

## **SECTION III: APPENDICES**

**APPENDIX A  
ANNOTATED BIBLIOGRAPHY**

## **Annotated Bibliography**

### **Plans Affecting North Albuquerque Acres**

Adopted plans for urban development and conservation vary in scale and intent. The various types of plans that affect the planning process are described below.

*Comprehensive plans.* Comprehensive Plans are regional in scale.

*Facility Plans and Area Plans.* Facility Plans are specialized in subject matter (e.g., a specific type of natural resource utility or public facility) and cover the entire metropolitan area, or at least a major part thereof. Area Plans cover diverse, major geographic parts of the metropolitan area and specify important development standards.

*Sector Development Plans and Neighborhood Development Plans.* These plans cover an area with common characteristics, such as a neighborhood. They may specify fairly detailed development parameters and, in the case of Sector Development Plans, create special zoning regulations for the area covered.

### **Existing Plans and Policies Pertaining to Land Use**

#### **Subareas Master Plan for the Developing Urban Area of North Albuquerque Acres (1978)**

This plan recognizes that obsolete platting, drainage patterns, topography, and diverse land ownership are impediments to urban development in North Albuquerque Acres. The entire area was divided into subareas primarily based upon drainage concerns and topography. The concept was that the subareas would be quasi-independent development areas, which would be sequenced for development through privately initiated Sector Development Plans. It only covers that land designated as Developing Urban in the Albuquerque/Bernalillo County Comprehensive Plan. Requirements for development are included in the Plan; however, no specific references are made regarding commercial land uses.

#### **La Cueva Land Use Guide (1986)**

This guide covers approximately 800 acres surrounding La Cueva High School, all of which is now within the municipal limits of Albuquerque. Urban development with replatting of property is the emphasis of the preferred land use Concept Three, and mixed land uses consisting of single family, multi-family, office, recreational, and commercial uses are promoted. Concept Three specifies that 29.1 acres of commercial land uses and 27.2 acres of office land uses should be set aside. The commercial acreage is fulfilled by land zoned for commercial at the northeast corner of Paseo del Norte and Wyoming (28 acres) and other assorted commercial parcels. Approximately 11 acres of office zoning is present at the northwest corner of Barstow and Paseo del Norte.

The La Cueva Land Use Guide is to be rescinded following adoption of the La Cueva Sector Development Plan (see description below).

**Albuquerque/Bernalillo County Comprehensive Plan (1988, rev. 2002)**

At the May 22, 2001 public hearing, the Board of County Commissioners approved the change in land use designation for North Albuquerque Acres from Developing Urban to Rural (Resolution AR 39-2001). The Albuquerque/Bernalillo Comprehensive Plan now identifies the majority of North Albuquerque Acres as Rural. The County parcels falling to the south of Beverly Hills Av. in between Wyoming and Louisiana Blvd. are the exception, having maintained the original Developing Urban land use designation.

Comprehensive Plan policies relevant to the corridor study include:

- **Rural** - The goal is to maintain the separate identity of Rural Areas as alternatives to urbanization by guiding development compatible with their open character, natural resources, and traditional settlement patterns.
- **Policy G**: The following policies shall guide industrial and commercial development in Rural areas:
  - Small-scale, local industries which employ few people and may sell products on the same premises are the most desirable industrial use.
  - Neighborhood and /or community-scale rather than regional scale commercial centers are appropriate for rural areas. Strip commercial development should be discouraged and, instead, commercial development should be clustered at major intersections and within well designated mountain and valley villages.
- **Established and Developing Urban Areas** – The goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.
  - **Policy D**: The location, intensity, and design of new development shall respect existing neighborhood values; natural environmental conditions and carrying capacities; scenic resources; and resources of other social, cultural, or recreational concern.
  - **Policy E**: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.
  - **Policy G**: Development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.
  - **Policy I**: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

- Policy J: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:
  - In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- Policy L: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

#### **Report of the La Cueva Land Use Guide Advisory Committee (1994)**

This report presents the findings of the La Cueva Land Use Guide Advisory Committee to the Bernalillo County Board of Commissioners. The Advisory Committee was formed in January 1994 to address the difficulties in implementation of the La Cueva High School Land Use Guide. The Committee found that, due to obsolete platting, diverse land ownership, and the relatively small size of parcels along with existing drainage patterns and topography, urban development had been seriously impeded in the area within the boundaries of the La Cueva Land Use Guide. The Committee further found that, in order to overcome the adverse conditions and solve the platting, drainage, topography, and infrastructure problems and to adequately address major issues and concerns, the La Cueva High School Land Use Guide must be rescinded and a La Cueva Sector Development Plan must be prepared

#### **North Albuquerque Acres and Sandia Heights Light Pollution Ordinance (1997)**

This ordinance was passed in November 1997. It is intended to create standards for outdoor lighting so that its use does not unreasonably interfere with the “night sky” enjoyment of adjacent property owners or with amateur astronomical observations. A secondary intent is to promote energy conservation without jeopardizing safety, utility, security, or productivity. Key provisions of this ordinance include the following:

- Federally funded and state funded roadway construction projects, such as Paseo del Norte and its intersections with other local streets and roadways, are exempt from this ordinance.
- Searchlights, spotlights, floodlights, or lighting fixtures used to illuminate off-premise signs are prohibited. Any other outdoor light fixtures or illuminated on-premise signs installed after the effective date of the ordinance shall comply with all applicable County ordinances and with the following requirements:
  - All outdoor light fixtures and illuminated on-premise signs shall be designed and operated as cutoff or shielded, aimable fixtures. They shall be equipped with and controlled by light and motion sensors or automatic timing devices and shall remain off between 11:00 p.m. and sunrise except for illuminating walks or driveways.
  - Outdoor light poles and standards shall not exceed 16 feet in height above existing grade. Public streetlight poles and standards are exempt from this height requirement.

- All outdoor lighting fixtures mounted on buildings or structures shall be mounted at a height no more than 16 feet above finished grade.
- All outdoor lighting systems shall be designed, or re-designed, and operated so that the area 10 feet beyond the property line of the premises receives no more than 0.25 (one quarter) of a foot-candle of light from the premises' lighting system.
- All non-conforming outdoor fixtures installed prior to and operable on the effective date of this ordinance shall be removed or converted to a conforming use within three (3) years for non-residential use and five (5) years for residential use.
- Existing public streetlights installed before the effective date of this ordinance are exempt from the requirements of the ordinance, however, when they become unrepairable, their replacements are subject to all provisions of this ordinance.
- Any person may submit an application for an administrative exemption from the requirements of the ordinance.
- Any owner, tenant, agent, or person in charge of any premises or any other person who violates any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$300 per day of the violation.

#### **Bernalillo County Zoning Ordinance (1998, rev. 2005)**

This new ordinance contains the permissive and conditional uses, and physical development (height, setbacks, parking, floor area, and signage) requirements and restrictions for all residential and non-residential zones in Bernalillo County. The same zones that are covered by the moratorium (98-1998) are contained in this ordinance. Provisions for Special Use Permits in the County A-1 zone are also described, along with the set of criteria for justifying a zone change and Special Use Permit request.

#### **North Albuquerque Blueprint for Action (1998)**

Community blueprints have been or are in the process of being prepared for each of Albuquerque's ten identified Community Planning Areas (CPAs). North Albuquerque includes areas within and outside of the city limits. The Paseo del Norte/North Albuquerque Acres Sector Plan area comprises the rural eastern portion of North Albuquerque. The North Albuquerque CPA blueprint contains a community profile that describes various features, strengths, weaknesses, and issues within the community. Priority and recommended actions are included.

The blueprint states that North Albuquerque is the third fastest growing community in Albuquerque. It contains 9,227 acres, of which approximately 60 percent (5,536 acres) is developed and 40 percent (3,691 acres) is vacant.

Community blueprints are intended to be used as a planning tool and as a budget tool for the community partnerships that comprise District 4 City Councilor, school representatives, neighborhood association members, city staff, and other interested individuals. These documents

focus on neighborhoods within the City. Issues that are relevant to the Paseo del Norte Commercial Corridor Study include:

- transportation, including traffic congestion, speeding, and cut-through traffic;
- private wells and septic tanks;
- flooding; and
- incompatible land uses.

Land use development and transportation are identified as the top two major issues affecting North Albuquerque. The blueprint states that North Albuquerque Acres lacks retail sites which means most residents shop outside of the community.

### **North Albuquerque Acres Transportation Plan (1998)**

The North Albuquerque Acres Transportation Plan is intended to serve as a blueprint for transportation improvements as they are undertaken over the course of the development of the neighborhood. The Transportation Plan was guided by a committee of local residents and entailed extensive public involvement. The main facets of the plan are its traffic calming features, provisions for regional trails and bikeways, design for circulation, goals for local road cross sections, and considerations for funding. The Plan lists and prioritizes specific projects for the neighborhood. It also recommends that representatives from the neighborhood be reconvened on a yearly basis to revisit and update the document as needed. The Transportation Plan was finalized in March, 1998, and adopted by the Bernalillo County Commission in October, 1998.

### **La Cueva Sector Development Plan (2000)**

The land use and zoning illustrations from the La Cueva Sector Development Plan designate approximately 41 acres for commercial development and approximately 29 acres for office/institutional development. In addition to the standard SU-2 zoning that is typical of Sector Development Plans, this document designates a mixed use zone (SU-2/Mixed Use) that includes both residential and commercial uses.

This plan covers the portion of North Albuquerque Acres annexed by the City, but it does not recommend land uses in the County portion of North Albuquerque Acres.

### **Paseo del Norte Commercial Corridor Study (1999)**

In response to changing land use conditions in North Albuquerque Acres, including planned development of significant transportation corridors in the area, the growing population, and increasing requests for zone changes, special use permits, and conditional use permits, Bernalillo County prepared The Paseo del Norte Commercial Corridor Study to review potential land use changes in a more global and systematic way, rather than on a case-by-case basis. This study recommends a set of criteria that can be used to assess the potential for future land use changes in North Albuquerque Acres, and which were used to establish a set of preferred non-residential and higher density residential land uses for specific sites along Paseo del Norte and Eubank Boulevard. The study also assesses the likely traffic impacts of the recommended land uses and identifies options for providing water and sanitary sewer service to the study area.

## **Existing Plans and Policies Pertaining to Open Space and Trails**

### **Albuquerque/Bernalillo County Comprehensive Plan (1988, rev. 2002)**

This document contains the following goals and policies that relate to open space in North Albuquerque Acres:

*Open Space Network.* The goal is to provide visual relief from urbanization and to offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside Major Public Open Space, parks, trail corridors, and open areas throughout the Comprehensive Plan area.

- Policy F: A multi-purpose network of open areas and trail corridors along arroyos and appropriate ditches shall be created. Trail corridors shall be acquired, regulated, or appropriately managed to protect natural features, views, drainage or other functions or to link other areas within the Open Space Network.
- Policy H: Developing areas shall have neighborhood parks and open areas located to serve the population of the area.
- Policy I: The design of parks and other open areas shall incorporate the following criteria:
  - Connections between other Open Space areas and public facilities.
- Policy J: Design of neighborhood areas should tie into other open spaces, where appropriate, to create an Open Space Network.

*Transportation and Transit.* The goal is to provide a balanced circulation system through ... encouragement of bicycling, walking and use of transit/paratransit as alternatives to automobile travel....

- Policy G: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.
- Policy H: A metropolitan area-wide recreational and commuter bicycle and trail network which emphasizes connections among activity centers shall be constructed and promoted.
- Policy I: Street and highway projects shall include paralleling paths and safe crossings for bicycles, pedestrians, and equestrians where appropriate.

### **Trails and Bikeways Facility Plan (1993; map rev. 1996)**

The Trails and Bikeways Facility Plan was adopted by resolution by the City of Albuquerque and Bernalillo County. This plan contains the long-range policies for off-street trails and bicycle facilities in the Albuquerque Metropolitan Planning Area (AMPA). Plan objectives include linking existing and proposed trails into a network that connects neighborhoods to commute

destinations, parks, and open space. The Proposed Trails Map included in the plan shows the existing and proposed primary and secondary off-street trails.

In North Albuquerque Acres, trails are shown along roadways and in arroyos. The area is designated as a trail study corridor, however, meaning that trail connections are desirable, but no definite alignments are proposed. The plan acknowledges that NAA residents have expressed an interest in having the road network, rather than the arroyos, used for a future trail system. One suggestion is to designate 15 feet on one side of each roadway as a trail. The plan emphasizes that there is no intention to require dedication of trail easements from one-acre lot owners at the building permit stage.

### **Facility Plan for Arroyos (1986)**

The Facilities Arroyo Plan was adopted by resolution by the City of Albuquerque and Bernalillo County. The purpose of the plan is to establish guidelines and procedures for implementing the goals of the Comprehensive Plan in order to create a multi-purpose network of recreational trails and open space along arroyos.

The plan designates the La Cueva Arroyo as a Major Open Space Link. This designation calls for development of an arroyo corridor plan to locate recreational trails in the right of way to form a continuous east/west linkage between peripheral Major Public Open Space.

The plan also designates the South Domingo Baca Arroyo as an Urban Recreational Arroyo, indicating that it has the potential to connect major activity areas with residential development by means of linear parks or continuous trail corridors in the arroyo.

### **Major Public Open Space Facility Plan (1999)**

The Major Public Open Space Facility Plan was adopted by resolution by the City of Albuquerque and Bernalillo County. This plan establishes guidelines to implement the Major Public Open Space Network goals of the Comprehensive Plan.

Two policies are relevant to the La Cueva Arroyo, which is designated as a Major Open Space Link in the Facility Plan for Arroyos and the Comprehensive Plan. First, because Major Open Space Links traverse developed areas, they should be reviewed to determine whether management as Major Public Open Space or as an urban trail is more appropriate. Second, appropriate City and County agencies should work with AMAFCA to provide an open space element to drainage management plans for the relevant arroyos.

### **North Albuquerque Acres Transportation Plan (1998)**

This plan includes a trails and bikeways plan that shows proposed on- and off-street bike routes, lanes and paths in North Albuquerque Acres. In most cases, the proposed bikeways correspond to those shown on the Long Range Bikeways System map (see description below). In a few places, however, this plan proposes the relocation of bikeways. The plan also addresses the neighborhood concerns about trails in the arroyos noted in the Trails and Bikeways Facility Plan

by moving the trails shown in the arroyos on the Proposed Trails Map to the nearest road right-of-way.

### **Metropolitan Transportation Plan (2003, amended 2006)**

A Metropolitan Transportation Plan (MTP) is a tool for helping people in a metropolitan area determine how their area is growing, which way it is headed, and whether they want it to continue going in that direction. The 2025 MTP analyzes what would happen if current trends were allowed to continue to the year 2025. It shows what would happen if no planning for the future were done, and then proposes an alternative to doing nothing. It outlines specific goals and strategies regarding transportation and offers a set of recommendations aimed at relieving congestion, maintaining air quality, and improving quality of life. These long-term recommendations will guide decisions about specific transportation projects to develop and fund in the short term. The Plan must:

- identify projected transportation demand of people and goods
- identify pedestrian and bicycle transportation facilities
- outline how the existing transportation system will be preserved
- reflect consideration of other existing local plans, such as regional land use plans,
- community development, and employment plans
- include a financial plan

### **Long Range Bikeways System Map (1999, rev. 2004)**

The Long-Range Bikeways System Map, formerly known as the Bikeways Master Plan, establishes long-range policies for bicycle facilities in the Albuquerque Metropolitan Planning Area. In particular, it shows existing and proposed on-street bikeways and primary off-street trails for the metropolitan region. This map is revised periodically through the Future Albuquerque Area Bikeways and Streets Process, which gathers input from local governments, agencies, and bicycling advisory committees.

### **Albuquerque Comprehensive On-Street Bicycle Plan (2000)**

The Albuquerque Comprehensive On-Street Bicycle Plan, currently in final draft, sets forth a framework for developing a comprehensive on-street bikeway system by 2020. The intent is to connect all quadrants of the city and provide safe and convenient access for bicyclists to residential neighborhoods, employment centers, shopping, schools, and parks. Preparation of this plan was a recommendation of the Trails and Bikeways Facility Plan.

The plan contains a recommended on-street bikeway network showing existing and proposed bicycle routes, lanes, and trails. Once approved, the plan will provide the basis for revising the MTP bikeways recommendations and the city portion of the Long-Range Bikeways System Map.

**APPENDIX B  
GLOSSARY OF TERMS**

## **Glossary of Terms**

Adjacent  
Touching.

Albuquerque/Bernalillo County Comprehensive Plan

The basic long-range city and county policy for the development and conservation of the entire metropolitan area. It contains goals and policies in a number of areas that relate to the growth of the community. The Comprehensive Plan is the rank one plan for the area; all lower ranking plans must be consistent with it.

Building, Height of

The vertical distance from the grade to (a) the highest point of a flat roof, (b) the decline of a mansard roof, or (c) the average height between eaves and ridge for gable, hip, and gambrel roofs.

Cluster Development

A development design that concentrates buildings in areas on the site to allow remaining land to be used for recreation, common open space and/or preservation of environmentally sensitive features.

Conditional Use

A use permitted in a zone with approval of the Zoning Administrator.

Design Overlay Zone

A set of mapped provisions regarding site and building design that serve as an addition to an area's existing zoning regulations. When the provisions of the design overlay zone conflict with existing zoning, the design overlay zone standards prevail.

Developing Urban Area

The area designated by the Comprehensive Plan as a part of the continuous Albuquerque urban area but which was found not to be generally divided into urban lots or have an adopted detailed master plan as of January 1975.

Easement

A grant of one or more of the property rights by the property owner to and/or for the use of the public, a corporation or another person or entity.

Extraterritorial Zone

The land within unincorporated Bernalillo County that is also within five miles of the boundaries of the City of Albuquerque. In 2002, the Extraterritorial Zone along with the ELUA (Extraterritorial Land Use Authority) and ELUC (Extraterritorial Land Use Commission) were dissolved. Currently land use planning requests that fall within the unincorporated portion of Bernalillo County are reviewed by the County Planning Commission and the Board of County Commissioners.

Grade

The average of the finished ground level at the center of all walls of a building. In case the walls are parallel to and within five feet of a sidewalk, the ground level shall be measured at the sidewalk or at the center of such wall nearest the sidewalk.

Public Open Space

Lands that have been or shall be acquired, developed, used, and maintained to retain their natural character to benefit people throughout the metropolitan area by conserving resources related to the natural environment, providing opportunities for outdoor education and recreation, or defining the boundaries of the urban environment.

Public Right-of-Way

The area of land deeded, reserved by plat, or otherwise acquired by the city, the county, or the State of New Mexico, primarily for the use of the public, for utilities, and the movement of people, goods, and vehicles.

Rural Area

An area with either agriculture or open space potential, ecological limitations, cultural/lifestyle preferences, or any combination of the aforementioned factors that prohibit or impede urban densities except in planned communities.

Sector Development Plan

A rank three plan covering a specific portion of the unincorporated area of Bernalillo County that specifies standards for that area's development. A Sector Development Plan may establish zoning regulations for an area that differ from those normally allowed, based on unique neighborhood conditions, including allowable uses, densities, building heights, landscaping requirements, signs, parking or other items as determined by the Extraterritorial Land Use Authority.

Sector Development (SD) Zone

A zone that allows a mixture of uses controlled by a Sector Development Plan which specifies new development and redevelopment that is appropriate to a given neighborhood, when other zones are inadequate to address special needs.

Semi-urban Area

Former rural areas that, as a consequence of development pressures, are now urbanizing, thus combining aspects of both rural and urban lifestyles. The semi-urban area exhibits development restraints as well as cultural/lifestyle preferences that will limit overall densities to between 1 and 3 dwelling units per acre.

Setback

The shortest distance between a structure and the present or future street line or property line, or right-of-way line of a private access road.

Single-family Dwelling

A building designed to be occupied by one family and containing at least one kitchen, including manufactured homes or prefabricated, modular or sectional units meeting the requirements of the Bernalillo County Building Code, designed to be permanent structures, placed upon permanent foundations, and taxed as real estate.

Special Use

A use permitted in a zone in which it is not otherwise permitted by the Zoning Ordinance, by authorization of the BCC through the issuance of a special use permit. Uses that the BCC can authorize through a special use permit are listed in the Albuquerque/Bernalillo County Zoning Ordinance.

Street Tree

A tree growing within 20 feet of the edge of the street.

Traffic Calming

The use of traffic devices such as speed humps, intersection traffic circles, or mid-block islands on local roads to slow vehicle speeds and reduce cut-through traffic.

Trail

Recreational paths for bicycles, pedestrians, equestrians, and off-road vehicles.

**APPENDIX C  
NOTIFICATION FOR FIRST PUBLIC MEETING**

Please come to  
an **Open House** concerning  
the North Albuquerque Acres/ Paseo del Norte  
**Sector Development Plan**  
and proposals for **public open space**.

The open house will be held on  
**Thursday, July 13, 2000**  
from 7 to 9 PM,  
at the William Sibrava Sheriff's Substation  
10401 Holly Avenue NE

If you have any questions,  
please call Richard Macpherson at Bernalillo County,  
924-3700



**County of Bernalillo**  
**Zoning, Building & Planning Department**

600 Second Street NW • Suite 400 • Albuquerque, NM 87102 • (505) 924-3700 • Fax (505) 924-3750

June 29, 2000

Dear Property Owner:

Bernalillo County would like to invite you to a public meeting regarding the North Albuquerque Acres/Paseo del Norte sector development plan. This plan will establish zoning for ten sites along Paseo del Norte Boulevard, as shown on the enclosed map. The land uses to be permitted through zoning were recommended in the Paseo del Norte Commercial Corridor Study, which was approved by the Bernalillo County Board of County Commissioners in May 1999. The plan will also recommend potential sites for public open space acquisition and specify needed infrastructure improvements.

County records indicate that you are the owner of property within or adjacent to the sites that have been recommended for a zoning change. We hope that you will be able to attend the meeting to provide your input to the sector development plan. A second public meeting later in the summer will present zoning alternatives that follow the recommendations of the Commercial Corridor Study.

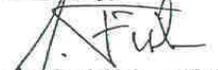
You can also call Phil Brown at Sites Southwest, (505) 822-8200, or Richard Macpherson at Bernalillo County, (505) 924-3700, with your questions and concerns.

The public meeting will be held at the following time and place:

Thursday, July 13, 2000  
William Sibrava Sheriff's Substation  
10401 Holly Avenue NE  
7-9 PM

We hope to see you at the meeting.

Sincerely,

  
Sanford Fish, AICP  
Director



## County of Bernalillo Zoning, Building & Planning Department

600 Second Street NW • Suite 400 • Albuquerque, NM 87102 • (505) 924-3700 • Fax (505) 924-3750

June 29, 2000

Dear Property Owner:

Bernalillo County has identified three sites in North Albuquerque Acres as possible candidates for acquisition as public open space, as shown on the enclosed map. Public open space is land set aside to retain its natural character in order to conserve natural resources, provide for recreation and outdoor education, preserve wildlife habitat, and/or define boundaries of the urban environment. The County has limited funding to acquire one of these areas to meet current and future open space and recreation needs in North Albuquerque Acres.

Planning for open space is part of a larger initiative to prepare a sector development plan for North Albuquerque Acres/Paseo del Norte Corridor. The sector development plan will recommend open space locations, establish commercial zoning for ten specific sites along Paseo del Norte, and specify infrastructure improvements for the commercial sites. The commercial sites and proposed uses for these properties were approved in the "Paseo del Norte Commercial Corridor Study," which was adopted by the Bernalillo County Board of County Commissioners in 1999.

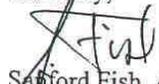
County records indicate that you own property located within one of the potential open space sites. Through the enclosed questionnaire, the County is asking all property owners in this area if they would consider selling, trading, or donating property to the county. The County will be most interested in acquiring open space where owners are willing to sell their land for this purpose. Please fill out and return the questionnaire by July 13. If your property is already developed, let us know your opinion about public open space in your area.

The County is holding a public meeting to discuss the North Albuquerque Acres/ Paseo del Norte Sector Development Plan and potential open space with area residents and landowners. Please come to find out more about these important issues for North Albuquerque Acres, at the following time and place:

Thursday, July 13, 2000  
William Sibrava Sheriff's Substation  
10401 Holly Avenue NE  
7-9 PM

A second public meeting later in the summer will present zoning alternatives that follow the recommendations of the Commercial Corridor Study. If you have any questions, please call Phil Brown at Sites Southwest, (505) 822-8200, or Richard Macpherson at Bernalillo County, (505) 924-3700.

Sincerely,

  
Sanford Fish, AICP  
Director

**North Albuquerque Acres Potential Open Space  
Landowner Survey**

Bernalillo County has recently established a public open space program to acquire land that conserves natural resources, provides for recreation and outdoor education, preserves wildlife habitat, and/or defines boundaries of the urban environment. The County is considering several sites in North Albuquerque Acres for acquisition as public open space. One of the criteria for selecting an area for acquisition is the willingness of owners to sell their property. If the owners in an area indicate an interest in selling, the County will keep that area under consideration. If owners are not interested in selling, it is likely that the area will be dropped from consideration.

Your property is located in one of the areas under consideration. The purpose of this survey is to determine if owners would consider selling or trading their property or granting a trail easement. Please verify that you are the owner of the property and indicate your level of interest by checking the appropriate statement below.

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

I am the owner of Lots \_\_\_\_\_, Block \_\_\_\_\_, Tract \_\_\_\_\_ Unit \_\_\_\_\_ North Albuquerque Acres.

If you no longer own the property, who purchased it from you?

\_\_\_ Purchaser: \_\_\_\_\_

\_\_\_ I don't know who owns the property now

Would you consider selling the property if the County determines that this area is suitable for public open space?

\_\_\_ My property is currently listed or available for sale.

\_\_\_ I would consider selling the property.

\_\_\_ I would consider a land trade for a nearby lot.

\_\_\_ I do not want to sell the property.

\_\_\_ I am not interested in selling my property, but I would consider granting an access easement across the property for use as a public trail.

\_\_\_ I would consider donating the property if there were a tax advantage to me.

\_\_\_ My lot is developed. I \_\_\_ would \_\_\_ would not be interested in public open space in my area.

\_\_\_ Other: \_\_\_\_\_

**APPENDIX D  
NOTIFICATION FOR SECOND PUBLIC MEETING**

Please come to  
a **Public Meeting** to discuss  
the North Albuquerque Acres/Paseo del Norte  
**Sector Development Plan**  
and proposals for **Zoning Changes**  
in the area.

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**Wednesday, August 23, 2000**

7 to 9 PM

**Sandia Presbyterian Church**

10704 Paseo del Norte NE

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If you have any questions,  
please call Richard Macpherson at Bernalillo County,  
924-3700.

**APPENDIX E  
NOTIFICATION FOR THIRD PUBLIC MEETING**

Please come to  
a **Public Meeting** to discuss  
the North Albuquerque Acres/Paseo del Norte  
**Draft Sector Development Plan**  
and proposals for **Zoning Changes**  
and **Utilities** in the plan area.

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**Monday, October 23, 2000**

7 to 9 PM

**Sandia Presbyterian Church**

10704 Paseo del Norte NE

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If you have any questions,  
please call Richard Macpherson at Bernalillo County,  
924-3700.

**APPENDIX F  
NOTIFICATION FOR ELUC HEARINGS**

Bernalillo County is requesting approval of the **Paseo del Norte/North Albuquerque Acres Sector Development Plan**. This request will be heard at the Extraterritorial Land Use Commission (ELUC) **public hearing** on

**Wednesday, January 3, 2000, beginning at 9 AM**  
**Council/Commission Chambers, 1 Civic Plaza NW**

You can review or purchase a copy of the Draft Sector Development Plan beginning on December 5 at the following locations:

- Cherry Hills Branch Library, Reference Desk, 6901 Barstow NE (for review)
- Zoning, Building, and Planning Dept., 600 2<sup>nd</sup> St. NW, Suite 400 (for purchase)
- Alphagraphics Printshop, 1930 Juan Tabo NE (for purchase)

**Written comments** received by mail before December 17, 2000 at the address below will be compiled and presented to the ELUC.

Richard Macpherson (924-3700)  
Bernalillo County Zoning, Building and Planning Department  
600 Second St. NW, Suite 400  
Albuquerque, NM 87102

**APPENDIX G**  
**NAA DESIGN OVERLAY ZONE ORDINANCE**

CODE County of BERNALILLO COUNTY CODE Codified through Ordinance No. 78-1, enacted January 2, 1999. (Supplement No. 10)  
APPENDIX B DESIGN OVERLAY ZONE\*

### APPENDIX G: DESIGN OVERLAY ZONE

**\*Editor's note**--Printed herein is Ord. No. 94-22, as adopted by the board of county commissioners on November 22, 1994. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same system of capitalization, citation to state statutes, and expression of numbers in text as appears in the Code of Ordinances has been used. Additions made for clarity are indicated by brackets.

**Cross reference(s)**--*Zoning* ordinance saved from repeal, § 1-6; buildings and building regulations, ch. 10; planning, ch. 62; subdivisions, ch. 74; *zoning*, app. A.

BOARD OF COUNTY COMMISSIONERS  
NOVEMBER 22, 1994  
CZ-94-30

#### COUNTY COMMISSION ORDINANCE NO. 94-22

BE IT ORDAINED BY THE GOVERNING BODY OF THE COUNTY OF BERNALILLO, NEW MEXICO:

That there shall be a Design Overlay Zone for the properties within the North Albuquerque Acres area identified as follows:

North Albuquerque Acres, Tract 2, Unit 2--

Lots 1 through 32, Block 1; Lots 1 through 11, Block 3; Lots 5 through 14 and 19 through 28, Block 5; Lots 1 through 14 and 4 through 18, Block 7; Lots 1 through 32, Block 9; Lots 1 through 32, Block 11; Lots 1 through 32, Block 13; Lots 1 through 32, Block 15; Lots 1 through 32, Block 17; Lots 1 through 32, Block 19; Lots 30-A and 32-A, SP-86-210; Tract A and Lots 1-A through 4-A, 31A and 32A, SP-87-345. (D-22)

North Albuquerque Acres, Tract 3, Unit 1--

Lots 1 through 12 and 21 through 32, Block 1; Lots 1 through 12 and 21 through 32, Block 3; Lots 1 through 12 and 21 through 32, Block 5; Lots 1 through 12 and 21 through 32, Block 7; Lots 1 through 3, 9 through 12, 21 through 28, and 30 through 32, Block 9; Lots 1 through 16 and 24 through 32, Block 11; Lots 1 through 9 and 24 through 32, Block 13; Lots 1 through 9 and 23 through 32, Block 15; Lots 1 through 9 and 21 through 32, Block 17; Lots 27 through 30, Block A, Lots 1 through 32, Block B, Lots 1 through 32, Block C. (B & C-21)

North Albuquerque Acres, Tract 2, Unit 1--

Lots 1 through 30, Block 1; Lots 1 through 32, Block 3; Lots 1 through 16, Block 5; Lots 1 through 32, Block 15; Lots 1 through 32, Block 17; Lots 1 through 32, Block 19; Lots 1 through 32, Block 20; Lots 1 through 32, Block 18; Lots 1 through 32, Block 16; Lots 1 through 32, Block 14; Lots 1 through 32, Block 12; Lots 1 through 30 and 32, Block 10; Lots 1 through 32, Block 8; Lots 1 through 32, Block 6; Lots 1 through 32, Block 4, Lots 1 through 32, Block 2; Parcel A and B, SP-86-345; 31-A, SP-87-214 and the west 1/2 of Lot 31, Block 10; Lots 1 through 32, Block A; Lots 9 through 32, Block B; Lots 1 through 32, Block C. (C & B-22)



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**APPENDIX B DESIGN OVERLAY ZONE\***

Other Area Properties within the Design Overlay Zone--

An unplatted parcel of land in E/2 SE/4 Section 9, T11N, R3E, (B-21); Lots 7A, 7B and 7C, SP-79-452; Tract 7-D-1, SP-83-190; Lot 7-D-2-A, SP-87-290; Lots 7-D-3-A and 7-D-3-B, SP-87-326; Tracts 1, 2 and 3, SP-84-436; Lot 1 through 8, Land of R. L. Johnson and A. L. Merrill; an unplatted parcel of land in N/2 SW/4 Section 10, T11N, R4E; and Tracts 2 and 3, SP-79-586. (B-22)

North Albuquerque Acres, Tract 3, Unit 1--

Lots 13 through 26, Block A (B-21); Lots 13 through 20, Block 2; Lots 13 through 20, Block 4; Lots 13 through 20, Block 6; Lots 13 through 20, Block 8; and Lots 13 through 20, Block 10. (C-21)

North Albuquerque Acres, Tract 3, Unit 2--

Lots 1 through 32, Block 11; Lots 1 through 32, Block 13; Lots 1 through 32, Block 15; Lots 1 through 32, Block 17; and Lots 1 through 32, Block 19. (D-21)

North Albuquerque Acres, Tract 2, Unit 2--

Lots 1 through 32, Block 12; Lots 1 through 32, Block 14; Lots 1 through 32, Block 16; Lots 1 through 24, 26 through 32, Block 18; Lots 1 through 7, 11 through 22, 24 through 30, Block 20; Lots 1 through 4, 18 through 29, Block 7. (D-22)

Additional Property:

A Parcel of Land in the S/2, NE/4, SE/4, T11N, R4E, Section 9. (B-21); Lot 31A, SP-87-88; Lots 1A, 2A, 3A, 4A, SP-87-345; Tract A, Lot 31A and 32A, SP-92-146. (D-22)

Design overlay zone provisions: Requests for uses other than those listed in A-1 *zoning* as permissive or conditional shall be subject to the following provisions.

*Provision 1.* The application shall be preceded by an approved master plan for the entire subarea, as detailed by the Subareas Master Plan for the Developing Urban Area of North Albuquerque Acres, within which the property is located.

*Provision 2.* The application shall be accompanied with evidence of notification of the North Albuquerque Acres Community Association.

*Provision 3.* A request for a change of land use shall be as a Special Use Permit for a Planned Development Area.

*Provision 4.* Building and structures shall not exceed 16 feet in height.



CODE County of BERNALILLO COUNTY CODE Codified through Ordinance No. 78-1, enacted January 2, 1999. (Supplement No. 10)  
APPENDIX B DESIGN OVERLAY ZONE\*

*Provision 5.* The development shall provide each lot or business with satisfactory access to an existing dedicated street by means of a dedicated street.

*Provision 6.* Cluster development shall be limited to minimum lots sizes of 0.5 acres, however, an overall density of one dwelling unit per acre shall be maintained; or the overall density shall not exceed the number of previously platted lots.

*Provision 7.* The development shall connect to City water and sewer.

*Provision 8.* Lots sizes for A-1 uses may be a minimum of 0.75 acre.

Where the provisions of this Design Overlay Zone conflict with the provisions of another provision of the *Zoning Ordinance*, the provisions of the Overlay zone shall apply.

(Ord. No. 94-22, 11-22-94)

PASSED, ADOPTED, APPROVED AND SIGNED THIS 22nd DAY OF November, 1994.

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF BERNALILLO, NEW MEXICO

/s/ Eugene M. Gilbert  
Eugene M. Gilbert,  
Chairman

/s/ Jacquelyn K. Schaefer  
Jacquelyn K. Schaefer,  
Vice Chair

/s/ Patrick J. Baca  
Patrick J. Baca,  
Member

/s/ Barbara J. Seward  
Barbara J. Seward,  
Member

/s/ Al Valdez  
Albert "Al" Valdez,  
Member

ATTEST:

/s/ Judy D. Woodward  
Judy D. Woodward,  
County Clerk

THIS ORDINANCE WILL BECOME EFFECTIVE ON: December 22, 1994

**APPENDIX H  
RESOLUTIONS**

**BERNALILLO COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION NO. 103-2004**

1 **AMENDING THE PASEO DEL NORTE/NORTH ALBUQUERQUE ACRES SECTOR**  
2 **DEVELOPMENT PLAN, SECTION I.7.3.2 EXTENSION OF CITY OF ALBUQUERQUE**  
3 **WATER AND WASTEWATER SYSTEMS TO INCLUDE THE NORTH**  
4 **ALBUQUERQUE ACRES WATER/SEWER FEASIBILITY STUDY.**

5  
6 **WHEREAS**, on February 20, 2001, the Extraterritorial Land Use Authority adopted the  
7 Paseo Del Norte/North Albuquerque Acres Sector Development Plan; and

8 **WHEREAS**, the Paseo Del Norte/North Albuquerque Acres Sector Development Plan  
9 affects the North Albuquerque Acres area of Bernalillo County, an area of approximately 3,804  
10 acres in size, bounded on the west by the Albuquerque City limits, on the east by Tramway  
11 Boulevard, on the north by the Sandia Pueblo boundary and on the south by San Antonio  
12 Boulevard; and

13 **WHEREAS**, on May 22, 2001, the Bernalillo County Commission approved a Rural  
14 Designation for the unincorporated North Albuquerque Acres; and

15 **WHEREAS**, section I.7.3.2, *Extension Of City Of Albuquerque Water And Wastewater*  
16 *Systems*, of the Paseo Del Norte/North Albuquerque Acres Sector Development Plan  
17 recommends that a level of service options study for the sector development plan area be  
18 conducted; and

19 **WHEREAS**, section I.7.3.2, *Extension Of City Of Albuquerque Water And Wastewater*  
20 *Systems*, of the Paseo Del Norte/North Albuquerque Acres Sector Development Plan states that a  
21 service options study should go through the same process and public review as the sector  
22 development plan and then be adopted as an amendment to the sector development plan; and

23 **WHEREAS**, the North Albuquerque Acres Water/Sewer Feasibility Study presents  
24 options for water and sewer services for the North Albuquerque Acres area; and

25 **WHEREAS**, this amendment fulfills the recommendation of the Paseo Del Norte/North  
26 Albuquerque Acres Sector Development Plan.

CONTINUATION PAGE 4, RESOLUTION NO. 103-2004

1 NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY

2 COMMISSIONERS:

3 SECTION ONE: the Paseo Del Norte/North Albuquerque Acres Sector Development Plan is  
4 hereby amended to include the North Albuquerque Acres Water/Sewer Feasibility study as an  
5 appendix.

6 DONE this 23 day of Nov., 2004.

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BOARD OF COUNTY COMMISSIONERS

Alan B. Armijo  
Alan B. Armijo, Chair

E. Tim Cummins  
E. Tim Cummins, Vice Chair

Tom Rutherford  
Tom Rutherford, Member

Steve D. Gallegos  
Steve D. Gallegos, Member

Michael Brasher  
Michael Brasher, Member

Nita S. Chan

Legal Department

Date: 11/19/04

ATTEST:

Mary Herrera

Mary Herrera, Clerk

Date: 11/23/04

**BERNALILLO COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION NO. AR39-2001**

1 **AMENDING THE ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE**  
2 **PLAN LAND USE DESIGNATIONS FOR THE UNINCORPORATED NORTH**  
3 **ALBUQUERQUE ACRES AREA, FROM SEMI-URBAN AND DEVELOPING URBAN**  
4 **DESIGNATIONS TO A RURAL DESIGNATION.**

5       **WHEREAS**, the Comprehensive Plan is the Rank One Plan for the City of Albuquerque  
6 and Bernalillo County and Section 1 of the Plan’s adopting resolutions (City Enactment No. 138-  
7 1988 and County Resolution No.103-88) states the overall densities, character and design of all  
8 land uses and development, including residential, agricultural, commercial, industrial and  
9 recreational and open space shall be in accordance with the goals and policies of this  
10 Comprehensive Plan; and

11       **WHEREAS**, the Albuquerque/Bernalillo County Comprehensive Plan was adopted in  
12 August 1988 with a provision for periodic and systematic evaluation of the Plan’s  
13 implementation and shortcomings; and

14       **WHEREAS**, the Bernalillo County Commission is authorized to make amendments to the  
15 Albuquerque/ Bernalillo County Comprehensive Plan to protect the public well being, and the  
16 health, safety and welfare in areas within the Commission’s planning and platting jurisdiction;  
17 and

18       **WHEREAS**, the County Planning Commission has reviewed the proposed  
19 Comprehensive Plan boundary amendment and recommends that the land use designation for  
20 unincorporated North Albuquerque Acres be amended to a Rural land use designation; and

21       **WHEREAS**, Bernalillo County initiated the development of the Paseo del Norte/North  
22 Albuquerque Acres Sector Development Plan, to guide quality development in an area that is  
23 rural in nature and to provide a mixture of uses more suitable in a quickly developing County  
24 area; and

25       **WHEREAS**, this unincorporated area is mostly zoned A-1 and has built out with rural  
26 community characteristics such as single family houses on one acre lots as the predominant

CONTINUATION PAGE 2; RESOLUTION NO. AR 39-2001

1 development pattern with many lots having livestock on the northeastern fringe of the municipal  
2 area; and

3 **WHEREAS**, the unincorporated North Albuquerque Acres is an area approximately  
4 3804 acres in size; and

5 **WHEREAS**, the Rural land use designation is recommended for this area in the Paseo  
6 del Norte/North Albuquerque Acres Sector Development Plan and is appropriate for the  
7 unincorporated portion of North Albuquerque Acres because it promotes the conservation of  
8 special neighborhood characteristics important to maintaining a rural lifestyle which the County  
9 and residents desires to preserve; and

10 **WHEREAS**, this request is consistent with the recently approved Paseo del Norte/North  
11 Albuquerque Acres Sector Development Plan, (County Ordinance 2001-2) in that it promotes  
12 and maintains an overall density of one dwelling unit per acre, and

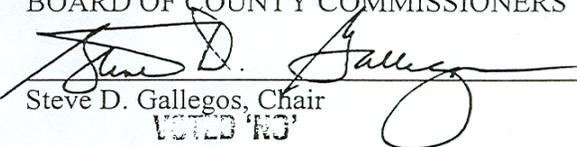
13 **WHEREAS**, this rural land use designation has the approval of the North Albuquerque  
14 Acres Neighborhood Association.

15 **NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY**  
16 **COMMISSIONERS:**

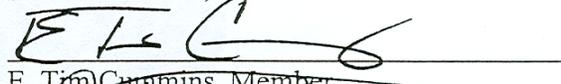
17 SECTION ONE: The Albuquerque/Bernalillo County Comprehensive Plan Land Use  
18 Designation is hereby changed for unincorporated North Albuquerque Acres from the Semi and  
19 Developing Urban designations to a Rural designation as referenced on the attached map.

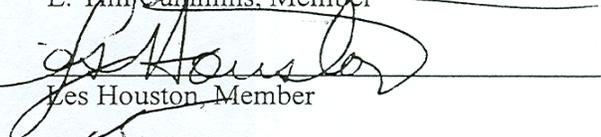
20 Done, this 22<sup>nd</sup> DAY OF MAY 2001.

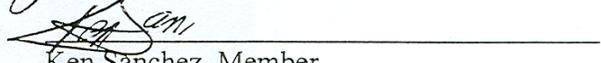
21 BOARD OF COUNTY COMMISSIONERS

22   
23 Steve D. Gallegos, Chair  
24 VOTED 'NO'

25 \_\_\_\_\_  
26 Tom Rutherford, Vice Chair

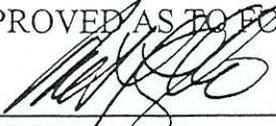
27   
28 E. Tim Cummins, Member

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30 Les Houston, Member

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32 Ken Sanchez, Member  
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CONTINUATION PAGE 3; RESOLUTION NO. AR 39-2001

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2 APPROVED AS TO FORM:

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5 Legal Department

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7 Date: 5-22-2001  
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10 ATTEST:

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13 Mary Herrera, Clerk

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15 Date: \_\_\_\_\_  
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