### 6. Permitted & Limited Uses

Specified uses respond to a variety of considerations that include:

- Target and foster adequate market support for neighborhood serving businesses located in Village Centers;
- Attract regional destinations and employment to the Town Center;
- Encourage local amenities while recognizing limited market support for some uses in Neighborhood Mixed Use areas;
- Maintain a scale for development that promotes walking in the Town and Village Centers;
- Minimize nuisances in residential areas posed by some activities;
- Promote a healthful and vital school environment; and,
- Allow a range of lot sizes and housing types (while maintaining the density averages noted above).

Table 10 Permitted and Limited Uses

Key: P = Permitted Uses; L=Limited Uses (Limited based on requirements in table footnotes); R = Review Required; x = Not Permitted

Use	Town	Village	Neighbor-	Office	Urban	Suburb. Resid.		Exec.	Rural
	Center	Center	hood Mixed Use		Resid.	Small Lot	Large Lot	Resid.	Resid.
RETAIL - ENTERTAINMENT									
Amusements incl. billiard halls, game arcades, and carousels, but excl. driving ranges, miniature golf courses, go-cart tracks, & other landintensive amusements.	I. (1, 2)	1. R (VCVC only; 1, 2, 3)	x	X	х	X	х	х	Х
Banquet halls, and exhibit/convention halls.	I. (1, 2)	L.R (1, 2, 3)	x	X.	x	х	x	x	х
Bars, pubs, dance balls, discotheques, cocktail lounges.	I. (1, 2)	L (1, 2, 3)	L (1, 2, 7)	x	X	Х	х	Х	X
Cinemas, theatres, & auditoria, except sports halls.	L (1, 2)	L. (1, 2, 3)	Х	х	х	Х	X	х	х
Financial, insurance, & real estate services, incl. banks & offices, drive- up banks	P	L (3)	L (4)	P	Х	х	х	х	Х
Food stores, incl. supermarkets, convenience markets, meat and fish stores, produce stores, bakeries, drugstores and health food.	[?	I. <i>(3)</i>	I. (7)	x	х	X	х	Х	X
Health clubs, swim clubs, tennis clubs and gymnasia.	Р	L (3)	X	þ	Х	X	х	х	х
Lodging, incl. hotels, spas, exec. suites, & bed & breakfasts.	P	L. (3–VCVC only; 4)	L. (4)	х	х	х	х	х	X
Personal services, including dry cleaners, laundries, hair stylists, photo developing, & shoc repairs, drive-up phatmacies.	P	I. (4)	L. (7)	I. (4)	x	х	x	x	X
Restaurants and other "sit-down" cating establishments.	P	I. (3-VCVC only; 4)	L (7)	L (4)	х	X	x	х	х
Retail merchandise, incl. variety stores, garden supplies, home furnishings, household electronics & appliances.	þ	1. <i>(3)</i>	L (7)	х	х	х	X.	х	Х
Retail trades incl. florists, magazines, camera, gifts, pet sales & supplies, books, stationary, art & hobby, antiques, stamps & coins. jewelry, and similar trades.	Р	I. (3)	I. (7)	I. (4)	х	х	х	x	х
Drive-up Food Establishments	х	X.	x	x	Х.	х	х	х	X

Office Uses	Town	Village	Neighbor-	Office	Urban	Suburb. Resid.		Exec.	Rural
	Center	Center	hood Mixed Use		Resid.	Small Lot	Large Lot	Resid.	Est.
Health care facilities, including hospitals and laboratories, medical offices & clinics.	L. (6)	L (6, 3)	х	þ	х	x	х	х	х
Large office buildings, with building footprints exceeding 10,000 sq. ft.	P	х	х	P	х	х	х	Х	х
Office uses, including corporate, law, engineering, design, real estate, etc.	þ	L (3)	L (4)	P	Х	X	х	х	Х
Research & Development, incl. light industrial activities combined with office, administrative, or research facilities.	L (6)	Х	Х	Р	Х	х	Х	х	х

Residential Uses	Town	Village	Neighbor-	Office	Urban	Suburb	. Resid.		
	Center	Center	hood Mixed Use		Resid.	Small Lot	Large Lot	Resid.	Est.
Large apartment & con dominium buildings, with building footprints exceeding 4,000 sq. ft.	þ	PR	X	х	Ь	х	х	х	х
Small apartment & condominium buildings, with building footprints 4,000 sq. ft. or less	Р	Р	Р	х	Р	Х	х	Х	х
Townhouses (single-family attached, street or courtyard facing).	P	P	Р	Х.	Þ	х	x	х	х
Detached Single-Family—Small Lot 6,500 sq. ft. or less	x	х	х	Х	Р	Р	х	X.	х
Detached Single-Family – Large Lot 11,000 sq. ft. to ½ acre	х	х	X	Х	х	X	L (8)	Х	Х
Detached Single-Family– Exec. Res. 43,000 sq. ft. or greater	х	х	х	х	х	Х	х	L (5)	Х
Detached Single-Family – Rural Res 87,000 sq. ft. or greater	x	x	х	х	x	х	х	х	I. (5)
Walled and Gated Communities	х	X	Х	х	х	х	Х	х	Х

Civic Uses	Town	Village	Neighbor-	Office	Urban Resid.	Suburb	. Resid.	Exec. Resid.	Rural
	Center	Center	hood Mixed Use			Small Lot	Large Lot		Est.
Cultural facilities, incl. libraries, art galleries, and museums.	Р	Р	L. (7)	х	x	х	х	Х	Х
Churches and other religious places of worship.	Р	I,	b	P	Р	Р	Р	Р	Р
Community services, incl. community centers, daycare, senior, teen & rec., centers; police, fire, & private schools.	P	Р	L (7)	х	х	Х	х	х	х
Public Schools (applies to locations other than those designated in the Land Use Plan)	x	X	х	х	х	x	þ	х	х
Parks or Plazas (public or private)	Р	P	Þ	Р	Р	P	Р	P	Р

Public Utility Structure	Town	Village	Neighborho	o Office Urban Suburb. Resid.		. Resid.	Exec.	Rural	
	Center	Center	od Mixed Use		Resid.	Small Lot	Large Lot	Resid.	Est.
	L	L	L	L	L	L	L	L	L
	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)

Note: VCVC - Volcano Cliffs Village Center

- (1) Use shall be at least 100 feet from residential use and mitigate exterior noise level to less than 60 dB.
- (2) Use shall be at least 200 feet from school.
- (3) In Village Centers, to distribute desirable uses among multiple Village Centers and to maintain their neighborhood scale: food stores shall not exceed 80,000 square feet in the Volcano Cliffs Village Center and 50,000 square feet other Village Centers; and other facilities including retail stores shall not exceed 25,000 square feet per store or facility.
- (4) Business or facility shall not exceed 10,000 square feet and be incidental to surrounding uses.
- (5) Lot size range for Conservation Lotting (see below).
- (6) Uses serving and accessible to the public shall occupy at least 50% of the street-facing building frontage
- (7) Business or facility shall not exceed 2,000 square feet and be incidental to surrounding uses.
- (8) Development Envelope Clustering Required
- (9) Provided its location is in accordance with an adopted Rank II Facility Plan and a site development plan for building permit has been approved by the Planning Commission

# 7. RURAL RESIDENTIAL— PRIVATE COMMONS DEVELOPMENT

A "Private Commons Development (PCD)" is a permitted use in the SU-2 Rural Residential Zone in order to achieve a greater amount of private open space, private commons, clustering of homes, and smaller Building Envelopes.

A Private Commons Development may be established on a lot 4 acres or more in size within the Rural Residential Zone. The use is limited to single family residential with no accessory unit. The Public Trail / Linear Park Dedication shall be 3%. The private open space in the Conservation Easement shall be 65% of parcel size after the Trail / Linear Park Dedication. The Minimum Lot Size / Development Envelope shall be no larger than 15,000 sq. ft. and no smaller than 14,000 sq. ft. with 50% maximum impermeable surface.

Building Envelopes shall be clustered on two sides if possible. The area outside the Development Envelopes is the Conservation Easement, as provided in "6. Conservation Development and Development Envelopes" in "IV Urban Design" section, and shall be a private commons and shall not be fenced internally except at the periphery of the parcel. The maximum building heights, setbacks, architectural design standards, placement of mechanical units, grading and drainage plan, landscape design standards, parking, lighting, design of walls and fences, and other design standards shall be as provided for the Rural Residential Zone in this Sector Plan.

A PCD is created through a Site Development Plan utilizing the approval process provided in Section 14-16-2-22 ROA 1994 SU-1 Special Use Zone and specifically for Planned Residential Development (PRD).

#### 8. UTILITY EASEMENTS AND FACILITIES

The adopted Rank II Facility Plan Electric Service Transmission and Subtransmission Facilities 1995-2005 (as amended 2000) sets standards for locations and design of electric facilities. These standards are referenced for location of future electric facilities (EFP).

In Suburban Residential–Large Lot, Rural Residential and Executive Residential zones, 10 foot utility easements for electric, gas, telephone and cable shall be dedicated in street-facing setbacks behind the curb on private property. In other zones, 10 foot utility easements shall be dedicated in alleys. Easements in parkways and open space areas will be used where practical and street easements will be used when the above referenced corridors are not feasible or practical.

**Exhibit 2,** *Built or Approved Projects* and **Exhibit 25,** *Land Use Plan* show the locations of utility easements in the Plan Area. PNM has a 115kV electric transmission line along Universe Blvd and plans a new substation on the west side of Universe adjacent to the Vista Vieja subdivision to support growth in the area through electric feeder lines from the substation. The existing 115kV major transmission line on Universe can serve future development within an approximately three-mile radius with additional substations.

# 9. Areas Previously Omitted from the Volcano Heights Development Moratorium

These are the locations as identified in Bill No. R-06-44, Enactment No. R-2006-025 where development approvals had been received and relied upon to such an extent that the Planning Director determines that a right has been created to a particular development element.

In specific instances below, the regulatory provisions of this subsection shall apply to these areas that have not received Final Plat approval by the City of Albuquerque. Areas that have received Final Plat approval are exempt from the *Volcano Heights Sector Development Plan*.

**A.** La Cuentista. For the portions of La Cuentista outside of the area with Final Plat Approval, the owners / developers have agreed to accept the zoning contained in the *Volcano Heights Sector Development Plan*.

#### B. Vista Vieja—Tracts with Approved Preliminary Plats.

Given the advanced states of projects with approved preliminary plats, only the requirements of this subsection affect the Vista Vieja subdivision. No other portions of the *Volcano Heights Sector Development Plan* can be imposed on the property owners of these parcels.

- In Phase 3 of the Vista Vieja subdivision, all 45 foot frontage lots shall have no front garages.
- In Phase 3, no less than 10% of the 50 foot and 60 foot frontage lots shall have a maximum of one car garage visible on front façade.

- Within Vista Vieja Phases 1-3, on the 50 foot and 60 foot frontage lots, there shall be no required sideyard setback for any side-facing garage.
- In Phase 4, on the 70 foot lots, a minimum of 80% of the lots shall have no more than 2 car garages visible from the street.
- In Phases 3 & 4, the Planning Director shall review the wall and landscaping treatment of the north and west edges of the Vista Vieja subdivision for conformance with the approved Vista Vieja Preliminary Plat (wall) and Site Development Plan for Subdivision (Conceptual Landscape Plan) as approved by the Development Review Board. Additionally, in Phases 3 & 4, the exterior wall of the subdivision shall be the approved style with wrought iron panels as indicated on the approved Vista Vieja Preliminary Plat. There shall be at least one pedestrian / bicycle gate on each of the north and west edge subdivision perimeter walls which would provide for connection to the open space, bicycle trails, and multi-use trails systems proposed in the Volcano Heights Plan, which access points either are indicated or will be indicated on the approved Vista Vieja Site Development Plan for Subdivision.

#### C. The Trails.

The following *Volcano Heights Sector Development Plan* regulations shall apply to all Tracts within the Trails properties.

- The design provisions of the Volcano Heights Sector Development Plan as contained in the "Grading" subsection of "4. Landscape Design Standards" of section "V. Architectural and Landscape Design" of the Plan shall apply except in situations where the City Engineer and the City Planning Director determine that infrastructure properly approved by the City (design and construction) make the design provisions contained in the "Grading" subsection impractical. In these situations, the City Engineer and Planning Director shall negotiate with agents of The Trails to achieve the intent of the Volcano Heights Plan to the extent practical. This approach applies to only some parts of Units 3 and 4 that are materially impacted by drainage improvements such that they only can be changed at great cost. In Units 3 and 4, waivers from the "Grading" subsection requirements should be provided only in a limited way. Where the natural vegetation has been disturbed in the development process, property must be revegetated according to the design standards in the Plan. Areas within Conservation Easements must be revegetated with plants contained in "Native Plant List A".
- Unit 3-Tract 2 shall be zoned Village Center.
- Unit 2-Tract 3 shall be zoned Neighborhood Mixed Use.
- Unit 2-Tract 2, Unit 2-Tract 5, Unit 3-Tract 4, Unit 3-Tract 1, and Unit 3-Tract 3 shall be zoned Urban Residential.
- Unit 2-Tract 1, Unit 2-Tract 7, Unit 2-Tract 10, Unit 2-Tract 9 (except for the eastern 150'), Unit 3-Tract 3, Unit 3-Tract 6 shall be zoned Suburban Residential—Small Lot.

- In all Suburban Residential—Small Lot zoned parcels in Units 1 and 2, garages may be either off alleys or accessed via a side drive where one of the garage sides abuts the back yard setback or is attached to the back of the house. For Suburban Residential—Small Lot zoned parcels in Units 1 and 2, lots may have a zero foot (0') side yard set-back on one side.
- Unit 2-Tract 4 shall be exempt from the Volcano Heights Sector Development
  Plan except that approximately every third house shall be access via a side
  drive where one of the garage sides abuts the back yard setback or is attached
  to the back of the house.
- A 30 foot dedicated and landscaped trail and open space area, measured from the curb, shall be provided along the west side of Universe within Unit 2-Tract 5. Unit 2-Tract 7, and Unit 2-Tract 8.
- Unit 2-Tract 9 shall be zoned Suburban Residential—Small Lot. The backs of the parcels facing the High School site shall use the perimeter wall design approved by the City.
- Unit 2-Tract 8, shall be zoned Suburban Residential—Large Lot. The backs
  of houses shall not face the City Open Space to the immediate south as
  shown in the Sector Plan. In addition, on lots to the north of the City Open
  Space, walls facing the open space shall be view walls.
- Unit 2-Tract 11, Unit 3-Tract 7, and Unit 3-Tract 8 shall be zoned Suburban Residential—Large Lot.
- The OS-4 park in the open space area may be amended so as to accommodate a 3 acre park area without decreasing the amount of open space dedicated.
- Street C, now on the south boundary of Unit 2-Tract 11, shall be moved to the proposed City Open Space area and connect from Rainbow to the middle school site. Street C shall be removed to the west of this point.
- The ultimate location of Street D may be changed based on the size and location of park / school site in Unit 2-Tract 12 and Unit 3-Tract 6.
- A new street connection shall be shown from Woodmont to the North Geologic Window adjacent to the open space shown in the land use plan.

#### 10. ILLUSTRATIVE PLANS FOR ACTIVITY CENTERS

#### Illustrative Plans

Illustrative Plans depict ways that mixed-use Town Center and Village Centers can be created by taking advantage of specific conditions and features unique to each setting. They explore important design relationships for each of the major mixed-use centers within the Plan Area. Important considerations include:

- allowable arterial intersection spacing;
- available existing street rights-of-way;
- street and trail network connectivity standards;
- permitted land uses;
- property ownership patterns;
- open space dedication and acquisition priorities;
- potential retail access and visibility;
- Bus Rapid Transit routing and station spacing;
- taking advantage of view-lines to the volcanoes and Sandia Mountains; and
- using buildings to frame streets and open spaces to encourage urban vitality and a sense of place.

### Urban Form Diagrams

Essential urban form attributes are depicted in the Illustrative Plans for each Center.

**Street Network.** Each Diagram shows a network of major streets, which will distribute traffic adequately. Each Diagram recognizes arterial intersection spacing needs and takes advantage of existing rights-of-way where available. Street alignments may be altered, but must conform to network and block size standards in "II. Transportation".

**Required Storefronts.** The Diagram also shows locations where buildings must be built within 5 feet of the public sidewalk, and where storefronts are strongly encouraged. Defined in "IV. Urban Design", storefronts include retail shops as well as other active ground-floor uses. The "Build-to" locations offer good access and visibility from major roads—a prerequisite for most retail.

Village Greens & Town Squares. Small urban parks should be created near the center of Villages and the Town Center. The Diagrams suggest the location of small urban parks. These locations acknowledge likely street alignments. Land dedication requirements as part of Special Assessment Districts (SAD), Public Improvement Districts (PID), Tax Increment for Development Districts (TIDD), or other vehicles are presumed to implement greens and squares. Plazas and Parks under 2 acres are to be maintained privately or through TIDD resources, unless otherwise established.

**Architectural Focal Points.** Building height should be increased at important arrival points and at the end of prominent views. Open space and generous setbacks should be avoided where architectural focal points are called for. Building designers should give special attention to the place-making potential of these locations.

#### Town Center

The intersection of Paseo del Norte (PdN) and Unser will bring together two of the region's most-traveled roadways. The Town Center takes advantage of this exceptional access to bring a new regional center to the West Side, which offers a unique mix of regional retail, entertainment, employment, cultural facilities, and housing. The eastern "corner" of the Paseo del Norte—Unser, where the Town Center is located, has the most favorable access ("right in" and "right out" in the PM commute direction), a less fragmented ownership pattern, and exceptional views.

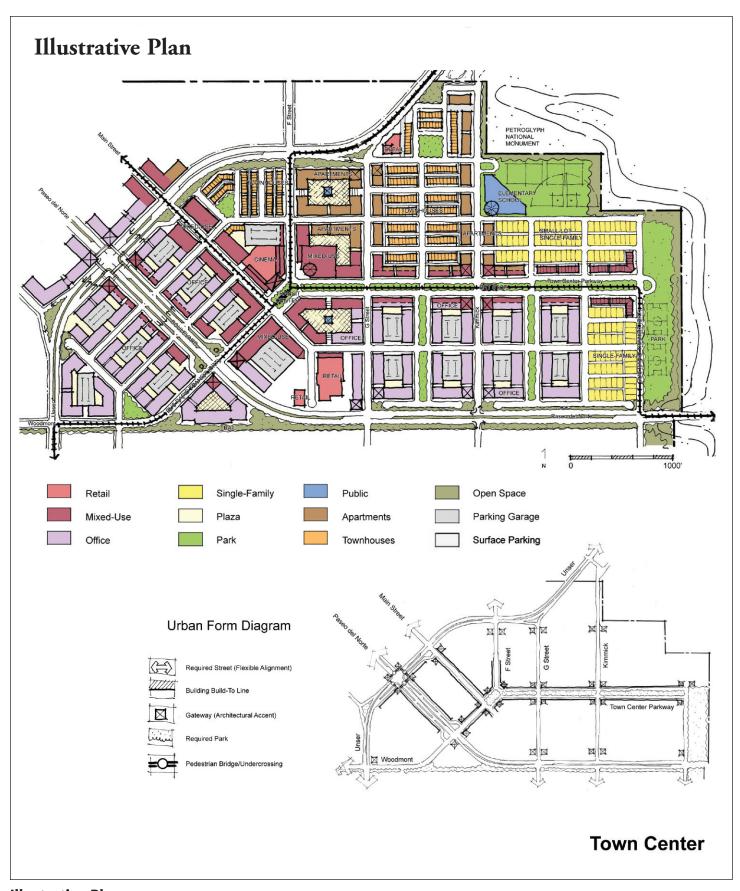
While the mixed-use Town Center designation offers flexibility, the Illustrative Plan shows how smaller stores and retail anchors might be arranged around a town square. Importantly, two Bus Rapid Transit routes (running north-south on Unser and east-west on PdN) would converge at the heart of the Town Center and enliven the town square. As envisioned in the "Transportation" element, the Town Center's transit station would offer exceptional transit access and would provide the primary point of transfer between the two BRT routes.

To help balance jobs and housing and reduce traffic congestion on the West Side, the Plan encourages employment within the Town Center and in Office areas along PdN. The Illustrative Plan shows office buildings facing streets with mid-block parking. To establish a major job center, office development must rely on multi-level parking garages to meet minimum intensity requirements.

Buildings should face PdN to the extent possible. Access lanes with on-street parking will create a boulevard and a unique urban place near its intersection with Unser. Local streets might also be used to accommodate street-facing office buildings farther east.

Housing is another important ingredient for making a vibrant Town Center with round-the-clock activity. A variety of housing types are illustrated, including larger apartment / condominium projects with mid-block courtyards that have parking below. Also shown are attached townhouses. East of the Town Center, single-family homes would be built and could deliver up-scale housing for executives within walking distance of new corporate offices. An elementary school will serve the area with educational and recreational facilities.

A linear park extends between housing (to the north) and employment (to the south). The park will offer passive recreation to the abutting neighborhoods, and BRT will run along the linear park with a station that offers convenient transit access to many residents and workers. Importantly, the linear park will maintain views of the Sandia Mountains, which have scenic and cultural importance. Trails and a new park near PdN will provide public access and avoid the visual intrusion of development along the edge of PNM. A small resort is permitted where the linear park meets the Monument, and should possess exceptionally high design quality because of its visual prominence. Land may be acquired through one or more of the following mechanisms: private owner contributions, as part of Special Assessment Districts (SAD), Public Improvement Districts (PID), Tax Increment for Development Districts (TIDD), the City's Capital program, Federal and State grants, or other vehicles.



## Volcano Cliffs Village Center

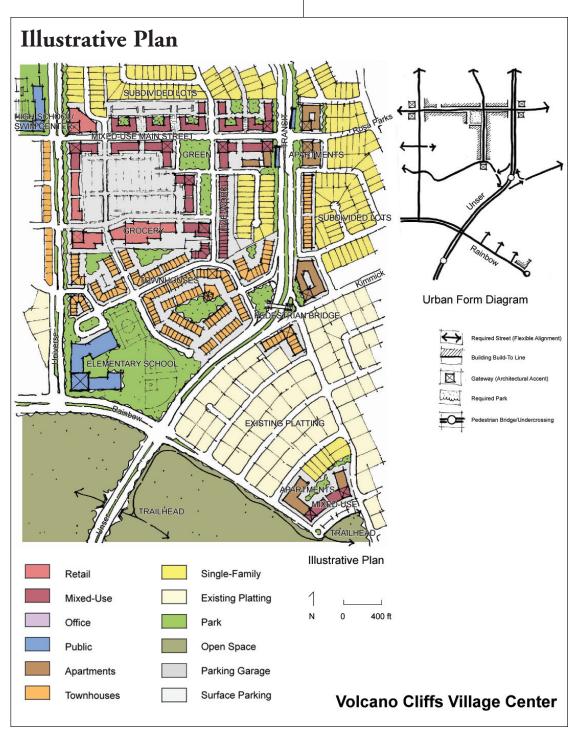
In the Volcano Cliffs area, a mixed-use main street is called for along Rosa Parks (formerly Squaw Road) because of this street's direct access to Unser Parkway and Universe Road, and because a larger parcel just south of Rosa Parks can offer larger anchor retail to support the small shops along Rosa Parks. A village green is shown on the larger parcel. At the main street's western edge, a recreation center associated with the high school and community uses associated with an elementary school will also provide anchor

stores. Bus Rapid Transit will help anchor uses at the main street's eastern end.

It is expected that property owners will assemble some smaller parcels along Rosa Parks' Main Street and throughout the Volcano Cliffs area, where higher-density housing like townhouses and apartments can be built. As the extent of lot assemblage cannot be predicted, the Illustrative Plan also shows areas where the existing lot pattern is retained—but with lot "splits" where two homes are built on the existing onethird acre lots.

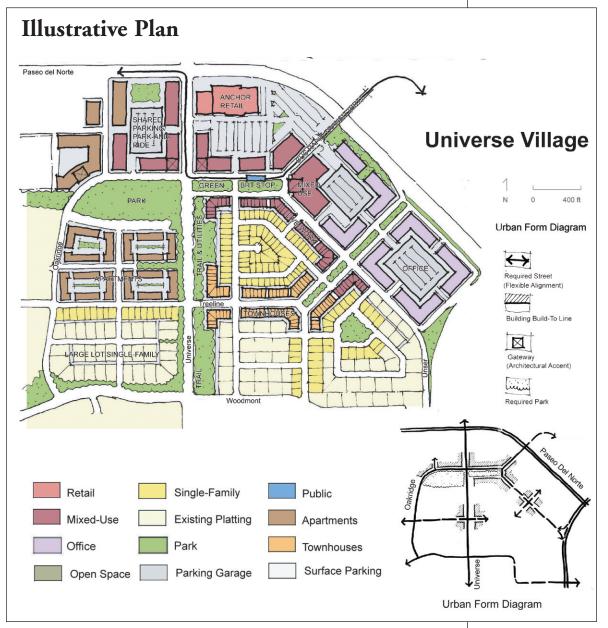
Kimmick is expected to have a limited "right-in / right-out" intersection with Unser. A pedestrian overpass is proposed at this intersection to provide reasonably direct access to retail in the Village Center. Residents east of Unser might also be served by a small convenience store or café where Rainbow meets the Monument. Services in this exceptional location might also serve visitors attracted by views and trails, and a small bed & breakfast might also be possible.

## **Illustrative Plan** Volcano Cliffs Village Center



## Universe Village Center

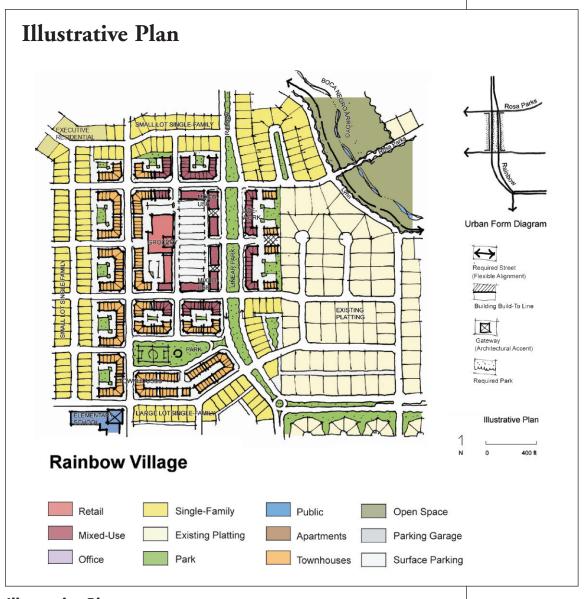
The corner of PdN and Universe may support neighborhood retail. While anchor retail, like a grocery store, might face a parking lot, small shops should face the street and a proposed village green. Anchor retail might also be placed at the eastern end of the village green, which has a "Town Center" designation and a high-intensity mixed-use building is permitted. Farther east, high-intensity office development is shown, with exceptional visibility from PdN. High-density housing, like townhouses and apartments, are encouraged within walking distance of retail and the village green. "Livework" housing with at-home businesses are encouraged where housing faces the village green or office uses. An ideal Bus Rapid Transit station location is shown near retail uses and the center of Universe Village.



**Illustrative Plan** Universe Village

## Rainbow Village Center

Rainbow Village will bring retail and civic uses to the southwestern portion of the Area Plan. The future alignment of Rainbow will bring drive-by traffic volumes necessary to support neighborhood retail. While a retail anchor, like a grocery, may face parking, retail shops should face streets. Retail frontage along Rainbow is especially advantages. Rainbow is slated to have six travel lanes. Pedestrians will be able to cross Rainbow more easily if a narrow linear park is used in lieu of a median. The park might contain urban features and amenities that support street-facing retail. Street-facing retail also relies on on-street parking. High-density housing, like townhouses and apartments, are encouraged within walking distance of retail and the village green.



**Illustrative Plan**Rainbow Village