com	611 Bellamah NW		Albuquerque	NM	87102		5054536103
Wells Park NA	Doreen	McKnight	doreenmcknightnm@gmail.com	1426 7th Street NW		Albuquerque	NM	87102		5056152937
West La Cueva NA	Peggy	Neff	peggyd333@yahoo.com	8305 Calle Soquelle NE		Albuquerque	NM	87113		5059778903
West La Cueva NA	Erica	Vasquez	ericamvas@gmail.com	8511 Rancho Del Oro Place NE		Albuquerque	NM	87113		5056817286
West Mesa NA	Alex	Klebenow	lavoce@aol.com	809 Palisades Drive NW		Albuquerque	NM	87105		5058398233
West Mesa NA	Dee	Silva	ddee4329@aol.com	313 63rd Street NW		Albuquerque	NM	87105	5053627737	
West Old Town NA	Gil	Clarke	g.clarke45@comcast.net	2630 Aloysia Lane NW		Albuquerque	NM	87104		5058426620
West Old Town NA	Glen	Effertz	gteffertz@gmail.com	2918 Mountain Road NW		Albuquerque	NM	87104		5059800964
West Park NA	Matt	Celesky	deadanimaldesign@hmmh.org	2213 New York Avenue SW		Albuquerque	NM	87104		5054003508
West Park NA	Lea	Pino	lea@thecasapino.com	2203 New York Avenue SW		Albuquerque	NM	87104		
Westgate Heights NA	Christoper	Sedillo	navrmc6@aol.com	605 Shire Street SW		Albuquerque	NM	87121	6193155051	
Westgate Heights NA	Matthew	Archuleta	mattearchuleta1@hotmail.com	1628 Summerfield Place SW		Albuquerque	NM	87121	5054016849	5058367251
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	elizabethkayhaley@gmail.com	6005 Chaparral Circle NW		Albuquerque	NM	87114	5054074381	5059805376
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW		Albuquerque	NM	87120	5059852391	5058982114
Wildflower Area NA	Charles	Bates	cefisher.67@gmail.com	5000 Watercress Drive NE		Albuquerque	NM	87113	5053737998	
Wildflower Area NA	Larry	Caudill	ltaudill@comcast.net	4915 Watercress Drive NE		Albuquerque	NM	87113		5058570596
Willow Wood NA	Pamela	Meyer	pmeyer@sentrymtg.com	4121 Eubank Boulevard NE		Albuquerque	NM	87111		5053237600
Willow Wood NA	Samantha	Martinez	samijoster@gmail.com	823 Glacier Bay Street SE		Albuquerque	NM	87123	5054638036	
Winrock South NA	John	Kinney		7110 Constitution Avenue NE		Albuquerque	NM	87110		5053215432
Winrock South NA	Virginia	Kinney		7110 Constitution Avenue NE		Albuquerque	NM	87110		5053215432
Yale Village NA	Donald	Love	donaldlove08@comcast.net	2125 Stanford Drive SE		Albuquerque	NM	87106	5054807175	
Yale Village NA	Kim	Love	klove726@gmail.com	2122 Cornell Drive SE		Albuquerque	NM	87106	5056882162	

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project.
- Please use this online link to find the required forms you will need to submit your permit application: <https://www.cabq.gov/planning/urban-design-development/public-notice>.
- The Checklist form you need for notifying neighborhood associations can be found here: https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf.
- The Administrative Decision form you need for notifying neighborhood associations can be found here: <https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>.
- Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s): <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each: <https://do.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thank you.



Dalaina L. Carmona

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department

1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334

dcarmona@cabq.gov or ONC@cabq.gov
Website: www.cabq.gov/neighborhoods



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From: webmaster@cabq.gov <webmaster@cabq.gov>
Sent: Tuesday, October 25, 2022 9:00 AM
To: Vos, Michael J. <mvos@cabq.gov>
Cc: Office of Neighborhood Coordination <conc@cabq.gov>
Subject: Public Notice Inquiry Sheet Submission

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

Public Notice Inquiry For:
Other (please specify in field below)

If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:

Amendment to IDO Text - Citywide (City Council)

Contact Name

Michael Vos

Telephone Number

(505) 924-3825

Email Address

mvos@cabq.gov

Company Name

City of Albuquerque Planning Department

Company Address

600 2nd Street NW

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

Citywide (Amendment to IDO Text - Citywide)

Physical address of subject site:

Citywide

Subject site cross streets:

Citywide

Other subject site identifiers:

This site is located on the following zone atlas page:

Captcha

x

October 25, 2022

Authorized Representative
City of Albuquerque Recognized Neighborhood Association
Re: Application Submittal for Amendment to IDO Text - Citywide



Dear Neighborhood Association Representative,

As required by Integrated Development Ordinance (IDO) Subsection 14-16-6-7(D)(3)(a), the Planning Department will be submitting the annual update to the Environmental Planning Commission (EPC) for review and recommendation to the City Council at a hearing in December 2022. This emailed letter fulfills the notice requirement in Table 6-1-1 for the Amendment to IDO Text – Citywide and as specified in IDO Subsection 14-16-6-4(K)(5).

Participation Details

To see the full list of proposed amendments and review presentations and videos from public review meetings in September and October, please visit the project webpage:

<https://abc-zone.com/ido-annual-update-2022>

To learn more about the proposed amendments, join us at one of the following events:

Annual Update Open House: **Friday, November 18, 2022, 12:00 pm – 1:30 pm** on Zoom

Zoom link: <https://cabq.zoom.us/j/91371262282>

To dial in by phone: (346) 248-7799, Meeting ID: 913 7126 2282, Passcode: CABQ

Environmental Planning Commission Study Session: **Thursday, December 1, 2021, 8:30 am**

Zoom:

Zoom link: <https://cabq.zoom.us/j/2269592859>

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

Come and listen or give **verbal comments** at the first **Environmental Planning Commission hearing**:

Thursday December 8, 2022, 8:30 am

Zoom:

Zoom link: <https://cabq.zoom.us/j/2269592859>

To dial in by phone: (346) 248-7799, Meeting ID: 226 959 2859

Send **written comments for the record** to the Environmental Planning Commission:

email: Chair Timothy MacEachen
c/o Planning Department
abctoz@cabq.gov

regular mail: Chair Timothy MacEachen
c/o Planning Department
600 Second Street NW, Third Floor
Albuquerque NM 87102

Deadlines:

- To be included in the staff report for EPC consideration, send comments by **9 am on Monday, November 28th**.
- To be included in the packet for EPC consideration, send comments by **9 am on Tuesday, December 6th**.

Purpose

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

In order for the City’s land use, zoning, and development regulations to stay up-to-date, the IDO built in an annual update process into the regulatory framework. This process was established to provide a regular cycle for discussion among residents, City staff, and decision-makers to consider any needed changes that were identified over the course of the year. For the 2022 annual update, staff collected approximately 35 amendments to improve the clarity and implementation of the adopted regulations. These clarifications and adjustments were gathered from staff, the public, the Administration, and Councilors and are compiled into a table of “Proposed Citywide Amendments.” Each proposed change provides the page and section of the adopted IDO that would be modified, the text that is proposed to change, an explanation of the purpose or intent of the change, and the source of the requested change. This document is the main body of the application for Amendments to IDO Text - Citywide.

You can review and/or download the Proposed Amendments and review process online here:

<https://abc-zone.com/ido-annual-update-2022>

Justification

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

These proposed Text Amendments to the IDO are also consistent with Comprehensive Plan policies that direct the City to adopt and maintain an effective regulatory system for land use, zoning, and development review. The City Council Amendments, in particular, are consistent with adopted policies to protect and enhance the quality of the City's unique neighborhoods and commercial districts. These amendments further the following applicable goals and policies of the ABC Comprehensive Plan and protect the public health, safety, and welfare.

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

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

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

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

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

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

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

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

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

The project team would like to thank those of you who have been involved so far and encourage everyone to participate in the Annual Update process to help improve the IDO and ensure that it provides appropriate regulations to protect our community.

Please contact the ABC-Z team if you have any questions:

Michael Vos, IDO Team Lead
505.924.3825
abctoz@cabq.gov

Sincerely,



Mikaela Renz-Whitmore
Division Manager, Urban Design & Development
Planning Department, City of Albuquerque

Cc List of Neighborhood Associations

ABQ Park NA	District 4 Coalition of	Knapp Heights NA
ABQCore Neighborhood	Neighborhood Associations	La Luz Del Sol NA
Association	District 6 Coalition of	La Luz Landowners
Academy Estates East NA	Neighborhood Associations	Association
Academy Hills Park NA	District 7 Coalition of	La Mesa Community
Academy North NA	Neighborhood Associations	Improvement Association
Academy Park HOA	District 8 Coalition of	La Sala Grande NA
Academy Ridge East NA	Neighborhood Associations	Incorporated
Alameda North Valley	Downtown Neighborhoods	Ladera West NA
Association	Association	Las Lomas NA
Alamosa NA	East Gateway Coalition	Las Terrazas NA
Albuquerque Meadows	Eastrange Piedra Vista NA	Laurelwood NA
Residents Association	Eastridge NA	Lee Acres NA
Altura Addition NA	EDo NA Incorporated	Loma Del Rey NA
Altura Park NA	El Camino Real NA	Los Alamos Addition NA
Alvarado Gardens NA	Elder Homestead NA	Los Altos Civic Association
Alvarado Park NA	Embudo Canyon NA	Los Duranes NA
Anderson Hills NA	Enchanted Park NA	Los Griegos NA
Antelope Run NA	Fair West NA	Los Poblanos NA
Arroyo Del Oso North NA	Four Hills Village	Los Volcanes NA
Avalon NA	Association	Mark Twain NA
Barelas NA	Gavilan Addition NA	McDuffie Twin Parks NA
Bear Canyon NA	Glenwood Hills NA	McKinley NA
BelAir NA	Greater Gardner &	Mesa Del Sol NA
Campus NA	Monkbridge NA	Mile Hi NA
Cherry Hills Civic	Heritage East Association of	Molten Rock NA
Association	Residents	Monte Largo Hills NA
Cibola Loop NA	Heritage Hills NA	Monterey Manor NA
Cibola NA	Highland Business and NA	Mossman NA
Cielito Lindo NA	Incorporated	Mossman South NA
Citizens Information	Highlands North NA	Near North Valley NA
Committee of	Hodgin NA	Netherwood Park NA
Martineztown	Hoffmantown NA	Nob Hill NA
Classic Uptown NA	Huning Castle NA	Nor Este NA
Clayton Heights Lomas del	Huning Highland Historic	North Albuquerque Acres
Cielo NA	District Association	Community Association
Comanche Foothills NA	Indian Moon NA	North Campus NA
Countrywood Area NA	Inez NA	North Domingo Baca NA
Crestview Bluff Neighbors	Jerry Cline Park NA	North Eastern Association
Association	John B Robert NA	of Residents
Del Norte NA	Juan Tabo Hills NA	North Valley Coalition
Del Webb Mirehaven NA	Kirtland Community	North Wyoming NA
	Association	Onate NA

Oso Grande NA	Stronghurst Improvement
Palomas Park NA	Association Incorporated
Paradise Hills Civic	Summit Park NA
Association	Supper Rock NA
Parkland Hills NA	Sycamore NA
Parkway NA	Taylor Ranch NA
Pat Hurley NA	The Courtyards NA
Peppertree Royal Oak	The Paloma Del Sol NA
Residents Association	The Quail Springs NA
Piedras Marcadas NA	Thomas Village NA
Pueblo Alto NA	Tres Volcanes NA
Quaker Heights NA	Trumbull Village Association
Quigley Park NA	Tuscany NA
Quintessence NA	University Heights NA
Rancho Sereno NA	Valle Prado NA
Raynolds Addition NA	Valley Gardens NA
Rio Grande Boulevard NA	Vecinos Del Bosque NA
Riverview Heights NA	Victory Hills NA
Route 66 West NA	Vineyard Estates NA
San Jose NA	Vista Del Mundo NA
Sandia High School Area NA	Vista Del Norte Alliance
Sandia Vista NA	Vista Grande NA
Santa Barbara	Vista Magnifica Association
Martineztown NA	Wells Park NA
Santa Fe Village NA	West La Cueva NA
Sawmill Area NA	West Mesa NA
Siesta Hills NA	West Old Town NA
Silver Hill NA	West Park NA
Singing Arrow NA	Westgate Heights NA
Snow Heights NA	Westside Coalition of
South Broadway NA	Neighborhood Associations
South Guadalupe Trail NA	Wildflower Area NA
South Los Altos NA	Willow Wood NA
South San Pedro NA	Winrock South NA
South Valley Coalition of	Yale Village NA
Neighborhood Associations	
South West Alliance of	
Neighborhoods (SWAN	
Coalition)	
Southeast Heights NA	
Spruce Park NA	
SR Marmon NA	
Stardust Skies North NA	
Stardust Skies Park NA	
Stinson Tower NA	

Renz-Whitmore, Mikaela J.

From: Renz-Whitmore, Mikaela J. on behalf of City of Albuquerque Planning Department
Sent: Wednesday, October 26, 2022 5:01 PM
To: City of Albuquerque Planning Department
Cc: Vos, Michael J.
Subject: IDO Annual Update 2022 - Public Notice - Emailed - Citywide Text Amendments
Attachments: 5a-CABQ-Official_public_notice_form-2019-EmailMail-IDOannualupdate2022-CHECKLIST.pdf; 5b-Emailed-Mailed-Notice-PolicyDecisions-Print&Fill-IDO-Annual_update-Citywide.pdf; 5c-IDONEighborhoodNotificationLetter-2022-citywide-cclist.pdf

Please see attached materials providing notice that the City of Albuquerque will be submitting an application on October 27, 2022 to amend the Integrated Development Ordinance (IDO) for the 2022 IDO Annual Update.

More details about the update, including the list of proposed changes, comment deadlines, and hearing information, are available here:

<https://abc-zone.com/ido-annual-update-2022>

Best,



LONG RANGE

o 505.924.3930
e abcto@cabq.gov

Mailed Notice - Neighborhood Association Representatives without Email Addresses

Association Name	First Name	Last Name	Address Line 1	Zip
Crestview Bluff Neighbors Association	Stephanie	Gilbert	908 Alta Vista Court SW	87105
Hoffmantown NA	Pamela	Pettit	2710 Los Arboles Place NE	87112
Monte Largo Hills NA	Tom	Burkhalter	13104 Summer Place NE	87112
Paradise Hills Civic Association	Tom	Anderson	10013 Plunkett Drive NW	87114
Valley Gardens NA	Robert	Price	2700 Desert Garden Lane SW	87105
Winrock South NA	John and Virginia	Kinney	7110 Constitution Avenue NE	87110

Neighborhood Association Representatives with Email Bounces

Association Name	First Name	Last Name	Email	Address Line 1	Zip
Academy Park HOA	William	Pratt	prattsalwm@yahoo.com	6753 Kelly Ann Road NE	87109
Altura Park NA	Neal	Spero	nspero@phs.org	4205 Hannett NE	87110
Avalon NA	Joseph	Damon	avalonnw@comcast.net	9205 Harbor Road NW	87121
Barelas NA	Courtney	Bell	liberty.c.bell@icloud.com	500 2nd Street SW	#9 87102
Bear Canyon NA	Brian	Stone	bstone@yahoo.com	5800 La Madera NE	87109
Citizens Information Committee of Martineztown	Kristi	Houde	kris042898@icloud.com	617 Edith Boulevard NE	#8 87102
La Sala Grande NA Incorporated	Shasta	Leonard	shasta.leonard@gmail.com	3309 La Sala del Este NE	87111
Los Griegos NA	Susan	Carter	susanleecarter@me.com	4519 Compound North Ct. NW	87107
Los Poblanos NA	Don	Newman	don.newman@mac.com	5723 Guadalupe Trail NW	87107
Nob Hill NA	Gary	Eyster	meyster1@me.com	316 Amherst Drive NE	87106
Stardust Skies North NA	Tillery	Dingler	tillery3@icloud.com	7727 Hermanson Place NE	87110
Tuscany NA	Janelle	Johnson	vistadelnorte@me.com	PO Box 6270	87197
Vista Del Mundo NA	Dennis	Roach	dproach@sandia.gov	13812 Spirit Trail NE	87112
West Park NA	Lea	Pino	lea@thecasapino.com	2203 New York Avenue SW	87104



OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT



PART I - PROCESS
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:
Application Type: Amendment to IDO Text - Citywide
Decision-making Body: City Council
Pre-Application meeting required: [] Yes [X] No
Neighborhood meeting required: [] Yes [X] No
Mailed Notice required: [X] Yes [] No
Electronic Mail required: [X] Yes [] No
Is this a Site Plan Application: [] Yes [X] No Note: if yes, see second page
PART II - DETAILS OF REQUEST
Address of property listed in application: City of Albuquerque - all properties
Name of property owner: All
Name of applicant: City of Albuquerque - Planning Department
Date, time, and place of public meeting or hearing, if applicable:
December 8, 2022, 8:30 am, Zoom: https://cabq.zoom.us/j/2269592859 / (346) 248-7799, Meeting ID: 226 959 2859
Address, phone number, or website for additional information:
https://abc-zone.com/ido-annual-update-2022
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE
[] Zone Atlas page indicating subject property.
[] Drawings, elevations, or other illustrations of this request.
[] Summary of pre-submittal neighborhood meeting, if applicable.
[X] Summary of request, including explanations of deviations, variances, or waivers.
IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO
SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO).
PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON
APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

(Applicant signature) 10/26/2022 (Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.

**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

Provide a site plan that shows, at a minimum, the following:

- a. Location of proposed buildings and landscape areas.
- b. Access and circulation for vehicles and pedestrians.
- c. Maximum height of any proposed structures, with building elevations.
- d. For residential development: Maximum number of proposed dwelling units.
- e. For non-residential development:
 - Total gross floor area of proposed project.
 - Gross floor area for each proposed use.

[Note: Items with an asterisk (*) are required.]

Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed/Emailed to a Neighborhood Association

Date of Notice*: October 26, 2022

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: All - See attachment

Name of NA Representative*: All - See attachment

Email Address* or Mailing Address* of NA Representative¹: All - See attachment

Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* City of Albuquerque - all properties
Location Description All properties within City of Albuquerque boundary
2. Property Owner* Multiple
3. Agent/Applicant* [if applicable] City of Albuquerque - Planning Department
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]

- Zoning Map Amendment
- Other: Amendment to IDO Text - Citywide

Summary of project/request²:
Amendments proposed for the 2022 annual update of the Integrated Development Ordinance affecting all properties to be decided legislatively.

5. This application will be decided at a public hearing by*:

- Environmental Planning Commission (EPC)
- City Council

This application will be first reviewed and recommended by:

- Environmental Planning Commission (EPC)
- Landmarks Commission (LC)
- Not applicable (Zoning Map Amendment – EPC only)

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: Thursday, December 8, 8:30 a.m.

Location*³: Zoom: https://cabq.zoom.us/j/2269592859 / (346) 248-7799, Meeting ID: 226 959 2859

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

- 6. Where more information about the project can be found*⁴:
<https://abc-zone.com/ido-annual-update-2022>

Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

- 1. Zone Atlas Page(s)*⁵ All - See <https://www.cabq.gov/planning/agis-maps>
- 2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: ~~Attached to notice or provided via website noted above~~ N/A
- 3. The following exceptions to IDO standards have been requested for this project*:

Deviation(s) Variance(s) Waiver(s)

Explanation*:

N/A

- 4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): Yes No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

N/A

Public meetings were held October 20 & 21 to review proposed changes

See video and presentation here: <https://abc-zone.com/ido-annual-update-2022#Meetings>

³ Physical address or Zoom link

⁴ Address (mailing or email), phone number, or website to be provided by the applicant

⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

Additional Information [Optional]:

From the IDO Zoning Map⁶:

- 1. Area of Property [typically in acres] City of Albuquerque boundaries
 - 2. IDO Zone District Multiple
 - 3. Overlay Zone(s) [if applicable] Application does not affect Overlay Zones
 - 4. Center or Corridor Area [if applicable] Multiple
- Current Land Use(s) [vacant, if none] Multiple
-

NOTE: For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: All - See attachment [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinurl.com/idozoningmap>

CITY OF ALBUQUERQUE

Academy Park HOA
William Pratt
6753 Kelly Ann Road NE
Albuquerque NM 87109

CITY OF ALBUQUERQUE

Citizens Information Committee of
Martineztown
Kristi Houde
617 Edith Boulevard NE
Albuquerque NM 87102

CITY OF ALBUQUERQUE

Stardust Skies North NA
Tillery Dingler
7727 Hermanson Place NE
Albuquerque NM 87110

CITY OF ALBUQUERQUE

Avalon NA
Joseph Damon
9205 Harbor Road NW
Albuquerque NM 87121

CITY OF ALBUQUERQUE

La Sala Grande NA Incorporated
Shasta Leonard
3309 La Sala del Este NE
Albuquerque NM 87111

CITY OF ALBUQUERQUE

Vista Del Mundo NA
Dennis Roach
13812 Spirit Trail NE
Albuquerque NM 87112

CITY OF ALBUQUERQUE

Altura Park NA
Neal Spero
4205 Hannett NE
Albuquerque NM 87110

CITY OF ALBUQUERQUE

Los Griegos NA
Susan Carter
4519 Compound North Ct. NW
Albuquerque NM 87107

CITY OF ALBUQUERQUE

West Park NA
Lea Pino
2203 New York Avenue SW
Albuquerque NM 87104

CITY OF ALBUQUERQUE

Barelas NA
Courtney Bell
500 2nd Street SW
Albuquerque NM 87102

CITY OF ALBUQUERQUE

Los Poblanos NA
Don Newman
5723 Guadalupe Trail NW
Albuquerque NM 87107

CITY OF ALBUQUERQUE

Tuscany NA
Janelle Johnson
PO Box 6270
Albuquerque NM 87197

CITY OF ALBUQUERQUE

Bear Canyon NA
Brian Stone
5806 La Madera NE
Albuquerque NM 87109

CITY OF ALBUQUERQUE

Nob Hill NA
Gary Eyster
316 Amherst Drive NE
Albuquerque NM 87106



CITY OF ALBUQUERQUE

Planning Department

Hoffmantown NA
Pamela Pettit
2710 Los Arboles Place NE
Albuquerque NM 87112



CITY OF ALBUQUERQUE

Planning Department

Valley Gardens NA
Robert Price
2700 Desert Garden Lane SW
Albuquerque NM 87105



CITY OF ALBUQUERQUE

Planning Department

Crestview Bluff Neighbors Association
Stephanie Gilbert
908 Alta Vista Court SW
Albuquerque NM 87105



CITY OF ALBUQUERQUE

Planning Department

Winrock South NA
John Kinney
7110 Constitution Avenue NE
Albuquerque NM 87110



CITY OF ALBUQUERQUE

Planning Department

Monte Largo Hills NA
Tom Burkhalter
13104 Summer Place NE
Albuquerque NM 87112



CITY OF ALBUQUERQUE

Winrock South NA
Virginia Kinney
7110 Constitution Avenue NE
Albuquerque NM 87110



CITY OF ALBUQUERQUE

Planning Department

Paradise Hills Civic Association
Tom Anderson
10013 Plunkett Drive NW
Albuquerque NM 87114



Mr. Shahab Biazar
City Engineer
Planning Department
City of Albuquerque
600 2nd St. NW
Albuquerque, NM 87102

RE: October 2022 EPC Submittal – Public Mailed Notice Certification
Amendment to Integrated Development Ordinance (IDO) Text – Citywide and Amendment to the
IDO Text – Small Area

Dear Mr. Biazar,

Please accept this letter as certification of Mailed Notice as required by the IDO.

I, Alfredo Salas, do hereby certify and attest that I delivered 19 letters to the City of Albuquerque's mail room for first class stamping and delivery to the U.S. Post Office on October 27, 2021.

- Of these, 6 letters were addressed to Neighborhood Association representatives without email addresses on file with the Office of Neighborhood Coordination for the city-wide request as required by IDO Subsection 14-16-6-4(K)(3)(b) and as shown on the attached exhibits.
- An additional 13 letters were addressed to Neighborhood Association representatives whose email addresses on file with the Office of Neighborhood Coordination bounced, so we are sending letters as a courtesy.

Sincerely,

Alfredo Ernesto Salas
EPC Hearing Monitor
Planning Department
600 2nd Street NW, Third Floor
Albuquerque NM 87102

* Received by *Laura D. English* Date 10-27-22

DFAS/Purchasing/Office Services (mail room)

PUBLIC COMMENTS- Pinned to Online Spreadsheet

<https://ido.abc-zone.com/ido-annual-update-2022-epc-submittal-citywide-proposed-changes>

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
1	35	2-4(E)(3)(c)	<p>Mobile Food Truck Court in MX-FB Add a new subsection with the following text: "Mobile food truck court."</p>	Adds mobile food truck court as an allowable outdoor use. Mobile food truck is already listed, but with 001 the mobile food truck court was added as a new use in 2020, staff missed adding it as an allowable use in MX-FB.	Staff
2	47	2-5(B)(3)	<p>NR-BP - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Master Development Plan Standards 1. Deviations from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by IDO Subsection 14-16-6-4(O). 2. Variances from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(O). 3. Waivers from Master Development Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(P).</p>	Establishes how to request a special exception from a Master Development Plan standard. 002 004	Staff
3	62	2-6(B)	<p>PC - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Framework Plan Standards 1. Deviations from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by IDO Subsection 14-16-6-4(O). 2. Variances from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(O). 3. Waivers from Framework Plan standards may be granted pursuant to the same thresholds and procedures as established by Table 6-1-1 and IDO Subsection 14-16-6-6(P).</p>	Establishes how to request a special exception from a Framework Plan standard. 003	Staff

#001

Posted by **Peggy Neff** on **11/23/2022** at **7:32am** [Comment ID: 246] - [Link](#)

Agree: 1, Disagree: 0

This amendment presents as a good example of a fundamental flaw in the broken IDO Annual Update process. This year, as we began discussions regarding amendments and pointed to this as a non-substantive change to our zone code, planners insisted that this too would be a substantive change. It was as if they had planned to have these discussions here at the beginning of the process to divert the issue that the Annual Update process needs a different approach for substantive changes to our zone code.

The public had highlighted this change as a substantive change in the 2020 amendments, but having had that pass (without our concerns and questions being addressed: our request for examples, risk analysis, beneficiary statements, impact summary and a salient digest of public comments) this then becomes an appropriate, non-substantive update. The planners, working without metrics to gauge whether or not an update amendment is textual/technical in nature versus an update being a substantive change to our zone code, continue to obfuscate the issues at hand.

In addition, the public made a suggestion to address this oversight by suggesting an improvement to the process. We proposed a complimentary amendment to the IDO sections where the Annual Update process is defined. It could read something like: when a substantive amendment is considered, the associated impact analysis will review the applicability of the change for each zone code.

But planners do not want to listen to public concerns.

#002

Posted by **Peggy Neff** on **11/23/2022** at **7:51am** [Comment ID: 247] - [Link](#)

Agree: 1, Disagree: 0

Again, at the public discussions, public questions were not responded to by the planners. With out our questions being considered, we cannot determine the nature of this change (if it is substantive or textual/technical in nature) to our zone code.

Last year, in the IDO Annual Update ordinance for 2020, it was legislated that each proposed amendment would be given an identifier/number and it's source captured. The numbering system was faulty at the onset of the 2021 process but has been modified to qualify. However the source information does not qualify here.

It is important that the source (and in this, the motivations) for amendments be full disclosed in order to understand the need for this change to our zone code.

It is not clear to the public what is driving this change. We asked for examples, impact, risk, beneficiaries but were denied. We still have questions on this amendment:

Does this reduce the ability for community members to be engaged in the discussions for deviations, variances, waivers? (this would be evidenced in a requisite impact statement)

Does this benefit developers over residents? (this would be evidenced in a requisite beneficiaries statement)

Are there current plans in process that need this change to move forward? (this would be evidenced in a requisite risk statement - to avoid the illegal process of using law changes to provide certain individuals with legislation to favor their developments, a process known as spot zoning)

Prior to this approval don't we need metrics for these Deviations, Variances and Waivers that provide for a full review of public health issues to to protect residents and sensitive lands from unintended consequences of this change? (this would be evidenced with a requisite set of examples and maps where this amendment would affect changes)

Sad.

#003

Posted by **Peggy Neff** on **11/23/2022** at **7:52am** [Comment ID: 248] - [Link](#)

Agree: 0, Disagree: 0

See comments to #3.

#004

Posted by **Rene' Horvath** on **11/26/2022** at **12:57am** [Comment ID: 278] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Amendments #2 and #3 need better explanation. It is unclear what is being proposed. Please explain the intent of the two proposed amendments: on how to request special exceptions to NR-BP Master Development Plan standards and PC Framework Plan standards. Development standards are important to the Community in order to maintain

quality development. Will these amendments strengthen or weaken development standards, or any negotiated site plan agreements?

#005

Posted by **Patricia Willson** on **11/24/2022** at **10:38am** [Comment ID: 277] - [Link](#)

Agree: 2, Disagree: 0

A general comment: I find it problematic that there is no way to make interactive, online comments for Case RZ-2022-00059 Text Amendments to IDO - Citywide (Housing Forward). These 6 major, substantive changes to the IDO should not be happening in the annual text amendment process. The blowback about Safe Outdoor Spaces will pale in comparison to the reaction to the changes in this case!

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
4	156	4-3(B)(6)(a)	Dwelling, Townhouse - Usable Open Space Revise text as follows: "For townhouse developments containing more than 6 dwelling units on a common lot, minimum usable open space shall be provided as follows:"	Extends usable open space requirements to townhouses with each dwelling unit on its own lot.	Staff
5	156	4-3(B)(6)(c)	Dwelling, Townhouse - UC-MS-PT exemption Revise text as follows: "Except in UC-MS-PT areas, For each townhouse dwelling shall not contain more than 3 dwelling units on properties with a on which the rear or side lot line that abuts an R-A or R-1 zone district or with a on which the rear lot line that is across an alley from an R-A or R-1 zone district, no townhouse dwelling may contain more than 3 dwelling units. "	Exempts UC-MS-PT areas from a regulation intended to limit the scale of townhouses on properties near an R-A or R-1 zone district. UC-MS-PT areas encourage higher-density development and a more urban character of development, which conflict with this regulation.	Council - Benton
6	158	4-3(B)(8)(e)	Dwelling, Multi-family - Kitchen Exemption for Affordable Housing Delete this subsection and renumber subsequent subsections as necessary.	Removes the use-specific standard for multi-family dwellings that allows for conversions of non-residential uses into multi-family residential uses provide a lesser kitchen when these conversions are associated with funding provided by the City's Family and Community Services Department in junction with an affordable housing project.	Council - Grout
7	168	4-3(D)(16)(b)	Car Wash Revise text as follows: "A car wash building and any associated outdoor activities, <u>including but not limited to vacuum stations, drying/polishing stations, and queuing lanes,</u> are prohibited within 50 feet in any direction of any Residential zone district or any lot containing a residential use in any Mixed-use zone district."	Clarifies what types of outdoor activity are precluded in the area less than 50 feet from residential areas.	Staff

#006

Posted by **Rene' Horvath** on **11/26/2022** at **4:46pm** [Comment ID: 283] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I agree with community comments in supporting this amendment to ensure affordable housing has full kitchen appliances to operate in order for the homeowner/tenant to provide cost effective meals for their families. Note: public testimony at City Council meetings from tenants who have lesser kitchens, have expressed that lesser kitchens are less cost effective in providing nutritious meals for their families, making affordable housing less affordable. Therefore I support this amendment to ensure we have full kitchens in affordable housing.

#007

Posted by **Peggy Neff** on **11/23/2022** at **8:40am** [Comment ID: 250] - [Link](#)

Agree: 1, Disagree: 0

While I fully support this change and applaud Councilor Grout for bringing back this issue, this is an example of how significantly broken the IDO Annual Update Process is broken (as is the circus of the SOS amendment from last year).

The negation of a full section within the IDO would qualify an amendment as substantive if the ICC's IDO Amendment Committee's 2020 suggested metrics were applied here. During the 2020 IDO Annual Amendment process, the ICC's IDO Amendment Committee suggested to the EPC that simple metrics could be used to determine if an amendment is textual/technical in nature or substantive. We had agreed that substantive zone code changes need more information, a wider notification process, and a better application of best practices to adequately address impact, beneficiaries, and risk. Without examples of substantive changes and a better understanding of public concerns we set the city up for a true abuse of power and a serious deviance of justice.

Zoning laws are to be stable, reliable - things that homeowners with \$20,000 down can depend on. They are not to be changed annually like this. With this IDO Annual Update Process flying through without public questions being fully addressed, without proper information for our commissioners to read and analyze, we are creating systems for Oligarchy to become entrenched and destroying established systems of Democracy that we fought to have in place.

#008

Posted by **Willa Pilar** on **11/21/2022** at **10:40am** [Comment ID: 222] - [Link](#)

Agree: 1, Disagree: 0

Where in the technical development review process is water use evaluated? Also, how are these standards interpreted and enforced?

#009

Posted by **Peggy Neff** on **11/23/2022** at **8:22am** [Comment ID: 249] - [Link](#)

Agree: 2, Disagree: 0

We need examples for this amendment.

We need an impact analysis for this change as we may need more notifications as we cannot determine if 20% of residents that will be impacted by this change have even been notified in order to make a written comment about this. (See NM State Statue 2021 New Mexico Statutes

Chapter 3 - Municipalities

Article 21 - Zoning Regulations

Section 3-21-6 - Zoning; mode of determining regulations, restrictions and boundaries of district; public hearing required; notice...C. If the owners of twenty percent or more of the area of the lots and [of] land included in the area proposed to be changed by a zoning regulation or within one hundred feet, excluding public right-of-way, of the area proposed to be changed by a zoning regulation, protest in writing the proposed change in the zoning regulation, the proposed change in zoning shall not become effective unless the change is approved by a majority vote of all the members of the governing body of the municipality or by a two-thirds vote of all the members of the board of county commissioners.)

While we have seen that IDO Annual Updates pass through EPC and City Council with majority votes and therein this passage is nullified. The true nature of the notification legislation is not being addressed.

We need numbers of those impacted and some way to confirm that those impacted are aware of this change: as per findings for notifications in state statutes in regard to

(see 2021 New Mexico Statutes

Chapter 3 - Municipalities

Article 21 - Zoning Regulations

Section 3-21-6 - Zoning; mode of determining regulations, restrictions and boundaries of district; public hearing required; notice, ANNOTATIONS IV

Notice: Purpose of section. — In New Mexico, substantial compliance with the statutory notice provisions would satisfy

the purpose of this section, but where substantial compliance with mandatory publication requirements is not met, the action of the zoning authority is invalid. *Nesbit v. City of Albuquerque*, 1977-NMSC-107, 91 N.M. 455, 575 P.2d 1340. The public believes that Due process is subverted by the current publication of these amendments without responses to our questions and that public bodies refusing to provide information on law changes is a breach of their responsibilities.

and

Notice: Determination of adequate notice. — In order to meet the statutory requirement of adequate notice, it must be determined whether notice, as published, fairly apprised the average citizen reading it with the general purpose of what was contemplated. If the notice is insufficient, ambiguous, misleading or unintelligible to the average citizen, it is inadequate to fulfill the statutory purpose of informing interested persons of the hearing so that they may attend and state their views. *Bogan v. Sandoval Cnty. Planning & Zoning Comm'n*, 1994-NMCA-157, 119 N.M. 334, 890 P.2d 395, cert. denied, 119 N.M. 168, 889 P.2d 203 (1995); *Nesbit v. City of Albuquerque*, 1977-NMSC-107, 91 N.M. 455, 575 P.2d 1340. The public believes that this standard has not been met since the inception of the IDO. (This would be evidenced in a requisite risk analysis for both textual/technical and substantive amendments since 2017).

For TLTRers: The IDO Annual Update process is negatively impacting property values for single family homes across the city and has significantly reduced the capacity for an individual to hold on to his/her property rights.

#010

Posted by **Peggy Neff** on **11/23/2022** at **9:28am** [Comment ID: 251] - [Link](#)

Agree: 2, Disagree: 0

Public questions regarding estimates of beneficiaries, impact summaries, examples, and risk were not addressed.

We also asked to have the site plan buffers extended for this use, but were denied the opportunity to have this amendment included in the packet to the EPC.

We asked if there were any current site plans in place for this change and were told no, but this would need to be in writing in order to have it apply in a court of law in a case regarding spot zoning. And, we were denied this.

There was additional dialog on this issue regarding how a hydrology analysis would be affected for each such site plan. Given that community concerns are no longer to be heard at a public hearing for such site plans, how is oversight for water use to be affected?

The public does not trust the Abq planning department, we have lost faith in the Abq City Administration. We do not believe that planning, nor the city admin, prioritizes residential rights over and above economic gains. This is something that R 1980-270 did to protect Albuquerque residents - simply stating that community concerns would be weighed prior to and above development plans, but residents lost that protection in the faulty translation process at the IDO's inception in 2017. Subsequent attempts to build residents' protection back into the IDO have basically been met with disdain by planning officials and staff and by City Councilors' empty rhetorical amendments to the IDO. For example the purpose to protect communities was added during the 2019 IDO Annual Amendment process by Councilor Bassan. This change was accompanied by the promise to create metrics that would provide guidance to planners in adhering to this protection. But the following year the person who was working in planning to help achieve this was transferred out of planning and long term planners then said the following year, that the department was no longer working on metrics such as these.

We need ways and means to protect our residents' investments in their property. But we do not have them. This benefits NAIOP and realtors as people move in and out at an astounding rate. This also benefits investment realty as more and more ownerships transfer over to absent landlords and rental opportunities. This data is somewhere, where is the leadership that needs to bring this to the surface. Oh wait, they moved out of town.

#011

Posted by **Julie Dreike** on **11/09/2022** at **1:10pm** [Comment ID: 209] - [Link](#)

Agree: 3, Disagree: 0

I support this amendment to delete the allowable substandard kitchens. Having apartments with only a microwave and small refrig is bad public policy. 1) Substandard kitchens do not support individuals and families making cost effective nutritious meals. With the high rate of diabetes and obesity in NM we cannot have a public policy that contributes to poor health. With a microwave only, meals would be primarily processed "boxed" meals high in sodium and fat. Regarding costs, with only a small refrig and limited freezer proceeded meals are more expensive. Additionally, little space for fresh fruits and veggies. Without the ability to cook a meal, there would be no left overs. The proposal for substandard kitchens is in conflict with programs the administration and others have for teaching nutrition and meal preparation aimed at those living in poverty. While I support the conversion of unused space to apartments for the housing needs, full kitchens need to be included for good public policy.

#012

Posted by **Patricia Willson** on **11/22/2022** at **10:22am** [Comment ID: 233] - [Link](#)

Agree: 1, Disagree: 0

This Amendment is in direct conflict with a change proposed in O-22-54. (As an aside, not having all the changes in the same place adds a level of frustration and aggravation to those who volunteer their time to review this!)

I do agree with this change; as providing healthy food with only a microwave and/or a hotplate is challenging in the least and dangerous at most. There are many hospitality industry "micro kitchens" that could fit the bill--however, it's always about the money.

#013

Posted by **Rene' Horvath** on **11/27/2022** at **1:52am** [Comment ID: 284] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I agree that distance is needed between the car wash building and adjacent residents due to noise and fumes. This has been a major concern expressed by residents at prior EPC meetings. Fifty feet is not enough distance. Has any research been done to determine the distance needed to address impacts related to noise and fumes? Google earth show distances between residents and car washes at over 100 ft. to 250 feet. The further away the better. I would recommend car wash buildings be at least 200 ft. away from residents. Place vacuum stations and drying/polishing stations on the opposite side of the building away from residents, which also helps to buffer the noise.

#014

Posted by **Patricia Willson** on **11/22/2022** at **10:17am** [Comment ID: 232] - [Link](#)

Agree: 1, Disagree: 0

Will 5-9 Neighborhood Edges still apply to increased density of townhomes adjacent to R-A or R-1 zones? (specifically 5-9(C)(2) Building Height Step-down in UC, MS and PT areas)

#015

Posted by **Patricia** on **11/21/2022** at **2:55pm** [Comment ID: 224] - [Link](#)

Agree: 3, Disagree: 0

There seems to be a huge increase in the number of automated car wash businesses popping up all over town. I am concerned about noise to adjacent properties, water usage, etc.

#016

Posted by **Deborah Conger** on **11/22/2022** at **2:03pm** [Comment ID: 235] - [Link](#)

Agree: 3, Disagree: 0

I support this and agree with the comments given by Patricia Willson and Julie Dreike. In order to break the cycle of poverty, people need full kitchens. Not having a full kitchen results in having to buy processed foods and not being able to prepare foods in bulk to freeze. In addition, hot plates are too common a cause of fires.

#017

Posted by **Debbie** on **11/21/2022** at **8:53pm** [Comment ID: 229] - [Link](#)

Agree: 0, Disagree: 0

I support Councilor Grout's amendment and fully agree with Julie Dreike's comments.

#018

Posted by **Patricia Willson** on **11/22/2022** at **10:24am** [Comment ID: 234] - [Link](#)

Agree: 1, Disagree: 0

Has there been any research on the seemingly recent increase in these car washes in Albuquerque? Was there an article in some Car Wash Trade Magazine portraying us as the low hanging fruit location for your next franchise???

#019

Posted by **Rene' Horvath** on **11/26/2022** at **3:48pm** [Comment ID: 282] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

This Amendment to increase Town house density along certain corridors needs more explanation, and discussion. There are certain areas that are labeled urban centers, main street, premium transit areas that may be more historical, rural, or near sensitive /natural/cultural areas, where increasing the density of townhomes may not be appropriate, as they might not fit with the scale and character of the surrounding area. This amendment should not be approved until appropriate locations along these corridors have been determined for town house density increases.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
8	175	4-3(D)(26)(a)	<p>Medical or Dental Clinic / Methadone Centers Revise text as follows: <u>Facilities that are considered methadone centers pursuant to Article 13-11 of ROA 1994 (Methadone Centers) Facilities that dispense methadone as a primary activity</u> are prohibited in the following locations:</p> <ol style="list-style-type: none"> 1. <u>On lots within</u> Within...330 feet in any direction of any other facility that dispenses methadone as a primary activity. 2. <u>On lots within</u> Within 330 feet in any direction of a lot containing a religious institution. 3. <u>On lots within</u> Within 500 feet in any direction of an R-1 zone district. 4. <u>On lots within</u> Within 500 feet in any direction of a lot containing an elementary, middle, or high school. 	Added reference to existing Methadone Centers Ordinance. Fixed distance separation measurement to be lot to lot for consistency with the IDO and to improve enforceability.	Staff
9	175	4-3(D)(26)(b)	<p>Medical or Dental Clinic / Syringe Exchange Facility Revise text in subsections 1-4 to begin with "On lots" to change the distance separation measurement to be lot to lot.</p>	Fixed distance separation measurement to be lot to lot for consistency with the IDO and to improve enforceability.	Staff
10	231	Table 5-1-4	<p>Encroachment Remove balcony from Architectural feature and make a new row for Balcony with text as follows: "May encroach any amount into a required front yard setback; encroachments into the public right-of-way require an approved revocable permit."</p>	Removes the allowance for balconies to encroach up to 2 ft. into a required side or rear yard setback, but not closer than 3 ft. from any lot line.	Public

025

#020

Posted by **Peggy Neff** on **11/23/2022** at **9:37am** [Comment ID: 253] - [Link](#)

Agree: 2, Disagree: 0

This amendment is in response to a suggestion by the public and I fully support it. As well, I support the additional restriction on bay windows. Yes, this would be a substantive issue using the ICC's suggested metrics, as it is a public health issue as the encroachment affects the fire corridor. Information on this would be beneficial and in fact, very telling, in that it is a huge taking of the IDO.

The EPC should ask a long range planner to calculate the actual taking that was done in 2018 when this was enacted. One would take all R-1 built out to 1 story add up the square footage for a second story on sides and back and subtract 30" for every foot and that is what we as residents lost to the IDO. Shame. How can any of the EPC commissioners or the City Councilors not see this apparent 'taking' by developers. (A requisite risk analysis would have shown this directly)

#021

Posted by **Peggy Neff** on **11/23/2022** at **9:29am** [Comment ID: 252] - [Link](#)

Agree: 1, Disagree: 0

A clear example of a necessary textual/technical update.

#022

Posted by **Patricia** on **11/21/2022** at **2:57pm** [Comment ID: 225] - [Link](#)

Agree: 0, Disagree: 0

also remove bay windows from the architectural features allowed to encroach; allowing a person on a balcony or sitting in a window 30 inches from your property line is a real invasion of privacy. If the architectural feature is that important, have it be at the 5' setback and move back from there!

Reply by **Patricia Willson** on **11/23/2022** at **12:19pm** [Comment ID: 270] - [Link](#)

Agree: 1, Disagree: 0

replying to earlier comments I made without my last name; so that they will be passed on to EPC

#023

Posted by **Rene' Horvath** on **11/26/2022** at **2:46pm** [Comment ID: 280] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Agree, there should be a distance requirement for Methadone clinics. I don't understand the reason to lump Medical and Dental clinics with the Methadone clinic requirements. Please explain. Also be aware, that drug dealers have targeted certain drug treatment clinics to do drug deals with clients that are going in and out of the clinic. What is being done to prevent this from happening?

#024

Posted by **Rene' Horvath** on **11/26/2022** at **3:13pm** [Comment ID: 281] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I support this amendment to keep balconies from encroaching into the required setback areas. I would also include bay windows in this requirement. This would help resolve privacy and encroachment issues with the adjacent neighbors.

#025

Posted by **Jim Griffee** on **11/22/2022** at **4:03pm** [Comment ID: 240] - [Link](#)

Agree: 2, Disagree: 0

I am aware the IDO and building code before it allowed shade structures to within 3' of a lot line but I was not aware until now that the IDO currently allows the same for a balcony. I'm shocked. I support this proposed amendment. In instances where a property owner believes the restriction is too severe, the owner can petition for variance after coordinating with the neighbor property owner(s). I'm not sure how the IDO would handle non-conformance of existing properties if this amendment were to be adopted.

#026

Posted by **Peggy Neff** on **11/23/2022** at **9:39am** [Comment ID: 254] - [Link](#)

Agree: 0, Disagree: 0

Need a definition of 'feature'.

#027

Posted by **Patricia Willson** on **10/28/2022** at **1:43pm** [Comment ID: 206] - [Link](#)

Type: Suggestion

Agree: 3, Disagree: 0

include "Bay Window" as an architectural feature that also should not encroach on 5' side yard setback.

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(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
11	233	5-2(C)	<p>Sensitive Lands / Mature Trees Revise text in Subsection 5-2(C)(2)(d) as follows: <u>Established tree</u> Large stands of mature trees Add a new subsection 5-2(C)(3) with text as follows and renumber subsequent subsections accordingly: <u>"Established trees shall be evaluated by the City Forester. Where maintaining a large mature tree is not desired by the City Forester, one of the following options may be substituted as approved by the City Forester to count as avoiding sensitive lands. Either option must be provided on the premises in addition to any landscaping required by IDO Subsection 14-16-5-6.</u> <u>a. A landscaped area equal to the area under the dripline shall be provided, with vegetative coverage that meets the requirement of IDO Subsection 14-16-5-6(C)(2)(c).</u> <u>b. Replacement trees shall be provided, whose total trunk diameters at the time of planting equal the diameter of the large mature tree."</u></p>	<p>Revised to shift from multiple trees to a large tree. Provides an alternative replacement for the tree if the City Forester determines the tree is not healthy, etc. See related proposal to change the definition of this type of Sensitive Land.</p>	Staff
12	250	5-3(E)(1)(d)4	<p>Pedestrian Access Revise text as follows: "Whenever cul-de-sacs are created, 1 20-foot wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or walkway, unless the City Engineer determines that public access in that location is not practicable due to site or topography constraints. <u>Walls or fences are not allowed within the easement.</u>"</p>	<p>Clarifies existing practice and ensures that pedestrian access is not impeded by a wall or fence.</p>	Staff
13	268	Table 5-5-1	<p>Off-street Parking - Parking Maximums Delete all parking maximum requirements associated with UC-MS-PT areas in Table 5-5-1.</p>	<p>Together with associated change for a new Subsection 14-16-5-5(C)(2), adds parking maximums for all uses in UC-MS-PT areas.</p>	Council - Benton
14	277	5-5(C)(6)(a)	<p>Electric Vehicle Charging Station Credit Revise text as follows: "Each off-street electric vehicle charging station with a rating of 240 volts or higher <u>installed in an off-street parking space</u> shall count as 2 vehicle parking spaces toward the satisfaction of minimum off-street parking requirements."</p>	<p>Ties the parking credit to an installed Electric Vehicle (EV) charging station. See related proposed change to require EV-capable spaces in large townhouse developments in Subsection 5-5(C)(9).</p>	Staff

#028

Posted by **Jim Griffee** on **11/22/2022** at **3:01pm** [Comment ID: 239] - [Link](#)

Agree: 0, Disagree: 0

Making this additional encroachment permissive is not appropriate. I am sure there are instances where this additional encroachment would not compromise a neighbor's privacy or street-front appeal but in these instances a variance can be requested after coordinating with the neighbor/neighborhood.

#029

Posted by **Peggy Neff** on **11/23/2022** at **9:52am** [Comment ID: 257] - [Link](#)

Agree: 2, Disagree: 0

This appears to be associated with current discussion on townhouse developments along the west mesa and, in that, it has to be considered spot zoning change. This change needs to be in a publicly vetted, community engaged process of an approval of a single site plan. There after one could see a wider application of this issue brought to the public in a change to our zone code. Changing our zone code to facilitate a developer's needs is not best practice and sets the city up for risk and sets a bad precedent.

#030

Posted by **Peggy Neff** on **11/23/2022** at **9:48am** [Comment ID: 256] - [Link](#)

Agree: 0, Disagree: 0

Without a clear impact statement associated with this zone change, how can anyone approve it?

#031

Posted by **Peggy Neff** on **11/23/2022** at **9:46am** [Comment ID: 255] - [Link](#)

Agree: 2, Disagree: 0

We need examples of this. The intention was unclear. With clear written response to our questions we would be able to see how the IDO will protect areas that are currently zoned for parks when they are sold by the city. One can imagine that where an underlying zone might influence this removal of trees being replaced by bushes. This was discussed without written responses regarding the case at Coronado Park. (A requisite statement on possible unintended consequences would address this)

#032

Posted by **Jim Griffee** on **11/23/2022** at **6:38pm** [Comment ID: 276] - [Link](#)

Agree: 1, Disagree: 0

Off street parking is important. Charging stations are important. But don't trade off one for the other. Find a better way to incentivize installation of charging stations or maybe better yet, let market demand handle it.

#033

Posted by **Julie Dreike** on **11/09/2022** at **1:12pm** [Comment ID: 210] - [Link](#)

Agree: 1, Disagree: 0

Suggest adding a clarification where the trunk is measured

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
15	278	5-5(C)(7)	<p>Off-street Parking - Parking Maximums</p> <p>Make existing text Subsection (a) and add new subsections with text as follows:</p> <p>"(b) In UC-MS-PT areas the maximum number of off-street parking spaces provided shall be no more than 125% of the off-street parking spaces required, calculated after all applicable parking reductions have been applied.</p> <p>(c) In areas exempt from minimum required off-street parking spaces pursuant to Subsection 14-16-5-5(B)(2)(a), the maximum number of off-street parking spaces provided shall be zero."</p>	<p>Together with associated change with Table 5-5-1, adds parking maximums for all uses in UC-MS-PT areas. Prohibits surface parking for any use in Downtown Center, McClellan Park, and Old Town HPO-5.</p>	Council - Benton
16	279	5-5(C)(9)	<p>Electric Vehicle Parking</p> <p>Make existing text into a subsection (a) and revise text as follows:</p> <p>"When more than 200 off-street parking spaces are constructed, at least 5 2 percent of the vehicle parking spaces shall include electric vehicle charging stations installed with a rating of 240 volts or higher."</p>	<p>Increase the existing requirement for Electric Vehicle (EV) charging stations in large parking lots.</p>	Staff
17	279	5-5(C)(9)	<p>Electric Vehicle Parking</p> <p>Add a new subsection with text as follows:</p> <p>"All new townhouse dwellings containing more than 6 dwelling units shall provide all required off-street parking spaces as EV capable."</p>	<p>Adds a new requirement for Electric Vehicle (EV) charging stations in large townhouse developments. See related proposed change in Section 7-1 for a definition of EV capable in the Parking Definitions.</p>	Staff
18	279	5-5(C)(9)	<p>Electric Vehicle Parking</p> <p>Add a new subsection with text as follows:</p> <p>"All new multi-family residential development containing more than 100 dwelling units shall meet both of the following requirements.</p> <p>i. At least 5 percent of the required off-stree parking spaces shall have electric vehicle (EV) charging stations installed with a rating of 240 volts or higher.</p> <p>ii. At least 25 percent of the required off-street parking spaces shall be provided as EV capable."</p>	<p>Adds a new requirement for Electric Vehicle (EV) charging stations in large multi-family developments.</p>	Staff
19	290	Table 5-5-8	<p>Vehicle Stacking, Car Washes</p> <p>Revise existing "Car Wash" row to "Car Wash, Self-service"</p> <p>Add new row for "Car Wash, Conveyor-operated" with a general requirement of 12 stacking spaces and UC-MS requirement of 044 stacking spaces.</p>	<p>Ensures adequate stacking and vehicle queuing for larger, automatic conveyor-operated car washes, which the 042 has seen an increase in applications for.</p>	Staff

#034

Posted by **Peggy Neff** on **11/23/2022** at **10:04am** [Comment ID: 261] - [Link](#)

Agree: 2, Disagree: 0

Again, the public requests that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process.

Furthermore, it is the my understanding that the IDO Annual Update process does not meet the standards noted in NM State Statute for gauging successful achievement of notification as pertains to zone code changes to our city.

#035

Posted by **Rene' Horvath** on **11/26/2022** at **2:01am** [Comment ID: 279] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Please explain what the amendment wants to achieve, in regards to parking. There have been lots of conflicts associated with not having enough parking in many areas of town, such as Nob Hill, Downtown, University, and Old Town areas. More recently the Journal reported on Old Town businesses not having enough parking spaces for their businesses and their customers. Customers have said they will stop shopping in areas that do not provide enough parking. Please do not reduce parking at this time as it affects the quality of life in Albuquerque.

#036

Posted by **Peggy Neff** on **11/23/2022** at **10:01am** [Comment ID: 260] - [Link](#)

Agree: 2, Disagree: 0

This whole section is substantive and needs a wider discussion than 40 persons.

#037

Posted by **Peggy Neff** on **11/23/2022** at **9:55am** [Comment ID: 258] - [Link](#)

Agree: 2, Disagree: 0

I agree with the given statements and again suggest that zone code amendments include impact statements, beneficiary notes, risk analysis (where possible unintended consequences are addressed) and examples.

#038

Posted by **Peggy Neff** on **11/23/2022** at **10:00am** [Comment ID: 259] - [Link](#)

Agree: 2, Disagree: 0

Again, the public requests that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process.

#039

Posted by **Julie Dreike** on **11/09/2022** at **1:18pm** [Comment ID: 212] - [Link](#)

Agree: 3, Disagree: 0

With an increase in applications is the city reviewing water use and water conservation at these businesses?

#040

Posted by **Julie Dreike** on **11/09/2022** at **2:08pm** [Comment ID: 217] - [Link](#)

Agree: 2, Disagree: 0

I am interested in staff analysis of how this would affect costs of a townhouse in light of the housing shortage in the city. With projections of 30%-50% EVs by 2030 it would seem this should be a market driven option. Why the requirement for all when some cannot afford an EV, why would they be forced to pay for EV charging capability? Seems contrary to affordable housing needs.

#041

Posted by **Leslie Padilla** on **11/27/2022** at **9:21pm** [Comment ID: 289] - [Link](#)

Agree: 1, Disagree: 0

Has this proposal been vetted with experts? Most EV charging--to be efficient and done off-peak (not during busy times of the day for the electric system)--should be done overnight at home. While this proposal may seem virtuous, I'm not sure it's well thought out.

#042

Posted by **Deborah Conger** on **11/22/2022** at **2:07pm** [Comment ID: 236] - [Link](#)

Agree: 1, Disagree: 0

I agree with Julie Dreike's suggestion that this requirement for stacking be reviewed and analyzed for all drive up establishments. There are many examples of cars stacking on busy streets.

#043

Posted by **Carrie Barkhurst** on **11/21/2022** at **3:54pm** [Comment ID: 228] - [Link](#)

Agree: 1, Disagree: 0

The parking structure definition excludes underground parking, which is built at the same or higher expense than above ground structured parking. The parking maximum exemption should also apply to projects with underground parking, particularly in mixed use developments that may serve multiple destinations and uses. For the purposes of encouraging and supporting higher density development, underground parking is functionally the same as structured parking and as such, should be added to 5-5(C)(7)(a).

#044

Posted by **Julie Dreike** on **11/09/2022** at **1:17pm** [Comment ID: 211] - [Link](#)

Agree: 1, Disagree: 0

Suggest this requirement for stacking be reviewed and analysis for all drive up establishments. Many examples of cars stacking on busy streets.

#045

Posted by **Jim Griffie** on **11/11/2022** at **12:50pm** [Comment ID: 218] - [Link](#)

Agree: 1, Disagree: 0

A very indirect and obscure way to achieve the prohibitions stated in the Explanation column...if that is indeed the intent of this amendment. As such, it carries a risk of causing confusion that might result in it to be applied areas of town were it should not be.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
20	305	5-6(E)(2)(a)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General 050</p> <p>A landscaped edge buffer area at least 15 feet wide shall be provided on the subject property along the property line between the two properties.</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 048	Public
21	306	5-6(E)(3)(a)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General 052</p> <p>An edge buffer area at least 20 feet wide shall be provided on the subject property along the property line between the two properties.</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 047	Public
22	307	5-6(E)(4)(b)	<p>Edge Landscape Buffers - Width Requirements Revise text as follows: General 051</p> <p>A landscaped edge buffer area at least 25 feet wide shall be provided on the subject property along the property line between the two adjacent properties...</p>	Removes duplication of the width requirement from Table 5-6-4 and avoids a conflict with Table 5-6-5 based on the proposed amendment to buffers in Areas of Change next to Areas of Consistency. Keeps 15-foot buffer and related text for drainage facilities as an exception to the tables. See related row for proposed change to Subsection 5-6(E)(5). Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 046	Public
23	308	5-6(E)(5)	<p>Edge Landscape Buffers - Areas of Change and Consistency Revise text as follows: Where a lot <u>premises partially or completely</u> in an Area of Change is abutting or across an alley from a lot <u>premises wholly</u> in an Area of Consistency (per City Development Areas in the ABC Comp Plan, as amended), the following standards shall apply on the lot(s) <u>adjacent to the premises wholly</u> in the Area of Change <u>Consistency</u>, regardless of the proposed land use on that lot <u>or premises unless specified otherwise in this IDO.</u></p>	Applies buffer requirements to the whole premises so project sites with both Area of Change and Area of Consistency designations are not providing buffers internally, but rather to development on adjacent properties. Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 049	Public

#046

Posted by **Peggy Neff** on **11/23/2022** at **10:08am** [Comment ID: 264] - [Link](#)

Agree: 1, Disagree: 0

These amendments support developers over current residents and should be addressed individually to protect communities rights to participate in decisions that affect their own properties.

Again, the public requests that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process.

Furthermore, it is the my understanding that the IDO Annual Update process does not meet the standards noted in NM State Statute for gauging successful achievement of notification as pertains to zone code changes to our city.

Reply by **Patricia Willson** on **11/23/2022** at **12:37pm** [Comment ID: 271] - [Link](#)

Agree: 1, Disagree: 0

Amendment B10, passed last year, provided a watered down version of A20 (presented at the 2nd LUPZ hearing 3.30.22), which failed for lack of a second. Many of us have been asking for these protections for years!

#047

Posted by **Peggy Neff** on **11/23/2022** at **10:07am** [Comment ID: 263] - [Link](#)

Agree: 1, Disagree: 0

See comment in #20.

#048

Posted by **Peggy Neff** on **11/23/2022** at **10:06am** [Comment ID: 262] - [Link](#)

Agree: 1, Disagree: 0

The question about whether or not this would affect the approval of the site plan at Alameda and Louisiana has not been addressed in writing by the planning department. This another example of spot zoning where the applicant is in process and the planning department is changing laws in order to facility that particular plan. Shame.

#049

Posted by **Jim Griffee** on **11/22/2022** at **5:39pm** [Comment ID: 244] - [Link](#)

Agree: 1, Disagree: 0

Changing the regulated property from those in Areas of Change to those in Areas of Consistency is seems illogical. I would think it would be the properties in Areas of Change rather than those in Area of Consistency that would be more likely to be in development/redevelopment and therefore able to incorporate the buffers. I also get the impression that the mindset is that Areas of Change are more non-residential than Area of Consistency but is this necessarily the case given the new focus on housing including conversion of commercial space into residential.

#050

Posted by **Jim Griffee** on **11/22/2022** at **5:24pm** [Comment ID: 241] - [Link](#)

Agree: 1, Disagree: 0

Replace the deleted phrase with a reference to size requirement in Table 5-6-4.

#051

Posted by **Jim Griffee** on **11/22/2022** at **5:24pm** [Comment ID: 243] - [Link](#)

Agree: 1, Disagree: 0

Replace the deleted phrase with a reference to size requirement in Table 5-6-4.

#052

Posted by **Jim Griffee** on **11/22/2022** at **5:24pm** [Comment ID: 242] - [Link](#)

Agree: 0, Disagree: 0

Replace the deleted phrase with a reference to size requirement in Table 5-6-4.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
24	308	Table 5-6-5	Edge Landscape Buffers - Areas of Change and Consistency Revise and merge all three rows in the General Buffering column with one requirement for a "Landscaped buffer area ≥15 ft."	Applies a consistent buffer width for all Areas of Change next to Areas of Consistency. Larger Edge Buffer widths that apply based on development types elsewhere would prevail over this standard. Note that this change, and related changes, conflict with the proposed change by Councilor Jones. 059	Public
25	308	5-6(E)(5) / Table 5-6-5	Edge Landscape Buffers - Areas of Change and Consistency Delete this subsection and renumber subsequent subsections as necessary. Delete Table 5-6-5. 072	Removes this requirement as unnecessary and duplicative regulation. This section sets forth landscaping requirements based on if the subject lot is within an Area of Change and is located next to an Area of Consistency. However, table 5-6-4 already sets forth landscaping requirements but instead 058 s the requirement on development types. It is not necessary to regulate landscaping based on Areas of Change or Consistency when there are other provisions (Table 5-6-4) that adequately regulate landscaping requirements. Note that this change conflicts with proposed change from the public for the same subsection.	Council - Jones
26	320	5-7(D)(3)(a)	Walls & Fences - Front Yard Wall Create a new subsection 1, renumbering subsequent subsections accordingly, with text as follows: " <u>For low-density residential development, the maximum height for a wall in the front yard or street side yard is 5 feet if view fencing is used for portions of a wall above 3 feet and if the wall is set back at least 2 feet, except where a taller wall is prohibited pursuant to Subsection (3) below.</u> "	Allows 5 foot walls in front yard with view fencing for at least 2 feet at top and set b 064 feet. See related row for 071 proposed deletion of Permit - Wall or Fence - 056 in Table 6-1-1 at 067 subsection 14-16-6-6(H) . 063 070 066 068 061 057	053 054 in 055
27	321	Table 5-7-2	Options for a Taller Front or Side Yard Wall Revise the first row of text under View Fencing as follows: " <u>20 ft. from lot line abutting the street"</u>	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 2 feet from the property line. 069 065 060	Admin

#053

Posted by **Rene' Horvath** on **11/28/2022** at **3:04am** [Comment ID: 294] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Walls usually generate a lot of community interest as they represent the aesthetic character for the community. Most of Albuquerque does not have front yard walls, or has followed the 3 foot wall height requirement for a front yard wall.

Changing the rules would create a lot of resentment. There are areas of town where the taller walls with view fencing are more prevalent such as the Southwest area of town, where I used to live. Since this amendment could change the visual character of a community resulting in a lot of community resentment, if approved; I recommend not passing this amendment. Perhaps in the future, a solution could be reached through more community discussion to allow a simpler approval process for only certain small areas of town where tall view walls are already prevalent. But it should be carefully done so it would not affect areas of town that want to maintain the current rules.

#054

Posted by **Willa Pilar** on **11/21/2022** at **11:01am** [Comment ID: 223] - [Link](#)

Agree: 3, Disagree: 0

There seems to be no singularly-interpretable set of standards for erecting CMU walls or front yard fences. As a result, improperly built walls fail and this looks derelict. Aesthetic irregularities increase this neglected feel. For example, it's permissible for home owners to stucco/paint only one side of a CMU wall and leave the untreated side exposed to the neighborhood, this degrades neighborhood character. Also, the 3ft height restriction is for safety -- "eyes on the street" and this passive safety measure should remain the norm. Lastly, these height variances being decided administratively (by DHO rather than ZHE, perhaps?) communicates an unwillingness from Planning Dept to hear neighborhood voice.

#055

Posted by **Julie Dreike** on **11/23/2022** at **3:59pm** [Comment ID: 275] - [Link](#)

Agree: 0, Disagree: 0

In addition to my previous comments--Regarding the statement that higher fences are needed in the front yard for children and pets--a look at google earth will quickly identify that most of ABQ have back yards for children and pets to us safely.

#056

Posted by **James Montalbano** on **11/14/2022** at **1:52pm** [Comment ID: 220] - [Link](#)

Agree: 2, Disagree: 0

For reasons stated by others, I oppose raising the allowable height of a fence beyond 3 feet. Turning Abq into a gated community will not foster awareness among neighbors and won't solve any security problems. In fact, it will introduce security problems in cases where thieves get more places to hide. There is no reason to amend a rule that has existed for many many years.

#057

Posted by **Julie Dreike** on **11/09/2022** at **1:36pm** [Comment ID: 213] - [Link](#)

Agree: 3, Disagree: 0

I oppose the increase in the height of the fence in front and side street yard for the same reasons I opposed it on the update last year. 1) changes the character of a neighborhood. 2) Do not want us to become a city of fences. 3) Safety concerns related to line of site. This applies to crime and safety of pedestrians. A higher fence gives criminals space to hide behind. A high fence creates safety hazards for people walking by a fence and a car backing out of a driveway--rear view mirrors cannot see around the fence. Pedestrians walking on the sidewalks approaching corners with visibility blocked by the fence. I have heard those supporting the increase that a 3 ft fence does not keep children or dogs in. The city has existed for hundreds of years with no fences or 3 ft fences without a related crisis for children or dogs. There is a way for people to request a higher fence.

#058

Posted by **Peggy Neff** on **11/23/2022** at **10:11am** [Comment ID: 266] - [Link](#)

Agree: 1, Disagree: 0

Substantive changes should be dealt with differently than Textual/Technical changes. These are important issues affecting hundreds of thousands of individuals properties. Without a full analysis of who all is affected, you cannot determine if notice has been fully achieved and in that as EPC commissioners, you participate in the taking and put yourselves at risk.

#059

Posted by **Peggy Neff** on **11/23/2022** at **10:09am** [Comment ID: 265] - [Link](#)

Agree: 0, Disagree: 0

See above comments

#060

Posted by **Debbie** on **11/21/2022** at **9:05pm** [Comment ID: 231] - [Link](#)

Agree: 1, Disagree: 0

I agree with Patricia's comment regarding the amendment to Table 5-7-2.

#061

Posted by **Peggy Neff** on **11/23/2022** at **10:11am** [Comment ID: 267] - [Link](#)

Agree: 2, Disagree: 0

Again, the public requests that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process.

Furthermore, it is the my understanding that the IDO Annual Update process does not meet the standards noted in NM State Statute for gauging successful achievement of notification as pertains to zone code changes to our city.

#062

Posted by **Michael Brasher** on **11/27/2022** at **6:15pm** [Comment ID: 285] - [Link](#)

Agree: 0, Disagree: 0

I agree with the comments of JA Montalbano and others opposing the increase in fence height. There is a real safety concern about children who may not be seen as a driver backs out without a clear view.

#063

Posted by **Jasper Hardesty** on **11/02/2022** at **9:18pm** [Comment ID: 207] - [Link](#)

Type: Suggestion

Agree: 3, Disagree: 0

Why does this bad idea to raise allowable front wall heights keep coming up? Anyone who has looked at data and studied site design, safety, and security knows that the taller the wall, the less safe and secure is the site. For example, the GSA guidelines for site security note that landscape features (walls, fences, vegetation) "offer attractive hiding places and limit visibility. Such [landscaping] can also hinder first responders from accessing the building and

site quickly in the event of an emergency." (https://www.wbdg.org/FFC/GSA/site_security_dg.pdf). Good safety and security site design requires good visibility to help detect and deter intruders. Not only does good visibility provide better security for the resident of a property, but it also allows them to see suspicious activity at their neighbors' properties.

This is especially true for residential districts, where taller walls impede site lines to neighbors, pedestrians and motorists while also detracting from a neighborhood's character, commerce, and vitality.

For example, a family that I performed landscaping services for in Albuquerque had me tear out a large hedge of pyracantha after they had been robbed twice in one year. Their neighbors told them that they were home during both robberies but could not see any activity at their property due to the height of the vegetative wall that prevented visibility. It was obvious from the manner of theft that the robbers used the hedge to conceal their actions during both thefts. After removing the tall hedge, all neighbors were better able to surveil each others houses and there were no further robberies.

I strongly oppose this proposed change that would compromise the character, safety, and security of our neighborhood. I reside in the Southeast Heights Neighborhood.

Reply by **Patricia Willson** on **11/23/2022** at **12:45pm** [Comment ID: 273] - [Link](#)

Agree: 0, Disagree: 0

excellent comment--I hope the EPC listens...

#064

Posted by **Leslie Padilla** on **11/27/2022** at **9:25pm** [Comment ID: 290] - [Link](#)

Agree: 0, Disagree: 0

I strongly oppose any IDO changes that would make it permissive to build higher walls in front or side yards. Our neighborhoods in the southeast are walkable, friendly, and safe precisely due to the LACK of high walls. Fortresses should not be the default in many neighborhoods. For all the reasons that others articulate better than I can, please do not change this section of the IDO.

#065

Posted by **Michael Brasher** on **11/27/2022** at **6:26pm** [Comment ID: 286] - [Link](#)

Agree: 0, Disagree: 0

I agree with the comments from Patty Willson and Debbie Conger

#066

Posted by **Andrew Schuler** on **10/27/2022** at **2:31pm** [Comment ID: 203] - [Link](#)

Agree: 5, Disagree: 0

I strongly oppose any modifications to increase wall height limits in front yards. In addition to increasing places for criminals to hide, tall walls destroy our neighborhoods and our feeling of community. I am a resident in the SE Heights Neighborhood.

#067

Posted by **Deborah Conger** on **11/22/2022** at **2:22pm** [Comment ID: 237] - [Link](#)

Agree: 2, Disagree: 0

I am opposed to this amendment to 5-7(D)(3)(a) for the reasons stated by the others who have made comments. Walls or fences higher than 3 feet should not be allowed as Permissive. Many fences or walls that are on paper transparent are not because of the angle of the wrought iron and/or the block pillars. There are already many instances of walls and fences in my neighborhood that violate the clear-sight triangles at intersections and that violate mini clear-sight triangles at driveways. Also, walls and fences right up against the sidewalks make it uncomfortable for people to walk when the sidewalks are narrow. Allowing this proposed change will not make Albuquerque more walkable. It will destroy aesthetics and give thieves more places to hide. We need "eyes on the street". It is my understanding that Mayor Keller requested this in part because of the many requests for variances that go before the ZHE. Rather than changing the ordinance, it would be far better for the City to educate the citizens of Albuquerque on not just the ordinance, but on the reasons that 3 foot height should be the maximum in most cases. Many of the requests that go before the ZHE are because people build walls or fences not knowing the ordinance is in place. They think this because of all the out-of-compliance ones that are in place.

Reply by **Deborah Conger** on **11/27/2022** at **7:42pm** [Comment ID: 288] - [Link](#)

Agree: 0, Disagree: 0

Looking at the amendment again, I realize my comment about walls and fences right up against the sidewalk may not be applicable if this means 2 feet set back from the sidewalk (if there is one), not the curb. However, I am still opposed to this amendment for all the reasons I've already stated and that others have stated.

#068

Posted by **Leslie Padilla** on **11/27/2022** at **11:48pm** [Comment ID: 293] - [Link](#)

Agree: 0, Disagree: 0

Could it please be clarified who proposed this amendment? The document says only "admin."

#069

Posted by **Patricia** on **11/21/2022** at **3:04pm** [Comment ID: 227] - [Link](#)

Agree: 1, Disagree: 0

Applicants should be REQUIRED to know where their property line is, as opposed to "it's a good idea to know where your property line is" . I have seen variance requests because a designer drew the property line at the face of the curb--three entities at fault here: the property owner for not providing correct information; the designer for not doing their due diligence; the plan reviewer for not catching this IMMEDIATELY.

#070

Posted by **Patricia** on **11/21/2022** at **3:01pm** [Comment ID: 226] - [Link](#)

Agree: 1, Disagree: 0

Please provide data on how many variance requests there are for higher than 3 ft walls in the front yard setback. If the staff is so burdened by this, there needs to be more staff. A higher wall does NOT deter crime, and I don't buy the dog & toddler argument.

Reply by **Patricia Willson** on **11/23/2022** at **12:44pm** [Comment ID: 272] - [Link](#)

Agree: 0, Disagree: 0

I am replying to my own comment because I did not have my last name in the first one--and want to make sure this comment is transmitted to EPC.

#071

Posted by **Debbie** on **11/21/2022** at **9:03pm** [Comment ID: 230] - [Link](#)

Agree: 2, Disagree: 0

I am opposed to this amendment to 5-7(D)(3)(a). Walls or fences higher than 3 feet should not be allowed as Permissive. Even "transparent" is not transparent if over 3 feet because of the needed closeness of iron fencing to prevent children's heads getting caught and also because of the block pillars. There are already many instances of walls and fences in my neighborhood that violate the clear-sight triangles at intersections and that violate mini clear-sight triangles at driveways. In addition, walls and fences right up against the sidewalks make it uncomfortable for people to walk when the sidewalks are narrow.

Reply by **Deborah Conger** on **11/27/2022** at **7:38pm** [Comment ID: 287] - [Link](#)

Agree: 0, Disagree: 0

I am replying so that I can add my last name so that my comment is on record. Also, I see now that there is a provision that the wall need to be set back two feet, so I realize my comment about walls right up against the sidewalk is not applicable to this amendment. I also want to point out though that as written this seems to allow 5 foot chainlink fences in front yards. This will make our neighborhoods look like prison yards. Please do not allow this.

#072

Posted by **Jim Griffie** on **11/22/2022** at **6:13pm** [Comment ID: 245] - [Link](#)

Agree: 1, Disagree: 0

It appears to me that Item 23+24 and item 25 have comparable stated goals which is to remove redundancy, but there is a subtle difference. Where 23+24 would make the properties in Areas of Consistency the regulated properties, by deleting all of section 5-6(E)5 as proposed by item 25 the distinction between Areas of Change and Areas of Consistency are lost making the regulated property the one that is more commercial and/or higher residential density no matter which side of the boundary it is on. Granted, in most cases that would be the property within the Area of Change. But again, I raise the same point I made in item 23 and that is which properties are more likely to be in development/re-development and in a better position to incorporate the buffers, those in the Areas of Change or those in the Areas of Consistency?

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
28	322	5-7(D)(3)(b)	<p>Walls & Fences, Multi-family Development in R-ML or R-MH Zone Districts Revise text as follows: "For multi-family residential development in R-ML or R-MH zone districts, the maximum height <u>of walls in any front or street side yard</u> is 6 feet if view fencing is used for portions of a wall above 3 feet."</p>	Requires Permit - Wall or Fence - Major for 5-ft. walls less than 2 feet from the property line. 075 079 077 073	Staff
29	377	5-13(A)(4)	<p>Hazardous Materials Revise text as follows: "All uses and activities shall comply with all State <u>and federal</u> statutes and regulations..."</p>	Clarifies that compliance with federal standards must also be maintained. Also generally covered by Subsection 14-16-1-7(A)(3), 14-16-1-7(B), and 14-16-4-1(F). 080 076 078	Staff
30	396	6-3(E)	<p>Community Planning Area Assessments In Subsection (1), replace "at least once every 5 years" with "on an ongoing cycle." In Subsection (6), delete "At least every 5 years." 081</p>	Removes language that conflicts with City Council's Resolution R-22-42, which sets the cycle of assessments. 074	Staff
31	407 D	6-4(K)(3)(c)	<p>Mailed Notice to Property Owners Revise text as follows: "<u>Where Table 6-1-1 requires mailed notice for For</u> Administrative Decisions, Decisions Requiring a Public Hearing, Amendments to Zoning Map, Adoption or Amendment of Historic Designation, or Annexation of Land as shown in Table 6-1-1, the applicant shall mail a notice to all of the following:</p>	Makes text consistent with Subsection 6-4(K)(3)(b) and 6-4(K)(4), 6-4(K)(5), and 6-4(K)(6).	Staff
32	408 D	6-4(K)(3)(d)	<p>Mailed Notice to Property Owners Revise text as follows: "<u>Where Table 6-1-1 requires mailed notice for For</u> an application for an Amendment to IDO Text – Small Area as shown in Table 6-1-1, the applicant shall mail a notice to all of the following, in addition to Neighborhood Associations pursuant to Subsection 6-4(K)(3)(b)3:</p>	Makes text consistent with Subsection 6-4(K)(3)(b) and 6-4(K)(4), 6-4(K)(5), and 6-4(K)(6).	Staff

#073

Posted by **Andrew Schuler** on **10/27/2022** at **2:32pm** [Comment ID: 204] - [Link](#)

Agree: 3, Disagree: 0

I strongly oppose any modifications to increase wall height limits in front yards. In addition to increasing places for criminals to hide, tall walls destroy our neighborhoods and our feeling of community. I am a resident in the SE Heights Neighborhood.

#074

Posted by **Peggy Neff** on **11/23/2022** at **10:18am** [Comment ID: 269] - [Link](#)

Agree: 2, Disagree: 0

I just want to say shame on you all for really solidifying that community inputs and discussions are not necessary.

When Community Planning Area Assessments were first discussed (you can go back to the recordings and the questions that were posed to planners where written responses to questions were not required), city wide amendments would be discussed at CPA's giving the opportunity for substantive amendments to be fully vetted and for council representation to it's CPA to be clear.

Continuing down this way is not fortifying democratic processes it is removing the public further from the goals of public engagement.

#075

Posted by **James Montalbano** on **11/14/2022** at **1:53pm** [Comment ID: 221] - [Link](#)

Agree: 3, Disagree: 0

For reasons stated by others, I oppose raising the allowable height of a fence beyond 3 feet. Turning Abq into a gated community will not foster awareness among neighbors and won't solve any security problems. In fact, it will introduce security problems in cases where thieves get more places to hide. There is no reason to amend a rule that has existed for many many years.

#076

Posted by **Deborah Conger** on **11/22/2022** at **2:24pm** [Comment ID: 238] - [Link](#)

Agree: 0, Disagree: 0

I agree with this.

#077

Posted by **Julie Dreike** on **11/09/2022** at **1:38pm** [Comment ID: 214] - [Link](#)

Agree: 1, Disagree: 0

I oppose the increase in the height of the fence in front and side street yard for the same reasons I opposed it on the update last year. 1) changes the character of a neighborhood. 2) Do not want us to become a city of fences. 3) Safety concerns related to line of site. This applies to crime and safety of pedestrians. A higher fence gives criminals space to hide behind. A high fence creates safety hazards for people walking by a fence and a car backing out of a driveway--rear view mirrors cannot see around the fence. Pedestrians walking on the sidewalks approaching corners with visibility blocked by the fence. I have heard those supporting the increase that a 3 ft fence does not keep children or dogs in. The city has existed for hundreds of years with no fences or 3 ft fences without a related crisis for children or dogs. There is a way for people to request a higher fence.

#078

Posted by **Peggy Neff** on **11/23/2022** at **10:14am** [Comment ID: 268] - [Link](#)

Agree: 1, Disagree: 0

The task of aligning the IDO with State and National standards should be a priority of long term planning staff. It is a substantive task and should be done as a separate task and not part of an IDO Annual Update to textual and technical changes.

#079

Posted by **Berthold E. Umland** on **10/27/2022** at **3:26pm** [Comment ID: 205] - [Link](#)

Agree: 5, Disagree: 0

I live in the SE Heights and am fine with higher walls around the back yard but I oppose increasing the height of walls in the front yard due to the risk of criminal activity hidden from view as well as the aesthetic consideration of sight lines when we are walking in the neighborhood.

#080

Posted by **Julie Dreike** on **11/09/2022** at **1:44pm** [Comment ID: 215] - [Link](#)

Agree: 1, Disagree: 0

Support the amendment. All of the IDO should be in compliance with state and federal statues and regulations.

#081

Posted by **Patricia Willson** on **11/23/2022** at **12:55pm** [Comment ID: 274] - [Link](#)

Agree: 0, Disagree: 0

I suppose this change is requested because the first CPA (Near Heights) took a lot longer than planned. Perhaps the city could hire more long range planners to accomplish a process carefully defined in the Comprehensive Plan, rather than adjust the process time.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
33	410	6-4(L)(1)(a)	<p>Post-submittal Facilitated Meeting Revise text as follows: "Once an application for a decision listed in Table 6-1-1 is accepted as complete by the City Planning Department, property owners within 330 feet and Neighborhood Associations within 660 feet in any direction of the subject property may request a post-submittal facilitated meeting in any of the following circumstances: except for Site Plan – Administrative applications for new low-density residential development as identified by Subsection 14-16-6-5(G)(1)(e)1.a, which are not subject to this provision. 1. The application is a Site Plan – Administrative proposing a new building or multiple new buildings that include a total of any of the following: i. More than 100 multi-family residential dwelling units. ii. More than 50,000 s.f. of non-residential development. 2. The application is in the category "Decision Requiring a Public Hearing" in Table 6-1-1. 3. The application is in the category "Policy Decision" in Table 6-1-1, and Table 6-1-1 indicates that a Neighborhood Meeting is required for that application type."</p>	Changes the 10-day delay of Administrative decisions in Table 6-1-1 to allow for a Post-submittal Facilitated Meeting to be consistent with the threshold for Pre-submittal Neighborhood meetings in Subsection 6-4(B)(1)(b). Changes the Post-submittal Facilitated Meeting requirement for Policy Decisions to be only for applications that require a Pre-submittal Neighborhood Meeting: Adoption or Amendment of Historic Designation, Amendment to IDO Text - Small ARea, Zoning Map Amendment - EPC, and Zoning Map Amendment - Council.	Staff
34	430	6-4(V)(3)(d)	<p>Appeals - Remand Hearings Revise Subsection 6 to add text as follows: <u>"The LUHO shall notify the parties and Planning Department staff of the remand."</u> Add a new Subsection 7 with text as follows: <u>"Planning Department staff shall notify the parties of the date and time of the remand hearing. Public notice pursuant to Table 6-1-1 for the original decision is not required. The decision by the original decision-making body at the remand hearing is considered ⁰⁸²final unless one of the parties appeals the decision to the LUHO."</u></p>	Clarifies procedures for remand hearings.	Staff
35	434	Table 6-4-3	<p>Period of Validity – Site Plan – Admin Revise 5 years to 7 years to be consistent with Site Plan – EPC.</p>	Extends the period of validity for approved Site Plan - Administrative to be consistent with Site Plan - EPC.	Staff

#082

Posted by **Leslie Padilla** on **11/27/2022** at **9:38pm** [Comment ID: 291] - [Link](#)

Agree: 0, Disagree: 0

These changes are clearly (but badly) designed to address procedural and substantive due process problems the City faced in the appeal by neighborhood groups of the conditional use permit for the Gateway Center. The City (the permit applicant) failed to give neighborhood associations notice of a remand hearing and they had no idea the remand hearing took place. This was manifestly unfair, and the LUHO found it a violation of due process. It doesn't make sense that the LYHO would notify parties of any remand -- he/she is not the one who conducts remand hearings! To simply change the IDO to eliminate the need for notice does not alleviate the due process concerns.

The second part of this change does not take into account instances (as with the Gateway conditional use permit appeal) when only discrete issues are remanded, but the rest of the original decisionmakers' decision is not remanded. None of these changes should be accepted. It is exceptionally disappointing to see the City's Planning department deal with legitimate neighborhood issues by attempting to amend the IDO to try to erase the issues.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
36	441	6-4(Y)(1)(a)3	<p>Minor Amendments - Circulation Revise text as follows: The requested change does not require major public infrastructure or significant changes to access or circulation patterns on <u>to</u> the site, which would warrant additional review by the original decision-making body.</p>	Allows amendments that include changes to circulation contained within the site to be processed as minor amendments reviewed by the City Traffic Engineer if they meet other requirements and thresholds.	Public
37	456	6-5(G)(1)(f)6	<p>Site Plan - Admin: New vs. redevelopment vs. expansion Revise text as follows: "expansion" --> "All expansions that increase <u>increases in</u> the number of <u>residential</u> dwelling units <u>originally</u> originally approved <u>on the subject property</u> or <u>increases to the gross floor area that expand</u> the originally approved <u>gross floor area</u> beyond the threshold for Minor Amendment pursuant to Subsection 14-16-6-4(Y) or 14-16-6-4(Z)."</p>	Clarifies that any additional dwelling units and any non-residential gross floor area beyond what's allowed to be added through a minor amendment require a Site Plan - Administrative approval. Makes this subsection consistent with Minor Amendments in Subsection 14-16-6-4(Y)(2).	Staff
38	456	6-5(G)(2)(b)	<p>Site Plan - Administrative - Procedure Revise text as follows: "An application for a Site Plan – Administrative is typically submitted with an application for a building permit. The ZEO shall review the application and make a decision on the Site Plan – Administrative as part of the zone check during building permit review."</p>	Revised to reflect changing practice as a ripple of Site Plan - DRB moving to Site Plan - Administrative, which means more complicated projects will be reviewed by staff, likely separate from building permit submittals.	Staff
39	457	6-5(G)(2)(b)3	<p>Site Plan - Administrative - Procedure Revise text in Subsection (b)(3) as follows: "The Notice of Decision shall be posted on the City website as soon as practicable and not more than 3 business days after the final action on any applicable building permit application."</p>	Revised to reflect changing practice as a ripple of Site Plan - DRB moving to Site Plan - Administrative, which means more complicated projects will be reviewed by staff, likely separate from building permit submittals.	Staff

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
40 085	463	6-6(B)(1)	<p>Demolition Outside of an HPO - Citywide Revise text as follows: "This Subsection 14-16-6-6(B) applies to demolition of structures that are at least 50 years old located within the following small areas, regardless of whether they are registered on a State or national historic register or are eligible for listing. If a structure is of unknown age, it shall be presumed that it is over 50 years old for the purposes of this Subsection 14-16-6-6(B)." Delete Subsections (a), (b), (c), (d), and (e) as unnecessary to list separately, as the proposed change would apply citywide.</p>	Allows Historic Preservation staff to review proposed demolitions of any structures 50+ years old citywide, regardless of whether it is on the State or national historic register, a City landmark, or within a Historic Protection Overlay (HPO) zone. Recommended by Landmarks Commission. 083	Staff
41	464	6-6(B)(2)	<p>Demolition Outside of an HPO Replace "demolition permit application" with "application involving demolition" wherever it appears.</p>	Clarifies that all applications involving demolition (e.g. demolition permit or site plan for redevelopment) of a structure 50+ years old are subject to review by Historic Preservation staff.	Staff
42	520	6-7(H)(1)(b)	<p>Zoning Map Amendment - Council Revise text as follows: "Pursuant to Section 3-21-6 NMSA 1978, an application for 084 Zoning Map Amendment – EPC for which a protest of the final action has been received <u>within 15 calendar days of the Notice of Decision</u> that meets both of the following criteria..."</p>	Adds a time limit for submitting the protest, consistent with appeals.	Staff
43	561 D	7-1	<p>Definitions, Flood Definitions Floodplain Revise text as follows: Any land susceptible to being inundated by water <u>area that is subject to a one percent or greater chance of flooding in any given year (i.e. a base flood), as defined by the Federal Emergency Management Agency and shown on National Flood Insurance Program maps, from any source. The floodplain includes both the floodway and flood fringe.</u> See also Sensitive Lands Definitions.</p>	Ties the definition of floodplain to FEMA definitions and to other defined terms for Flood in the IDO.	Staff

#083

Posted by **Rene' Horvath** on **11/27/2022** at **11:40pm** [Comment ID: 292] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

I Support expanding the Landmark Commission's ability to review specific 50 year old or older buildings citywide; as many structures may not be within a Historic overlay zone but still have historic or architectural significance. Hopefully, this will give the public a chance to express interest in the preservation of significant buildings. If this had been in place a few years ago the westside may have been able to preserve the 3 beautiful southwest style/adobe buildings on the Poole Property homestead, instead of them being demolished.

#084

Posted by **Julie Dreike** on **11/09/2022** at **1:50pm** [Comment ID: 216] - [Link](#)

Agree: 3, Disagree: 0

Suggest this be 15 business days

#085

Posted by **Peter Swift** on **11/09/2022** at **11:02am** [Comment ID: 208] - [Link](#)

Agree: 1, Disagree: 0

I think I entered a similar comment in October, but I can't verify that, so here it is again.

Item 40, "Demolition Outside of an HPO", seems unworkably broad, with its requirement that all structures of uncertain age be assumed to be over 50 years old, and that their demolition requires review and approval by the city preservation planning staff. Applying this requirement city-wide is an enormous expansion of the responsibility of the preservation planner. Applying it to all structures in the city (including, per IDO definition, "Anything constructed or erected above ground level that requires location on the ground or attached to something having a location on the ground but not including a tent, vehicle, vegetation, trash can, bench, picnic table, or public utility pole or line") seems to be a major overreach by the planning staff. Consider, for example, the number of property owners who will ignore the requirement when replacing aging chain link fencing or removing derelict utility sheds.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
44	582	7-1	<p>Definitions, Overnight Shelter Revise term to "Transitional Shelter" wherever it appears in the IDO and revise definition as follows: "A facility that provides <u>temporary or transitional</u> sleeping accommodations for 6 or more persons for a period of less than 24 hours <u>within completely enclosed portions of a building</u> with no charge or a charge substantially less than market rates <u>value</u>. Such facilities it may provide meals and, personal assistance, personal services, social services, personal care, and protective care. Any such facility open to clients between 10:00 P.M. and 7:00 A.M. is considered an overnight shelter. This use does not include skilled nursing care, which is regulated as either hospital or nursing home for the purposes of this IDO. See also <i>Community Residential Facility, Group Home, Campground or Recreational Vehicle Park, <u>Hotel or Motel</u>, <u>Nursing Home</u>, and <u>Safe Outdoor Space</u>.</i>"</p>	Revises the definition so that it does not overlap with a hotel that happens to charge substantially less than market rates, a safe outdoor space that charges less than market rates but happens outdoors, or a nursing home, which includes skilled nursing care. Revised definition is intended to better match the operations of many shelters. Having definitions be as parallel as possible helps make their distinctions clear and enforceable.	Staff
45	582	7-1 [new]	<p>Parking Definitions, EV Capable Add a new term with text as follows: 086 <u>Parking spaces with a capped cable/raceway connected to an installed electric panel with a dedicated branch circuit(s) to install the infrastructure and equipment needed for a future electric vehicle (EV) charging station with a rating of 240 volts or higher."</u></p>	Adds a new term related to a proposed new requirement for multi-family and townhouse dwellings. See related rows for proposed change to off-street parking requirements in Subsection 5-5(C)(9).	Staff
46	585	7-1	<p>Definitions, Personal and Business Services Revise text as follows: "Establishments providing services to individuals or businesses for profit, including but not limited to bail bond providers, beauty and barber shops, shoe repair, tailor/alterations shops, tattoo parlors, taxidermy services, electronic data processing, and employment service; mailing, addressing, stenographic services; and specialty business service such as travel bureau, news service, exporter, importer, interpreter, appraiser, and film library."</p>	Clarifies that regulations related to personal and business services apply whether they are for-profit or non-profit.	Staff

#086

Posted by **Jim Griffie** on **11/11/2022** at **2:55pm** [Comment ID: 219] - [Link](#)

Agree: 2, Disagree: 0

While I see some merit in pre-installing infrastructure to facilitate the future installation of EV charging stations at (or near since there are 2 port stations that can service two vehicles at once) some or all required off-street residential parking spaces, I fear this definition will result in a very expensive installation that will never be used. I say this not because I am an EV naysayer, but because the definition is not sufficient to assure the adequacy of the pre-installed infrastructure to support even today's charging technology (e.g. 240v is not sufficient to be called a rating without also specifying either the amperage or wattage) and not adaptive enough to support the evolving EV charging technology. It is one thing to require the raceways to be installed, it is a whole other thing to prescribe the power supply and distribution topography of an installation to support charging services to all required parking spaces. My recommendation is to either find and quote an industry standard, develop and reference a far more detailed specification in the DPM, or at the very least require pre-install design be reviewed and approved by a city engineer with knowledge of the most current charging technology forecast.

IDO Annual Update 2022 - EPC Submittal - Citywide

(Page numbers refer to IDO Effective December 2022: <https://tinyurl.com/CABQ-IDO-12-2022>)

Item	Page	Section	Change / Discussion	Explanation	Source
47	591	7-1	<p>Sensitive Lands, Large Stand of Mature Trees Revise term and definition text as follows: Established Tree Large Stand of Mature Trees- "A tree A collection of 5 or more trees 30 years or older or having a trunk diameters (as determined by Diameter at Breast Height – DBH) averaging at least 8 16 inches in diameter, as determined by the City Forester, <u>and listed as either Generally Recommended or Conditionally Recommended on the Official Albuquerque Plant Palette and Sizing List.</u>"</p>	Changes the sensitive land to be a single large tree from 5 or more and limits the tree to those recommended by the Official Plate Palette. See related row for change to Subsection 14-16-5-2(C).	Staff
48	All	All	<p>Clerical Changes Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.</p>	Covers general clerical corrections.	Staff
49	All	All	<p>Editorial Changes Make any necessary editorial changes to the document, including minor text additions, revisions for clarity (without changing substantive content), adding cross references, reorganizing content for better clarity and consistency throughout, revisions to graphic content for clarity, and updating tables of contents.</p>	Covers general editorial corrections.	Staff

PUBLIC COMMENTS-Letters



City of Albuquerque

Sustainability Office

Timothy M. Keller, Mayor

November 28, 2021

Mr. Timothy J. MacEachen
Chair, Environmental Planning Commission
City of Albuquerque

Dear Mr. MacEachen:

On behalf of the City of Albuquerque's Sustainability Office, this serves as a letter of support for the City of Albuquerque Planning Department's recommendations to update electric vehicle (EV) charging infrastructure definitions and increase EV off-street parking requirements for certain new developments in the Integrated Development Ordinance (IDO). These recommendations include:

- Defining EV-capable and EV-installed charging infrastructure
- Requiring minimum levels of EV-capable and EV-installed parking spaces for certain developments
 - Non-residential with 50,000 ft² or more gross floor area
 - Multi-family residential with 100 or more units
 - Off-street parking with 200 or more spaces
 - Townhomes with six or more units

EV ownership in Albuquerque and the United States has been rapidly increasing over the past several years and is projected to continue accelerating in the future, due to commitments from vehicle manufacturers and governments worldwide. For example, Ford Motor Company has committed 50% of its sales to be EVs by 2030, while General Motors has committed to 100% EV sales by 2035. Likewise, Washington State recently targeted 100% light-duty EV vehicle sales by 2030, while California is requiring all new light-duty vehicles to be zero-emissions by 2035. In addition, the Biden administration has targeted half of all new vehicles sold in the U.S. in 2030 to be zero-emissions and has directed substantial federal investments in EVs and charging infrastructure in the Bipartisan Infrastructure Law and Inflation Reduction Act.

The City of Albuquerque has committed to climate action in its Resolution R-19-187 declaration of a climate emergency, Mayor Keller's pledge to meet the Paris Climate Agreement Goals to reduce greenhouse gas (GHG) emissions, and in the City's 2021 Climate Action Plan (CAP). According to the 2020 City of Albuquerque GHG Inventory, on-road transportation accounts for approximately 33% of overall GHG emissions. One strategy to achieve vehicle emissions reductions in the CAP is to increase the availability of and equitable access to EV charging.

Barriers to achieving greater adoption of EVs include the lack of EV charging locations and cost of installing new EV chargers. To date, the Keller administration has demonstrated its commitment to EV charging expansion by installing 20 EV charging stations at City facilities with 36 ports. Additionally, the City provides an EV-Ready dealership certification program and has implemented a Zero Emissions Vehicle (ZEV) First policy for City vehicle procurement.

The purpose of these EV charging station recommendations are to encourage EV adoption, while reducing the GHG emissions and air pollution from gasoline and diesel vehicles. Requiring greater levels of EV charging infrastructure in new developments, especially multi-family housing, will increase the availability and accessibility of EV charging throughout the City and incentivize more people to purchase EVs. In addition, the cost of installing EV charging infrastructure into the construction of a new development is minimal compared to retrofitting new EV infrastructure into an existing development.

These EV charging station recommendations are an initial effort to update the IDO to prepare for a rapidly changing, electrified transportation system. More comprehensive IDO updates will need to be addressed in the future. Many cities of all sizes across the U.S. have already adopted wide-ranging EV-friendly ordinances requiring minimum levels of EV parking spaces. One such example is the City of Ann Arbor, Michigan, which adopted minimum EV parking requirements for a variety of residential, commercial, industrial, and institutional zoning districts. Please refer to the attached document for more information on Ann Arbor's EV parking standards. Thank you for considering this important matter.

Sincerely,

Kelsey Rader, J.D.
Sustainability Officer
Sustainability Office
City of Albuquerque
505-250-3433 krader@cabq.gov

CC: Albert Lee, Sustainable Transportation Specialist

Attachment: Ann Arbor ORD-22-13 Parking Standards Chapter 55



Santa Fe Village Neighborhood Association

5601 Bogart Ave. NW Albuquerque, NM 87120
sfvna2014@gmail.com

Date: November 26, 2022

To: Timothy MacEachen
Chair, EPC

From: Jane Baechle
Santa Fe Village Neighborhood Association

Re: 2022 Annual Review of the IDO

The following comments reflect my recommendations to the Santa Fe Village Neighborhood Association (SFVNA) Board regarding selected proposed amendments to the Integrated Development Ordinance (IDO) put forth for consideration during the 2022 Annual Review. Currently, a majority of the SFVNA Board has indicated their support of these positions (6 of 7 Board members; one has not yet responded).

Prior to outlining our positions on specific proposals, I again note that the IDO Annual Review Process continues to be used by City Council and the City administration to make durable and substantial changes in zoning law in a manner that effectively circumvents the goals and policies of the ABC Comp Plan and significantly limits public engagement regarding consequential changes to neighborhood character and quality of life. The first purpose statement of the IDO calls for the IDO to “Implement the adopted Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended”, 1-3(A). Instead, the IDO Annual Review process is used to alter fundamental goals and policies of the Comp Plan yearly and ignores the Comp Plan’s stated intent to update it every five years through a process of Community Planning Assessments where Albuquerque residents had the opportunity to address their views and priorities.

Specific 2022 Amendment Proposals, SFVNA Position and Rationale

Northwest Mesa Escarpment View Protection Overlay VPO-2
SFVNA Position-*Oppose*

Rationale: The ABC Comp Plan calls for the protection of cultural landscapes. Policy 11.3.4 cites the Petroglyph National Monument as one example with the following Policy Statement, “Petroglyph National Monument: Regulate adjacent development to protect and preserve the

Petroglyph National Monument – its volcanoes, petroglyphs, and Northwest Mesa Escarpment – as a priceless cultural landscape and community resource that provides physical, cultural, and economic benefits.”

Specifically, Policy 11.3.4 calls for the following:

- “Preserve and protect the Monument from growth and development pressures on the West Side”
- “Conserve and protect the Monument and surrounding lands through regulations associated with the Volcano Mesa and Northwest Mesa Escarpment Area” and
- “Protect views to and from the black Escarpment face, which gives physical order to the community and acts as a visual reference point.”

The proposed change to the NW Mesa Escarpment VPO-2 conflicts with every one of these policy statements. It effectively guts the view protection overlay by limiting the applicability of the height restriction sub-area to a sliver of affected properties. Many of these properties are quite large and cover extensive acreage on the mesa. This change would block views across the entire mesa top, views to the east of the mountains and valley and views to the west of the volcanoes which represent a profoundly sacred landscape to Native people and are integral to understanding the cultural significance of the Petroglyph National Monument and the surrounding landscape. While affected properties at the base of the escarpment are largely developed, if approved, this amendment would permit redevelopment that would entirely block views of the escarpment from its base.

Council ordinance O-22-54-SECTION 1. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE TO ALLOW TWO-FAMILY DWELLINGS PERMISSIVELY IN THE R-1 ZONE DISTRICT CITYWIDE.

SFVNA Position-*Oppose*

Rationale: The ABC Comp Plan again informs our SFVNA position. Santa Fe Village (SFV) is an entirely residential neighborhood of households zoned R-1A, R-1B and R-T. As such, it is in an Area of Consistency, defined by the the Comp Plan as an area “where significant growth is unlikely or *undesirable* and where any new development or redevelopment will need to be consistent with the established character of the surrounding context.” (Italics mine). SFV contains more than 1000 households in an area bounded on the east by Unser Boulevard and otherwise surrounded by the Petroglyph National Monument. It is already a geographically small and densely built neighborhood. This amendment would potentially come close to doubling the number of residences, profoundly changing the character of SFV. As a permissive use, SFV residents and neighborhood association would have no option to engage in the development process, identify harms to SFV or negotiate for changes to mitigate any perceived harms. Clearly, this zoning change represents a highly undesirable change, entirely inconsistent with the established character of SFV.

Finally, SFV is unlikely to be the only low density residential neighborhood profoundly and deleteriously affected by this change. In addition to fundamental changes to neighborhood character, such a significant change makes no provision for consequent increased traffic flow, the need for parking and pedestrian safety on residential streets now carrying significantly increased traffic. If the City of Albuquerque is serious about strategies to provide additional housing units

within established neighborhoods, any proposal should be a conditional use and include stringent development standards which protect neighborhood character and assure adherence to all elements of IDO development standards identified in IDO 14-16-5.

Council Ordinance O-22-54-SECTION 2. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE TO ALLOW DETACHED ACCESSORY DWELLING UNITS WITH KITCHENS PERMISSIVELY IN THE R-1 ZONE DISTRICT CITYWIDE, EXCEPT IN SMALL AREAS WHERE SPECIAL REGULATIONS APPLY.

SFVNA Position-Oppose

Rationale: All of the points cited above that inform our opposition to Section 1 of the proposed ordinance O-22-54 are central to our opposition to the changes that accompany the permissive inclusion of Accessory Dwelling Units (ADUs) with a kitchen in all R-1 zones with a very few notable exceptions in Section 2. These include protection of neighborhood character, assurance of public engagement and assurance of adherence to rigorous design standards.

In addition, the allowed size of ADUs in all R-1 zone districts of 750 ft (with a garage that is not included in the allotted size), reflects no acknowledgement of the size of the lot on which one is planned and its visual and spacial impact on adjacent property. This conflicts with current IDO requirements in Section 5-11(C)(4)(a) which limit ADUs to 25% of the side and rear yards combined.

Council Ordinance O-22-54-SECTION 4. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE TO ELIMINATE BUILDING HEIGHT MAXIMUMS FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENT AND MIXED-USE DEVELOPMENT.

SFVNA Position-Oppose

Rationale-Mixed-use zones are frequently in close proximity to low density residential neighborhoods. Removing height restrictions would profoundly alter the city scape and particularly disadvantage nearby residential areas.

Council Ordinance O-22-54-SECTION 5. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE TO EXEMPT AFFORDABLE HOUSING FROM OFF-STREET PARKING REQUIREMENTS and SECTION 6. ADD A PARKING REDUCTION FOR MULTI-FAMILY DWELLINGS IN MIXED-USE ZONE DISTRICTS. This parking reduction would reduce required off-street parking for residential housing by 75% of currently required off-street parking.

SFVNA Position-Oppose

Rationale-The City provides no evidence that the impact of these reductions would be workable, sustainable or exempt low density, nearby residential areas from becoming the on-street parking default for residents unable to park near their housing. Instead, the City appears to rely on assumptions that those who need affordable housing do not own or need a personal vehicle, that housing developed under these amendments will only be located near accessible public transit, that ABQ public transit is adequate to assure one can reasonably travel to work and activities of daily living and developers and property owners will provide adequate parking for all property under these rules.

IDO Citywide Amendments, Item 26, IDO 5-7(D)(3)(a), **Walls and Fences-Front Yard Wall** Permissively allows front yard walls of 5 ft with the top two feet of view fencing and a setback of at least 2 ft.

SFVNA Position-Oppose

Rationale: Santa Fe Village is a low density residential neighborhood with small to medium lots on curving streets which follow the natural contour of the land. The addition of view fencing on the upper 2 ft of a 5 ft foot wall still impede clear lines of sight, have a deleterious effect on the streetscape and sense of place and limit comfortable walking for 2 people at a time on 4 ft sidewalks. That will be the case with even a 2 ft setback. If individuals desire a taller wall for privacy, containment of children or pets or a perceived belief that this will increase personal safety, any taller wall should be set back a minimum of 5 ft.

Watching a hearing of the ZHE, it is certainly possible to feel sympathy for the administrative burden of hearing multiple permits for a taller wall or variances for a non-conforming wall. Clearly, many ABQ residents are trying to protect their property and homes from unwelcome incursions and are unaware of the IDO regulations or permitting requirements. That is not, however, a reason to enact durable changes in the IDO, particularly changes which have been consistently opposed by residents and neighborhood associations and for which there has been no public comment in support.

In summary, SFVNA opposition outlined here reflects our assessment that these proposals will have deleterious impacts on Santa Fe Village, its residents and homeowners, on the unique and sensitive lands along the escarpment and on the experience of the City, its neighborhoods and cultural landscapes, for ABQ residents and visitors. We respectfully ask the EPC to support the central purpose of the IDO, i.e. to implement the goals and policies of the ABC Comp Plan.

From: [Michael Brasher](#)
To: [City of Albuquerque Planning Department](#)
Subject: Timothy MacEachen
Date: Monday, November 28, 2022 8:40:32 AM

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

Why is commenting closed early? My comments would be and are filed before 9 a.m. When did it close? I object.

In addition to concerns raised by others, Item 26,27,28 poses a very dangerous traffic safety issue. A higher fence both reduces the visibility of the driver of a car pulling out of a driveway to see pedestrians, particularly children, and reduces the visibility of the pedestrian to see the car pulling out of the driveway.

According to the American Association of State Highway and Transportation Officials (AASHTO), the average eye height of the driver of an automobile is 3 feet 7 inches, which is 5 inches below the proposed maximum fence height. The average height of a 3-year old child is 3 feet. The average height of a 7-year old child is 4 feet. If the maximum fence height is raised from 3 to 4 feet, the average 3 to 6-year old child walking or running on the street side of a fence will not be able to see above the fence and thus may not be able to see an automobile pulling out of a driveway until the child is in the path of the automobile. Nor will the average driver of an automobile pulling out of a driveway be able to see above the fence. The average driver of an automobile won't be able to see a 3 to 6-year old child walking or running on the other side of the fence until the child is in the path of a car. Neither can see each other. This is a disastrous situation.

Given the risks posed by increasing the permitted maximum fence height, we must ask why this amendment is being proposed and whether it is worth the risk. The answer is obvious.

I oppose this amendment and the early cut-off time for amendments.

Michael Brasher

From: [Susan Brewster](#)
To: [City of Albuquerque Planning Department](#)
Subject: To comment on the proposed City zoning changes
Date: Sunday, November 27, 2022 7:17:32 PM

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

This is to express support for Mayor Keller's update to the "Zoning code" (re: Housing supply and access). I believe Albuquerque has the potential to become one of the truly great cities in the world in which a broad range of people desire to live and visit. Our current zoning code, however, is restricting our evolution toward a more flexible and vibrant community. The proposed changes are consistent with basic organic growth concepts great cities of the world have maintained throughout history, changes which positively encourage the development of active transportation options, diversity, and interesting things to do.

In short, as a retiree, I want to live in a city where I can get around easily without a car, has a lot of things to do and interesting people to meet. To achieve this requires population density and transportation options. The proposed changes to the zoning code make the organic development of those much more likely.

Susan Brewster

Sent from my iPad

From: [John Cochran](#)
To: [City of Albuquerque Planning Department](#)
Subject: my opposition to making 5-foot tall walls permissive in R-1 zones
Date: Thursday, November 24, 2022 8:59:07 PM

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

Dear Chairman MacEachen,

I am writing in opposition to making 5-foot tall walls permissive in R-1 zones because it would cause significant damage to our neighborhoods.

Open front yards and front yards with low walls are essential elements of a walkable, inviting neighborhood. Tall walls in a front yard convey a sense of fear and isolation – as each house must wall off its neighbors and visitors. This remains true even if the top 2 feet are “transparent;” there is still a 5-foot tall wall in the front yard.

Our neighborhood is celebrating its 100th birthday this year and from the very beginning in 1922, open front yards have been an essential element of the character of this historic neighborhood; the Spruce Park Neighborhood, which is a State and National Register-listed historic district.

If people are worried about a pet or young child getting out, they have their entire backyard and they can build a tall wall around their backyard, or they can go through a variance process to (possibly) build a taller wall in the front yard. Let’s retain 3-foot walls in the front yard and keep our neighborhood walkable and inviting.

With My Best Regards,
John Cochran
1300 Las Lomas Rd NE
Albuquerque NM 87106

From: [Debbie-South Los Altos](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Lehner, Catalina L.](#)
Subject: 5-7-(D)(3)(a) - walls & fences higher than 3 feet proposed as Permissive - OPPOSED
Date: Monday, November 28, 2022 8:46:14 AM
Attachments: [PastedGraphic-6.tiff](#)
[PastedGraphic-7.tiff](#)
[PastedGraphic-8.tiff](#)

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

Monday, November 28, 2022

Chair Tim MacEachen (via email to abcto@cabq.gov)
Environmental Planning Commission (EPC)
City of Albuquerque

Chair MacEachen:

Although I already added my comments to the IDO annual update website, just in case there are any problems with the website, I am also sending you my comments via this email, prior to the 9 a.m. November 28 deadline noted below. I want to note that when I went into the IDO annual update website at approximately 7:56 am this morning to add additional comments in response to others comments on the wall/fence height increase, I got a message that “Comments are closed for this document.” That’s a problem, as I believe that it should be assumed that if people have until 9 a.m. today to send emails, they should also have until 9 a.m. today to add comments to the IDO annual update website page. I was also unable to enter any new comments on any of the other proposed changes. See screenshots below. We are all volunteers, many with full-time jobs and other responsibilities, who have limited time and need all the time we are allowed. Cutting the comments off prior to 9 a.m., especially on a Monday following a holiday weekend is outrageous. I realize this is not the fault of the EPC, but I certainly hope the EPC will pass along this concern to whoever is responsible.

<https://ido.abc-zone.com/ido-annual-update-2022-epc-submittal-citywide-proposed-changes>



To summarize my opposition and others (all of which are in the website comments and all of which I hope make it to the staff report), please see below, some of which are my direct comments and some of which are from others, put into my own words from my point-of-view:

- Walls or fences higher than 3 feet should not be allowed as Permissive. Even "transparent" is not necessarily transparent over 3 feet because of the needed closeness of iron fencing to prevent children's heads getting caught and also because of the block pillars. There are already many instances of walls and fences in my neighborhood that violate the clear-sight triangles at intersections and that violate mini clear-sight triangles at driveways. In addition, walls and fences right up against the sidewalks make it uncomfortable for people to walk when the sidewalks are narrow. Although this proposal states a setback of 2 feet, where is the setback measured from? And will there be required landscaping? Or will this area be weeds and dirt and trash, which because the property owner cannot see from their house because of a wall, be neglected. Allowing this proposed change will not make Albuquerque more walkable. It will destroy aesthetics and give thieves more places to hide. We need "eyes on the street". It is my understanding that Mayor Keller requested this in part because of the many requests for variances that go before the ZHE. Rather than changing the ordinance, it would be far better for the City to educate the citizens of Albuquerque on not just the ordinance, but on the reasons that 3 foot height should be the maximum in most cases. Many of the requests that go before the ZHE are because people build walls or fences not knowing the ordinance is in place. They think this because of all the out-of-compliance ones that are in place.
- As written, this amendment seems to allow 5 foot chainlink fences in front yards. This will make our neighborhoods look like prison yards. Please do not allow this. I found it very sad when my preteen nephews, who grew up in a simple middle class neighborhood in another state, visited my house years ago, noted the 3 foot and 4 foot chainlink fences in the front yards, and asked if my neighborhood used to be part of a military base.
- Please provide data on how many variance requests there are for higher than 3 ft walls in the front yard setback. If the staff is so burdened by this, there needs to be more staff. A higher wall does NOT deter crime, and we don't buy the dog & toddler argument.
- I strongly oppose any modifications to increase wall height limits in front yards. In addition to increasing places for criminals to hide, tall walls destroy our neighborhoods and our feeling of community. I am a resident in the SE Heights Neighborhood.
- It is my understanding from a meeting I attended that Mayor Keller proposed this amendment, after first proposing it be 6 feet permissive. Add that to the document instead of stating "admin".
- I strongly oppose any IDO changes that would make it permissive to build higher walls in front or side yards. Neighborhoods in many parts of the city are walkable, friendly, and safe precisely due to the LACK of high walls. Fortresses should not be the default in many neighborhoods. For all the reasons that others articulate too, please do not change this section of the IDO.

Why does this bad idea to raise allowable front wall heights keep coming up? Anyone who has looked at data and studied site design, safety, and security knows that the taller the wall, the less safe and secure is the site. For example, the GSA guidelines for site security note that landscape features (walls, fences, vegetation) "offer attractive hiding places and limit visibility. Such [landscaping] can also hinder first responders from accessing the building and site quickly in the event of an emergency." Good safety and security site design requires good visibility to help detect and deter intruders. Not only does good visibility provide better security for the resident of a property, but it also allows them to see suspicious activity at their neighbors' properties. This is especially true for residential districts, where taller walls impede site lines to neighbors, pedestrians and motorists while also detracting from a neighborhood's character, commerce, and vitality. For example, a family that another commenter performed landscaping services for in Albuquerque had them tear out a large hedge of pyracantha after they had been robbed twice in one year. Their neighbors told them that they were home during both robberies but could not see any activity at their property due to the height of the vegetative wall that prevented visibility. It was obvious from the manner of theft that the robbers used the hedge to conceal their actions during both thefts. After removing the tall hedge, all neighbors were better able to surveil each others houses and there were no further robberies. I strongly oppose this proposed change that would compromise the character, safety, and security of our neighborhood.

- It is requested that amendments to our zone code include impact statements, beneficiary analysis, examples, and risk analysis with possible unintended consequences highlighted. The continued denial of providing information to the public in this fashion as applies to the creation of law may constitute a breach of due process. Furthermore, I have heard that the IDO Annual Update process may not meet the standards noted in NM State Statute for gauging successful achievement of notification as pertains to zone code changes to our city.
- I oppose the increase in the height of the fence in front and side street yard for the same reasons I opposed it on the update last year. 1) changes the character of a neighborhood. 2) Do not want us to become a city of fences. 3) Safety concerns related to line of site. This applies to crime and safety of pedestrians. A higher fence gives criminals space to hide behind. A high fence creates safety hazards for people walking by a fence and a car backing out of a driveway--rear view mirrors cannot see around the fence. Pedestrians walking on the sidewalks approaching corners with visibility blocked by the fence. I have heard those supporting the increase that a 3 ft fence does not keep children or dogs in. However, I've never heard that during a ZHE hearing. Where is this coming from? The city has existed for hundreds of years with no fences or 3 ft fences without a related crisis for children or dogs. There is a way for people to request a higher fence. A look at Google Earth will quickly identify that most of ABQ have back yards for children and pets to stay safely.
- For reasons stated by others, I oppose raising the allowable height of a fence beyond 3 feet. Turning Albuquerque into a gated community will not foster awareness among neighbors and won't solve any security problems. In fact, it will introduce security problems in cases where thieves get more places to hide. There is no reason to amend a rule that has existed for many many years.

There seems to be no singularly-interpretable set of standards for erecting CMU walls or front yard fences. As a result, improperly built walls fail and this looks derelict. Aesthetic irregularities increase this neglected feel. For example, it is permissible for home owners to stucco/paint only one side of a CMU wall and leave the untreated side exposed to the neighborhood, this degrades neighborhood character. Also, the 3ft height restriction is for safety -- "eyes on the street" and this passive safety measure should remain the norm. Lastly, these height variances being decided administratively communicates an unwillingness from Planning Department to hear neighborhood voice.

- Applicants should be **REQUIRED** to know where their property line is, as opposed to "it's a good idea to know where your property line is" as stated on one of the City websites. I have seen variance requests because a designer drew the property line at the face of the curb--three entities at fault here: the property owner for not providing correct information; the designer for not doing their due diligence; the plan reviewer for not catching this **IMMEDIATELY**.

Respectfully,

(via email)

Deborah Conger

A long-time resident of the South Los Altos neighborhood (Eubank west to Wyoming, Central north to Copper)

Albuquerque NM 87123

cell: 505-340-6949

[email: debsla@swcp.com](mailto:debsla@swcp.com)

From: [JULIE DREIKE](#)
To: [City of Albuquerque Planning Department](#)
Cc: [East Gateway Coalition of Associations East Gateway Coalition of Associations](#)
Subject: Support for--Comments to EPC from the Inter-Coalition Council
Date: Wednesday, November 23, 2022 1:45:29 PM
Attachments: [ICC letter to EPC 11 22 2022.pdf](#)

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

The Embudo Canyon Neighborhood Association (ECNA) Board has received a copy of the memo from the Inter-Coalition Council. We are in support of the concerns raised and positions identified in the memo.

We ask that EPC take these issues into account as they review the amendments.

Julie Dreike
President, ECNA

ICC Inter-Coalition Council

The ICC is a Council of Coalitions of Albuquerque and Bernalillo County Neighborhood Associations that has been meeting since May 2014 to reach consensus on broad, common concerns. Its purpose is to promote stronger, better neighborhoods and communities through group action and interfacing with the governmental, social, environmental, cultural and historic needs and interests of all residents.

November 21, 2022

Via email: abcto@cabq.gov
EPC Chair Timothy MacEachen

Re: RZ-2022-00054 – Text Amendments to IDO – Citywide
RZ-2022-00059 – Text Amendments to IDO – Citywide (Housing Forward)
RZ-2022-00055 – Text Amendments to IDO – CPO 9 – North Fourth Street
RZ-2022-00056 – Text Amendments to IDO – VPO-2 – Northwest Mesa

Chairman MacEachen,

The Inter-Coalition Council (ICC) respectfully submits the following comments regarding the above-mentioned cases to be heard by the Environmental Planning Commission on December 8, 2022. This year's review is complicated by the addition of O-22-54, as it includes five major, substantive changes that do not appear on the City's online interactive spreadsheet—thus making it very difficult for community members to respond to those proposed changes.

- RZ-2022-00054 – Text Amendments to IDO – Citywide

The ICC has a dedicated committee of volunteers—we have desperately requested changes to the Annual Update Process, asking for specific source data, examples, beneficiary information, risk analysis, impact statements and summaries of public comment. Those requests notwithstanding, this year we ask that you listen to the comments submitted online. For example, there are currently eleven comments pinned to the Walls & Fences amendment—none of them in favor of this change. This was soundly defeated last year; why are we being forced to review it again?

- RZ-2022-00059 – Text Amendments to IDO – Citywide (Housing Forward)

This ordinance presents 'transformative' changes intended to mitigate the City's housing crisis, as outlined at Housing Forward ABQ <https://www.cabq.gov/family/housing-forward-abq-1>. We have questions about the data and the unintended consequences of these dramatic proposals. The ICC opposes the adoption of these Amendments.

There are discrepancies in numbers from one place to another: the number of housing units needed (broadly identified at various amounts from 13,000 to over 33,000); the number of unhoused households needing PSH (22,000 in one place, 2,200 in another). The referenced Needs Assessment (Appendix 1) presents a thorough and detailed history of disparity amongst different communities; however, much of the graphic data presented is based on a very small survey sample. The Affordable and Supportive Housing Strategies Plan (Appendix 2) seems to be a better path to creating more affordable housing—we all know that developers cannot (or will not) build affordable housing without subsidies.

Every presentation from Planning includes the slide entitled "What is Zoning"; it shows the Constitutional balance between the 5th Amendment: Property Rights and the 14th Amendment: Police Power for public health, safety, and welfare. Whether one has owned a home for a few years or a few generations, there is an expectation of value, of a quality of life, historical and cultural structure of the neighborhood, of a financial contract with the city regarding the zoning of their home. There may be a gentler, more gradual way to transition this change. There is a quote in the Needs Assessment from a community member: ***"You have to move at the speed of trust."***

The City needs to slow down and answer the following questions:

- How many casitas are there in the Small Areas where allowed?
- Where casitas are currently allowed in the city, what percentage are used for family dwellings and what percentage are used for long term rentals?
- What data does the city have on casitas used for long-term rentals regarding affordability?
- What percentage of casitas is used for vacation or short-term rental?
- In the city report “Housing Forward ABQ” the city states “We are working with property owners and community members to determine the most equitable and effective way to limit short-term rentals.” Without a policy in place on short-term rentals, how can the city move forward with plans for changes in R-1? No policy, no enforcement in place. How would the city plan to force current short-term rentals into long term housing rentals?
- What study and analysis has the city done regarding infrastructure impacts created by increased density and its effect on utilities—water, electricity, gas, roads, transportation, traffic, trash and recycling.
- What study and analysis has the city done on the effects of changes in parking in R-1 areas? Narrow streets with additional on-street parking effects on first responders’ access?
- Zoning ordinances are not currently being monitored, inspected and enforced adequately. Will the Planning Department Director and the Mayor certify that zoning is fully staffed to complete inspections, process complaints and issue compliance remedies in a timely way?
- What is the plan for review of current zoning violations and complaint backlog?
- With many zoning violations not being enforced, what review has/is being done of current casitas within the allowed areas for compliance with zoning and what is being done to correct violations?

RZ-2022-00055 – Text Amendments to IDO – CPO 9 – North Fourth Street

The ICC Committee has not yet reviewed this Small Area Amendment.

RZ-2022-00056 – Text Amendments to IDO – VPO-2 – Northwest Mesa

The ICC is in opposition to this Small Area Amendment.

We appreciate the efforts by the Planning Department—the presentations available online are helpful—but it takes time to go through the 84 pages of slides and watch hours of video. We will submit additional comments if time permits.

Sincerely,

Michael Brasher
Inter-Coalition Council President

From: [Lisa Goetz](#)
To: [City of Albuquerque Planning Department](#)
Subject: Re: [EGCoA] IDO comments for the EPC
Date: Sunday, November 27, 2022 1:35:00 PM

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

It seems like the city is rushing this change through with out fully researching or discussing all the implications.

My comments are:

One item that was not touched upon is construction of multiple multi story townhomes on a subdivided lot. Although there is a base square footage restriction of 750 sq ft, there is no height restriction. There is nothing in the proposed document that mentions how the city would handle someone buying a single home lot and either tearing down the existing home and putting in townhomes (as has happened in Seattle and Austin) or subdividing a single lot so that four structures or more can be built.

Respectfully,
Lisa Goetz
802 Martingale LN SE
Albuquerque , NM 87123

Sent from [Mail](#) for Windows

Final comments for Nov. 28th deadline for Staff Report:

Chair Timothy MacEachen, and fellow Commissioners,

The IDO annual update process is extremely time consuming to everyone involved. Each year there are too many amendments with not enough time to review, not enough explanation to understand all the amendments to address adequately, which can lead to unintended consequences for the community. I feel more research and analysis, explanation, public vetting, and public support is needed, before the substantive amendments go before the EPC for review and approval. The ICC has proposed suggestions to the City to help develop a better process so the public better understands the amendments being proposed. This includes better explanation of the intent of the amendment, the source of the amendment, what are the potential impact risks to community protections, who benefits from the proposal, who does it impact - A pros and cons approach.

The IDO annual amendment update has now just begun again, right after finishing up the last batch of IDO amendments, and right before the Holidays. I recommend starting at the beginning of the year, instead of the end of the year, and just before the Holidays.

This IDO update started with 35 citywide amendments, now it is up to 49 amendments. There are also 2 small area amendments, and the recent introduction of the 0-22-54 Housing Amendment, with not enough time to review or respond adequately. Here are my comments:

For 49 Citywide Amendments: a spreadsheet was offered for public comment. Most of those amendments were substantive and needed better explanation. Many residents have expressed to me that they did not understand most of the amendments and therefore did not comment. I too had a hard time interpreting many of them. I did my best to provide comments on some of them. There has been not been enough public vetting to gain community support before these amendment were submitted. Therefore, I suggest that if the substantive amendments are too difficult to understand or interpret or would have a negative impact on the community they should not be approved.

For the Small Area Amendments: In regards to the Northwest Mesa View Protection Overlay Zone VPO-2 there is absolutely no Community support for this amendment, as it would alter the IDO overlay language, weakening the view protection along the escarpment. Views are extremely important to the Community, below and above the escarpment and on the mesa top near the Petroglyphs. A facilitated meeting took place in October to discuss this amendment. As a result the public learned that Consensus Planning submitted the amendment which would benefit a client of theirs for a particular piece of property on top of the mesa which is now under dispute, and may constitute spot zoning. Note: The Park Service has also expressed that Native American's continue to have religious ceremonies on the mesa and that views are an important component of the religious experience. Therefore, this amendment should not be approved.

For the Housing 0-22-54 Amendment: Was recently submitted, with little to no time to review, therefore there is no Community support as these amendments promote significant changes citywide by increasing the density, removing building height restrictions, and promote parking reductions. These are huge changes that would have negative impacts to the quality of life in Albuquerque, and would be difficult to reverse if approved. Currently there is no support for this Amendment as proposed.

Once amendments are approved or entitlements are given, there usually is no turning back to fix a problem. This is why there needs to be better public engagement to improve the IDO process.

Thank you,
Rene' Horvath
Land Use Director for WSCONA and TRNA

ICC Inter-Coalition Council

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We appreciate the efforts by the Planning Department—the presentations available online are helpful—but it takes time to go through the 84 pages of slides and watch hours of video. We will submit additional comments if time permits.

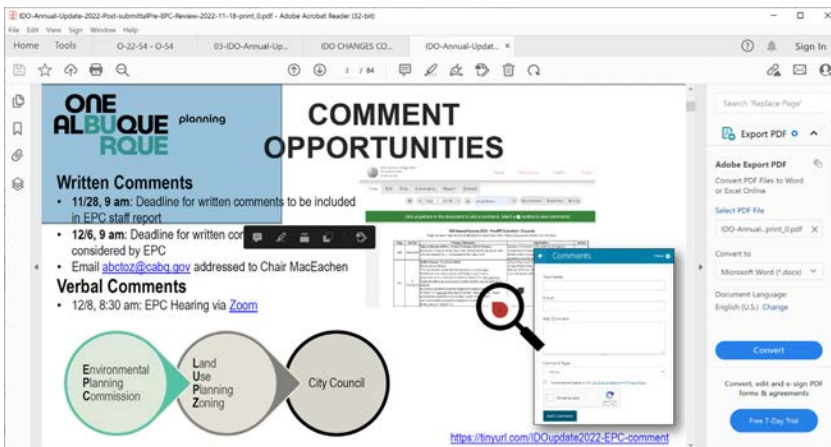
Sincerely,

Michael Brasher
Inter-Coalition Council President

From: [peter.kalitsis](mailto:peter.kalitsis@cabq.gov)
To: [P. Davis Willson](mailto:P.Davis.Willson@cabq.gov)
Cc: City of Albuquerque Planning Department; Lehner, Catalina L.
Subject: Re: final comment before 9am deadline today, Nov. 28th
Date: Monday, November 28, 2022 8:49:37 AM
Attachments: [image.png](#)
[image.png](#)

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

The planning department stated at the Pre EPC review, in this slide that comments would be due by 9am for inclusion in EPC staff report.
Please clarify.



Sincerely,
Peter S. Kalitsis,
Cell - 505-463-4356

On Mon, Nov 28, 2022 at 7:53 AM P. Davis Willson <info@willsonstudio.com> wrote:
Chair Timothy MacEachen,

You have received many emails from individuals, neighborhood associations, coalitions and the Inter-Coalition Council. They are not all in agreement—for example, some favor ADU's (with conditions), some are 100% opposed. However, I have not seen one comment yet in favor of increasing the 3 ft. permissive front yard wall height. And I urge you to pay particular attention to Deborah Conger's email—she makes excellent points about enforcement.

In trying to help folks understand the process—and what's at stake—I put together several links for review. **I am including this for the record.** It is critical that more community members become aware and involved in the process, and the effort by a small group of volunteers to improve this process.

Background on the city's zoning history/process is located on the main IDO page: <https://ido.abc-zone.com/background-coordination-abc-comp-plan>

Then spend some time clicking around the Home page from the 'Background' link above: <https://ido.abc-zone.com>

This 84 page PDF explains the total number of changes (≈62, in four separate cases) that will be heard at EPC. https://abc-zone.com/sites/abc-zone.com/files/media/IDO-Annual-Update-2022-Post-submittalPre-EPC-Review-2022-11-18-print_0.pdf

If you want to hear long range planner Mikaela Renz-Whitmore go thru this pdf, there is a 1 hour presentation

here: https://cabq.zoom.us/rec/play/W7BK9hc7Acx58z8CNmH47yrzzLXr6t5vyZkc35y-EzfdU1DTphxXUirKj-Wqif4yK0oVgFLnODIGSjr5.44OTcd1RGb0P25BD?continueMode=true&_xzm_rtaid=i19K-rieT7u6MEq7x-gbZA.1669042788001.058ba442ad8d1e8468f8f1606fc64ba9&_xzm_rhtaid=964

Go here to understand the three step process the city goes thru in the IDO Annual Update process: <https://abc-zone.com/ido-annual-update-2022>

And back out to the main ABC to Z planning website for links to the Comprehensive Plan, the IDO, the CPA's and to sign up for updates: <https://abc-zone.com>

And now if you're ready to make comments on the online interactive spreadsheet (but this does not include the 6 changes introduced at Council—O-22-54), go here (make sure to put your full name and email when you post a comment): <https://ido.abc-zone.com/ido-annual-update-2022-epc-submittal-citywide-proposed-changes>

Additional comments (anything regarding O-22-54) should be sent to abcto@cabq.gov and addressed to EPC Chair Timothy MacEachen. Comments received by Monday, Nov. 28th 9am, will be included in the Staff report. Comments received by Dec 6 will be included in EPC member's packets. If you want to know who in on the Environmental Planning

Commission, go here and click on the Membership box: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>

The inclusion of O-22-54 in the 2022 IDO Annual Update Process is an insult to the public, to the Comprehensive Plan, and to the entire concept of how and why the zoning code needs to stay current. For the Mayor to claim that a five year old ordinance is outdated is just not right. Pete Dinelli said it best in his November 15th post <https://www.petedinelli.com/2022/11/15/mayor-tim-keller-seeks-transformative-changes-to-integrated-development-ordinance-ido-to-favor-developers-despite-apartment-construction-boom-announces-housing-forward-ab/>

"The enacted Integrated Development Ordinance has provisions to allow the City Council to adopt major amendments and make major changes to it. The IDO blatantly removes the public from the development review process, and it was the Planning Department's clear intent to do so when it drafted the IDO."

Chair MacEachen, my thanks to you and the rest of the EPC for all your hard work. My final thoughts are these: 1) incorporate metrics to determine whether a proposed amendment is textual or substantive, and 2) add a deadline to the City's three step process that cuts off additional amendments after LUPZ review—put them on the list for the next year's amendments rather than allowing the full Council barrage of Floor Amendments, often happening late at night with no public input.

Respectfully,

Patricia D. Willson, AIA

Willson + Willson Architects
505 Dartmouth Drive SE
Albuquerque, NM 87106
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F: (505) 266-2746
[email: info@willsonstudio.com](mailto:info@willsonstudio.com)
<http://www.willsonstudio.com>

From: [Peggy Neff](#)
To: [P. Davis Willson](#)
Cc: [City of Albuquerque Planning Department](#); [Lehner, Catalina L.](#); [pdinelli aol](#); [Elizabeth Haley](#)
Subject: Re: commenting closed early!
Date: Monday, November 28, 2022 8:55:08 AM

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

Noooooooooo! These guys!!

Jeezzze. My notes and hence these comments still missing several of the questions brought up but not addressed or even recorded in the two public hearings. Need to stress that there needs to be a comprehensive process to dutifully and accurately and without prejudice capture, respond to and present public voice in this process.

There ought to be a law... What is the federal or NM State Statute re due process finding in a quasi case regarding notifications re a change of dates/times?

I got to about page 7!! Had to go to make the Turkey.

Shame,

Peggy

Sent from my iPhone

On Nov 28, 2022, at 10:36 AM, P. Davis Willson <info@willsonstudio.com> wrote:

Chair MacEachen,

In trying to make one final email it shows that **“Commenting is closed for this document”**

This screenshot was taken at **2022-11-28 at 8.25.08 AM**

IDO Annual Update 2022 - EPC Submittal - Citywide Proposed Changes

Please review and give comments!

This list was submitted to the Environmental Planning Commission (EPC) on **October 27, 2022**.

- See the [project webpage](#) for the latest information about the 2022 IDO Annual Update, including the City's review/decision process, hearing details and Zoom link, and deadlines for comments.
 - See the presentation from public review meetings October 20 & 21.
 - See video from public review meetings October 20 & 21.
 - See presentation from public review meeting November 18.
 - See video from public review meeting November 18.

Please review and click anywhere on the document below to add a comment on this proposed list of changes to the Integrated Development Ordinance that would apply citywide. Comments with full name and email included will be forwarded to the EPC for consideration.

- Comments with profanity will be deleted.
- Review others' comments by clicking on numbered pins.
- If you prefer, send an email to abctoz@cabq.gov addressed to EPC Chair Timothy MacEachen.

You can download this document as a PDF by clicking on "Download" in the menu bar above the document.

The screenshot shows a document viewer interface. At the top, there is a navigation bar with 'Table of Contents', 'Page 1 of 13', and a search box. Below this is a table with the following content:

Item	Page	Section	Change / Discussion
1	35	2-4)(1)(1)(2)	Mobile Food Truck Court in MX-FB Add a new subsection with the following text: "Mobile food truck court."
2	47	2-5)(B)(3)	NR-BP - Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Master Development Standards 1. Deviations from Master Development Plan standards may be pursuant to the same thresholds and procedures as establish Subsection 14-16-6-4(D). 2. Variances from Master Development Plan standards may be pursuant to the same thresholds and procedures as establish 6-1-1 and IDO Subsection 14-16-6-4(C). 3. Waivers from Master Development Plan standards may be pursuant to the same thresholds and procedures as establish

On the right side, there is a 'Comments' sidebar. The header says 'Comments' and 'Close'. Below the header, it says 'Commenting is closed for this document.' There are tabs for 'Most recent', 'Most replied', 'Most supported', and 'By page'. A comment by 'Rene' Harvath' is visible, dated 'Nov 28 2022 at 3:04AM on page 7' with a 'Suggestion' tag. The comment text reads: 'Walls usually generate a lot of community interest as they represent the aesthetic character for the community. Most of Albuquerque does not have front yard walls, or has followed the 3 foot wall height requirement for a front yard wall. Changing the rules would create a lot of resentment. There are areas of town where the taller walls with view fencing are more prevalent such as the Southwest area of town, where I used to live. Since this amendment could change the visual character of a community resulting in a lot of community resentment, if

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<http://www.willsonstudio.com>

From: [Peggy Neff](#)
To: [City of Albuquerque Planning Department](#); [P. Davis Willson](#)
Cc: [Lehner, Catalina L.](#); [Heather Sandoval](#); [Dayan Hickman-Vigil](#)
Subject: Re: final comment before 9am deadline today, Nov. 28th
Date: Tuesday, November 29, 2022 7:29:47 AM

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

To Whom It May Concern,

I completely agree with this assessment and with the email from Rene Horvath.

This is a very questionable and quite likely illegal way to approach changes to our property rights through zone code updates.

I am asking the EPC to simply send this set of amendments and the additional zone code ordinances along with the SOS ordinance back to the Planning Department with instructions to work with the public and revise and update the IDO Amendment Process.

Furthermore I am asking that the EPC recognize several severe concerns:

1. Substantive citywide amendments need a different process from an annual update process in order to achieve
 - a) a standard of notification that is measurable and predictable for all zone code change/amend ordinances
 - b) metrics to recognize, attend to and respond to Public Comments and Concerns,
 - c) metrics to assess public health impacts
 - d) information and data is accessible and presented to EPC, City Councilors and the public
 - i) a summary of beneficiaries that includes a full list current site plans to which the new change will apply
 - ii) a comprehensive impact statement accompanied with maps of those sites that will be impacted
 - iii) a risk analysis that lists possible unintended consequences
 - iv) examples of the proposed changes
 - v) a summary statement of public concerns that are both recorded at public meetings and sent to the planning department
2. The process for updating and changing our zone code needs to be better coordinated so that we do not see confusion in the revisions in the same way that we have seen the revision of the SOS issue and in the same way we are seeing dual tracks for multiple amendments in this 2022 IDO Annual Update Cycle and the same way we are seeing multiple amendments that have not been vetted, prioritized or even decided, coming from the Planning Department. This is unacceptable, it will be weighed in court whether continuing on this path is willful and unreasonable without consideration and in disregard of the facts of law, deeming the process arbitrary and capricious and putting the city at risk.
3. Metrics are still needed to address community concerns above economic development and fully codify into zone code law Resolution 270-1980 that the public lost in the faulty 2017 IDO sector plan and ordinance translation process.
4. Mapping systems that are available to planners, developers and NAIOP agents that show linked site plans need to be available to the public, now.

I'm on page 9 of making comments on the original spreadsheet. I was cut off from the public process for which I will be submitting an IPRA to learn the reasons for this. The numbering system, since it was not preserved from the original spreadsheet for this set of amendments is askew which has caused confusion. I have yet to read the additional ordinances and will endeavor to provide notes. However, I agree, the process is broken and it is the EPC's responsibility to hear and attend to this matter. The public

cannot continue to stand for this blatant taking of our rights.

Very concerned,

Peggy Neff

Peggy Neff Other Path LLC 505-977-8903

On Monday, November 28, 2022 at 07:53:22 AM MST, P. Davis Willson <info@willsonstudio.com> wrote:

Chair Timothy MacEachen,

You have received many emails from individuals, neighborhood associations, coalitions and the Inter-Coalition Council. They are not all in agreement—for example, some favor ADU's (with conditions), some are 100% opposed. However, I have not seen one comment yet in favor of increasing the 3 ft. permissive front yard wall height. And I urge you to pay particular attention to Deborah Conger's email—she makes excellent points about enforcement.

In trying to help folks understand the process—and what's at stake—I put together several links for review. **I am including this for the record.** It is critical that more community members become aware and involved in the process, and the effort by a small group of volunteers to improve this process.

Background on the city's zoning history/process is located on the main IDO page: <https://ido.abc-zone.com/background-coordination-abc-comp-plan>

Then spend some time clicking around the Home page from the 'Background' link above: <https://ido.abc-zone.com>

This 84 page PDF explains the total number of changes (≈62, in four separate cases) that will be heard at EPC. https://abc-zone.com/sites/abc-zone.com/files/media/IDO-Annual-Update-2022-Post-submittalPre-EPC-Review-2022-11-18-print_0.pdf

If you want to hear long range planner Mikaela Renz-Whitmore go thru this pdf, there is a 1 hour presentation here: https://cabq.zoom.us/rec/play/W7BK9hc7Acx58z8CNmH47yrzzLXr6t5vyZkc35y-EzfdU1DTphxXUirKj-Wqif4yK0oVgFLnODIGSJr5.44OTcd1RGb0P25BD?continueMode=true&_x_zm_rtaid=i19K-rieT7u6MEq7x-gbZA.1669042788001.058ba442ad8d1e8468f8f1606fc64ba9&_x_zm_rhtaid=964

Go here to understand the three step process the city goes thru in the IDO Annual Update process: <https://abc-zone.com/ido-annual-update-2022>

And back out to the main ABC to Z planning website for links to the Comprehensive Plan, the IDO, the CPA's and to sign up for updates: <https://abc-zone.com>

And now if you're ready to make comments on the online interactive spreadsheet (but this does not include the 6 changes introduced at Council—O-22-54), go here (make sure to put your full name and email when you post a comment): <https://ido.abc-zone.com/ido-annual-update-2022-epc-submittal-citywide-proposed-changes>

Additional comments (anything regarding O-22-54) should be sent to abcto@cabq.gov and addressed to EPC Chair Timothy MacEachen. Comments received by Monday, Nov. 28th 9am, will be included in the Staff report. Comments received by Dec 6 will be included in EPC member's packets. If you want to know who in on the Environmental Planning Commission, go here and click on the Membership

box: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>

The inclusion of O-22-54 in the 2022 IDO Annual Update Process is an insult to the public, to the Comprehensive Plan, and to the entire concept of how and why the zoning code needs to stay current. For the Mayor to claim that a five year old ordinance is outdated is just not right. Pete Dinelli said it best in his November 15th post <https://www.petedinelli.com/2022/11/15/mayor-tim-keller-seeks-transformative-changes-to-integrated-development-ordinance-ido-to-favor-developers-despite-apartment-construction-boom-announces-housing-forward-ab/>

"The enacted Integrated Development Ordinance has provisions to allow the City Council to adopt major amendments and make major changes to it. The IDO blatantly removes the public from the development review process, and it was the Planning Department's clear intent to do so when it drafted the IDO."

Chair MacEachen, my thanks to you and the rest of the EPC for all your hard work. My final thoughts are these: 1) incorporate metrics to determine whether a proposed amendment is textual or substantive, and 2) add a deadline to the City's three step process that cuts off additional amendments after LUPZ review—put them on the list for the next year's amendments rather than allowing the full Council barrage of Floor Amendments, often happening late at night with no public input.

Respectfully,

Patricia D. Willson, AIA

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V: (505) 266-8944
F: (505) 266-2746
[email: info@willsonstudio.com](mailto:info@willsonstudio.com)
<http://www.willsonstudio.com>

From: [John Pate](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Gary Eyster \(meyster1@me.com\)](#); [P. Davis Willson; dreikeja@comcast.net](#); [Lehner, Catalina L.](#); [Elizabeth Vencill; Erin Engelbrecht \(eebrecht@yahoo.com\)](#); [Glenda Armstrong \(mailto:glendalarmstrong@gmail.com\)](#); [Greg Miller - Morrow Reardon Wilinon Miller, LTD. \(gmiller@mrwmla.com\)](#); [Heidi Olson \(heidifolson@gmail.com\)](#); [John Pate; Joseph Turk; Linda Tigges \(lindatigges@gmail.com\)](#); [peter belletto](#); [Phyllis Taylor - Sites Southwest \(ptaylor@sites-sw.com\)](#)
Subject: IDO Annual Update 2021
Date: Saturday, November 26, 2022 12:53:57 PM

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

Chair Timothy MacEachen, Chair
CABQ Environmental Planning Commission

Dear Mr. MacEacchen and Members Of the Commission,

At the Annual Meeting on October 25, 2022 we ONCE AGAIN discussed an effort at the City Zoning Department to modify the 3' height limit for walls within the front yard setbacks. Your neighborhood association has been continually dealing with this issue. We are opposed to this in the strongest possible terms. Someone is trying to convince people that it will make our neighborhood safer: That concept is flawed and just wrong. This item was brought to a vote of the Southeast Heights Neighborhood Association at the Annual Meeting in 2006 and has been discussed continuously since. Our policy and objection to the taller wall within the front yard setbacks has not changed.

Southeast Heights Neighborhood Association Policy - Garden Walls in Front Yard Setbacks

It has been a long-standing policy of the Board of the Southeast Heights Neighborhood Association to uphold the City Zoning Ordinance on walls and fences over 3 feet high within the setback in the front of homes. We therefore OPPOSE any application for a CONDITIONAL USE or a VARIANCE for construction of these walls for a number of reasons:

- In the spirit of keeping the historical nature of our neighborhood which was designed with broad avenues and houses with a primary orientation toward the street.
- One element of good neighborhoods is defensibility. Self-surveillance creates safer neighborhoods. Neighborhoods with private active living spaces with a view of the street activity require less martial resources and promote legal activities on the streets. The tall walls facing the street prohibit self-surveillance and put the legal activities behind walls and leaving the streets unwatched and consequently fewer safe spaces.
- In the same vein tall wall create a complete visual barrier conducive to burglaries and other undesirable activities while one's neighbors would be unable to see or respond appropriately.

Additionally, it is a farce to promote tall walls in an effort to reduce crime. Nothing could be further from the truth.

- Tall walls provide spaces behind which people can hide.
- Tall walls disturb the sight lines and views down the streets.

Properties in our neighborhood do not generally have special circumstances that would justify violation of the zoning standards for construction of a wall of that height. Although the Board for the Southeast Heights Neighborhood Association is not the reviewing agency and the ultimate decision will be made by the City Zoning Hearing Examiner, we believe that it is the duty of the Board to promote the zoning standards affecting our neighborhood. The Board trusts that the hearing examiner reviews each case on its merits and ascertains that extenuating circumstances exist that would warrant an exception to any zoning code before granting approval. It is up to the applicant to show the City Zoning Hearing Examiner why any exception to the Zoning Ordinance should be granted.

Most disturbing regarding this effort, is that it seems counter to the fundamental reason we have a comprehensive masterplan and the IDO to guide urban development. The thesis of the document regarding residential areas is to preserve individual neighborhood character and to promote neighborhood interaction and walkability. The plan literally says consult with and listen to the neighborhoods. Closing off residences from the street is counter to maintenance of healthy, walkable, neighborhoods where the residents can keep an eye on neighborhood activities and assist in crime reduction and prevention.

There may be neighborhoods in Albuquerque where this is appropriate BUT NOT OURS! We do not want to live on impersonal, rarely walked-on urban canyons like you see elsewhere in the southwest. We have a very pedestrian, walkable neighborhood where we actually interact with our neighbors and their pets. We can see the street activities and they can see us and that is how we want to keep it.

Please consider what the neighbors want.

Sincerely,
For the Southeast Heights Neighborhood Association

John Quinn Pate, President



SEHNA

P. O. Box 8711
Albuquerque, New Mexico 87198

From: [Walter Putnam](#)
To: [City of Albuquerque Planning Department](#)
Subject: Upcoming IDO Changes
Date: Saturday, November 26, 2022 1:03:33 PM

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

Environmental Planning Commission
City of Albuquerque

Re: Upcoming IDO Changes

To whom it may concern:

As a long-time Albuquerque resident and real estate investor, I believe allowing higher density developments in the City of Albuquerque is a positive thing for our City and State.

I support the IDO changes to allow two-family dwellings on more lots in Albuquerque, reducing parking requirements and height restrictions for multifamily properties, and making hotel conversions easier by removing the kitchen requirements.

Please consider supporting these changes.

Sincerely,

Walter Putnam
4 Tennis Ct, NW
Albuquerque, NM 87120

--

*"The more I learn about people, the more I like my dog."
- Mark Twain*

From: [Beth Silbergleit](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Gary Eyster](#); [Dennis Trujillo](#)
Subject: Wall heights
Date: Saturday, November 26, 2022 9:27:18 AM

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

Chair MacEachen:

I continue to be bewildered and dismayed that we cannot lay to rest the idea that increasing permissible wall heights in front yards is a good idea. It is not! Permissible front yard wall heights have been set at 3 feet since the 1950s. Public input to numerous zoning code updates throughout the decades has consistently reaffirmed that this is the appropriate height. Destruction of existing streetscape, diminished neighborhood safety by limiting eyes on the street, and a gradual transition to a city and neighborhoods that will be defined by walled-in front yards are the perils of raising wall heights. Those of us who live in historic neighborhoods have made that choice for a variety of reasons. The sense and aesthetics of community is a prime factor. This will be destroyed as walls begin to predominate the streetscape, even if the top few feet are transparent. I truly hope we can put this issue to rest and concentrate our energy on the many other issues pertaining to smart development in our City.

Respectfully,
Beth Silbergleit

From: [Peter Swift](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Foran, Sean M.](#); ["Elen Feinberg"](#); [Mayor Keller](#)
Subject: No on O-22-54
Date: Saturday, November 26, 2022 12:45:54 PM
Attachments: [EF PS Letter to EPC 26Nov2022.pdf](#)

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

Our letter to Mr. Timothy MacEachen, Chair of City of Albuquerque Environmental Planning Commission, regarding O-22-54, Mayor Keller's proposed transformative zoning changes, is attached.

We are requesting that the EPC withhold approval of O-22-54 until further analysis of its impacts is completed and provided to City residents.

To summarize, we believe that there has been insufficient time for public discussion of the proposal. We are concerned that in neighborhoods with guaranteed long-term demand for short-term rentals (specifically, those near the University of New Mexico main campus), the impacts of the changes will be counterproductive to the goals of the IDO, and will encourage the irreversible transformation of stable and diverse family neighborhoods into transient rental communities.

Thank you,

Peter Swift and Elen Feinberg

Elen Feinberg and Peter Swift
613 Ridge Place NE
Albuquerque, NM 87106
pnsswift@comcast.net
505 379 3201 (mobile)

From:
Elen Feinberg and Peter Swift
613 Ridge Place NE
Albuquerque, NM 87106

To:
Timothy MacEachen
Chair, Environmental Planning Commission
City of Albuquerque

November 26, 2022

Subject: Request to withhold approval of O-22-54

Dear Mr. MacEachen,

We are writing to express our concerns about proposed changes to the City's Integrated Development Ordinance (IDO) contained in O-22-54, and to request that the Environmental Planning Commission withhold approval of O-22-54 until further analysis of its impacts.

We have a major concern with the process by which these changes are being proposed. We consider ourselves well-informed residents of Albuquerque, and yet we learned of these proposed changes for the first time on November 11, 2022, when the Albuquerque Journal published a summary of the "transformative" updates to the zoning code. As we understand it, the City held one public meeting (by Zoom) after this announcement, which we were unable to attend, and the opportunity for public comment closes November 28, less than three weeks after most of the City first learned of the proposal. Surely, truly transformative zoning changes (which these appear to be) deserve more public discussion than this. We have seen no analysis by the City of the impacts of the changes, nor of the alternatives that were considered.

As we understand the proposed changes, they will create permanent and irreversible changes in R-1 zones throughout the City, doing away with zoning support for the concept of neighborhoods composed primarily of single-family homes. In the neighborhood where we live, within walking distance of the University of New Mexico main campus, changes are likely to happen quickly as single-family homes convert to duplex rental units. We recognize that this may in fact be exactly what the City intends, and if so, we believe it will eventually prove to be an unfortunate mistake. Impacts of this zoning change may be incremental and proportionally small in much of the City, but they are likely to be large in the University neighborhoods where the long-term demand for temporary rental property is guaranteed. Once begun, the transformation of stable family neighborhoods into transient rental communities is likely to snowball rapidly.

We urge the City to reconsider the rapid implementation of O-22-54, allowing time to provide the affected communities with documentation of a full analysis of impacts and alternatives. Specifically, we request that the EPC withhold its approval of O-22-54.

Thank you,



Elen Feinberg and Peter Swift

From: [Dennis P. Trujillo](#)
To: [Lehner, Catalina L.](#)
Subject: Administration Proposal on Height of Permissive Walls in Front Yards
Date: Friday, November 25, 2022 7:23:20 PM

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

EPC Chair, Tim MacEachen:

I am a long time resident of Albuquerque and of Nob Hill, I received my PhD from UNM and I retired as a historian for the state of New Mexico. I am concerned about our shared historical and cultural environment. Historically, Clyde Tingley signed Albuquerque's first zoning code in 1955, limiting permissive walls in front yards to 3 ft. in height. This architectural and social feature has remained in place in zoning updates of 1965, 1973, 1991, and the 2017 IDO. The IDO received an enormous amount of public input, rounds of public review, and no one suggested that it would be a good idea to make permissive walls, in front yards, anything other than 3 ft. in height. For 70 years now, the vast majority of walls built by homeowners in front yards, have been permissive 3 ft. walls; sometimes called garden walls. These front-yard walls are visible from the public way and remain a defining historic and cultural feature of our streetscape, neighborhoods and city. These walls preserve the concept of "eyes on the street," a valuable tool for public safety. Permissive walls in front yards up to 3 ft. high are an important part of the historic character of Albuquerque. Making 5 foot high walls (2 feet being transparent) permissive, would diminish our historic streetscape and the safety concept of "eyes on the street." Please do not let Albuquerque become fortress like, a city of high walls. 3 foot garden walls are important in our history, important to our future, important to our city.

Sincerely,
Dennis P. Trujillo, PhD

November 26, 2022

Via email: abcto@cabq.gov
EPC Chair Timothy MacEachen

Re: RZ-2022-00054 – Text Amendments to IDO – Citywide
RZ-2022-00059 – Text Amendments to IDO – Citywide (Housing Forward)
RZ-2022-00055 – Text Amendments to IDO – CPO 9 – North Fourth Street
RZ-2022-00056 – Text Amendments to IDO – VPO-2 – Northwest Mesa

Chairman MacEachen,

As President of the Victory Hills Neighborhood Association (VHNA), Treasurer of the District 6 Coalition and Representative to the Inter-Coalition Council, I have helped draft several statements regarding the 2022 Annual Update to the Integrated Development Ordinance (IDO).

However, these comments are my own, as practicing professional Architect licensed in the state of New Mexico since 1987. Early in my career, I worked for several major firms in the city, including Hutchinson Brown and Partners, Fanning Bard Larson, Holmes Sabitini and Eeds and Dekker Perich Sabatini. I have operated as a Principal of Willson + Willson Architects since 1990.

<https://willsonstudio.com>

I am addressing the cases referenced above in reverse order:

- RZ-2022-00056 – Text Amendments to IDO – VPO-2 – Northwest Mesa
This Small Area Amendment could lead to 4-story buildings in an area where height limitations are a major issue; therefore I do not support this amendment. Though I cannot confirm, I understand that this change was proposed by a developer—another reason the source data for amendments is so critical.
- RZ-2022-00055 – Text Amendments to IDO – CPO 9 – North Fourth Street
This is a good example of what a text / textual amendment should be; fixing a simple mistake to recognize that buildings on 4th street could be facing a side street. It is not a substantive change and I would support this amendment.
- RZ-2022-00059 – Text Amendments to IDO – Citywide (Housing Forward)
I am 100% OPPOSED to including O-22-54 as a Text Amendment to the IDO. The Comprehensive Plan's map of Areas of Consistency shows the vast range of the city that would be effectively doubled (or tripled) in density were this to pass. Once something is made Permissive, it never goes back to Conditional. If passed, make it Conditional and hire more planning staff!
- RZ-2022-00054 – Text Amendments to IDO – Citywide
I ask—no, beg—that the Annual Update Process include specific source data, examples, beneficiary information, risk analysis, impact statements and summaries of public comment. Other letters (Parkland Hills NA, for example) have done a more thorough job addressing the spreadsheet of 49 items; I will defer to their comments.

I will address Items 26, 27 and 28, which address Walls & Fences. The Planning Director has repeatedly said a majority of variance requests are for higher walls in the front yard setback—what are the data pertaining to that? Exactly how many requests are we talking about? Last year's comments repeatedly referenced information about 'eyes on the street', higher walls increasing crime rather than deterring crime, etc., etc.. The EPC's Notice of Decision on 12/16/21 said,

November 26, 2022
Page 2

Via email: abcto@cabq.gov
EPC Chair Timothy MacEachen

“Maximum permissive wall height (Wall Permit-Minor) would continue to be 3 feet in residential, mixed use, and non-residential zones.” Many community members were greatly relieved by this decision. Yet, at a luncheon presentation to architects the following summer, Director Varela noted that this proposed change would re-appear in the 2022 Annual Update.

The concept of “transparency” is another issue. The requested change proposes a 5’ permissive wall: 3’ of solid wall topped with 2’ of “view fencing”. The IDO definition of View Fencing is “A wall that is at most 25 percent opaque to perpendicular view unless specified otherwise in this IDO...” However, there is no definition of the thickness of this view portion—concrete masonry units laid on their side are about 50% open only when viewed straight on. With any move off of perpendicular, the “view” disappears. This also happens with vertical wrought iron bar: a drive through the South Los Altos Neighborhood makes this painfully clear.

The change for ‘Options for a Taller Front or Side Yard Wall’ changes the distance from “<10 ft.” to “<2 ft.” from the property line. Many people do not know where their property line is; they think it is at the back of the sidewalk. There is a Variance Request pending in my neighborhood where the homeowner did not give the designer a survey, the designer failed to do due diligence and showed the property line actually in front of the curb, and city plan review failed to catch that error and approved the plans...in my opinion, they all share the blame for this mistake.

In summary: I am opposed to Item 26 and 27. I would support Item 28 ONLY if the definition of View Fencing is clarified to include thickness and if an accurate survey with posted corners is required.

I have included 4 additional PDF pages showing examples. I appreciate the work of the EPC and LUPZ, and hope that in future Annual Updates there could be a deadline after the first two steps of the process. Changes at Council could become the start of the following year’s list rather than last minute Floor Amendments.

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P.D. Willson". The signature is stylized and written in a cursive-like font.

Patricia D. Willson, AIA
Willson + Willson Architects, LLC

From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Lehner, Catalina L.](#)
Subject: commenting closed early!
Date: Monday, November 28, 2022 8:37:02 AM

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

Chair MacEachen,

In trying to make one final email it shows that “**Commenting is closed for this document**”

This screenshot was taken at **2022-11-28 at 8.25.08 AM**

IDO Annual Update 2022 - EPC Submittal - Citywide Proposed Changes

Please review and give comments!

This list was submitted to the Environmental Planning Commission (EPC) on **October 27, 2022**.

- See the [project webpage](#) for the latest information about the 2022 IDO Annual Update, including the City's review/decision process, hearing details and Zoom link, and deadlines for comments.
 - See the [presentation](#) from public review meetings October 20 & 21.
 - See [video](#) from public review meetings October 20 & 21.
 - See [presentation](#) from public review meeting November 18.
 - See [video](#) from public review meeting November 18.

Please review and click anywhere on the document below to add a comment on this proposed list of changes to the **Integrated Development Ordinance** that would apply citywide. Comments with full name and email included will be forwarded to the EPC for consideration.

- Comments with profanity will be deleted.
- Review others' comments by clicking on numbered pins.
- If you prefer, send an email to abcto@cabq.gov addressed to EPC Chair Timothy MacEachen.

You can download this document as a PDF by clicking on “Download” in the menu bar above the document.

Item	Page	Section	Change / Discussion
1	35	2-4(I)(1)(c)	Mobile Food Truck Court in MX-FB Add a new subsection with the following text: "Mobile food truck court."
2	47	2-5(I)(3)	NRBP- Deviations, Variances, Waivers Create a new subsection with text as follows: Deviations, Variances, and Waivers from Master Developer Standards 1. Deviations from Master Development Plan standards may pursuant to the same thresholds and procedures as establish Subsection 14-16-6-4(D). 2. Variances from Master Development Plan standards may be pursuant to the same thresholds and procedures as establish 6-1-1 and IDO Subsection 14-16-6-4(C). 3. Waivers from Master Development Plan standards may be pursuant to the same thresholds and procedures as establish

Patricia D. Willson
Willson + Willson Architects
505 Dartmouth Drive SE
Albuquerque, NM 87106
V: (505) 266-8944
F: (505) 266-2746
[email: info@willsonstudio.com](mailto:info@willsonstudio.com)

<http://www.willsonstudio.com>

November 26, 2022

Via email: abcto@cabq.gov
EPC Chair Timothy MacEachen

Re: RZ-2022-00054 – Text Amendments to IDO – Citywide
RZ-2022-00059 – Text Amendments to IDO – Citywide (Housing Forward)
RZ-2022-00055 – Text Amendments to IDO – CPO 9 – North Fourth Street
RZ-2022-00056 – Text Amendments to IDO – VPO-2 – Northwest Mesa

Chairman MacEachen,

Both the District 6 Coalition (D6) and the Victory Hills Neighborhood Association (VHNA) support comments submitted by both the Inter-Coalition Council (ICC) and the Parkland Hills Neighborhood Association (PHNA)—even though those documents are not in complete agreement!

- RZ-2022-00054 – Text Amendments to IDO – Citywide

The ICC requests that the Annual Update Process include specific source data, examples, beneficiary information, risk analysis, impact statements and summaries of public comment. Last year's update included a watered-down version of this request—which is much appreciated—however, the addition of a column labeled 'Source' and identifying 'Staff', 'Admin', 'Public', etc., is hardly enough. Even so, we ask that you LISTEN to the comments submitted online; for example, there are currently sixteen comments pinned to the Walls & Fences amendments—all are in OPPOSITION. This was soundly defeated last year; why must we review it again?

- RZ-2022-00059 – Text Amendments to IDO – Citywide (Housing Forward)

This ordinance presents 'transformative' changes intended to mitigate the City's housing crisis. The ICC posed questions about the data and the unintended consequences of these dramatic proposals and stands in OPPOSITION to the adoption of these Amendments. PHNA supports Sections 1 & 2 (changing R-1 to two-family and allowing ADU's permissively) with sensible ADDED CONDITIONS and OPPOSES others. D6 and VHNA agree that O-22-54 should not be included in the IDO update, but assuming this Ordinance will be pushed through, then include the protections outline by PHNA!

D6 and VHNA again suggest that the IDO Annual Update process is not the place to make major, substantive changes to the City's zoning code; once something has become Permissive instead of Conditional, it is nearly impossible to walk it back.

- RZ-2022-00055 – Text Amendments to IDO – CPO 9 – North Fourth Street

Upon review this seems like an appropriate change that D6 and VHNA support.

- RZ-2022-00056 – Text Amendments to IDO – VPO-2 – Northwest Mesa

This Small Area Amendment could lead to 4-story buildings in an area where height limitations are a major issue; therefore D6 and VHNA do not support this amendment.

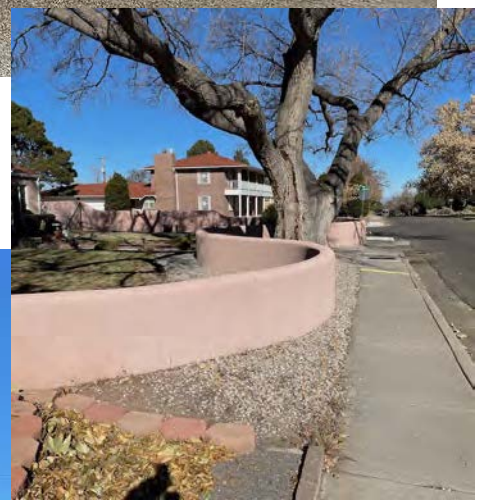
The city website describes the update process as a three-step process; first EPC, then LUPZ, then full City Council. We believe there should be a cut-off deadline after step two and that further changes would go on the list for the following year rather than being introduced as last minute Floor Amendments at Council.

Respectfully submitted,

Dr. Peter M. Belletto, President, D-6 Coalition
Patricia Willson, President, Victory Hills Neighborhood Association



3' serpentine wall in front yard accommodates existing tree; side yard and back yard step up as allowed.



Sucessful 3' walls of block, wood, metal (some effectively higher with terracing):



Good use of lower planter at clear sight triangle

Successful Patio Wall examples
(6' walls > 10' back):



Less successful Patio Walls
(tall walls @ property line):



Successful view and security fencing:



Unsuccessful view fencing:



From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Lehner, Catalina L.](#)
Subject: final comment before 9am deadline today, Nov. 28th
Date: Monday, November 28, 2022 7:54:27 AM

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

Chair Timothy MacEachen,

You have received many emails from individuals, neighborhood associations, coalitions and the Inter-Coalition Council. They are not all in agreement—for example, some favor ADU's (with conditions), some are 100% opposed. However, I have not seen one comment yet in favor of increasing the 3 ft. permissive front yard wall height. And I urge you to pay particular attention to Deborah Conger's email—she makes excellent points about enforcement.

In trying to help folks understand the process—and what's at stake—I put together several links for review. **I am including this for the record.** It is critical that more community members become aware and involved in the process, and the effort by a small group of volunteers to improve this process.

Background on the city's zoning history/process is located on the main IDO page:
<https://ido.abc-zone.com/background-coordination-abc-comp-plan>

Then spend some time clicking around the Home page from the 'Background' link above:
<https://ido.abc-zone.com>

This 84 page PDF explains the total number of changes (~62, in four separate cases) that will be heard at EPC. https://abc-zone.com/sites/abc-zone.com/files/media/IDO-Annual-Update-2022-Post-submittalPre-EPC-Review-2022-11-18-print_0.pdf

If you want to hear long range planner Mikaela Renz-Whitmore go thru this pdf, there is a 1 hour presentation here:

https://cabq.zoom.us/rec/play/W7BK9hc7Acx58z8CNmH47yrzzLXr6t5vyZkc35y-EzfdU1DTphxXUirKj-Wqif4yK0oVgFLnODIGSJr5.44OTcd1RGb0P25BD?continueMode=true&_x_zm_rtaid=i19K-rieT7u6MEq7x-gbZA.1669042788001.058ba442ad8d1e8468f8f1606fc64ba9&_x_zm_rhtaid=964

Go here to understand the three step process the city goes thru in the IDO Annual Update process: <https://abc-zone.com/ido-annual-update-2022>

And back out to the main ABC to Z planning website for links to the Comprehensive Plan, the IDO, the CPA's and to sign up for updates: <https://abc-zone.com>

And now if you're ready to make comments on the online interactive spreadsheet (but this does not include the 6 changes introduced at Council—O-22-54), go here (make sure to put your full name and email when you post a comment): <https://ido.abc-zone.com/ido-annual-update-2022-epc-submittal-citywide-proposed-changes>

Additional comments (anything regarding O-22-54) should be sent to abcto@cabq.gov and addressed to EPC Chair Timothy MacEachen. Comments received by Monday, Nov. 28th 9am, will be included in the Staff report. Comments received by Dec 6 will be included in EPC member's packets. If you want to know who is on the Environmental Planning Commission, go here and click on the Membership box:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>

The inclusion of O-22-54 in the 2022 IDO Annual Update Process is an insult to the public, to the Comprehensive Plan, and to the entire concept of how and why the zoning code needs to stay current. For the Mayor to claim that a five year old ordinance is outdated is just not right. Pete Dinelli said it best in his November 15th post

<https://www.petedinelli.com/2022/11/15/mayor-tim-keller-seeks-transformative-changes-to-integrated-development-ordinance-ido-to-favor-developers-despite-apartment-construction-boom-announces-housing-forward-ab/>

"The enacted Integrated Development Ordinance has provisions to allow the City Council to adopt major amendments and make major changes to it. The IDO blatantly removes the public from the development review process, and it was the Planning Department's clear intent to do so when it drafted the IDO."

Chair MacEachen, my thanks to you and the rest of the EPC for all your hard work. My final thoughts are these: 1) incorporate metrics to determine whether a proposed amendment is textual or substantive, and 2) add a deadline to the City's three step process that cuts off additional amendments after LUPZ review—put them on the list for the next year's amendments rather than allowing the full Council barrage of Floor Amendments, often happening late at night with no public input.

Respectfully,

Patricia D. Willson, AIA

Willson + Willson Architects
505 Dartmouth Drive SE
Albuquerque, NM 87106
V: (505) 266-8944
F: (505) 266-2746
[email: info@willsonstudio.com](mailto:info@willsonstudio.com)
<http://www.willsonstudio.com>



Santa Fe Village Neighborhood Association

5601 Bogart Ave. NW Albuquerque, NM 87120
SFVNA2014@gmail.com

Date: December 5, 2022

To: Timothy MacEachen
Chair, EPC

From: Jane Baechle
SFVNA

Re: 2022 IDO Annual Review

The Santa Fe Village Association has already submitted initial comments regarding selected proposals for amendments to the Integrated Development Ordinance (IDO). These are included in the staff report and reflected in the agenda for the upcoming Environmental Planning Committee (EPC) meeting on 12/8/2022. This document affirms our positions outlined in our initial comments and reflects our consideration of the planning staff analysis and comments and points made during the EPC study session held on 12/1/2022. It has the support of the SFVNA Board.

PR-2018-001843-RZ-2022-00056_VPO-2 Small Area Amend

The SFVNA Board and several SFV residents who have communicated with the Board remain strongly *opposed* to the changes in the NW Mesa Escarpment View Protection Overlay and consider their impact, if adopted, profoundly deleterious to the Petroglyph National Monument, the escarpment and the sacred landscape of the entire area. We are grateful for the recommendation of ABQ Planning Department staff for *denial* of this proposed amendment and its analysis which affirms our view of the negative impact and conflict with the protection of ABQ cultural heritage sites of this proposal. The staff report outlines further conflicts with additional goals and policies of the ABC Comp Plan and supports the consistent application of the citywide rule re: the delineation of areas included in protection overlays in designated small areas across the city. We respectfully ask the EPC commissioners to accept the views of the NPS, SFVNA and other ABQ residents and the recommendation of Planning Staff on this matter.

PR-2018-001843-RZ-2022-00059_Housing_Citywide

The SFVNA continues to *oppose* the majority of the proposals outlined in O-22-54. The substance of our opposition is outlined in our initial comments and the staff report largely fails to address the potential deleterious effects of these proposed zoning changes on SFV. Santa Fe Village is an extremely compact neighborhood with more than 1000 homes. The potential increase in density in an already small geographic area if even a relatively small percentage of homeowners redevelop single family dwellings into two family homes or add an ADU would be profoundly deleterious to the scale and sense of place of SFV.

This entire proposal rests on assumptions about the expected contribution of these changes to increasing affordable housing stock and assertions that effects will be neither harmful or can be easily mitigated.

Among those assumptions for which no evidence is provided are:

- Any increase in housing stock, of any type or location, will effectively be considered desirable, accessible and affordable to those seeking housing.
- Existing development standards, required setbacks and parking requirements, will prevent any change to neighborhood scale or character.
- Redevelopment to create a two family home will minimally increase the lateral footprint of the structure and not alter the vertical height of the building (although in our Pre-EPC Open House session it was made clear that a conversion to a two family residence could be accomplished by adding an additional story).
- That all developments will be permitted, designed consistent with IDO requirements and those will be enforced by ABQ Code Enforcement.
- That these changes will lead to affordable housing construction while previous incentives have failed to do so. Perceived barriers to the construction of additional housing cited at the EPC Study Session, ie lack of work force, construction costs and a hot housing market with high demand, are really not addressed in these proposals.
- That any increased housing stock will lead to decreased housing costs.
- That the City will enact measures to protect residential neighborhoods near mixed use zones from becoming the on-street default for parking when multi-family residents have no off street parking available.
- That there are areas of the city outside of Centers and Corridors or UC-MS-PT areas where public transit is sufficient to permit one to get to work, school or activities of daily living without a personal vehicle.
- That it is prudent for the City to relinquish its authority to establish and enforce any parking requirements. Once a standard is lifted or eased, it is unlikely to be re-established.
- That developers will assure equity in the provision of parking for multi-family residents who use housing subsidies vis-a-vis those paying market rates.
- That removing height restrictions in mixed-use zones will have limited impact because buildings over 3 stories tall are more expensive to construct.
- That using the IDO Annual Review process to enact highly impactful and durable changes to zoning law is consistent with ABC Comp Plan goals and policies to assure public engagement. Few ABQ residents have any awareness or understanding of the IDO or the Annual Review

Process. Fewer still have the time and resources to engage in the process, attend Planning Dept., EPC or Council meetings, review complex zoning language and respond to proposals and changes, some introduced within days of a meeting where an issue will come to a vote.

We respectfully ask the EPC to accept the recommendation of Planning Staff to *defer* this item for consideration to the January 2023 EPC meeting. At a minimum, proposals of this scope and potential impact deserve adequate time to be fully vetted including public comments and Planning staff recommendations.

PR-2018-001843-RZ-2022-00054 Citywide General Amend

Walls and Fences-IDO Subsection 14-16-5-7(D)(3)(a) and (b), Table 5-7-2, p. 320, 321 and 322

The SFVNA Board continues to *oppose* provisions which would make wall heights of 5' with the upper 2' view fencing and a 2' setback permissive. Again, SFV is a very compact neighborhood, most streets are curving to follow the contour of the land. With the exception of Unser Blvd and open space along the east of the neighborhood, it is surrounded by the escarpment. The addition of taller walls even with view fencing, and particularly the potential of adding view fencing to an existing 3' wall on the lot line, "would not constitute context-sensitive streetscape design and would not reinforce an established sense of place." Our SFVNA Board has never received a concern or request from a SFV resident expressing a desire or perceived need for a taller front yard wall. A number of homeowners have courtyard walls in the front of their homes; they are well setback from the street and sidewalk and pose no negative effects on the streetscape, on clear lines of sight or on the ability of pedestrians to comfortably walk along the sidewalk. The existing IDO allows for taller walls and for courtyard walls for those who wish for front yard privacy or a barrier for children and pets. We respectfully ask the EPC to also *oppose* this change for low-density residential neighborhoods.

Thank you for your consideration.



29 November 2022

Environmental Hearing Commission
City of Albuquerque Planning Department
Plaza del Sol Building
600 Second NW
Albuquerque, NM 87102

RE: Letter of Support - ABQ Downtown Housing Forward - 2022 Annual IDO Update

Dear Commisisoners,

We write to you in support of the bulk of the proposed 2022 Annual IDO Update. We also deeply appreciate our partnership with the City of Albuquerque's current administration and City Council toward integrating more smart and equitable development.

in the midst of a national housing crisis, and with unique challenges of our own here in ABQ, increasing density must be an urgent priority. We are in full support, and pleased to see, proposals that will help meet the housing crisis challenge: Allowing two-family dwellings on more lots in Albuquerque, reducing parking requirements and height restrictions for multi-family properties, and making hotel conversions easier by removing many kitchen requirements.

Rather than a blanket removal of height restrictions, we would instead prefer to see the following changes, which still allows for maximizing density, but in a way we believe also better supports commercial activity:

- o As outlined in the current Comp Plan, greatly intensify density in Centers + Corridors
- o In areas outside of Overlay Districts, incentivize density with height bonuses

Hope this finds you well, and as always,

Mil gracias!

A handwritten signature in blue ink, appearing to read "Keith Romero", is written over a light blue horizontal line.

Keith Romero
Board President
Barelas Community Coalition

From: [Debbie-South Los Altos](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Lehner, Catalina L.](#)
Subject: 48 hour rule email: 5-7-(D)(3)(a) - walls & fences higher than 3 feet proposed as Permissive - OPPOSED
Date: Monday, December 5, 2022 5:35:49 PM

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

Chair Tim MacEachen (via email to abcto@cabq.gov)
Environmental Planning Commission (EPC)
City of Albuquerque

Chair MacEachen:

I am unable to attend the meeting and give public comment on December 8 due to work commitments. However, I want to reiterate my opposition to making walls & fences higher than 3 feet permissive in the IDO. I thank the EPC for listening to the public last year about this and hope you will do the same this year.

Below is a bullet list of some of my points of opposition. Please see my November 28 email, which should be in the staff report, for detail.

- Walls or fences higher than 3 feet should not be allowed as Permissive. Even "transparent" is not necessarily transparent the spacing of iron fencing and block pillars. Clear-sight triangles and mini-clear-sight triangles are routinely violated because of this. This is a traffic safety issue.
- As written, this amendment seems to allow 5 foot chainlink fences in front yards. This will make our neighborhoods look like prison yards. Please do not allow this.
- Tall walls and fences give criminals places to hide. We instead need "eyes on the street". This is a safety issue.
- Neighborhoods in many parts of the city are walkable, friendly, and safe precisely due to the lack of high walls. Fortresses should not be the default in neighborhoods. For all the reasons that others articulate too, please do not change this section of the IDO.

Respectfully,
(via email)

Deborah Conger

A long-time resident of the South Los Altos neighborhood (Eubank west to Wyoming, Central north to Copper)

Albuquerque NM 87123

cell: 505-340-6949

[email: debsla@swcp.com](mailto:debsla@swcp.com)

From: [Kenzie Davison](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Public Comment
Date: Monday, December 5, 2022 5:37:17 PM

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

Hello -

Thank you for taking the time to read and document my public comment.

I am reaching out to share my support for adapting policy in order to use old hotels as transitional housing.
Section 4-3(B)(8)(e)

Please let me know if you have any questions.

Warmly,
Kenzie Davison
71 Primera Camino Agua Rd
Tijeras, NM 87059

I do actively work and participate in the majority of my recreational activities in Albuquerque.

From: [JULIE DREIKE](#)
To: [City of Albuquerque Planning Department](#)
Subject: 48 Hour Material; Suggestions for IDO Annual Update 2022
Date: Tuesday, December 6, 2022 7:03:45 AM

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

Chair Tim MacEachen (via email to abcto@cabq.gov)
Environmental Planning Commission (EPC)
City of Albuquerque

Chair MacEachen and EPC Members:

I have previously submitted comments to be included in the staff report. Since this update to the IDO has areas major issues of concern to me and others, I am sending this email to meet the 48 hour deadline. The comments below highlight concerns.

- Fences--a proposal to change this was defeated last year. The administration has submitted it again, appearing to not listen to the community wishes. I have heard that this is being submitted because the administration has heard from individuals, yet not one comment has been made on the interactive IDO amendments in support of this change. Neighborhood Associations, including the ICC which I am a member of, submitted comments and or letters in opposition to this change. Please listen to those who have taken the time to consider this change carefully and took the time and energy to submit comments.
- Housing Forward--As I have spoken with neighbors and friends about the proposed change to R-1 they are in shock and dis-belief that such a change would be considered. People made their biggest investment in their homes in R-1 for a reason. If they had wanted to live in multi-family area, they would have made a different investment. This change does not align with the communities Comprehensive Plans. The ICC submitted a letter that included critical questions about this major change. Without any data on the effects of casitas on the rental market, how can fact based decisions be made? This is bad public policy
- Definition of Kitchens--While I am in agreement that affordable housing is needed, I disagree with the city plan to provide substandard kitchens. This public policy decision is in conflict with the health and well-being of those who will need the affordable housing. Substandard kitchens do not support healthy diets and result in food purchases that are more expensive. Pre-packaged food that can be prepared in the proposed substandard kitchens are high in fat, salt and sugar. New Mexico has a higher rate of diabetes and obesity than most of the surrounding states. This public policy decision is in conflict with other public policy--we spend tax payer dollars on educating people on health diets, yet don't provide a kitchen that allows them to follow that education. A kitchen that does not allow for cooking healthy meals, no freezer space for left overs or buying food on sale, no room for storing fruits and vegetables. For example, WIC

provides support for healthy diets. If public policy is to support breaking the cycle of poverty, it must be aligned to do so. Please consider the broad implications of this definition.

- I know others have submitted comments regarding the overall IDO update process. This is only my second round of involvement and have been surprised by the major changes that are proposed and the process of review.

Thank you for your service on the EPC.

Respectfully submitted,
Julie Dreike

From: [peter.kalitsis](#)
To: [City of Albuquerque Planning Department](#)
Subject: Additional Comments for the EPC regarding IDO Annual Update 2022
Date: Monday, December 5, 2022 8:41:14 PM
Attachments: [IDO CHANGES KALITSIS COMMENTS TWO 12 5 22.pdf](#)

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

Attention: Chair MacEachen

I am attaching my second set of comments for review and consideration for the December 8, EPC meeting. If you have any questions please do not hesitate to contact me.

Sincerely,

Peter S. Kalitsis,

Cell - 505-463-4356

From: Peter S. Kalitsis, Resident of Parkland Hills, 921 Pampas Dr. SE, Albuquerque, NM 87108

To: Attention: Chair MacEachen

December 5, 2022

Email abcto@cabq.gov

Re: Additional Comments for the EPC regarding IDO Annual Update 2022 including both:

- A. EPC Submittal - Citywide Proposed Changes "Printed 10/27/2022"
- B. And
 - **A. O-22-54 City Council Bill proposed changes to the 2022 IDO.**

As a resident of Parkland Hills Neighborhood, I, Peter S. Kalitsis, 921 Pampas Dr. SE, Albuquerque, NM 87108, after release of the Planning Departments review comments, I am sending additional personal comments and recommendations regarding the to the 2022 IDO proposed changes, both the O-22-54 City Council Bill proposed changes to the IDO, in addition to the 13 page published planning proposal.

EPC Submittal - Citywide Proposed Changes

Item 6, pg. 158, 4-3(B)(8)(e) – "Dwelling, Multi-family - Kitchen Exemption for Affordable Housing

Delete this subsection and renumber subsequent subsections as necessary."

PLEASE PASS THIS AMENDMENT for the following included reasons.

O-22-54 City Council Bill proposed changes to the 2022 IDO.

"SECTION 3. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE TO EXEMPT ALL CONVERSIONS FROM NON-RESIDENTIAL DEVELOPMENT TO MULTI-FAMILY DWELLINGS FROM THE DEFINITION OF KITCHEN"

PLEASE OPPOSE THIS AMENDMENT for the following included reasons.

Additional justification in additional to previously submitted comments:

1. Please refer to my complete previously submitted comments which indicated the minimal cost to include a kitchen with a hotplate/cooktop and a full size refrigerator in addition to the required kitchen sink.
2. As stated in my previously submitted comments that by requiring a burner such as a hotplate/2 burner cooktop, and a full size refrigerator would require, at most, the addition of 2 - 20 amp circuits added to each living unit which would likely cost less than \$2000 per unit, probably less if 20 units were upgraded at one time.
3. If the intent that has been stated is to provide affordable housing for those in need due to inadequate housing availability, providing affordable housing that was supposed to target the poor residents of our community, including the temporarily homeless, taking away traditional food preparation and food storage facilities is not directed towards the lower income population, those least able to afford prepared food that would be needed without a complete kitchen.

4. A probable result of these conversions, without amendments requiring this be affordable housing, is that the more desirable scenario would be for developers to do this conversion to market rate housing. It is clearly logical that, unless affordable conversions are a requirement, the most effective investment by developers would be to create market rate housing. The conversions to market housing is demonstrated with the comment review from the planning department as follows:
 - a. From Planning department review: Project #2018-001843 Case #: RZ-2022-00059 December 08, 2022 Page 27

“Units without full kitchens can be attractive to younger people with active lifestyles who do not cook and older people who no longer cook, so this incentive could help increase housing options for people who do not want full stoves or full-size kitchens.”
 - b. Further stated on Page 29 - The proposed amendment is consistent with these goals and policies because conversions can be less expensive than new construction, resulting in dwelling units that can be “naturally affordable” because they do not have to cover construction costs.
5. Due to the cost of providing a full kitchen, preferably modified to include a cooktop in lieu of a range, the total cost, including the increased cost of appliances should be no more than \$3000.
6. If there is an issue with this, if the developer could guarantee these units would be “affordable housing units”, the city could provide grants of these additional costs, not to exceed \$3,500 to encourage affordable housing, which could even utilize section 8 funding.

Thank you for your consideration.

Sincerely,

Peter S. Kalitsis,

Cell - 505-463-4356

From: [Michael Leach](#)
To: [City of Albuquerque Planning Department](#)
Subject: IDO Update comments
Date: Monday, December 5, 2022 4:33:46 PM

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

Chairman MacEachen, I attended the zoom meeting last week and commissioner Schaefer brought a good point about the change in the IDO regarding demolition of buildings in the entire metro area that are 50 years old or older. The proposed change as I understand, is all buildings in the metro area will need run by the proposed demolition by City planning in order to get approval that the property does not have historical value to the community. Commissioner Schaefer point was who determines what is historical value? This is arbitrary and just another layer of regulation that we do not need. Therefore, I'm not in favor of this change in the IDO update. If a private enterprise believes their old building has historical value than the private party should make to be placed on the historical register versus having this determined by City planning and bureaucracy.

Regarding affordable housing issues that have come up. I'm generally in favor of properties in the city being allowed to have a casita built on the property and hotels being converted to affordable rental housing. I do have concern about lowering parking requirements. My concern is from a safety standpoint, that if there is less parking on site, this will push renters/owners to park in the street. This could cause major congestion on streets for access for police, fire and ambulance services.

Thank you for considering my comments.

Mike Leach, SIOR
SYCAMORE ASSOCIATES LLC
Industrial & Commercial Real Estate
Michael D. Leach, Licensed NM Real Estate Broker, License 7070
Mailing address:
PO Box 90608
Albuquerque, NM 87199-0608
Physical address:
8300-D Jefferson NE
Albuquerque NM 87113-1734
Phone - 505.345-5075 Fax - 505.345-5059
E-mail - mdl@sycamore-associates.com



Virus-free. www.avast.com

From: [ELEANOR WALTHER](#)
To: [City of Albuquerque Planning Department](#)
Subject: 2021 IDO Annual Update
Date: Monday, December 5, 2022 10:00:21 PM

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

Dear Chair MacEachen

The Rio Grande Boulevard Neighborhood Association opposes Item 26 of the Citywide Amendments which will allow 5 foot walls in front yard with view fencing for at least 2 feet at top and set back 2 feet. See related row for proposed deletion of Permit - Wall or Fence - Major in Table 6-1-1 and Subsection 14-16-6-6(H). We believe that the increase in the height of fences as permissible will change the character of low density residential neighborhoods. We understand that there are properties where a higher fence is needed say on a busy street, The current variance process allows those cases to be allowed.

We also oppose item 40 of the Citywide amendments which allows Historic Preservation staff to review proposed demolitions of any structures 50+ years old citywide, regardless of whether it is on the State or national historic register, a City landmark, or within a Historic Protection Overlay (HPO). There are many properties in the North Valley which have structures that are older than 50 years. We think this creates an undue burden on property owners.

Eleanor Walther
Rio Grande Boulevard Neighborhood Association, President

From: [P. Davis Willson](#)
To: [City of Albuquerque Planning Department](#)
Subject: 48 Hour Material; Suggestions for IDO Annual Update 2022
Date: Monday, December 5, 2022 2:13:13 PM

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

EPC Chair Timothy MacEachen

To Chair MacEachen and all EPC members:

I know you have received lots of input prior to last week's November 28th deadline for inclusion in the Staff Report. I will not repeat myself here ahead of the 48 hour rule deadline at end of business today, Monday December 5th. But I would like to make a few more comments concerning Walls & Fences (Items 26, 27 & 28). I reviewed comments on the **IDO Annual Update 2022- EPC Submittal - Citywide Proposed Changes** online interactive spreadsheet. There are 21 numbered pins on those three items—all twenty-one comments are in opposition. There is not one comment in support. I copied pieces from just a half dozen of them. Please read them again here:

"Why does this bad idea to raise allowable front wall heights keep coming up? Anyone who has looked at data and studied site design, safety, and security knows that the taller the wall, the less safe and secure is the site."

"these height variances being decided administratively ... communicates an unwillingness from Planning Dept to hear neighborhood voice."

"Changing the rules would create a lot of resentment."

"Turning Abq into a gated community will not foster awareness among neighbors and won't solve any security problems."

"The city has existed for hundreds of years with no fences or 3 ft fences without a related crisis for children or dogs. There is a way for people to request a higher fence."

"Please provide data on how many variance requests there are for higher than 3 ft walls in the front yard setback. If the staff is so burdened by this, there needs to be more staff."

I sincerely hope the EPC listens (again—thank you) to the community—and then Council listens to your Notice of Decision. I know that other individuals, neighborhood associations and coalitions have asked you to consider how the IDO Annual Update process fails to comply with the Albuquerque/Bernalillo County Comprehensive Plan—circumventing the over-riding goals and principles of the ABC Comp Plan by making substantial changes in zoning law. Drastic changes, once done, are never undone.

I will be interested to hear the conversation about converting hotels to housing. There are ways to get closer to a full kitchen in merely 5 ft. of length:

<https://www.summitappliance.com/combination-kitchens>

Respectfully,

Patricia D. Willson, AIA

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CITY OF ALBUQUERQUE

ENVIRONMENTAL PLANNING COMMISSION

M I N U T E S

Agenda Item 4
Project Number PR-2022-001843, RZ-2022-00054

December 8, 2022

COMMISSION MEMBERS:

Tim MacEachen, Chairman (Excused)
David Shaffer, Vice Chairman
Joseph Cruz (Excused)
Richard Meadows
Jonathan R. Hollinger
Jana Lynne Pfeiffer (Excused)
Gary L. Eyster, P.E. (Ret.)
Robert Stetson
Dennis F. Armijo, Sr.

PLANNING STAFF:

Catalina Lehner, Senior Planner
Michael Vos, Principal Planner
Alfredo Salas, Senior Admin. Asst.

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VICE CHAIR SHAFFER: We'll move to Agenda Item Number 4. And it looks like we will be hearing, I'm assuming, Mr. Vos, since he was taking the lead on the other one. But, Ms. Lehner, you might prove me wrong, so...

MS. LEHNER: Mr. Chair, Commissioners and members of the public, I will present as staff in this case, and Mr. Vos will be presenting as the applicant.

VICE CHAIR SHAFFER: Okay.

MS. LEHNER: My name is Catalina Lehner, I'm a principal planner at the City of Albuquerque's Planning Department, and this is Agenda Item Number 4. It is PR-2018-001843, RZ-2022-00054.

I'll start with a bid of a more general presentation about the 2022 IDO and annual update citywide, and then I'll focus more a bit on the proposed amendments themselves, you although Mr. Vos will go into more detail, as requested by the commission.

This request is for a recommendation to the city council regarding various citywide amendments to the text of the IDO, Integrated Development Ordinance, for the annual update required by Subsection 14-16-6(3)(D). The proposed citywide text amendments are accompanied by text amendments to two small areas, which you have just heard separately. The small area and citywide amendments collectively together are known as the 2022 IDO annual update.

The EPC's role is to make a recommendation to the city council, which will make the final decision. And this -- the citywide text amendments are a legislative matter.

There are approximately 49 proposed citywide amendments, which staff has placed in a spreadsheet. The spreadsheet indicates what the amendment is, provides a brief explanation of it, shows where it's at in the IDO, and then lists its source.

The proposed amendments fall into roughly three categories. Some are new ideas, some provide clarification, and some introduce new definitions. The staff report contains analysis of each proposed amendment by topic. The proposed citywide text amendments generally meet the review and decision criteria for amendment to IDO texts citywide in Subsection 14-16-6-7(D)(3)(a) through (c). And also as a whole, the request is generally consistent with comprehensive plan goals and policies, regarding land use, specifically efficient development patterns and implementation processes, and goals and policies regarding heritage conservation and resilience and sustainability.

Because of its broad scope, the request is partially consistent with applicable goals and policies regarding community identity and housing.

Conditions for recommendations probably can help improve consistency with applicable comprehensive plan goals and policies as the case moves forward.

For an amendment to IDO text, required notice must be published, mailed and posted. A neighborhood meeting is not required for the citywide amendments. A legal ad was published in the *Albuquerque Journal*. First class mailed notice was sent to two representatives of each registered neighborhood organization as required. Notice was also posted on the planning department website and on the ABC-Z project website.

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In addition to required notice, two online public review sessions were held on October 20 and 21st. Staff also hosted a review meeting in November. Presentations and video are posted on the ABC-Z project web page.

Staff has received a variety of public comments. Some are e-mails, some of attachments and others within pinned to the spreadsheet on the project web page.

The comments express support for some amendments. The most comments tend to focus on concerns. For example, there's strong opposition to the proposed amendments regarding walls and fences.

Despite concern regarding particular amendments, however, there is general support for the request as a whole.

Regarding PR-2018-001843, RZ-2022-00054, staff recommends that the EPC continue the hearing to the regular January 19th, 2023, hearing to allow time for further discussion.

With that, we stand for questions.

VICE CHAIR SHAFFER: Thank you, Ms. Lehner. So just to make sure I'm referencing everybody correctly, you did staff presentation, but this time, Mr. Vos is going to be representing the applicant; is that correct?

MS. LEHNER: Mr. Chair, that is correct.

VICE CHAIR SHAFFER: Okay. So does anyone have any questions for Ms. Lehner in regard to staff presentation?

Okay. We will move on to the applicant.

MR. VOS: Thank you, Vice Chair Shaffer and Commissioners. I'm going to share my screen, see if I can get this right the first time. All right. Hopefully you can see my Power Point presentation.

So, again, my name is Michael Vos. I'm a principal planner here in the planning department and the zoning team lead, presenting on the IDO annual update.

You've heard -- and I guess I can lead off and see how you would, as a commission, like to best approach this.

This presentation includes many of the slides that you saw at your study session and has been made available online before this meeting. I was planning to go through some of the bigger ticket items that probably will have more public comment and/or conditions associated with them. I have slides to discuss those conditions that staff is thinking of with the recommendation for a continuance.

We can do -- we can do type of conditions now or later, like we did with the housing amendments. So I'm kind of -- my presentation can be done at your pleasure.

VICE CHAIR SHAFFER: I would like to say, based on exactly what you just brought up, since we did this maybe a little backwards the first time, it might save a couple of public comments. And maybe I -- not save public comments. That's not the way to say it. I apologize.

It might help assuage some of the comments that are going to come up, that they're going to say -- people can then chime in and

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say, "Hey, we appreciate the" --

MR. VOS: Yes.

VICE CHAIR SHAFFER: -- "the condition that's going to come forward and we support the condition."

So you might want to -- if you do have those conditions, I would present them alongside each one of your slides.

MR. VOS: Perfect. Thank you, Vice Chair Shaffer. That works. And I agree that if we get some of those up front, maybe public commenters can speaker to the conditions, as well, and that can guide your discussion later on as you provide us input on where to go, should you continue this hearing to January.

VICE CHAIR SHAFFER: And I want to clarify, though, but do not skip over any of the items. Go through each one of them. I don't want to say, "Oh, we missed one." So please, don't go to just big ticket items, no.

MR. VOS: Well, this presentation is not set up for that, so I will have to go line by line through a spreadsheet here.

VICE CHAIR SHAFFER: Is there a way to jump back and forth? Can you have two different screens?

MR. VOS: Let me -- I can quickly -- if anyone is interested in a five-minute recess, I could probably modify this Power Point, and we can go item by item.

VICE CHAIR SHAFFER: And the only reason I'm saying that is, I just don't want to -- with this being so many -- some of them are, like you said, I understand they're going to be pretty simple, and you should be able to get through them really quick, because, you know, public comment will come after the fact, but you may trigger a question on somebody from something.

So I don't want to take that ability away from anybody to have to -- to be able to say something.

MR. VOS: I appreciate that, Commissioner Shaffer. So I'd respectfully request a five-minute recess and I can get this Power Point in shape for that.

VICE CHAIR SHAFFER: All right. One second before we agree to that.

Ms. Lehner.

MS. LEHNER: Mr. Chair, Commissioners and Mr. Vos, that would certainly work.

But Mr. Vos, I could perhaps do the spreadsheet part and run that while you're speaking to them, if that would help you. Or if you just want to fold those into your presentation. Either way.

MR. VOS: Either way. The presentation may provide better -- slightly better visuals --

MS. LEHNER: Content.

MR. VOS: -- when I talk on the conditions, so...

MS. LEHNER: Okay. That's fine. I just thought I'd --

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VICE CHAIR SHAFFER: Remember the commission likes pretty pictures.

MR. VOS: Vice Chair Shaffer, this is Michael Vos. I'm not sure my pictures are quite as pretty as Ms. Renz-Whitmore's, so you'll have to forgive me for that.

VICE CHAIR SHAFFER: All right. Well, let's take a quick -- because I think it'll make -- honestly, I think five minutes spent is going to save us 20 minutes later. So I'd rather spend the five minutes now.

MR. VOS: Thanks.

VICE CHAIR SHAFFER: We'll reconvene at 3:53. Thank you.

(Recess held.) .

VICE CHAIR SHAFFER: Okay. I think we got -- maybe I shortcut'd you a little bit. I said 3:53, didn't I? Yeah, it's not 3:53 yet. So we'll wait for Eyster to get back, Commissioner Armijo, Commissioner Meadows.

There's Eyster. Commissioner Armijo is here. Commissioner Meadows is here. Commissioner Hollinger, I think, is there. I his shoulder.

I wasn't sure if that was your shoulder or your cat.

All right. Everyone is back.

Mr. Vos, we'll resume the hearing now. Mr. Vos, are you ready? You are muted.

MR. VOS: Yeah. All right. Thank you, Vice Chair Shaffer and Commissioners.

This is Item Number 4, at Catalina talked about. It's the general citywide annual update to the Integrated Development Ordinance. And I will go through each of the proposed changes and some of the conditions that staff is considering. Some of them aren't quite fully developed. And we'll have those discussions and make sure that all of this information gets into the supplemental staff report, should you continue this item to January.

As you saw earlier, this is one of four EPC cases, one of two that are legislative in nature and apply rules citywide to -- based on zoning categories and uses.

Earlier, you saw this slide about the various trainings and input sessions that were provided to members of the public, including your study session last week.

So the IDO annual update includes I think just shy of 50 proposed changes to the IDO. They're grouped and in this way shown on the screen. There are three changes to the zone districts, six changes to various uses, about 20 changes for our development standards, 13 changes in the procedures section, and five changes to the definitions section.

The first proposed change in Part 2 for the zone districts is a change to the mixed-use form based zone to add mobile food truck court as allowable outdoor use.

Right now, mobile food trucks, which are defined and allowed as

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an accessory use in slightly different form are allowed outdoors. When the mobile food truck court got added in a previous annual update, this list, which regulates what uses are allowed outside in downtown was not updated. And so we don't believe that a mobile food truck court should be limited to be inside of a building. So adding this use would allow it outdoors.

In the NR-BP zone district, we are proposing we are proposing to add a new subsection that makes it clear that someone could add or request deviations, variances and waivers to the relevant standards of the IDO to a master development plan.

The NR-BP zone district requires master development plans prior to development of individual sites within those master development plans in those business parks. Many of those plans in Albuquerque are quite old and you may have a lot of unique features that perhaps warrants deviating or varying from a standard. And so by adding this in, it allows someone to make that request.

All of the same procedures that would apply and the decision criteria that they would need to meet to justify and gain approval of that deviation variance or waiver would apply still.

Similarly, we are proposing to add the allowance to make such requests for deviations, variances and waivers to be PC, or planning community zone district. That zone district functions in a similar way in that a framework plan is required to be established prior to development of the individual lots.

The city has two planned community zones currently, Mesa del Sol and Westwind. And should someone have a need to obtain a variance, we're making it clear that they may ask for it and go through the process and decision criteria for each of those types of procedures.

Again, the special exceptions don't allow you to change the use of your property. You can only do it for numeric standards, and you would still need to meet the decision criteria and go through the procedures in order to obtain your approvals, similar to requesting a variance to any standard elsewhere in the IDO.

Moving on to use standards, we are proposing to change a current use standard for usable open space in townhouse developments, such that currently, it's only required to provide a specified amount of usable open space if you're doing a single development on a common lot with more than six units. We think it makes sense to apply this standard to any single development whether or not you subdivide that development, so that larger townhome developments have to provide the usable open space for the residents that live there.

The next one, as proposed by council is to exempt UC-MS and PT areas from a current regulation that limits the number of dwelling units you can have in a single building for townhouse development. This effectively prohibits someone from doing an urban row house style of development anywhere that is abutting an RA or an R-1 zone districts or is across the alley from one.

That conflicts, in our opinion, with policies and the comprehensive plan to promote more urban style development in these specified locations shown on the map on the screen. So this amendment would allow someone to do more connected dwelling units in a townhouse development within these mapped areas from the comprehensive plan.

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The next proposal, also from council, and you heard about this earlier during our discussion on Item Number 1, is to delete a current existing regulation or allowance to have an exemption to our -- the definition of a kitchen and what the specifics of that kitchen may contain for conversions of hotels or office buildings or other nonresidential development to a residential use.

This proposal conflicts with the proposed change in O-22-54. I don't believe I have a conditions slide that follows this one, but should the EPC forward a recommendation of approval for extending this conversion kitchen allowance citywide or in whatever form with the O-22-54 package, a condition would need to be provided to align the annual update package with the O-22-54 Housing Forward initiative.

So that will be a discussion when you move for approval of these two different applications.

Next, our proposed changes for car washes. Right now, the IDO says that your outdoor activities cannot be within 50 feet within a residential zone district or any lot with a residential use, but it does not really -- it is not clear what constitutes an outdoor activity. So we're adding language that proposes to give better clarity as to what cannot be within 50 feet of those residential uses.

Additionally, we are proposing that we specify car washes that are self service versus the newer, larger conveyor-operated facilities that function more like drive-throughs, with different stacking requirements.

The current stacking requirement is three for a car wash. We are proposing that three says for self service car washes only, a 12-stacking space requirement is added for car wash conveyor operated. In urban center and main street areas, those would be reduced to two and six spaces respectively.

Staff, with regard to these car wash changes is proposing some additional conditions, based on discussions we have had in public comment regarding some of these car wash facilities.

So we are considering two sort of -- pick Option A or Option B Option A would be to create an additional use specifically standard for a landscaped buffer between the queuing lane of a conveyor operated facility and the public right-of-way, much like a drive-through restaurant facility.

Option B would be to simply change the definition for drive-throughs, which currently excludes car washes. Per the definition of a drive-through, a car wash is not a drive-through and therefore is not subject to drive-through design standards. So the Option B, which could include, say, conveyor-operated facilities within the drive-through type, and then, therefore, apply the existing buffer regulations to those facilities. There may be additional language that needs to be adjusted, and so some guidance from the commission as to a preference here may help us get the nitty-gritty worked out on those.

And then lastly on this slide, we're proposing a use-specific standard regarding the vacuum stations, to orient them away from the public streets, and then creating a buffer, landscape buffer, requiring trees to be located between the street and those vacuum facilities. This would be similar to a use-specific standard that exists for drive-through order boards, to make sure that those facilities are screened from the public view.

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The next use change is for -- in the medical and dental clinic use, which includes use-specific standards related to methadone centers and syringe exchange facilities. Within the methadone centers use-specific standard, we are requiring -- or changing the use-specific standard to create a cross reference to article 13-11 of our ordinances, which is the methadone centers ordinance. And that will help us more clearly design what this use is and how this standard applies.

And then secondly, we are asking a change to clarify how the distance separation requirement is measured and that it is lot to lot, and perhaps not building to building or building to lot. This should improve enforceability of the provision.

For syringe exchange facilities, we are making the same on-lots sort of clarification for the distance separation to improve the enforceability of that provision.

The next section is the development standards section, and the first change proposed in there is regarding encroachments for balconies. There was some discussion of this at the study session, or questions that came up.

The proposal is to remove the balcony from the list of architectural features that can encroach into side and rear setbacks and to create a new line for balconies where it is allowed to encroach into the front, but not the side or the rear.

Based on public comment, staff is recommending to also move bay windows, along with balcony, to this same section in response to comments about how encroachments close to neighboring residential lots does not support protecting those neighbors lots from that kind of development.

Based on the discussion or questions at the study session, you could create -- or we could provide an option to the commission to consider what the encroachment distance is for architectural features generally, or if you choose to balconies and bay windows, you could create a -- you could still allow a side and rear yard exception, but reduce the distance that it is allowed to encroach, to provide for the Juliet balconies that were discussed. And further, you could even limit this to upper stories of floors of buildings to allow for that architectural-type feature.

The next change is for sensitive lands. And right now, we regulate large stands of mature trees, which is a defined term. And we, in working with the city forester and the parks and recreation department recognize that the large stands of trees requirement has not been used very frequently or it hasn't really affected any -- you know, it hasn't really saved any big trees through our review process that we really know of.

And so they requested and we are proposing to change this from a large stand of trees to a single established tree. And this is defined, and we'll talk about the definition later. That these trees, when they come up on a property that is proposed for development, that they get evaluated by the city forester. The city forester could allow the development to move forward and remove that tree if it's not -- if it's in poor health or if it's an invasive species. And then the applicant can replace that tree with additional landscaped area or new replacement trees, provided the trunk diameter is equal to the diameter of the large mature tree.

I also don't have a condition slide prepared for this, but we are

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proposing that the trunk diameter, as is typical for measuring trees, that it be measured at breast height. Here's that definition for a large stand of mature trees to create the established tree, averaging at least 8 inches in diameter. And as you can tell here, this is as determined by diameter at breast height, so we'll make that consistent with a condition with the previous section.

The next change is regarding pedestrian access. Is IDO requires access easements be provided with pedestrians at the end of cul-de-sacs. And this is just really a clarification that says you cannot build a wall or fence within that easement such that it would block that pedestrians access, which is really consistent with how easements function. And there's -- that's how they function.

The next change proposed by council staff is regarding parking maximums in the urban center, main street and premium transit areas. Currently in these areas, there's only maximum requirements for the four office and retail uses shown on the right side of the screen.

The first part of this change would be to delete these maximums from individual uses and then following with the next change would add a new requirement that -- for all uses in those areas, the maximum number of parking spaces be provided no more than 125 percent of the off-street spaces minute that are required, calculated after parking reductions are applied.

And then the last part of this where parking is -- where projects are except from parking, which are in downtown, McClellan Park in Old Town. They do not require any parking, and this change would actually prohibit parking or surface parking in those areas. You would still be able to build a parking structure as part of your development, as that is exempt from the maximums.

Staff has considered these, and thinks that the planning commission should carefully consider the impacts of this amendment and whether the proposed maximums will discourage residential development of any other type of development in these areas. It is limited to urban center, main street and premium transit areas, and those three areas where parking is currently exempt. So it does not have an enormous effect citywide.

The maximum, I will note, is based after parking reductions are applied, which would mean that someone would have to take all of the reductions for transit and the like to create the smallest possible number of parking spaces required and then figure out what their maximum is, which reduces that maximum allowance quite a bit. So we're looking for your feedback on these.

The comp plan does have policies that support transit-oriented development, lowering auto demand, discouraging oversized parking facilities, and walkability, as well as providing parking options and optimizing parking for uses.

So this is where the idea -- the legislative action in balancing the comprehensive plan's goals and policies comes into play with your decision.

And lastly, we -- if this proposal moves forward, and I guess actually, regardless, staff would propose a condition to the current exemption where parking structures don't count toward your parking maximum, that underground parking also be exempt.

Right now, it is only parking structures, and parking structures

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can include podium parking beneath the building or a larger parking structure. But the definition for a structure does not include underground. So we do recommend adding that to the exemption should someone want to pursue underground parking.

The next change is for EV charging stations. Currently, we provide a credit for parking spaces with EV chargers. One space counts as two, and we are adding this line to clarify that that is when you install an EV Charger. That's how it has been done in practice since the IDO was originally adopted. But we're adding this clarification due to additional proposed changes in this annual update.

For the next change for EV charging, we are proposing to increase the current requirement from 2 percent of the parking spaces in large parking lots, being 200 or more spaces, to 5 percent. That goes from -- I believe it is four vehicle charging spaces to ten vehicle charging spaces in those large parking lots.

The next is for townhouse developments. And when a large, more than six dwelling unit, townhouse development moves forward, we are requiring those provide all their off-street parking spaces as EV capable. We are adding a new definition of EV capable means. And that would be providing sort of the conduit and basic infrastructure when the building is constructed, to allow a charger to be installed later. And doing that during the original construction is a lot cheaper than retrofitting a building to add a charger later on.

For multi-family residential, we are proposing to add a requirement that when a development of more than 100 dwelling units is constructed, at least 5 percent of their parking spaces, their required parking spaces be electric vehicle charging station capable -- or not capable, have charging stations and at least 25 of those parking spaces be EV capable.

Right now, such development would only have parking EV charging space requirements when more than 200 charging spaces are constructed. And effectively, this would require charging -- EV chargers to be installed at more new developments with multi-family.

Again, like I said, we are proposing a definition for what EV capable means for those new requirements.

We have a condition that we are going to propose for the townhomes section. This is for changing it from townhouse dwellings containing more than six dwelling units to townhouse developments. This is (inaudible) nuance. Townhouse dwelling is -- would be -- as it's written currently, it would require only the EV capable if there are six or more dwelling units in a single building.

This proposed change to change it from dwellings to developments would change the requirement for EV capable spaces to be provided if someone is developing six or more units, regardless of their -- you know, in their two buildings of three, for instance, they would still have to provide the capable EV spaces.

The next section is regarding edge buffers. We are proposing to strike -- not strike, but clarify some language or remove some duplicative language from the written sort of subsections, and which will leave the width requirements, what is in the tables 5-6-4 and 5-6-5. We believe this is just clarification and is necessary with a proposed change in Subsection 5-6(E)(5), which we'll go into now.

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That 5-6(E)(5) subsection is buffers between areas of change areas of consistency. We realized after now implementing the IDO for almost five years that there are developments that, based on how areas of change and consistency were mapped, someone's redeveloping a property, they might have a project that is both.

When that occurs, and if their project has multiple lots, they may be required, the way the wording currently is, to provide a buffer within their development to themselves. Basically, a buffer between, you know, a proposed drive-through round and another proposed drive-through round, for instance.

The proposed change to this language, is to change "lot" to "premises" in order to sort of apply this rule to the entire proposed development and then move the buffer within the development to the edge of the development, and therefore protect the neighboring property.

In conjunction with that, we are proposing to revise and merge all of widths for the buffer requirement when areas of change and consistency come into play to 15 feet, regardless of sort of the use or zone category.

Right now, there is some confusion and questions about why a commercial property has a larger buffer in the current table to residential property. And it's important to note that the previous buffers in Table 5-6-4, on the right side here, which are based son zone categories and uses, would supersede the area of change and consistency table of the 15 feet if this change is approved.

This is sort of an example of what someone could be developing that has both areas of change and consistency, where they have to place a buffer on their own property and where this new buffer requirement would apply. It's really about protecting the neighboring property, the neighboring development, and not within someone's redevelopment.

Council has proposed an amendment that conflicts with the staff proposed changes to these subsections for areas of change and consistency to delete the buffer entirely in these situations, including Table 5-6-5. The rationale is that this is unnecessary and duplicative of the prior section that bases buffers based on development types.

Staff would note that the deletion of this section would remove a buffer when a residential property is incorrectly zoned mixed-use, for instance, a single-family home. The area of consistency methodology picked up zoning and land use mismatches and so the areas of change and consistency buffer protects lots that happen to have nonconforming single-family homes on them, which we believe is important.

So staff is proposing conditions. And you can choose and can discuss those or any other changes you would like to see as a commission. Our recommendation would be to keep the proposed changes 23 and 24 that keeps the buffers for areas of change and consistency, and adjusts how and where those buffers are placed, versus the council amendment to eliminate the subsection completely.

We would recommend that the council amendment is not adopted.

We also have a proposed condition in mind to clarify some of the language if you choose to keep the section with the staff

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proposed changes to proposes the instances -- or change the instances where amendment says "wholly" with "partially" or "completely," to keep the buffer in more locations.

The next proposed amendment from the administration is one that has received a lot of public comment, and that is to allow 5-foot walls in the front yard if view fencing is used above 3 feet and the wall is set back at least 2 feet.

This would be allowed as a wall permit minor and would be an administrative approval versus the current process of going for a wall permit major to be heard by the zoning hearing examiner. Related to that change, if that change an approved, a table for options for a taller wall would need to be amended to reflect the allowance to have that wall at the 2-foot setback, rather than farther back on the lot.

So, again, wall permit minor is decided by staff. Up to those maximum heights, the proposed amendments would allow that 5-foot wall with 2 feet of few fence above 3 feet, and a 2-foot setback.

Wall permit majors are beyond that, up to the heights and types of walls in Table 5-7-2, and are heard and decided by the zoning hearing examiner with criteria in the listed subsection.

Beyond that would require a variance to obtain any higher walls and require the variance decision criteria to come into play with special circumstances to the property.

In addition, there's a clarification of the front and side yard wall allowance for multiple family residential zoning and developments in those zone districts.

We are, obviously, based on the discussion and the public comment, proposing a variety of options for the planning commission's consideration with regard to wall heights, similar to when you heard wall heights in the last annual update. You could choose to accept the proposed amendment as it is written. There is a consideration of providing a compromised maximum height of 4 feet with view fencing above the 3-foot maximum, and then up to the 5, per Table 5-7-2, you could still go through the wall permit major process with more public involvement.

This commission could choose to change the setback requirements for the various heights, more than the current proposal at the 2-foot setback. For example, you could choose to add a higher wall at a 5-foot setback, for instance.

And finally, this commission could choose to just delete the proposed amendment and leave the wall heights the way they are written today.

In the operating standards section, there's a clarification to -- I mean, everyone I believe already needs to comply with state and federal statutes, but we are making that clarification in this section. I don't have a conditions slide, but I believe that staff is going to propose that the commission also add the word "applicable" into this language.

We are moving on now to Part 6 of the IDO, which is procedures. And this first procedures change is regarding the community planning areas and the cycle. And the proposal is to remove language in this section that conflicts with city council's adopted resolution that sets the determined cycle of the community planning area assessments.

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The next section for mailed notice is to add clarifying language to the IDO to make the text consistent with the various subsections and types of notice.

The next section for site plan administrative is to adjust our post-submittal facilitated meeting requirements. Currently, there is an allowance for any type of application that gets submitted for someone to request a post-submittal facilitated meeting. And we are proposing to align this with the types of applications where the IDO contemplates there also being an opportunity for a pre-submittal meeting in order to facilitate expedited administrative approvals for smaller and less impactful projects.

Those pre-submittal neighborhood meeting requirements are as listed in Table 6-1-1, and currently, are for site plans of 100 or more multi-family dwelling units, 50,000 square feet of nonresidential gross floor area, and have various different requirements and the meetings get facilitated by the alternative dispute resolution office.

Staff is proposing conditions to this amendment, as we working currently in December from the DRB to the development hearing officer site plans. All site plans, unless they have to go to this commission will become administrative approvals, and we are figuring out exactly what those administrative processes look like.

Currently, projects over 50 dwelling units and under the IDO since it was adopted, more than 50 dwelling units for multi-family went to the DRB and have gone to the DRB and allowed for facilitated meetings pre- and post-submittal.

We are planning to propose a condition to reduce the threshold in this amendment for a post-submittal facilitated meetings to 50 multi-family units from the 100 units that the currently in there. And we would also propose to align this change by adding a new amendment to readjust the preapplication neighborhood meeting procedures to reduce that to the 50 dwelling units that has been in the IDO up through today for -- similar to what DRB has been doing.

The next change for remand hearings is clarifying the procedures for those hearings, basically specifying that the land use hearing officer notifies all of the parties of the remand and they get notified of the date and time of the hearing. And when that hearing is decided, that decision is final unless a new appeal is filed.

The next change is to adjust the site plan administrative period of validity from five years to seven years, to be consistent with site plan EPC and consistent with the site plan DRB, which is going away in December.

The next change on your screen for minor amendments is to delete a current requirement for proposals to amend a prior approval where circulation -- significant changes to circulation patterns to the site would warrant additional review and therefore make it into a major amendment to be heard by the original decision-making body.

This is seen as a fairly subjective criteria, what is a significant change to the circulation patterns when you do these amendments; whereas, a change to access is clearly relocating or adjusting a driveway into a site from the public right-of-way.

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So this would allow more projects to be approved with those minor amendments if they are contained basically within existing sites.

Staff is preparing conditions regarding this. We agree that the circulations patterns requirement is subjective, but don't necessarily want to eliminate it entirely. So we are proposing to replace this deletion of circulation patterns with a new requirement that if a traffic-impact study is required, then the request would review that major amendment by -- review by the original decision-making body.

A traffic-impact study is required based on specific thresholds of greater than 100 trips during the peak hour, as determined by our city traffic engineer using information from the type of use and the institute for traffic engineering manuals.

We would also propose a new amendment to essentially apply this same change to the listed subsection in 6-4(Z). The IDO has two minor amendments sections. One minor amendment section is to IDO approvals; and the second is for pre-IDO approvals. We would like to have those two sections read with the same language.

The next site plan administrative procedure change is to essentially clarify that when you go beyond the thresholds for a minor amendment, then something becomes a new site plan or major amendment process. Because right now, there is an inconsistency in the IDO, and this is a minor change, in our opinion.

Further, we are proposing to remove language from site plan about how it is typically submitted with an application for building permit. As I mentioned, staff is working through what the transition and administrative processes will be for the site plan administrative once the DRB goes away. And we anticipate that many of the site plans that used to go to the development review will be reviewed by a similar group of staff at the city, which would be outside of the building permit process. So this change aligns with that proposed administrative change.

Regarding the demolition outside of an HPO process, we are proposing to delete the language about it being constrained to just the small areas on this map, which would extend the rule citywide to structures that are at least 50 years old.

This process allows historic preservation staff to review demolition requests for these procedures. And that historic preservation review could result in staff simply issuing a demolition permit if they find that there is no significance for the building.

They can alternatively choose to send that demolition to the landmarks commission for additional review. If the demolition goes to the landmarks commission, the decision of the landmarks commission is not to -- they cannot prohibit a demolition from occurring outright. They either choose to allow the demolition or to delay that demolition for up to 120 days in order to allow the city to investigate opportunities to potentially save the building. Gives the city staff time to document it for historic records. And at the end of the day, if there's no way that's determined to save, staff will then sign off on the demolition permit and the demolition moves forward.

With regard to this amendment, we have Leslie Naji from historic preservation on the call with us, so should there be questions regarding how this would be handled by the historic preservation staff, she can help answer those questions.

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For zoning map amendment council, there is an amendment to add a time limit for submitting a protest to a zoning map amendment similar and consistent with the time limit for appeals.

Now we are moving finally to the definition section. The definitions, the first definition change is to revise the definition of floodplain to tie it to FEMA definitions and our other defined flood terms, just for internal consistency.

There is a definition for overnight shelter that revises it so that it does not overlap with various other uses in the IDO and match the operations of many of the shelters that already exist in Albuquerque. This will improve enforceability for the different uses and their related standards.

We are proposing a minor change to delete the words "for-profit" from personal and business services to allow to apply this definition, where the business is a for-profit or a nonprofit.

And finally, and the demolition wording on this slide is left over from a slide that I duplicated. But we have one final change that staff is proposing that it's not related to a -- it will be a condition that we recommend. But it is not related to something already in the spreadsheet. And that is regarding our manufacturing uses and manufacturing use definitions.

Staff has been involved with several different applications for sort of high-tech manufacturing uses that are seeking to locate in Albuquerque. And it is not clear through our definitions of light manufacturing versus heavy manufacturing and special manufacturing whether or not uses that might use volatile chemicals in a clean-room setting, but do not produce hazardous outputs, which definition they fall under.

So staff is going to be preparing some conditions for a new and -- either a new industrial clean-room manufacturing use, or we'll be proposing some adjustments to our definitions to more clearly accommodate this as we see interest from different high-tech manufacturers seeking to locate here and help spur economic development.

And with that, I'm finally through that long presentation, and I look forward to hearing the public comment and the discussion amongst the commissioners as you provide us guidance moving forward.

VICE CHAIR SHAFFER: Thank you. Thank you. Thank you for that very long -- it was important that we went through all that and got it done.

So I'm going to clarify really quick, before we move on to the next thing, you had mentioned, and just because I want to be clear, you said Catalina and you said staff were going to propose some additional changes. And I'm not sure if she's proposing them on behalf of staff or the applicant.

Which are those coming on behalf of, responses to what you, the applicants, have proposed? Is that what those are?

MR. VOS: Vice Chair Shaffer and Commissioners, I think similar, you know, this is to the housing discussion, this has been a collaboration between sort of staff and applicant since we both work in the planning department.

So I think some of these conditions that were mentioned are coming from, you know, a staff review that is seeing things that

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could add additional clarity or respond to public comment. Whereas, this last amendment condition that would be proposed for, like, a brand-new use is coming more from the applicant side and feedback that we have heard to sort of add this new amendment to the process.

But I think there is some overlap. You know, we collaborate and want to get this right from both sides to improve, you know, the IDO, to implement the comp plan, and provide the best zoning for Albuquerque that we can.

VICE CHAIR SHAFFER: Well, and, of course there's overlap. You guys are sitting literally across from each other. Maybe not that close.

But anyway, there's -- I just have to be clear on which one is proposing it, though, because if it's coming -- we got to figure out how to implement it and how it gets added. If it comes back as a supplemental staff report, if it's going to come in that format or we're going to discuss it today and it's something that we're going to vote on -- not necessarily vote on, but we're going to throw it into our discussion portion, or if we're going to treat it exactly -- since this is being asked to be continued to next month, if we're going to create the framework with those involved after we hear public comment and then you guys have the task moving forward. So I'm just kind of curious on which direction it was coming.

So if it's coming from -- staff is going to amend their original staff report with these additional conditions, that's a little bit different than what you're proposing as the applicant, is where I was headed.

VICE CHAIR SHAFFER: Ms. Lehner.

MR. VOS: I will defer this over to Catalina. She seems ready to respond.

VICE CHAIR SHAFFER: Ms. Lehner.

MS. LEHNER: Thank you, Mr. Chair and Mr. Vos.

I think as we go forward, it becomes perhaps less significant where the conditions come from as to how responsive they are to actually correcting any inconsistencies and preventing any unintended consequences.

I think we would not go back and amend the original staff report. Rather, we would gather additional input here, perhaps confer about it a little bit, think about it, and then present a supplemental staff report that represents everything moving forward and up until the supplemental staff report time. That's how we would handle it.

VICE CHAIR SHAFFER: So thank you for that clarification, Ms. Lehner. So having said that, then, since I don't know what those -- none of us know what those conditions are that you're talking about, you will know that if we're going to continue to amend those additional conditions, based on public comment, and if your opinion is that yes, that they may be continued to be amended based on public comment, then I would suggest we don't hear them now, and we do public comment first so we can then amend them after public comment.

MS. LEHNER: Okay.

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VICE CHAIR SHAFFER: Okay. So then with the finishing of staff presentation, before we go to public comment, do any of the commissioners have any questions in regard to any of that presentation?

COMMISSIONER HOLLINGER: Commissioner Hollinger.

VICE CHAIR SHAFFER: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thank you, Vice Chair. Hopefully this will be quick and simple.

You mentioned that a tree in that section would be measured at breast height. Is that a definition of a tree, something that I don't know about, or is that breast height of a human? What does that mean?

MR. VOS: Vice Chair Shaffer and Commissioner Hollinger, that is a typical forestry tree measurement term. Now that you ask this question, it may behoove us to sort of make sure that is defined clearly in the IDO if we add this term. And I think to just -- basically, what -- I think we will look into that and make sure that is very, very clear when we move this forward.

I anticipate this being a continuance, so this is as has been recommended. And we'll bring that back in the supplement staff report for clarity.

COMMISSIONER HOLLINGER: Very good. Thank you. The second question, maybe we don't address it right now, but what I have in my notes was the parking maximums and the way they were calculated seemed fairly confusing. But let me table that for now and we'll jump back to that.

VICE CHAIR SHAFFER: Sorry, I was muted. Did you say that was good, you'll wait?

COMMISSIONER HOLLINGER: Yes, Vice Chair.

VICE CHAIR SHAFFER: I apologize. Sorry. About that.

Anyway, any other commissioners have any other questions before we go to public comment? No? Okay. Well, then we'll close presentation and we will go to public comment.

Mr. Salas, start us on the list, sir.

MR. SALAS: Yes, Chair and Commissioners. The first speaker is going to be Rhiannon Samuel.

VICE CHAIR SHAFFER: I don't see a Rhiannon Samuel here. We will move on to the next person.

MR. SALAS: The next speaker is going to be Eleanor Walther.

VICE CHAIR SHAFFER: Okay. Ms. Walther. And, Ms. Walther, I believe you did speak on the first --

MS. WALTHER: I did.

VICE CHAIR SHAFFER: Yeah, so you've already been sworn in.

MS. WALTHER: I have.

VICE CHAIR SHAFFER: And will you please remind me if you're speaking on behalf of yourself or the neighborhood association.

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MS. WALTHER: I'm speaking on behalf of myself.

VICE CHAIR SHAFFER: Okay. Thank you, ma'am. You have two minutes.

MS. WALTHER: Okay. Well, I just looked up, and breast height of a tree is 4.5 feet from the ground, according to Google.

VICE CHAIR SHAFFER: Thank you, ma'am.

MS. WALTHER: So there are two things I want to comment on, and the first is the change in wall height. It seems like we hashed that to death last year and it was defeated. So I oppose that.

I'm also concerned that if the house is on a corner and you allow it, I forget the traffic term for the triangle of visibility, but if it's only set 2 feet back from the sidewalk, that may impair vision around the corner. So if you do decide to support it, I would hope you would look at that issue.

And the other thing, I opposed the historic preservation amendment that any house over 50 years old has to go through a permit process to get demolished.

In the North Valley and around the university, there are many, many houses that are 50 years old or older, and it just seems like that's going to overwhelm that commission.

So thank you.

VICE CHAIR SHAFFER: Let me go find my box. Everyone keeps moving around with their hand raised, so my box keeps moving.

Thank you for your comments, Ms. Walther, we appreciate it.

Mr. Salas, who is next.

MR. SALAS: Mr. Chair and Commissioners, the next is speaker to be Peter Kalitsis.

VICE CHAIR SHAFFER: Peter Kalitsis. Mr. Kalitsis, I know you've already sworn in earlier on our first case, so you're welcome to proceed. Thank you.

MR. KALITSIS: Yes. And, again, I'm speaking on behalf of the neighborhood association and requesting the five minutes, please.

So the --

VICE CHAIR SHAFFER: Would you remind me, sir, which neighborhood association, just so we have it. Just since this is a separate case, so we have this on record for here.

MR. KALITSIS: Parkland Hills Neighborhood Association, and my address is 921 Campus Drive, Southeast.

VICE CHAIR SHAFFER: Thank you, sir. You may proceed.

MR. KALITSIS: Okay. This is being supplement by what we submitted, or neighborhood association. First Items 26 and 27, we oppose the walls and fences over 3 feet, as these are disruptive to the character of many city neighborhoods, where the current openness helps maintain walkable, friendly and safe communities. There's already an available option for a variance.

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Two, we strongly oppose Item 35, remand hearings as written. The proposed change will cause harm to occur with revised LUHO remand procedures increasing appeals time, cost and reducing IDO granted LUHO authority. The added text, the decision by the original decision-making body at the remand hearing is considered final unless one of the parties appeals the decision to the LUHO, takes away the currently delegated authority of the LUHO remaining single issues, thus requiring the application process with full hearing in the ZHE, causing additional appeals, cost, time, as the newly remanded decision negates the LUHO's original appeal recommendation. LUHO does not have the authority to set the -- sorry -- the zoning ZHE hearing.

One last point on this regarding remand hearings. The city, this past year, has already currently implemented the proposed amendment, requiring if there's a small remaining hearing, requiring that you do an appeal, which is illegal with the new process, the way it is.

The next item we oppose is 50-year-old housing demo approval, as it takes away property rights and places a greater burden on older neighborhoods, while taking up to and more than 190 days, and if there is an appeal, because I've added this up, it could take over 240 days if appealed. The 60 and the 120 and the appeal's time.

The next item is EV charging and parking, Items 14, 16, 17 and 18. We oppose reduced parking without research, as some apartments are at capacity. We strongly support the EV installed and capable spaces.

And the last item, if you look at the original discussion of overnight shelters, we opposed the change to overnight shelters, Item 44 to transitional shelter. The proposal intended to permissively allow hotels as homeless shelters throughout the city by explicitly excluding these from this definition proposal, therefore, limiting the currently required conditional-use permit process, seemingly a work-around of existing IDO regulations.

The amendment explanation states, the one that was published, not the one shown on the screen, revise the definition so that it does not overlap with a hotel that happens to charge substantially less than market rate. Therefore, all hotels run as homeless shelters would be a permissive use; seemingly, a continuation of last year's three proposal by the administration to change overnight shelters to permissive uses.

We strongly are concerned and hope you look at things. We submitted other comments and we very much appreciate, from personal experience, how well you do listen and take what the public says into consideration. Thank you very much.

VICE CHAIR SHAFFER: Thank you, sir. We appreciate those comments. They're definitely important to, you know, your neighborhood association. So we thank you for those.

Okay. Who is next on our list, Mr. Salas?

MR. SALAS: Next speaker is going to be Jane Baechle.

VICE CHAIR SHAFFER: Jane Baechle. And, Ms. Baechle, I know you've signed in and sworn in and all that fun stuff today, so you may proceed, ma'am

MS. BAECHLE: Okay. Thank you very much. And I am again speaking on behalf of the Santa Fe Village Neighborhood

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Association, although, again, I don't anticipate comments requiring five minutes.

So the Santa Fe Village Neighborhood Association also opposes the proposed changes to increase wall heights to 5 feet, even with 2 feet of view fencing and a 2-foot setback.

Santa Fe Village is an incredibly compact neighborhood, and we're really tucked up against the base of the escarpment. So Santa Fe Village streets wind through the neighborhood, and much as the comment was made about a wall adjacent to a corner, we have curved areas of the streets where even a 5-foot wall would significantly alter the streetscape and the view of the street, as well as, potentially, one's sight lines.

And we also have very narrow sidewalks, they're 4 feet in width. So walking side by side on a 4-foot sidewalk with a 5-foot wall even 2 feet away, really alters one's sense of space and the capacity to walk comfortably. We're not, quote, a walkable neighborhood, like people think of, but we do have, you know, moms pushing strollers, kids waiting for school buses, you know, friends out for a walk. And that would really alter the sense of space.

We do appreciate planning staff's consideration of conditions and would certainly look at a much wider setback as the potential condition.

And finally, I would appreciate a continuance of this. As a non-planning person, it is incredibly difficult to try to read these and anticipate both the benefit and potential negative consequences. So I think additional time would be a benefit to us.

And thank you all so very much.

VICE CHAIR SHAFFER: Thank you. We appreciate those comments, as well.

COMMISSIONER EYSTER: Eyster. I have a question.

VICE CHAIR SHAFFER: Yeah, I saw you preparing. So Commissioner Eyster, go right ahead.

COMMISSIONER EYSTER: Thank you, Chair.

Ms. Baechle, your letter in the record, the 48-hour material said that walls taller than 3 feet would not constitute context sensitive streetscape design, would not reinforce an established sense of place.

Could you expand on that a little bit.

MS. BAECHLE: Yeah. So Santa Fe Village is really -- I mean, literally, you know, I'm sitting in a room in my house looking at the escarpment. The streets wind around. Most of our houses are quite low and compact. And to me, the sense of being on a street in this sort of geographic proximity to the escarpment and to the natural context around the neighborhood, a wall of that size would really not be consistent with a sense of place that I see for Santa Fe Village.

COMMISSIONER EYSTER: Was your neighborhood built with any walls that were over 3 feet high originally in the front yard?

MS. BAECHLE: So we do have a number of neighbors who have

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created courtyard walls. And they are typically set back, I would say, a minimum of 5, sometimes more feet. Some people like them. They don't necessarily detract from the sense of this as being a place tucked up against the escarpment.

We also have some homes that I think probably have nonconforming walls that make it very hard to navigate the neighborhood in some places.

But I think the idea of a wall in close proximity to the street and very obviously visible as you either drive or walk the street, would really be a jarring experience.

COMMISSIONER EYSTER: Thank you for your comments.

MS. BAECHLE: Thank you.

VICE CHAIR SHAFFER: We'll make sure that we didn't -- we don't alert the zoning enforcement guy about the nonconforming walls in your neighborhood.

Mr. Salas, who is next?

MR. SALAS: Yes, Commissioners and Chair. The next speaker is going to be Renee Horvath.

VICE CHAIR SHAFFER: Ms. Horvath, you are up next. You're already sworn in, so you're good to go. And we're aware you're speaking on behalf of West Side Coalition and neighborhood -- Taylor Ranch. So thank you.

MS. HORVATH: Okay. Thank you. Well, there was many amendments, so I'm going to -- I have, like, eight to nine comments?

One of them is Item Number 5 amendments related to townhouses. And from what I could tell from reading it is that you want to go three dwelling units to six dwelling units adjacent to RA and R-1 lots. And that when I look at the map that was shown, it looks like that include mesa top, and so I -- I was trying to interpret this amendment. And it sounds like that's what you want to do, go three dwelling units to six.

And I question the density, especially in some areas, like the mesa top and other areas that it would not be appropriate.

So I think we need a little more understanding of what we're proposing, what would that look like. I don't think we should approve it until we really understand what we're getting here. If it was on a mesa top, it would be inappropriate.

Kitchens and multi-family affordable housing. So I did go to the hotel conversion meeting the other night, and I had -- and I've been trying to understand what this amendment was exactly saying. It sounds like it's related to Councilor Grout's amendment saying, well, right now, you know, you just approved doing lesser kitchens and conversions, but now I want to go back to doing full kitchens. And that's the way I understand it.

So I do think we need to look at that. Because even at the meeting that I was at the other night, they said that we two hotel conversions on Central, the Luna Lodge and the Sundowner, and they thought that they had full kitchens in them. And if that's the case, then it may pay to do full kitchens in some of these conversions, and it would be very helpful to the people there.

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So I think we need to look at that and study that a little bit more than just saying across the board lesser kitchens for everything.

Car washes, 50-foot distance between a large conveyor car wash from a residential, well, we've had cases here on the West Side where a large Mister Car Wash wasn't concerned putting it up near residential. I don't think 50 feet is enough space between a large Mister Car Wash from a residential.

I did do some Google Earth measuring of one Mister Car Wash closer to I-40 off of Coors, and they were 250 feet away from the backyard wall of a residential. I thought good, that's a good space.

So we may want to bump up the space from 50 feet to at least 200 feet away so that the noise factor, the machinery and the vacuums is not an issue. And Mister Car Wash typically puts their vacuums away from the residential walls, or residential areas, which is very smart.

Methadone clinics, yes, I support the distance requirements for that. And somebody brought up to me a couple years ago that they were dealing with the methadone down the street and that there seemed to be drug dealing going on to the client going in and out of the place.

So I just want to bring that up so that we all can -- if we notice weird things like that happening, we can report it to the police. But at least have a distance requirement away from the residents, the schools, the religious institutions is wise.

Balconies, yes, I agree that balconies should not encroach into the side yard 5-foot area distance because there are privacy issues with the next-door neighbors, so backyard, putting the balconies in the front yard or in the front would be better for privacy issues.

Off-street parking, yeah, again, I don't support reducing our parking. And you've listed Old Town, Nob Hill, downtown, university. Yeah, I would not reduce any parking because I've heard too many conflicts with the university people complaining, the Nob Hill people complaining, the businesses and Old Town and the newspaper, the businesses saying, "We don't have enough parking for myself, my employees. My customers are complaining they're not going to come here and shop anymore." So yeah, we need to consider not -- creating (inaudible) when it comes to parking.

The demolition, allowing the landmarks commission to review 50-year-old buildings I do support because I do think we have some historic buildings that are worthy of preservation. And I think the commission is smart enough to see which buildings are significant, worthy of doing more review before they demolish it. And the community would be interested in preserving some of these historic buildings.

And one of them would be the Poole property, if we had more time to have a hearing and discuss our preference to preserve it, we might have been able to save that property. And the community is saddened at the loss of --

VICE CHAIR SHAFFER: Ms. Horvath, you're at five, so I'm going to --

MS. HORVATH: There's 49 amendments, and it's took me --

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VICE CHAIR SHAFFER: I understand. Yes, ma'am.

MS. HORVATH: -- all week, and two --

VICE CHAIR SHAFFER: You're good. I know you're (inaudible).

MS. HORVATH: Okay. Okay. Thank you.

VICE CHAIR SHAFFER: All right. Well, thank you very much.

MS. HORVATH: Yeah, I suggest we not do 49 amendments plus a housing forward amendment in too small -- we need to condense this. This is too much for all of us to deal with.

Front yard walls, yes, I agree with the community. This has been an issue. Keep it at 3 feet. Right now, it's creating too much conflict. It really affects the character, the aesthetic character of a neighborhood. And I was on a task force like over a decade ago, and that was still an issue. So this isn't going to solve any problems. I would just keep the language that you've got now until there's a better solution. But right now, keep what you've got and don't change it, because it's going to create more problems and headaches.

So now I'm done.

VICE CHAIR SHAFFER: Thank you, ma'am. Thank you.

Does anyone have any questions for Ms. Horvath? I think she's pretty eloquent about what she wanted, so thank you.

Mr. Salas, who is next?

I want to note that Commissioner Pfeiffer is unfortunately having to log off of here. We still will have a quorum. We will have six of nine commissioners here, so we will still have a quorum and we will be okay.

Mr. Salas, who was next?

MR. SALAS: Yes, Chair and Commissioners, the next speaker is going to be Patricia Willson.

VICE CHAIR SHAFFER: Ms. Willson, good morning -- good afternoon -- good evening.

MS. WILLSON: Good night, yeah.

VICE CHAIR SHAFFER: Good evening, yes. You've already sworn in and we're aware, so thank you. And please proceed.

MS. WILLSON: Thank you, Vice Chair Shaffer and Commissioners.

First off, I'd like to thank staff for adjusting the encroachments item to include bay windows in addition to balconies.

In my letter submitted under the 48-hour rule, I noted that at the close of comments for the online interactive spreadsheet, there were 21 pins regarding the three items about walls and fences. All of them were in opposition. Not one comment was in support.

There's two major issues I see with a 5-foot permissive wall with view fencing over 2 feet. First of all, view fencing has a wide

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variation of transparency. So some of it is no better than a solid fence when you are at a slight angle. Even when a corner lot is in compliance with the clear-sight triangle, the pilaster portion of the wall for the taller portion can cause visibility problems.

And second, regarding all this talk of setbacks, 2 feet, 6 feet, whatever, many people don't know where their property line is. The city website's FAQ section says it's a good idea to know where your property line is when building a wall or fence or addition. Well, it should be required.

There's also a conflict with the clear-sight triangle defined in the DMD manual, which is at every driveway you can't have a wall or bush or something higher than 3 feet.

So what I'd like to know is how many requests for variances are actually for higher than 3-foot front walls. I believe that hiring more staff would be a better option than making higher walls permissive. I would urge the fourth option presented by Mr. Vos, to delete this proposed amendment.

And I would like to echo everybody's comments about dealing with all of these amendments. It's hard work and we're all volunteers.

I thank you guys for being on this call all day long.

VICE CHAIR SHAFFER: I have a question for you, and I know -- actually, this is to Mr. Vos and Catalina, really.

That exact question about how many requests for variances on the wall height. That was -- that came up last year, too. And I don't remember what that answer was, because that was the exact question everybody asked last year. Anyone have any idea what that is? If you don't, that's okay.

MS. LEHNER: Mr. Chair, Commissioners, I do not at this time.

VICE CHAIR SHAFFER: That's okay.

COMMISSIONER EYSTER: Eyster.

VICE CHAIR SHAFFER: Commissioner Eyster.

COMMISSIONER EYSTER: Chair, I looked at the ZHE agenda for the December hearing coming up, there are 14 requests in total. That's for everything, ADUs, which may go -- those may stop having to be heard, I guess. Carports, variance to setbacks, cannabis within 16' -- 600 feet of another cannabis smoke shop.

There were only three of the 14 that were for walls in a residential area. There were three. And two of those were for 6-foot walls. The other one, I couldn't tell. So, Ms. Willson makes a good point. This proposal wouldn't accomplish anything, at least on the December agenda of the ZHE.

Can I ask her -- can I -- sorry, Chair, I'll wait till you're done and then I'd like the floor again.

VICE CHAIR SHAFFER: No problem, that's fine. I was just curious because I remember that question came up last time. And we had discussed what was the usefulness of changing this if it was going through process anyway. So go ahead.

COMMISSIONER EYSTER: Thanks, thanks. So it's three out of 14

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this month, and at least two of these three would have to go anyway because they're for 6-foot walls.

But Ms. Willson made a really good point that could really help streamline the process for the ZHE, and that would be just to require that the applicant provide some sort of a survey of their property; not necessarily a staked survey, that could be 6- or \$700. But normally, with every property I've bought, I had to get an inspection, a survey improvement report, a drawing that a surveyor did for 200 bucks.

And so I would say almost anybody that's got a house in this city has a report from a surveyor. And that would really help the ZHE to find out right where these walls are and make sure they qualify.

Thanks for your comments, Ms. Willson.

MS. WILLSON: Thank you.

VICE CHAIR SHAFFER: Thank you, Ms. Willson.

Mr. Salas, who is next?

MR. SALAS: Yes, Chair and Commissioners, the next speaker is going to be Julie Dreike.

MS. DREIKE: Thank you.

VICE CHAIR SHAFFER: Ms. Dreike, did you sign in earlier?

MS. DREIKE: I did.

VICE CHAIR SHAFFER: Yeah, yeah, I believe you've already been sworn in for this morning session, too. So you are good to go. And you're just speaking on behalf of yourself, correct?

MS. DREIKE: Well, I'm speaking in support of the ICC letter that was sent that also covered this, and now I will begin my personal comments speaking for myself. Thank you.

I also oppose increase of the fences. I've had a personal experience where a neighbor was building a fence higher than 3 feet several years ago. We made a complaint, zoning came out and inspected it, made them take one block off but ultimately approved it being over 3 feet, and the zoning staff told them, "Just pile up some rocks in front of that fence so that it appears to be 3 feet." Not the spirit of the requirement, I don't think.

So I would also encourage that zoning do enforcement. If we drive around this city in different neighborhoods, we'll see current violations of the zoning. And I am concerned that if we increase it, that if you give them 5, it'll go for 6. So I would encourage you to delete the amendment, as well.

The others that I wanted to speak in support of, full kitchens, which I touched on earlier, when we were talking about housing.

And with that, I conclude. Thank you very much. Thank you all for your service. It's been a long day for you all, and I appreciate it very much.

VICE CHAIR SHAFFER: No problem.

COMMISSIONER EYSTER: Thank you.

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VICE CHAIR SHAFFER: That's what we're here for.

I have a question in regard to that, Mr. Vos. You're going to maybe tell me that you don't know the answer. Where do you take the measurement from? Because at some point, a wall -- and a lot of these neighborhood, you know, front yards, front yard slope like this, a lot of people are ending up building that wall almost for retaining wall purposes, where you've got a higher inside portion than the outside of the wall because you've got dirt built up on the inside.

Where -- is the measurement taken from street side or is the measurement taken from inside the wall side?

MR. VOS: Thank you, Vice Chair Shaffer and Commissioners.

I'm going to the definition section of the IDO right now, and we define that wall height measurement which is -- when it's a perimeter wall along the front lot line, the wall height is measured from the finished grade on the public side of the wall, so the street side of the wall.

For perimeter walls along any other lot line or within the site, it is from the finished grade on the side of the wall that gives you the taller measurement.

VICE CHAIR SHAFFER: So it's the greater of two -- okay. And Ms. Renz-Whitmore put it in the chat and then Ms. Willson.

The only thing about the thing that Ms. Willson said that she had about the retaining wall, it's probably a fine line about when somebody will consider it a retaining wall. It's probably still a screen wall, but you might consider it a retaining wall, just by the fact that you created a flat portion inside your personal side, not the side that's being measured. I was just curious about that.

Mr. Salas, who do we have next?

MR. SALAS: Yes, Chair. The next speaker is going to be Peggy Neff.

VICE CHAIR SHAFFER: Ms. Neff, you are on next. I believe you signed in this morning to the first case, so you are still under oath and have two minutes to speak.

MS. NEFF: Thank you. Thank you for being here and for listening at least to our concerns.

I really don't think there's going to be much movement on what we've asked for. We've been asking for documentation regarding beneficiaries, regarding unintended consequences, regarding impact statements, regarding public comment summaries. All these things are important to make good decisions.

I don't know why you all are resistant to asking the planning department to have this information available to you, i.e. the number of site plans where parking, walls are being affected.

But I will add my comments in just to appease my colleagues who have been on here and exhausted.

The townhouse issue, you need an outside limit. The balconies and -- and I'm a beneficiary of three balconies in my backyard, thank you very much. That also needs to include burglar bars and

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perhaps the idea of the concern about the other type of balconies is a good idea.

The sensitive lands thing, did we get the question answered regarding whether or not this will apply if a park is sold. There are so many other questions that are out there hanging.

The community planning assessment areas, so now we have at least five tracks that I can see to the amendment of our zone code. And the amendments of our zone code is supposed to be very restrictive.

I know, Vice Chair, you said that you didn't think that restricting zone code was important, but are you perhaps benefiting from some of -- humbly and with the deepest respect, are you perhaps benefiting from some of these changes to our zone code? If you are, there's a chance that maybe you don't see the position that the community shares here.

Community assessment areas need to happen more than once every seven years, and substantive issues need to have metrics. The amendment process needs to have a metric by which substantive issues are given a different process so that the public is involved and so that there's a dialogue with those who are going to be affected by these law changes.

Founder days need to be on the record instead of business days. The zone map changes for -- well, I think that was my time. And I don't want to override your rules here. I just want to encourage you to consider public comments and to consider the fact that this amendment process does not work. You can see how many people we had come out for the issues this morning. We should have at least that many people on each of these amendments.

VICE CHAIR SHAFFER: So, Ms. Neff, I'll tell you, you know, I --

MS. NEFF: -- (inaudible) staff changes.

VICE CHAIR SHAFFER: Yeah. I won't address your offhand comments because they're not worth commenting on.

But I will wholeheartedly disagree with you that we're not listening to what this comments are. Everything that's happened today has been on the public's behalf. We're sitting here at 5:30 at night on the public's behalf.

MS. NEFF: You don't have to be sitting there at 5:30 at night --

VICE CHAIR SHAFFER: So I will disagree with you. So your time is up, ma'am.

MS. NEFF: -- if you had metrics --

VICE CHAIR SHAFFER: So thank you.

MS. NEFF: -- and substantive amendments (inaudible).

VICE CHAIR SHAFFER: Ms. Neff, your time is up and we're moving on to the next person.

So, Mr. Salas, who is next, please?

MR. SALAS: Mr. Chair, Commissioners, the next speaker is going to be Greg Weirs.

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VICE CHAIR SHAFFER: Mr. Weirs. Mr. Weirs, I apologize, I do not remember if you swore in earlier. I think you were on, but if you didn't --

MR. WEIRS: No, I did not.

VICE CHAIR SHAFFER: Okay. Would you mind state your name and address for the record, please.

MR. WEIRS: My name is Greg Weirs. My address is 328 Sierra Place, Northeast, Albuquerque, New Mexico.

VICE CHAIR SHAFFER: Do you swear to tell the truth under penalty of perjury?

MR. WEIRS: I do.

VICE CHAIR SHAFFER: Thank you, sir. You may proceed. You have two minutes.

MR. WEIRS: I am representing the Nob Hill Neighborhood Association, although I don't think I'll need more than two minutes.

I'm commenting on I guess it's Item 26, which is about the walls, wall heights over 3 feet and front yard setbacks.

Our neighborhood association is opposed to this amendment. We encourage you to delete that amendment, the fourth option, that Mr. Vos proposed.

We had a longstanding policy opposing walls over 3 feet in front yard setbacks in our neighborhood boundaries. The basis of this policy is -- there are three pieces.

The first is about historic preservation. The second is about walkability. Open front yards provide a much more inviting pedestrians space. And the third point is about eyes on the street. That is a crime deterrent through environmental design kind of idea.

Now, I understand that the proposal is for 2 feet of view fencing above through feet of what you would get now, but we just don't think that helps at all. It's substantively the same as -- the same proposal or very similar proposal that the EPC removed last year in the IDO annual amendment for the 4-foot wall; and we thank you for that. And it was based on strong public input on that issue.

I think what you're hearing today is, again, strong public input opposing that change to the wall height. Thank you.

VICE CHAIR SHAFFER: Thank you, Mr. Weirs.

COMMISSIONER EYSTER: Question, Chair.

VICE CHAIR SHAFFER: Yes, sir, Commissioner Eyster. Go right ahead.

COMMISSIONER EYSTER: Thanks, Chair.

Thanks to Mr. Weirs and thanks to all the people who have put in such a long day here. And I'm really glad to hear this public input.

You talked about historic character. Could you discuss that a

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little more. What was the character of the front yards and the streetscape in your neighborhood when it was first built in the '20s or '30s?

MR. WEIRS: Okay. So Nob Hill -- and I understand that across the city, different neighborhoods were established at different times, and so this part may be more limited than the broader IDO restriction or regulations. But in Nob Hill, I believe that all these lots were platted between 1916 and maybe in the '50s, depending on where you are in the neighborhood.

It was an early suburban kind of layout, all open front yards, walls up to 3 feet in height. The houses were much smaller when they were built, the vast majority of them. In some cases there were lot smaller setbacks, as well.

But I believe 3 feet is what it would be when -- even up to the '50s, through the '50s, I believe the wall height was 3 feet was what was built, if there were any built at all. That was what -- I don't even think there was a zoning code, but that's just what (inaudible).

COMMISSIONER EYSTER: That was the custom, you're saying?

MR. WEIRS: Yeah.

COMMISSIONER EYSTER: When did the taller walls start to appear, and is that an original feature or a modern feature?

MR. WEIRS: It's not -- I do not think it's an original feature. I don't know when they started to appear. I have lived here since 2005, and I think at the time people were building -- trying to -- well, they were certainly applying for permits to build taller walls then. So I can't say -- well, I'll also say that when I moved here, there was a great housing boom, the housing bubble, and lots of people were maximizing their properties. So that might be part of when the wall -- when taller walls became popular. I don't know.

COMMISSIONER EYSTER: Thank you. And thanks for being here.

VICE CHAIR SHAFFER: Thank you. And just so I can -- this is obviously everybody's comments so far.

What is -- and Mr. Vos I don't even know if it's -- I guess it would be Mr. Vos at this point. Who -- why is -- what's the impetus of why the taller walls keep coming up, since it was last year and now again this year?

MR. VOS: Vice Chair Shaffer and Commissioners, there is interest from some individuals about these walls and also about -- to install the walls.

And with regard to our ZHE agendas and the number of items that are on them, I believe, I don't have much more of an answer than that. You know, if some of these walls that may be getting approved anyway are allowed through a more streamlined process, it's more efficient for everyone.

VICE CHAIR SHAFFER: Okay. Thank you.

Mr. Salas, who do we have next?

MR. SALAS: The next speaker is going to be Sal Perdomo.

VICE CHAIR SHAFFER: Mr. Perdomo, you swore in earlier, so I won

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put you through that again. Go right ahead and jump in. You have two minutes.

MR. PERDOMO: Okay. Thank you, Chair. Thank you, Commissioners. Good evening.

I'm going to speak to a few comments on behalf of Titan Development that we are opposed to. And I'll run through these by items, four of them.

Item 11, sensitive land trees, we oppose this amendment. This amendment is not fully vetted, is not a great solution to offer additional protections to sensitive lands. This provision gives too much unilateral power to one individual and will have unintended consequences for development.

Other markets have similar protections for heritage trees or protected trees and offer additional solutions if a protected tree absolutely needs to be demolished or relocated.

We believe this amendment should not be considered until it has been further vetted and all angles have been considered. For example, our Journal Center multi-family project required demolition of a few established trees to provide safe and appropriate access to the site and was necessary for the site functionality.

Item 15, parking maximums in UC-MS-PT areas. We oppose this amendment. Subsection B states in UC-MS-PT areas that the maximum number of off-street parking spaces shall be no more than 125 percent of the off-street parking spaces required, calculated after all applicable parking reductions have been applied.

This is a major, major problem and could dissuade all development in these areas that are supposed to promote investment and development. This would force any development to include structured parking, which is not financially feasible.

For example, our proposed Highlands multi-family project along Central includes a full parking structure and is currently on hold because the project is not financially feasible. This is a direct example of how this provision would have a negative impact on delivering housing to the community.

If this provision absolutely needs to be included then the statement in the provision that states "calculated after all applicable parking reductions have been applied" should be removed from the amendment.

We have another example, Highlands North and Broadstone Nob Hill multi-family projects along Central provided a parking ratio of 1.1 spaces per unit, and this is extremely tight and barely offers enough parking for our residents.

Number 3, Items 16 through 18, EV charging station. We oppose this amendment as written. Titan generally provides more than 5 percent EV charging station at all of our multi-family properties. The issue with this amendment is requiring a 240 volts or higher charging station.

Residents living at multi-family communities don't need a 240 volt or higher charging station. They only need a standard outlet. This amendment should be updated to remove the 240 volt or higher requirement and simply provide a standard outlet that residents can plug into.

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Item 40, demolition outside of and HPO, we absolutely oppose this amendment. Albuquerque has a serious problem with dilapidated buildings around the city. These buildings promote crime and make the city look cold and unkempt. Creating another layer of approvals to demolish old buildings will enhance crime and negatively promote a poor image for the city. This amendment should be removed from consideration.

And as everyone says, thank you, EPC Commissioners, for your time on this.

VICE CHAIR SHAFFER: Thank you, Mr. Perdomo. I have a question for you in regard to that, because I heard -- you know, we brought that forward in our study session, we were talking about that 120-day, 50-year thing. And nobody wants to demolish a historic building. I know that nobody want to demolish a historically relevant property that, you know, you wish you would have had back. There's no way that people want to do that.

However, as you just mentioned, I mean, almost everything on Juan Tabo, Eubank, Candelaria and Menaul, things like that, that were built in the '70s, that were built substandardly, is dilapidated, needs to get replaced with newer things to improve our city.

And if going this far, I don't know, it seems -- what would your opinion be of what would be more workable, since that's your world that you work in, versus this?

MR. PERDOMO: Yeah, definitely. And I speak, you know, also as a personal property owner of a historic property. And there are certain areas of town that certainly need protection and additional oversight so you're not getting a home that's historically significant and then demolished.

I think this regulation should be applied in certain areas of the city, maybe certain areas that were developed, you know, and built during a certain time frame in Albuquerque history. It should not be applied across the entire city for the example that you stated, Vice Chair.

VICE CHAIR SHAFFER: Okay. Well, I guess I was asking you what you thought that change could be, because, I mean, that's what we're going to talk about.

And the city was agreeable, I think they were agreeable. When we did our study session last week, they kind of said, "Yeah, that might be a little overreaching."

But I think, of course, you know, the better thing to do, per Commissioner Hollinger always bringing this up, is figuring out some sort of, you know, middle ground of what works. Because 120 days is too long.

If you don't know, that's fine. We're going to talk about it anyway. I just didn't know if off the top of your head you guys had, in your world, discussed a more workable solution, versus the entire city, 120 days max, which, to me, seems, you know, very overreaching.

MR. PERDOMO: We will -- Commissioner, we'll revisit that on our end and maybe in our next letter submit some additional thoughts that you guys can chew on.

VICE CHAIR SHAFFER: Okay.

COMMISSIONER HOLLINGER: Commissioner Hollinger.

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VICE CHAIR SHAFFER: Commissioner Hollinger, go right ahead, sir.

COMMISSIONER HOLLINGER: Thank you, Chair.

Mr. Perdomo, you mentioned you had opposition to the electric -- I'm going to say the charging stations. It's been a long day. You had opposition to a 240 volt system versus 120.

What are the benefits of a higher voltage system? Is it relevant to ampacity, charging durations? And what's your opposition to that? Is it cost?

MR. PERDOMO: The 240 volts, yes, they charge at a faster rate than a normal plug. Multi-family communities, most residents are charging their vehicles at night when they are staying at their home for, you know, 10 to 12 hours, and therefore, do not need a rapid charging station. They just need a simple plug-in. And you can buy those plugs to plug the vehicle into the normal plug.

Beyond that, I won't attempt to be an electrical engineer, but the part that we oppose is the requirement for multi-family properties to require a 240 charging station. I think commercial properties around the city, we don't have too much of an opinion about whether 240 volt should be applied for general commercial office, you know, retail uses. But certainly for multi-family, the 240 volt should not be required. It should just be a normal plug.

COMMISSIONER HOLLINGER: Okay.

COMMISSIONER EYSTER: Eyster.

VICE CHAIR SHAFFER: Commissioner Eyster, go ahead, sir.

COMMISSIONER EYSTER: Thank you, Chair. It was mentioned earlier that Ms. Naji was on the Zoom. Is she still here?

VICE CHAIR SHAFFER: I see her name there.

MS. NAJI: I am indeed still here.

COMMISSIONER EYSTER: I wanted to ask her a question, sir. I thought it would help to have a little context on the way that the program has generally been going.

I'm wondering, Ms. Naji, kind of how many of these do you get in a period of time? And how many of those do you turn around and just send them right back within a couple of days? How has it been working?

MS. NAJI: Thank you, Chair and Commissioners.

I think you will find that, for example, thus far this been -- we've been submitted about 45 demolition permits, which is something that I think people need to understand, that demolition permits, you still have to get a demolition permit to demolish a building, regardless of this, and I still sign off on most things.

But -- and of those, I would say none would be anything that we would even -- well, there was one that we put in for review, which was in Nob Hill, at the Wellesley and Silver site. And that was largely to make sure that people were aware what was going on there and that we gave it proper review. And so, you know, the demolition review process sort of taking place while

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they were still doing design and development for the site.

I would say, I've been here for six years, and there's been maybe three properties, maybe four that I -- well, three that I would have sent on for demolition review if we had had the opportunity to. But the rest of them, we would just sign off automatically.

We're not talking about sending everything to the landmarks commission. And there are clear guidelines in terms of what this 120-day review period can do for us. Some of it is just having that opportunity to see if there are alternatives to the existing design plan for the demolition.

So yeah, about one every two years.

COMMISSIONER EYSTER: So of the -- there were 45 this year, you sent one to the landmarks commission. So those other 44, how long did you hold things up? I hate to use to term. How long did you consider the process?

MS. NAJI: Fifteen seconds. I mean --

COMMISSIONER EYSTER: So honestly, maybe the amounts of time that are in the IDO are much more than you need. Maybe that would be a better solution, just shorten up those times, since you're not using the time anyway.

MS. NAJI: I don't know how that is viewed. I mean, generally I can look at a -- any historic planner can look at a building and say there's no historical value to this particular property and go ahead and sign it.

Sometimes we do need more than 15 seconds. You know, sometimes there's a property that maybe it's more significant than it may at first appear, or is it the only building that's, you know, of its sort that may be around. You know, if we see something that is architecturally unique that we might want to see if there's an alternative demolition, but that is rare.

COMMISSIONER EYSTER: Well, good. That's very helpful. I can only say that I wish to hell we would have had this ordinance when we torn down the Alvarado Hotel.

MS. NAJI: There's a number of things we've torn down that -- you know, that was torn down. Huning Castle was torn down. The Poole property got burned down.

You know, there could have been, just by having that opportunity to take a look at them and talk with developers in terms of alternative uses with the properties or things like this, it can sometimes make a difference, you know. Not every building has an alternative, and sometimes -- I mean, I've spent months working on properties trying to find an alternative for them. And at the end of the day, they just are not feasible alternatives to the demolition.

COMMISSIONER EYSTER: Thank you. I appreciate you addressing my questions.

VICE CHAIR SHAFFER: Thank you, Commissioner Eyster, and thank you Ms. Najj.

And I know Michael Vos has his hand up. And I think what the issue is, is that currently, the things that are going before Ms. Najj are coming out of a very small section, and this is now the entire city. So that's why I think that the volume is going

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to be changed immensely. But let's hear from Mr. Vos, because I think there is some devil in the details.

MR. VOS: Yes, Vice Chair Shaffer and Commissioners.

I think maybe, perhaps, Ms. Naji can also clarify this, but I believe she does see demolition permits outside of these areas, but she has no mechanism to not sign off on them. She basically has to sign off on them by not sending them on to the landmarks commission.

And I think it's important to clarify, from a time frame perspective, that this proposed process only -- the first part of the process is you apply for a demolition permit, it gets reviewed by Leslie or historic preservation staff, alongside everyone else that needs to approve for demolition permit, from building safety, from hydrology, and they turn that around in a -- if historic preservation doesn't find something significant with the property, they turn it around in the regular time frame it turns around for any demolition permit.

If there is a significance of the building, then it can get sent to the planning commission -- not the planning commission, the landmarks commission, for that additional review, at which the landmarks commission could just choose to sign off on the demolition, or taking the 120 days.

So most demolitions are going to take a matter of a couple of days max. Some will take, you know, two months to go to landmarks and then still be demolished. And then very full, an expressed by Ms. Naji, will take that full 120 days.

VICE CHAIR SHAFFER: I believe that -- thank you, Mr. Vos. I believe, again, that, you know, you're always building, planning, designing to your -- to a certain common denominator. And so if you're considering the worst-case scenario all the time, then that's what the 120 days is for.

And, again, I think what we heard last week when we were discussing it and then now this week, is that there's probably some better language, is all, and some different time frames. And potentially just instead of a giant square around the City of Albuquerque, saying anything that's in there, that you -- there's maybe just an expanded role of what is currently in the IDO, which is obviously too small. And we've seen that graph, and we can bring it up again later.

But I think that's enough for -- because we -- because Mr. Perdomo who is on, and we kept him hanging around. So we can go on to the next public comment.

MR. PERDOMO: Thank you for your time.

MR. SALAS: Chair, Commissioners, the final speaker is going to be Mike Voorhees.

VICE CHAIR SHAFFER: Mr. Voorhees, welcome back. Round three. You've been sworn in, so do your thing.

MR. VOORHEES: Thanks. Thanks for your stamina and fortitude.

On October 12th, I submitted a recommended change to the IDO, to the ABC-Z e-mail account, never got confirmation of that. I resubmitted that on November 27th and did get confirmation from Catalina Lehner who said it was going to be included in the report for today's meeting. I've searched everywhere, never seen

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it anywhere in there. It was not included.

It was a recommended change to the applicability section of CPO 13 changing three words, removing "low density residential" and changing it to all.

That would effectively make the IDO compliant with the stated view protection and cultural preservation, landscape goals, harmonious across the entire character protection overlay zone.

We're the only one that has a limited applicability where the mixed-use commercial is exempted from the rules of the neighborhood.

So what I want to know is why didn't this show up in the staff report, why wasn't it included? I mean, it could have been included and staff could recommend not to go forward. But it just disappeared. So that's my question.

VICE CHAIR SHAFFER: Okay. I don't even know how to answer. I guess Mr. Vos has his hand up.

So you go right ahead, sir.

MR. VOS: Thank you, Vice Chair and Commissioners.

And thanks for bringing that up, Mr. Voorhees. Our apologies for that. I just did a search. That e-mail made it into the record package for the Housing Forward amendments.

We will -- we received lots of comments on four different agenda items, so that was an oversight on our part. And we can certainly provide that e-mail as part of the supplemental report that this commission will hear at the next hearing, if that sounds acceptable to all.

MR. VOORHEES: Is the recommended amendment going to be included with the others, because it was submitted back in October. And so it should have gone in as one of the public submissions that the EPC would be considering in this round.

MS. RENZ-WHITMORE: Mr. Vice Chair, can I jump in here?

VICE CHAIR SHAFFER: Please. And thank you.

MS. RENZ-WHITMORE: So, Mr. Voorhees, as we talked about in the earlier cases, this annual update is a legislative process. So we can't amend any of the small area overlay zones or any other small area rules through this legislative process.

So EPC can't even make a recommendation about -- I mean, I guess you could make a recommended finding or something that the city council should look at that. But ultimately, this legislative act can't change language in the CPO.

MR. VOORHEES: But earlier, you were doing a quasi-judicial review of a proposed change from Councilor Lewis. And so why doesn't this follow that same procedure? I know it shouldn't have been in this last bunch of them. But I sat through the whole thing just to see maybe it got misplaced. And it did get misplaced, but it got completely misplaced.

MS. RENZ-WHITMORE: Sure. So the Integrated Development Ordinance allows anyone to submit an application for amending the IDO. So if you wanted to make that application on your own behalf, then you would have to go through the full process.

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So that would be doing all the notice and submitting an application and doing the justification, and doing everything that Councilor Lewis had done to submit his application for that small area change.

MR. VOORHEES: So I did submit it through the ABC-Z e-mail that was the instructions for that. And it was --

MS. RENZ-WHITMORE: Mr. Voorhees.

MR. VOORHEES: -- never followed up on. That's all I'm saying.

MS. RENZ-WHITMORE: Sure. And that's a comment. That's a comment as opposed to an application. So if you wanted to actually apply to amend the IDO, it would be a full application. That's why there are four cases today, each one was a full application, with full notice, justification submitted to the planning department.

COMMISSIONER EYSTER: Chair, could I ask Ms. Renz-Whitmore a related question?

VICE CHAIR SHAFFER: In a second. So I just want to clarify this, because Mr. Voorhees is doing a public comment on this and we need to kind of move him along down the path.

Mr. Voorhees, does that make sense, what she's explaining? Because I understand what you're saying, that it was a comment and the comment got misplaced. And she's speaking -- what you alluded to is that you wanted to make a change, a change comes through an application, not a comment.

MR. VOORHEES: The last -- the most recent submission was as a comment because I never got follow-up from the ABC-Z e-mail where we were supposed to start the process, and it was never followed up on. If I had known that there had been an application that I needed to include, I certainly would have done it.

I have a feeling that not all of the ones lumped together today had applications and they were reviewed by staff and aggregated. Maybe that's different because it's a small area.

I'd be happy to submit and go through that process, but this was -- completely fell through the cracks and so while Councilor Lewis got to put one through apparently on behalf of a client, you know, mine went nowhere and it didn't receive the same deference. So that's my concern.

VICE CHAIR SHAFFER: Understood. We've -- I guess noting for that letter, I guess I would ask that staff include the note that he had sent about the small area, even though it's not an application. We understand that. And we can't -- we come up with some sort of finding if we don't agree to it. But it would be included in the supplemental staff report for what we're talking about. So if we could do that, that would be helpful.

MR. VOORHEES: Thank you.

VICE CHAIR SHAFFER: Yes, sir. Thank you.

Commissioner Eyster, go ahead.

COMMISSIONER EYSTER: Thank you, Chair. I appreciate Mr. Voorhees question here. And I think it ties into something that some people in my neighborhood wanted to do, and it was a

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small area amendment, CPO-8. It had to do with cannabis retail, and the details are not important.

But we were told that small area amendments don't really arise from the IDO annual update process, more from councilor requests. And so these two today were by requests from two councilors, and so maybe that was what she was trying to explain.

None of us can just go in with a comment and suddenly that generates a small area amendment. That's more like a council-originated thing.

MR. VOORHEES: So then that brings up one important distinction, which is that we can't talk to our councilor about this because he's on the other side of the issue in an ongoing appeal and an ongoing remand on the same issue. And we can't talk to him because ex parte rules prohibit that.

So that means that we're essentially disenfranchised from using our elected officials --

COMMISSIONER EYSTER: Yeah.

MR. VOORHEES: -- you know, to seek redress, which is unconstitutional. So that's a real problem with the structure of this IDO.

COMMISSIONER EYSTER: Our councilor is recused from any matters around cannabis, and so we were not able to get him to support this. So there is a little tough problem there, yeah.

VICE CHAIR SHAFFER: Okay. We're not solving a political/lawyer issue in this conversation, I'll promise you that.

So let's move on. Mr. Salas, is there any other public speaker signed up?

MR. SALAS: Chair, Commissioners, nobody else has signed up to speak.

If anybody else wishes to speak, please say so now.

VICE CHAIR SHAFFER: Okay. Well, we'll close public comment, and we will go -- work backwards in order and hear from the applicant. And even Ms. Lehner kind of chimed in along with Mr. Vos, saying it's almost one and the same at this point, since they're working together to come to this amicable solution in the conditions that they wanted to see and make these amendments.

So I think now would probably be the time in one way, shape or form to hear those. And then you can relay those based on the public comment that you just heard.

And that's in Ms. Lehner or Mr. Vos' court, so...

MR. VOS: Thanks, Vice Chair Shaffer and Commissioners. Would you like me to pull up our presentation to have stuff on the screen, or do we just want to -- I mean, I'm open to just having a discussion, hearing your questions and concerns based on the public comment that's been heard this evening.

Obviously we have some of those proposed conditions that I discussed earlier sort of in the queue to work on, so I don't know if there are any others.

VICE CHAIR SHAFFER: Well, I guess that's a good question, so

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thank you for that.

So besides what we already heard, gentlemen, and Ms. Pfeiffer is gone, so I can just say yes, now, is there any questions you have before we do see those so he can add those to his list. Because they already have a bunch of those conditions already thought out and that we can view. But if you wanted to add to the list, please do so now.

COMMISSIONER HOLLINGER: Commissioner Hollinger.

VICE CHAIR SHAFFER: Commissioner Hollinger.

COMMISSIONER HOLLINGER: Thank you, Vice Chair.

Mr. Vos, earlier, many hours ago, I feel like I asked you a question -- or tabled the question about the parking maximums. And Mr. Perdomo made some comments in opposition.

I personally just don't understand how that parking allowance works. Maybe I'm alone in that, but if you could help me understand what that means, that would certainly help.

MR. VOS: Certainly, Vice Chair Shaffer and Commissioner Hollinger.

The parking maximum would apply in UC-MS and PT areas, urban centers, main streets, premium transit. But for example, one of those is along Central Avenue. It would stipulate that a development is capped at 125 percent of the maximum parking after you apply reductions.

If you're in a premium transit location, your minimum parking requirement is automatically cut in half. So if you have an apartment complex or any development, doesn't matter what use, that requires, per the table in the IDO, 100 parking spaces, that would get automatically reduced by our current reductions to 50. And then, you would be capped at 125 percent of the 50, which is a maximum parking of 62 spaces.

So I believe that's where the opposition from Titan Development comes, is if they have a development that requires in that location, would -- or if we didn't have a maximum, you know, there's a minimum allowance or requirement of 100 parking spaces, for market reasons, they may want to provide 100 parking spaces.

So his suggestion of removing the after reduction are applied would move that maximum for a development that requires a minimum of 100 spaces, up to 125 as a more potentially workable solution for them as a developer wanting to provide parking.

Did I just confuse things more or...

COMMISSIONER HOLLINGER: Well, I was just going to say, that's really good VA math, if you've ever had to go down that path.

Why is it such a complicated formula. I mean, so I get it. Okay. We're at 100, we reduce it by half and then we have 125 percent. I mean...

MR. VOS: The amendment was proposed by council and is intended to create in those areas where the comp plan desires us to have more urban development, it's requiring a much more urban development form by getting rid of surface parking lots.

I guess what I failed to mention when talking to those

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calculations, is that you could still provide, you know, 150 parking spaces, but they would have to be in a parking structure, which is what Mr. Perdomo said was cost prohibitive. The 62 maximum would be in a parking lot.

And then the other part of that parking maximum is, say, downtown, where we don't require anyone to provide parking. Someone may still want to provide parking. This proposal would prohibit someone from doing a parking lot. So any parking downtown would have to be in a parking structure.

COMMISSIONER HOLLINGER: Okay. That's a lot of information to take in. I don't feel bad about being confused about that and I'm glad I asked for clarity. I'll just leave it at that for now.

VICE CHAIR SHAFFER: Thank you.

COMMISSIONER MEADOWS: Mr. Chair.

VICE CHAIR SHAFFER: Yeah, go ahead. I'll follow up with a question after that. But, Commissioner Meadows, go right ahead.

COMMISSIONER MEADOWS: Yeah, so, Mr. Vos, can you in those more urban places, can you still share parking? So say you don't build more parking, but there's other parking available? Of course it might be paid or something, but is that still a possibility?

MR. VOS: Vice Chair Shaffer and Commissioner Meadows, yes, the IDO still allows for shared parking amongst uses. There's even more potentially complicated math that goes into that, with the use allowances for everyone that is sharing that. And then it is sort of -- as long as you have an agreement to do that sharing, we do allow shared parking.

COMMISSIONER MEADOWS: All right. Thank you.

VICE CHAIR SHAFFER: Any other questions from commissioners before we see conditions?

I guess before we see those conditions and what's before us right now is the staff recommendation of continuance until January, along with the other one, and before we even discuss that, we would also preface and we would reduce public comment based on the supplemental staff report, which would capture all the discussions.

So whoever makes a motion that that's where we go, please make sure that you also state that.

But what's the end goal of, if you've gotten -- have you heard anything substantiated or substantive, I should say, substantive to what you've already -- or have we discussed anything substantive that would change any of the conditions that you're already considering?

MR. VOS: Vice Chair Shaffer, I don't believe that there's really anything that would change us providing some of these conditions or options to you. I think there's a couple public comments we heard where we would potentially work up additional conditions for your consideration on several of these amendments. There's multiple points of view and we would try to present, you know, sort of all those potential options that you may want to consider.

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VICE CHAIR SHAFFER: And I'll stop you there for a second, because I kind of answered my own question in my head. Because here's what's our problem is going to be. We're going to provide all of these conditions after we've closed public comment, that are now going to have to be -- they're going to have to have the opportunity to hear them again, so --

MR. VOS: And Vice Chair Shaffer --

VICE CHAIR SHAFFER: -- let's hear them.

MR. VOS: And, Vice Chair Shaffer, those conditions we will present to you in a supplemental staff report, so you are allowing public comment, like on the house forward, based on the supplemental staff report. I believe members of the public could comment on the proposed conditions.

VICE CHAIR SHAFFER: Yeah, I was just thinking out loud and that's kind of what I was saying.

MR. VOS: Yeah.

VICE CHAIR SHAFFER: So that's -- I was are trying to get to saying if there was nothing substantial that was going to change any of the things that you were going show us now, then we could actually continue on, but I don't think we can.

So without any other objections, or comments from any commissioners, we can see what those condition were so we can comment on those.

MR. VOS: (Inaudible) while I pull up the PowerPoint that I was -- Vice Chair Shaffer, should I just go through slide by slide, where we had conditions listed before in this PowerPoint? There might be -- I don't know if we want to go over every slide and see if you recall any public comment that you might want us to consider a condition on that we haven't shown you earlier. Happy to --

VICE CHAIR SHAFFER: No. I don't think I want to go through the whole thing again. But you have -- you had thrown some conditions at us during the 49 slides or whatever they were. And so I guess the question is, from there, does -- has anything changed from then?

And, Commissioners, you guys, we were given some options on a couple items to consider. Do we want to consider any of those options at this moment, or now we're going to review during the supplemental staff report?

Ms. Lehner.

MS. LEHNER: Mr. Chair, Commissioners, so throughout the course of this discussion, I have taken a lot of notes, and I believe that Mr. Vos probably also has done the same, so I think the purpose of the supplemental staff report would be to revisit everything and might involve public testimony, might involve questions, and then some information that could facilitate discussion in January and kind of lead you in the direction you decide you want to go.

VICE CHAIR SHAFFER: I agree. And you're also going to get now -- in the next two weeks, you're going to get a bunch of other e-mails and public comments, as well, which will all get facilitated into the final -- so I'm good with not reviewing the stuff we just reviewed. So -- unless anyone is really gung ho on

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doing that.

I don't see anybody jumping up and down for that, so if anyone would like to make a motion for a continuance with the same stipulation that the public comment will be limited to items that are brought forth in supplemental staff report, I think we'd all be welcome to hear it. And I can't do it, so somebody else step up.

COMMISSIONER EYSTER: Eyster.

VICE CHAIR SHAFFER: Commissioner Eyster.

COMMISSIONER EYSTER: Thank you, Chair. I will attempt that.

In the matter of Agenda Item Number 4, project PR-2018-001843, RZ-2022-00054, I move that the matter be continued for one month to the January 19th regular hearing. And public comment will be welcomed, although it will be limited to items in the amended staff report.

VICE CHAIR SHAFFER: Thank you for clarifying that. Definitely welcome, because we're going to get them. So we have a motion. Do we have a second?

COMMISSIONER ARMIJO: Commissioner Armijo, I'll second.

VICE CHAIR SHAFFER: Commissioner Armijo with a second, so let's do a roll call vote.

Commissioner Hollinger.

COMMISSIONER HOLLINGER: Aye.

VICE CHAIR SHAFFER: Commissioner Stetson.

COMMISSIONER STETSON: Stetson, aye.

VICE CHAIR SHAFFER: I'm Tic-Tac-Toeing across the board here.

Commissioner Meadows.

COMMISSIONER MEADOWS: Meadows, aye.

VICE CHAIR SHAFFER: Commissioner Armijo.

COMMISSIONER ARMIJO: Armijo, aye.

VICE CHAIR SHAFFER: Commissioner Eyster.

COMMISSIONER EYSTER: Eyster, absolutely aye.

VICE CHAIR SHAFFER: Commissioner Shaffer is an aye, so it passes 6 to 0.

(6-0 vote. Motion approved.)

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RE: CITY OF ALBUQUERQUE EPC MEETING MINUTES OF
DECEMBER 8, 2022, AGENDA ITEM 4

TRANSCRIPTIONIST'S AFFIRMATION

I HEREBY STATE AND AFFIRM that the foregoing is a correct transcript of an audio recording provided to me and that the transcription contains only the material audible to me from the recording was transcribed by me to the best of my ability.

IT IS ALSO STATED AND AFFIRMED that I am neither employed by nor related to any of the parties involved in this matter other than being compensated to transcribe said recording and that I have no personal interest in the final disposition of this matter.

IT IS ALSO STATED AND AFFIRMED that my electronic signature hereto does not constitute a certification of this transcript but simply an acknowledgement that I am the person who transcribed said recording.

DATED this 17th day of January 2023.

/S/

Kelli A. Gallegos



ENVIRONMENTAL PLANNING COMMISSION AGENDA

Thursday, December 8, 2022
8:40 a.m.

Due to COVID-19 this meeting is a Public Zoom Video Conference

Members of the public may attend via the web at this address: <https://cabq.zoom.us/j/2269592859> or by calling the following number: 1 301 715 8592 and entering Meeting ID: 226 959 2859

MEMBERS

Tim MacEachen, Chair
David Shaffer, Vice Chair

Joseph Cruz
Richard Meadows
Jonathan R. Hollinger
Mrs. Jana Lynne Pfeiffer

Gary L. Eyster P.E. (Ret.)
Robert Stetson
Dennis F. Armijo, Sr.

NOTE: A LUNCH BREAK AND/OR DINNER BREAK WILL BE ANNOUNCED AS NECESSARY

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are also reviewed at the beginning of the hearing. Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff – 5 minutes; Applicant – 10 minutes; Public speakers – 2 minutes each. An authorized representative of a recognized neighborhood association or other organization may be granted additional time if requested. Applicants and members of the public with legal standing have a right to cross-examine other persons speaking pursuant to Article 3, Section 2D, of the EPC Rules of Practice & Procedure.**

All written materials – including petitions, legal analysis and other documents – should ordinarily be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing. Cross-examination of speakers is possible per EPC Rules of Conduct.

NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.

Call to Order:

- A. Pledge of Allegiance
- B. Roll Call of Planning Commissioners
- C. Suspension of the Rules- Article I, Section 4 and Article II, Section 2A of the EPC Rules of Practice & Procedure
- D. Zoom Overview
- E. Announcement of Changes and/or Additions to the Agenda
- F. Approval of Amended Agenda
- G. Swearing in of City Staff

1. Project# 2018-001843

RZ-2022-00059 – Text Amendments to Integrated Development Ordinance (IDO)—City-wide

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO) to address the need for more housing opportunities/ the Housing Forward initiative. This fourth annual update includes changes requested by neighbors, developers, staff, and Council Services. City-wide.

Staff Planners: Mikaela Renz-Whitmore, Michael Vos

2. Project# 2018-001843

RZ-2022-00056 – Text Amendments to Integrated Development Ordinance (IDO)—VPO 2- Northwest Mesa

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO). This update includes changes requested regarding the standards applicable to one Small Area- the NW Mesa Escarpment View Protection Overlay Zone (VPO)- 2.

Staff Planner: Megan Jones

3. Project# 2018-001843 (2018-00195)

RZ-2022-00055 – Text Amendments to Integrated Development Ordinance (IDO)—CPO 9- North Fourth Street

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO). This update includes changes requested regarding the standards applicable to one Small Area- the North 4th Street Corridor- Character Protection Overlay Zone (CPO)- 9.

Staff Planner: Leroy Duarte

Note: Item 4 will be heard no earlier than 1 pm.

4. Project# 2018-001843

RZ-2022-00054 – Text Amendments to Integrated Development Ordinance (IDO)—City-wide

The City of Albuquerque Planning Department requests to amend the text of the Integrated Development Ordinance (IDO). This fourth annual update includes changes requested by neighbors, developers, staff, and Council Services. City-wide.

Staff Planners: Catalina Lehner, Michael Vos

5. OTHER MATTERS

6. ADJOURNMENT