

**Proposed Amendments to the IDO
City Council
February 18, 2026**

O-26-2		
Amendment	Topic (Sponsor)	Notes
A	SOS (Fiebelkorn, Rogers)	
B	Duplex (Fiebelkorn, Rogers)	
C	Townhouse (Fiebelkorn, Rogers)	
D	ADU (Fiebelkorn, Rogers)	
E	Bodega (Fiebelkorn, Rogers)	COMPETING
F	Bodega-Mid (Rogers)	
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M	MS Corridor (Fiebelkorn)	
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A - SOS

CITY COUNCIL of the CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. A

TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn, Nichole Rogers

1. Repeal LUPZ CA #10 and reinsert the EPC recommended language from items M-1, condition 9.a.i and C-5, condition 9 into Exhibit 1 of O-26-2, as follows:

4-3(G)(9) Safe Outdoor Space

~~4-3(G)(9)(a)~~ This use is limited to 2 years, and the Permit – Temporary Use may be extended every ~~for an additional~~ 2 years after an inspection for compliance. ~~A new Permit – Temporary Use pursuant to § 14-16-6-5(D) shall not be approved within 6 months of the last date that the use was allowed in a previous Permit – Temporary Use.~~

4-3(G)(9)(b) The maximum number of designated spaces shall be 40 per safe outdoor space development. One (1) tent, recreational vehicle, or light vehicle is allowed per designated space. The maximum number of occupants per safe outdoor space development is 50 people.

4-3(G)(9)(c) Safe outdoor spaces with more than 20 ~~40~~ designated spaces and 30 ~~15~~ or more occupants are prohibited within 660 feet in any direction of a lot containing any other safe outdoor space with more than 20 ~~40~~ designated spaces and 20 ~~40~~ or more occupants.

4-3(G)(9)(d) Any portion of a lot in use as a safe outdoor space shall be at least 330 feet in any direction from any property zoned R-A, ~~R-L~~ R-1, R-MC, or R-T that contains low-density residential development.

4-3(G)(9)(e) Toilets, hand washing stations, and showers shall be provided as Follows

1. ~~Plumbed hand washing stations and water flush or composting toilets shall be provided within 2 years of the City approval of the safe outdoor space.~~
2. One (1) ~~water flush or composting~~ toilet shall be provided for every 8 designated spaces.
3. One (1) hand washing station shall be provided for every 10 designated spaces.
4. ~~Prior to the installation of plumbed handwashing stations and water flush or composting toilets, portable toilets and hand washing stations may be provided to meet this requirement.~~
 - a. ~~Portable toilets and hand washing stations shall be provided at a ratio of 1 each per 8 designated spaces.~~
 - b. ~~Portable toilets and hand washing stations shall be serviced at regular intervals.~~
5. Toilets and hand washing stations shall not be located more than 300 feet in any direction of any designated space.
6. One (1) shower shall be provided for every 10 designated spaces.
 - a. ~~Portable showers may be provided to meet this requirement.~~
 - b. ~~Showers are not required to be plumbed within 2 years of the City approval of the safe outdoor space.~~

4-3(G)(9)(f) Designated spaces, toilets, hand washing stations, and lavatories (i.e., facilities with toilets, showers, and sinks) shall be set back a minimum of 20 feet from each property

line that abuts R-ML, R-MH, or any Mixed-Use zone district and a minimum of 5 feet from any other property line.

4-3(G)(9)(g) The area containing designated spaces for tents shall be secured and screened on all sides by an opaque wall or fence or vegetative screen at least 6 feet high. Other requirements in § 14-16-5-6 (Landscaping, Buffering, and Screening) do not apply.

4-3(G)(9)(h) Each safe outdoor space development shall include an operations and management plan or security agreement to ensure the safety of individuals occupying the designated spaces as follows.

1. For sites with 20 or fewer designated spaces, the applicant shall provide contact information for a maintenance person available between 8:00 am and 5:00pm Monday through Friday. Contact information shall be made available to the residents, the public and the Health Housing and Homelessness Department. After 30 days, the City may require expanded contact hours or on-site management based on the site conditions, safety considerations, and observed operational needs.
2. For sites with more than 20 designated spaces, the management plan or agreement shall provide 24-hour on-call support. Contact information shall be made available to the residents, the public, and the City's Health, Housing, and Homelessness Department. After 30 days, the City may require on-site management based on the site conditions, safety considerations, and observed operational needs.
3. The applicant shall provide Proof of the plan or agreement that has been shall be required with the

~~application for a safe outdoor space and shall be reviewed by the City's Health, Housing, and Homelessness Department ~~Department of Family and Community Services.~~~~

- ~~4. The plan or agreement shall specify on-site support on a 24 hours a day, 7 days a week basis.~~
5. The management plan shall, at a minimum, include the following statement: "No person who is a registered sex offender shall be allowed to stay in a Safe Outdoor Space."

4-3(G)(9)(i) Each safe outdoor space shall provide access to supportive services and facilities as follows ~~offer social services and support facilities to its occupants, including but not limited to showers, education and job training, storage space for residents' belongings, recreational services, and activities for use by occupants to provide comprehensive livability options.~~

1. Required services may be delivered on-site, off-site, or through mobile providers.
2. At least 3 services must be made available within the first 90 days of operation. Acceptable services include, but are not limited to:
 - a. Behavioral health services.
 - b. Substance abuse services.
 - c. Case management.
 - d. Housing navigation.
 - e. Workforce development job training.
 - f. GED or adult education.
 - g. Medical care or health screenings.
 - h. Peer support or recovery groups.
 - i. Income support services.¹⁶⁷

j. Other services approved by the City's Health, Housing, and Homelessness Department for fulfillment of this requirement.

4-3(G)(9)(j) This use is prohibited **within 1,320 feet of** adjacent to Major Public Open Space.

4-3(G)(9)(k) The total number of safe outdoor spaces shall not exceed 2 in each City Council District

Explanation:

This amendment brings back the amended language that EPC recommended for Safe Outdoor Spaces. This language looked to increase the allowed size for SOSs in proximity to each other, removed plumbing requirements, added managing requirements and included social services that were to be provided by the manager of the SOS.

B - DUPLEX

CITY COUNCIL of the CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. _____ TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn, Nichole Rogers

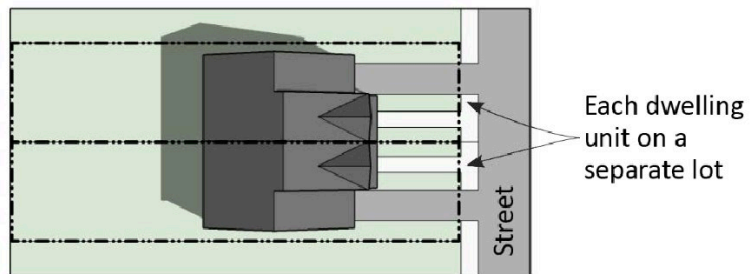
1. Repeal LUPZ CA #2 and reinsert the EPC recommended language from item C-2 as follows:

4-3(B)(5) Dwelling, Two-family ~~Detached~~ (Duplex)

4-3(B)(5)(a) Where this use is allowed and the 2 dwelling units are on separate lots, interior side setbacks required by the zone district shall not apply to any lot line where the 2 units share a common wall.

4-3(B)(5)(b) This use is prohibited in the R-A **and R-1** ~~R-1, and R-MC~~ zone districts, except in either of the following circumstances:

1. In or within 1,320 feet (1/4 mile) of MS-PT areas.
2. Where 1 two-family ~~detached~~ dwelling is on 2 lots and the building straddles the lot line, with each dwelling unit on a separate lot. (See figure below.)



Explanation:

This amendment would make duplexes permissible within the R-1 zone district.

C - TOWNHOUSE

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

February 18, 2026

FLOOR AMENDMENT NO. C TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn, Nichole Rogers

1. Repeal LUPZ CA #3 and reinsert the EPC recommended language from item C-3 as follows:

4-3(B)(6) Dwelling, Townhouse

- 4-3(B)(6)(a) For townhouse developments containing more than 6 dwelling units, 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.
- 4-3(B)(6)(b) The side setbacks required by Part 14-16-5 (Development Standards) shall apply to the end units of each townhouse dwelling and shall not apply to interior side lot lines where townhouse dwelling units share a common interior wall.
- 4-3(B)(6)(c) Except in UC-MS-PT areas, each townhouse dwelling shall not contain more than 3 dwelling units ~~(i.e., a triplex)~~ on ~~lots~~ ~~properties~~ with a rear or side lot line that abuts an R-A or ~~R-L~~ ~~R-1~~ ~~R-1~~ zone district or with a rear lot line that is across an alley from an R-A or ~~R-L~~ ~~R-1~~ ~~R-1~~ zone district.

- 4-3(B)(6)(d) In the R-A ~~R-1, and R-MC~~ and R-1 zone districts, this use is prohibited except in or within 1,320 feet (1/4 mile) of MS-PT areas.
- 4-3(B)(6)(e) In the MX-L, MX-M, and MX-H zone districts, on properties abutting an MS corridor or on properties in a PT area that abut a PT corridor, townhouses are prohibited unless the front façade faces the MS or PT corridor.
- 4-3(B)(6)(f) In any Mixed-use zone district west of the Rio Grande on properties abutting the public right-of-way of an MT or PT Corridor, allowable uses in the Commercial category are required along at least 50 percent of the ground floor of the façade facing the MT or PT Corridor.

Explanation:

This amendment brings back the townhouse use as permissive in R-1 citywide. Within the R-1 zone district, townhouses are capped at 3-units max, essentially making the use a triplex.

D - ADU

CITY COUNCIL of the CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. D TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn, Nichole Rogers

1. Repeal LUPZ CA #11 and reinsert the EPC recommended language from EPC condition 8, item 28, item 29 and EPC condition 8 and C-4 into Exhibit 1 of O-26-2 as follows:

4-3(F)(6) Dwelling Unit, Accessory

4-3(F)(6)(a) Where this use is allowed, only 1 accessory dwelling unit is allowed per lot, and size is limited as follows:

1. For attached ADUs: 750 square feet of gross floor area.
2. For detached ADUs: 750 square feet of building footprint.
3. A garage attached to the accessory dwelling unit shall not count toward this size limit.

4-3(F)(6)(b) In a Residential zone district, an accessory dwelling unit may be added as attached or detached from a building on a lot with a primary use.

1. Where added ~~as accessory to a single-family or two-family detached dwelling, as a detached dwelling, this use shall comply with the provisions of § 14-16-5 11(C)(4) (Accessory Buildings), this use must be provided as an accessory building.~~
2. A renovation to a single-family ~~detached~~ dwelling to create a second unit with a kitchen, a separate

entrance, and no shared spaces that is larger than 750 square feet within the original dwelling is regulated separately as a two-family ~~detached~~ dwelling in Table 4-2-1.

3. A second kitchen within a single-family or two-family ~~detached~~ dwelling is regulated separately as an allowable accessory use in Table 4-2-1.

4-3(F)(6)(c) In a Mixed-use or Non-residential zone district, an accessory dwelling unit may be added for the caretaker of a primary non-residential use, either attached to or detached from the building with a primary use.

4-3(F)(6)(d) The maximum building height of an accessory dwelling unit is limited as follows:

1. ~~A detached~~An accessory dwelling unit shall be 18 feet or as tall as ~~no taller than~~ the primary structure on the property, whichever is greater.
2. An attached accessory dwelling unit or an accessory dwelling unit constructed over a detached garage is limited by the maximum building height of the zone district.

4-3(F)(6)(e) Building façades of an accessory dwelling unit shall be the same or similar in color to that of the primary building on the lot.

4-3(F)(6)(f) A detached accessory dwelling unit shall comply with any applicable standards provisions of § 14-16-5-11(C)(4) (Accessory Buildings).

4-3(F)(6)(g) For a detached accessory dwelling unit, a minimum 5-foot side or rear setback is required.

4-3(F)(6)(h) In any Residential or Mixed-use zone district, a detached

accessory dwelling unit shall be located behind the rear wall of a primary building. On corner lots, the accessory dwelling unit shall have the same minimum street side setback requirement as the primary building.

- 4-3(F)(6)(i) The following small areas have special regulations for accessory dwelling units in the R-1 zone district.
1. Downtown Neighborhood Area – CPO-3
 - a. An accessory dwelling unit shall not exceed 650 square feet of gross floor area. A garage or shed attached to an accessory dwelling unit shall not count toward this size limit.
 - b. A detached accessory dwelling unit shall not exceed the height of the primary dwelling or 18 feet, whichever is less.
 2. Sawmill/Wells Park – CPO-12
Accessory dwelling units in the R-1 zone district are only allowed on lots with a minimum of 7,000 square feet in the Sawmill/Wells Park – CPO-12.

Explanation:

This amendment brings back all the amendments brought forth to Accessory Dwelling Units. These amendments focused on the allowance of an attached ADUs, height allowance of the ADUs and flexible size allowance.

E - BODEGA

CITY COUNCIL of the CITY OF ALBUQUERQUE

February 18, 2026

COMMITTEE AMENDMENT NO. E TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn, Nichole Rogers

1. Repeal LUPZ CA #9 and reinsert the EPC recommended language from items C-7, condition 10.a and M-2, condition 10 into Exhibit 1 of O-26-2 as follows:

Table 4-2-1: Allowable Uses																	
P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary Blank Cell = Not Allowed																	
Zone District >>	Residential						Mixed-use				Non-residential						Use-specific Standards
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU	A	
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																	
RESIDENTIAL USES																	
Household Living																	
Dwelling, live-work		P		P	P	P	P	P	P	P	CA	CA					4-3(B)(7)
COMMERCIAL USES																	
Retail Sales																	
General retail, small	P	P	A	P	P	P-A	P	P	P	P	P	P	P	P			4-3(D)(37)
Grocery Store	P	P		P	P	P	P	P	P	P	P	P	P				4-3(D)(38)

4-3(B)(7) Dwelling, Live-work

- 4-3(B)(7)(a) The business operator must obtain and maintain in effect at all times any City or State permit or license required for the operation of this use, including a business registration permit from the City.
- 4-3(B)(7)(b) The building and lot may be used for both a residence and a business that does not qualify as a home occupation being conducted by a resident of the building.

4-3(B)(7)(c) The building and lot shall not be used for any of the following uses identified in Table 4-2-1:

1. Any use in the Agricultural or Animal-related category.
2. Any use in the Food, Beverage, and Indoor Entertainment category, except restaurant.
3. Any use in the Motor Vehicle-related category.
4. Any use in the Industrial Uses category except artisan manufacturing or outdoor storage.
5. Adult retail.
6. Cannabis retail.
7. Commercial services.
8. Construction contractor facility and yard.
9. Crematorium.
10. Liquor retail.
11. Mortuary.
12. Nicotine retail.

4-3(B)(7)(d) If this use involves general retail, grocery store, or restaurant, the requirements in § 14-16-5-6(G)(3) (Loading, Service, and Refuse Areas) shall apply.

4-3(B)(7)(e) A wall sign is allowed that is no more than 8 square feet in size or as allowed by the underlying zoning, whichever is lesser, and that is located no higher than the top of the ground floor of the building.

4-3(B)(7)(f) Where this use is allowed in a Residential zone district, general retail, grocery store, and restaurant uses are limited to a total of **3,000** square feet or less.

4-3(B)(7)(g) In the R-T and R-ML zone districts, this use is permissive on corner lots that are a minimum of 5,000 square feet. In other locations in the R-T and R-ML zone districts, this use requires a Conditional Use Approval pursuant to § 14-16-6-6(A).

4-3(B)(7)(h) In the R-L zone district, this use is only allowed on corner lots that are a minimum of 5,000 square feet. Only general retail, grocery

store and restaurant uses are allowed.

4-3(D)(37) General Retail

4-3(D)(37)(d) Size Limitations in Zone Districts

1. In Residential zone districts, this use shall not exceed 5,000 square feet of gross floor area.
2. In the MX-T zone district, this use shall not exceed 10,000 square feet of gross floor area.
3. In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

4-3(D)(37)(e) Allowances on Certain Streets

1. In Residential zone districts, small general retail is allowed as follows.
 - a. On corner lots abutting at least 1 collector or arterial street, this use is permissive.
 - b. On corner lots abutting at least 2 local streets, this use requires a Conditional Use Approval pursuant to § 14-16-6-6(A).
 - c. In other locations in Residential zone districts, this use is prohibited.
2. In the MX-T zone district, small general retail is allowed permissively on streets classified as collector, arterial, or interstate highway and conditionally on local streets, with the following exceptions.
 - a. If accessory to another primary use, the use is considered a permissive accessory use regardless of street classification.
 - b. In the Old Town – HPO-6, the use is allowed permissively regardless of street classification.

4-3(D)(38) Grocery Store

4-3(D)(38)(a) This use shall comply with the standards in § 14-16-5-6(G)(3) (Loading, Service, and Refuse Areas).

4-3(D)(38)(b) For grocery stores larger than 50,000 square feet of gross floor area, the Use-specific Standards in § 14-16-4-3(D)(37)(c) (Large Retail Facilities) also apply.

4-3(D)(38)(c) In Residential zone districts, this use is only allowed on corner lots abutting at least 1 collector or arterial street and is limited to establishments of no more than 5,000 square feet of gross floor area. In other locations in Residential zone districts, this use is prohibited.

4-3(D)(38)(d) In the MX-T zone district, this use is limited to establishments of no more than 10,000 square feet of gross floor area.

4-3(D)(38)(e) In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

4-3(D)(38)(f) In the MX-M zone district, this use is limited to establishments of no more than 70,000 square feet of gross floor area.

Explanation:

This amendment would bring back all amendments made to the live work, general retail, and grocery store uses that were part of the “bodega” amendments. These amendments were for the purpose of introducing neighborhood scale commercial to residential area, corner lots.

F - BODEGA MID

CITY COUNCIL of the CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. F TO O-26-2

AMENDMENT SPONSORED BY: Nichole Rogers

1. Amend Exhibit 1 of O-26-2 by adding the following language on pages 200 and 201 of the Post EPC Redline:

Table 4-2-1: Allowable Uses																				
P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory																				
CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary																				
Blank Cell = Not Allowed																				
Zone District >>	Residential						Mixed-use				Non-residential					Use-specific Standards				
Land Uses	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU		A	NR-B	PO	C
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																				
RESIDENTIAL USES																				
Household Living																				
Dwelling, live-work		P		C/P	C/P	P	P	P	P	P	C	C								4-3(B)(7)
COMMERCIAL USES																				
Retail Sales																				
General retail, small	P	P	A	P	P	P/A	P	P	P	P	P	P	P	P						4-3(D)(37)
Grocery Store	P	P		P	P	P	P	P	P	P	P	P	P	P						4-3(D)(38)

4-3(B)(7) Dwelling, Live-work

- 4-3(B)(7)(a) The business operator must obtain and maintain in effect at all times any City or State permit or license required for the operation of this use, including a business registration permit from the City.
- 4-3(B)(7)(b) The building and lot may be used for both a residence and a business that does not qualify as a home occupation being

conducted by a resident of the building.

4-3(B)(7)(c) The building and lot shall not be used for any of the following uses identified in Table 4-2-1:

1. Any use in the Agricultural or Animal-related category.
2. Any use in the Food, Beverage, and Indoor Entertainment category, **except restaurant.**
3. Any use in the Motor Vehicle-related category.
4. Any use in the Industrial Uses category except artisan manufacturing or outdoor storage.
5. Adult retail.
- 6. Cannabis retail.**
7. Commercial services.
8. Construction contractor facility and yard.
9. Crematorium.
10. Liquor retail.
11. Mortuary.
- 12. Nicotine retail.**

4-3(B)(7)(d) If this use involves general retail, grocery store, or restaurant, the requirements in § 14-16-5-6(G)(3) (Loading, Service, and Refuse Areas) shall apply.

4-3(B)(7)(e) A wall sign is allowed that is no more than 8 square feet in size or as allowed by the underlying zoning, whichever is lesser, and that is located no higher than the top of the ground floor of the building.

4-3(B)(7)(f) Where this use is allowed in a Residential zone district, general retail, grocery store, and restaurant uses are limited to a total of 3,000 square feet or less.

4-3(B)(7)(g) In the R-T and R-ML zone districts, this use is permissive on corner lots that are a minimum of 5,000 square feet. In other locations in the R-T and R-ML zone districts, this use requires a Conditional Use Approval pursuant to § 14-16-6-6(A).

4-3(B)(7)(h) In the R-1 zone district, this use is only allowed on corner lots

that are a minimum of 5,000 square feet. Only general retail, grocery store and restaurant uses are allowed.

4-3(D)(37) General Retail

4-3(D)(37)(b) This use shall comply with the standards in § 14-16-5-6(G)(3) (Loading, Service, and Refuse Areas).

4-3(D)(37)(d) Size Limitations in Zone Districts

1. In Residential zone districts, this use shall not exceed 3,000 square feet of gross floor area.

2. In the MX-T zone district, this use shall not exceed 10,000 square feet of gross floor area.

3. In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

4-3(D)(37)(f) Allowances Outside of Walking Distance from Centers and Corridors

This use is allowed in Residential zone districts only on lots more than 1,320 feet (1/4 mile) from an Activity Center (AC) or a Major Transit Corridor (MT) as follows.

1. On corner lots abutting at least 1 collector or arterial street, this use is permissive.

2. On corner lots abutting at least 2 local streets, this use requires a Conditional Use Approval pursuant to § 14-16-6-6(A).

4-3(D)(38) Grocery Store

4-3(D)(38)(a) This use shall comply with the standards in § 14-16-5-6(G)(3) (Loading, Service, and Refuse Areas).

4-3(D)(38)(b) For grocery stores larger than 50,000 square feet of gross floor area, the Use-specific Standards in § 14-16-4-3(D)(37)(c) (Large Retail Facilities) also apply.

4-3(D)(38)(c) In Residential zone districts, this use is limited to establishments of no more than 3,000 square feet of gross floor area and is only allowed on lots more than 1,320 feet (1/4 mile) from an Activity Center (AC) or a Major Transit Corridor (MT) as follows.

1. On corner lots abutting at least 1 collector or arterial street, this use is permissive.

2. On corner lots abutting at least 2 local streets, this use requires a Conditional Use Approval pursuant to § 14-16-6-6(A).

4-3(D)(38)(d) In the MX-T zone district, this use is limited to establishments of no more than 10,000 square feet of gross floor area.

4-3(D)(38)(e) In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

4-3(D)(38)(f) In the MX-M zone district, this use is limited to establishments of no more than 70,000 square feet of gross floor area.

Explanation:

This amendment brings in the same language recommended by EPC for the live-work use. New additions are that this amendment prohibits General Retail and Grocery Stores in Residential zone districts within a quarter mile of Activity Center and Major Transit Centers, while retaining the corner lot allowance brought over in the Post-EPC Redline. It also brings language back from the Post EPC Redline to respond to concerns around loading, service and refuse areas, as well as size limitations, limiting grocery stores and small general retail to 3,000 sq. ft. of Gross Floor Area in Residential zone districts, where allowed.

See map of Activity Centers and Major Transit Corridors with a quarter-mile buffer below. The areas that are black are where tienditas/bodegas with restaurants, general retail and grocery stores would not be allowed in Residential zone districts, since they are already within walking distance of existing Activity Centers and Major Transit Corridors.



G - PARKING MAX

CITY COUNCIL of the CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. G TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn, Nichole Rogers

1. Repeal LUPZ CA #4 and reinsert the EPC recommended language in IDO

Table 5-5-4 as follows:

Table 5-5-4: Maximum Off-street Parking Requirements for Non-residential Development DT = Downtown; UC = Urban Center; MS = Main Street area; PT = Premium Transit area AC = Activity center; MT = Major Transit area	
Area	Parking Maximum for Non-residential Development
Centers + Corridors	
DT-UC-MS-PT areas	100% 175% 175%
AC-MT areas	125%
Small Areas	
McClellan Park Small Area	175%
Old Town – HPO-6	175%
Other	
Within 330 feet of a transit facility, excluding park and ride lots and depots	100%
[1] Percent of the off-street parking spaces required by Table 2-4-13 or Table 5-5-1, as applicable. [2] See § 14-16-5-5(B)(2)(a)2. [3] As of 2025, transit facilities include Alvarado Transportation Center, Central/Unser Transit Center, Montañño Transit Center, Montgomery & Tramway, Northwest Transit Center, Uptown Transit Center.	

Explanation:

This brings back the parking maximum added to Activity Centers and Major Transit areas and also brings back the amendments made to parking max in DT-UC-MS-PT areas back to a 100% maximum.

H - LEGISLATIVE CONVERSION

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. H TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn, Nichole Rogers

1. Repeal LUPZ CA #1 and reinsert Section 4 on page 4, line 1 of O-26-2, the EPC recommended items ZC-3 and ZC-4 as follows:

**SECTION 4. ZONING CONVERSIONS FOR PROPERTIES ZONED R-1, R-T,
OR R-ML IN MAJOR TRANSIT CORRIDOR AREAS OR ACTIVITY CENTERS AS
DESIGNATED IN THE COMPREHENSIVE PLAN AND DEFINED IN IDO § 14-16-
7-1. The Official Zoning Map is amended to convert the following zone districts in
Major Transit Corridor Areas and Activity Centers.**

A. Properties zoned R-1 convert to R-T.

B. Properties zoned R-T convert to MX-T.

C. Properties zoned R-ML convert to MX-L.

Explanation:

This amendment brings back the legislative zoning conversions along Major Transit Corridors and within Activity centers. These zoning conversions change R-1 to R-T, R-T to MX-T and R-ML to MX-L within MT and AC areas.

I - CONDITIONAL CUMULATIVE

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. 1 TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn

SECTION 1. Amend Section 6-6(A)(3)(c) of Exhibit 1 of O-26-2 as follows:

6-6(A)(3)(c) It will not create significant adverse impacts **or adverse cumulative impacts** on adjacent properties, the surrounding neighborhood, or the larger community.

Explanation:

This amendment adds another criteria to the existing conditional use approval criteria. It does not amend the cumulative impacts section of the IDO and does not require a Cumulative Impacts analysis as regulated in Section 5-2(E).

J - LIGHT VEHICLE FUELING

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. J TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn

SECTION 1. IDO Section 4-3(D)(19) is amended as follows:

4-3(D)(19) Light Vehicle Fueling Station

4-3(D)(18)(a) No inoperable vehicles shall be stored outside a building at any time.

4-3(D)(18)(b) This use must comply with stormwater quality requirements found in the DPM.

4-3(D)(18)(c) When this use is located on a corner lot with access from both streets, it shall have no more than 1 access point per frontage. When this use is located mid-block or with access from only one street, it shall have no more than 2 access points from that street.

4-3(D)(18)(d) Access points shall be located no closer than 20 feet from any adjacent property that is not under common ownership.

4-3(D)(18)(e) Site access from a paved alley connecting to a public street is allowed provided that the access points from the site to the alley shall be a minimum of 25 feet from the intersection of the alley and the street.

4-3(D)(18)(f) 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.

~~4-3(D)(18)(g) If located adjacent to any Residential zone district, this use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).~~

~~4-3(D)(18)(h) If located abutting or across an alley from any Residential zone district or lot containing a residential use in any Mixed-use zone district, an opaque wall, fence, or vegetative screen at least 6 feet high is required.~~

4-3(D)(18)(i) In the MX-L zone district, this use shall be located where vehicular access is only from a street designated as a collector, arterial, or interstate highway.

~~4-3(D)(18)(j) **[This]** [In the MX-M], **MX-H, NR-C, NR-BP, NR-LM, and NR-GM** [and higher zone districts]], if located on a local street, this use is prohibited within 330 feet in any direction of a lot containing a residential use in any Residential or Mixed-use zone district.~~

4-3(D)(18)(j) This use is prohibited within 330 feet in any direction of a lot containing a residential use in any Residential or Mixed-use zone district.

4-3(D)(18)(k) This use is prohibited within 330 feet in any direction of Major Public Open Space.

4-3(D)(18)(l) In the MX-H zone district and/or in any zone district in UC-AC-MS-PT-MT areas, the fully enclosed portion of any building containing a retail use with 1,000 square feet or more of gross floor area shall have a maximum front setback of 15 feet. A canopy attached to the building with a common roof satisfies this standard. The requirements of Subsection 14-16-5-1(D)(2) do not apply to this use.

4-3(D)(18)(m) In UC-MS-PT areas, an opaque wall or vegetative screen at least 3 feet high shall be provided along all street frontages.

4-3(D)(18)(n) This use is regulated as noted in the following small areas.

1. Downtown Neighborhood Area – CPO-3
 - a. In the MX-M zone district, this use is prohibited.
 - b. In the MX-L zone district, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).
2. East Gateway Small Area
This use is prohibited in the following mapped small areas.



3. Railroad and Spur Small Area
A cumulative impacts analysis may be required at the time of application submittal for projects within the Railroad and Spur Small Area pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).
4. Sawmill/Wells Park – CPO-12 In the MX-L zone district, this use is prohibited.

Explanation:

This amendment eliminates the allowance of light-vehicle fueling stations near or adjacent to residential uses.

K - SUBDIVISION APPLICABILITY

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. K TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn

1. Amend Exhibit 1 of O-26-2 by removing the following language on pages 273 of the Post EPC Redline:

5-4(B) APPLICABILITY

5-4(B)(1) The standards in this § 14-16-5-4 apply to all subdivisions of land into 2 or more lots, ~~building sites, or tracts,~~ or when 2 or more ~~platted~~ lots are consolidated into a larger lot for development or redevelopment, unless expressly exempted elsewhere in this IDO, in a development agreement, an approved Site Plan within the NR-SU or PD zone districts, an approved Framework Plan within the PC zone district, or an approved annexation plan.

5-4(B)(2) The subdivision standards apply to all areas within the city unless specifically exempted.

5-4(B)(3) Land shall be subdivided only in accordance with the subdivision approval procedures in ~~§ 14-16-6-6(J) (Subdivision of Land – Bulk Land),~~ § 14-16-6-6(K) (Subdivision of Land – Minor), and § 14-16-6-6(L) (Subdivision of Land – Major).

Explanation:

This amendment removes extraneous and potentially confusing language in the Applicability section that establishes when the standards in IDO § 14-16-5-4 (Subdivision of Land) apply. Subdivision standards apply when lots are split or when lots are consolidated. Subdivisions do not create building sites separately from creating lots, and tracts are a synonym for platted lots and unnecessary to specify separately. This amendment adds a reference to bulk land subdivisions as the other type of subdivisions regulated by IDO procedures.

L - TRIBAL REFERRALS

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. L TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn

1. Amend Exhibit 1 of O-26-2 by revising the following language in § 14-16-6-4(I) of the Post EPC Redline and renumbering subsequent subsections accordingly:

6-4(I) REFERRALS TO COMMENTING AGENCIES

Following a determination that the application is complete, the Planning Director, ZEO, or any City staff designated to review applications in Table 6-1-1 shall refer applications for comment to the following departments or agencies, as noted in § 14-16-6-4(I)(1) below.

6-4(I)(1)(a) For administrative decisions in Table 6-1-1, any comments received after such a referral and prior to the decision shall be considered with the application materials in any further review and decision-making procedures.

6-4(I)(1)(b) For decisions that require a public hearing and policy decisions in Table 6-1-1, any comments received within 15 calendar days after such a referral shall be considered with the application materials in any further review and decision-making procedures, **except that the following applications shall be deferred to the next scheduled hearing after Indian Nations, Tribes, and Pueblos and Tribal representatives have 30 calendar days to comment after such a referral:**

1. Master Development Plan.

2. Site Plan – EPC.

3. Subdivision – Major.

4. Zoning Map Amendment – EPC.

5. Zoning Map Amendment – City Council.

2. Amend Exhibit 1 of O-26-2 by revising the following language in § 14-16-6-4(B) of the Post EPC Redline:

6-4(B) PRE-SUBMITTAL TRIBAL MEETING

6-4(B)(1) For applications meeting all of the following criteria, the applicant shall offer at least 1 meeting to Indian Nations, Tribes, and Pueblos no more than 1 calendar year before filing the application. In such cases, project applications will not be accepted until a pre-submittal tribal meeting has been held, or the requirements for a reasonable attempt in Subsection (3) below have been met.

6-4(B)(1)(a) Table 6-1-1 requires a pre-submittal tribal meeting to be offered for that type of application.

6-4(B)(1)(b) The subject property is within 660 feet of Major Public Open Space (including the Petroglyph National Monument) or tribal land.

6-4(B)(1)(c) A pre-submittal tribal meeting was not offered for the same subject property at a prior stage in the development process for the same proposed project.

6-4(B)(2) A meeting request shall be sent via email, if one is listed in the contacts maintained by the Tribal Liaison with the City's Office of Native American Affairs, or by Certified Mail, return receipt requested if no email is listed, to both of the following:

6-4(B)(2)(a) Indian Nations, Tribes, or Pueblos.

6-4(B)(2)(b) Tribal Representatives.

Either method constitutes a reasonable attempt to notify recipients of a meeting request. The requirements of Subsection 14-16-6-4(J)(7) (Documentation of Good Faith Effort Required) also apply.

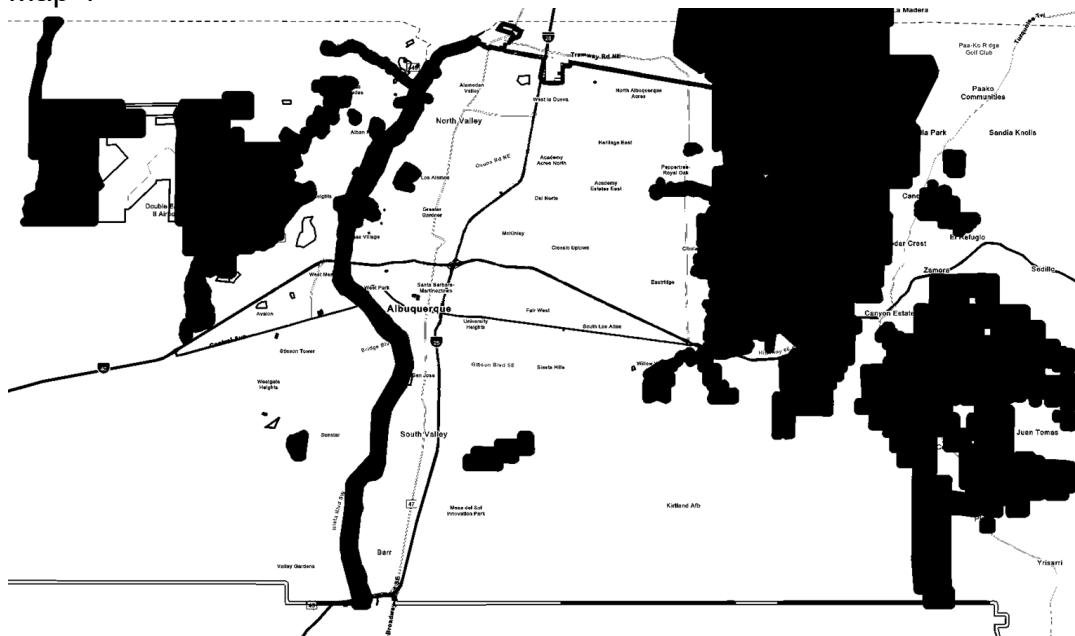
6-4(B)(3) If any recipient of the request chooses to meet, he/she must respond within **30** **15** calendar days of the request (email or Certified Mail) being sent. The meeting must be scheduled for a date within 30 calendar days but no fewer than 15 calendar days after the recipient accepts the meeting request, unless an earlier date is agreed upon. If no recipient responds within **30** **15** calendar days of the request, the applicant may proceed pursuant to Subsection (9) below.

Explanation:

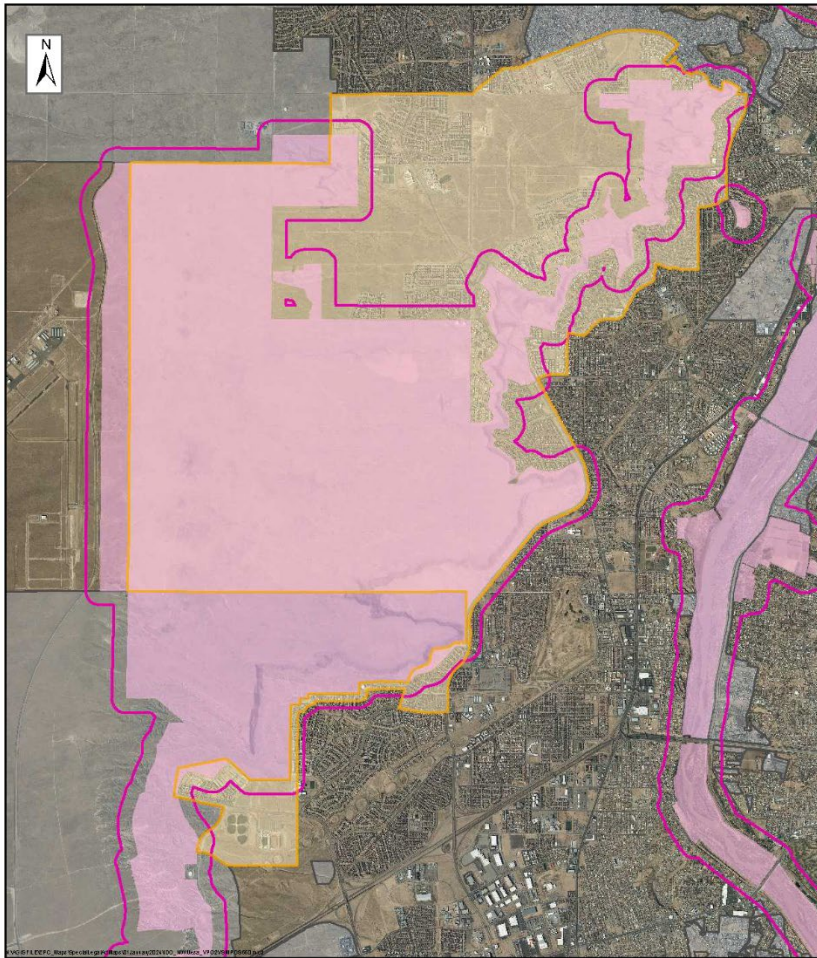
This amendment gives Indian Nations, Tribes, and Pueblos and Tribal representatives additional time to respond to applications that involve a public hearing for development in the following geographies, mapped below:

- Map 1
 - Within 660 feet of Major Public Open Space.
 - Within 660 feet of Petroglyph National Monument.
 - Within 660 feet of Tribal Land.
- Map 2
 - In the Northwest Mesa Escarpment View Protection Overlay Zone.

Map 1



Map 2



- ▭ Major Public Open Space 660 foot Buffer
- ▭ Major Public Open Space
- ▭ NW Mesa VPO-2
- ▭ Outside City Limits

0 0.75 1.5
Miles

NM Mesa VPO-2

1/26/2024

This amendment extends the time to respond to an applicant’s offer of a Pre-submittal Tribal Meeting from 15 calendar days to 30 calendar days.

This amendment also requires the Planning Department to defer applications in these areas to the next hearing date after the 30-day comment period, regardless of whether any comments are received.

- The Environmental Planning Commission (EPC) meets monthly, so this would result in a delay of up to 2 hearings.
- The Development Hearing Officer, which decides Subdivision – Major, meets every other week, so this would result in a delay of up to 3 hearings.

Table 6-1-1: Summary of Development Review Procedures

DHO = Development Hearing Officer EPC = Environmental Planning Commission
 LUHO = Land Use Hearing Officer

X = Required [] = Public Hearing < > = Quasi-judicial Hearing

R = Review/Recommend D = Review and Decide

AR = Appeal Review / Recommend AD = Appeal Review and Decide

Subsection	6-4(B)	6-2(B)	6-2(D)	6-2(E)	6-2(I)	6-2(A)	Specific Procedures
Application Type	Tribal	City Staff	DHO	EPC	LUHO	City Council	
Administrative Decision							
Archaeological Certificate	X	D			<AR>	<AD>	6-5(A)
Decisions that Require a Public Hearing							
Master Development Plan	X	R		<D>	<AR>	<AD>	6-6(F)
Site Plan – EPC	X	R		<D>	<AR>	<AD>	6-6(I)
Subdivision of Land – Minor	X	R	<D>		<AR>	<AD>	6-6(K)
Subdivision of Land – Major	X	R	<D>		<AR>	<AD>	6-6(L)
Policy Decisions							
Zoning Map Amendment – EPC	X	R		<D>	<AR>	<AD>	6-7(G)
Zoning Map Amendment – Council	X	R		<R>		<D>	6-7(H)

M - MS CORRIDOR

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. M TO O-26-2

AMENDMENT SPONSORED BY: Tammy Fiebelkorn

1. Amend the Land Use Planning and Zoning Committee amendment # 12 by striking the following language:

- 4-3(D)(6) Adult entertainment or Adult Retail
~~4-3(D)(6)(c) This use is prohibited within Main Street (MS)~~
~~4-3(D)(21)(b) This use is prohibited within Main Street (MS)~~
~~Corridors~~
- 4-3(D)(35) Cannabis Retail
~~4-3(D)(35)(k) This use is prohibited within Main Street (MS)~~
~~Corridors.~~
- 4-3(D)(41) Pawn shop
~~4-3(D)(41)(c) This use is prohibited within Main Street (MS)~~
~~Corridors.~~

Explanation:

This amendment removes all morality based prohibitions from committee amendment #12, while leaving those uses that are objectively counter to the Main Street designation by striking the prohibition of the following uses:

- Adult entertainment and adult retail
- Cannabis Retail
- Pawn Shop

See map below for Main Street Corridor locations:

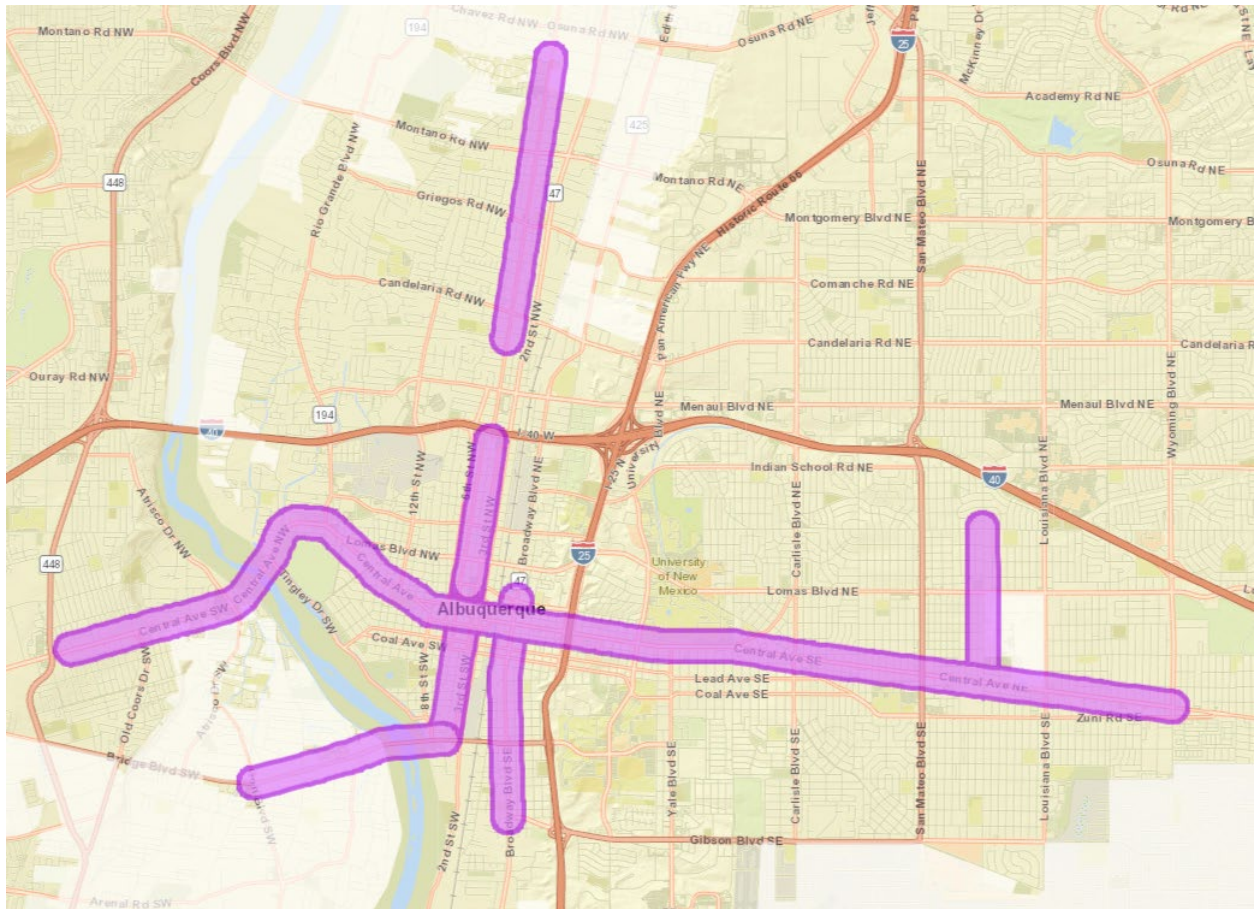


Figure 1 MS Corridors (Central Ave., Broadway, Bridge, 4th Street, San Pedro)

N - OPEN SPACE

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

February 18, 2026

FLOOR AMENDMENT NO. N TO O-26-2

AMENDMENT SPONSORED BY: Brook Bassan

1. Amend Section 6-4(l)(9) as shown in the following language:

6-4(l)(9) Development within 660 feet of Major Public Open Space

6-4(l)(9)(a) Indian Nations, Tribes or Pueblos.

6-4(l)(9)(b) Tribal Representatives.

6-4(l)(9)(c) Open Space Division of the City Parks and recreation
Department.

Explanation:

This amendment would remove the Open space Division as a commenting agency for planning applications within 660 feet of MPOS. The Open Space Division already comments on applications within 330 feet of MPOS, within 660 feet of the Petroglyph National Monument, and variances adjacent to MPOS.

O - FESTOON LIGHTING

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. _____ TO O-26-2

AMENDMENT SPONSORED BY: Dan Lewis

1. Amend Section 5-8(E)(6)(b) as shown in the following language:

5-8(E)(6) Deck and Outdoor Dining Lighting

5-8(E)(6)(a) Lighting used to illuminate patios, decks, balconies, terraces, gazebos, pergolas, or any other accessory structure, including festoon lighting, is subject to an outdoor lighting curfew.

5-8(E)(6)(b) Festoon lighting is exempt from the point light source restriction in §14-16-5-8(E)(4)(a), but still must meet total illumination limits to light trespass pursuant to Subsection 14-16-5-8(G)(2) and total lumen allowance pursuant to Subsection 14-16-5-8(H).

Explanation:

This amendment clarifies that festoon lighting are still regulated by the total lumen allowance pursuant to the sections listed in the amendments and measured via Table 5-8-3, shown below:

	NDZ	Lz0	Lz1	Lz2	Lz3
Foot Candles (fc)	0.02	0.05	0.1	0.3	0.8
Lux (lx)	0.2	0.5	1.0	3.0	8
Luminance (cd/m ²)	0	1	20	40	80

P - WALL/FENCE

CITY COUNCIL of the CITY OF ALBUQUERQUE

February 18, 2026

FLOOR AMENDMENT NO. _____ TO O-26-2

AMENDMENT SPONSORED BY COUNCILORS: Klarissa Peña

1. Amend Table 6-1-1 as part of Exhibit 1 in O-26-2 as follows:

Table 6-1-1: Summary of Development Review Procedures																	
DHO = Development Hearing Officer EPC = Environmental Planning Commission LC = Landmarks Commission																	
ZHE = Zoning Hearing Examiner LUHO = Land Use Hearing Officer																	
X = Required [] = Public Hearing < > = Quasi-judicial Hearing																	
R = Review/Recommend D = Review and Decide AR = Appeal Review / Recommend AD = Appeal Review and Decide																	
Subsection	Mtgs			Public Notice						Review and Decision-making Bodies							Specific Procedures
	Error! Reference	Error!	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	Error! Reference	
Application Type	Tribal	City Staff	Facilitated	Email	Mailed	Posted Sign	Published	Web Posting	City Staff ⁽¹⁾	DHO	EPC	LC	ZHE	LUHO	City Council ⁽²⁾		
Decisions Requiring a Public Hearing																	
Permit – Wall or Fence - Major				X	X	X		X					<D>	<AR>	<AD>		

2. Amend Section 6-6(H) of Exhibit 1 in O-26-2 as follows:

6-6(H) PERMIT – WALL OR FENCE – MAJOR

All applicable provisions of § 14-16-6-4 (General Procedures) apply unless specifically modified by the provisions of this § 14-16-6-6(H).

6-6(H)(1) Applicability

- 6-6(H)(1)(a) This § 14-16-6-6(H) applies to all applications for walls or fences that that require a Permit – Wall or Fence – Major pursuant to § 14-16-5-7(D)(3)(a)2 (Exceptions to Maximum Wall Height).
- 6-6(H)(1)(b) Requests for walls taller than allowed as a Permit – Wall or Fence – Major also require a Variance.
 - 1. A Variance to walls associated with a Site Plan – EPC are pursuant to § 14-16-6-6(H) (Variance – EPC).
 - 2. All other Variance requests for wall standards are pursuant to § 14-16-6-6(O) (Variance – ZHE).

6-6(H)(2) Procedure

- 6-6(H)(2)(a) All applications in an HPO zone or on properties or in districts listed on the State Register of Cultural Properties or the National Register of Historic Places shall first be reviewed by the Historic Preservation Planner pursuant to § 14-16-6-5(B) (Historic Certificate of Appropriateness – Minor), and the Historic Preservation Planner shall send a recommendation to the ZHE.
- 6-6(H)(2)(b) The City Planning Department staff shall review the application and forward a recommendation to the ZHE.
- 6-6(H)(2)(c) The ZHE shall conduct a public hearing on the application and make a written decision on the application.

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

An application for a Permit – Wall or Fence – Major for a wall in the front or street side yard of a lot with low-density residential development in or abutting any Residential zone district that meets the

requirements in § 14-16-5-7(D)(3)(a)2 (Exceptions to Maximum Wall Height) and Table 5-7-2 shall be approved if all of the following criteria are met.

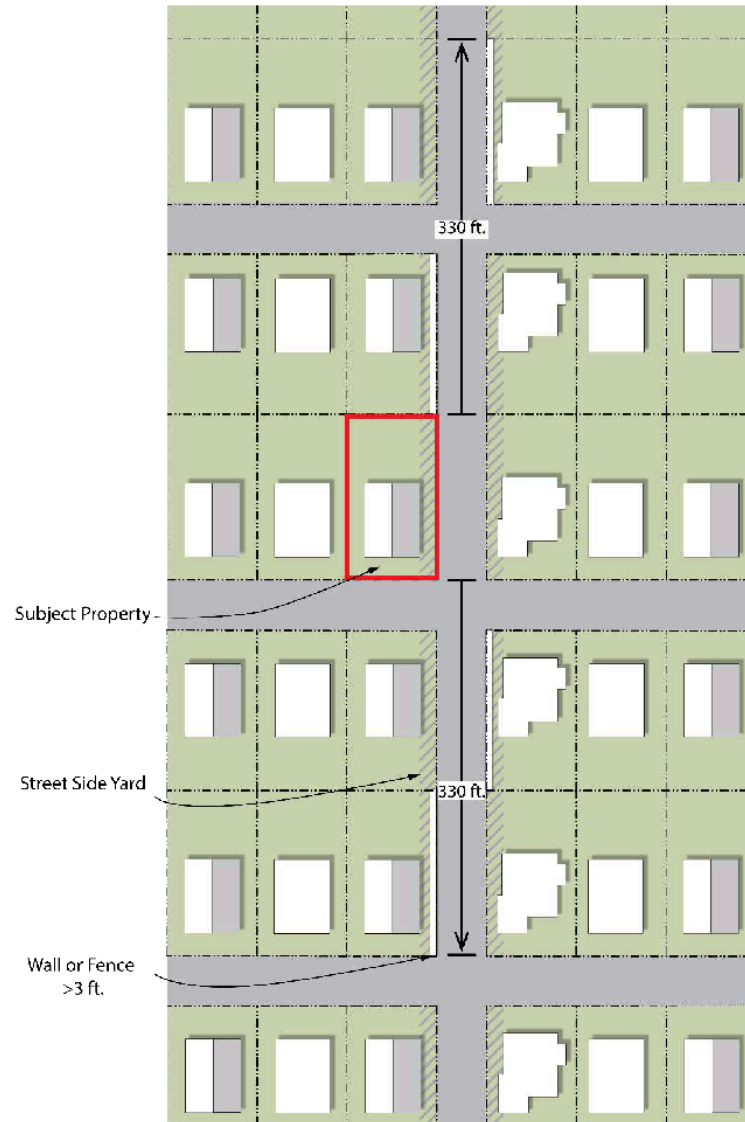
6-6(H)(3)(a) The wall is proposed on a lot that meets any of the following criteria.

1. The lot is at least $\frac{1}{2}$ acre.
2. The lot fronts a street designated as a collector, arterial, or interstate highway.
3. For a front yard wall taller than allowed in Table 5-7-1, at least **10 20** percent of the properties with low-density residential development with a front yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a front yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street. (See figure below for an illustration of this measurement.



4. For a street side yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a side yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a street side yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include

properties on both sides of the street. (See figure below for an illustration of this measurement.)



~~6-6(H)(3)(b) The proposed wall would strengthen or reinforce the architectural character of the surrounding area.~~

6-6(H)(3)(c) The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.

6-6(H)(3)(d) The design of the wall complies with any applicable standards in § 14-16-5-7 (Walls and Fences), including but not limited to § 14-16-5-7(E)(2) (Articulation and Alignment), § 14-16-5-7(E)(3) (Wall Design), and both of the following criteria.

1. The wall or fence shall not block the view of any portion of any window on the front façade of the primary building when viewed from 5 feet above ground level at the centerline of the street in front of the house.
2. The design and materials proposed for the wall or fence shall reflect **or enhance** the **quality of walls and fences in the surrounding area** ~~architectural character of the surrounding area.~~

Explanation:

This amendment looks to remove some of the criteria in Major Walls and fences applications, as well as reducing the contextual standards for walls and fences related to other properties in proximity that also have major walls and fences. As it stands now, one part of the review criteria is that 20% of the lots within 330 feet of the subject property must also have a tall wall or fence and this amendment would reduce it to 10%.

This amendment also removes some of the public notification requirements for the major wall or fence application. Specifically, it removes the requirement to notify property owners within 100 feet of the subject property, as well as the posted sign requirement.

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

February 18, 2026

FLOOR AMENDMENT NO. _____ TO O-26-2

AMENDMENT SPONSORED BY: Nichole Rogers

1. Amend Exhibit 1 of O-26-2 by adding the following language on pages 200 and 201 of the Post EPC red-line:

Table 4-2-1: Allowable Uses																		
P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary Blank Cell = Not Allowed																		
Zone District >>	Residential						Mixed-use				Non-residential					Use-specific Standards		
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU		A	NR-PO
Land Uses																		
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																		
RESIDENTIAL USES																		
Household Living																		
Dwelling, live-work		P		P	P	P	P	P	P	P	CA	CA						4-3(B)(7)
COMMERCIAL USES																		
Retail Sales																		
General retail, small	C	C	A	C	C	CA	P	P	P	P	P	P	P					4-3(D)(37)
Grocery Store	C	C		C	C	C	P	P	P	P	P	P	P	P				4-3(D)(38)

4-3(B)(7) Dwelling, Live-work

- 4-3(B)(7)(a) The business operator must obtain and maintain in effect at all times any City or State permit or license required for the operation of this use, including a business registration permit from the City.
- 4-3(B)(7)(b) The building and lot may be used for both a residence and a business that does not qualify as a home occupation being conducted by a resident of the building.
- 4-3(B)(7)(c) The building and lot shall not be used for any of the following uses

identified in Table 4-2-1:

1. Any use in the Agricultural or Animal-related category.
2. Any use in the Food, Beverage, and Indoor Entertainment category, **except restaurant.**
3. Any use in the Motor Vehicle-related category.
4. Any use in the Industrial Uses category except artisan manufacturing or outdoor storage.
5. Adult retail.
- 6. Cannabis retail.**
7. Commercial services.
8. Construction contractor facility and yard.
9. Crematorium.
10. Liquor retail.
11. Mortuary.

12. Nicotine retail.

4-3(B)(7)(d) If this use involves general retail, grocery store, or restaurant, the requirements in § 14-16-5-6(G)(3) (Loading, Service, and Refuse Areas) shall apply.

4-3(B)(7)(e) A wall sign is allowed that is no more than 8 square feet in size or as allowed by the underlying zoning, whichever is lesser, and that is located no higher than the top of the ground floor of the building.

4-3(B)(7)(f) Where this use is allowed in a Residential zone district, general retail, grocery store, and restaurant uses are limited to a total of 3,000 square feet or less.

4-3(B)(7)(g) In the R-T and R-ML zone districts, this use is permissive on corner lots that are a minimum of 5,000 square feet. In other locations in the R-T and R-ML zone districts, this use requires a Conditional Use Approval pursuant to § 14-16-6-6(A).

4-3(B)(7)(h) In the R-1 zone district, this use is only allowed on corner lots that are a minimum of 5,000 square feet. Only general retail, grocery store and restaurant uses are allowed.

4-3(D)(37) General Retail

4-3(D)(37)(b) This use shall comply with the standards in § 14-16-5-6(G)(3) (Loading, Service, and Refuse Areas).

4-3(D)(37)(d) Size Limitations in Zone Districts

- 1. In Residential zone districts, this use shall not exceed 3,000 square feet of gross floor area.**
2. In the MX-T zone district, this use shall not exceed 10,000 square feet of gross floor area.
3. In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

4-3(D)(37)(f) Allowances in Residential Zone Districts

This use is allowed in Residential zone districts as follows.

- 1. This use is only allowed on corner lots that are more than 1,320 feet (1/4 mile) from an Activity Center (AC) or a Major Transit Corridor (MT) and that abut at least 1 collector or arterial street.**
- 2. This use is prohibited within 660 feet in any direction of another lot with this use in a Residential zone district.**

4-3(D)(38) Grocery Store

4-3(D)(38)(a) This use shall comply with the standards in § 14-16-5-6(G)(3) (Loading, Service, and Refuse Areas).

4-3(D)(38)(b) For grocery stores larger than 50,000 square feet of gross floor area, the Use-specific Standards in § 14-16-4-3(D)(37)(c) (Large Retail Facilities) also apply.

4-3(D)(38)(c) In Residential zone districts, this use is limited to establishments on no more than 3,000 square feet of gross floor area and is allowed as follows.

- 1. This use is only allowed on corner lots that are located**

more than 1,320 feet (1/4 mile) from an Activity Center (AC) or a Major Transit Corridor (MT) and that abut at least 1 collector or arterial street.

2. This use is prohibited within 660 feet in any direction of another lot with this use in a Residential zone district.

4-3(D)(38)(e) In the MX-T zone district, this use is limited to establishments of no more than 10,000 square feet of gross floor area.

4-3(D)(38)(f) In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

4-3(D)(38)(g) In the MX-M zone district, this use is limited to establishments of no more than 70,000 square feet of gross floor area.

Explanation:

This amendment brings in the same language recommended by EPC for the live-work use. New additions are that this amendment prohibits grocery stores and small general retail in Residential zone districts within a quarter mile of Activity Center and Major Transit Corridors. It adjusts the corner lot allowance in the Post-EPC Redline to only allow small general retail and grocery stores next to arterial or collector streets, removing the allowance on corner lots of local streets. It also brings back language from the Post-EPC Redline to respond to concerns around loading, service and refuse areas, as well as size limitations, limiting grocery stores and the small general retail to 3,000 sq. ft. gross floor area. On top of this, it creates a distance separation of 660 feet between small general retail in Residential zone districts and between grocery stores in Residential zone districts. This amendment makes small general retail and grocery stores Conditional uses in Residential zone districts.

See map of Activity Centers and Major Transit Corridors with a quarter-mile buffer below. The areas that are black are where tienditas/bodegas with restaurants, general retail and grocery stores would not be allowed in Residential zone districts, since they are already within walking distance of existing Activity Centers and Major Transit Corridors.

