

# CITY OF ALBUQUERQUE NINETEENTH COUNCIL

COUNCIL BILL NO. C/S R-11-200 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Dan Lewis, by request

1 RESOLUTION  
2 FOR AN AREA OF APPROXIMATELY 2,327 ACRES AND BORDERED GENERALLY  
3 BY THE PETROGLYPH NATIONAL MONUMENT AND CITY OF ALBUQUERQUE  
4 MAJOR PUBLIC OPEN SPACE ON THE EAST, SOUTH AND WEST, AND BY THE  
5 PASEO DEL NORTE/TOWN OF ALAMEDA GRANT LINE ALIGNMENT ON THE  
6 NORTH, ADOPTING THE VOLCANO CLIFFS SECTOR DEVELOPMENT PLAN AS A  
7 RANK 3 PLAN; CHANGING EXISTING ZONING FROM R-1 AND R-D TO SU-2  
8 VOLCANO CLIFFS VILLAGE CENTER, SU-2 VOLCANO CLIFFS MIXED USE, SU-2  
9 VOLCANO CLIFFS URBAN RESIDENTIAL, SU-2 VOLCANO CLIFFS LARGE LOT,  
10 AND SU-2 VOLCANO CLIFFS RURAL RESIDENTIAL.

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

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

19 WHEREAS, the Environmental Planning Commission found approval of the  
20 Volcano Cliffs Sector Development Plan consistent with applicable goals and  
21 policies of the Albuquerque / Bernalillo County Comprehensive Plan, the  
22 Westside Strategic Plan, the Trails and Bikeways Facility Plan, the Facility Plan  
23 for Electric Service Transmission and Subtransmission Facilities, the City of  
24 Albuquerque Major Public Open Space Facility Plan, the Facility Plan for Arroyos,  
25 the Northwest Mesa Escarpment Plan, and the Comprehensive City Zoning Code  
26 and R-270-1980.

1 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**  
2 **ALBUQUERQUE:**

3 **Section 1. The City Council adopts the following findings:**

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

8 **B. The Volcano Cliffs area currently contains land that is zoned R-1, R-D,**  
9 **RO-20, A-1 County, SU-1 for Major Public Open Space, and the VCSDP proposes**  
10 **five new zone categories – SU-2 Volcano Cliffs Village Center, SU-2 Volcano Cliffs**  
11 **Neighborhood Mixed Use, SU-2 Volcano Cliffs Urban Residential, SU-2 Volcano**  
12 **Cliffs Large Lot, and SU-2 Volcano Cliffs Rural Residential – as well as General**  
13 **Standards and General Regulations that apply to all properties within the VCSDP**  
14 **boundary.**

15 **C. The VCSDP supports the following goals and policies in the Rank 1**  
16 **Albuquerque/Bernalillo County Comprehensive Plan:**

17 **1. Policies II.B.5.c, d, f, i, k, m, n: through the proposed Neighborhood**  
18 **Activity Center for the Village Center, the mix of uses proposed in order to**  
19 **provide neighborhood services and retail in specific locations in the**  
20 **Volcano Cliffs area, the lower densities and encouraging of cluster**  
21 **development in the SU-2 Volcano Cliffs Rural Residential zone, the**  
22 **proposed treatment for the arroyos, and zoning regulations and standards**  
23 **for height, color, and reflectivity that ensure development will not be**  
24 **visually intrusive;**

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

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

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

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

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

7           **D. The VCSDP supports the following policies in the Rank 2 Westside**  
8 **Strategic Plan (WSSP):**

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

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

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

15           **4. Policy 3.96 through the establishment of new zoning that will create**  
16 **mixed-use neighborhoods and allow higher-density residential**  
17 **development that can both support and be served by transit;**

18           **5. Policy 3.97 through the establishment of a Neighborhood Activity**  
19 **Center in the Village Center of Volcano Cliffs that will provide daily**  
20 **services, convenience goods and personal services to adjacent residential**  
21 **areas;**

22           **6. Policy 3.99 through policies that conserve arroyo corridors,**  
23 **recommend acquisition of land suitable for Major Public Open Space as**  
24 **funding becomes available, reduce the impacts of development by**  
25 **encouraging single-loaded streets along the edges of Major Public Open**  
26 **Space and Petroglyph National Monument, providing options for**  
27 **Conservation Development and limiting building heights and setbacks**  
28 **adjacent to the Escarpment face;**

29           **7. Policy 3.100 through regulations on building color and reflectivity,**  
30 **heights and setbacks;**

31           **8. Policy 3.101 through regulations limiting fill;**

32           **9. Policy 3.103 by requiring mitigation of rainwater run-off from**  
33 **development into Major Public Open Space or Petroglyph National**

1 Monument, encouraging preservation or development of trail networks in  
2 arroyo corridors and Major Public Open Space, and establishing setback  
3 requirements near the edges of Major Public Open Space and Petroglyph  
4 National Monument to protect natural and archaeological features;

5 10. Policy 3.104 by requiring that development, trails and recreation  
6 areas be set back by at least 50 feet from prehistoric petroglyphs or other  
7 significant archaeological sites as defined by the Albuquerque  
8 Archaeological Ordinance;

9 11. Policy 3.105 by setting rural densities in the western half of the plan  
10 area and encouraging the clustering of homes, by requiring the  
11 preservation of natural arroyo corridors, and by requiring that future  
12 platting of new streets aim to increase scenic corridors, which are defined  
13 in the plan as single-loaded streets abutting open space lands such as the  
14 Petroglyph National Monument or an arroyo.

15 12. Policy 3.106 by requiring that development, trails and recreation  
16 areas be set back by at least 50 feet from prehistoric petroglyphs or other  
17 significant archaeological sites, unless designed under the guidance of a  
18 qualified archeologist, per the city's Archaeological Ordinance;

19 13. Policy 3.110 by proposing access points, both fully signaled and  
20 right-in/right-out intersections, from neighborhood areas to Paseo del  
21 Norte and Unser Blvd.;

22 14. Policy 3.111 by promoting land-use, density and development  
23 patterns that concentrate mixed-use and make frequent transit service  
24 viable, by proposing access points to Paseo del Norte and Unser Blvd. that  
25 facilitate access for transit, by reducing parking requirements for  
26 development near transit stops, and by including proposed routes for Bus  
27 Rapid Transit and permitting the designation of dedicated transit lanes on  
28 major streets (dependent on future transit route design).

29 15. Policy 3.112 by including bicycle lanes in Street Cross Sections;

30 16. Policy 3.113 by supporting the development of recreational trails  
31 along arroyo corridors;

32 17. Policy 4.6 by establishing minimum setbacks and maximum heights  
33 for properties closest to the Escarpment, through regulations on building

1 color and reflectivity, by setting rural densities in the western half of the  
2 plan area and encouraging the clustering of homes, by requiring the  
3 preservation of natural arroyo corridors, and by requiring that future  
4 platting of new streets aim to increase scenic corridors, which are defined  
5 in the plan as single-loaded streets abutting open space lands such as the  
6 Petroglyph National Monument or an Arroyo, by specifying the use of  
7 Native Plants in conservation easements, by setting design standards for  
8 commercial signage, by requiring that antennas and other mechanical  
9 equipment not be visible from the street or public open space, and by  
10 specifying coyote, post and wire or view fencing on properties located  
11 adjacent to the Petroglyph National Monument or Major Public Open Space.

12 18. Policy 4.6a by providing an interconnected street network, by  
13 proposing access points to Paseo del Norte and Unser Blvd. from key  
14 streets in Volcano Cliffs, and by including dedicated transit lanes in Street  
15 Cross Sections to ensure multimodal design;

16 19. Policy 4.6b by providing an interconnected street network that  
17 reduces traffic volumes on collector streets and arterials, allowing fewer  
18 travel lanes and a more intimate, pedestrian-supportive environment, by  
19 recommending pedestrian-activated signalized crosswalks and pedestrian  
20 refuges, by recommending the installation of visual and physical features  
21 to slow traffic at crosswalks, such as signage, lighting, special pavers or  
22 speed tables that require vehicles to ramp up to the same level as  
23 sidewalks, signaling that pedestrians take precedence, by requiring that  
24 above grade obstructions, such as utility boxes or street furniture, be  
25 placed so as to maintain continuous and uninterrupted pedestrian routes,  
26 and by allowing on-street parking in areas of high activity, buffering  
27 pedestrians from travel lanes;

28 20. Policy 4.6c by prohibiting gated or walled developments in any part  
29 of the Volcano Cliffs Sector Development Plan area, and by strongly  
30 discouraging cul-de-sacs or dead-end streets, and,

31 21. Policy 4.6g by concentrating commercial and mixed-use  
32 development near proposed transit routes, by proposing access points to

1 Paseo del Norte and Unser Blvd. that facilitate access for transit, by  
2 reducing parking requirements for development near transit stops.

3 E. The VCSDP supports the Proposed Trails Map on page 22 and the intent  
4 of the Rank 2 Trails and Bikeways Facility Plan through the expansion of the trail  
5 network in this area.

6 F. The VCSDP supports the Rank 2 Facility Plan for Electric Service  
7 Transmission and Subtransmission Facilities through the addition of language  
8 provided by PNM to address the address utility easements, landscaping, and  
9 access to public utility facilities.

10 G. The VCSDP supports the Rank 2 City of Albuquerque Major Public Open  
11 Space Facility Plan policies B2-G, B2-K, C-3 and Figure 4-1 through the policies  
12 found in Chapter 2 that address the environment and open space and the design  
13 and zoning regulations found in Chapters 4 and 5 that ensure appropriate  
14 transitions from developed areas to open space.

15 H. The VCSDP supports the Rank 2 Facility Plan for Arroyos: Multiple Use  
16 of Albuquerque's Arroyos and their Floodplains policies II.B. Drainage 1, II.B.  
17 Multiple Use 1, II.E.1, II.E.2, II.E.3, II.E.4, and II.F.4 through the proposed treatment  
18 for arroyos, the design standards in the plan and the opportunity for trails along  
19 arroyos provided in Policy 1 and sub-policies 1.1-1.8 of Chapter 2.

20 I. The VCSDP supports the following policies in the Rank 3 Northwest  
21 Mesa Escarpment Plan (NWMEP): Policies 12, 20, and 21 through the Zoning and  
22 General Standards, written to restrict heights and avoid visually intrusive  
23 development; Policy 23 through the proposed trail network and scenic corridors  
24 for the Volcano Cliffs area.

25 J. The VCSDP is justified per Resolution 270-1980. The proposed zoning is  
26 more advantageous to the community because it furthers applicable goals and  
27 policies in the Comprehensive Plan, the WSSP, and the NWMEP. Also, there is a  
28 public need for a sector-wide map amendment to ensure an adequate mix of  
29 residential, commercial, and service uses that encourage and allow residents to  
30 live, work, shop, and recreate all in close proximity. The proposed zoning is  
31 designed to create a healthy community that contains a mix of uses, is transit  
32 accessible and bicycle friendly, and encourages pedestrian activity, which will  
33 help decrease the demand on local streets and decrease vehicle miles traveled

1 (VMT). Furthermore, this public need is best served by rezoning this particular  
2 sector in this particular manner as compared with other available properties,  
3 which do not exist in the amount or configuration necessary to meet the public  
4 need. The proposed zoning meets R-270-1980 criteria as follows:

5 (A) The zone changes proposed by the VCSDP are consistent with  
6 furthering the health, safety, morals and general welfare of the city. The  
7 purpose of the SDP is to ensure that as the area develops it is development  
8 that furthers the goals and policies of the Comprehensive Plan and other  
9 applicable plans – in this case the WSSP and the NWMEP. The plan  
10 proposes residential, commercial, office and service uses, in a pattern  
11 designed to support transit.

12 (B) The proposed zoning changes will provide the area with stability.  
13 Much of the VCSDP is currently zoned RD. RD allows a range of densities  
14 and limited uses with no requirement for coordination and/or planning.  
15 The proposed zoning for the VCSDP is designed to reflect the platting, the  
16 unique location of the area, and the road network and conditions and to  
17 bring neighborhood services and retail to the Volcano Cliffs area. The  
18 proposed zoning is designed to ensure that non-residential uses, mixed-  
19 use, multifamily residential, townhouses, and single-family uses all develop  
20 in a pattern and location that are supportive of creating a stable built  
21 environment.

22 (C) The proposed VCSDP supports applicable goals and policies in the  
23 Comprehensive Plan, Westside Strategic Plan, the Trails and Bikeways  
24 Facility Plan, the Facility Plan for Electric Service, the Facility Plan for  
25 Arroyos, and the Northwest Mesa Escarpment Plan as outlined in previous  
26 findings C through I.

27 (D) The existing zoning is inappropriate because:

28 a. The U.S. Congress created the Petroglyph National Monument  
29 after the establishment of the existing zoning. The proposed zoning  
30 responds to and endeavors to minimize adverse impacts on the  
31 Petroglyph National Monument while allowing private property to be  
32 developed; and

1           **b. The proposed zoning would be more advantageous to the**  
2 **community because it furthers applicable goals and policies in the**  
3 **Comprehensive Plan, the WSSP, the Trails and Bikeways Facility Plan,**  
4 **the Facility Plan for Electric Service, the Facility Plan for Arroyos, and**  
5 **the NWMEP as articulated in findings C through I above. Specifically:**

6           **i. SU-2 Volcano Cliffs Village Center (SU-2 VCVC): This zone**  
7 **category replaces existing R-1 zoning for approximately 40 acres of**  
8 **land located in the center of the Plan area at the intersection of**  
9 **Universe Blvd. and Rosa Parks Drive. The Rank 2 WSSP contains a**  
10 **policy calling for the establishment of a Neighborhood Activity**  
11 **Center at this location in order to provide opportunities to develop**  
12 **neighborhood-serving commercial uses. The existing R-1 zoning**  
13 **does not provide this opportunity, which is why a zone change is**  
14 **needed. The SU-2 VCVC zone contains both higher-density**  
15 **residential and neighborhood- and community-serving commercial**  
16 **uses as permitted uses in order to help achieve a balance of uses**  
17 **within a transit-supportive environment. Based on the existing**  
18 **platting of the area, the Village Center zone is proposed to be**  
19 **located, primarily, on the only tract of land sufficiently large**  
20 **enough and located far enough away from the sensitive**  
21 **Escarpment Face to have the potential to develop into a true**  
22 **Neighborhood Activity Center. There are no other comparable**  
23 **locations.**

24           **ii. SU-2 Volcano Cliffs Mixed Use (SU-2 VCMX): This zone**  
25 **category replaces existing R-1 zoning in three specific areas within**  
26 **the VCSDP's boundaries: 1) along Paseo del Norte in the northeast**  
27 **corner of the Plan area to provide opportunities for neighborhood-**  
28 **serving commercial development to serve residential areas in the**  
29 **eastern portion of the Plan area, 2) along the east side of the**  
30 **Neighborhood Activity Center as a transition zone between the**  
31 **higher-intensity Village Center zone to the west and the Large Lot**  
32 **(single-family) zone to the east, and 3) along Rainbow Boulevard**  
33 **north of the Boca Negra Dam to provide opportunities for**



1 neighborhood-serving commercial development to serve  
2 residential areas in the western-most portion of the Plan area as  
3 well as residential areas to the north and south that are currently  
4 under-served by commercial development. This zone is being used  
5 at these locations because of specific needs related to these  
6 locations.

7 iii. **SU-2 Volcano Cliffs Urban Residential (SU-2 VCUR):** This zone  
8 category replaces existing R-1 zoning in two specific areas within  
9 the VCSDP's boundaries: 1) in the northeast corner of the Plan area  
10 both to serve as a transition zone between the higher-intensity  
11 Mixed-Use zone and lower-intensity Large Lot (single-family) zone  
12 and to provide higher-density residential development  
13 opportunities to support nearby mixed-use development and transit  
14 service, and 2) along the west and south sides of the Neighborhood  
15 Activity Center to provide higher-density residential development  
16 opportunities to support the adjacent Village Center and Mixed-Use  
17 zones and transit service for the area. The benefit of using this  
18 zone at these locations is specific to the needs at each of these  
19 locations.

20 iv. **SU-2 Volcano Cliffs Large Lot (SU-2 VCLL):** This zone category  
21 replaces existing R-1 zoning for all lots in the eastern portion of the  
22 Plan area that are not being rezoned to SU-2 VCVC, SU-2 VCMX, or  
23 SU-2 VCUR, as well as lots on the west side of Rainbow Blvd.  
24 (Atrisco Dr.) up to where the Rural Residential zone begins. This  
25 zone category generally corresponds to the R-1 zone with certain  
26 additions and exceptions. The most notable difference is that the  
27 SU-2 VCLL zone limits density to 5 dwelling units per acre where R-  
28 1 typically allows 7-8 dwelling units per acre; the reason for this is  
29 to reflect and respect the existing platting of the area, which  
30 contains larger lot sizes than typically found in R-1 areas.

31 v. **SU-2 Volcano Cliffs Rural Residential (SU-2 VCRR):** This zone  
32 category replaces existing R-1 and R-D zoning for lots in the  
33 westernmost portion of the Plan area closest to Major Public Open

1                   **Space and the Petroglyph National Monument. Densities in this**  
2                   **part of the Plan area are restricted more than anywhere else**  
3                   **because of the need to step down development intensities in such**  
4                   **a geologically, archaeologically, and culturally sensitive area of the**  
5                   **city. The limit of one (1) dwelling unit per acre is appropriate for**  
6                   **the area and consistent with the overall gross density limit of the**  
7                   **Developing and Established Urban Areas section of the**  
8                   **Comprehensive Plan; the ability to achieve up to three (3) dwelling**  
9                   **units per acre through cluster development in this zone is also**  
10                  **consistent with and furthers the goals and policies of the**  
11                  **Comprehensive Plan.**

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

17                  **(F) None of the Plan’s zone changes require major capital expenditures.**

18                  **(G) The cost of land is not discussed in the Plan.**

19                  **(H) The decision of where to locate commercial, mixed-use and higher-**  
20                  **density residential zoning is related to the vision proposed for the whole**  
21                  **Volcano Mesa area and is not based solely on location on a collector or**  
22                  **major street.**

23                  **(I) To the extent to which any of the proposed SU-2 zones are found to**  
24                  **be spot zones, they are justified as follows:**

25                         **a. The proposed zoning clearly facilitates realization of the**  
26                         **Comprehensive Plan, the Westside Strategic Plan, the Trails and**  
27                         **Bikeways Facility Plan, the Facility Plan for Electric Service, the Facility**  
28                         **Plan for Arroyos, and the Northwest Mesa Escarpment Plan as detailed**  
29                         **above in the response to R-270-1980, Section 1.C.; and**

30                         **b. The proposed zones and their individual, component regulations**  
31                         **within the plan area and the plan area itself are different from**  
32                         **surrounding land. The proposed locations of zone boundaries create**  
33                         **differences between adjacent lands and zones as well as differences**

1 between zones within the plan area. The proposed zone categories  
2 create the opportunity for sustainable growth that entails different land  
3 uses that help to meet the area’s housing, service, and employment  
4 needs. The proposed zoning categories establish and facilitate  
5 transitions between adjacent zones within the plan area and where  
6 adjacent to existing zoning. Even where residential and non-residential  
7 zoning abut or are adjacent, there are specific requirements for height  
8 transitions within the more intense zone category so as to maximize  
9 compatibility with the less intense zone category. There are no other  
10 available properties in the area with the acreage or configuration  
11 necessary to meet the public need for sustainable and coordinated  
12 growth.

13 (J) To the extent to which any of the proposed SU-2 zones are found to  
14 be strip zones, they are justified as follows:

15 a. The proposed zoning clearly facilitates realization of the  
16 Comprehensive Plan, the West Side Strategic Plan, the Trails and  
17 Bikeways Facility Plan, the Facility Plan for Electric Service, the Facility  
18 Plan for Arroyos, and the NWMEP as detailed above in the response to  
19 R-270-1980, Section 1.C.; and

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

33 Furthermore, the location of many of the “strip zones” is in response to

1 traffic potentials on established, but not yet fully developed arterial  
2 corridors, such as Paseo del Norte and Unser Boulevard. There are no  
3 other available properties in the area with the acreage or configuration  
4 necessary to meet the public need for sustainable and coordinated  
5 growth.

6 K. The Environmental Planning Commission reviewed the Volcano Cliffs  
7 Sector Development Plan and received presentations and testimony from  
8 Planning staff, commenting City departments and other agencies, property  
9 owners, interested parties, and the general public at three separate, public  
10 hearings on 02 September 2010, 04 November 2010, and 03 February 2011, and  
11 forwarded a recommendation of Approval of the VCSDP to the City Council at its  
12 03 February 2011 hearing.

13 Section 2. The Volcano Cliffs Sector Development Plan, attached hereto and  
14 made a part hereof, is adopted as a Rank 3 Plan with land use control pursuant to  
15 the Comprehensive City Zoning Code and as a regulatory guide to the  
16 implementation of the Rank 1 Albuquerque / Bernalillo County Comprehensive  
17 Plan and applicable Rank 2 plans as cited above.

18 Section 3. All development activities within the Volcano Cliffs area shall be  
19 guided and regulated by the provisions of the Volcano Cliffs Sector Development  
20 Plan.

21 Section 4. The Zone Map, adopted by Article 14-16-4-9 ROA 1994, is hereby  
22 amended to reflect the rezoning in the map contained in Chapter 4 of the  
23 attachment.

24 Section 5. The Volcano Mesa area's road network affects more than just the  
25 Volcano Cliffs sub-area, and as detailed analysis of and designs for the network  
26 are further revised and refined via other and/or additional planning processes, the  
27 Volcano Cliffs Sector Development Plan's (VCSDP) transportation regulations  
28 shall, too, need to be revised. Therefore, Exhibit 5 and Cross Sections 1-11,  
29 contained in Chapter 3 – Transportation Regulations of the attached VCSDP, shall  
30 be considered enforceable until such time that they may be replaced by updated  
31 maps and cross sections contained and adopted in other plans affecting the  
32 same Volcano Mesa area. As the information contained in Exhibit 5 and Cross  
33 Sections 1-11 is part of an interrelated, interconnected system, and where it

1 changes in one part of the system, so must it change in all affected parts, it shall  
2 not be necessary to amend the specified sections of the VCSDP through a  
3 separate process per § 14-16-4-3 in order to adopt and enforce the referenced  
4 updates so long as those updates are contained in a plan of similar rank (Rank 3)  
5 that has been adopted and/or amended through the process set forth in § 14-16-4-  
6 3.

7 Section 6. EFFECTIVE DATE. This resolution shall take effect five days  
8 after publication by title and general summary.

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

16  
17  
18  
19  
20