

Updated: December 15, 2025
(Update to address Mr. Vorhees Letter)

Development Hearing Officer
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

SENSITIVE LANDS ANALYSIS

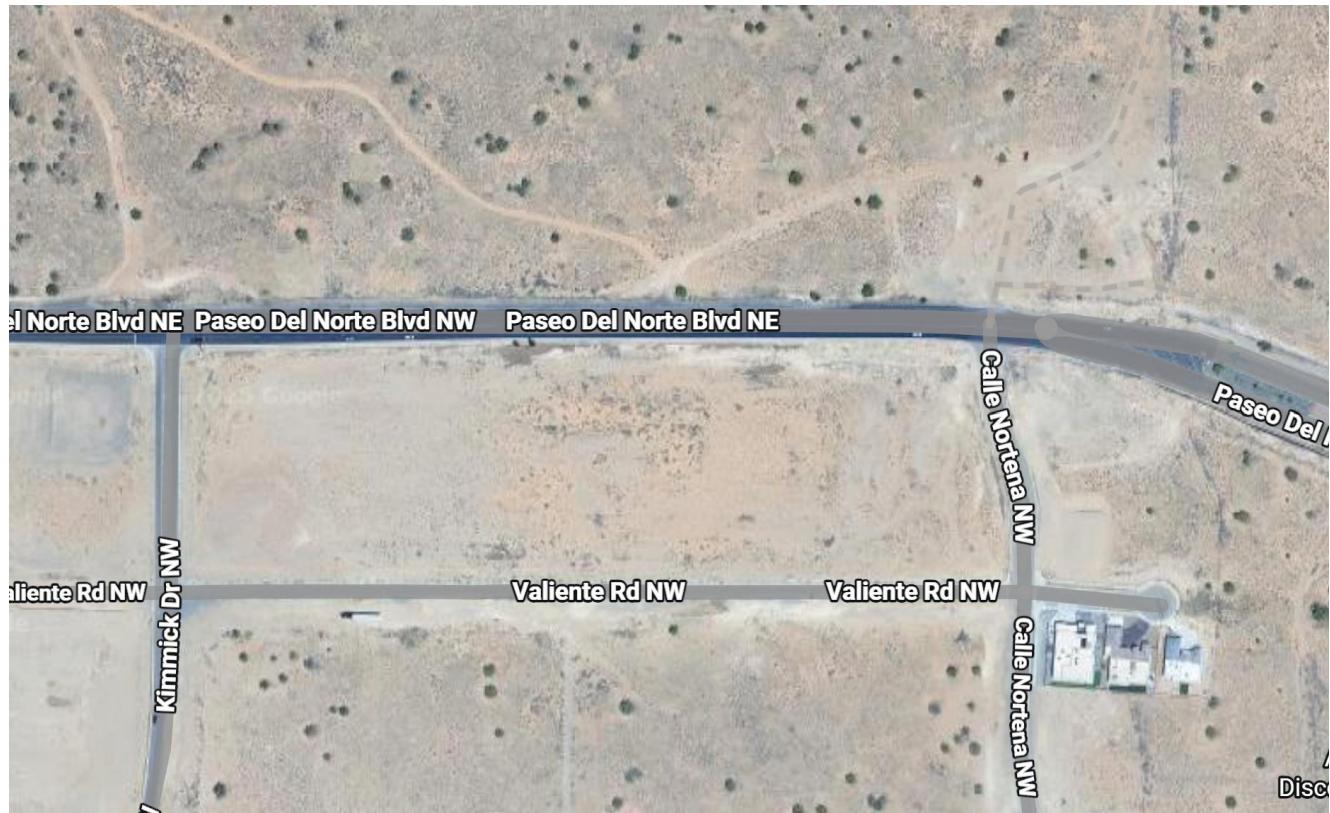
IDO Section 14-16-5-2 **Preliminary Plat – Paseo del Norte and Kimmick Drive NW**

This memorandum responds to the Sensitive Lands criteria in IDO Section 14-16-5-2. The project site has been evaluated for the presence of **sensitive lands** and any associated **development constraints**. Based on the findings outlined below, **none of the features identified as sensitive lands by the IDO are present on the subject property for the proposed Preliminary Plat at Paseo del Norte and Kimmick Drive NW.**

1. Arroyos:

Based on the **AMAFCA Interactive Facilities Map**, the nearest arroyo/floodplain feature is the **North Branch Piedras Marcadas Channel**. The **North Fork of the Boca Negra Arroyo** lies farther south of the site. **No identified arroyo or floodplain feature is located within the subject property boundaries.**

Figure 1: Aerial of Site and Vicinity.



2. Floodplains and Special Flood Hazard Areas: According to the FEMA Floodplain layer on AGIS, the subject property is in an area with a FEMA Flood Zone Designation X, which is an area of minimal flood hazard. The nearest floodplain is associated with the Piedras Marcadas Canyon to the south. There are no special flood hazard areas on the subject property.
3. Irrigation Facilities (Aequias): The subject property is not located in the Valley and is not near or have any irrigation facilities.
4. Large Stands of Mature Trees: There are no trees on the subject property.
5. Rock Outcroppings: These outcroppings are defined in the IDO as being at least 6 feet high and over 500 square feet in size. Using the 2-foot contours available in the Advanced Map Viewer, it is apparent there are no rock outcroppings of this size on the subject property.
6. Significant Archaeological Sites: An archeological certificate has been requested and is pending at this time but it is not anticipated to provide any findings of significance.
7. Steep Slopes and Escarpments:

Applicant Response: The Integrated Development Ordinance (IDO) includes site design standards intended to ensure that **development avoids sensitive lands where practicable**, and provides that **projects which cannot avoid sensitive lands may be required to be processed as a Site Plan – EPC**. This provision is applicable only where a development proposal is before the City and where it can be demonstrated that such development **cannot avoid** sensitive land areas.

The IDO defines **Steep Slope** as “land with 9 percent slope or more, where development is discouraged.” This definition applies to **specific areas of land** that meet the slope threshold, not to an entire site or parcel based on isolated or point-specific conditions.

Based on the submitted topographic analysis from our licensed surveyor and civil engineer, the subject property—approximately **12 acres in size overall**—**does not, constitute steep slope land**. The vast majority of the site exhibits slopes below the 9 percent threshold. A very small, isolated area reflects a slope slightly exceeding 9 percent. This limited area does not represent a continuous landform, escarpment, or hillside and does not materially constrain site design or future development potential.

Importantly, the current application is **a Preliminary Plat only**. This action:

- Does **not** propose or approve any development,
- Does **not** approve grading or site disturbance,
- Does **not** establish building locations, building envelopes, or development intensity, and
- Is limited to the creation of **legal lot lines, access alignment, and utility configuration**.
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As such, there is **no “development” proposed** with this application to which the sensitive lands avoidance criterion can be applied. The determination of whether development can or cannot avoid sensitive lands is, by its nature, a **site design and grading question** that is evaluated at the **site plan stage**, not at the preliminary plat stage.

Even if the limited slope area identified were considered sensitive land—which the Applicant does not concede—the size, location, and isolated nature of that area on a multi-acre site means that **avoidance is presumptively achievable** through future site planning and design. Therefore, the prerequisite finding that development cannot avoid sensitive lands cannot be made.

Accordingly:

- The site design criterion related to avoidance of sensitive lands is satisfied,
- The steep slope definition does not apply to the site as a whole,
- There is no basis to conclude that development cannot avoid sensitive lands, and
- The **Site Plan – EPC trigger is not applicable** to this Preliminary Plat.

Images of the Site:

Image (1) NWC Looking SE



Image (2) West looking East



Image (3) South Looking North



Image (4) Southeast Corner Looking North



Image (5) East Looking West



Image (6) North Looking South



