

**CITY OF ALBUQUERQUE
NINETEENTH COUNCIL**

COUNCIL BILL NO. _____ ENACTMENT NO. _____

SPONSORED BY:

1 **RESOLUTION**

2 **ADOPTION OF THE VOLCANO CLIFFS SECTOR DEVELOPMENT PLAN.**

3 **WHEREAS, the City Council, the governing body of the City of Albuquerque, has**
4 **the authority to adopt and amend plans for the physical development of areas within the**
5 **planning and platting jurisdiction of the City authorized by Statute, Section 3-19-1 et. seq.,**
6 **NMSA 1978, and by its home rule powers; and**

7 **WHEREAS, on February 3, 2011 the Environmental Planning Commission, in its**
8 **advisory role on land use and planning matters, recommended that City Council adopt the**
9 **Volcano Cliffs Sector Development Plan; and**

10 **WHEREAS, the Environmental Planning Commission found approval of the**
11 **Volcano Cliffs Sector Development Plan consistent with applicable goals and policies of the**
12 **Comprehensive Plan, the Westside Strategic Plan, the Facility Plan for Arroyos, the**
13 **Northwest Mesa Escarpment Plan, and the Comprehensive City Zoning Code and R-270-**
14 **1980.**

15 **BE IT REOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
16 **ALBUQUERQUE:**

17 **Section 1. The VOLCANO CLIFFS SECTOR DEVELOPMENT PLAN is hereby**
18 **adopted subject to conditions of approval in Exhibit A:**

19 **A. The Volcano Cliffs Sector Development Plan attached hereto and made a part**
20 **hereof, is hereby adopted as a land use control pursuant to the Comprehensive City Zoning**
21 **Code.**

22 **B. The maps on page 40 titled “Exhibit 5, Zoning Established by the Volcano Cliffs**
23 **Sector Development Plan” and the text of Chapter 4 “Zoning and General Standards” are**
24 **adopted as an extension of the Zoning Code and its zone map.**

25 **Section 3. FINDINGS ADOPTED. The City Council adopts the following Findings as**
26 **recommended by the Environmental Planning Commission:**

1 **A. The Volcano Cliffs Sector Development Plan (VCSDP) is a Rank III plan that**
2 **covers an area of approximately 2,327 acres. The plan boundaries are the Petroglyph**
3 **National Monument on the east, south and west and Paseo Del Norte to the north.**

4 **B. This plan is one of three distinct but related sector development plans intended**
5 **to guide future development in the larger Volcano Mesa Community. The other two plans**
6 **are the Volcano Heights and Volcano Trails Sector Development Plans. The three plans**
7 **share similar policy underpinnings that are included in a companion amendment to the**
8 **Rank II, West Side Strategic Plan (WSSP). At the November 4, 2010 hearing, the EPC**
9 **voted to send the WSSP amendment to the City Council with a recommendation of**
10 **approval.**

11 **C. Volcano Cliffs Sector Development Plan currently contains R1, RD, RO-20, A-1**
12 **County, SU-1 for Major Public Open Space and proposes SU-2 VC Village Center, SU-2**
13 **VC Neighborhood Mixed Use, SU-2 VC Urban Residential, SU-2 VC Large Lot, SU-2 VC**
14 **Rural Residential, as well as General Design Regulations that are associated to varying**
15 **degrees with all properties within the Volcano Cliffs SDP boundary.**

16 **D. The Volcano Cliffs Sector Development Plan supports the following goals and**
17 **policies in the Rank I Albuquerque/Bernalillo County Comprehensive Plan:**

18 **1. Policies II.B.5.c, f, i, k, m, n: through the proposed Neighborhood Activity**
19 **Center for the Village Center, the mix of uses proposed in order to provide**
20 **neighborhood services and retail in specific locations in the Volcano Cliffs area, the**
21 **clustering of homes in the SU2 VC Rural Residential zone, the proposed treatment**
22 **for the arroyos and zoning regulations that ensure development will not be visually**
23 **intrusive – restrictions on height, color and reflectivity;**

24 **2. Policies II.B.1.c, f, j: through the location of the least intense zoning adjacent**
25 **to Major Public Open Space and the General Standards that address colors,**
26 **heights, reflectivity and fencing adjacent to the Petroglyph National Monument.**
27 **Also through the designation of existing and future single loaded streets as scenic**
28 **corridors, and the provision of trails;**

29 **3. Policy II.B.7: Goal: through the designation of the Volcano Cliffs Village**
30 **Center as a Neighborhood Activity Center;**

31 **4. Policy II.C.6.c: through the language in General Standards that address**
32 **archeological sites;**

1 5. Policies II.C.9.b, c, e: through the proposed zoning, the proposed arroyo
2 treatments, the proposed road network, and the proposed Neighborhood Activity
3 Center, and through the employment opportunities provided by the Village Center;

4 6. Policies II.D.6. a, g: through the small business and employment
5 opportunities provided by the mixed-use areas and the Village Center.

6 E. The Volcano Cliffs Sector Development Plan supports the following policies in
7 the **Rank II Westside Strategic Plan**:

8 1. Policy 1.1 through the high-density and non-residential uses to be located in
9 proposed nodes;

10 2. Policy 1.9 through the location of a Neighborhood Activity Center in the
11 Village Center of Volcano Cliffs;

12 3. Policy 1.16 through the location of the Volcano Cliffs Neighborhood Activity
13 Center on a minor arterial, Universe Boulevard.

14 F. The Volcano Cliffs Sector Development Plan supports the following policies in
15 the **Rank III Northwest Mesa Escarpment Plan** Policies 12, 20, and 21 through the Zoning
16 and General Standards in the Volcano Cliffs SDP, written to avoid visually intrusive
17 development. The proposed trail network and scenic corridors for the Volcano Cliffs area
18 support policy 23.

19 G. The Volcano Cliffs Sector Development Plan supports the Proposed Trails Map
20 on page 22 and the intent of the **Rank II Trails and Bikeways Facility Plan** through the
21 expansion of the trail network in this area.

22 H. The Volcano Cliffs Sector Development Plan supports the **Rank II Facility Plan**
23 **for Electric Service Transmission and Subtransmission Facilities** through the addition of
24 language provided by PNM to address the address utility easements, landscaping, and
25 access to public utility facilities.

26 I. The Volcano Cliffs Sector Development Plan supports the **Rank II City of**
27 **Albuquerque Major Public Open Space Facility Plan** policies B2-G, B2-K, C-3 and Figure
28 4-1 through the policies found in Chapter 3 that address the environment and open space
29 and the design and zoning regulations that ensure appropriate transitions from developed
30 areas to open space.

31 J. The Volcano Cliffs Sector Development Plan supports the **Rank II Facility Plan**
32 **for Arroyos: Multiple Use of Albuquerque's Arroyos and their Floodplains** policies II.B.
33 Drainage 1, II.B. Multiple Use 1, II.C.2, II.C.3, II.D.2, II.F.4 through the proposed

1 treatment for arroyos, the design standards in the plan and the opportunity for trails along
2 arroyos provided in Policy 1 of Chapter 3 and the following eight sub policies.

3 **K. The Volcano Cliffs Sector Development Plan is justified per Resolution 270-**
4 **1980. The proposed zoning is more advantageous to the community because it furthers**
5 **applicable goals and policies in the Comprehensive Plan, the WSSP, and the NWMEP.**
6 **Also, there is a public need for a sector-wide map amendment to ensure an adequate mix of**
7 **residential, commercial, and service uses that encourage and allow residents to live, work,**
8 **shop, and recreate all in close proximity. The proposed zoning is designed to create a**
9 **healthy community that contains a mix of uses, is transit accessible and bicycle friendly,**
10 **and encourages pedestrian activity, which will help decrease the demand on local streets**
11 **and decrease vehicle miles travelled (VMT). Furthermore, this public need is best served**
12 **by rezoning this particular sector in this particular manner as compared with other**
13 **available properties, which do not exist in the amount or configuration necessary to meet**
14 **the public need. The proposed zoning meets R270-1980 criteria as follows:**

15 **1. The zone changes proposed by the Volcano Cliffs SDP are consistent with**
16 **furthering the health, safety, morals and general welfare of the city. The purpose of**
17 **the SDP is to ensure that as the area develops it is development that furthers the**
18 **goals and policies of the Comprehensive Plan and other applicable plans – in this**
19 **case the WSSP and the NWMEP. The plan proposes residential, commercial, office**
20 **and service uses, in a pattern designed to support transit.**

21 **2. The proposed zoning changes will provide the area with stability. Much of**
22 **the Volcano Cliffs SDP is currently zoned RD. RD allows a range of densities and**
23 **uses with no requirement for coordination and/ or planning. The proposed zoning**
24 **for the SDP is designed to reflect the platting, the unique location of the area, and**
25 **the road network and conditions and to bring neighborhood services and retail to**
26 **the Volcano Cliffs area. The proposed zoning is designed to ensure that non-**
27 **residential uses, mixed-use, multifamily residential, townhouses, and single-family**
28 **uses all develop in a pattern and location that are supportive of creating a stable**
29 **built environment.**

30 **3. The proposed Volcano Cliffs SDP supports applicable goals and policies in**
31 **the Comprehensive Plan, Westside Strategic Plan, the Northwest Mesa Escarpment**
32 **Plan, the Trails and Bikeways Facility Plan, the Facility Plan for Electric Service,**
33 **and the Facility Plan for Arroyos as outlined in previous findings 4 - 10.**

1 **4. The existing zoning is inappropriate because:**

2 **a. The U.S. Congress created the Petroglyph National Monument after the**
3 **establishment of the existing zoning. The proposed zoning responds to and**
4 **endeavors to minimize adverse impacts on the Petroglyph National Monument**
5 **while allowing private property to be developed; and**

6 **b. The proposed zoning would be more advantageous to the community**
7 **because it furthers applicable goals and policies in the Comprehensive Plan, the**
8 **WSSP and the NWMEP. The proposed zoning is designed to create a healthy**
9 **community that contains a mix of uses, is transit accessible and bicycle friendly,**
10 **and encourages pedestrian activity.**

11 **5. The proposed zoning does not contain uses that would be harmful to adjacent**
12 **properties, neighbors, or the community. Where residential and commercial**
13 **properties are adjacent, the height of the non-residential zone is required to step**
14 **down. Per the Zone Code, non-residential properties are required to buffer**
15 **residential properties when they meet.**

16 **6. None of the Plan's zone changes require major capital expenditures.**

17 **7. The cost of land is not discussed in the Plan.**

18 **8. The location of mixed-use and higher-density residential zoning is related to**
19 **the vision proposed for the whole Volcano Mesa area.**

20 **9. The proposed zone changes will create spot zones that are justified as follows:**

21 **a. The proposed zoning clearly facilitates realization of the Comprehensive**
22 **Plan, the Westside Strategic Plan, and the Northwest Mesa Escarpment Plan as**
23 **detailed above in the response to R-270-1980, Section 1.C.; and**

24 **b. The proposed zones and their individual, component regulations within**
25 **the plan area and the plan area itself are different from surrounding land. The**
26 **proposed locations of zone boundaries create differences between adjacent lands**
27 **and zones as well as differences between zones within the plan area. The**
28 **proposed zone categories create the opportunity for sustainable growth that**
29 **entails different land uses that help to meet the area's housing, service, and**
30 **employment needs. The proposed zoning categories establish and facilitate**
31 **transitions between adjacent zones within the plan area and where adjacent to**
32 **existing zoning. Even where residential and non-residential zoning abut or are**
33 **adjacent, there are specific requirements for height transitions within the more**

1 intense zone category so as to maximize compatibility with the less intense zone
2 category. There are no other available properties in the area with the acreage or
3 configuration necessary to meet the public need for sustainable and coordinated
4 growth.

5 10. The proposed zone changes will create strip zones that are justified as
6 follows:

7 a. The proposed zoning clearly facilitates realization of the
8 Comprehensive Plan, the West Side Strategic Plan and the Northwest Mesa
9 Escarpment Plan as detailed above in the response to R-270-1980, Section 1.C.;
10 and

11 b. The proposed zoning and their individual, component regulations
12 within the plan area and the plan area itself are different from surrounding
13 land. The proposed locations of zone boundaries create differences between
14 adjacent lands and zones as well as differences between zones within the plan
15 area. The proposed zone categories create the opportunity for sustainable
16 growth that entails different land uses that help to meet the area's housing,
17 service, and employment needs. The proposed zoning categories establish and
18 facilitate transitions between adjacent zones within the plan area and where
19 adjacent to existing zoning. Even where residential and non-residential zoning
20 abut or are adjacent, there are specific requirements for height transitions
21 within the more intense zone category so as to maximize compatibility with the
22 less intense zone category. Furthermore, the location of many of the "strip
23 zones" is in response to traffic potentials on established, but not yet fully
24 developed arterial corridors, such as Paseo del Norte and Unser Boulevard.
25 There are no other available properties in the area with the acreage or
26 configuration necessary to meet the public need for sustainable and coordinated
27 growth.

28 L. The Environmental Planning Commission has reviewed the Volcano Cliffs
29 Sector Development Plan and received presentations and testimony from Planning staff,
30 commenting City departments and other agencies, property owners, interested parties, and
31 the general public at three separate, public hearings on 02 September 2010, 04 November
32 2010, and 03 February 2011.

1 **Section 4. CONDITIONS OF APPROVAL ADOPTED.** The City Council adopts the
2 conditions of approval as recommended by the Environmental Planning Commission
3 attached in Exhibit A.

4 **Section 5. EFFECTIVE DATE.** This resolution shall take effect five days after
5 publication by title and general summary.

6 **Section 6. SEVERABILITY CLAUSE.** If any section, paragraph, sentence, clause,
7 word or phrase of this resolution is for any reason held to be invalid or unenforceable by
8 any court of competent jurisdiction, such decision shall not affect the validity of the
9 remaining provisions of this resolution. The Council hereby declares that it would have
10 passed this resolution and each section, paragraph, sentence, clause, word or phrase
11 thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

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