



## 3.0 ADMINISTRATION

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#### 3.1. Applicability

- 3.1.1. The uses, buildings, and structures on all land within Volcano Heights shall conform to this Plan. **Table 3.1** shall determine which sections of the Plan apply to any proposed development based on the type and scope of the proposed development.
- 3.1.2. Provisions of this Plan are activated by “shall” when required, “should” when recommended, and “may” when optional.
- 3.1.3. Terms used throughout this Plan [as noted in bold] are defined in **Section 3.5** starting on page 40 of this Plan. Development within Volcano Heights shall be held to these definitions. For those terms not defined in this Plan, City Zoning Code §14-16-1-5 shall apply. Terms not defined in either section shall be accorded commonly accepted meanings. In the event of conflict, the definitions of this Plan shall prevail.
- 3.1.4. Where in conflict, numerical metrics shall prevail over graphic metrics.
- 3.1.5. In order to meet the intent of development in this unique area, the provisions of this Plan, when in conflict, shall take precedence over those of other City of Albuquerque codes, ordinances, regulations, standards, and plans as amended except as noted elsewhere in this Plan. Where this Plan is silent, relevant City of Albuquerque codes, ordinances, regulations, and standards shall apply. [See **Section 2.0 Plan Authority** starting on page 15].

#### 3.1.6. Projects Subject to Review:

- (i) All private development and redevelopment projects are subject to administrative review by the Planning Department and/or official review by the Development Review Board (DRB) and/or Environmental Planning Commission (EPC) for compliance with the Plan. **Table 3.1** establishes the standards for the applicability of the various sections of this Plan to development and redevelopment projects.
- (ii) Applications for redevelopment projects shall be accompanied by a full-size set of the approved Site Development Plan for Building Permit or Subdivision, whichever is relevant. No building permit shall be approved unless it is consistent with the approved Site Development Plan and landscaping plan, particularly for any items contributing to a bonus height granted for buildings on the property. [See **Section 6.4** starting on page 111.]

#### 3.2. Development Review and Approval Process

- 3.2.1. **Intent / Purpose:** In order to encourage and support development in Volcano Heights, review and **approval** of proposed projects should be conducted as speedily as possible. As such, this Plan proposes several opportunities to streamline **approval**, notwithstanding any efforts needed to coordinate infrastructure for development in the short-term.

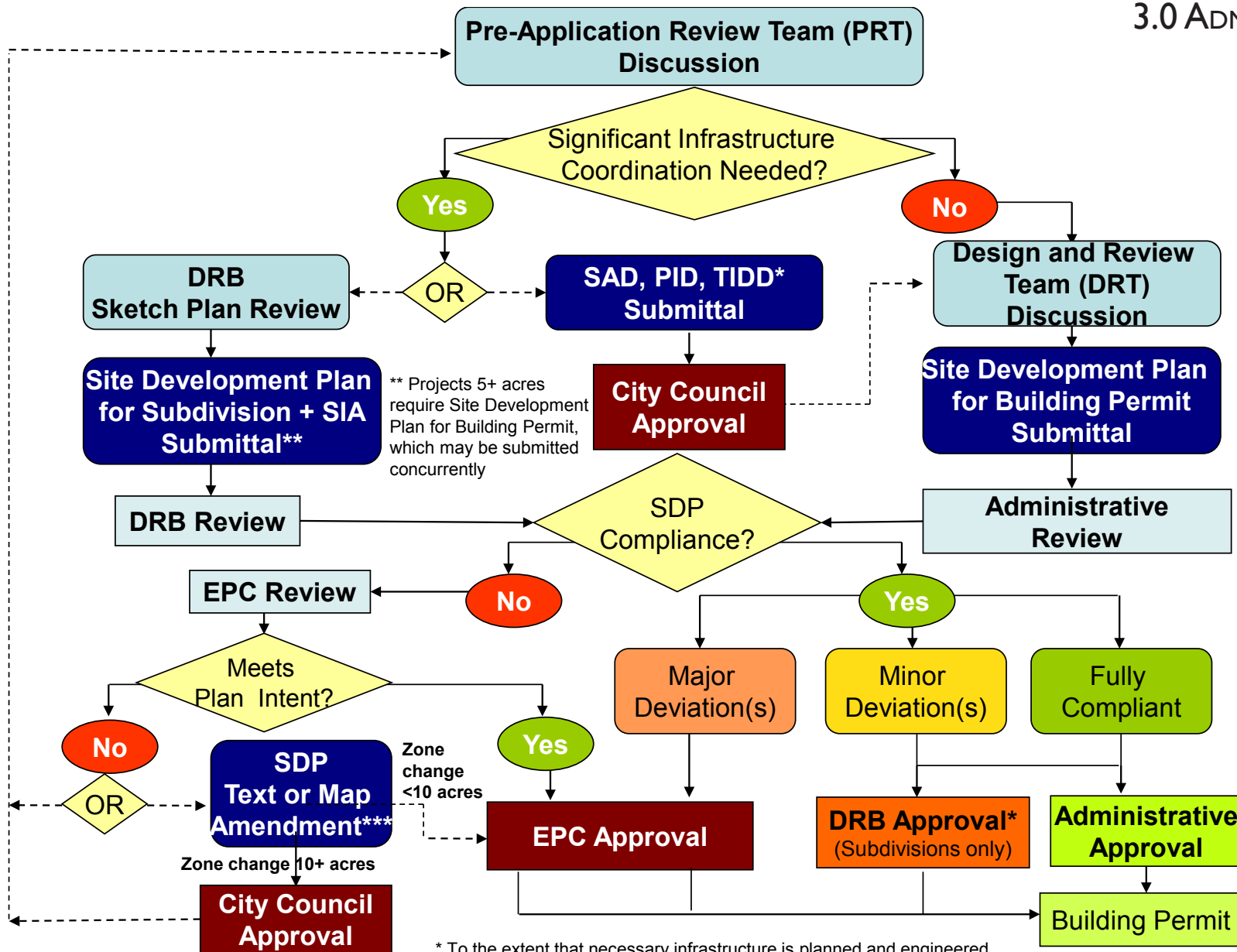


EXHIBIT 3.1 – VOLCANO HEIGHTS APPROVAL PROCESS DIAGRAM

## CHAPTER II: REGULATIONS

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TABLE 3.1 – APPLICABILITY OF PLAN SECTIONS BY DEVELOPMENT TYPE

PLAN SECTION	4.1 Land Use Table	5.X.2 Building Placement	5.X.4 Height Standards	5.X.6 Parking & Service	5.X.7.i Encroachments	5.X.7.iii Single-Family Buffer	5.X.9-12 Building Design Standards by Zone	6.0 General Site Development Standards	7.0 General Building Design Standards	8.0 Signage	9.0 Open Space Standards	9.6 Landscaping & Lighting	10.0 Street Standards	11.0 Streetscape Standards
<b>TYPE OF DEVELOPMENT</b>														
<b>Residential (including single-family attached and detached buildings)</b>														
New construction	X	X	X	X	X		X	X	X	X	X	X	X	X
Change of Use with no expansion of building	X			X					X	X		X		
Expansion of use/structure (any building addition, deck, porch, etc.)	X	X	X	X	X		X	X	X			X		
Expansion of use/structure (new accessory building/structure on the lot)	X	X	X		X		X	X	X			X		
<b>Façade changes to existing buildings*</b>														
‘A’ Street façade					X		X	X	X			X		
All other street façades					X		X	X	X					
<b>Non-residential or Mixed Use</b>														
New Construction	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Renovations associated with change of use/expansion of use with no expansion of building	X			X	X				X	X				
<b>Building Expansion</b>														
0% - 49% increase in building square footage <i>(Standards in applicable sections shall apply only to the expansions)</i>	X	X	X	X	X	X	X	X	X	X	X	X		
50% or greater increase of building area <i>(Standards in applicable sections shall apply the entire building including retrofitting of the existing building if non-conforming)</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X

\* Restuccoing with a color other than originally approved requires a permit in order to ensure compliance with color regulations per **Section 7.5** starting on page 127.

TABLE 3.1 – APPLICABILITY OF PLAN SECTIONS BY DEVELOPMENT TYPE (Cont'd)

PLAN SECTION	4.1 Land Use Table	5.X.2 Building Placement	5.X.4 Height Standards	5.X.6 Parking & Service	5.X.7.i Encroachments	5.X.7.iii Single-Family Buffer	5.X.9-12 Building Design Standards by Zone	6.0 General Site Development Standards	7.0 General Building Design Standards	8.0 Signage	9.0 Open Space Standards	9.6 Landscaping & Lighting	10.0 Street Standards	11.0 Streetscape Standards
Expansion of parking area only (not in conjunction with expansion of building or use)														
Up to 10 spaces				X				X	X	X		X		
11 or more additional spaces				X		X		X	X	X	X	X		
Façade changes to existing buildings*														
'A' Street façade					X		X	X	X	X		X	X	X
All other street façades					X		X	X	X	X		X		
Signage														
Modification of an existing sign where the cost of the modification is valued at <u>more than</u> 50% of the replacement value of the sign										X				
New sign or complete replacement of an existing sign										X				

[Amended  
November 5,  
2014]

\* Restuccoing with a color other than originally approved requires a permit in order to ensure compliance with color regulations per **Section 7.5** starting on page 127.

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#### 3.2.2. Pre-Application Review Team (PRT)

**Discussions:** Prior to submitting an application for a new development project, all potential **applicants** shall schedule and attend a discussion with the Planning Director or his/her designee. The Planning Department holds Pre-Application Review Team discussions weekly to provide informal guidance to property owners and/or developers during the conceptual design phase. This discussion will help determine whether major infrastructure will be needed, options for infrastructure planning and coordination, and opportunities for streamlining approvals. Based on conceptual plans, a staff planner may be assigned to the project to help **applicants** navigate necessary **approval** processes.

#### 3.2.3. Significant Infrastructure Coordination:

**Significant infrastructure** is determined on a case-by-case basis but generally applies to a major street, drainage or utility facility, etc. that is necessary for the subject property as well as other nearby properties to develop. **Applicants** have two process options to coordinate **significant infrastructure**:

- (i) A Site Development Plan for Subdivision may be submitted to the Development Review Board (DRB). This submittal includes a Subdivision Improvement Agreement, which documents financial guarantees of funds available to provide infrastructure. The developer must provide evidence that adequate and appropriate coordination with private utilities has occurred and may be required to show evidence of coordination with nearby property owners for other necessary infrastructure.

- a. Once approved by the **DRB**, Site Plans for Subdivision for projects less than 5 acres may proceed directly to building permit.
- b. Subject to approval by the **DRB**, Site Plans for Subdivision 5 acres or greater shall require a Site Plan for Building Permit, eligible for Administrative Review and Approval per **Section 3.2.5** in this Plan. These site plans may be submitted concurrently.
- (ii) Applications for a **Special Assessment District (SAD)**, **Tax Increment Development District (TIDD)**, or **Public Improvement District (PID)** may be submitted to the City Council for **approval**, per the following City Ordinances.
  - a. SAD: Albuquerque Code of Ordinances Section 6-8.
  - b. TIDD: Albuquerque Code of Ordinances Section 4-10.
  - c. PID: Albuquerque Code of Ordinances Section 6-9.
  - d. To the extent that these processes include planning for **significant infrastructure** and provide a financial mechanism to fund infrastructure improvements, applications that receive City Council **approval** are eligible for Administrative Approval of Site Development Plans for Building Permit.

3.2.4. **DRB Sketch Plat Review:** All **applicants** shall schedule and attend a discussion with the **DRB** before submitting a Site Development Plan for Subdivision or a Site Development Plan for Building Permit that requires infrastructure. The **DRB** holds weekly sketch plat reviews for no fee.

3.2.5. **Administrative Review and Approval:** Once infrastructure is either in place or coordinated with financial guarantees in place per **Section 3.2.3** of this Plan, Site Development Plans for Building Permit that fully comply with all standards of the Plan shall be processed administratively by the Planning Director or his/her designee and, if approved, proceed to **building permit**.

The Planning Department offers Design Review Team (DRT) appointments to applicants every other week to review projects within Sector Development Plan areas. Projects that comply with design regulations may receive a stamp from the **DRT** and proceed to building permit.

The Planning Director or his/her designee shall be responsible for the following:

- (i) Conducting Pre-Application Review Team Discussions;
- (ii) Assigning Staff to follow the project through the necessary **approvals**;
- (iii) Conducting **DRT** Discussions;
- (iv) Reviewing Site Plans for Building Permit for compliance with the intent, policies, and requirements of the Plan;
- (v) Determining whether a Site Plan for Building Permit deviates from any standard within the thresholds for:

- a. Minor Deviation per **Section 3.2.10** and **Table 3.2** below and therefore eligible for Administrative Approval;
  - b. Major Deviation per **Section 3.2.11** and **Table 3.3** below and therefore required to obtain approval by the **EPC**;
  - c. Non-compliance without meeting the intent of this Plan and therefore required to modify the Project or amend this Sector Development Plan per City Zoning Code §14-16-4-3; OR
  - d. Non-compliance yet still meeting the intent of this Plan and therefore eligible for approval by the **EPC** with an exception per **Section 3.2.13** in this Plan.
- (vi) Determining the public notice required for proposed projects, based on the **approval** process determined above
    - a. Public Notice for Site Plans for Subdivision per **Table 3.4** OR
    - b. Public Notice for Site Plans for Building Permit per **Table 3.5**.
  - (vii) Mailing Public Notice, at the applicant's expense, to relevant Property Owners as noted by (PO) in **Table 3.4** or **Table 3.5**;
  - (viii) Determining whether convening the Volcano Heights Review Team is appropriate;
  - (ix) Convening a Volcano Heights Review Team of relevant City staff and/or members of the public, if deemed appropriate;

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- (x) Processing Site Development Plans for Building Permit that fully comply with the intent, policies, and requirements of the Plan;
- (xi) Approving minor deviations to Site Development Plans for Building Permit that comply with this Plan and all applicable City ordinances, as per **Section 3.2.10** in this Plan and City Zoning Code §14-16-2-22(A)(6), including Site Development Plans previously approved either by the **EPC** or administratively;
- (xii) Forwarding any major deviations to the **EPC** per **Section 3.2.11** starting on page 32 below; and
- (xiii) Forwarding any appeals of the decision of the Planning Director, **DRB**, or **EPC** to the City Council, per City Zoning Code §14-16-4-4.

#### 3.2.6. Volcano Heights Review Team (VHRT)

- (i) As part of the Administrative Review Process, a Volcano Heights Review Team (“the Review Team” or VHRT) may be convened by the Planning Director or his/her designee for projects that require interpretation or discretionary judgment with respect to the project’s compliance with standards. This non-judicial Review Team shall be charged with working cooperatively and creatively with the applicant to solve problems and resolve conflicts regarding elements of a proposed development project that seem to meet the intent and policies of this Plan but face logistic challenges in meeting its numeric or text regulations or standards.

The VHRT may include, but is not limited to, the following City staff and/or agency representatives:

- Planning Director or his/her designee
- Staff Planner assigned to proposed project;
- City Planning & Zoning;
- City Hydrologist;
- City Department of Municipal Development (DMD);
- City Open Space Division;
- City Parks and Recreation;
- City Office of Neighborhood Coordination;
- Albuquerque-Bernalillo Water Utility Authority (ABCWUA);
- Albuquerque Metropolitan Area Flood Control Authority (AMAFCA)
- Mid-Region Council of Governments (MRCOG);
- Public Service Company of New Mexico (PNM);
- New Mexico Gas Company;
- Telecommunications companies;
- Adjacent property owners;
- Potential tenants;
- Neighborhood Association representatives;
- Merchants’ Associations representatives; and/or
- American Institute of Architects (AIA) representative(s) or other licensed design professional(s).



- (ii) City Planning shall designate a staff planner to specialize in this Plan and participate in all VHRT meetings.
- (iii) City Open Space Division shall be included in the review process where development is proposed within the Impact Area as defined by the NWMEP or within 200 feet of a significant rock outcropping as shown in **Exhibit 9.1** on page 147.
- (iv) As the Plan area develops, PNM shall be involved in all aspects of significant infrastructure development in order to allow for adequate utility planning and placement.

### 3.2.7. Development Review Board (DRB) Approval

The **DRB** shall be responsible for the following:

- (i) Conducting sketch plat reviews weekly;
- (ii) Reviewing/acting on Site Development Plans for Subdivisions that comply with this Plan, the **DPM**, and City ordinances;
- (iii) Reviewing/acting on minor deviations from any dimensional standard in a Site Development Plan for Subdivision per **Section 3.2.10** starting on page 30 of this Plan;
- (iv) Reviewing/acting on Site Development Plans for Building Permit that involve 4 or more feet of fill; and
- (v) Reviewing/acting on Site Development Plans for Building Permit that involve construction within the Impact Area as defined by the NWMEP. [See **Exhibit 2.1** on page 17.]

### 3.2.8. Environmental Planning Commission (EPC)

**Approval:** The EPC shall be responsible for the following:

- (i) Reviewing/approving Major Deviations from the standards beyond Minor Deviations as defined in **Table 3.2** below, which includes an opportunity for public review and comment at a public hearing. Major Deviation thresholds shall be allowed per **Table 3.3**. The **EPC** shall not approve projects that fail to meet the intent of this Plan.
- (ii) Reviewing/approving requests for adjustments to street standards beyond the thresholds specified in **Table 10.1** on page 168 that meet the intent of this Plan and can demonstrate policy justification for such requests to the satisfaction of the **EPC**.
- (iii) Reviewing/approving requests for **exceptions** to the regulations of this Plan that still meet the Plan's intent, per **Section 3.2.13** in this Plan.
- (iv) Reviewing/approving requests for zone changes 10 acres or less in size and reviewing/recommending to City Council **approval** or **denial** of zone change requests for more than 10 acres.

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#### 3.2.9. City Council Appeal and Approval

- (i) The City Council shall be the body to review/act on SAD, TIDD, and/or PID applications. [See **Section 3.2.3.ii** in this Plan.]
- (ii) Per City Zoning Code §14-16-4-1, the City Council shall be the final review and decision-making body in the following circumstances:
  - a. Zone Map amendments for projects 10 or more acres in size; and/or
  - b. Text amendments, including design regulations.
- (iii) The City Council shall be the final appeal body for proposed projects, per City Zoning Code §14-16-4-3.

#### 3.2.10. Minor Deviations:

- (i) As defined in **Table 3.2**, the **DRB** shall have the authority to approve minor deviations from Site Development Plans for Subdivision and the Planning Director or his/her designee shall have the authority to approve minor deviations to Site Development Plans for Building Permit that:
  - a. Meet the intent of this Plan;
  - b. Do not materially change the circulation and building location on the site;
  - c. Do not increase the building area permitted;
  - d. Do not change the relationship between the buildings and the street, except in the case of preserving a rock outcrop, sensitive land, and/or culturally significant features;

- e. Do not allow greater height of any building without a commensurate benefit to the natural environment and built environment;
  - f. Do not eliminate regulations intended as protections for single-family development existing at the time of this Plan's adoption; and
  - g. Do not change any required element of the **zoning map** beyond the thresholds established in **Table 3.2** below.
- (ii) Minor deviations should be considered especially appropriate where they help to preserve a rock outcrop or other cultural or natural feature deemed significant by the City Open Space Division.
- (iii) Any appeals shall be heard by the City Council, per City Zoning Code §14-16-4-4.

TABLE 3.2 – MINOR DEVIATION CRITERIA

STANDARD	MINOR DEVIATION ALLOWED	CRITERIA
Non-dimensional standard	Any non-dimensional standard deemed minor by the Planning Director or his/her designee.	<ul style="list-style-type: none"> <li>Any deviation shall be based on specific development context that poses a challenge to meet the standards OR a demonstration that the proposed change improves the project's ability to meet the Plan's intent(s).</li> </ul>
Site Development Standards		
Build-to zones/setbacks	<ul style="list-style-type: none"> <li>No more than a 20% change in the maximum or minimum setback.</li> <li>On 'B' Streets, <b>BTZ</b> may be extended to 75 feet in the case of avoiding natural and/or culturally significant features.</li> </ul>	<ul style="list-style-type: none"> <li>May be granted due to changes to the street cross sections; changes in the width of a sidewalk; changes to building placement to protect view corridors and/or enhance solar efficiencies; and/or changes to avoid major topography, road elevation changes, or natural and/or culturally significant features or sensitive lands, particularly rock outcroppings.</li> <li>May be granted to create a <b>parking court</b>, where appropriate.</li> <li>In no case shall the sidewalk be less than 6 feet in width.</li> </ul>
Building Frontage	No more than a 15% reduction in the required <b>building frontage</b> along each block of an ' <b>A</b> ' Street.	<ul style="list-style-type: none"> <li>Any reduction in the required <b>building frontage</b> shall be to accommodate <b>porte cocheres</b> for drop-off and pick-up.</li> </ul>
Street screen	Waiver of street screen requirement along a ' <b>B</b> ' Street.	<ul style="list-style-type: none"> <li>Requirement for a <b>street screen</b> may only be waived along a '<b>B</b>' Street frontage of any interim surface parking lot (off-street) that is intended to be in-filled with a parking structure within 2 years. <b>Applicant</b> may be required to show financial records and/or sketch plats indicating intent and/or planning.</li> <li>In no case shall any portion of the surface parking have frontage along an '<b>A</b>' Street without a required <b>street screen</b>.</li> <li>In no case shall the (off-street) surface parking lot be located at a street intersection for a minimum depth of 20' along each street (regardless of street type).</li> <li>Requirement may be waived where street screens are incompatible with utility infrastructure, particularly to address safety considerations for utility crews during maintenance and repair, as long as other satisfactory screening methods are employed or the applicant can demonstrate that the proposed use poses no negative visual impact to the built environment.</li> </ul>
	Waiver of street screen requirement next to elevated roadways.	<ul style="list-style-type: none"> <li>Where the roadway grade exceeds the approved property grade by more than 4 feet, the requirement for a street screen may be eliminated as long as the uses pose no negative visual impact from adjacent roadways and/or other methods of screening unsightly visual elements are employed.</li> <li>Requirement may be waived where street screens are incompatible with utility infrastructure, particularly to address safety considerations for utility crews during maintenance and repair.</li> </ul>

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TABLE 3.2 – MINOR DEVIATION CRITERIA (Cont'd)

STANDARD	MINOR DEVIATION ALLOWED	CRITERIA
Building Design Standards	Any dimensional standard change (increase or decrease) up to 10%.	<ul style="list-style-type: none"> <li>Any deviation shall be based on specific development context that poses a challenge to meet the standards OR a demonstration that the proposed change improves the project's ability to meet the Plan's intent(s).</li> </ul>
	Any non-dimensional standard deemed minor by the Planning Director or his/her designee.	<ul style="list-style-type: none"> <li>Any deviation shall be based on specific development context that poses a challenge to meet the standards OR a demonstration that the proposed change improves the project's ability to meet the Plan's intent(s).</li> </ul>
Off-street Parking Spaces	Additional spaces may be added where limits are placed on conditional uses.	<ul style="list-style-type: none"> <li>Applicant shall provide evidence of no adverse effects on surrounding uses.</li> <li>One or more of the following shall be required, subject to the approval of the Planning Director or his/her designee: <ul style="list-style-type: none"> <li>Parking shall be fully screened via landscaping, wall, and/or fence per <b>Section 6.8.4</b> starting on page 123 in this Plan.</li> <li>Parking shall be broken up with landscaping every 10 spaces and as otherwise regulated per City Zoning Code §14-16-3-1.</li> <li>Pedestrian walkways shall be included to front entrances, per City Zoning Code § 14-16-3-1(H).</li> </ul> </li> </ul>

#### 3.2.11. Major Deviations:

- (i) The **EPC** shall have the authority to approve major deviations, as defined in **Table 3.3**, that:
  - a. Meet the intent of this Plan;
  - b. Do not materially change the circulation and building location on the site;
  - c. Do not increase the building area permitted;
  - d. Do not change the relationship between the buildings and the street, except in the case of preserving a rock outcrop, sensitive land, and/or culturally significant features;

- e. Do not allow greater height of any building without a commensurate benefit to the natural environment and built environment;
- f. Do not eliminate regulations intended as protections for single-family development existing at the time of this Plan's adoption; and
- g. Do not change any required element of the **zoning map** beyond the thresholds established in **Table 3.3**.
- (ii) Major deviations should be given special consideration where they help to preserve a rock outcrop or other cultural or natural feature deemed significant by the City Open Space Division.

TABLE 3.3 – MAJOR DEVIATION CRITERIA

STANDARD	MAJOR DEVIATION ALLOWED	CRITERIA
Site Development Standards		
Build-to Zones/Setbacks	A change in the maximum or minimum setback between 20-50%. In the case of avoiding natural and/or culturally significant features or for the purpose of utility use, a greater allowance is permitted on a case-by-case basis.	<ul style="list-style-type: none"> <li>Changes to the build-to zones and setbacks may only be due to any changes to the street cross sections, changes due to utility use, changes in the width of a sidewalk, and/or changes to building placement to protect view corridors and/or enhance solar efficiencies.</li> <li>In no case shall the sidewalk be less than 6 feet in width.</li> </ul>
Building Frontage	A reduction in the required <b>building frontage</b> along each block of an ' <b>A</b> ' Street between 15-30%.	<ul style="list-style-type: none"> <li>Any reduction in the required <b>building frontage</b> shall be to accommodate porte cocheres for drop-off and pick-up.</li> </ul>
Building Design Standards	Any dimensional standard change (increase or decrease) between 10-40%.	<ul style="list-style-type: none"> <li>Any change shall be based on specific development context that poses a challenge to meet the standards OR a demonstration that the proposed change improves the project's ability to meet the Plan's intent(s).</li> </ul>
	Any non-dimensional standard deemed major by the Planning Director or his/her designee.	<ul style="list-style-type: none"> <li>Any change shall be based on specific development context that poses a challenge to meet the standards OR a demonstration that the proposed change improves the project's ability to meet the Plan's intent(s).</li> </ul>

- (iii) Any appeals shall be heard by the City Council, per City Zoning Code §14-16-4-4.

3.2.12. **Non-compliance:** This Plan distinguishes projects that meet the intent of this Plan, as determined by the Planning Director or his/her designee, from those that do not.

- (i) Projects that meet the intent of this Plan but require deviations beyond those considered Major per **Table 3.3** in this Plan shall follow one of the relevant processes below:

- a. Request and justify a variance because of unique parcel conditions through the process outlined in City Zoning Code §14-16-4-2 OR
- b. Request and justify an **exception** to a design standard (e.g. Site Development or Building Design Standards) per **Section 3.2.13** in this Plan.

- (ii) Projects that do not meet the intent of this Plan shall require either modification to the project or amendment of this Plan, per **Section 3.3** of this Plan and City Zoning Code §14-16-4-3.

#### 3.2.13. Exceptions from Design Standards in this Plan, Subdivision Ordinance, and/or DPM

- (i) As long as a proposed project meets the intent of this Plan, the **EPC** shall be authorized to approve Site Development Plan submittals with appropriate **exceptions** to adopted standards and regulations, provided a project meets at least one of the following conditions, as justified by the **applicant**:
  - a. The project includes **exceptional** civic, architectural, or environmental design. These design elements should provide a benefit to the City, **adjacent** property owners, and/or the built or natural environment that justifies the requested **exception** to the satisfaction of the **EPC**.
  - b. The **exception** will help to preserve and/or enhance significant views, **rock outcroppings**, or other natural features.
  - c. The **exception** will help to coordinate and/or enhance development or improvements on **adjacent** properties and/or accommodate utility use or public utility structures.
  - d. The **exception** is needed to accommodate a **major employer**. Such an exception may be subject to a development agreement with the City that includes clawback provisions in the event that the major employer leaves the Plan area within 5 years of project approval.

- (ii) In order to justify requests for **exceptions**, the **applicant** shall submit sufficient design sketches, photographs, and other detailed information as may be necessary to demonstrate the case and solution requested for an exception to the adopted regulations.
- (iii) Site Development Plans may require additional analysis and/or documentation, such as, but not limited to: site elevations, site sections, and building heights showing impacts to views and/or relationship to nearby **sensitive lands**.

3.2.14. **Review of Phased Projects:** To minimize review steps for phased projects, the **DRB** may approve a Site Development Plan for Subdivision for all phases provided that the **applicant** submits drawings that depict the initial phase as well as all future phases. The Site Development Plan is valid for seven years from the date of the **approval** and may be amended administratively per City Zoning Code §14-16-2-22.

3.3. **Amendments to the Sector Development Plan and/or Zoning Map:** Amendments and/or changes to the **zoning map** shall be considered by the **EPC** for sites 10 acres or less. For sites more than 10 acres and for all text amendments, the **EPC** is the recommending body, and the City Council is the decision-making body per City Zoning Code §14-16-4-1.

**3.4. Public Notification**

3.4.1. Notification for Site Plans for Subdivision shall be required as per **Table 3.4**.

3.4.2. Notification for Site Plans for Building Permit shall be required as per **Table 3.5**.

3.4.3. **Applicant Responsibilities:** When required (as noted with “NA” in **Table 3.4** or **Table 3.5**), the **applicant** shall give written **notification** of the Application for Site Development Plan to the relevant groups registered with the Office of Neighborhood Coordination. This may include recognized **Neighborhood Associations**, Neighborhood Coalition, non-recognized neighborhood organization, homeowner association, property owner association, or merchant association that covers, abuts, or is across the public **right-of-way** (ROW) from the project site.

(i) The Office of Neighborhood Coordination (ONC) shall provide the applicant with a complete list of the names and addresses for all people who require notification, including any interested parties in the area who have registered with ONC to receive notice. The applicant shall not be held responsible for notifying people who are not on the ONC list.

(ii) Notification shall include a reduced version of the proposed Site Development Plan, including the Landscape Plan; the date, time, and location of the **DRB** or **EPC** hearing; contact information for the applicant; and the name, e-mail, and phone number of the Staff Planner.

(iii) Notification shall be sent by certified mail, return receipt requested, and postmarked at least fifteen (15) days in advance of the hearing.

(iv) The **applicant** shall give copies of the ONC **notification** list and proof of mailings to the Approval Body for the hearing record. Failure by the **applicant** to show proof of **notification** shall be grounds for a deferral of the applicant’s proposal at the Hearing until proper proof of **notification** is provided by the **applicant**.

3.4.4. **Planning Director Responsibilities:** When required (as noted with “PO” in **Table 3.4** or **Table 3.5**), the Planning Director or his/her designee shall provide mailed **notification** to property owners within one hundred (100) feet of the boundaries of the proposed project site, excluding public rights-of-way, at the applicant’s expense.

**Notification** shall be postmarked a minimum of fifteen (15) days prior to the hearing and shall include reduced copies of the proposed Site Development Plan, the Landscape Plan, and contact information for the Planning Department and the **applicant**.

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TABLE 3.4 – APPROVAL PROCESS AND NOTIFICATIONS: SITE PLANS FOR SUBDIVISION

ZONES	PROPOSED PROJECT	COMPLIANCE	APPROVAL PROCESS		NOTIFICATION		
Transition Zones	Any Project < 5 acres	Fully Compliant	DRB				NR
		Minor Deviation(s)	DRB				NR
		Major Deviation(s)		EPC	NA	PO	
	Any Project 5+ acres	Fully Compliant	DRB				NR
		Minor Deviation(s)	DRB		NA	PO	
		Major Deviation(s)		EPC	NA	PO	
Center Zones + VHMx	Any Project < 5 acres	Fully Compliant	DRB				NR
		Minor Deviation(s)	DRB				NR
		Major Deviation(s)		EPC	NA	PO	
	Any Project 5+ Acres	Fully Compliant	DRB				NR
		Minor Deviation(s)	DRB				NR
		Major Deviation(s)		EPC	NA	PO	

#### Approval Process Abbreviations

DRB = Development Review Board

EPC = Environmental Planning Commission

#### Notification Abbreviations

NA = Neighborhood Associations *(Includes relevant Merchants Associations registered with the Office of Neighborhood Coordination. Notice shall be the responsibility of the applicant.)*

PO = Property Owners within 100 feet *(Notice shall be the responsibility of the Planning Director or his/her designee at the applicant's expense.)*

NR = Not Required



TABLE 3.5 – APPROVAL PROCESS AND NOTIFICATIONS: SITE PLANS FOR BUILDING PERMIT

ZONES	PROPOSED PROJECT	COMPLIANCE	APPROVAL PROCESS			NOTIFICATION		
Transition Zones	Residential Project < 5 acres	Fully Compliant	AA					NR
		Minor Deviation(s)	AA	VHRT				NR
		Major Deviation(s)			EPC	NA	PO	
	Residential Project 5+ acres OR Project with Non-residential Component (any size)	Fully Compliant	AA	VHRT				NR
		Minor Deviation(s)	AA	VHRT		NA	PO	
		Major Deviation(s)		VHRT	EPC	NA	PO	
Center Zones + VHMX	Any Project < 5 acres	Fully Compliant	AA	VHRT				NR
		Minor Deviation(s)	AA	VHRT				NR
		Major Deviation(s)		VHRT	EPC	NA	PO	
	Any Project 5+ Acres	Fully Compliant	AA	VHRT				NR
		Minor Deviation(s)	AA	VHRT				NR
		Major Deviation(s)		VHRT	EPC	NA	PO	

### Approval Process Abbreviations

AA = Administrative Approval

VHRT = Volcano Heights Review Team

EPC = Environmental Planning Commission

### Notification Abbreviations

NA = Neighborhood Associations *(Includes relevant Merchants Associations registered with the Office of Neighborhood Coordination. Notice shall be the responsibility of the applicant.)*

PO = Property Owners within 100 feet *(Notice shall be the responsibility of the Planning Director or his/her designee at the applicant's expense.)*

NR= Not Required

## CHAPTER II: REGULATIONS

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TABLE 3.6 – APPROVAL PROCESS BY DEVELOPMENT TYPE

TYPE OF REQUEST	Administrative Review (PRT/DRT)	Administrative Approval (AA)	DRB Decision	EPC Decision	City Council Decision	Building Permit (Front Counter)	APPLICABLE SECTIONS/CRITERIA
1. Ordinary building maintenance (includes changes to the exterior and/or interior)						X	<ul style="list-style-type: none"> <li>Interior changes may require building, electrical, and/or other city permits</li> <li>Exterior changes affecting more than 120 SF require a <b>building permit</b>.</li> </ul>
2. Renovation or alteration of a building interior with no exterior façade changes						X	<ul style="list-style-type: none"> <li>Interior changes may require building, electrical, and/or other city permits.</li> </ul>
3. Renovation, alteration of, or addition to an existing building	X	X				X	<ul style="list-style-type: none"> <li>Any decision on Major Deviations from dimensional elements limited to <b>building height</b> and building <b>setbacks</b> shall be made by the EPC.</li> </ul>
4. Demolition of a building	X					X	<ul style="list-style-type: none"> <li>Requires demolition permit from the City.</li> </ul>
5. New construction with < 4 ft. fill NOT requiring significant infrastructure	X	X		Major Deviat.		X	
6. New construction with < 4 ft. fill requiring significant infrastructure	X		X	Major Deviat.		X	
7. New construction with 4+ ft. fill	X		X	Major Deviat.		X	<ul style="list-style-type: none"> <li>Requires sign-off from City hydrologist.</li> </ul>
8. Construction of a parking garage	X	X		Major Deviat.		X	<ul style="list-style-type: none"> <li>Building Design Standards shall apply.</li> </ul>
9. Construction of a new surface parking lot or expansion of an existing surface parking lot	X		X	Major Deviat.		X	

**Notes:**

1. Appeals per City Zoning Code §14-16-4-4
2. Deviat. = Deviation [See **Table 3.2** and **Table 3.3**]

TABLE 3.6 – APPROVAL PROCESS BY DEVELOPMENT TYPE (Cont'd)

TYPE OF REQUEST	Administrative Review (PRT/DRT)	Administrative Approval (AA)	DRB Decision	EPC Decision	City Council Decision	Building Permit (Front Counter)	APPLICABLE SECTIONS/CRITERIA
10. Renovation associated with change of use within an existing building or structure (with no exterior façade changes)	X	X				X	
11. New sign or alteration of an existing sign	X	X				X	<ul style="list-style-type: none"> <li>Sign permits shall be required for all new and altered signs within any character zone.</li> <li>Signs may be approved administratively for all signs that conform to Sign Standards.</li> </ul>
12. Master Sign Plan approval	X		X	Major Deviat.			<ul style="list-style-type: none"> <li>See #11 above.</li> </ul>
13. Character zone boundary change request	X			Recomm.	X		<ul style="list-style-type: none"> <li>All requests to change the underlying zoning boundaries shall be processed as an SDP Zoning Map Amendment per City Zoning Code §14-16-4-3.</li> <li>Zone changes shall not eliminate any Character Zone from the Plan area or change the overall boundary of the Plan area.</li> </ul>
14. Request to change zoning standards or design standards (i.e. text amendment)	X			Recomm.	X		<ul style="list-style-type: none"> <li>All requests to change the underlying zoning and/or design regulations shall be processed as an SDP text amendment per City Zoning Code §14-16-4-3.</li> </ul>

**Notes:**

1. Appeals per City Zoning Code §14-16-4-4
2. Deviat. = Deviation [See **Table 3.2** and **Table 3.3**]
3. Recomm. = Recommendation to the City Council

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Mezzanine on the West Side

#### 3.5. Definitions

The following definitions shall apply within Volcano Heights. For those terms not defined in this Plan, City Zoning Code §14-16-1-5 shall apply. In the event of conflict, the definitions of this Plan shall prevail. Where used elsewhere in this Plan, these terms appear in bold.

- A' Street:* A street designation in this Plan used to denote pedestrian-friendly streets with few or no curb cuts, particularly suited to retail opportunities.
- Abutting:* The condition under which two properties touch, without separation by a public **right-of-way (ROW)**.
- Accessory Building:* Defined per City Zoning Code §14-16-1-5, accessory buildings do not count as **buildings** for the purposes of **building frontage** or Site Development Standards in this Plan. Accessory buildings shall conform to the Building Design Standards in this Plan.
- Accessory Use:* A use that is appropriate, subordinate and customarily incidental to the primary use of the lot.
- Adjacent:* The condition under which two properties are next to each other, whether **abutting** or separated from a public **ROW**.
- Alley:* A thoroughfare designated by the City as public **ROW**, which affords secondary means of access to an **abutting** property.

#### *Amphitheater:*

An open-air venue for entertainment, typically comprised of a stage facing a sloping, semi-circular seating gallery. The scale should complement surrounding development. Where located within 500 feet of existing residential uses, special design measures, such as locating the stage so sound is directed away from homes or employing berms or walls to redirect sound as necessary, shall be taken to reduce ambient impacts off-site. Amphitheaters shall comply with the City noise control ordinance [Article 9 of Building and Safety: ROA 1994 Sec. 9-9].

#### *Ancillary Structure:*

A standalone structure with at least one open side located in an open space area. While it may include minor commercial uses, such as small food or news vendors, it is primarily intended to serve as a civic element for general public use to support and complement more passive activities. Ancillary structures may take the form of a pavilion, pergola, or kiosk. The style should complement surrounding buildings while remaining clearly subordinate to them in mass and scale. Ancillary structures do not count as buildings for the purpose of building frontage or Site Development Standards in this Plan but shall conform to the Building Design Standards in this Plan.

#### *Angled Parking:*

See **Parking, Angled**.

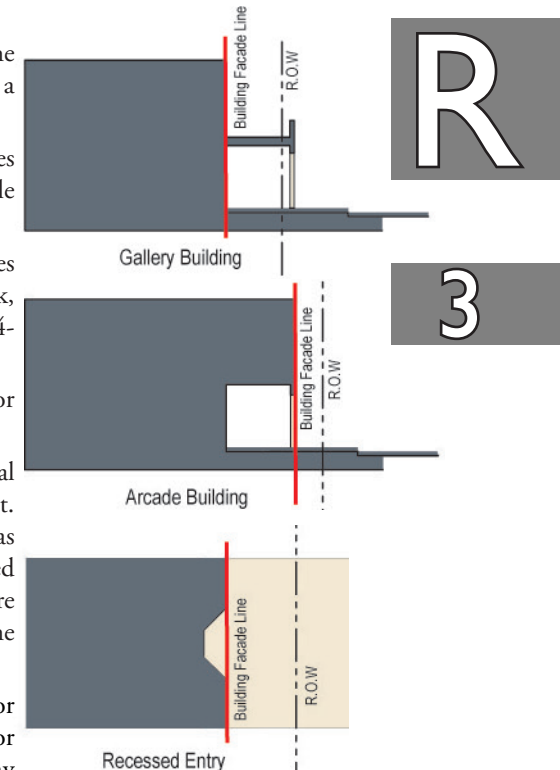
#### *Appeal Process:*

The process by which a land-use decision made by the DRB, EPC, or Planning Director may be challenged.

## 3.0 ADMINISTRATION

<i>Applicant:</i>	A person applying for Site Development Plan <b>approval</b> . The person may be the property owner or owner's agent.
<i>Approval:</i>	An action taken by the Planning Director (or his/her designee) or EPC issuing a <b>Notice of Decision (NOD)</b> or by the DRB signing and dating a Site Development Plan as <b>approved</b> .
<i>Approved Grade:</i>	The grade approved by the City Hydrologist that meets the requirements of the City drainage ordinance, provides sufficient conditions to link to utilities, but imports the least amount of fill. Approved grade may or may not be the same as the nearest roadway grade.
<i>Articulation:</i>	A means of breaking up large expanses of blank wall both horizontally and vertically by adding changes of relief (i.e. how far a portion of the façade projects from or is recessed into the main façade surface), alternating building materials, and/or the placement of windows, <b>portals</b> , and other exterior features.
<i>Attics / Mezzanines:</i>	The interior part of a <b>building</b> contained within a pitched roof structure or a partial story between two main stories of a building.
<i>Auto-related Sales and Service Uses:</i>	Establishments that provide <b>retail sales</b> and services related to automobiles including, but not limited to, cars, tires, batteries, gasoline, etc.
<i>Auto-oriented:</i>	A term describing those aspects of a project intended primarily for the benefit of vehicle access, amenities, and service, including but not limited to drive-through lanes, drive-up windows, queuing, parking, <b>alleys</b> , loading areas, etc.

<i>Awning:</i>	A decorative feature extending from the exterior of a <b>building</b> that may serve as a shelter from the sun, rain, or wind.
<i>'B' Street:</i>	A street designation in this Plan that denotes an <b>auto-oriented</b> street that provides vehicle access to parking, services areas, etc.
<i>Block Size:</i>	Block size is measured between centerlines of the vehicular streets that frame the block, which is defined per City Zoning Code §14-16-1-5.
<i>Bikeway:</i>	Any bicycle lane, bicycle route, and/or bicycle trail.
<i>Build-to Zone (BTZ):</i>	The area within which the principal building's front façade is to be built. (Porches and courtyards do not count as principal façades.) The BTZ is measured from the required minimum setback. Where appropriate, parking is allowed within the BTZ, given the required screening.
<i>Building:</i>	Any structure used or intended for supporting or sheltering any use or occupancy that is entirely separated from any other structure by space or by walls in which there are no common doors, windows, or similar openings; is covered by a roof; and forms an enclosed space. Buildings generally enclose primary uses of the site, as opposed to <b>accessory buildings</b> , which enclose accessory (i.e. secondary or auxiliary) uses.
<i>Building Façade Line:</i>	The vertical plane along a lot where the building's front façade is actually located.



Sample Building Façade Lines

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[Amended November 5, 2014]

#### *Building Frontage:*

The percentage of ground floor façade width located within the **Build-to Zone** as a proportion of the total building façade along an **'A'** or **'B'** Street. **Civic space** that meets the criteria in **Table 9.4**, including **parks**, **plazas**, **forecourts**, and **paseos**, shall be considered as buildings for the calculation of building frontage. [See calculation diagram.]

#### *Building Height:*

The height of a **building** measured from approved grade to the eave line in the case of a pitched roof or to the roof line in the case of a **parapet**. See also **structure height**.

#### *Building Permit:*

An official certificate of Entitlement issued by the City to an **applicant** in order to construct, enlarge, or alter a structure.

#### *Business Improvement District (BID):*

Business Improvement Districts (BIDs) are created by petition of at least ten or more business owners comprising at least 51% of the total business owners in the proposed district. Upon receipt of the petition, a municipality typically passes an ordinance creating the district and establishing the time and terms for paying the BID fee, which could be assessed as part of property taxes or paid annually by tenants. The municipality appoints a management committee, typically an existing revitalization nonprofit or a committee of nominees submitted by business owners, to manage collected fees and act as the legal entity to provide ongoing maintenance, services, and liability for a self-defined area. BIDs often employ a property manager that can act as a recruiting, marketing, and brokering agent for the district. [See also State of New Mexico BID Act, Sections 3-63-1 to 3-63-16 NMSA 1978.]

#### *Bus Rapid Transit (BRT):*

A public transportation system with some dedicated infrastructure and additional resources that enables service that is timely and more efficient than an ordinary bus line can provide. These systems approach the service quality of rail transit with the cost savings and flexibility of bus transit.

#### *Center Zones:*

Character Zones within Volcano Heights meant to provide gravity to hold together surrounding development. Center Zones are intended to have the most dense, urban, walkable built environment and the most intense activity, particularly for pedestrians. In this Plan, Center Zones include Town Center, Regional Center, and Village Center zones.

#### *Character Zone:*

A zone within Volcano Heights that creates an urban form distinct from other zones in the Plan area. Character Zones are identified in the zoning map in **Section 4.1** starting on page 57.

#### *Civic Space:*

See **Open Space, Civic**.

#### *Colonnade:*

A row of regularly spaced columns supporting a major horizontal element above.

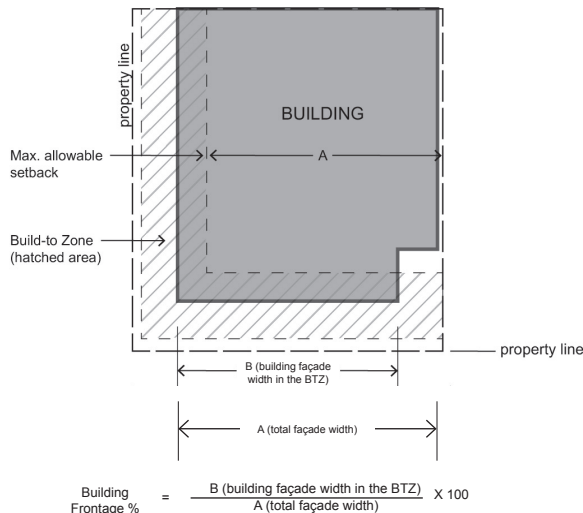
#### *Commercial Ready:*

A space constructed at a minimum ground floor height as established by character zone that may be used for non-commercial uses and/or be converted into retail/commercial use. The space must comply with all building and construction codes for retail use in place at the time of site plan **approval**. Commercial-ready spaces are intended to provide additional flexibility to use space according to market demand.

#### *Commercial Surface Parking Lot:*

Typically for-fee parking as the primary use of the property. This does not include commercial garages or required off-street parking that supports an associated, primary commercial use located on the same property, such as store or office parking.

[Amended November 5, 2014]



**Building Frontage Calculation**



## 3.0 ADMINISTRATION

*Community Garden:* A small- to medium-size garden cultivated by members of an area for small-scale agricultural uses for the benefit of the same people. It may consist of individually tended plots on a shared parcel or may be communal (everyone shares a single plot).

*Cornice:* The uppermost section of the trim along the top of a wall or just below a roof.

*Courtyard:* A landscaped open space in the center of the block with no street frontage, surrounded by walls or buildings on all sides. It shall be large enough to allow for public activities and have sunlight during midday. It should be designed to connect to **adjacent buildings** or to the public sidewalk through a pedestrian passage and should incorporate **water harvesting**.

*Denial:* A refusal by any relevant **approval** body to approve an application because of non-compliance with the intent, requirements, regulations, and/or standards of a Sector Development Plan and/or applicable City codes.

*Development Review Board (DRB):* A 5-member board of City staff (designees for the Planning Director, Parks and Recreation, and ABCWUA; City Engineer; and Traffic Engineer) charged with administering the Subdivision Ordinance and granting **approval** or **denial** of Site Development Plans. [DRB Hearings are weekly.]

*DRB Hearing:* Hearings held to review Site Development Plans and take public comment on proposed projects.

*EIFS:* Exterior Insulating Finishing System, a relatively inexpensive building material limited by the Building Design Standards in this Plan.

*Encroachment:* Any structural or non-structural element such as a sign, **shade structure**, canopy, terrace, or balcony, that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public ROW, or above a height limit. Encroachments are allowed via revocable permit and subject to license and fee restrictions per the DPM, Chapter 8.

*Escarpment:* A linear, steeply sloped landform or cliff-like area that separates flatter terrain above and below it. The Northwest Mesa escarpment consists of lands in excess of 9% slopes covered with basalt boulders, which form the division between the mesa top above and the edge of the former Rio Grande floodplain below. Most of the escarpment is protected from development as part of the Petroglyph National Monument. The escarpment generally provides a visual demarcation between built and natural environments and between public and private lands.

*Exception:* In addition to exceptions allowed by City Zoning Code §14-16-4-2, this Plan defines criteria under which a project can request an exemption from a regulation in this Plan. [See **Section 3.2.13** starting on page 34.]



Action Buzz Community Garden



Sawmill Courtyard



Brickyard District Courtyard

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Forecourt in East Downtown



Gallery in Downtown

*Exceptional Project:*

Any project incorporating elements of exceptional civic, architectural, or environmental design that benefit the City, **adjacent** properties, and/or the built or natural environments, including outstanding public spaces, innovative buildings or structures, or forward-thinking design for sustainability and/or context-sensitive design. Important benefits to the natural environment relevant to this Plan include habitat preservation; interpretation and/or preservation of cultural and/or archaeological resources; or sustainability, **Low-Impact Design**, or **water harvesting**.

*Façade:*

Any separate external face of a **building**, including **parapet** walls and recessed walls. Where separate faces are oriented in the same direction, or in directions within 45 degrees of one another, they are considered part of a single façade.

*First Flush Storm Event:*

The stormwater runoff during the early stages of a storm that can deliver a potentially high concentration of pollutants due to the washing effect of runoff from impervious areas directly connected to the storm drainage system.

*Forecourt:*

Similar to a **courtyard** but located in the front of a **building** such that the forecourt is surrounded on two or three sides by wings of the building. See also **parking court**.

*Frontage:*

See **building frontage**.

*Gallery:*

An extension of the main façade of the **building** at or near the front property line. The gallery may overlap the public sidewalk, subject to **encroachment** license and fees per the DPM, Chapter 8.

*Gross Square Feet (GSF):*

Corresponds to the definition of Gross Floor Area per City Zoning Code §14-16-1-5. (GSF = Net Usable Area + Structural Space).

*Homeowners Association (HOA):*

An organization in a subdivision, planned community, or condominium that makes and enforces rules for the properties in its jurisdiction. HOAs collect monthly or annual dues and act as the legal entity responsible for construction, ownership, ongoing maintenance, and liability for amenities in common areas, such as **parks**, tennis courts, elevators, and swimming pools. HOAs can levy special assessments on homeowners when the association lacks sufficient reserves to pay for unexpected repairs and can place liens on property owners behind on their dues. An HOA that chooses to register with the City ONC shall be included in official **notification** requirements of projects per **Table 3.4** on page 36 and **Table 3.5** on page 37 of this Plan.

*Institutional Uses*

Uses related to non-profit organizations dedicated to religious, educational, healthcare, or social functions.

*Intent:*

A clarifying statement that sets forth a broad desired outcome. A statement of intent does not require specific actions unless the mandatory word “shall” is specifically used.

*Intelligent Transportation Systems (ITS):*

Telecommunications technologies employed to minimize traffic congestion, air pollution and fuel consumption. ITS can include variable message signs, wireless communication, closed-circuit television (CCTV) cameras and advanced traffic signal controls.



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*Kiosks:* Mobile structures that have functioning wheels and an axle, including mobile vending carts, mobile food units, and raw produce vending stands, for the sale of goods including but not limited to food, produce, flowers, and/or arts and crafts.

*Live-Work:* A dwelling unit that is also used for work purposes, such as professional office, artist's workshop, or studio, located on the street level and constructed as separate condominium units or as a single unit. The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live-work unit is distinguished from a home occupation otherwise defined by this Plan in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises, and customers may be served on site.

*Living Fence:* A landscaping treatment, which may include earth berms, a minimum of three feet tall with vegetation dense and tall enough at maturity to screen **abutting** uses, particularly parking areas. Appropriate species shall be selected from the Plant List in **Table 9.5** starting on page 153 in this Plan.

*Lot:* A separate tract or parcel of land platted and placed in the County Clerk's record in accordance with applicable laws and ordinances.

*Low Impact Design (LID):*

An approach to managing rainwater runoff that emphasizes conservation and use of on-site natural features to protect water quality. Using engineered small-scale hydrologic controls, LID works to replicate the pre-development condition by infiltrating, filtering, storing, evaporating, and detaining runoff close to its source. Frequently used LID techniques include bioretention cells (rain gardens), cisterns, pervious paving, bioswales, water harvesting in landscape areas, parking islands, street medians, and commercial filter systems.

*Major Employer:* A company with 150+ employees in a particular structure or campus.

*Manufacturing, Light* Manufacture from previously prepared materials or finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution.

*Massing* As referenced in Building Design Standards in **Section 5**, massing describes the arrangement of three-dimensional volumes that make up a building's form. Architectural elements such as windows, doors and roofs as well as interior floor plans can also affect building mass. Massing is an important factor in the visual interest of a building and how it complements its surroundings.



*Living Fence on the West Side*

## CHAPTER II: REGULATIONS

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*Merchants Association:*

A voluntary member organization of businesses within a self-defined area. Merchants Associations typically collect regular dues to pool funds that pay for maintenance, improvements, property management, marketing, etc. for privately owned amenities. Merchants Associations that choose to register with the City Office of Neighborhood Coordination (ONC) shall be included in official **notification** of projects per **Table 3.4** on page 36 and **Table 3.5** on page 37 of this Plan.

*Mixed Use:*

Any legal combination of permitted or approved conditional land uses, typically referring to a mix of residential and non-residential uses. In this Plan, all Character Zones include a mix of uses. The particular mix of uses is tailored for each zone based on location, access, and surrounding context. One character zone is named Mixed Use to distinguish it from the **Center Zones** and the **Transition Zones**.

*Neighborhood Association:*

A voluntary member organization of residents within a self-defined area. Membership in a Neighborhood Association is defined by each individual Neighborhood Association's by-laws. A neighborhood association that chooses to register with the City ONC shall be included in official **notification** requirements of projects per **Table 3.4** on page 36 and **Table 3.5** on page 37 of this Plan.

*Notice of Decision (NOD):*

The official document issued by the Planning Director or his/her designee, the DRB, or the EPC that contains the decision regarding a given application.

*Notification:*

Notification is the requirement of an **applicant** to notify, by certified/return receipt mail, two duly authorized representatives of any **Neighborhood Association** or other association registered with the Office of Neighborhood Coordination within, abutting, or adjacent to the area covered by the Site Development Plan. See **Table 3.4** and **Table 3.5** for projects requiring the Planning Director or his/her designee to notify property owners within 100 feet of the project boundary, at the applicant's expense.

*Open Space:*

In lowercase letters, a generic term for any outdoor space or amenity intended to retain access to open air and sunlight, regardless of location, ownership, or management responsibility—e.g., landscaped medians, buffers, **paseos**, **setbacks**, **courtyards**, **community gardens**, or balconies. Open space is required through various means in order to provide a psychological and physical respite from development densities. Healthy places balance density vs. openness, urban vs. natural environments. For City-owned open space, see Open Space, Major Public.

*Open Space, Civic:*

Publicly accessible areas within the **Build-to Zone** along public rights-of-way, such as plazas, **paseos**, and patios, or other private open space areas to which the public has been granted access through a public access easement. These spaces may count as either **usable** or **detached open space**.

*Open Space,  
Detached:*

Outdoor space required by zone to balance development densities in a developing area. **Detached open space** shall be provided via dedication, on-site, or cash-in-lieu per City Zoning Code §14-16-3-8. See requirements in **Section 9.4** starting on page 143. Management responsibilities for dedicated lands shall be determined as part of the developer's dedication agreement. Detached open space requirements are in addition to, and calculated and administered separately, from **usable open space** or Impact Fees.

*Open Space,  
Developed:*

Any portion of **usable open space** that has been improved from its natural state with a constructed **private open space amenity**, whether accessible privately or publicly (i.e. **plaza**, **amphitheater**, **playground**, **balcony**, etc.) .

*Open Space,  
Major Public  
(MPOS):*

Publicly-owned spaces managed by City Open Space Division. These are typically greater than five acres and may include natural resources, preserves, recreational facilities, dedicated lands, or trail corridors. The **Petroglyph National Monument** is Major Public Open Space, managed jointly by the National Park Service and City Open Space Division.

*Open Space,  
Usable:*

Outdoor space to be preserved on-site and managed privately to help ensure livable conditions on each site. See **Section 9.5** starting on page 144. On-site open space in non-residential and mixed use developments shall be accessible to the public, with the exception of balconies, porches, **courtyards**, and landscape areas.

*Open Space  
Network:*

The totality of **Major Public Open Space** managed by the City Open Space Division, comprising native or minimally-developed areas such as public rights-of-way, trail corridors, and environmentally **sensitive lands** that are preferably (but not necessarily) visually or physically linked.

*Open Space,  
Private:*

Any open space owned, managed, and maintained privately. Private open space may count as **usable** or **detached open space**, depending on whether it is provided on the same site as the proposed project. For all residential and mixed uses, privately accessible open spaces such as **courtyards**, porches, and balconies may count as **usable open space**. Private open space amenities shall be the responsibility of property owners/ developers for the cost of construction, and ongoing maintenance and liability shall also be privately funded, such as by a **POA** or **HOA**. Property owners may grant public access to **private open space** via a public access easement that remains with the property in perpetuity. To be dedicated to the City for ongoing maintenance and liability responsibility, such spaces must meet City standards and be acceptable to and accepted by the relevant City department.

*Parapet:*

A low wall that serves as a vertical barrier at the edge of a roof, terrace, or other raised area; in an exterior wall, the part entirely above the roof.

*Park:*

A **civic space** programmed for active recreation, available for passive recreation, and accessible to the public.

## CHAPTER II: REGULATIONS

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Parking Court in Nob Hill



Paseo



Paseo in Downtown



Patio on the West Side

*Parking, Angled:* Refers to both “head-in” parking and “reverse-angle” parking, sometimes referred to as “back-in” angle parking. [See also “Reverse-angle Parking.”]

*Parking Court:* A small parking area surrounded by three wings of a **building**, served by one-way access from an **‘A’ Street**, with angled parking spaces screened by vegetation or **living fence**.

*Paseo:* Linear urban spaces that connect one street to another at through-block locations. These civic open spaces are dedicated to pedestrian movement between blocks and buildings or along **alleys**. Paseos may terminate public streets within the Plan area.

*Patio:* An outdoor space for dining or recreation that adjoins a residence or non-residential use and is often paved. It may also be a roofless inner **courtyard** within a residential or non-residential use.

*Pedestrian-oriented:* A term describing those aspects of a project intended primarily for the benefit of access, amenities, or services for people on foot or bicycle, including design details at the scale of the human body.

*Permeable Paving:* Hardscape material used as a means of allowing water and air to penetrate to underlying soil or gravel reservoir for storm water control, reduction in heat island effect, and the health of planted materials. Examples include pave stones, matrix materials, permeable asphalt, or permeable concrete.

*Planning Director:* The Director of the City of Albuquerque Planning Department or his/her designee.

*Petroglyph National Monument:*

*Playgrounds*

*Plaza:*

*Pilaster:*

*Portal:*

*Porte Cocheres:*

Over 7,000 acres of **Major Public Open Space** designated a national monument by the U.S. Congress in 1990 and jointly managed in the public interest by the City Open Space Division and the National Park Service. The Plan area abuts the Monument to the east.

**Civic open spaces** designed and equipped for children’s recreation. Playgrounds should serve as quiet, safe places – protected from the street and typically located where children do not have to cross major streets to access. Playgrounds may be fenced. An open shelter, play structures, interactive art and/or fountains may be included. A larger playground may be incorporated into a **park**, whereas a more intimate playground may be incorporated into a **recreation area**.

A primarily hardscaped, **civic open space** with formal landscaping, available for civic purposes and commercial activities. A plaza shall be defined spatially by **buildings** but may have street frontage on up to two sides.

A pier or pillar attached to the wall or portion of the wall that projects slightly to resemble a column, often with capital and base.

A portion of the ground-level, main façade of the **building** that is recessed, with a **colonnade** supporting the upper floors of the building. Portals are intended to provide weather protection for pedestrians to access buildings with ground-floor commercial or retail uses.

A roofed structure covering a driveway at the entrance of a building to provide shelter while entering or leaving a vehicle.



## 3.0 ADMINISTRATION

<i>Primary Street:</i>	See <b>Streets, Primary.</b>
<i>Private Open Space Amenity:</i>	Could include a pool (swimming, lap pool, spa area), play courts (basket ball, tennis), picnic areas with shade structures, etc.
<i>Property Owners Association (POA):</i>	Typically a non-voluntary organization that collects regular dues from all property owners within a self-defined area to pay for ongoing maintenance, liability, and operations of privately owned amenities that benefit properties within the self-defined area. A POA that chooses to register with the City ONC shall be included in official <b>notification</b> requirements of projects per <b>Table 3.4</b> on page 36 and <b>Table 3.5</b> on page 37 of this Plan.
<i>Public Improvement District (PID):</i>	A method of funding subdivision improvements, such as roads, public buildings, drainage infrastructure and recreational facilities through special assessments added to property taxes for properties within the defined boundaries of the district. See <b>Section 14.3.2</b>
<i>Public Utility Structure:</i>	Per City Zoning Code §14.16.1.5.
<i>Recreation Area:</i>	A <b>civic open space</b> intended for passive, unprogrammed, low-impact recreation not typically defined spatially by building façades. Recreational areas are typically naturalistic with minimal improvements.

### *Retail Sales:*

Retail establishments are the final step in the distribution of merchandise. They are organized to sell items in small quantities to many customers. Establishments in stores operate as fixed point-of-sale locations, which are designed to attract walk-in customers. Retail establishments often have displays of merchandise and sell to the general public for personal or household consumption, though they may also serve businesses and institutions. Some establishments may further provide after-sales services, such as repair and installation. Included in, but not limited to, this category are durable consumer goods sales and service, consumer goods, other grocery, food, specialty food, beverage, dairy, etc., and health and personal services.

On-street, angled parking where cars back into a parking space, sometimes referred to as “back-in angled parking.” The procedure is generally easier than parallel parking and safer for multimodal streets – particularly for cyclists – because of greater visibility when cars pull into the travel lane. [See **Exhibit 13.2** for examples.]

The area of land dedicated to or acquired by the city, county, or state primarily for the use of the public for the movement of people, goods, and vehicles.

Bedrock or other stratum a minimum of 6 feet high on its steepest side as measured from the adjacent 10% slope line and in excess of 500 SF in surface area.

### *Reverse-angle Parking:*

[Amended November 5, 2014]

### *Right-of-Way (ROW):*

### *Rock Outcropping:*



*Playground on the West Side*



*Portal on the West Side*



*Rock Outcropping in Volcano Heights*

## CHAPTER II: REGULATIONS

### 3.0 ADMINISTRATION

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Roof Terrace in East Downtown



Building Blade Sign in Downtown

*Roof Terraces/  
Gardens:*

Flat areas on top of a building that are accessible for use as a recreation or gardening space for the residents and users of the building.

*Sensitive Lands:*

Areas with environmental concerns that warrant special consideration for nearby development. Sensitive lands include, but are not limited to, the volcanic Escarpment; the Petroglyph National Monument; **Major Public Open Space**; or archaeologically, culturally, and/or geologically significant areas.

*Service Uses:*

A category for limited personal service establishments that offer a range of personal services including (but not limited to) clothing alterations, shoe repair, dry cleaners, laundry, health and beauty spas, tanning and nail salons, hair care, etc.

*Setback:*

The required minimum distance between the property line and the **building façade** or structure.

*Secondary  
Dwelling Unit:*

A minor second dwelling unit up to 650 SF associated with a single-family detached dwelling unit permitted anywhere on the lot except the front yard.

*Secondary Street:*

See **Streets, Secondary**.

*Senior Housing  
Facility:*

An age restricted residential complex that may be in a variety of housing forms— attached or detached dwelling units, apartments, private or semi-private rooms — occupied by senior citizens. The property shall be operated as “Housing for Older Persons” as defined in the Federal Housing for Older Persons Act (42U.S.S., para 3607(b)(2)) and uses will include related facilities and services, such as a common dining area, private recreational facilities, housekeeping assistance, medical services including but not limited to dietary and nutritional assistance, or incidental services related to daily living. Facilities meeting the definition of a Community Residential Program cannot be included under the Senior Facility Housing use.

*Sign, Building  
Blade:*

A **pedestrian-oriented** sign affixed perpendicular to the corner of a building or along the front façade of a building above the ground floor to provide identification for the whole building.

*Sign,  
Freestanding:*

Includes both permanent and temporary signs placed within a building’s front yard. Freestanding signs may be pole or **monument signs**.

## 3.0 ADMINISTRATION

*Sign, Marquee:* A sign structure placed over the entrance to a theatre or other public gathering venue. It has signage stating either the name of the establishment or, in the case of theatres or other public venues, the name of the event, artist, and other details of the event appearing at that venue. The marquee is often identifiable by a surrounding cache of light bulbs, usually yellow or white, that flash intermittently or in sequence as chasing lights. Marquee signs may be combined with **building blade signs**.

*Sign, Monument:* Any **freestanding sign** connected to the ground with no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign may include a sign face and sign structure and may also include a sign base and sign cap.

*Sign, Sandwich Board:* A portable sign consisting of two panels of equal size, which are hinged at the top or one panel with a support and placed on the ground or pavement so as to be self-supporting.

*Sign, Tenant Blade:* A **pedestrian-oriented** sign smaller than a **building blade sign**, affixed perpendicular to the building façade under a canopy or **awning** or immediately over a tenant space to provide identification for individual tenants within a building.

*Sign Plan, Master:*

A plan submitted along with a Site Development Plan indicating the dimensions, location, colors, lighting, motion, and materials of all proposed signage. Elevation drawings of all signs shall be included on the signage plan.

*Significant Infrastructure:*

Determined on a case-by-case basis but generally including a major street, drainage or utility facility, etc. necessary to develop the subject property as well as other nearby properties.

*Significant Rock Outcropping:*

See “Rock Outcropping.”

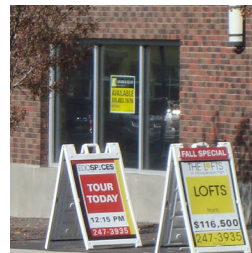
[Amended November 5, 2014]



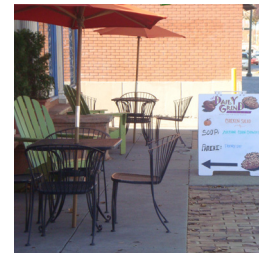
Blade and Marquee Signs in Downtown



Monument Sign on the West Side



Sandwich Board Signs in East Downtown



Tenant Blade Signs in East Downtown



## CHAPTER II: REGULATIONS

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Single-loaded Roads Next to Open Space  
in Albuquerque

*Single-loaded  
Road:*

A road with development only on one side. In this Plan, a single-loaded road is the recommended transition from the Petroglyph Monument Boundary to development in the Escarpment Transition Zone.

*Site Development  
Plan:*

A shortened phrase referring to a Site Development Plan for Building Permit. [Site Development Plan cannot be used interchangeably with “Site Development Plan for Subdivision.”] Where used as a plural in this Plan (i.e. “Site Development Plans”) without a qualifier (i.e. “for Building Permit” or “for Subdivision”), it refers to both Site Development Plans for Building Permit and Site Development Plans for Subdivision.

*Site Development  
Plan for Building  
Permit:*

As per City Zoning Code §14-16-1-5, an accurate Plan at a scale of at least 1 inch to 100 feet, which covers a specific site. Submittal requirements may vary based on the size of the development, proposed uses, and existing conditions surrounding the site.

*Site Development  
Plan for  
Subdivision:*

As per City Zoning Code §14-16-1-5, a Site Development Plan for Subdivision includes information used to plat a lot for future development.

*Site Development  
Standards:*

Standards established for each Character Zone that specify the height, bulk, orientation, and arrangement of elements for all new construction and redevelopment.

*Slip Lane:*

A traffic lane provided along a thoroughfare to allow vehicles to drive at a slower rate than the through lanes without interfering with through traffic. Slips lanes are separated from through lanes by a median and typically allow parking on one or both sides.

*Soffit:*

The exposed underside of any architectural element, especially a roof, or the underside of a structural component such as a beam, arch, or recessed area.

*Special Assessment  
District (SAD):*

A defined area in which property owners pay a fee in addition to property taxes to fund necessary infrastructure improvements to support development, such as drinking water and sewer lines, streets, and other government services, in new subdivisions. The assessed fee cannot be greater than the calculated benefit to the value of the property. [See **Section 14.3.1**]

*Sprayground:*

A fully automated water feature in which people of all ages can play. Spraygrounds may be private or public.

*Stepback:*

An offset between the lower and upper story or stories of a building in order to eliminate the “canyon effect” of multi-story buildings along a roadway.

*Storage:*

A space or place where goods, materials, or personal property is placed and kept for more than 24 consecutive hours.

*Street  
Designations:*

Refer to either ‘**A**’ or ‘**B**’ **Streets** in this Plan. **Exhibit 4.1** on page 64 in **Section 4.5** shows character zones and street types and street designations applicable to **Primary Streets**, subject to the standards in this Plan.



*Street, Neighborhood:* A street that is primarily for access to **abutting** properties and carries relatively low traffic volumes.

*Streets, Primary:* A minimal network of streets critical to supporting future development within Volcano Heights. Primary Street alignments are mapped in **Exhibit 10.1**. Street locations have some flexibility per **Table 10.1** but shall retain the general grid pattern and a minimum level of connectivity to serve pedestrians and disperse auto traffic. Primary Streets include cross sections per **Section 10.6** starting on page 173.

*Streets, Secondary:* Local streets added to the backbone grid of Primary Streets primarily to provide access to individual developments but also to enhance connectivity for all modes of transportation and to help support retail and employment uses. This Plan provides a menu of options for Secondary Street standards and typical cross sections in **Section 10.7** starting on page 199.

*Streetlights, Cobrahead:* A typical streetlight installation with a light fixture resembling a cobra head mounted on a distribution pole high enough to light a roadway. Cobrahead lights are typically used to serve **auto-oriented** streets, as the tall distribution poles are out of scale with the pedestrian realm.

*Streetlights, Column:* A typical streetlight installation for retail areas. The light fixture is mounted on a distribution pole at a height at the pedestrian scale to serve the pedestrian as well as the auto realm.

*Streetscape:* All elements within the public right-of-way between private property lines, including but not limited to travel lanes, median, curb and gutter, bike lanes, bike buffer, street trees, sidewalk, and landscaping. The term generally connotes the intent to create attractive, multi-modal streets that work well for all users.

*Street Screen:* A freestanding wall or **living fence** built along the frontage line or in line with the **building façade** along the street. It may mask a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the public realm.

*Structure:* Per City Zoning Code §14-16-1-5. Includes buildings, carports, porches, and wireless communications facilities, for example. [A **building** is a structure, but a structure is not necessarily a building.]

*Structure Height:* The vertical distance above the approved grade of the highest point of any structure on the site, except where defined by roof pitch. See **Building Height**.

*Tax Increment Development District (TIDD):* The geographic area where a Tax Increment (i.e. a piece or portion of future gains of taxes used to finance current improvements) is generated and in which the proceeds of the tax increment must be expended. [See **Section 14.3.3** starting on page 248.]



*Sprayground Features in Albuquerque*

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*Transition Zones:* Areas intended to buffer existing and planned lower-density and single-family residential development and **sensitive lands** from higher-density, higher-intensity uses toward the center of the Plan area. In this Plan, Neighborhood Transition zones are located on the northern and southern boundaries of the Plan area, and Escarpment Transition zone is located along the eastern edge of the Plan area. Transition Zones include limits on building heights and scale, as well as business operations for conditional uses.

*Transom:* A bar, typically wood or stone, across the top of a door or window, or a small hinged window above a door or another window.

*Undevelopable Land:* Land that is not suitable for cut or fill and includes, but is not limited to, significant **rock outcroppings** as defined by this Plan.

*Water Harvesting:* A water conservation method used to capture, divert, and/or store rainwater for plant irrigation and other uses. A simple system usually consists of an area to catch water (i.e. catchment area or cistern) and a means to distribute water using gravity. Water is directed to landscape holding areas, concave or plated areas with “edges” to retain water, which can be used immediately by nearby plants.

*Zoning Map:* A regulatory map that shows the character zones applicable to the Volcano Heights Plan area subject to the standards in this Plan.