

Exhibit A to O-18-11

Please follow [this link](#) to access Exhibit A.

Exhibit 1 to O-18-11

Amendment:

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

Explanation:

Exhibit 1 is a spreadsheet of proposed changes to the IDO that are technical in nature and non-substantive. This exhibit contains an array of changes to various topics; however the spreadsheet is organized into the following sections:

- General- Entire Document
- Part 1- General Provisions
- Part 2- Zone Districts
- Part 3- Overlay Zones
- Part 4- Use Regulations
- Part 5- Development Standards
- Part 6- Administration & Enforcement
- Part 7- Definitions & Acronyms
- IDO Conversion Rules

These reflect the organization of the IDO document. These changes come from ongoing staff and public review of the adopted IDO which identified a number of technical revisions that will make the draft clearer and easier to use and administer. This exhibit also provides direction for AGIS to finalize the zoning conversion map based on zoning in place when the IDO becomes effective. This process will apply the conversion rules for base zones in the Zoning Code via 2-2-1 in the IDO; properties with SU-1 and R-D zoning, and properties in Sector Development Plans with SU-2 and SU-3 zoning. This process includes the conversion of R-1 zoned properties to the appropriate subzone (R-1A, R-1B, R-1C, and R-1D). Zone changes and subdivisions that are final as of the effective date of the IDO will therefore be converted appropriately in the final zoning conversion map.

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Adopted Page	Adopted Section	Proposed Change
General - Entire Document		
All	All	Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references.
All	All	Make any necessary editorial changes to the document, including minor text additions or revisions for clarity (without changing substantive content), additional cross references, reorganizing content for better clarity and consistency throughout the document, revisions to graphic content for clarity, and updating tables of contents.
Conversion Map	Conversion Map	Finalize the Conversion Map to apply the adopted conversion rules to the zoning in place as of the effective date of the IDO.
Part 1 - General Provisions		
3	1-7(B)(2)(d) [new]	Add a new subsection as follows: "All infrastructure improvements, including but not limited to sidewalks, curb and gutter, pavement, storm drain system, water and sewer, and any other improvements required by the City Engineer have been constructed within the public right-of-way along the property lines of the lot."
3	1-7(B)(2)(e) [new]	Add a new subsection as follows: "Adequate right-of-way is in place for infrastructure improvements required by the City Engineer."
Part 2 - Zone Districts		
32	Table 2-4-11	Add the following to the end of Note [1]: "...of multi-family residential units."
36	2-4(E)(3)(g)2.b.i	Revise text as follows: "a wall <u>between</u> 3-4 feet tall..."
50	2-5(F)(3)(a)	Revise this subsection to read: "1. Development standards specified in a Master Plan approved or amended by the City Parks and Recreation Department for each facility prevail over IDO standards and may be reflected in Site Plans approved pursuant to this IDO. 2. Allowable uses other than those specified in Table 4-2-1 shall be reviewed and decided pursuant to Subsection 6-6(I) Site Plan - EPC."
50	2-5(F)(3)(d)	Revise text as follows: " <u>Uses and development standards</u> specified in the BioPark Master Plan..."
52	2-6(A)(5)(c) [new]	Add a new provision as follows: "A PD zone district approval may not reduce requirements in Section 14-16-5-2(H) (Major Public Open Space Edges) designed to protect MPOS properties from potential adverse impacts of development."

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Part 3 - Overlay Zones		
57	Part 3	Revise the introductory text for this Part as follows: "...Overlay zone shall prevail. <u>Where multiple Overlay zones apply to a property, development must comply with all relevant provisions.</u> Where an Overlay zone..."
58	3-2(B)(1)	Replace this Subsection with the following text: "This sub-area underlies a Horizontal Surface established at a height of 150 feet above the highest point of the usable landing area at each airport, which results in a Horizontal Surface at 5,504.9 feet in elevation for the Albuquerque International Sunport and at 6,028.0 feet in elevation for the Double Eagle II Airport."
63	3-2(D)(1)(b)	Replace this Subsection with the following text: "In the Air Space Protection Sub-area, maximum building height is per Tables 5-1-1 through 5-1-3 for each base zone district, but in no case may a building be higher than the Horizontal Surface for each airport. Maximum height may therefore vary based on the elevation of the land at the location of the proposed structure or vegetation."
67	3-3(C)(5)(e)1 [new]	Add a new 1 as follows: "The use of colors that contrast with the predominant color of the building is limited to 20 percent of each building façade." Re-number subsequent Subsections.
68	3-3(C)(5)(f)2.e	Revise text as follows for clarity: "No illuminated sign, or any illuminated element of any sign, <u>shall flash, blink, or change its brightness.</u> "
73	3-3(E)(1)	Correct map of CPO-4 to include 3 lots at southeast of Copper Ave. and High St. that were omitted unintentionally, and are not part of Huning Highland HPO.
73	3-3(E)(1)	Make the existing text a new (a). Add a new (b) as follows: "The CPO-4 standards apply to construction of new structures within the East Downtown - HPO-1."
87	3-3(I)(5)(c) [new]	Add a new subsection as follows: "Signs Freestanding signs are prohibited, except for pole signs that meet the provisions of Subsection 5-12(F)(4)(a) (Neon Signs along Central Avenue) and any other applicable provisions of Section 5-12 (Signs)."
83	3-3(H)(4)	Revise as follows: " <u>In Residential and Mixed-use zone districts:</u> 26 feet, unless the site is 5 acres or greater..."
90	3-3(K)(2)(a)(1)	Revise text as follows: "R-T, <u>MX-T</u> , and MX-L zone districts." <i>Note: This change ensures that, although no SU-2 zones in the SDP convert to MX-T, any future zone changes to MX-T would be regulated by the same rules as MX-L.</i>
91	3-3(K)	Review public comments about Sawmill CPO-10 and revise CPO as necessary to reflect existing requirements.

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91	3-3(K)(2)(c)	Revise as follows for consistency with other usable open space requirements in the IDO: "In the R-ML, MX-T, and MX-L zone districts, usable open space..."
91	3-3(K)(2)(c)2	Revise 2,500 SF to 500 SF to correct a typo.
91	3-3(K)(4)(b)	Revise as follows and move up to be (a): "Notwithstanding Subsections (b), (c), or (d) below, no portion of any building within 25 feet of the front property line shall be more than 15 feet tall." Re-number subsequent Subsections.
92	3-3(K)(5)(d)	Carry over prohibition on electronic signs in SDP for parcels abutting Mountain Road as a new sign subsection in CPO.
96	3-3(L)(5)(d)3	Revise as follows: "Three (3) car garages <u>are only allowed</u> on lots greater than 55 feet wide <u>and</u> shall have..."

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Part 4 - Use Regulations		
112	Table 4-2-1	<p>Add a P for duplex in R-1 and create a new Use-specific Standard as follows: " Dwelling, Two-family Detached (Duplex) This use is prohibited in the R-1 zone district, except in R-1A where 1 two-family detached dwelling is permissible on 2 lots where the building straddles the lot line and each dwelling unit is on a separate lot." <i>Note that this addition re-instates a permissive use in today's R-LT zone (which tracks most closely with R-1A in terms of dimensional standards).</i></p>
119	4-3(B)(2)(b)	<p>Revise text as follows: "...lot size allowed in the zone rounded <u>down</u> to the nearest whole number..."</p>
119	4-3(B)(2)(b) [new]	<p>Add a new subsection with text as follows: "Zone district lot and setback requirements, including contextual standards in Subsection 14-16-5-1(C)(2), shall apply to the project site as a whole, but not to individual lots." Renumber subsequent Subsections.</p>
120	4-3(B)(4)(a)	<p>Delete existing text and replace with the following: "For townhouse developments containing more than 6 dwellings on a common lot, minimum usable open space shall be provided as follows: 1. Efficiency or 1 bedroom: 200 square feet per unit. 2. 2 bedrooms: 250 square feet per unit. 3. 3 or more bedrooms: 300 square feet per unit. 4. In UC-MS-PT areas, the minimum usable open space required shall be 50 percent of the requirements in Subsections 1 through 3 above."</p>
120	4-3(B)(4)(c)	<p>Revise as follows: "...lot line abuts <u>an R-A or R-1 zone district, no townhouse building may contain more than three dwelling units.</u>"</p>
121	4-3(B)(4)(d)	<p>Revise as follows: "...of the ground floor of the primary <u>façade facing the Major or Premium Transit Corridor.</u>"</p>
121	4-3(B)(6)(d)	<p>Revise as follows: "...of the ground floor of the primary <u>façade facing the Major or Premium Transit Corridor.</u>"</p>
122	4-3(C)(6) [new]	<p>Add a new USS for "museum or art gallery" as follows: "In any Residential or MX-T zone district, this use shall not exceed 10,000 square feet of gross floor area." Renumber subsequent Subsections. Add reference to this new USS in Table 4-2-1.</p>
125	4-3(D)(1)(b)	<p>Delete, as on-premises signs are generally regulated city-wide in Tables 5-12-1 and 5-12-2.</p>

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127	4-3(D)(8)	Add a new USS for "bar, nightclub, restaurant, and taproom" as follows: "A restaurant use must comply with Part 9-10-1 of ROA 1994 (Solid Waste Collection), in particular the City's minimum specifications for waste enclosures for restaurant and food services to include a sanitary sewer drain."
127	4-3(D)(8)(d) [new]	Add a new Subsection (d) as follows: "Restaurants are permissive in the Old Town - HPO-5."
127	4-3(D)(8)(e) [new]	Add a new Subsection (e) as follows: "Bars are prohibited in the Old Town - HPO-5"
128	4-3(D)(12)(e)	Replace this Subsection with the following language for clarity and consistency with city-wide sign regulations: "If this use is located in a Residential zone district, 1 non-illuminated sign up to 8 square feet in area is allowed per premises."
129	4-3(D)(15)(d) [new]	Add a new Subsection (d) as follows: "This use is prohibited in the following mapped areas as noted. 1. Downtown Neighborhood Area - CPO-3. 2. MX-L zone districts in Sawmill/Wells Park - CPO-10."
129	4-3(D)(16)	Add a new USS for "heavy vehicle and equipment..." as follows: "This use must comply with stormwater quality requirements found in the DPM. "
129	4-3(D)(16)	Add a new USS for "heavy vehicle and equipment..." as follows: "For fueling station canopies, all under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated."
129	4-3(D)(17)	Add a new USS for "light vehicle fueling station" as follows: "In UC-AC-MS-PT-MT areas and any MX-H zone district, any building containing a retail use with 1,000 square feet or more of gross floor area shall have a maximum setback of 15 feet."
130	4-3(D)(17)	Add a new USS for "light vehicle fueling station" as follows: "This use is regulated as noted in the following mapped areas. 1. Downtown Neighborhood Area - CPO-3. This use is prohibited in MX-M zone districts and conditional in MX-L zone districts. 2. Sawmill/Wells Park - CPO-10. This use is prohibited in MX-L zone districts."
130	4(3)(D)(17)(k)	Delete this provision as duplicative of Subsection 5-5(l)(2). Renumber subsequent Subsections accordingly.
130	4-3(D)(17)	Add a new USS for "light vehicle fueling station" as follows: "For fueling station canopies, all under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated."
130	4-3(D)(17)	Add a new USS for "light vehicle fueling station" as follows: "In UC-MS-PT areas, an opaque wall or vegetative screen at least 3 feet high shall be provided along all street frontages."

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131	4-3(D)(18)	Add a new USS for "light vehicle repair" as follows: "This use is prohibited in the MX-L zone district in Downtown Neighborhood Area - CPO-3."
131	4-3(D)(19)	Add a new USS for "light vehicle sales and rental" as follows: "This use is prohibited in the MX-L zone district in Downtown Neighborhood Area - CPO-3."
132	4-3(D)(21)(d)6	Revise as follows: "Martineztown/Santa Barbara Area" with a map that includes areas where commercial surface parking lots are prohibited in in South Martineztown SDP.
132	4-3(D)(21)(d)7 [new]	Add a new 7 as follows: "Nob Hill/Highland Area" with a map of all areas where commercial surface parking lots are prohibited in Nob Hill Highland SDP. Re-number subsequent Subsections.
133	4-3(D)(21)	Add a new USS for "paid parking lot or parking structure" as follows: "Paid parking lots are conditional in the following mapped area: McClellan Park Area [insert map]"
133	4-3(D)(25)	Make existing USS for "medical or dental clinic" a new Subsection (a). Add a new Subsection as follows: "Facilities that dispense methadone as a primary activity are prohibited in the following locations: 1. Within 330 feet of any other facility that dispenses methadone as a primary activity. 2. Within 330 feet of a lot containing a religious institution. 3. Within 500 feet of an R-1 zone district. 4. Within 500 feet of a lot containing an elementary, middle, or high school." Rescind Part 13-11-6 of ROA 1994 (Code of Ordinances) because it is incorporated into the IDO through this change.
133	4-3(D)(25)	Make existing USS for "medical or dental clinic" a new Subsection (a). Add a new Subsection as follows: "Facilities that are considered a syringe exchange facility pursuant Article 9-15 of ROA 1994 (Syringe Exchange Facility Location) are allowed as part of this use with prohibitions as follows: 1. Within 500 feet of any other syringe exchange facility. 2. Within 500 feet of a lot containing a religious institution. 3. Within 500 feet of a Residential zone district or a residential component of a Mixed-use zone district. 4. Within 1,000 feet of a lot containing an elementary, middle, or high school." Rescind Part 9-15-5 of ROA 1994 (Code of Ordinances) because it is incorporated into the IDO through this change.
139	4-3(D)(34)(c) [new]	Add a new USS for "general retail" as follows: "General retail, small is permissive in the Old Town - HPO-5."
153	4-3(F)(4)(e)5	Revise as follows: "This use is prohibited in the <u>MX-L and NR-LM</u> zone districts within the Sawmill/Wells Park CPO-10."

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155	4-3(F)(4)(e)9	Revise this subsection as follows: "This use is prohibited in the following areas: a. Mixed-use zone districts in the Volcano Heights Urban Center as mapped in the ABC Comp Plan, as amended. b. The 3 hatched areas mapped below, unless accessory to a use other than a restaurant." Revise map to show only the three areas where drive throughs are prohibited.
155	4-3(F)(5)(b) and (c)	Replace text in (b) and (c) with the following: "Only 1 accessory dwelling is allowed per lot." Renumber subsequent Subsections.
155	4-3(F)(5)(d)	Revise as follows: " <u>In Residential and Mixed-use zone districts, a detached...</u> " Replace "dwelling" with "building"
159	4-3(F)(9)(g)	Revise as follows for consistency with general sign regulations in Section 5-12: "...except that one non-illuminated wall sign is allowed. <u>For residential zone districts, the maximum size of the sign is regulated by Table 5-12-1. For mixed-use zone districts, the sign may not exceed 2 square feet.</u> "
165	4-3(G)(5)	In (a), revise as follows: "For low-density residential development: no more than <u>2 sales</u> ..." to reflect O-17-39 amendment to the R-1 zone. In (b), revise as follows: "For multi-family residential development: no more than <u>4 sales</u> ..."

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Adopted Page	Adopted Section	Proposed Change
Part 5 - Development Standards		
168	Table 5-1-1	Add a new Note [3] on "Lot size, minimum" and "Lot width, minimum" with the following text at the end of the table: "Unless noted otherwise in this IDO, minimum lot size and width apply to the lot, not to individual dwelling units." Renummer subsequent Subsections.
168	Table 5-1-1	Add a new provision in the minimum side setback row for R-1A through R-1C as follows: "Street side of corner lots: 10 ft."
168	Table 5-1-1	Revise the minimum lot size for townhouses in R-ML to 22 feet to be consistent with R-T, since the lot size is the same.
169	5-1(c)(2)(a)1	Revise as follows: "For the following development types, the contextual lot size standards in Subsection 14-16-5-1(C)(2)(b) do not apply, and the contextual setback standards in Subsection 14-16-5-1(C)(2)(c) apply to the entire project site, not to individual lots or primary buildings: "a. Manufactured home communities pursuant to 14-16-2-3(C). b. Cluster development pursuant to 14-16-4-3(B)(2). c. Cottage development pursuant to 14-16-4-3(B)(3)."
169	Table 5-1-1	Revise Note [3] as follows: "Usable open space requirements for R-ML and R-MH are for multi-family development only. Use-specific standards require usable open space pursuant to Subsections 14-16-4-3(B)(3) (Dwelling, Cottage Development) and 14-16-4-3(B)(4) (Dwelling, Townhouse)."
169	Table 5-1-1	Revise maximum building height in R-ML to 35 ft. and remove allowance for unlimited building height more than 100 ft. from all lot lines. <i>Note that this change further distinguishes the R-ML from the R-MH zone district and makes building height consistent with MX-L.</i>
172	Table 5-1-2	Add a new row under minimum front setback for "Garage" as follows: "Low-density residential development: 5 ft. behind the front façade of a primary building. May not comprise more than 50% of the width of the front facade."
172	Table 5-1-2	Revise Note [1] as follows: "Usable open space indicated in this table is for multi-family development only. Additional usable open space requirements in Subsections 14-16-4-3(B)(3) (Dwelling, Cottage Development) and 14-16-4-3(B)(4) (Dwelling, Townhouse) may apply to low-density residential development in any other Mixed-use zone district."
174	Table 5-1-4	Revise provisions for shade structures in the "Encroachments into Required Setback Areas" portion of the table to apply to low-density residential development instead of listing zones where shade structures can encroach.
174	Table 5-1-4	Add a new row in the Exceptions to Building Height Limits section for "Noncommercial or broadcast antennas" as follows: "May be up to 65 feet."
175	Table 5-1-4	Add "parapet" to the list of building elements that are exempt from building height limits.

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179	5-2(E)(5)	Add the following to the end of this provision: "This use must comply with stormwater quality requirements found in the DPM."
187	5-3(C)(3)	Make the existing language a new (a). Add a new (b) as follows: "No new curb cuts may be added in the following mapped area:" Add map showing the area within the University Neighborhoods SDP area that was amended to add this prohibition (roughly between Yale and Girard on Silver).
188	5-3(D)(3)(a)(3) [new]	Add a new Subsection as follows: "All required pedestrian walkways are required to provide shade trees pursuant to Subsection 5-6(C)(4)(h) (Required Plant Materials and Site Amenities)."
197	5-4(F)(2)(c) [new]	Add a new Subsection (c) as follows: "In the case of cluster or cottage development or manufactured home communities in zone districts where those uses are allowed, the provisions in Subsections (a) and (b) above apply to the entire project site, not to individual lots within the project site."
206	5-5(C)(1)	Add a new subsection as follows: "Adjustments and credits shall be calculated pursuant to Subsection 14-16-5-5(C)(5). The final number after these calculations shall be the required minimum off-street parking. This final number shall be used to calculate required motorcycle parking in Subsection 14-16-5-5(D)(1) and the required bicycle parking in Subsection 14-16-5-5(E)."
206	5-5(C)(1)(a) [new]	Add a new subsection as follows: "Parking requirements in Table 5-1-1 are calculated as ratios to be multiplied by the gross floor area or design capacity of the use." Renumber subsections accordingly.
208	Table 5-5-1	Revise the UC-MS-PT requirement for Adult Entertainment and Auditorium or theater as follows to be consistent with the UC-MS-PT requirement for Religious Institution and Club or event facility: "UC-MS-PT: 1 space / 1,500 sq. ft. GFA or 1 space / 6 seats in main assembly area, whichever is greater[1]"
212	5-5(C)(5)(b)	Revise as follows: "1. <u>Two (2) or more uses listed in Table 4-2-1 may share one or more parking structures or parking lots that are within 330 feet of the lot or lots containing those uses. The sharing of the required parking shall be guaranteed by a legally binding agreement, duly executed and acknowledged, between the owner of the parking area and the owner of the building or use that is located on a different lot and served by the parking area. Such agreement shall address the issue of how parking will be shared if the parties change their operating hours and peak business periods.</u> 2. <u>The total off-street...</u> "
219	5-5(F)(2)(a)2 & 3	Move content from sections 5-5(F)(2)(a)2 & 3 to the DPM and replace with a reference to DPM Site Access Standards. <i>Note that these standards may need to be rectified with future changes to the Curb Cut Ordinance.</i>

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Adopted Page	Adopted Section	Proposed Change
230	5-6(C)(4)(h)	Insert a new provision as follows: "All required pedestrain walkways shall provide shade trees planted approximately 25 feet on-center." Renumber subsequent Subsections.
230	5-6(C)(5)(b)	Revise to read: "Organic mulch, such as wood chips, is required as ground cover <u>for the portion of each landscaped area surrounding the vegetation root ball</u> , as well as beneath the entire tree canopy or dripline, in each landscaped area required by this Section 14-16-5-6 ."
236	Table 5-6-3	Revise text as follows in two places where it appears: "...Non-residential Development <u>Other than Industrial Development Adjacent</u> ..." <i>Note that this change ensures that the larger buffer is required for industrial development (which could otherwise be considered Non-residential Development).</i>
236	5-6(E)(2)	Revise text as follows: "... non-residential development <u>other than industrial development occurs</u> ..."
236	5-6(E)(2)(b)	Change "adjacent to" to "abutting" as more appropriate un the DT-UC-MS-PT areas.
237	5-6(E)(3)	Revise text as follows: "... non-residential development <u>other than industrial development occurs</u> ..."
237	5-6(E)(3)(a)	Make existing text a new (1) and add a new subsection (2) as follows: "If a wall is constructed in a landscape buffer area abutting multi-family development in the R-ML or R-MH zone districts, the wall shall be placed at least 3 feet inside the property line, and 3 shrubs per 25 feet of lot line shall be provided between the wall and the abutting multi-family use."
238	5-6(E)(3)(b)	Change "adjacent to" to "abutting" as more appropriate un the DT-UC-MS-PT areas.
238	5-6(E)(4)(c)	Make existing text a new (1) and add text to a new Subsection (2) as follows: "(2) If a wall is constructed in a landscape buffer area abutting multi-family development in the R-ML or R-MH zone districts, the wall shall be placed at least 3 feet inside the property line, and 3 shrubs per 25 feet of lot line shall be provided between the wall and the abutting multi-family use."
242	5-6(G)(1)(a)	Revise text as follows: "...sufficient to screen the mechanical equipment from all sides when viewed from <u>5 ft. above ground level at any property line abutting a City park or trail, Major Public Open Space, major arroyo, or public street that is a collector or above.</u> " Revise graphic accordingly.
242	5-6(G)(1)(b)	Revise as follows: "No screening is required for rooftop solar energy equipment."
250	5-7(E)(1)(b)1	Revise to read: "Exposed flat-faced CMU blocks <u>shall not constitute over 50 percent of any wall façade facing a public street or City park or trail.</u> "

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265	5-11(D)(2)(a)(1) [new]	Add a new subsection as follows and renumber subsequent subsections accordingly: "Building facades shall be designed to provide a sense of human scale at ground level by providing a clear architectural distinction between ground floor levels and all additional levels."
265	5-11(D)(2)(a)1.c	Revise text as follows: "Primary pedestrian entrances."
266	5-11(D)(2)(a)(3)	Revise text as follows: "...similar in color, material, <u>distinctive rooflines, finishing details, and accent features</u> to the primary building."
270	5-12(B)(6) [new]	Add a new Subsection as follows: "For signs in the public right-of-way, see Section 8-2-2-1 of the ROA 1994 (Traffic Control Devices, Signs Restricting Use of Streets) and the Development Process Manual (DPM)."
273	5-12(E)(5)(b)2.a	Revise "10 PM to 7 AM" to be consistent with Subsection 5-8(D) and NM Night Sky Protection Act (74-12-1 to 74-12-10 NMSA 1978), i.e. 11:00 PM to sunrise.
274	Table 5-12-1	Under Wall Sign, in the line for <i>Size, maximum</i> , add the following to the R-ML, R-MH column: "Low-density residential development: 2 sq. ft. Multi-family residential development: 24 sq. ft."
274	Table 5-12-1	In Note [1], revise as follows for clarity (to track with development type rather than zone district): "For low-density residential development, wall signs can only be used for home occupation uses."
274	Table 5-12-1	Revise table as follows: Under Wall Sign, in last line, move "24 sq. ft." under R-ML, R-MH column only. Under Yard Sign, add row for " <i>Number, maximum</i> " and keep existing text in R-A column; and add row for " <i>Size, maximum</i> " and insert "2 sq. ft." in R-A column.
277	5-12(F)(3)(b) [new]	Add a new Subsection as follows: "East Gateway Area [insert map] In Mixed-use zone districts, projecting and freestanding signs shall be a maximum size of 75 square feet." Renumber subsequent Subsections.
277	5-12(F)(3)(c) [new]	Add a new Subsection as follows: "La Cueva Area [insert map] 1. Wall signs are prohibited on facades that face abutting Residential zones. 2. Freestanding signs shall be monument signs only and shall be a maximum of 50 square feet with a maximum height of 8 feet." Renumber subsequent Subsections.
279	5-12(F)(4)(a)2.c.	Delete first sentence as unnecessary.

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284	5-12(G)(1)(e)	Add a new 8. as follows: "Los Duranes - CPO-6." Re-number subsequent Subsections.
286	5-12(G)(1)(e)15	Change "Volcano Heights" to "Volcano Mesa CPO-11" to include adopted prohibitions in the Volcano Cliffs and Volcano Trails SDPs that were inadvertently omitted. Remove the map, since the CPO is a mapped area.
288	5-12(H)(2)(f)	Add a new provision as follows: "Electronic signs are prohibited in the following mapped areas as noted: 1. In Mixed-use zone districts in the East Gateway Area. [insert map] 2. North 4th Street Area, for wall signs only. [insert map]" Re-number subsequent Subsections.
289	5-12(H)(4)(d)	Revise as follows: " <u>Electronic signs shall have only static messages and images.</u> "
289	5-12(H)(4)(e)	Revise as follows: " <u>The message or image on an electronic sign shall not change more often than once each 8 seconds.</u> "
290	5-12(H)(4)(g)	Delete this subsection, as the text regulates sign content, which is contrary to Reed v. Gilbert.
290	Table 5-12-6	Revise signboard size as follows for consistency: " <u>16 sq. ft. total</u> " to make it divisible by 4, since 4 signs are allowed.
296	5-13(B)(10)(e)	Revise text to add "or be securely covered" at the end of the sentence.

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Adopted Page	Adopted Section	Proposed Change
Part 6 - Administration & Enforcement		
297	Table 6-1-1	Delete Carport in a Required Setback Approval and Wall or Fence Approval Major as separate decisions to become part of the Variance - ZHE decision. Revise numbering of Specific Procedures accordingly.
298	Table 6-1-1	Delete "Special Exception - EPC" under "Policy Decisions" as unnecessary, given the Variance - EPC option and the PD zone.
309	6-4(C)(4)	Add a new sentence at the end as follows: "If the Neighborhood Association declines the meeting, the applicant may proceed pursuant to Subsection 6-4(C)(7)."
309	6-4(C)(7)	Revise the text to add "and <u>either</u> no response was received ... being sent, <u>or that the notified Neighborhood Association declined the meeting.</u> "
316	6-4(M)(3)	Revise text as follows: "...that would apply citywide <u>or to a large area...</u> "
318	6-4(N)(1) [new]	Add a new subsection with text as follows: "The applicant bears the burden of providing a sound justification for the request, based on substantial evidence, which shall be reviewed by the relevant decision-maker in considering the merits of the request."
319	6-4(O)(2)	Move text to be a new subsection under Subsection 6-4(O)(1) and revise as follows: "Requests for exceptions to standards in Section 14-16-5-3 (Access and Connectivity), Section 14-16-5-4 (Subdivision of Land) <u>beyond the limits in TABLE 6-4-1, or to standards in the DPM, must be...</u> "
324	6-4(U)(2)(a)5.a	Add a new sentence at the end as follows: "Where public right-of-way is greater than the specified distance, standing shall be granted to property owners adjacent to the subject property."
331	Table 6-4-3	Revise text for Declaratory Ruling or Zoning Certificate as follows: "Does not expire, unless the section(s) of the IDO to which the Ruling or Certificate relates is amended." Revise text for Variance - DRB as follows: "1 year, if not platted / Expires with associated Site Plan"
344	6-5(F)(1)	Revise as follows: "This subsection 14-16-6-5(F) applies to <u>a sign that requires a Sign Permit per Subsection 14-16-5-12(D)(1). In addition, a sign may be approved for compliance with standards in the IDO as part of an application for a Master Development Plan or Site Plan.</u> "
347	6-5(G)(1)(c)2.a.	Revise as follows: "All development in an MX-FB zone district <u>that is already mapped.</u> "
347	6-5(G)(1)(c)2.f	Revise as follows: "...or managed parks <u>less than 10 acres of land and proposing allowable uses as specified in Table 4-2-1, but not proposing other co-located City facilities, lighting...</u> "

Exhibit 1 to O-18-11

Adopted Page	Adopted Section	Proposed Change
352	6-6(A) and 6-6(P)	Move procedures and review/decision criteria for Carport in a Required Setback Approval and Wall or Fence Approval Major to Variance - ZHE in Subsection 6-6(O) as criteria that applies to those types of variances as new subsections.
365	6-6(I)(1)(b)2	Revise as follows: " <u>Any application for development associated with a zone map amendment application in a zone district that requires a Site Plan - EPC to be reviewed and decided simultaneously, such as MX-FB, NR-SU, or PD.</u> "
365	6-6(I)(2)(a) [new]	Add a new provision as follows: "For Extraordinary Facilities in the NR-PO-B sub-zone, the Open Space Advisory Board shall review the application and make a recommendation to the EPC." Re-number subsequent Subsections.
366	6-6(J)(1)(a)2	Delete "or additional right-of-way on an existing street" since this can be accommodated in minor subdivisions.
366	6-6(J)(1)(a)3 [new]	Add a new Subsection as follows: "Does not require major public infrastructure."
380	6-6(P)(3)(a)2	Revise as follows: "The parcel <u>fronts</u> a street..."
380	6-6(P)(3)(b)2	Revise as follows: " <u>of the primary building when viewed from 5 ft. above ground level where any property line abuts the street.</u> "
384	6-7(B)	Add a new first sentence as follows: "Facility Plans may specify amendment procedures different from the adoption or amendment procedure specified in this IDO. Where those Plans are silent, or where those Plans require review by the EPC and final decision by City Council, the following procedure applies. Revise the existing sentence as follows: "In such cases, all applicable..."
396	6-7(H)	Delete this subsection as it duplicates the Variance - EPC provisions.

Exhibit 1 to O-18-11

Adopted Page	Adopted Section	Proposed Change
Part 7 - Definitions & Acronyms		
412	7-1	Auditorium. Revise definition text as follows: "A hall or seating area, generally enclosed, where an audience views a musical or theatrical performance, concert, sporting or other entertainment event, including <u>conference centers</u> . See also <i>Adult Entertainment</i> ."
414	7-1	Structured Parking Bonus. Revise the text as follows: "Development <u>on the same premises</u> includes ..."
418	7-1	Delete "or privately owned" in the definition of Community Center to distinguish this use from Health Club/Gym and Residential Community Amenity, which are defined as separate uses in the IDO.
421	7-1	Revise the definition of "Drive-through or Drive-up Facility" as follows: "Facilities associated with a primary use, including but not limited to banks, financial institutions, restaurants, dry cleaners, and drug stores, but not including car washes and light vehicle fueling, to offer goods and services directly to customers waiting in motor vehicles. See also <i>Car Wash</i> and <i>Light Vehicle Fueling</i> ."
427	7-1	Revise the definition of "Grocery Store" as follows: "An establishment that sells a wide variety of <u>goods organized in departments including, but not limited to, fresh produce, meat and dairy</u> , canned and packaged food items, small household goods, with more than 50 percent of the gross floor area devoted to the sale of food products for home preparation and consumption."
430	7-1	Add a new defined term as follows: "Infrastructure, Major Public Although ultimately determined on a case-by-case basis, major public infrastructure generally includes construction or significant redesign of a street, drainage or utility facility, or similar public infrastructure that is necessary for the subject property, and often nearby properties, to develop."
432	7-1	Revise definition of "Light vehicle sales and rental" as follows: "...recreational vehicles, <u>modular and manufactured home sales</u> , trailers..."
433	7-1	Revise the definition of "Manufacturing, Artisan" as follows: "Application, teaching, making, design, fabrication, compounding, processing, assembling, <u>growing</u> , packaging, or treating of crafts or projects, <u>often</u> by an artist, artisan, or craftsperson, which may include...". Add the following at the end of the definition: "This use also includes the production of beer, wine, or spirits associated with an approved "Small brewer's license" as governed by 60-7A-26.1 (stet) NMSA 1978, an approved "Winegrower's license" as governed by 60-6A-11 NMSA 1978, or an approved "Craft Distiller's license" as governed by 60-6A-6.1 NMSA 1978. Annual production shall be limited by state statute."

Exhibit 1 to O-18-11

Adopted Page	Adopted Section	Proposed Change
436	7-1	Measurement, Sign Area. Revise the definition, part 1 as follows (i.e. replace the last sentence with the underlined text): "For freestanding and projecting signs, the area of 1 rectangle or of 2 contiguous rectangles in the same plane, drawn with horizontal and vertical lines so as to include the entire sign except sign base or supports. <u>The maximum area of any double-sided or V-shaped sign shall be measured for the larger sign face only.</u> "
436	7-1	Measurement, Sign Area. Revise definition as follows: "2. For building-mounted signs, except projecting canopy <u>canopy</u> signs, the area enclosed with a sign border ..."
437	7-1	Measurement, Wall Height. Add a final sentence as follows: "Wall height does not include decorative or incidental features, such as pilasters or fence posts, that are placed at intervals and do not extend more than 10 percent along the total length of the wall."
439	7-1	Add a new defined term as follows: " <u>Non-commercial or Broadcasting Antenna. An antenna that transmits and/or receives signals or waves radiated or captured for non-commercial or broadcasting purposes, including amateur radio station operation/receive-only antenna if owned and operated by a federally licensed amateur radio station operator or used exclusively for a receive-only antenna, wireless telecommunications facilities used exclusively for emergency services, any antenna used for AM, FM, or TV broadcasting, or any other facility exempted from local regulation under the federal Telecommunications Act of 1996, as amended and interpreted by the courts and related regulations of the Federal Communications Commission. See also <i>Wireless Telecommunications Facility.</i></u> "
442	7-1	Outdoor animal run. Revise the definition as follows: "An area for the temporary outdoor containment of animals associated with a kennel, veterinary clinic, animal breeding facility, or other commercial activity. For the purposes of this IDO, this use does not <u>include a outdoor animal run for personal pets.</u> "
448	7-1	Retail, General. Remove the phrase "and not including any adult retail use." This concept is now addressed by the new 4-1(B) specifying this information generally about all listed uses.
449	7-1	Sign. Revise first sentence for clarity to remove three-dimensional objects that might be in a window display: "Any display to public view of letters, words, numerals, figures, statues, devices, emblems, pictures, or any parts or combinations thereof designed to inform or advertise or promote merchandise, services, or activities except for the following:..."
450	7-1	Sign, Electronic. Revise the definition to: " <u>A sign that is internally lit to display messages and images that are changed electronically. The lit sign area may be of various types, including but not limited to flat screen, active display matrix, or a board with a single or multiple lines of text or graphics. The light source may vary but is typically Light Emitting Diodes (LED).</u> " Delete the related definitions for Electronic Display/Board Panel Sign, and Electronic Message Reader Board Sign as this new definition consolidates the 3 definitions into 1.

Exhibit 1 to O-18-11

Adopted Page	Adopted Section	Proposed Change
453	7-1	Sign, Wall. Add the following sentence at the end of the definition for clarity: "A sign on a free-standing roofed structure, such as a canopy for a vehicle fueling station, outdoor storage or display, or drive-up facility, is also considered a wall sign."
453	7-1	Single Room Occupancy. Revise the definition as follows: "A type of residential development that provides dwelling units with separate sleeping areas and some combination of shared bath or toilet facilities. The building may or may not have separate or shared cooking facilities for the residents. <u>Each household unit generally occupies only a single room in the facility for sleeping purposes (in addition to having the non-exclusive use of shared spaces in the facility).</u> "
457	7-1	Transparent Window or Door. Revise as follows: " <u>A window or door with glazing rated with a low reflective value a Visible Transmittance of 70 percent or greater</u> or a combination of glass and coating or finish to satisfy the equivalent standard. A transparent window or door on the ground floor permits easy viewing into the building from the sidewalk from a minimum distance of 3 feet <u>away from the building</u> . Reflective or mirrored glass is not considered to be transparent. <u>Any portion of a door or window that is covered with a sign or translucent window wrap is not considered to be transparent. See Reflective or Mirrored Glass.</u> "
461	7-1	Wireless Telecommunications Facility. Revise the definition as follows: "A facility that transmits and/or receives signals or waves radiated or captured by a wireless telecommunications antenna. It may include: antennas of all kinds including microwave dishes, horns, and other types of equipment for the transmission or reception of such signals, telecommunications tower or similar structures supporting said equipment, equipment buildings or cabinets, parking area, and/or other accessory development. <u>Non-commercial or broadcasting antennas are not considered to be wireless telecommunications facilities. See also Non-commercial or Broadcasting Antenna.</u> "
IDO Conversion Rule		
IDO Conversion Rule	IDO Conversion Rule	Revise the Conversion Rule for H-1 to convert properties to MX-T instead of MX-L to match existing permissive uses.
IDO Conversion Rule	IDO Conversion Rule	For lots designated "SU-2 Cemetery" in North I-25 SDP that do not have a cemetery land use or ownership, revise the SU-2 conversion rules as follows: "Cemetery or SU-2/C" = NR-LM "Cemetery or SU-2/NC" = MX-L "Cemetery or SU-2/ROS" = NR-PO
IDO Conversion Rule	IDO Conversion Rule	Revise the Conversion Rule 4 in the SU-1 & R-D Conversion Table to exclude sites that have PDA (Planned Development Area) from this Rule. The sites zoned SU-1 for PDA are all mixed use, heavy commercial, and light industrial zones and uses, therefore, Rule 5 is a more appropriate conversion.

Exhibit 2 to O-18-11

Amendment:

- Page 271, Section 5-12(C)(7)
 - Any building-mounted sign that extends above the wall of the building more than 2 feet or that does not have sign supports covered in a manner that integrates the sign with the building design [unless, a rooftop sign that is allowed within a mapped area].
- Page 272, Section 5-12(E)(4)(b)
 - Sign structures shall not require guy wires, bracing, or external supports [unless part of a rooftop sign].
- Page 275, Table 5-12-2: On-Premise Signs, add a line to this table for Rooftop signs:

Sign Type	Mixed Use Zone Districts, NR-C, NR-LM, NR-GM	NR-BP, NR-SU, NR-PO, PD, PC
<u>[Rooftop Signs]</u>		
<u>[Type]</u>	<u>At least 70% of the sign area shall consist of open space through which the structural framework may be viewed, and the remaining portion of the sign area may consist of channel letters, channel graphics, open lighting elements, or a solid panel.</u> <u>Rooftop signs are prohibited unless located within a mapped area that allows rooftop signs.]</u>	<u>[Per Approved Plan]</u>
<u>[Number, maximum]</u>	<u>One rooftop sign per building]</u>	
<u>[Height, maximum]</u>	<u>The height of the rooftop sign, measured from the top of the highest parapet to the top of the sign, shall not exceed 25% of the height of the building or 15 feet, whichever is the more restrictive]</u>	
<u>[Size, maximum]</u>	<u>75 square feet]</u>	

- Page 276, Section 5-12(F)(3), add a new mapped area:
 - [EDo: (Insert map that shows areas mapped as EDo CPO and EDo HPO). Within the EDo mapped area rooftop signs shall be an allowed type of building-mounted sign.]
- Page 452, Section 7-1 Definitions, revise the roof sign definition as follows:

Sign, Roof

A building-mounted sign or sign segment that is higher than the roof of the building or canopy to which it is attached. [This includes rooftop signs.]

Explanation:

This amendment seeks to revise the sign regulations in order to allow rooftop signs within a specific mapped area, within the EDo CPO and HPO. This amendment is limited in scope to allowing one additional type of signage (rooftop signs) in a limited geographic area (EDo CPO and HPO). This amendment is in response to interest from the EDo Neighborhood Association and business community. This request was initiated during the summer of 2017, and was originally a request for an amendment to the Zone Code, however given the timing of the IDO adoption, the request was delayed and it was more logical to address this as an amendment to the IDO.

The rooftop signs are limited to designs that are primarily metal framed with neon tubing, with a limited amount of the signage on a solid background. This amendment seeks to reflect historic forms of rooftop signage, characteristic of commercial corridors through the 1960s. The provisions of the amendment ensure that new signs reflect the historic forms of rooftop signs. This amendment builds upon the Central Avenue Neon Design Overlay Zone which seeks to support and encourage neon along the Central Avenue corridor. Historically Central Avenue contained a number of rooftop signs, however few examples remain. Two existing examples include the Nob Hill Business Center (3500 Central Avenue SE) and the Morningside Shopping Center (4001 Central Avenue NE). Design characteristics of a rooftop sign include metal external supports and bracing, neon or neon like lettering, and a roof top location. This amendment will allow rooftop signs only within the EDo CPO and EDo HPO. Any signs located within the EDo HPO will still need approval through Landmarks Commission. At this time the language applies only to the EDo area, however if there is interest in this applying in other areas of Albuquerque additional mapped areas could be added.

Exhibit 3 to O-18-11

Amendment:

- Page 311, Section 6-4(G) Application Fees, revise to read as follows:

Section 6-4(G) Application Fees

Revise as follows:

6-4(G)(1) Each applicant shall pay ~~[any]~~ an **[required]** application fee ~~[(s)]~~ established ~~from time to time~~ by City Council **[in Table X-X-X]** for the type of application(s) being submitted.

[6-4(G)(2) The Planning Director may establish application fees for applications not listed in Table X-X-X, as well as reasonable additional fees and costs associated with research, investigation, analysis, notification, facilitated meetings, inspection, enforcement, and issuance of official documents.]

6-4(G)(~~(3)~~**2**) ~~[All]~~ **[s]** Each fee ~~[(s)]~~ shall be based on the estimated City time required to review and process the application, as well as any costs of **[including for any]** required public notification ~~[.]~~ required for that type of application. ~~For large, complex, or unusual applications, or where this IDO authorizes the City Planning Department to retain outside assistance to review an application, the Planning Director may require that the applicant submit a signed agreement to pay additional fees in the amount of those additional costs.~~

6-4(G)(~~(4)~~**3**) No fee shall be required for an application filed by the City.

Table X-X-X

Application Type	Application Fee	Source
Administrative Decisions		
Historic Certificate of Appropriateness – Minor	\$35	§14-12-13
Impact Fee Assessment	Pursuant to §14-19-13	§14-19-13
Sign Approval/Permit	\$.70 / s.f. or \$70, whichever is more	14-16-3-5(A)(4)
<i>Sign Erected without a Permit</i>	\$1.45/ s.f. or \$145, whichever is more	
<i>Annual Electronic Sign Fee</i>	Same as sign permit, but annual	14-16-3-5(A)(4)(c)
<i>Central Avenue Neon Sign</i>	Waived	14-16-3-5(A)(4)(e)
<i>Alternative Signage Plan</i>	\$45	None: Analog = Site Plan - Admin
Site Plan – Administrative	\$25 for buildings ≤ 4,000 s.f. \$45 for buildings > 4,000 s.f.	§14-16-4-1(B)(3)(b)
Wall or Fence Approval – Minor	\$25	§14-16-4-6(A)
<i>Wall or Fence Erected without an Approval</i>	\$80	§14-16-4-6(A)

WTF Approval - Collocation and Equipment Swap Out	\$2,000	§14-16-3-17(H)
WTF Approval - New Facility	\$3,000	§14-16-3-17(H)
Appeals of any of the above decisions	\$55	§14-16-4-4(D)
Decisions Requiring a Public Meeting or Hearing		
Conditional Use Approval	\$100	§14-16-4-2(A)(4)
Demolition Outside of HPO	\$35	§14-12-13
Expansion of Nonconforming Use or Structure	\$100	§14-16-4-2(A)(4)
Historic Certificate of Appropriateness – Major	\$35	§14-12-13
Historic Design Standards and Guidelines	\$35	§14-12-13
Master Development Plan	\$385	§14-16-4-1(B)(3)(a)
Site Plan – DRB	\$385	§14-16-4-1(B)(3)(a)
Site Plan – EPC	\$385	§14-16-4-1(B)(3)(a)
Variance – EPC	\$100	None: Analog = Variance - ZHE
Variance – ZHE	\$100	§14-16-4-2(A)(4)
WTF Waiver	\$385	§14-16-4-1(B)(3)(a)
Deferral by applicant request for any of the above decisions	\$110	§14-16-4-1(B)(3)(d)
Appeals of any of the above decisions	\$55	§14-16-4-4(D)
Policy Decisions		
Adoption or Amendment of Albuquerque/Bernalillo County Comprehensive Plan	\$425	§14-13-2-5
Adoption or Amendment of Facility Plan	\$425	§14-13-2-5
Adoption or Amendment of Historic Designation	\$565	None: Analog = Amendment to IDO Text
Amendment to IDO Text	\$565	§14-16-4-1(B)(2)
Zoning Map Amendment – EPC	\$240 for ≤ 1 acre \$240 + \$55/acre for > 1 acre	§14-16-4-1(B)(1)
Zoning Map Amendment – Council	\$685 + \$10/acre	§14-16-4-1(B)(1)
Annexation of Land	\$685 + \$10/acre	None: Analog = Zoning Map Amendment - Council
Deferral by applicant request for any of the above decisions	\$110	§14-16-4-1(B)(1)
Appeals of any of the above decisions	\$55	§14-16-4-4(D)

Explanation:

Application fees for different application types are set by several ordinances that have been incorporated into the IDO. This exhibit carries forward fees established by these various ordinances, as

well as incorporates the authority for the Planning Director to set additional fees as needed. This exhibit does not raise fees related to planning and zoning requests, but rather carries them over as they exist in the City's Code of Ordinances today. The "as needed" fees cover administrative costs related to items such as document preparation, printing and advertising costs, facilitated meetings, and others as noted in 6-4(G)(2), above. The Planning Department has the authority today to set such fees administratively.

Where no fee is currently established by ordinance, but the application type in the IDO is similar to other application types that are established by ordinance, a new fee was proposed to match the most analogous application type. A column indicating the existing ordinance source has been added for purposes of consideration of these fees. This column will not be included in the IDO document.

Exhibit 4 to O-18-11

Amendment:

Note: Italicized text reflects commentary on the proposed update.

- Page 174, Table 5-1-4 (Allowed Encroachments and Exceptions)
 - Add a line in the section for “Encroachments into Required Setback Areas” as follows:
[Freestanding signs / May encroach any amount, but not closer than 3 ft. from any lot line.]
- Page 270, Section 5-12(A), revise as follows:
 - The purpose of the regulations in this Section 14-16-5-12 is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor signs of all types. More specifically, these regulations are intended to help implement adopted ABC Comp Plan policies, protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve scenic and natural beauty, [minimize sign clutter], reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, curb the deterioration of the community's appearance and attractiveness, [comply with all applicable federal and state laws regarding the First Amendment and free speech, and avoid regulating signage based on content, viewpoint, or message].

Note: There are no conclusive studies on the specific contribution of signs to traffic accidents, so that phrase was deleted. Language is added to clarify that IDO regulations will be administered and permits issued without regard to the content or message of the sign.

- Page 271, Section 5-12(D)(1)(a), revise as follows:
 - 1. Signs with an area greater than [24] square feet.
Note: this will ensure that more signs in mixed-use and non-residential development will be adequately reviewed for compliance with the IDO, including newer-style signs (such as window wraps) and signs that are not part of site plans or master development plans.
 - 7. Electronic signs, [including changes to an existing sign that turn it into an electronic sign and expansion of the electronic area of an electronic sign.]

Note: For consistency with the streamlining of electronic sign definitions (see item in this Amendment for p. 450).

- Page 272, Section 5-12(E)(1) (Content), revise as follows:
[5-12(E)(1)(a) The regulations of this Section 14-16-5-12 shall be administered and implemented without regard to sign content or message except as required to determine the applicability of and compliance with Section 5-12(G) (Off-Premises Signs).

5-12(E)(1)(b) Any sign content or message may be substituted for different sign content on any sign allowed under this Section 14-15-5-12, or on any sign that is a legal nonconforming sign under this IDO.]

Note: Language is also added in this subsection to clarify that IDO regulations will be administered and permits issued without regard to the content of the sign.

- Page 273, Section 5-12(E)(5)(a)(3) [new]
 - [No portion of an illuminated sign shall have a luminance greater than 200 foot lamberts or 685 Nits at night.]

Note: This change consolidates the regulations for sign luminance in Residential zone districts and Mixed-use and Non-residential zone districts into a single general regulation at a lower maximum luminance level. The term “or 685 Nits” was added to provide the metric equivalent of 200 foot lamberts.

- Page 273, Section 5-12(E)(5)(b)2b
 - Delete.
Note: See item for p. 273, 5-12(E)(5)(a)(3) [new]

- Page 273, Section 5-12(E)(5)(c)1
 - Delete.
Note: See item for p. 273, 5-12(E)(5)(a)(3) [new]

- Page 274, Table 5-12-1 (On-premises signs in Residential Zone Districts)
 - Under Monument Sign, add a row as follows:
[Height, maximum / 4 ft.]
Note: A maximum height adds clarity.
 - Under Allowed and Non-conforming Non-residential Uses, in Height, maximum row, revise to:
[Freestanding sign: 6 ft.]
Note: This allows a slightly higher sign for a non-residential use.

- Page 275, Table 5-12-2 (On-premises Signs in Mixed-use and Non-residential Zone Districts)
 - Under Wall Sign, Number, maximum, delete “1/establishment frontage” and revise as follows: [N/A].
Note: This will allow the maximum % facade area to regulate and provide some design flexibility.
 - Under Projecting Sign, Number, maximum, revise text as follows:
[A projecting sign is allowed in lieu of – not in addition to – an allowable freestanding sign.]

- Under Projecting Sign, Size, maximum, revise text as follows:

[Same as maximum size of the freestanding sign it replaces.]

Note: Rather than allowing a projecting or wall sign, these two changes reinstate the approach used in the Zoning Code. Projecting and freestanding signs serve a similar function in that they are typically perpendicular to the street.

- Page 276, Table 5-12-2 (On-premises Signs in Mixed-use and Non-residential Zone Districts)
 - Under Freestanding Sign, delete Type row.

Note:

- Monument signs are already defined on p. 451 of IDO.
- The prohibition on freestanding signs in MX-FB was an error.
- Pole signs are considered acceptable in most areas of the city. The prohibition on freestanding signs in Nob Hill/Highland - CPO-8, except for pole signs that meet the provisions of 5-12(F)(4)(a) (Neon Signs along Central Avenue), is included in the proposed Technical Edits to the IDO (see the line for p. 87, 3-3(l)(5)).

- Page 276, Table 5-12-2 (On-premises Signs in Mixed-use and Non-residential Zone Districts)
 - Under Freestanding Sign, revise as follows:

Table 5-12-2: On-premises Signs in Mixed-use and Non-residential Zone Districts		
Sign Type	Zone District	
	Mixed-use Zone Districts, NRC, NR-LM, NR-GM	NR-BP, NR-SU, NR-PO, PD, PC
	Standard	
Freestanding Signs		
Number, maximum	<u>[1 / premises / street frontage. A freestanding sign is allowed only where the street frontage is at least 100 linear ft.]</u> or 1 / Joint Sign Premises, pursuant to Subsection 14-16-Error! Reference source not found.	Per approved plan[1]
Size, maximum	<u>[MX-T, MX-FB-ID: 50 sq. ft.]</u> MX-L: 100 sq. ft. <u>[MX-M, MX-H, MX-FB-FX, MX-FB-AC, MX-FB-UD, NR-LM, NR-GM: 100 sq. ft. at allowable locations abutting a local or collector street 200 sq. ft. at allowable locations abutting an arterial street or interstate highway 300 sq. ft. at allowable locations within 200 feet of a moving lane of an interstate highway and is visible from the interstate highway.]</u>	
<u>[Height, maximum]</u>	<u>[MX-T, MX-FB-ID: 9 ft. / MX-L: 15 ft. / other MX zone districts, NR-C, NR-LM, NR-GM: 26 ft. For a free standing sign that is located within 200 feet of a moving through lane of an Interstate Highway (excludes highway ramps), the allowable sign height may be measured from the freeway road grade measured at the closest point from the premises.]</u>	
[1] Per approved NR-BP Master Development Plan; NR-SU, PD, or PC Error! Reference source not found.; or NR-PO Master Plan as applicable.		

Note regarding, "Size, maximum": These numbers have been adjusted from the Zoning Code to be slightly lower in the lowest intensity zones and for other zones where signs are located near arterial or interstate highway.

Note regarding, "Height, maximum": A maximum height adds clarity. The 26 ft. maximum height in the higher-intensity zones is carried over from the Zoning Code, while the numbers in the lower-intensity zone districts are calibrated to their transitional character and neighborhood scale. The maximum height allowed near freeways is relative to these base numbers.

- Page 287, Table 5-12-4 (Off-premises Signs in Mixed-use and Non-residential Zone Districts)
 - Under "Setback, minimum" delete the entire row "From conforming residential use."
 - Under "Separation, minimum", add: [From residential use / 150 ft. (for all zone districts)].

Note: This is a separation not a setback requirement and deleting "conforming" will ensure protection for all residential uses.

- Page 290, Table 5-12-7 (Construction Period Sign Standards)
 - Revise Table 5-12-7 as follows:

TABLE Error! No text of specified style in document.-1: Construction Period Sign Standards	
Topic	Standard
Number, maximum	4
<u>[Total]</u> Size, maximum	<u>[20]</u> sq. ft.
<u>[Total]</u> Height, maximum	5 ft.
Width, maximum	5 ft.
Individual Sign Size, maximum	Between 9.5 in. and 11 in. tall and a maximum of <u>[5 ft.]</u> wide.
Illumination	Not allowed
Allowed locations	<u>[Private property, or]</u> in the public right-of-way at a location approved by the City Department of Municipal Development, but not within a median <u>[or]</u> at an intersection.
Prohibited locations	Facing any low-density residential development. On a street classified as a local street in the LRTS Guide. Within 100 ft. of a Residential zone district on a street classified as a collector street in the LRTS Guide. Within 50 ft. of a Residential use on a street classified as an arterial street on the LRTS Guide.

Note: for clarity, to allow on private property and near another development site.

- Page 451, Section 7-1 (Definitions)
 - Sign, Monument. Revise definition as follows:

[A sign with a maximum of 2 sign faces that are integrated into a solid structure beginning at the ground and including a base and/or up to 2 masonry or concealed supports. The total width of the support(s) at the bottom of the sign shall be no less than 25% of the width at the top of the sign. See also *Sign, Freestanding*.]

Note: To allow more flexibility in terms of design and materials, but still require a design that integrates the sign message and/or image with its structure.

- Sign, Window. Revise definition as follows:

[A sign on a window or door, with its message or image discernible from the exterior of the building. Window wraps and glazing with messages or images are considered window signs.]

Note: For clarity and to address newer-style signs.

Explanation:

This exhibit seeks to revise language throughout the IDO as it relates to sign regulations. Primarily, this exhibit affects the sign regulations in Chapter 5-12 and definitions in Part 7-1 related to signs. The intent of this exhibit is to bring the sign regulation standards closer to how signs are regulated in the Zoning Code today, to update terms used by the sign industry, and to provide greater clarity and consistency throughout the document. Explanations are given for specific items in the amendment as notes in *italics*.

Exhibit 5 to O-18-11

Amendment:

- Page 219, Section 5-5(F)(2)(a) Low Density Residential Development, revise Section 5-5(F)(2)(a)1. to read as follows:

[The area of the front yard that can be improved for] driveways and ~~off-street~~ parking areas [in all residential zones except the RA zone] shall be [limited pursuant to Table X-X-X] ~~cover~~ no more than 60 percent of the area of the front yard

[Table X-X-X-X]

<u>Lot Size</u>	<u>Maximum Front Yard Parking Area</u>
<u>>5,000 square feet</u>	<u>400 square feet or up to 60%, whichever is greater</u>
<u>< 5,000 square feet and > 2,200 square feet</u>	<u>400 square feet or up to 75%, whichever is greater</u>
<u><2,200 square feet</u>	<u>400 square feet or up to 85%, whichever is greater]</u>

- Page 379, Section 6-6(O)(3), add an additional section for criteria for variances to the Front Yard Parking Areas:

[6-6(O)(3)(c) Variance for Front Yard Parking Areas

1. A Variance for a Front Yard Parking Area may be granted provided that the following criteria are met:
 - a. The request meets the requirements of this Subsection 14-16-6-6(O).
 - b. There is one or fewer on-street parking space per dwelling unit available within 330 linear feet of the subject property.]

- Page 401, Section 6-8(G) Nonconforming Site Features, create a new Section 6-8(G)(3):

[Section 6-8(G)(3)(a) Parking on areas other than allowed pursuant to Subsection 14-16-5-5(F)(1)(a)3 is illegal, and such parking must be discontinued within the timeframe specified by Code Enforcement in notice provided to the property owner, with the following exceptions:

Section 6-8(G)(3)(a)1. Front Yard Parking Areas in Existence Prior to June 17, 2007.

a. Front Yard Parking Areas not satisfying the requirements of this IDO that were improved for and specifically dedicated to use as a front yard parking area prior to June 17, 2007, and that otherwise satisfied the requirements of all applicable regulations in place at the time of their installation, may continue to be used for as a front yard parking area pursuant to the provisions of this IDO governing nonconforming uses and structures. For purpose of this subsection, "improvements" include only impervious surfaces such as concrete or asphalt or all-weather

pervious services surfaces such as recycled asphalt or driveway gravel (as distinguishable from landscape gravel). In order to enjoy non-conforming status under this Section 14-16-6-8, any such improvements must have been installed for and suitable for the specific purpose of front yard parking and maneuvering.

- i. Where a residential unit has an existing, improved front-yard parking area, parking on unimproved surfaces such as dirt, grass or landscape areas, or upon surfaces that were improved for any purpose other than front yard parking such as decorative gravel areas, patios or pedestrian walkways, must be discontinued regardless of the year of development of the property or improvement.

b. Where an existing residential unit lacks an improved front-yard parking area, and improved front yard parking areas were not required at the time of the unit's initial development, such residential unit may continue to utilize a portion of the front yard for parking subject to the size and area limitations prescribed by Subsection 14-16-5-5-(F)(2)(a)1

Section 6-8(G)(3)(a)2. Lawful Improvements Installed between June 17, 2007 and the effective date of the IDO. Front Yard Parking Areas not satisfying the requirements of the IDO but that satisfied the requirements of all applicable regulations in place between June 17, 2007 and the effective date of this IDO may continue to be used for front yard parking area pursuant to Section 14-16-6-8.]

- Page 459, Section 7-1, Definitions, add a definition for Vehicle:

[Vehicle

A vehicle, as defined by the City of Albuquerque Traffic Code, Definitions, §8-1-1-2.]

Explanation:

In 2007 the City Council established a task force to consider concerns raised by the community about front yard parking. The concerns that were raised focused on where and how much parking in a front yard is appropriate. Based on the recommendations of the task force an amendment to the Zone Code was adopted; this 2007 amendment (F/S(2) O-07-61) addressed the appropriate surfaces for parking and how much of the front yard is appropriate for parking. Since the amendment was adopted in 2007, concerns about the enforceability of the language have been raised by Code Enforcement. This amendment to the IDO seeks to clarify the language from the 2007 amendment, as carried over into the IDO, and to ensure that the language is enforceable and that the intent of the original amendment is furthered.

This amendment removes the limits to the area of front yard parking in the RA zone as the equivalent zones (RA-1 and RA-2) in the Zone Code are not regulated in terms of area. This amendment also reflects the amount of the front yard that can be used for front yard parking by lot size, per the Zone Code today, with the addition of a maximum square footage in order to make the language easier for Code Enforcement to assess. The language now allows for a square footage or percentage, whichever is greater. This amendment does not go beyond the allowances today but provides clarity for Code

Enforcement and flexibility for unusual shaped or sized lots through the percentage. This amendment includes an additional variance criterion for those seeking a variance to the driveway and front yard parking allowance, reflecting conditions that could require additional parking on a lot. And finally, language is added to the non-conformities section that clarifies the status of improvements made prior to 2007.