Planning and Zoning Board Meeting
City of Rio Rancho
AGENDA
October 13, 2026
6:00 PM
City Council Chambers

BOARD MEMBERS

Scottie Richardson, District 1, Chair	Andrea Hankins, District 5
Kevin Kofchur, District 2	Holly Barela, District 6
Melissa Fischer-Pedraza, District 3	R. Wayne Lampson, At-Large
Robert Gabaldon, District 4, Vice-Chair	

MEETING INFORMATION

This meeting will be conducted in-person and virtually, as well as, streamed live on the City of Rio Rancho website at https://rrnm.gov/2303/Watch-and-Download-City-Meetings.

Join by Computer: https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09

Meeting ID: 851 8074 1871

Passcode: 026819

Pursuant to the Rules of Procedure, any person wishing to address the Board related to an item listed under Public Hearings or Discussion and Deliberation, shall register in person with the designated City staff person. No more than two (2) hours in total will be allotted for comments pertaining to a specific agenda item at any meeting. A majority vote of the Board members present may approve to extend the total amount of time allotted for public input related to a specific agenda item at a meeting.

Public input can be submitted in writing to the designated City staff person prior to the date of the meeting in which the item is scheduled to be heard; however, only public input received before 4 p.m. on the day of the meeting will be entered into the record prior to the meeting.

Notice under the ADA: If you have a disability and require special assistance to participate in this meeting, please contact the ADA Coordinator at 505-891-5003 or email legal@rrnm.gov. To request a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service please contact the ADA Coordinator at least forty-eight (48) hours prior to the meeting. Public documents, including the agenda and minutes, can be provided in an accessible format upon request. Open captioning will be available during the meeting and online webcast.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

There will be no discussion of these items unless a Board Member so requests, in which event the item will be moved to a discussion item on the regular agenda.

1. August 25, 2026 Planning and Zoning Board Meeting Minutes

2026-0825 PZB Minutes.docx

2. September 22, 2026 Planning and Zoning Board Meeting Minutes
2026-0922 PZB Minutes.docx

STAFF PRESENTATIONS, REPORTS AND COMMENTS

PUBLIC HEARINGS

Pursuant to the Rules of Procedure, all aggrieved persons, and materially relevant witnesses sponsored by such interested persons, wishing to address the Board shall register in person or via specified communications technology/equipment with the City staff person.

3. **Zone Map Amendment.** The Applicant, PG Properties, LLC., through their agent, Modulus Architects & Land Use Planning, requests approval of a Zone Map Amendment from approximately 1.23 acres of C-1: Retail Commercial District (Lomas Encantadas, Tract 5) and approximately 0.5603 acres of PR: Parks & Recreation District (Portion of Lomas Encantadas, Tract 17-A) to SU: Special Use for R-6: Multi-Family Residential and C-1: Retail Commercial Uses. The subject properties comprise approximately 1.7895 acres. Staff contact is Tim Dvorak, and staff recommends the Planning & Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, with findings and conditions.
Location & Zone Map
NEW MATERIAL 10.13.26 - Updated Application
NEW MATERIAL 10.13.26 - Updated Justification Letter
NEW MATERIAL 10.13.26 - Updated Site Plan & Elevations.pdf
NEW MATERIAL 10.13.26 - Elevation View Study
NEW MATERIAL 10.13.26 - Landscaping Plan
NEW MATERIAL 10.13.26 - Conceptual Grading & Drainage Plan
NEW MATERIAL 10.13.26 - Trip Generation Table
NEW MATERIAL- Applicant Presentation 10.13.26
NEW Compilation of Public Comments (Received after 9.22.26)
(OLD) Application & Authorization
9.22.26 Justification Letter
9.22.26 Site Plan
9.22.26 Proposed Elevations
Summary Plat: LE, Tract 5-A
7.23.26 GB ABM for Land Sale.pdf
Reproduction of Notices & Legal Ad
Compilation of Public Comments
Public Comments Map
Reviewer Comments
Draft_Ordinance_BMB_10.13.26.docx

4. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 3. Staff contact is Ben Isaacs and staff recommends denial with findings.
Zoning & Location Map
Application
Justification Letter
PNM Standard Drawing
Variance Exhibit - Electric Pole Example
Reproduction of Notifications 26-110-00025-26-110-00040.pdf
Findings of Fact 26-110-00025.docx

5. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003

Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 4. Staff contact is Ben Isaacs and staff recommends denial with findings.
Zoning & Location Map
Application
Justification Letter
PNM Standard Drawing
Variance Exhibit - Electric Pole Example
Reproduction of Notifications 26-110-00025-26-110-00040.pdf
Findings of Fact 26-110-00026.docx

6. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 5. Staff contact is Ben Isaacs and staff recommends denial with findings.
Zoning & Location Map
Application
Justification Letter
PNM Standard Drawing
Variance Exhibit - Electric Pole Example
Reproduction of Notifications 26-110-00025-26-110-00040.pdf
Findings of Fact 26-110-00027.docx

7. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 7. Staff contact is Ben Isaacs and staff recommends denial with findings.
Zoning & Location Map
Application
Justification Letter
PNM Standard Drawing
Variance Exhibit - Electric Pole Example
Reproduction of Notifications 26-110-00025-26-110-00040.pdf
Findings of Fact 26-110-00028.docx

8. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 9. Staff contact is Michelle Costilla and staff recommends denial with findings.
Zoning & Location Map
Application
Justification Letter
PNM Standard Drawing
Variance Exhibit - Electric Pole Example
Reproduction of Notifications.pdf
Findings_of_Fact_26-110-00029.docx

9. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 10. Staff contact is Michelle Costilla and staff recommends denial with findings.
Zoning & Location Map
Application
Justification Letter
PNM Standard Drawing
Variance Exhibit - Electric Pole Example
Reproduction of Notifications.pdf

Findings_of_Fact_26-110-00030.docx

10. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 11. Staff contact is Michelle Costilla and staff recommends denial with findings.
Zoning & Location Map
Application
Justification Letter
PNM Standard Drawing
Variance Exhibit - Electric Pole Example
Reproduction of Notifications.pdf
Findings_of_Fact_26-110-00031.docx

11. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 16. Staff contact is Michelle Costilla and staff recommends denial with findings.
Zoning & Location Map
Application
Justification Letter
PNM Standard Drawing
Variance Exhibit - Electric Pole Example
Reproduction of Notifications.pdf
Findings_of_Fact_26-110-00032.docx

12. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 17. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.
Zoning & Location Map
Application
Authorization
Justification Letter
PNM Standard Drawing
Reproduction of Notifications & Legal Ad
Variance Exhibit - Electric Pole Example
Findings_of_Fact.docx

13. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 19. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.
Zoning & Location Map
Application
Authorization
Justification Letter
PNM Standard Drawing
Reproduction of Notifications & Legal Ad
Variance Exhibit - Electric Pole Example
Findings_of_Fact.docx

14. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 156, Lot 1. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.

Zoning & Location Map
Application
Authorization
Justification Letter
PNM Standard Drawing
Reproduction of Notifications & Legal Ad
Variance Exhibit - Electric Pole Example
Findings_of_Fact_.docx

15. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 156, Lot 2. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.
Zoning & Location Map
Application
Authorization
Justification Letter
PNM Standard Drawing
Reproduction of Notifications & Legal Ad
Variance Exhibit - Electric Pole Example
Findings_of_Fact.docx

16. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 157, Lot 1. Staff contact is Tim Dvorak and staff recommends denial with findings.
Zoning & Location Map
Application
Authorization
Justification Letter
PNM Standard Drawing
Reproduction of Notifications & Legal Ad
Variance Exhibit - Electric Pole Example
Findings_of_Fact_BMB.docx

17. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 157, Lot 2. Staff contact is Tim Dvorak and staff recommends denial with findings.
Zoning & Location Map
Application
Authorization
Justification Letter
PNM Standard Drawing
Reproduction of Notifications & Legal Ad
Variance Exhibit - Electric Pole Example
Findings_of_Fact_BMB.docx

18. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 157, Lot 21. Staff contact is Tim Dvorak and staff recommends denial with findings.
Zoning & Location Map
Application
Authorization
Justification Letter
PNM Standard Drawing

Reproduction of Notifications & Legal Ad
Variance Exhibit - Electric Pole Example
Findings_of_Fact_BMB.docx

19. **Variance.** The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 157, Lot 30. Staff contact is Tim Dvorak and staff recommends denial with findings.
Zoning & Location Map
Application
Authorization
Justification Letter
PNM Standard Drawing
Reproduction of Notifications & Legal Ad
Variance Exhibit - Electric Pole Example
Findings_of_Fact_BMB.docx

20. **Zone Map Amendment and Site Plan Approval.** The applicant, City of Rio Rancho, is requesting a Zone Map Amendment for approximately 5.4722 acres of R-1: Single-Family Residential to change to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, for the property legally described as, Unit 17, Block B, Lots 1-4 and 20-22 and Unit 17 Block AA, Lots 1A and 3-11. Staff contact is Michelle Costilla and staff recommends the Planning and Zoning Board recommend approval to the Governing Body.
Zoning, Location.pdf
Zone Map Amendment Justification.pdf
Application.pdf
Plans.pdf
Exhibit A- Site Plan.pdf
Reproduction of Notices.pdf
Draft Ordinance

21. **Variance.** The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements, to allow for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.
Zoning, Location.pdf
Application.pdf
Plans.pdf
Fence Elevations.pdf
Zoning Variance Justification.pdf
Reproduction of Notices.pdf
Findings of Fact

DISCUSSION AND DELIBERATION

COMMENTS BY MEMBERS

PUBLIC FORUM

Any person wishing to address a board, commission, committee, or advisory body related to a non-agenda item shall register in person with the applicable City staff person. No more than two (2) hours in total will be allotted for public forum comments at any meeting. A majority vote of the board, commission, committee, or advisory body members present may approve to extend the total amount of time allotted for public forum at a meeting.

ADJOURNMENT

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
August 25, 2026 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: 2026-0825 PZB Minutes.docx

Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

AUGUST 25, 2026
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:	**STAFF PRESENT:**
Scottie Richardson, District 1, Chair	Amy Rincon, Development Services Director
Kevin Kofchur, District 2	Brian Babyak, Planning and Zoning Manager
Melissa Fischer-Pedraza, District 3	Tim Dvorak, Planner II
Robert Gabaldon, District 4, Vice-Chair (Virtual)	Liz Ruiz-Carlos, Planner II
Andrea Hankins, District 5	Michelle Costilla, Planner III
Lisa Hardisty, District 6	Ben Isaacs, Planner I
R. Wayne Lampson, At-Large	Sharon Bitah, Administrative Assistant

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Richardson called the meeting to order at 6:00 PM.

CONSENT CALENDAR

1) August 11, 2026 Planning and Zoning Board Meeting Minutes

Kevin Kofchur moved to approve the Consent Calendar. Seconded by Andrea Hankins.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, R. Wayne Lampson
NO: (None)

ELECTION OF OFFICERS

Scottie Richardson nominated Scottie Richardson to serve as the Planning and Zoning Board Chair. Seconded by Andrea Hankins.

YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, R. Wayne Lampson
NO: (None)

Scottie Richardson nominated Robert Gabaldon to serve as the Planning and Zoning Board Vice-Chair. Seconded by Lisa Hardisty.

YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, R. Wayne Lampson
NO: (None)

STAFF PRESENTATIONS, REPORTS AND COMMENTS

PUBLIC HEARINGS

2) The applicant, Alfonzo Salazar, requested approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 16, Block 36, Lot 24.

Staff member, Tim Dvorak presented the item, recommending approval with findings and conditions, and stood for questions.

Applicant, Alfonzo Salazar spoke on the item and stood for questions.

Lisa Hardisty moved to approve item #2. Seconded by Andrea Hankins.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, R. Wayne Lampson
NO: (None)

3) The applicant, All Around Autos LLC, through their agent, Erica Lucero, requested approval of a Conditional Use Permit for automotive sales at the property legally described as Pinetree Village, Block 2A, Lot 4A, and addressed as 912 36th Pl SE.

Staff member, Michelle Costilla presented the item, recommending approval with findings and conditions, and stood for questions.

Agent, Erica Lucero spoke on the item and stood for questions.

Kevin Kofchur moved to approve item #3. Seconded by R. Wayne Lampson.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, R. Wayne Lampson
NO: (None)

4) The applicant, Jonathan Quintana, requested approval of a Variance to allow for development of a single-family home on a substandard 50' width R-1: Single-Family lot at the subject property legally described as Unit 12, Block AA, Lot 20.

Staff member, Ben Isaacs, presented the item, recommending approval with findings and conditions and stood for questions.

Applicant, Jonathan Quintana stood for questions.

Andrea Hankins moved to approve item #4. Seconded by Kevin Kofchur.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, R. Wayne Lampson
NO: (None)

5) The applicant, AMREP Southwest, through their agent, Consensus Planning, requested approval of a Master Plan Amendment to the Paseo Gateway Master Plan.

Staff member, Liz Ruiz Carlos, presented the item, recommending approval to the Governing Body with findings and conditions, and stood for questions.

Agent, Charlene Johnson presented on the item and stood for questions.

R. Wayne Lampson moved to approve item #5. Seconded by Lisa Hardisty.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, R. Wayne Lampson
NO: (None)

DISCUSSION AND DELIBERATION

COMMENTS BY BOARD MEMBERS

Chairman Richardson thanked Commissioner Hardisty for her term of service and Commissioner Hardisty expressed her honor for serving.

PUBLIC FORUM

ADJOURNMENT

Kevin Kofchur moved to adjourn the meeting. Seconded by R. Wayne Lampson.
Chairman Richardson adjourned the meeting at 6:27 PM.

APPROVED THIS 13th DAY OF OCTOBER 2026.

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Scottie Richardson, Chairman

CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
September 22, 2026 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: 2026-0922 PZB Minutes.docx

Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

SEPTEMBER 22, 2026
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:	**STAFF PRESENT:**
Scottie Richardson, District 1, Chair	Amy Rincon, Development Services Director
Kevin Kofchur, District 2	Brian Babyak, Planning and Zoning Manager
Melissa Fischer-Pedraza, District 3	Tim Dvorak, Planner II
Robert Gabaldon, District 4, Vice-Chair	Liz Ruiz-Carlos, Planner II
Andrea Hankins, District 5	Michelle Costilla, Planner III
Holly Barela, District 6	Ben Isaacs, Planner I
R. Wayne Lampson, At-Large	Sharon Bitah, Administrative Assistant

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Richardson called the meeting to order at 6:00 PM.

CONSENT CALENDAR

STAFF PRESENTATIONS, REPORTS AND COMMENTS

PUBLIC HEARINGS

1) The applicant, R&A Estates LLC, through their agent, Consensus Planning, Inc., requested approval of a Subdivision Variance to Rio Rancho Code of Ordinances Chapter 155.41 (I) requiring street jogs be offset a minimum of 125 feet, for a 90-foot street jog in the Melon Ridge Townhome Subdivision.

Planning and Zoning Manager, Brian Babyak presented item #1 and item #2 concurrently, recommending approval with findings and conditions, and stood for questions.

Robert Gabaldon moved to approve item #1. Seconded by R. Wayne Lampson.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Holly Barela, R. Wayne Lampson
NO: (None)

2) The applicant, R&A Estates LLC, through their agent, Consensus Planning, requested approval of a Preliminary Plat for the Melon Ridge Townhome Subdivision. The proposed subdivision would create 12 lots and two tracts, on the property legally described as Unit 13, Block 61, Lot 8, zoned R-3: Mixed-Residential.

Planning and Zoning Manager, Brian Babyak had no further comments.

Robert Gabaldon moved to approve item #2. Seconded by Andrea Hankins.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Holly Barela, R. Wayne Lampson
NO: (None)

3) The applicants, Stephanie and Jorge Venzor, requested approval of a Variance to allow for an encroachment of nine feet in the rear setback for a detached garage at the property legally described as Corrales Heights, Block 4, Lot 19, located at 603 Gral Trevino Drive SE.

Staff member, Ben Isaacs, presented the item, recommending denial with findings, and stood for questions.

Applicants Stephanie and Jorge Venzor spoke on the item.

Member of the public, Art Bernstein spoke against the item.

Kevin Kofchur moved to approve item #3. Seconded by Andrea Hankins.

Director of Development Services, Amy Rincon and applicant, Stephanie Venzor answered questions put forth by Commissioner Kofchur and Commissioner Lampson.

The motion failed by a vote of **1 FOR** and **6 AGAINST**
YES: Scottie Richardson
NO: Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Holly Barela, R. Wayne Lampson

4) The applicant, Martin Richardson, requested approval of a Variance to the 300-foot distance restriction from a daycare facility for a proposed retail cannabis establishment, pursuant to Rio Rancho Municipal Code, Section 122.04 Location Restrictions, at the property is legally described as Industrial Park East, Block C, Lot 3C.

Staff member, Michelle Costilla, presented the item, recommending denial with findings, and stood for questions.

Applicant, Martin Richardson was available for questions.

Andrea Hankins moved to approve item #4. Seconded by Melissa Fischer-Pedraza.

Commissioner Hankins' question regarding distances was answered by staff member, Michelle Costilla.

The motion carried by a vote of **6 FOR** and **1 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Robert Gabaldon, Andrea Hankins, Holly Barela, R. Wayne Lampson
NO: Melissa Fischer-Pedraza

5) The applicant, Arroyos, LLC, requested approval of a Zone Map Amendment for approximately 14.41 acres from TZ: Transitional Zoning to R-2: Single-Family Residential Zoning. The subject properties are legally described as Unit 25, Block A, lots 1, 4-7, 13-15, 21, 22, 27-34, 37-41, 44-46 and 62-64; Block B, lots 1-7, 10-14 and 29-32.

Staff member, Brian Babyak, presented the item, recommending approval to the Governing Body with findings and conditions, and stood for questions.

Applicant, Jarrod Likar spoke on the item and stood for questions.

Robert Gabaldon moved to approve item #5. Seconded by Holly Barela.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Holly Barela, R. Wayne Lampson
NO: (None)

6) The applicant, PG Properties, LLC., through their agent, Modulus Architects & Land Use Planning, requested approval of a Zone Map Amendment from approximately 1.23 acres of C-1: Retail Commercial District (Lomas Encantadas, Tract 5) and approximately 0.5603 acres of PR: Parks & Recreation District (Portion of Lomas Encantadas, Tract 17-A) to SU: Special Use for R-6: Multi-Family Residential and C-1: Retail Commercial Uses. The subject properties comprise approximately 1.7895 acres.

Staff member, Tim Dvorak and Development Services Director, Amy Rincon presented the item, recommending approval to the Governing Body with findings and conditions, and stood for questions.

Agent, Angela Piarowski requested a postponement on the item.

Robert Gabaldon moved to approve postpone item #6 to a date certain of October 13, 2026. Seconded by R. Wayne Lampson.
The motion carried by a vote of **7 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Melissa Fischer-Pedraza, Robert Gabaldon, Andrea Hankins, Holly Barela, R. Wayne Lampson
NO: (None)

DISCUSSION AND DELIBERATION

COMMENTS BY BOARD MEMBERS

PUBLIC FORUM

Member of the public, Corrine Rios spoke under public forum.

ADJOURNMENT

Andrea Hankins moved to adjourn the meeting. Seconded by R. Wayne Lampson.
Chairman Richardson adjourned the meeting at 6:56 PM.

APPROVED THIS 13th DAY OF OCTOBER 2026.

Scottie Richardson, Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-100-00005

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The Applicant, PG Properties, LLC., through their agent, Modulus Architects & Land Use Planning, requests approval of a Zone Map Amendment from approximately 1.23 acres of C-1: Retail Commercial District (Lomas Encantadas, Tract 5) and approximately 0.5603 acres of PR: Parks & Recreation District (Portion of Lomas Encantadas, Tract 17-A) to SU: Special Use for R-6: Multi-Family Residential and C-1: Retail Commercial Uses. The subject properties comprise approximately 1.7895 acres. Staff contact is Tim Dvorak, and staff recommends the Planning & Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, with findings and conditions.

BACKGROUND AND ANALYSIS:
The Applicant, PG Properties, LLC., through their agent, Modulus Architects & Land Use Planning, requests approval of a Zone Map Amendment from approximately 1.23 acres of C-1: Retail Commercial District (Lomas Encantadas, Tract 5) and approximately 0.5603 acres of PR: Parks & Recreation District (Portion of Lomas Encantadas, Tract 17-A) to SU: Special Use for R-6: Multi-Family Residential and C-1: Retail Commercial Uses. The subject properties comprise approximately 1.7895 acres.

The subject request was originally scheduled to be heard at the regular Planning and Zoning Board Meeting held on Tuesday, September 22, 2026. At that meeting, the Applicant requested postponement of the item to the meeting date certain of October 13, 2026 to further address public concerns, clarify and supplement application materials. The Planning and Zoning Board voted unanimously to postpone the item to the October 13, 2026 Planning and Zoning Board Meeting.

The properties comprising the subject Zone Map Amendment request are outlined below with their current zoning:

- Lomas Encantadas, Tract 5: C-1: Retail Commercial District; approx. 1.23 acres
- A portion of Lomas Encantadas, Tract 17-A: PR: Parks & Recreation District; approx. 0.5603 acres of subject tract

The current zoning for both subject properties was established via Ordinance No. 30, Enactment No. 04-029, adopted August 11, 2004 by the Governing Body.

The subject properties are within the Lomas Encantadas Master Plan, originally adopted in 2004 and most recently amended on May 22, 2025 under Resolution No. 55, Enactment No. 25-054 by Governing Body. The Master Plan Amendments in 2025 did not change land use or zoning for the subject properties.

The Zone Map Amendment request for the above properties seeks to change the zoning of both properties to a SU: Special Use to allow multi-family residential units on the first floor in junction with the C-1: Retail Uses. The C-1: Retail Commercial allows for residential units above the first floor, the proposed zoning would not increase or change the type of uses for Tract 5, it just allows for a different configuration of the uses (apartments on the first floor) and would add an additional level of review with the Site Plan requirement. The request would change the zoning for Tract 17-A which was formerly an undeveloped section of City property, zoned for a park, but not identified for parkland improvements.

BACKGROUND OF LAND SALE OF PR: PARKS & RECREATION PROPERTY:

The Camino Encantadas Park is approximately 1.8 acres of developed parkland. The original tract of land was 2.8 acres with a PR: Parks & Recreation zoning designation. This property is legally described as Lomas Encantadas, Tract 17-A. The Camino Encantadas Park features a dog park, a walking path, a playground structure with equipment, shading and park tables, a soccer field, and a pickle ball court.

Despite these amenities, approximately 1 acre of the real property comprising the Camino Encantadas Park remained unused. The 2.8 acre tract lends itself to park uses on the north side of the parcel, but the same cannot be said for the south 0.56 acres of the parcel.

Due to the nature and unusual shape of the 2.8 acre tract containing the Camino Encantadas Park, not many park amenities were able to be constructed on the near 1 acre portion of real property abutting Camino Venada. The Parcel is naturally restricted by the shape of the neighboring 1.23 acre vacant lot at 3820 Camino Encantadas NE (LE, Tract 5). The walking path that runs along the northeast property line of LE, Tract 17-A will remain and the City never had plans to develop additional parkland on this portion of the Parcel.

At the regular Governing Body Meeting held July 23, 2026, the Applicant requested approval of a sale of the undeveloped approximately 0.5603 acres of Lomas Encantadas, Tract 17-A, to be combined with the Applicant's property of Lomas Encantadas, Tract 5. The undeveloped portion of the park has some topography challenges and was not identified to be developed as park land on the ICIP. The Governing Body voted 4 FOR and 2 AGAINST, approving the sale of the approximately 0.5603 acres to the Applicant.

The purchase of the approx. 0.5603 acre from the City was necessary for the Applicant's request to move forward, without having to pursue a variance to the access standards and increase the height of the buildings, as the existing LE, Tract 5 is located directly at the northeast intersection of Camino Encantadas NE (a minor arterial road) and Camino Venada NE (a minor collector road). Given this, LE, Tract 5 is not long enough itself to accommodate the minimum State Access Management Manual (SAMM) street access spacing requirements for a full access intersection. As such, the property purchase was an action in providing for the necessary distance to creating a better access point for the subject LE, Tract 5-A off of Camino Venada NE. The additional property allows for space to reduce the density on the main C-1 parcel with lower building height and enhanced landscaping and landscape buffers, while also functioning as the access point for the property and providing space for adequate parking.

As a condition of approval of the sale, the Applicant submitted Summary Plat Request #26-200-00026 as an official platting action to combine the Applicant's owned property (LE, Tract 5) with the 0.5603 acre portion of purchased property of LE, Tract 17-A from the City. The plat is currently under review and the applicants have purchased from the property from the City. Once the plat is recorded with the County the new combined lots with be LE, Tract 5-A, comprising approx. 1.7895 acres.

ZONE MAP AMENDMENT GENERAL BACKGROUND INFORMATION:

The Applicant is proposing a Mixed-Use project on the combined Lomas Encatandas, Tract 5 and a portion of Lomas Encantadas Tract 17-A to be known as Tract 5-A, which will consist of approximately 55 R-6: multi-family units and C-1: retail commercial space.

The attached Site Plan to this request is part of the requirements for the SU: Special Use zoning. Future development of the site will need to conform to this Site Plan, unless a new Site Plan is submitted for review and approval by the Governing Body.

The subject properties are abutted by the following zoning districts:

- PR: Parks & Recreation District: to the north
- OS: Open Space District: to the north
- R-1: Single-Family Residential District: to the north, west, & east
- R-4: Single-Family Residential District: to the north, west, & south

ANALYSIS:

CONFORMANCE WITH THE CITY ZONING ORDINANCE:

City of Rio Rancho Code of Ordinances (R.O. 2003) § 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning and Zoning Board when a change in zoning designation is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed zoning request. Criteria is satisfied.

Pursuant to criteria provided by R.O. 2003 § 150.07 (D) (1) through (4) and (E) through (G), a request for a change in zoning designation must address the following policies and criterion for a zone map change:
(1) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

The Applicant states in their justification, "The requested Special Use Zone Map Amendment is consistent with and affirmatively promotes the health, safety, and general welfare of the City because it replaces two fragmented zoning designations with one coordinated framework for a modest, walkable mixed-use community. The concept combines only 55 boutique luxury apartment homes with purposefully limited first-floor neighborhood commercial space, generous open space and landscaping, adequate code-compliant parking, and no requested variances. This balanced program supports daily needs, neighborhood activity, and efficient use of existing infrastructure while preserving a separate Governing Body review of the detailed site plan."

The Applicant continues, "The property’s access and configuration make coordinated planning especially beneficial. The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada, compared with the 330-foot minimum driveway-spacing standard identified in the Applicant’s access analysis for a nonsignalized intersection. The corner parcel has no independent alternative access point. Combining the property with the adjoining remnant tract allows the City to evaluate access, circulation, emergency response, utilities, drainage, parking, pedestrian movement, landscaping, and buffering as one site."

Staff recommends the Planning and Zoning Board find that the proposed Zone Map Amendment would be in alignment with the health, safety, morals, and general welfare of the City. Staff finds

that development of LE, Tract 5-A has better access with the additional property. Given that the Applicant has been able to officially obtain approx. 0.5603 acres of adjacent land from the existent Tract LE, 17-A, staff finds that the Applicant's coordinated approach will facilitate a better designed development of a C-1 parcel which has remained vacant since its original platting. Staff additionally finds that the Applicant's retention of low-impact commercial uses on the property provides a logical mix of land uses with the proposed multi-family units. Allowing for residential units on the first floor allows for the same mix of uses as allowed in the C-1, but for more flexibility in the design.

Staff recommends that the Planning and Zoning Board find that in addition to the presently zoned PR: Park property re-zoning contributing to improved safety and welfare, that the proposed zoning of the C-1 parcel to Special Use for R-6 & C-1 would not be significantly changing the allowable uses on the property and would be in alignment with the morals and welfare of the City. The C-1 zoning of the property allows for residential uses as a secondary use or above the first floor, at a density of 50 units per acre or less. The proposed zoning maintains the C-1 uses while allowing residential on the first floor, and the attached Site Plan which will regulate development on the site, indicates Commercial Office/Retail space on the first floor. The balance of uses and continued commercial use shown on the proposed development would maintain the health, safety, morals, and welfare of the City and the potential development vision of this area. Criteria is satisfied.

(2) Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

The Applicant states, "The Applicant acknowledges that stability of land use and zoning is an important public objective. The requested amendment is supported by a sound, site-specific justification: it replaces a fragmented pattern that has not produced development for more than twenty years with a unified SU framework for a modest, compatible, and walkable mixed-use community."

The Applicant continues, "The requested SU classification responds directly to these objective conditions. It would place the assembled property under one coordinated zoning framework and authorize the R-6 use family and selected C-1 uses as an integrated mixed-use concept. The anticipated program of only 55 boutique luxury apartment homes and purposefully limited first-floor neighborhood commercial space retains the property's commercial role, expands housing choice, and creates a scale compatible with the surrounding community and the site's access conditions."

Staff recommends the Planning and Zoning Board find that the proposed Zone Map Amendment presents additional oversight of what the development will look like and how the site will function under the Special Use framework. Scaled down commercial uses on the subject property provides a more harmonious fit with the surrounding neighbor versus a single use retail commercial development. Given that LE, Tract 5-A is surrounded by single-family residential and park facilities & open space, staff finds the mixture of R-6: multi-family and C-1: retail commercial to be a better transition to these primarily residential areas.

Staff recommends the Board finds that the change of allowing multi-family development on the first floor of potential development on the subject property maintains stability of land use, as the commercial use is maintained in the proposed zoning and shown in the attached Site Plan. Multi-family uses are permitted as a secondary use or above the first floor in the C-1 zoning, therefore the proposed change is not significantly changing how the property may be developed and promotes stability of land use and zoning. Criteria is satisfied.

(3) A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

The Applicant states, "The requested Special Use Zone Map Amendment is generally consistent with and advances the Rio Rancho Comprehensive Plan because it establishes a controlled mixed-use framework that supports housing choice, coordinated planning, productive infill, neighborhood-scale retail, walkability, and efficient use of existing infrastructure. The zoning request is supported by a defined concept--only 55 boutique luxury apartment homes, purposefully limited first-floor commercial space, generous open space and landscaping, adequate parking, and no requested variances."

The Applicant continues, "The requested SU classification would authorize the R-6 use family and the compatible C-1 uses specifically identified in the adopting use schedule as a coordinated mixed-use concept. The residential and commercial components reinforce one another: residents provide regular support for small neighborhood businesses, and those businesses provided convenient day-to-day goods and services within walking distance of the homes and nearby community amenities.

The Applicant speaks to multiple policies and goals contained within the City's Comprehensive Plan, as outlined below. Further explanation and justification for each is provided in their justification letter.

- GOAL L-3: Maintain a balance of land uses throughout the City.
- POLICY L-1: Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan.
- POLICY L-2: Promote and support neighborhood scale retail activities that are consistent with residential development.
- POLICY L-3: Promote and support development that incorporates walkability.
- GOAL PH-3: Promote a variety of housing types to meet the needs of all members of the community.
- POLICY PH-1: Promote quality, community-friendly multifamily development, through features such as enhanced open space and pedestrian connectivity.
- POLICY PH-4: Establish site and building design guidelines to create an effective transition, or necessary buffer, between substantially different land uses and densities.
- GOAL UD-1: Create focused growth areas where existing public infrastructure can support higher density development.
- GOAL UD-2: Create traditional neighborhood patterns that support a sense of place.
- GOAL UD-5: Support infill and redevelopment within areas of the city that have been neglected.
- POLICY UD-3: Provide development incentives for infill and redevelopment development projects.

Staff recommends the Planning and Zoning Board find that the proposed Zone Map Amendment furthers the goals, policies, and actions of the City's Comprehensive Plan outlined above. Integration of residential and commercial uses in this area presents an opportunity to better incorporate future nonresidential development within the southern portion of the Lomas Encantadas Master Plan, which primarily consists of single-family residential, institutional uses (schools), and parks/open space. Staff generally is not in favor of a reduction in commercial zoning; however, the unique dimensional and locational challenges of LE, Tract 5-A lend the subject property to an integration of uses. Staff finds the proposed Special Use framework will allow for more effective small-scale commercial usage within the proposed 55 multi-family units.

Staff additionally finds the proposed Zone Map Amendment furthers the availability of housing types within the area, as well as increases economic opportunity at a smaller scale, which is not likely to adversely impact the surrounding area. Criteria is satisfied.

(4) The applicant must demonstrate that the existing zoning is inappropriate because:
(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of an R-1 or transitional zone on an antiquated plat filed before the city's incorporation and adoption of its own zoning code or on land annexed by the City; or
(b) Changed neighborhood or community conditions justify the change; or
(c) A different use category is more advantageous to the community, as articulated in the comprehensive plan or other city master plan, even though (D)(1) or (2) does not apply. Applicant's reliance on this provision requires proof that (i) there is a public need for a change of the kind in question, and (ii) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

The Applicant states, "The Applicant relies primarily upon subsection (c). The requested SU classification is more advantageous to the community than retaining the existent C-1: Retail Commercial and Parks and Recreation zoning because it established a unified, property-specific mixed-use framework."

The Applicant continues, "This property is uniquely situated because the requested change converts site-specific constraints into an opportunity for a carefully scaled mixed-use community. [...] Tract 5 has remained vacant for more than twenty years despite its C-1 designation. The adjoining Parks and Recreation remnant has also remained vacant and unimproved and has never functioned as an active public park. The SU framework provides a positive path to combine these properties and introduce housing, neighborhood services, open space, and landscaping as one cohesive development."

Staff recommends the Planning and Zoning Board find that the proposed Zone Map Amendment is an action in furthering coordinated infill development within a challenging intersection in the city. Staff encouraged the Applicant to include a Site Plan with this subject Zone Map Amendment request, due to site renderings being shown during the Applicant's presentation for the purchase request of a portion of LE, Tract 17-A at the regular Governing Body meeting held July 23, 2026. Staff recommend the Board find that the attached Site Plan required for the Special Use zoning also maintains commercial uses on the site which achieves the underlying land use and vision of the property.

Staff have reviewed the Site Plan and have confirmed that it meets City standards for parking, landscaping, building design, and building height. As the attached Site Plan is able to meet minimum city requirements, including a main access point spaced away from the intersection and sufficient off-street parking, staff finds the Applicant's proposal provides the framework for an infill opportunity which can provide a complementary transition of land uses within the area. The proposed zoning and Site Plan maintain the planned use for the property while further several other Comprehensive Goals for housing, infill, walkability, and appropriate neighborhood scale mixed uses. Criteria is satisfied.

(E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The Applicant states, "The request is not determined by the Applicant's land cost, anticipated return, or other private economic considerations. The anticipated concept of 55 boutique luxury apartment homes and first-floor neighborhood commercial space is justified by public planning considerations, not by a tax projection, construction value, tenant commitment, or development schedule."

Staff recommends the Planning and Zoning Board find that the cost of land does not appear to be a determining factor for the proposed Zone Map Amendment. Criteria is satisfied.

(F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

The Applicant states, "The Applicant acknowledges that proximity to a collector roadway, standing alone, is not sufficient justification for the requested zoning change. The request rests on the coordinated relationship among housing, neighborhood services, open space, access, infrastructure, and site-specific SU controls. The roadway setting is one relevant part of that broader planning context."

Staff recommends the Planning and Zoning Board find that the location at the intersection of Camino Encantadas NE and Camino Venada NE is not the sole justification for the Zone Map Amendment request. The proposed Special Use zoning designation would still retain C-1: Retail Commercial Uses while additionally allowing for multi-family residential on the first floor. Criteria is satisfied.

(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may only be approved when:
(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The Applicant states, "The requested SU Zone Map Amendment satisfies both independent bases for approval. It clearly facilities implementation of the Rio Rancho Comprehensive Plan, and it establishes an appropriate transitional mixed-use classification for a property distinguished from surrounding land by its fragmented zoning, corner configuration, access conditions, parcel assembly, and relationship to adjoining residential, commercial, and public or recreational land-use patterns.

Staff recommends the Planning and Zoning Board find that the proposal would not create a spot zone, as the proposed Zone Map Amendment still retains C-1: Commercial uses and aligns with the proposed commercial land use for LE, Tract 5-A in the Lomas Encantadas Master Plan. Criteria is satisfied.

SITE PLAN REVIEW:

The Rio Rancho Code of Ordinances (R.O. 2003) 154.43 (3) requires "All SU zoned property must have a site plan approved by the Governing Body. The site plan may accompany the application for a change in zoning designation or may be submitted for approval at a later date. Approval of the site plan must be obtained prior to any development of the property." Pursuant to the criteria provided by R.O. 2003 § 154.43 (3)(a) through (3)(j), the site plan at a minimum shall contain the following:

a. Scale and north arrow; Scale and north arrow are shown on plans; Criteria is satisfied.
b. Lot boundaries and easements; Easements and lot lines shown on plans; Criteria is satisfied.
c. Existing and proposed utilities; Utility connections and hydrant locations are shown on site plan; Criteria is satisfied.
d. Existing and proposed rights-of-way; No right-of-way proposed, existing right-of-way is provided; Criteria is satisfied.

e. Proposed structures with uses, dimensions, and setbacks; The Site Plan denotes four, three-story buildings which will consist of multi-family residential units and commercial space. The proposed buildings denote 26 one bedroom units and 29 two bedroom units, for a total of 55 proposed multi-family units. The site additionally features 1,851 square feet of retail commercial space on the first floor of the central southern building. Buildings shall be 10' from the northwest property line and 5' from the remaining northern property lines; this is to account for internal easements which address maintenance of existing Camino Encantadas park features.

f. Proposed ingress, egress, parking and circulation; The Site Plan denotes primary ingress and egress off a singular access point from Camino Venada NE, a minor collector street. An additional ingress and egress point is shown in the northwest portion of the site along Camino Encantadas NE (a minor arterial street), however, as this access point does not meet SAMM street spacing standards for a minor arterial, a condition of approval shall be that the subject access point from Camino Encantadas NE be changed to emergency access only.

The Site Plan meets minimum off-street parking standards for the proposed development, as notated in the calculations below:

(26) 1-Bedroom Units (1.5 spaces / unit) = 39 spaces required
(29) 2-Bedroom Units (1.75 spaces / unit) = 51 spaces required
Guest/Staff Parking = 6 spaces required
1,851 Square Feet Commercial Space (1 space / 300 sq ft) = 7 spaces required

Total parking spaces required: 103 spaces
Total parking spaces provided: 103 spaces

Site Plan provides ADA parking spaces; ADA space details will be confirmed at Building Permit.

The Applicant has additionally provided a trip generation table, which compares expected traffic flows for the proposed site conditions with other commercial uses, such as a convenience store or a gym.

g. Landscaping and landscape buffers; The Applicant has provided a landscaping plan which meets minimum City standards. 7,795 square feet of landscaping (10% of lot area) is required, per code. The Applicant's landscaping plan provides a total of 16,470 square feet, with 19,790 square feet of live plant cover provided. The landscaping plan features multiple types of native plants along the boundaries of LE, Tract 5-A, and internally between buildings. The plan includes multiple tree species with large canopy space, which will enhance overall buffering and privacy of the site.

The landscape buffering includes a consistent visual buffer along all sides of the development. Trees along the sides of the property adjacent to right-of-way and across from residential neighborhoods include Blue Arrow Juniper and Crimson Spire Oak trees which feature denser vegetation and cover, providing a visual screen.

h. Elevations; The Applicant has provided elevations which denote three-story multi-family buildings with "white" and "charcoal grey" stucco finishes, with stone wall tile as an additional facade design element. The Site Plan also denotes light poles of 16 ft in height, below the 24 ft height maximum under the Night Sky Ordinance.

i. Adjacent property characteristics; Developed conditions consist of the Lomas Encantadas 3A Subdivision to the south and the Lomas Encantadas 4B Subdivision to the west, both zoned R-4: Single-Family Residential District. Camino Encantadas Park is immediately to the north of the proposed development, zoned PR: Parks and Recreation District.

j. Preliminary drainage plan; The Applicant has provided a Conceptual Grading and Drainage Plan for the subject site, which notates that the site will retain the storm water quality volume on site and discharge remainder at allowed rates utilizing detention ponds with restricted outlet. Per the plan, discharge shall match historical rates. The subject Conceptual Grading and Drainage Plan is additionally subject to review and approval by the Development Services Engineering Department.

INTERDEPARTMENTAL/INTERAGENCY REVIEW: The reviewing agencies below received the subject application for review comments:

DSD Planning	Comments throughout ABM.
DSD Engineering	Comments attached in "Reviewer Comments."
Rio Rancho Fire and Rescue	Comments attached in "Reviewer Comments."
SSCAFCA	No adverse comments.
Parks, Recreation, and Community Services	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
MRMPO	Comments attached in "Reviewer Comments."

NOTIFICATIONS: In accordance with State Statute NMSA 3-21-6, which stipulates notification procedures for this type of zoning action, all property owners within 100 feet of the subject properties were sent a certified letter, return receipt requested, containing a notice of action and impending Planning and Zoning Board hearing. Two notice signs were placed on the subject properties as required by ordinance, one week prior to the hearing. A legal notice was published in the September 7, 2026 edition of the Albuquerque Journal. Given the item was postponed to the date certain of October 13, 2026, no further legal requirements are necessary for this item. All legal notice requirements have been met.

IMPACT:

Staff recommends the Planning and Zoning Board recommend approval of Zone Map Amendment Case No. 26-100-00005 to the Governing Body, subject to the following findings:

General Findings of Fact:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the Applicant's request for a Zone Map Amendment.
2. The Applicant has the authority to make an application to request a Zone Map Amendment.

Specific Findings of Fact for Approval:
The Applicant has submitted an application and narrative which demonstrates that the change in zoning designation meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) § 150.07(D) Amendments, including:

1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by improving access for commercial property and maintaining the underlying land use while promoting house opportunities.
2. The Applicant has provided sound justification for the proposed zone change and the Zone Map Amendment would provide for stability of zoning by not modifying the underlying land use and not significantly changing the permissive uses on the subject property.
3. The proposed Zone Map Amendment would be consistent with adopted elements of the Comprehensive Plan, including housing, land use, and urban development goals.
4. The proposed Zone Map Amendment is consistent with the Lomas Encantadas Master Plan.
5. The cost of the land or other economic considerations does not appear to be a justification for the proposed Zone Map Amendment.

6. The Applicant has provided sufficient justification that the Zone Map Amendment request is not based on the properties' location.
7. The requested Zone Map Amendment would not create a "spot zone" in that it maintains commercial uses on the subject property and provides for multi-family housing, which complements the commercial usage.
8. Development of the site shall conform to the attached Site Plan.
9. A paper easement filed October 8, 2024 established a 10' maintenance easement for the stabilization rock supporting Camino Encantadas Park, directly north of LE, Tract 5. As such, a condition of approval shall be that this 10' maintenance easement either be included on Summary Plat Case No. 26-200-00026, or that grading and drainage be addressed for the subject Site and the subject 10' maintenance easement be vacated.
10. Summary Plat Case No. 26-200-00026 shall be recorded for the consolidation of the two properties, prior to approval of Building Permit.
11. Development of the Site shall have the following conditions::
    a. Access along Camino Encantadas NE does not meet SAMM street spacing and must remain for emergency access only.
    b. Development shall not infringe on existent parkland amenities and features.

However, if the Planning and Zoning Board finds that the proposed Zone Map Amendment is not consistent with City standards, staff recommends the specific findings of fact for denial below:

Specific Findings of Fact for Denial:

1. The Applicant has submitted an application and narrative which does not demonstrate that the proposed change in zoning designation meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) § 150.07(D) Amendments.
2. The proposed zoning is not consistent with the health, safety, morals, and general welfare of the City.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Recommend approval of the request to the Governing Body.
2. Recommend denial of the request to the Governing Body.
3. Modify the request and recommend approval of such modifications to the Governing Body.
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning & Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, with findings and conditions.

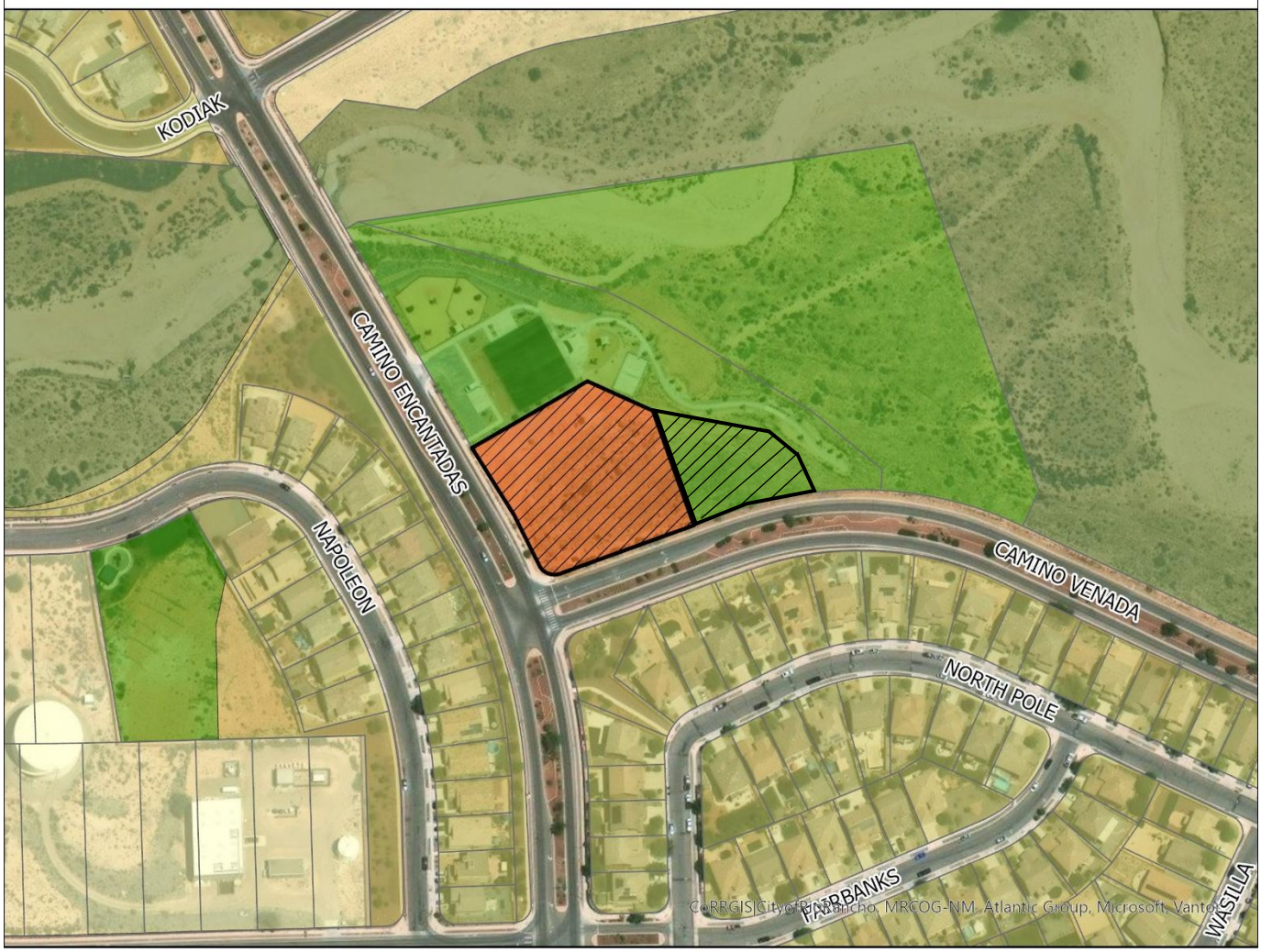
ATTACHMENT: Location & Zone Map
ATTACHMENT: NEW MATERIAL 10.13.26 - Updated Application
ATTACHMENT: NEW MATERIAL 10.13.26 - Updated Justification Letter
ATTACHMENT: NEW MATERIAL 10.13.26 - Updated Site Plan & Elevations.pdf
ATTACHMENT: NEW MATERIAL 10.13.26 - Elevation View Study
ATTACHMENT: NEW MATERIAL 10.13.26 - Landscaping Plan
ATTACHMENT: NEW MATERIAL 10.13.26 - Conceptual Grading & Drainage Plan
ATTACHMENT: NEW MATERIAL 10.13.26 - Trip Generation Table
ATTACHMENT: NEW MATERIAL- Applicant Presentation 10.13.26
ATTACHMENT: NEW Compilation of Public Comments (Received after 9.22.26)
ATTACHMENT: (OLD) Application & Authorization

ATTACHMENT: 9.22.26 Justification Letter
ATTACHMENT: 9.22.26 Site Plan
ATTACHMENT: 9.22.26 Proposed Elevations
ATTACHMENT: Summary Plat: LE, Tract 5-A
ATTACHMENT: 7.23.26 GB ABM for Land Sale.pdf
ATTACHMENT: Reproduction of Notices & Legal Ad
ATTACHMENT: Compilation of Public Comments
ATTACHMENT: Public Comments Map
ATTACHMENT: Reviewer Comments
ATTACHMENT: Draft_Ordinance_BMB_10.13.26.docx

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

3820 CAMINO ENCANTADAS NE (LE, TRACT 5) & PORTION OF 3900 CAMINO ENCANTADAS NE (LE, TRACT 17-A) ZONE MAP AMENDMENT C-1: RETAIL COMMERCIAL DISTRICT & PR: PARKS & RECREATION DISTRICT TO SU: SPECIAL USE FOR R-6: MULTI-FAMILY RESIDENTIAL & C-1: RETAIL COMMERCIAL USES



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/1/2026

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Miles

Legend

Zoning
- C-1
- OS
- PR
- R-1
- R-4
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	☐ Variance
			X Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: PG Properties LLC		Phone:
Address: 211 Montano Rd NW, Suite H		E-Mail: melvinp@ephinitybuilders.com
City: Albuquerque	State: NM	Zip: 87107
Proprietary Interest:	List Owners: Melvin Parker, Edward Gutierrez	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	
Agent Name: Modulus Architects & Land Use Planning, Angela Piarowski		Phone: 505-338-1499
Address: 8220 San Pedro Dr NE, Suite 520		E-Mail: angela@modulusarchitects.com
City: Albuquerque	State: NM	ZIP Code: 87113

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Zone Map Amendment to change existing zone from C-1 and PR to SU (Special Use) for C-1 and R-6 Uses to allow for mixed use concept with 55 apartment homes and commercial/office

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Lomas Encantadas	Block(s):	Lot(s): 5 and Tract 17-A (.56 Acres)
Existing Zoning: C-1 and PR	Proposed Zoning: SU (Special Use) for C-1 & R-6 Uses	
No. of existing lots: 2	No. of proposed lots: 1	Total area of site (acres): 1.79 acres

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Angela M. Piarowski, Agent	Applicant:	Agent: Modulus Architects
Signature:		Date: 2-11-2026

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:** _____

Form revised January 26, 2017

MODULUS
ARCHITECTS & LAND USE PLANNING

Planning and Zoning Commission
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144
September 24, 2026

Zone Map Amendment and Site Plan Approval for Lomas Encantadas

Dear Planning and Zoning Commission,

Modulus Architects & Land Use Planning, Inc. ("Agent"), on behalf of PG Properties ("Property Owner"), respectfully requests approval of (1) a Zone Map Amendment from C-1 (Retail Commercial) and PR (Parks and Recreation) to SU (Special Use) allowing C-1 and R-6 (Multi-Family Residential) uses, and (2) the accompanying Site Plan for 55 apartment homes and ground floor commercial space consisting of +/- 1,800. The subject property is 3820 Lomas Encantadas NE (Tract 5) and a portion of 3900 Camino Encantadas NE. The approximately 1.79-acre site comprises two components:

- Tract 5, containing approximately 1.230 acres, currently zoned C-1 (Retail Commercial).
- An adjoining remnant parcel identified as a portion of LE, TR 17-A at 3900 Camino Encantadas NE, presently zoned PR (Parks and Recreation), included with Tract 5 in the combined development site. Exact boundaries and acreage are governed by the application's legal description and survey.

The requested SU designation would apply to the combined site and allow C-1 commercial and R-6 residential uses under one coordinated development framework. The accompanying Site Plan proposes 55 apartment homes with first-floor neighborhood commercial space intended to serve residents and the surrounding community. Both the Zone Map Amendment and Site Plan approval are requested in this application.

This letter provides the background, policy analysis, and justification for the Zone Map Amendment and accompanying Site Plan. Both portions of the property are vacant and undeveloped (see Figure 1). The proposed SU designation establishes the authorized uses and applicable conditions, while the Site Plan establishes the proposed building placement, commercial area, access, circulation, parking, landscaping, and other physical development details for City review and approval.

Rio Rancho Code §154.43(A)(3) requires a Governing Body-approved Site Plan for SU property and allows that plan to accompany the zone-change application. The Applicant elects that concurrent submission procedure and requests approval of both applications. Development remains subject to the required approvals, conditions, engineering review, and permits.

PROPOSED SU USE FRAMEWORK

Section 154.43(A) allows SU zoning where the appropriateness of development depends on site character and where property-specific uses, standards, or conditions are warranted. The requested SU designation would allow C-1 and R-6 uses across the combined site, with the accompanying Site Plan establishing the proposed 55-home mixed-use development.

The requested SU designation allows the C-1 and R-6 uses to be coordinated across the combined property and tied to an approved Site Plan. The justification rests on the assembled site's configuration, access conditions, transitional setting, and coordinated design. It does not depend on a blanket assertion that residential use is prohibited in C-1.

The SU designation and accompanying Site Plan provide the following controls:

- The adopting ordinance can define and restrict the authorized use list.
- No development can occur by right from the zoning approval alone.
- The accompanying Site Plan requires Governing Body approval as part of the requested entitlement action.

- Site-specific conditions may address height, setbacks, parking, access, circulation, buffers, landscaping, signage, architecture, drainage, and compatibility.
- The City may evaluate the actual proposal and its actual impacts before development is authorized.

SU controls. The adopting ordinance should identify the authorized C-1 and R-6 uses and applicable conditions. Conditional uses remain subject to applicable use-permit requirements unless lawfully addressed by the adopting ordinance. The accompanying Site Plan is submitted for approval of the proposed 55 apartment homes and neighborhood commercial space, including the site layout and development standards. Construction remains subject to applicable permits and approval conditions.

REQUESTED USE FRAMEWORK

R-6 Use Family

The requested SU designation would allow R-6 (Multi-Family Residential) uses, subject to the adopting ordinance, applicable City requirements, and approved Site Plan. The residential development proposed for Site Plan approval consists of 55 apartment homes and associated residential amenities. This application does not propose simultaneous development of every use listed in the R-6 district.

C-1 Use Family

The requested SU designation would also allow C-1 (Retail Commercial) uses, subject to the adopting ordinance, applicable City requirements, and approved Site Plan. The proposed commercial component is first-floor space for neighborhood-serving goods and services. Individual tenants must comply with the authorized use schedule, parking requirements, and any applicable use-permit or occupancy requirements.

Purposefully Right-Sized Mixed-Use Concept

The proposed development pairs 55 apartment homes with a limited amount of first-floor neighborhood commercial space. The commercial component is intended to serve convenient daily needs and support pedestrian activity at a scale appropriate to the site. Its proposed floor area and physical arrangement are addressed in the accompanying Site Plan. Tenant selection remains subject to the approved uses and applicable requirements.

The requested SU designation allows C-1 (Retail Commercial) and R-6 (Multi-Family Residential) uses, subject to the adopting ordinance and applicable City requirements. The accompanying Site Plan is submitted for approval of 55 apartment homes and first-floor neighborhood commercial space. Development must conform to the approved Site Plan and conditions of approval, and all required permits must be obtained.

PROPERTY CONDITIONS SUPPORT A COORDINATED, CONTROLLED DISTRICT

Long-Term Vacancy and Fragmented Zoning

Tract 5 has remained vacant for more than twenty years under C-1 zoning. The adjoining PR remnant has remained vacant and unimproved. Including both areas in one SU application allows the City to review their development under a coordinated Site Plan.

Access Constraints

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both dimensions fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. There is no independent alternative access point to the corner parcel. These conditions favor one coordinated development with shared access, circulation, and parking and a purposefully small commercial component rather than a stand-alone, automobile-oriented commercial center.

The Zone Map Amendment establishes the use framework; the accompanying Site Plan presents the proposed access and circulation arrangement for City review. Access remains subject to applicable engineering, traffic, emergency-access, and agency requirements and any conditions of approval.

Transitional Location and Scale

The property occupies a transition between roadway frontage, existing commercial entitlements, public or recreational land, and residential neighborhoods. Its modest area and corner geometry warrant a use framework that can respond to competing conditions without granting uncontrolled development rights. SU is specifically designed for property whose appropriateness depends on site character and allows the City to impose standards tailored to that transition.

By transitioning from separate C-1 and Parks and Recreation designations to a customized SU district, the City can authorize a coordinated R-6/C-1 mixed-use concept tailored to the combined property. The SU framework allows the Governing Body to define the use schedule and approve the accompanying Site Plan addressing building placement, access, circulation, parking, landscaping, buffering, architecture, drainage, and other property-specific standards. This

creates greater predictability, stronger compatibility protections, and a better-balanced outcome than applying either R-6 or C-1 zoning alone.

The application requests both a controlled SU designation allowing C-1 and R-6 uses and approval of the accompanying Site Plan for 55 apartment homes and first-floor neighborhood commercial space. The combined requests address long-term vacancy, fragmented zoning, access conditions, and the property's transitional context through review of a specific development proposal.

SITE OWNERSHIP

PG Properties is the Property Owner and Applicant for Tract 5, acquired on January 9, 2026, following ownership by Lomas Encantadas Master Association, Inc. The application also includes the adjoining remnant parcel associated with 3900 Camino Encantadas NE. The legal description and title documentation accompanying the application establish the property interests and boundaries applicable to the requested approvals.

SITE HISTORY

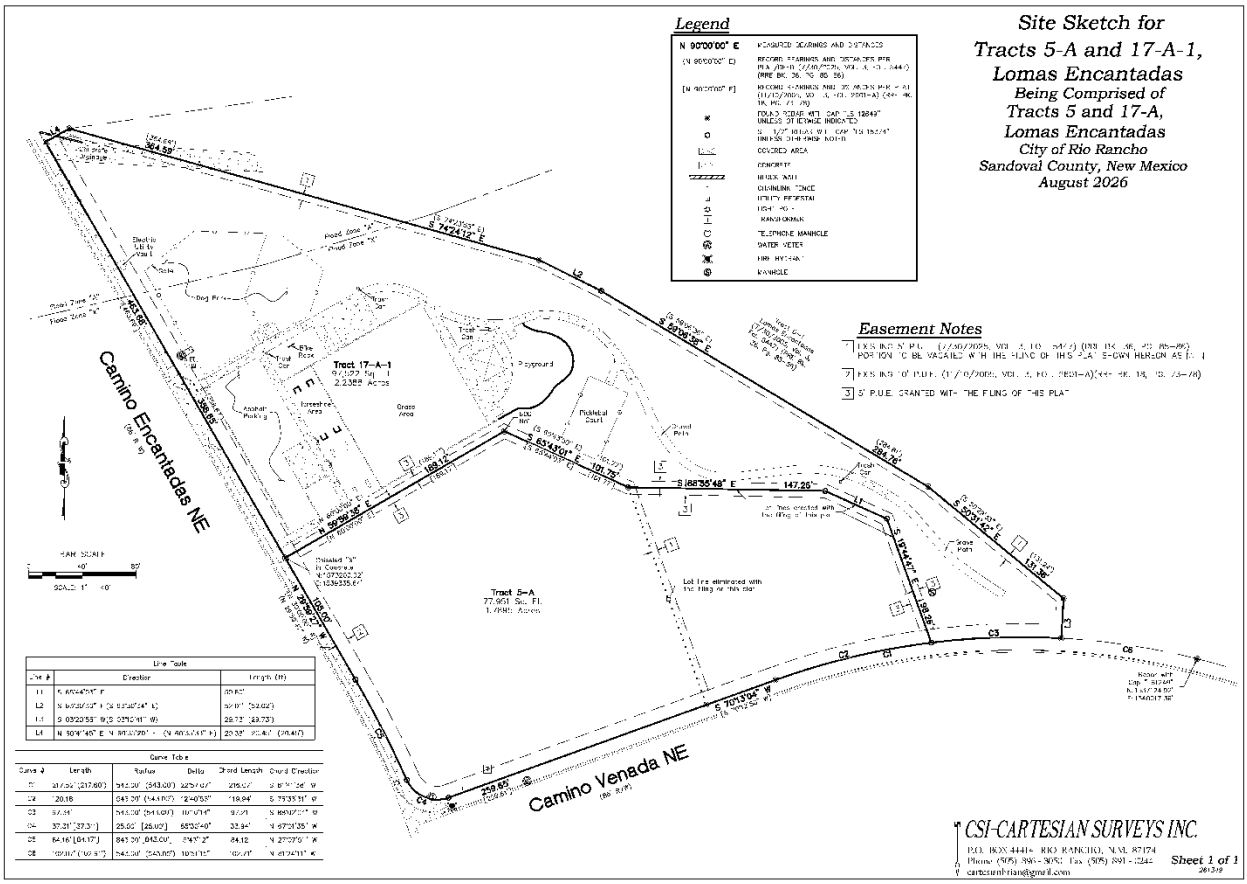
Tract 5/Parcel 3E was originally zoned R-1. On August 11, 2004, City of Rio Rancho Ordinance No. 30, Enactment No. 04-029, changed Parcels 3B, 3C, 3D, and 3E to C-1. Parcel 3B was subsequently rezoned to R-4, while Parcels 3C and 3D remain C-1. The 2004 ordinance characterized development of the subject property as infill because of its proximity to existing development and recognized that development of vacant land in built-up portions of the community can promote efficient use of existing infrastructure.

The adjoining remnant parcel is presently designated PR (Parks and Recreation). Its existing zoning is distinct from Tract 5's C-1 designation, and both areas are included in the requested SU Zone Map Amendment.

The remnant has remained vacant and unimproved as an active park facility. Its inclusion in the application allows access, circulation, parking, open space, and landscaping to be evaluated with Tract 5 under one Site Plan.

Figure 1: Site Location

Figure 2: Site Survey Sketch



WHY THE COORDINATED SU MIXED-USE FRAMEWORK IS MORE ADVANTAGEOUS THAN STAND-ALONE C-1

The subject property has remained vacant for more than twenty years despite being zoned C-1 Retail Commercial. Although the existing zoning remains legally valid, the parcel's limited dimensions, access conditions, combined planning with the adjoining remnant, and adopted City policies support a coordinated, right-sized mixed-use framework that retains meaningful commercial activity while adding boutique residential use.

The parcel's configuration is not well suited to a stand-alone C-1 commercial center. It has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. Because the parcel occupies the corner of the two roadways and has no independent alternative access point, a smaller commercial component integrated into a coordinated mixed-use site is a better fit than a separate automobile-oriented commercial development.

Figure 3: Access Exhibit

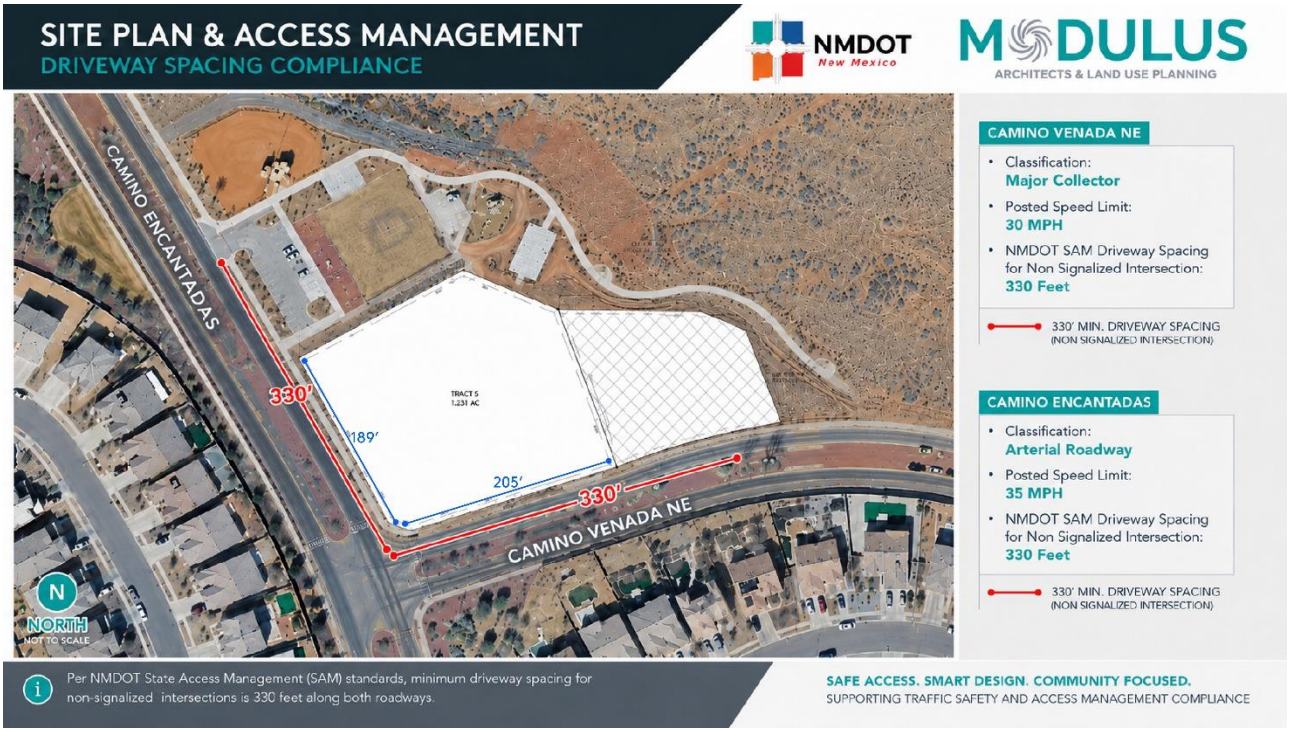


Figure 4: Earlier Concept Rendering — Illustrative Only
The accompanying Site Plan and current architectural exhibits govern the requested approval; this earlier illustration does not establish approval of rooftop amenities, signage, tenants, or other depicted details.

The property's frontage and corner geometry therefore support coordinated access and circulation across the assembled site. Integrating a purposefully small neighborhood-commercial component with 55 apartment homes allows trips, access, parking, and internal circulation to be planned together and encourages residents and nearby neighbors to reach day-to-day goods and services on foot. Approval of SU zoning would not approve an access point; the specific solution remains subject to survey, engineering, traffic, agency, and site-plan review.

The relatively small size and corner geometry of the property reinforce the value of a right-sized mixed-use plan. Rather than devoting a substantial portion of the site to the drive aisles and surface parking associated with a stand-alone commercial center, the SU framework allows shared access and parking, a modest first-floor commercial presence, and substantially more open space and landscaping than the minimum requirements.

The accompanying Site Plan proposes 55 apartment homes, first-floor neighborhood commercial space, enhanced open space and landscaping, and parking intended to satisfy applicable standards. No variances are requested. The City's review of the submitted plans and technical materials will establish compliance and any necessary conditions of approval.

The request is grounded in sound public planning. The proposed SU classification retains commercial activity at a scale appropriate to the site, adds a modest residential population that can support those services, promotes coordinated access and infrastructure review, creates a walkable relationship with nearby City amenities, and subjects the detailed development plan to property-specific Governing Body approval.

PARKS AND RECREATION REMNANT PARCEL

The adjoining PR remnant is limited in size and configuration and has remained vacant and unimproved. Including it with Tract 5 permits coordinated consideration of the combined site's access, circulation, utilities, drainage, parking, landscaping, and open space.

The requested SU designation would apply one use framework to the combined property. The accompanying Site Plan presents the physical development for approval, including the relationship between the residential and neighborhood-commercial components and the surrounding area.

WHY SU IS MORE ADVANTAGEOUS

The requested Special Use Zone Map Amendment would place a long-vacant C-1 parcel and an adjoining undeveloped PR remnant tract under one coordinated, property-specific mixed-use framework. Planning the combined property as a whole allows a small community of 55 apartment homes and a purposefully limited amount of first-floor neighborhood commercial space to share access, circulation, parking, infrastructure, open space, and landscaping.

The framework responds constructively to the conditions that have contributed to long-term vacancy: limited frontage, constrained stand-alone access, modest parcel size, corner geometry, parcel assembly, and the property's transitional relationship to surrounding land uses. The small commercial component is scaled to the site and intended to support walking and convenient daily needs rather than automobile-dominant regional or strip-commercial activity. Final access and circulation will be evaluated through the accompanying Site Plan.

The SU framework would authorize a coordinated mixed-use concept consisting of R-6 residential uses and C-1 uses. The proposed program includes 55 apartment homes, limited first-floor neighborhood commercial space, significantly more open space and landscaping than required, adequate code-compliant parking, and no requested variances. Exact floor area, building placement, access, parking layout, architecture, landscape design, and phasing remain subject to review of the accompanying Site Plan.

The requested approvals have distinct functions: the Zone Map Amendment establishes SU zoning allowing C-1 and R-6 uses, and the accompanying Site Plan establishes the proposed physical development. Section 154.43(A)(3) requires Governing Body Site Plan approval before development. Both approvals are requested through this application.

Approval of the Zone Map Amendment to SU (Special Use) allowing C-1 and R-6 uses, together with approval of the accompanying Site Plan for 55 apartment homes and neighborhood commercial space, is respectfully requested.

COMPREHENSIVE PLAN POLICY ANALYSIS

The application seeks both a Zone Map Amendment and Site Plan approval. Comprehensive Plan consistency is addressed through the proposed 55 apartment homes, first-floor neighborhood commercial space, coordinated circulation, open space, landscaping, and parking shown in the submitted plan. No variances are requested.

The SU ordinance and approved Site Plan would establish property-specific controls, subject to applicable City requirements and conditions of approval.

Housing Choice and Community-Friendly Multifamily Development

Goal PH-3 promotes a variety of housing types to meet the needs of all members of the community (PH-7). Policy PH-1 supports quality, community-friendly multifamily development with enhanced open space and pedestrian connectivity, and Policy PH-4 calls for effective transitions or buffers between substantially different uses and densities (PH-7). The concept advances these policies with a small community of 55 apartment homes organized to provide significantly more open space and landscaping than required.

Focused Growth, Infill, and Infrastructure Efficiency

Goal UD-1 supports focused growth where existing infrastructure can accommodate higher-density development; Goal UD-5 supports infill and redevelopment in areas that have been neglected; and Policy UD-3 supports infill and

redevelopment projects (U-10 and U-11). The property lies within an established area where streets and utility networks exist. A modest mixed-use concept with 55 homes, small-scale commercial space, and shared infrastructure makes efficient use of this setting while final capacity is confirmed during review of the accompanying Site Plan.

Coordinated Planning, Walkability, and Neighborhood Services

Goal L-3 calls for maintaining a citywide balance of land uses. Policies L-1 through L-3 encourage coordinated planning, neighborhood-scale retail compatible with residential development, and walkability (L-8). Section 2.3.7 promotes traditional neighborhoods with varied housing types within walking distance of commercial services (V-9). The proposed combination directly implements these policies by pairing boutique apartment homes with a purposefully limited amount of first-floor commercial space for daily goods and services, creating a walkable neighborhood destination without the scale or traffic pattern of a stand-alone commercial center.

Sense of Place and Appropriate Transitions

Goals UD-2 and UD-3 support traditional neighborhood patterns, a sense of place, and development that fosters human interaction (U-10). Policy PH-4 supports effective transitions between different uses and densities. The proposed ground-floor neighborhood activity, generous open space, enhanced landscaping, and modest 55-unit scale advance these goals, while SU allows the Governing Body to impose standards tailored to the property and evaluate the accompanying Site Plan through the required public review.

Consistency Through Concurrent Zoning and Site Plan Review

Under §154.43(A)(3), the Applicant submits the Site Plan with the Zone Map Amendment. The City can therefore evaluate the proposed uses together with the actual site arrangement, including structures, setbacks, ingress and egress, parking, circulation, utilities, drainage, landscaping, buffers, elevations, and adjacent-property characteristics.

The requested SU classification does not supersede applicable requirements of the adopted Lomas Encantadas Master Plan. The accompanying Site Plan must demonstrate consistency with applicable adopted plans and surrounding development as part of the requested approval.

Accordingly, the requested amendment advances the Comprehensive Plan by:

- Supporting housing variety through a small community of 55 apartment homes;
- Integrating purposefully limited first-floor neighborhood commercial space for day-to-day goods and services;
- Promoting productive infill, walkability, and coordinated use of an assembled property with significantly more open space and landscaping than required;
- Providing adequate code-compliant parking without requesting variances; and
- Retaining the City's ability to review and condition the detailed site plan for access, compatibility, infrastructure, and urban design.

ZONE MAP AMENDMENT POLICY COMPLIANCE

(D) The following policies for deciding zone map change applications pursuant to the City Zoning Code are:

1. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

Applicant Response:

The requested Special Use Zone Map Amendment is consistent with and affirmatively promotes the health, safety, and general welfare of the City because it replaces two fragmented zoning designations with one coordinated framework for a modest, walkable mixed-use community. The concept combines 55 apartment homes with purposefully limited first-floor neighborhood commercial space, generous open space and landscaping, adequate code-compliant parking, and no requested variances. This balanced program supports daily needs, neighborhood activity, and efficient use of existing infrastructure while preserving a Governing Body review of the accompanying Site Plan.

The property's access and configuration make coordinated planning especially beneficial. The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada, compared with the 330-foot minimum driveway-spacing standard identified in the Applicant's access analysis for a

nonsignalized intersection. The corner parcel has no independent alternative access point. Combining the property with the adjoining remnant tract allows the City to evaluate access, circulation, emergency response, utilities, drainage, parking, pedestrian movement, landscaping, and buffering as one site.

The right-sized mixed-use concept responds positively to those conditions. The neighborhood-commercial component is integrated into the first floor and deliberately limited in scale, allowing it to share access and parking with the residential component and encouraging residents and nearby neighbors to walk for day-to-day goods and services. This approach supports activity and convenience without creating the traffic and surface-parking pattern associated with a larger stand-alone commercial center.

The application requests approval of the SU use framework and the accompanying Site Plan. City review of the submitted proposal must address the information required by §154.43(A)(3), including structures, dimensions and setbacks, access, parking and circulation, landscaping, elevations, adjacent-property characteristics, utilities, rights-of-way, and preliminary drainage. Required construction permits and engineering approvals remain applicable.

The requested SU district also permits the City to impose property-specific requirements for height, setbacks, building width, parking, access, landscaping, buffering, lighting, signage, drainage, and other development standards. The concept already advances the public welfare through a modest 55-unit scale, substantially enhanced open space and landscaping, adequate parking, and no requested variances; the accompanying Site Plan gives the City the opportunity to verify and enforce those commitments in the final design.

The coordinated use of R-6 and C-1 uses is a central public benefit of the request. Residential use supplies a built-in customer base for small neighborhood businesses, while the first-floor commercial component provides convenient daily goods and services for residents and the surrounding community. Because the commercial space is purposefully limited and integrated into the residential development, it is appropriately scaled to the site's access conditions and supports a walkable, community-oriented environment.

The requested zoning therefore advances the public welfare by:

- Replacing fragmented zoning with one coordinated regulatory framework;
- Establishing a balanced mixed-use concept of 55 apartment homes and purposefully small first-floor neighborhood commercial space;
- Supporting walking to daily goods, services, open space, and nearby City amenities;
- Providing significantly more open space and landscaping than required;
- Providing adequate code-compliant parking and requesting no variances;
- Coordinating access, circulation, emergency response, drainage, and infrastructure across the assembled site; and
- Preserving the City's authority to review and condition the detailed site plan before construction.

For these reasons, the SU Zone Map Amendment is not merely consistent with the health, safety, and general welfare of the City; it provides a more protective and accountable regulatory framework than the existing fragmented zoning pattern. The request satisfies Criterion D(1).

2. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

Applicant Response:

The Applicant acknowledges that stability of land use and zoning is an important public objective. The requested amendment is supported by a sound, site-specific justification: it replaces a fragmented pattern that has not produced development for more than twenty years with a unified SU framework for a modest, compatible, and walkable mixed-use community.

The existing zoning divides the approximately 1.79-acre site between C-1 Retail Commercial and Parks and Recreation. These classifications treat the parcels independently even though their size, configuration, ownership, access limitations, and functional relationship require them to be planned together. Tract 5 has remained vacant for more than twenty years under C-1 zoning. The adjoining PR remnant has also remained vacant and unimproved, has never functioned as an active park, and is included with Tract 5 in this application. Continuation of the existing zoning would perpetuate a

fragmented pattern that has not resulted in productive development or implementation of the remnant tract's designated recreational use.

The longstanding vacancy is not presented as the sole justification for rezoning. It is evidence of the practical limitations imposed by the parcel's configuration and access conditions. The C-1 tract has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The parcel has no independent alternative access point. Although it is not legally landlocked, it is functionally access-constrained as a stand-alone commercial property. These conditions materially limit the reasonable development of the parcel under its existing configuration.

The requested SU classification responds directly to these objective conditions. It would place the assembled property under one coordinated zoning framework and authorize the R-6 uses and C-1 uses as an integrated mixed-use concept. The proposed program of 55 apartment homes and purposefully limited first-floor neighborhood commercial space retains the property's commercial role, expands housing choice, and creates a scale compatible with the surrounding community and the site's access conditions.

The amendment is therefore a measured refinement of the property's land-use pattern—not an abandonment of its commercial classification or an unrestricted departure from surrounding development. The requested SU ordinance can define a neighborhood-serving commercial use list, authorize the residential component, retain applicable conditional-use requirements, and establish property-specific limitations. The detailed site plan will refine the exact floor areas and layout within this clear mixed-use framework.

The Applicant requests the Governing Body's approval of both the SU Zone Map Amendment and accompanying Site Plan. The City will review the proposed structures, setbacks, access, circulation, parking, utilities, drainage, landscaping, buffers, elevations, and relationship to adjacent properties as part of these requests.

Concurrent review allows the City to impose enforceable conditions on the proposed uses and physical development. The Site Plan must satisfactorily address applicable standards and compatibility before it may be approved.

The requested amendment strengthens zoning stability by:

- Replacing two fragmented classifications with one coordinated regulatory framework;
- Coordinating R-6 residential and C-1 neighborhood-commercial uses within one mixed-use framework;
- Responding to the parcel's frontage and access conditions with purposefully small commercial activity and shared site planning;
- Creating a productive role for the remnant Parks and Recreation tract within a landscaped, amenity-rich development;
- Providing a modest 55-unit residential scale, enhanced open space and landscaping, adequate parking, and no requested variances;
- Requiring a detailed site plan to receive Governing Body Site Plan approval; and
- Providing an orderly transition between roadway frontage, neighborhood services, public amenities, and surrounding residential development.

Accordingly, the requested SU classification is supported by a sound, property-specific justification. It strengthens zoning stability by replacing a longstanding, fragmented pattern with a clear mixed-use framework that retains appropriately scaled commercial activity, adds a modest residential component, and subjects the final development plan to heightened public review and property-specific controls. The request therefore satisfies Criterion D(2).

3. A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

Applicant Response:

The requested Special Use Zone Map Amendment is generally consistent with and advances the Rio Rancho Comprehensive Plan because it establishes a controlled mixed-use framework that supports housing choice, coordinated planning, productive infill, neighborhood-scale retail, walkability, and efficient use of existing infrastructure. The zoning

request is supported by a defined concept—55 apartment homes, purposefully limited first-floor commercial space, generous open space and landscaping, adequate parking, and no requested variances—while the detailed physical plan remains subject to Governing Body approval through this application.

The requested SU classification would authorize the R-6 uses and the compatible C-1 uses specifically identified in the adopting use schedule as a coordinated mixed-use concept. The residential and commercial components reinforce one another: residents provide regular support for small neighborhood businesses, and those businesses provide convenient day-to-day goods and services within walking distance of the homes and nearby community amenities.

This framework is consistent with the following Comprehensive Plan provisions:

- Vision for Growth (V-1), which recognizes the need for higher-intensity residential uses to support walkable neighborhoods, transportation opportunities, and complete streets as Rio Rancho grows;
- Urban Design Criteria (V-2), which recognize the importance of increased residential density in providing efficient public services and broader housing opportunities;
- Goal L-3 (L-8), which calls for maintaining a balance of land uses throughout the City;
- Policy L-1 (L-8), which encourages coordinated planning that considers circulation, landscaping, open space, drainage, utilities, and building location and design;
- Policy L-2 (L-8), which supports neighborhood-scale retail that is compatible with residential development;
- Policy L-3 (L-8), which promotes development that incorporates walkability;
- Goal PH-3 (PH-7), which promotes a variety of housing types to meet the needs of all members of the community;
- Policy PH-1 (PH-7), which supports quality, community-friendly multifamily development with enhanced open space and pedestrian connectivity;
- Policy PH-4 (PH-7), which calls for effective transitions or buffers between substantially different uses and densities;
- Goal UD-1 (U-10), which supports focused growth where existing public infrastructure can accommodate higher-density development;
- Goals UD-2 and UD-3 (U-10), which support traditional neighborhood patterns, a sense of place, and development that fosters human interaction;
- Goal UD-5 (U-10), which supports infill and redevelopment in areas that have been neglected; and
- Policy UD-3 (U-11), which supports infill and redevelopment projects.

The requested amendment advances these policies at the zoning level in several important ways.

First, it creates a path for the productive use of a long-vacant property within an established master-planned area. A small, community of 55 apartment homes advances the Comprehensive Plan's housing-variety and infill objectives at a scale that remains compatible with the surrounding neighborhood.

Second, the request retains and improves the property's commercial role by integrating a purposefully limited amount of neighborhood-serving space on the first floor. This right-sized component directly supports the Comprehensive Plan's policies for compatible neighborhood retail, balanced land use, and walkability. It provides convenient daily goods and services without the access, traffic, and surface-parking pattern of a stand-alone commercial center.

Third, SU zoning provides the coordinated planning mechanism contemplated by Policy L-1. The residential and commercial components, access, parking, circulation, utilities, drainage, generous open space, enhanced landscaping, and pedestrian connections can be planned as one cohesive site rather than as separate C-1 and Parks and Recreation parcels.

Fourth, concurrent review connects the requested use framework to a specific Site Plan. Section 154.43(A)(3) requires Governing Body approval of the Site Plan and identifies the information needed to evaluate structures, setbacks, access, parking, circulation, landscaping, elevations, utilities, rights-of-way, preliminary drainage, and adjacent-property characteristics.

The City can assess whether the submitted plan delivers the walkability, open space, landscaping, parking, transitions, infrastructure, and compatibility described in this justification.

The Applicant requests approval of the SU designation allowing C-1 and R-6 uses and the accompanying Site Plan for 55 apartment homes and first-floor neighborhood commercial space. Physical development details are submitted for review through the Site Plan rather than deferred to a future application.

The SU classification is also compatible with the function of the Lomas Encantadas Master Plan area because it combines a modest range of housing with neighborhood-serving commercial uses, supports walking to nearby City amenities, and requires coordinated site planning before development. The accompanying Site Plan must demonstrate specific compatibility with the adopted Master Plan and surrounding development before construction can be authorized.

Accordingly, the requested SU amendment is generally consistent with the applicable planning framework because it:

- Provides housing variety through a small community of 55 apartment homes;
- Integrates purposefully limited first-floor neighborhood commercial space compatible with residential development;
- Promotes productive infill, walkability, and significantly enhanced open space and landscaping;
- Provides adequate code-compliant parking without requesting variances;
- Replaces fragmented zoning with coordinated, property-specific mixed-use planning; and
- Preserves detailed Governing Body review of access, infrastructure, compatibility, and physical design through the required site plan.

For these reasons, the requested SU Zone Map Amendment satisfies Criterion D(3).

4. The applicant must demonstrate the existing zoning is inappropriate because:

a) there was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, antiquated plat filed before the City's incorporation and adoption of its own Zoning Code or on land annexed by the City or

b) changed neighborhood or community conditions justify the change, or

c) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply. Applicant's reliance on this provision requires proof that (a) there is a public need for a change of the kind in question, and (b) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

Applicant Response:

The Applicant relies primarily upon subsection (c). The requested SU classification is more advantageous to the community than retaining the existing C-1 Retail Commercial and Parks and Recreation zoning because it establishes a unified, property-specific mixed-use framework that:

- Provides a small community of 55 apartment homes that expands housing choice;
- Integrates purposefully limited first-floor neighborhood commercial space for residents' and neighbors' day-to-day needs;
- Supports walkability and coordinated access in response to the property's frontage and configuration;
- Provides significantly more open space and landscaping than required;
- Provides adequate code-compliant parking and requests no variances; and
- Requires a coordinated site plan and Governing Body Site Plan approval before development.

The requested approvals cover both the SU use framework and the accompanying Site Plan. The submitted plan establishes the proposed arrangement of 55 apartment homes, neighborhood commercial space, buildings, access, parking, circulation, landscaping, and open space for City review.

A. Public Need for the Requested Use Category

The public need is for a zoning mechanism that delivers housing choice and useful neighborhood services together at a scale appropriate to a small, access-constrained infill site. The requested framework can:

- Add 55 apartment homes within an area developed predominantly with single-family housing;
- Provide a small amount of first-floor commercial space for convenient day-to-day goods and services;
- Support walking between the site, surrounding homes, and adjacent City amenities;

- Replace fragmented zoning with coordinated review of an assembled property;
- Provide generous open space and landscaping together with adequate parking and no requested variances;
- Create an appropriate transition among roadway frontage, neighborhood services, public amenities, and residential neighborhoods; and
- Preserve heightened City control over the detailed development through Governing Body approval of the accompanying Site Plan.

This need is articulated in the Rio Rancho Comprehensive Plan. Goal PH-3 promotes a variety of housing types to meet the needs of all members of the community. Policy PH-1 supports quality, community-friendly multifamily development, and Policy PH-4 calls for effective transitions and buffers between substantially different land uses and densities. Goal UD-1 supports focused growth where infrastructure can support higher-density development, while Goal UD-5 and Policy UD-3 support infill and redevelopment. Policies L-1 through L-3 support coordinated planning, compatible neighborhood-scale retail, and walkability.

The requested SU district directly responds to these policies at the zoning level. It combines a modest range of housing with neighborhood-scale commercial activity, makes productive use of a long-vacant assembled property, and requires coordinated, property-specific review before development.

The 55 apartment homes and first-floor neighborhood commercial component are intended to support one another through shared access, coordinated parking, and pedestrian connections. The accompanying Site Plan addresses commercial floor area and layout; future tenants must comply with the approved uses and applicable requirements.

B. Why This Particular Property Best Serves the Identified Public Need

The second requirement of subsection (c) is not satisfied merely by showing that housing or commercial services could occur somewhere in Rio Rancho. The relevant question is why this property is especially well suited to meet the combined need for housing choice, walkable neighborhood services, productive infill, and coordinated site planning.

This property is uniquely situated because the requested change converts site-specific constraints into an opportunity for a carefully scaled mixed-use community. Those conditions include:

1. Long-Term Vacancy Under Existing C-1 Zoning

Tract 5 has remained vacant for more than twenty years despite its C-1 designation. The adjoining Parks and Recreation remnant has also remained vacant and unimproved and has never functioned as an active public park. The SU framework provides a positive path to combine these properties and introduce housing, neighborhood services, open space, and landscaping as one cohesive development.

Rezoning another parcel would not address the longstanding vacancy, fragmented zoning, or physical conditions affecting this particular site.

2. Stand-Alone Access Constraints

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The corner parcel has no independent alternative access point.

Although the parcel has street frontage, its dimensions favor coordinated access and circulation rather than an independently developed commercial center. A purposefully small commercial component integrated with 55 homes allows access and parking to be shared, supports pedestrian trips, and is better aligned with the parcel's scale and corner location.

The SU Zone Map Amendment and accompanying Site Plan allow the combined property and proposed access arrangement to be reviewed together. Survey, engineering, traffic review, emergency access, and agency coordination remain part of establishing an acceptable access solution.

3. Assembly with the Adjoining Remnant Property

The adjoining remnant parcel is included with Tract 5 in the application. This combination creates a planning opportunity specific to this location by bringing two separately zoned, functionally related areas under one proposed SU designation and Site Plan.

The public need is best served by changing this property because the SU classification allows the residential and neighborhood-commercial components, access, circulation, utilities, drainage, parking, pedestrian connections, open space, landscaping, and buffering to be considered across the assembled site. Changing the zoning of another property would not correct the fragmented zoning or planning limitations affecting these tracts.

4. Transitional Land-Use Context

The property occupies a transition among roadway frontage, existing commercial entitlements, public or recreational land, and surrounding residential development. A small first-floor commercial component maintains an active neighborhood-serving edge, while the modest 55-unit residential component provides an appropriate transition toward nearby homes.

The combined site includes C-1 and PR zoning. The requested SU designation allowing C-1 and R-6 uses would provide a coordinated framework for the proposed residential and neighborhood-commercial development and its accompanying Site Plan.

5. Existing Development Context and Infrastructure Investment

The property is located within an established master-planned area near existing streets, utility networks, residential neighborhoods, public facilities, parks, and commercial services. These investments make the site especially appropriate for a compact mixed-use concept that allows residents and neighbors to walk between homes, daily services, open space, and City amenities.

Utility, roadway, and drainage adequacy must be addressed through review of the accompanying Site Plan and supporting technical materials, with remaining engineering and permit requirements enforced through applicable approval conditions. The proposed program consists of 55 apartment homes and a limited neighborhood-commercial component; no variances are requested.

C. Why the Coordinated SU Mixed-Use Framework Is More Advantageous Than the Existing Zoning

The existing C-1 designation is legally valid, and the Applicant does not contend that its original adoption was erroneous. However, C-1 is no longer the most advantageous classification for this particular property when considered together with the adjoining remnant tract and the site's access and configuration constraints.

The requested SU classification is more advantageous because it:

- Integrates C-1 neighborhood-commercial uses on the first floor at a purposefully small scale;
- Adds a modest community of 55 apartment homes;
- Creates a walkable relationship among homes, daily services, open space, and nearby City amenities;
- Provides significantly more open space and landscaping than required;
- Provides adequate code-compliant parking and requests no variances;
- Establishes one coordinated framework for access, circulation, infrastructure, and compatibility;
- Allows the Governing Body to impose property-specific requirements and approve the detailed site plan; and
- Prohibits development until Site Plan approval is obtained.

The SU designation establishes the authorized use framework. The accompanying Site Plan presents the proposed floor areas, building placement, access, parking, circulation, architecture, landscaping, and open space for approval. Together, these actions allow the City to evaluate both the uses and their physical arrangement.

D Concurrent Site Plan Approval

Section 154.43(A)(3) permits an SU Site Plan to accompany the zone-change application. The Applicant elects that procedure and requests approval of the accompanying Site Plan with the Zone Map Amendment.

The Site Plan approval request is for 55 apartment homes and first-floor neighborhood commercial space. Review of the submitted plan and supporting exhibits addresses:

- Building footprints and site layout;
- The proposed residential program and apartment count;
- Commercial floor area and its relationship to the residential uses;
- Building height, massing, and architectural elevations;
- Courtyards, amenities, and open-space configuration;
- Driveways, access, and emergency circulation;
- Parking and internal circulation;
- Landscaping, buffers, and preliminary drainage, together with applicable lighting and signage requirements; and
- Conditions governing implementation and any remaining engineering or permit requirements.

Before any development may occur, the Governing Body must approve a site plan addressing the information required by §154.43(A)(3). The City will therefore retain the authority to verify safe access, adequate circulation, appropriate transitions, sufficient infrastructure, compliant drainage, suitable buffering, the enhanced open-space and landscaping commitments, code-compliant parking, and compatibility with surrounding property.

Concurrent consideration gives the City a specific development proposal against which to assess compatibility and apply enforceable conditions. Approval of the Site Plan remains distinct from issuance of construction permits.

E. Comparison with Other Available Property

Other properties in Rio Rancho may be capable of accommodating multifamily housing, commercial services, or mixed-use development. That does not diminish the distinct public benefit of applying this carefully scaled combination to this property.

The identified need includes correcting the fragmented and functionally constrained zoning pattern affecting this particular site. Development of another parcel would not:

- Resolve the stand-alone access limitations of Tract 5;
- Unify Tract 5 with the adjoining remnant parcel;
- Create a coordinated framework for these two separately zoned tracts;
- Place this long-vacant property on a path toward productive use;
- Create a coordinated mix of 55 apartment homes and purposefully small first-floor neighborhood commercial space on this site; or
- Subject the ultimate development of this transitional corner to property-specific Governing Body approval.

Accordingly, changing the classification of this property serves a distinct public purpose that cannot be satisfied merely by identifying other land where similar uses might be permitted. The amendment addresses this site's longstanding planning and access conditions while advancing broader Comprehensive Plan objectives for housing choice, neighborhood retail, walkability, infill, and coordinated design.

F. Conclusion Under Subsection (c)

The two required findings under subsection (c) are satisfied.

First, a public need exists for a controlled mixed-use category that supports housing variety, productive infill, right-sized neighborhood services, walkability, coordinated parcel planning, and enhanced site-specific review.

Second, that need is best served by changing this particular property because of its long-term vacancy, fragmented zoning, access constraints, coordinated parcel planning, established infrastructure context, and transitional relationship to surrounding development. Rezoning another property would not resolve these site-specific conditions.

The requested SU district is therefore more advantageous to the community than retaining the existing C-1 and Parks and Recreation classifications. It retains commercial activity at an appropriate neighborhood scale, adds a modest residential component, provides generous open space and landscaping, supplies adequate parking without variances, establishes a unified regulatory framework, and prohibits development until the Governing Body approves a detailed site plan.

For these reasons, the requested Zone Map Amendment satisfies Criterion D(4)(c).

5. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant Response:

The request is not determined by the Applicant's land cost, anticipated return, or other private economic considerations. The proposed development of 55 apartment homes and first-floor neighborhood commercial space is justified by public planning considerations, not by a tax projection, construction value, tenant commitment, or development schedule:

- Replacing fragmented C-1 and Parks and Recreation zoning with one coordinated regulatory framework;
- Addressing a long-vacant and functionally access-constrained corner property;
- Creating a coordinated, right-sized mix of R-6 residential and C-1 neighborhood-commercial uses;
- Supporting housing variety, walkability, productive infill, and efficient use of existing public infrastructure;
- Providing enhanced open space and landscaping, adequate parking, and no requested variances;

- Requiring comprehensive review of access, circulation, utilities, drainage, parking, buffering, and compatibility; and
- Allowing enforceable, property-specific standards that provide greater public control than conventional zoning alone.

Any future economic or fiscal benefits would depend on implementation of the approved development and are not the determining basis for this request. The amendment is justified by the property's physical and regulatory conditions, consistency with adopted planning policy, and the public benefit of coordinated zoning and Site Plan approval. The request therefore satisfies Criterion D(5).

(6) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

Applicant Response:

The Applicant acknowledges that proximity to a collector roadway, standing alone, is not sufficient justification for the requested zoning change. The request rests on the coordinated relationship among housing, neighborhood services, open space, access, infrastructure, and site-specific SU controls. The roadway setting is one relevant part of that broader planning context.

The requested SU Zone Map Amendment is supported by the cumulative effect of several objective, property-specific conditions:

- The existing C-1 tract has remained vacant for more than twenty years;
- The adjoining Parks and Recreation remnant has remained vacant and unimproved and has never functioned as an active public park;
- The properties are separately zoned but are functionally related and are included in the coordinated Site Plan;
- The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada;
- Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection;
- The C-1 parcel has no independent alternative access point and is therefore functionally access-constrained for stand-alone commercial development;
- The property occupies a transitional location among roadway frontage, existing commercial entitlements, public or recreational land, and surrounding residential development;
- Neither conventional C-1 nor conventional R-6 zoning, by itself, provides the coordinated mixed-use framework needed for the assembled property;
- The requested SU classification supports Comprehensive Plan policies concerning housing variety, coordinated planning, productive infill, focused growth, compatible neighborhood services, and appropriate transitions; and
- The SU classification requires a Governing Body-approved Site Plan before any development may occur.

The roadway location is relevant primarily because it affects access, circulation, and the property's relationship to surrounding uses. It supports placing a modest residential population and small-scale neighborhood services where they can share access and parking and connect conveniently to nearby amenities, but it is not the sole basis for approval. Final access must be demonstrated through survey, engineering, traffic review, and agency coordination during review of the accompanying Site Plan.

The present application seeks a Zone Map Amendment to SU allowing C-1 and R-6 uses and approval of the accompanying Site Plan for 55 apartment homes and first-floor neighborhood commercial space. The submitted plan presents the building layout, commercial area, access, parking, landscaping, and other development details for review; no variances are requested.

Section 154.43(A)(3) requires Governing Body Site Plan approval before development. The submitted Site Plan allows the City to evaluate structures, access, emergency circulation, parking, utilities, preliminary drainage, landscaping, buffers, elevations, and compatibility with adjacent property.

Accordingly, the requested amendment is justified by the property's long-term vacancy, fragmented zoning, access conditions, parcel assembly, transitional context, right-sized mixed-use program, consistency with adopted planning policy, and the greater public control provided by SU zoning. The collector-street location is a relevant contextual consideration, but it is neither the sole nor the primary basis for approval.

The request therefore satisfies Criterion D(6).

(7) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive plan and any applicable adopted sector development plan or area development plan;

Or

2. The area of the proposed zone change is different from surrounding land because it will function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of the structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant Response:

The requested SU Zone Map Amendment satisfies both independent bases for approval. It clearly facilitates implementation of the Rio Rancho Comprehensive Plan, and it establishes an appropriate transitional mixed-use classification for a property distinguished from surrounding land by its fragmented zoning, corner configuration, access conditions, parcel assembly, and relationship to adjoining residential, commercial, and public or recreational land-use patterns.

The application includes a specific Site Plan for 55 apartment homes and first-floor neighborhood commercial space, with enhanced open space and landscaping and parking intended to meet applicable standards. No variances are requested.

The Applicant requests approval of both the SU use framework and the accompanying Site Plan. The proposed building footprints, commercial area, access, parking, architectural design, and open space are therefore subject to review in this application.

A. The Change Clearly Facilitates the Comprehensive Plan

The requested SU classification facilitates realization of the Comprehensive Plan at the zoning level by creating a controlled framework for housing variety, productive infill, coordinated planning, compatible neighborhood services, walkability, and property-specific development review.

The requested classification advances the following Comprehensive Plan provisions:

- Goal PH-3, which promotes a variety of housing types to meet the needs of all members of the community;
- Policy PH-1, which supports quality, community-friendly multifamily development;
- Policy PH-4, which calls for effective transitions and buffers between substantially different land uses and densities;
- Goal L-3, which calls for maintaining a balance of land uses throughout the City;
- Policy L-1, which encourages coordinated planning of circulation, landscaping, open space, drainage, utilities, and building location and design;
- Policy L-2, which supports neighborhood-scale retail compatible with residential development;
- Policy L-3, which promotes walkability;
- Goal UD-1, which supports focused growth where existing infrastructure can accommodate higher-density development;
- Goals UD-2 and UD-3, which promote traditional neighborhood patterns, a sense of place, and development th
-
- at fosters human interaction;

- Goal UD-5, which supports infill and redevelopment in areas that have been neglected; and
- Policy UD-3, which supports infill and redevelopment projects.

The requested SU classification advances these policies through a carefully scaled mixed-use concept. The 55-apartment-home residential component expands housing choice, while the purposefully limited first-floor commercial component provides compatible neighborhood goods and services. Together they support walking, daily convenience, a sense of place, and efficient use of the assembled site.

The commercial component is intentionally small because that is the appropriate scale for the site's frontage, access conditions, residential setting, and overall 1.79-acre size. It is large enough to provide meaningful neighborhood activity and services, yet limited enough to avoid the automobile-oriented character of a stand-alone commercial center.

The amendment also facilitates coordinated planning. Applying one SU framework to the assembled property allows the residential and commercial components, access, circulation, drainage, utilities, adequate parking, pedestrian connections, enhanced open space, landscaping, buffering, and compatibility to be evaluated comprehensively.

The accompanying Site Plan allows detailed review of Comprehensive Plan consistency with the Zone Map Amendment. Section 154.43(A)(3) requires approval of the Site Plan before development and specifies the information needed for that review.

The City retains authority to evaluate safe access, parking, infrastructure, open space, landscaping, transitions, and consistency with applicable adopted plans. Approval conditions and subsequent construction permits must implement the approved Site Plan.

B. The Property Is Distinct and Will Function as a Transition

The subject property is not being singled out arbitrarily. Its requested SU classification responds to conditions that materially distinguish it from surrounding properties.

1. Fragmented Existing Zoning

The proposed SU area combines a C-1 Retail Commercial tract with an adjoining Parks and Recreation remnant. Both areas have remained vacant and undeveloped, and the remnant has never functioned as an active public park. Their combined planning creates a property with a land-use and ownership history different from the established parcels surrounding it.

SU replaces this fragmented zoning pattern with one coordinated mixed-use framework tailored to the assembled property.

2. Traffic and Access Constraints

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The corner parcel has no independent alternative access point.

Although the property has street frontage and is not legally landlocked, it is functionally access-constrained for stand-alone commercial development. These traffic and access conditions materially distinguish the property and have contributed to its remaining vacant for more than twenty years.

The Zone Map Amendment establishes allowable uses. The accompanying Site Plan presents the proposed access arrangement for review against applicable survey, traffic, engineering, emergency-access, and agency requirements.

3. Transitional Land-Use Context

The property occupies a transition among:

- Collector-roadway frontage and the interior of the surrounding neighborhood;

- Existing commercial entitlements and predominantly residential development;
- The former Parks and Recreation remnant and privately developable land; and
- Potentially higher-intensity uses and established lower-intensity residential areas.

The SU district is particularly appropriate for this transitional role because it authorizes a defined combination of R-6 and C-1 uses and permits the City to impose property-specific requirements governing height, setbacks, access, circulation, parking, landscaping, buffering, lighting, signage, architecture, drainage, and compatibility.

The property can therefore function as a well-regulated transition: active and neighborhood-serving along the first floor, modestly residential above and within the site, and softened by generous open space and landscaping.

C. The SU Classification Provides a Public Planning Benefit

The requested SU classification does not create an isolated zone solely for the private benefit of the Property Owner. It serves identifiable public planning purposes by:

- Replacing fragmented zoning with a unified regulatory framework;
- Addressing a long-vacant and functionally access-constrained corner property;
- Creating a coordinated mix of 55 apartment homes and purposefully small first-floor neighborhood commercial space;
- Right-sizing commercial activity to support walkability and daily needs while respecting the site's access conditions;
- Providing significantly more open space and landscaping than required;
- Providing adequate code-compliant parking and requesting no variances;
- Requiring comprehensive review of access, traffic, drainage, utilities, and compatibility; and
- Prohibiting development until the accompanying Site Plan is approved by the Governing Body.

The requested SU designation establishes the use framework, while approval of the accompanying Site Plan ties that framework to a specific development and enforceable conditions. Together, the applications provide coordinated review of the property's proposed use and physical design.

D Protection Through Site Plan Approval

Section 154.43(A)(3) permits the Site Plan to accompany the zoning application and requires Governing Body approval before development. The Applicant seeks that Site Plan approval as part of the present request.

In reviewing the accompanying Site Plan, the City will evaluate the proposal and may impose conditions necessary to address:

- The precise use or combination of uses;
- Safe and lawful access;
- Traffic and emergency-response considerations;
- Building height, placement, scale, and setbacks;
- Parking and internal circulation;
- Utilities and drainage;
- Landscaping and buffers;
- Pedestrian connections;
- Lighting and signage; and
- Compatibility with adjacent property and applicable adopted plans.

This review allows the Governing Body to evaluate access, infrastructure, parking, open space, landscaping, transitions, and compatibility before approving the Site Plan. Engineering approvals and construction permits remain required as applicable.

E. Conclusion

The requested SU Zone Map Amendment satisfies both bases stated in Criterion D(7).

First, it clearly facilitates the Comprehensive Plan by supporting housing variety, productive infill, coordinated planning, compatible neighborhood services, focused growth, walkability, generous open space, and appropriate transitions through a purposefully scaled mixed-use concept.

Second, the property is materially different from surrounding land because of its fragmented zoning, long-term vacancy, access conditions, corner configuration, parcel assembly, and transitional relationship to adjacent land-use patterns. The SU district responds with a modest 55-unit residential component and small first-floor neighborhood-commercial component, while preserving Governing Body review of the accompanying Site Plan.

Accordingly, the requested SU classification represents legitimate, plan-based, and property-specific zoning rather than an arbitrary or impermissible spot zone. The request satisfies Criterion D(7).

Closing Statement

The requested Special Use Zone Map Amendment represents a measured and responsible evolution of the property's land-use framework. It responds positively to the site's long-term vacancy, fragmented C-1 and Parks and Recreation zoning, stand-alone access conditions, coordinated parcel planning, and transitional relationship to surrounding residential, commercial, and public or recreational land-use patterns.

The requested SU classification would allow C-1 (Retail Commercial) and R-6 (Multi-Family Residential) uses under the adopting ordinance and applicable City requirements. The accompanying Site Plan is submitted for approval of the proposed development:

55 apartment homes and first-floor neighborhood commercial space serving residents and the surrounding community.

The public benefit is the balance of the uses and the discipline of their scale. The residential component supports neighborhood businesses; the commercial component creates convenience and pedestrian activity; shared planning responds to the site's access conditions; and significantly more open space and landscaping than required creates an attractive, livable setting. The concept is adequately parked under applicable standards and requests no variances.

The Applicant expressly requests approval of both the Zone Map Amendment and accompanying Site Plan. Approval of the SU designation establishes allowable uses and conditions; approval of the Site Plan establishes the authorized physical development shown in that plan. Construction remains subject to applicable engineering approvals, permits, and conditions of approval.

Concurrent review allows the Governing Body to evaluate and condition the uses, height, setbacks, access, parking, circulation, utilities, drainage, landscaping, buffers, lighting, signage, architecture, and relationship to surrounding properties. The requested zoning and Site Plan approvals work together to define the development and its implementation requirements.

The requested amendment advances the Rio Rancho Comprehensive Plan's policies concerning housing variety, productive infill, focused growth, coordinated planning, compatible neighborhood services, walkability, infrastructure efficiency, and appropriate transitions. It also places a long-vacant and functionally access-constrained property on a path toward productive use through a carefully scaled mixed-use framework.

For these reasons, Modulus Architects & Land Use Planning, Inc., on behalf of PG Properties, respectfully requests approval of the Zone Map Amendment from C-1 and PR to SU (Special Use) allowing C-1 and R-6 uses, together with approval of the accompanying Site Plan for 55 apartment homes and first-floor neighborhood commercial space, subject to applicable requirements and conditions of approval.

Warm regards,

Angela M. Piarowski

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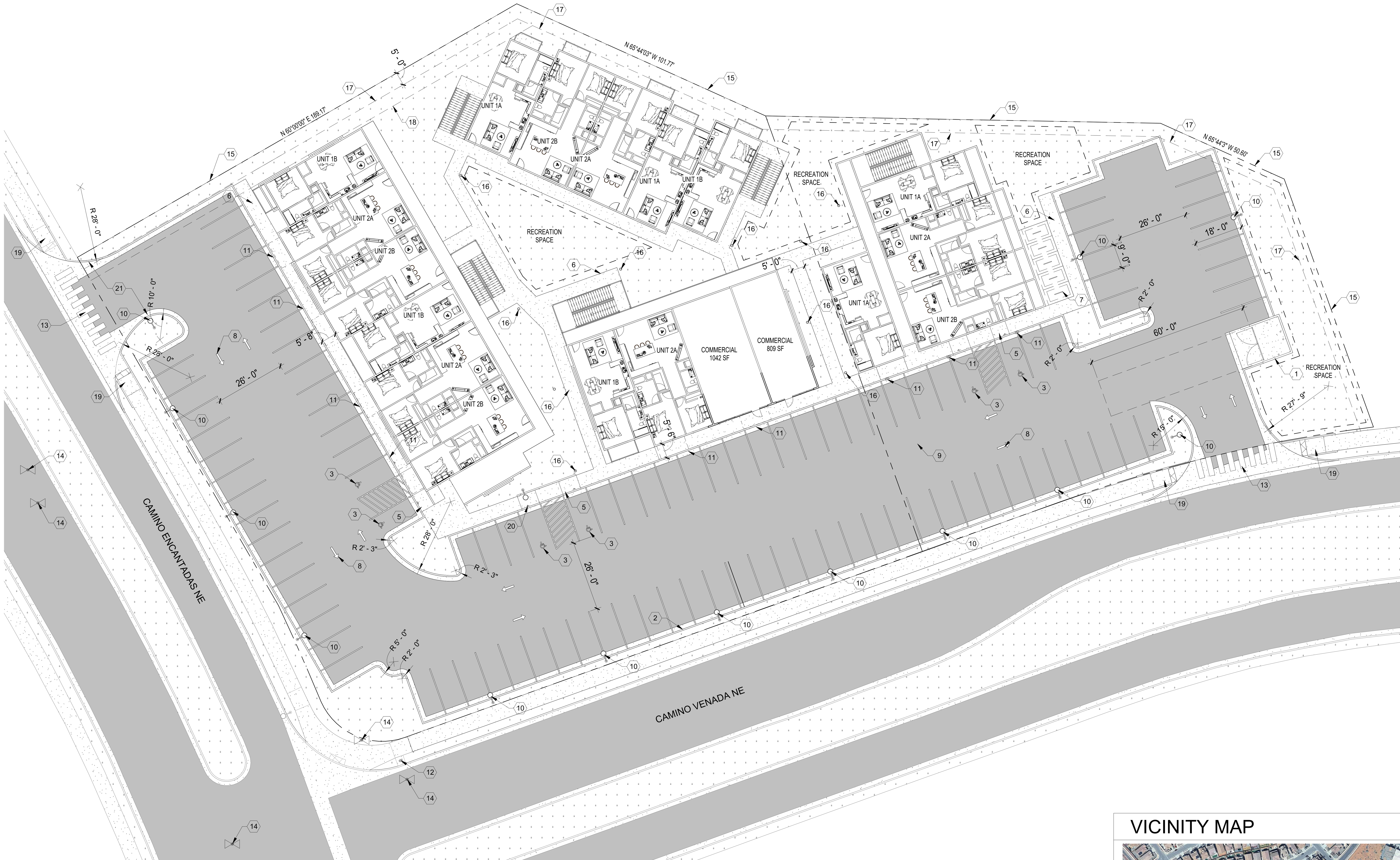
MODULUS
ARCHITECTS & LAND USE PLANNING

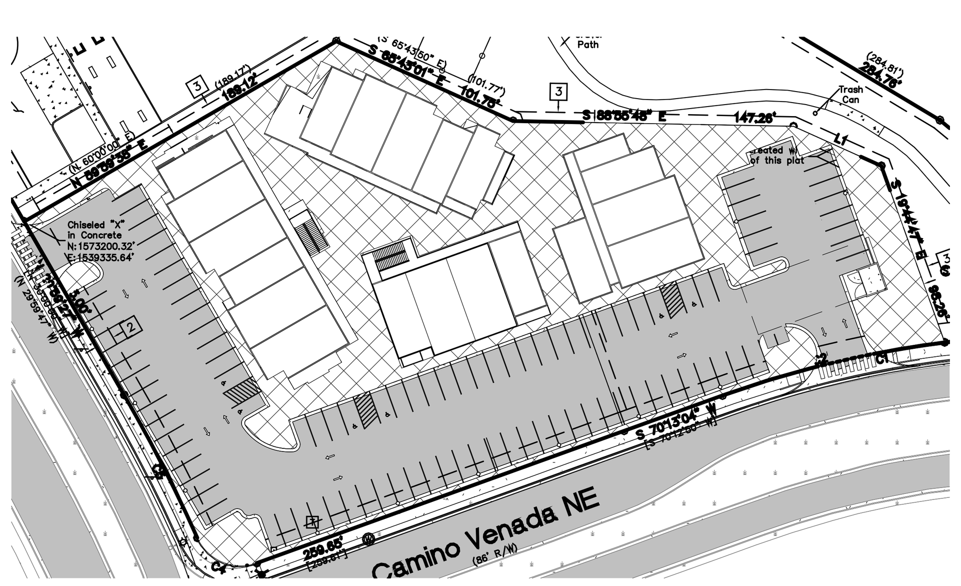


1 ARCHITECTURAL SITE

SCALE: **1" = 20'-0"**

N

OPEN SPACE AREA



USABLE RECREATION SPACE

USABLE RECREATION SPACE:
AN AREA ON THE SAME LOT AS THE MULTIFAMILY RESIDENTIAL DEVELOPMENT THAT SERVES TO PERMANENTLY PROVIDE INDOOR OR OUTDOOR OPEN SPACE AND/OR RECREATIONAL USES. USABLE RECREATION SPACE MAY INCLUDE, BUT IS NOT LIMITED TO: LAWNS, DECORATIVE PLANTING AREAS, AND NATIVE PLANTS, OPEN BALCONIES AND COVERED PATIOS THAT ARE OPEN ON TWO OR MORE SIDES, WALKWAYS, ACTIVE AND PASSIVE RECREATIONAL AREAS, FOUNTAINS, SWIMMING POOLS, WATER FEATURES, AND PONDS, CLUB-HOUSE AREAS FOR VIDEO/TECHNOLOGY ROOMS, EXERCISE OR FITNESS ACTIVITIES, OR MEETING ROOMS, OR PLAY-GROUNDS. USABLE RECREATION SPACE DOES NOT INCLUDE PUBLIC RIGHT-OF-WAY, PARKING LOTS, DRIVEWAYS, OR BUILDINGS, GARAGES, CARPORT OR EQUIPMENT AREAS THAT ARE NOT DESIGNED FOR COMMON USE

USABLE OPEN SPACE (MULTIFAMILY)
1BR: 50 SF PER UNIT
26 UNITS * 50 SF = 1300 SF
2BR: 100 SF PER UNIT
29 UNITS * 100 SF = 2900 SF

TOTAL OPEN SPACE REQUIRED = 4,200 SF
TOTAL OPEN SPACE PROVIDED = 22,273 SF

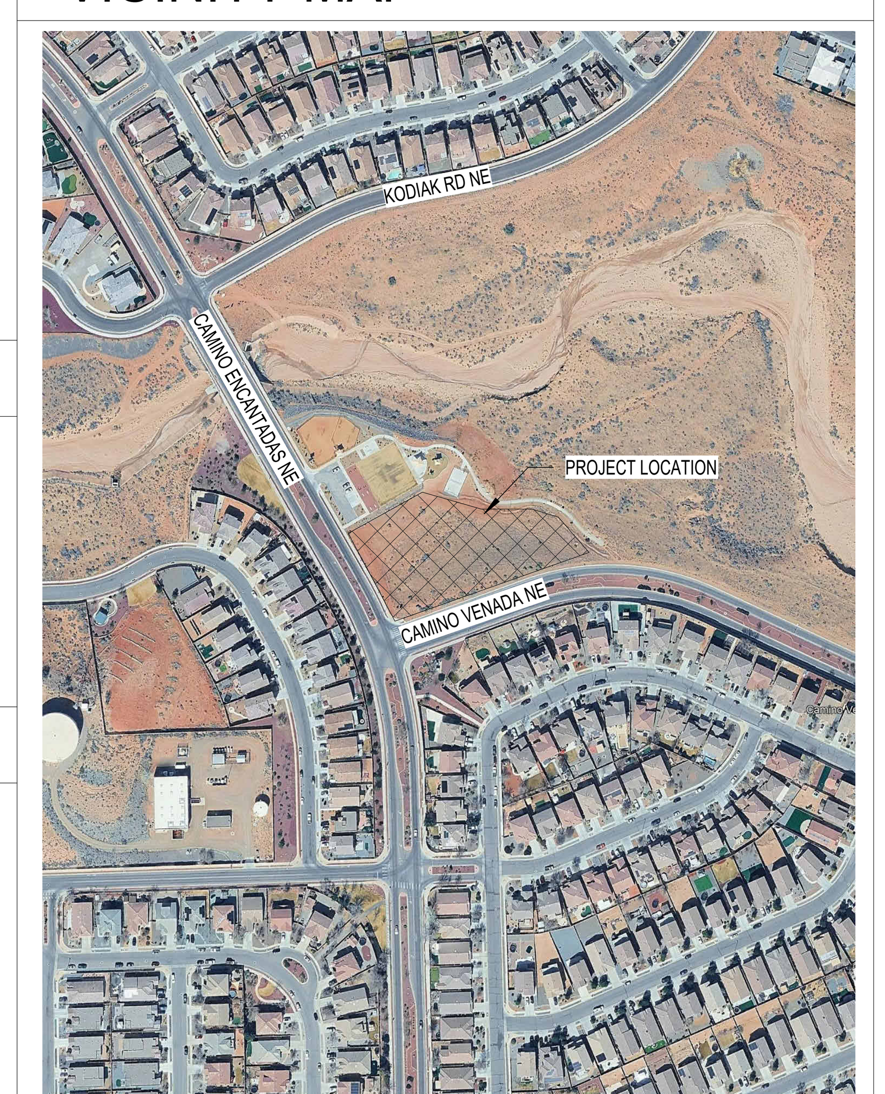
LEGEND

ASPHALT PAVING
LANDSCAPE AREA
CONCRETE WALK
PROPERTY LINE

UNIT DATA

UNIT TYPE	HEATED AREA	QUANTITY	TOTAL AREA
1 BEDROOM MULTIFAMILY			
1A	721 SF	17	12,257 SF
1B	721 SF	9	6,489 SF
2 BEDROOM MULTIFAMILY			
2A	1042 SF	17	17,714 SF
2B	1042 SF	12	12,504 SF
RETAIL/COMMERCIAL			
SUITE 1	1042 SF	1	1042 SF
SUITE 2	809 SF	1	809 SF

VICINITY MAP



GENERAL NOTES

A. DIMENSIONS ARE TO FACE OF CURB, OR WALL, OR EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
B. SITE PLAN SHALL COMPLY WITH LOCAL, FEDERAL AND ACCESSIBILITY STANDARDS & GUIDELINES, INCLUDING THE INTERNATIONAL FIRE CODE (IFC) 2015.
C. ALL CURBS AND ACCESSIBILE RAMPS WILL BE DESIGNED AND BUILT ACCORDING TO THE CITY OF RIO RANCHO STANDARDS.
D. ALL LIGHT FIXTURES AND LIGHTING DESIGN SHALL COMPLY WITH THE CITY OF RIO RNCHO OUTDOOR LIGHTING REGULATIONS (RIO RANCHO MUNICIPAL CODE CH. 159)
E. STREETS, PARKING SPACES AND ASSOCIATED DRIVES TO BE ASPHALT UNLESS NOTED OTHERWISE.
F. AN ACCESSIBLE ROUTE, IN COMPLIANCE WITH THE ACCESSIBILITY STANDARDS OF THE PROJECT, CONNECTS FROM THE BUILDING TO ACCESSIBLE PARKING SPACES AND ALL SITE AMENITIES AS REQUIRED
G. ALL ROOFTOP MECHANICAL UNITS WILL BE LOCATED TOWARD THE MIDDLE OF THE ROOF AND SHIELDED BY PARAPETS
H. LIGHT POLES FOR SITE LIGHTING WILL NOT EXCEED THE MAXIMUM HEIGHT ALLOWED OF 20' OR 16' IF LOCATED WITHIN 100' OR A RESIDENTIAL ZONE.
I. ALL SITE LIGHTING MUST MEET CCT AND CRI SPECIFICATIONS

KEYED NOTES

1. DUMPSTER ENCLOSURE REF: SHEET AS-503
2. TYPICAL CURB AND GUTTER REFER 10/AS-501
3. ACCESSIBLE PARKING WITH ACCESSIBLE SIGNANGE AND STRIPING, REF 3/4/11 AS-502
5. ACCESSIBLE CURB RAMP, REF 9 AS-501
6. CONCRETE SIDEWALK, REF 6/AS-501
7. BICYCLE RACKS, REF 9/AS-502
8. DIRECTIONAL PAVEMENT MARKING, REF 6/AS-502
9. ASPHALT PAVING
10. SITE LIGHTING, MOUNTED 16' ABOVE FINISH GRADE W/ SHIELDING TO PREVENT LIGHT TRESPASS, REF 4/AS-501 (DSX0 LED P2 30K 80CRI T5M)
11. BUILDING MOUNTED WALLPACK LIGHTING MOUNTED 12' ABOVE FINISH GRADE
12. EXISTING FIRE HYDRANT
13. PAINTED CROSSWALK REF 12/AS-501
14. WATER VALVE
15. PROPERTY LINE
16. SITE LIGHTING - BOLLARD LIGHT
17. SETBACK LINE
18. 10' PAPER EASEMENT
19. SIDEWALK RAMP W/ DETECTABLE WARNING STRIP, REF: 2/AS-501
20. ADA PARKING SIGNAGE, REF 11/AS-502
21. EMERGENCY ACCESS ONLY - SECURITY GATE AND EMERGENCY KEY BOX TO BE PROVIDED

PROJECT DATA

ZONING:
REQUESTED, SPECIAL USE FOR C-1/R-6 USES

LAND USE:
VACANT

LEGAL DESCRIPTION:
TRACTS 5-A AND 17-A-1, LOMAS ENCANTADAS BEING COMPRISED OF TRACTS 5 AND 17-A, LOMAS ENCANTADAS CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO AUGUST 2026

SITE AREA:
1.7895 ACRES

ZONE ATLAS:
PAGE 133

SETBACKS:
FRONT = 5' MIN, SIDE = 5' MIN, REAR = 5' MIN

BUILDING HEIGHTS:
MAXIMUM ALLOWED: 50' - 0"
THREE STORY MULTIFAMILY: 38' - 0"

SPRINKLED:
YES, NFPA 13R

BUILDING OCUPANCY:
R-2 + M (COMMERCIAL)

CONTSRUCTION TYPE:
TYPE V-A

PARKING CALCULATIONS:

MULTIFAMILY:
STUDIO/1 BR - 1.5 SPACES PER
2 BR - 1.75 SPACES PER
TOTAL 1 BEDROOM DU'S = 26 * 1.5 (39 SPACES REQ'D)
TOTAL 2 BEDROOM DU'S = 29 * 1.75 (50.75 SPACES REQ'D)
TOTAL MULTIFAMILY PARKING REQ'D = 89.75 (90) SPACES + 6 VISITOR SPACES

COMMERCIAL:
1 SPACE PER 300SF
1042 SF = 3.47 (4)
809 SF = 2.7 (3)

TOTAL COMMERCIAL PARKING REQ'D = 7

TOTAL OVERALL SPACES REQUIRED = 103
TOTAL OVERALL SPACES PROVDED = 103

ADA:
PER ADAAG 2010 ADA STANDARDS, 51-100 SPACES = 4 ACCESSIBLE REQUIRED
ACCESSIBLE SPACES PROVIDED = 6

MOTORCYCLES:
SPACES REQUIRED = 0
MOTORCYCLE SPACES PROVIDED = 3

BICYCLES: NO LESS THAN 2 SPACES AND UP TO 2% OF THE REQUIRED AUTOMOTIVE PARKING
BICYCLE PARKING SPACES PROVIDED = 10

REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO DR NE SUITE 520
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 338-1499 FAX (505) 338-1498

PROJECT TITLE
LUXE MULTIFAMILY
Enter address here

PROJECT MANAGER
JOB NO. Project Number
DRAWN BY:

SHEET TITLE
ARCHITECTURAL SITE PLAN

DATE Issue Date
SCALE:
SHEET **AS-101**

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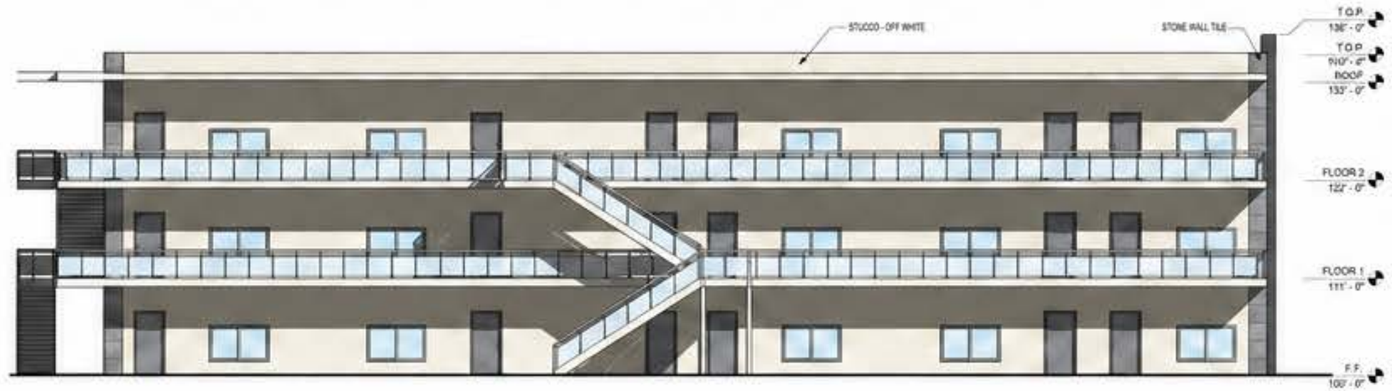
LUXE MULTIFAMILY

1 BLDG 1 - WEST
SCALE: 1/8" = 1'-0"

2 BLDG 1 - NORTH
SCALE: 1/8" = 1'-0"



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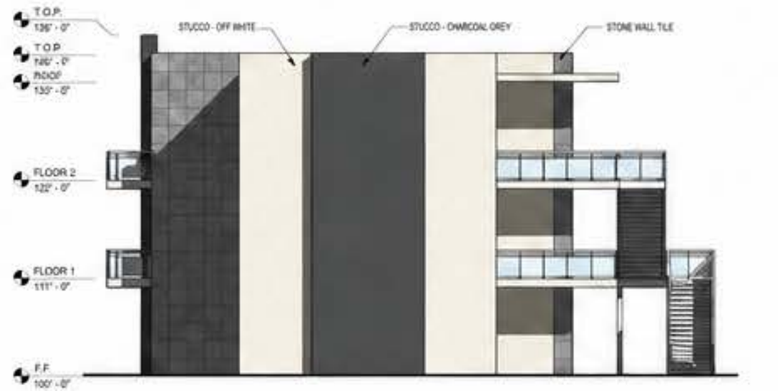

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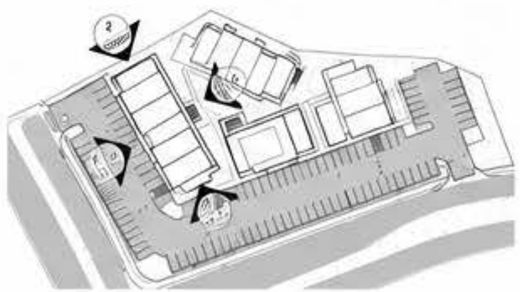

REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8221 SAN PEDRO DR NE SUITE 600
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 539-1188 FAX (505) 539-1498

PROJECT TITLE
LUXE MULTIFAMILY

BUILDING ELEVATIONS - BLDG 1

DATE
Issue Date

SCALE:

SHEET
AE-201

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LUXE MULTIFAMILY

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DATE Issue Date SCALE	LUXE MULTIFAMILY		
SHEET AE-201	BUILDING ELEVATIONS - BLDG 1		

MODULUS ARCHITECTS
AND LAND USE PLANNING
82[illegible] SQUARE 2[illegible]IC [illegible]
[illegible] OVERPOWER, NEWPORT [illegible]
PHONE (503) 539-1188 FAX (503) 534-1699

REV	DATE	BY	REVISION

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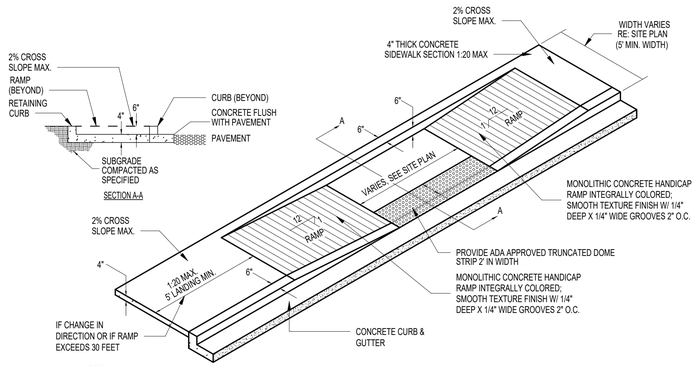
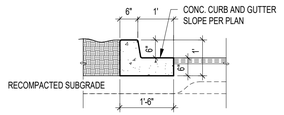
LUXE MULTIFAMILY



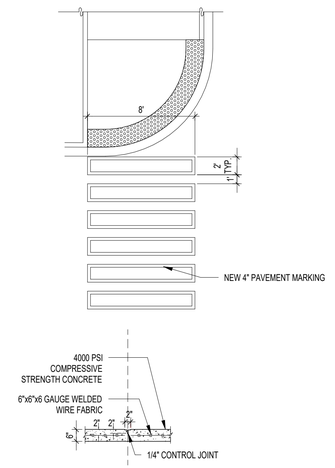
NOTE:
H.C RAMP SHALL NOT EXCEED 6', OR 8% SLOPE IN ANY DIRECTION, AND SHALL CONFORM W/ ALL APPLICABLE ANSI REQ'S. G.C SHALL VERIFY CONFORMANCE W/ ALL APPLICABLE ANSI REQ'S

9 TAPERED RAMP DETAIL
SCALE: **1/8" = 1'-0"**

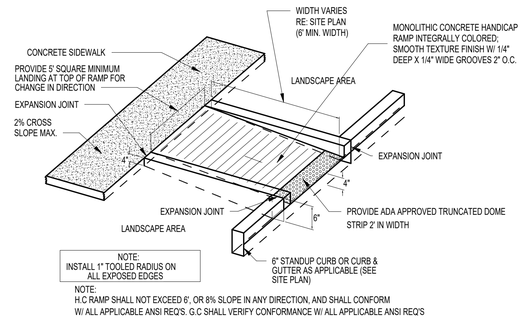


NOTE:
RE: SITEPLAN FOR LOCATIONS OF PAVEMENT SECTION DESIGN PER THE GEOTECHNICAL INVESTIGATION
FOLLOW COA STANDARD DRAWING #2415B

10 TYPICAL CURB DETAIL
SCALE: **1/8" = 1'-0"**

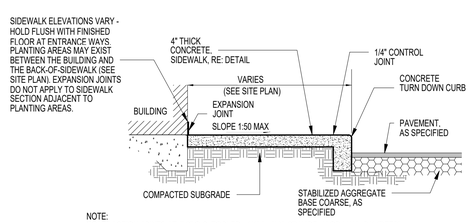


12 TYPICAL CONC. CROSSWALK
SCALE: **1/8" = 1'-0"**



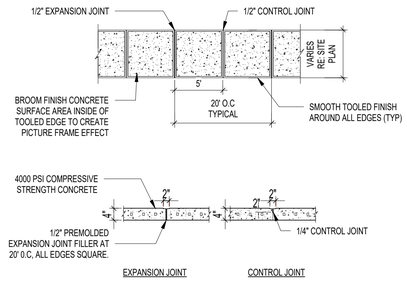
NOTE:
H.C RAMP SHALL NOT EXCEED 6', OR 8% SLOPE IN ANY DIRECTION, AND SHALL CONFORM W/ ALL APPLICABLE ANSI REQ'S. G.C SHALL VERIFY CONFORMANCE W/ ALL APPLICABLE ANSI REQ'S

5 CURBED RAMP DETAIL
SCALE: **1/8" = 1'-0"**

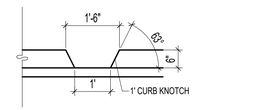


NOTE:
CONTRACTION JOINTS AT 5'-0" O.C. TOOLED 1/4" (±1/16"-,0") WIDE, 1" OR MAX. D/4 (DEEP) WHICHEVER IS GREATER. EXPANSION JOINTS AT 20' MAX. & ALL P.C.s. UNLESS APPROVED OR INDICATED OTHERWISE ON PLAN VIEW JOINT PATTERN.
NOTE:
ALIGN CURB AND SIDEWALK JOINTS AT ALL TIMES

6 SIDEWALK W/TURNDOWN CURB SECT.
SCALE: **1/8" = 1'-0"**

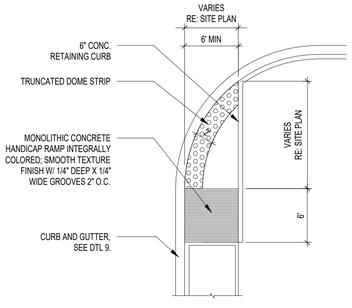


7 TYPICAL SIDEWALK
SCALE: **1/8" = 1'-0"**



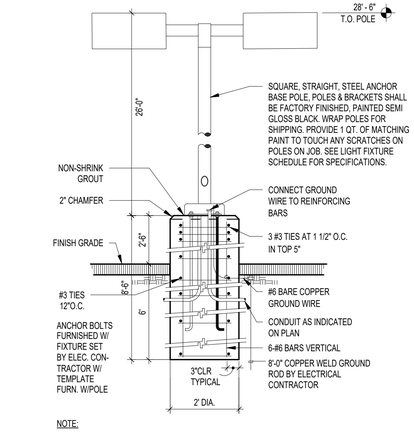
NOTE:
RE: SITEPLAN FOR LOCATIONS OF PASSIVE WATER HARVESTING CURB KNOTCH

8 CURB NOTCH
SCALE: **1/8" = 1'-0"**



NOTE:
FOLLOW COA STANDARD DRAWING #2443

2 END ISLAND WITH WALK RAMP
SCALE: **1/8" = 1'-0"**



NOTE:
1. MANUFACTURER SHALL WARRANT THAT THE COMPLETE ASSEMBLY, FIXTURES, POLE, BASE, SHALL WITH STAND MIN 90 MPH SUSTAINED WIND LOAD OR AS REQUIRED BY LOCAL AGENCY, WHICH EVER IS GREATER.
2. CONTRACTOR SHALL VERIFY THAT ALL CONTRACTOR INSTALLED LIGHTS COMPLY WITH LOCAL CODE REQUIREMENTS.
3. SHOULD EXISTING POLE HEIGHT TO BE MATCHED EXCEED 22' GENERAL CONTRACTOR SHALL VERIFY W/ ARCHITECT ADEQUACY OF DESIGN SHOWN PRIOR TO INSTALL.

4 LIGHT POLE DETAIL
SCALE: **1/8" = 1'-0"**

REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO DR NE SUITE 520
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 338-1499 FAX (505) 338-1498

Project Status

PROJECT TITLE
LUXE MULTIFAMILY
Enter address here

DRAWN BY:

JOB NO.
Project Number

PROJECT MANAGER

SHEET TITLE
SITE DETAILS

DATE
Issue Date

SCALE:

SHEET
AS-501

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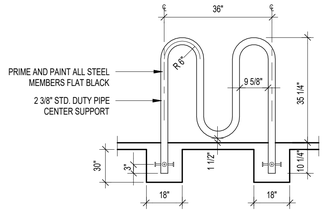
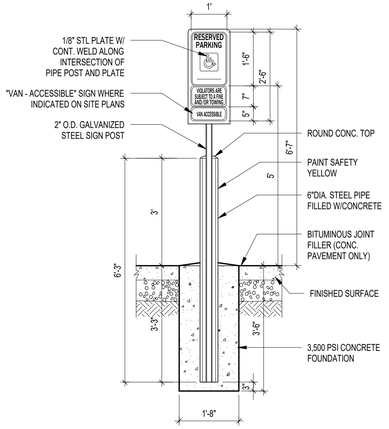
LUXE MULTIFAMILY



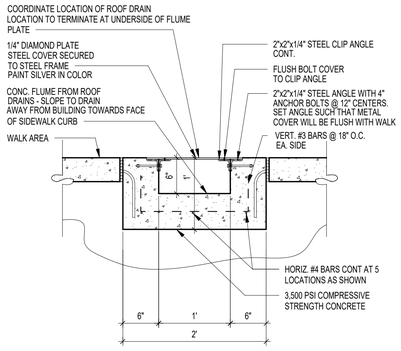
NOTE:
BICYCLE RACK SHALL BE DESIGN ACCORDING TO THE FOLLOWING GUIDELINES:

A. THE RACK SHALL BE MINIMUM 30" TALL AND 18" WIDE.
B. THE BICYCLE FRAME SHALL BE SUPPORTED HORIZONTALLY AT 2 OR MORE PLACES.
C. COMB/TOASTER RACKS ARE NOT ALLOWED.
D. THE RACK SHALL BE DESIGNED TO SUPPORT THE BICYCLE IN AN UPRIGHT POSITION.
E. THE RACK ALLOWS VARYING BICYCLE FRAME SIZES AND STYLES TO BE ATTACHED.
F. THE USER IS NOT REQUIRED TO LIFT THE BICYCLE ONTO THE BICYCLE RACK.
G. EACH BYCYCLE PARKING SPACE IS ACCESSIBLE WITHOUT MOVING ANOTHER BICYCLE.

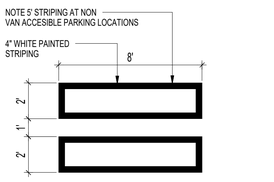
9 BIKE RACK
SCALE: **1/8" = 1'-0"**



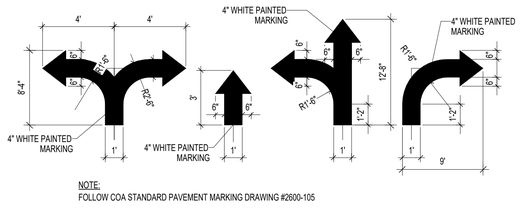
11 H.C. SIGNAGE
SCALE: **1/8" = 1'-0"**



8 CONCRETE FLUME DETAIL
SCALE: **1/8" = 1'-0"**

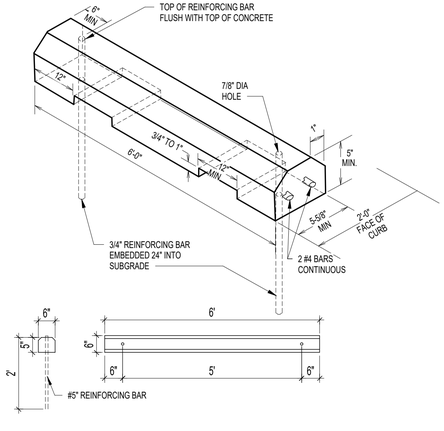


5 H.C. PARKING-WALK PAINT DETAIL
SCALE: **1/8" = 1'-0"**

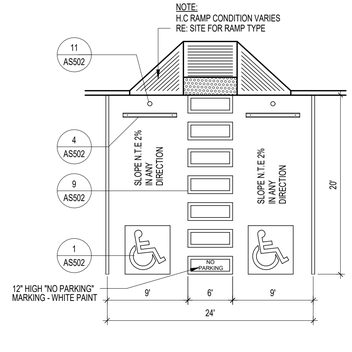


NOTE:
FOLLOW COA STANDARD PAVEMENT MARKING DRAWING #2600-105

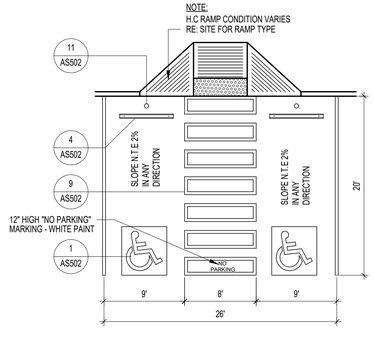
6 SITE DIRECTIONAL PAINT DETAIL
SCALE: **1/8" = 1'-0"**



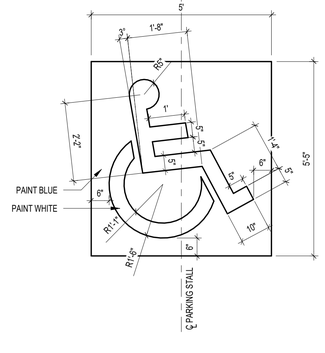
1 WHEEL STOP
SCALE: **1/8" = 1'-0"**



2 H.C. PARKING DETAIL
SCALE: **1/8" = 1'-0"**



3 H.C. PARKING (VAN ACCESSIBLE)
SCALE: **1/8" = 1'-0"**



4 H.C. SIGNAGE 2
SCALE: **1/8" = 1'-0"**

Project Status

PROJECT TITLE	LUXE MULTIFAMILY
	Enter address here
PROJECT MANAGER	
JOB NO.	Project Number
DRAWN BY:	
SHEET TITLE	SITE DETAILS

DATE	SHEET
Issue Date	AS-502
SCALE:	

REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO DR NE SUITE 520
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 338-1499 FAX (505) 338-1498

STATE OF NEW MEXICO
STEPHEN A. DUNBAR
No. 4218
REGISTERED ARCHITECT

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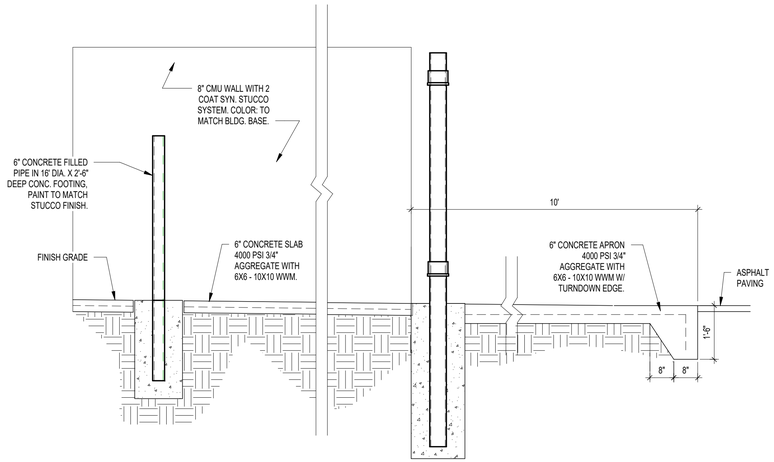
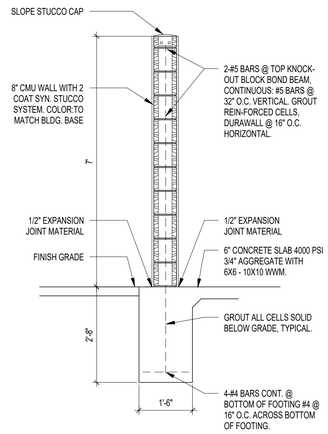
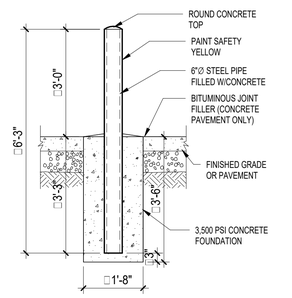
LUXE MULTIFAMILY



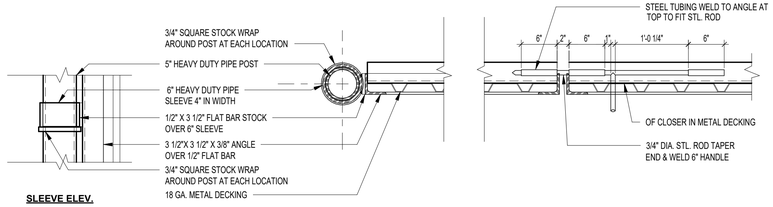
5 DUMPSTER SECTION
SCALE: **1/8" = 1'-0"**



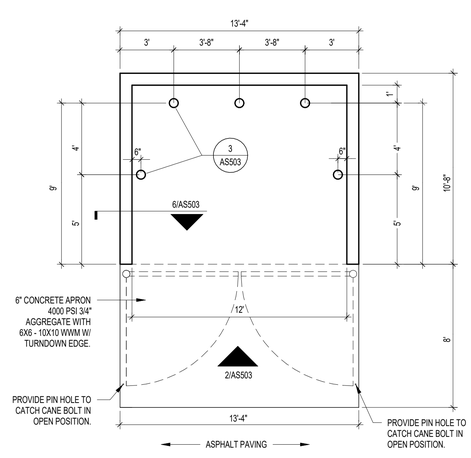
6 DUMPSTER SECT.
SCALE: **1/8" = 1'-0"**



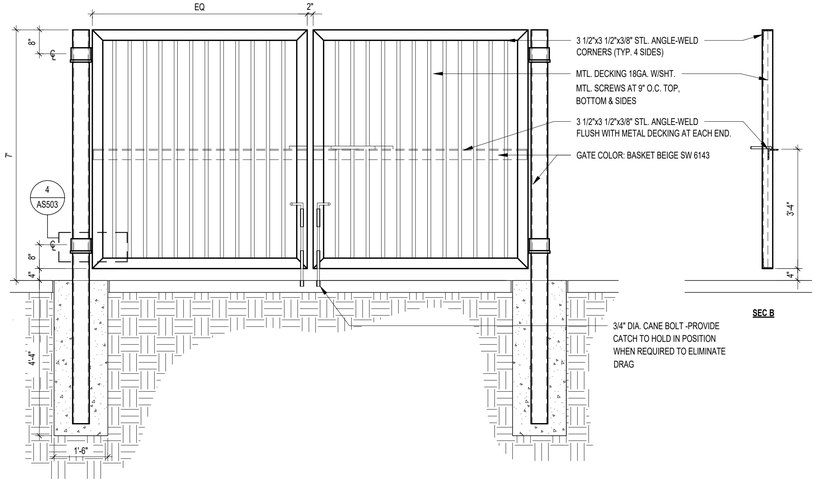
3 BOLLARD DETAIL
SCALE: **1/8" = 1'-0"**



4 GATE POST/SLIDE BOLT DETAIL
SCALE: **1/8" = 1'-0"**



1 DUMPSTER PLAN
SCALE: **1/8" = 1'-0"**



2 GATE ELEVATION
SCALE: **1/8" = 1'-0"**

REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO DR NE SUITE 520
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 338-1499 FAX (505) 338-1498

STATE OF NEW MEXICO
STEPHEN A. DUNBAR
No. 4218
REGISTERED ARCHITECT

Project Status

PROJECT TITLE
LUXE MULTIFAMILY
Enter address here

PROJECT MANAGER

JOB NO.
Project Number

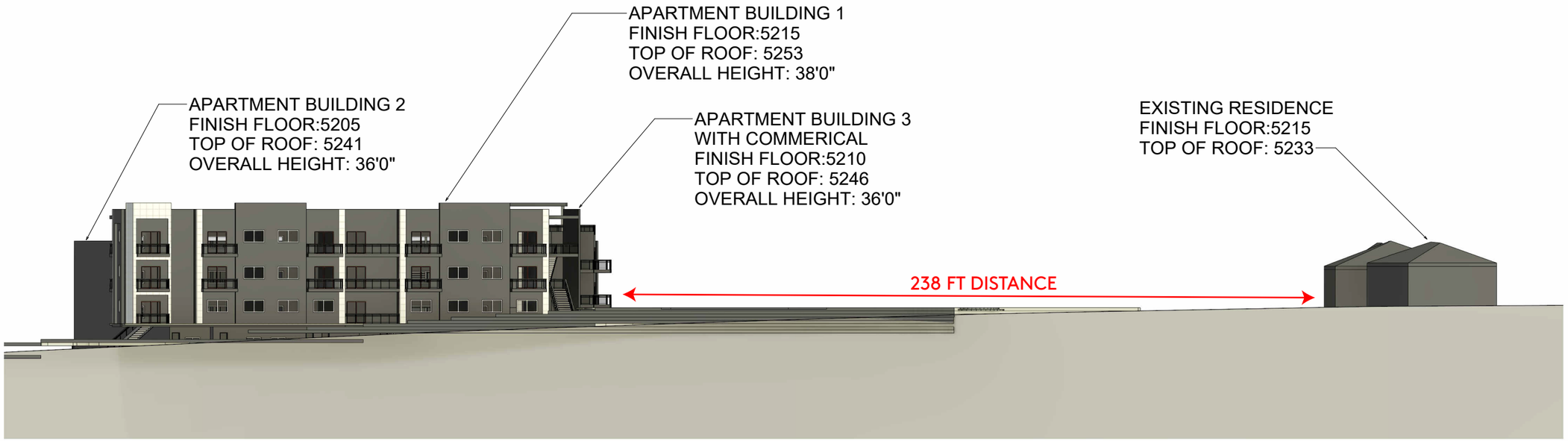
DRAWN BY:

SHEET TITLE
SITE DETAILS

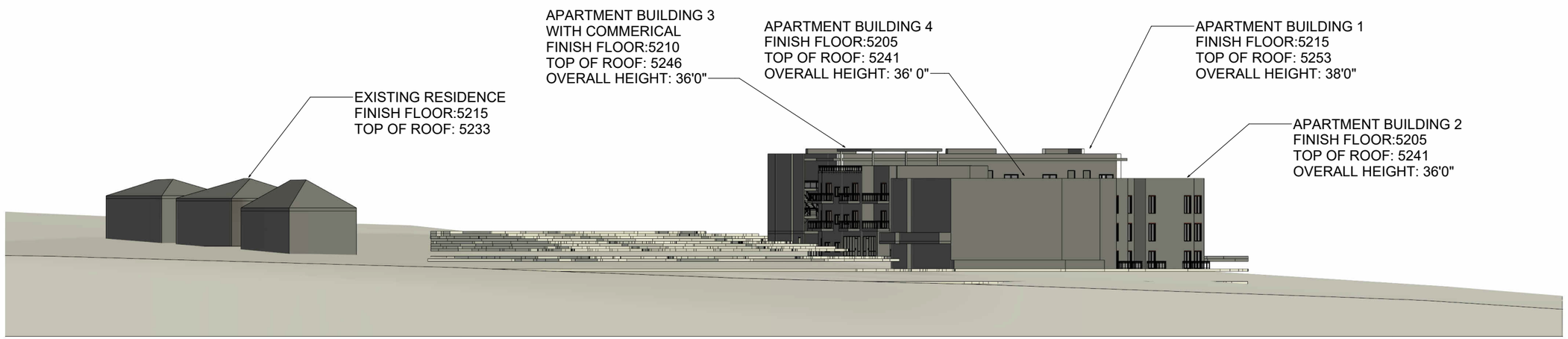
DATE
Issue Date

SCALE:

SHEET
AS-503



ELEVATION LOOKING EAST



ELEVATION LOOKING WEST

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LUXE APARTMENTS

REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO DR NE SUITE 520
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 338-1499 FAX (505) 338-1498

PROJECT TITLE
LUXE APARTMENTS
Enter address here

PROJECT MANAGER

DRAWN BY:

JOB NO.
Project Number

SHEET TITLE
ELEVATION VIEW

DATE
Issue Date

SCALE:

SHEET
A101

LANDSCAPE NOTES:
Landscape maintenance shall be the responsibility of the Property Owner. The Property Owner shall maintain landscaping in a living, healthy, and attractive condition.

It is the intent of this plan to comply with the City Of Rio Rancho Ordinance.

It is the intent of this plan to comply with the City of Rio Rancho Landscape Regulations Applicable to Apartments and Nonresidential.

Water management is the sole responsibility of the Property Owner.

Landscape Gravel shall be placed with No Filter Fabric to a minimum depth of 3" in all landscape areas.

Contractor shall supply to the owner samples and prices of various gravel samples for approval prior to installing.

Landscape shall be watered by a complete underground irrigation system operated by automatic timer.

Trees shall have Netafim and shrubs shall have a minimum of 2 emitters per shrub.

Trees and shrubs shall be zoned separately.

Point of connection for irrigation system is unknown at current time and shall be coordinated between the Landscape Contractor and the General Contractor of the project prior to construction.

Landscaping shall be installed according to the approved plan: Installation shall be completed within 60 days of the related building's occupancy.

No substitutions or alterations to this plan with out the express written permission of the Landscape Architect, and approval of the City of Rio Rancho, approved permit set.

LANDSCAPE CALCULATIONS

TOTAL LOT AREA (sf)	77951
LANDSCAPE REQUIREMENT	X0.10
TOTAL LANDSCAPE REQUIRED (10%) (sf)	7,795
TOTAL ON-SITE LANDSCAPE PROVIDED (sf)	16,407
TOTAL LIVE PLANT COVER REQUIRED (sf) (75%)	12,305
TOTAL LIVE PLANT COVER PROVIDED (sf)	19,730

103 PARKING SPACES

PARKING TREE REQUIRED	10
PROVIDED	10

2 trees/ 3 shrubs per unit

55 units

TREE REQUIRED	110
SHRUB REQUIRED	165
TREE PROVIDED	110
SHRUB PROVIDED	173

PLANT SCHEDULE

SHRUBS

SYMBOL	COMMON / BOTANICAL NAME	SIZE	QTY	DIM	Coverage (SF)	Total Coverage (SF)
	Bearberry Cotoneaster Cotoneaster dammeri Blue Mist Bluebeard Caryopteris x clandonensis 'Blue Mist'	5 gal.	26 10	5x5 3x4	20 13	520 130
	Crape Myrtle Lagerstroemia indica	5 gal.	2	15x12	113	226
	Feather Reed Grass Calamagrostis arundinacea Grey Desert Spoon Dasylirion wheeleri	5 gal. 5 gal.	71 12	3x2 5x5	3 20	216 240
	Gro-Low Fragrant Sumac Rhus aromatica 'Gro-Low'	5 gal.	8	1x8	50	400
	Lynwood Gold Forsythia Forsythia x intermedia 'Lynwood Gold'	5 gal.	3	10x8	50	150
	Mexican Rosemary Mint Poliomintha incana Palm Yucca Yucca faxoniana Red Yucca Hesperaloe parviflora Texas Sage Leucophyllum frutescens	5 gal. 5 gal. 5 gal. 5 gal.	6 4 29 2	3x4 12x6 4x3 8x7	13 28 7 38	78 112 203 76
	SUBTOTAL		173			2,351

PLANT SCHEDULE

TREES

SYMBOL	COMMON / BOTANICAL NAME	SIZE	QTY	DIM	Coverage (SF)	Total Coverage (SF)
	Austrian Pine Pinus nigra	6' Ht.	2	45x25	491	982
	Blue Arrow Juniper Juniperus scopulorum 'Blue Arrow'	8' Ht.	55	15x3	7	385
	Crimson Spire Oak Quercus alba x robur 'Crimson Spire'	2" Cal.	17	45x15	177	3009
	Deodar Cedar Cedrus deodara	4-6	1	45x35	962	962
	Emory Oak Quercus emoryi	2" Cal.	1	45x35	962	962
	Honey Mesquite Prosopis glandulosa	2" Cal.	4	45x35	962	3,848
	Oklahoma Redbud Cercis reniformis	2" Cal.	1	15x20	314	314
	Paul's Scarlet English Hawthorn Crataegus laevigata 'Paul's Scarlet'	2" Cal.	2	15x20	314	628
	Prairifire Crabapple Malus x 'Prairifire'	2" Cal.	18	20x15	177	3,186
	Spring Snow Crabapple Malus x 'Spring Snow'	2" Cal.	7	20x15	177	1,239
	Texas Red Oak Quercus texana	2" Cal.	2	45x35	962	1,924
	SUBTOTAL		110			17,439

30	2-3cf	Boulders *To be placed at contractor discretion*
18,592		Landscape Gravel, 3" Depth *3/4" Crushed Brown* Submit samples of gravel and cobble for approval
2910		Turf
1228		*Oversize Landscape Gravel* *2-4" fractured Gray* Submit samples of gravel and cobble for approval
22,730		Total Landscape Area

PRELIMINARY
NOT FOR CONSTRUCTION

GRAPHIC SCALE
20 10 0 10 20
SCALE: 1" = 20'-0"

Mitchell Associates, inc
Landscape Architecture
Danny Mitchell
danny@mitchellassociatesinc.com
505.639.9583

REV	DATE	BY	REVISION

Designed By: FV
Drawn By: FV
Approved By: DM
Date: 10/1/2026

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO DR NE SUITE 520
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 338-1499 FAX (505) 338-1498

Seal: Landscape Architect

STATE OF NEW MEXICO
DANNY D. MITCHELL
2339
REGISTERED
LANDSCAPE ARCHITECT
10/1/2026

PROJECT TITLE
LUXE MULTIFAMILY
Enter address here

PROJECT MANAGER | JOB NO. | DRAWN BY:

SHEET TITLE
LANDSCAPE PLAN

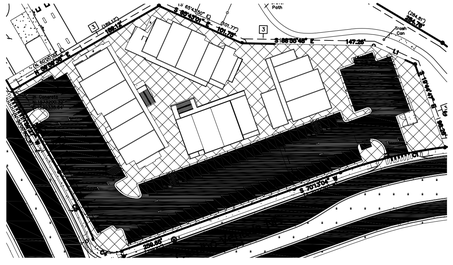
DATE 10/1/2026
SCALE:
Project NO: 2026-091
SHEET LS-101

COPYRIGHT 2021 MODULUS ARCHITECTS

1 ARCHITECTURAL SITE

SCALE: **1" = 20'-0"**

OPEN SPACE AREA



USABLE RECREATION SPACE

USABLE RECREATION SPACE:
AN AREA ON THE SAME LOT AS THE MULTIFAMILY RESIDENTIAL DEVELOPMENT THAT SERVES TO PERMANENTLY PROVIDE INDOOR OR OUTDOOR OPEN SPACE AND/OR RECREATIONAL USES. USABLE RECREATION SPACE MAY INCLUDE, BUT IS NOT LIMITED TO: LAWNS, DECORATIVE PLANTING AREAS, AND NATIVE PLANTS, OPEN BALCONIES AND COVERED PATIOS THAT ARE OPEN ON TWO OR MORE SIDES, WALKWAYS, ACTIVE AND PASSIVE RECREATIONAL AREAS, FOUNTAINS, SWIMMING POOLS, WATER FEATURES, AND PONDS, CLUB-HOUSE AREAS FOR VIDEO/TECHNOLOGY ROOMS, EXERCISE OR FITNESS ACTIVITIES, OR MEETING ROOMS, OR PLAY-GROUNDS. USABLE RECREATION SPACE DOES NOT INCLUDE PUBLIC RIGHT-OF-WAY, PARKING LOTS, DRIVEWAYS, OR BUILDINGS, GARAGES, CARPORT OR EQUIPMENT AREAS THAT ARE NOT DESIGNED FOR COMMON USE

USABLE OPEN SPACE (MULTIFAMILY)
1BR: 50 SF PER UNIT
26 UNITS * 50 SF = 1300 SF
2BR: 100 SF PER UNIT
29 UNITS * 100 SF = 2900 SF

TOTAL OPEN SPACE REQUIRED = 4,200 SF
TOTAL OPEN SPACE PROVIDED = 22,273 SF

LEGEND

- ASPHALT PAVING
- LANDSCAPE AREA
- CONCRETE WALK
- PROPERTY LINE

UNIT DATA

UNIT TYPE	HEATED AREA	QUANTITY	TOTAL AREA
1 BEDROOM MULTIFAMILY			
1A	721 SF	17	12,257 SF
1B	721 SF	9	6,489 SF
2 BEDROOM MULTIFAMILY			
2A	1042 SF	17	17,714 SF
2B	1042 SF	12	12,504 SF
RETAIL/COMMERCIAL			
SUITE 1	1042 SF	1	1042 SF
SUITE 2	809 SF	1	809 SF

GENERAL NOTES

A. DIMENSIONS ARE TO FACE OF CURB, OR WALL, OR EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
B. SITE PLAN SHALL COMPLY WITH LOCAL, FEDERAL AND ACCESSIBILITY STANDARDS & GUIDELINES, INCLUDING THE INTERNATIONAL FIRE CODE (IFC) 2015.
C. ALL CURBS AND ACCESSIBLE RAMPS WILL BE DESIGNED AND BUILT ACCORDING TO THE CITY OF RIO RANCHO STANDARDS.
D. ALL LIGHT FIXTURES AND LIGHTING DESIGN SHALL COMPLY WITH THE CITY OF RIO RNCHO OUTDOOR LIGHTING REGULATIONS (RIO RANCHO MUNICIPAL CODE CH. 159)
E. STREETS, PARKING SPACES AND ASSOCIATED DRIVES TO BE ASPHALT UNLESS NOTED OTHERWISE.
F. AN ACCESSIBLE ROUTE, IN COMPLIANCE WITH THE ACCESSIBILITY STANDARDS OF THE PROJECT, CONNECTS FROM THE BUILDING TO ACCESSIBLE PARKING SPACES AND ALL SITE AMENITIES AS REQUIRED
G. ALL ROOFTOP MECHANICAL UNITS WILL BE LOCATED TOWARD THE MIDDLE OF THE ROOF AND SHIELDED BY PARAPETS
H. LIGHT POLES FOR SITE LIGHTING WILL NOT EXCEED THE MAXIMUM HEIGHT ALLOWED OF 20' OR 16' IF LOCATED WITHIN 100' OR A RESIDENTIAL ZONE.
I. ALL SITE LIGHTING MUST MEET CCT AND CRI SPECIFICATIONS

KEYED NOTES

1. DUMPSTER ENCLOSURE REF: SHEET AS-503
2. TYPICAL CURB AND GUTTER REFER 10/AS-501
3. ACCESSIBLE PARKING WITH ACCESSIBLE SIGNANGE AND STRIPING, REF 3/4/11 AS-502
5. ACCESSIBLE CURB RAMP, REF 9 AS-501
6. CONCRETE SIDEWALK, REF 6/AS-501
7. BICYCLE RACKS, REF 9/AS-502
8. DIRECTIONAL PAVEMENT MARKING, REF 6/AS-502
9. ASPHALT PAVING
10. SITE LIGHTING, MOUNTED 16' ABOVE FINISH GRADE W/ SHIELDING TO PREVENT LIGHT TRESPASS, REF 4/AS-501 (DSXD LED P2 30K 80CRI T5M)
11. BUILDING MOUNTED WALLPACK LIGHTING MOUNTED 12' ABOVE FINISH GRADE
12. EXISTING FIRE HYDRANT
13. PAINTED CROSSWALK REF 12/AS-501
14. WATER VALVE
15. PROPERTY LINE
16. SITE LIGHTING - BOLLARD LIGHT
17. SETBACK LINE
18. 10' PAPER EASEMENT
19. SIDEWALK RAMP W/ DETECTABLE WARNING STRIP, REF: 2/AS-501
20. ADA PARKING SIGNAGE, REF 11/AS-502

PROJECT DATA

ZONING:
REQUESTED, SPECIAL USE FOR C-1/R-6 USES

LAND USE:
VACANT

LEGAL DESCRIPTION:
TRACTS 5-A AND 17-A-1, LOMAS ENCANTADAS BEING COMPRISED OF TRACTS 5 AND 17-A, LOMAS ENCANTADAS CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO AUGUST 2026

SITE AREA:
1.7895 ACRES

ZONE ATLAS:
PAGE 133

SETBACKS:
FRONT = 5' MIN, SIDE = 5' MIN, REAR = 5' MIN

BUILDING HEIGHTS:
MAXIMUM ALLOWED: 50' - 0"
THREE STORY MULTIFAMILY: 38' - 0"

SPRINKLED:
YES, NFPA 13R

BUILDING OCUPANCY:
R-2 + M (COMMERCIAL)

CONTSRUCTION TYPE:
TYPE V-A

PARKING CALCULATIONS:

MULTIFAMILY:
STUDIO/1 BR - 1.5 SPACES PER
2 BR - 1.75 SPACES PER
TOTAL 1 BEDROOM DU'S = 26 * 1.5 (39 SPACES REQ'D)
TOTAL 2 BEDROOM DU'S = 29 * 1.75 (50.75 SPACES REQ'D)
TOTAL MULTIFAMILY PARKING REQ'D = 89.75 (90) SPACES + 6 VISITOR SPACES

COMMERCIAL:
1 SPACE PER 300SF
1042 SF = 3.47 (4)
809 SF = 2.7 (3)

TOTAL COMMERCIAL PARKING REQ'D = 7

TOTAL OVERALL SPACES REQUIRED = 103
TOTAL OVERALL SPACES PROVDED = 103

ADA:
PER ADAAG 2010 ADA STANDARDS, 51-100 SPACES = 4 ACCESSIBLE REQUIRED
ACCESSIBLE SPACES PROVIDED = 6

MOTORCYCLES:
SPACES REQUIRED = 0
MOTORCYCLE SPACES PROVIDED = 3

BICYCLES: NO LESS THAN 2 SPACES AND UP TO 2% OF THE REQUIRED AUTOMOTIVE PARKING
BICYCLE PARKING SPACES PROVIDED = 10

DRAINAGE NARRATIVE

SITE IS LOCATED WITHIN THE LOMAS ENCANTADA MASTER DRAINAGE PLAN. SITE WILL RETAIN THE STORM WATER QUALITY VOLUME ON SITE AND DISCHARGE REMAINDER AT ALLOWED RATES UTILIZING DETENTION PONDS WITH RESTRICTED OUTLET. DISCHARGE SHALL MATCH HISTORICAL.

REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO NE, SUITE
ALBUQUERQUE, NEW MEXICO
PHONE (505) 338-1499 FAX (505) 338-1498

DAVID SOULE
NEW MEXICO
14522
REGISTERED PROFESSIONAL ENGINEER

10/2/26

PROJECT TITLE
LUXE MULTIFAMILY
Enter address here

DRAWN BY:
JOB NO.
Project Number
PROJECT MANAGER

SHEET TITLE
CONCEPTUAL GRADING PLAN

DATE
Issue Date

SHEET
C-101

SCALE:

Lee Engineering LLC
Jonathon Kruse, PE, PTOE | September 30, 2026

Trip Generation Tables

Currently Proposed

Apartments and Commercial

Use	Units		Weekday AM Peak Hour					Weekday PM Peak Hour					Total Peak Hour Trips
			Total	Enter	Exit	In	Out	Total	Enter	Exit	In	Out	
ITE 220 - Multifamily Housing (Low-Rise)	55	Dwelling Units	32	24%	76%	8	24	34	62%	38%	21	13	**66**
ITE 712 - Small General Office	1	1,000 Sq. Ft. GFA	2	83%	17%	1	1	2	34%	66%	1	1	**4**
ITE 712 - Small General Office	1	1,000 Sq. Ft. GFA	2	83%	17%	1	1	2	34%	66%	1	1	**4**
Total trips: AM 52 | PM 48			**Total AM Peak**			**10**	**26**	**Total PM Peak**			**23**	**15**	**74**

Alternate Development Scenario 1

Convenience Store

Use	Units		Weekday AM Peak Hour					Weekday PM Peak Hour					Total Peak Hour Trips
			Total	Enter	Exit	In	Out	Total	Enter	Exit	In	Out	
ITE 945 - Convenience Store / Gas Station	12	Vehicle Fueling Positions	239	51%	49%	122	117	230	50%	50%	115	115	**469**
Total trips: AM 239 | PM 230			**Total AM Peak**			**122**	**117**	**Total PM Peak**			**115**	**115**	**469**

Alternate Development Scenario 2

Shopping Center

Use	Units		Weekday AM Peak Hour					Weekday PM Peak Hour					Total Peak Hour Trips
			Total	Enter	Exit	In	Out	Total	Enter	Exit	In	Out	
ITE 822 - Strip Retail Plaza*	50	1,000 Sq. Ft. GFA	196	55%	45%	108	88	284	50%	50%	142	142	**480**
Total trips: AM 196 | PM 284			**Total AM Peak**			**108**	**88**	**Total PM Peak**			**142**	**142**	**480**

Alternate Development Scenario 3

Gym

Use	Units		Weekday AM Peak Hour					Weekday PM Peak Hour					Total Peak Hour Trips
			Total	Enter	Exit	In	Out	Total	Enter	Exit	In	Out	
ITE 492 - Health / Fitness Club	54	1,000 Sq. Ft. GFA	96	51%	49%	50	46	204	57%	43%	116	88	**300**
Total trips: AM 96 | PM 204			**Total AM Peak**			**50**	**46**	**Total PM Peak**			**116**	**88**	**300**

MODULUS
ARCHITECTS & LAND USE PLANNING

RIO RANCHO

City of Vision

LUXE
AT LOMAS ENCANTADAS

SPECIAL USE ZONE MAP AMENDMENT

Request: SU zoning for
R-6 Multifamily Residential and
C-1 Retail Commercial Uses

Case No. 26-100-00005

Camino Encantadas NE & Camino Venada NE

Photo: Abrazo Homes

PLANNING & ZONING BOARD
September 22, 2026

Applicant: P.G. Properties, LLC

Presented by Angela Piarowski
Modulus Architects & Land Use Planning

THE PEOPLE BEHIND THE REQUEST

Who is behind this development?

MODULUS
ARCHITECTS & LAND USE PLANNING

42 YEARS Combined Albuquerque Fire Department service

Melvin Parker

LIEUTENANT • BUSINESS OWNER • COACH

- 20 years with the Albuquerque Fire Department
- Retired Lieutenant Paramedic in 2015
- 17 years in business serving Albuquerque and Rio Rancho
- Operates 3 Rio Rancho homes supporting people with developmental disabilities
- 4 years coaching Rio Rancho High football, helping earn a state championship

Eddie Gutierrez

FIREFIGHTER • BUILDER

- 22 years with the Albuquerque Fire Department
- Retired EMT-B firefighter
- 7 years as a licensed general contractor (GB98)
- High-end homes in Placitas and commercial projects in Albuquerque

MODULUS
ARCHITECTS & LAND USE PLANNING

What are we asking the Board to consider?

Recommend approval of one coordinated Special Use zone.

THE REQUEST

SU zoning for R-6 multifamily and C-1 commercial uses across the combined 1.7895-acre property.

FAMILIAR USES. A COORDINATED PLAN.

Residential and commercial uses are already allowed on the original C-1 tract, subject to conditions.

SU allows ground-floor residential flexibility and applies a unified, site-plan-controlled framework to the combined property.

55 APARTMENT HOMES

3 STORIES

2 COMMERCIAL SUITES

1,851 SF TOTAL COMMERCIAL SPACCE

MEETING STANDARDS. PROVIDING MORE.

412% above
the stated usable open-space minimum
22,273 SF provided / 4,350 SF required

103 parking spaces
103 required • 6 accessible spaces / 4 required

Staff confirms compliance with parking, landscaping, building design and height standards.

No variances requested.

STAFF RECOMMENDS APPROVAL

Recommend approval to the Governing Body, with findings and conditions.

MODULUS
ARCHITECTS & LAND USE PLANNING

The City designated this tract C-1 in 2004.

Commercial and residential uses are already part of this site's zoning.

2004 • CITY ZONING DECISION
P&Z approval motion: May 11 • Governing Body adoption: August 11
Ordinance No. 30 • Enactment No. 04-029 established the C-1 zoning framework.

Existing zoning • Lomas Encantadas Master Plan, Fig. 3

C-1 PR

ORIGINAL TRACT 5
C-1 | ≈1.23 acres

ACQUIRED PORTION OF TRACT 17-A
PR | ≈0.5603 acres

EXISTING C-1

- **Residential is allowed.**
- **Commercial uses are allowed.**
- Applies to the original Tract 5.

PROPOSED SU

- Allows first-floor residential while retaining commercial space.
- Coordinates the combined 1.7895-acre site under one approved site plan.
- Extends residential and commercial permissions to the acquired PR portion.

The acquired PR portion does not currently carry C-1 residential permissions; its rezoning is part of this request.

Sources: Ordinance 04-029 and accompanying 2004 staff menorandum; 2026 staff report, pp. 1–4; 2020 Master Plan, Fig. 3.

THIS SITE'S C-1 DESIGNATION WAS ESTABLISHED IN 2004.

Today's request adds design flexibility and coordinated, site-specific controls.

Lomas Encantadas "The Luxe"

AN UPSCALE, INTIMATE LIVING EXPERIENCE

MODULUS
ARCHITECTS & LAND USE PLANNING

What else is already allowed under C-1?

ORIGINAL C-1 TRACT • Selected permissive uses under §154.24(B)

NO REZONING HEARING REQUIRED FOR COMPLIANT C-1 USES

Permissive zoning does not itself require a public hearing, neighborhood notice or public-comment process.

ALREADY PERMITTED IN C-1
Convenience stores
Gas stations
Drive-through restaurants
Car washes
Bars, lounges & patio dining
Dance halls, bowling & indoor entertainment
Daycare centers / nursery schools
Hotels / motels
C-1 zoning allows a height of 50 feet

THE LUXE PROPOSAL	
55 apartment homes	
Three-story buildings	**50' (5 stories allowed)**
Two commercial suites • 1,851 SF	
Landscaped open space & recreation	
On-site parking	
SU request subject to public review	

A residential-focused plan for a site already zoned for commercial activity.

All uses remain subject to City standards and permits. Separate approvals—including liquor licenses, variances or plats—may require notice and hearings. C-1 permissions apply to the original tract, not the acquired PR land.

Sources: Rio Rancho Code §§154.24(B), 150.03.

LUXURY. LIFESTYLE. The Luxe

Lomas Encantadas "The Luxe"

AN UPSCALE, INTIMATE LIVING EXPERIENCE

NMDOT New Mexico

MODULUS ARCHITECTS & LAND USE PLANNING

Why the original tract needed additional land

SAFE ACCESS • BETTER CIRCULATION • COORDINATED SITE PLANNING

THE ORIGINAL TRACT

Approx. 189 ft • Camino Encantadas

Approx. 205 ft • Camino Venada

THE ACCESS CONSTRAINT

330 ft

Minimum spacing identified in the application's access analysis.

The original frontage cannot accommodate the identified full-access spacing.

WHAT THE ADDED LAND PROVIDES

Room to locate main access farther from the intersection on Camino Venada.

Coordinated parking and circulation across one site.

The added land creates room for safer, better-positioned access.

330-ft lines reproduce the supplied access exhibit. Final driveway location, measurement and compliance are subject to civil engineering and City review.

LUXURY. LIFESTYLE. The Luxe

City of Rio Rancho

MODULUS
ARCHITECTS & LAND USE PLANNING

A MORE COMPLETE SITE PLAN EMERGED THROUGH REVIEW

The design evolved. Existing park amenities remain unchanged.

01
INITIAL CONCEPT
Housing on the original C-1 tract

02
ACCESS EVALUATION
Spacing constraints identified the need for additional land

03
APPRAISAL + ACQUISITION
Adjoining remnant acquired through the City process

04
COORDINATED SU PLAN
One plan for access, homes, commercial space and recreation

THE PLAN BEFORE THE BOARD

55 HOMES | 3 STORIES

1,851 SF commercial space

1.7895 gross acres

38.5% BELOW
50 homes per acre allowed
30.7 homes per acre proposed
55 ÷ 1.7895 = 30.7 homes per gross acre

EXISTING PARK AMENITIES REMAIN UNCHANGED

- Existing park amenities and features are protected.
- The acquired remnant is undeveloped.
- Staff reports it was not identified for park development in the ICIP.

Source: City staff report; density calculated using the current 55-home program.

A coordinated three-story plan. Existing park amenities protected.

BUILDING A BETTER RIO RANCHO TOGETHER

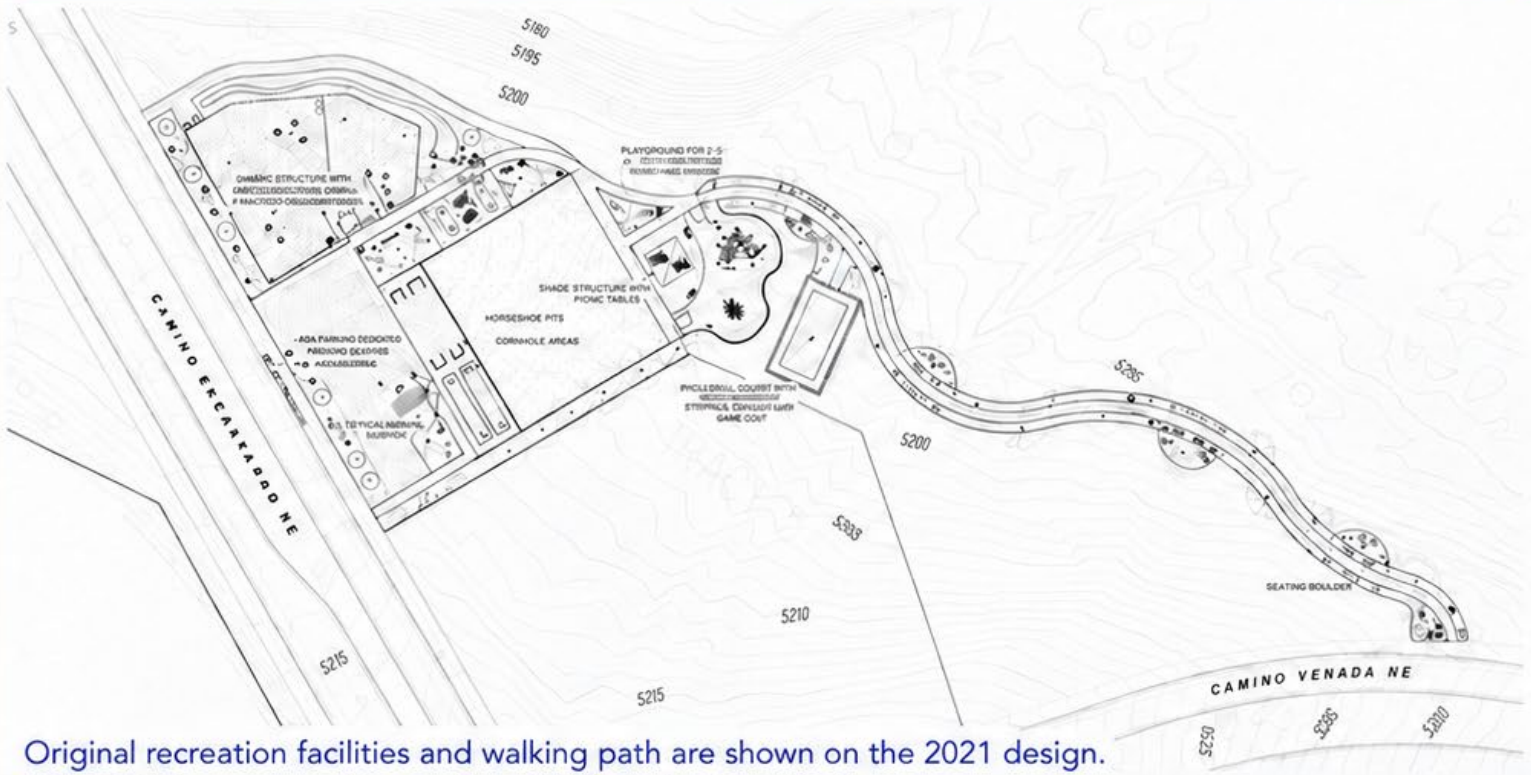
City of Rio Rancho

MODULUS ARCHITECTS & LAND USE PLANNING

THE ACQUIRED REMNANT PARCEL WAS NEVER IDENTIFIED FOR PARK DEVELOPMENT

The original park design and City records tell a consistent story.

AMREP'S ORIGINAL PARK DESIGN



Original recreation facilities and walking path are shown on the 2021 design.

AMREP / Yellowstone Landscape • Tract 17 & D Park • Sheet LS-01

01 CITY STAFF: ICIP FINDING

"was not identified to be developed as park land on the ICIP."

P&Z Staff Report, p. 2

02 CITY SALE MEMORANDUM

The City had no plans for a smaller park there.

Resolution R56 agenda memorandum • July 23, 2026, p. 1

03 EXISTING PARK PROTECTED

Development does not infringe on existing park amenities.

P&Z Staff Report, p. 8, Condition 11(b)

An undeveloped remnant. No park improvements identified in the ICIP by City staff.

EXISTING PARK AMENITIES REMAIN PROTECTED.

BUILDING A BETTER RIO RANCHO TOGETHER

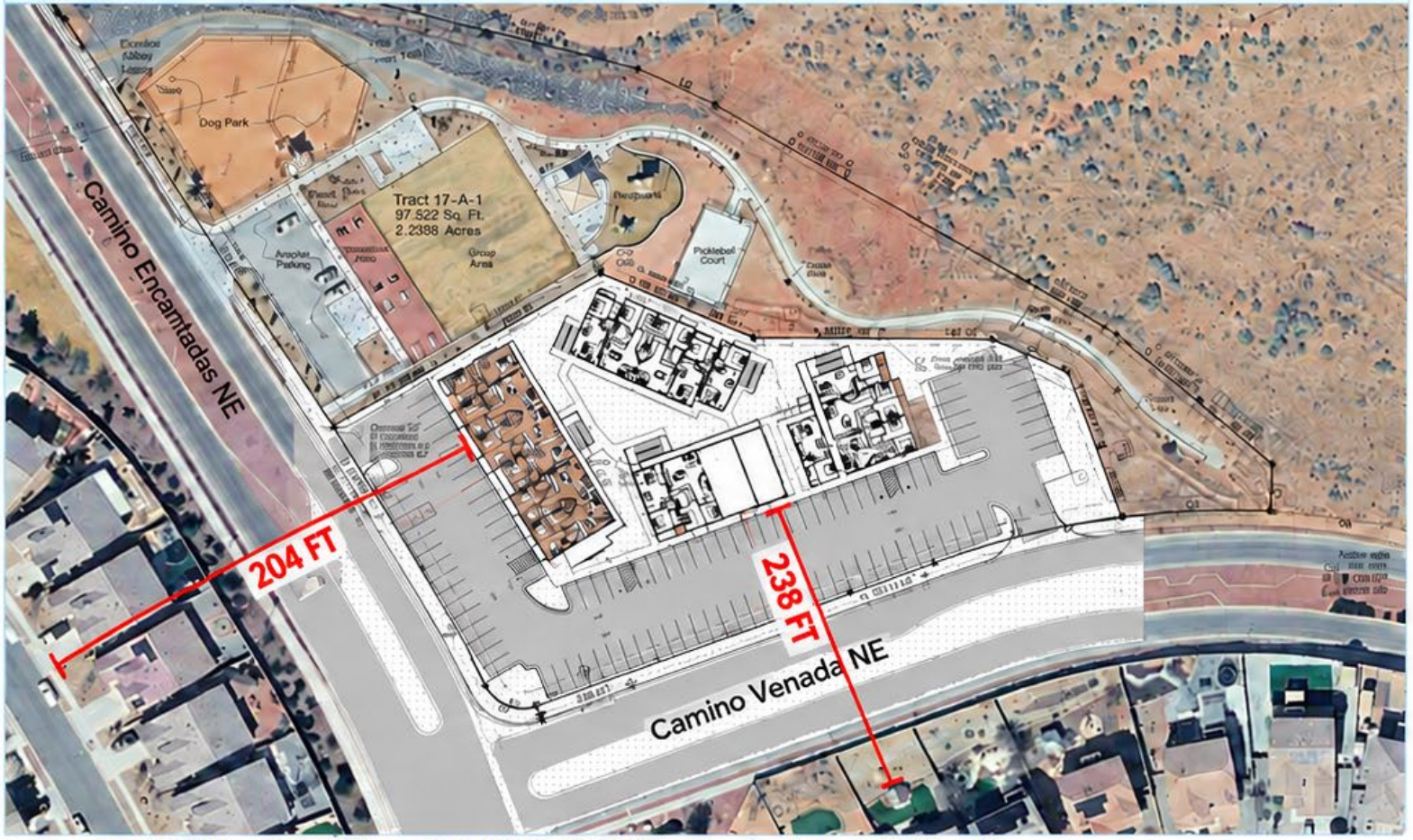
City of Rio Rancho

MODULUS
ARCHITECTS & LAND USE PLANNING

THOUGHTFUL PLACEMENT. MEASURABLE SEPARATION.

Buildings toward the rear of the site, with distance and lower natural grades near neighboring homes.

ACTUAL SITE PLAN • BUILDING-TO-HOME DISTANCES SHOWN



Sources: Luxe DFT distance-to-neighbors exhibit; AS-101; P&Z staff report; project topographic information.

OUR BUILDING AREA IS LOWER

Building area:	≈5,210 FT
Encantadas homes:	5,219 – 5,230 FT

9 – 20 FT LOWER THAN EXISTING HOME ELEVATIONS

Nearest Venada lot:	≈5,220 FT

10 FT LOWER THAN NEAREST VENADA LOT

Natural grades provided by project team; not finished-floor or roofline elevations.

MEASURABLE DESIGN CONTROLS

3 STORIES • 36 FT BUILDING HEIGHT

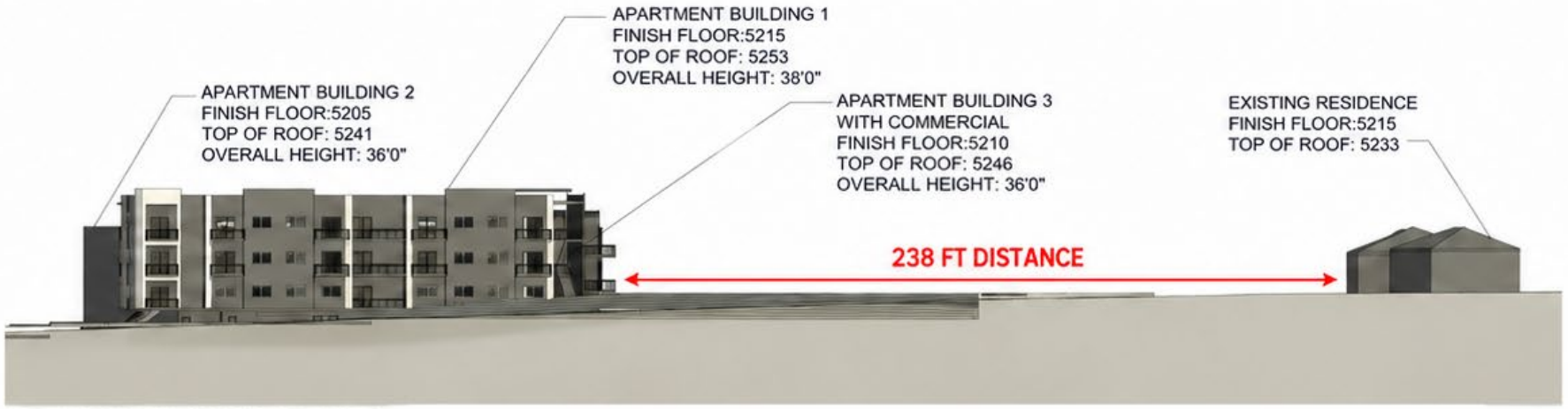
- Shielded site lighting
- Screened rooftop equipment
- Landscaping and recreation areas

STAFF FINDS COMPLIANCE

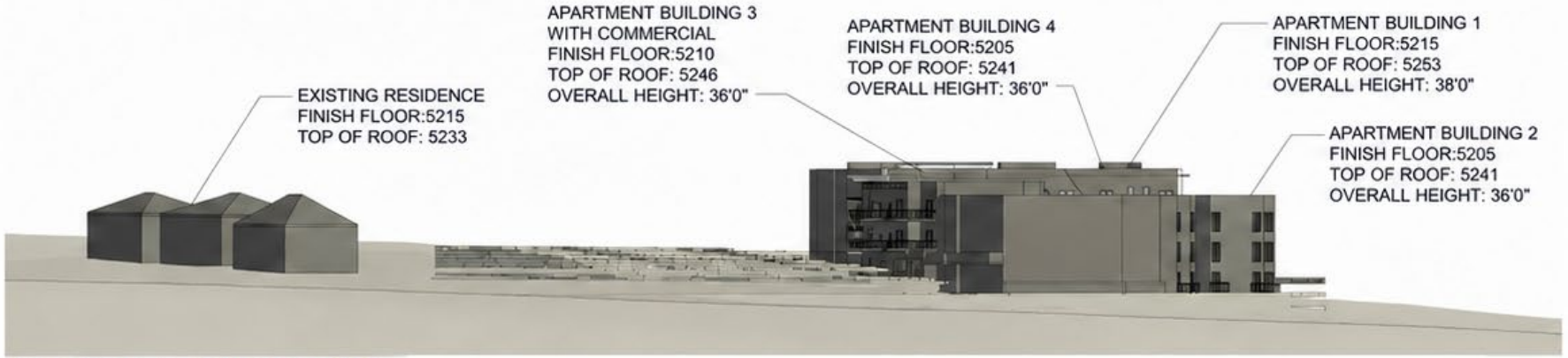
Parking • Landscaping • Building design • Building height

DESIGNED WITH OUR NEIGHBORS IN MIND

Deliberate placement. Lower elevations where feasible. A documented view study.



ELEVATION LOOKING EAST



ELEVATION LOOKING WEST

01

THOUGHTFUL PLACEMENT

Buildings positioned toward the rear of the site to increase separation from neighboring homes.

02

13 FT

BUILDING 3 ROOF-ELEVATION DIFFERENCE

5,246 ft – 5,233 ft = 13 ft

Approximately one story above the adjacent home's roof elevation.

Highest roof shown: Building 1 at 5,253 ft — 20 ft above the home.

03

RESPONDING TO CONCERNS

After discussions with adjacent homeowners, we prepared this study to document building placement, elevations and separation.

238 FT

Separation shown in the study

Source: Modulus Architects, LUXE Elevation View Study, Sheet A101.
Building heights shown: 36–38 ft.

OUR COMMITMENT: LISTEN, STUDY AND REFINE THE DESIGN.

City of Rio Rancho

MODULUS ARCHITECTS & LAND USE PLANNING

CAMINO ENCANTADAS TRAFFIC CAPACITY

MRCOG available data and traffic counts

50.9%

HIGHEST CAPACITY USE IN THIS RECORD

382 vehicles/hour ÷ 750 vehicles/hour

Southbound PM peak: V/C = 0.509

WHAT V/C MEANS

Traffic volume ÷ estimated roadway capacity.

1.00 = volume equals capacity.

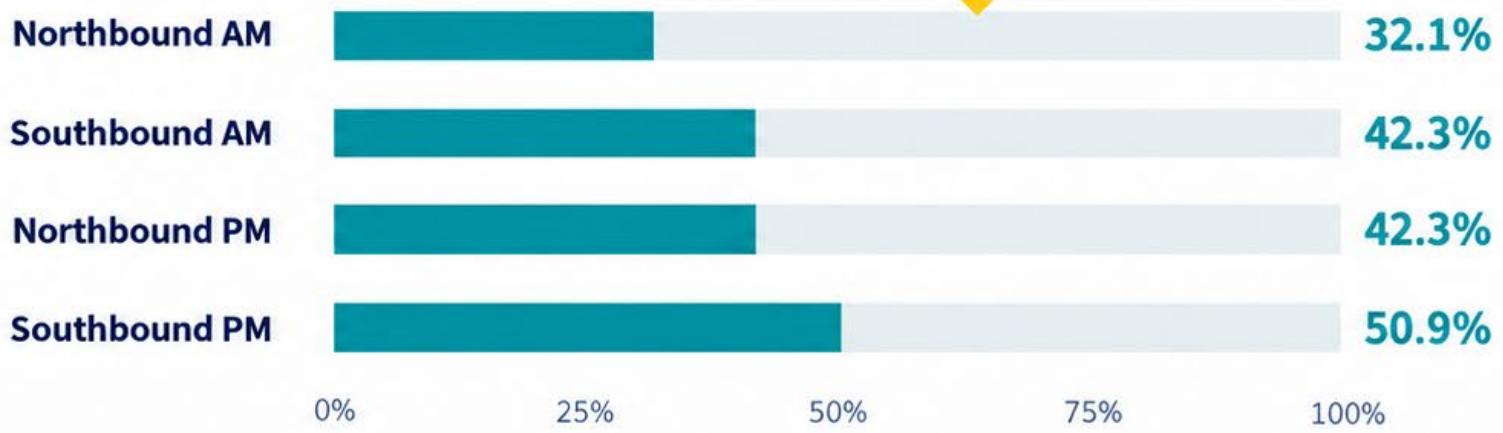
Reported range: **32.1% – 50.9%**.

SHARE OF ESTIMATED CAPACITY USED

Full bar = 100% of estimated capacity

Mid-Region Council of Governments

DATA SOURCE



Peak volumes (vehicles/hour)

Direction	AM	PM	Capacity
Northbound	241	317	750 veh/hour
Southbound	317	382	750 veh/hour

REPORTED PEAK: ROUGHLY HALF OF ESTIMATED CAPACITY USED.

BUILDING A BETTER RIO RANCHO TOGETHER

City of Rio Rancho

TRIP GENERATION COMPARISON

Proposed apartments and commercial generate the fewest trips in this study

MODULUS ARCHITECTS & LAND USE PLANNING

LEE ENGINEERING

Jonathon Kruse, PE, PTOE

Use		Units	Weekday AM Peak Hour					Weekday PM Peak Hour					Total Peak Hour Trips
			Total	Enter	Exit	In	Out	Total	Enter	Exit	In	Out	
CURRENTLY PROPOSED / Apartments and Commercial													
ITE 220 - Multifamily Housing (Low-Rise)	55	Dwelling Units	32	24%	76%	8	24	34	62%	38%	21	13	**66**
ITE 712 - Small General Office	1	1,000 Sq. Ft. GFA	2	83%	17%	1	1	2	34%	66%	1	1	**4**
ITE 712 - Small General Office	1	1,000 Sq. Ft. GFA	2	83%	17%	1	1	2	34%	66%	1	1	**4**
Total trips: AM 52 | PM 48			**Total AM Peak**			**10**	**26**	**Total PM Peak**			**23**	**15**	**74**
ALTERNATE DEVELOPMENT SCENARIO 1 / Convenience Store													
ITE 945 - Convenience Store / Gas Station	12	Vehicle Fueling Positions	239	51%	49%	122	117	230	50%	50%	115	115	**469**
Total trips: AM 239 | PM 230			**Total AM Peak**			**122**	**117**	**Total PM Peak**			**115**	**115**	**469**
ALTERNATE DEVELOPMENT SCENARIO 2 / Shopping Center													
ITE 822 - Strip Retail Plaza*	50	1,000 Sq. Ft. GFA	196	55%	45%	108	88	284	50%	50%	142	142	**480**
Total trips: AM 196 | PM 284			**Total AM Peak**			**108**	**88**	**Total PM Peak**			**142**	**142**	**480**
ALTERNATE DEVELOPMENT SCENARIO 3 / Gym													
ITE 492 - Health / Fitness Club	54	1,000 Sq. Ft. GFA	96	51%	49%	50	46	204	57%	43%	116	88	**300**
Total trips: AM 96 | PM 204			**Total AM Peak**			**50**	**46**	**Total PM Peak**			**116**	**88**	**300**

Source: Lee Engineering LLC, Jonathon Kruse, PE, PTOE • September 30, 2026

Figures reproduced as supplied. Proposed AM/PM subtotal line requires correction. Totals combine AM + PM peak hours.

ALL THREE COMMERCIAL ALTERNATIVES ARE ALREADY PERMISSIVE UNDER C-1

Existing C-1 tract • Rio Rancho Code §154.24(B) • Subject to applicable site and development standards

Why this plan is a good fit for Rio Rancho

MODULUS
ARCHITECTS • LAND USE PLANNING

HOUSING CHOICE

55 homes: 26 one-bedroom + 29 two-bedroom
Adds housing options in a predominantly single-family setting.

PRODUCTIVE INFILL

A coordinated plan for a long-vacant commercial tract.
Uses an established street and utility setting.

NEIGHBORHOOD COMMERCIAL

1,851 SF of small-scale commercial space
Retains the site's commercial role; tenants subject to approved uses.

ACCOUNTABILITY

A specific SU site plan the City can review and regulate
Coordinated access, building placement, landscaping and development controls.

CONCEPTUAL RENDERING

STAFF'S FINDINGS

Supports housing choice, walkability, infill and the Lomas Encantadas Master Plan.

OUR PLANNING POSITION: THE HIGHEST AND BEST USE FOR THIS SITE

A thoughtfully planned, compatible mix of homes and neighborhood commercial space.

Local owners. A personal stake in Rio Rancho. A defined plan for accountability.

THE CITY ZONED THIS PROPERTY C-1 FOR A REASON. THIS PLAN FURTHERS THAT PURPOSE.

MODULUS
ARCHITECTS & LAND USE PLANNING

Rio Rancho Code of Ordinances §150.07 • Case 26-100-00005

ORDINANCE CRITERION	HOW THE REQUEST SATISFIES IT	STAFF FINDING
§150.07(D)(1) Public health, safety & welfare	Engineering and project data support a finding of no harm to public health, safety or welfare.	✓ SATISFIED
§150.07(D)(2) Sound justification & zoning stability	Furthers Rio Rancho's Comprehenssive Plan, the housing initiative approved by the Governing Body, and all applicable adopted City policies.	✓ SATISFIED
§150.07(D)(3) Comprehensive & master plan consistency	Advances housing choice, infill and walkability; consistent with the Lomas Encantadas Master Plan.	✓ SATISFIED
§150.07(D)(4)(c) Public need & site-specific advantage	Coordinated infill addresses this constrained corner; retains commercial use and provides a compatible transition.	✓ SATISFIED
§150.07(E) Private economics cannot determine rezoning	Staff finds land cost is not a determining factor; the justification rests on public planning benefits.	✓ SATISFIED
§150.07(F) Road location alone is insufficient	Staff finds the intersection location is not the sole basis; coordinated mixed use supports the request.	✓ SATISFIED
§150.07(G) Spot-zone safeguards	Staff finds no spot zone: commercial uses remain and align with the adopted master plan.	✓ SATISFIED

Engineering. Documented site conditions. Measurable separation. Substantially lower trip generation.

EVERY APPLICABLE CRITERION: SATISFIED

Recommend approval with staff's findings and conditions.

Source: City Development Services Staff Report, Sept. 22, 2026, pp. 2–8; R.O. 2003 §150.07.

Conditions include site-plan conformity, plat recording, easement resolution, emergency-only Encantadas access and protection of existing park amenities.

PUBLIC ENGAGEMENT

Community meetings to hear concerns and provide requested information.

01

FIRST COMMUNITY MEETING

Held September 21, 2026, to hear concerns from area residents and discuss the proposal.

02

SECOND COMMUNITY MEETING

Held October 8, 2026, with a larger group as a follow-up to the original meeting. Presented additional information and exhibits requested at the first meeting.

03

DIRECT OUTREACH

We also invited those who had submitted letters of opposition by the time the meeting was scheduled.

04

CLARIFYING MISINFORMATION

Addressed misinformation circulating publicly and online, including fake drawings and inaccurate data. Clarified project information and answered residents' questions.

Listen • Clarify • Answer questions

A coordinated plan.
A clear request for approval.

MODULUS
ARCHITECTS · LAND USE PLANNING

PUBLIC WELFARE
Improved access and a coordinated site plan.

SOUND JUSTIFICATION & STABILITY
Retains the established C-1 use pattern with residential flexibility and added oversight.

PLAN CONSISTENCY
Housing choice, appropriate infill and neighborhood-scale mixed use support the Comprehensive Plan and Lomas Encantadas Master Plan.

SITE-SPECIFIC PUBLIC BENEFIT
Coordinated treatment of a constrained corner and adjoining land.

REQUESTED ACTION

Recommend approval

CASE 26-100-00005

to the Governing Body with the findings and conditions in the staff report.

We recognize the applicant's burden under the change-of-zone criteria.

STAFF FINDS THE APPLICATION MEETS THE APPLICABLE CRITERIA.

Thank you to the Board, City staff and neighbors for your consideration.

Timothy Dvorak

From: kindrdties@aol.com
Sent: Saturday, September 26, 2026 11:09 AM
To: Timothy Dvorak; BRIAN BABYAK; Planning
Subject: Comment on Case 26-100-00005

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Hello
I live at 7336 Nome Dr. I believe we need more parks, open land. Please do not allow these units to be built. Instead let's enlarge the park adding more playground equipment like in Park Above.
Sincerely,
Anne Fisk

Sent from the all new AOL app for iOS

Timothy Dvorak

From: Carol Schorr <schorrty@gmail.com>
Sent: Saturday, September 26, 2026 9:48 AM
To: Timothy Dvorak; BRIAN BABYAK; Planning
Subject: Comment on Case 26-100-00005

[You don't often get email from schorrty@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Something stinks about this
apartment deal, I think you should investigate who sold this land to them for such a small amount.

Staff-verified address:
3617 Soldotna Dr NE
Rio Rancho, NM 87144

Timothy Dvorak

From: J Davis <jayson.l.davis2@gmail.com>
Sent: Monday, September 28, 2026 8:39 AM
To: Bob Tyler; drd@rrnm.gov; inquiries@osa.nm.gov; Clerk; Timothy Dvorak
Cc: sherilhiggins@outlook.com
Subject: STRENUOUS OPPOSITION to the Special Use (SU) Rezoning Request at Camino Encantadas & Camino Venada NE (October 13 Hearing)

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ATTENTION CITY CLERK: *I formally request that this letter be forwarded to all Planning and Zoning Board commissioners to be included in the official public meeting packet for the upcoming October 13 hearing.*

Dear Councilor Tyler, Planning and Zoning Board Members, Office of the State Auditor, and the Engineering Division of the Department of Public Works

I am a resident of the Lomas Encantadas neighborhood, and an ACTIVE VOTER, I am writing to express the formal and unequivocal opposition to the proposed Special Use (SU) Zone Map Amendment for the 1.79-acre site located at the corner of Camino Encantadas and Camino Venada NE in lock step with my other community members.

This proposed 55-unit high-density apartment complex, commercial retail space, and rooftop venue represents a massive, incompatible disruption to our single-family residential neighborhood. We urge the Planning and Zoning Board to recommend denial of this amendment, and we call on Councilor Tyler to stand with his constituents to protect our community.

Our opposition is rooted in two critical, undeniable points of failure regarding this project:

1. Severe Traffic Congestion and School Zone Safety Hazards

The project site sits directly east of Sandia Vista Elementary School. This intersection already experiences heavy residential traffic and severe gridlock during school drop-off and pick-up hours. Adding a 55-unit apartment complex and commercial retail footprint will inject hundreds of additional daily vehicle trips directly into an active, vulnerable school zone.

Under the City of Rio Rancho's Roadway Design Manual, the city has the authority and the obligation to deny zone changes if the existing infrastructure cannot safely absorb the projected traffic. The community demands that the city hold the developer to the strictest standards of a comprehensive Traffic Impact Analysis (TIA), accounting for school bus routes, pedestrian safety, and existing peak-hour gridlock. Merely shifting or delaying this traffic is unacceptable when child safety is on the line.

@Scott Logan- Traffic Manager has your department completed an independent review of this high risk area? If not, please consider this a formal citizens request to address the already egregious traffic situation in this area. It is a miracle there has not yet been an accident involving a pedestrian, or worse, a student.

2. The Unacceptable Sale and Conversion of Public Parkland

I am deeply concerned by the Governing Body's July 23 vote to sell 0.56 acres of Camino Encantadas Park to PG Properties for the nominal fee of $17,500.

Selling dedicated public parkland to a private developer at a steep discount, only for it to be immediately rezoned for commercial and high-density use, sets a dangerous precedent for Rio Rancho.

This transaction warrants a formal investigation into whether public assets were intentionally undervalued to benefit a private developer.

@Joseph Maestas OSA Article IX, Section 14 of the New Mexico Constitution, (the Anti-Donation Clause) explicitly prohibits local governments from donating or discounting public assets to aid private, profit-driven entities. The city's own reports prove they knew prior to the vote that the developer was acquiring this parkland explicitly to merge it into a commercial/multifamily district to meet state highway access-spacing rules. By deliberately selling the land at artificial "park prices" right before allowing a zoning upgrade that skyrockets its value, the city essentially handed a private developer a $52,500 taxpayer-funded gift.

This land belonged to the community and served as a buffer for our local park. The city should not subsidize private, profit-driven developments at the physical expense of public recreational spaces meant for our children and families.

Conclusion

This development is mismatched for the infrastructure, density, and character of Lomas Encantadas. It compromises the safety of our elementary school students and strips away our public park space. I request that this letter be entered into the official public record for the upcoming October 13 hearing, and respectfully request that the Board vote to deny the Special Use rezoning.

Thank you for your time, your service, and your consideration of the residents who live, work, and raise families in this district.

Respectfully,

Jayson Davis

6925 Cleary Lp NE RR NM
505 379 5480

Timothy Dvorak

From: Jennifer Schurman <jdschurman@gmail.com>
Sent: Wednesday, September 30, 2026 4:18 PM
To: Timothy Dvorak
Subject: Rezoning in Lomas Encantadas neighborhood

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Good afternoon Mr. Dvorak. I live in this neighborhood. I was the 3rd homeowner and have watched this area grow and grow fast. There is more traffic now than ever. The one frustrating part about this growth is we were supposed to have a big nice park. When we finally got a park, it isn't an actual park. It's two dog parks, a few things for kids to play on and pickleball courts. Why would you agree to rezone an area that is going bring ugliness to the neighbor, more unnecessary traffic (there is already to much traffic, especially in the mornings when kids are going to school and adults going to work and the afternoon's when kids are getting out of school and adults heading home after work). Why not have that portion be something good to our neighborhood. Grow what park is there, more grass for families to go spend time outside, have neighborhood get togethers and trees to sit under. It's become so techy where adults and kids spend most of their down time staring at the TV, their phones, their tablets, etc.
There a many in our neighborhood that don't want this apartment complex. There is already a large apartment complex being built on Camino Encantadas near the judicial complex, which is going to bring more traffic to Camino Encantadas, Lincoln and Idelia.
Hopefully, you all will rethink this and listen to the people that live in the areas that will be affected, especially the children that attend the schools in the area.

Thank you for your time and reconsider the approval.

Jennifer Schurman
North Pole Loop NE

Timothy Dvorak

From: Lina DeFrance <linadefrance5@gmail.com>
Sent: Sunday, October 4, 2026 6:55 PM
To: Timothy Dvorak; BRIAN BABYAK; Planning
Cc: Bob Tyler; pwymer@rrr.gov; Clerk
Subject: Opposition to Case No. 26-100-00005

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Dear Chair Richardson snd Members of the Planning and Zoning Board:

Our Names are Adeline and Andres Duenas
And we live at 7125 Napoleon Rd NE Rio Rancho NM. We oppose the proposed Zone Map Amendment for The Luxe at Lomas Encantadas, Case No. 26-100-00005.

Our main concerns are traffic, parking building height, drainage, safety and open space. This matters to me because we already have plenty of traffic and it is crowed.

For these reasons I respectfully ask the Planning and Zoning Board Board to recommend denial of the requested Zone Map Amendment for.

Please distribute this message to every Board member and include it in the official record for Case No. 26-100-00005.

Sincerely
Adeline Duenas and
Andres Duenas

Timothy Dvorak

From: Clerk
Sent: Monday, October 5, 2026 11:17 AM
To: Maria Sanchez
Cc: Timothy Dvorak; BRIAN BABYAK
Subject: RE: Opposition of Zone change Lomas Encantadas

Good morning,

Thank you for submitting your public comment. It will be included with the Planning and Zoning Boards agenda item.

Thanks,

Noel C. Davis
City Clerk

City of Rio Rancho | Office of the City Clerk
O: 505.896-8708 **C:** 505.607.1388

RRNM.gov |

From: Maria Sanchez <marialynnsanchez4860@gmail.com>
Sent: Sunday, October 4, 2026 2:08 PM
To: Clerk <Clerk@rrnm.gov>
Subject: Opposition of Zone change Lomas Encantadas

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Luxe at Lomas Encantadas Zone Change

To: Rio Rancho Planning and Zoning Board / Rio Rancho Governing Body
Subject: Formal Opposition to the Special-Use Zone Map Amendment for Luxe at Lomas Encantadas (October 13, 2026 Meeting)

Dear Commissioners and City Council Members,

I am writing to formally register my opposition to the proposed zone map amendment and master plan variance requested by PG Properties LLC and Modulus Architects for the 1.79-acre parcel at Camino Encantadas and Camino Venada NE.

As a resident of the Rio Rancho community, I urge the Planning and Zoning Board to issue a recommendation of **denial** for this project based on the following critical layout and structural concerns:

1. **Loss of Public Infrastructure and Green Space:** The configuration relies heavily on the absorption of 0.56 acres of Camino Encantadas Park land. Repurposing voter-approved parkland into a high-density, mixed-use commercial footprint sets a dangerous precedent and permanently removes vital community green spaces.
2. **Incompatible Density and Layout:** Overlaying an R-6 (Multi-Family) and C-1 (Commercial) split zone directly into the heart of a Master Planned single-family residential community is entirely out of character for the neighborhood. A 55-unit apartment building stacked on top of retail space creates a stark architectural mismatch.
3. **Unresolved Road Access, Traffic, and Safety Issues:** The current site layouts fail to safely account for the severe traffic influx on Camino Encantadas and Camino Venada NE. Introducing retail parking, delivery zones, and multi-family resident vehicles at this specific intersection poses immediate safety hazards for nearby children and pedestrian park users.
4. **Drainage and Environmental Integration Risks:** As noted in the preliminary city reviews, the site layout features unresolved questions regarding drainage management. Forcing a high-density complex onto this localized footprint hazards runoff complications for surrounding residential lots.

The current Lomas Encantadas Master Plan was intentionally designed to protect the suburban character, public safety, and park accessibility of this

community. This amendment benefits the developer at the direct expense of the neighborhood's taxpayers and families.

I respectfully request that the Planning and Zoning Board vote **against**recommending this special-use zone map amendment at the upcoming October 13 meeting.

Sincerely,

Maria Sanchez

Sent from my iPhone

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	☐ Variance
			X Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: PG Properties LLC		Phone:
Address: 211 Montano Rd NW, Suite H		E-Mail: melvinp@ephinitybuilders.com
City: Albuquerque	State: NM	Zip: 87107
Proprietary Interest:	List Owners: Melvin Parker, Edward Gutierrez	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name: Modulus Architects & Land Use Planning, Angela Piarowski		Phone: 505-338-1499
Address: 8220 San Pedro Dr NE, Suite 520		E-Mail: angela@modulusarchitects.com
City: Albuquerque	State: NM	ZIP Code: 87113

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Zone Map Amendment to change existing zone from C1 to SU to allow for mixed use concept with 35 apartment homes and commercial/office

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Lomas Encantadas	Block(s):	Lot(s): 5
Existing Zoning: C-1	Proposed Zoning: SU	
No. of existing lots: 1	No. of proposed lots: 1	Total area of site (acres): 1.32 acres

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Angela M. Piarowski, Agent	Applicant:	Agent: Modulus Architects
Signature: Angela M. Piarowski		Date: 2-11-2026

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:** _____

Form revised January 26, 2017

MODULUS
ARCHITECTS & LAND USE PLANNING

City of Rio Rancho
Development Services Department
Suite 130
3200 Civic Center Circle NE
Rio Rancho, NM 87144

RE: AGENT AUTHORIZATION NOTICE

February 6, 2026

To Whom It May Concern,

PG Properties LLC hereby authorize Modulus Architects and Land Use Planning Inc., to perform as the Agent of Record with the City of Rio Rancho. This Agent Authorization is for the properties located below:

3820 Lomas Encantadas Tract 5 Lomas Encantadas approximately 1.32 acres generally located north side of Camino Venada and east of Camino Encantadas.

This authorization is valid until further written notice from PG Properties or Modulus Architects and Land Use Planning Inc. (Agent). Please direct all correspondence and communication to our Agent for the purpose of this request for the Development Services Department and all supplemental submittals.

Sincerely,

Melvin Parker
PG Properties LLC, Member

MODULUS
ARCHITECTS & LAND USE PLANNING

Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

August 12, 2026

Subject: Special Use (SU) Zone Map Amendment Request - Property: 3820 Lomas Encantadas NE (Lomas Encantadas Tract 5) and a Portion of 3900 Camino Encantadas NE | Current Zoning: C-1 (Retail Commercial) and Parks & Recreation | Proposed Zoning: SU Authorizing R-6 Multi-Family Residential and C-1 Retail Commercial Uses as Independent Options | Total Area: Approximately 1.7903 Acres

Dear Planning and Zoning Board,
Modulus Architects & Land Use Planning, Inc. ("Agent"), on behalf of PG Properties ("Property Owner"), respectfully requests approval of a Special Use (SU) Zone Map Amendment for the property legally described herein and depicted in the attached exhibits. The subject site consists of approximately **1.7903 acres** and is comprised of two components:

- Tract 5, containing approximately 1.230 acres, currently zoned C-1 (Retail Commercial).
- An adjacent parcel area consisting of approximately **24,405 square feet (0.5603 acres)** currently owned by the **City of Rio Rancho** and identified as a portion of **LE, TR 17-A | 3900 Camino Encantadas**, presently zoned **Parks and Recreation**. This remnant parcel is proposed to be acquired by the Property Owner and subsequently replatted with Tract 5 to create a unified development site.

The requested Special Use Zone Map Amendment would apply to the combined 1.7903-acre site and establish a tailored zoning framework authorizing uses drawn from the R-6 Multi-Family Residential District and the C-1 Retail Commercial District as independent options. Approval would not require a mixed-use project or construction of either use family. The purpose is to establish a flexible but controlled land-use framework capable of responding to the property's unusual access, size, configuration, ownership, and transitional context while preserving a separate Governing Body review of any future site plan.
The purpose of this letter is to provide the relevant background, policy analysis, and justification for the proposed Special Use Zone Map Amendment. Both portions of the site are vacant and undeveloped (see Figure 1). The request would change approximately 1.7903 acres from C-1 Retail Commercial and Parks and Recreation to a tailored SU designation authorizing the R-6 use family and selected compatible C-1 uses as independent options, with all physical development decisions reserved for later Governing Body site-plan approval.
The SU framework is appropriate because the site requires a unified plan, a defined use schedule, and property-specific standards to ensure compatibility and a high-quality development outcome. Rio Rancho Code §154.43(A)(3) establishes a two-stage process for SU property. It requires a Governing Body-approved site plan, but expressly provides that the site plan may accompany the zone-change application or may be submitted for approval at a later date. The same provision prohibits development until that approval is obtained. The Applicant elects the later-site-plan procedure expressly provided by the Code.

PROPOSED SU USE FRAMEWORK
Section 154.43(A) identifies the precise circumstances present here. SU zoning is appropriate where suitability depends on site character; where a combination of uses is not otherwise permitted in one underlying district; and where unique requirements for height, setbacks, width, parking, landscaping, signage, or other provisions are warranted. Section 154.43(B)(18) further recognizes any use or combination of uses not otherwise permitted under a specific zoning district as a special use.

Neither conventional R-6 nor conventional C-1 zoning provides the same calibrated result. R-6 alone would eliminate the option for neighborhood-serving commercial uses. C-1 alone does not permit multifamily residential as a principal ground-floor use and does not solve the parcel's access and configuration constraints. SU allows the Governing Body to authorize both use families while retaining a second discretionary review of the actual development.

- The SU framework therefore provides more—not less—public control:

- The adopting ordinance can define and restrict the authorized use list.
- No development can occur by right from the zoning approval alone.
- A later site plan must return to the Governing Body for approval.
- Site-specific conditions may address height, setbacks, parking, access, circulation, buffers, landscaping, signage, architecture, drainage, and compatibility.
- The City may evaluate the actual proposal and its actual impacts before development is authorized.

SU controls. No development may occur until the Governing Body approves the required SU site plan. Any conditional use derived from R-6 or C-1 remains subject to the applicable use-permit and site-plan requirements unless the adopting ordinance expressly provides otherwise. The ordinance should define the authorized use schedule and confirm that neither use family is mandatory. The later site plan should control density, height, setbacks, parking, access, circulation, landscaping, buffering, signage, architecture, drainage, and other property-specific standards.

REQUESTED USE FRAMEWORK

R-6 Use Family

The requested SU ordinance should authorize the permissive uses of §154.13, including multifamily dwellings, other residential forms, senior living, accessory buildings and living space, resident recreation, parks and open space, home occupations, child-care uses, community residential care, places of worship, public utilities, and other R-6 permissive uses. Uses classified as conditional under R-6 should remain subject to the applicable use-permit process unless the ordinance expressly provides otherwise.

C-1 Use Family

The requested SU ordinance should authorize the C-1 uses specifically identified in the adopting use schedule, with emphasis on compatible neighborhood-serving retail, restaurants and coffee/tea rooms, professional and medical offices, personal services, financial institutions, daycare, parks and public facilities, parking facilities, utilities, and similar uses. The use schedule should expressly identify any excluded or conditional uses. Uses classified as conditional under C-1 should remain subject to applicable use-permit and site-plan requirements unless the ordinance expressly provides otherwise.

No Mandatory Mix

Authorization of both use families does not mean both must be constructed. A zoning use list establishes eligibility; it does not compel every listed use to occur. The public benefit of retaining C-1 authorization is long-term adaptability: neighborhood goods or services may be integrated if later planning demonstrates that they are feasible and compatible, without forcing a commercial component that access, market, or design conditions may not support.

> "The uses identified from the R-6 and C-1 districts are permissive options that may be proposed individually or in an approved combination. No minimum residential or commercial floor area is required. Approval of one authorized use shall not be conditioned upon construction, phasing, occupancy, or continued operation of another authorized use. No development shall occur until a site plan is approved by the Governing Body pursuant to §154.43(A)(3)."

PROPERTY CONDITIONS JUSTIFY A FLEXIBLE, CONTROLLED DISTRICT

Long-Term Vacancy and Fragmented Zoning

Tract 5 has remained vacant for more than twenty years under C-1 zoning. The adjoining remnant tract has remained vacant and unimproved under Parks & Recreation zoning and is in the process of being acquired and assembled with Tract 5. Applying one SU framework to the combined property allows the City to replace fragmented zoning with coordinated future review.

Access Constraints

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both dimensions fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. There is no independent alternative access point to the corner parcel. Although the property has street frontage and is not legally landlocked, it is functionally access-constrained as a stand-alone commercial site.

These conditions do not justify approving a particular access solution now; they demonstrate why a premature site plan would be inappropriate. Parcel assembly and later technical review may create opportunities for coordinated access, circulation, and cross-access that cannot be accurately evaluated until survey, engineering, ownership, and agency coordination are complete. SU preserves the City's authority to evaluate that future solution comprehensively.

Transitional Location and Scale

The property occupies a transition between roadway frontage, existing commercial entitlements, public or recreational land, and residential neighborhoods. Its modest area and corner geometry warrant a use framework that can respond to competing conditions without granting uncontrolled development rights. SU is specifically designed for property whose appropriateness depends on site character and allows the City to impose standards tailored to that transition.

By transitioning from separate C-1 and Parks and Recreation designations to a customized SU district, the City can authorize R-6 and C-1 uses as independent options that would not otherwise be available under one conventional district. The SU framework allows the Governing Body to define the use schedule and later approve a site plan addressing building placement, access, circulation, parking, landscaping, buffering, architecture, drainage, and other property-specific standards. This creates greater predictability and stronger compatibility protections than applying either R-6 or C-1 zoning alone.

In summary, the requested amendment establishes a controlled zoning framework rather than approving a development plan. It responds to the property's long-term vacancy, fragmented zoning, access constraints, parcel assembly, and transitional context while preserving full Governing Body review of the actual proposal before any development may occur.

SITE OWNERSHIP

The site was purchased by PG Properties and the acquisition was finalized on January 9, 2026. Prior to the sale, Lomas Encantadas Master Association, Inc. had owned the property since 2007. PG Properties, under the umbrella of Ephinity Builders, is the Property Owner and Applicant. The adjacent 24,405-square-foot remnant parcel is owned by the City of Rio Rancho and is in the process of being acquired by PG Properties for assembly with Tract 5.

SITE HISTORY

Tract 5/Parcel 3E was originally zoned R-1. On August 11, 2004, City of Rio Rancho Ordinance No. 30, Enactment No. 04-029, changed Parcels 3B, 3C, 3D, and 3E to C-1. Parcel 3B was subsequently rezoned to R-4, while Parcels 3C and 3D remain C-1. The 2004 ordinance characterized development of the subject property as infill because of its proximity to existing development and recognized that development of vacant land in built-up portions of the community can promote efficient use of existing infrastructure.

The remnant land area being acquired from the City of Rio Rancho was originally included within the larger Enchanted Hills South Master Plan and zoning actions approved by the City in 2004. As part of Ordinance No. 30, Enactment No. 04-029, the larger area was rezoned from R-1 Single-Family Residential to several planned land-use designations. The remnant parcel was designated PR/Parks and Recreation, reflecting its intended relationship to the community's open-space and recreation system.

Since the 2004 approval, the remnant area has remained vacant and has never been improved as an active park facility. The City has determined that the parcel is surplus to its operational needs and has elected to convey it to the adjoining property owner. Incorporating the remnant into one SU framework with Tract 5 will permit coordinated future review while maintaining access to existing parks, trails, and recreational facilities serving the surrounding community.

Figure 1: Site Location

Figure 2 : Site Land Use Plan

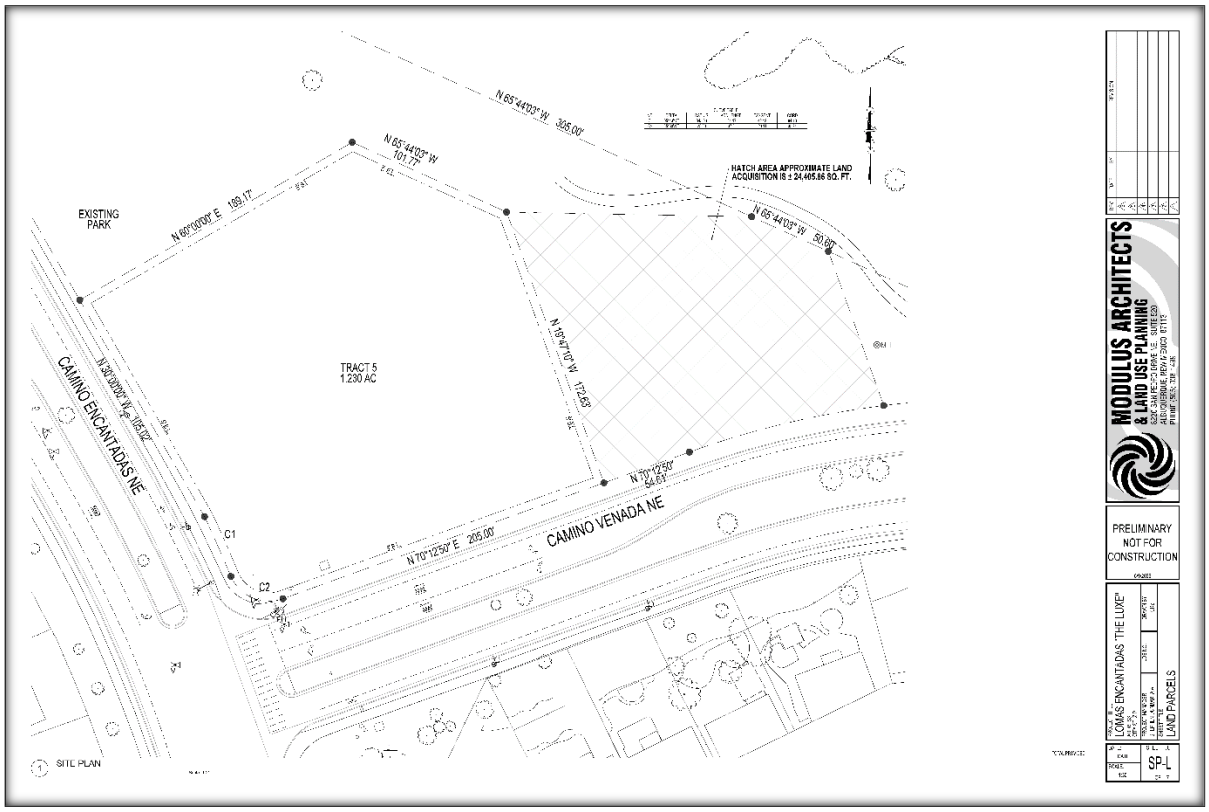
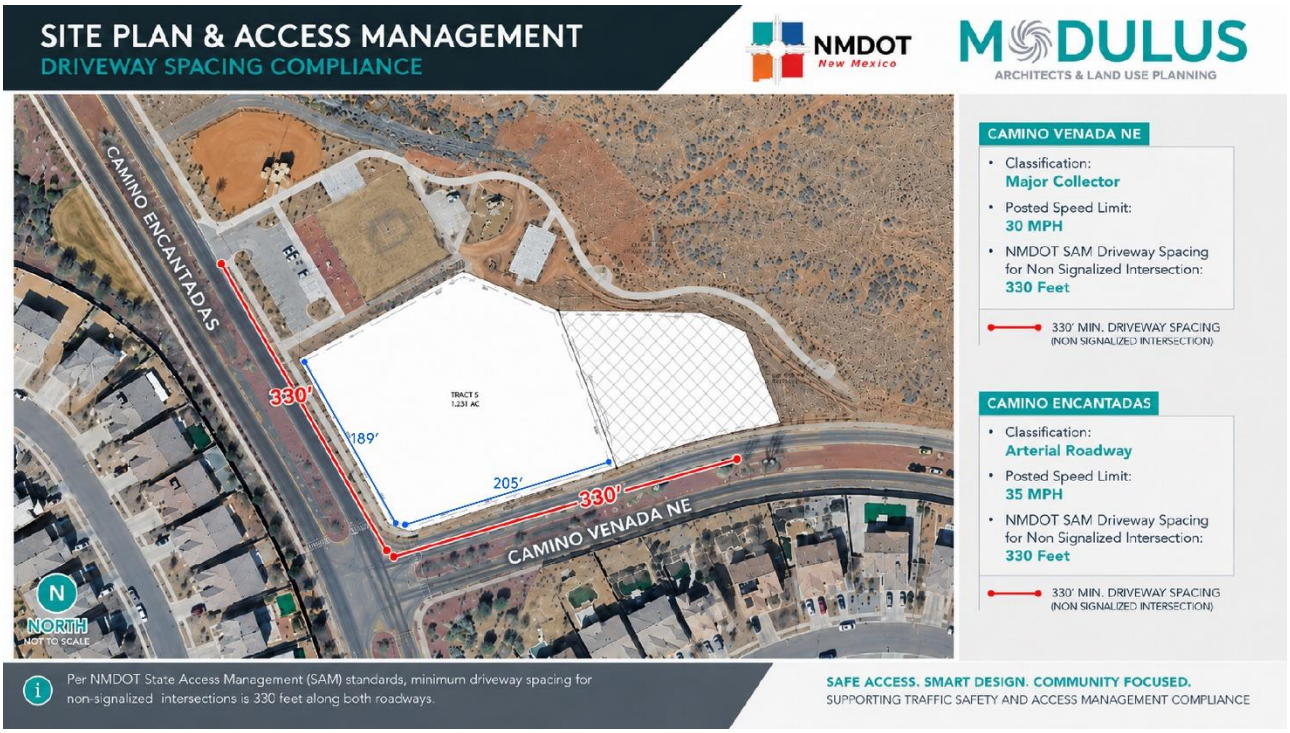


Figure 3: Aerial Exhibit of Site Location

WHY THE EXISTING C-1 ZONING IS NO LONGER THE MOST ADVANTAGEOUS CLASSIFICATION

The subject property has remained vacant for more than twenty years despite being zoned C-1 Retail Commercial. Although the existing zoning remains legally valid, the parcel's limited dimensions, significant access constraints, pending assembly with the adjoining remnant, and adopted City policies support a more flexible and appropriately controlled zoning framework.

The parcel's configuration significantly limits its ability to function as a stand-alone C-1 commercial property. It has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. Because the parcel occupies the corner of the two roadways and has no independent alternative access point, conventional stand-alone access is substantially constrained.



Accordingly, although the property has street frontage and is not legally landlocked, it is functionally access-constrained as an independent commercial site. Stand-alone C-1 development could require a deviation from applicable spacing standards, access through adjoining property, or another coordinated solution subject to agency review. These physical limitations materially impair the parcel's conventional commercial viability and help explain why it has remained vacant for more than two decades. Approval of SU zoning would not approve an access point or determine that adequate access exists; those findings remain subject to later survey, engineering, traffic, and site-plan review.

The relatively small size and corner geometry of the property compound the access limitations. A conventional stand-alone commercial plan could require a substantial portion of the parcel for access, drive aisles, circulation, parking, and maneuvering. A unified SU framework allows those matters to be evaluated across the assembled property rather than forcing isolated parcel development.

The requested SU zoning provides a practical and safer alternative by allowing the property to be incorporated into one coordinated regulatory framework. It authorizes R-6 residential uses and selected compatible C-1 uses as independent options, without requiring a commercial component or predetermining a residential project. The later site-plan process will address access, circulation, parking, building placement, landscaping, buffering, drainage, and compatibility based on actual technical information.

The request is therefore not based solely on market preference or the Applicant's private economic interests. It responds to longstanding physical and regulatory constraints and replaces fragmented zoning with a more accountable framework. The proposed SU classification is more advantageous because it preserves commercial opportunities, adds residential flexibility, promotes coordinated access and infrastructure review, and subjects every future development proposal to property-specific Governing Body approval.

PARKS AND RECREATION REMNANT PARCEL

The remnant land area proposed for acquisition from the City of Rio Rancho was originally designated PR/Parks and Recreation as part of the 2004 Enchanted Hills South Master Plan. Since that time, the property has remained vacant and unimproved and has never functioned as an active park facility. The remnant parcel is limited in size and configuration and has not been developed for recreational purposes during more than two decades of ownership. The City has determined that the parcel is surplus to its operational needs and has elected to convey the property to the adjoining landowner.

Incorporation of the remnant parcel into one SU framework allows the City to evaluate access, circulation, utilities, drainage, parking, pedestrian connections, landscaping, buffering, and the relationship among future uses across the combined property. No particular physical development plan is proposed for approval through this zoning action.

WHY SU IS MORE ADVANTAGEOUS

The requested Special Use Zone Map Amendment would place a long-vacant, functionally access-constrained C-1 parcel and an unused remnant City-owned tract under one coordinated, property-specific zoning framework. This approach allows the combined property to be evaluated as a whole rather than requiring each tract to function independently under fragmented zoning.

The request responds directly to the conditions that have contributed to long-term vacancy: limited frontage, constrained stand-alone access, modest parcel size, corner geometry, parcel assembly, and the property's transitional relationship to surrounding land uses. Approval would not determine an access solution; it would preserve the City's authority to evaluate access and circulation comprehensively when a later site plan is submitted.

The SU framework would authorize R-6 uses and selected compatible C-1 uses as independent options. No mixed-use project, commercial component, minimum commercial floor area, residential density, unit count, building layout, architecture, open-space configuration, or phasing plan is proposed or required.

Most importantly, the zone change alone would not authorize development. Under Rio Rancho Code §154.43(A)(3), no development may occur until the Governing Body approves a later site plan. That second approval provides the City with greater control over access, circulation, density, setbacks, parking, utilities, drainage, landscaping, buffering, architecture, signage, and compatibility than conventional zoning alone.

The requested zoning change therefore represents a logical and more protective land-use framework for this uniquely constrained property. It preserves use flexibility while reserving every physical development decision for subsequent public review. Approval of the requested Special Use Zone Map Amendment authorizing R-6 and selected C-1 uses as independent options is respectfully requested.

COMPREHENSIVE PLAN POLICY ANALYSIS

The requested amendment is a zoning-level action, not approval of a predetermined project. Consistency at this stage is based on the uses proposed for authorization, the suitability of the SU mechanism, and the property-specific controls and later site-plan review that will govern any future development.

Housing Choice and Community-Friendly Multifamily Development

Goal PH-3 promotes a variety of housing types to meet the needs of all members of the community (PH-7). Policy PH-1 supports quality, community-friendly multifamily development with enhanced open space and pedestrian connectivity, and Policy PH-4 calls for effective transitions or buffers between substantially different uses and densities (PH-7). Authorizing R-6 uses expands housing opportunity without committing the City to a density, unit count, building form, or development program.

Focused Growth, Infill, and Infrastructure Efficiency

Goal UD-1 supports focused growth where existing infrastructure can accommodate higher-density development; Goal UD-5 supports infill and redevelopment in areas that have been neglected; and Policy UD-3 supports infill and redevelopment projects (U-10 and U-11). The property lies within an established area where streets and utility networks exist. Adequacy and capacity for a particular proposal remain to be demonstrated during later site-plan review.

Coordinated Planning, Walkability, and Neighborhood Services

Goal L-3 calls for maintaining a citywide balance of land uses. Policies L-1 through L-3 encourage coordinated planning, neighborhood-scale retail compatible with residential development, and walkability (L-8). Section 2.3.7 promotes traditional neighborhoods with varied housing types within walking distance of commercial services (V-9). Authorizing selected C-1 uses preserves the opportunity for neighborhood goods and services if later access, market, engineering, and compatibility analysis demonstrates that they are appropriate; it does not require a commercial component.

Sense of Place and Appropriate Transitions

Goals UD-2 and UD-3 support traditional neighborhood patterns, a sense of place, and development that fosters human interaction (U-10). Policy PH-4 supports effective transitions between different uses and densities. SU advances these goals

procedurally by allowing the Governing Body to impose standards tailored to the property and evaluate the eventual design at a later public hearing rather than locking in an untested layout at the zoning stage.

Consistency Through the Two-Stage SU Process

Rio Rancho Code §154.43(A)(3) permits the required SU site plan to be submitted after the zoning action and prohibits development until the Governing Body approves that plan. The later application must identify the actual uses and structures and address dimensions, setbacks, ingress and egress, parking, circulation, utilities, drainage, landscaping, buffers, elevations, and adjacent-property characteristics. Detailed findings concerning access, infrastructure capacity, compatibility, walkability, open space, and urban design are therefore reserved for the later site-plan proceeding.

The requested SU classification does not supersede applicable requirements of the Lomas Encantadas Master Plan. The later site plan must demonstrate specific consistency with the adopted Master Plan and surrounding development before construction can be authorized.

Accordingly, the requested amendment advances the Comprehensive Plan by:

- Supporting housing variety without predetermining a residential project;
- Preserving compatible C-1 opportunities without imposing a mandatory commercial component;
- Promoting productive infill and coordinated review of an assembled property;
- Retaining the City's ability to require appropriate transitions and property-specific protections; and
- Prohibiting development until the actual proposal is reviewed for detailed consistency with applicable adopted plans.

ZONE MAP AMENDMENT POLICY COMPLIANCE

(D) The following policies for deciding zone map change applications pursuant to the City Zoning Code are:
1. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

Applicant Response: The requested Special Use Zone Map Amendment is consistent with and affirmatively promotes the health, safety, and general welfare of the City because it replaces two fragmented zoning designations with a unified, property-specific regulatory framework while preserving a separate Governing Body review of any future development.

The subject property presents conditions that warrant greater control than conventional zoning alone can provide. The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The corner parcel has no independent alternative access point. Although it is not legally landlocked, it is functionally access-constrained for stand-alone commercial development. The adjoining City-owned remnant tract is separately zoned Parks and Recreation and has remained vacant and unimproved. Leaving these properties under separate zoning classifications perpetuates fragmented land-use and access conditions that have contributed to the site remaining undeveloped for more than twenty years.
The SU classification provides a safer and more responsible means of addressing these conditions. It allows the properties to be assembled and evaluated as one coordinated site so that access, circulation, cross-access, emergency response, utilities, drainage, parking, pedestrian movement, landscaping, and buffering can be considered comprehensively rather than parcel by parcel. This reduces the potential for conflicting or unsafe access movements near the intersection and allows the City to require a coordinated solution based on actual engineering information.
Approval of the requested zoning will not authorize construction or approve a physical development plan. Under Rio Rancho Code §154.43(A)(3), no development may occur until a site plan is subsequently approved by the Governing Body. That later approval must address proposed uses and structures, dimensions and setbacks, ingress and egress, parking and circulation, landscaping and buffers, elevations, adjacent-property characteristics, utilities, rights-of-way, and preliminary drainage. The City therefore retains a second discretionary approval at which the actual proposal and its actual effects on public safety and surrounding property must be evaluated.
The requested SU district also permits the City to impose property-specific requirements for height, setbacks, building width, parking, access, landscaping, buffering, lighting, signage, drainage, and other development standards. These enforceable controls provide greater protection for adjacent neighborhoods and the transportation system than immediately applying conventional R-6 or C-1 zoning. If a future proposal cannot demonstrate safe access, adequate infrastructure, proper drainage, compatible transitions, and compliance with applicable City requirements, the required site plan need not be approved.

Authorizing the R-6 use family and selected compatible C-1 uses does not require that both use categories be developed. It preserves a range of potentially appropriate uses while allowing the City to evaluate the ultimate proposal in light of future engineering, access, market, compatibility, and design information. No minimum commercial floor area, commercial phase, or mixed-use component is proposed or required. This flexibility prevents the property from being forced into an unsafe or impractical stand-alone commercial development pattern while preserving the opportunity for compatible neighborhood-serving uses if they are demonstrated to be feasible through the later approval process.
The requested zoning therefore advances the public welfare by:

- *Replacing fragmented zoning with one coordinated regulatory framework;*
- *Preventing any development before Governing Body approval of a detailed site plan;*
- *Requiring comprehensive evaluation of access, circulation, emergency response, drainage, utilities, parking, and pedestrian safety;*
- *Allowing enforceable, property-specific compatibility standards;*
- *Providing a mechanism to resolve longstanding access and parcel-configuration constraints;*
- *Supporting productive infill and efficient use of existing public infrastructure; and*
- *Preserving the City's authority to deny or condition a future site plan that does not adequately protect the public or surrounding properties.*

For these reasons, the SU Zone Map Amendment is not merely consistent with the health, safety, and general welfare of the City; it provides a more protective and accountable regulatory framework than the existing fragmented zoning pattern. The request satisfies Criterion D(1).

2. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

Applicant Response: The Applicant acknowledges that stability of land use and zoning is an important public objective. The requested amendment is justified because the existing zoning pattern has not produced a viable or coordinated use of the property, and the proposed SU classification provides a more stable, controlled, and accountable framework for its future development.

The existing zoning divides the approximately 1.79-acre site between C-1 Retail Commercial and Parks and Recreation. These classifications treat the parcels independently even though their size, configuration, ownership, access limitations, and functional relationship require them to be planned together. Tract 5 has remained vacant for more than twenty years under C-1 zoning. The adjoining City-owned remnant has also remained vacant and unimproved, has never functioned as an active park, and is being assembled with Tract 5. Continuation of the existing zoning would perpetuate a fragmented pattern that has not resulted in productive development or implementation of the remnant tract's designated recreational use.

The longstanding vacancy is not presented as the sole justification for rezoning. It is evidence of the practical limitations imposed by the parcel's configuration and access conditions. The C-1 tract has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The parcel has no independent alternative access point. Although it is not legally landlocked, it is functionally access-constrained as a stand-alone commercial property. These conditions materially limit the reasonable development of the parcel under its existing configuration.

The requested SU classification responds directly to these objective conditions. It would place the assembled property under one coordinated zoning framework and authorize the R-6 use family and the compatible C-1 uses specifically identified in the adopting use schedule. Authorization of both use families does not require a mixed-use project or construction of a commercial component. C-1 uses would remain available as optional uses, thereby preserving the property's existing commercial-use potential, while R-6 uses would provide an additional land-use option that is compatible with the predominantly residential character of the surrounding community.

The amendment is therefore a measured expansion of the property's potential use—not an abandonment of its existing commercial classification or an unrestricted departure from the surrounding land-use pattern. The requested SU ordinance can clearly define the authorized uses, retain applicable conditional-use requirements, and establish property-specific limitations. No minimum residential or commercial floor area is requested, and neither use family would be required as a condition of developing the other.

Most importantly, approval of the SU zoning would not authorize development or vest approval of a particular project. Rio Rancho Code §154.43(A)(3) requires a separate site plan approved by the Governing Body before any development may occur. At that later stage, the City will review the actual proposal, including its uses, structures, dimensions, setbacks, access, circulation, parking, utilities, drainage, landscaping, buffers, elevations, and relationship to adjacent properties.

This mandatory second approval provides greater predictability and public control than the existing fragmented zoning pattern. The Governing Body will retain the authority to impose site-specific requirements for access, height, setbacks, building placement, parking, circulation, landscaping, buffering, lighting, signage, architecture, drainage, and other matters necessary to ensure compatibility. If the future proposal does not satisfactorily address those matters, the required site plan need not be approved.

The requested amendment strengthens zoning stability by:

- *Replacing two fragmented classifications with one coordinated regulatory framework;*
- *Preserving C-1 uses while adding R-6 uses as independently available options;*
- *Responding to documented parcel-configuration and access constraints;*
- *Recognizing that the remnant Parks and Recreation tract has not functioned as a public recreational facility;*
- *Preventing development until a detailed site plan receives separate Governing Body approval;*
- *Allowing enforceable standards tailored to this property and its surroundings; and*
- *Providing an orderly transition between roadway frontage, existing commercial entitlements, public or recreational land, and surrounding residential development.*

Accordingly, the requested SU classification is supported by a sound, property-specific justification. It does not undermine zoning stability; it replaces a longstanding, fragmented, and functionally constrained zoning pattern with a unified framework that preserves existing commercial opportunities, expands the range of potentially appropriate uses, and subjects all future development to heightened public review and property-specific controls. The request therefore satisfies Criterion D(2).

3. A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

Applicant Response: The requested Special Use Zone Map Amendment is generally consistent with and advances the Rio Rancho Comprehensive Plan because the proposed classification establishes a controlled land-use framework that supports housing choice, coordinated planning, productive infill, neighborhood-serving opportunities, and efficient use of existing infrastructure. This zoning request does not seek approval of a predetermined development plan. Consistency at this stage is therefore based on the uses proposed for authorization, the suitability of the SU mechanism, and the regulatory controls that will govern subsequent development.

The requested SU classification would authorize the R-6 use family and the compatible C-1 uses specifically identified in the adopting use schedule. The two use families would be independently available; the approval would not require a mixed-use development or construction of a commercial component. Retaining C-1 authorization preserves the opportunity for neighborhood goods and services if future access, market, compatibility, and site-planning analyses demonstrate that such uses are feasible. Adding R-6 authorization expands the range of housing types that may be considered on a property that has remained vacant for more than twenty years.
This framework is consistent with the following verified Comprehensive Plan provisions:

- *Vision for Growth (V-1), which recognizes the need for higher-intensity residential uses to support walkable neighborhoods, transportation opportunities, and complete streets as Rio Rancho grows;*
- *Urban Design Criteria (V-2), which recognize the importance of increased residential density in providing efficient public services and broader housing opportunities;*
- *Goal L-3 (L-8), which calls for maintaining a balance of land uses throughout the City;*
- *Policy L-1 (L-8), which encourages coordinated planning that considers circulation, landscaping, open space, drainage, utilities, and building location and design;*
- *Policy L-2 (L-8), which supports neighborhood-scale retail that is compatible with residential development;*
- *Policy L-3 (L-8), which promotes development that incorporates walkability;*
- *Goal PH-3 (PH-7), which promotes a variety of housing types to meet the needs of all members of the community;*
- *Policy PH-1 (PH-7), which supports quality, community-friendly multifamily development with enhanced open space and pedestrian connectivity;*
- *Policy PH-4 (PH-7), which calls for effective transitions or buffers between substantially different uses and densities;*

- *Goal UD-1 (U-10), which supports focused growth where existing public infrastructure can accommodate higher-density development;*
- *Goals UD-2 and UD-3 (U-10), which support traditional neighborhood patterns, a sense of place, and development that fosters human interaction;*
- *Goal UD-5 (U-10), which supports infill and redevelopment in areas that have been neglected; and*
- *Policy UD-3 (U-11), which supports infill and redevelopment projects.*

The requested amendment advances these policies at the zoning level in several important ways.
First, it creates a path for the productive use of a long-vacant property located within an established master-planned area. Authorizing R-6 uses supports the Comprehensive Plan's housing-variety and infill objectives without committing the City to a particular density, unit count, building form, or development program.
Second, the request preserves C-1 uses rather than eliminating the property's commercial potential. The Comprehensive Plan's call for a balance of land uses does not require every individual parcel to contain both residential and commercial development. The proposed SU district maintains the opportunity for compatible neighborhood-serving goods and services while allowing the ultimate use mix to respond to access, engineering, market, and compatibility conditions. No commercial component is promised or required.
Third, SU zoning provides the coordinated planning mechanism contemplated by Policy L-1. The property is affected by fragmented zoning, parcel assembly, constrained access, utilities, drainage, circulation, and its transitional relationship to surrounding uses. These matters are better evaluated through one unified, property-specific framework than through separate development of the existing C-1 and Parks and Recreation parcels.
Fourth, the requested classification preserves a separate and mandatory review of physical Comprehensive Plan consistency. Under Rio Rancho Code §154.43(A)(3), no development may occur until the Governing Body approves a site plan. The later application must identify the actual uses and structures and address dimensions, setbacks, ingress and egress, parking, circulation, landscaping, buffers, elevations, utilities, rights-of-way, drainage, and adjacent-property characteristics. At that stage, the City can determine whether the actual proposal satisfies the Comprehensive Plan's expectations for walkability, transitions, infrastructure capacity, open space, compatibility, and urban design.
The Applicant is not asking the City to make findings concerning an unsubmitted design. No building footprint, density, unit count, commercial floor area, access point, parking arrangement, architecture, open-space configuration, or phasing plan is proposed for approval through this zone change. Those findings are expressly reserved for the later Governing Body site-plan proceeding.
The SU classification is also compatible with the function of the Lomas Encantadas Master Plan area because it retains the opportunity for neighborhood-serving commercial uses, introduces the possibility of additional housing types, and requires the assembled property to undergo coordinated site planning before development. The amendment does not predetermine the physical development of the property or supersede applicable master-plan requirements. The later site plan must demonstrate specific compatibility with the adopted Master Plan and surrounding development before construction can be authorized.
Accordingly, the requested SU amendment is generally consistent with the applicable planning framework because it:

- *Supports housing variety without predetermining a particular residential project;*
- *Preserves C-1 opportunities without imposing a mandatory commercial component;*
- *Promotes productive infill within an established area;*
- *Replaces fragmented zoning with coordinated, property-specific review;*
- *Retains the City's ability to require appropriate transitions and compatibility protections; and*
- *Prohibits development until the actual proposal is reviewed for detailed consistency with the Comprehensive Plan and applicable Master Plan.*

For these reasons, the requested SU Zone Map Amendment satisfies Criterion D(3).

4. The applicant must demonstrate the existing zoning is inappropriate because:

a) there was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, antiquated plat filed before the City's incorporation and adoption of its own Zoning Code or on land annexed by the City or

b) changed neighborhood or community conditions justify the change, or

c) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply. Applicant's reliance on this provision requires proof that (a) there is a public need for a change of the kind in question, and (b) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

Applicant Response: The Applicant relies primarily upon subsection (c). The requested SU classification is more advantageous to the community than retaining the existing C-1 Retail Commercial and Parks and Recreation zoning because it establishes a unified, property-specific regulatory framework that:

- *Authorizes R-6 residential uses as an additional land-use option;*
- *Preserves C-1 uses as optional opportunities rather than mandatory development components;*
- *Responds to the property's documented access, size, configuration, and parcel-assembly constraints;*
- *Requires coordinated planning of the combined property;*
- *Allows the City to impose requirements unique to the site; and*
- *Prohibits development until a separate site plan is approved by the Governing Body.*

The request is for approval of this controlled land-use framework only. It does not seek approval of a particular development, building program, density, unit count, commercial component, site layout, access configuration, architecture, or phasing plan.

A. Public Need for the Requested Use Category

The relevant public need is not merely a generalized demand for multifamily housing or commercial development. The public need is for a zoning mechanism that can:

- *Expand housing choices within an area developed predominantly with single-family housing;*
- *Promote productive infill and the reuse of long-vacant land;*
- *Preserve the potential for compatible neighborhood goods and services without requiring a commercial component;*
- *Replace fragmented zoning with coordinated review of an assembled property;*
- *Address access, circulation, infrastructure, drainage, and compatibility comprehensively;*
- *Provide an appropriate transition among roadway frontage, existing commercial entitlements, public or recreational land, and residential neighborhoods; and*
- *Preserve heightened City control over the actual development through a later Governing Body site-plan approval.*

This need is articulated in the Rio Rancho Comprehensive Plan. Goal PH-3 promotes a variety of housing types to meet the needs of all members of the community. Policy PH-1 supports quality, community-friendly multifamily development, and Policy PH-4 calls for effective transitions and buffers between substantially different land uses and densities. Goal UD-1 supports focused growth where infrastructure can support higher-density development, while Goal UD-5 and Policy UD-3 support infill and redevelopment. Policies L-1 through L-3 support coordinated planning, compatible neighborhood-scale retail, and walkability.

The requested SU district directly responds to these policies at the zoning level. It creates the opportunity for additional housing types, retains the possibility of neighborhood-serving uses, and requires the combined property to undergo coordinated, property-specific review before development.

Authorization of both R-6 and C-1 uses does not require both use families to be developed. No minimum commercial floor area, commercial phase, storefront, tenant, or operating business is proposed. C-1 uses are retained as optional opportunities that may be considered only if later access, market, compatibility, engineering, and site-planning analyses demonstrate that they are feasible and appropriate.

B. Why This Particular Property Best Serves the Identified Public Need

The second requirement of subsection (c) is not satisfied merely by demonstrating that housing or commercial services could be developed somewhere in Rio Rancho. The Applicant must demonstrate why changing this particular property serves the identified public need more effectively than directing the same use category to other available property.

This property is uniquely situated because the requested change addresses conditions that are specific to this site and cannot be remedied by developing another property elsewhere. Those conditions include:

1. *Long-Term Vacancy Under Existing C-1 Zoning*

Tract 5 has remained vacant for more than twenty years despite its C-1 designation. The adjoining Parks and Recreation remnant has also remained vacant and unimproved and has never functioned as an active public park. This history does not, standing alone, establish entitlement to rezoning. It demonstrates, however, that the existing zoning pattern has not produced a functional or coordinated use of these particular properties.

Rezoning another parcel would not resolve the longstanding vacancy, fragmented zoning, or physical constraints affecting this site.

2. *Stand-Alone Access Constraints*

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The corner parcel has no independent alternative access point.

Although the parcel has street frontage and is not legally landlocked, it is functionally access-constrained for stand-alone commercial development. Requiring it to remain an independently developed C-1 tract could perpetuate vacancy, require access through adjoining property, require a deviation from applicable spacing standards, or result in an access arrangement that creates conflicts near the intersection.

Approval of SU zoning would not approve an access point or determine that access is adequate. It would allow the assembled property to be evaluated comprehensively when a later site plan is submitted. Survey, engineering, traffic review, agency coordination, and parcel assembly must determine whether a safe and acceptable access solution exists.

3. Assembly with the Adjoining Remnant Property

The adjoining City-owned remnant is in the process of being acquired and combined with Tract 5. This assembly creates a planning opportunity unique to this location: two separately zoned, functionally related, undeveloped tracts can be placed under one coordinated regulatory framework.

The public need is best served by changing this property because the SU classification allows access, circulation, utilities, drainage, parking, pedestrian connections, landscaping, buffering, and relationships among future uses to be considered across the assembled site. Changing the zoning of another property would not correct the fragmented zoning or planning limitations affecting these tracts.

4. Transitional Land-Use Context

The property occupies a transition among roadway frontage, existing commercial entitlements, public or recreational land, and surrounding residential development. That context supports a land-use framework that retains commercial opportunities while allowing residential uses to be considered as an independent option.

Conventional C-1 zoning alone does not permit multifamily residential development as the principal ground-floor use. Conventional R-6 zoning alone would eliminate the property's existing potential for neighborhood-serving commercial uses. SU is more advantageous because it allows both use families to be authorized while giving the City the ability to impose standards tailored to the property's transitional role.

5. Existing Development Context and Infrastructure Investment

The property is located within an established master-planned area near existing streets, utility networks, residential neighborhoods, public facilities, parks, and commercial services. These existing public and private investments make the site appropriate for consideration of productive infill rather than continued vacancy.

The Applicant is not requesting a finding at this stage that utility, roadway, or drainage capacity is adequate for a particular development. Those technical determinations will be required during later site-plan review. The zoning request is consistent with the Comprehensive Plan's direction to consider focused growth and infill in established areas before encouraging outward expansion.

C. Why SU Is More Advantageous Than the Existing Zoning

The existing C-1 designation is legally valid, and the Applicant does not contend that its original adoption was erroneous. However, C-1 is no longer the most advantageous classification for this particular property when considered together with the adjoining remnant tract and the site's access and configuration constraints.

The requested SU classification is more advantageous because it:

- *Preserves C-1 uses as optional uses;*
- *Adds R-6 uses as independently available options;*
- *Does not require residential and commercial uses to be developed together;*
- *Establishes one coordinated framework for the assembled property;*
- *Allows the adopting ordinance to restrict the authorized use list;*
- *Allows property-specific requirements for height, setbacks, parking, access, circulation, landscaping, buffering, lighting, signage, drainage, architecture, and compatibility;*
- *Requires the actual proposal to return to the Governing Body for site-plan approval; and*
- *Prohibits development until that later approval is obtained.*

The SU classification therefore does not substitute an already-designed residential project for the existing commercial zoning. It creates a controlled range of potentially appropriate uses and reserves every physical development decision for a later public review based on actual engineering, access, infrastructure, market, and compatibility information.

D. Why Approval Does Not Predetermine the Future Development

Rio Rancho Code §154.43(A)(3) expressly permits the required SU site plan to accompany the zone-change application or to be submitted for approval at a later date. The Applicant elects the later-site-plan procedure authorized by the Code.

The present application does not include or seek approval of:

- *A building footprint or site layout;*
- *A unit count or residential density;*
- *A commercial floor area or commercial tenant;*
- *A building height, massing, or architectural design;*
- *A courtyard, amenity, or open-space configuration;*
- *A driveway or access location;*
- *A parking or circulation plan;*
- *A landscape, buffer, lighting, signage, or drainage plan; or*
- *A construction or phasing schedule.*

Before any development may occur, the Governing Body must approve a site plan addressing the information required by §154.43(A)(3). The City will therefore retain the authority to determine whether the actual proposal provides safe access, adequate circulation, appropriate transitions, sufficient infrastructure, compliant drainage, suitable buffering, and compatibility with surrounding property.

This mandatory second approval is a principal reason the SU classification is more advantageous to the community. It provides a broader but defined range of use options while preserving more detailed City control than would exist under conventional zoning alone.

E. Comparison with Other Available Property

Other properties in Rio Rancho may be capable of accommodating multifamily housing, commercial services, or mixed-use development. That does not eliminate the public benefit of changing this property.

The identified need includes correcting the fragmented and functionally constrained zoning pattern affecting this particular site. Development of another parcel would not:

- *Resolve the stand-alone access limitations of Tract 5;*
- *Unify Tract 5 with the adjoining remnant parcel;*
- *Create a coordinated framework for these two separately zoned tracts;*
- *Place this long-vacant property on a path toward productive use;*
- *Preserve C-1 opportunities on this site while adding residential flexibility; or*
- *Subject the ultimate development of this transitional corner to property-specific Governing Body approval.*

Accordingly, changing the classification of this property serves a distinct public purpose that cannot be satisfied merely by identifying other land where similar uses might be permitted. The amendment addresses a specific, longstanding land-use and access problem while advancing broader Comprehensive Plan objectives.

F. Conclusion Under Subsection (c)

The two required findings under subsection (c) are satisfied.

First, a public need exists for a controlled land-use category that supports housing variety, productive infill, optional neighborhood-serving uses, coordinated parcel planning, and enhanced site-specific review.

Second, that need is best served by changing this particular property because of its long-term vacancy, fragmented zoning, access constraints, pending parcel assembly, established infrastructure context, and transitional relationship to surrounding development. Rezoning another property would not resolve these site-specific conditions.

The requested SU district is therefore more advantageous to the community than retaining the existing C-1 and Parks and Recreation classifications. It preserves commercial opportunities, adds residential flexibility, establishes a unified regulatory framework, and prohibits development until the Governing Body approves a detailed site plan.

For these reasons, the requested Zone Map Amendment satisfies Criterion D(4)(c).

5. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant Response: The request is not based on the Applicant's land cost, anticipated return, or the economics of a predetermined project. No building program, unit count, commercial floor area, tenant, construction value, tax projection, or development schedule is proposed for approval through this zoning action. The justification rests instead on public planning considerations that are independent of private project economics:

- *Replacing fragmented C-1 and Parks and Recreation zoning with one coordinated regulatory framework;*
- *Addressing a long-vacant and functionally access-constrained corner property;*
- *Preserving selected C-1 opportunities while adding R-6 uses as independent options;*
- *Supporting housing variety, productive infill, and efficient use of existing public infrastructure;*
- *Requiring comprehensive later review of access, circulation, utilities, drainage, parking, buffering, and compatibility;*
- *Prohibiting development until a site plan is approved by the Governing Body; and*
- *Allowing enforceable, property-specific standards that provide greater public control than conventional zoning alone.*

Any future economic or fiscal benefits would depend on a later approved development and are not the determining basis for this request. The amendment is justified by the property's physical and regulatory conditions, consistency with adopted planning policy, and the public benefit of a more controlled two-stage approval process. The request therefore satisfies Criterion D(5).

(6) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

Applicant Response: The Applicant acknowledges that proximity to a collector roadway, standing alone, is not sufficient justification for the requested zoning change. The request does not rely on the property's roadway classification as an independent basis for approval. The collector-street location is only one element of the property's broader planning context.

The requested SU Zone Map Amendment is supported by the cumulative effect of several objective, property-specific conditions:

- *The existing C-1 tract has remained vacant for more than twenty years;*
-

- *The adjoining Parks and Recreation remnant has remained vacant and unimproved and has never functioned as an active public park;*
- *The properties are separately zoned but are functionally related and are being assembled for coordinated planning;*
- *The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada;*
- *Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection;*
- *The C-1 parcel has no independent alternative access point and is therefore functionally access-constrained for stand-alone commercial development;*
- *The property occupies a transitional location among roadway frontage, existing commercial entitlements, public or recreational land, and surrounding residential development;*
- *Neither conventional C-1 nor conventional R-6 zoning, by itself, provides the controlled use flexibility needed for the assembled property;*
- *The requested SU classification supports verified Comprehensive Plan policies concerning housing variety, coordinated planning, productive infill, focused growth, compatible neighborhood services, and appropriate transitions; and*
- *The SU classification requires a separate Governing Body-approved site plan before any development may occur.*

The roadway location is relevant primarily because it affects access, circulation, and the property's relationship to surrounding uses. It does not establish that apartment, office, or commercial development is automatically appropriate, nor does approval of the requested zoning determine that adequate access exists. Access must be demonstrated through survey, engineering, traffic review, and agency coordination as part of the later site-plan process.

The present application seeks approval only of a controlled use framework authorizing the R-6 use family and selected compatible C-1 uses as independent options. It does not seek approval of a residential density, commercial area, building layout, driveway location, parking configuration, or other physical development plan. No minimum commercial component or mixed-use project is proposed or required.

Rio Rancho Code §154.43(A)(3) prohibits development until the Governing Body approves a site plan. At that later stage, the City will evaluate the actual proposal's uses, structures, access, ingress and egress, traffic effects, emergency response, parking, circulation, utilities, drainage, landscaping, buffering, elevations, and compatibility with adjacent property. If the proposal cannot demonstrate safe access and compliance with applicable requirements, the required site plan need not be approved.

Accordingly, the requested amendment is justified by the property's long-term vacancy, fragmented zoning, access limitations, parcel assembly, transitional context, consistency with adopted planning policy, and the greater public control provided by SU zoning. The collector-street location is a relevant contextual consideration, but it is neither the sole nor the primary basis for approval.

The request therefore satisfies Criterion D(6).

(7) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive plan and any applicable adopted sector development plan or area development plan;

Or

2. The area of the proposed zone change is different from surrounding land because it will function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of the structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant Response: The requested SU Zone Map Amendment satisfies both independent bases for approval. It clearly facilitates implementation of the Rio Rancho Comprehensive Plan, and it establishes an appropriate transitional classification for a property distinguished from surrounding land by its fragmented zoning, corner configuration, access constraints, parcel assembly, and relationship to adjoining residential, commercial, and public or recreational land-use patterns.

The request does not seek approval of an apartment development or any other predetermined project. No unit count, density, building footprint, commercial area, site layout, access point, architecture, open-space configuration, or phasing plan is proposed for approval. The present request is limited to establishing an SU framework that authorizes R-6 and

selected C-1 uses as independent options and reserves all physical development decisions for a later Governing Body site-plan proceeding.

A. The Change Clearly Facilitates the Comprehensive Plan

The requested SU classification facilitates realization of the Comprehensive Plan at the zoning level by creating a controlled framework for housing variety, productive infill, coordinated planning, compatible neighborhood services, and property-specific development review.

The requested classification advances the following verified Comprehensive Plan provisions:

- *Goal PH-3, which promotes a variety of housing types to meet the needs of all members of the community;*
- *Policy PH-1, which supports quality, community-friendly multifamily development;*
- *Policy PH-4, which calls for effective transitions and buffers between substantially different land uses and densities;*
- *Goal L-3, which calls for maintaining a balance of land uses throughout the City;*
- *Policy L-1, which encourages coordinated planning of circulation, landscaping, open space, drainage, utilities, and building location and design;*
- *Policy L-2, which supports neighborhood-scale retail compatible with residential development;*
- *Policy L-3, which promotes walkability;*
- *Goal UD-1, which supports focused growth where existing infrastructure can accommodate higher-density development;*
- *Goals UD-2 and UD-3, which promote traditional neighborhood patterns, a sense of place, and development that fosters human interaction;*
- *Goal UD-5, which supports infill and redevelopment in areas that have been neglected; and*
- *Policy UD-3, which supports infill and redevelopment projects.*

The requested SU classification advances these policies without requiring a mixed-use project. R-6 authorization creates the opportunity for additional housing types. Retaining C-1 authorization preserves the possibility of compatible neighborhood goods and services if future access, market, engineering, and site-planning conditions support them. No commercial component, minimum commercial floor area, commercial phase, tenant, or storefront is required.

The Comprehensive Plan's support for balanced land uses does not require every individual property to contain both residential and commercial development. The SU district facilitates the Plan by preserving both use opportunities within a controlled framework and allowing the ultimate use or combination of uses to be determined through later technical analysis and public review.

The amendment also facilitates coordinated planning. The existing C-1 and Parks and Recreation designations divide two functionally related, undeveloped tracts. Applying one SU framework to the assembled property allows access, circulation, drainage, utilities, parking, pedestrian connections, buffering, and compatibility to be evaluated comprehensively rather than through isolated parcel development.

Most importantly, the requested classification preserves detailed Comprehensive Plan review for the actual development. Under Rio Rancho Code §154.43(A)(3), no development may occur until the Governing Body approves a site plan. The later application must identify the actual uses and structures and address setbacks, ingress and egress, parking, circulation, utilities, drainage, landscaping, buffers, elevations, and adjacent-property characteristics.

The City will therefore retain the authority to determine whether the eventual proposal satisfies applicable Comprehensive Plan and Master Plan requirements. Approval of the zoning framework will not constitute approval of any physical design or a finding that an unidentified development is compatible.

B. The Property Is Distinct and Will Function as a Transition

The subject property is not being singled out arbitrarily. Its requested SU classification responds to conditions that materially distinguish it from surrounding properties.

1. *Fragmented Existing Zoning*

The proposed SU area combines a C-1 Retail Commercial tract with an adjoining Parks and Recreation remnant. Both areas have remained vacant and undeveloped, and the remnant has never functioned as an active public park. Their pending assembly creates a property with a land-use and ownership history different from the established parcels surrounding it.

SU replaces this fragmented zoning pattern with one coordinated framework without immediately assigning the entire property exclusively to either residential or commercial development.

2. *Traffic and Access Constraints*

The existing C-1 parcel has approximately 189 feet of frontage along Camino Encantadas and approximately 205 feet along Camino Venada. Based on the Applicant's access analysis, both frontages fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection. The corner parcel has no independent alternative access point.

Although the property has street frontage and is not legally landlocked, it is functionally access-constrained for stand-alone commercial development. These traffic and access conditions materially distinguish the property and have contributed to its remaining vacant for more than twenty years.

Approval of SU zoning would not approve a driveway or establish that adequate access exists. It would allow the assembled property to be evaluated as a whole so that survey, traffic analysis, engineering, cross-access opportunities, emergency access, circulation, and agency requirements can be addressed during the later site-plan proceeding.

3. *Transitional Land-Use Context*

The property occupies a transition among:

- *Collector-roadway frontage and the interior of the surrounding neighborhood;*
- *Existing commercial entitlements and predominantly residential development;*
- *The former Parks and Recreation remnant and privately developable land; and*
- *Potentially higher-intensity uses and established lower-intensity residential areas.*

The SU district is particularly appropriate for this transitional role because it does not impose an automatic or uncontrolled change to one conventional zoning district. Instead, it authorizes a defined range of R-6 and C-1 uses and permits the City to impose property-specific requirements governing height, setbacks, access, circulation, parking, landscaping, buffering, lighting, signage, architecture, drainage, and compatibility.

The property can therefore function as a regulated transition rather than an abrupt extension of either conventional commercial or residential zoning.

C. The SU Classification Provides a Public Planning Benefit

The requested SU classification does not create an isolated zone solely for the private benefit of the Property Owner. It serves identifiable public planning purposes by:

- *Replacing fragmented zoning with a unified regulatory framework;*
- *Addressing a long-vacant and functionally access-constrained corner property;*
- *Preserving C-1 opportunities while adding R-6 uses as independent options;*
- *Avoiding a requirement that an infeasible commercial component be constructed;*
- *Supporting housing variety, infill, and efficient use of established infrastructure;*
- *Allowing the property to function as a transition among surrounding land-use patterns;*
- *Requiring comprehensive review of access, traffic, drainage, utilities, and compatibility; and*
- *Prohibiting development until a separate site plan is approved by the Governing Body.*

This heightened review distinguishes the requested SU classification from an arbitrary grant of development rights. The zone change establishes only the range of uses the City may consider. It does not approve the ultimate development, and it does not guarantee that a later site plan will be approved.

D. Protection Through the Later Site-Plan Approval

Rio Rancho Code §154.43(A)(3) expressly permits an SU site plan to be submitted after the zoning action and prohibits development until the Governing Body approves that site plan.
At the later proceeding, the City will evaluate the actual proposal and may impose conditions necessary to address:

- *The precise use or combination of uses;*
- *Safe and lawful access;*
- *Traffic and emergency-response considerations;*
- *Building height, placement, scale, and setbacks;*
- *Parking and internal circulation;*
- *Utilities and drainage;*
- *Landscaping and buffers;*
- *Pedestrian connections;*
- *Lighting and signage; and*
- *Compatibility with adjacent property and applicable adopted plans.*

If the actual proposal cannot demonstrate safe access, adequate infrastructure, appropriate transitions, and compatibility with surrounding development, the required site plan need not be approved.

E. Conclusion

The requested SU Zone Map Amendment satisfies both bases stated in Criterion D(7).

First, it clearly facilitates the Comprehensive Plan by supporting housing variety, productive infill, coordinated planning, compatible neighborhood services, focused growth, walkability, and appropriate transitions—without predetermining a physical project or requiring a commercial component.

Second, the property is materially different from surrounding land because of its fragmented zoning, long-term vacancy, access limitations, corner configuration, parcel assembly, and transitional relationship to adjacent land-use patterns. The SU district allows the property to serve as a controlled transition while preserving a separate Governing Body review of the actual development.

Accordingly, the requested SU classification represents legitimate, plan-based, and property-specific zoning rather than an arbitrary or impermissible spot zone. The request satisfies Criterion D(7).

Closing Statement
The requested Special Use Zone Map Amendment represents a measured and responsible evolution of the property's land-use framework—not approval of a predetermined development and not a destabilization of the surrounding area. It responds to the site's long-term vacancy, fragmented C-1 and Parks and Recreation zoning, constrained stand-alone access, pending parcel assembly, and transitional relationship to surrounding residential, commercial, and public or recreational land-use patterns.
The requested SU classification would authorize the R-6 use family and the compatible C-1 uses specifically identified in the adopting use schedule as independent options. Authorization of both use families would not require a mixed-use development or construction of a commercial component. No minimum commercial floor area, commercial phase, tenant, storefront, residential density, unit count, or particular combination of uses is proposed or required.
The public benefit of the amendment is the creation of one coordinated and property-specific regulatory framework for the assembled site. The SU classification preserves the opportunity for additional housing types, retains the possibility of compatible neighborhood goods and services, and allows the ultimate use of the property to respond to future access, engineering, infrastructure, market, and compatibility information.
Approval of this Zone Map Amendment would not authorize construction or approve a site layout, building program, access point, parking plan, architecture, drainage plan, or development schedule. Pursuant to Rio Rancho Code §154.43(A)(3), no development may occur until the Governing Body approves a subsequent site plan. The City will therefore retain a separate and meaningful approval at which the actual proposal must demonstrate safe access, adequate circulation, appropriate infrastructure, compliant drainage, suitable transitions, and compatibility with adjacent property and applicable adopted plans.
This two-stage process provides greater public protection and more precise City control than the existing fragmented zoning pattern. It allows the Governing Body to establish property-specific requirements for uses, height, setbacks, access, parking, circulation, utilities, drainage, landscaping, buffering, lighting, signage, architecture, and other matters necessary to protect the public and surrounding properties. If the future proposal does not satisfactorily address these requirements, the site plan need not be approved.
The requested amendment advances the Rio Rancho Comprehensive Plan's verified policies concerning housing variety, productive infill, focused growth, coordinated planning, compatible neighborhood services, walkability, infrastructure

efficiency, and appropriate transitions. It also places a long-vacant and functionally access-constrained property on a path toward productive use without prejudging the form or intensity of its future development.
For these reasons, the requested SU Zone Map Amendment is consistent with the public interest and the health, safety, and general welfare of the City. Approval is respectfully requested for an SU framework authorizing the R-6 use family and selected compatible C-1 uses without requiring either use family, a commercial component, or a particular combination of uses, and with all physical development decisions expressly reserved for subsequent Governing Body site-plan approval.

Warm regards,

Angela M. Piarowski, CEO/Managing Partner
Modulus Architects & Land Use Planning
8220 San Pedro Dr. NE, Suite 520 (Paseo Nuevo Building)
Albuquerque, New Mexico 87113
Office: (505) 338.1499 ext. 1000
Cell + Text: (505) 999.8016
Email: angela@modulusarchitects.com
Meet Modulus Link Here: Meet Modulus Architects & Land Use Planning Here!
Website: www.modulusarchitects.com
Join us on Facebook: Modulus Architects on Facebook
Join us on Instagram: Modulus Architects on Instagram
Find me on LinkedIn: Angela LinkedIn Profile
New Mexico | Texas | Arizona | Colorado | Florida | Utah | Illinois

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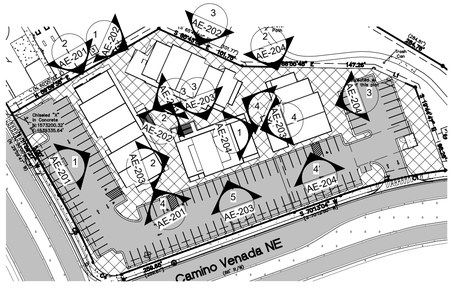
9/10/2026 12:44:54 PM H:\DWG_ACTIVE\MELVIN_LOMAS ENCANTADAS\DWGS\LUXE.DFT,N
LUXE MULTIFAMILY

1 ARCHITECTURAL SITE

SCALE: **1" = 20'-0"**

OPEN SPACE AREA



USABLE RECREATION SPACE

USABLE RECREATION SPACE:
AN AREA ON THE SAME LOT AS THE MULTIFAMILY RESIDENTIAL DEVELOPMENT THAT SERVES TO PERMANENTLY PROVIDE INDOOR OR OUTDOOR OPEN SPACE AND/OR RECREATIONAL USES. USABLE RECREATION SPACE MAY INCLUDE, BUT IS NOT LIMITED TO: LAWNS, DECORATIVE PLANTING AREAS, AND NATIVE PLANTS, OPEN BALCONIES AND COVERED PATIOS THAT ARE OPEN ON TWO OR MORE SIDES. WALKWAYS, ACTIVE AND PASSIVE RECREATIONAL AREAS, FOUNTAINS, SWIMMING POOLS, WATER FEATURES, AND PONDS, CLUB-HOUSE AREAS FOR VIDEO/TECHNOLOGY ROOMS, EXERCISE OR FITNESS ACTIVITIES, OR MEETING ROOMS, OR PLAY-GROUNDS. USABLE RECREATION SPACE DOES NOT INCLUDE PUBLIC RIGHT-OF-WAY, PARKING LOTS, DRIVEWAYS, OR BUILDINGS, GARAGES, CARPORT OR EQUIPMENT AREAS THAT ARE NOT DESIGNED FOR COMMON USE

USABLE OPEN SPACE (MULTIFAMILY)
1BR: 50 SF PER UNIT
27 UNITS * 50 SF = 1350 SF
2BR: 100 SF PER UNIT
30 UNITS * 100 SF = 3000 SF

TOTAL OPEN SPACE REQUIRED = 4,350 SF
TOTAL OPEN SPACE PROVIDED = 22,273 SF

LEGEND

- ASPHALT PAVING
- LANDSCAPE AREA
- CONCRETE WALK
- PROPERTY LINE

UNIT DATA

UNIT TYPE	HEATED AREA	QUANTITY	TOTAL AREA
1 BEDROOM MULTIFAMILY			
1A	721 SF	17	12,257 SF
1B	721 SF	9	6,489 SF
2 BEDROOM MULTIFAMILY			
2A	1042 SF	17	17,714 SF
2B	1042 SF	12	12,504 SF
RETAIL/COMMERCIAL			
SUITE 1	1042 SF	1	1042 SF
SUITE 2	809 SF	1	809 SF

VICINITY MAP

GENERAL NOTES

A. DIMENSIONS ARE TO FACE OF CURB, OR WALL, OR EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
B. SITE PLAN SHALL COMPLY WITH LOCAL, FEDERAL AND ACCESSIBILITY STANDARDS & GUIDELINES, INCLUDING THE INTERNATIONAL FIRE CODE (IFC) 2015.
C. ALL CURBS AND ACCESSIBLE RAMPS WILL BE DESIGNED AND BUILT ACCORDING TO THE CITY OF ALBUQUERQUE STANDARDS.
D. ALL LIGHT FIXTURES AND LIGHTING DESIGN SHALL COMPLY WITH THE CITY OF ALBUQUERQUE INTEGRATED DEVELOPMENT ORDINANCE (IDO): SECTION 14-16-5-8 OUTDOOR LIGHTING
E. THE SITE PLAN IS IN COMPLIANCE WITH 5-2(J) MPOS EDGES
F. STREETS, PARKING SPACES AND ASSOCIATED DRIVES TO BE ASPHALT UNLESS NOTED OTHERWISE.
G. AN ACCESSIBLE ROUTE, IN COMPLIANCE WITH THE ACCESSIBILITY STANDARDS OF THE PROJECT, CONNECTS FROM THE BUILDING TO ACCESSIBLE PARKING SPACES AND ALL SITE AMENITIES AS REQUIRED
H. ALL ROOFTOP MECHANICAL UNITS WILL BE LOCATED TOWARD THE MIDDLE OF THE ROOF AND SHIELDED BY PARAPETS
I. LIGHT POLES FOR SITE LIGHTING WILL NOT EXCEED THE MAXIMUM HEIGHT ALLOWED OF 20' OR 16' IF LOCATED WITHIN 100' OR A RESIDENTIAL ZONE.
J. ALL SITE LIGHTING MUST MEET CCT AND CRI SPECIFICATIONS

KEYED NOTES

1. DUMPSTER ENCLOSURE REF: SHEET AS-503
2. TYPICAL CURB AND GUTTER REFER 10/AS-501
3. ACCESSIBLE PARKING WITH ACCESSIBLE SIGNANGE AND STRIPING, REF 3/4/11 AS-502
5. ACCESSIBLE CURB RAMP, REF 1/9 AS-501
6. CONCRETE SIDEWALK, REF 6/AS-501
7. BICYCLE RACKS, REF 9/AS-502
8. DIRECTIONAL PAVEMENT MARKING, REF 6/AS-502
9. ASPHALT PAVING
10. SITE LIGHTING, MOUNTED 16' ABOVE FINISH GRADE W/ SHIELDING TO PREVENT LIGHT TRESPASS, REF 4/AS-501 (DSX0 LED P2 30K 80CRI T5M)
11. BUILDING MOUNTED WALLPACK LIGHTING MOUNTED 12' ABOVE FINISH GRADE
12. EXISTING FIRE HYDRANT
13. PAINTED CROSSWALK REF 12/AS-501
14. WATER VALVE
15. PROPERTY LINE
16. SITE LIGHTING - BOLLARD LIGHT
17. SETBACK LINE
18. 10' PAPER EASEMENT

PROJECT DATA

ZONING:
REQUESTED, SPECIAL USE FOR C-1/R-6 USES

LAND USE:
VACANT

LEGAL DESCRIPTION:
TRACTS 5-A AND 17-A-1, LOMAS ENCANTADAS BEING COMPRISED OF TRACTS 5 AND 17-A, LOMAS ENCANTADAS CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO AUGUST 2026

SITE AREA:
1.7895 ACRES

ZONE ATLAS:
PAGE 133

SETBACKS:
FRONT = 5' MIN, SIDE = 5' MIN, REAR = 5' MIN

BUILDING HEIGHTS:
MAXIMUM ALLOWED:
THREE STORY MULTIFAMILY: 36' - 0"

SPRINKLED:
YES, NFPA 13R

BUILDING OCUPANCY:
R-2 + M (COMMERCIAL)

CONTSRUCTION TYPE:
TYPE V-A

PARKING CALCULATIONS:

MULTIFAMILY:
STUDIO/1 BR - 1.5 SPACES PER
2 BR - 1.75 SPACES PER
TOTAL 1 BEDROOM DU'S = 26 * 1.5 (39 SPACES REQ'D)
TOTAL 2 BEDROOM DU'S = 29 * 1.75 (50.75 SPACES REQ'D)
TOTAL MULTIFAMILY PARKING REQ'D = 89.75 (90) SPACES + 5 VISITOR SPACES

COMMERCIAL:
1 SPACE PER 300SF
1042 SF = 3.47 (4)
809 SF = 2.7 (3)

TOTAL COMMERCIAL PARKING REQ'D = 7

TOTAL OVERALL SPACES REQUIRED = 102
TOTAL OVERALL SPACES PROVDED = 103

ADA:
PER ADAAG 2010 ADA STANDARDS, 51-100 SPACES = 4 ACCESSIBLE REQUIRED
ACCESSIBLE SPACES PROVIDED = 6

MOTORCYCLES:
SPACES REQUIRED = 0
MOTORCYCLE SPACES PROVIDED = 3

BICYCLES: NO LESS THAN 2 SPACES AND UP TO 2% OF THE REQUIRED AUTOMOTIVE PARKING
BICYCLE PARKING SPACES PROVIDED = 10

REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO DR NE SUITE 520
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 338-1499 FAX (505) 338-1498

PROJECT TITLE
LUXE MULTIFAMILY
Enter address here

PROJECT MANAGER

JOB NO.
Project Number

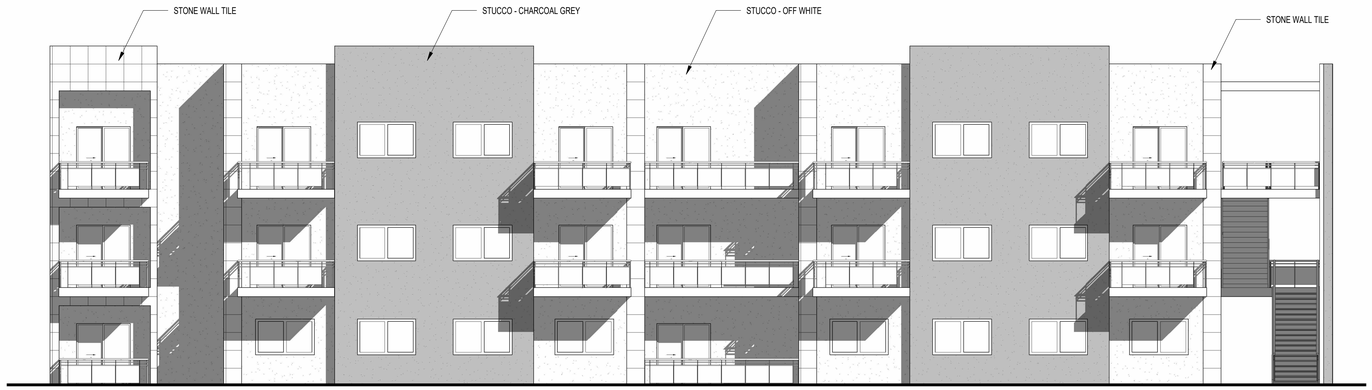
DRAWN BY:

SHEET TITLE
ARCHITECTURAL SITE PLAN

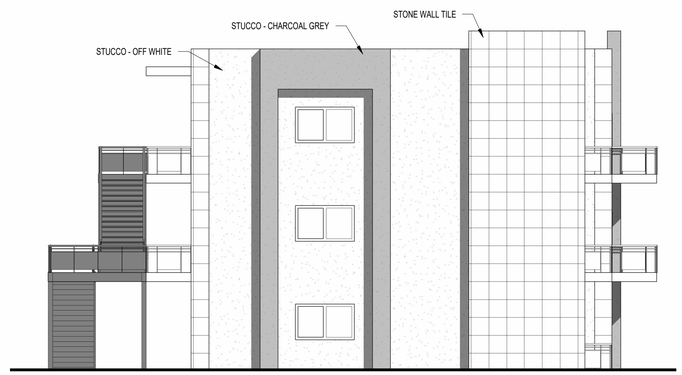
DATE
Issue Date

SCALE:

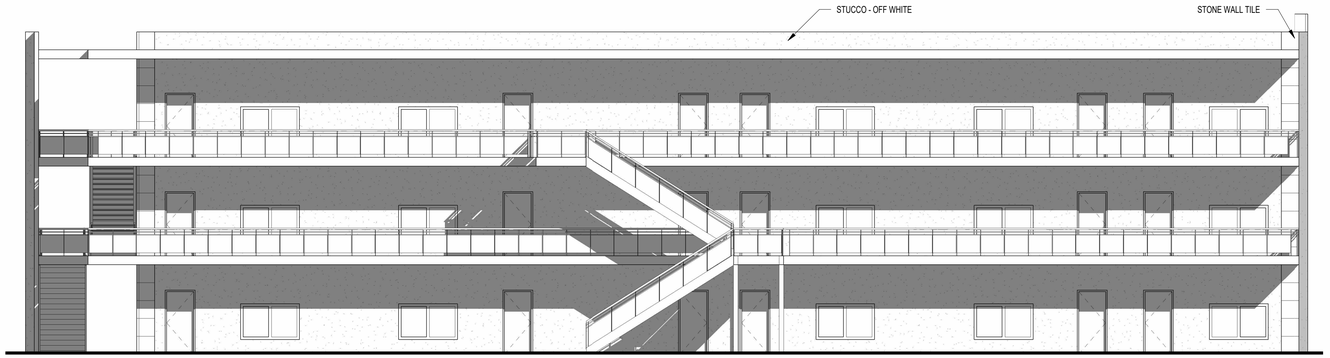
SHEET
AS-101



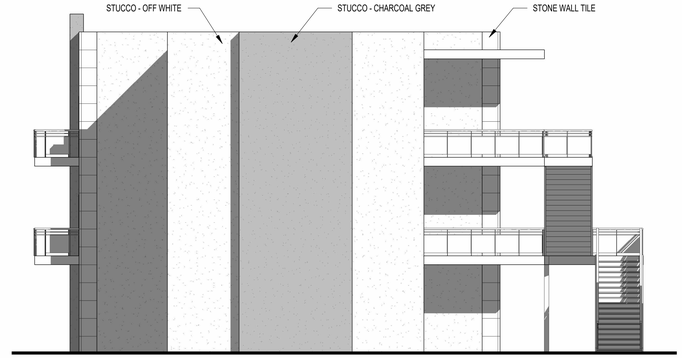
1 BLDG 1 - WEST
SCALE: **1/8" = 1'-0"**



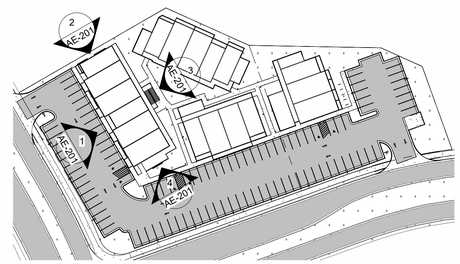
2 BLDG 1 - NORTH
SCALE: **1/8" = 1'-0"**



3 BLDG 1 - EAST
SCALE: **1/8" = 1'-0"**



4 BLDG 1 - SOUTH
SCALE: **1/8" = 1'-0"**



REV	DATE	BY	REVISION

MODULUS ARCHITECTS
AND LAND USE PLANNING
8220 SAN PEDRO DR NE SUITE 520
ALBUQUERQUE, NEW MEXICO 87113
PHONE (505) 338-1499 FAX (505) 338-1498

PROJECT TITLE
LUXE MULTIFAMILY
Enter address here

PROJECT MANAGER

JOB NO.
Project Number

DRAWN BY:

SHEET TITLE
BUILDING ELEVATIONS - BLDG 1

DATE
Issue Date

SCALE:

SHEET
AE-201

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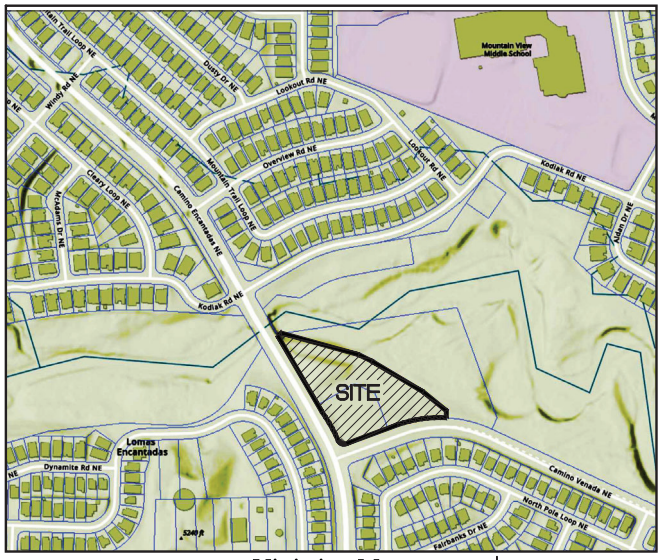
LUXE MULTIFAMILY



Vicinity Map

N.T.S.

Notes

1. FIELD SURVEY PERFORMED IN JULY AND AUGUST 2026.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE PARCELS SHOWN HEREON ARE LOCATED IN SECTION 26, TOWNSHIP 13 NORTH, RANGE 3 EAST, NMPM.
4. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83–CENTRAL ZONE).
5. SUBDIVISION DATA

NUMBER OF LOTS REPLATTED:	2
NUMBER OF LOTS CREATED:	2
MILES OF ROAD CREATED:	0
ACREAGE IN ROADS:	0
ACREAGE DEDICATED BY THIS PLAT	0
TOTAL PLATTED ACREAGE:	4.0283 ACRES

6. LOT LINES TO BE ELIMINATED SHOWN HEREON AS. . . . . .
7. THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83–GROUND OR GRID–CENTRAL ZONE), USING A GROUND TO GRID FACTOR OF 0.9996644433, WITH AN ORIGIN OF (0,0).

Documents

1. PLAT OF RECORD FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON JULY 30, 2025, IN VOLUME 3, FOLIO 5447, RIO RANCHO ESTATES PLAT BOOK NO. 36, PAGE 85–86.
2. PLAT OF RECORD FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON NOVEMBER 10, 2005, IN VOLUME 3, FOLIO 2601–A, RIO RANCHO ESTATES PLAT BOOK NO. 18, PAGE 73–78.
3. SPECIAL WARRANTY DEED FOR TRACT 5, LOMAS ENCANTADAS, FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON JANUARY 9, 2026, IN BOOK 429, PAGE 585, AS DOC. NO. 2026000585.
4. SPECIAL WARRANTY DEED FOR TRACT 17 (NOW KNOWN AS TRACT 17–A) LOMAS ENCANTADAS, FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE ON OCTOBER 8, 2024, IN BOOK 427, PAGE 21843, AS DOC. NO. 2024021843.

Indexing Information

Section 26, Township 13 North, Range 3 East, N.M.P.M.
Subdivision: Lomas Encantadas
Owner: City of Rio Rancho (Tract 17–A)
Owner: PG Properties, LLC (Tract 5)
UPC #:1018073348095 (Tract 5)
UPC #:1017074362105 (Tract 17–A)

Purpose of Plat

1. ELIMINATE LOT LINES AS SHOWN HEREON.
2. VACATE EASEMENTS AS SHOWN HEREON.
3. GRANT EASEMENTS AS SHOWN HEREON.

Filing Information

STATE OF NEW MEXICO } SS
COUNTY OF SANDOVAL }

THIS INSTRUMENT WAS FILED FOR RECORD ON

___:___ AM/PM, _____, 20___

RECORDED IN VOLUME _____, OF RECORDS OF SAID COUNTY, FOLIO _____

BY: _____,
DEPUTY

Summary Plat for Tracts 5-A and 17-A-1, Lomas Encantadas

Being Comprised of Tracts 5 and 17-A, Lomas Encantadas
City of Rio Rancho
Sandoval County, New Mexico
August 2026

Legal Description

TRACT NUMBERED FIVE (5) OF LOMAS ENCANTADAS, SANDOVAL COUNTY, NEW MEXICO, AS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON NOVEMBER 10, 2005, IN VOLUME 3, FOLIO 2601–A (RIO RANCHO ESTATES PLAT BOOK NO. 18, PAGE 73–78.

AND

TRACT NUMBERED SEVENTEEN–A (17–A) OF LOMAS ENCANTADAS, SANDOVAL COUNTY, NEW MEXICO, AS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON JULY 30, 2025, IN VOLUME 3, FOLIO 5447 (RIO RANCHO ESTATES PLAT BOOK NO. 36, PAGE 85–86.

Flood Notes

BASED UPON SCALING, PORTIONS OF THIS PROPERTY LIE WITHIN FLOOD ZONE "X" WHICH IS DEFINED AS AN AREA OF MINIMAL FLOOD HAZARD;

AND

PORTIONS OF THIS PROPERTY LIE WITHIN FLOOD ZONE "A" WHICH IS DEFINED AS A SPECIAL FLOOD HAZARD AREA WITHOUT A BASE FLOOD ELEVATION (BFE) AS DETERMINED BY F.E.M.A. AND SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 35043C1904D, DATED MARCH 18, 2008.

Public Approvals

DEVELOPMENT SERVICES DEPARTMENT

APPROVED THE _____ DAY OF _____ , 20__.

BY: _____
AMY RINCON, DIRECTOR

CITY CLERK'S CERTIFICATE:

I, NOEL C. DAVIS, CITY CLERK OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED ADMINISTRATIVELY BY THE CITY OF RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT ON THE _____ DAY OF _____, 20__.

BY: _____
NOEL C. DAVIS, CITY CLERK

TREASURER'S CERTIFICATE:

I, JENNIFER A. TAYLOR, TREASURER OF SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PREVIOUS TEN (10) YEARS PROPERTY TAXES HAVE BEEN PAID IN FULL.

_____
SANDOVAL COUNTY TREASURER DATE

Plat Approvals

THE UTILITY COMPANY SIGNATURES SHOWN HEREON ARE BY AUTHORIZED COMPANY REPRESENTATIVES.

_____
CITY OF RIO RANCHO

_____
QWEST CORPORATION D/B/A CENTURYLINK QC

_____
PNM ELECTRIC

_____
NEW MEXICO GAS COMPANY

_____
SPARKLIGHT

_____
COMCAST

_____
EZEE FIBER

Jurisdiction Certification

I, BRIAN J. MARTINEZ, A NEW MEXICO REGISTERED, PROFESSIONAL, LAND SURVEYOR DO HEREBY AFFIRM THAT THE PROPERTY DESCRIBED DOES LIE WITHIN THE PLATTING AND SUBDIVISION JURISDICTION OF THE CITY OF RIO RANCHO, NEW MEXICO.

_____
BRIAN J. MARTINEZ DATE
N.M.R.P.S. No. 18374

BRIAN J. MARTINEZ NEW MEXICO No. 18374 REGISTERED PROFESSIONAL SURVEYOR

Surveyor's Certificate

I, BRIAN J. MARTINEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION, AND MEETS THE MINIMUM REQUIREMENTS OF MONUMENTATION AND SURVEYS FOR THE CITY OF RIO RANCHO SUBDIVISION ORDINANCE CHAPTER 155, AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

_____
BRIAN J. MARTINEZ DATE
N.M.R.P.S. No. 18374

BRIAN J. MARTINEZ NEW MEXICO No. 18374 REGISTERED PROFESSIONAL SURVEYOR

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896 - 3050 Fax (505) 891 - 0244
cartesianbrian@gmail.com

Summary Plat for Tracts 5-A and 17-A-1, Lomas Encantadas

Being Comprised of
Tracts 5 and 17-A, Lomas Encantadas
City of Rio Rancho
Sandoval County, New Mexico
August 2026

Easement Notes

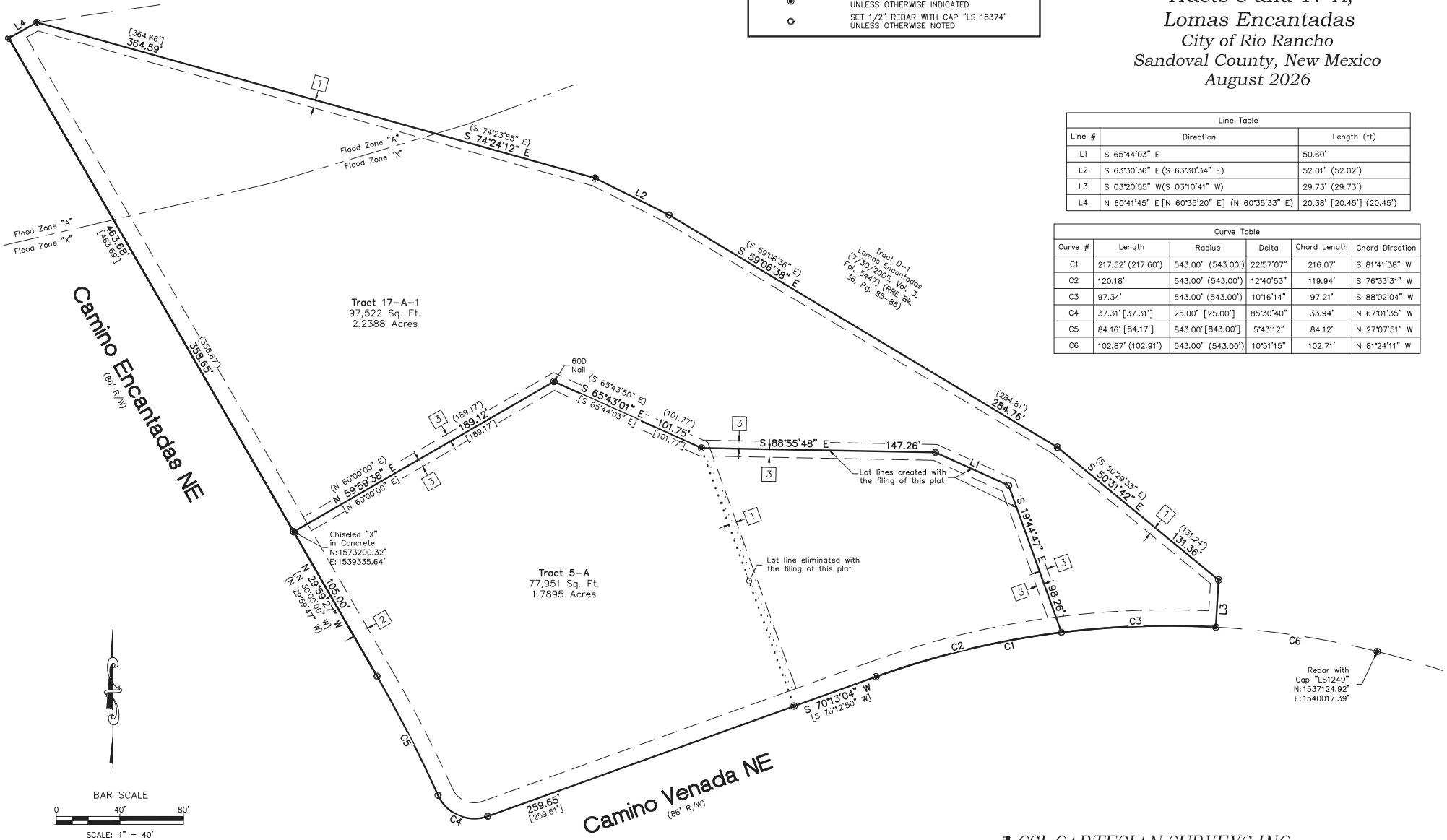
1. EXISTING 5' P.U.E. (7/30/2025, VOL. 3, FOL. 5447) (RRE BK. 36, PG. 85–86) PORTION TO BE VACATED WITH THE FILING OF THIS PLAT SHOWN HEREON AS [:::]
2. EXISTING 10' P.U.E. (11/10/2005, VOL. 3, FOL. 2601–A)(RRE BK. 18, PG. 73–78)
3. 5' P.U.E. GRANTED WITH THE FILING OF THIS PLAT

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (7/30/2025, VOL. 3, FOL. 5447) (RRE BK. 36, PG. 85–86)
[N 90°00'00" E]	RECORD BEARINGS AND DISTANCES PER PLAT (11/10/2005, VOL. 3, FOL. 2601–A) (RRE BK. 18, PG. 73–78)
◉	FOUND REBAR WITH CAP "LS 12649" UNLESS OTHERWISE INDICATED
○	SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED

Line Table		
Line #	Direction	Length (ft)
L1	S 65°44'03" E	50.60'
L2	S 63°30'36" E (S 63°30'34" E)	52.01' (52.02')
L3	S 03°20'55" W (S 03°10'41" W)	29.73' (29.73')
L4	N 60°41'45" E [N 60°35'20" E] (N 60°35'33" E)	20.38' [20.45'] (20.45')

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	217.52' (217.60')	543.00' (543.00')	22°57'07"	216.07'	S 81°41'38" W
C2	120.18'	543.00' (543.00')	12°40'53"	119.94'	S 76°33'31" W
C3	97.34'	543.00' (543.00')	10°16'14"	97.21'	S 88°02'04" W
C4	37.31' [37.31']	25.00' [25.00']	85°30'40"	33.94'	N 67°01'35" W
C5	84.16' [84.17']	843.00' [843.00']	5°43'12"	84.12'	N 27°07'51" W
C6	102.87' (102.91')	543.00' (543.00')	10°51'15"	102.71'	N 81°24'11" W



CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896 - 3050 Fax (505) 891 - 0244
cartesianbrian@gmail.com

Free Consent and Dedication

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. EXISTING AND/OR GRANTED PUBLIC UTILITY EASEMENTS (P.U.E) AS SHOWN HEREON, UNLESS NOTED OTHERWISE, ARE FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUIT AND PIPES FOR UNDERGROUND UTILITIES. SAID UTILITY COMPANIES HAVE THE RIGHT OF INGRESS/EGRESS FOR CONSTRUCTION OF, MAINTENANCE OF AND REPLACEMENT OF SAID UTILITIES INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS WITHIN SAID P.U.E.. SAID OWNERS CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

_____

MELVIN PARKER, MEMBER — DATE
PG PROPERTIES, LLC

STATE OF NEW MEXICO)
) SS
COUNTY OF)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20__
BY: MELVIN PARKER, MEMBER, PG PROPERTIES, LLC

By: _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Free Consent and Dedication

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. EXISTING AND/OR GRANTED PUBLIC UTILITY EASEMENTS (P.U.E) AS SHOWN HEREON, UNLESS NOTED OTHERWISE, ARE FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUIT AND PIPES FOR UNDERGROUND UTILITIES. SAID UTILITY COMPANIES HAVE THE RIGHT OF INGRESS/EGRESS FOR CONSTRUCTION OF, MAINTENANCE OF AND REPLACEMENT OF SAID UTILITIES INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS WITHIN SAID P.U.E.. SAID OWNERS CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

_____

REPRESENTATIVE, TITLE — DATE
CITY OF RIO RANCHO

STATE OF NEW MEXICO
) SS
COUNTY OF)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20__
BY: REPRESENTATIVE, TITLE, CITY OF RIO RANCHO

By: _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Summary Plat for Tracts 5-A and 17-A-1, Lomas Encantadas

Being Comprised of Tracts 5 and 17-A, Lomas Encantadas

City of Rio Rancho
Sandoval County, New Mexico
August 2026

Public Utility Easements

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.

B. New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.

C. Qwest Corporation d/b/a CenturyLink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.

D. Sparklight for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

E. Comcast for the installation, maintenance, and service of such lines, cable and other related equipment and facilities reasonably necessary to provide Cable TV services.

F. EZEE Fiber for the installation, maintenance, and service of such lines, cable and other related equipment and facilities reasonably necessary to provide Fiber Optic Internet services.

G. City of Rio Rancho for installation, maintenance, and services of lines and other equipment and facilities reasonably necessary to provide services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.
Easements for electric transformer/switchgears, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

Disclaimer
In approving this plat, Public Service Company of New Mexico (PNM) and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896 - 3050 Fax (505) 891 - 0244
cartesianbrian@gmail.com

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R56

AGENDA DATE:
July 23, 2026

DEPARTMENT:
Administration

SUBJECT:
R56, Resolution Authorizing and Permitting the City to Sell 0.56 Acres of Real Property

BACKGROUND AND ANALYSIS:

The Camino Encantadas Park is a 2.8 acre recreational park (the "Parcel") in the Enchanted Hills Area. The subject property is legally described as Lomas Encantadas, Tract 17-A. Referred to as the "Green Park", the Camino Encantadas Park features a dog park, a walking path, a playground structure with equipment, shading and park tables, a soccer field, and a pickle ball court.

Despite these amenities, almost 1 acre of the real property comprising the Camino Encantadas Park remains unused. The full 2.8 acre parcel lends itself to park uses on the north side of the parcel, but the same cannot be said for the south 0.56 acres of the parcel.

Due to the nature and unusual shape of the 2.8 acre parcel comprising the Camino Encantadas Park, not many park amenities were able to be constructed on the near 1 acre portion of real property abutting Camino Venada. The Parcel is naturally restricted by the shape of the neighboring 1.32 acre vacant lot at 3820 Camino Encantadas NE. Outside of the walking path that wraps around the Camino Encantadas Park, the Parcel remains unused, and the City has no present plans to make a smaller junior park on this portion of the Parcel.

The City has received an offer from the owner of 3820 Camino Encantadas to purchase 0.56 acres of this unused portion of the Parcel for the amount of $17,500.00. The 0.56 acre portion of the Parcel would be surveyed and replatted by the Buyer. The Buyer plans to utilize this 0.56 acres to further its real estate development project on 3820 Camino Encantadas. With the purchase of this area the Buyer is able to facilitate better access to their site without needing to seek shared access with the City through the Camino Encantadas Park and/or a considerable variance to the off-street parking standard.

The City is able to sell this portion of the Parcel to the Buyer, as the Buyer has followed the correct steps for a real estate purchase and land sale as outlined in NMSA Section 3-56-1(A). The Buyer has presented an acceptable Appraisal that values this portion of the Parcel and City staff have reviewed relevant information and made an assessment that there is no basis to deny their purchase request.

City staff recommends the Governing Body find that the approval of the Resolution is beneficial for the public and for residential growth and development in the Enchanted Hills area. Approval will help to facilitate continued development in the Enchanted Hills and Lomas Encantadas areas.

City staff additionally recommends the Governing Body find that the sale will also transfer the

responsibility of City-owned real property not currently being utilized by the City, alleviating the City of ongoing maintenance, upkeep costs and associated liabilities.

IMPACT:

City Administration recommends the Governing Body approve Resolution No.56, subject to the following findings of fact:

General Findings of Fact:

1. The Governing Body has the authority to approve a Resolution to sell City of Rio Rancho Real Property as specified under NMSA Section 3-56-1(A).
2. The Applicant has the authority to request purchase of the specified City of Rio Rancho Real Property.
3. The City of Rio Rancho and the Applicant have followed all requirements outlined in NMSA Section 3-56-1(A) regarding procedures for the sale of land.

Specific Findings of Fact:

1. All requirements outlined within Resolution No. 56 shall be executed prior to sale of the real property to the Applicant.
2. Approval of the Resolution does not guarantee the sale of the identified real property, but allows the City to sell the real property to the developer should the developer request a sale.

ALTERNATIVES:

The Governing Body may:

1. Approve the Resolution;
2. Deny the Resolution;
3. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

City Administration recommends the Governing Body adopt the Resolution.

ATTACHMENT: Resolution
ATTACHMENT: Resolution- Signed
ATTACHMENT: Purchase Agreement
ATTACHMENT: Camino Encantadas Land Appraisal
ATTACHMENT: Site Maps

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

September 3, 2026

RE: Case #26-100-00005 – Zone Map Amendment Request
3820 Camino Encantadas NE & Portion of 3900 Camino Encantadas NE, Rio Rancho, NM 87144

Dear Property Owner:

You are receiving this certified notice of a Zone Map Amendment request because your property is adjacent to a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, PG Properties, LLC., through their agent, Modulus Architects & Land Use Planning, requests approval of a Zone Map Amendment from approximately 1.32 acres of C-1: Retail Commercial District (Lomas Encantadas, Tract 5) and approximately 0.5603 acres of PR: Parks & Recreation District (Portion of Lomas Encantadas, Tract 17-A) to SU: Special Use to allow for R-6: Multi-Family Residential and C-1: Retail Commercial Uses. The subject properties comprise approximately 1.7895 acres. A Site Plan has been submitted as an attachment to this request.

The **Planning and Zoning Board** will consider the request and make their decision on **Tuesday, September 22, 2026** at 6:00 pm in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to send comments in writing, which will be presented to the Planning and Zoning Board. You may send comments to tdvorak@rrnm.gov. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact me via e-mail me at tdvorak@rrnm.gov or call me at 505-896-8361 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

Respectfully,

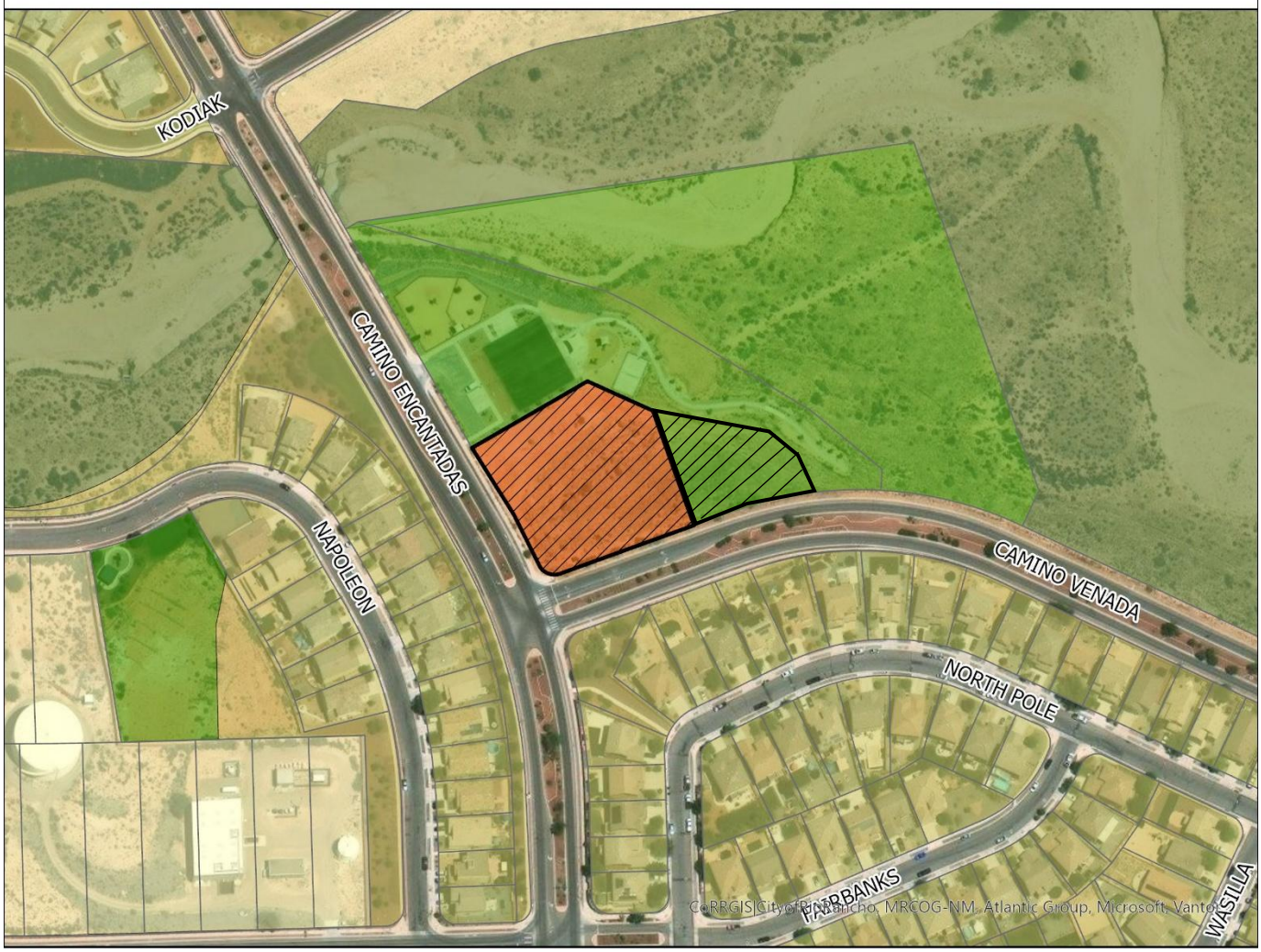
Tim Dvorak

Tim Dvorak
Municipal Planner II
Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

3820 CAMINO ENCANTADAS NE (LE, TRACT 5) & PORTION OF 3900 CAMINO ENCANTADAS NE (LE, TRACT 17-A) ZONE MAP AMENDMENT C-1: RETAIL COMMERCIAL DISTRICT & PR: PARKS & RECREATION DISTRICT TO SU: SPECIAL USE FOR R-6: MULTI-FAMILY RESIDENTIAL & C-1: RETAIL COMMERCIAL USES



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/1/2026

N
W E
S

0 0.010.02 0.04 0.06 0.08 0.1
Miles

Legend

Zoning
- C-1
- OS
- PR
- R-1
- R-4
- Subject Properties

3820 CAMINO ENCANTADAS NE (LE, TRACT 5) & PORTION OF 3900 CAMINO ENCANTADAS NE (LE, TRACT 17-A) ZONE MAP AMENDMENT C-1: RETAIL COMMERCIAL DISTRICT & PR: PARKS & RECREATION DISTRICT TO SU: SPECIAL USE FOR R-6: MULTI-FAMILY RESIDENTIAL & C-1: RETAIL COMMERCIAL USES

Rio Rancho City of Vision

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/1/2026

N W E S

0 0.01 0.02 0.04 0.06 0.08 0.1 Miles

Legend

Zoning

- C-1
- OS
- PR
- R-1
- R-4
- Subject Properties

X = Noticed Properties

RioRancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, September 22, 2026:

Variance
Case #26-110-00022
The applicants, Stephanie and George Venzor, request approval of a Variance to allow for an encroachment of 9 ft in the rear setback for an accessory structure at the property legally described as Corrales Heights, Block 4, Lot 19. The subject property is zoned R-1: Single-Family Residential and is approximately 0.25 acres.

Variance
Case #26-110-00021
The applicant, Martin Richardson, is requesting a Variance from the 300-foot distance restriction from a daycare facility for a proposed retail cannabis establishment, pursuant to Rio Rancho Municipal Code Section 122.04 Location Restrictions, at the property legally described as Industrial Park East, Block C, Lot 3C.

Zone Map Amendment
Case #26-100-00005
The Applicant, PG Properties, LLC., through their agent, Modulus Architects & Land Use Planning, requests approval of a Zone Map Amendment from approximately 1.32 acres of C-1: Retail Commercial District (Lomas Encantadas, Tract 5) and approximately 0.5603 acres of PR: Parks & Recreation District (Portion of Lomas Encantadas, Tract 17-A) to SU: Special Use to allow for R-6: Multi-Family Residential and C-1: Retail Commercial Uses. The subject properties comprise approximately 1.7895 acres. A Site Plan has been submitted as an attachment to this request.

Zone Map Amendment
Case #26-100-00011
The applicant, Arroyos, LLC, is requesting approval of a Zone Map Amendment for approximately 13.8 acres from TZ: Transitional Zoning to R-2: Single-Family Residential Zoning. The subject properties are legally described as Unit 25, Block A, lots 1, 4-7, 13-15, 21, 22, 27-34, 37-41, 44-46 and 62-64; Block B, lots 1-7, 10-14 and 29-32.

Preliminary Plat
Case #25-210-00011
The applicant, R&A Estates LLC, through their agent, Consensus Planning, requests approval of a Preliminary Plat for the Melon Ridge Townhome subdivision. The proposed subdivision would create 12 lots, on the property legally described as Unit 13, Block 61, Lot 8, zoned R-3: Mixed-Residential.

Subdivision Variance
26-280-00004
The applicant, R&A Estates LLC, through their agent, Consensus Planning, requests approval of a Subdivision Variance for the Stret Jog distance requirement of 125 ft under 155.41 (I), for a proposed 90 ft street jog.

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 7, 2026

Timothy Dvorak

From: kindrdties@aol.com
Sent: Saturday, September 26, 2026 11:09 AM
To: Timothy Dvorak; BRIAN BABYAK; Planning
Subject: Comment on Case 26-100-00005

You don't often get email from kindrdties@aol.com. Learn why this is important

****
****
CAUTION: This email was received from an **EXTERNAL** source, use caution when clicking links or opening attachments.
****
****

Hello
I live at 7336 Nome Dr. I believe we need more parks, open land. Please do not allow these units to be built. Instead let's enlarge the park adding more playground equipment like in Park Above.
Sincerely,
Anne Fisk

Sent from the all new AOL app for iOS

Timothy Dvorak

From: Carol Schorr <schorrty@gmail.com>
Sent: Saturday, September 26, 2026 9:48 AM
To: Timothy Dvorak; BRIAN BABYAK; Planning
Subject: Comment on Case 26-100-00005

[You don't often get email from schorrty@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

****
CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.
****

Something stinks about this
apartment deal, I think you should investigate who sold this land to them for such a small amount.

Staff-verified address:
3617 Soldotna Dr NE
Rio Rancho, NM 87144

Timothy Dvorak

From: J Davis <jayson.l.davis2@gmail.com>
Sent: Monday, September 28, 2026 8:39 AM
To: Bob Tyler; drd@rrnm.gov; inquiries@osa.nm.gov; Clerk; Timothy Dvorak
Cc: sherilhiggins@outlook.com
Subject: STRENUOUS OPPOSITION to the Special Use (SU) Rezoning Request at Camino Encantadas & Camino Venada NE (October 13 Hearing)

You don't often get email from jayson.l.davis2@gmail.com. Learn why this is important

****
****
CAUTION: This email was received from an **EXTERNAL** source, use caution when clicking links or opening attachments.
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ATTENTION CITY CLERK: *I formally request that this letter be forwarded to all Planning and Zoning Board commissioners to be included in the official public meeting packet for the upcoming October 13 hearing.*

Dear Councilor Tyler, Planning and Zoning Board Members, Office of the State Auditor, and the Engineering Division of the Department of Public Works

I am a resident of the Lomas Encantadas neighborhood, and an ACTIVE VOTER, I am writing to express the formal and unequivocal opposition to the proposed Special Use (SU) Zone Map Amendment for the 1.79-acre site located at the corner of Camino Encantadas and Camino Venada NE in lock step with my other community members.

This proposed 55-unit high-density apartment complex, commercial retail space, and rooftop venue represents a massive, incompatible disruption to our single-family residential neighborhood. We urge the Planning and Zoning Board to recommend denial of this amendment, and we call on Councilor Tyler to stand with his constituents to protect our community.

Our opposition is rooted in two critical, undeniable points of failure regarding this project:

1. Severe Traffic Congestion and School Zone Safety Hazards

The project site sits directly east of Sandia Vista Elementary School. This intersection already experiences heavy residential traffic and severe gridlock during school drop-off and pick-up hours. Adding a 55-unit apartment complex and commercial retail footprint will inject hundreds of additional daily vehicle trips directly into an active, vulnerable school zone.

Under the City of Rio Rancho's Roadway Design Manual, the city has the authority and the obligation to deny zone changes if the existing infrastructure cannot safely absorb the projected traffic. The community demands that the city hold the developer to the strictest standards of a comprehensive Traffic Impact Analysis (TIA), accounting for school bus routes, pedestrian safety, and existing peak-hour gridlock. Merely shifting or delaying this traffic is unacceptable when child safety is on the line.

@Scott Logan- Traffic Manager has your department completed an independent review of this high risk area? If not, please consider this a formal citizens request to address the already egregious traffic situation in this area. It is a miracle there has not yet been an accident involving a pedestrian, or worse, a student.

2. The Unacceptable Sale and Conversion of Public Parkland

I am deeply concerned by the Governing Body's July 23 vote to sell 0.56 acres of Camino Encantadas Park to PG Properties for the nominal fee of $17,500.

Selling dedicated public parkland to a private developer at a steep discount, only for it to be immediately rezoned for commercial and high-density use, sets a dangerous precedent for Rio Rancho.

This transaction warrants a formal investigation into whether public assets were intentionally undervalued to benefit a private developer.

@Joseph Maestas OSA Article IX, Section 14 of the New Mexico Constitution, (the Anti-Donation Clause) explicitly prohibits local governments from donating or discounting public assets to aid private, profit-driven entities. The city's own reports prove they knew prior to the vote that the developer was acquiring this parkland explicitly to merge it into a commercial/multifamily district to meet state highway access-spacing rules. By deliberately selling the land at artificial "park prices" right before allowing a zoning upgrade that skyrockets its value, the city essentially handed a private developer a $52,500 taxpayer-funded gift.

This land belonged to the community and served as a buffer for our local park. The city should not subsidize private, profit-driven developments at the physical expense of public recreational spaces meant for our children and families.

Conclusion

This development is mismatched for the infrastructure, density, and character of Lomas Encantadas. It compromises the safety of our elementary school students and strips away our public park space. I request that this letter be entered into the official public record for the upcoming October 13 hearing, and respectfully request that the Board vote to deny the Special Use rezoning.

Thank you for your time, your service, and your consideration of the residents who live, work, and raise families in this district.

Respectfully,

Jayson Davis

6925 Cleary Lp NE RR NM
505 379 5480

Timothy Dvorak

From: Jennifer Schurman <jdschurman@gmail.com>
Sent: Wednesday, September 30, 2026 4:18 PM
To: Timothy Dvorak
Subject: Rezoning in Lomas Encantadas neighborhood

You don't often get email from jdschurman@gmail.com. Learn why this is important

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Good afternoon Mr. Dvorak. I live in this neighborhood. I was the 3rd homeowner and have watched this area grow and grow fast. There is more traffic now than ever. The one frustrating part about this growth is we were supposed to have a big nice park. When we finally got a park, it isn't an actual park. It's two dog parks, a few things for kids to play on and pickleball courts. Why would you agree to rezone an area that is going bring ugliness to the neighbor, more unnecessary traffic (there is already to much traffic, especially in the mornings when kids are going to school and adults going to work and the afternoon's when kids are getting out of school and adults heading home after work). Why not have that portion be something good to our neighborhood. Grow what park is there, more grass for families to go spend time outside, have neighborhood get togethers and trees to sit under. It's become so techy where adults and kids spend most of their down time staring at the TV, their phones, their tablets, etc.
There a many in our neighborhood that don't want this apartment complex. There is already a large apartment complex being built on Camino Encantadas near the judicial complex, which is going to bring more traffic to Camino Encantadas, Lincoln and Idelia.
Hopefully, you all will rethink this and listen to the people that live in the areas that will be affected, especially the children that attend the schools in the area.

Thank you for your time and reconsider the approval.

Jennifer Schurman
North Pole Loop NE

Timothy Dvorak

From: Lina DeFrance <linadefrance5@gmail.com>
Sent: Sunday, October 4, 2026 6:55 PM
To: Timothy Dvorak; BRIAN BABYAK; Planning
Cc: Bob Tyler; pwymer@rrr.gov; Clerk
Subject: Opposition to Case No. 26-100-00005

You don't often get email from linadefrance5@gmail.com. Learn why this is important

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Dear Chair Richardson snd Members of the Planning and Zoning Board:

Our Names are Adeline and Andres Duenas
And we live at 7125 Napoleon Rd NE Rio Rancho NM. We oppose the proposed Zone Map Amendment for The Luxe at Lomas Encantadas, Case No. 26-100-00005.

Our main concerns are traffic, parking building height, drainage, safety and open space. This matters to me because we already have plenty of traffic and it is crowed.

For these reasons I respectfully ask the Planning and Zoning Board Board to recommend denial of the requested Zone Map Amendment for.

Please distribute this message to every Board member and include it in the official record for Case No. 26-100-00005.

Sincerely
Adeline Duenas and
Andres Duenas

Timothy Dvorak

From: Clerk
Sent: Monday, October 5, 2026 11:17 AM
To: Maria Sanchez
Cc: Timothy Dvorak; BRIAN BABYAK
Subject: RE: Opposition of Zone change Lomas Encantadas

Good morning,

Thank you for submitting your public comment. It will be included with the Planning and Zoning Boards agenda item.

Thanks,

Noel C. Davis
City Clerk

City of Rio Rancho | Office of the City Clerk
O: 505.896-8708 **C:** 505.607.1388

RRNM.gov |

From: Maria Sanchez <marialynnsanchez4860@gmail.com>
Sent: Sunday, October 4, 2026 2:08 PM
To: Clerk <Clerk@rrnm.gov>
Subject: Opposition of Zone change Lomas Encantadas

You don't often get email from marialynnsanchez4860@gmail.com. Learn why this is important

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Luxe at Lomas Encantadas Zone Change

To: Rio Rancho Planning and Zoning Board / Rio Rancho Governing Body
Subject: Formal Opposition to the Special-Use Zone Map Amendment for Luxe at Lomas Encantadas (October 13, 2026 Meeting)

Dear Commissioners and City Council Members,

I am writing to formally register my opposition to the proposed zone map amendment and master plan variance requested by PG Properties LLC and Modulus Architects for the 1.79-acre parcel at Camino Encantadas and Camino Venada NE.

As a resident of the Rio Rancho community, I urge the Planning and Zoning Board to issue a recommendation of **denial** for this project based on the following critical layout and structural concerns:

1. **Loss of Public Infrastructure and Green Space:** The configuration relies heavily on the absorption of 0.56 acres of Camino Encantadas Park land. Repurposing voter-approved parkland into a high-density, mixed-use commercial footprint sets a dangerous precedent and permanently removes vital community green spaces.
2. **Incompatible Density and Layout:** Overlaying an R-6 (Multi-Family) and C-1 (Commercial) split zone directly into the heart of a Master Planned single-family residential community is entirely out of character for the neighborhood. A 55-unit apartment building stacked on top of retail space creates a stark architectural mismatch.
3. **Unresolved Road Access, Traffic, and Safety Issues:** The current site layouts fail to safely account for the severe traffic influx on Camino Encantadas and Camino Venada NE. Introducing retail parking, delivery zones, and multi-family resident vehicles at this specific intersection poses immediate safety hazards for nearby children and pedestrian park users.
4. **Drainage and Environmental Integration Risks:** As noted in the preliminary city reviews, the site layout features unresolved questions regarding drainage management. Forcing a high-density complex onto this localized footprint hazards runoff complications for surrounding residential lots.

The current Lomas Encantadas Master Plan was intentionally designed to protect the suburban character, public safety, and park accessibility of this

community. This amendment benefits the developer at the direct expense of the neighborhood's taxpayers and families.

I respectfully request that the Planning and Zoning Board vote **against**recommending this special-use zone map amendment at the upcoming October 13 meeting.

Sincerely,

Maria Sanchez

Sent from my iPhone

To: Chairman and Members of the Planning and Zoning Board
From: Jocelyn Kim, 7110 Eagle Rock Ct. NE, District 3
Re: Formal Written Protest for the Administrative Record: Case No. 26-100-00005 (The Luxe Zone Map Amendment)

Dear Mr. Chairman and members of the Board,

My name is Jocelyn and I am a District 3 resident at 7110 Eagle Rock Ct NE. I submit this formal protest on behalf of myself and my family into the permanent administrative record. After careful review of the applicant's August 12, 2026 justification letter, I respectfully ask the Board to recommend denial. Under New Mexico law (NMSA 1978, § 39-3-1.1), an administrative body must base its zoning decisions on "substantial evidence." A decision that is "arbitrary, capricious, or an abuse of discretion," or one that violates state statute, leaves the City highly vulnerable to judicial reversal. The applicant's arguments fail to meet the legal threshold for a Zone Map Amendment in six critical areas.

First, the applicant argues that Rio Rancho Code §154.43(A)(3) establishes a "two-stage process" that defers physical site plan decisions to a later date, and therefore the Board should authorize "uses drawn from the R-6 Multi-Family Residential District and the C-1 Retail Commercial District as independent options." However, deferring a site plan does not cure an unauthorized land-use. New Mexico state law, NMSA 1978, § 3-21-5(A), strictly mandates that zoning actions "shall be in accordance with a comprehensive plan." Furthermore, R.O. 2003 §150.07(D)(3) requires consistency with adopted Master Plans. Page 16 of the Lomas Encantadas Master Plan explicitly dictates that high-density residential areas "are limited to a single parcel at the intersection of Lincoln Avenue and Enchanted Hills Boulevard." Approving a Special Use designation that introduces R-6 zoning to Camino Encantadas and Camino Venada is a direct violation of this codified geographic boundary. The Board cannot legally authorize a "use family" in a location where the Master Plan explicitly restricts it.

Second, the applicant attempts to justify the SU designation by listing eleven generalized Comprehensive Plan provisions, claiming the project advances policies such as "a variety of housing types" (Goal PH-3), "effective transitions" (Policy PH-4), and "infill and redevelopment in areas that have been neglected" (Goal UD-5). However under established rules of statutory construction and land-use law, specific, codified provisions strictly govern over general policy statements. A developer cannot legally cherry-pick broad aspirations like "focused growth" (Goal UD-1) to override the explicit, geographic boundaries of an adopted Master Plan. Furthermore, classifying a thriving, actively developing subdivision like Lomas Encantadas as a "neglected" area requiring infill under Goal UD-5 is factually unsupportable. Finally, a zoning application cannot claim to advance the Comprehensive Plan as a whole while simultaneously proposing the

elimination of designated public parkland in direct violation of the Comprehensive Plan's explicit mandate (Page PR-7) to correct a 66.80-acre park deficit.

Third, the applicant explicitly admits that their original 1.23-acre C-1 parcel is "functionally access-constrained for stand-alone commercial development" because its frontages "fall substantially short of the 330-foot minimum driveway-spacing standard identified for a nonsignalized intersection." They argue this justifies the SU zoning and the absorption of the adjacent parkland. However, purchasing a parcel that is geometrically too small to legally support a developer's desired 55-unit project, and then requiring the annexation of public land and a zone map amendment to meet basic State Access Management Manual (SAMM) safety standards, constitutes a self-created hardship. Furthermore, R.O. 2003 §150.07(E) dictates that "economic considerations pertaining to the applicant shall not be the determining factor for a change of zone." The City is under no legal obligation to rewrite its zoning map or sacrifice public land to resolve a private developer's geometric site constraints and poor real estate planning.

Fourth, to satisfy R.O. 2003 §150.07(D)(4), the applicant claims the existing C-1 and Parks & Recreation (PR) zoning is inappropriate because Tract 5 "has remained vacant for more than twenty years." However, under New Mexico's established "Change or Mistake Rule" for piecemeal rezoning (Miller v. City of Albuquerque, 89 N.M. 503; Davis v. City of Albuquerque, 98 N.M. 319), an applicant must prove either a mistake in the original zoning or a "substantial change in neighborhood conditions." The vacancy of Tract 5 is not a change in conditions; it is the natural result of standard neighborhood development sequencing. "Retail follows rooftops" is a commercial real estate adage meaning that commercial developers build stores, restaurants, and grocery plazas only after a critical mass of new housing ("rooftops") is built. Lomas Encantadas has been developed in residential phases over the past 20 years. For the vast majority of that time, the subdivision simply did not have the residential density required to support a stand-alone C-1 business. Furthermore, the applicant's argument completely ignores the fact that the City officially amended and reaffirmed the Lomas Encantadas Master Plan just last year, on May 22, 2025 (Resolution No. 55, Enactment No. 25-054). During that update, the Governing Body actively retained the C-1 and PR designations for this exact location. A zoning map formally reaffirmed by the City a mere 16 months ago cannot legally be deemed obsolete today, and the applicant has failed to demonstrate a substantial change in neighborhood conditions since May 2025 that meets the state's legal burden.

Fifth, the applicant repeatedly dismisses the 0.56 acres of PR land as a "remnant tract" that "has never functioned as an active public park" and claims the City determined it is "surplus to its operational needs." However, physical unimprovement does not equate to a "surplus". Page PR-7 of the Comprehensive Plan mathematically documents a severe parkland shortage in Council District 3, explicitly projecting a need to "add 66.80 acres of parkland." Rezoning designated,

master-planned public parkland for a private apartment complex directly contradicts the Comprehensive Plan's mandate to eliminate this 66-acre deficit.

Finally, the applicant attempts to argue this is not a "spot zone" under R.O. 2003 §150.07(G) because it allegedly acts as a transition. However, the sequence of events exposes a severe legal vulnerability. In July 2026, the City sold 0.56 acres of designated public parkland to this specific developer. Immediately following this sale, the developer is now requesting to stitch these parcels together and rezone this isolated 1.79-acre tract to SU/R-6 to exempt themselves from the Master Plan’s geographic density limits and SAMM driveway constraints. Under binding New Mexico case law (Watson v. Town Council of Town of Bernalillo, 111 N.M. 374), illegal spot zoning occurs when a small parcel is singled out for preferential treatment that primarily benefits the private owner and contradicts the comprehensive plan. The timing of the land sale followed immediately by this SU zone map amendment heavily exposes the City to this specific litigation risk.

An administrative approval that ignores active Master Plan geographic boundaries in violation of NMSA 1978, § 3-21-5(A), contradicts a documented 66.80-acre park deficit, rewards a self-created hardship, and overturns a land-use map reaffirmed just 16 months ago lacks the substantial evidence required by state law. I respectfully request that the Board adhere to the codified text of our City's plans and vote to deny this amendment.

Sincerely,

Dr. Jocelyn D. Kim
7110 Eagle Rock Ct NE
City Council District 3

X = Verified Public Comment Received

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: August 25, 2026

TO:
- (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Brian Babyak, Patrick Kingsbury, Antoinette Ramos
- (X) Fire and Rescue – Brian Johnson, Alex Bartra
- (X) Police – Scott Pope
- (X) SSCAFCA – Andy Edmondson, Sara Rassa
- (X) Parks and Recreation - Dyane Sonier
- (X) Rio Rancho Public Schools – Michael Baker
- (X) MRCOG – Mark Bailon
- (X) Ezee Fiber – John Muldrow

FROM: Development Services Department, Planning & Zoning Division

RE: (8.25.26 Revisions) DSD #26-100-00005 – Zone Map Amendment / 3820 Camino Encantadas NE

The Applicant, PG Properties, LLC., through their agent, Modulus Architects & Land Use Planning, requests approval of a Zone Map Amendment from C-1: Retail Commercial District to SU: Special Use District for Mixed Use (Apartments & Commercial/Office) at the property legally described as Lomas Encantadas, Tract 5. The subject property is currently addressed as 3820 Camino Encantadas NE, Rio Rancho, NM 87144 and comprises approximately 1.32 acres. The Applicant is currently finalizing the purchase of an adjacent 0.5603-acre portion of land from the City to address access and off-street parking requirements. The Applicant has submitted a revised Site Plan incorporating the portion of City land being purchased.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Wednesday, September 2, 2026**. If redline comments are made on the plan, please also provide me with a copy. Please contact Tim Dvorak at 505-896-8361 or e-mail tdvorak@rrnm.gov if you have any questions or would like to review a hard copy at my office.

This item has been reviewed and is hereby:
- (_) RECOMMENDED FOR APPROVAL
- (_) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
- (x) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

2021 IFC shall be referenced for Fire and Life Safety Code. Appendix D shall be referenced for Fire Apparatus Access Roads. A Fire hydrant shall be no more than 300 ft driving distance from the building for commercial and 500ft for residential. If the building is sprinklered, the Fire Hydrant shall be within 100ft driving distance from the FDC. IFC Table 705 must be followed for separation distance and fire wall requirements of exterior walls. A Fire 1 Plan shall be submitted to the Fire Marshals Office for Review and Approval prior to the full plan set submittal. A Fire 2 Plan shall be submitted for review and approval with the full plan set. Fire Alarm, Fire Sprinkler, Commercial Cooking Hood plans shall be submitted as separate deferred submittals.

Comments provided by FMO Captain Alejandro Bartra

Alejandro Bartra — Reviewer

8/26/26 — Date

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

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Camino Encantadas entrance still does not meet required SAMM spacing of 275ft from Camino Venada

Refer to CORR Municipal Code Ch. 154.43(A)(3) for site plan requirements; site plan has no drainage information

Patrick Kingsbury — Reviewer

9-1-26 — Date

Mid-Region Metropolitan Planning Organization

Mid-Region Council of Governments

809 Copper Avenue NW

Albuquerque, New Mexico 87102

(505) 247-1750-tel. (505) 247-1753-fax

www.mrcog-nm.gov

TO: City of Rio Rancho Planning and Zoning Board
FR: Mark Bailon
RE: MRMPO Comments for PZB Cases Scheduled for **09/02/2026**

08/31/2026
The following staff comments relate to transportation systems planning within the Albuquerque Metropolitan Planning Area (AMPA). Principal guidance comes from the *2045 Metropolitan Transportation Plan (MTP)* and the maps therein; the *Intelligent Transportation Systems (ITS) Regional Architecture*; and the *Roadway Access Policies* of the Transportation Coordinating Committee (TCC) of the Metropolitan Transportation Board (MTB).

26-100-00005

MRMPO has no adverse comment. For informational purposes:

- Camino Encantadas is functionally classified as a Minor Arterial
- Camino Venada is functionally classified as a local road
- The proposed project area is within the Transit Demand Response Zone for Rio Metro Regional Transit District
- Both Camino Encantadas and Camino Venada have existing bike lanes identified in the Long-Range Bikeway System
- The subject property is located near 550 and 528, a designated regional center

Appendix D of the MTP recommends the following as it relates to the subject request:

- Combine land redevelopment with improvements to existing transportation facilities to better incorporate bicyclists and pedestrians.
- Require new residential subdivisions to include sidewalk infrastructure and safe pedestrian and active transportation routes, particularly to bus stops and schools.
- Encourage a mix of land uses (retail, housing, entertainment, etc.) and multimodal facilities in appropriate locations to encourage shorter and more active trips.
- Adopt/update the parking management strategies to decrease parking requirements in activity centers and redevelopment areas and increase parking costs in high demand locations.
- Promote fiscally responsible growth patterns and transportation investments that provide the most benefits for the money spent.
- Promote a healthy jobs housing balance west of the river to shorten commute times and reduce trips across the river.

If you have any questions please feel free to contact me by e-mail at mbailon@mrcog-nm.gov.

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: August 25, 2026

TO:
(X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Brian Babyak, Patrick Kingsbury, Antoinette Ramos
(X) Fire and Rescue – Brian Johnson, Alex Bartra
(X) Police – Scott Pope
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ZMA based on Site Plan provided – The current request is related to the approval of the parking allocation. PRCS has no comments regarding parking space counts.

The site plan calls out a property line and a setback line but does not show the recorded 10’ encroachment easement into the subject property to the City for the purpose of protecting and maintaining the public park, this should be considered in the overall site layout.

Municipal Code Chapter 154.60 Section E Landscaping (2) For Multifamily dwellings: When preparing final site plan and construction plan sets, follow the appropriate zoning ordinance requirements for zone landscaping, and include all required information (% cover – table of required and provided landscape areas, species selection/name, quantities, size at installation, placement). Ensure adequate handicap parking spaces are provided and identified (with necessary construction details where appropriate) on your Site Plan and Construction Plans. Verify that handicap parking spaces are designed and constructed as ADA compliant – with no slope (run, cross slope, etc.) within the handicap parking space and aisle – greater than 2.083% in any given direction. For the accessible aisle between the handicap parking spaces, follow the NM Statute which requires that the striped area meet the requirements set out in NMSA 66-1- 4.1.B] and that 1’ high letters that are at least 2” thick stating NO PARKING are stenciled in the aisle. Please reference the Parking Lot Checklist provided by the NM Governor’s Commission on Disability for parking space and sign requirements found at: http://gcd.state.nm.us/wp-content/uploads/2018/11/2015-NM-Accessible-Parking-FINAL2.pdf. Page 7 of this checklist clearly shows the type and color/s of handicap parking signs to be installed, as well as the language required per State Statute. Irrigation backflow preventer will need to be registered and tested per ordinance 54.0.

PRCS defers to DSD for any additional recommendations or requirements, and for any approvals.

Dyane N. Sonier — Reviewer

09/04/2026 — Date

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR THE PROPERTIES LEGALLY DESCRIBED AS LOMAS ENCANTADAS, TRACT 5 FROM C-1: RETAIL COMMERCIAL DISTRICT AND A PORTION OF LOMAS ENCANTADAS, TRACT 17-A FROM PR: PARKS & RECREATION DISTRICT TO SU: SPECIAL USE DISTRICT TO ALLOW FOR R-6: MULTI-FAMILY RESIDENTIAL AND C-1: RETAIL COMMERCIAL USES, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject properties has been submitted by the City of Rio Rancho, and assigned City Case No. 25-100-00016; and

WHEREAS: the City of Rio Rancho adopted the Lomas Encantadas Master Plan on August 11, 2004, under Resolution No. 69, Enactment No. 04-068, and was subsequently amended on February 12, 2020, under Resolution No. 11, Enactment No. 20-009 and re-amended on May 22, 2025, under Resolution No. 55, Enactment No. 25-054; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on October 13, 2026, regarding the proposed changes to the Zoning Classification and Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

WHEREAS: the Governing Body received an agenda briefing memorandum from the Planning and Zoning Board, and such report indicates the Planning and Zoning Board has studied and considered the proposed changes pursuant to R.O. 2003 Section 150.07, and said report includes specific findings related to the affected property; and

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of Rio Rancho on October 22, 2026 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendment promotes the health, safety, morals, and general welfare of the City;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. Rezoning of Property and Change in Land Use.

A. The Official Zone Map is hereby amended by assigning a zoning designation on approximately 1.230 acres from C-1: Retail Commercial District to SU: Special Use to allow for R-6: Multi-Family Residential and C-1: Retail Commercial Uses on the lands legally described as:

Lomas Encantadas, Tract 5, filed in the office of the County Clerk of Sandoval County New Mexico, Lomas Encantadas Tracts 1 thru 21, A thru D and Parcels A thru J, A Vacation and Replat of Portions of Unity Twenty including Unplatted Property Within Unit Twenty within Sections 22, 23, 25, 26, 27, 34 and 35, Township 13 North, Range 3 East, New Mexico Principal Meridian City of Rio Rancho Sandoval County, New Mexico.

B. The Official Zone Map is hereby amended by assigning a zoning designation on approximately 0.5603 acres from PR: Parks and Recreation District to SU: Special Use to allow for R-6: Multi-Family Residential and C-1: Retail Commercial Uses on the lands legally described as:

A CERTAIN PARCEL, BEING A PORTION OF TRACT NUMBERED SEVENTEEN-A (17-A) OF LOMAS ENCANTADAS, SANDOVAL COUNTY, NEW MEXICO, AS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON JULY 30, 2025, IN VOLUME 3, FOLIO 5447 (RIO RANCHO ESTATES PLAT BOOK NO. 36, PAGE 85-86.
SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, ALSO BEING THE SOUTHEAST CORNER OF TRACT 5, LOMAS ENCANTADAS, POINT LYING ON THE NORTHERLY RIGHT OF WAY OF CAMINO VENADA NE, MARKED BY A REBAR WITH CAP "LS 12649";
THENCE, LEAVING SAID RIGHT OF WAY, N 19°44'47" W, A DISTANCE OF 172.62 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, POINT BEING A COMMON ANGLE POINT FOR TRACTS 5 AND 17-A, MARKED BY A REBAR WITH CAP "LS 12649";
THENCE, S 88°55'48" E, A DISTANCE OF 147.26 FEET TO AN ANGLE POINT, MARKED BY A REBAR WITH CAP "LS 18374";
THENCE, S 65°44'03" E, A DISTANCE OF 50.60 FEET TO AN ANGLE POINT,

MARKED BY A REBAR WITH CAP "LS 18374";
THENCE, S 19°44'47" E, A DISTANCE OF 98.26 FEET TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL, POINT LYING ON THE NORTHERLY RIGHT OF WAY OF CAMINO VENADA NE, MARKED BY A REBAR WITH CAP "LS 18374";
THENCE, COINCIDING SAID RIGHT OF WAY THE FOLLOWING TWO COURSES;
120.18 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 543.00 FEET, A DELTA OF 12°40'53" AND A CHORD BEARING S 76°33'31" W, A DISTANCE OF 119.94 FEET TO A POINT OF TANGENCY, MARKED BY A REBAR WITH CAP "LS 12649";
S 70°13'04" W, A DISTANCE OF 54.82 FEET TO THE POINT OF BEGINNING, CONTAINING 0.5604 ACRES (24,410 Sq. Ft.).

Section 2. Land Use, Conditions, Development Standards/Regulations and use of PROPERTY:

A. The properties identified in Section 1, above, are subject to all permissive and conditional uses of the R-6: Multi-Family Residential District set forth in R.O. 2003 Section 154.13 and all permissive and conditional uses of the C-1: Retail Commercial District set forth in R.O. 2003 Section 154.24 (as of the effective date of this ordinance or as subsequently amended).

B. The properties identified in Section 1, above, are subject to all design standards established by the attached Site Plan. Site Development shall conform to the attached Site Plan, unless amended pursuant to the regulations and process set forth in R.O. 2003 Section 154.43 SU: Special Use District (as of the effective date of this ordinance or as subsequently amended).

C. The property identified in Section 1, above, is subject to all requirements of the SU: Special Use District as set forth in R.O. 2003 Section 154.43 (as of the effective date of this ordinance or as subsequently amended).

D. The approved Site Plan is included as Exhibit A.

Section 3. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS _____DAY OF _____, 2026.

_____
Paul Wymer, Mayor

ATTEST:

_____

Noel C. Davis, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00025

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 3. Staff contact is Ben Isaacs and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3712 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 3. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00025 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00025 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 3.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Reproduction of Notifications 26-110-00025-26-110-00040.pdf
ATTACHMENT: Findings of Fact 26-110-00025.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

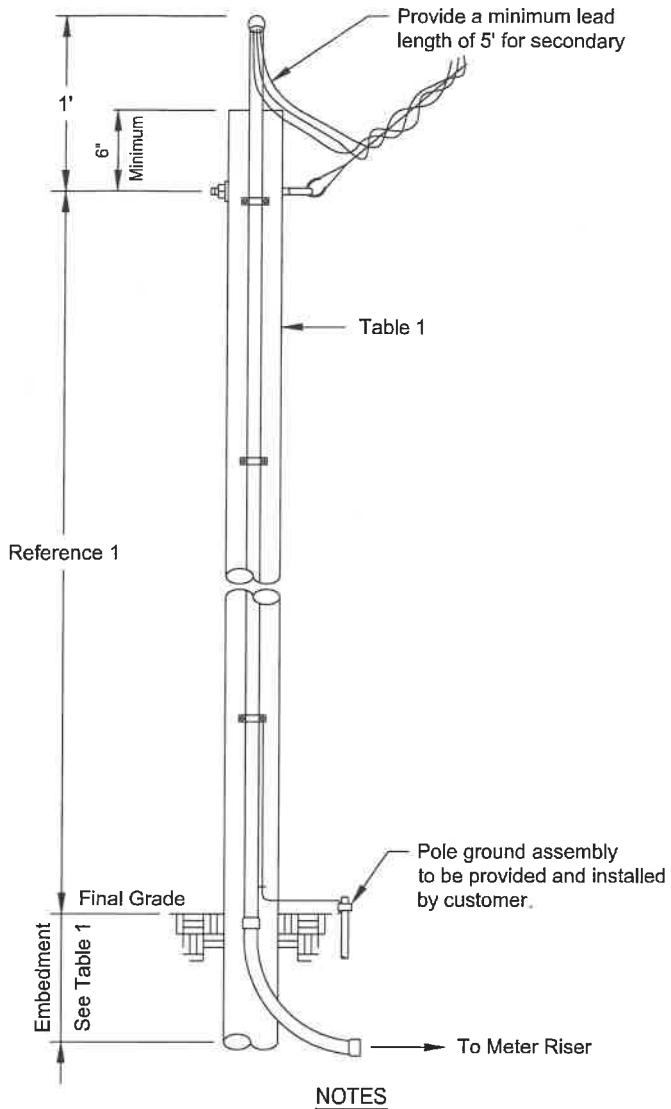
Existing electric service drop at 3821 Hanley Road

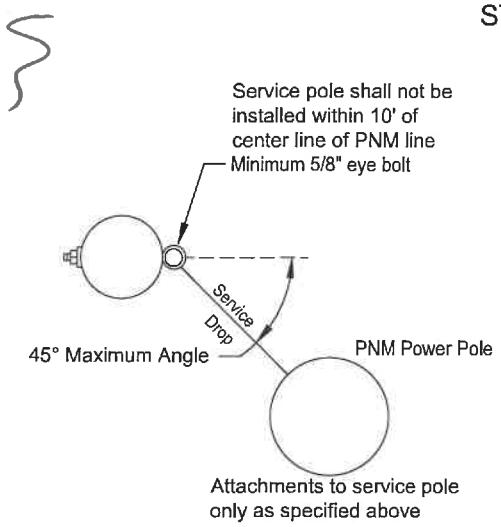
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

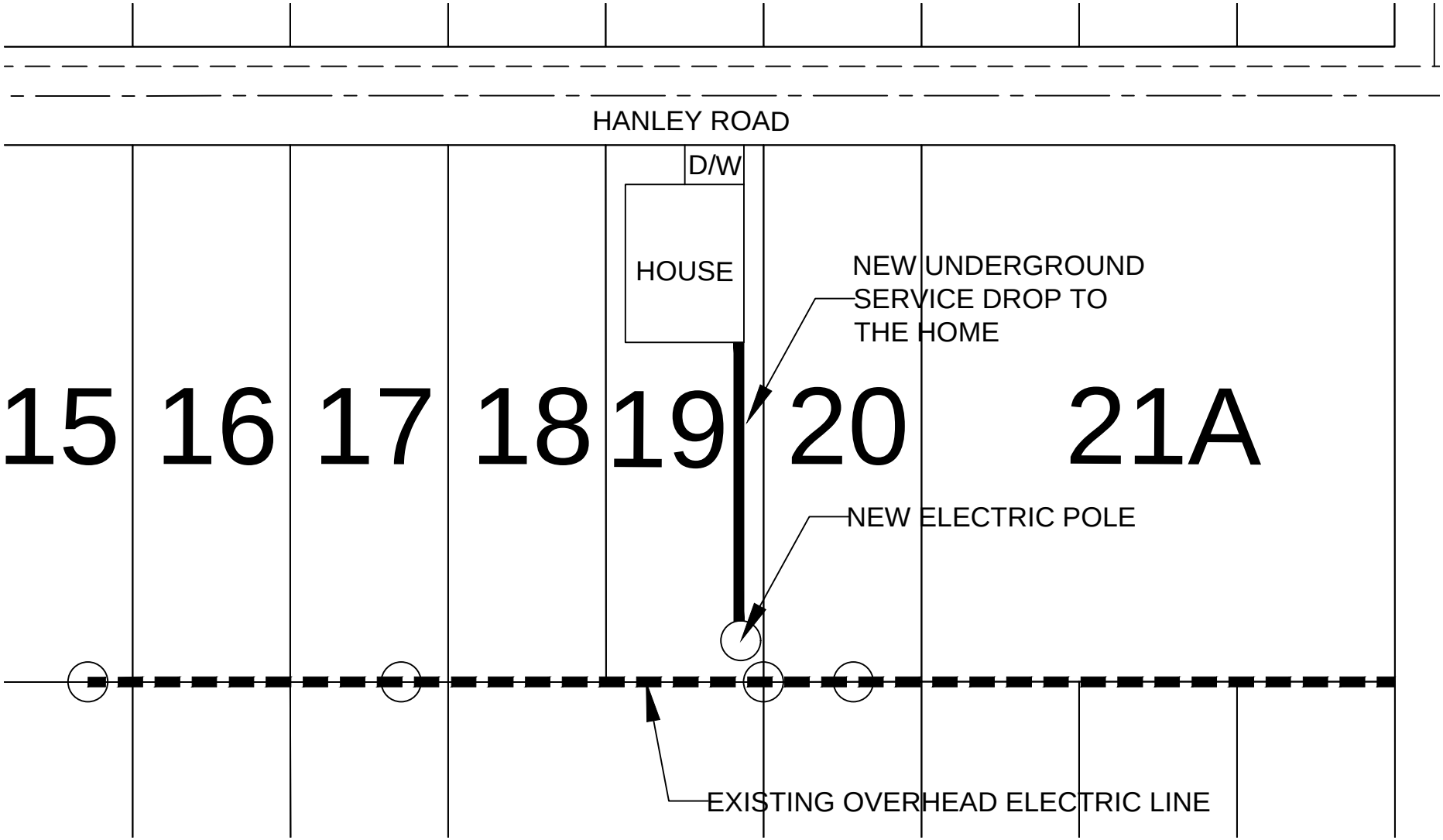
Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

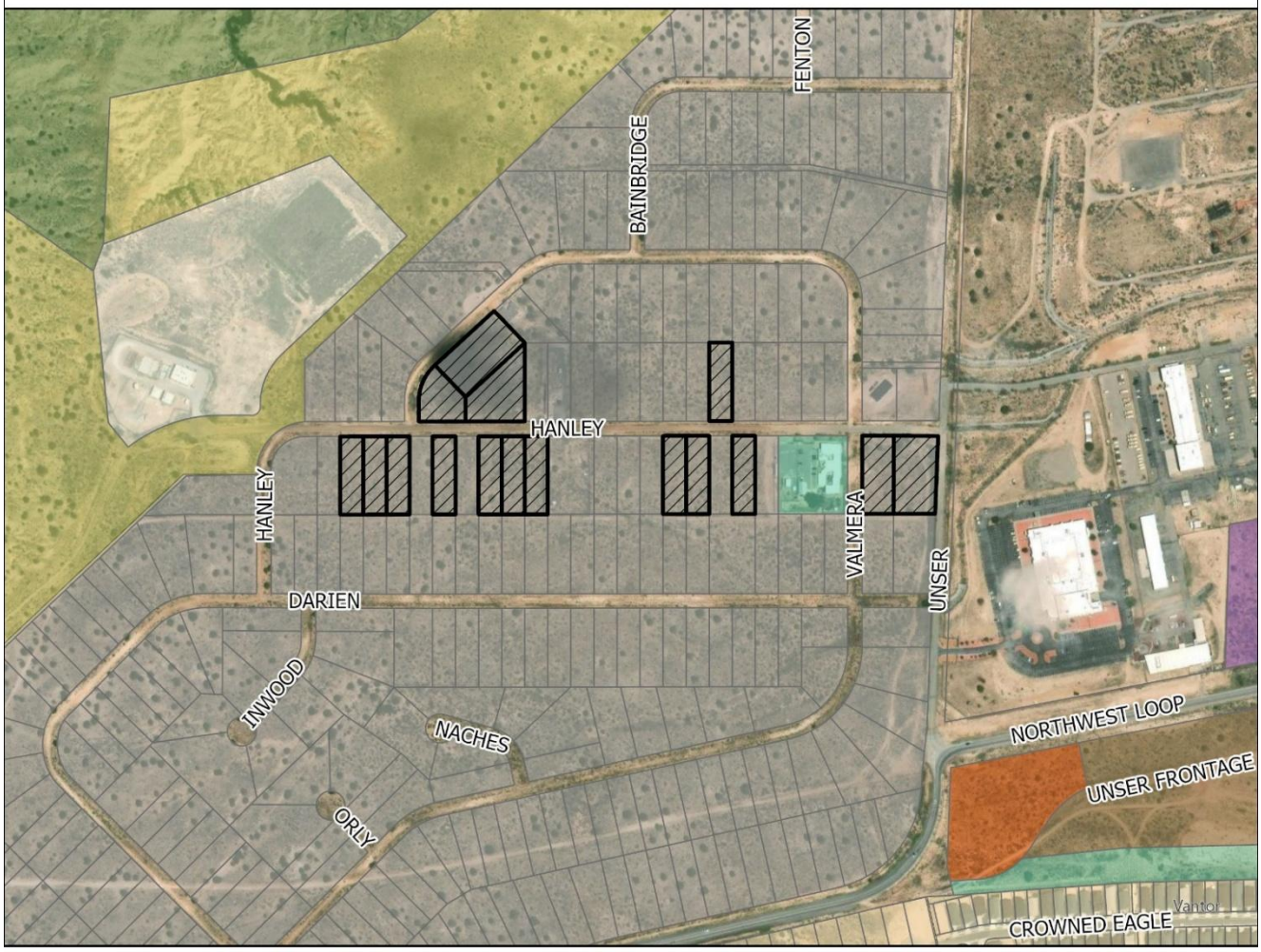
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

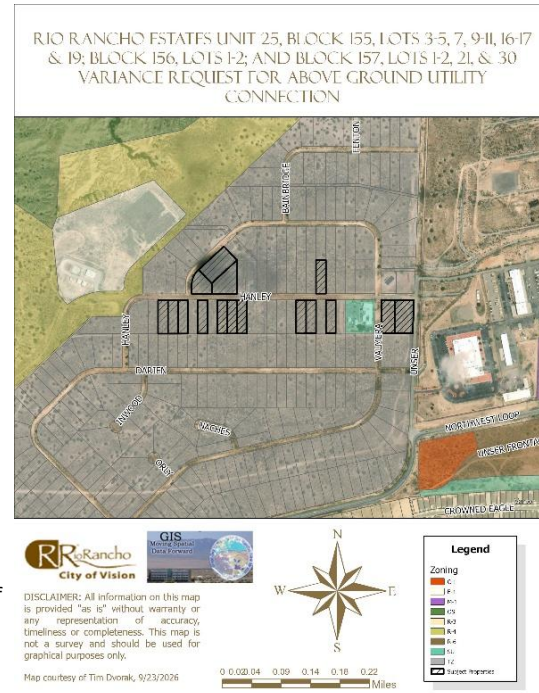
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

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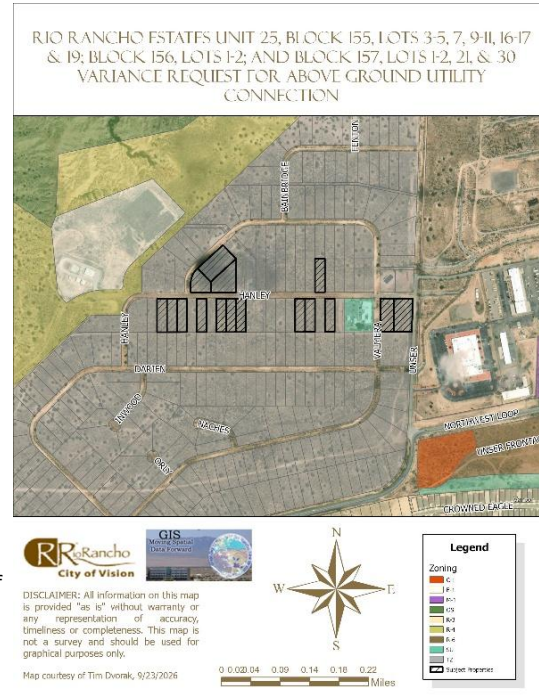


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

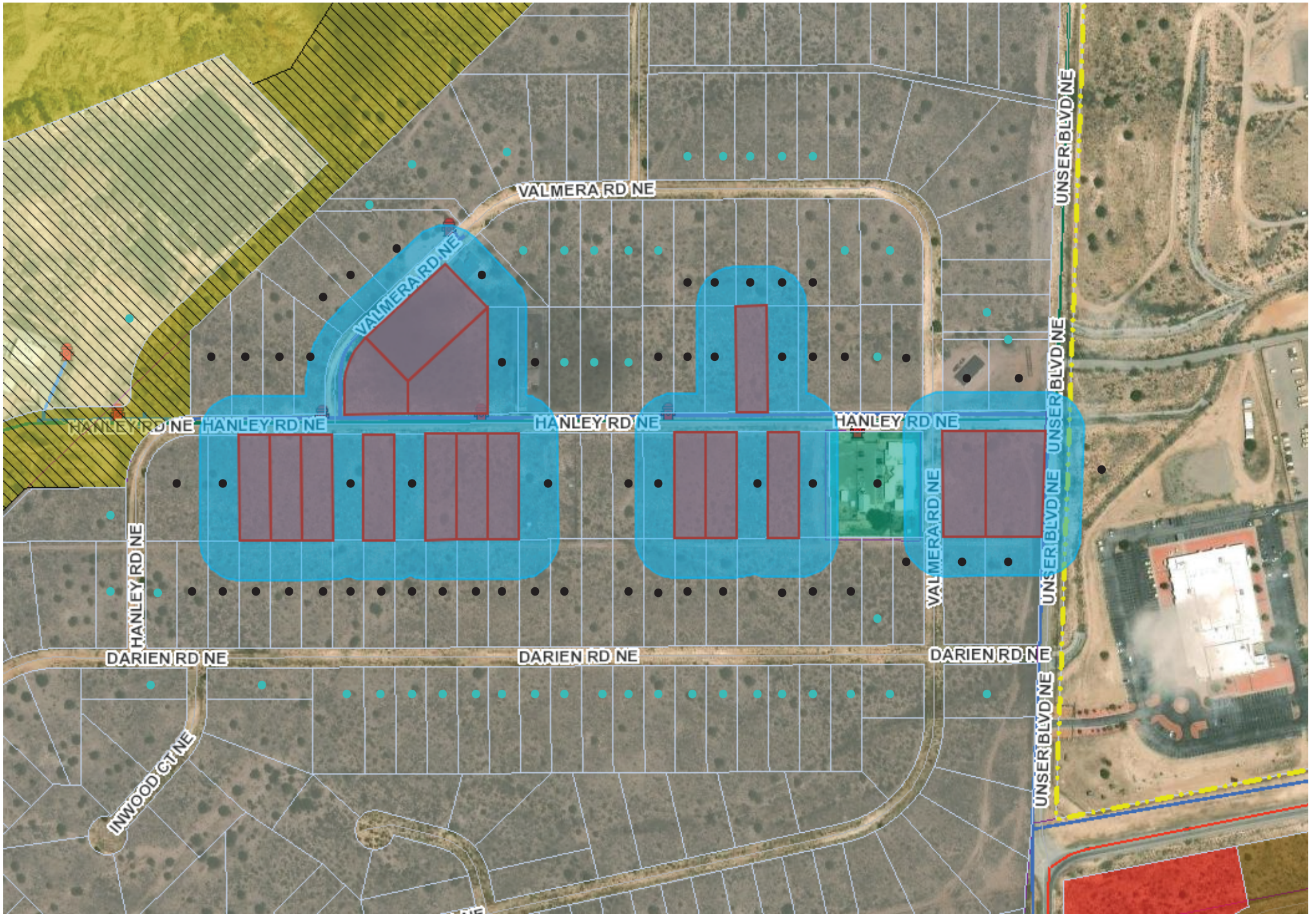
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00025

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 3.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 3.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00025

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 3.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00026

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 4. Staff contact is Ben Isaacs and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3716 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 4. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00026 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00026 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 4.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Reproduction of Notifications 26-110-00025-26-110-00040.pdf
ATTACHMENT: Findings of Fact 26-110-00026.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

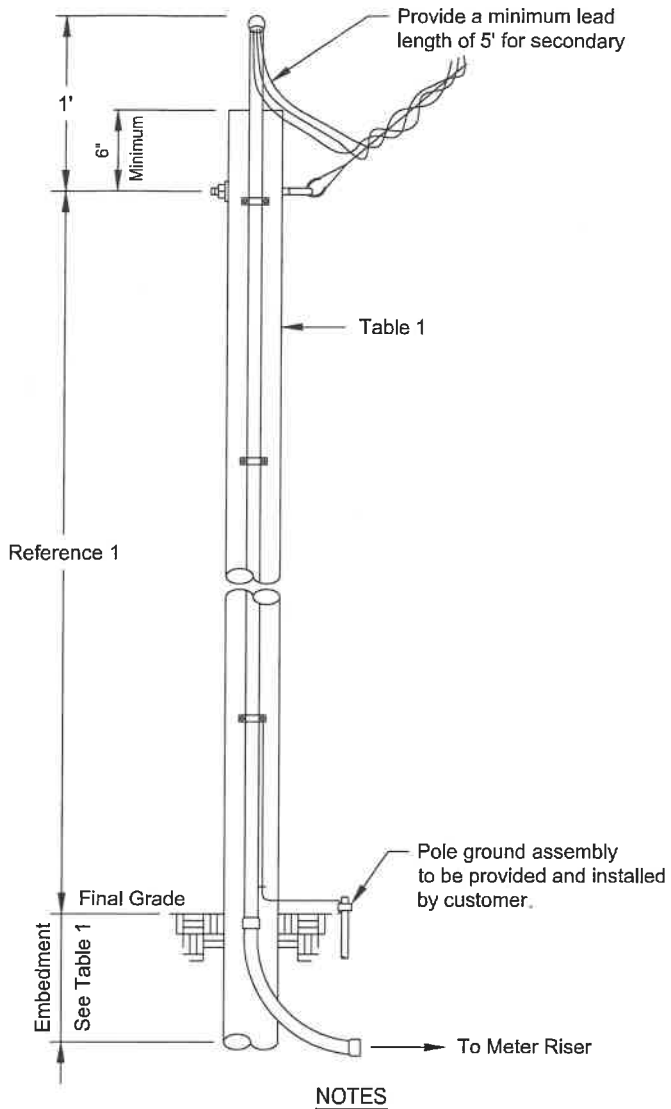
Existing electric service drop at 3821 Hanley Road

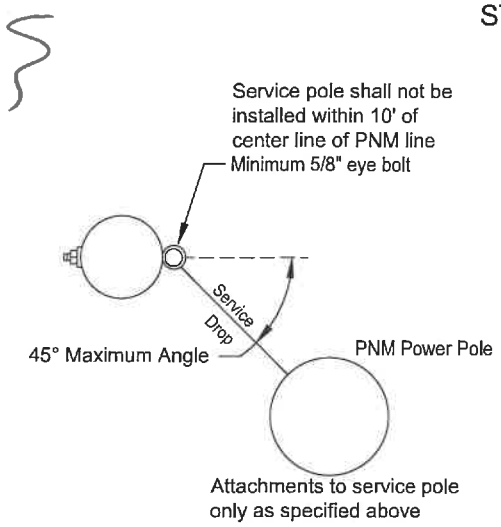
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

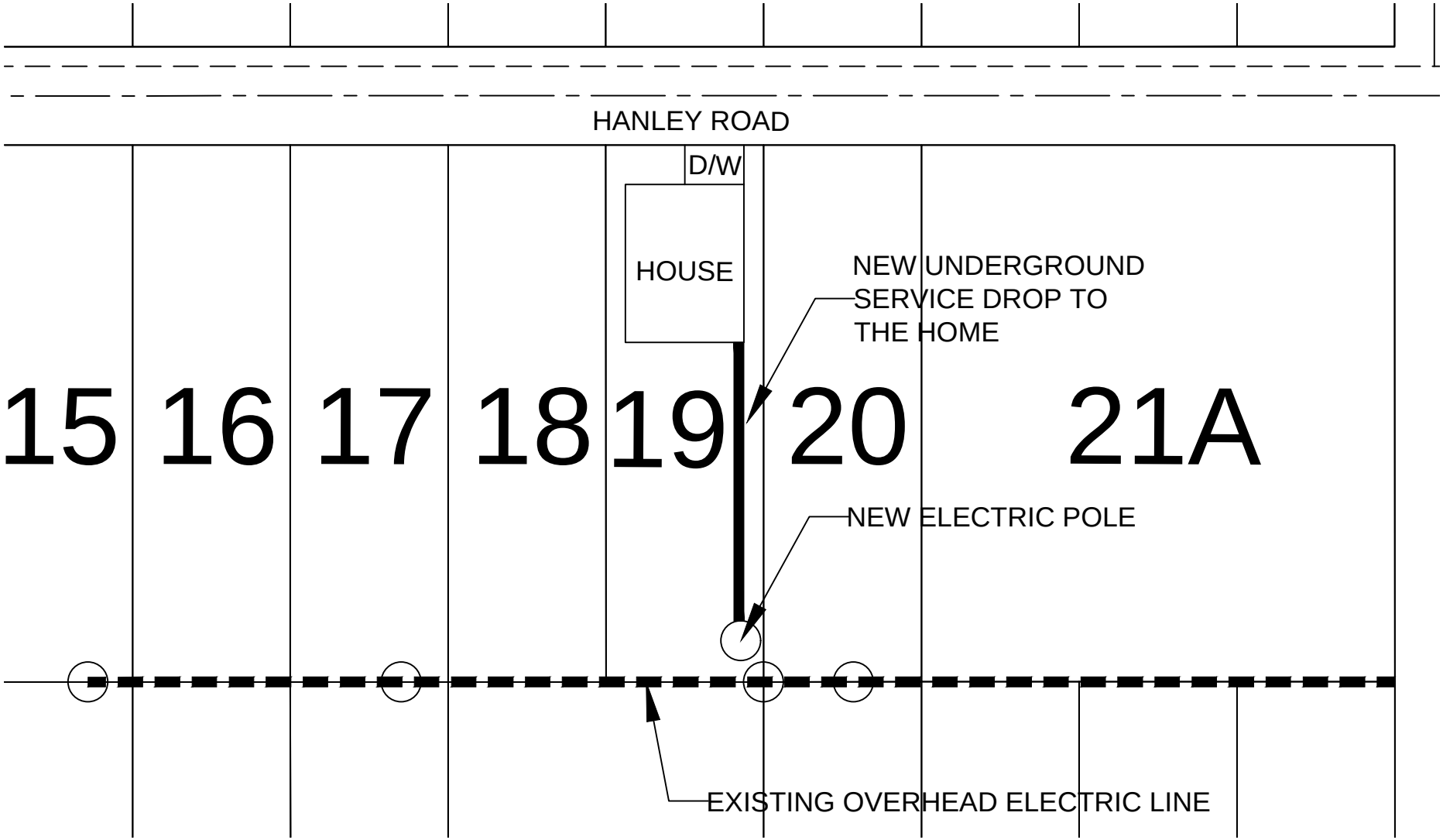
Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

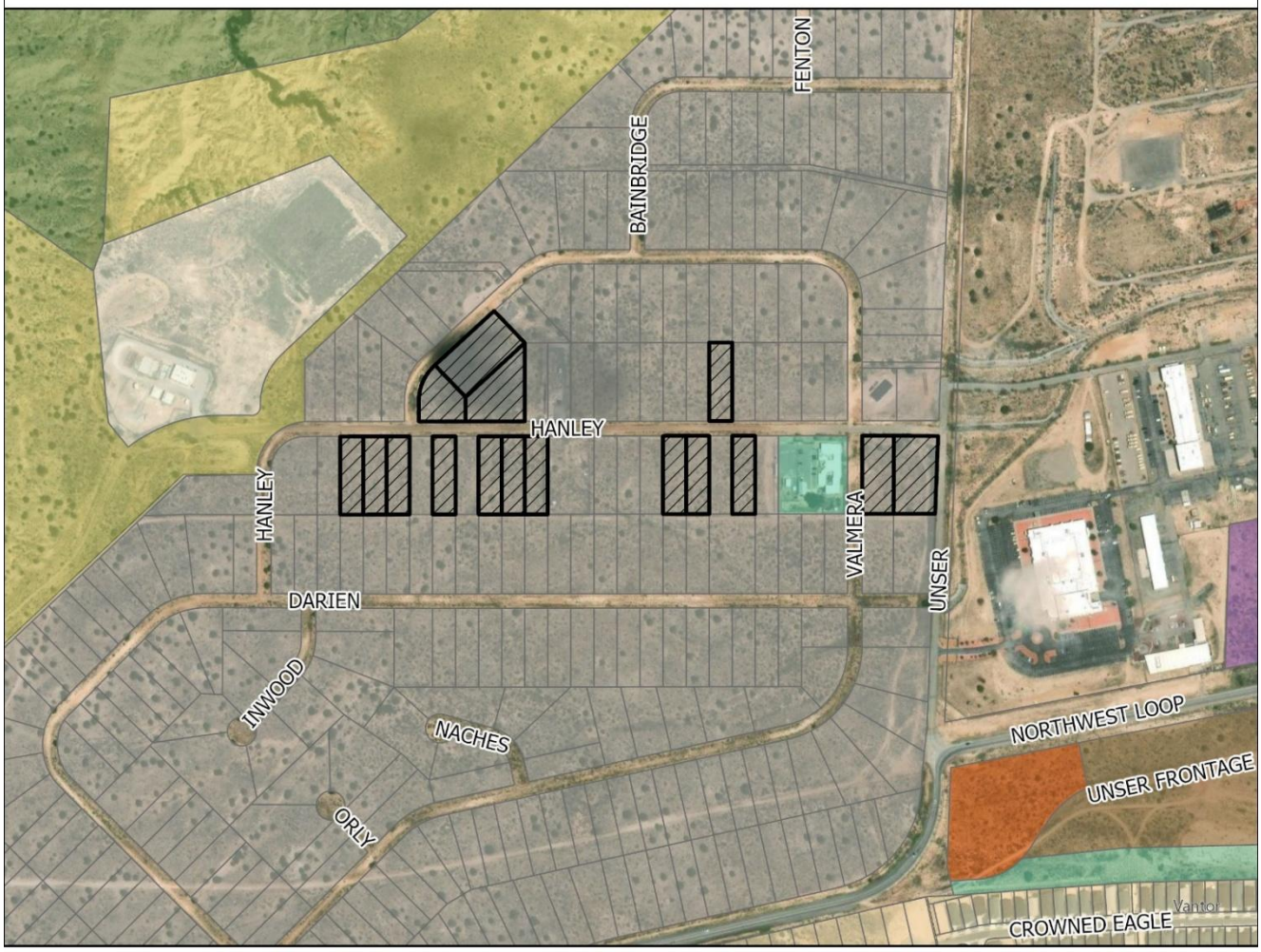
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

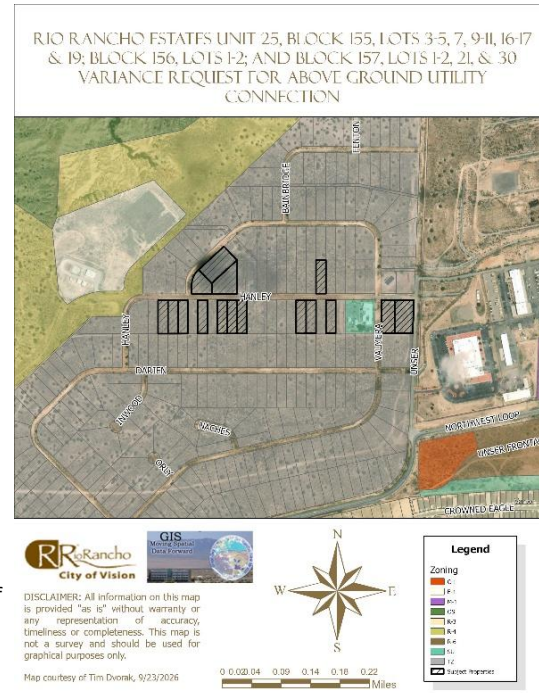
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

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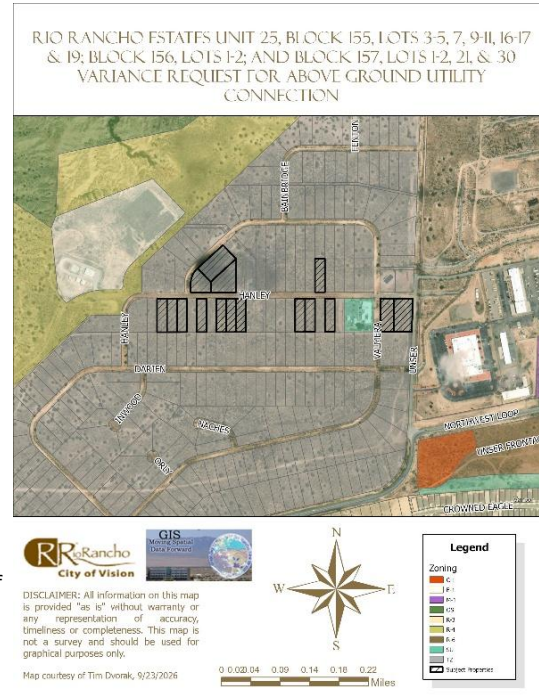


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

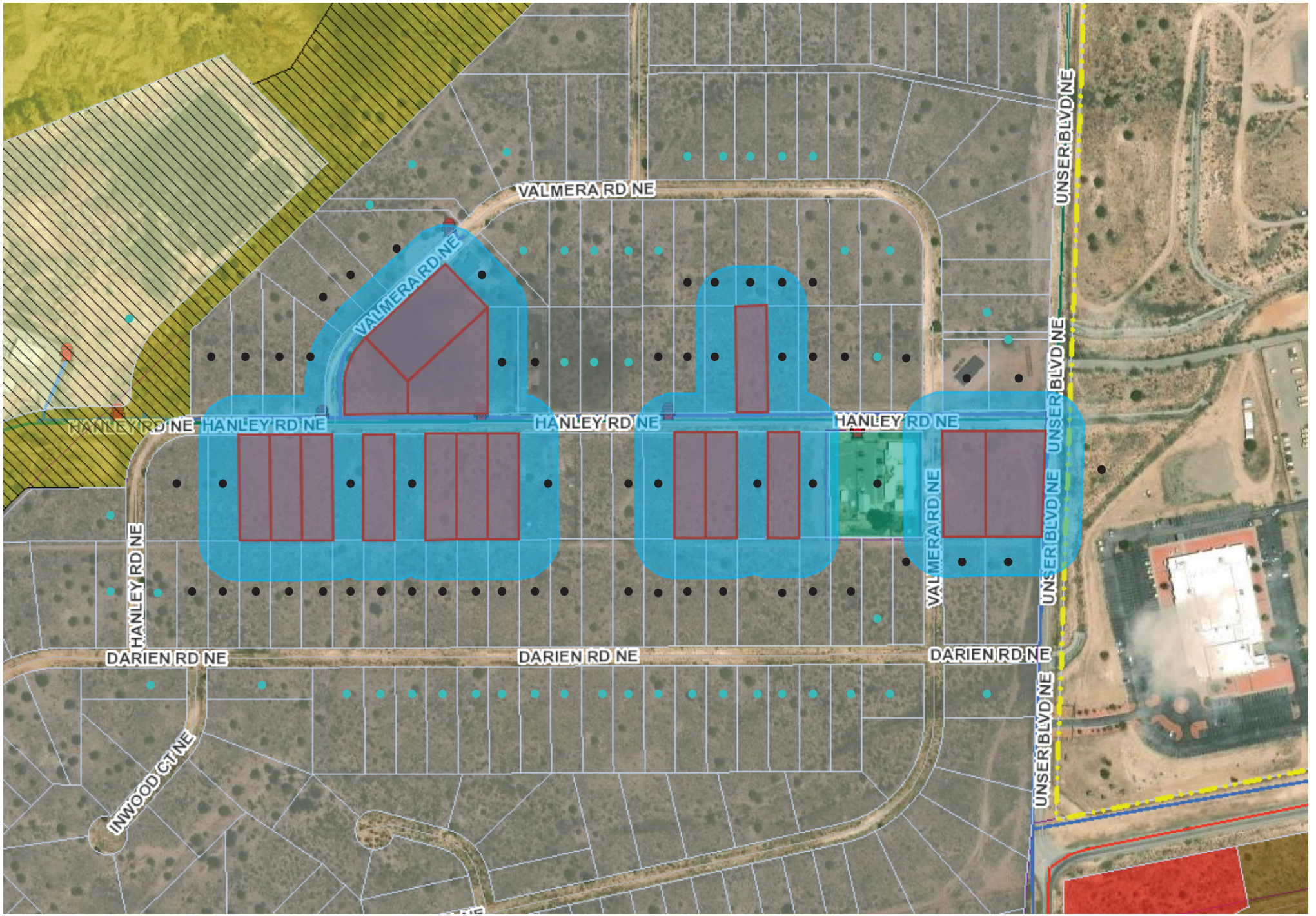
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00026

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 4.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 4.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00026

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 4.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00027

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 5. Staff contact is Ben Isaacs and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3720 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 5. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00027 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00027 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 5.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Reproduction of Notifications 26-110-00025-26-110-00040.pdf
ATTACHMENT: Findings of Fact 26-110-00027.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

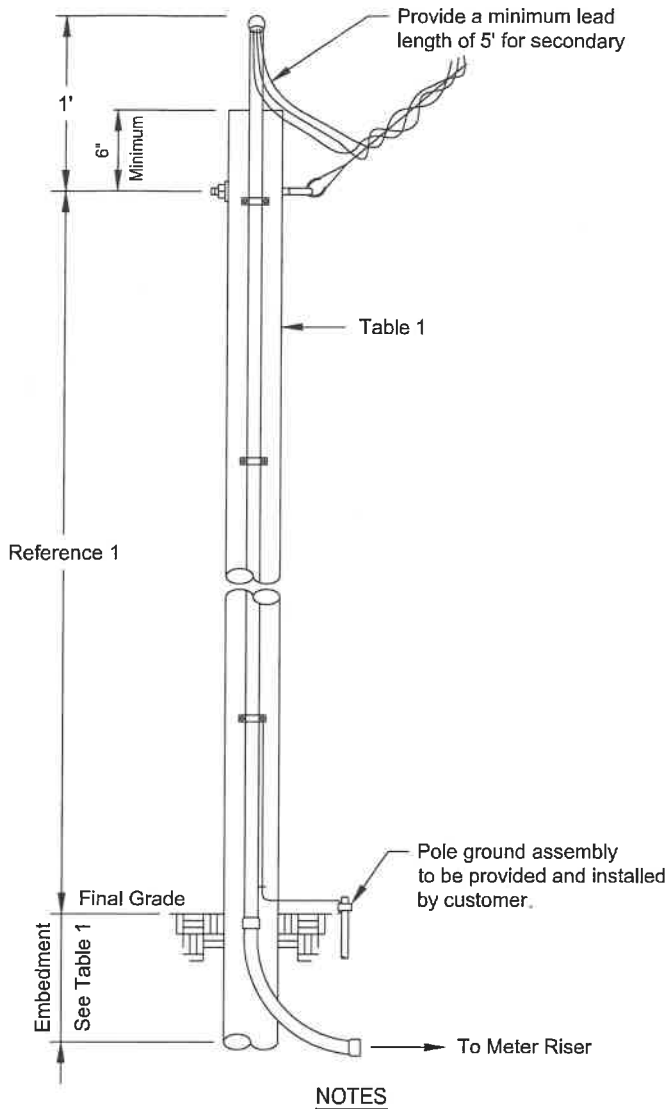
Existing electric service drop at 3821 Hanley Road

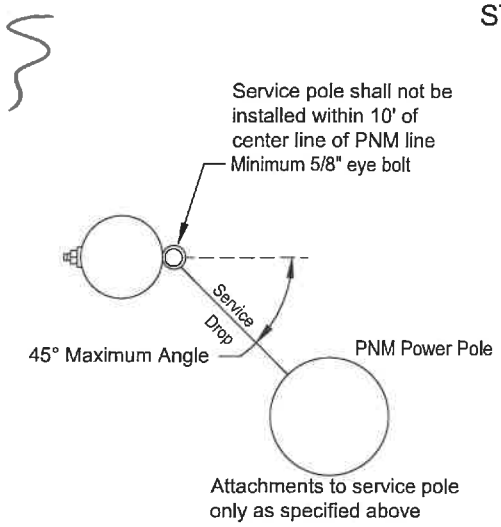
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

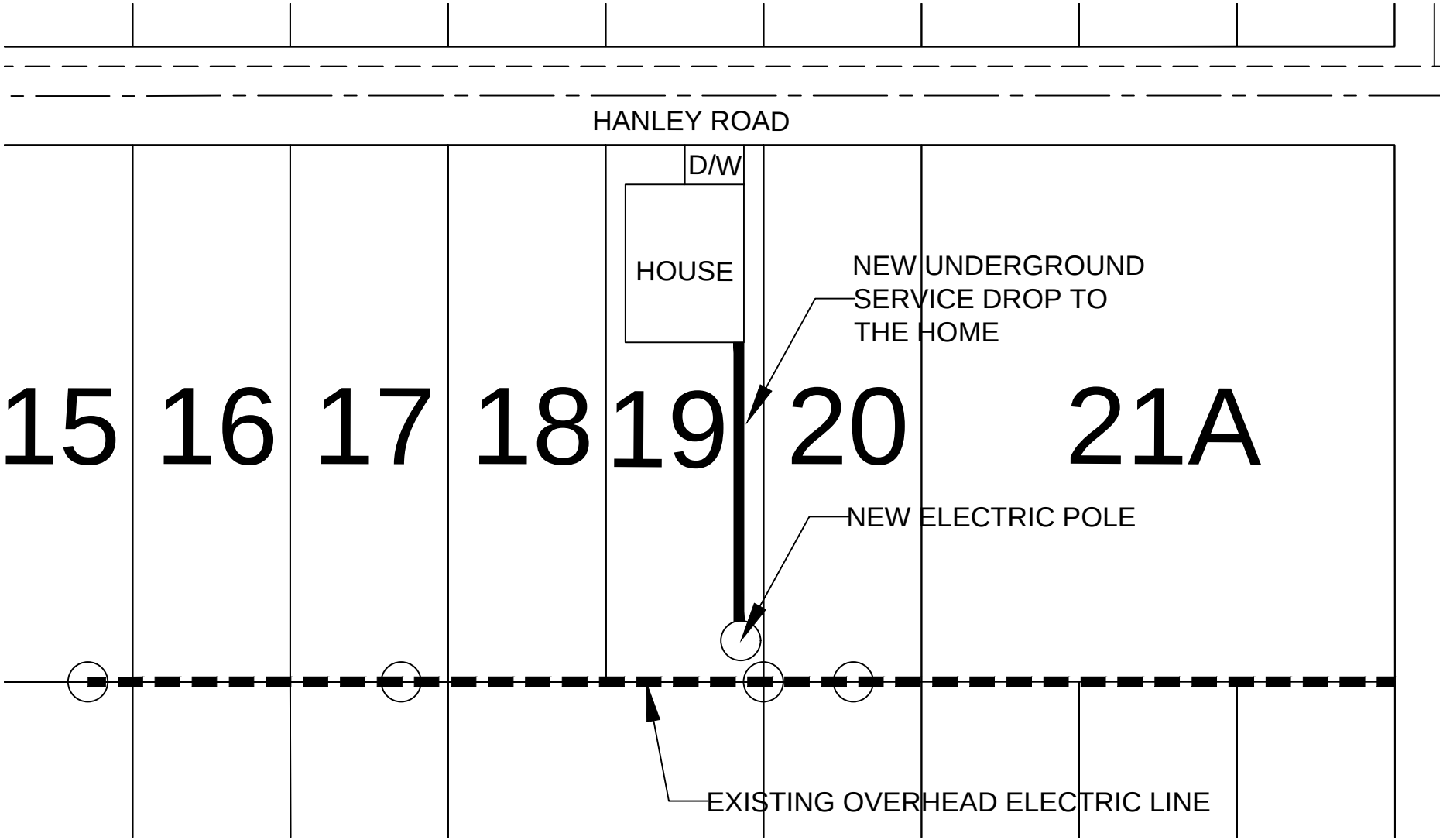
Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

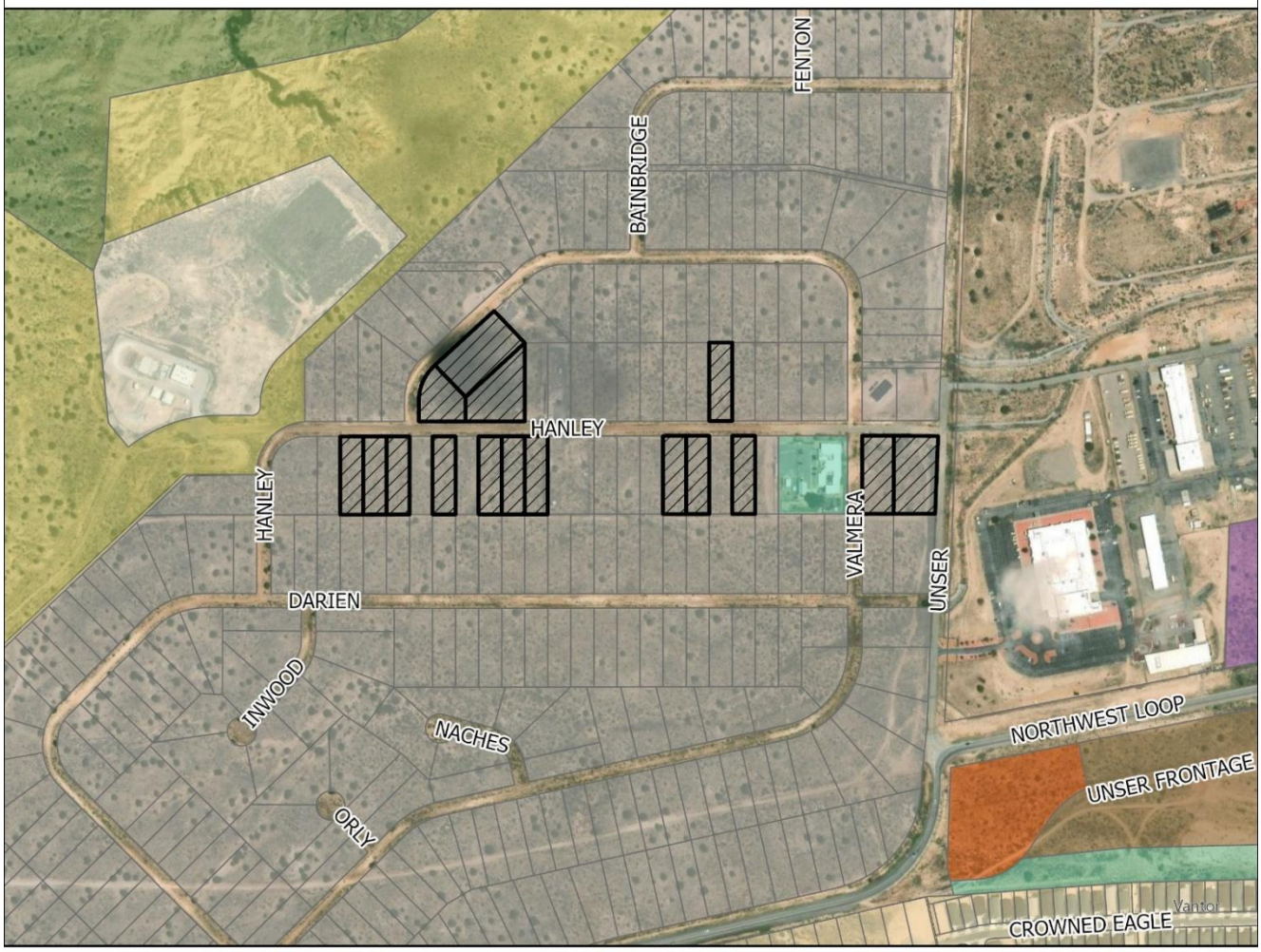
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
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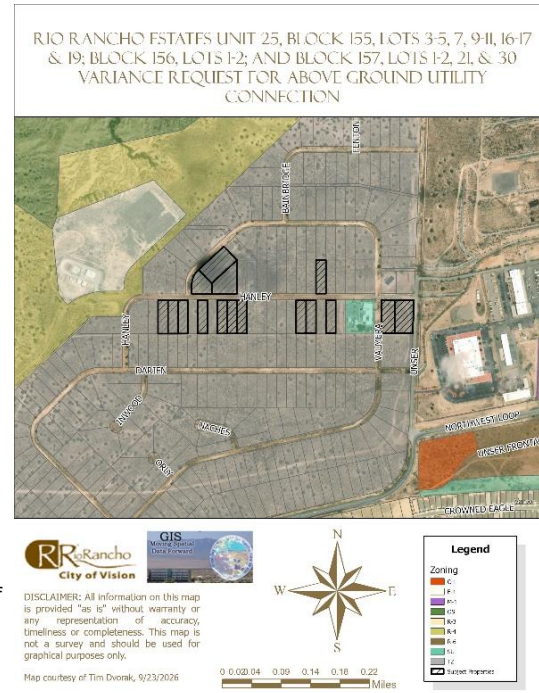
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



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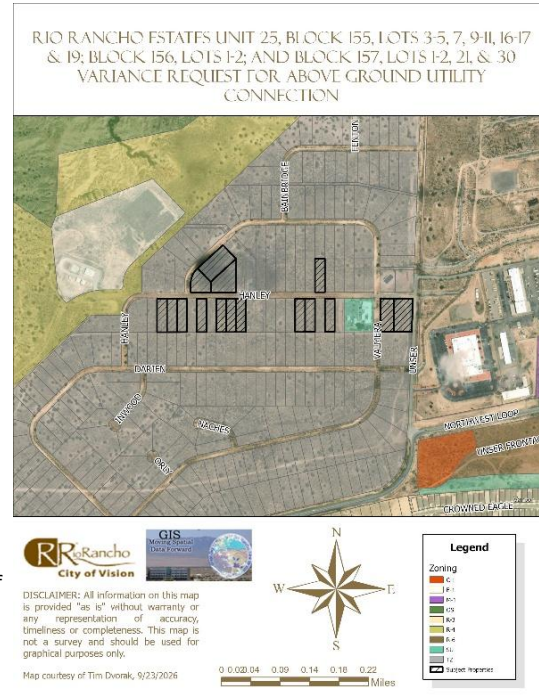


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

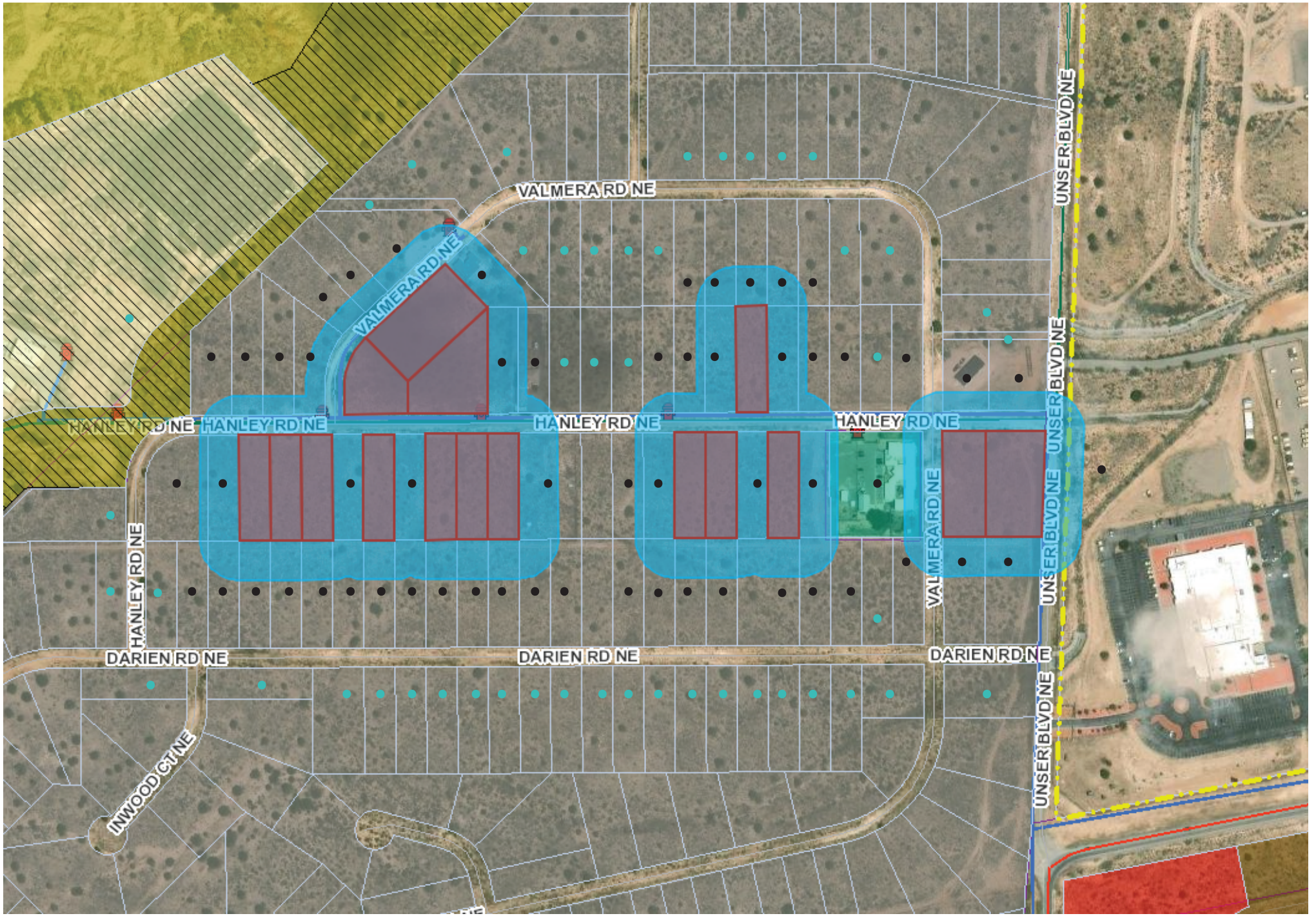
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00027

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 5.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 5.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00027

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 5.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00028

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 7. Staff contact is Ben Isaacs and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3800 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 7. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00028 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00028 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 7.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Reproduction of Notifications 26-110-00025-26-110-00040.pdf
ATTACHMENT: Findings of Fact 26-110-00028.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

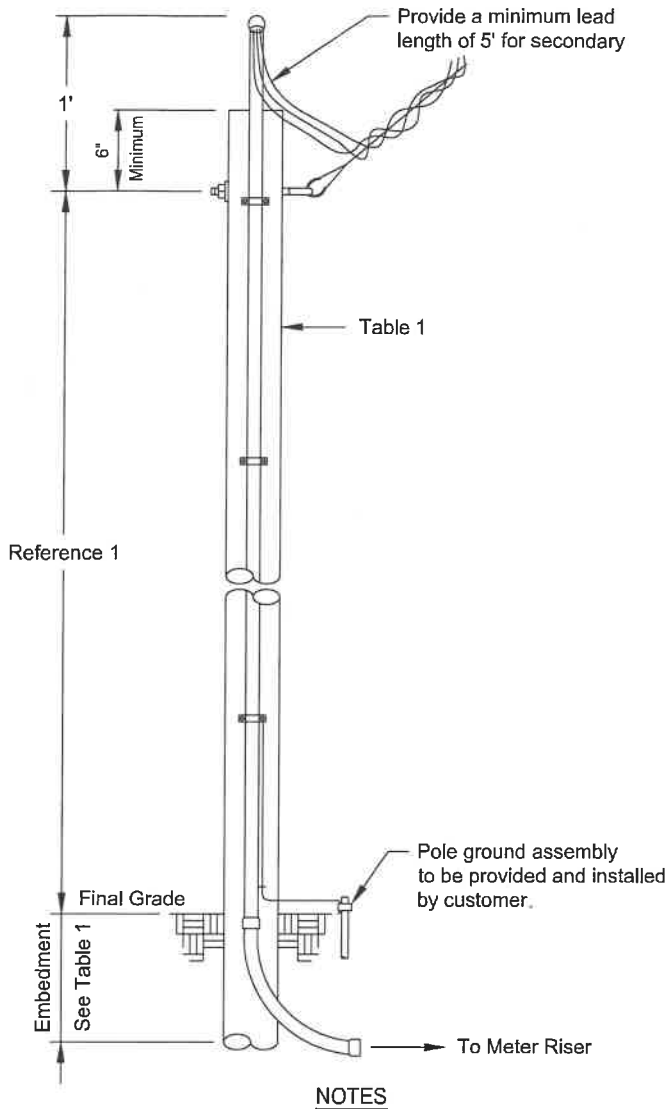
Existing electric service drop at 3821 Hanley Road

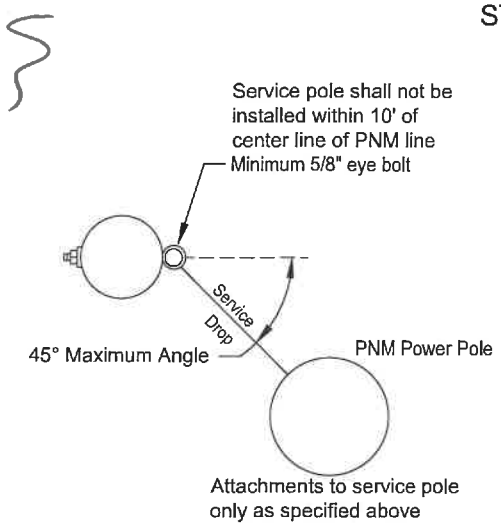
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

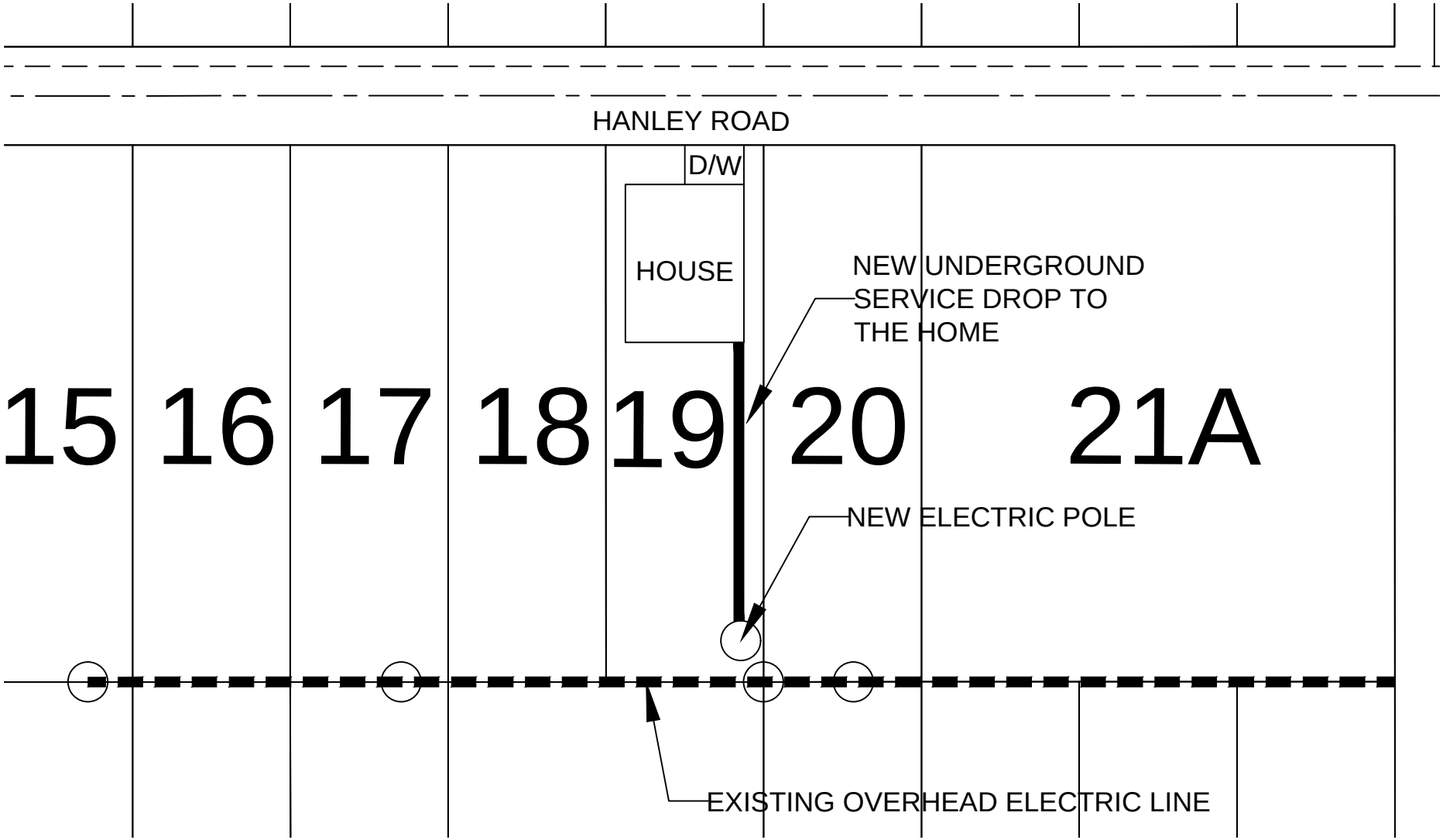
Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

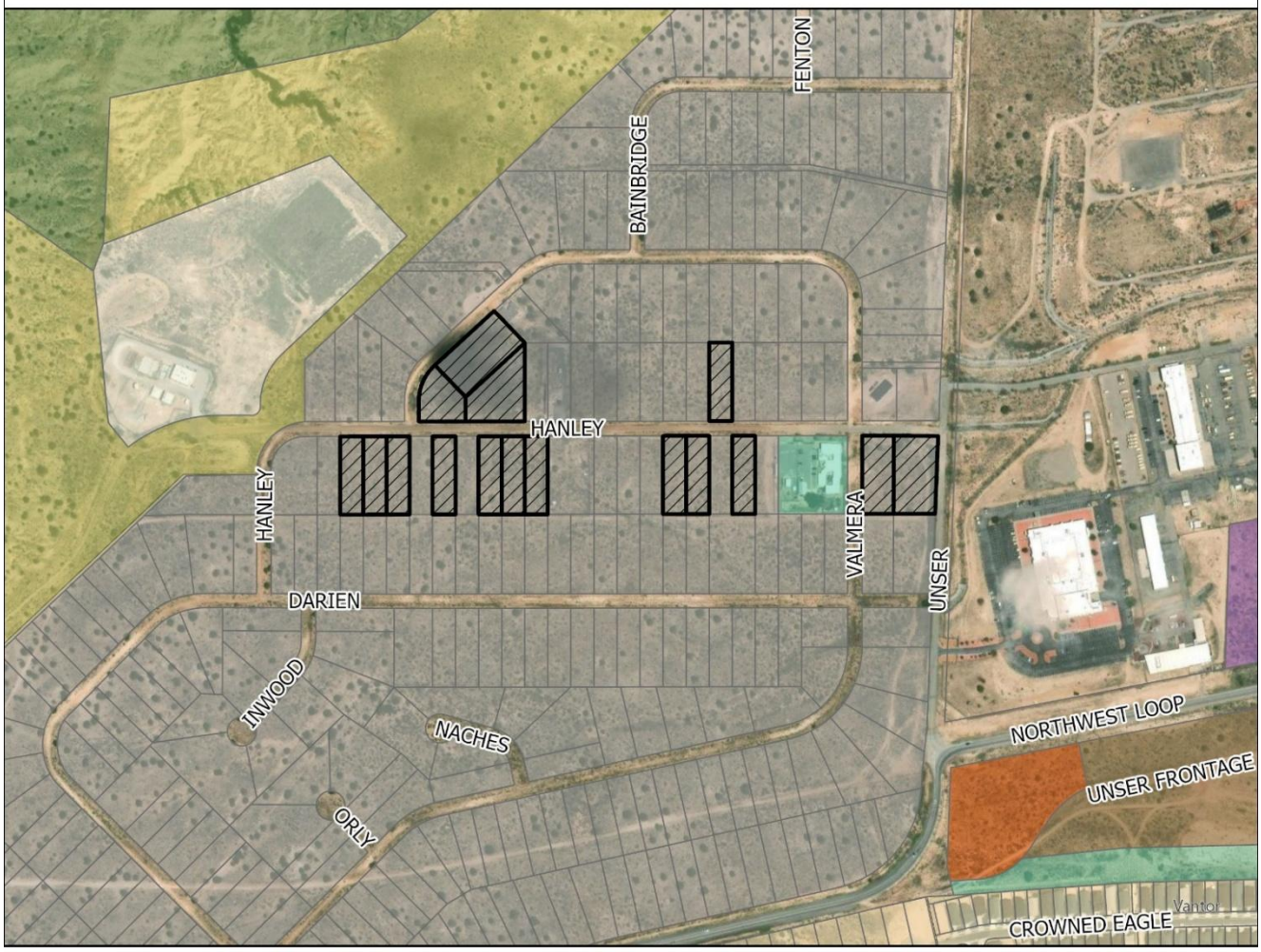
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

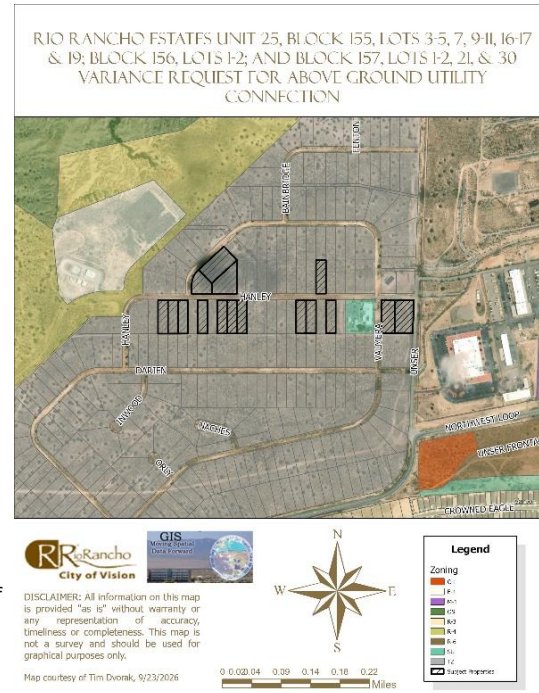
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

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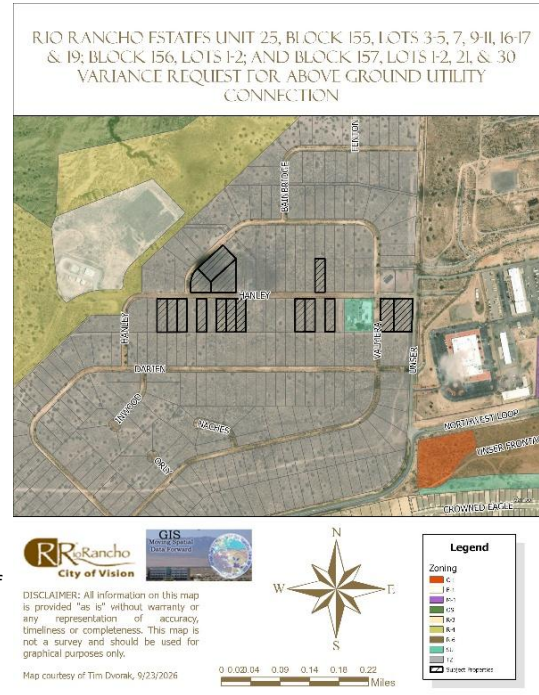
If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

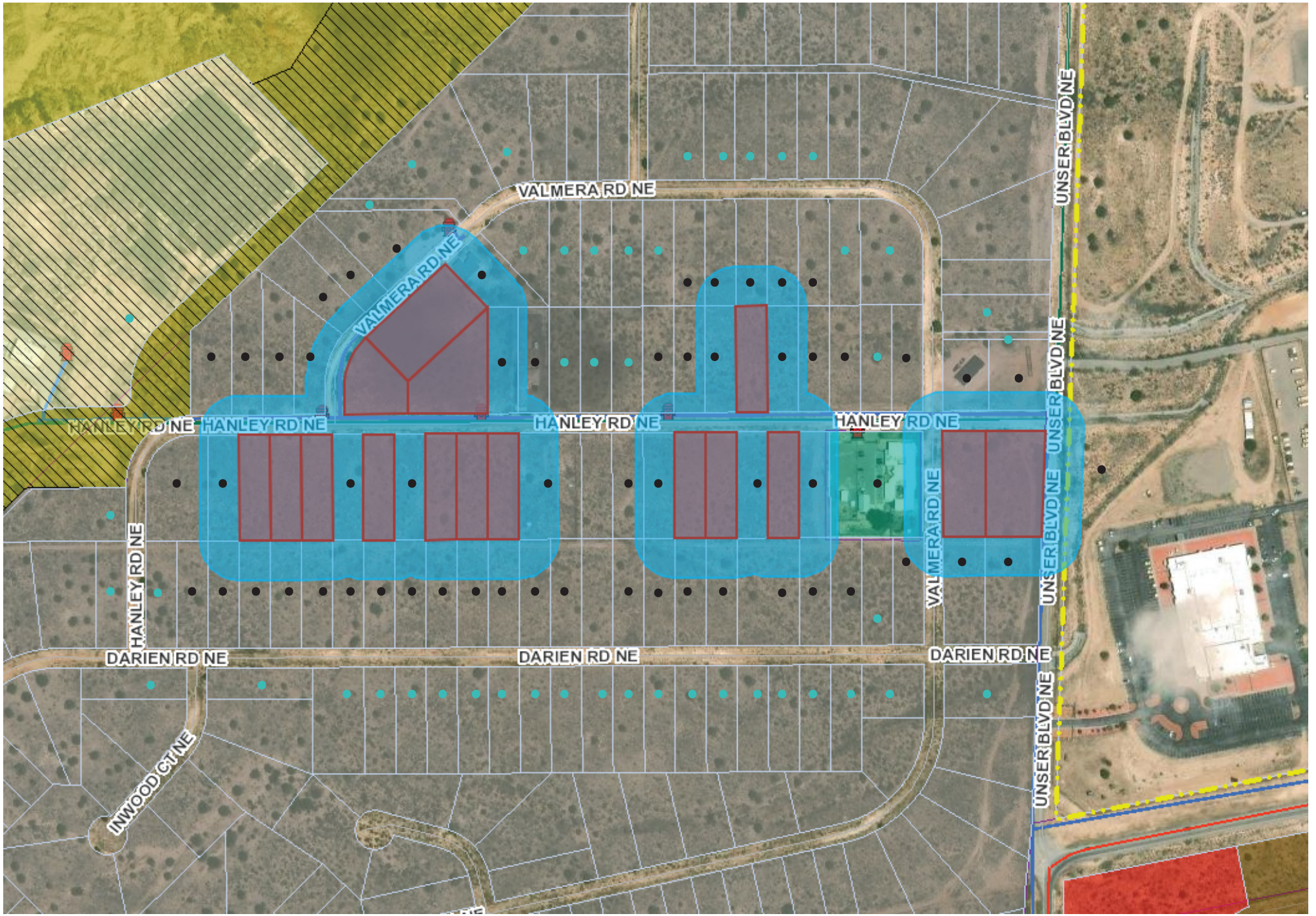
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00028

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 7.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 7.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00028

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 7.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00029

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 9. Staff contact is Michelle Costilla and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3808 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 9. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00029 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00029 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 9.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: Findings_of_Fact_26-110-00029.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

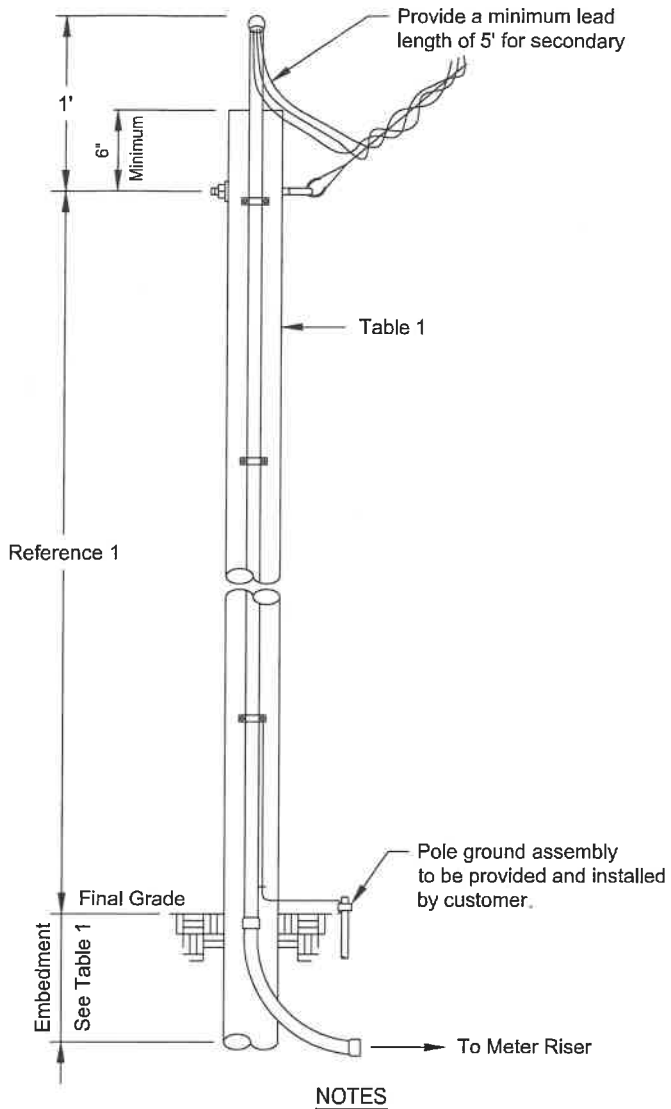
Existing electric service drop at 3821 Hanley Road

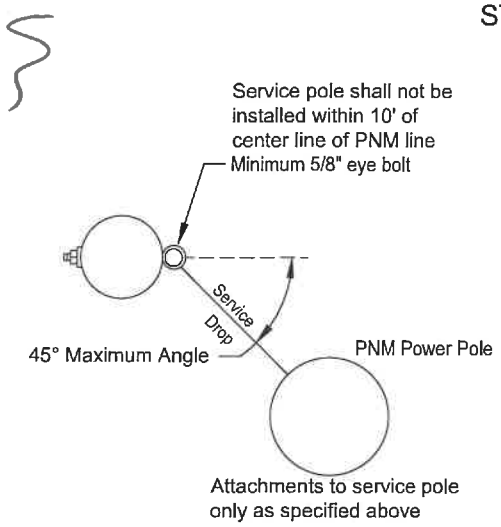
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

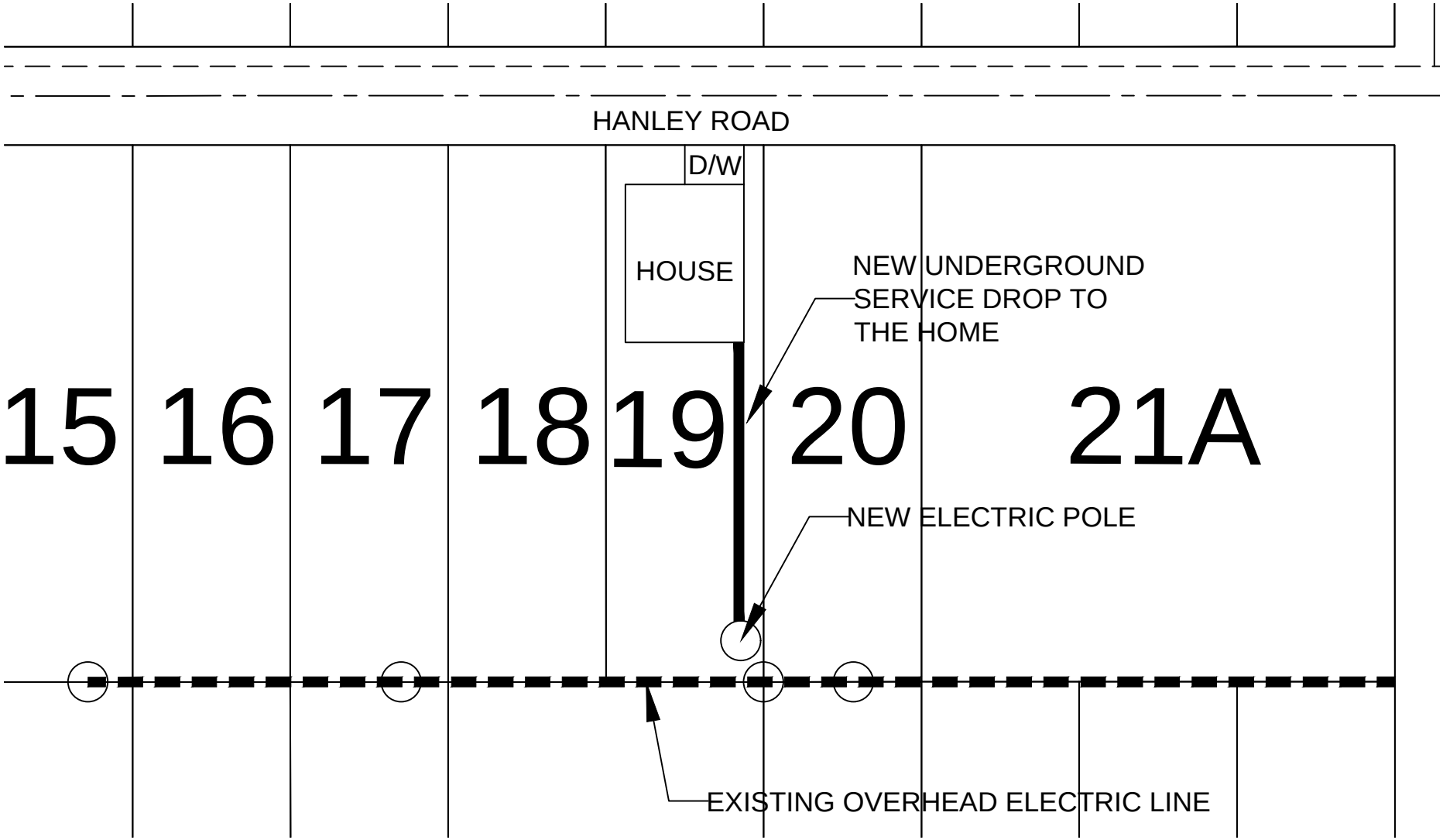
Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

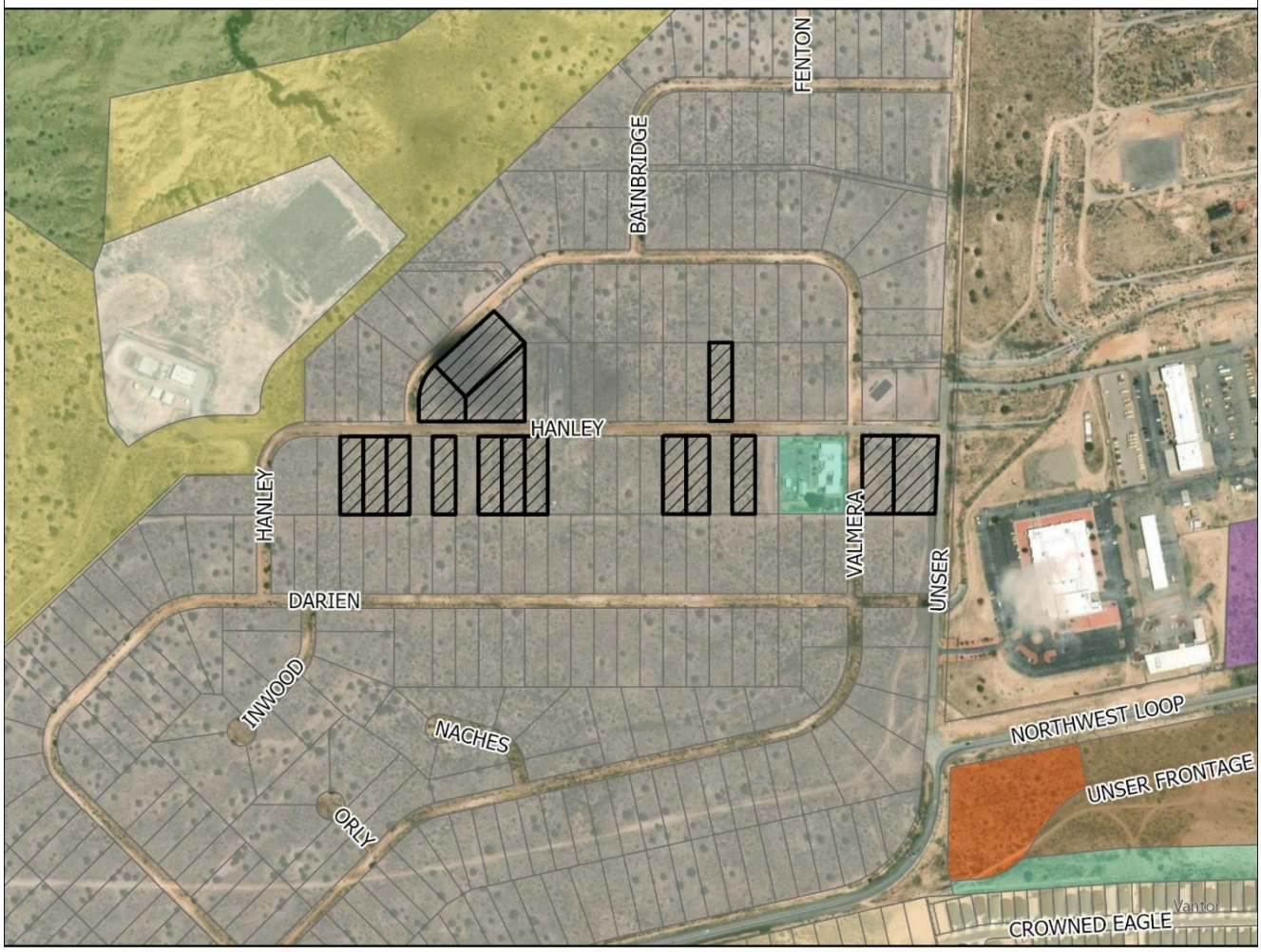
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
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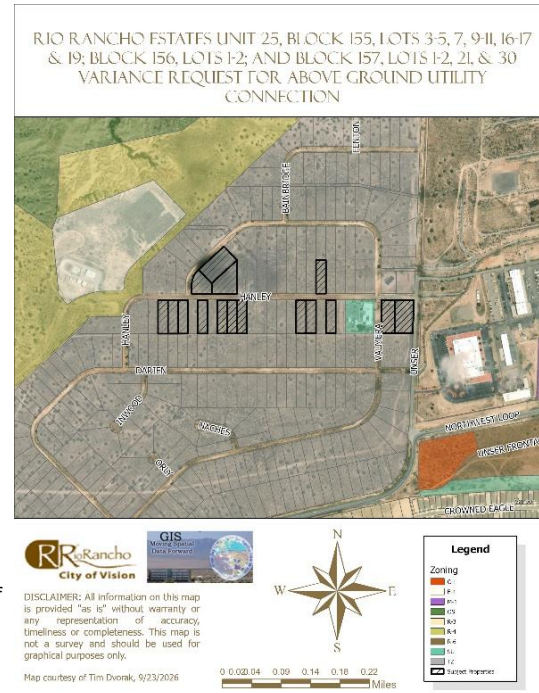
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

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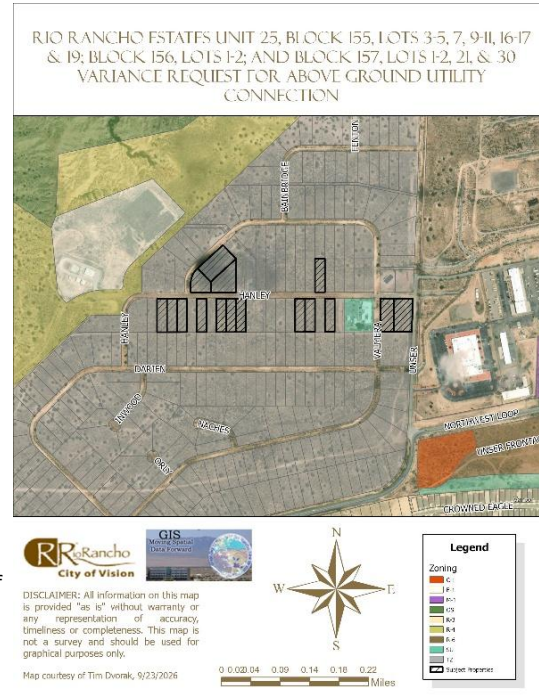
If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

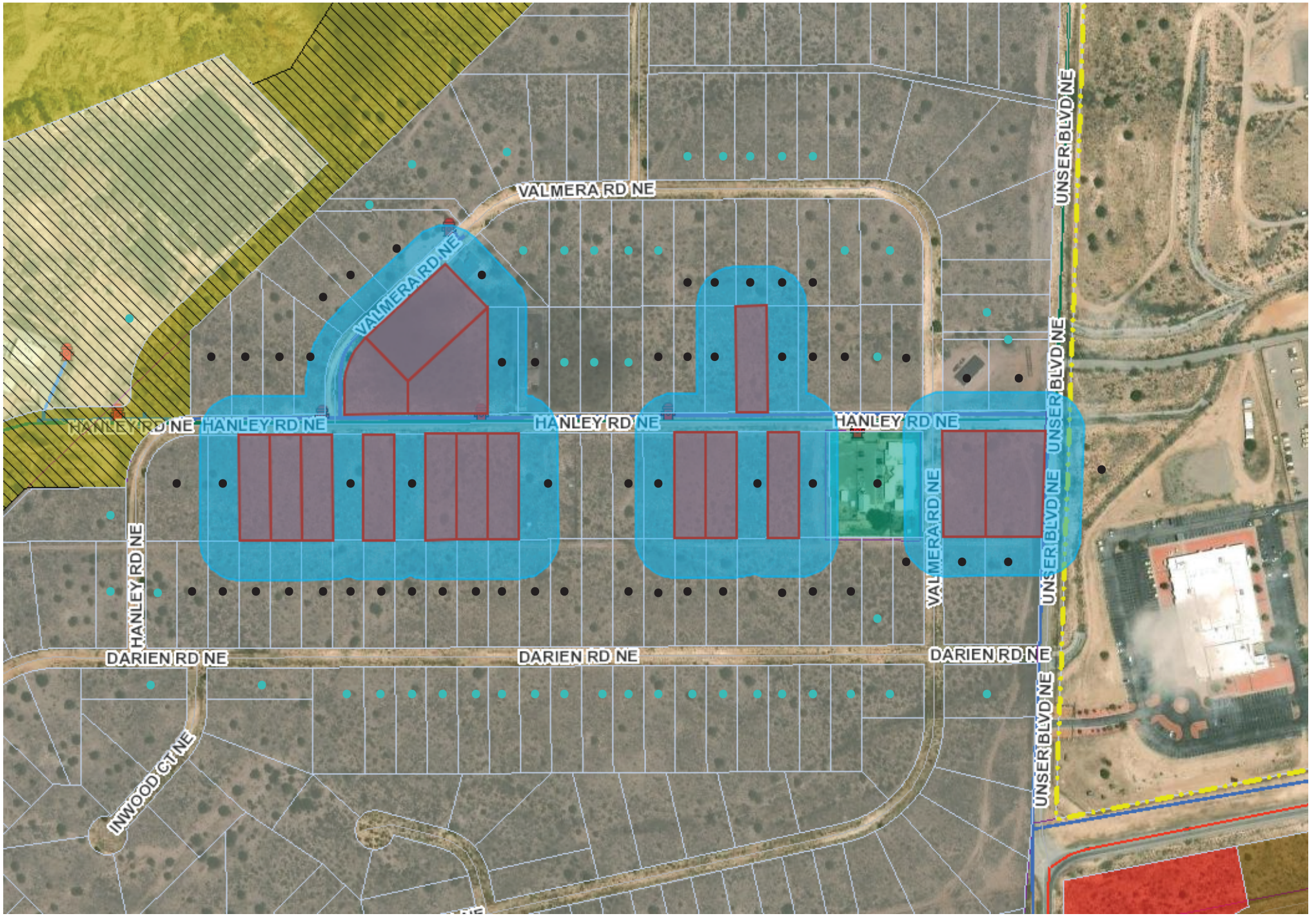
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00029

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 9.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 9.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00029

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 9.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00030

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 10. Staff contact is Michelle Costilla and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3812 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 10. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00030 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00030 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 10.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: Findings_of_Fact_26-110-00030.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

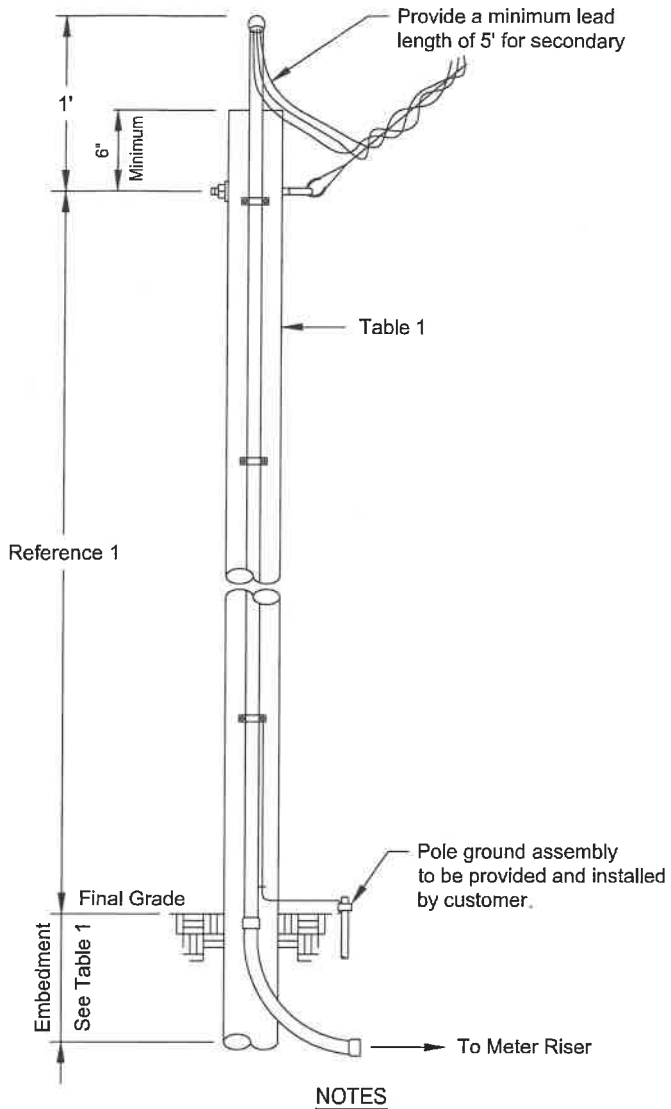
Existing electric service drop at 3821 Hanley Road

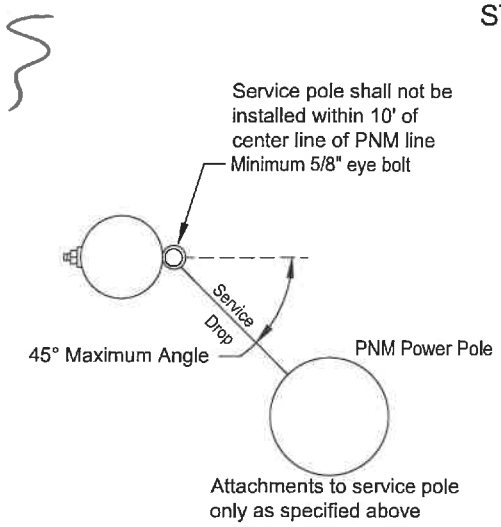
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

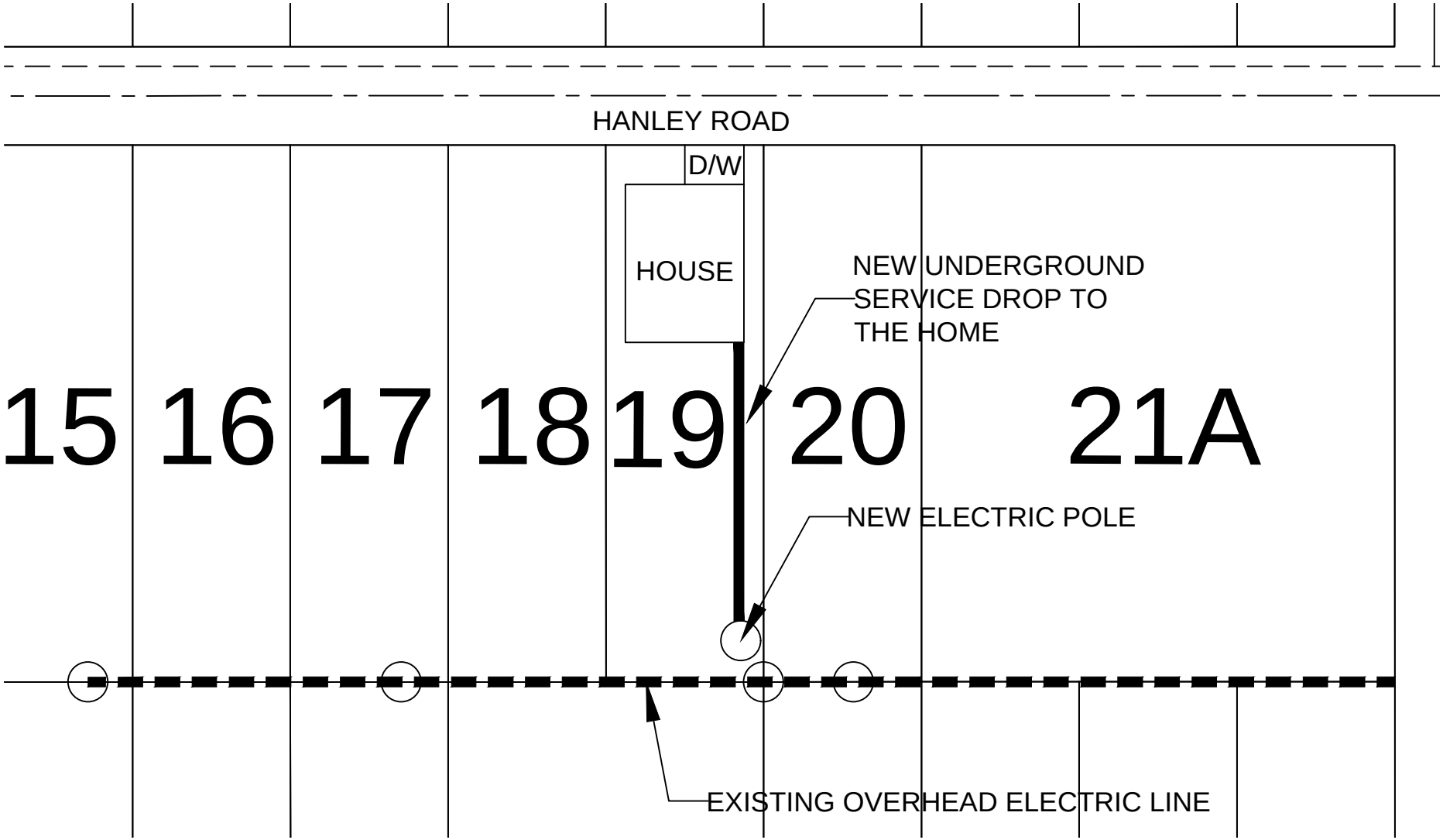
Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

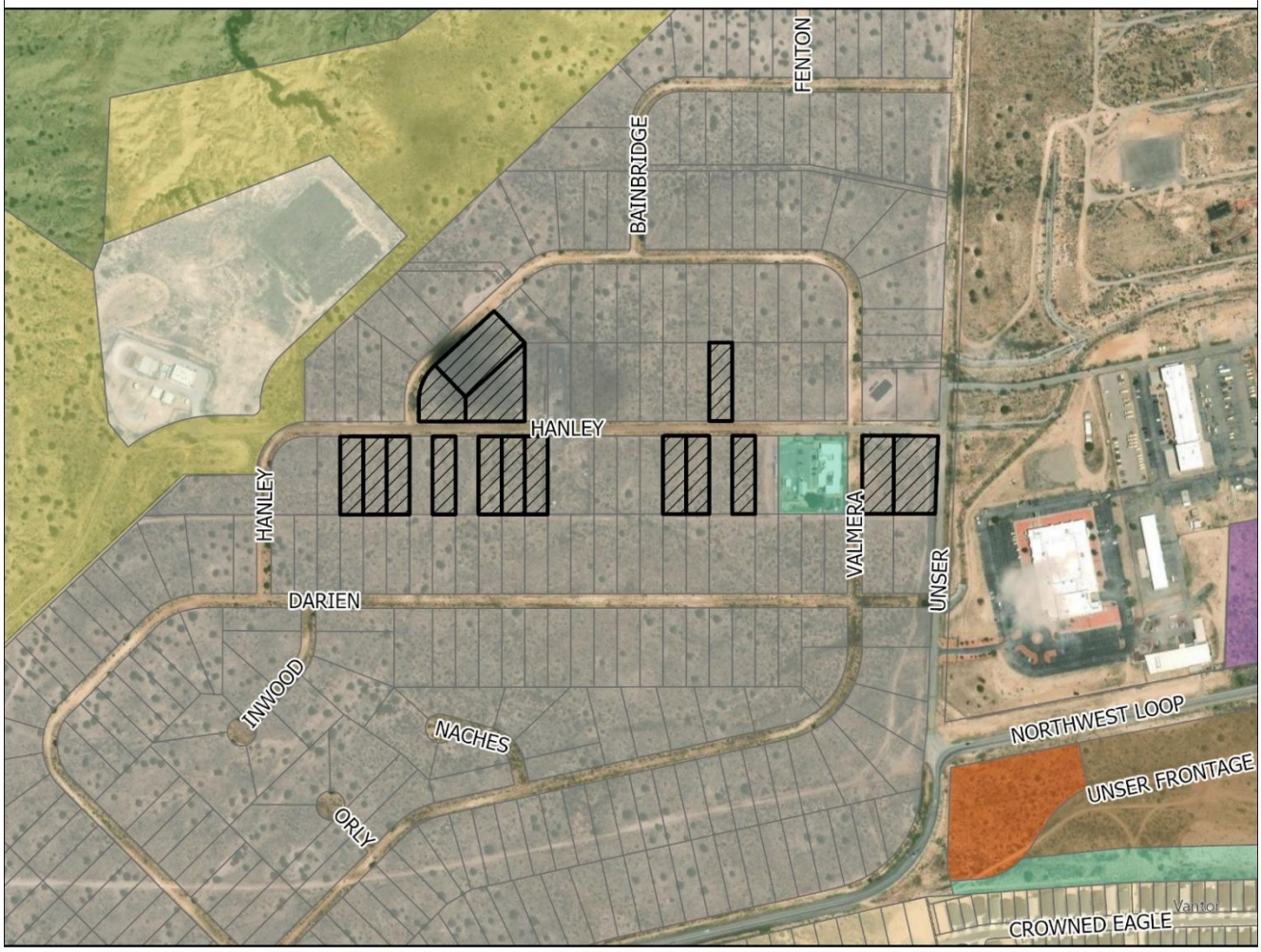
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
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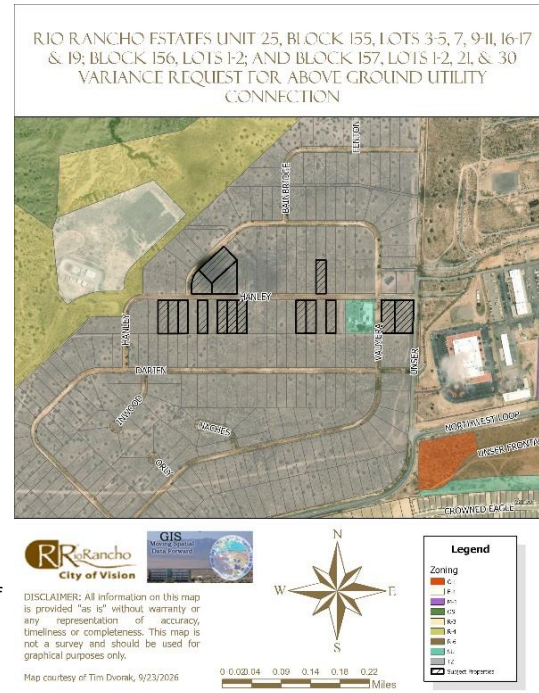
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

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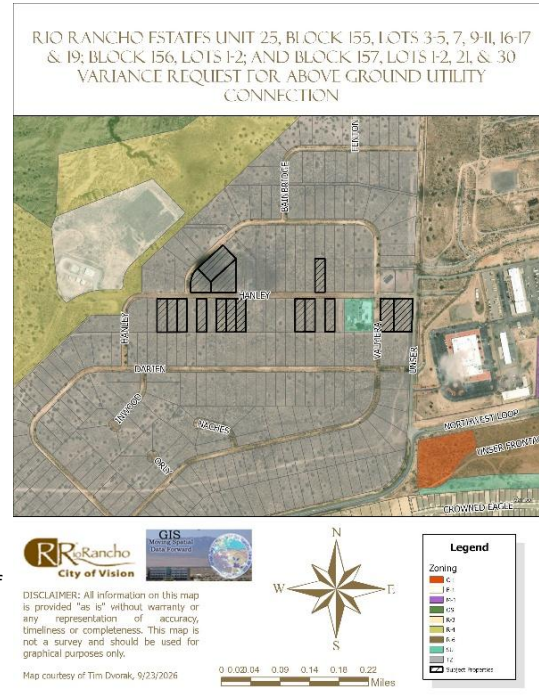


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

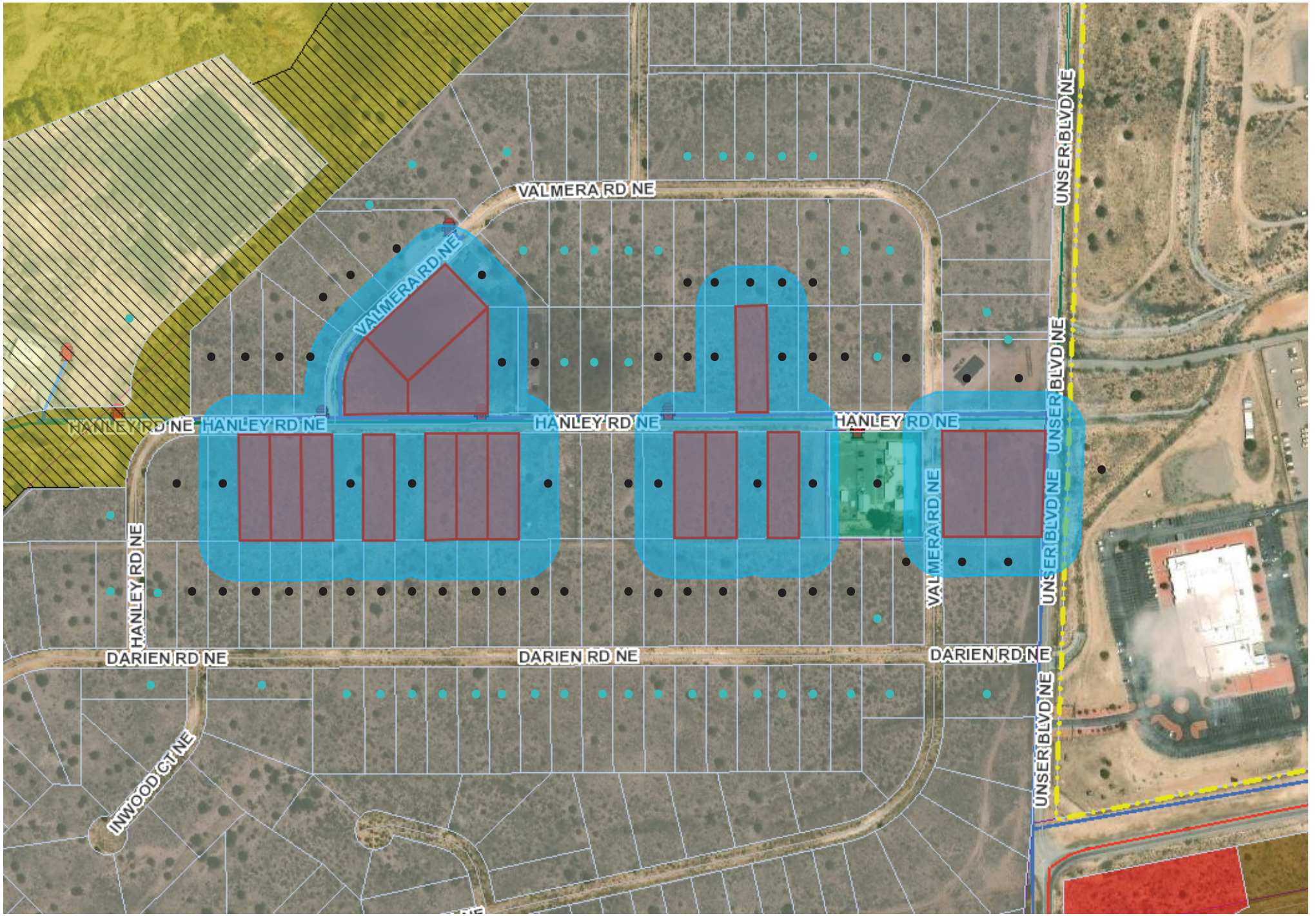
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00030

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 10.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 10.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00030

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 10.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00031

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 11. Staff contact is Michelle Costilla and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3816 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 11. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00031 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00031 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 11.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: Findings_of_Fact_26-110-00031.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

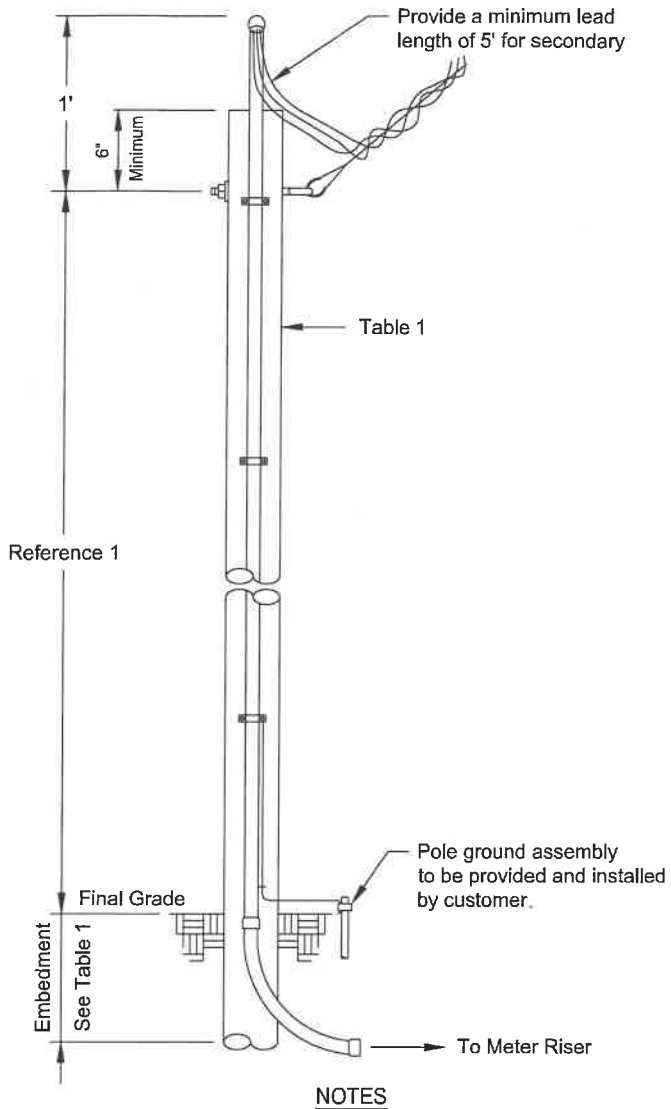
Existing electric service drop at 3821 Hanley Road

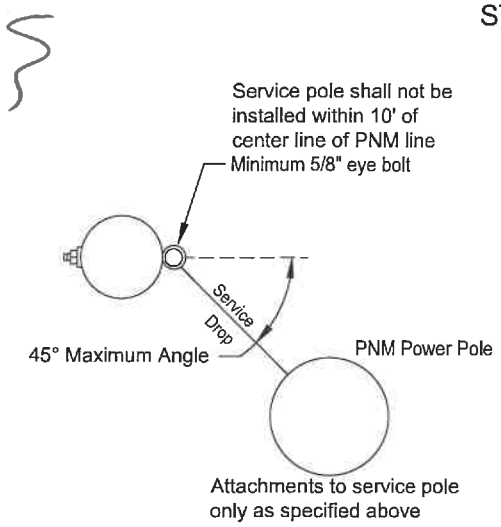
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

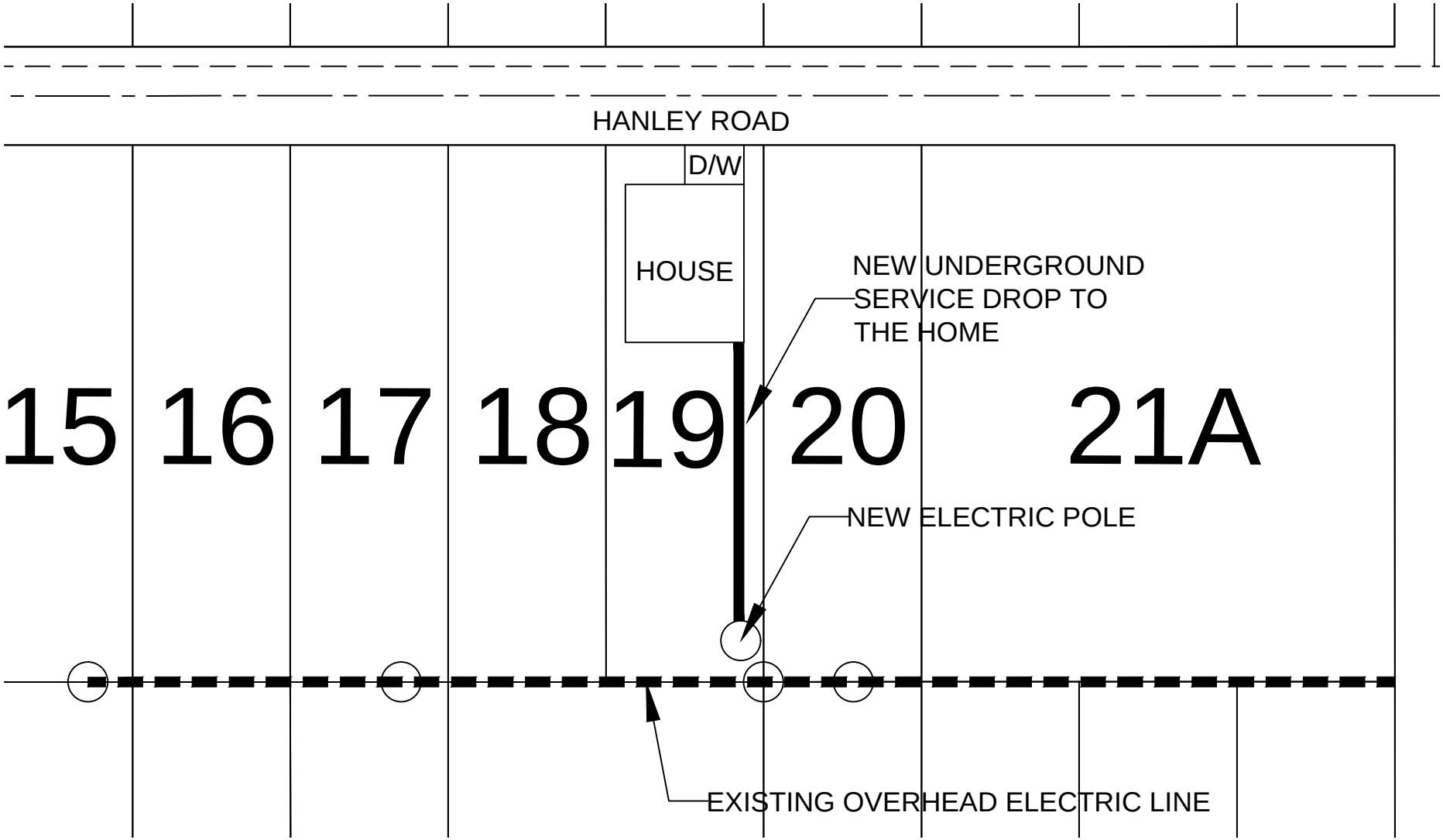
Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

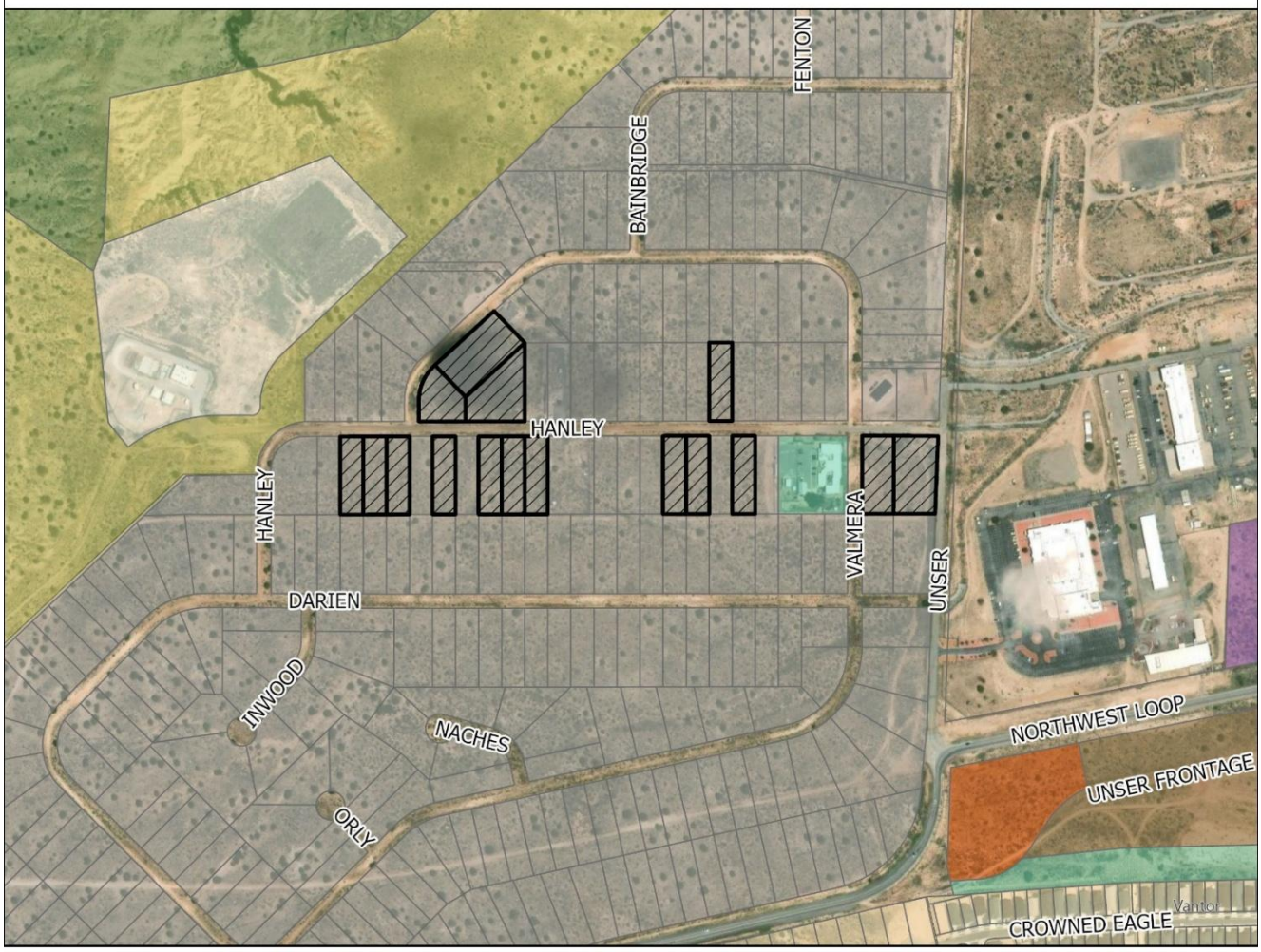
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

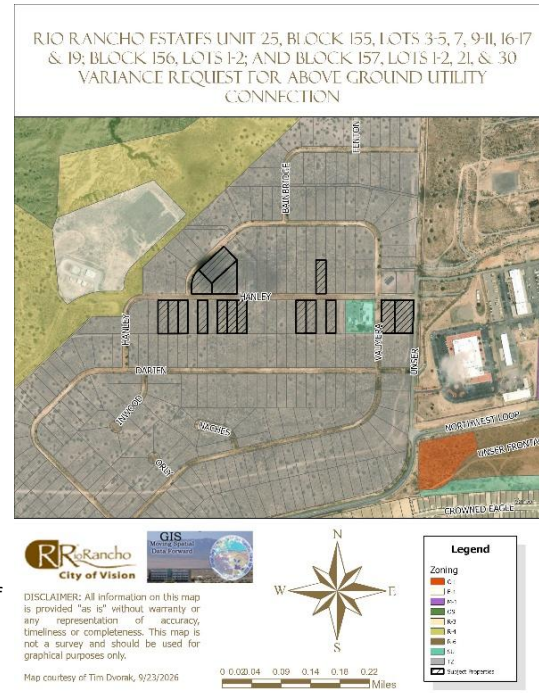
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

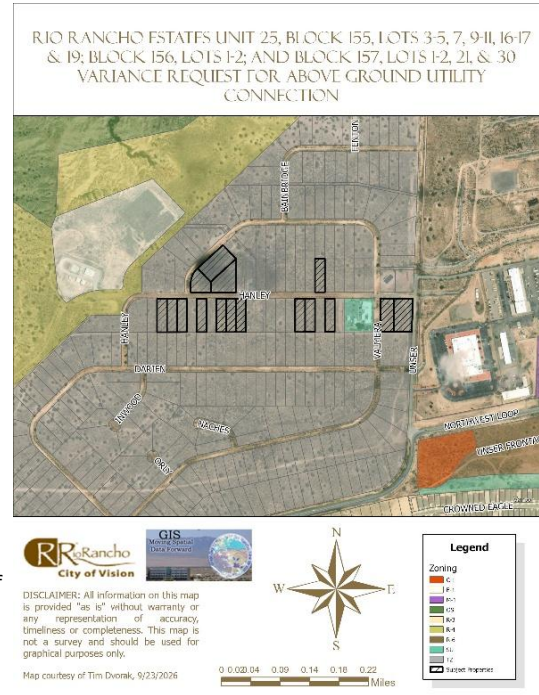
If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

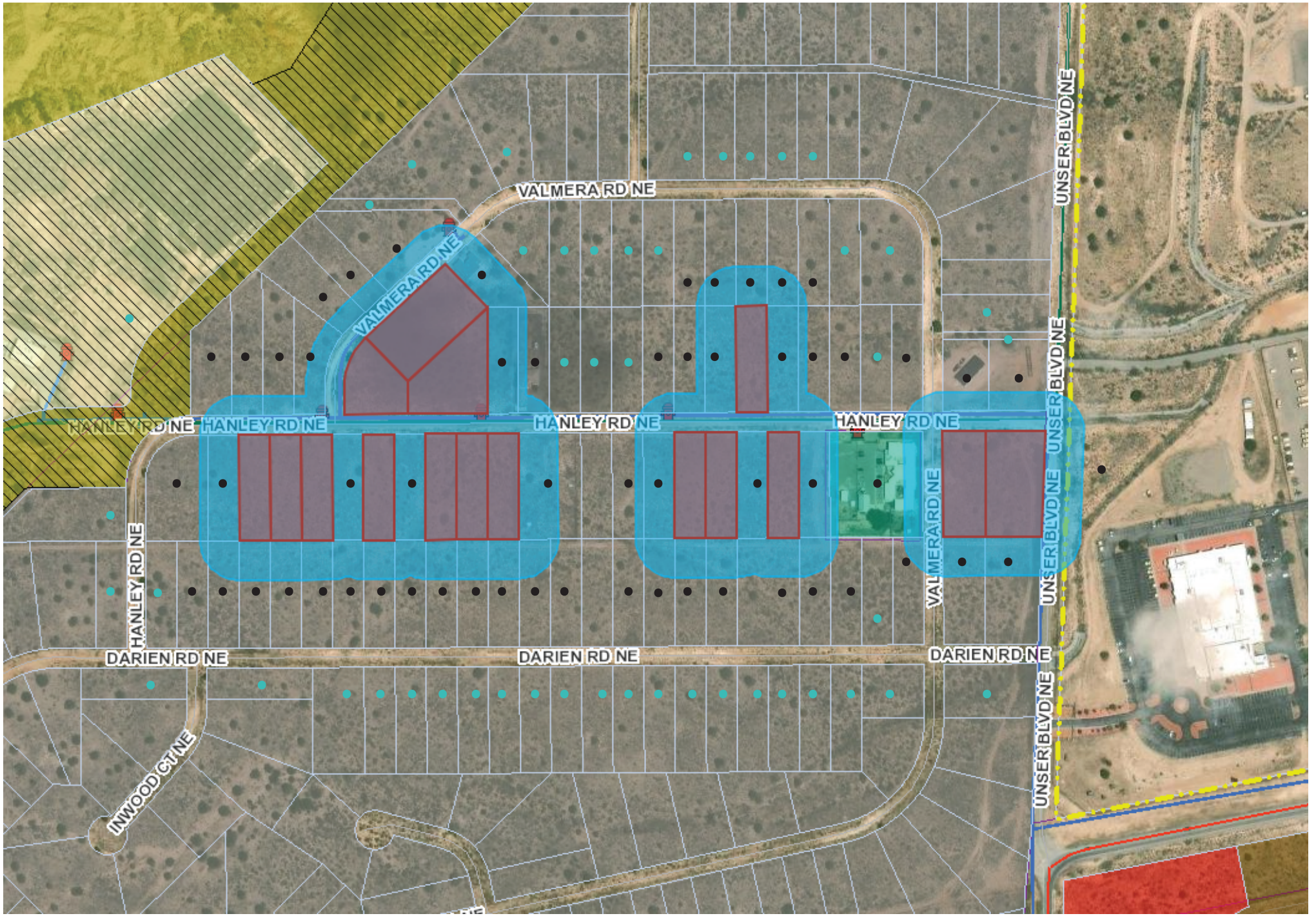
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00031

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 11.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 11.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00031

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 11.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00032

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 16. Staff contact is Michelle Costilla and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3912 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 16. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00032 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00032 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 16.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: Findings_of_Fact_26-110-00032.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

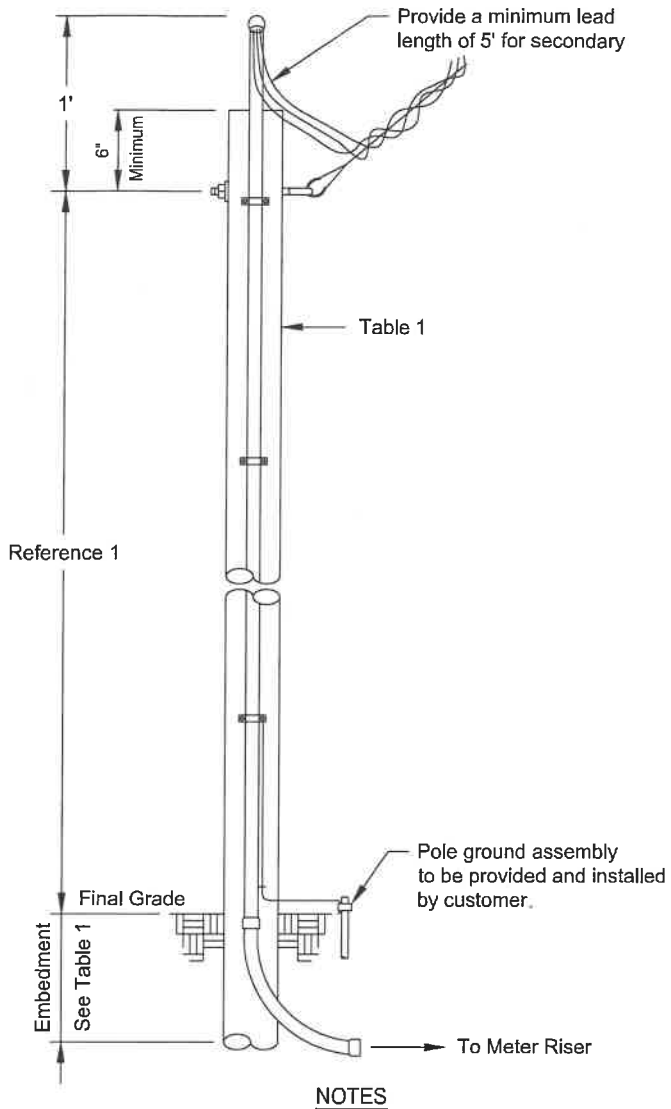
Existing electric service drop at 3821 Hanley Road

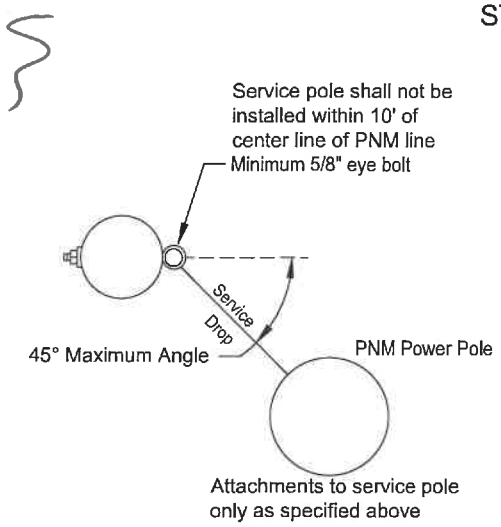
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

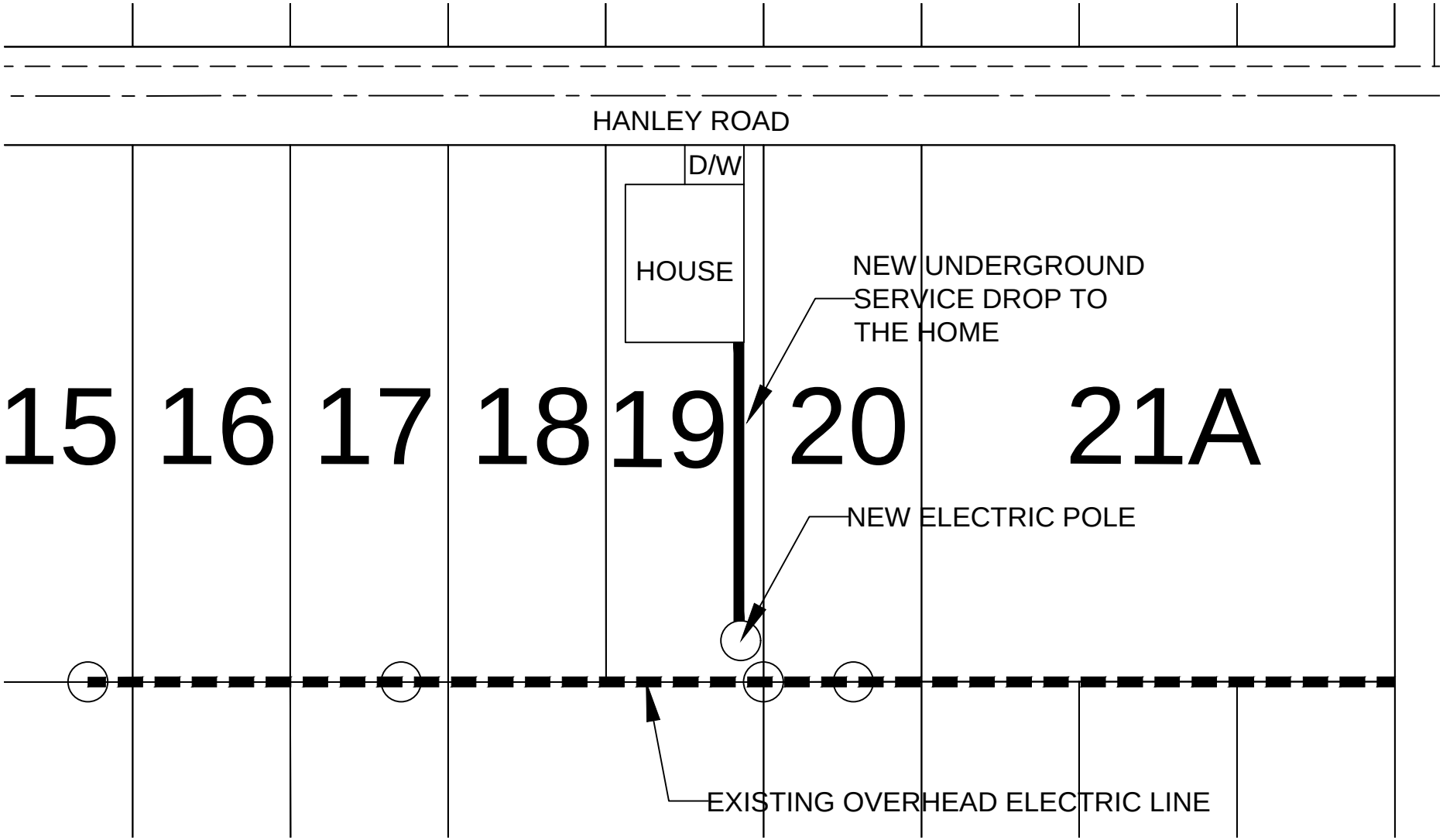
Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

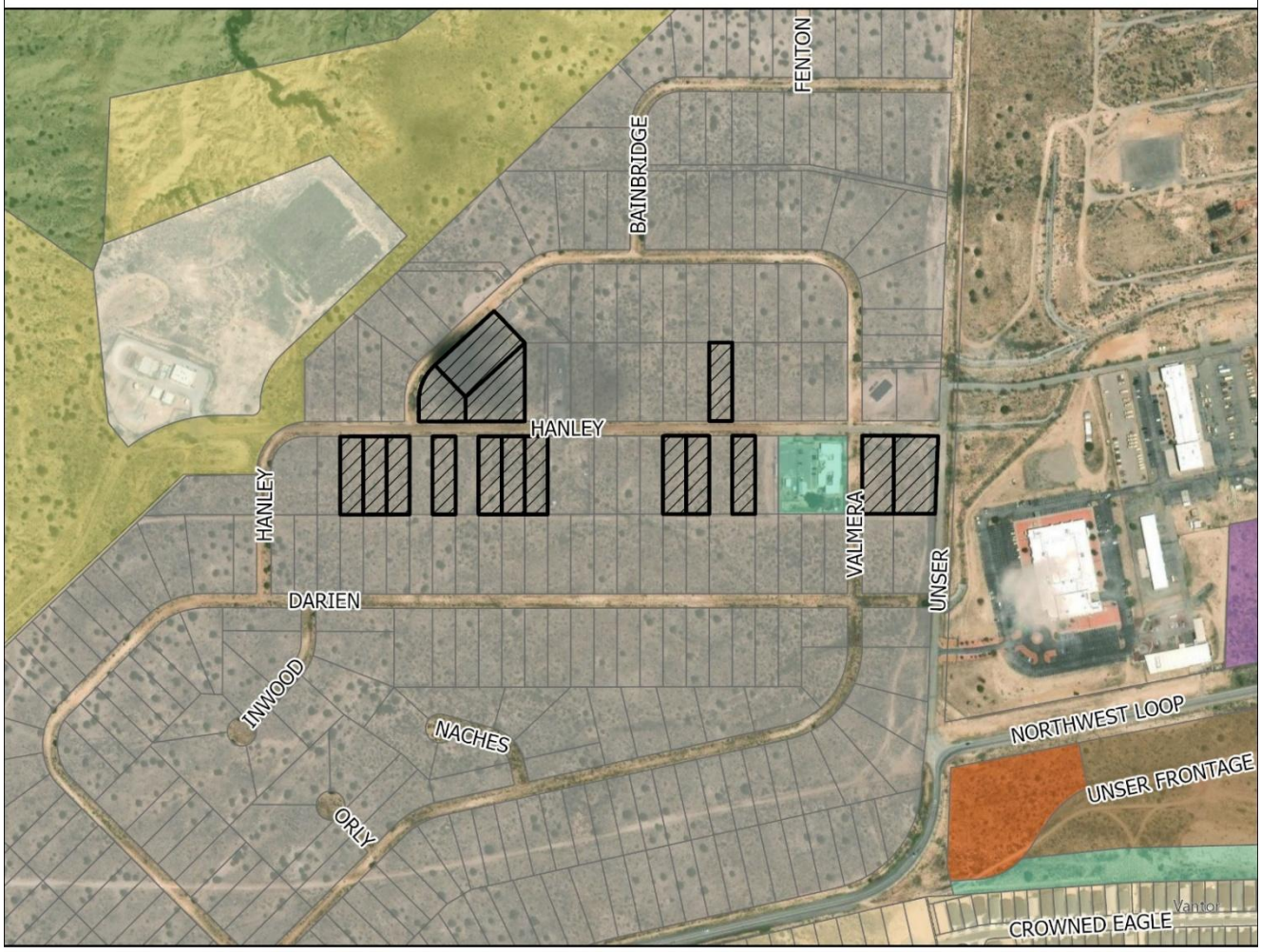
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
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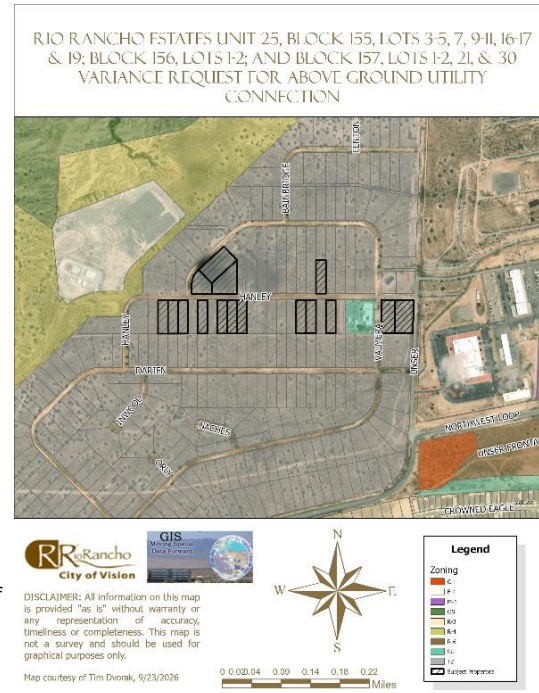
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



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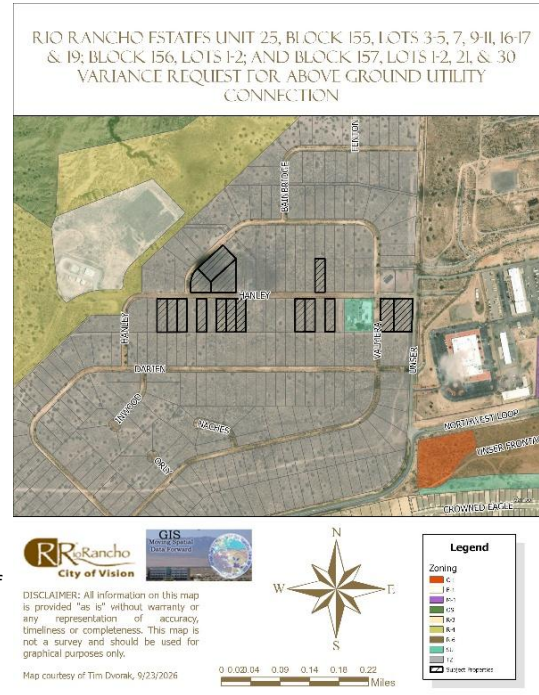


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

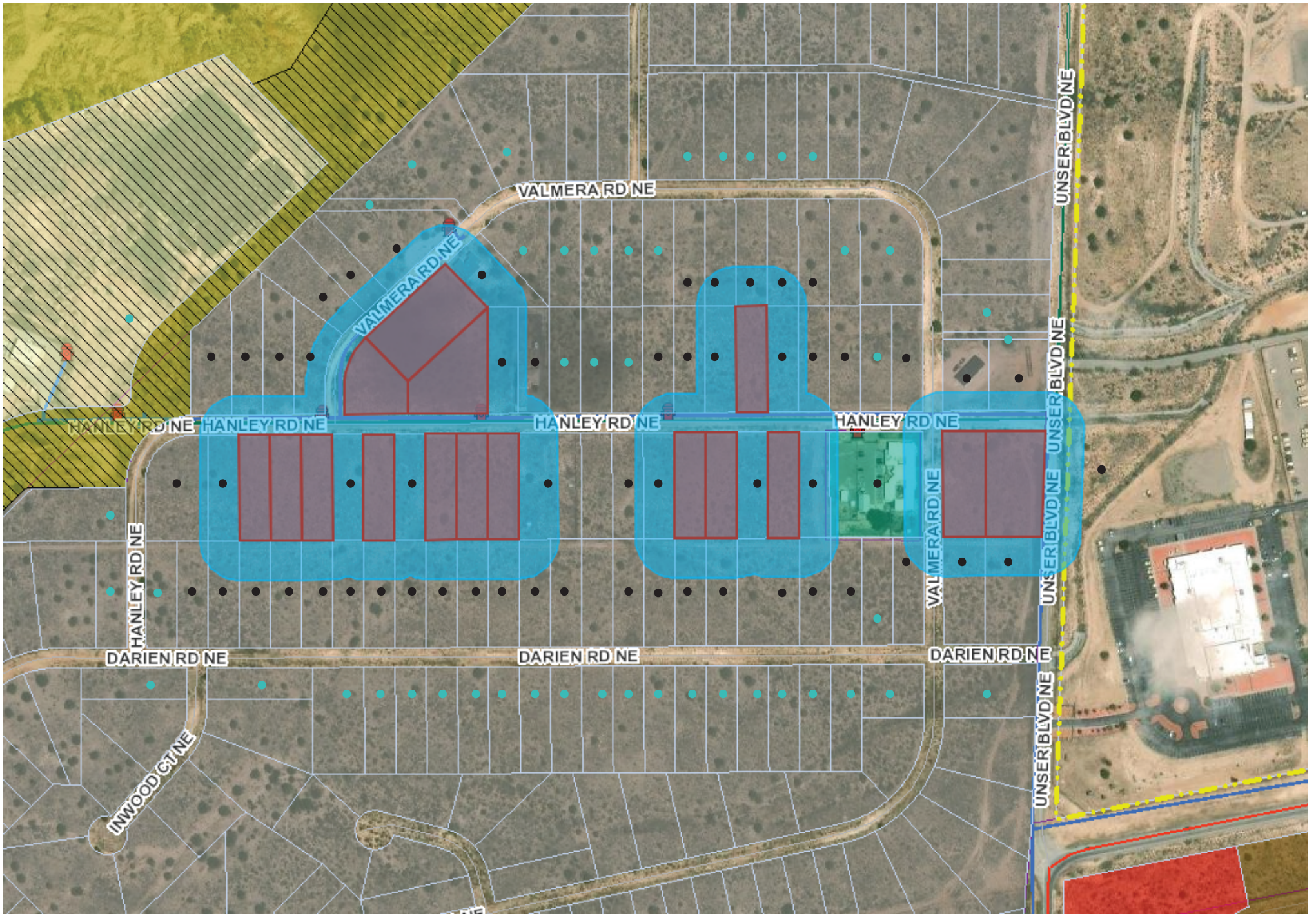
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00032

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 16.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 16.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00032

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 16.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00037

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 17. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3916 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 17. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.50 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00037 with the following Findings of Fact:

General Findings of Fact:
1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was

given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:
1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00037 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:
1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 17.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Reproduction of Notifications & Legal Ad
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Findings_of_Fact.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

ARROYOS LLC
409 NM Hwy 528 NE
Rio Rancho, NM 87124

October 5, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division
O: 505-896-8756

RE: AGENT AUTHORIZATION NOTICE
Overhead Line Variance

Mr. Babyak,

Arroyos LLC, hereby authorizes AMREP Southwest Inc. to act as our agent for the overhead utility variance.

If you have any questions regarding the request please feel free to contact me at 505-896-9037.

Sincerely,

Jarrod Likar, PE
Vice President of Land Development

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

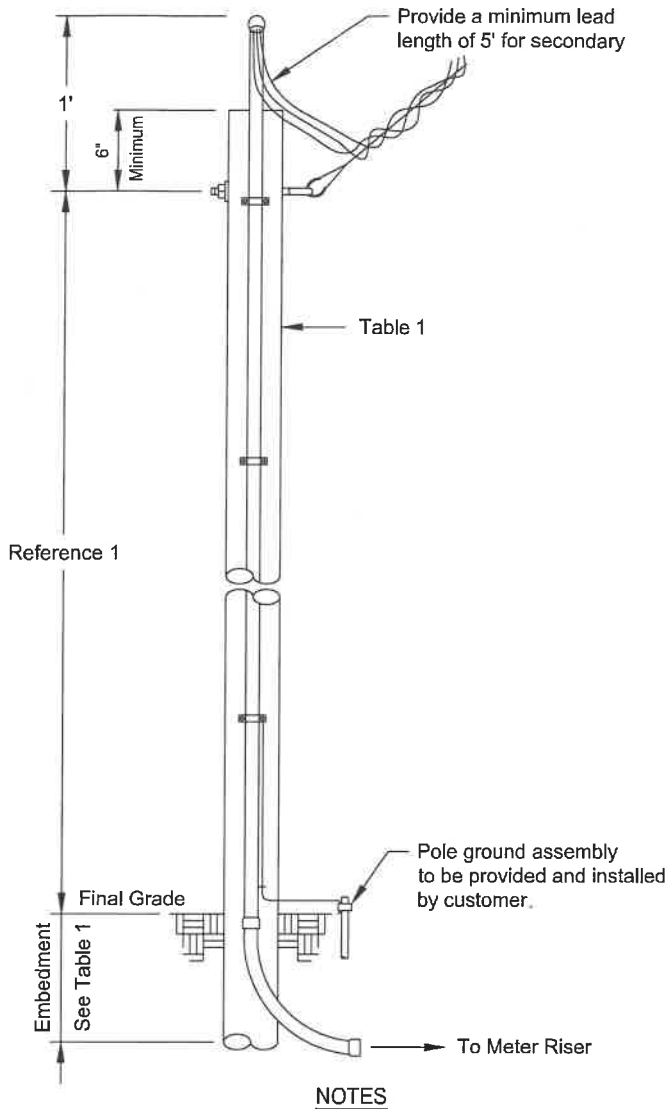
Existing electric service drop at 3821 Hanley Road

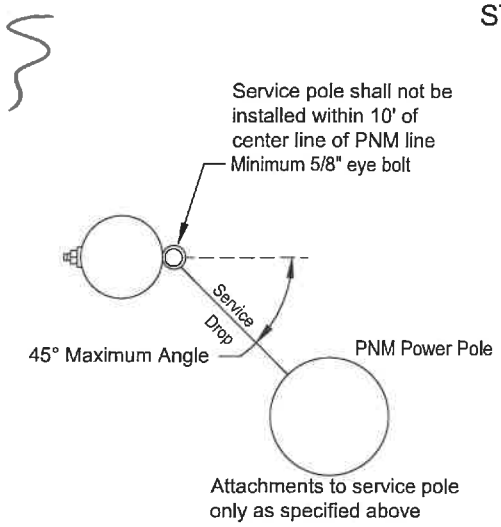
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

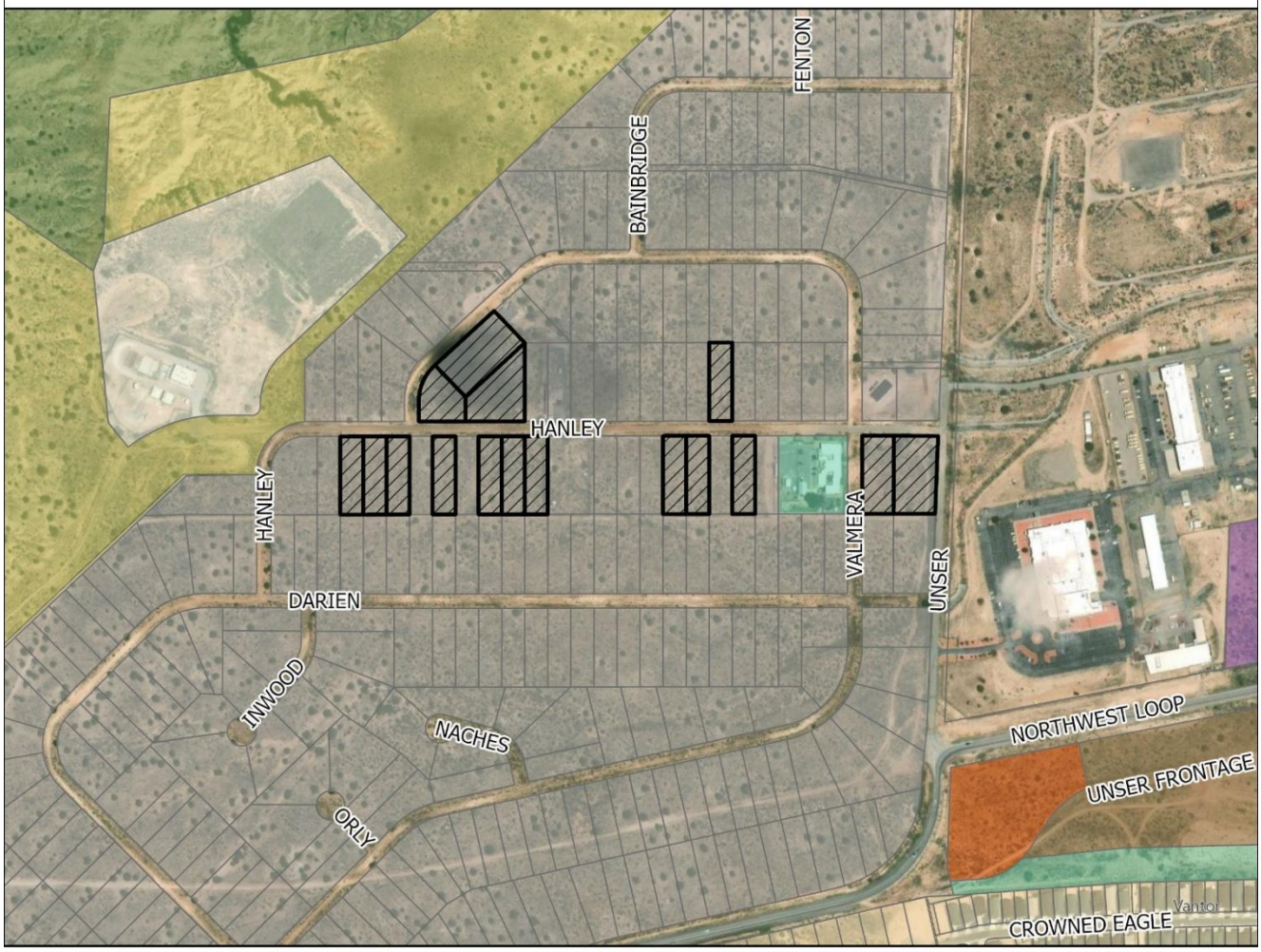
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

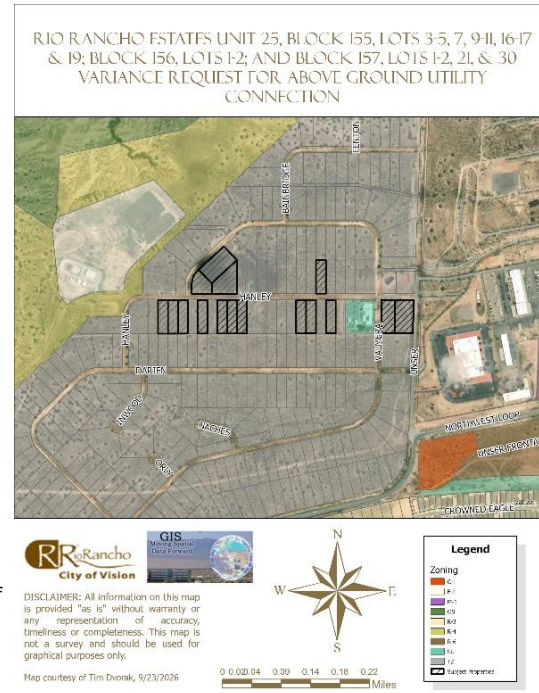
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

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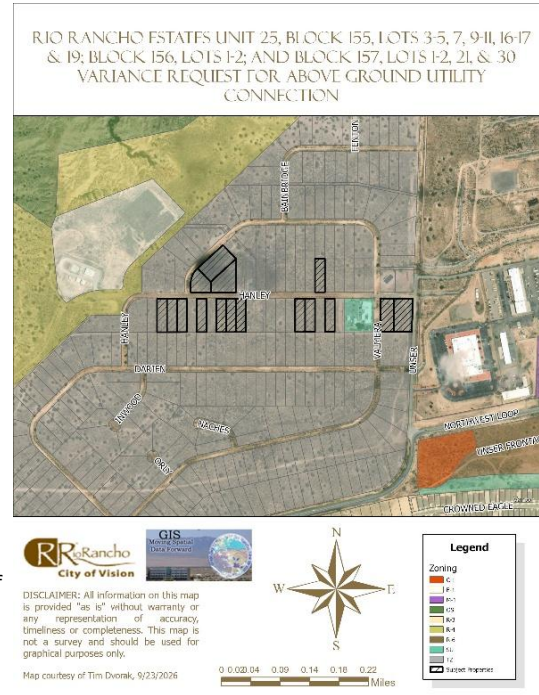
If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

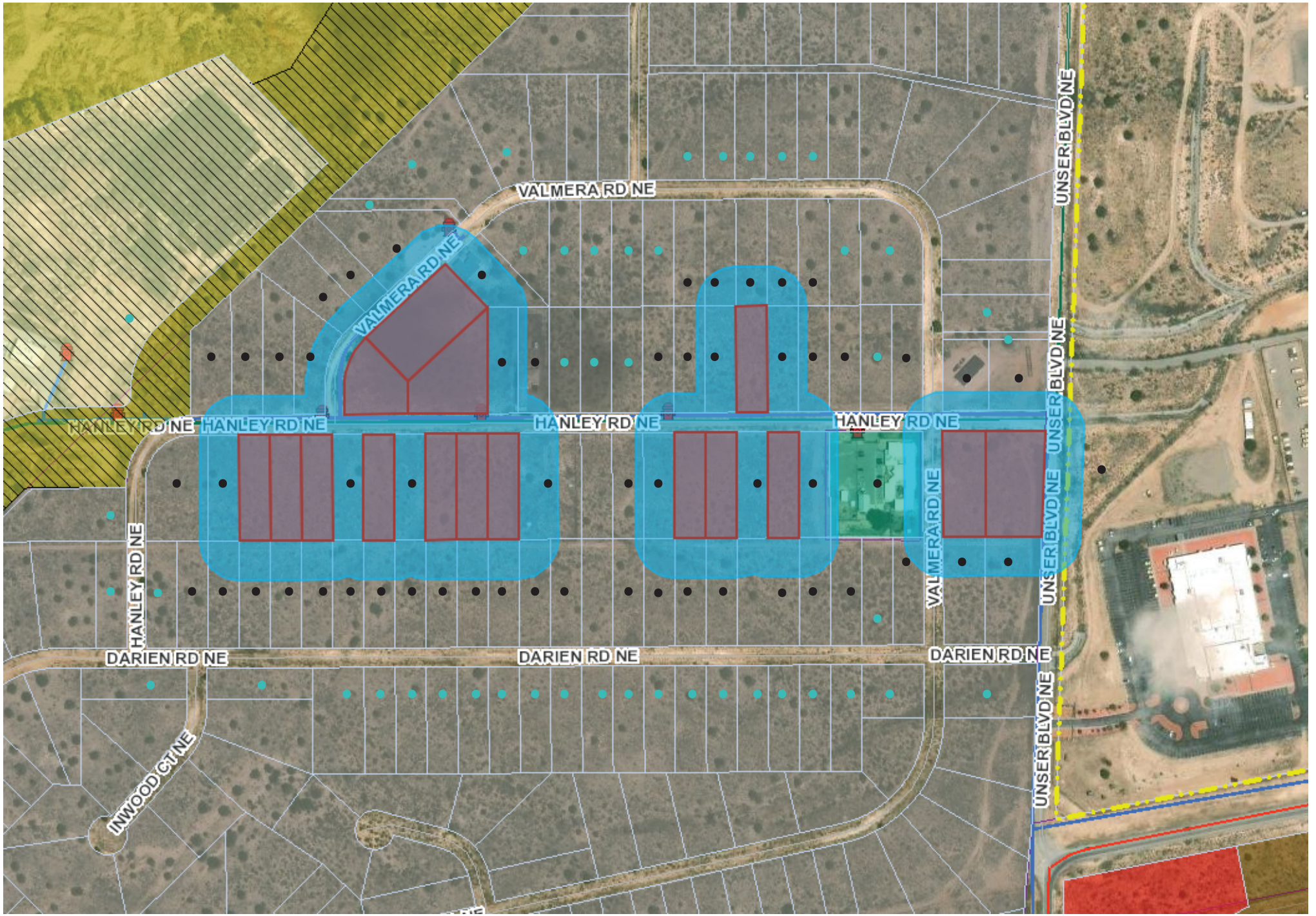
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

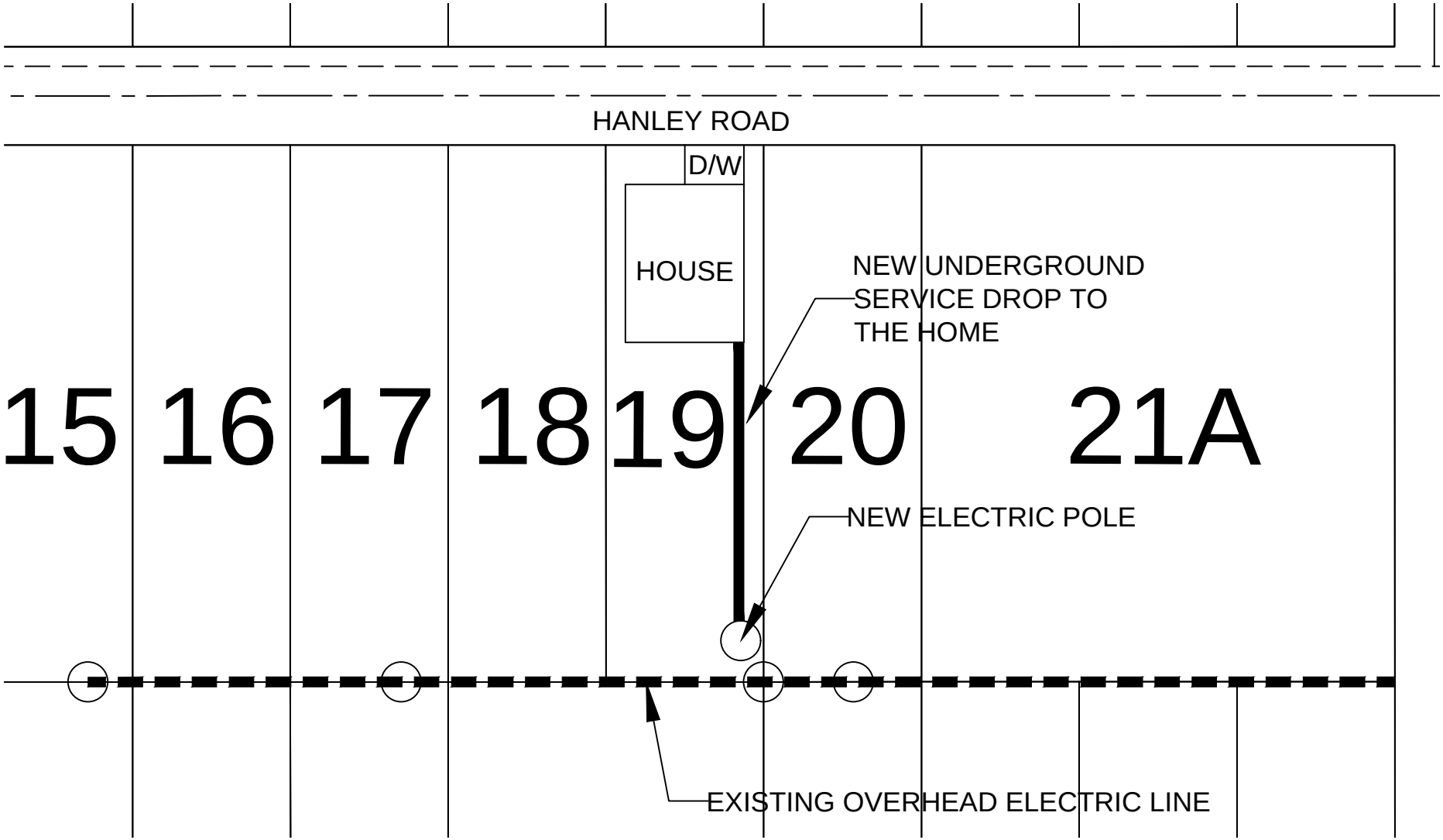
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00037

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 17.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 17.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00037

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 17.

Applicant: Arroyos, LLC.

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3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00038

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 155, Lot 19. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3924 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 155, Lot 19. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.50 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00038 with the following Findings of Fact:

General Findings of Fact:
1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was

given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:
1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00038 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:
1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 19.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Reproduction of Notifications & Legal Ad
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Findings_of_Fact.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

ARROYOS LLC
409 NM Hwy 528 NE
Rio Rancho, NM 87124

October 5, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division
O: 505-896-8756

RE: AGENT AUTHORIZATION NOTICE
Overhead Line Variance

Mr. Babyak,

Arroyos LLC, hereby authorizes AMREP Southwest Inc. to act as our agent for the overhead utility variance.

If you have any questions regarding the request please feel free to contact me at 505-896-9037.

Sincerely,

Jarrod Likar, PE
Vice President of Land Development

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

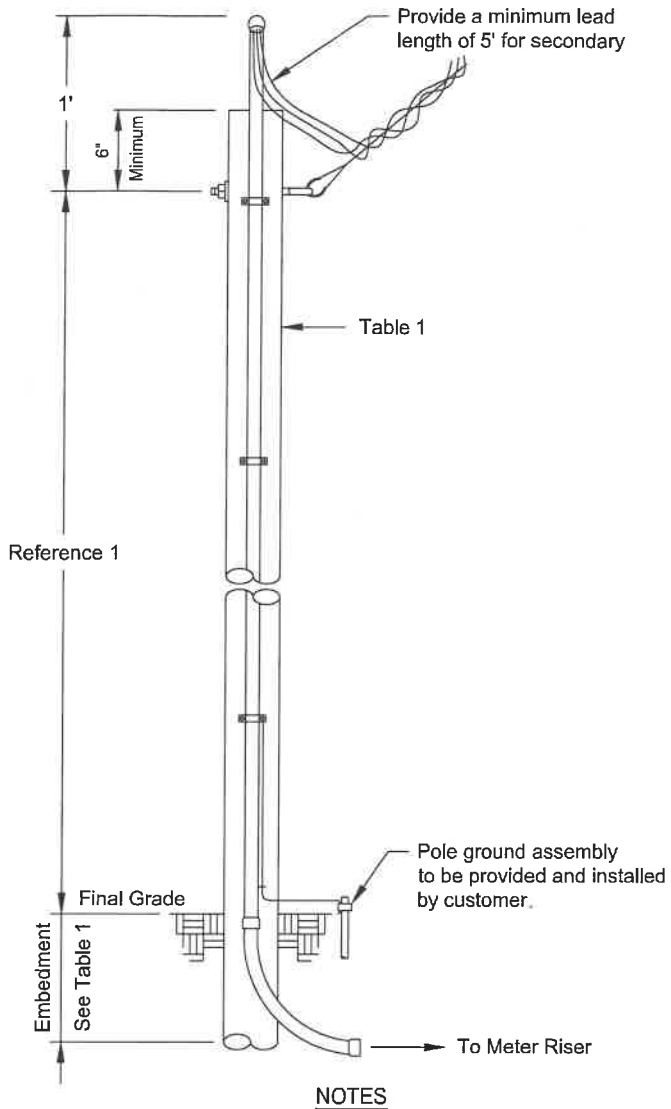
Existing electric service drop at 3821 Hanley Road

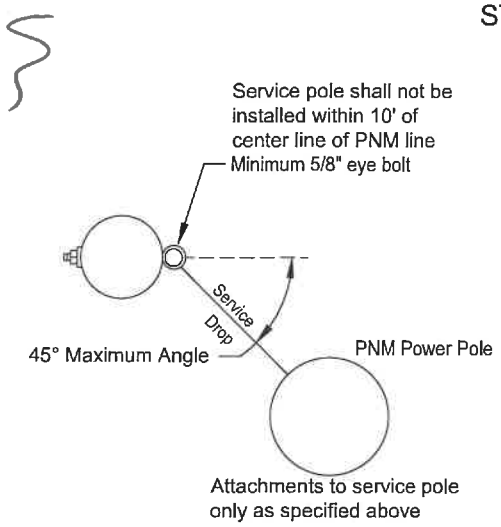
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

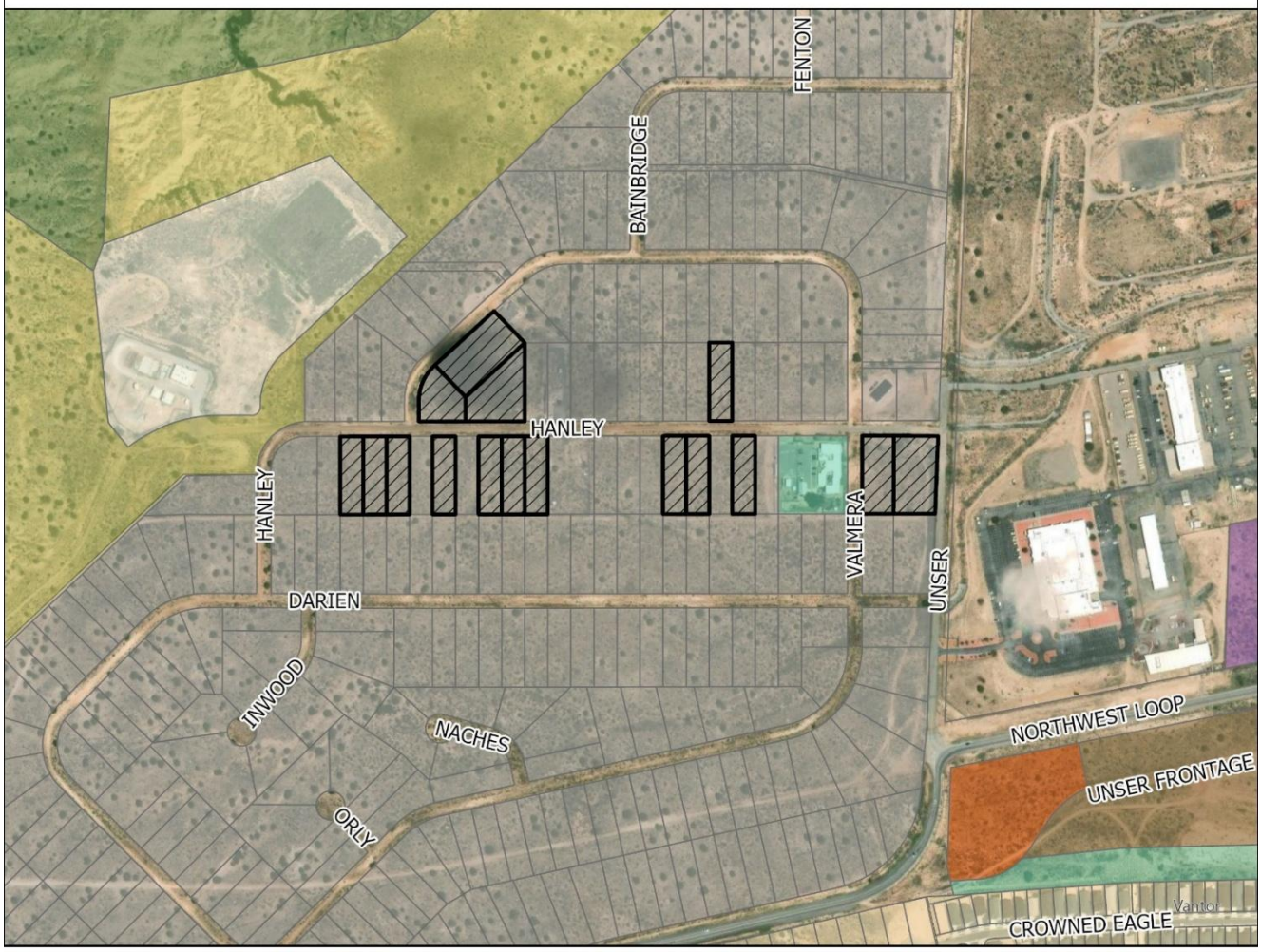
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

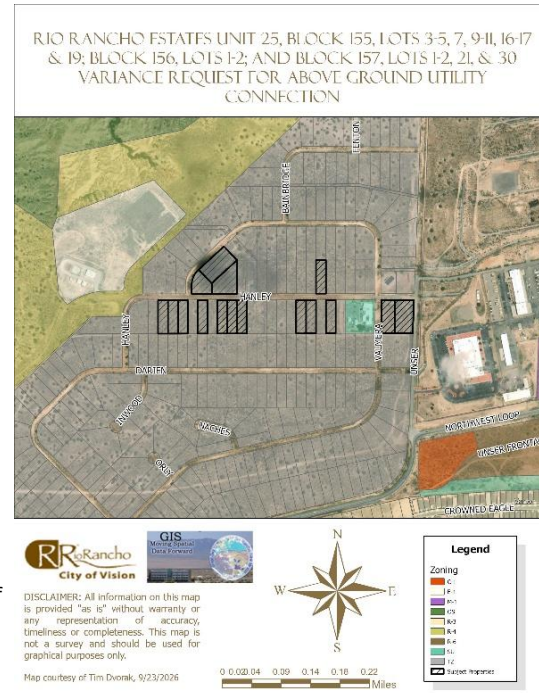
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

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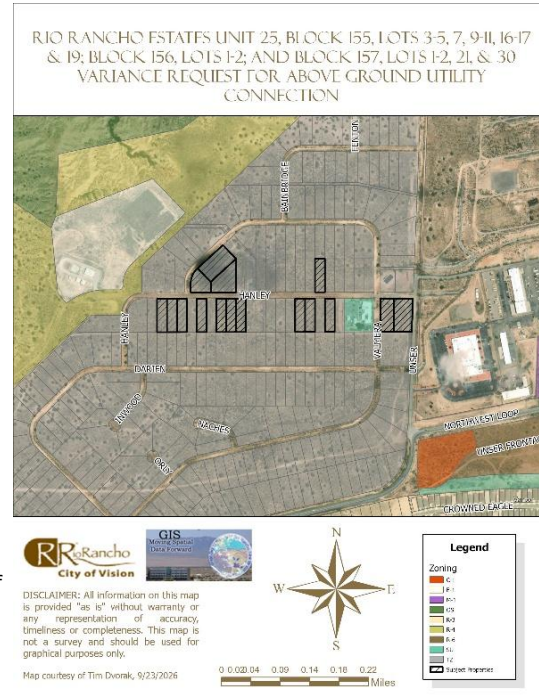
If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

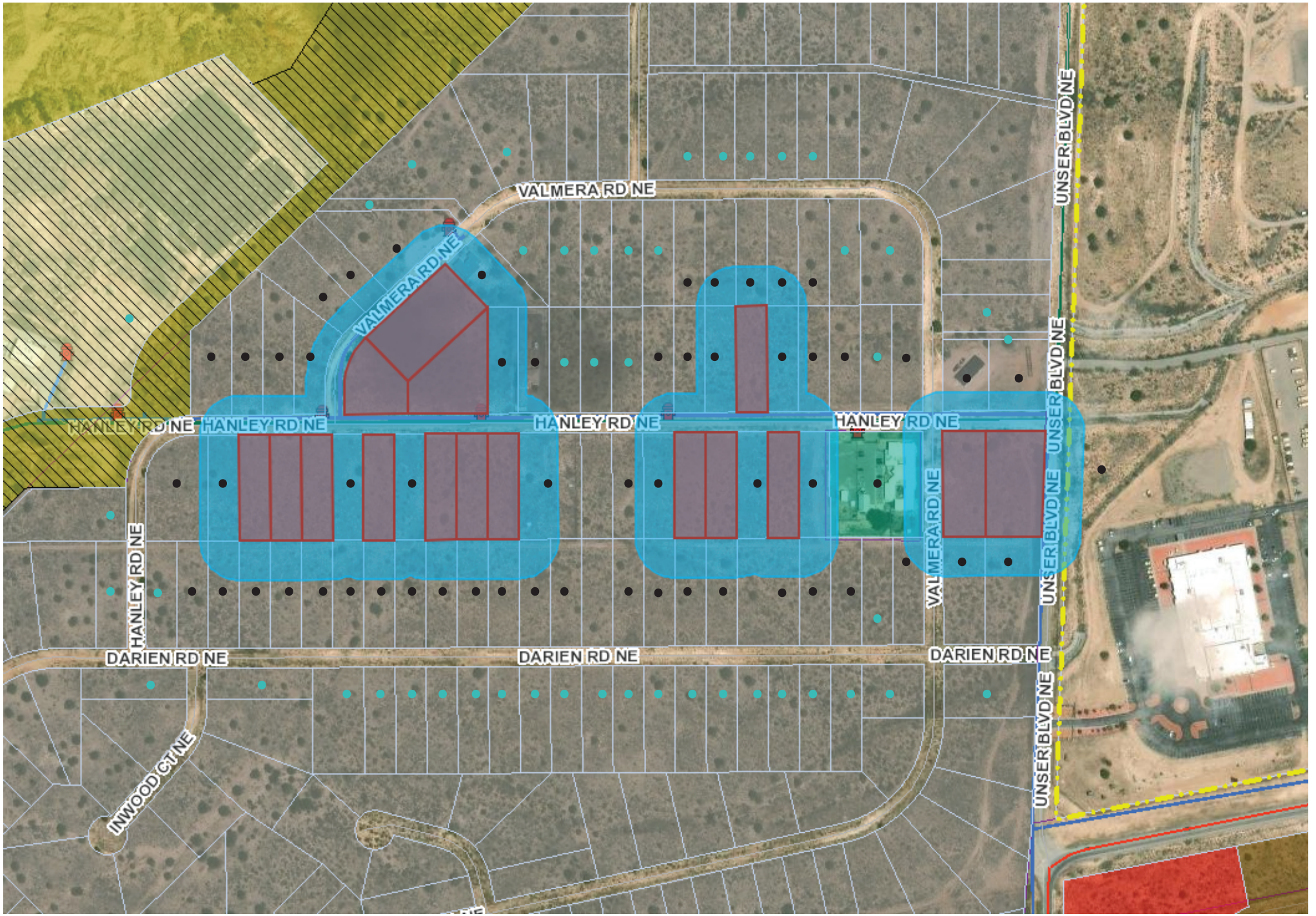
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

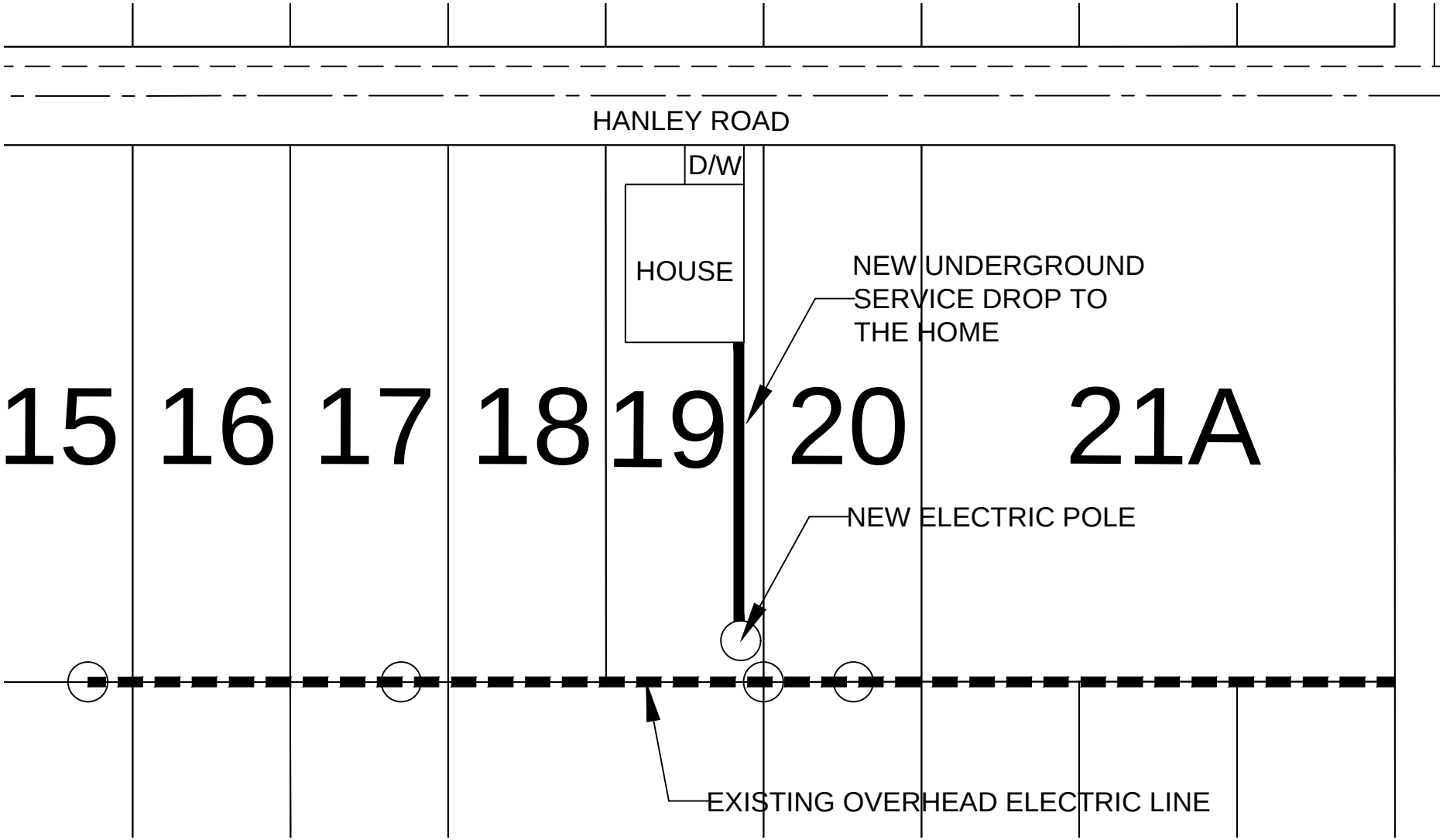
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00038

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 19.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 155, Lot 19.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00038

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOT 19.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00039

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 156, Lot 1. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 4016 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 156, Lot 1. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.75 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00039 with the following Findings of Fact:

General Findings of Fact:
1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was

given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:
1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00040 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:
1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 156, Lot 1.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Reproduction of Notifications & Legal Ad
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Findings_of_Fact_.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

ARROYOS LLC
409 NM Hwy 528 NE
Rio Rancho, NM 87124

October 5, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division
O: 505-896-8756

RE: AGENT AUTHORIZATION NOTICE
Overhead Line Variance

Mr. Babyak,

Arroyos LLC, hereby authorizes AMREP Southwest Inc. to act as our agent for the overhead utility variance.

If you have any questions regarding the request please feel free to contact me at 505-896-9037.

Sincerely,

Jarrod Likar, PE
Vice President of Land Development

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

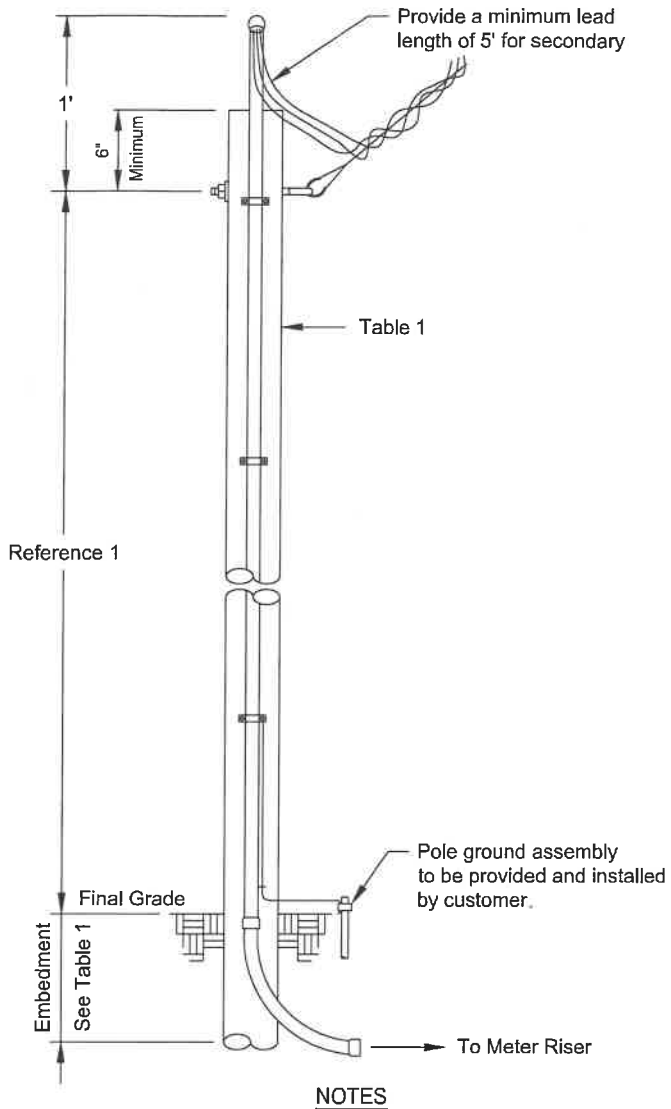
Existing electric service drop at 3821 Hanley Road

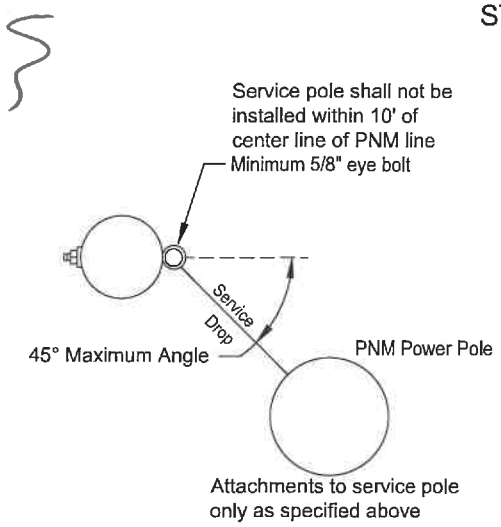
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

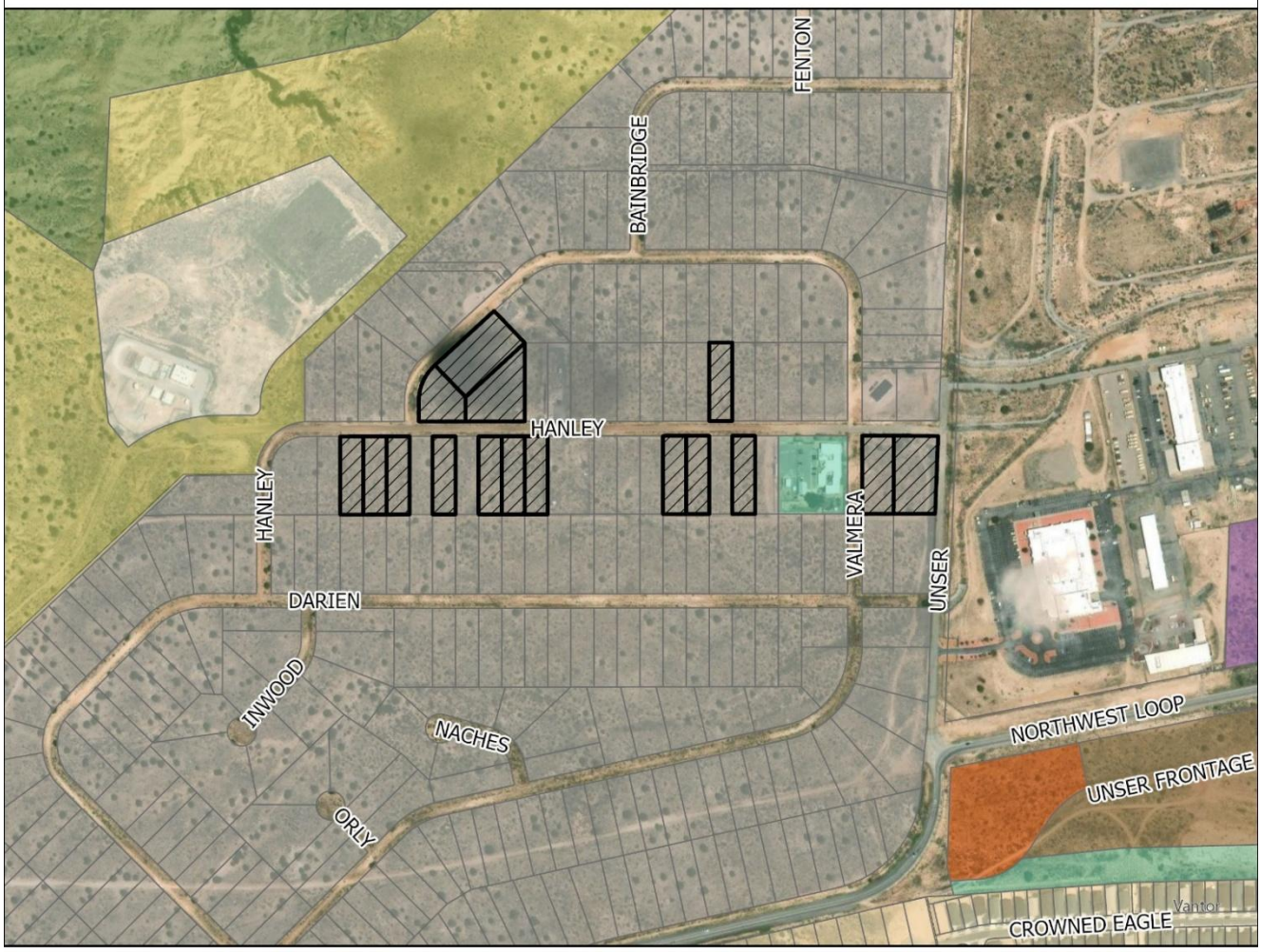
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

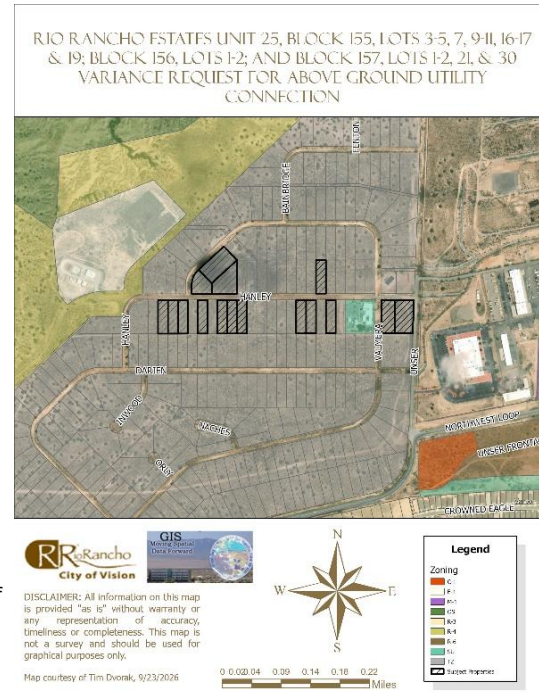
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

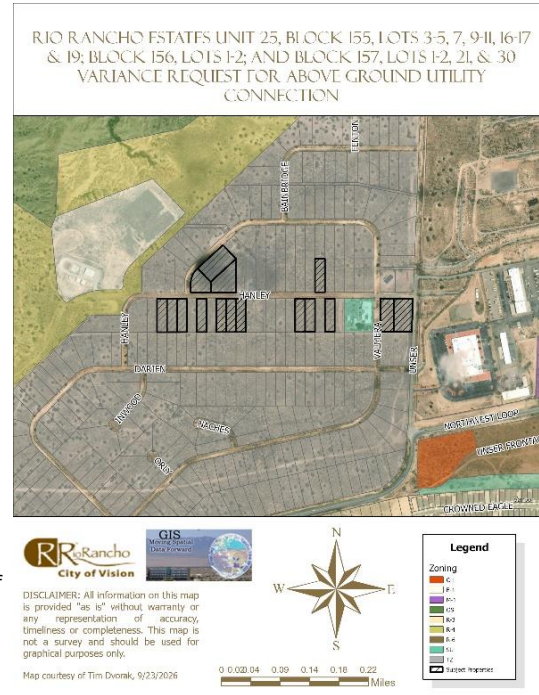
If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

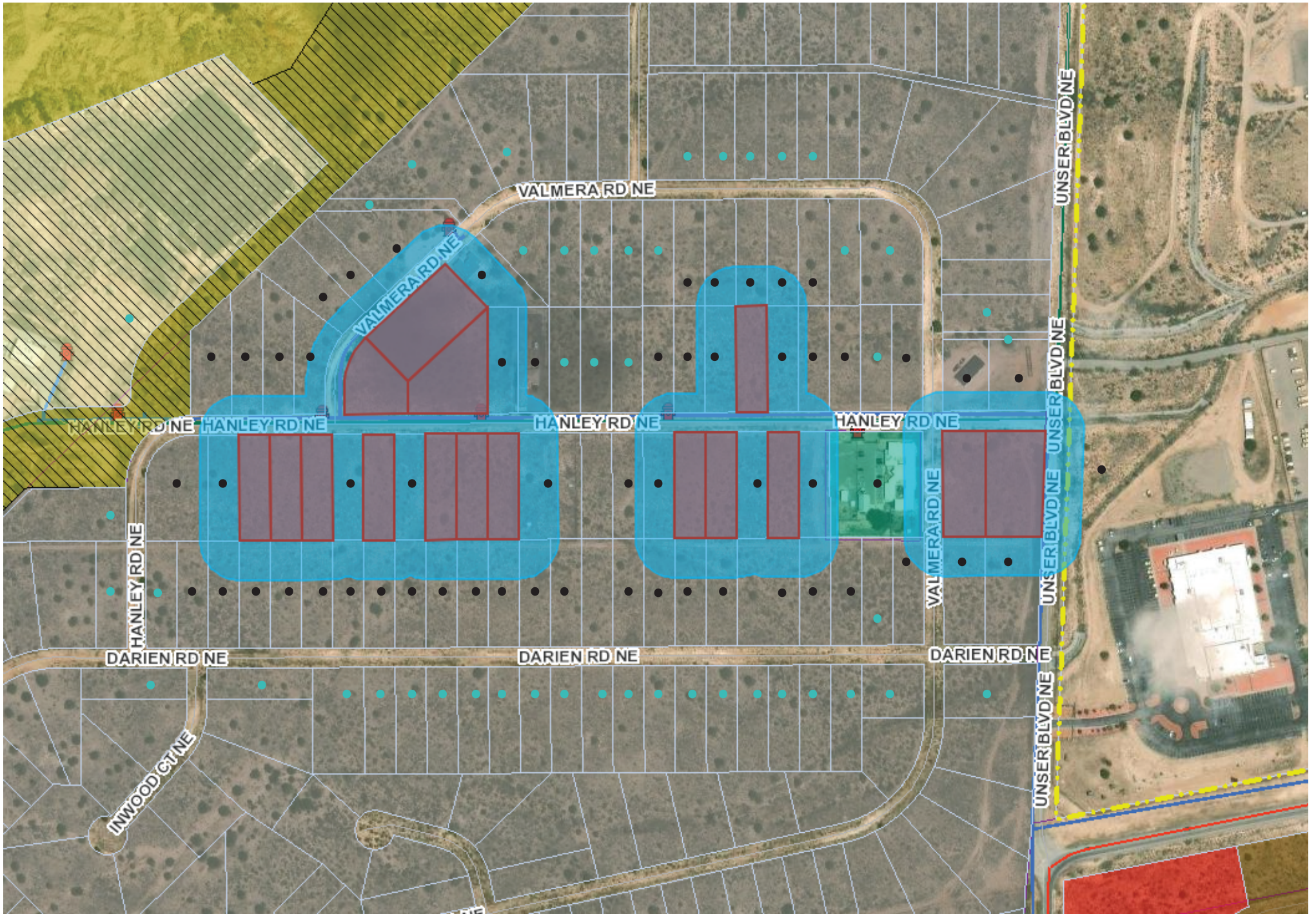
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

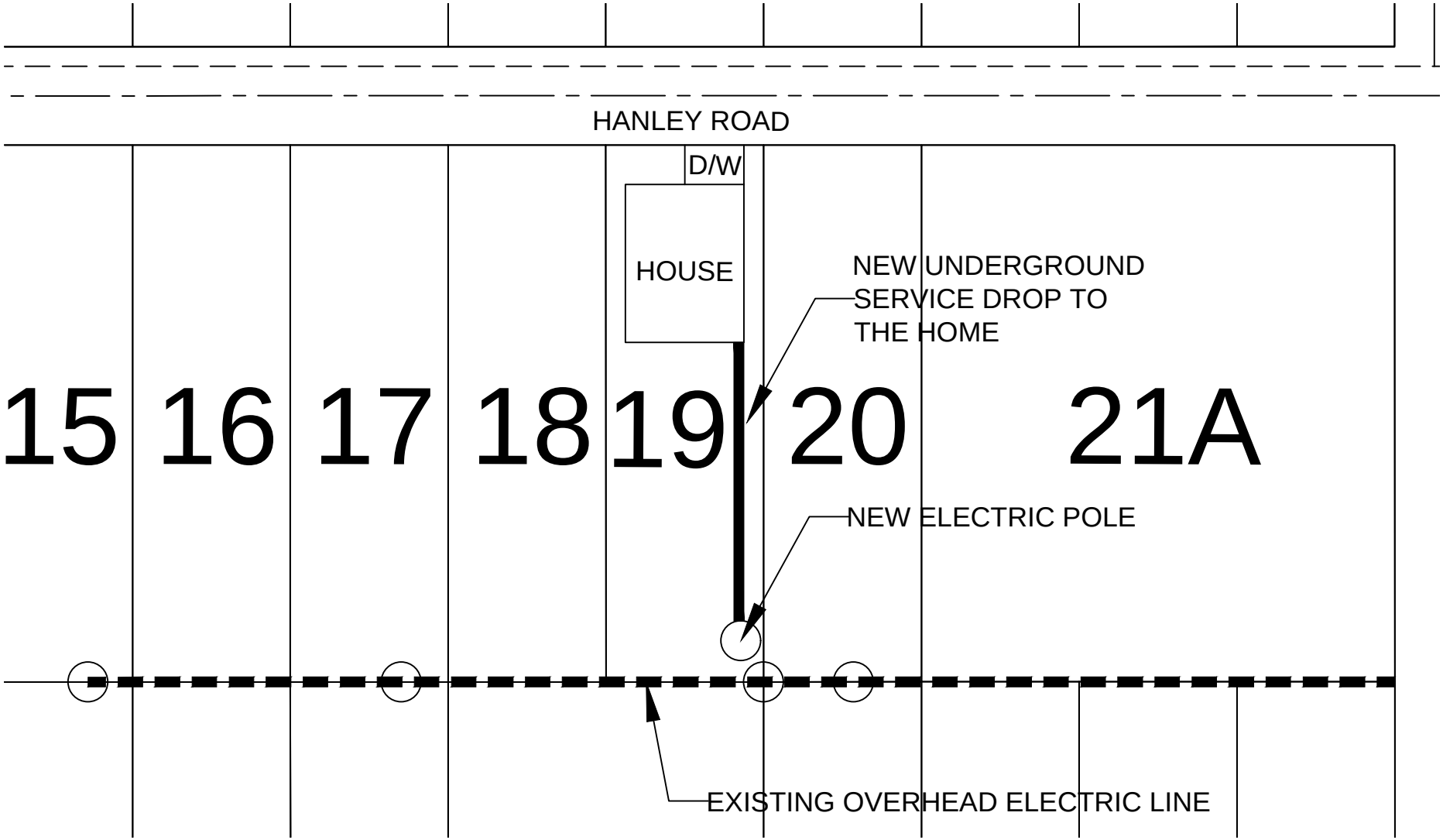
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00039

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 156, LOT 1.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 156, Lot 1.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00039

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 156, LOT 1.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00040

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 156, Lot 2. Staff contact is Liz Ruiz Carlos and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 4024 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 156, Lot 2. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.86 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00040 with the following Findings of Fact:

General Findings of Fact:
1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was

given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:
1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00040 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:
1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 156, Lot 2.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Reproduction of Notifications & Legal Ad
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Findings_of_Fact.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

ARROYOS LLC
409 NM Hwy 528 NE
Rio Rancho, NM 87124

October 5, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division
O: 505-896-8756

RE: AGENT AUTHORIZATION NOTICE
Overhead Line Variance

Mr. Babyak,

Arroyos LLC, hereby authorizes AMREP Southwest Inc. to act as our agent for the overhead utility variance.

If you have any questions regarding the request please feel free to contact me at 505-896-9037.

Sincerely,

Jarrod Likar, PE
Vice President of Land Development

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

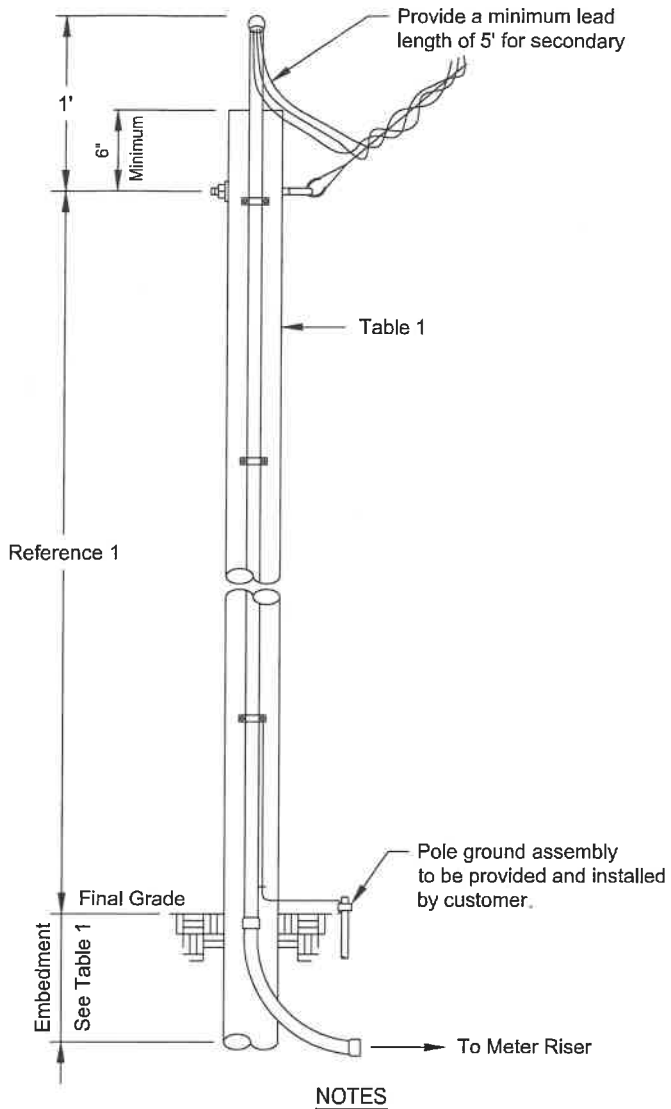
Existing electric service drop at 3821 Hanley Road

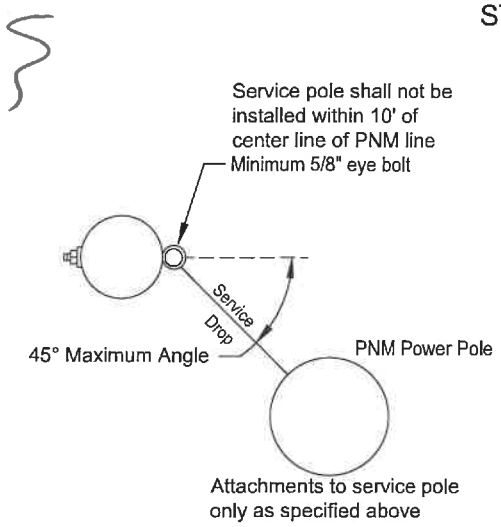
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

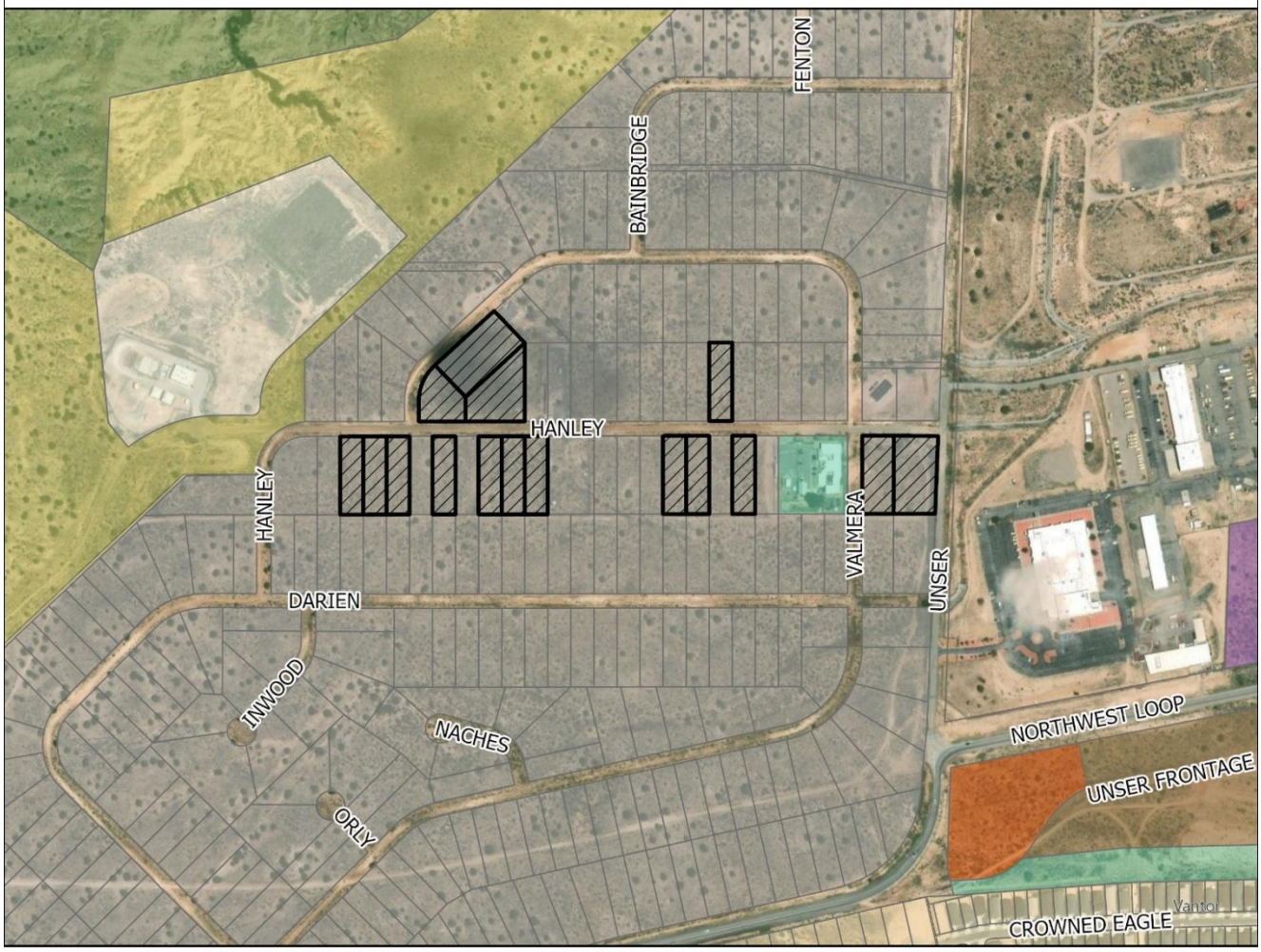
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

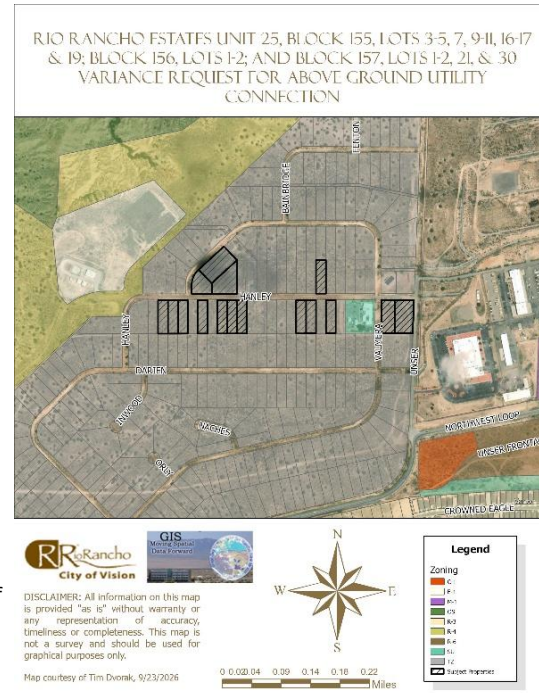
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

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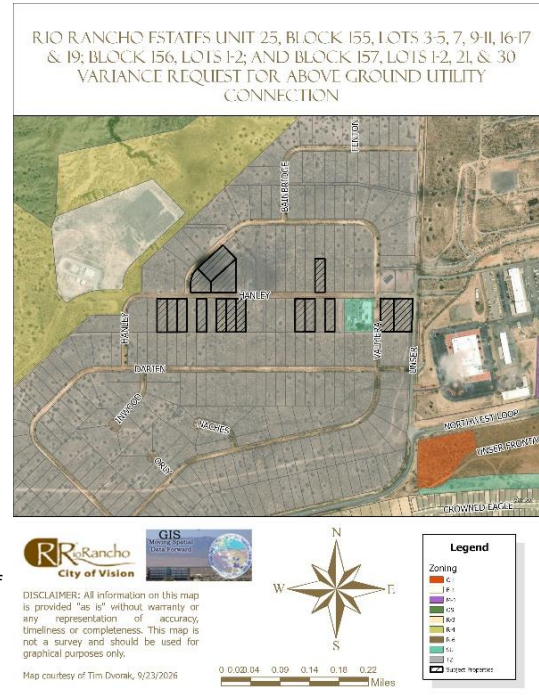


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

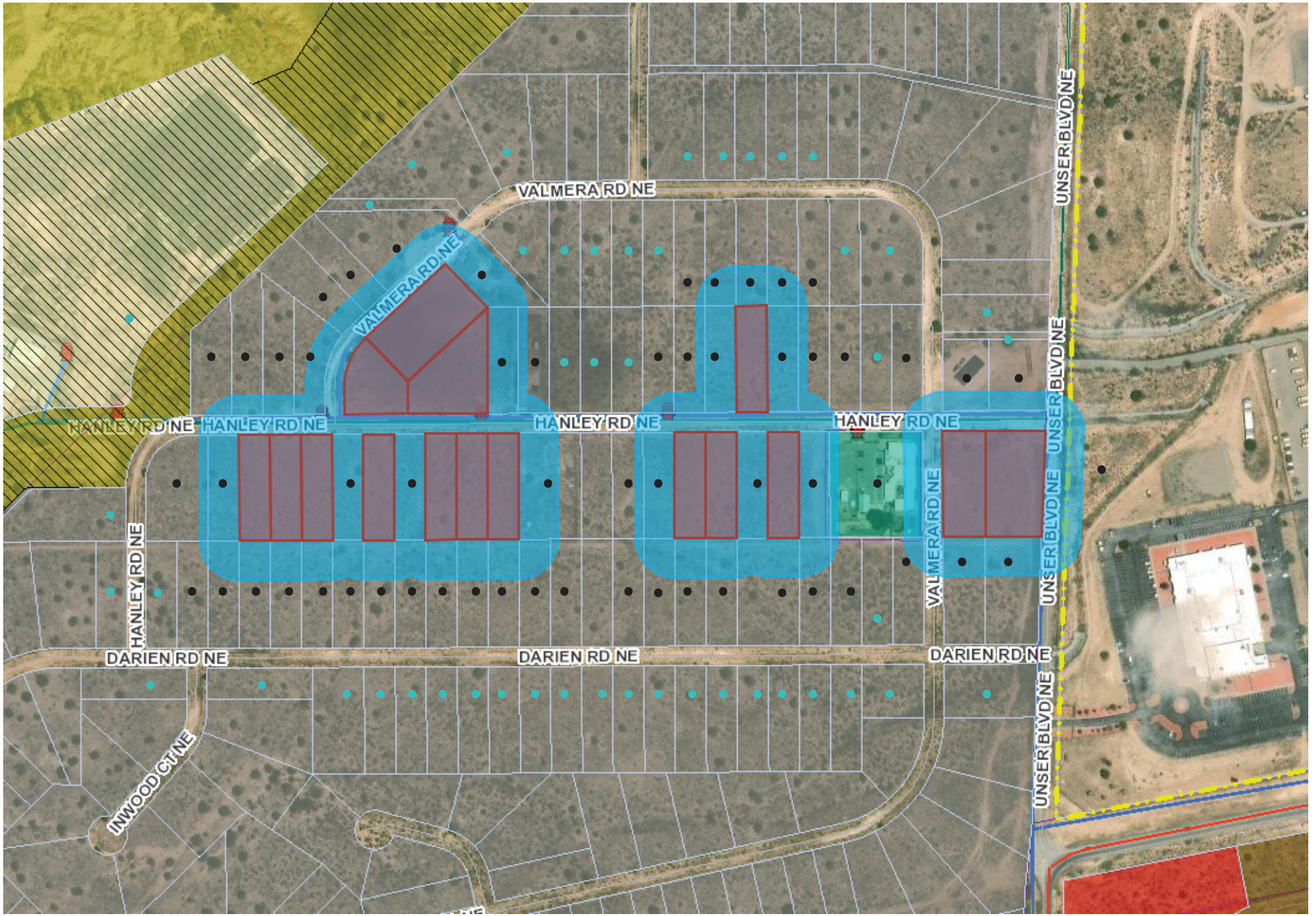
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

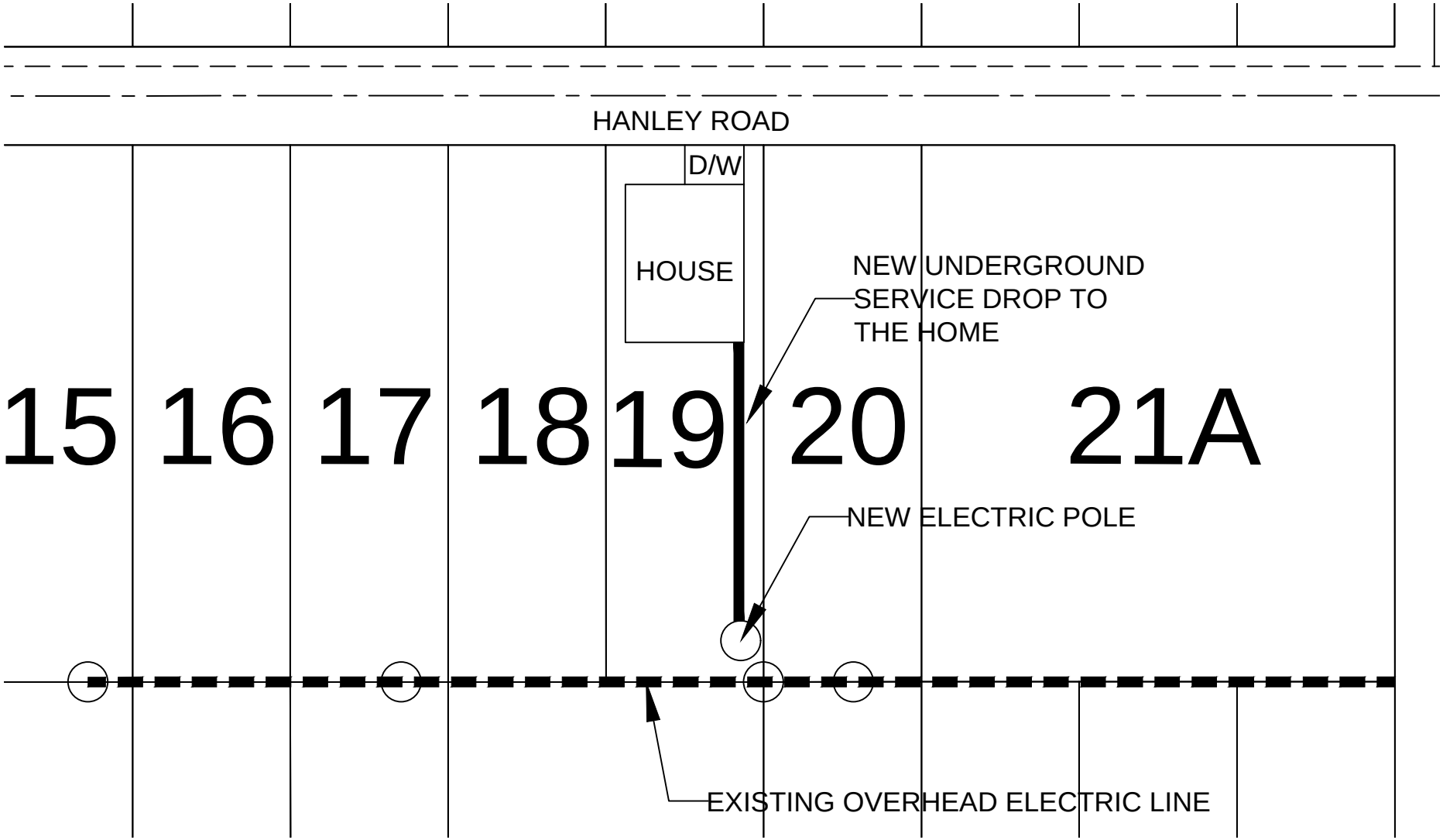
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00040

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 156, LOT 2.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 156, Lot 2.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00040

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 156, LOT 2.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00036

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 157, Lot 1. Staff contact is Tim Dvorak and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 6837 Valmera Rd NE, legally described as Rio Rancho Estates Unit 25, Block 157, Lot 1. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.54 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00036 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a Variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00036 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 157, Lot 1.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Reproduction of Notifications & Legal Ad
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Findings_of_Fact_BMB.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

ARROYOS LLC
409 NM Hwy 528 NE
Rio Rancho, NM 87124

October 5, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division
O: 505-896-8756

RE: AGENT AUTHORIZATION NOTICE
Overhead Line Variance

Mr. Babyak,

Arroyos LLC, hereby authorizes AMREP Southwest Inc. to act as our agent for the overhead utility variance.

If you have any questions regarding the request please feel free to contact me at 505-896-9037.

Sincerely,

Jarrod Likar, PE
Vice President of Land Development

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

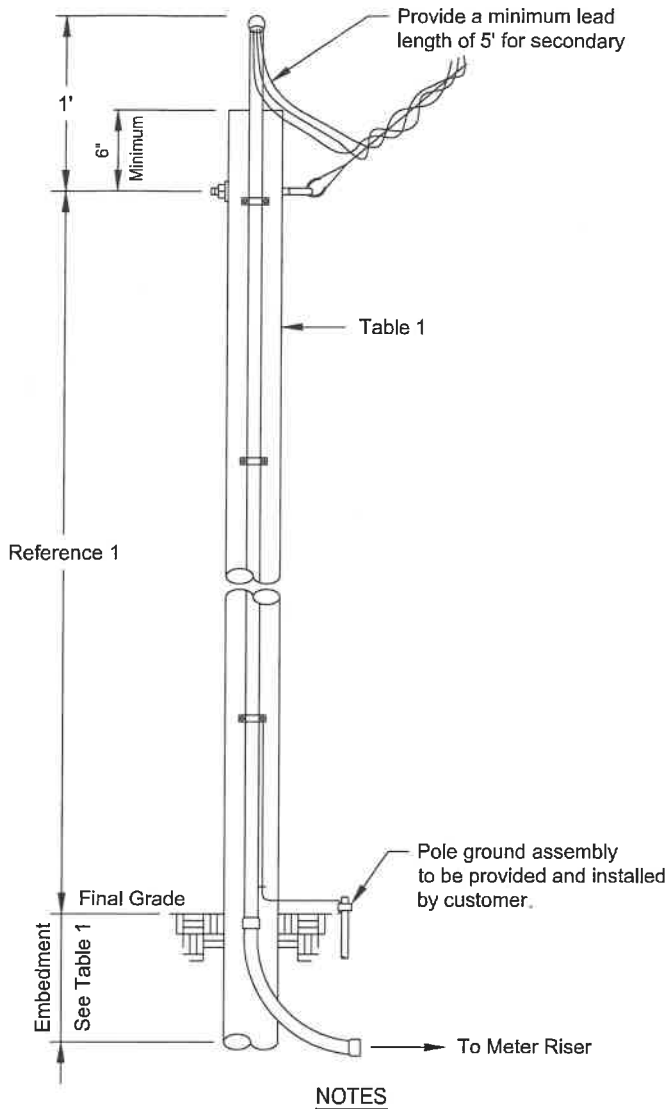
Existing electric service drop at 3821 Hanley Road

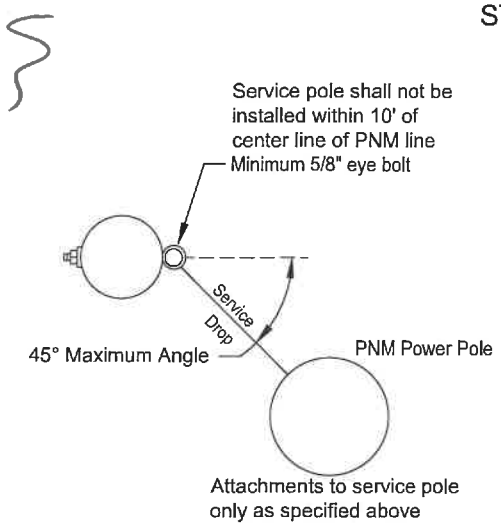
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

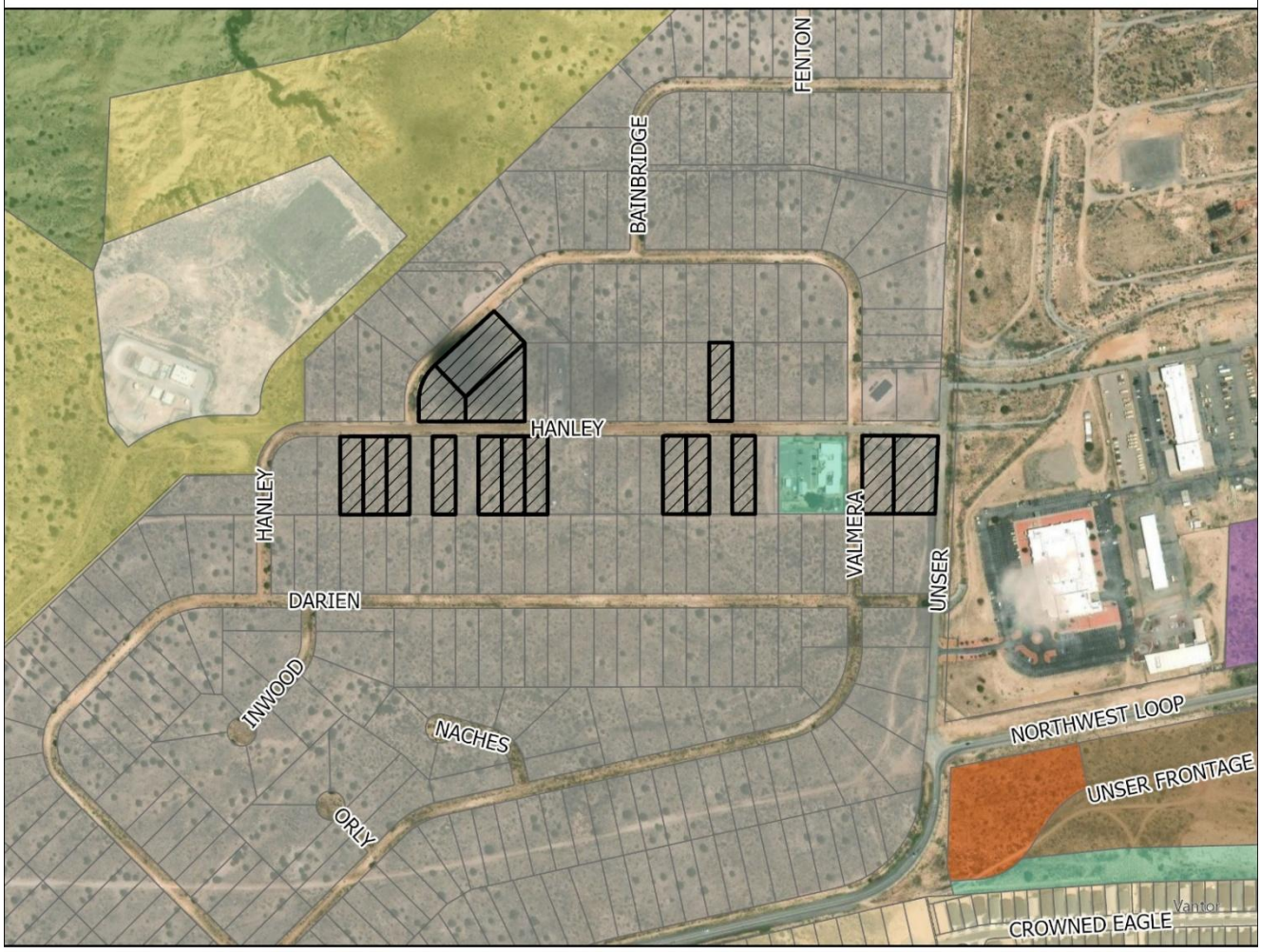
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

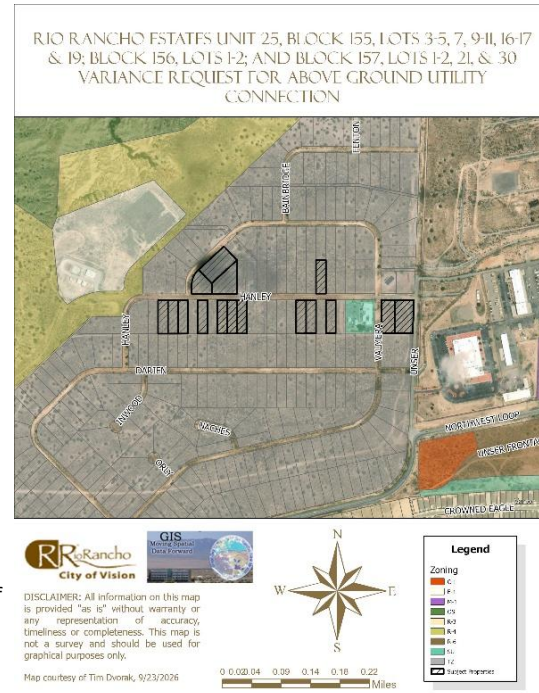
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

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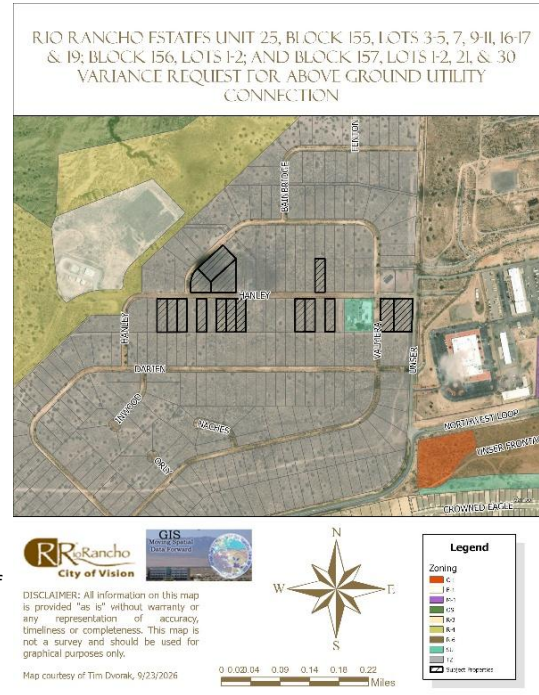


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

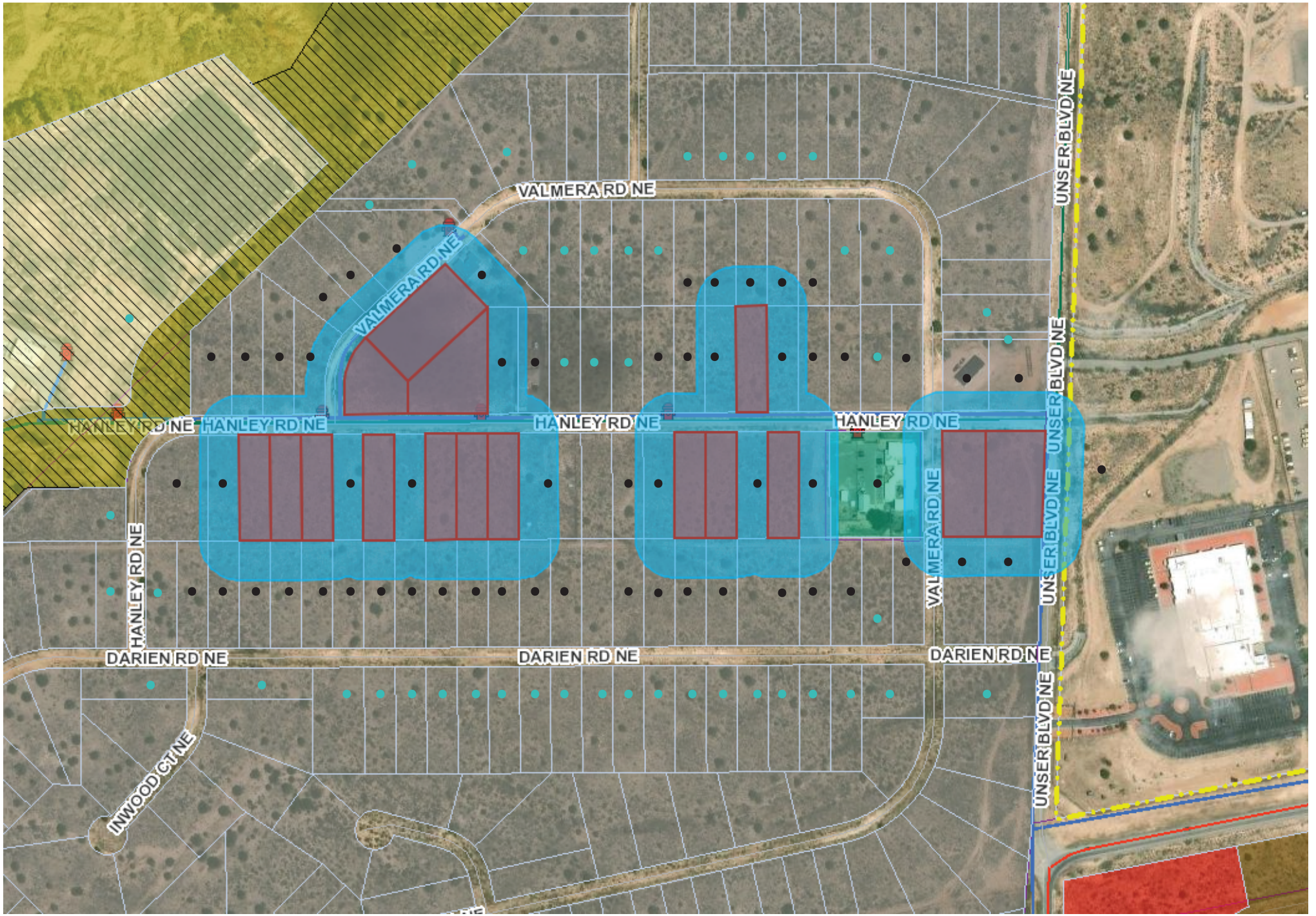
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

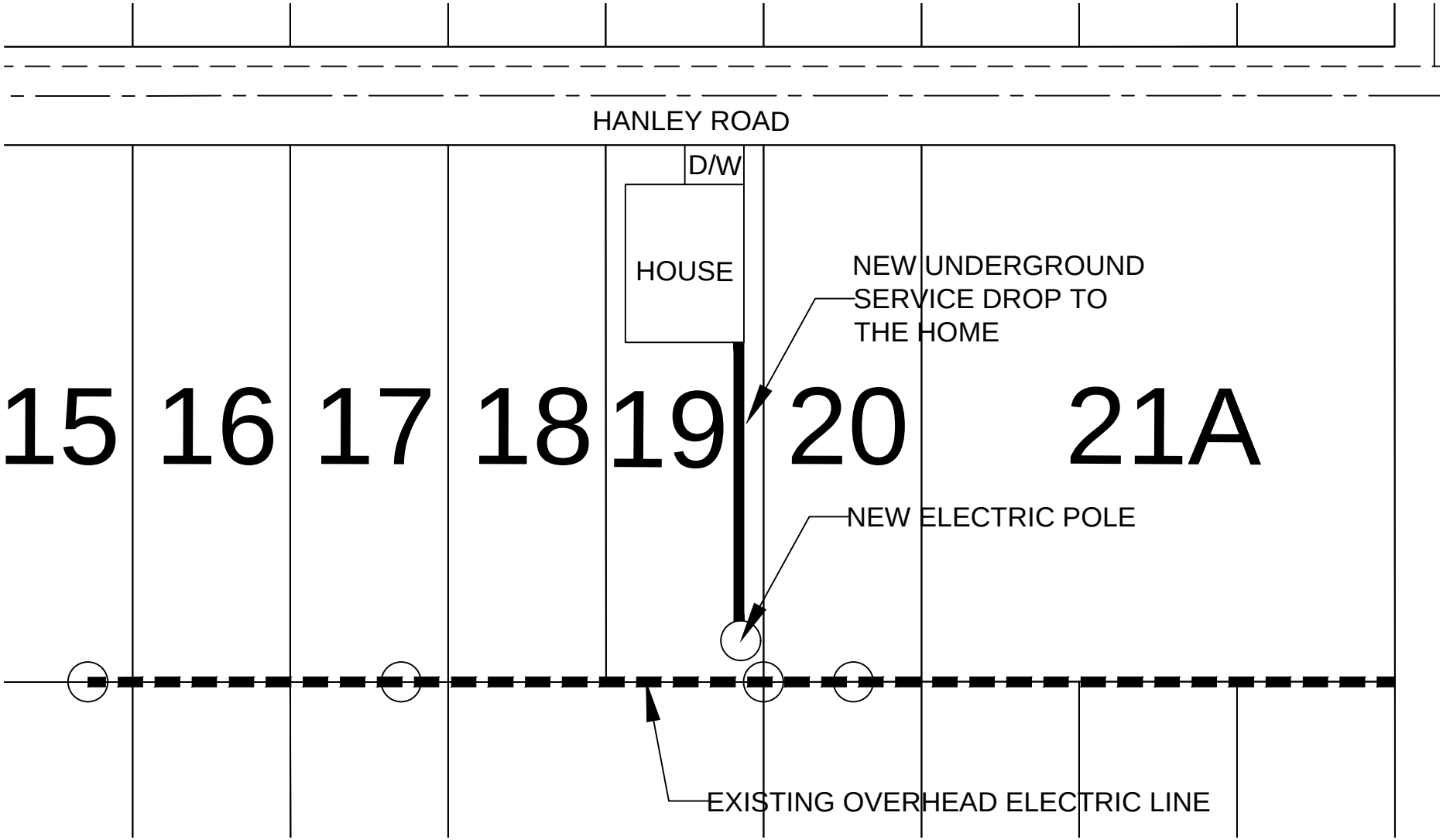
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00036

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 157, LOT 1.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 157, Lot 1.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00036

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 157, LOT 1.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00035

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 157, Lot 2. Staff contact is Tim Dvorak and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 6833 Valmera Rd NE, legally described as Rio Rancho Estates Unit 25, Block 157, Lot 2. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.97 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00035 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a Variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00035 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 157, Lot 2.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Reproduction of Notifications & Legal Ad
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Findings_of_Fact_BMB.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

ARROYOS LLC
409 NM Hwy 528 NE
Rio Rancho, NM 87124

October 5, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division
O: 505-896-8756

RE: AGENT AUTHORIZATION NOTICE
Overhead Line Variance

Mr. Babyak,

Arroyos LLC, hereby authorizes AMREP Southwest Inc. to act as our agent for the overhead utility variance.

If you have any questions regarding the request please feel free to contact me at 505-896-9037.

Sincerely,

Jarrod Likar, PE
Vice President of Land Development

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

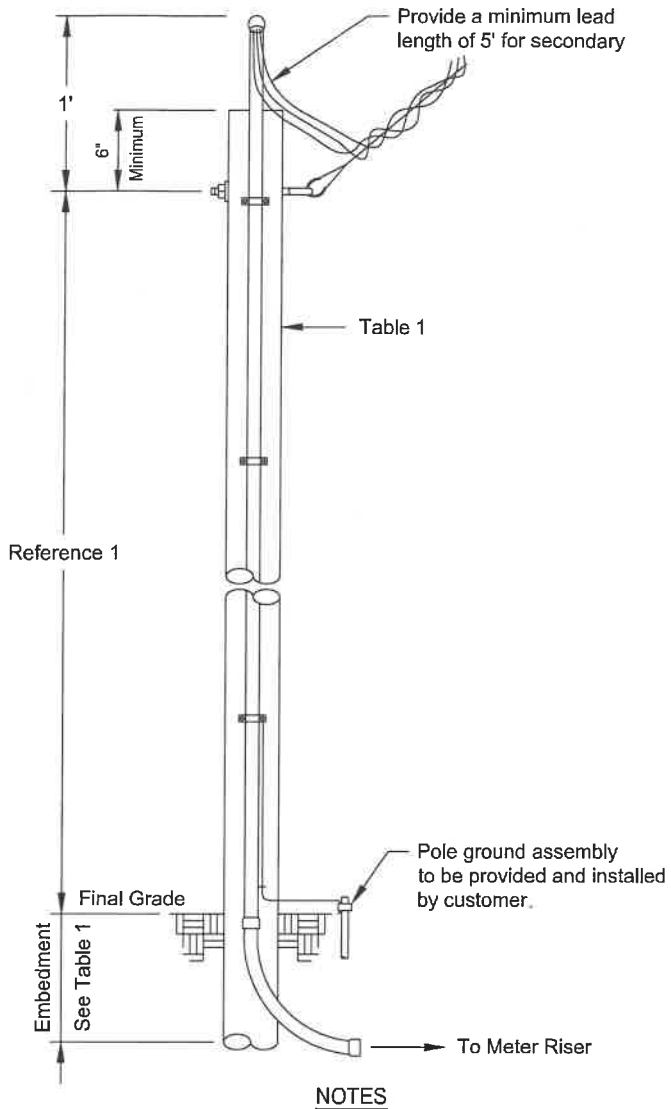
Existing electric service drop at 3821 Hanley Road

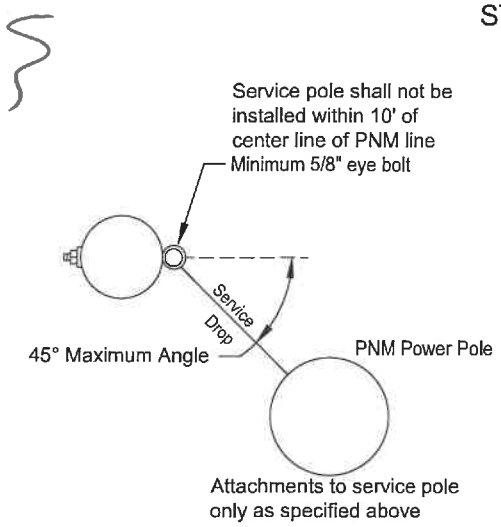
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

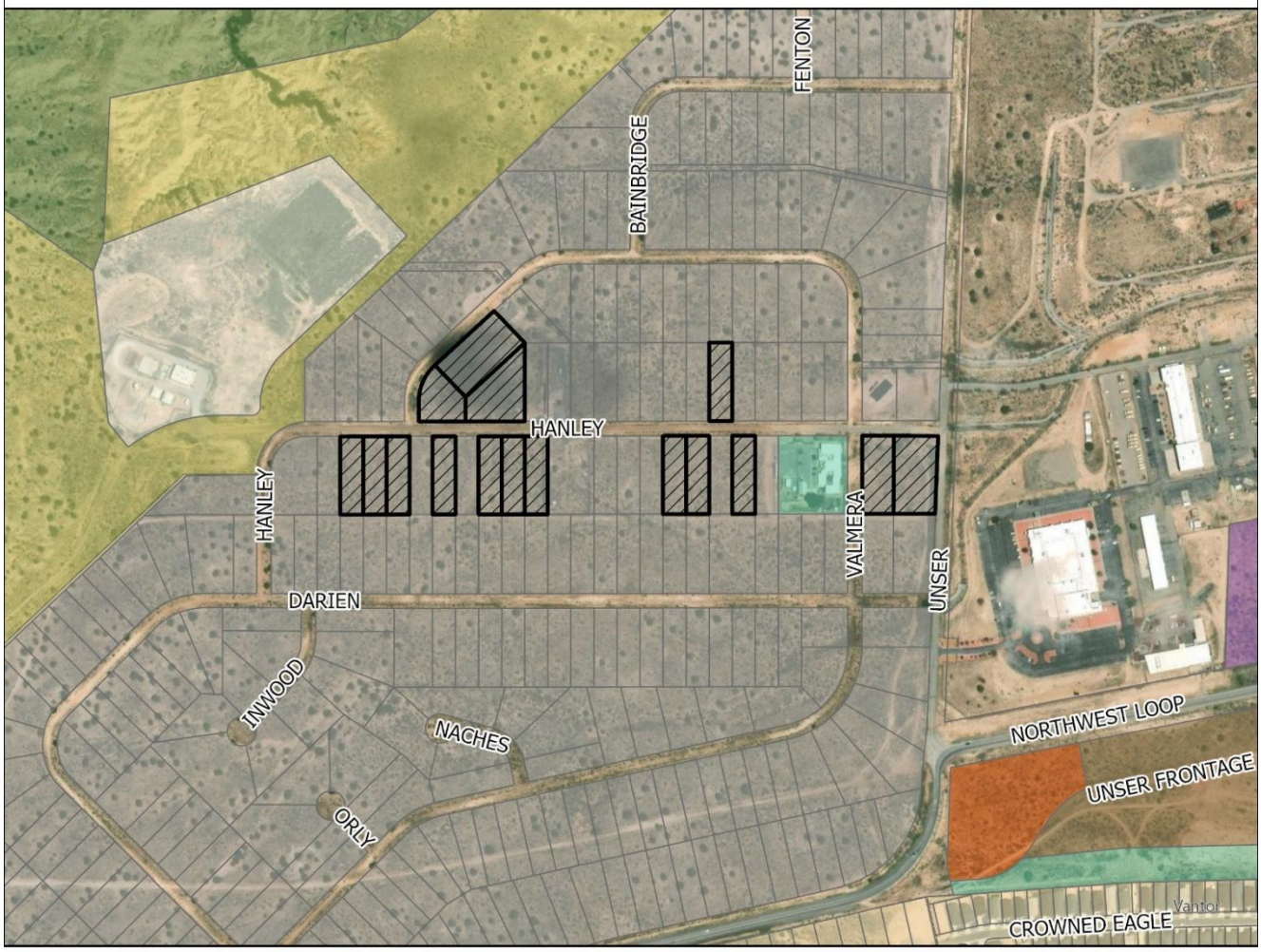
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

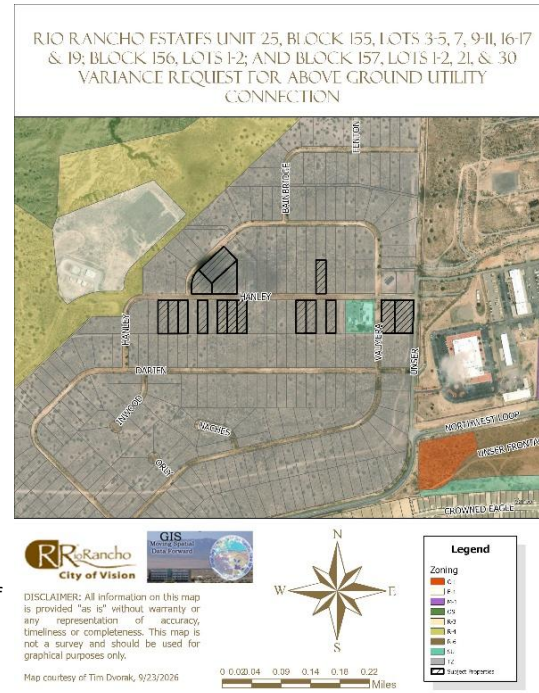
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

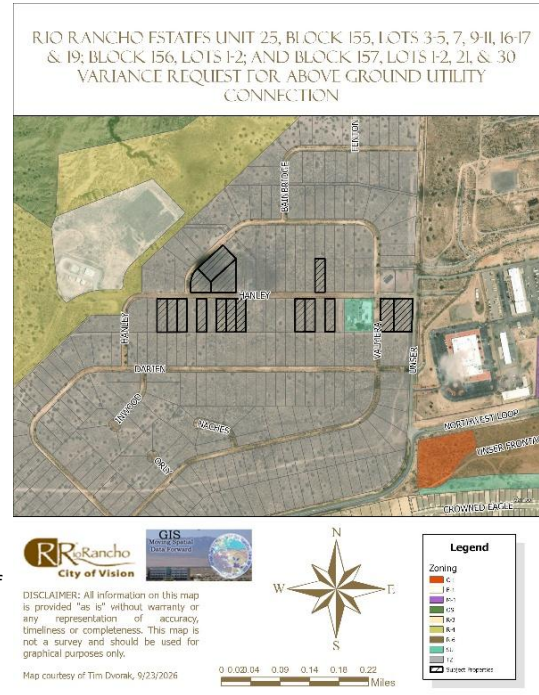
If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

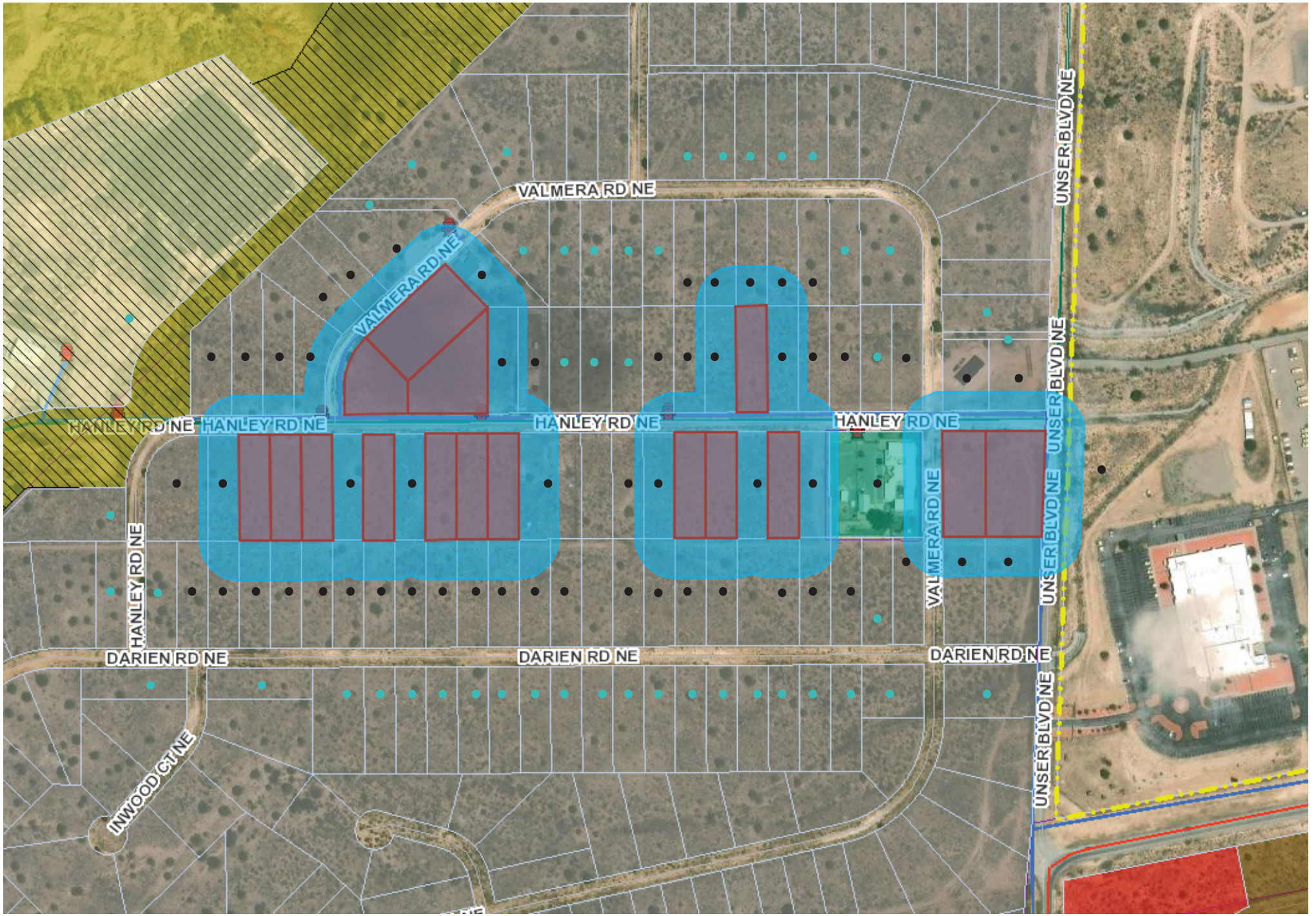
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

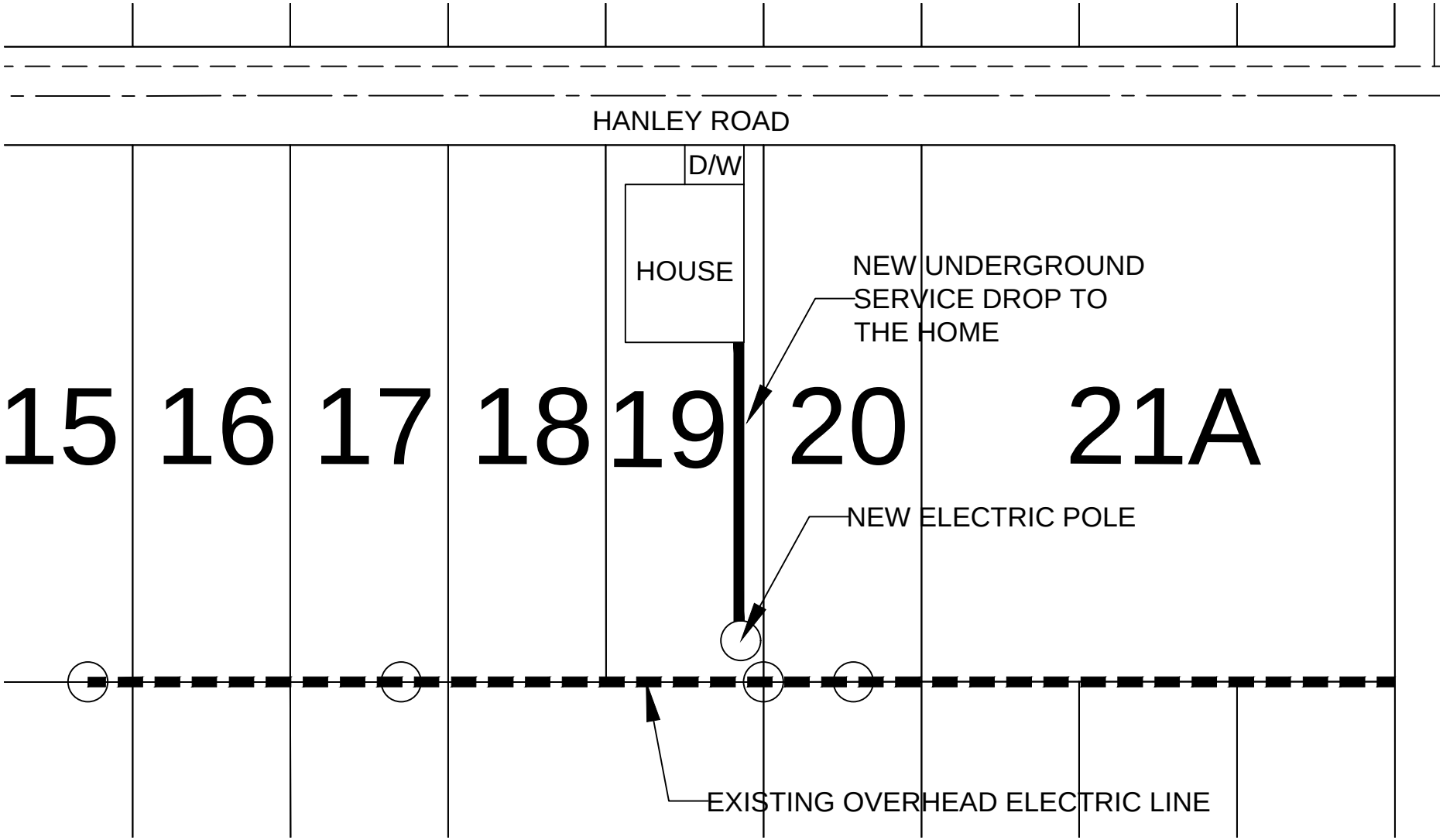
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00035

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 157, LOT 2.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 157, Lot 2.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00035

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 157, LOT 2.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00033

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 157, Lot 21. Staff contact is Tim Dvorak and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3921 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 157, Lot 21. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.5 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00033 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00033 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 157, Lot 21.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Reproduction of Notifications & Legal Ad
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Findings_of_Fact_BMB.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

ARROYOS LLC
409 NM Hwy 528 NE
Rio Rancho, NM 87124

October 5, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division
O: 505-896-8756

RE: AGENT AUTHORIZATION NOTICE
Overhead Line Variance

Mr. Babyak,

Arroyos LLC, hereby authorizes AMREP Southwest Inc. to act as our agent for the overhead utility variance.

If you have any questions regarding the request please feel free to contact me at 505-896-9037.

Sincerely,

Jarrod Likar, PE
Vice President of Land Development

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

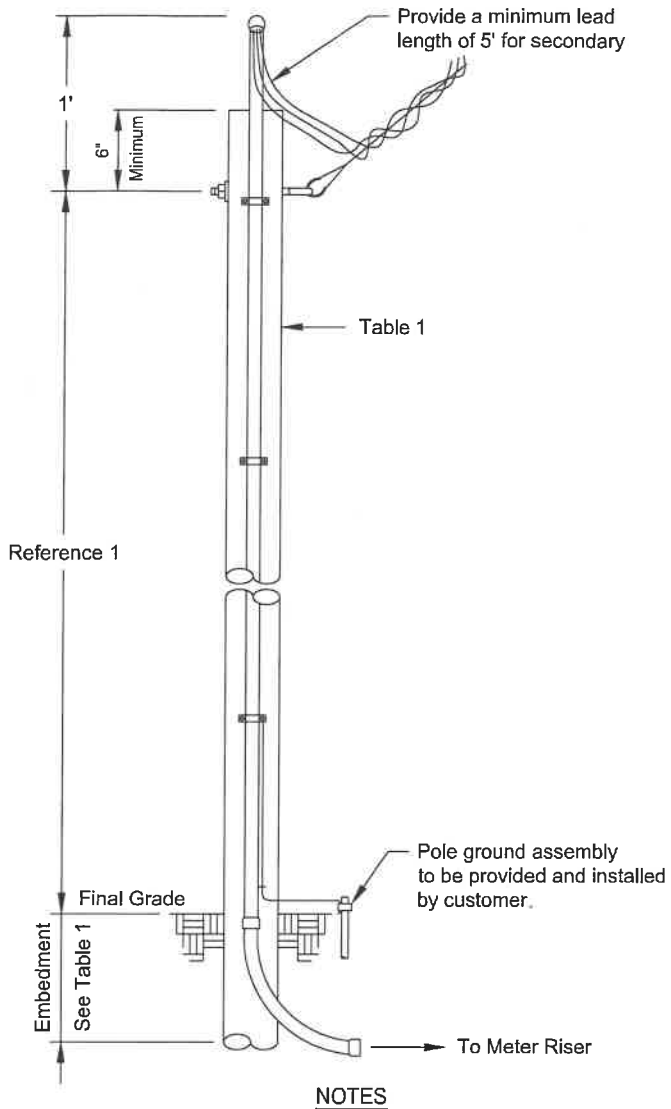
Existing electric service drop at 3821 Hanley Road

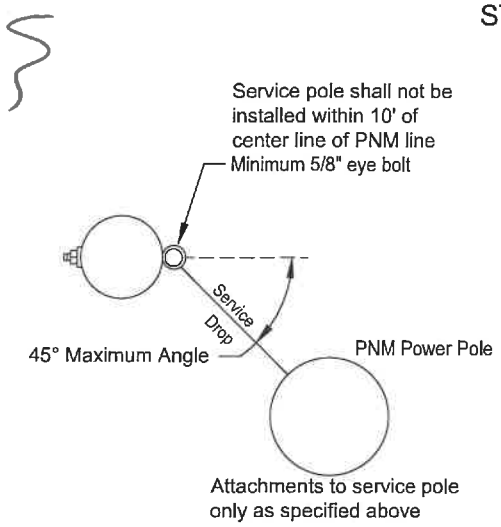
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

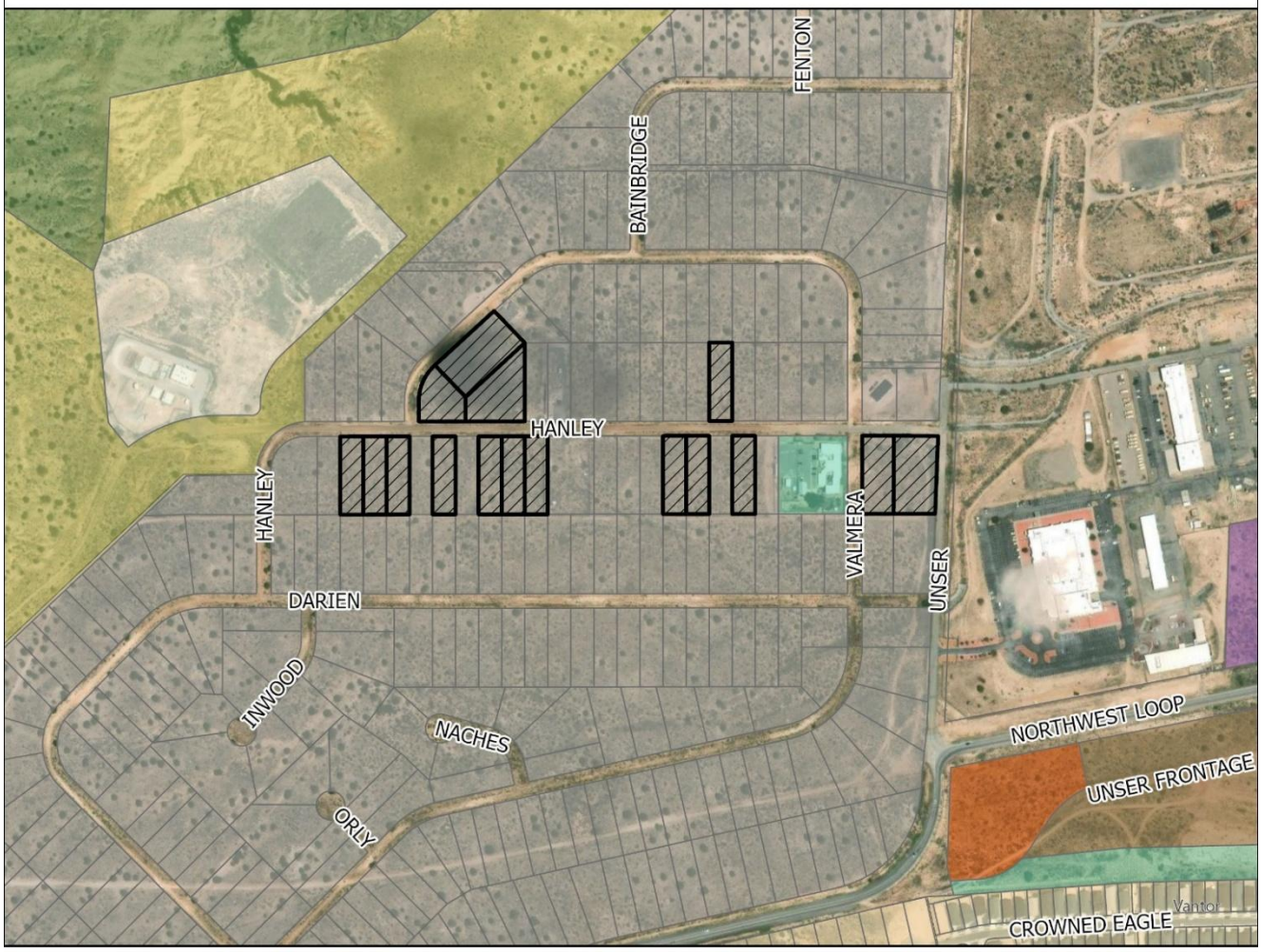
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

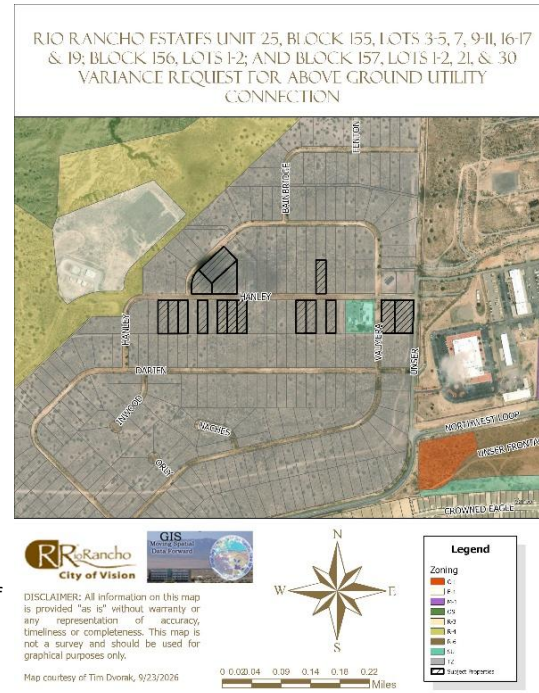
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

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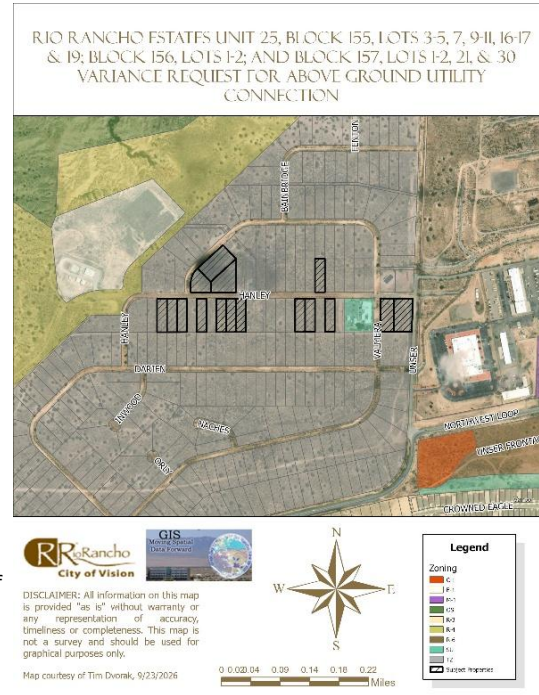


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

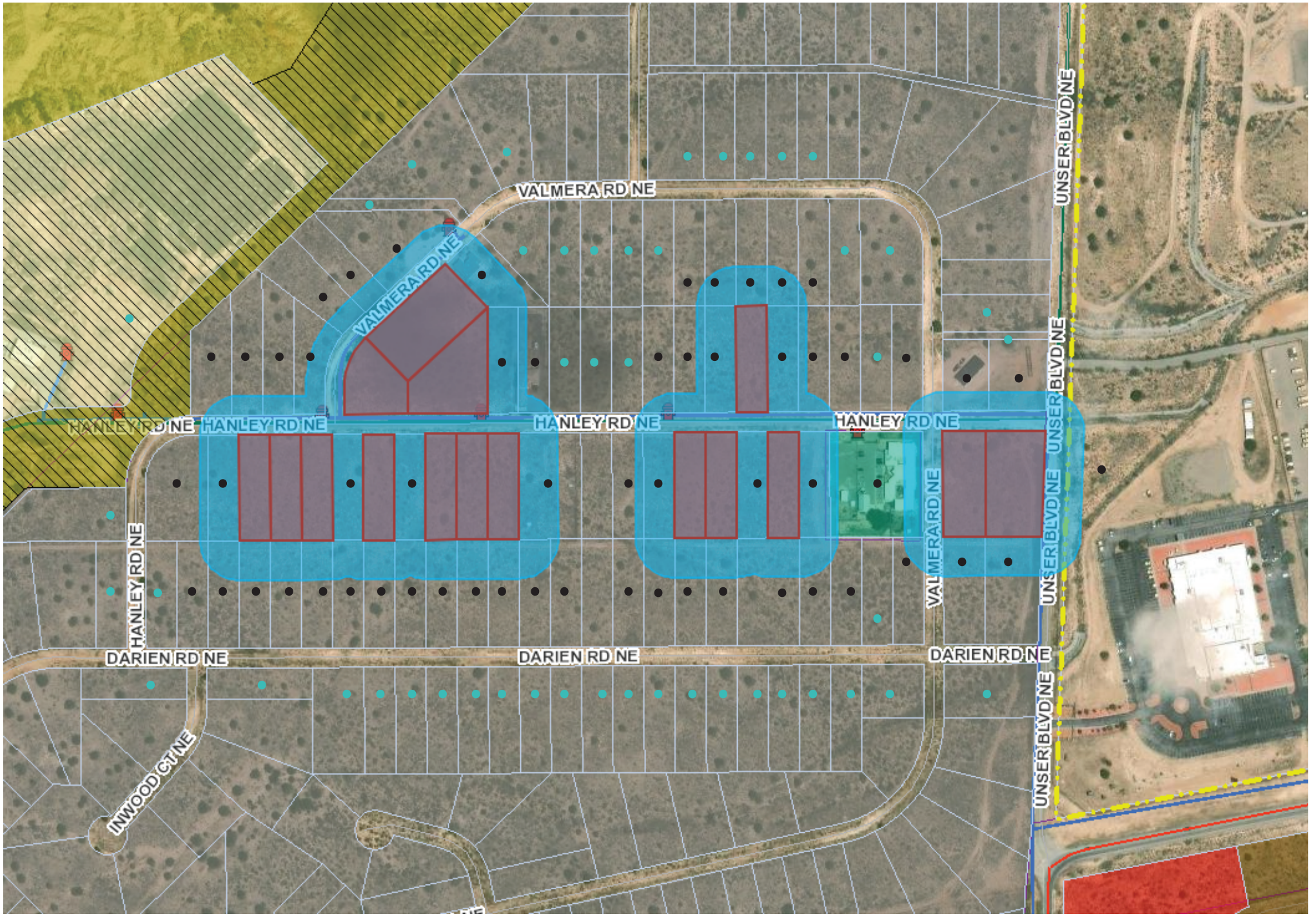
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

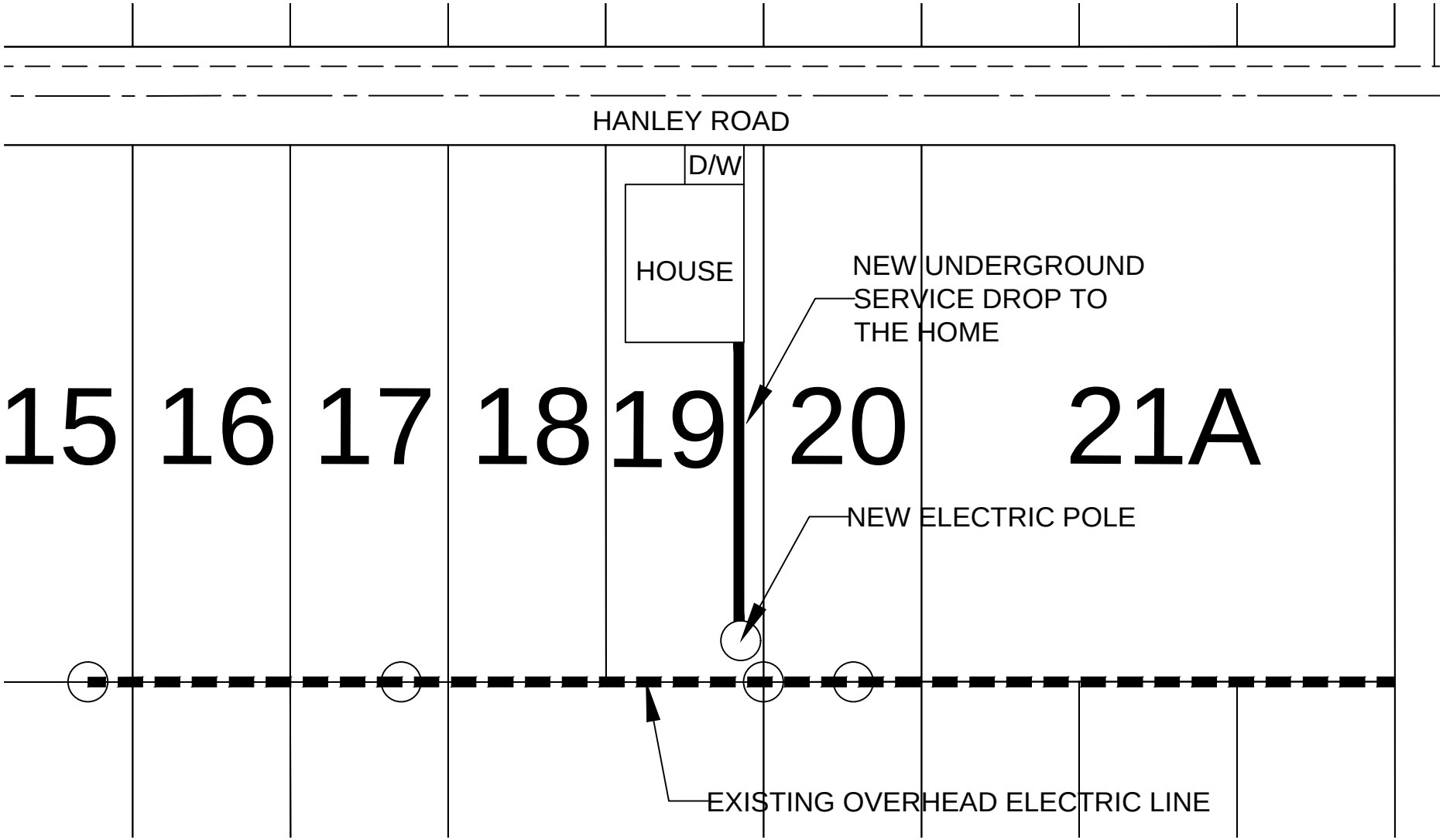
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00033

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 157, LOT 21.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 157, Lot 21.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00033

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 157, LOT 21.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00034

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Arroyos, LLC., requests approval of a Variance request to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject property legally described as Unit 25, Block 157, Lot 30. Staff contact is Tim Dvorak and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:
The subject request by Arroyos, LLC. is for a Variance to allow for an above ground electric utility connection at the subject property of 3809 Hanley Rd NE, legally described as Rio Rancho Estates Unit 25, Block 157, Lot 30. Unit 25 primarily consists of vacant, antiquated platted lots zoned TZ: Transitional Zoning District, with a few individual lots developed as single-family residential.

The subject property is zoned TZ: Transitional District per Ordinance No. 24, Enactment No. 98-025 and comprises approximately 0.81 acres.

The Applicant is proposing electrical service to the subject property by overhead power pole. The Applicant has additionally requested approval of fifteen (15) additional Variances to R.O. 2003 Chapter 154.60(A)(8) within Unit 25, in close proximity to the subject property.

R.O. 2003 Chapter 154.60 outlines design criteria for residential development. Per R.O. 2003 Chapter 154.60(A)(8) "All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary structure from the address street or placed underground."

Given the provisions above, it is a City requirement for electrical service to be connected via underground installation.

The Applicant intends to permit a new single-family dwelling on the subject property.

REVIEW CRITERIA:
The Applicant submitted a justification narrative in support of the Variance application. This narrative is presented as an attachment to this item.

The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads in part:

"(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or

steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship."

In their justification letter, the Applicant states, "AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house."

The Applicant continues, "We are requesting this Variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent drops occurred on or around February of 2025."

The Applicant's justification letter additionally details the five existing structures within the area of the subject property mentioned above that were connected via overhead electric lines. Three of the locations are non-residential uses that include the City's Waste Water Treatment Plant #5 and the New Mexico Army National Guard (which is not within the City boundary). The non-residential design standards do not have the same standard for underground utilities. Staff is further researching the residential properties referenced in the justification letter since the properties upon early research seem to have not completed inspections and may not have Certificates of Occupancy.

The Applicant states, "Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. [...] The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible."

Staff recommends the Board find that the subject lot is not irregular in size or shape and does not possess any physical conditions that would otherwise prevent the Applicant from complying with City Code. While the Applicant has provided examples of overhead utility connections within the area of the subject lot in Unit 25, the vast majority of properties within Unit 25 remain vacant and undeveloped. Thus, staff finds that justification via five developed properties does not in itself establish a wide-ranging community condition.

All surrounding properties, with the exception of one, are zoned TZ: Transitional District via the same Ordinance as the subject property. Per R.O. 2003 Chapter 154.44, the Transitional Zoning District permits low density residential uses on an interim basis for newly annexed areas. As such, transitional zoning provides an intermediary zoning designation and allows for single-family development until such time that a zoning designation is assigned via a subsequent Zone Map Amendment. The subject properties are antiquated platted half-acre lots, given that the TZ zoning designation serves as interim zoning before Master Planning and land uses are assigned. Approval of this Variance would further promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots, decreasing lot consolidation and increasing the requested Variances to this standard.

The Generalized Land Use Map (GLUM) identifies the land use of the undeveloped properties within Unit 25 as Future Planning. Given that Unit 25 is primarily undeveloped Transitional Zoning, staff finds that approval of the subject Variance request would proliferate an inconsistent standard

which would make it difficult for the City to enforce the provisions of R.O. 2003 Chapter 154.60(A)(8) as Unit 25 develops in the future. Transitional zoning exists as a tool towards future coordinated development via Master Plan and Zone Map Amendment actions. As the Applicant is requesting fifteen (15) additional overhead Variances to R.O. 2003 Chapter 154.60(A)(8) in the same area of Unit 25, staff finds that without coordinated development, it is likely to proliferate a fragmented utility standard within the City.

Staff additionally finds that practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship. The Applicant's assertion that a hardship can be found on the basis that overhead utility connections exist within Unit 25 cannot itself be the basis for justification, as the presence of existing overhead utility connections does not in itself demonstrate a widely established community condition. Criteria is not satisfied.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an Applicant file a request for a Variance through the City Planning and Zoning Board when a Variance is sought.

Staff recommends the Planning and Zoning Board find that the application, presented as an attachment, meets the submittal requirements for the proposed Variance request; Criteria is satisfied.

DEPARTMENT REVIEW:

The application and related plans were sent to the following agencies for review:

Development Services Planning	Comments throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreation & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.
Rio Rancho Public Schools	No comments received.
Ezee Fiber	No adverse comments.
MRMPO	No comments received.

NOTIFICATIONS:
Neighboring property owners within 100 feet of the subject property were sent certified mail notice of the public hearing 15 days prior to the hearing date. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards notifying of the public hearing 15 days prior to the hearing date. A legal ad was run in the September 28, 2026 version of the Albuquerque Journal. A public notice sign was posted on the properties as per Ordinance; Criteria is satisfied.

IMPACT:
Staff recommends the Planning and Zoning Board deny the subject Variance Case #26-110-00034 with the following Findings of Fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.

2. Following procedures for approval of a Variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

Specific Findings for Denial:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the Applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

If the Planning and Zoning Board does find that the subject Variance Case #26-110-00034 meets the Variance criteria as set forth in R.O. 2003 Section 150.06, then the following findings and conditions are recommended for approval:

Specific Findings and Conditions for Approval:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 157, Lot 30.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request;
2. Deny the request;
3. Modify the request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Board deny the Variance request with findings.

ATTACHMENT: Zoning & Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Justification Letter
ATTACHMENT: PNM Standard Drawing
ATTACHMENT: Reproduction of Notifications & Legal Ad
ATTACHMENT: Variance Exhibit - Electric Pole Example
ATTACHMENT: Findings_of_Fact_BMB.docx

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION

Rio Rancho City of Vision

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat/Street	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☐ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	X☐ Variance
			☐ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Arroyos, LLC		Phone:505-896-9037
Address: 409 NM HWY 528		E-Mail: jarrodl@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest: 100%	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

Variance from Chapter 154.60 Residential Design Criteria (A)(8)

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 25	Block(s): 155-157	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:16	No. of proposed lots:	Total area of site (acres)

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: Jarrod Likar	Applicant: X	Agent:
Signature: Jarrod Likar		Date: 9/3/26

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

ARROYOS LLC
409 NM Hwy 528 NE
Rio Rancho, NM 87124

October 5, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division
O: 505-896-8756

RE: AGENT AUTHORIZATION NOTICE
Overhead Line Variance

Mr. Babyak,

Arroyos LLC, hereby authorizes AMREP Southwest Inc. to act as our agent for the overhead utility variance.

If you have any questions regarding the request please feel free to contact me at 505-896-9037.

Sincerely,

Jarrod Likar, PE
Vice President of Land Development

AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

September 3, 2026

Brian Babyak, AICP
Planning and Zoning Division Manager
City of Rio Rancho
Development Services/Planning & Zoning Division

RE: REQUEST FOR VARIANCE from Chapter 154.60 Residential Design Criteria (A)(8):

Mr. Babyak,

We are requesting a variance to Chapter 154 Planning & Zoning: 154.60 Residential Design Criteria (A)(8) which states:
(8) All utility service and distribution lines shall be placed underground. All liquid propane installations shall be either behind the primary' structure from the address street or placed underground.

We are requesting this variance to install a new overhead power pole to supply power to the new homes that are planned for construction on the following lots:

Unit 25, Block 155, Lots 3-5, 7, 9-11, 16, 17 and 19

Unit 25, Block 156, Lots 1 and 2

Unit 25, Block 157, Lots 1, 2, 21 and 30

AMREP Southwest recently submitted an electrical design request to PNM to service lots along Hanley Road. The resulting design required electrical line extensions from an existing overhead line along the rear of the lots that are addressed off Hanley Road and Valmera Road. The request would place a new PNM pole that would supply overhead service within the 5' side yard easement, 100' away from the existing PNM Infrastructure per the PNM requirements. The service would then be underground from the new pole to the house. We are requesting this variance to match the existing conditions in the area as five existing structures and the New Mexico National Guard have similar service drops from the overhead electric lines. The most recent service drops occurred on or around February of 2025. The attachments to this letter depict the five existing services for reference.

Requiring an underground electric service connection would result in an unnecessary hardship for these lots described above given the multiple service drops on existing homes in the immediate area and the proximity of the available electric service to the lots. The requested

variance would not impact the neighborhood aesthetics and blend into the neighborhood. The electric service drop would immediately be placed underground to the meter on the new home minimizing the overhead component as much as possible.

Thank you for your consideration of this request. If there are any questions or any additional information you may need, please contact me at your convenience.

Sincerely,

Jarrod Likar
Vice President of Land Development

Attachment: Pictures of the existing conditions and electric service drops in the immediate area

Existing PNM electric lines traversing the rear of lots on Block 155

Existing electric service drop at 4017 Hanley Road

Existing electric service drop at 4008 Hanley Road (Haven House)

Existing electric service drop at 3824 Hanley Road

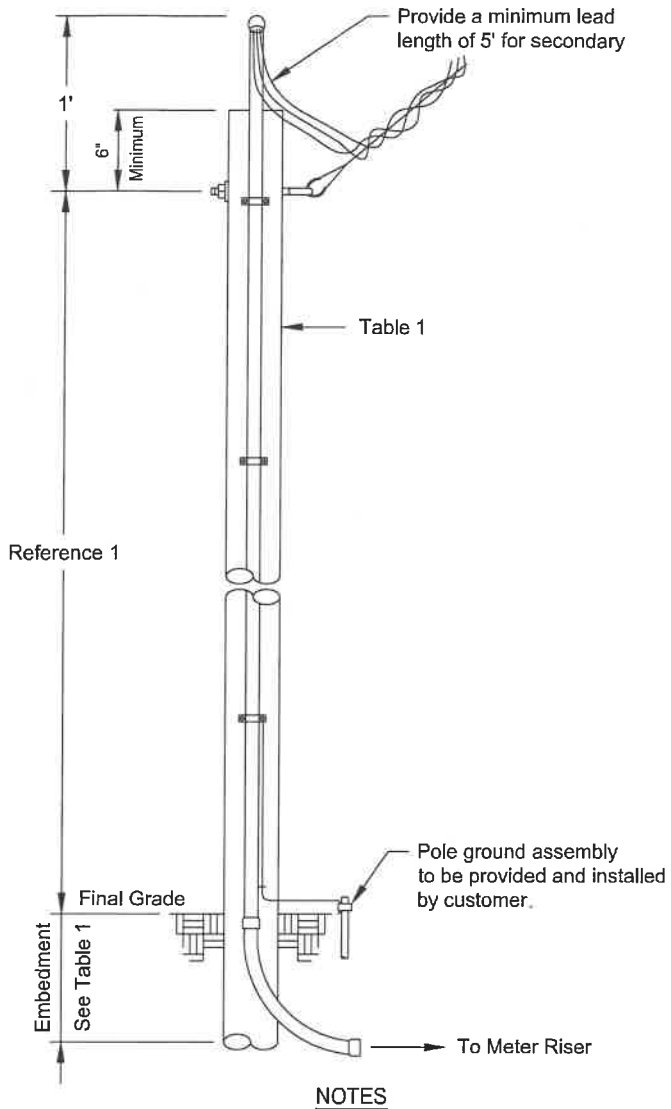
Existing electric service drop at 3821 Hanley Road

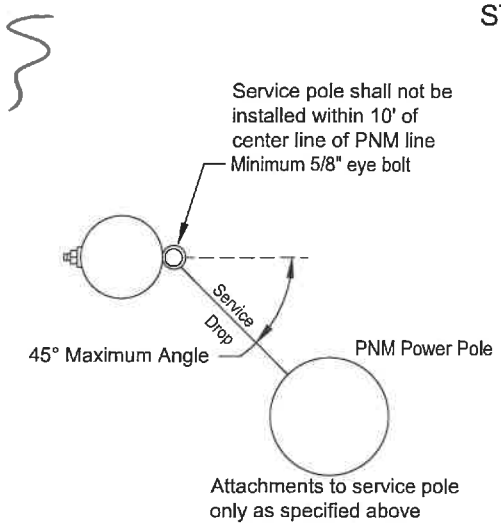
AMREP SOUTHWEST INC. 409 NM Hwy 528 NE, Rio Rancho, NM 87124 505-892-9200

Existing electric service drop at 6825 Valmera Road

REVISION	Removed Maximum spans and refer to sag table, bolded note 7

DISTRIBUTION STANDARD PNM





NOTES

(1) Contact PNM customer service representative for wood pole location, size and height of service attachment for clearance of driveways, areas subject to vehicle traffic, clearance of building and signs.
(2) Treatment for all poles and timbers must be ACQ, CCA, CREOSOTE or PENTA as shown in Table 1.
(3) Salvaged poles must be butt and top treated.
(4) Above grade duct shall be IMC or rigid duct fastened with screw using a minimum of three clamps with a maximum spacing of 10'.
(5) Point of attachment must face PNM service supply.
(6) Below grade must be PVC, IMC or rigid duct.
(7) **A permanently attached metal plate marked Customer Owned must be attached to the pole.**
(8) Customer is responsible for acquisition of required permits, right-of-way and maintenance of customer service.
(9) The service wire will be within a continuous unbroken duct run without pullbox from meter base to service attachment.
(10) Customer is responsible for all meter socket terminations.
(11) Service lateral conductors type and size in accordance with the NEC.
(12) Customer shall install bonding system accordance to NEC.
(13) Customer's contractor working near any PNM lines are responsible for adhering to all applicable regulations and codes; including but not limited to the NESC, OSHA and the NEC.
(14) Multiple commercial service will require additional review and approval prior to building.
(15) Commercial developments/properties shall use poles taller than 20'.

REFERENCES

(1) See DS-4-4.5 Minimum Point of Attachment Height for Service Drop Cable
(2) See DS-4-5.0 Underground Service Entrance System
(3) See DS-4-5.5 Permanent Service Entrance
(4) See DM-4-11.0 Maximum Available Fault Current
(5) See DS-13-2.0 Page 1-3 Clearance from Buildings and Other Structures
(6) See DS-13-2.5 Vertical Clearance Above Ground Roadway, Rail or Water Surfaces

Table 1
See Note 1

Application			
Size	Wood Poles		
	20' See Note 15	25'	30'
Application	Permanent	Permanent	Permanent
Maximum Service Length	Reference 1	Reference 1	Reference 1
Minimum Pole Circumference and Embedment			
Top	18.8"	18.8"	18.8"
6' from Butt	21.5"	24.0"	26.0"
Minimum Embedment	5'	5'	5.5'
Recommended Treatment Methods			
ACQ	FLP	FLP	FLP
CCA	FLP	FLP	FLP
CREOSOTE	FL	FL	FL
PENTA	B	FL	FL

ACQ	Alkaline Copper Quaternary
B	Butt brush application (lower 6' of pole)
CCA	Copper Chromium Arsenate
FL	Full length hot/cold treatment
FLP	Full length pressure treatment
PENTA	Pentachlorophenol

Pole sizes and embedment lengths are recommended minimums to resist a 330 lbs service drop lateral load at the point of attachment. Varying soil conditions and pole quality may require more embedment and/or a larger pole.

Not to Scale

Customer Owned Riser on Customer Owned Service Pole

DS-4-7.0

09/01/25 E

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RE: Variance Request to allow for Overhead Utility Connection (x16)
Rio Rancho Estates Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning and Zoning Board.

The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as Rio Rancho Estates Unit 25, Block 155, Lots 3-5, 7, 9-11, 16-17 & 19; Block 156, Lots 1-2; and Block 157, Lots 1-2, 21 & 30.

The **Planning and Zoning Board** will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to planning@rrnm.gov. Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact us via e-mail at planning@rrnm.gov or call us at 505-891-5005 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

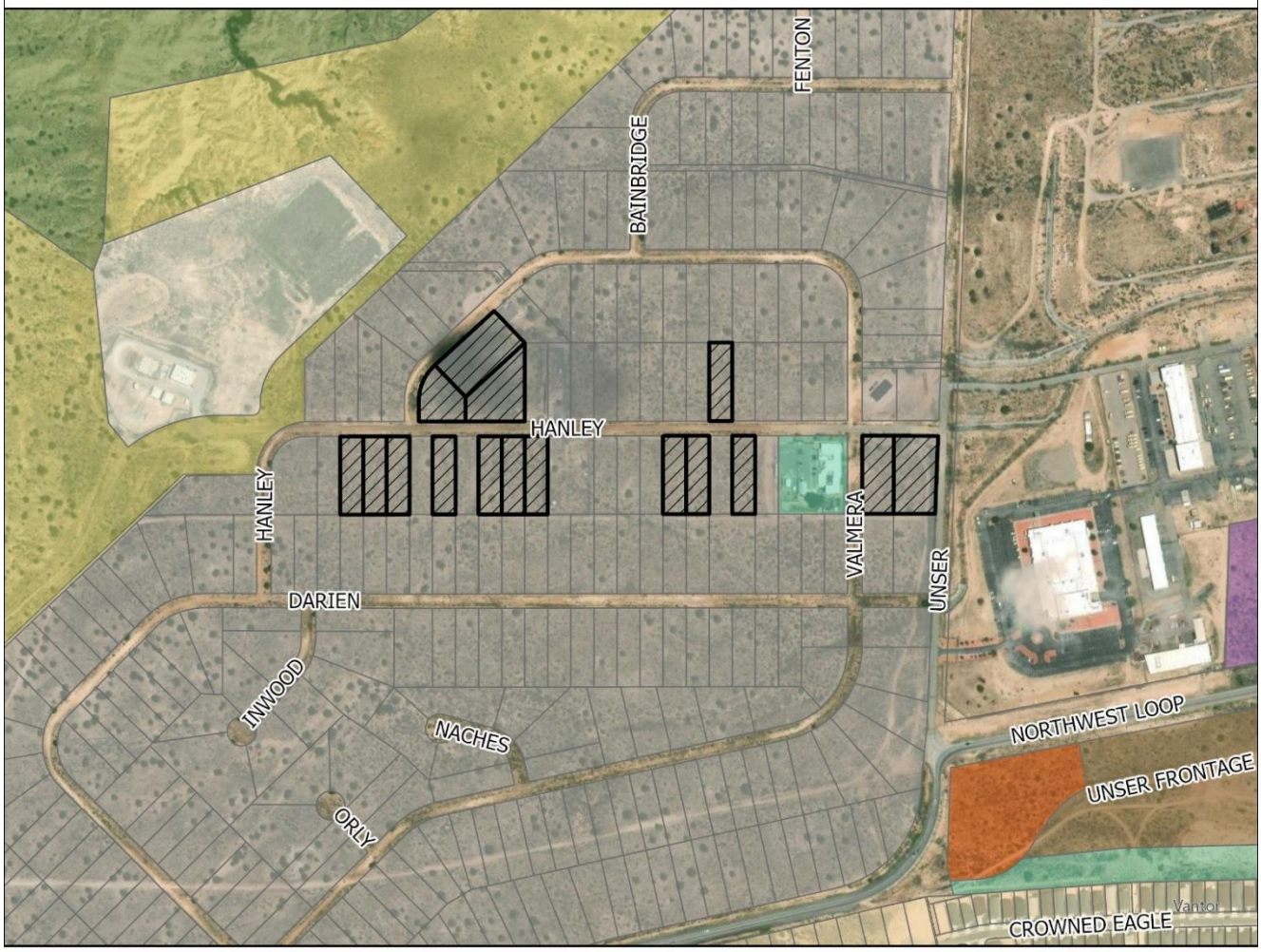
Respectfully,

Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

RIO RANCHO ESTATES UNIT 25, BLOCK 155, LOTS 3-5, 7, 9-11, 16-17 & 19; BLOCK 156, LOTS 1-2; AND BLOCK 157, LOTS 1-2, 21, & 30 VARIANCE REQUEST FOR ABOVE GROUND UTILITY CONNECTION



GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak, 9/23/2026

N W E S

0 0.02 0.04 0.09 0.14 0.18 0.22 Miles

Legend

Zoning
- C-1
- E-1
- M-1
- OS
- R-3
- R-4
- R-6
- SU
- TZ
- Subject Properties

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

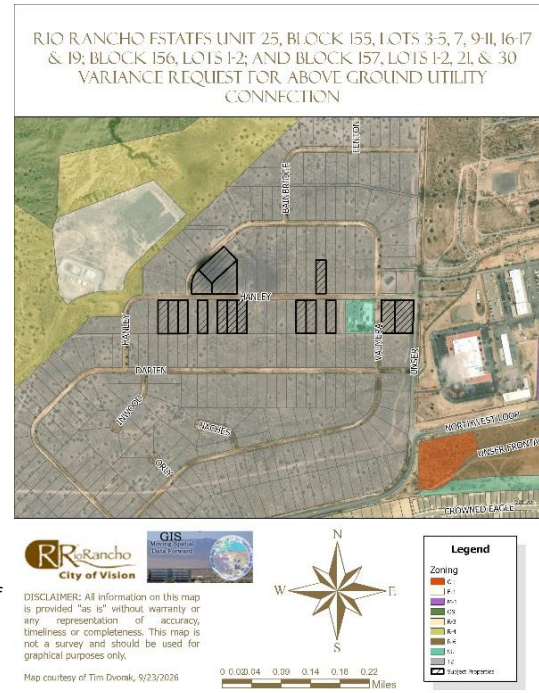
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Contact:	Development Services (505) 891-5005 planning@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

If you'd like to comment on this application, you may submit written comments 10 days prior to the hearing to planning@rrnm.gov. If you wish to provide comment at the hearing, register in person or by Zoom with City staff no later than 5:45 pm MDT. To view the agenda, participate, or watch the meeting live, visit https://rrnm.gov/2303/Watch-and-Download-City-Meetings



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The Applicant, Arroyos, LLC, requests approval of 16 separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Unit 25, Block 155, Lot 3: Case #26-110-000025, Lot 4: Case #26-110-000026, Lot 5: Case #26-110-000027, Lot 7: Case #26-110-000028, Lot 9: Case #26-110-00029, Lot 10: Case #26-110-00030, Lot 11: Case #26-110-00031, Lot 16: Case #26-110-00032, Lot 17: Case #26-110-00037, Lot 19: Case #26-110-00038, Block 156, Lot 1: Case #26-110-00039, Lot 2: Case #26-110-00040, Block 157, Lot 1: Case #26-110-00036, Lot 2: Case #26-110-00035, Lot 21: Case #26-110-00033, Lot 30: Case #26-110-00034.

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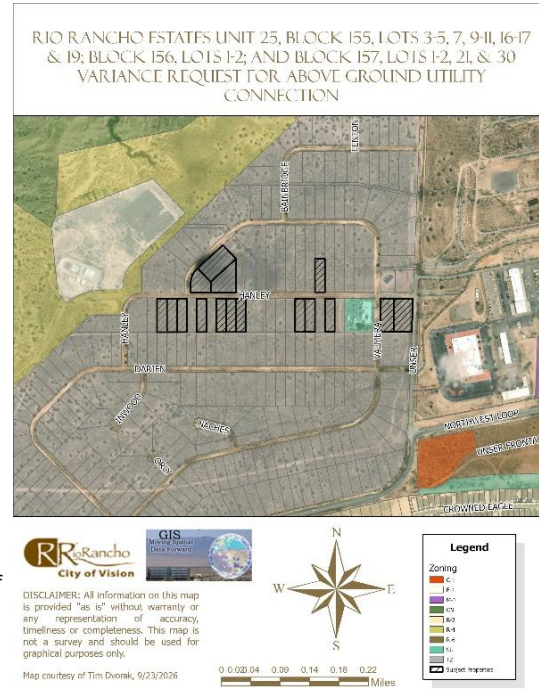


CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023

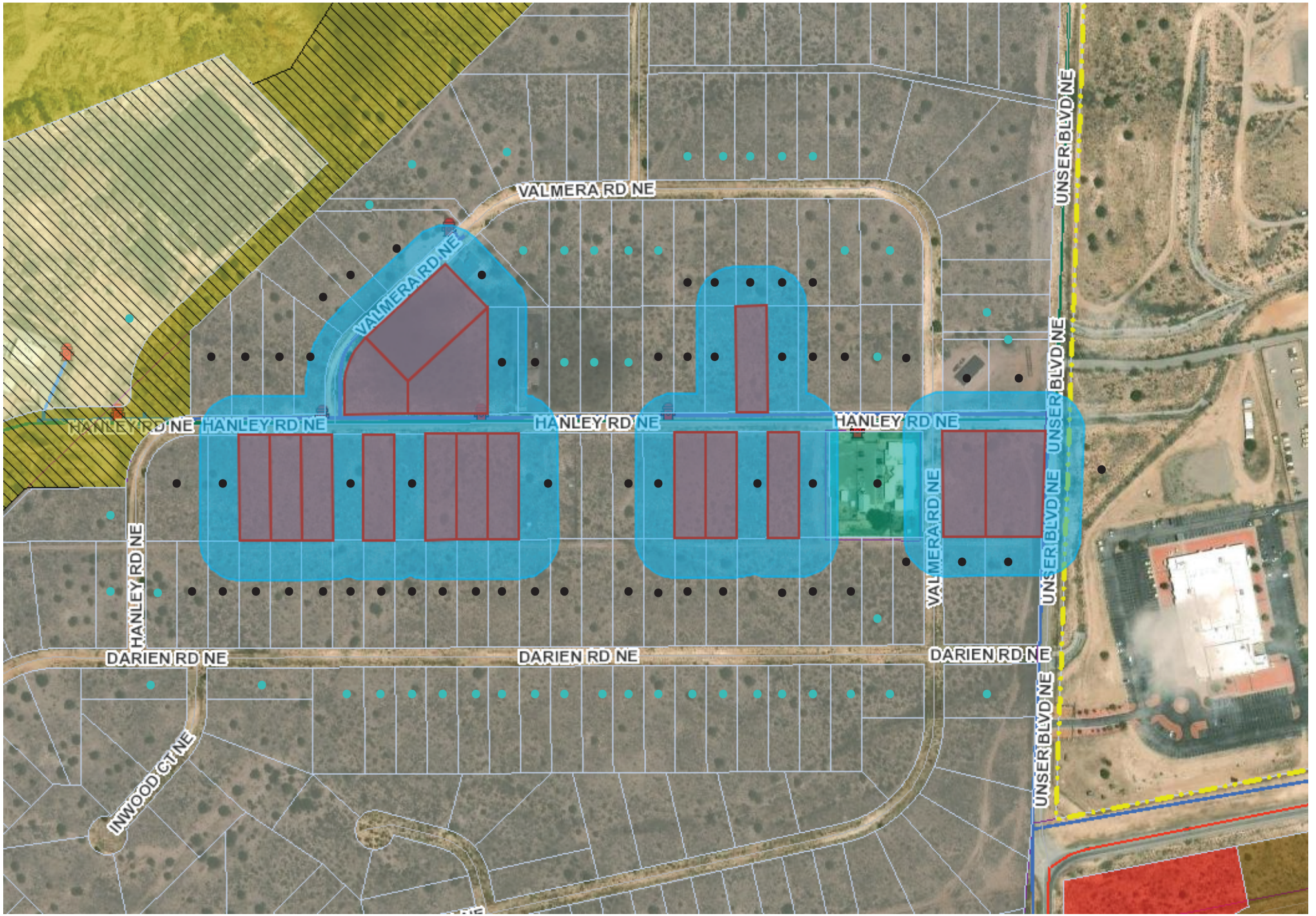
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance

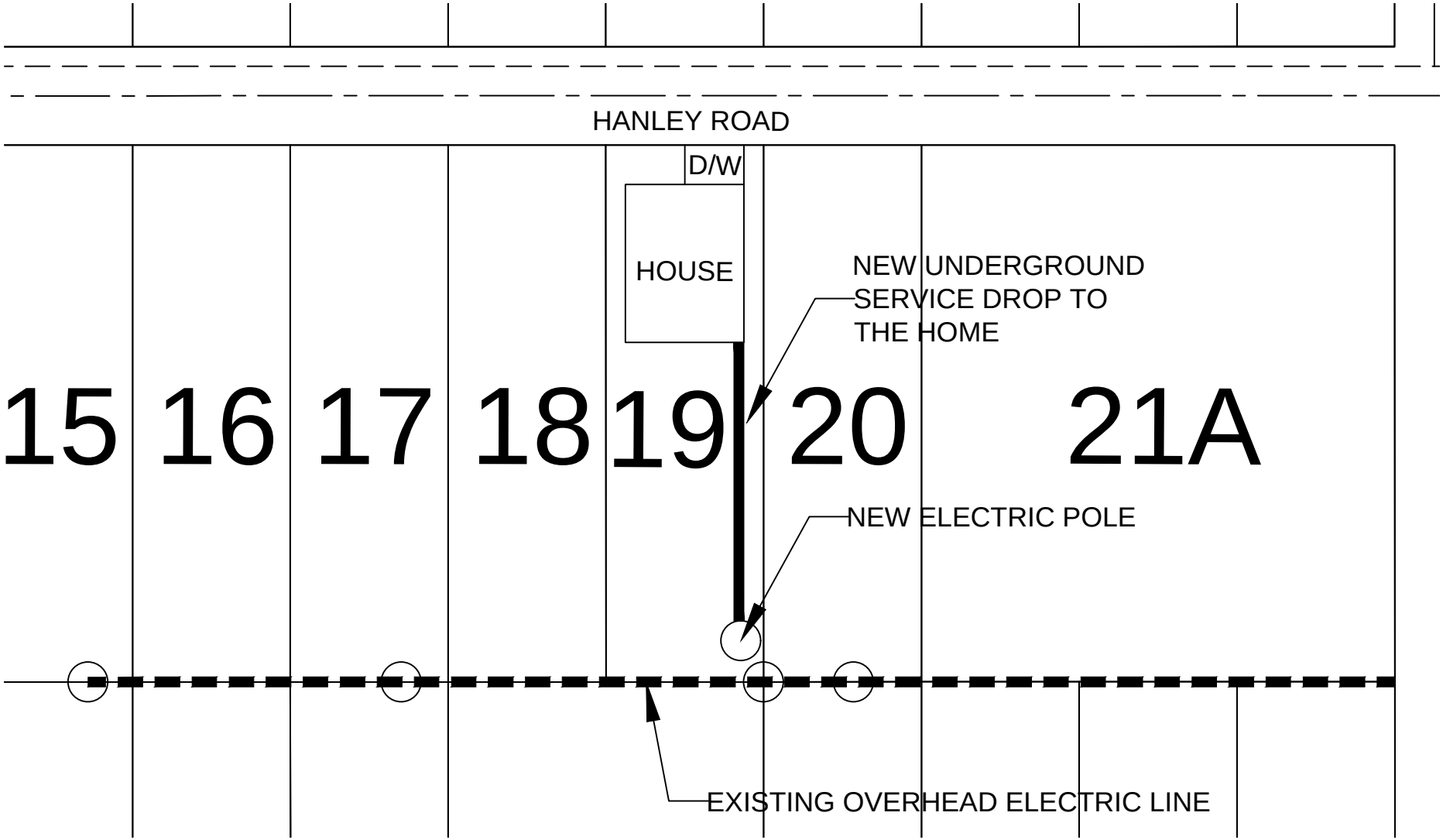
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026



Notice Map:
- - 100-300ft f/subject property, informational postcard
- - 100ft f/subject property, certified letter


HANLEY ROAD
D/W
HOUSE
NEW UNDERGROUND
SERVICE DROP TO
THE HOME
15
16
17
18
19
20
21A
NEW ELECTRIC POLE
EXISTING OVERHEAD ELECTRIC LINE

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00034

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 157, LOT 30.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance to allow for an above ground electrical connection for the property legally described as Unit 25, Block 157, Lot 30.

THEREFORE, the application to allow for an above ground electric utility connection, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD OF THE CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00034

REQUEST FOR VARIANCE TO R.O. 2003 CHAPTER 154.60(A)(8) TO ALLOW FOR AN ABOVE GROUND ELECTRIC UTILITY CONNECTION AT THE SUBJECT PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 25, BLOCK 157, LOT 30.

Applicant: Arroyos, LLC.

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
2. Following procedures for approval of a variance, proper notice of hearing on this matter was given.
3. The Applicant has the authority to make an application to request a Variance to R.O. 2003 Chapter 154.60(A)(8) requiring underground utility installation.
4. Due process was provided to the Applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:

1. The Application has not adequately met the criteria for granting a Variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the Zoning Code.
3. The Variance would promote the expansion of scattered single-family home development on antiquated platted Transitional Zoned lots.
4. Financial gain or loss cannot be considered in the granting of a Variance request.
5. The Applicant is responsible for complying with all City and PNM regulations.

THEREFORE, the application to allow for an above ground electric utility connection, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-100-00012

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment and Site Plan Approval. The applicant, City of Rio Rancho, is requesting a Zone Map Amendment for approximately 5.4722 acres of R-1: Single-Family Residential to change to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, for the property legally described as, Unit 17, Block B, Lots 1-4 and 20-22 and Unit 17 Block AA, Lots 1A and 3-11. Staff contact is Michelle Costilla and staff recommends the Planning and Zoning Board recommend approval to the Governing Body.

BACKGROUND AND ANALYSIS:
The applicant, City of Rio Rancho, is requesting a Zone Map Amendment for 5.45 acres of R-1: Single-Family Residential to change to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, for the property legally described as, Unit 17, Block B, Lots 1-4 and 20-22 and Unit 17 Block AA, Lots 1A and 3-11.

The properties to be rezoned combine to approximately 5.4722 acres and are located off Idalia Rd NE, a minor arterial road, and west of a property zoned SU for a City Maintenance Yard. The properties will be platted into one contiguous lot with Unit 17, Block B, Parcel A in a future application. The future platting will also vacate portions of Teak and Mahogany roads creating an approximately 28 acre site.

The 17 R-1: Single-Family Residential properties were zoned per Ordinance No. 64, Enactment No. 94-062 and are within an Overlay Zone per Ordinance No. 21, Enactment No. 98-023, which purpose is to prevent the proliferation of substandard 50 foot minimum frontage lots. These properties also lies within the La Barranca Specific Area Plan (SAP), which helps guide and manage the physical development within the planning area.

Accompanying the SU: Special Use zoning request is a Site Plan for the entire approximately 28 acre site, which has been attached as "Exhibit A" to the Ordinance and is reviewed pursuant to R.O. 2003 Section 154.43.

Concurrent with this request is a Variance to Chapter 154.61(B)(1) Nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd under case #26-110-00023.

CONFORMANCE WITH THE CITY ZONING ORDINANCE FOR ZONE MAP AMENDMENTS:

City of Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning and Zoning Board when a change in zoning designation is sought.

The application, presented as an attachment, meets the minimum submittal requirements for the proposed zoning request; conforms.

Pursuant to the criteria provided by R.O. 2003 Section 150.07 (D) (1) through (4), and (E) through (G), a request for change in zoning designation must address the following policies and criterion for a zone map change:

(D)(1) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

In the justification letter provided as an attachment to this item the applicant states: *"The proposed Zone Map Amendment promotes the health, safety, and general welfare of the City by facilitating the expansion and operation of municipal service facilities that support essential public functions.*

The proposed development will serve departments responsible for street maintenance, traffic operations, utilities, building maintenance, and parks and recreation services. These functions are vital to maintaining public infrastructure, supporting public safety, and providing reliable municipal services throughout the community. Consolidating these operations within a coordinated municipal campus will improve operational efficiency and enhance the City's ability to serve residents."

Staff recommends the Planning and Zoning Board find that the proposed Zone Map Amendment would be consistent with the health, safety, morals, and general welfare of the City. The proposal furthers the goals and polices of the Comprehensive Plan such as Goal PF-1: " Provide a broad range of services and public facilities that meet the needs of current and future City residents" and Goal PF-5: "Construct new public facilities to meet demands at least 10 years into the future." Criteria is satisfied.

(D)(2) Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

The applicant's justification letter states: *"Stability of land use and zoning is an important planning objective; however, the requested rezoning is justified by the City's acquisition of the seventeen adjacent R-1 parcels for incorporation into the existing SU-zoned municipal facility site.*

Rezoning these parcels to SU will create a unified zoning designation across the entire development area and establish a more logical and consistent zoning pattern. In addition, incorporation of these parcels into the overall site design creates approximately a 50-foot separation buffer between municipal operations and the surrounding residential properties located along Lomatas Loop Road NE and Palm Road NE, thereby improving land use compatibility between the municipal facility and adjacent residential development."

Staff recommends the Planning and Zoning Board find that the proposed Zone Map Amendment provides stable and desirable land use. The proposed use is compatible with the zoning on the City owned property to the east, mirroring and expanding the operations of the approximately 21.5 acre City maintenance yard. Furthermore, the Special Use designation provides the City with the necessary site plan oversight to ensure future development remains appropriate, compatible, and respectful of neighboring properties. Criteria is satisfied.

(D)(3) A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

The applicant states in their justification letter: *"The proposed Zone Map Amendment is consistent with the goals, policies, and objectives of the City of Rio Rancho Comprehensive Plan and applicable adopted plans.*

Development of the municipal services campus at 2016 Idalia Road NE will support infrastructure maintenance, public services, public safety, organizational excellence, and community development objectives. The consolidated facility will enhance the City's ability to efficiently provide municipal services and maintain public infrastructure while supporting the long-term needs of the community."

Staff recommends the Planning and Zoning Board find the proposed Zone Map Amendment is in alignment with the Comprehensive Plan. The proposed zone change promotes and furthers goals and policies of the Comprehensive Plan, particularly the Public Facilities Element. Although the La Barranca SAP identifies the proposed use of this property as High-Density Residential, staff finds that public facilities are a permissive use in all residentially zoned areas because they provide essential services that directly support residential communities. Criteria is satisfied.

(D)(4) The applicant must demonstrate that the existing zoning is inappropriate because:
(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of an R-1 or transitional zone on an antiquated plat filed before the City's incorporation and adoption of its own zoning code or on land annexed by the City; or
(b) Changed neighborhood or community conditions justify the change; or
(c) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (D)(1) or (2) does not apply. Applicant's reliance on this provision requires proof that (i) there is a public need for a change of the kind in question, and (ii) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

The applicant's justification letter states: *"(b) Changed Neighborhood or Community Conditions Justify the Change.*

Changed community conditions support the proposed rezoning.

Since establishment of the existing zoning pattern, the City has acquired seventeen R-1 parcels adjacent to the existing SU-zoned property for incorporation into a larger municipal services campus. These parcels are no longer intended for residential development and are planned to function as part of a unified municipal facility.

Maintaining an R-1 zoning designation on City-owned parcels intended for municipal use would create an inconsistent zoning pattern within the overall development site. Rezoning the parcels to SU will establish a coherent zoning framework, improve compatibility between land use and zoning, and support the planned development of the municipal campus."

Staff finds that the proposed use will serve to meet the current and future public facility needs of the community. As mentioned earlier in the applicant's justification, as Rio Rancho continues to grow, expanding municipal operations for street maintenance, traffic operations, utilities, building maintenance, and parks and recreation services, ensures the City maintains adequate capacity to deliver critical services efficiently and reliably across the community. Staff recommends the Board find that the proposed zone change and integrating these R-1 parcels into the overall site design directly supports the long-term health, safety, and functional growth of the City. Criteria is satisfied.

(E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The applicant's justification letter states: *"This request is not based on land value, development cost, or other economic considerations.*

The purpose of the proposed Zone Map Amendment is to establish a consistent zoning designation across all City-owned parcels comprising the municipal services campus and to allow development of the property in accordance with the permitted uses and development standards of the SU zoning district."

Staff recommends the Board find that the cost of land or other economic consideration were not a determining factor for this request, and the provided reasoning for the request is sufficient. Criteria is satisfied.

(F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

The applicant's justification letter states: *"The location of the property along Idalia Road NE, a minor arterial roadway, is not a basis for the requested Zone Map Amendment and is not relied upon as justification for the proposed rezoning."*

Staff recommends the Board find that the proximity to the minor arterial road, Idalia Rd NE, is not being used as the primary factor and justification for the change to zoning. Criteria is satisfied.

(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a 'spot zone.' Such a change of zone may be approved only when:
(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The applicant's justification letter states: *"The proposed rezoning will facilitate implementation of the approved land use and development framework established by Enactment Ordinance 08-02-O-1, adopted January 23, 2008.*

Rezoning the seventeen adjacent R-1 parcels to SU and incorporating them into the existing SU-zoned property will support the planned municipal facility development, promote consistency with the adopted area development plan, and further the City's long-term objectives for municipal operations and public service delivery."

Staff recommends the that the Board finds that the requested Zone Map Amendment would not create a spot zone, as the properties to the east is also zoned SU. By rezoning these adjacent, City-owned R-1 parcels to SU, the request extends and unifies an established Special Use district and facilitates a logical expansion of essential municipal facilities. The proposed land use, location, and 50-foot perimeter separation buffer is compatible with surrounding residential properties to the north, west and south. Criteria is satisfied.

CONFORMANCE WITH THE CITY ZONING ORDINANCE FOR SITE PLANS:

The Rio Rancho Code of Ordinances (R.O. 2003) §154.43 (3) requires “All SU zoned property must have a Site Plan approved by the Governing Body. The Site Plan may accompany the application for a change in zoning designation or may be submitted for approval at a later date.

Approval of the Site Plan must be obtained prior to any development of the property." Pursuant to the criteria provided by R.O. 2003 § 154.43 (3)(a) through (3)(j), the Site Plan, at a minimum, shall contain the following:

a. Scale and north arrow; criteria is satisfied.
b. Lot boundaries and easements; There is a 10' public utility easement (PUE) surrounding Parcel A and 5' PUEs surrounding the R-1 lots. These will be vacated at the platting stage, and a 10' PUE will be established along Lomatas Lp NE; criteria is satisfied.
c. Existing and proposed utilities; criteria is satisfied.
d. Existing and proposed rights-of-way; No additional right-of-way is proposed; criteria is satisfied.
e. Proposed structure with uses, dimension, and setbacks; The proposed structures will be built two phases. Phase one will consist of an office building, the first four vehicle maintenance buildings, the first of two utility buildings, the first of four vehicle maintenance buildings, the first of two utility buildings, the first of two fuel stations and the cinder barn. The office buildings are 15 feet in height and the exterior is a neutral colored stucco. The maintenance buildings are 33 feet in height and the exterior is a dark gray insulated metal wall. These buildings are all set back at least 100 feet from the property lines. Elevations will be required for the car wash, fuel stations, and cinder barn at building permit. These structures are all set back at least 10 feet from the property lines; criteria is satisfied.
f. Proposed ingress, egress, parking, and circulation; Two access points are proposed. One is to the north end, off of Idalia Rd NE, and the other is at the southeast end of the site, off of Kim Rd NE. Parking standards are per Chapter 154.76, which requires "1 space per 300 square feet of floor area" for office and "1 space per 1,500 square feet of warehouse" for industrial." The office portion of the site is 26,200 square feet, which requires a minimum of 88 spaces. The industrial portion of the site is 59,800 square feet, which requires a minimum of 40 spaces. The total combined parking required is 128 spaces. The Site Plan currently provides 494 parking spaces, with 14 being ADA accessible. There is also an additional 906 parking spaces provided for City vehicle parking; criteria is satisfied.
g. Landscaping and landscape buffers; The required landscape area per R.O. 2003, Section 154.61 (B) is a minimum of 10% of the site area, which would be 117,481 square feet. It also states that no less than one-fourth of the 10% shall be located on the front, which would be 11,748 sf. The Site Plan provides 47,281 square feet of landscaping along the entire perimeter of the site. It also provides 96,391 square feet of landscaping inside the perimeter wall.
The buffer requirements per R.O. 2003, Section 154.61 (B)(1)(a) states that "Where nonresidential property abuts residential property, or is separated from residential property only by an alley, easement, roadway, thoroughfare, or right-of-way less than 100 feet in width, the nonresidential property shall have a wall or other opaque barrier along the side(s) and/or rear property line(s) adjacent to or facing the residential property. Side walls required by this subsection shall run from the front fascia of the nonresidential building to the rear lot line." The plan provides a 6 foot solid buffer wall around the site, except for along Idalia Rd, which will be 6 feet in height, but only partially opaque, as about half the height will be wrought iron. The applicant has submitted a Variance to this portion of the fence under case #26-110-00023 and is being heard concurrently with this item; criteria is satisfied.
h. Elevations; The office buildings are 15 feet in height and the exterior is a neutral colored stucco. The maintenance buildings are 33 feet in height and the exterior is a dark gray insulated metal wall. Elevations will be required for the car wash, fuel stations, and cinder barn at building permit.; criteria is satisfied.
i. Adjacent property characteristics: Adjacent properties to the south and to the west are zoned E-1: Estate Residential per Ordinance No. 43, Enactment No. 94-043. To the north, properties are zoned R-1: Single Family Residential per Ordinance No. 43, Enactment No. 94-043. To the east, the property is zoned C-2: Wholesale and Warehousing Commercial per Ordinance No. 14, Enactment 98-016; criteria is satisfied.
j. Preliminary drainage plan; The attached plans show on-site ponding locations and a drainage

detention area; criteria is satisfied.

NOTIFICATIONS:
Property owners within 100 feet, excluding right of way, were sent certified mail, return receipt requested. A legal advertisement was placed in the September 28, 2026 edition of the Albuquerque Journal and a notice sign was posted to the property on October 6, 2026. All legal notification requirements have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Provided within this document
DSD Engineering	X	No comments provided
Rio Rancho Public Schools	X	No comments provided
Fire and Rescue	X	No adverse comments
Police Department	X	No comments provided
SSCAFCA	X	No comments provided
MRCOG	X	No adverse comments
Parks, Recreation and Community Services	X	No adverse comments

IMPACT:
Staff recommends the Planning and Zoning Board recommend approval to the Governing Body, subject to the following findings of fact:

GENERAL FINDINGS OF FACT:
1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant’s request for a Zone Map Amendment.
2. The applicant has the authority to apply for a Zone Map Amendment on the subject property.
3. The applicant and adjacent property owners received due process.

SPECIFIC FINDINGS OF FACT AND CONDITIONS FOR APPROVAL:
1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by furthering the goals of the City’s Comprehensive Plan.
2. The applicant has provided sound justification in a narrative for the proposed zone change which provides stability of zoning along with providing for adequate compatibility with surrounding zoning and future uses.
3. The proposed change will be consistent with elements of the Comprehensive Plan by providing a public facility that meet the needs of current and future City residents.
4. The applicant has adequately demonstrated that changed neighborhood or community conditions justify the change and the site design directly supports the long-term health, safety, and functional growth of the City.
5. The cost of the land or other economic considerations is not the main justification for the proposed Zone Map Amendment.
6. The applicant has provided sufficient justification that the Zone Map Amendment request is not solely based on the location of the subject property.
7. The requested zone map amendment integrates with the surrounding zoning and is not a "spot zone."
8. Site Development for the Maintenance Yard shall conform to the attached Site Plan.
9. The applicant shall receive Planning and Zoning Board approval for a Variance to Rio Rancho Code of Ordinances (R.O. 2003) § 154.61(B)(1) Nonresidential buffer wall requirements for a

partially opaque wall along Idalia Rd.

If the Board determines the proposed Zone Map Amendment is not justified, the following findings are recommended for any denial:

SPECIFIC FINDINGS OF FACT FOR DENIAL:
1. The proposed zone map amendment does not meet the requirements of Rio Rancho Code of Ordinances (R.O. 2003) §150.07(D) Amendments.

ALTERNATIVES:

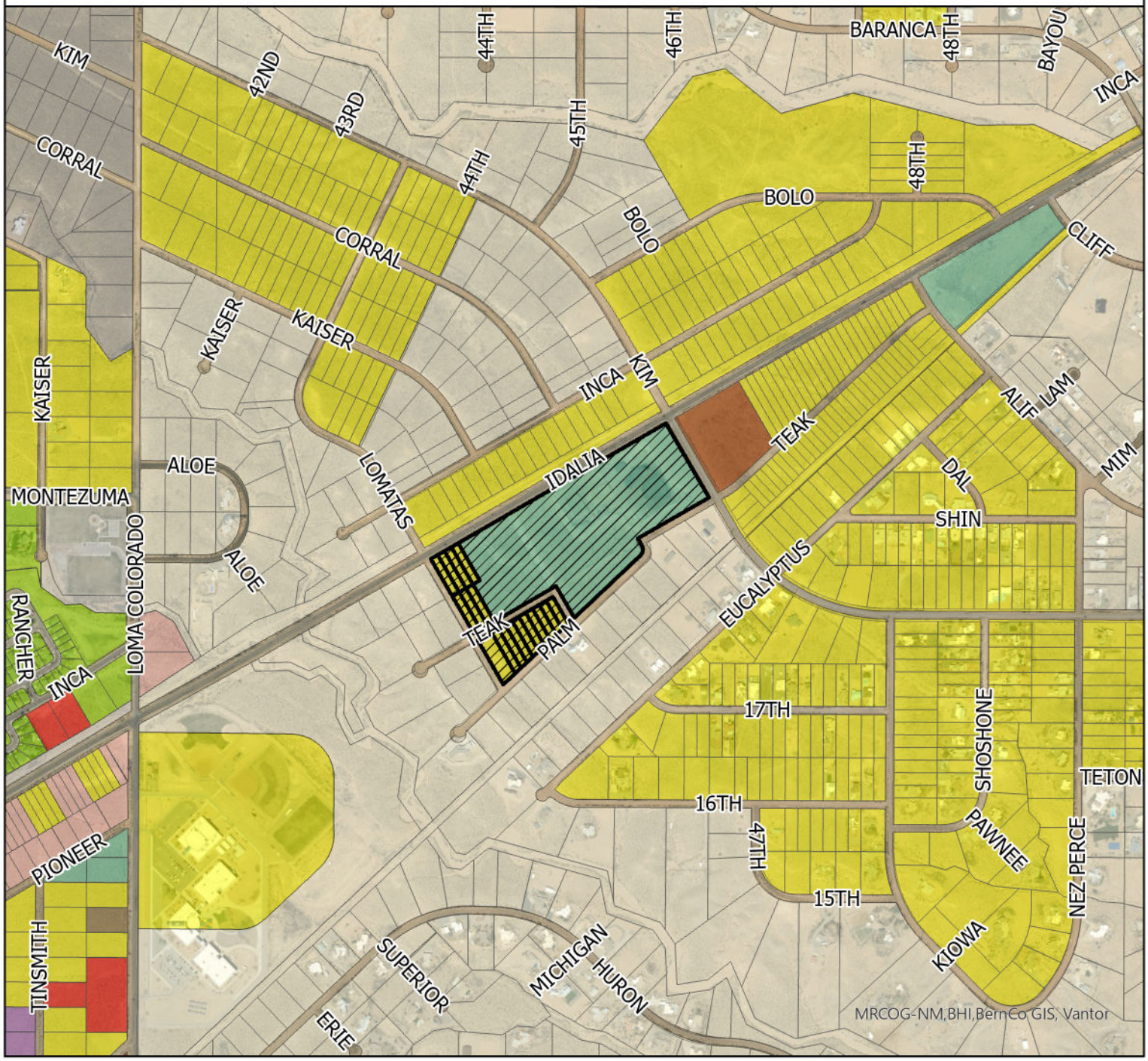
The Planning and Zoning Board may:
1. Recommend approval of the request to the Governing Body;
2. Recommend denial of the request to the Governing Body;
3. Modify the request and recommend the Governing Body approve such modifications;
4. Postpone the item and continue the public hearing for the preliminary plat in order to further review.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board recommend approval of the Zone Map Amendment and the Site Plan to the Governing Body with findings and conditions.

ATTACHMENT: Zoning, Location.pdf
ATTACHMENT: Zone Map Amendment Justification.pdf
ATTACHMENT: Application.pdf
ATTACHMENT: Plans.pdf
ATTACHMENT: Exhibit A- Site Plan.pdf
ATTACHMENT: Reproduction of Notices.pdf
ATTACHMENT: Draft Ordinance

UNIT 17, BLOCK B, LOTS 1-4, 20-22, AND PARCEL A, AND BLOCK AA, LOTS 1A, AND 3-11



Subject Property

Zoning
- C-1
- C-2
- E-1
- M-1
- NC
- R-1
- R-4
- R-6
- SU
- TZ
- Unzoned

N

0 337.5 675 1,350 2,025 2,700 Feet

GIS Moving Spatial Data Forward

Rio Rancho City of Vision

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Michelle Costilla 9/24/2026

City of Rio Rancho project # PW2577 - New Streets & Right of Way Maintenance Facility

Zone Map Amendment Justification

The purpose of this Zone Map Amendment request is to rezone seventeen (17) City-owned parcels currently zoned R-1 and located adjacent to the existing SU-zoned property at **2016 Idalia Road NE**. The City acquired these parcels with the intent of incorporating them into a unified municipal services campus.

- The combined property is planned for development of municipal facilities including:
  - Streets and Right-of-Way Maintenance Facilities
  - Operational Annex
  - Warehouse
  - Fuel Station
  - Car Wash
  - Cinder Barn
  - Vehicle and Staff Parking Areas
  - Material Storage Yards
- The proposed rezoning will establish a consistent zoning designation across the entire City-owned site and facilitate development in accordance with permitted SU district uses and applicable zoning requirements.

(1) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

- The proposed Zone Map Amendment promotes the health, safety, and general welfare of the City by facilitating the expansion and operation of municipal service facilities that support essential public functions.
- The proposed development will serve departments responsible for street maintenance, traffic operations, utilities, building maintenance, and parks and recreation services. These functions are vital to maintaining public infrastructure, supporting public safety, and providing reliable municipal services throughout the community. Consolidating these operations within a coordinated municipal campus will improve operational efficiency and enhance the City's ability to serve residents.

(2) Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

- Stability of land use and zoning is an important planning objective; however, the requested rezoning is justified by the City's acquisition of the seventeen adjacent R-1 parcels for incorporation into the existing SU-zoned municipal facility site.
- Rezoning these parcels to SU will create a unified zoning designation across the entire development area and establish a more logical and consistent zoning pattern. In addition, incorporation of these parcels into the overall site design creates approximately a 50-foot separation buffer between municipal operations and the surrounding residential properties located along Lomatas Loop Road NE and Palm Road NE, thereby improving land use compatibility between the municipal facility and adjacent residential development.

(3) A proposed change shall generally be consistent with adopted elements of the comprehensive plan or other city master plans and amendments thereto including privately developed area plans which have been adopted by the city.

- The proposed Zone Map Amendment is consistent with the goals, policies, and objectives of the City of Rio Rancho Comprehensive Plan and applicable adopted plans.
- Development of the municipal services campus at 2016 Idalia Road NE will support infrastructure maintenance, public services, public safety, organizational excellence, and community development objectives. The consolidated facility will enhance the City's ability to efficiently provide municipal services and maintain public infrastructure while supporting the long-term needs of the community.

(4) The applicant must demonstrate that the existing zoning is inappropriate because:

(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of an R-1 or transitional zone on an antiquated plat filed before the city's incorporation and adoption of its own zoning code or on land annexed by the city; or

- Not Applicable.

(b) Changed Neighborhood or Community Conditions Justify the Change

- Changed community conditions support the proposed rezoning.
- Since establishment of the existing zoning pattern, the City has acquired seventeen R-1 parcels adjacent to the existing SU-zoned property for incorporation into a larger municipal services campus. These parcels are no longer intended for residential development and are planned to function as part of a unified municipal facility.
- Maintaining an R-1 zoning designation on City-owned parcels intended for municipal use would create an inconsistent zoning pattern within the overall development site. Rezoning the parcels to SU will establish a coherent zoning framework, improve compatibility

between land use and zoning, and support the planned development of the municipal campus.

(c) A different use category is more advantageous to the community, as articulated in the comprehensive plan or other city master plan, even though (1) or (2) above does not apply. Applicants' reliance on this provision requires proof that (i) there is a public need for a change of the kind in question, and (ii) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

- Not Applicable.

(**5) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.**

- This request is not based on land value, development cost, or other economic considerations.
- The purpose of the proposed Zone Map Amendment is to establish a consistent zoning designation across all City-owned parcels comprising the municipal services campus and to allow development of the property in accordance with the permitted uses and development standards of the SU zoning district.

(6) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

- The location of the property along Idalia Road NE, a minor arterial roadway, is not a basis for the requested Zone Map Amendment and is not relied upon as justification for the proposed rezoning.

(7) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

(1) The change will clearly facilitate realization of the comprehensive plan and any applicable adopted sector development plan or area development plan; or

- The proposed rezoning will facilitate implementation of the approved land use and development framework established by **Enactment Ordinance 08-02-O-1, adopted January 23, 2008**.
- Rezoning the seventeen adjacent R-1 parcels to SU and incorporating them into the existing SU-zoned property will support the planned municipal facility development, promote consistency with the adopted area development plan, and further the City's long-term objectives for municipal operations and public service delivery.

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone

- Not Applicable.

Conclusion

The proposed Zone Map Amendment represents a logical expansion of the existing SU-zoned municipal property at 2016 Idalia Road NE. The City has acquired the adjacent R-1 parcels for incorporation into a unified municipal services campus, and the requested rezoning will create a consistent zoning designation across the entire site.

The amendment supports municipal service delivery, improves land use compatibility, is consistent with the Comprehensive Plan and adopted development plans, and establishes an appropriate zoning framework for future development of the property. Accordingly, the requested Zone Map Amendment satisfies the applicable approval criteria and should be approved.

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box (Fees are listed on the back)

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☒ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	☒ Variance
			☒ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: City of Rio Rancho - Department of Public Works		Phone: (505) 896-5016
Address: 3200 Civic Center Cir		E-Mail: bjgottlieb@rrnm.gov
City: Rio Rancho	State: NM	Zip: 87144
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	
Agent Name: Wilson & Company - Michael Wright		Phone: (505) 898-8021
Address: 4011 Barbara Loop Suite 104		E-Mail: Michael.Wright@Wilsonco.com
City: Rio Rancho	State: NM	ZIP Code: 87124

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

The Public Works Department is requesting site plan approval and the rezoning of acquired lots for the City's new Streets & Right-of-Way and Operational Annex facility. A variance for the Idalia Rd facing block wall is also being requested.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Unit 17	Block(s): B and AA	Lot(s): Lots 1-4 & Lots 20-22, with Lots 1A, and 3-11.
Existing Zoning: R-1	Proposed Zoning: Special Use - SU	
No. of existing lots: 18	No. of proposed lots: 1	Total area of site (acres) ~26.94 acres

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: BJ Gottlieb	Applicant: City of Rio Rancho	Agent: Wilson & Company
Signature:		Date: August 17, 2026

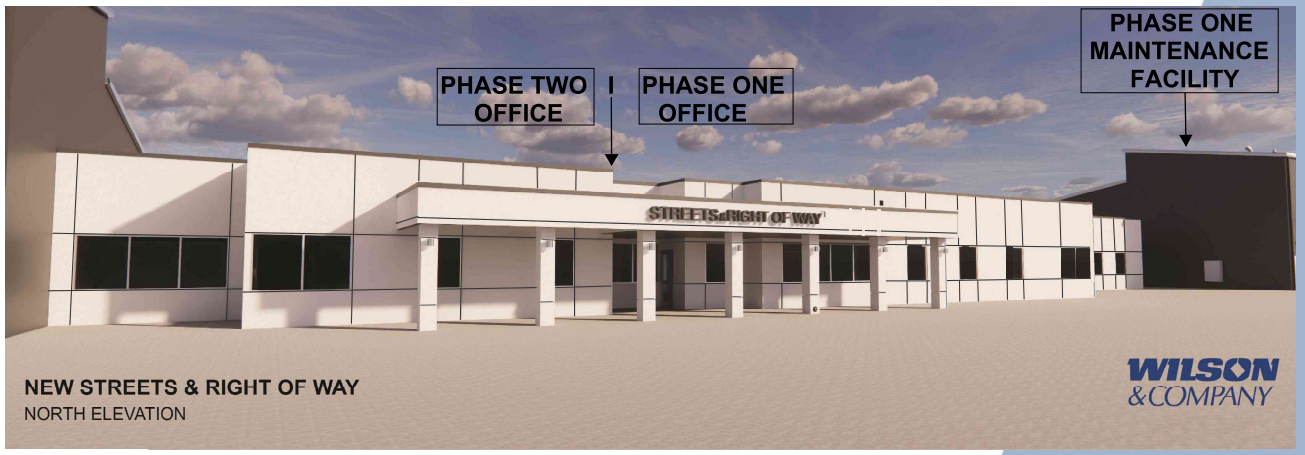
FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
26-100-00012		

APPLICATION ACCEPTED BY: Michelle Costilla **DATE:** 8/31/26

City of Rio Rancho |Streets & Right-of-Way Project

Planning & Zoning – Site Plan Approval & Variance Request



WILSON &COMPANY

HIGHER RELATIONSHIPS

Our Purpose

We bring people together to practice their craft, to create value, and to accomplish great things.

SITE PLAN APROVAL: LIST OF REQUIREMENTS

154.43 SU: SPECIAL USE DISTRICT. Revised 6/25

(A) *Purpose.* This zoning district is suitable for property which is special because of its potential effect on surrounding property, or for other reasons in which the appropriateness is partially or entirely dependent on the character of the site.

(1) A special use zoning designation is also appropriately used to:

(a) To restrict uses otherwise permitted in an underlying zoning district;

(b) To allow a combination of uses not otherwise permitted in an underlying district;

(c) To establish a singular land use;

(d) To establish requirements or conditions that are unique to the property;

(e) To establish requirements for height, setbacks, width, parking, landscaping, signage or other provisions that are unique to the property.

(2) An application for a change to SU zoning must state the proposed land use(s). Refer to Enactment Ordinance 08-02-01

(3) All SU zoned property must have a site plan approved by the Governing Body. The site plan may accompany the application for a change in zoning designation or may be submitted for approval at a later date. Approval of the site plan must be obtained prior to any development of the property. The site plan at a minimum shall contain the following information:

(a) Scale and north arrow; Refer to AS101 - MASTER SITE PLAN

(b) Lot boundaries and easements; Refer to AS101 - MASTER SITE PLAN

(c) Existing and proposed utilities; Refer to C-108 - OVERALL WATER UTILITY PLAN & GAS LINES

(d) Existing and proposed rights-of-way; Refer to AS101 - MASTER SITE PLAN

(e) Proposed structures with uses, dimensions, and setbacks; Refer to AS101, A-101 - MASTER SITE PLAN & OVERALL FLOOR PLAN & FUEL STATION

(f) Proposed ingress, egress, parking and circulation; Refer to AS101 - MASTER SITE PLAN

(g) Landscaping and landscape buffers; Refer to L-101 & LC-501 - MASTER PLAN LANDSCAPE & LANDSCAPE CONSTRUCTION DETAILS

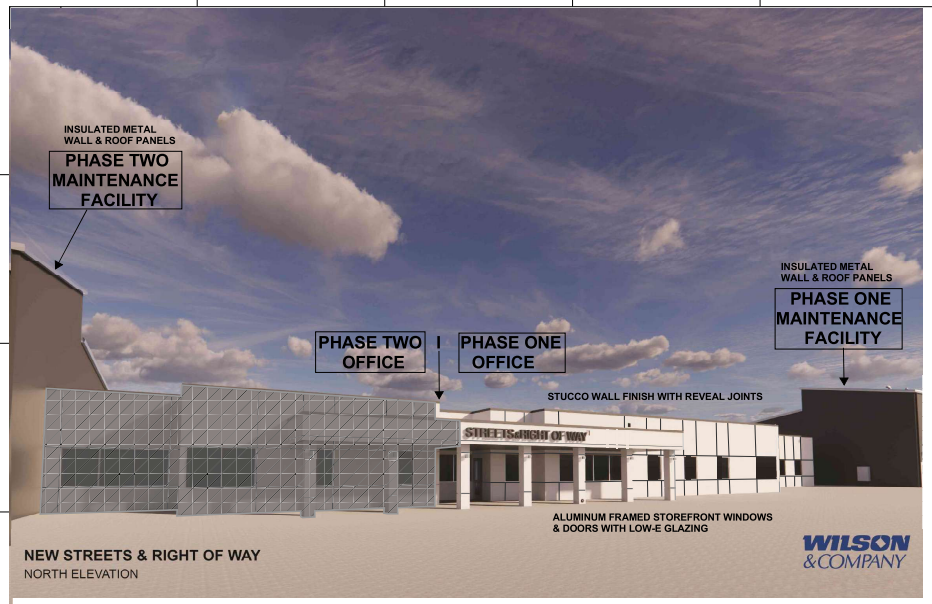
(h) Elevations; Refer to A-200 - OVERALL EXTERIOR ELEVATIONS

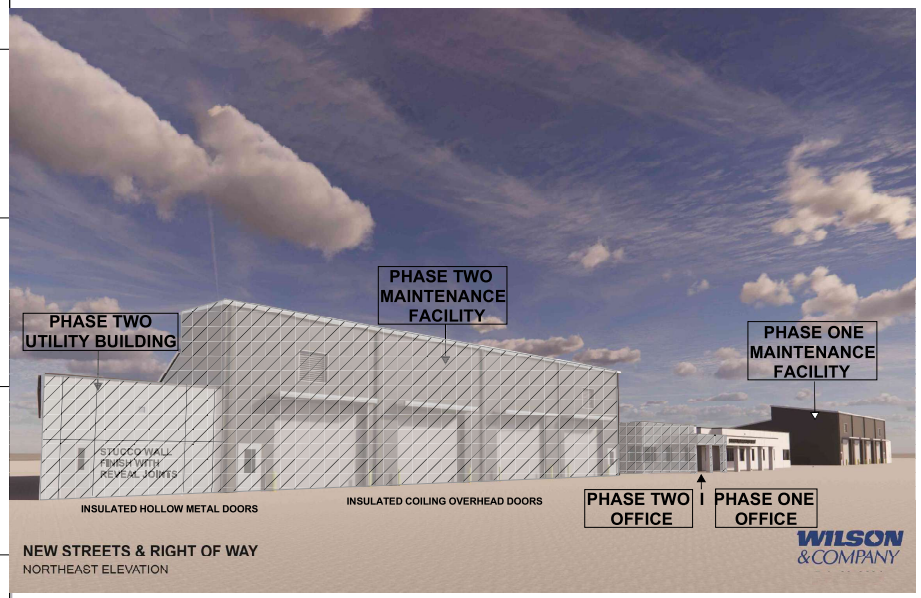
(i) Adjacent property characteristics; Refer to ADJACENT PROPERTY CHARACTERISTICS ZONING MAP

(j) Preliminary drainage plan. Refer to STORM PIPE NETWORKS PLAN

(4) The Director of Development Services may approve minor changes to an approved site plan if the change is consistent with the use and other written requirements and/or conditions of approval, if the buildings are of the same general configuration, if the total square footage is not greater than 10% than the approved plan, the site circulation is similar in its effect on adjacent property or streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered site plan.

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000





City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
7			
6			
5			
4			
3			
2	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MAB
1			

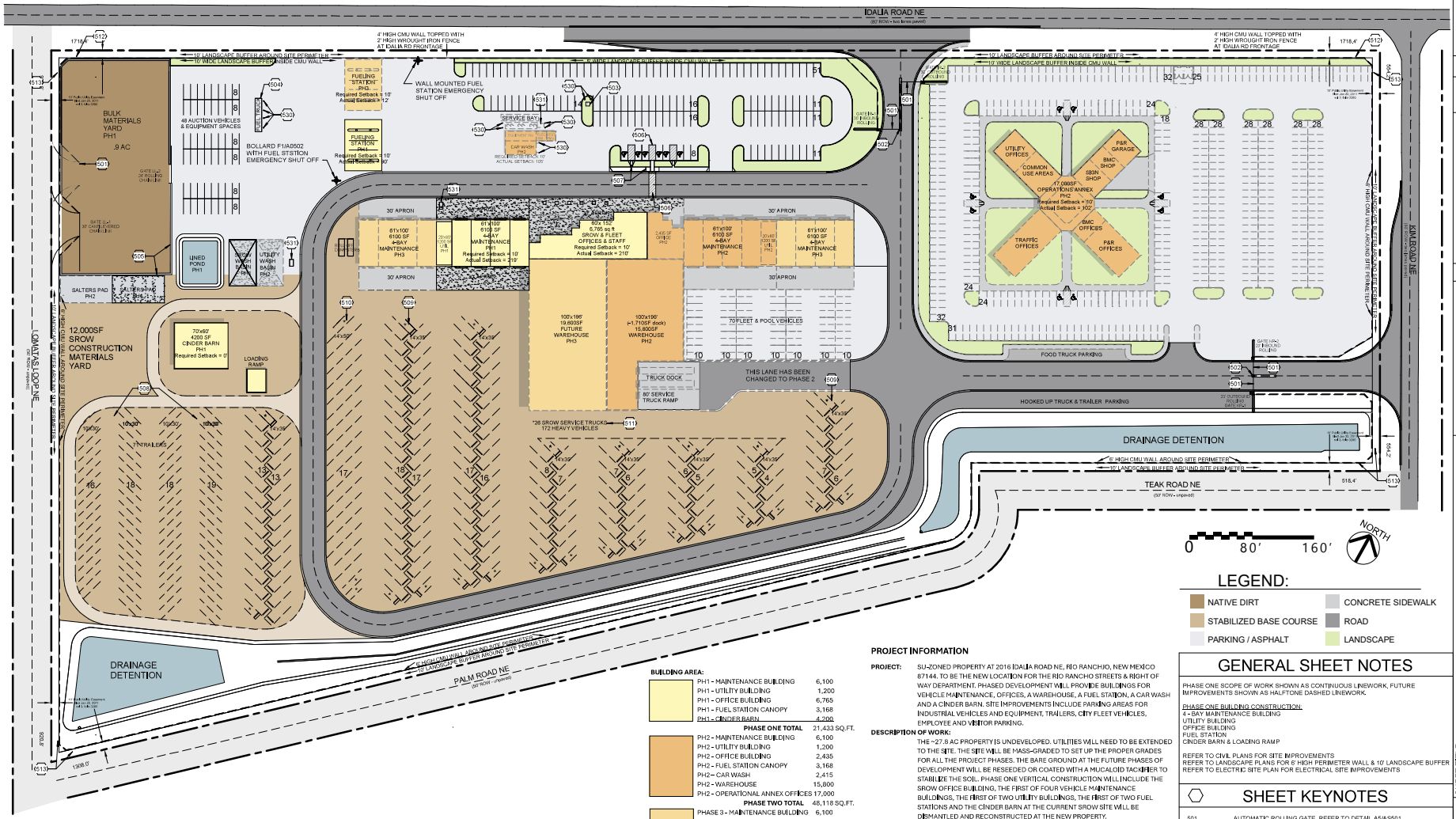
WILSON &COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: RENDERINGS

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MNP
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	
SHEET:	

NOT FOR CONSTRUCTION



LEGEND:

- NATIVE DIRT
- STABILIZED BASE COURSE
- PARKING / ASPHALT
- CONCRETE SIDEWALK
- ROAD
- LANDSCAPE

BUILDING AREA:

PH1 - MAINTENANCE BUILDING	6,100
PH1 - UTILITY BUILDING	1,200
PH1 - OFFICE BUILDING	6,765
PH1 - FUEL STATION CANOPY	3,168
PH1 - CINDER BARN	4,200
PHASE ONE TOTAL	21,433 SQ.FT.
PH2 - MAINTENANCE BUILDING	6,100
PH2 - UTILITY BUILDING	1,200
PH2 - OFFICE BUILDING	2,435
PH2 - FUEL STATION CANOPY	3,168
PH2 – CAR WASH	2,415
PH2 - WAREHOUSE	15,800
PH2 - OPERATIONAL ANNEX OFFICES	17,000
PHASE TWO TOTAL	48,118 SQ.FT.
PHASE 3 - MAINTENANCE BUILDING	6,100
PHASE 3 - MAINTENANCE BUILDING	6,100
PHASE 3 - WAREHOUSE	19,600
PHASE THREE TOTAL	31,800 SQ.FT.

TOTAL BUILDING AREA ON-SITE = 101,351 SQ.FT.
= 8.3% OF PROPERTY
TOTAL AREA OF THE PROPERTY = 1,216,160 SQ.FT.
= 27.92 AC

PROJECT INFORMATION

PROJECT: SU-ZONED PROPERTY AT 2016 IDALIA ROAD NE, RIO RANCHO, NEW MEXICO 87144. TO BE THE NEW LOCATION FOR THE RIO RANCHO STREETS & RIGHT OF WAY DEPARTMENT. PHASED DEVELOPMENT WILL PROVIDE BUILDINGS FOR VEHICLE MAINTENANCE, OFFICES, A WAREHOUSE, A FUEL STATION, A CAR WASH AND A CINDER BARN. SITE IMPROVEMENTS INCLUDE PARKING AREAS FOR INDUSTRIAL VEHICLES AND EQUIPMENT, TRAILERS, CITY FLEET VEHICLES, EMPLOYEE AND VISITOR PARKING.

DESCRIPTION OF WORK:
THE ~27.8 AC PROPERTY IS UNDEVELOPED. UTILITIES WILL NEED TO BE EXTENDED TO THE SITE. THE SITE WILL BE MASS-GRADED TO SET UP THE PROPER GRADES FOR ALL THE PROJECT PHASES. THE BARE GROUND AT THE FUTURE PHASES OF DEVELOPMENT WILL BE RESEEDED OR COATED WITH A MUCALOID TACKIFIER TO STABILIZE THE SOIL. PHASE ONE VERTICAL CONSTRUCTION WILL INCLUDE THE SROW OFFICE BUILDING, THE FIRST OF FOUR VEHICLE MAINTENANCE BUILDINGS, THE FIRST OF TWO UTILITY BUILDINGS, THE FIRST OF TWO FUEL STATIONS AND THE CINDER BARN AT THE CURRENT SROW SITE WILL BE DISMANTLED AND RECONSTRUCTED AT THE NEW PROPERTY.

PARKING CALCULATIONS:
OFFICE OCCUPANCY @ 1:300 SF 26,200 SF = 88 SPACES
INDUSTRIAL OCCUPANCY @ 1:1,500 SF 59,800 SF = 40 SPACES
TOTAL REQUIRED PARKING SPACES: 128
TOTAL PROVIDED VEHICLE & EQUIPMENT PARKING SPACES: 494
ADA REQUIRED: 8 SPACES MINIMUM, INCLUDING 2 VAN ACCESSIBLE
ADA PROVIDED: 14 SPACES, INCLUDING 4 VAN ACCESSIBLE
PV CHARGING STATIONS REQUIRED: 7 SPACES
PV-CAPABLE SPACES: 6 SPACES

ADDITIONAL CITY VEHICLE PARKING SPACES:
10'X20' FLEET & POOL VEHICLES: 70 SPACES
10'X20' AUCTION YARD VEHICLES: 48 SPACES
10'X20' PICKUP TRUCK SPACES: 26
10'X30' TRAILER SPACES: 97
14'X35' INDUSTRIAL VEHICLE SPACES:154
14'X50' INDUSTRIAL VEHICLE SPACES:17
TOTAL CITY VEHICLE & TRAILER PARKING SPACES: 906

GENERAL SHEET NOTES

PHASE ONE SCOPE OF WORK SHOWN AS CONTINUOUS LINEWORK, FUTURE IMPROVEMENTS SHOWN AS HALFTONE DASHED LINEWORK.

PHASE ONE BUILDING CONSTRUCTION:
4 - BAY MAINTENANCE BUILDING
UTILITY BUILDING
OFFICE BUILDING
FUEL STATION
CINDER BARN & LOADING RAMP

REFER TO CIVIL PLANS FOR SITE IMPROVEMENTS
REFER TO LANDSCAPE PLANS FOR 6' HIGH PERIMETER WALL & 10' LANDSCAPE BUFFER
REFER TO ELECTRIC SITE PLAN FOR ELECTRICAL SITE IMPROVEMENTS

SHEET KEYNOTES

501	AUTOMATIC ROLLING GATE, REFER TO DETAIL A5/AS501.
502	CURB MEDIAN WITH GATE CONTROL, REFER TO DETAIL D4/ES401 AND DETAIL D6/ES401.
503	ELECTRIC TRANSFORMER, REFER TO KEYNOTE 5/ES101.
504	DESIGNATED FUEL TRUCK PARKING LOCATION.
505	INTERLOCKING CONCRETE BLOCK PUSH-WALL, 6' HIGH, 2' THICK.
506	ACCESSIBLE ROUTE FROM PARKING & CROSSWALK, REFER TO DETAIL A1/C-505 AND DETAIL E1/C-505.
507	ACCESSIBLE SIDEWALK RAMP, REFER TO DETAIL A1/C-505 AND DETAIL E1/C-505.
508	10'x30' DRIVE-THROUGH TRAILER PARKING SPACES.
509	14'x35' PARKING SPACES WITH 10' LONG WHEEL STOPS.
510	14'x50' DRIVE-THROUGH SPACES.
511	10'x20' STANDARD PARKING SPACES WITH WHEEL STOPS.
512	10' PERIMETER LANDSCAPE BUFFER & 6' CMU/WROUGHT IRON WALL, REFER TO LANDSCAPE. DETAIL B/LC-501.
513	10' PERIMETER LANDSCAPE BUFFER & 6' CMU WALL, REFER TO LANDSCAPE. DETAIL A/LC-501.
530	BOLLARD - REFER TO DETAIL A1/A-502.
531	SAND / OIL SEPARATOR, REFER TO P-101 AND DETAIL F6/P-502.

A1 MASTER SITE PLAN
1" = 60'-0"

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR P&Z APPROVAL	8/12/2026	MAB

City of Rio Rancho

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: MASTER SITE PLAN

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MNP
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	
SHEET:	AS101

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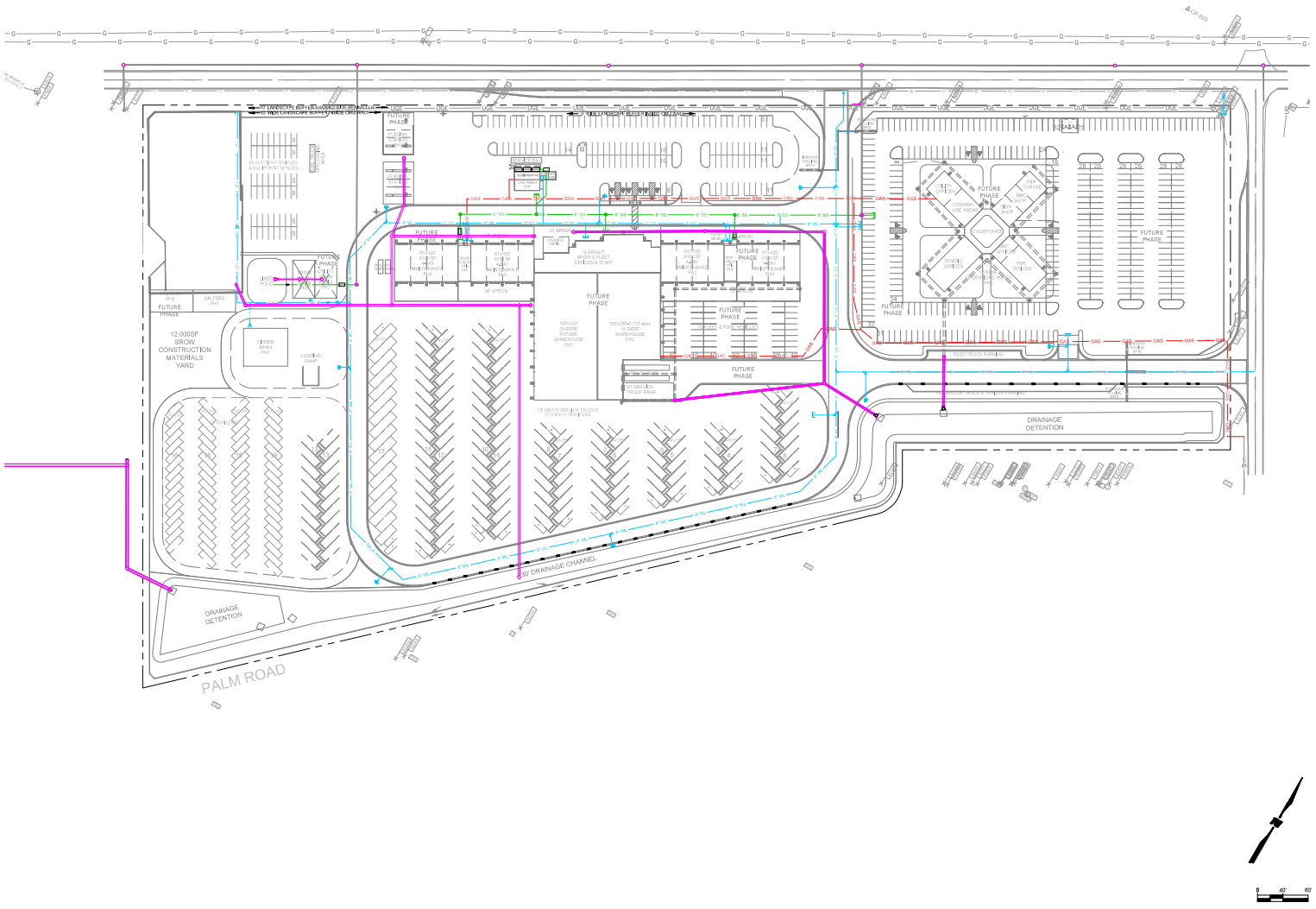

GENERAL SHEET NOTES

KEYNOTES

LEGEND

- GAS
- STORM DRAIN
- SANITARY SEWER
- WATERLINE
- STORM DRAIN MANHOLES (ON-SITE)
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- BACK FLOW PREVENTER
- CAR WASH RECLAMATION TANK
- DOUBLE CLEANOUT

City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MB
2			
3			
4			
5			
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7			

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: OVERALL WATER UTILITY PLAN AND GAS LINES

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

SEAL:

PROJECT NO:	2400089000
DESIGNED BY	TJA
DRAWN BY	AWP
CHECKED BY:	AAM
DATE:	8/12/2026
DPI CHK:	
SHEET	C-108
SHEET ___ OF ___	

5/1/2026

PLANT SCHEDULE

SYMBOL	BOTANICAL / COMMON NAME	HT. & SPRD.	SIZE	QTY
TREES				
	CERCOCARPUS LEDIFOLIUS CURL-LEAF MOUNTAIN MAHOGANY	15' X 15'	30" BOX	42
	CHILOPSIS LINEARIS 'BUBBA' BUBBA DESERT WILLOW	20' X 25'	3" CAL.	25
	FORESTIERA NEOMEXICANA NEW MEXICO PRIVET	15' X 15'	30" BOX	23
	JUNIPERUS DEPEANA ALLIGATOR JUNIPER	50' X 30'	10'- 12' HT	23
	PISTACIA CHINENSIS CHINESE PISTACHE	50' X 40'	3" CAL.	21
	PROSOPIS GLANDULOSA 'MAVERICK' MAVERICK THORNLESS HONEY MESQUITE	35' X 30'	3" CAL.	24

SYMBOL	BOTANICAL / COMMON NAME	HT. & SPRD.	SIZE	QTY
SHRUBS				
■	AGAVE NEOMEXICANA NEW MEXICO AGAVE	2' X 2'	5 GAL.	51
⊙	BACCHARIS PILULARIS 'PIGEON POINT' PIGEON POINT COYOTE BRUSH	2' X 8'	5 GAL.	44
⊛	BAILEYA MULTIRADIATA DESERT MARIGOLD	3' X 2'	1 GAL.	50
◉	BOUTELOUA GRACILIS 'BLONDE AMBITION' BLONDE AMBITION BLUE GRAMA	3' X 3'	1 GAL.	122
⊙	CHRYSOTHAMNUS NAUSEOSUS RUBBER RABBITBRUSH	6' X 6'	5 GAL.	33
✳	CYLINDROPUNTIA IMBRICATA TREE CHOLLA	8' X 6'	5 GAL.	19
⊙	DASIPHORA FRUTICOSA BUSH CINQUEFOIL	3' X 3'	5 GAL.	43
❀	FALLUGIA PARADOXA APACHE PLUME	6' X 6'	5 GAL.	37
⊛	MAHONIA X 'GOLDEN ABUNDANCE' GOLDEN ABUNDANCE OREGON GRAPE	6' X 8'	5 GAL.	10
✪	MUHLENBERGIA RIGENS DEER GRASS	3' X 4'	5 GAL.	52
❀	OPUNTIA ENGELMANNII ENGELMANN'S PRICKLY PEAR	5' X 7'	5 GAL.	19
⊙	RHUS TRILOBATA 'AUTUMN AMBER' AUTUMN AMBER SUMAC	1' X 4'	5 GAL.	60
⊛	RIBES AUREUM GOLDEN CURRANT	6' X 6'	5 GAL.	25
✿	ROSA GYMNOCARPA WOOD ROSE	6' X 6'	5 GAL.	30
●	YUCCA FILAMENTOSA ADAM'S NEEDLE	3' X 3'	5 GAL.	60

THE LANDSCAPE ITEM REQUIREMENTS, LIVE PLANT COVERAGE & FRONTAGE BUFFER CALCULATIONS PERTAIN SPECIFICALLY TO THE PERIMETER LANDSCAPE BUFFER.

LANDSCAPE ITEM (REQUIREMENTS)		REQUIRED	PROPOSED
Frontages Length (in ft): Idalia Rd(1,718), Kim Rd.(544), Palm & Teak(1,831), Lomatas(920)	**5,014**		
REQUIRED BUFFERING			
Landscape buffer between Property and ROW (Width ft)	Frontage width=	**10**	**10**
Landscape buffer between Property and ROW (Width ft)	**Proposed variance @ Idalia decel lane (230') reduced frontage width to 8'**	**10**	**8**
Landscape buffer between Property and ROW (Area sq ft)	Frontage area	**49,755**	**49,755**
75% of landscape area covered with living vegetative materials.	Frontage area x 0.75= required coverage. Proposed= total all canopy areas (See table left) 83,326 (trees) + 10,776 (shrubs) = 94,104	**37,316**	**94,104**
6' opaque wall required in addition to planted buffer	Requirement Met @ Kim, Palm, Teak, and Lomatas		
3.5' opaque wall with 3' fence extension **requested at Idalia** in lieu of the 6' opaque wall	**Proposed variance @ Idalia**		
TREES			
1 buffer tree per 25' of frontage or an approved equivalent screening density. Assumes 75% coverage meets approved	Frontage length x 0.75= required coverage. Proposed= total all canopy spread (See table right) 3,850	**3761**	**3,850**
1/2 of all required trees shall be a species that reaches a min height of 20' at maturity	Requirement Met - 158/2=79	**79**	**93**
Size at planting- 3" caliper, 30" box/container or 10' height	Requirement Met	**140**	**140**
Buffer trees= mix of conifers and deciduous trees w/ emphasis placed on conifers.	Requirement Met		
SHRUBS			
Min 20 Shrubs per 100 lf frontage, min 2' height	(Length frontage / 100) x 20 shrubs	**1003**	**654**
40% reduction requested - Developments proposing a privacy fence or wall 6' in height within a required buffer may be allowed a 50% reduction in the density of plantings required	**Proposed variance 40% reduction 12 shrubs per 100 lf of frontage**	**602**	**654**

AREA CALCULATIONS - LIVE PLANT COVERAGE

VEGETATION - TREE	SPREAD	AREA	QUANTITY	TOTAL COVERAGE
CURL-LEAF MNTN MAHOGANY	15	177	42	7418
BUBBA DESERT WILLOW	25	491	25	12266
NEW MEXICO PRIVET	15	177	23	4062
ALIGATOR JUNIPER	30	707	23	16250
CHINESE PISTACHE	40	1256	21	26376
MAVERICK HONEY MESQUITE	30	707	24	16956
TOTAL:			158	83328

VEGETATION - SHRUB	SPREAD	AREA	QUANTITY	TOTAL COVERAGE
NEW MEXICO AGAVE	2	3.14	51	160
PIGEON POINT COYOTE BRUSH	8	50.24	43	2160
DESERT MARIGOLD	2	3.14	50	157
BLONDE AMB BLUE GRAMA	3	7.065	122	862
RUBBER RABBITBRUSH	6	28.26	33	933
TREE CHOLLA	6	28.26	19	537
BUSH CINQUEFOIL	3	7.065	43	304
APACHE PLUME	6	28.26	37	1046
GOLDEN AB OREGON GRAPE	8	50.24	10	502
DEER GRASS	4	12.56	52	653
ENGELMANN'S PRICKLY PEAR	7	38.465	19	731
AUTUMN AMBER SUMAC	4	12.56	60	754
GOLDEN CURRANT	6	28.26	25	707
WOOD ROSE	6	28.26	30	848
ADAM'S NEEDLE	3	7.065	60	424
TOTAL:			654	10776

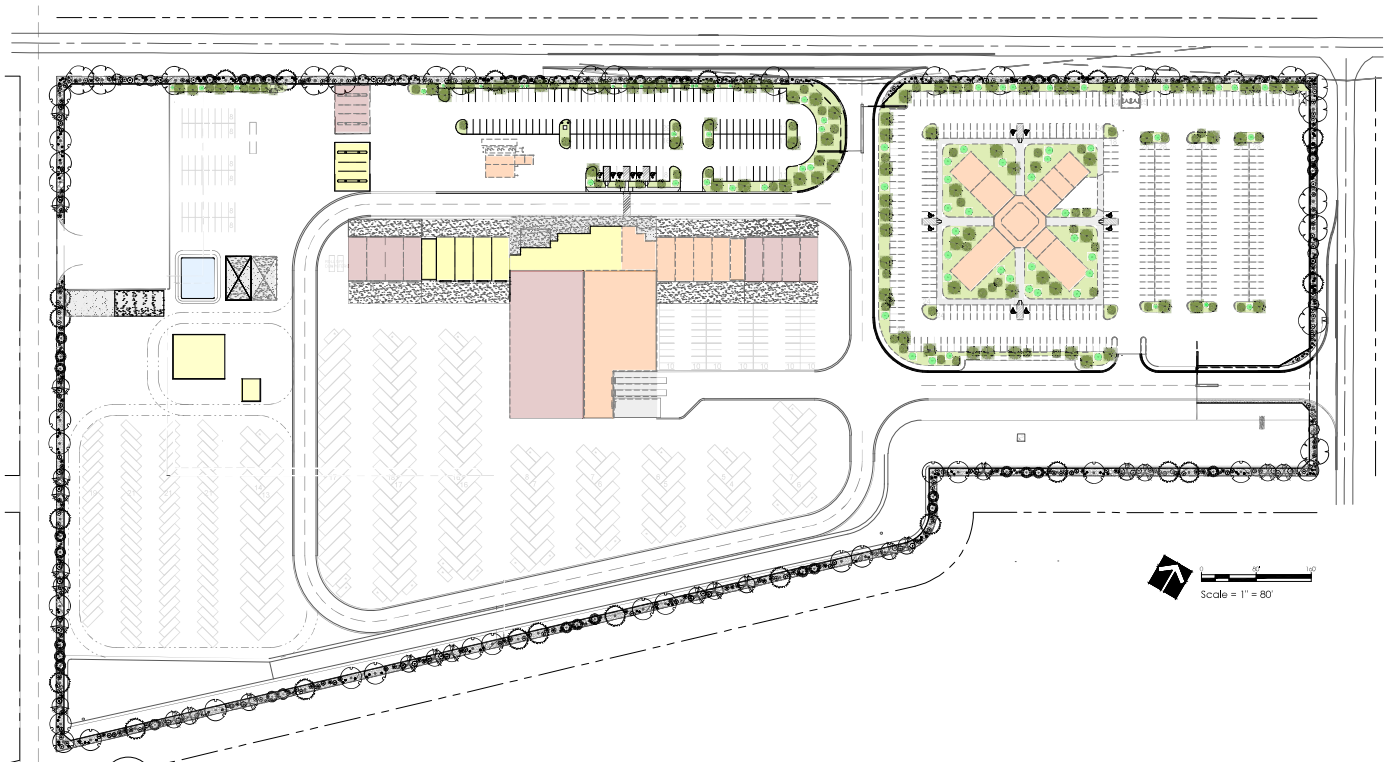
FRONTAGE BUFFER CALCULATIONS - CANOPY SPREAD

VEGETATION - TREE	SPREAD	QUANTITY	TOTAL (LF)
CURL-LEAF MNTN MAHOGANY	15	42	630
BUBBA DESERT WILLOW	25	25	625
NEW MEXICO PRIVET	15	23	345
ALIGATOR JUNIPER	30	23	690
CHINESE PISTACHE	40	21	840
MAVERICK HONEY MESQUITE	30	24	720
TOTAL:			3850

VEGETATION - SHRUB	SPREAD	QUANTITY	TOTAL (LF)
NEW MEXICO AGAVE	2	51	102
PIGEON POINT COYOTE BRUSH	8	43	344
DESERT MARIGOLD	2	50	100
BLONDE AMB BLUE GRAMA	3	122	366
RUBBER RABBITBRUSH	6	33	198
TREE CHOLLA	6	19	114
BUSH CINQUEFOIL	3	43	129
APACHE PLUME	6	37	222
GOLDEN AB OREGON GRAPE	8	10	80
DEER GRASS	4	52	208
ENGELMANN'S PRICKLY PEAR	7	19	133
AUTUMN AMBER SUMAC	4	60	240
GOLDEN CURRANT	6	25	150
WOOD ROSE	6	30	180
ADAM'S NEEDLE	3	60	180
			2746

LANDSCAPE AREA CALCULATIONS - FOR THE MASTER PLAN

TOTAL PROPERTY AREA = 1,216,160 SF or 27.92 AC
PERIMETER LANDSCAPE BUFFER AREA = 47,281 SF
PERIMETER LANDSCAPE BUFFER % OF PROPERTY = 3.9%
PROPERTY AREA INSIDE THE PERMETER WALL = 1,162,954 SF
INTERNAL LANDSCAPE AREA = 96,391 SF
INTERNAL LANDSCAPE AREA % OF PROPERTY = 7.9%
TOTAL MASTER PLAN LANDSCAPE AREA = 11.8%



A-1 MASTER PLAN LANDSCAPE
Scale = 1" = 80'

Scale = 1" = 80'

5/1/2026

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR P&Z APPROVAL	8/12/2026	WF
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City of Rio Rancho

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

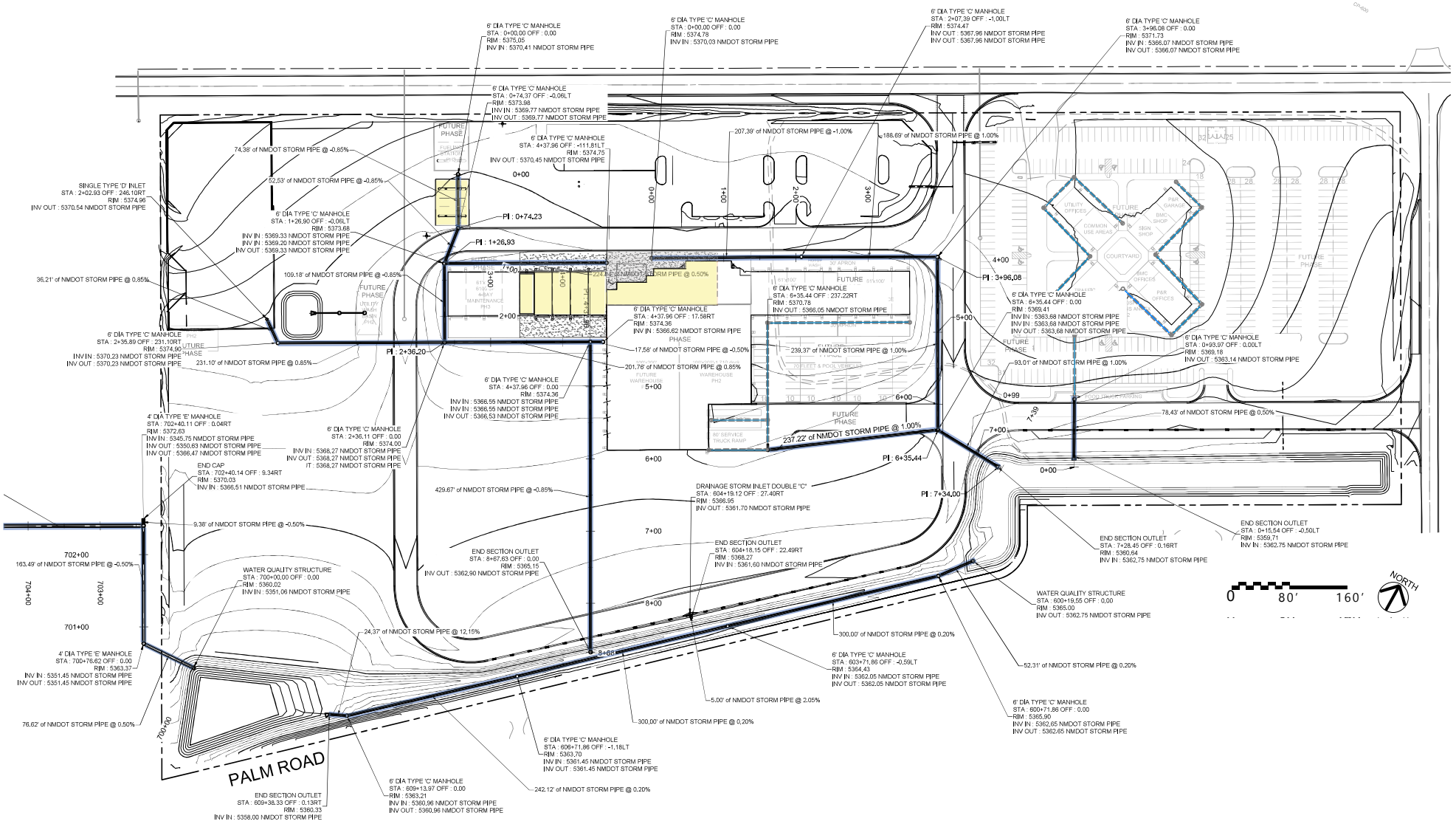
SHEET TITLE: MASTER PLAN LANDSCAPE

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

SEAL:

SITES SOUTHWEST

PROJECT NO:	2400089000
DESIGNED BY	WF
DRAWN BY	BB, RG
CHECKED BY:	WF
DATE:	8/12/2026
DPI CHK:	
SHEET	L-101



A1 STORM PIPE NETWORK / INVERTS

SCALE: 1" : 80'

EXHIBIT FOR P&Z APPROVAL | 8/12/2026

WILSON & COMPANY
4401 MASTHEAD ST., N.E.
SUITE 150
ALBUQUERQUE, NEW MEXICO
87109
PH (505) 348-4000
FAX (505) 348-4055
www.wilsonco.com

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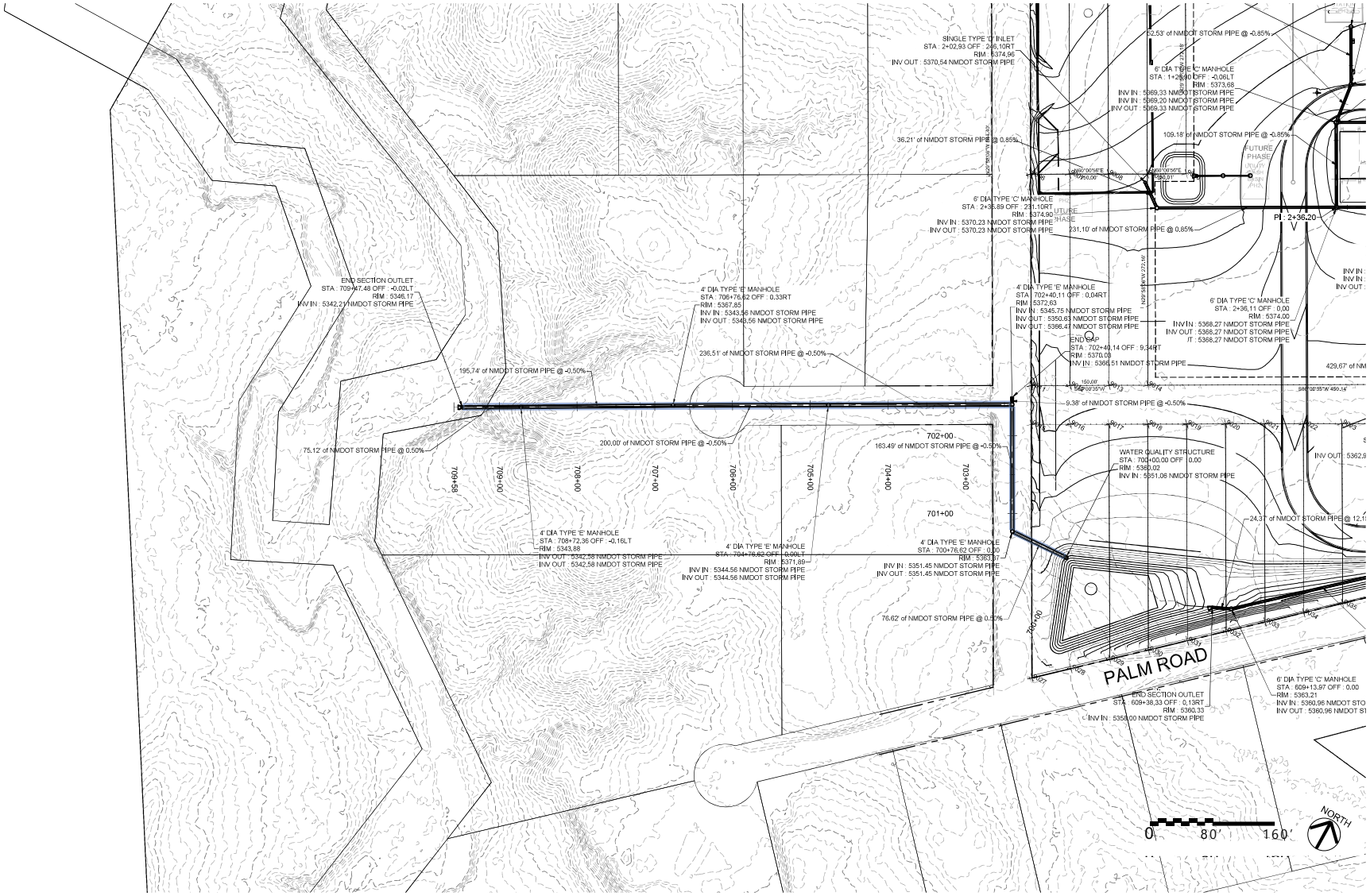

A1 STORM PIPE NETWORK / INVERTS

SCALE: 1" : 80'

EXHIBIT FOR P&Z APPROVAL | 8/12/2026

WILSON & COMPANY
4401 MASTHEAD ST., N.E.
SUITE 150
ALBUQUERQUE, NEW MEXICO
87109
PH (505) 348-4000
FAX (505) 348-4055
www.wilsonco.com

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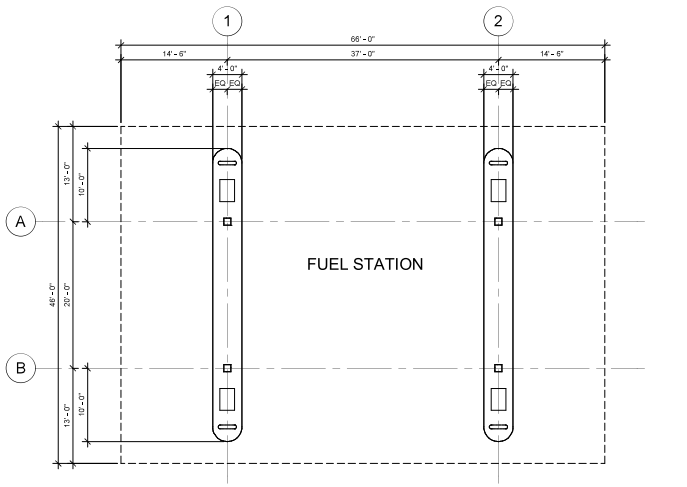
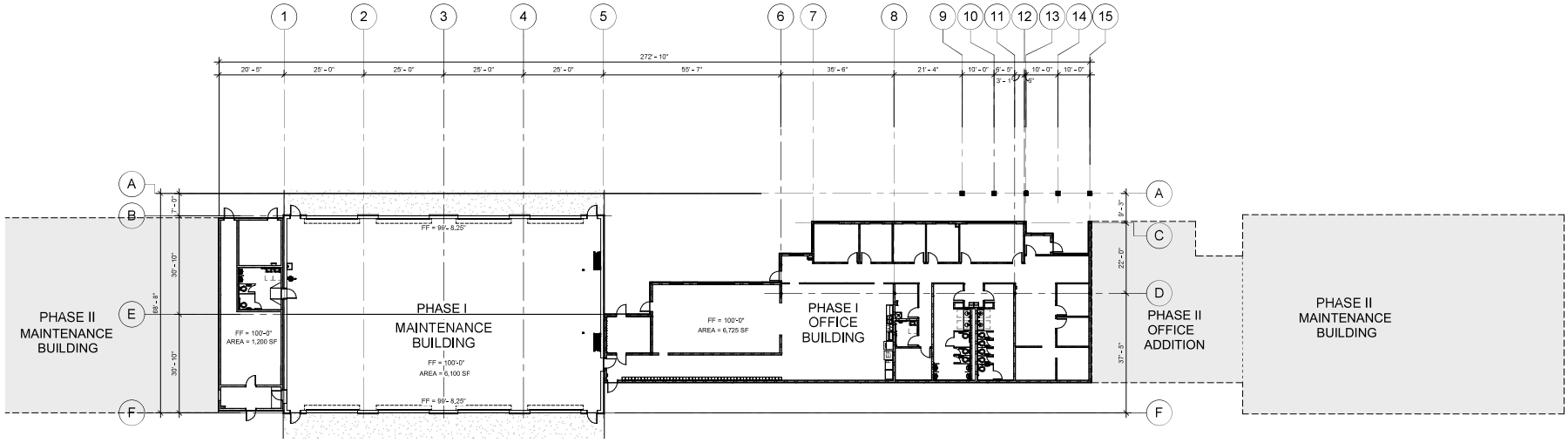
GENERAL SHEET NOTES

1. FINISH FLOOR ELEVATIONS INDICATED ARE BASED ON AN ELEVATION OF 100'-0" – REFER TO CIVIL GRADING AND DRAINAGE PLAN FOR CONTROL DATUM AND BENCHMARK INFORMATION.



PLAN NORTH

E1 FLOOR PLAN
1/8" = 1'-0"



PLAN NORTH

A1 OVERALL FLOOR PLAN
1/16" = 1'-0"

City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MAB
2			
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WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

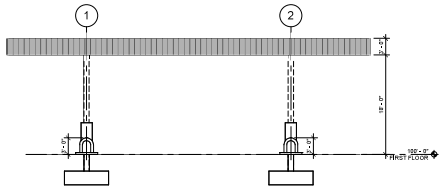
SHEET TITLE: OVERALL FLOOR PLAN & FUEL STATION

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

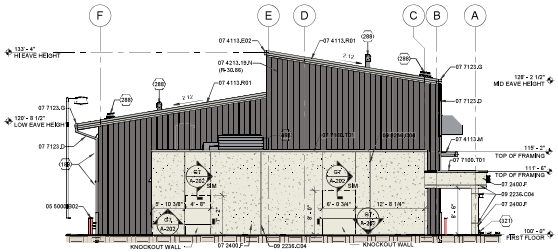
PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MEY
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	

SHEET: A-100

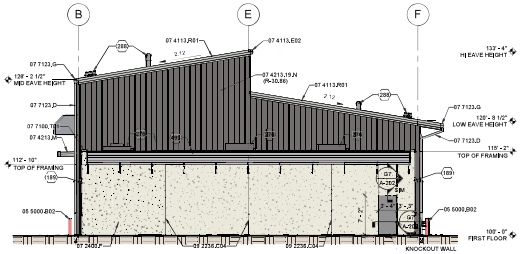
NOT FOR CONSTRUCTION



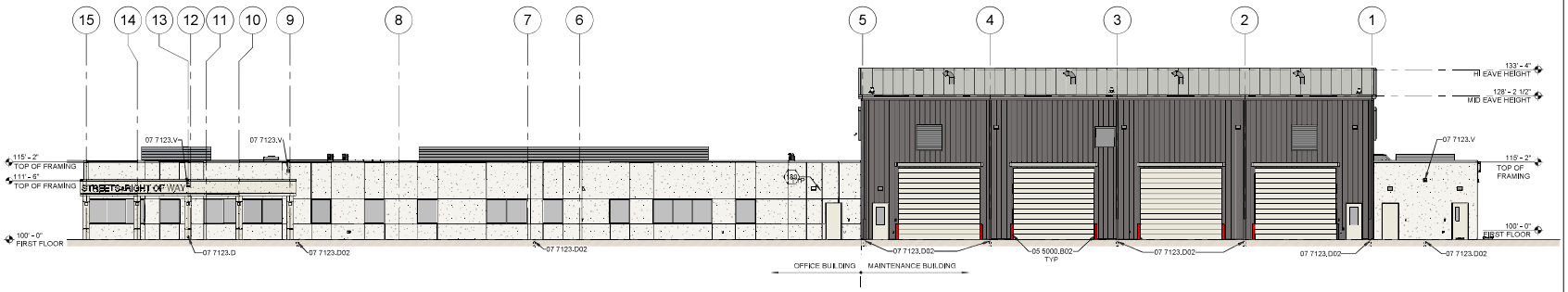
G1 NORTH ELEVATION
3/32" = 1'-0"



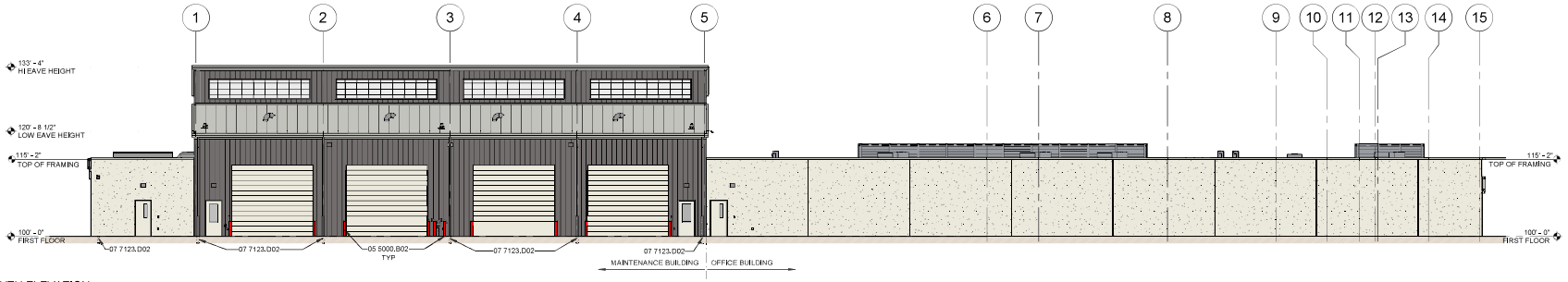
E1 EAST ELEVATION
3/32" = 1'-0"



E4 WEST ELEVATION
3/32" = 1'-0"



C1 OVERALL NORTH ELEVATION
3/32" = 1'-0"



A1 OVERALL SOUTH ELEVATION
3/32" = 1'-0"

GENERAL SHEET NOTES

1. ELEVATION INDICATED ARE BASED ON A FINISH FLOOR ELEVATION OF 100'-0". REFER TO CIVIL GRADING AND DRAINAGE PLAN FOR ACTUAL CONTROL DATUM AND BENCHMARK INFORMATION.

REFERENCE KEYNOTES

05 5000.B02	BOLLARD
07 7123.D	ROOF DRAIN DOWNSPOUT
07 7123.D02	ROOF DRAIN LEADER/PIPE BOOT. REFERENCE C1/A-403.
07 7123.V	OVERFLOW SCUPPER. REFERENCE E5/A-503.

SHEET KEYNOTES

189	ELECTRICAL LIGHT FIXTURE.

FINISH LEGEND:

- INSULATED METAL ROOF PANELS
- INSULATED METAL WALL PANELS
- METAL SCREEN WALL
- INSULATED STUCCO WALL SYSTEM WITH REVEAL JOINTS
- OVERHEAD COILING DOORS
- KALWALL INSULATED GLAZING SYSTEM

City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR P&Z APPROVAL	8/12/2026	MAB

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

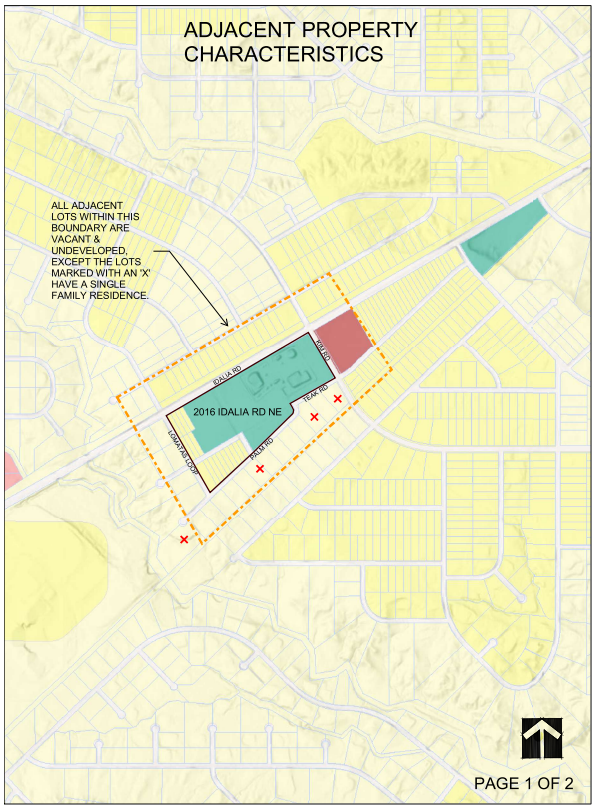
SHEET TITLE: OVERALL EXTERIOR ELEVATIONS

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MEY
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	
SHEET:	A-200

NOT FOR CONSTRUCTION

New Streets & Right of Way Zoning



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Parcels

Zoning

A-R, BP, C-1, C-2, CBD, E-1, M-1, MH, MU-A, NC, O-1, OS, PR, R-1, R-2, R-3, R-4, R-5, R-6, SU, TZ, Unzoned

1:9,028

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community

City of Rio Rancho - Records and GIS Section - Engineering

City of Rio Rancho

PAGE 2 OF 2

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

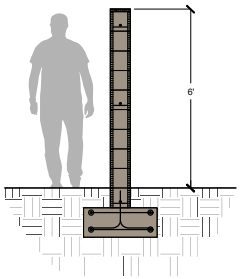
F1 FULLY OPAQUE WALL (VIEW SOUTH FROM IDALIA)

C1 PARTIALLY OPAQUE WALL (VIEW SOUTH FROM IDALIA)

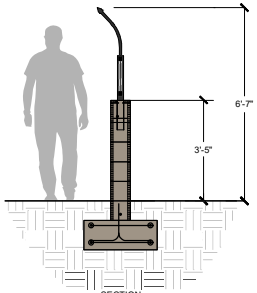
TYPE 'A'

TYPE 'B'

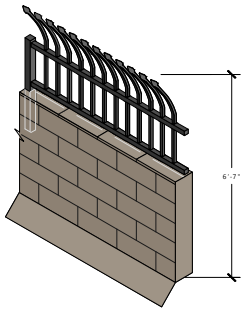
A1 CMU BLOCK WALL TYPES
NOT TO SCALE



A4 CMU BLOCK WALL - TYPE 'A' (OPAQUE)
NOT TO SCALE



SECTION



ISOMETRIC

A6 CMU BLOCK WALL - TYPE 'B' (PARTIALLY OPAQUE)
NOT TO SCALE

NO.	DESCRIPTION	DATE	BY
7			
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2	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MAB
1			

City of Rio Rancho

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

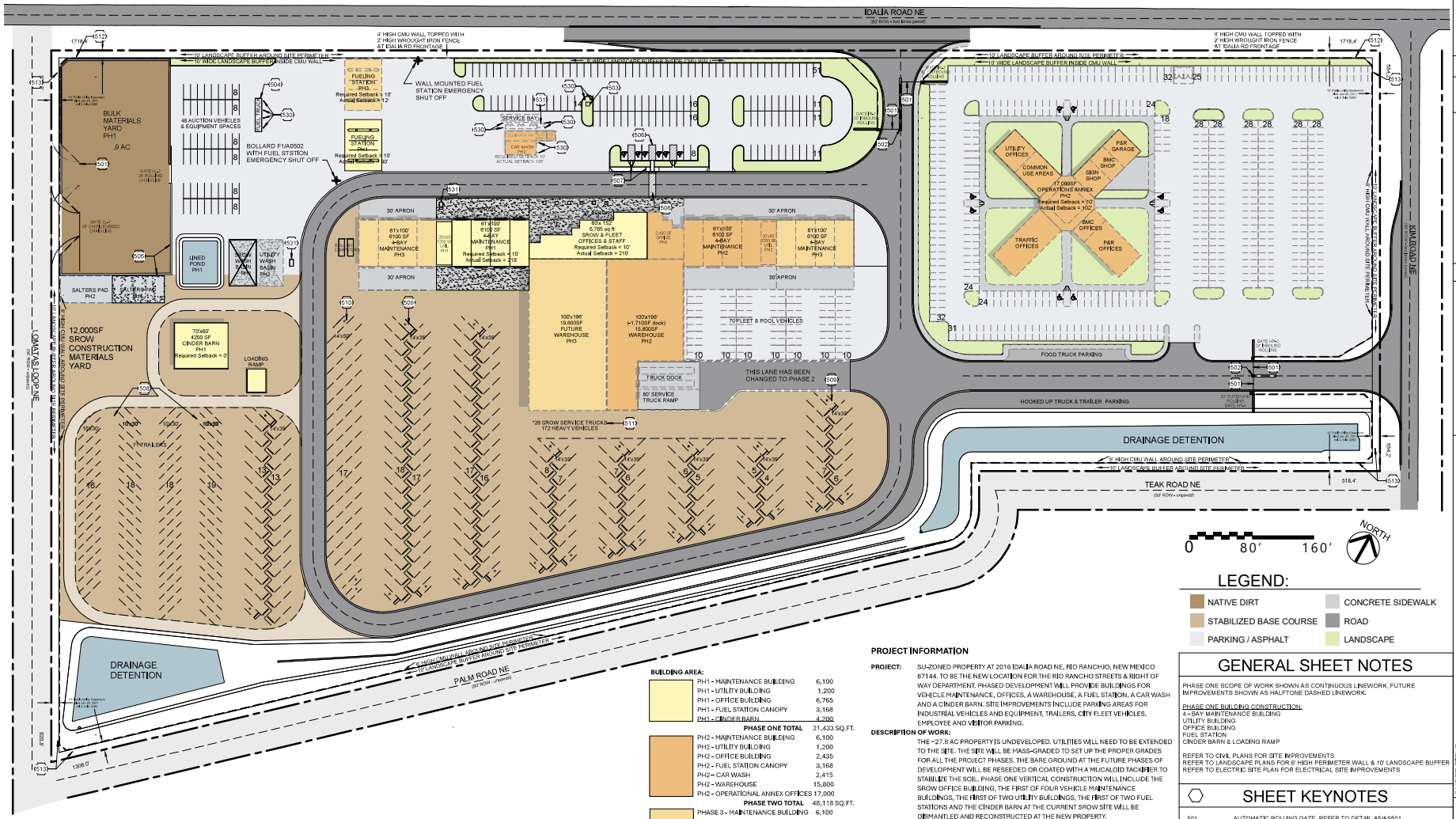
SHEET TITLE: RENDERINGS

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MNP
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	

SHEET:

NOT FOR CONSTRUCTION



LEGEND:

- NATIVE DIRT
- STABILIZED BASE COURSE
- PARKING / ASPHALT
- CONCRETE SIDEWALK
- ROAD
- LANDSCAPE

BUILDING AREA:

PH1 - MAINTENANCE BUILDING	6,100
PH1 - UTILITY BUILDING	1,200
PH1 - OFFICE BUILDING	6,765
PH1 - FUEL STATION CANOPY	3,168
PH1 - CINDER BARN	4,200
PHASE ONE TOTAL	21,433 SQ.FT.
PH2 - MAINTENANCE BUILDING	6,100
PH2 - UTILITY BUILDING	1,200
PH2 - OFFICE BUILDING	2,435
PH2 - FUEL STATION CANOPY	3,168
PH2 – CAR WASH	2,415
PH2 - WAREHOUSE	15,800
PH2 - OPERATIONAL ANNEX OFFICES	17,000
PHASE TWO TOTAL	48,118 SQ.FT.
PHASE 3 - MAINTENANCE BUILDING	6,100
PHASE 3 - MAINTENANCE BUILDING	6,100
PHASE 3 - WAREHOUSE	19,600
PHASE THREE TOTAL	31,800 SQ.FT.

TOTAL BUILDING AREA ON-SITE = 101,351 SQ.FT.
= 8.3% OF PROPERTY
TOTAL AREA OF THE PROPERTY = 1,216,160 SQ.FT.
= 27.92 AC

PROJECT INFORMATION

PROJECT: SU-ZONED PROPERTY AT 2016 IDALIA ROAD NE, RIO RANCHO, NEW MEXICO 87144. TO BE THE NEW LOCATION FOR THE RIO RANCHO STREETS & RIGHT OF WAY DEPARTMENT. PHASED DEVELOPMENT WILL PROVIDE BUILDINGS FOR VEHICLE MAINTENANCE, OFFICES, A WAREHOUSE, A FUEL STATION, A CAR WASH AND A CINDER BARN. SITE IMPROVEMENTS INCLUDE PARKING AREAS FOR INDUSTRIAL VEHICLES AND EQUIPMENT, TRAILERS, CITY FLEET VEHICLES, EMPLOYEE AND VISITOR PARKING.

DESCRIPTION OF WORK:
THE ~27.8 AC PROPERTY IS UNDEVELOPED. UTILITIES WILL NEED TO BE EXTENDED TO THE SITE. THE SITE WILL BE MASS-GRADED TO SET UP THE PROPER GRADES FOR ALL THE PROJECT PHASES. THE BARE GROUND AT THE FUTURE PHASES OF DEVELOPMENT WILL BE RESEEDED OR COATED WITH A MUCALOID TACKIFIER TO STABILIZE THE SOIL. PHASE ONE VERTICAL CONSTRUCTION WILL INCLUDE THE SROW OFFICE BUILDING, THE FIRST OF FOUR VEHICLE MAINTENANCE BUILDINGS, THE FIRST OF TWO UTILITY BUILDINGS, THE FIRST OF TWO FUEL STATIONS AND THE CINDER BARN AT THE CURRENT SROW SITE WILL BE DISMANTLED AND RECONSTRUCTED AT THE NEW PROPERTY.

PARKING CALCULATIONS:
OFFICE OCCUPANCY @ 1:300 SF 26,200 SF = 88 SPACES
INDUSTRIAL OCCUPANCY @ 1:1,500 SF 59,800 SF = 40 SPACES
TOTAL REQUIRED PARKING SPACES: 128
TOTAL PROVIDED VEHICLE & EQUIPMENT PARKING SPACES: 494
ADA REQUIRED: 8 SPACES MINIMUM, INCLUDING 2 VAN ACCESSIBLE
ADA PROVIDED: 14 SPACES, INCLUDING 4 VAN ACCESSIBLE
PV CHARGING STATIONS REQUIRED: 7 SPACES
PV-CAPABLE SPACES: 6 SPACES

ADDITIONAL CITY VEHICLE PARKING SPACES:
10'X20' FLEET & POOL VEHICLES: 70 SPACES
10'X20' AUCTION YARD VEHICLES: 48 SPACES
10'X20' PICKUP TRUCK SPACES: 26
10'X30' TRAILER SPACES: 97
14'X35' INDUSTRIAL VEHICLE SPACES:154
14'X50' INDUSTRIAL VEHICLE SPACES:17
TOTAL CITY VEHICLE & TRAILER PARKING SPACES: 906

GENERAL SHEET NOTES

PHASE ONE SCOPE OF WORK SHOWN AS CONTINUOUS LINEWORK, FUTURE IMPROVEMENTS SHOWN AS HALFTONE DASHED LINEWORK.

PHASE ONE BUILDING CONSTRUCTION:
4 - BAY MAINTENANCE BUILDING
UTILITY BUILDING
OFFICE BUILDING
FUEL STATION
CINDER BARN & LOADING RAMP

REFER TO CIVIL PLANS FOR SITE IMPROVEMENTS
REFER TO LANDSCAPE PLANS FOR 6' HIGH PERIMETER WALL & 10' LANDSCAPE BUFFER
REFER TO ELECTRIC SITE PLAN FOR ELECTRICAL SITE IMPROVEMENTS

SHEET KEYNOTES

501	AUTOMATIC ROLLING GATE, REFER TO DETAIL A5/AS501.
502	CURB MEDIAN WITH GATE CONTROL, REFER TO DETAIL D4/ES401 AND DETAIL D6/ES401.
503	ELECTRIC TRANSFORMER, REFER TO KEYNOTE 5/ES101.
504	DESIGNATED FUEL TRUCK PARKING LOCATION.
505	INTERLOCKING CONCRETE BLOCK PUSH-WALL, 6' HIGH, 2' THICK.
506	ACCESSIBLE ROUTE FROM PARKING & CROSSWALK, REFER TO DETAIL A1/C-505 AND DETAIL E1/C-505.
507	ACCESSIBLE SIDEWALK RAMP, REFER TO DETAIL A1/C-505 AND DETAIL E1/C-505.
508	10'x30' DRIVE-THROUGH TRAILER PARKING SPACES.
509	14'x35' PARKING SPACES WITH 10' LONG WHEEL STOPS.
510	14'x50' DRIVE-THROUGH SPACES.
511	10'x20' STANDARD PARKING SPACES WITH WHEEL STOPS.
512	10' PERIMETER LANDSCAPE BUFFER & 6' CMU/WROUGHT IRON WALL, REFER TO LANDSCAPE. DETAIL B/LC-501.
513	10' PERIMETER LANDSCAPE BUFFER & 6' CMU WALL, REFER TO LANDSCAPE. DETAIL A/LC-501.
530	BOLLARD - REFER TO DETAIL A1/A-502.
531	SAND / OIL SEPARATOR, REFER TO P-101 AND DETAIL F6/P-502.

A1 MASTER SITE PLAN
1" = 60'-0"

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR P&Z APPROVAL	8/12/2026	MAB

City of Rio Rancho

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: MASTER SITE PLAN

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MNP
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	
SHEET:	AS101

NOT FOR CONSTRUCTION

8/12/2026 2:01:07 PM

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

September 25, 2026

RE: Zone Map Amendment and Variance; Case No. 26-100-00012
and No. 26-110-00023
Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft. of a site where a land development decision is required by the Planning and Zoning Board.

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Concurrent with this request is a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd.

The Planning and Zoning Board will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project, with the subject property identified.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to (planning@rrnm.gov). Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact me via e-mail me at mcostilla@rrnm.gov, or call me at 505-896-8362 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

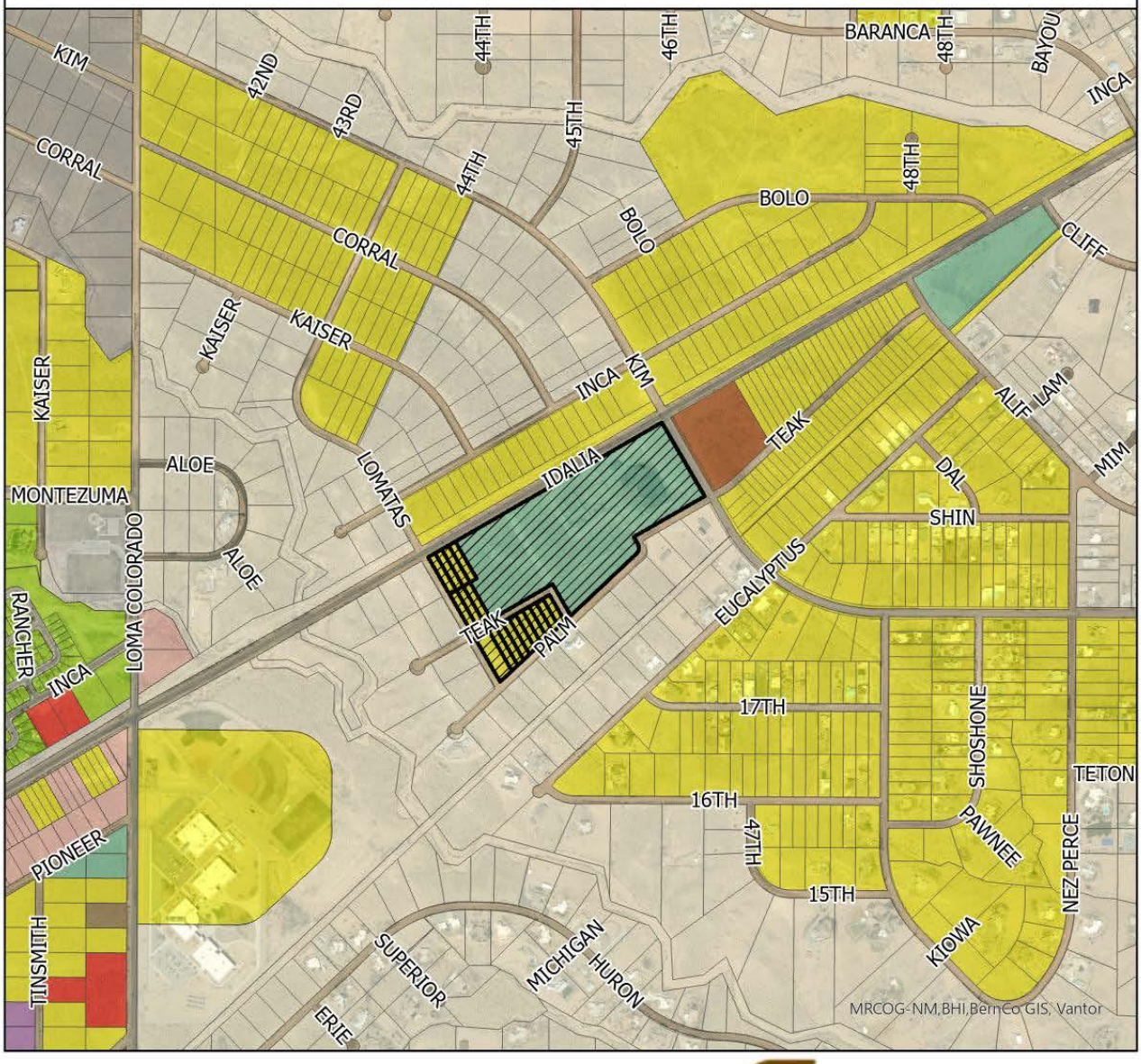
Respectfully,

Michelle Costilla
Municipal Planner III
Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

UNIT 17, BLOCK B, LOTS 1-4, 20-22, AND PARCEL A, AND BLOCK AA, LOTS 1A, AND 3-11



Subject Property

Zoning
- C-1
- C-2
- E-1
- M-1
- NC
- R-1
- R-4
- R-6
- SU
- TZ
- Unzoned

N

0 337.5675 1,350 2,025 2,700 Feet

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Michelle Costilla 9/24/2026

City of Vision
Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Staff Contact:	Michelle Costilla (505) 896-8362 mcostilla@rrnm.gov

City of Vision
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3200 Civic Center Circle NE, Suite 130
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NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Staff Contact:	Michelle Costilla (505) 896-8362 mcostilla@rrnm.gov

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012
The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026

Application Information

You are receiving this certified notice because your property is located within 300 ft. of a site where a land development decision is required by the Planning and Zoning Board.

The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

This hearing will be hybrid; information is available on the City's website under Agendas and Minutes.

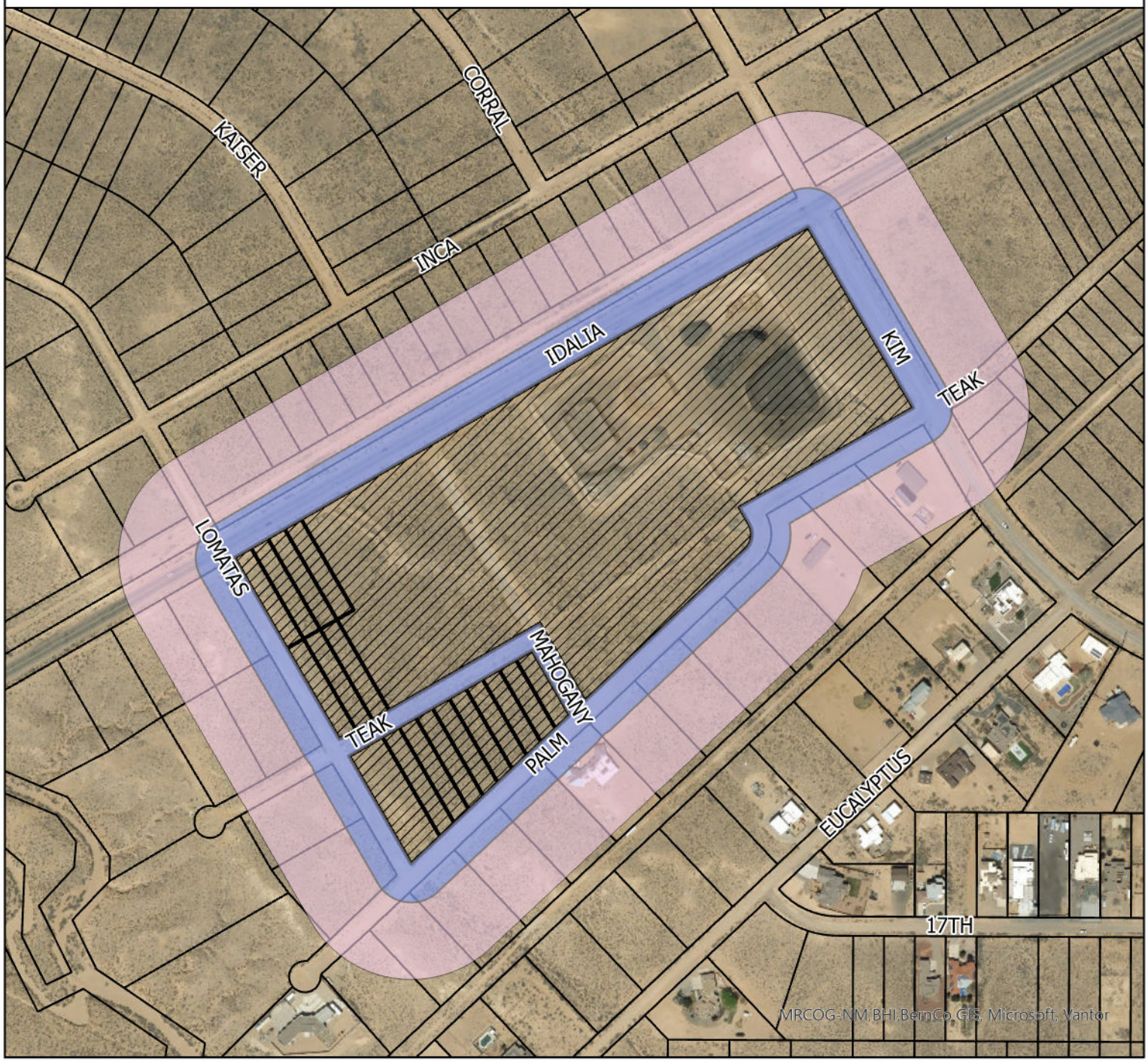
Application Information

You are receiving this certified notice because your property is located within 300 ft. of a site where a land development decision is required by the Planning and Zoning Board.

The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

This hearing will be hybrid; information is available on the City's website under Agendas and Minutes.

UNIT 17, BLOCK B, LOTS 1-4, 20-22, AND PARCEL A, AND BLOCK AA, LOTS 1A, AND 3-11



Subject Property
100 ft.
300 ft.

N

0 137.5 275 550 825 1,100 Feet

GIS
Moving Spatial Data Forward

Rio Rancho
City of Vision

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Michelle Costilla 9/24/2026

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR THE PROPERTY DESCRIBED AS, UNIT 17, BLOCK B, LOTS 1-4 AND 20-22 AND UNIT 17, BLOCK AA, LOTS 1A, 3-11 FROM R-1: SINGLE-FAMILY RESIDENTIAL TO SU: SPECIAL USE FOR STREETS, RIGHT-OF-WAY, AND AN OPERATIONAL ANNEX FACILITY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject property has been submitted by The City of Rio Rancho, and assigned City Case No. 26-100-00012; and

WHEREAS: the Governing Body of the City of Rio Rancho adopted the La Barranca Specific Area Plan on February 24, 2010, under Resolution No. 18, Enactment No. 10-019; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on October 13, 2026, regarding the proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

WHEREAS: the Governing Body received a report from the Planning and Zoning Board, and such report indicates the Planning and Zoning Board has studied and considered the proposed changes pursuant to R.O. 2003 Section 150.07, and said report includes specific findings related to the affected property; and

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on November 19, 2026 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and

criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendments promote the health, safety, morals, and general welfare of the City.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. Rezoning of Property. The Official Zone Ordinance is hereby amended by assigning a zoning designation on approximately 5.4722 acres from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility on the land legally described as:

Unit 17, Block B, Lots 1-4, 20-22, and Unit 17, Block AA, Lots 3-11, as shown on the plat entitled: "TRACT D, BLOCKS AA, B, C, AND BLOCKS 32 THRU 50, UNIT SEVENTEEN, RIO RANCHO ESTATES TOWN OF ALAEDA GRANT, SANDOVAL COUNTY, NEW MEXICO" filed in the office of the County Clerk of Sandoval County, New Mexico on December 12, 1968.

Unit 25, Block AA, Lot 1A as shown on the plat entitled: "SUMMARY PLAT LOT '1-A' BLOCK 'A' BEING A REPLAT OF LOTS 1 (ONE) & 2 (TWO) UNIT SEVENTEEN RIO RANCHO ESTATES TOWN OF ALAMEDA GRANT SANDOVAL COUNTY, NEW MEXICO" filed in the office of the County Clerk of Sandoval County, New Mexico on December 8, 2008.

Section 2. Land Use, Conditions, Development Standards/Regulations and use of PROPERTY:

A. Permitted uses shall be per C-2: Wholesale and Warehousing Commercial District, R.O. 2003, Section 154.25 (C) (as of the effective date of this Ordinance or as subsequently amended), with the following additional permissive uses:
    i. Conditional Uses listed in R.O. 2003 Section 154.25 (C) (as of the effective date of this Ordinance or as subsequently amended) shall be permitted uses and not require a Conditional Use Permit;
    ii. Recycling collection centers that comply with R.O. 2003, Chapter 154.
B. The property identified is subject to all requirements of the SU: Special Use District as set forth in R.O. 2003 Section 154.43 (as of the effective date of this ordinance or as subsequently amended).
C. The property identified is subject to development standards established per the approved site plan.
D. The approved site plan is included as Exhibit A.
E. Any future changes to the site plan shall be reviewed as regulated by R.O. 2003 Section 154.43 (as of the effective date of this Ordinance or as subsequently amended).

Section 3. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS 19TH DAY OF NOVEMBER, 2026.

Paul Wymer, Mayor

ATTEST:

Noel C. Davis, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 26-110-00023

AGENDA DATE:
October 13, 2026

DEPARTMENT:
Development Services

SUBJECT:
Variance. The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements, to allow for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11. Staff contact is Michelle Costilla and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd. The property is legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Unit 17, Parcel A is zoned SU: Special Use for a City Maintenance Yard per Ordinance No.1, Enactment No. 08-02, and Unit 17, Block B, Lots 1-4, 20-22, and Block AA, Lots 1A, and 3-11 are zoned R-1: Single Family Residential per Ordinance No. 64, Enactment No. 94-062. Concurrent with this request is a Zone Map Amendment and an accompanying Site Plan under case #26-100-00012.

The buffer requirements per R.O. 2003, Section 154.61 (B)(1)(a) states that "Where nonresidential property abuts residential property, or is separated from residential property only by an alley, easement, roadway, thoroughfare, or right-of-way less than 100 feet in width, the nonresidential property shall have a wall or other opaque barrier along the side(s) and/or rear property line(s) adjacent to or facing the residential property. Side walls required by this subsection shall run from the front fascia of the nonresidential building to the rear lot line." The Site Plan provides a 6 foot solid buffer wall around the site, except for along Idalia Rd, which will be 6 feet in height, but only partially opaque, as about half the height will be wrought iron.

REVIEW CRITERIA:
The criteria for a Variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variances) reads in part: "A. Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings is the basis for the claim of hardship."

The applicant submitted a justification narrative in support of the variance application. This narrative

is presented as an attachment to this item. According to the justification provided, the reasoning for the Variance request is as follows:

"...This variance application requests approval to provide an alternate a 3'-6" high CMU wall topped with a 3' high wrought iron security fence, only along the IDALA RD frontage. The wrought iron fence would provide a climbing deterrence and an attractive wall variation vs a solid wall that would (not) *allow a view of the city's newest public works facility."*

Staff recommends that the Planning and Zoning Board finds that there is an exceptional physical condition of subject property, where strict application of the standard solid wall requirement would not be in the best interest of the community. Idalia Road is classified as a minor arterial roadway and a 50-foot Gas Company easement provides additional separation. Due to these factors, the portion of the fence along Idalia Road would be situated approximately 150 feet from the adjacent, currently vacant properties.

Staff also recommends that the Planning and Zoning Board finds that the proposed elevation designs, provided as an attachment, are aesthetically compatible and align well with the surrounding area. The proposed combination of a 3.5 foot concrete masonry unit (CMU) base topped with a 3 foot wrought iron fence is an effective climbing deterrence, and balances security needs with transparency, allowing the public a clear view of the city's new Public Works facility. Conforms.

NOTIFICATIONS:
Property owners within 100 ft of the subject property were sent certified mail notice 15 days prior to the hearing. Property owners with 100 to 300 ft of the subject property were sent notice via informational postcard 15 days prior to the hearing. A legal notice was published in the Albuquerque Journal on September 28, 2026. A sign was posted to the property one week before the hearing. All legal notification requirements for this project have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Provided within this document
DSD Engineering	X	No comments provided
Rio Rancho Public Schools	X	No comments provided
Fire and Rescue	X	No adverse comments
Police Department	X	No comments provided
SSCAFCA	X	No comments provided
MRCOG	X	No adverse comments
Parks, Recreation and Community Services	X	No adverse comments

IMPACT:

The Development Services Department recommends the Planning and Zoning Board approve the Variance request subject to the following findings and conditions:

GENERAL FINDINGS OF FACT:
1. In accordance with R.O. 2003 §150.06, the Planning and Zoning Board has jurisdiction over

approval of Variance requests.
2. The applicant has the authority to make an application to request a Variance to the solid buffer wall requirement, as outlined by R.O. 2003 §154.61 (B)(1).
3. Following procedures for approval of a Variance, proper notice of hearing on this matter was given
4. Due process was provided to the applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:
1. The applicant has adequately addressed the criteria for granting a Variance to allow for a partially opaque wall along Idalia Rd., as set forth in R.O. 2003 §150.06.
2. There is an exceptional physical condition of subject property, where strict application of the standard solid wall requirement would not be in the best interest of the community.
3. The Variance will not adversely affect the public or surrounding properties.
4. The fence shall conform to all applicable building and engineering codes and the approved site plan.

If the Planning and Zoning Board finds the Variance request is not justified, denial may be based on the following findings:

SPECIFIC FINDINGS OF FACT FOR DENIAL:
1. The applicant has not adequately addressed the criteria for granting a Variance as set forth in R.O. 2003, §150.06.
2. There does not exist a special circumstance applicable to the property.
3. The subject property is not exceptionally irregular, narrow, shallow or steep, nor do other exceptional physical conditions exist where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building.

ALTERNATIVES:

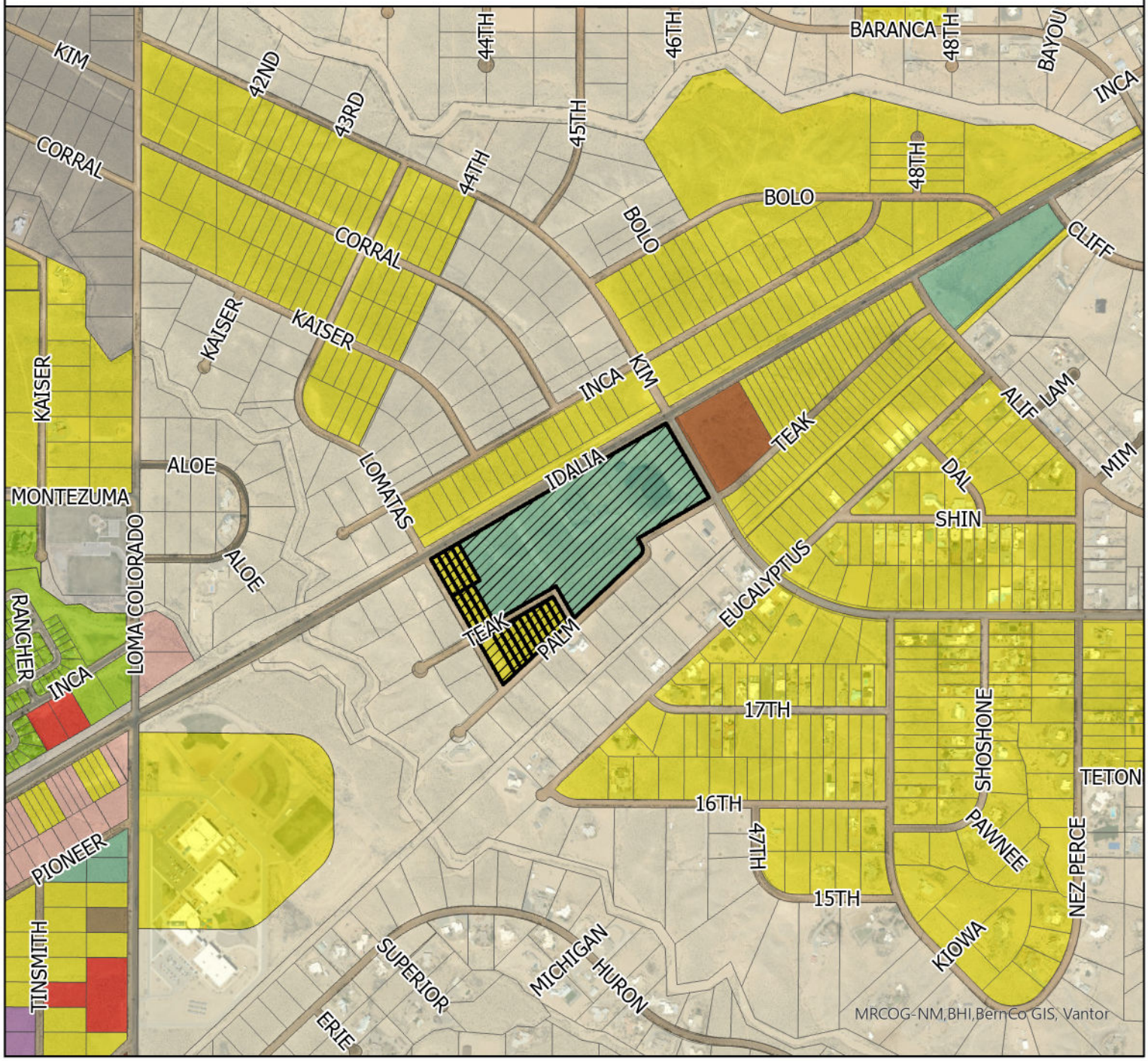
The Planning and Zoning Board may:
1. Approve the Variance with staff recommendations and conditions.
2. Approve the Variance with amendments to recommendations and/or conditions.
3. Deny the Variance.
4. Postpone the item and continue the public hearing for the Variance in order to further review.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends the Planning and Zoning Board approve the requested Variance.

ATTACHMENT: Zoning, Location.pdf
ATTACHMENT: Application.pdf
ATTACHMENT: Plans.pdf
ATTACHMENT: Fence Elevations.pdf
ATTACHMENT: Zoning Variance Justification.pdf
ATTACHMENT: Reproduction of Notices.pdf
ATTACHMENT: Findings of Fact

UNIT 17, BLOCK B, LOTS 1-4, 20-22, AND PARCEL A, AND BLOCK AA, LOTS 1A, AND 3-11



Subject Property

Zoning
- C-1
- C-2
- E-1
- M-1
- NC
- R-1
- R-4
- R-6
- SU
- TZ
- Unzoned

N

0 337.5 675 1,350 2,025 2,700 Feet

GIS Moving Spatial Data Forward

Rio Rancho City of Vision

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Michelle Costilla 9/24/2026

Development Services Department, Ste. 130
3200 Civic Center Circle NE, Rio Rancho, NM 87144
(505) 891-5005

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box (Fees are listed on the back)

Administrative Permit	Plan	Subdivision	Zoning
☐ Community Residential Care Facility	☐ Comprehensive Plan Amendment	☐ Final Plat	☐ Annexation
☐ Development Review Committee (DRC)	☐ Corridor Plan Amendment	☐ Preliminary Plat	☐ Appeal
☐ Home Occupation	☐ Master Plan	☐ Summary Plat	☐ Conditional Use Permit
☐ Model Home / Sales Office	☐ Master Plan Amendment	☐ Vacation of Plat	☐ Master Sign Plan
☐ Residential Child Care Facility 6 or <	☐ Specific Area Plan Amendment	☐ Street Name Change	☒ Site Plan
☐ Sign Permit	☐ Text Amendment	☐ Subdivision Interpretation	☐ Special Exception
☐ Other		☐ Subdivision Variance	☒ Variance
			☒ Zone Map Amendment
			☐ Zoning Certification
			☐ Zoning Interpretation

Please Print In Ink Only or Type
Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: City of Rio Rancho - Department of Public Works		Phone: (505) 896-5016
Address: 3200 Civic Center Cir		E-Mail: bjgottlieb@rrnm.gov
City: Rio Rancho	State: NM	Zip: 87144
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	
Agent Name: Wilson & Company - Michael Wright		Phone: (505) 898-8021
Address: 4011 Barbara Loop Suite 104		E-Mail: Michael.Wright@Wilsonco.com
City: Rio Rancho	State: NM	ZIP Code: 87124

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)

The Public Works Department is requesting site plan approval and the rezoning of acquired lots for the City's new Streets & Right-of-Way and Operational Annex facility. A variance for the Idalia Rd facing block wall is also being requested.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Unit 17	Block(s): B and AA	Lot(s): Lots 1-4 & Lots 20-22, with Lots 1A, and 3-11.
Existing Zoning: R-1	Proposed Zoning: Special Use - SU	
No. of existing lots: 18	No. of proposed lots: 1	Total area of site (acres) ~26.94 acres

ACKNOWLEDGEMENT

I hereby acknowledge that I have read this entire application and affirm that all information provided is correct. I agree to comply with the requirements of the City of Rio Rancho as outlined in all applicable laws, ordinances and regulations.

Print Name: BJ Gottlieb	Applicant: City of Rio Rancho	Agent: Wilson & Company
Signature:		Date: August 17, 2026

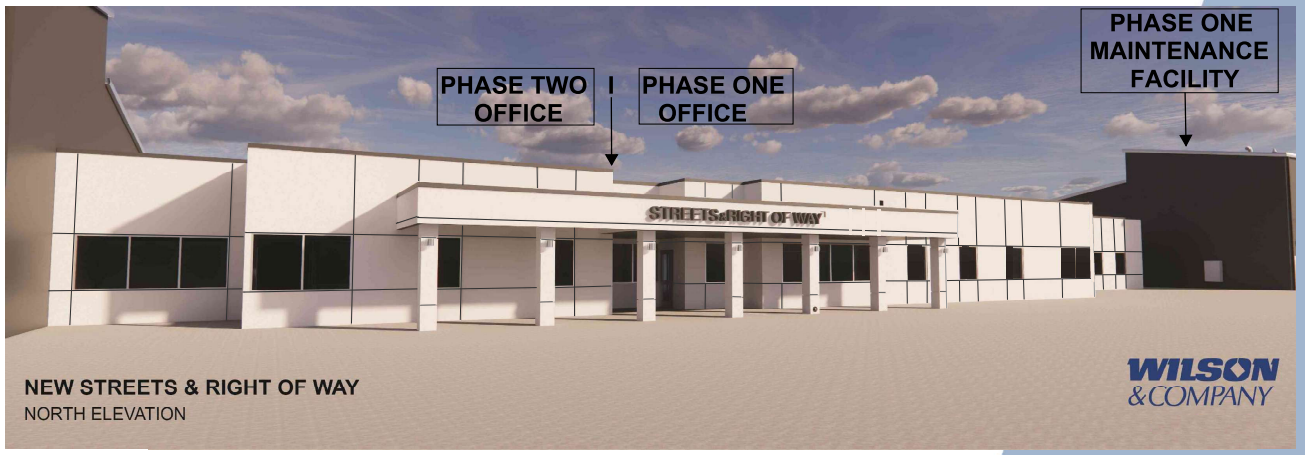
FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
26-100-00012		

APPLICATION ACCEPTED BY: Michelle Costilla **DATE:** 8/31/26

City of Rio Rancho |Streets & Right-of-Way Project

Planning & Zoning – Site Plan Approval & Variance Request



WILSON &COMPANY

HIGHER RELATIONSHIPS

Our Purpose

We bring people together to practice their craft, to create value, and to accomplish great things.

SITE PLAN APROVAL: LIST OF REQUIREMENTS

154.43 SU: SPECIAL USE DISTRICT. Revised 6/25

(A) *Purpose.* This zoning district is suitable for property which is special because of its potential effect on surrounding property, or for other reasons in which the appropriateness is partially or entirely dependent on the character of the site.

(1) A special use zoning designation is also appropriately used to:

(a) To restrict uses otherwise permitted in an underlying zoning district;

(b) To allow a combination of uses not otherwise permitted in an underlying district;

(c) To establish a singular land use;

(d) To establish requirements or conditions that are unique to the property;

(e) To establish requirements for height, setbacks, width, parking, landscaping, signage or other provisions that are unique to the property.

(2) An application for a change to SU zoning must state the proposed land use(s). Refer to Enactment Ordinance 08-02-01

(3) All SU zoned property must have a site plan approved by the Governing Body. The site plan may accompany the application for a change in zoning designation or may be submitted for approval at a later date. Approval of the site plan must be obtained prior to any development of the property. The site plan at a minimum shall contain the following information:

(a) Scale and north arrow; Refer to AS101 - MASTER SITE PLAN

(b) Lot boundaries and easements; Refer to AS101 - MASTER SITE PLAN

(c) Existing and proposed utilities; Refer to C-108 - OVERALL WATER UTILITY PLAN & GAS LINES

(d) Existing and proposed rights-of-way; Refer to AS101 - MASTER SITE PLAN

(e) Proposed structures with uses, dimensions, and setbacks; Refer to AS101, A-101 - MASTER SITE PLAN & OVERALL FLOOR PLAN & FUEL STATION

(f) Proposed ingress, egress, parking and circulation; Refer to AS101 - MASTER SITE PLAN

(g) Landscaping and landscape buffers; Refer to L-101 & LC-501 - MASTER PLAN LANDSCAPE & LANDSCAPE CONSTRUCTION DETAILS

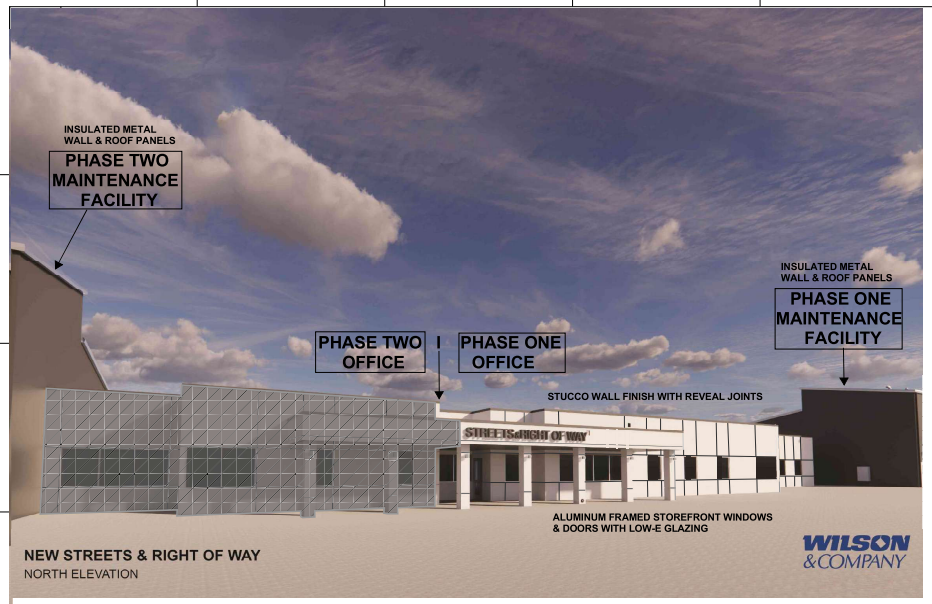
(h) Elevations; Refer to A-200 - OVERALL EXTERIOR ELEVATIONS

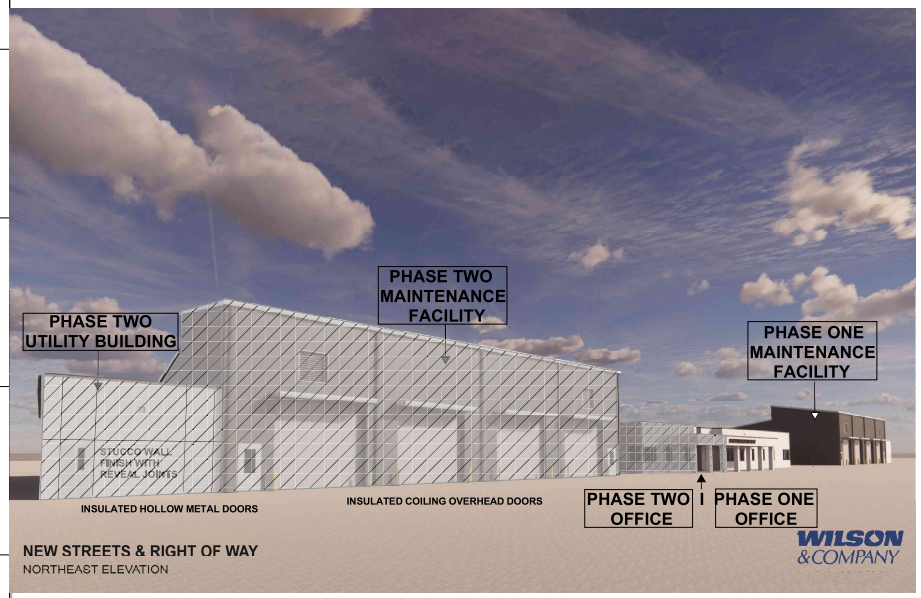
(i) Adjacent property characteristics; Refer to ADJACENT PROPERTY CHARACTERISTICS ZONING MAP

(j) Preliminary drainage plan. Refer to STORM PIPE NETWORKS PLAN

(4) The Director of Development Services may approve minor changes to an approved site plan if the change is consistent with the use and other written requirements and/or conditions of approval, if the buildings are of the same general configuration, if the total square footage is not greater than 10% than the approved plan, the site circulation is similar in its effect on adjacent property or streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered site plan.

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000





City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
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6			
5			
4			
3			
2	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MAB
1			

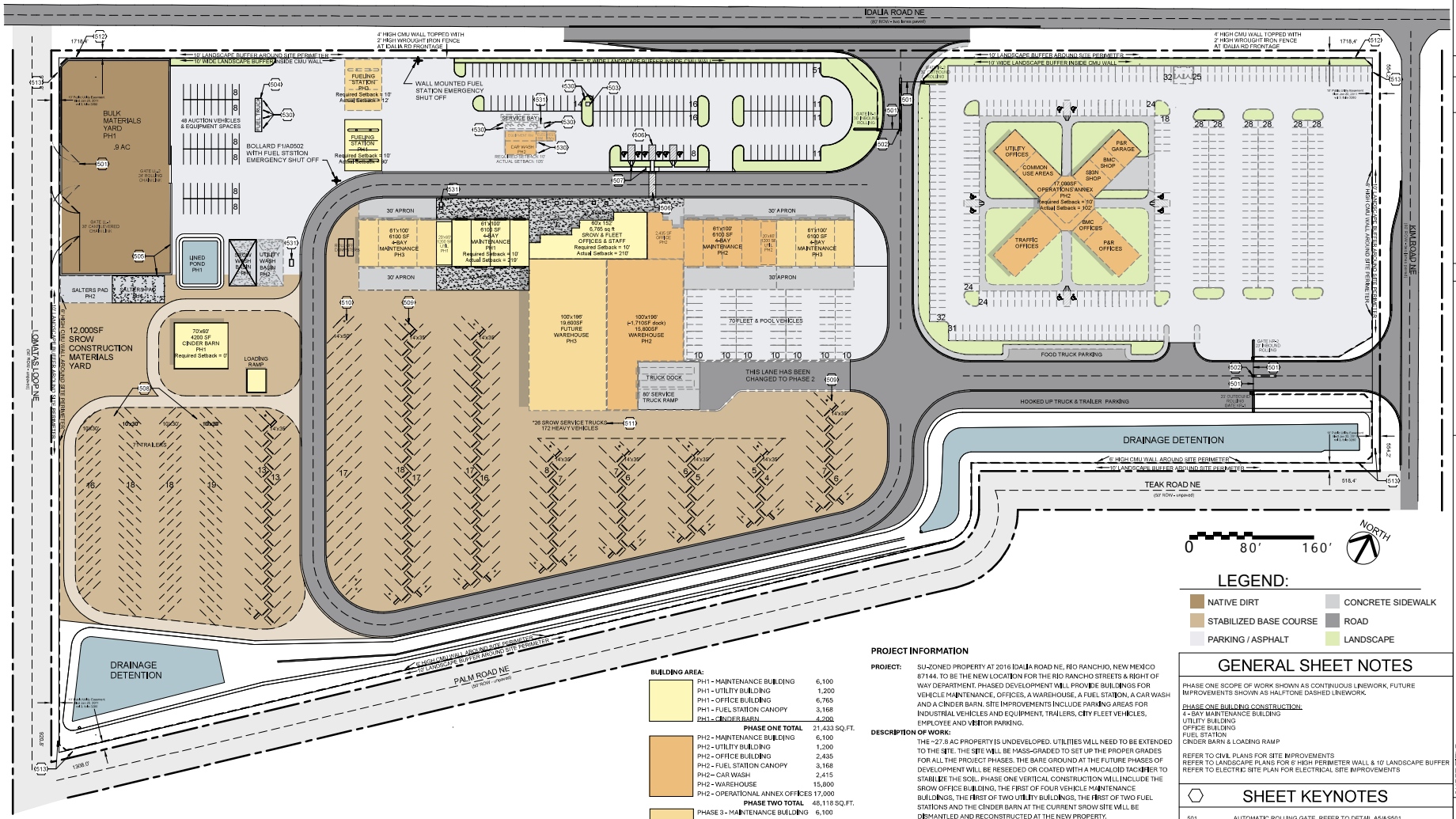
WILSON &COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: RENDERINGS

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MNP
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	
SHEET:	

NOT FOR CONSTRUCTION



LEGEND:

- NATIVE DIRT
- STABILIZED BASE COURSE
- PARKING / ASPHALT
- CONCRETE SIDEWALK
- ROAD
- LANDSCAPE

BUILDING AREA:

PH1 - MAINTENANCE BUILDING	6,100
PH1 - UTILITY BUILDING	1,200
PH1 - OFFICE BUILDING	6,765
PH1 - FUEL STATION CANOPY	3,168
PH1 - CINDER BARN	4,200
PHASE ONE TOTAL	21,433 SQ.FT.
PH2 - MAINTENANCE BUILDING	6,100
PH2 - UTILITY BUILDING	1,200
PH2 - OFFICE BUILDING	2,435
PH2 - FUEL STATION CANOPY	3,168
PH2 – CAR WASH	2,415
PH2 - WAREHOUSE	15,800
PH2 - OPERATIONAL ANNEX OFFICES	17,000
PHASE TWO TOTAL	48,118 SQ.FT.
PHASE 3 - MAINTENANCE BUILDING	6,100
PHASE 3 - MAINTENANCE BUILDING	6,100
PHASE 3 - WAREHOUSE	19,600
PHASE THREE TOTAL	31,800 SQ.FT.

TOTAL BUILDING AREA ON-SITE = 101,351 SQ.FT.
= 8.3% OF PROPERTY
TOTAL AREA OF THE PROPERTY = 1,216,160 SQ.FT.
= 27.92 AC

PROJECT INFORMATION

PROJECT: SU-ZONED PROPERTY AT 2016 IDALIA ROAD NE, RIO RANCHO, NEW MEXICO 87144. TO BE THE NEW LOCATION FOR THE RIO RANCHO STREETS & RIGHT OF WAY DEPARTMENT. PHASED DEVELOPMENT WILL PROVIDE BUILDINGS FOR VEHICLE MAINTENANCE, OFFICES, A WAREHOUSE, A FUEL STATION, A CAR WASH AND A CINDER BARN. SITE IMPROVEMENTS INCLUDE PARKING AREAS FOR INDUSTRIAL VEHICLES AND EQUIPMENT, TRAILERS, CITY FLEET VEHICLES, EMPLOYEE AND VISITOR PARKING.

DESCRIPTION OF WORK:
THE ~27.8 AC PROPERTY IS UNDEVELOPED. UTILITIES WILL NEED TO BE EXTENDED TO THE SITE. THE SITE WILL BE MASS-GRADED TO SET UP THE PROPER GRADES FOR ALL THE PROJECT PHASES. THE BARE GROUND AT THE FUTURE PHASES OF DEVELOPMENT WILL BE RESEEDED OR COATED WITH A MUCALOID TACKIFIER TO STABILIZE THE SOIL. PHASE ONE VERTICAL CONSTRUCTION WILL INCLUDE THE SROW OFFICE BUILDING, THE FIRST OF FOUR VEHICLE MAINTENANCE BUILDINGS, THE FIRST OF TWO UTILITY BUILDINGS, THE FIRST OF TWO FUEL STATIONS AND THE CINDER BARN AT THE CURRENT SROW SITE WILL BE DISMANTLED AND RECONSTRUCTED AT THE NEW PROPERTY.

PARKING CALCULATIONS:
OFFICE OCCUPANCY @ 1:300 SF 26,200 SF = 88 SPACES
INDUSTRIAL OCCUPANCY @ 1:1,500 SF 59,800 SF = 40 SPACES
TOTAL REQUIRED PARKING SPACES: 128
TOTAL PROVIDED VEHICLE & EQUIPMENT PARKING SPACES: 494
ADA REQUIRED: 8 SPACES MINIMUM, INCLUDING 2 VAN ACCESSIBLE
ADA PROVIDED: 14 SPACES, INCLUDING 4 VAN ACCESSIBLE
PV CHARGING STATIONS REQUIRED: 7 SPACES
PV-CAPABLE SPACES: 6 SPACES

ADDITIONAL CITY VEHICLE PARKING SPACES:
10'X20' FLEET & POOL VEHICLES: 70 SPACES
10'X20' AUCTION YARD VEHICLES: 48 SPACES
10'X20' PICKUP TRUCK SPACES: 26
10'X30' TRAILER SPACES: 97
14'X35' INDUSTRIAL VEHICLE SPACES:154
14'X50' INDUSTRIAL VEHICLE SPACES:17
TOTAL CITY VEHICLE & TRAILER PARKING SPACES: 906

GENERAL SHEET NOTES

PHASE ONE SCOPE OF WORK SHOWN AS CONTINUOUS LINEWORK, FUTURE IMPROVEMENTS SHOWN AS HALFTONE DASHED LINEWORK.

PHASE ONE BUILDING CONSTRUCTION:
4 - BAY MAINTENANCE BUILDING
UTILITY BUILDING
OFFICE BUILDING
FUEL STATION
CINDER BARN & LOADING RAMP

REFER TO CIVIL PLANS FOR SITE IMPROVEMENTS
REFER TO LANDSCAPE PLANS FOR 6' HIGH PERIMETER WALL & 10' LANDSCAPE BUFFER
REFER TO ELECTRIC SITE PLAN FOR ELECTRICAL SITE IMPROVEMENTS

SHEET KEYNOTES

501	AUTOMATIC ROLLING GATE, REFER TO DETAIL A5/AS501.
502	CURB MEDIAN WITH GATE CONTROL, REFER TO DETAIL D4/ES401 AND DETAIL D6/ES401.
503	ELECTRIC TRANSFORMER, REFER TO KEYNOTE 5/ES101.
504	DESIGNATED FUEL TRUCK PARKING LOCATION.
505	INTERLOCKING CONCRETE BLOCK PUSH-WALL, 6' HIGH, 2' THICK.
506	ACCESSIBLE ROUTE FROM PARKING & CROSSWALK, REFER TO DETAIL A1/C-505 AND DETAIL E1/C-505.
507	ACCESSIBLE SIDEWALK RAMP, REFER TO DETAIL A1/C-505 AND DETAIL E1/C-505.
508	10'x30' DRIVE-THROUGH TRAILER PARKING SPACES.
509	14'x35' PARKING SPACES WITH 10' LONG WHEEL STOPS.
510	14'x50' DRIVE-THROUGH SPACES.
511	10'x20' STANDARD PARKING SPACES WITH WHEEL STOPS.
512	10' PERIMETER LANDSCAPE BUFFER & 6' CMU/WROUGHT IRON WALL, REFER TO LANDSCAPE. DETAIL B/LC-501.
513	10' PERIMETER LANDSCAPE BUFFER & 6' CMU WALL, REFER TO LANDSCAPE. DETAIL A/LC-501.
530	BOLLARD - REFER TO DETAIL A1/A-502.
531	SAND / OIL SEPARATOR, REFER TO P-101 AND DETAIL F6/P-502.

A1 MASTER SITE PLAN
1" = 60'-0"

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR P&Z APPROVAL	8/12/2026	MAB

City of Rio Rancho

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: MASTER SITE PLAN

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MNP
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	
SHEET:	AS101

NOT FOR CONSTRUCTION

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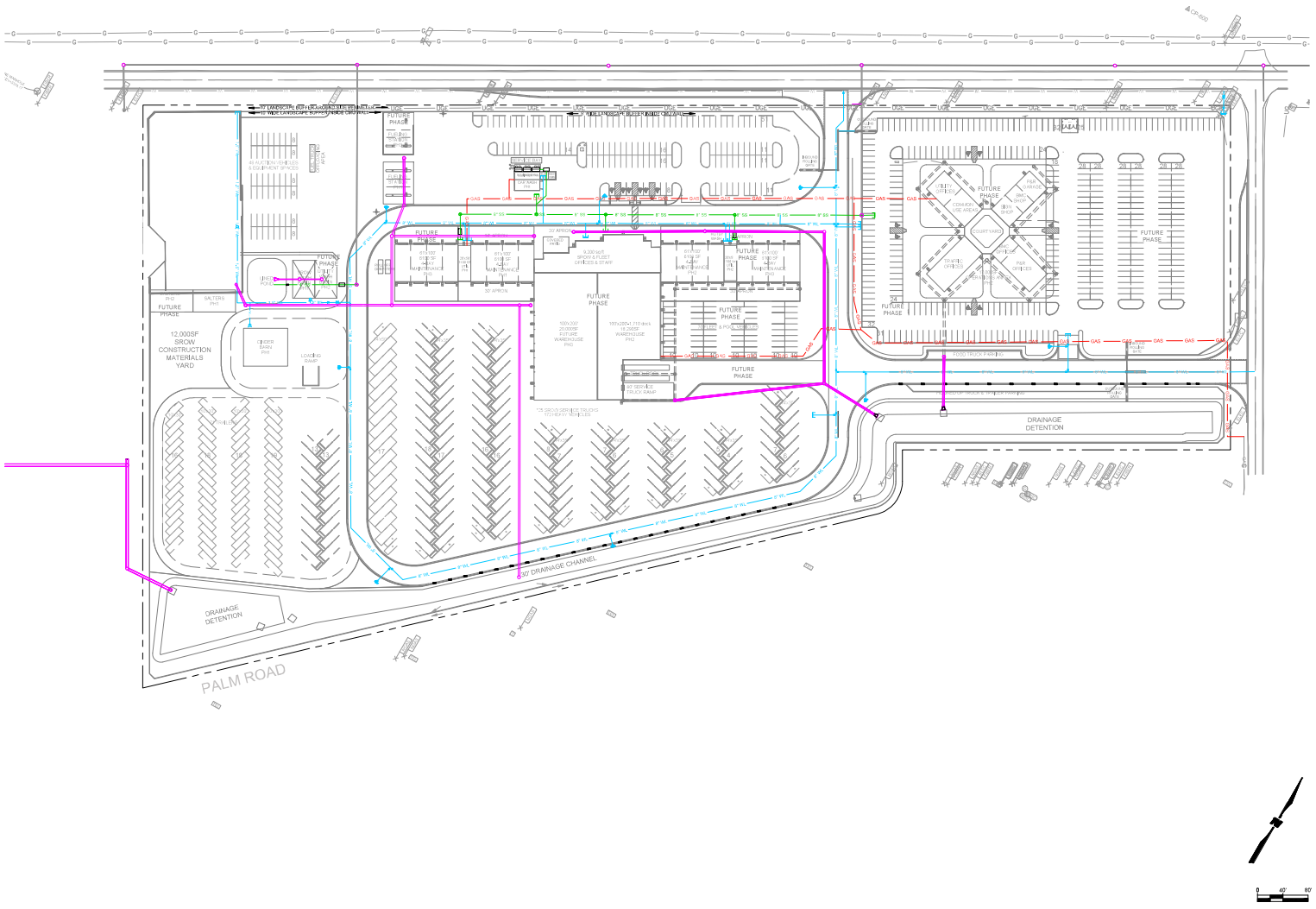

GENERAL SHEET NOTES

KEYNOTES

LEGEND

- GAS
- STORM DRAIN
- SANITARY SEWER
- WATERLINE
- STORM DRAIN MANHOLES (ON-SITE)
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- BACK FLOW PREVENTER
- CAR WASH RECLAMATION TANK
- DOUBLE CLEANOUT

City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MB
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WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: OVERALL WATER UTILITY PLAN AND GAS LINES

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

SEAL:

PROJECT NO:	2400089000
DESIGNED BY	TJA
DRAWN BY	AWP
CHECKED BY:	AAM
DATE:	8/12/2026
DPI CHK:	
SHEET	C-108
SHEET ___ OF ___	

5/1/2026

PLANT SCHEDULE

SYMBOL	BOTANICAL / COMMON NAME	HT. & SPRD.	SIZE	QTY
TREES				
	CERCOCARPUS LEDIFOLIUS CURL-LEAF MOUNTAIN MAHOGANY	15' X 15'	30" BOX	42
	CHILOPSIS LINEARIS 'BUBBA' BUBBA DESERT WILLOW	20' X 25'	3" CAL.	25
	FORESTIERA NEOMEXICANA NEW MEXICO PRIVET	15' X 15'	30" BOX	23
	JUNIPERUS DEPEANA ALLIGATOR JUNIPER	50' X 30'	10'- 12' HT	23
	PISTACIA CHINENSIS CHINESE PISTACHE	50' X 40'	3" CAL.	21
	PROSOPIS GLANDULOSA 'MAVERICK' MAVERICK THORNLESS HONEY MESQUITE	35' X 30'	3" CAL.	24

SYMBOL	BOTANICAL / COMMON NAME	HT. & SPRD.	SIZE	QTY
SHRUBS				
■	AGAVE NEOMEXICANA NEW MEXICO AGAVE	2' X 2'	5 GAL.	51
⊙	BACCHARIS PILULARIS 'PIGEON POINT' PIGEON POINT COYOTE BRUSH	2' X 8'	5 GAL.	44
⊛	BAILEYA MULTIRADIATA DESERT MARIGOLD	3' X 2'	1 GAL.	50
◉	BOUTELOUA GRACILIS 'BLONDE AMBITION' BLONDE AMBITION BLUE GRAMA	3' X 3'	1 GAL.	122
⊙	CHRYSOTHAMNUS NAUSEOSUS RUBBER RABBITBRUSH	6' X 6'	5 GAL.	33
✳	CYLINDROPUNTIA IMBRICATA TREE CHOLLA	8' X 6'	5 GAL.	19
⊙	DASIPHORA FRUTICOSA BUSH CINQUEFOIL	3' X 3'	5 GAL.	43
❀	FALLUGIA PARADOXA APACHE PLUME	6' X 6'	5 GAL.	37
⊛	MAHONIA X 'GOLDEN ABUNDANCE' GOLDEN ABUNDANCE OREGON GRAPE	6' X 8'	5 GAL.	10
✪	MUHLENBERGIA RIGENS DEER GRASS	3' X 4'	5 GAL.	52
❀	OPUNTIA ENGELMANNII ENGELMANN'S PRICKLY PEAR	5' X 7'	5 GAL.	19
⊙	RHUS TRILOBATA 'AUTUMN AMBER' AUTUMN AMBER SUMAC	1' X 4'	5 GAL.	60
⊛	RIBES AUREUM GOLDEN CURRANT	6' X 6'	5 GAL.	25
✿	ROSA GYMNOCARPA WOOD ROSE	6' X 6'	5 GAL.	30
●	YUCCA FILAMENTOSA ADAM'S NEEDLE	3' X 3'	5 GAL.	60

THE LANDSCAPE ITEM REQUIREMENTS, LIVE PLANT COVERAGE & FRONTAGE BUFFER CALCULATIONS PERTAIN SPECIFICALLY TO THE PERIMETER LANDSCAPE BUFFER.

LANDSCAPE ITEM (REQUIREMENTS)		REQUIRED	PROPOSED
Frontages Length (in ft): Idalia Rd(1,718), Kim Rd.(544), Palm & Teak(1,831), Lomatas(920)	**5,014**		
REQUIRED BUFFERING			
Landscape buffer between Property and ROW (Width ft)	Frontage width=	**10**	**10**
Landscape buffer between Property and ROW (Width ft)	**Proposed variance @ Idalia decel lane (230') reduced frontage width to 8'**	**10**	**8**
Landscape buffer between Property and ROW (Area sq ft)	Frontage area	**49,755**	**49,755**
75% of landscape area covered with living vegetative materials.	Frontage area x 0.75= required coverage. Proposed= total all canopy areas (See table left) 83,326 (trees) + 10,776 (shrubs) = 94,104	**37,316**	**94,104**
6' opaque wall required in addition to planted buffer	Requirement Met @ Kim, Palm, Teak, and Lomatas		
3.5' opaque wall with 3' fence extension **requested at Idalia** in lieu of the 6' opaque wall	**Proposed variance @ Idalia**		
TREES			
1 buffer tree per 25' of frontage or an approved equivalent screening density. Assumes 75% coverage meets approved	Frontage length x 0.75= required coverage. Proposed= total all canopy spread (See table right) 3,850	**3761**	**3,850**
1/2 of all required trees shall be a species that reaches a min height of 20' at maturity	Requirement Met - 158/2=79	**79**	**93**
Size at planting- 3" caliper, 30" box/container or 10' height	Requirement Met	**140**	**140**
Buffer trees= mix of conifers and deciduous trees w/ emphasis placed on conifers.	Requirement Met		
SHRUBS			
Min 20 Shrubs per 100 lf frontage, min 2' height	(Length frontage / 100) x 20 shrubs	**1003**	**654**
40% reduction requested - Developments proposing a privacy fence or wall 6' in height within a required buffer may be allowed a 50% reduction in the density of plantings required	**Proposed variance 40% reduction 12 shrubs per 100 lf of frontage**	**602**	**654**

AREA CALCULATIONS - LIVE PLANT COVERAGE

VEGETATION - TREE	SPREAD	AREA	QUANTITY	TOTAL COVERAGE
CURL-LEAF MNTN MAHOGANY	15	177	42	7418
BUBBA DESERT WILLOW	25	491	25	12266
NEW MEXICO PRIVET	15	177	23	4062
ALIGATOR JUNIPER	30	707	23	16250
CHINESE PISTACHE	40	1256	21	26376
MAVERICK HONEY MESQUITE	30	707	24	16956
TOTAL:			158	83328

VEGETATION - SHRUB	SPREAD	AREA	QUANTITY	TOTAL COVERAGE
NEW MEXICO AGAVE	2	3.14	51	160
PIGEON POINT COYOTE BRUSH	8	50.24	43	2160
DESERT MARIGOLD	2	3.14	50	157
BLONDE AMB BLUE GRAMA	3	7.065	122	862
RUBBER RABBITBRUSH	6	28.26	33	933
TREE CHOLLA	6	28.26	19	537
BUSH CINQUEFOIL	3	7.065	43	304
APACHE PLUME	6	28.26	37	1046
GOLDEN AB OREGON GRAPE	8	50.24	10	502
DEER GRASS	4	12.56	52	653
ENGELMANN'S PRICKLY PEAR	7	38.465	19	731
AUTUMN AMBER SUMAC	4	12.56	60	754
GOLDEN CURRANT	6	28.26	25	707
WOOD ROSE	6	28.26	30	848
ADAM'S NEEDLE	3	7.065	60	424
TOTAL:			654	10776

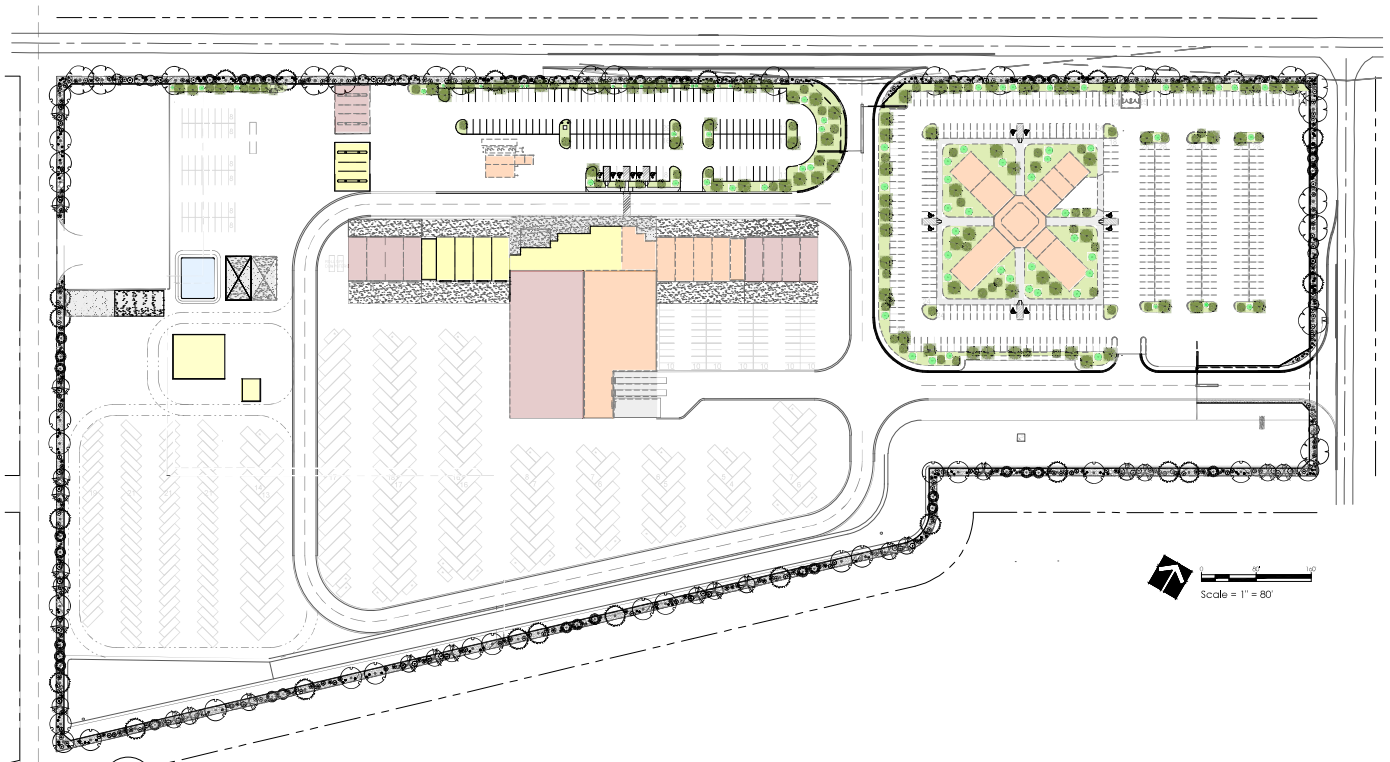
FRONTAGE BUFFER CALCULATIONS - CANOPY SPREAD

VEGETATION - TREE	SPREAD	QUANTITY	TOTAL (LF)
CURL-LEAF MNTN MAHOGANY	15	42	630
BUBBA DESERT WILLOW	25	25	625
NEW MEXICO PRIVET	15	23	345
ALIGATOR JUNIPER	30	23	690
CHINESE PISTACHE	40	21	840
MAVERICK HONEY MESQUITE	30	24	720
TOTAL:			3850

VEGETATION - SHRUB	SPREAD	QUANTITY	TOTAL (LF)
NEW MEXICO AGAVE	2	51	102
PIGEON POINT COYOTE BRUSH	8	43	344
DESERT MARIGOLD	2	50	100
BLONDE AMB BLUE GRAMA	3	122	366
RUBBER RABBITBRUSH	6	33	198
TREE CHOLLA	6	19	114
BUSH CINQUEFOIL	3	43	129
APACHE PLUME	6	37	222
GOLDEN AB OREGON GRAPE	8	10	80
DEER GRASS	4	52	208
ENGELMANN'S PRICKLY PEAR	7	19	133
AUTUMN AMBER SUMAC	4	60	240
GOLDEN CURRANT	6	25	150
WOOD ROSE	6	30	180
ADAM'S NEEDLE	3	60	180
			2746

LANDSCAPE AREA CALCULATIONS - FOR THE MASTER PLAN

TOTAL PROPERTY AREA = 1,216,160 SF or 27.92 AC
PERIMETER LANDSCAPE BUFFER AREA = 47,281 SF
PERIMETER LANDSCAPE BUFFER % OF PROPERTY = 3.9%
PROPERTY AREA INSIDE THE PERMETER WALL = 1,162,954 SF
INTERNAL LANDSCAPE AREA = 96,391 SF
INTERNAL LANDSCAPE AREA % OF PROPERTY = 7.9%
TOTAL MASTER PLAN LANDSCAPE AREA = 11.8%



A-1 MASTER PLAN LANDSCAPE
Scale = 1" = 80'

Scale = 1" = 80'

5/1/2026

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR P&Z APPROVAL	8/12/2026	WF
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City of Rio Rancho

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

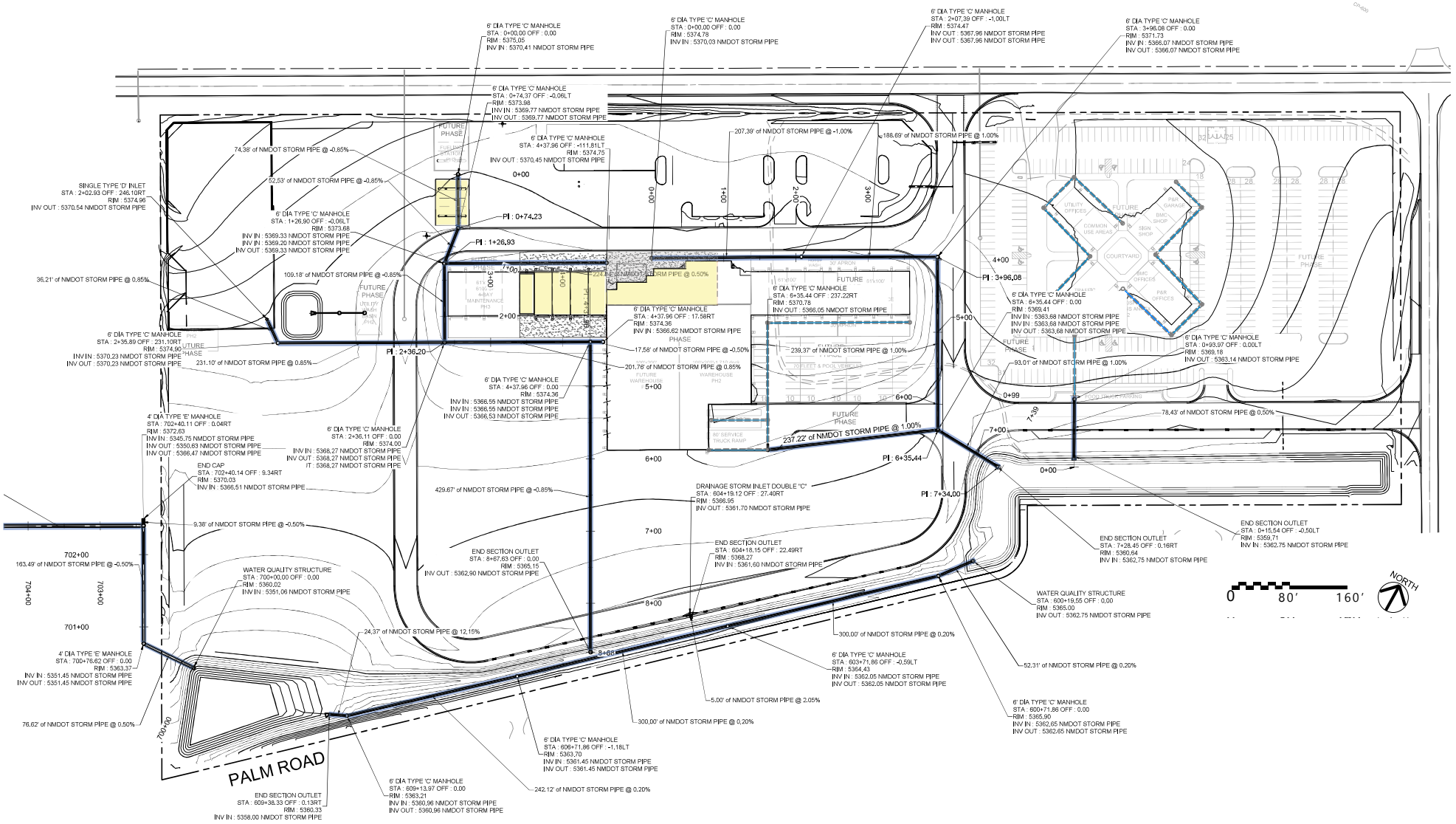
SHEET TITLE: MASTER PLAN LANDSCAPE

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

SEAL:

SITES SOUTHWEST

PROJECT NO:	2400089000
DESIGNED BY	WF
DRAWN BY	BB, RG
CHECKED BY:	WF
DATE:	8/12/2026
DPI CHK:	
SHEET	L-101



A1 STORM PIPE NETWORK / INVERTS

SCALE: 1" : 80'

EXHIBIT FOR P&Z APPROVAL | 8/12/2026

WILSON & COMPANY
4401 MASTHEAD ST., N.E.
SUITE 150
ALBUQUERQUE, NEW MEXICO
87109
PH (505) 348-4000
FAX (505) 348-4055
www.wilsonco.com

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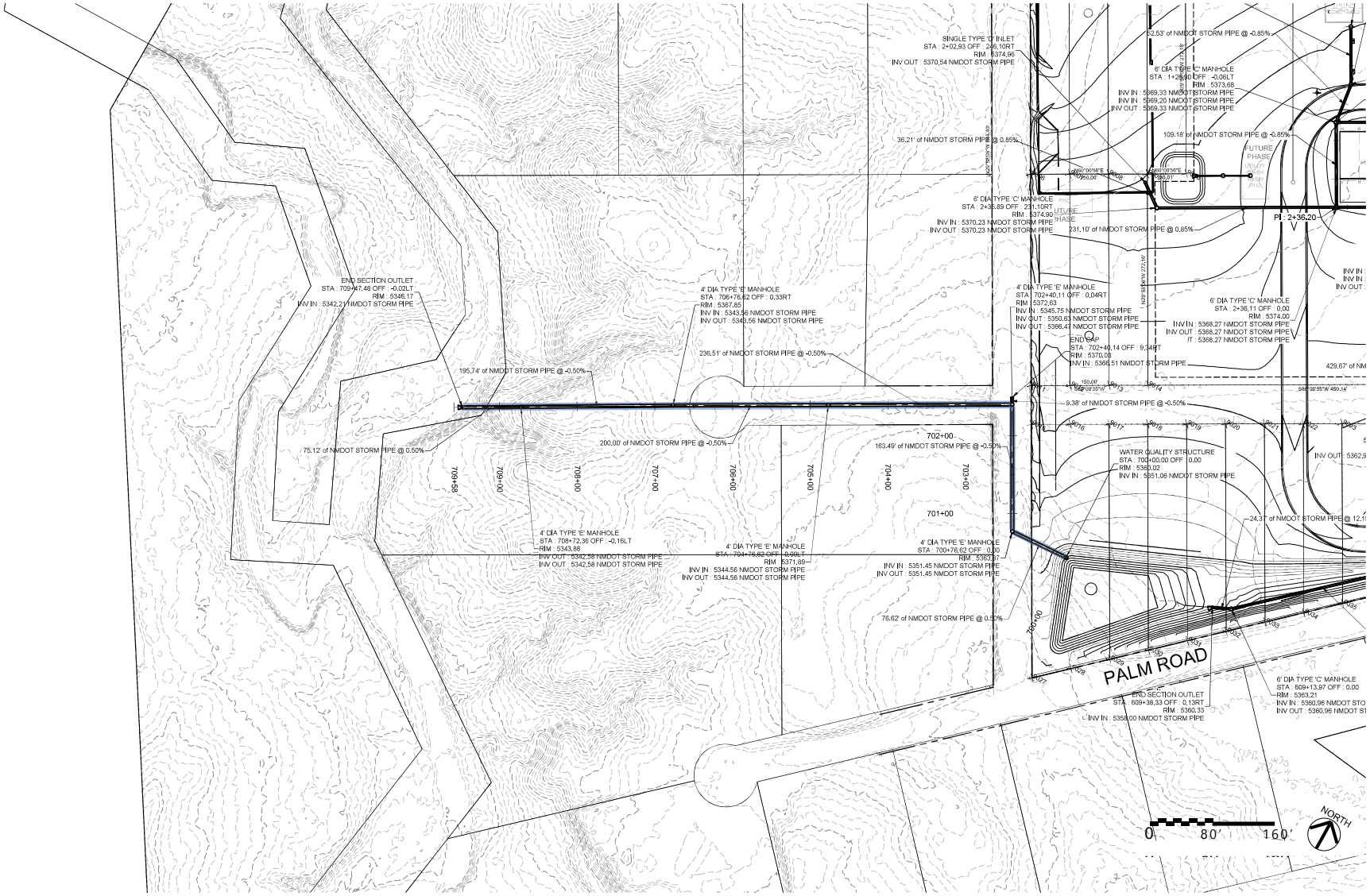

A1 STORM PIPE NETWORK / INVERTS

SCALE: 1" : 80'

EXHIBIT FOR P&Z APPROVAL | 8/12/2026

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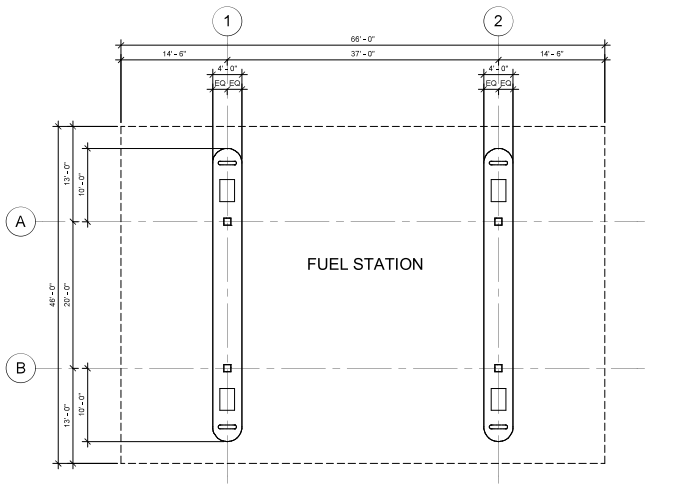
FAX (505) 348-4055
www.wilsonco.com

I:\ECONTECH\EVIEW\WILSON\PROJECTS\400\000\DISCIPLINES\DRAINAGE_CAD\SITEWORK\REPORTS\DESIGNREPORT-400000-04-TITLE.DWG @ 8/12/2026 11:56 PM

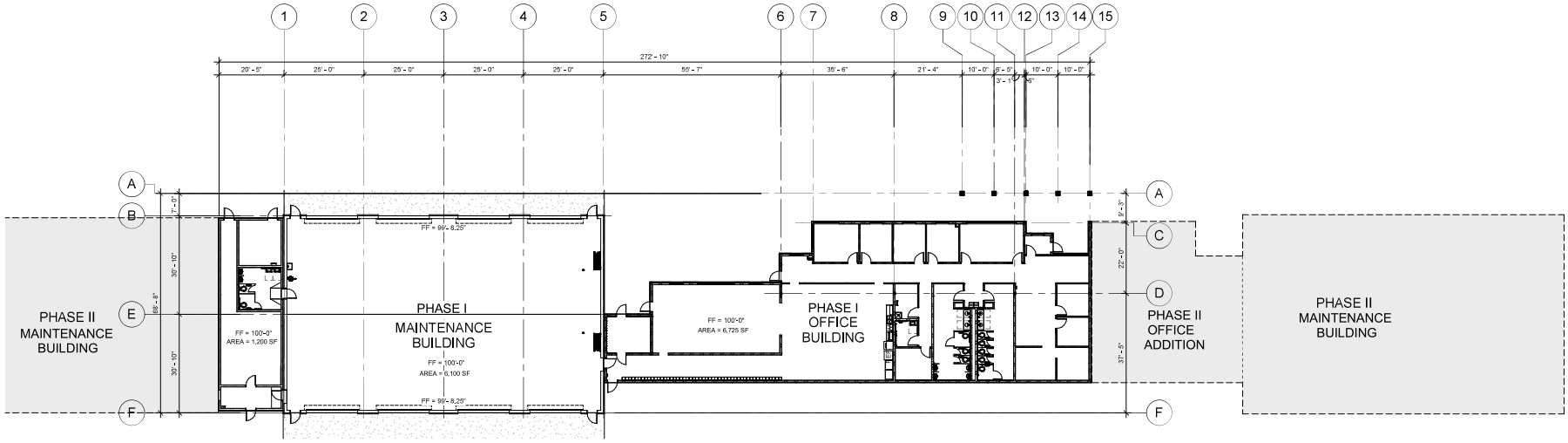
GENERAL SHEET NOTES

1. FINISH FLOOR ELEVATIONS INDICATED ARE BASED ON AN ELEVATION OF 100'-0" – REFER TO CIVIL GRADING AND DRAINAGE PLAN FOR CONTROL DATUM AND BENCHMARK INFORMATION.



PLAN NORTH

E1 FLOOR PLAN
1/8" = 1'-0"



PLAN NORTH

A1 OVERALL FLOOR PLAN
1/16" = 1'-0"

City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MAB
2			
3			
4			
5			
6			
7			

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

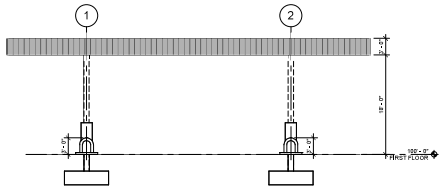
SHEET TITLE: OVERALL FLOOR PLAN & FUEL STATION

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

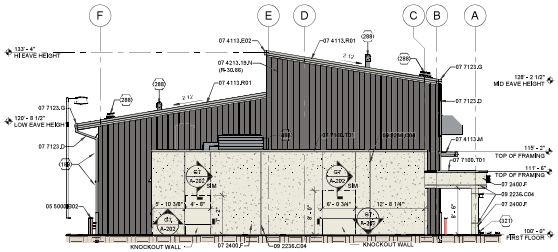
PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MEY
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	

SHEET: A-100

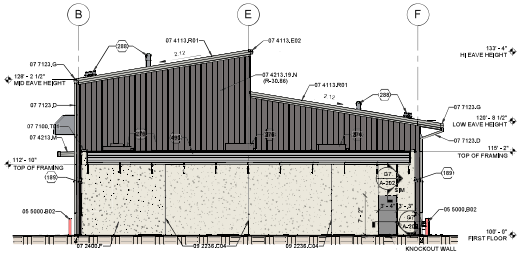
NOT FOR CONSTRUCTION



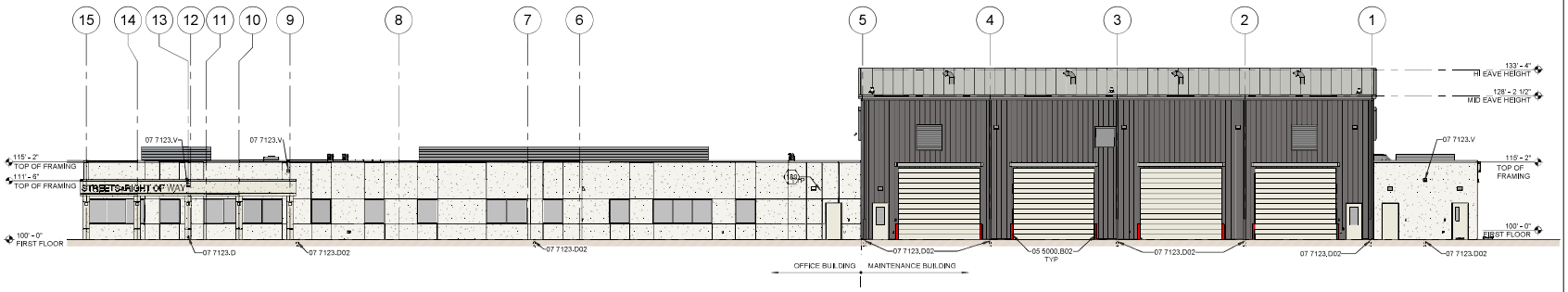
G1 NORTH ELEVATION
3/32" = 1'-0"



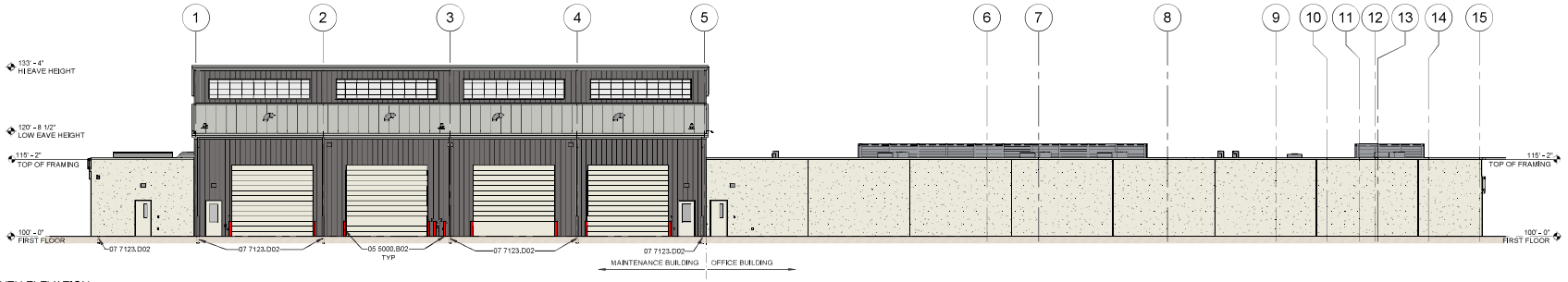
E1 EAST ELEVATION
3/32" = 1'-0"



E4 WEST ELEVATION
3/32" = 1'-0"



C1 OVERALL NORTH ELEVATION
3/32" = 1'-0"



A1 OVERALL SOUTH ELEVATION
3/32" = 1'-0"

GENERAL SHEET NOTES

1. ELEVATION INDICATED ARE BASED ON A FINISH FLOOR ELEVATION OF 100'-0". REFER TO CIVIL GRADING AND DRAINAGE PLAN FOR ACTUAL CONTROL DATUM AND BENCHMARK INFORMATION.

REFERENCE KEYNOTES

05 5000.B02	BOLLARD
07 7123.D	ROOF DRAIN DOWNSPOUT
07 7123.D02	ROOF DRAIN LEADER/PIPE BOOT. REFERENCE C1/A-403.
07 7123.V	OVERFLOW SCUPPER. REFERENCE E5/A-503.

SHEET KEYNOTES

189	ELECTRICAL LIGHT FIXTURE.

FINISH LEGEND:

- INSULATED METAL ROOF PANELS
- INSULATED METAL WALL PANELS
- METAL SCREEN WALL
- INSULATED STUCCO WALL SYSTEM WITH REVEAL JOINTS
- OVERHEAD COILING DOORS
- KALWALL INSULATED GLAZING SYSTEM

City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
1	EXHIBIT FOR P&Z APPROVAL	8/12/2026	MAB

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

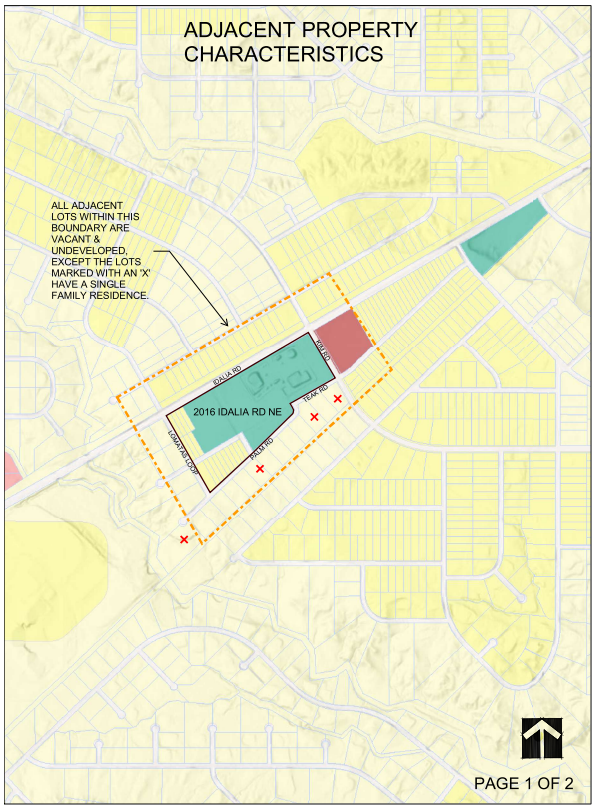
SHEET TITLE: OVERALL EXTERIOR ELEVATIONS

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MEY
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	
SHEET:	A-200

NOT FOR CONSTRUCTION

New Streets & Right of Way Zoning



7/24/2026, 9:01:59 AM

Parcels

Zoning

A-R, BP, C-1, C-2, CBD, E-1, M-1, MH, MU-A, NC, O-1, OS, PR, R-1, R-2, R-3, R-4, R-5, R-6, SU, TZ, Unzoned

1:9,028

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community

City of Rio Rancho - Records and GIS Section - Engineering

City of Rio Rancho

PAGE 2 OF 2

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

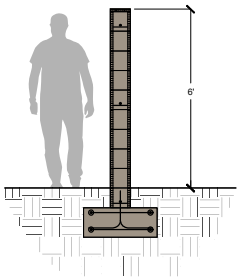
F1 FULLY OPAQUE WALL (VIEW SOUTH FROM IDALIA)

C1 PARTIALLY OPAQUE WALL (VIEW SOUTH FROM IDALIA)

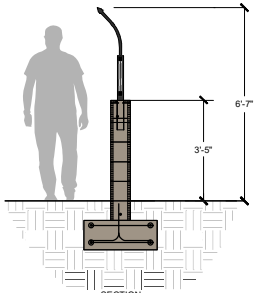
TYPE 'A'

TYPE 'B'

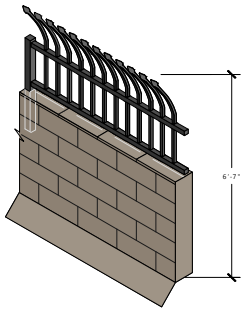
A1 CMU BLOCK WALL TYPES
NOT TO SCALE



A4 CMU BLOCK WALL - TYPE 'A' (OPAQUE)
NOT TO SCALE



SECTION



ISOMETRIC

A6 CMU BLOCK WALL - TYPE 'B' (PARTIALLY OPAQUE)
NOT TO SCALE

NO.	DESCRIPTION	DATE	BY
7			
6			
5			
4			
3			
2	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MAB
1			

City of Rio Rancho

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: RENDERINGS

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MNP
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	

SHEET:

NOT FOR CONSTRUCTION

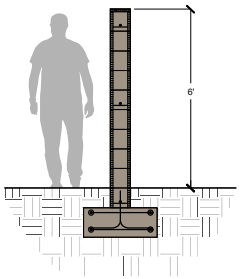
F1 FULLY OPAQUE WALL (VIEW SOUTH FROM IDALIA)

C1 PARTIALLY OPAQUE WALL (VIEW SOUTH FROM IDALIA)

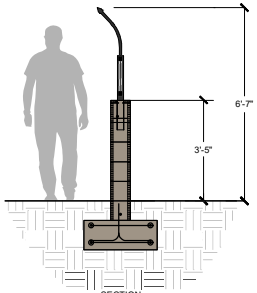
TYPE 'A'

TYPE 'B'

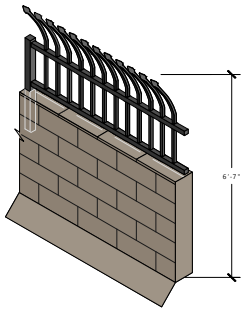
A1 CMU BLOCK WALL TYPES
NOT TO SCALE



A4 CMU BLOCK WALL - TYPE 'A' (OPAQUE)
NOT TO SCALE



SECTION



ISOMETRIC

A6 CMU BLOCK WALL - TYPE 'B' (PARTIALLY OPAQUE)
NOT TO SCALE

NO.	DESCRIPTION	DATE	BY
7			
6			
5			
4			
3			
2	EXHIBIT FOR PAZ APPROVAL	8/12/2026	MAB
1			

City of Rio Rancho

WILSON & COMPANY
4401 MASTHEAD STREET NE
SUITE 150
ALBUQUERQUE, NM 87109
PHONE: (505) 348-4000

SHEET TITLE: RENDERINGS

CITY OF RIO RANCHO RIO PROJECT #PW2577
NEW STREETS & RIGHT OF WAY MAINTENANCE FACILITY
2016 IDALIA ROAD NE
RIO RANCHO, NEW MEXICO 87144

PROJECT NO:	24-000-890-00
DESIGNED BY	MAB
DRAWN BY	MNP
CHECKED BY:	MAB
DATE:	8/12/2026
DPI CHK:	

SHEET:

NOT FOR CONSTRUCTION

Development Services Department
3200 Civic Center Circle NE, Ste 130, Rio Rancho, NM 87144
(505) 891-5005 Fax: (505) 896-8994

Rio Rancho
City of Vision

ZONING VARIANCE PROCESS AND CHECKLIST

SUBMITTAL REQUIREMENTS (ALL INFORMATION MUST BE CLEAR AND LEGIBLE)

[1] Completed Land Use Application & A letter of authorization from the property owner stating that he/she is aware of the zoning variance being requested and that the applicant may act as his/her agent, if the applicant is other than the property owner.

Refer to: Attached **PLANNING & ZONING LAND USE APPLICATION & LETTER OF AUTHORIZATION FROM OWNER**

[2] Justification, including the scope of the request, and addressing criteria for granting a variance:

- There exists a special circumstance(s) applicable to the property, including it exceptionally irregular size
- Shape, too narrow, too shallow or steep
- Other exceptional physical conditions whereby the strict application of the zoning ordinance requirements would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his/her land or building
-

Refer to: Attached **Enactment Ordinance 08-02 O-1** which requires a 6' high CMU screen wall 10' inside the perimeter boundary of the subject SU property. This variance application requests approval to provide an alternate a 3'-6" high CMU wall topped with a 3' high wrought iron security fence, only along the IDALAI RD frontage. The wrought iron fence would provide a climbing deterrence and an attractive wall variation vs a solid wall that would allow a view of the city's newest public works facility. **Refer to:** Attached **Landscape Plan LC-501, details A&B** to view the CMU block wall with wrought iron extension at IDALIA RD

[3] An accurate site plan showing:

- The location of any buildings on the property in relation to property lines and other buildings
- Adjoining property, abutting streets and alleys, and a north directional arrow should be indicated
- Property dimensions and site conditions
- Parking spaces
- Height of the structure

Refer to: Attached **MASTER SITE PLAN AS101** DEPICTING THE PROPERTY AT 2016 IDALIA RD NE. THE SITE PLAN INDICATES THE LOCATION OF ALL THE BUILDINGS ON THE PROPERTY, THE PHASED CONSTRUCTION OF THE BUILDINGS, THE PROPERTY DIMENSIONS, SITE CONDITIONS, INTERNAL ROADWAYS & PARKING LOTS.

Refer to: Attached **BUILDING ELEVATIONS SHEET A-200 & A-101-F** FOR THE HEIGHTS OF THE PHASE ONE STRUCTURES.

Refer to: Attached **ADJACENT PROPERTIES CHARACTERISTICS** EXHIBIT FOR THE ADJOINING PROPERTIES & STREETS. NO ALLEYS EXIST IN THE PLATS OF THE ADJOINING PRRPERTIES.

With the submittal of the application and checklist, the applicant attests that the following is submitted. Failure to provide the requested information or falsifying information may result in a continuance or denial of your case (attach additional sheet(s) if necessary.

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

September 25, 2026

RE: Zone Map Amendment and Variance; Case No. 26-100-00012
and No. 26-110-00023
Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft. of a site where a land development decision is required by the Planning and Zoning Board.

The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Concurrent with this request is a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd.

The Planning and Zoning Board will consider the request and decide their approval on **Tuesday, October 13, 2026** at 6:00 pm at City Hall in the **Council Chambers.**

On the back of this letter is a location map of the project, with the subject property identified.

If you would like to comment on this application, you are encouraged to submit written comments ten (10) days prior to the hearing date to (planning@rrnm.gov). Those wishing to provide comment during the hearing must register in person or by Zoom with applicable City staff person no later than fifteen (15) minutes prior to the scheduled start time of the hearing. This hearing will be hybrid, information is available on the City's website under Agendas and Minutes. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

Please contact me via e-mail me at mcostilla@rrnm.gov, or call me at 505-896-8362 if you have any questions concerning this matter.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

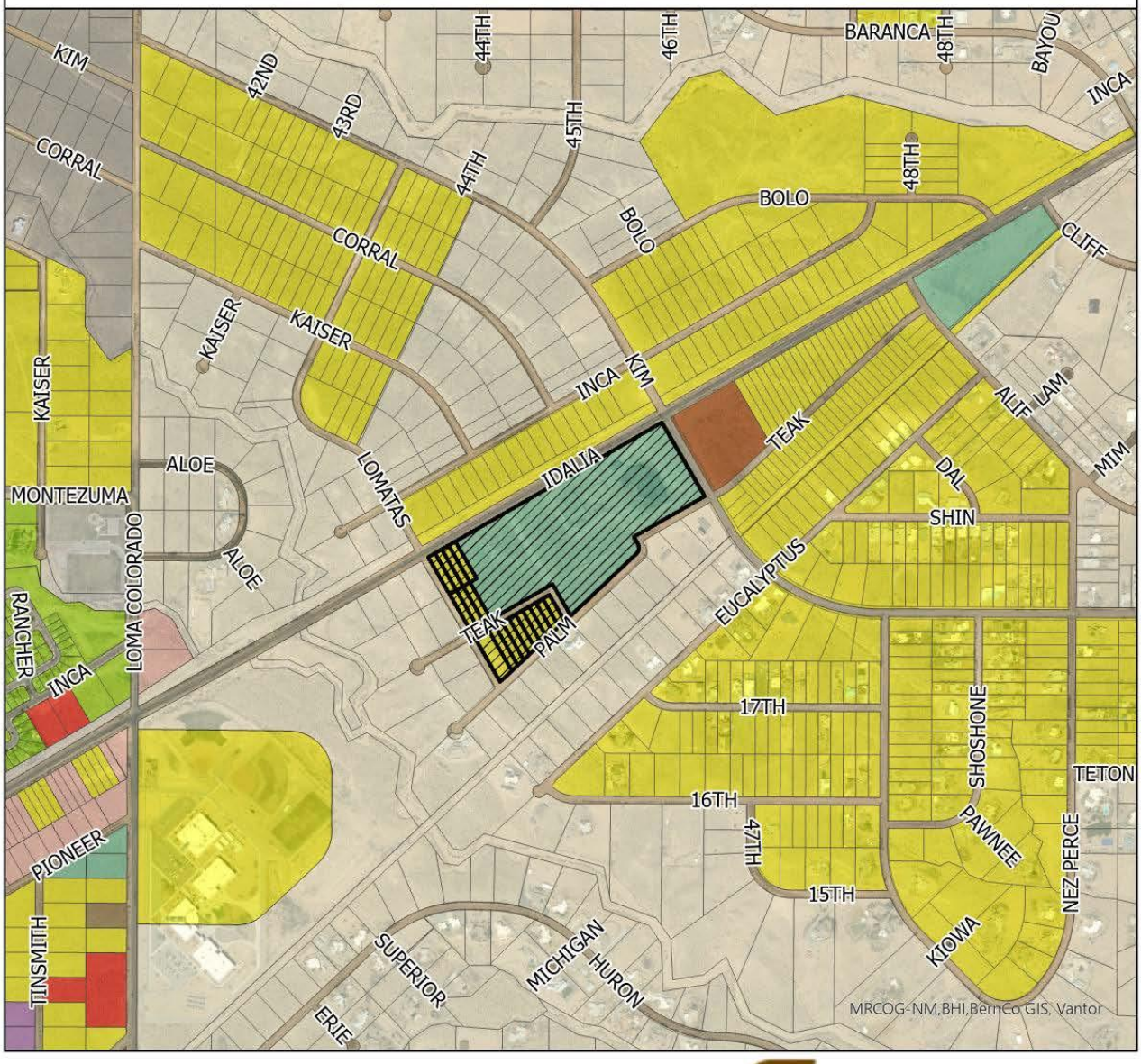
Respectfully,

Michelle Costilla
Municipal Planner III
Development Services Department
City of Rio Rancho

The City of Rio Rancho

Development Services
Planning Division
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 ● Fax (505) 896-8994

UNIT 17, BLOCK B, LOTS 1-4, 20-22, AND PARCEL A, AND BLOCK AA, LOTS 1A, AND 3-11



Subject Property

Zoning
- C-1
- C-2
- E-1
- M-1
- NC
- R-1
- R-4
- R-6
- SU
- TZ
- Unzoned

N

0 337.5675 1,350 2,025 2,700 Feet

GIS Moving Spatial Data Forward

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Michelle Costilla 9/24/2026

City of Vision
Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Staff Contact:	Michelle Costilla (505) 896-8362 mcostilla@rrnm.gov

City of Vision
Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**Tuesday, October 13, 2026**
Time:	6:00PM
Staff Contact:	Michelle Costilla (505) 896-8362 mcostilla@rrnm.gov

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, October 13, 2026:

Zone Map Amendment
Case #26-100-00012
The applicant, City of Rio Rancho, is requesting a Zone Map Amendment from R-1: Single-Family Residential to SU: Special Use for Streets, Right-of-Way, and an Operational Annex Facility, alongside a corresponding Site Plan approval. The rezoning request applies to Unit 17, Block B, Lots 1-4 and 20-22, and Block AA, Lots 1A and 3-11. The proposed Site Plan incorporates all lots requested to be rezoned as well as Unit 17, Block B, Parcel A.

Variance
Case #26-110-00023
The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Non-residential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

Variance
The Applicant, Arroyos, LLC, requests approval of sixteen (16) separate Variance requests to R.O. 2003 Chapter 154.60(A)(8) to allow for an above ground electric utility connection at the subject properties legally described as: Rio Rancho Estates Unit 25, Block 155,
Lots 3: Case #26-110-000025
Lot 4: Case #26-110-000026
Lot 5: Case #26-110-000027
Lot 7: Case #26-110-000028
Lot 9: Case #26-110-00029
Lot 10: Case #26-110-00030
Lot 11: Case #26-110-00031
Lot 16: Case #26-110-00032
Lot 17: Case #26-110-00037
Lot 19: Case #26-110-00038
Block 156, Lot 1: Case #26-110-00039
Lot 2: Case #26-110-00040
Block 157, Lot 1: Case #26-110-00036
Lot 2: Case #26-110-00035
Lot 21: Case #26-110-00033
Lot 30: Case #26-110-00034

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: September 28, 2026

Application Information

You are receiving this certified notice because your property is located within 300 ft. of a site where a land development decision is required by the Planning and Zoning Board.

The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

This hearing will be hybrid; information is available on the City's website under Agendas and Minutes.

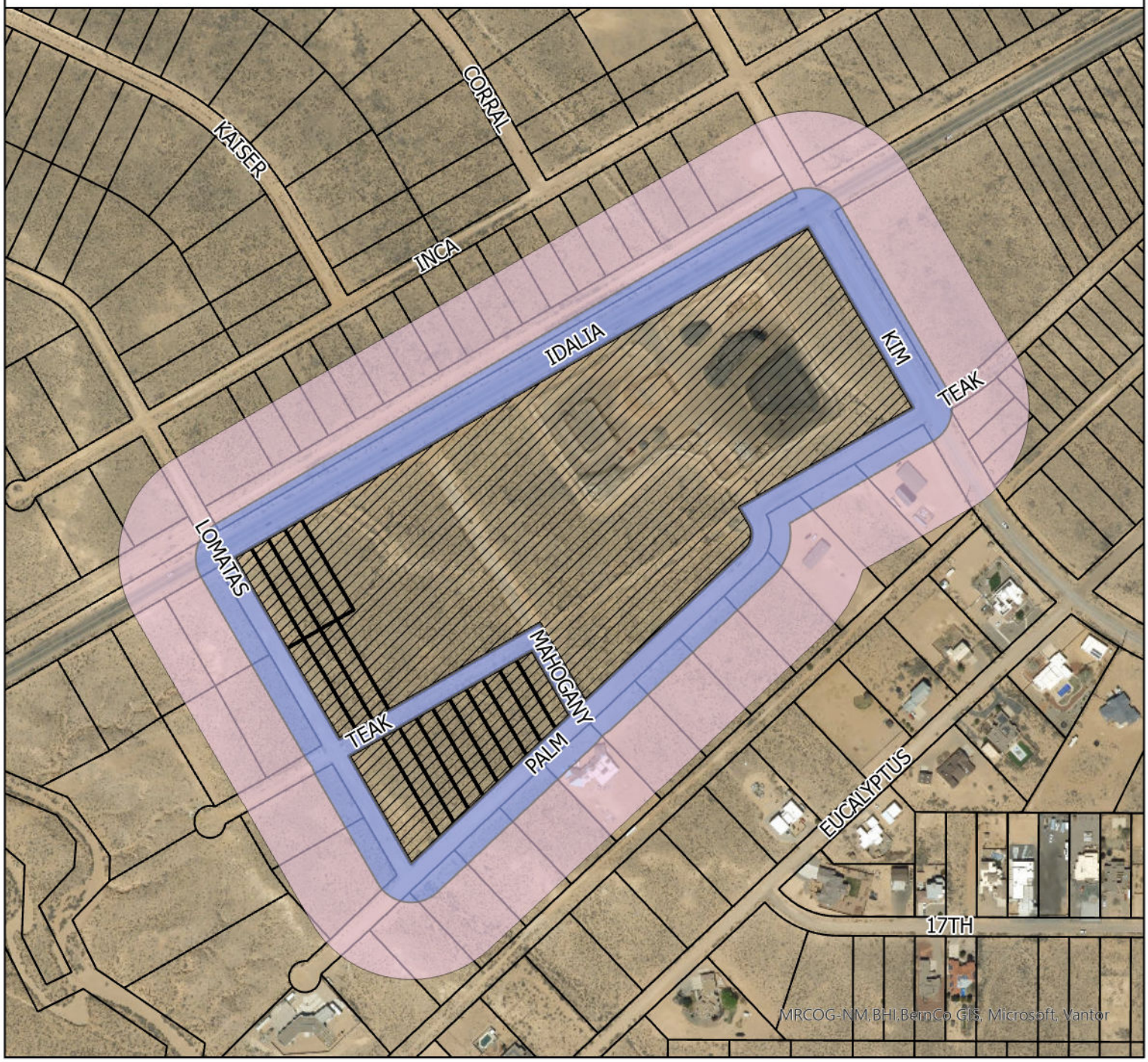
Application Information

You are receiving this certified notice because your property is located within 300 ft. of a site where a land development decision is required by the Planning and Zoning Board.

The applicant, City of Rio Rancho, is requesting a Variance to Chapter 154.61 (B)(1) Nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd at the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11.

This hearing will be hybrid; information is available on the City's website under Agendas and Minutes.

UNIT 17, BLOCK B, LOTS 1-4, 20-22, AND PARCEL A, AND BLOCK AA, LOTS 1A, AND 3-11



Subject Property
100 ft.
300 ft.

N

0 137.5 275 550 825 1,100 Feet

GIS
Moving Spatial Data Forward

Rio Rancho
City of Vision

DISCLAIMER: All information on this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Michelle Costilla 9/24/2026

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 26-110-00023

REQUEST FOR A VARIANCE TO THE R.O. 2003 § 154.61 (B)(1) NONRESIDENTIAL BUFFER WALL REQUIREMENTS TO ALLOW FOR A PARTIALLY OPAQUE WALL ALONG IDALIA RD AT THE PROPERTY LEGALLY DESCRIBED AS UNIT 17, BLOCK B, LOTS 1-4, 20-22, AND PARCEL A, AND BLOCK AA, LOTS 1A, AND 3-11

Applicant(s): City of Rio Rancho

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 §150.06, the Planning and Zoning Board has jurisdiction over approval of Variance requests.
2. The applicant has the authority to make an application to request a Variance to the solid buffer wall requirement, as outlined by R.O. 2003 §154.61 (B)(1).
3. Following procedures for approval of a Variance, proper notice of hearing on this matter was given
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF DENIAL:

1. The applicant has not adequately addressed the criteria for granting a Variance as set forth in R.O. 2003, §150.06.
2. There does not exist a special circumstance applicable to the property.
3. The subject property is not exceptionally irregular, narrow, shallow or steep, nor do other exceptional physical conditions exist where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building.

THEREFORE, the application for a Variance to the nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd for the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11, **is DENIED** by the Planning and Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 26-110-00023

REQUEST FOR A VARIANCE TO THE R.O. 2003 § 154.61 (B)(1) NONRESIDENTIAL BUFFER WALL REQUIREMENTS TO ALLOW FOR A PARTIALLY OPAQUE WALL ALONG IDALIA RD AT THE PROPERTY LEGALLY DESCRIBED AS UNIT 17, BLOCK B, LOTS 1-4, 20-22, AND PARCEL A, AND BLOCK AA, LOTS 1A, AND 3-11

Applicant(s): City of Rio Rancho

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 13th day of October 2026, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 §150.06, the Planning and Zoning Board has jurisdiction over approval of Variance requests.
2. The applicant has the authority to make an application to request a Variance to the solid buffer wall requirement, as outlined by R.O. 2003 §154.61 (B)(1).
3. Following procedures for approval of a Variance, proper notice of hearing on this matter was given
4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The applicant has adequately addressed the criteria for granting a Variance to allow for a partially opaque wall along Idalia Rd., as set forth in R.O. 2003 §150.06
2. There is an exceptional physical condition of subject property, where strict application of the standard solid wall requirement would not be in the best interest of the community.
3. The Variance will not adversely affect the public or surrounding properties.
4. The fence shall conform to all applicable building and engineering codes and the approved site plan.

THEREFORE, the application for a Variance to the nonresidential buffer wall requirements for a partially opaque wall along Idalia Rd for the property legally described as Unit 17, Block B, Lots 1-4, 20-22, and Parcel A, and Block AA, Lots 1A, and 3-11, **is APPROVED** by the Planning and Zoning Board of the City of Rio Rancho on October 13, 2026, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman