



**Planning and Zoning Board
Meeting
City of Rio Rancho
AGENDA
July 9, 2024
6:00 PM
City Hall**

BOARD MEMBERS

Scottie Richardson, District 1, Vice-Chair	VACANT, District 5
Kevin Kofchur, District 2	Lisa Hardisty, District 6
Fred Radosevich, District 3, Chair	Sal Tortorici, At-Large
Robert Gabaldon, District 4	

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=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>

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.

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. [June 25, 2024 Planning and Zoning Board Meeting Minutes](#)
[2024-0625 PZB Minutes.docx](#)

STAFF PRESENTATIONS, REPORTS AND COMMENTS

2. [Planning and Zoning Monthly Building Activity Report - JUNE 2024](#)
[2024 PZ MONTHLY COMPARISONS.pdf](#)

- 3.** Planning and Zoning Monthly Summary Plat Report - JUNE 2024
JUNE SUMM PLAT.pdf

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.

- 4.** **Preliminary/Final Plat.** The applicant, City of Rio Rancho, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat, replatting Cabezon, Parcel A into five parcels and dedicating right of way. Staff contact is Michelle Costilla and staff recommends approval with findings.
Zoning, Location.pdf
Preliminary, Final Plat.pdf
Reproduction of Notices.pdf
Staff Comments.pdf
- 5.** **Master Plan Amendment.** The applicant, High Range 5 LLC, requests approval of a Master Plan Amendment to the High Range 5 Master Plan, to incorporate an additional lot, legally described as Unit 13, Block 72, Lot 11. Staff contact is Liz Ruiz Carlos and staff recommends the Planning and Zoning Board recommend approval to the Governing Body, with findings and conditions.
Location, Zoning Map.pdf
Application Form.pdf
High Range 5 - Justification Letter.pdf
Exhibit A - Amended MP
Existing High Range 5 Master Plan.pdf
Reproduction_of_Notices.pdf
Draft_Resolution_BMB.doc
- 6.** **Zone Map Amendment.** The applicant, High Range 5 LLC, requests approval of a Zone Map Amendment from R-1: Single-Family Residential to R-4: Single-Family Residential, for the property legally described as Unit 13, Block 72, Lot 11. Staff contact is Liz Ruiz Carlos and staff recommends the Planning and Zoning Board recommend approval to the Governing Body, with findings and conditions.
Location, Zoning Map.pdf
Application Form.pdf
High Range 5 - Justification Letter.pdf
High Range 5 - Exhibits.pdf
Reproduction of Notices.pdf
Draft_Ordinance_BMB.docx
- 7.** **Text Amendment.** The applicant, the City of Rio Rancho, requests an amendment to the Rio Rancho Municipal Code, Title XV Land Usage, Chapters 150 and 154, Section 150.03 Applications and Procedures (B) Notification Requirements Table, 154.03 Definitions, and 154.50 Zoning Table/Residential and 154.51 Zoning Table/Nonresidential. Staff contact is Chris Benson and staff recommends the Planning and Zoning Board recommend approval of the requested text amendment.
Legal Ad Proof
13-03 O4 - 2013 Chapter 154
150.03 - 154.03__154.50_Ordinance_DRAFT_BMB.docx

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:
July 9, 2024

DEPARTMENT:
Development Services

SUBJECT:
June 25, 2024 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: [2024-0625 PZB Minutes.docx](#)



Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

JUNE 25, 2024
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:

Scottie Richardson, District 1, Vice-Chair
Kevin Kofchur, District 2
Fred Radosevich, District 3, Chair
Robert Gabaldon, District 4
Lisa Hardisty, District 6

MEMBERS ABSENT:

Sal Tortorici, At-Large
VACANT, District 5

STAFF PRESENT:

Amy Rincon, Development Services Director
Brian Babyak, Planning & Zoning Manager
Liz Ruiz Carlos, Planner II
Tim Dvorak, Planner II
Michelle Costilla, Planner II
Chris Benson, Planner II
Sean LaBarbera, Planner I
Sharon Bitah, Administrative Assistant (Virtual)

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

1) June 11, 2024 Planning and Zoning Board Meeting Minutes

Scottie Richardson moved to approve the Consent Calendar. Seconded by Lisa Hardisty.

The motion carried by a vote of **5 FOR** and **0 AGAINST**

YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty

NO: (None)

STAFF PRESENTATIONS, REPORTS AND COMMENTS

PUBLIC HEARINGS

2) The applicant, Maria Martinez Guevara, requested approval of a Variance to the R-1: Single Family Residential District 60' minimum lot width requirement for the property legally described as Unit 13, Block DD, Lot 10.

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

Member of the public, Teresa Omlor, spoke on the item after being administered the oath virtually. Commissioner Gabaldon commented on previous cases of lot widths.

Robert Gabaldon moved to approve Item #2. Seconded by Kevin Kofchur.

The motion carried by a vote of **5 FOR** and **0 AGAINST**

YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty

NO: (None)

3) The applicant, Rio Rancho Holdings, LLC, through their agent Huitt-Zollars, Inc., requested approval of a final plat for the Melon Ridge Phase 2 subdivision to create 74 R-4: Single Family Residential lots and one tract on the property legally described as Melon Ridge, Tract A1.

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

3
4 Agent, Nina Villa stated review and agreement with staff's comments and stood for questions.

5
6 Scottie Richardson moved to approve Item #3. Seconded by Lisa Hardisty.

7 The motion carried by a vote of **5 FOR** and **0 AGAINST**

8 **YES:** Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty

9 **NO:** (None)

- 10
11 **4)** The applicant, Forestar (USA) Real Estate Group, Inc., through their agent, Isaacson & Arfman, Inc,
12 requested approval of a preliminary plat extension for the Stone Mountain Preliminary Plat

13
14 Staff member, Michelle Costilla presented the item, recommending approval with findings and
15 conditions and stood for questions.

16
17 Agent, Justin Simonson spoke on the item and stood for questions.

18
19 Lisa Hardisty moved to approve Item #4. Seconded by Kevin Kofchur.

20 The motion carried by a vote of **5 FOR** and **0 AGAINST**

21 **YES:** Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty

22 **NO:** (None)

- 23
24 **5)** The applicant, Green Summit Landscape Management, requested approval of a Conditional Use
25 Permit for a contractor's yard at the subject property of 1522 Stephanie Rd SE, legally described as
26 Corrales South, Block I, Lot 7.

27
28 Staff member, Tim Dvorak presented the item, recommending approval and stood for questions.

29
30 Applicant, Adam Bangerter spoke on the item and stood for questions.

31
32 Scottie Richardson moved to approve Item #5. Seconded by Robert Gabaldon.

33 The motion carried by a vote of **5 FOR** and **0 AGAINST**

34 **YES:** Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty

35 **NO:** (None)

- 36
37 **6)** The applicant, Andrew Vargas-Segura, requested approval of a Conditional Use Permit to allow for a
38 Boarding Kennel at the subject property legally described as Arrowhead Ridge, Tract 12A.

39
40 Staff member, Chris Benson presented the item, recommending approval with findings and conditions
41 and stood for questions.

42
43 Applicant, Andrew Vargas-Segura stood for questions, after being administered the oath virtually.
44 He answered Commissioner Hardisty's questions regarding the maximum capacity of animals and their
45 night boarding placement.

46
47 Robert Gabaldon moved to approve Item #6. Seconded by Lisa Hardisty.

48 The motion carried by a vote of **5 FOR** and **0 AGAINST**

49 **YES:** Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty

50 **NO:** (None)

- 51
52 **7)** The applicant, The City of Rio Rancho, requested approval for the alteration of the street name 14th
53 Ave SE to Cabezon Blvd SE.

1 Staff member, Sean LaBarbera presented the item, recommending approval with findings and
2 conditions and stood for questions.
3

4 Scottie Richardson moved to approve Item #7. Seconded by Kevin Kofchur.

5 The motion carried by a vote of **5 FOR** and **0 AGAINST**

6 **YES:** Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Lisa Hardisty

7 **NO:** (None)
8

9 **DISCUSSION AND DELIBERATION**

10 **COMMENTS BY BOARD MEMBERS**

11
12 Chairman Radosevich discussed arranging a training with the City of Rio Rancho's legal department after
13 one of the upcoming scheduled meetings.
14

15 **PUBLIC FORUM**

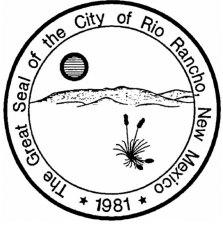
16 **ADJOURNMENT**

17
18 Lisa Hardisty moved to adjourn the meeting. Seconded by Scottie Richardson.

19 Chairman Radosevich adjourned the meeting at 6:32 PM.
20

21 **APPROVED THIS 9th DAY OF JULY 2024.**
22
23
24
25

26 _____
27 **Fred Radosevich, Chairman**



**CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
July 9, 2024

DEPARTMENT:
Development Services

SUBJECT:
Planning and Zoning Monthly Building Activity Report - JUNE 2024

BACKGROUND AND ANALYSIS:

IMPACT:

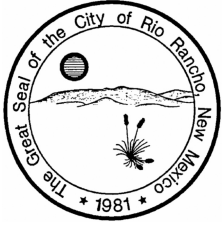
ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: [2024 PZ MONTHLY COMPARISONS.pdf](#)

2024 BUILDING ACTIVITY COMPARISON

PERMIT TYPES	JAN #s	FEB #s	FEBRUARY VALUATION	MAR #s	MARCH VALUATION	APR #s	APRIL VALUATION	MAY	MAY VALUATION	JUNE	JUNE VALUATION	JUL	AUG	SEPT	OCT	NOV	DEC	ANNUAL TOTALS		ANNUAL TOTALS (2023)	
Single Family	86	78	\$14,585,918	56	\$12,589,605	91	\$18,670,952	106	\$20,919,179	114	\$22,630,069							531	\$109,206,414	966	\$204,503,567
Additions/Residential	12	13	\$158,619	16	\$664,385	19	\$531,464	15	\$682,087	12	\$281,654							87	\$3,077,720	165	\$5,734,314
New Commercial	1	4	\$20,069,500	2	\$11,220,000	1	\$2,500,000	0	\$0	0	\$0							8	\$36,289,500	9	\$28,267,088
New Office/Institution	0	0	\$0	2	\$7,446,651	0	\$0	0	\$0	0	\$0							2	\$7,446,651	7	\$12,512,251
New Industrial	0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0							0	\$0	3	\$6,131,719
Non-Residential Interior Tenant Improvement	3	0	\$0	1	\$180,263	1	\$53,460	1	\$75,000	2	\$203,200							8	\$5,322,645	39	\$5,655,181
Office/Institution Addition	0	0	\$0	0	\$0	0	\$0	1	\$35,000	0	\$0							1	\$35,000	1	\$160,881
Industrial Addition	0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0							0	\$0	0	\$0
New Multi-Family	0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0							0	\$0	6	\$12,900,414
Telecommunication Tower	0	1	\$27,500	0	\$0	0	\$0	1	\$25,000	4	\$240,990							6	\$293,490	16	\$243,925
Demolition - Non-Residential	0	0	\$0	0	\$0	1	\$2,000	0	\$0	1	\$10,000							2	\$12,000	4	\$613,073
Demolition - Residential	0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0							0	\$0	0	\$0
Fence	5	8	\$2,779,854	13	\$71,023	15	\$82,121	10	\$23,756	13	\$179,250							64	\$3,146,554	115	\$1,088,018
Garages	2	4	\$102,306	6	\$193,811	6	\$152,905	10	\$349,914	6	\$255,949							34	\$1,151,731	58	\$2,350,380
Pool	7	6	\$468,660	9	\$544,148	8	\$518,442	5	\$330,641	13	\$913,054							48	\$3,325,589	88	\$6,362,621
Reroofs/Windows/ Doors	28	43	\$614,130	54	\$823,711	36	\$461,687	62	\$1,078,019	76	\$1,035,519							299	\$4,439,884	725	\$10,358,706
Retaining Wall	34	25	\$3,731,671	25	\$2,015,150	31	\$9,776,800	6	\$586,900	9	\$1,442,757							130	\$20,625,801	218	\$43,413,314
Small Shed (120 sq.ft. or less)	11	17	\$39,699	17	\$68,051	21	\$82,862	26	\$77,774	26	\$83,934							118	\$385,520	190	\$877,165
Sheds	10	8	\$122,417	8	\$100,994	125	\$280,357	14	\$152,178	13	\$163,916							178	\$927,705	89	\$1,743,000
Solar (Rooftop & Ground Mount)	38	48	\$1,322,471	36	\$800,435	56	\$1,284,064	43	\$1,039,381	37	\$884,539							258	\$6,297,351	1,114	\$81,702,232
Business Registrations (Occupancy Inspection)	16	10	\$0	11	\$0	20	\$0	20	\$0	11	\$0							88	\$0	155	\$0
Building Inspections	3,322	3,377	\$0	3,364	\$0	3,178	\$0	3,313	\$0	3,266	\$0							19,820	\$0	35,209	\$0
Engineering Inspections	255	242	\$0	189	\$0	179	\$0	259	\$0	202	\$0							1,326	\$0	2,116	\$0
R.O.W. Permits (Fees)	35	50	\$26,717	59	\$43,550	43	\$11,844	37	\$17,895	54	\$21,554							278	\$133,118	378	\$162,595
TOTALS:	3,865	3,934	\$44,049,462	3,796	\$23,507,787	3,831	\$34,408,958	3,929	\$25,392,724	3,859	\$28,346,385							23,286	\$202,116,673	41,671	\$424,780,444



**CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
July 9, 2024

DEPARTMENT:
Development Services

SUBJECT:
Planning and Zoning Monthly Summary Plat Report - JUNE 2024

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: [JUNE SUMM PLAT.pdf](#)

SUMMARY PLAT ACTIVITY

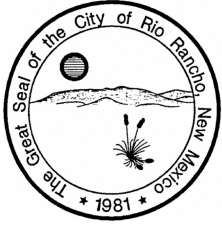
June 2024

CASE #	RECEIVED	LOCATION	COMMENTS	RECORDED
21-200-00011	03/08/21	MOUNTAIN HAWK 27 - VACATION OF EASEMENTS	Under Review	
21-200-00014	03/11/21	UNIT 20-INDUSTRIAL PARK, BLK A, PARCEL	Under Review	
21-200-00016	03/23/21	U16, BLOCK M, LOT 6A GRANTING EASEMENTS	Under Review	
21-200-00017	04/01/21	RIDGELINE ESTATES, BLK A, LOT 20	Under Review	
21-200-00018	04/13/21	EH2 BLOCK 1 PARCEL C - SPLIT INTO PARCEL C-1 & PARCEL C-2	RECORDED	X
21-200-00027	06/04/21	U10 B36 L21 AND 22 COMBINATION	Under Review	
21-200-00033	07/30/21	UNIT 16, BLOCK 18A, LOTS 9 & 10	Awaiting Signatures	
21-200-00035	08/19/21	UNIT 17, BLOCK 104, LOTS 7,8 & 9 COMBO	Awaiting Signatures	
21-200-00037	08/24/21	MOUNTAIN HAWK 38-A & 40-A	Under Review	
21-200-00045	09/01/21	BROADMOOR HEIGHTS 4-A VACATING/GRANTING EASEMENTS	Under Review	
22-200-00007	03/03/22	UNIT 17, BLOCK 113, LOTS 32 AND 33A LOT	Awaiting Signatures	
22-200-00012	04/18/22	UNIT 16, BLOCK F, LOTS 2A, 4, 5 COMBINATION	Under Review	
22-200-00013	04/19/22	UNIT 11, BLK 34, LOTS 23 & 24 COMBO	Awaiting Signatures	
22-200-00016	05/12/22	LA PLAZUELA, TRACTS 2A & 2B	Under Review	
22-200-00024	08/17/22	MARIPOSA TCT 4, 2, 3A, & NW LOOP (TRACT CONSOLIDATION)	RECORDED	
22-200-00027	09/14/22	RIO WEST BUSINESS PARK, BLK A, LOTS 4A-1	RECORDED	
22-200-00029	09/26/22	UNIT 11, BLOCK BB, LOTS 32-37 LOT COMBINATION	RECORDED	X
22-200-00031	10/12/22	LOT COMBO U17, BLK 105, LOT 4A-1 (lot 4A & 5)	Awaiting Signatures	
22-200-00034	10/19/22	Unit 12, Blk C, Lots 67 & 68 - LOT COMBINATION	RECORDED	X
22-200-00035	11/09/22	Unit 20, Block 106, Lot 4 Vacation of Easement	Awaiting Signatures	
22-200-00040	12/08/22	UNIT 11, BLOCK V, LOT 34-A; COMBO OF LOTS 34 & 35	Under Review	
23-200-00005	02/21/23	UNIT 13, BLOCK 143, LOTS 23A & 23B LOT SPLIT	Awaiting Signatures	
23-200-00010	03/13/23	UNIT 17, TRACT U SPLIT	Under Review	
23-200-00012	04/14/23	U10, BLK B, LOTS 20, 21, AND 22 (LOT COMBO)	Under Review	
23-200-00015	5/8/2023	UNIT 17, BLOCK 72, LOTS 16 & 17 COMBO	Under Review	
23-200-00016	6/5/2023	SUMMARY PLAT- LOT COMBO U13, BLK S, LOTS	Under Review	
23-200-00017	6/12/2023	LANDS OF QUAIL RANCH, TRACT 2-E AND 2-A	Under Review	
23-200-00024	8/29/2023	SUMMARY PLAT - CABEZON, LOTS 3 AND 4 (RE	Under Review	
23-200-00026	9/7/2023	SUMMARY PLAT - UNIT 17, TRACTS A-1-A AN	Under Review	
23-200-00028	9/14/2023	CS, BLK A, LOT A-1-A (LOT SPLIT)	Under Review	
23-200-00031	10/4/2023	SUMMARY PLAT - LOT COMBO - U10, BLK A, L	Under Review	
23-200-00034	11/09/23	UNIT 17, BLOCK DD, LOTS 24 AND 25, LOT L	Under Review	
23-200-00036	11/13/23	CS, BLK 1, LOTS 8 AND 2A2A - SUMMARY PLA	Under Review	

SUMMARY PLAT ACTIVITY

June 2024

24-200-00002	01/04/24	SUMMARY PLAT - LOT COMBO - CABE/TRACTS 1	Under Review	
24-200-00004	01/16/24	UNIT 10 BLOCK 35 LOT 30-A LOT COMBO.	Under Review	
24-200-00007	01/18/24	PROPOSED LOT 16-A, BLK. U, RRE UN. 11 /	Under Review	
24-200-00009	01/22/24	UNIT 11, BLOCK V, LOTS 16-17 TO CREATE 1	Under Review	
24-200-00012	2/1/2024	SUMMARY PLAT - U11, BLK 17, LTS 42 & 43	Under Review	
24-200-00017	4/8/2024	LOT CONSOLIDATION / U21, BLOCK 18, LOTS	Under Review	
24-200-00019	4/29/2024	SUMMARY PLAT - STONEGATE - CREATING 1 HO	Under Review	
24-200-00021	45413	SUMMARY PLAT LOT 26-A (RR UNIT 13, BLOCK	Under Review	
24-200-00022	45413	SUMMARY PLAT - UNIT 10, BLOCK 33, LOTS 7	Under Review	
24-200-00024	05/14/24	UNIT 20, BLOCK, 106, LOTS 5-6, LOT LINE	Under Review	
24-200-00025	05/14/24	SUMMARY PLAT - U13, BLK QQ, LOTS 16&17 -	Under Review	
24-200-00026	05/14/24	SUMMARY PLAT - U11, BLK E, LOTS 56 & 57	Under Review	
24-200-00027	05/17/24	SUMMARY PLAT (LOT SPLIT) U13, BLOCK 114,	Under Review	
24-200-00028	05/30/24	24-200-00028 (SUMMARY PLAT) UNIT 11, BLO	Under Review	
24-200-00029	5/31/2024	UNIT 17, BLOCK 132, LOT 11-A, LOT SPLIT	Under Review	
TOTAL TO DATE:		48		



CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 24-210-
00004**

AGENDA DATE:
July 9, 2024

DEPARTMENT:
Development Services

SUBJECT:
Preliminary/Final Plat. The applicant, City of Rio Rancho, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat, replatting Cabezon, Parcel A into five parcels and dedicating right of way. Staff contact is Michelle Costilla and staff recommends approval with findings.

BACKGROUND AND ANALYSIS:

The applicant, City of Rio Rancho, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat, replatting Cabezon, Parcel A into five parcels and dedicating right of way. Staff contact is Michelle Costilla and staff recommends approval with findings. The subject property is zoned OS: Open Space and comprises approximately 8.08 acres.

The subject property is located north of The Village subdivision and south of Westside Blvd. SE. It is zoned OS: Open Space per Ordinance No. 21, Enactment No. 07-22. The 0.09 miles of right of way being dedicated to the City with the approval of this plat will serve as access points from Westside Blvd. to the interior roads of The Village subdivision.

A lot split to create five parcels from one parcel is typically heard by a separate preliminary plat and final plat hearing. This property already has all required improvements in place and will not be developed so therefore, it is being heard as a preliminary and final plat combined.

GENERAL INFORMATION:

1. Layout: The subdivision will consist of five parcels.
2. Acreage: 8.0796 acres
3. Access: The proposed dedicated ROW will serve as access points to the interior roads of The Village subdivision.
4. Zoning: The subject property is zoned OS: Open Space per Ordinance No. 21, Enactment No. 07-22.
5. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Sparklight, CenturyLink, Comcast, PNM, and New Mexico Gas Company.
6. Water and Wastewater Availability: Not required with this plat.
7. Drainage: Not required with this plat; the parcels are being used as a drainage easement and channel.
8. Roads & Sidewalks: 0.09 miles of road will be dedicated to the City of Rio Rancho. No new roads or sidewalks are proposed.
9. Recreation Facilities/Open Space: Property is zoned OS: Open Space.
10. Easements: The existing parcel is covered by a drainage easement. There is also a 10 foot Public Utility Easement adjacent to Westside Blvd. and Private Access Easements over each of the

four bridges/ access points.

11. Public Site Dedications: None

12. Vacations: Easements 1,2,3, and 4 Public Access and Public Utility Easements depicted on the plat are to be vacated with the subdivision of the parcel.

13. Variances: None

CONFORMANCE WITH THE SUBDIVISION REQUIREMENTS:

The proposed plat would conform with the subdivision requirements of R.O. 2003 Chapter 155 Subdivisions.

Staff recommends the Planning and Zoning Board find the proposed preliminary plat conforms to the requirements of R.O. 2003 Chapter 155 Subdivisions. Criteria is satisfied.

CONFORMANCE WITH THE ZONING ORDINANCE:

The subject property is zoned OS: Open Space. OS does not have any minimum lot area or lot width. There will be 5 parcels ranging in size from approximately 0.38 acres to 1.29 acres.

Staff recommends the Planning and Zoning Board find the proposed preliminary plat conforms to the requirements of R.O. 2003 Chapter 154 Planning and Zoning. Criteria is satisfied.

CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN

In Chapter 5, Land Use Element, a policy is to “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”, (5.6.3, Policy L-1).

Staff recommends that this application would be an action in meeting the policy of encouraging development within a master planned area to create a specific community character within the City of Rio Rancho, as the subject property is within the Cabezon Communities Master Plan and meets the goals of the Transportation Plan by enhancing the connectivity of the area. Criteria is satisfied.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Comments Attached
DSD Engineering	X	Comments forthcoming
Rio Rancho Public Schools	X	No Comments Provided
Fire and Rescue	X	Comments Attached
Police Department	X	No Comments Provided
SSCAFCA	X	No Adverse Comments
MRCOG	X	No Comments Provided
Parks, Recreation and Community Services	X	Comments Attached

NOTIFICATIONS:

Notice of pending development application was sent via first class mail to property owners abutting the subject property. A legal notification was posted in the Albuquerque Journal on June 24, 2024. A notification sign was posted to the property one week prior to the hearing on July 2, 2024. All legal notification requirements for this project have been met.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board approve the Preliminary, Final Plat based on the general findings identified below and the following specific findings:

GENERAL FINDINGS:

1. The Planning and Zoning Board has jurisdiction over the applicant's request for approval of a preliminary, final plat.
2. Property owners have the authority to apply for a preliminary, final plat.
3. Neighboring property owners and applicant/agent received written notices and were allowed to comment at a public hearing.

SPECIFIC FINDINGS AND CONDITIONS OF APPROVAL:

1. The preliminary, final plat has been prepared, reviewed, and conforms to the City of Rio Rancho plans and policies.
2. The preliminary, final plat conforms to the requirements of the Rio Rancho Code of Ordinance (R.O. 2003) Chapter 155 Subdivisions.
3. The preliminary, final plat shall conform to the OS: Open Space District.
4. The applicant shall address all of the preliminary, final plat reviewer's staff comments prior to the filing of the plat, including future engineering comments.
5. In accordance with R.O. 2003 Chapter 155.24(A), the plat shall be recorded within 12 months following approval of the preliminary, final plat, or the Planning and Zoning Board approval shall become null and void.
6. The plat will be filed under Book 35, Pages 58-60.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the preliminary/final plat with staff findings and conditions.
2. Approve the preliminary/final plat with amendments to findings and conditions.
3. Deny the preliminary/final plat.
4. Postpone the item and continue the public hearing for the preliminary plat in order to further review.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends approval with findings and conditions.

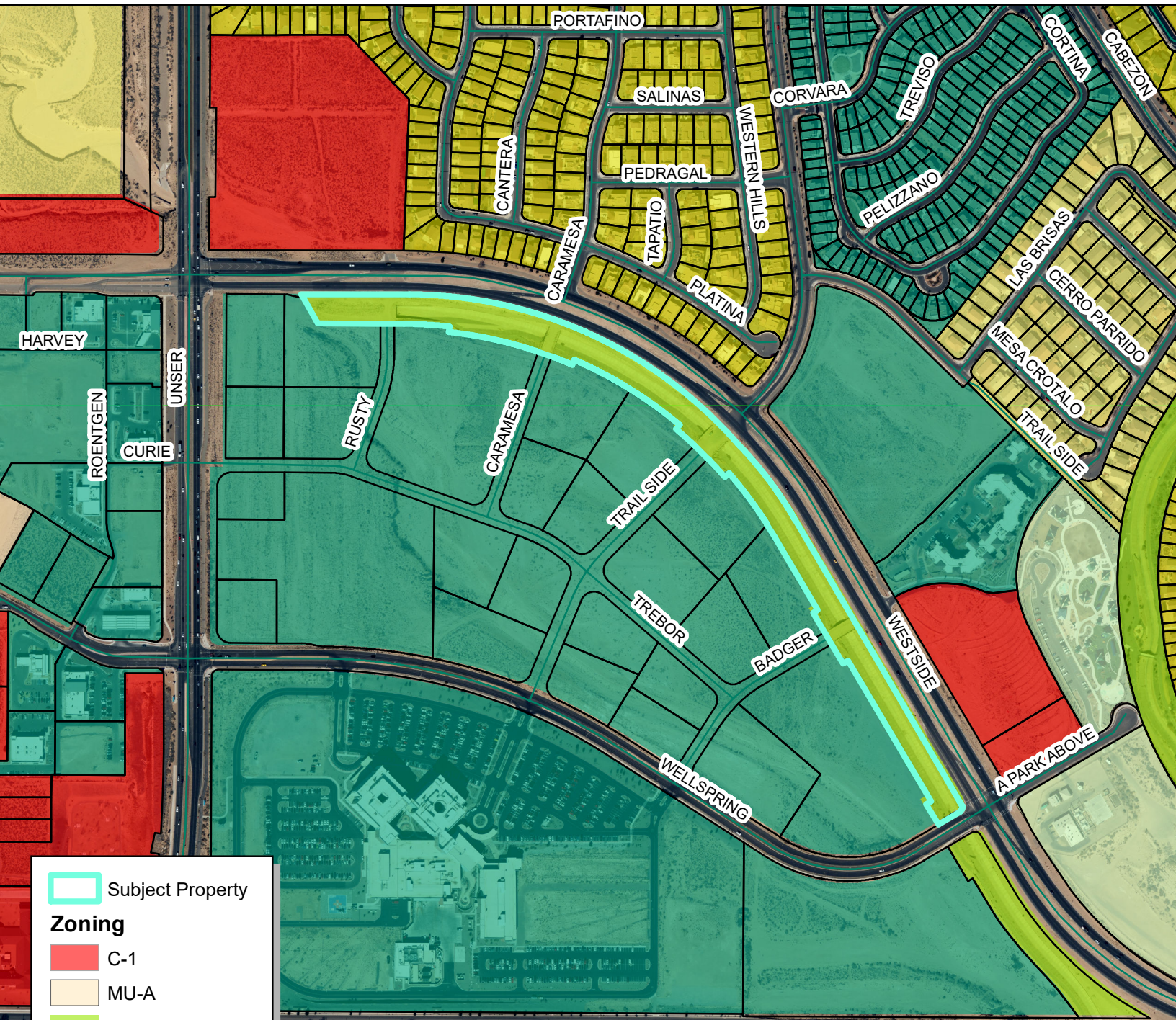
ATTACHMENT: [Zoning, Location.pdf](#)


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ATTACHMENT: [Reproduction of Notices.pdf](#)








ATTACHMENT: [Staff Comments.pdf](#)

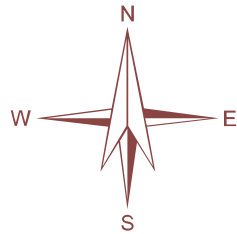
CABEZON, PARCEL A



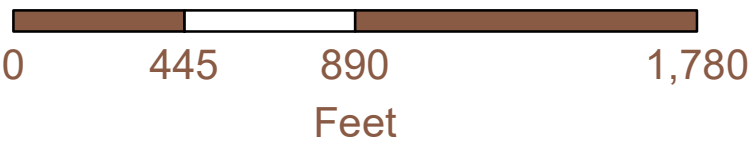
 Subject Property

Zoning

-  C-1
-  MU-A
-  OS
-  PR
-  R-1
-  R-4
-  SU



DISCLAIMER: All information in 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.




A REPLAT OF PARCEL A
CABEZON SUBDIVISION

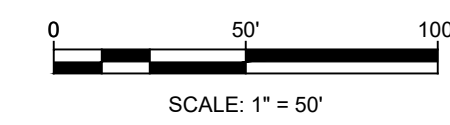
WITHIN PROJECTED SECTIONS 35 AND 36
 T. 12 N., R. 2 E., N.M.P.M.
 TOWN OF ALAMEDA GRANT
 CITY OF RIO RANCHO
 SANDOVAL COUNTY, NEW MEXICO

SHEET 2 OF 3
 OCTOBER 2022

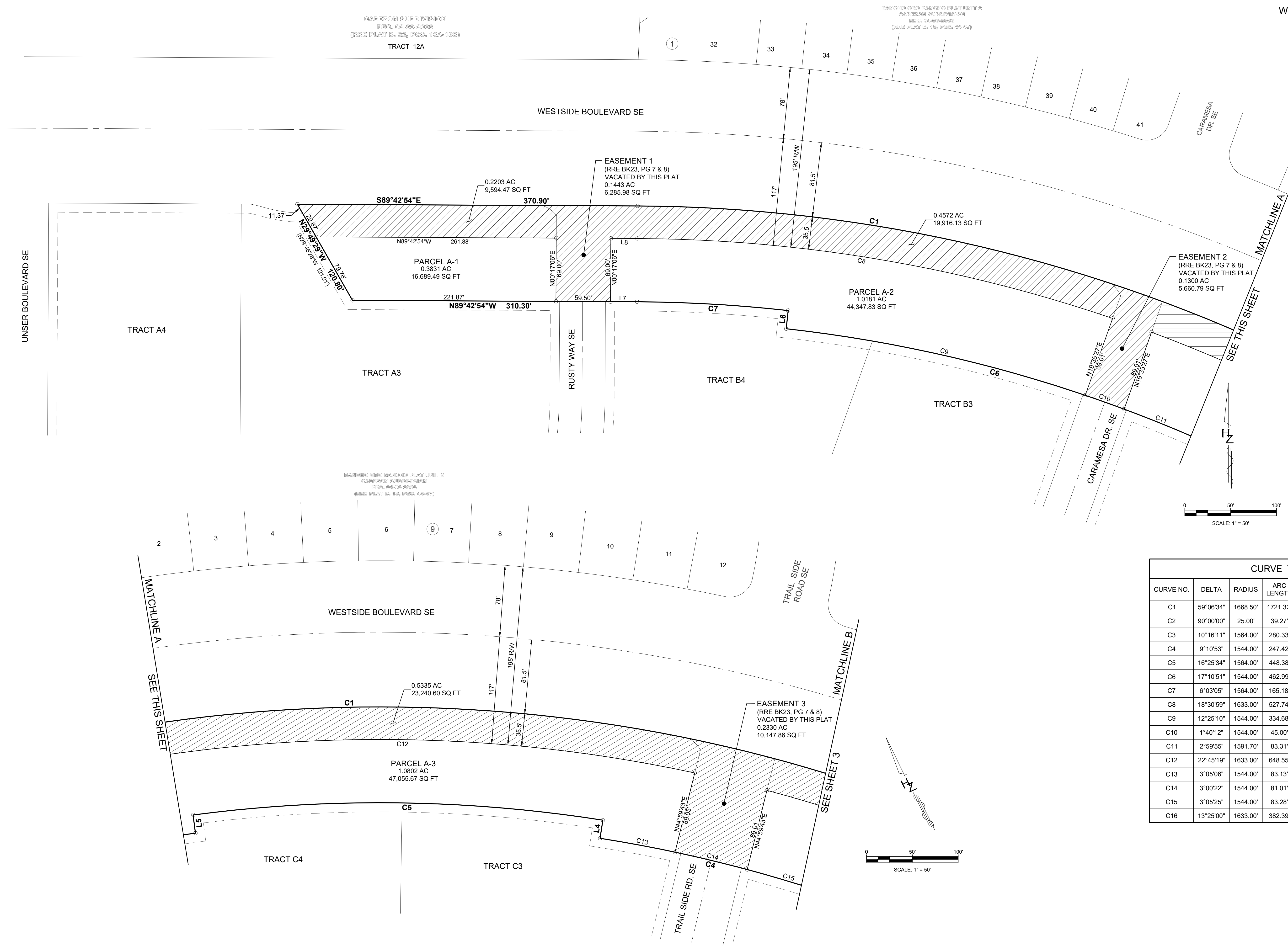
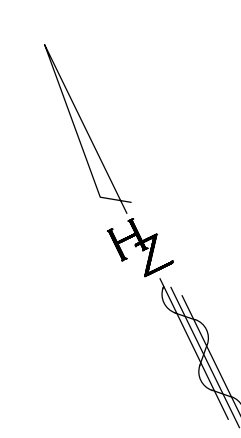
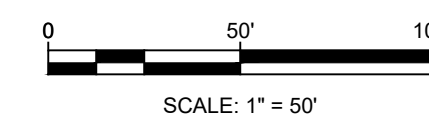
LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N59°23'40"E	3.00'
L2	N59°23'40"E	20.00'
L3	N49°07'29"E	20.00'
L4	N39°56'36"E	20.00'
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L6	N06°20'11"E	20.00'
L7	S89°42'54"E	28.93'
L8	S89°42'54"E	28.93'

LEGEND

 RIGHT-OF-WAY DEDICATION BY THIS PLAT



CURVE TABLE							(RECORD)		
CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING	ARC LENGTH	TANGENT	CHORD LENGTH
C1	59°06'34"	1668.50'	1721.32'	946.10'	1645.99'	N60°09'37"W	(1721.31')		
C2	90°00'00"	25.00'	39.27'	25.00'	35.36'	N14°23'40"E			
C3	10°16'11"	1564.00'	280.33'	140.54'	279.96'	S35°44'25"E			
C4	9°10'53"	1544.00'	247.42'	123.97'	247.15'	N45°27'57"W	(123.98')	(247.16')	
C5	16°25'34"	1564.00'	448.38'	225.74'	446.85'	N58°16'11"W			
C6	17°10'51"	1544.00'	462.99'	233.24'	461.25'	N75°04'23"W			
C7	6°03'05"	1564.00'	165.18'	82.67'	165.11'	S86°41'21"E			
C8	18°30'59"	1633.00'	527.74'	266.19'	525.45'	N80°27'25"W			
C9	12°25'10"	1544.00'	334.68'	168.00'	334.02'	S77°27'14"E			
C10	1°40'12"	1544.00'	45.00'	22.50'	45.00'	S70°24'33"E			
C11	2°59'55"	1591.70'	83.31'	41.66'	83.30'	S68°01'42"E			
C12	22°45'19"	1633.00'	648.55'	328.61'	644.30'	S58°14'31"E			
C13	3°05'06"	1544.00'	83.13'	41.58'	83.12'	N48°30'51"W			
C14	3°00'22"	1544.00'	81.01'	40.51'	81.00'	S45°28'07"E			
C15	3°05'25"	1544.00'	83.28'	41.65'	83.27'	S42°25'13"E			
C16	13°25'00"	1633.00'	382.39'	192.07'	381.52'	N37°18'50"W			



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 Last Saved: 6/14/2024 3:32:43 PM, nvaia

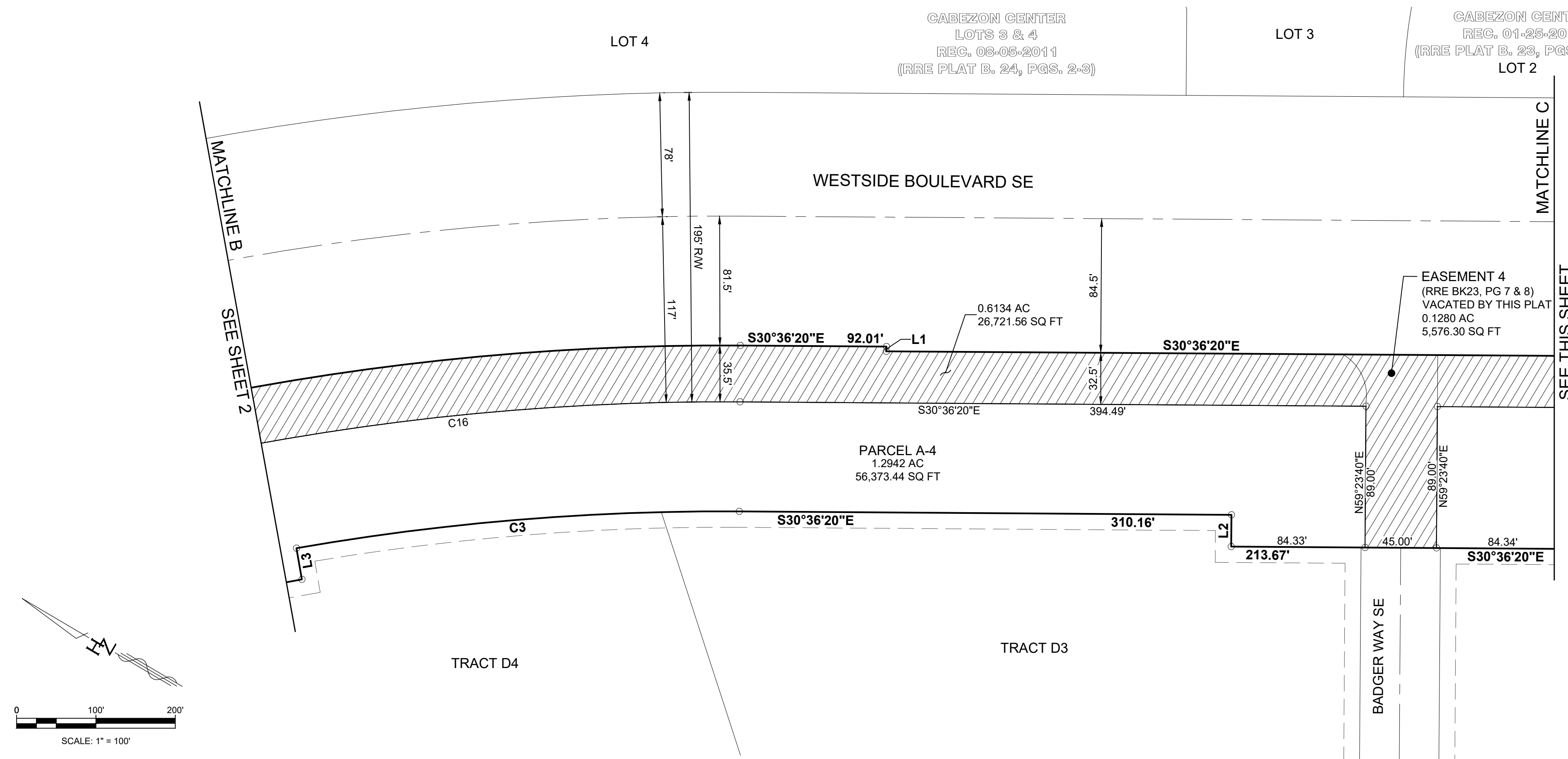
A REPLAT OF PARCEL A
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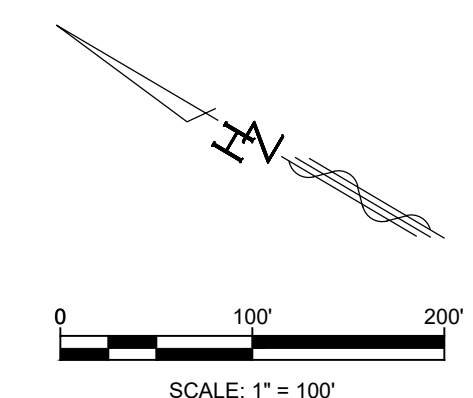
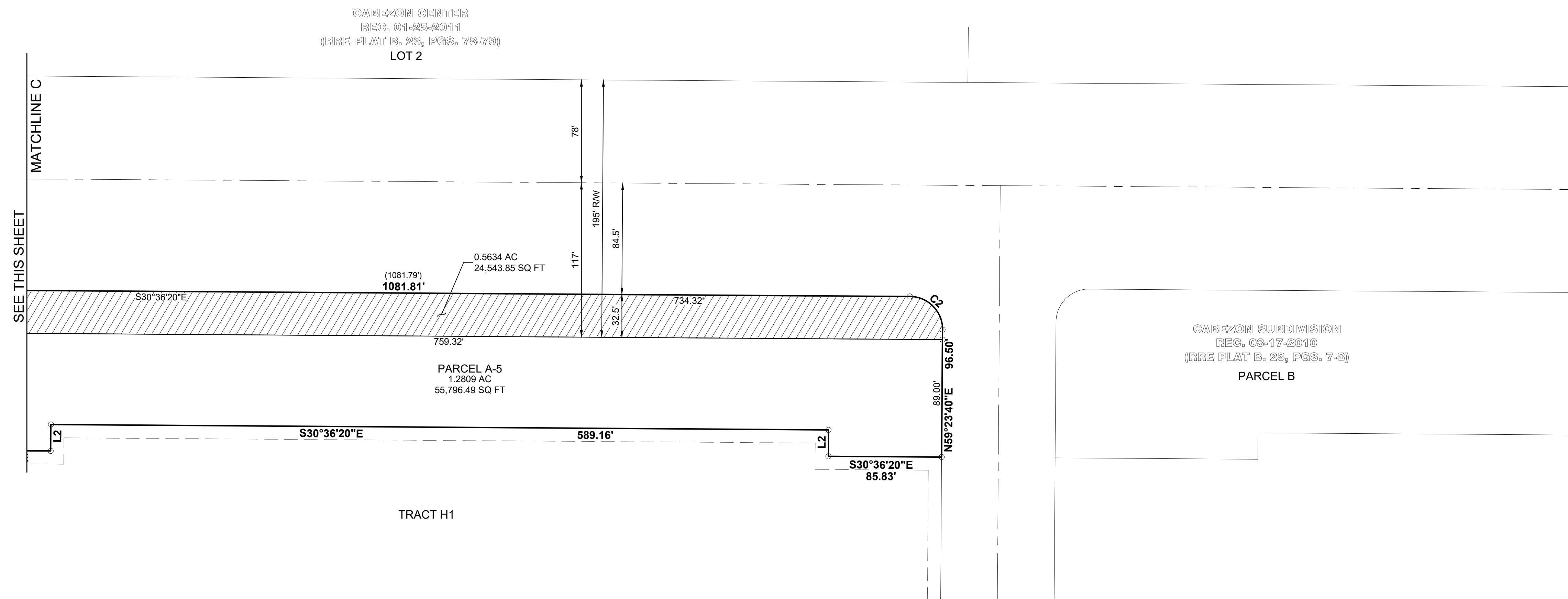
SHEET 3 OF 3
 OCTOBER 2022

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LEGEND
 RIGHT-OF-WAY DEDICATION BY THIS PLAT





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

June 20, 2024

RE: Preliminary, Final Plat, Case No. 24-210-00004
Cabezon, Parcel A

Dear Property Owner:

You are receiving this certified notice because your property abuts a site where a land development decision is required by the Planning & Zoning Board.

The applicant, City of Rio Rancho, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat, replatting Cabezon, Parcel A into five parcels and dedicating right of way. The subject property is zoned OS: Open Space and comprises approximately 8.08 acres.

The **Planning & Zoning Board** will consider the request and decide their approval on **Tuesday, July 9, 2024** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below**.

On the back of this letter is a location map of the project, with the subject property identified with a light blue outline.

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

For the **Planning & Zoning meeting**, to participate virtually: Join via computer: <https://us06web.zoom.us/j/85180741871?pwd=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>. Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

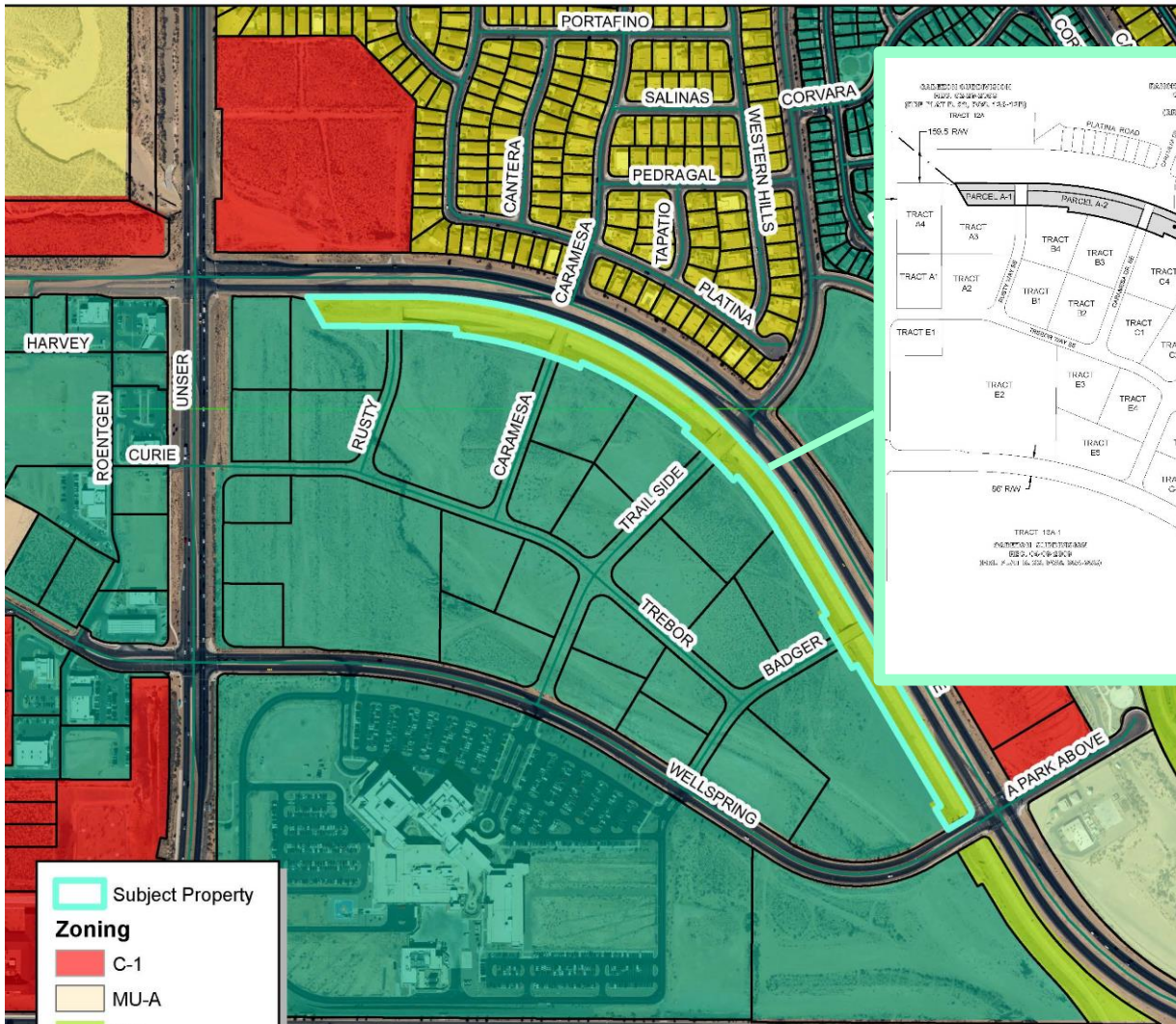
Please contact me via e-mail me at mcostilla@rrnm.gov or call me at 505-896-8362, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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 II
Development Services Department
City of Rio Rancho

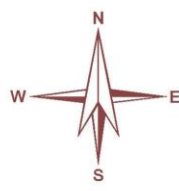
CABEZON, PARCEL A



Subject Property

Zoning

- C-1
- MU-A
- OS
- PR
- R-1
- R-4
- SU



ALBUQUERQUE JOURNAL



El Defensor Chieftain

RIO RANCHO OBSERVER

VALENCIA COUNTY News-Bulletin

PO Box 880697

Phoenix, AZ 85038-9650 Phone: (505)823-3220

Proof of Ad 06/20/2024

Account: 1010956
 Name: CITY OF RIO RANCHO
 Company: CITY OF RIO RANCHO
 Address: ATTN: ACCOUNTS PAYABLE
 3200 CIVIC CENTER CIR NE
 RIO RANCHO, NM 87144
 Telephone: (505)891-5005

Ad ID: 58560
 Description:
 Run Dates: 06/24/2024 - 06/24/2024
 Class: 3001
 Orig User: master
 Words: 432
 Lines: 108
 Agate Lines: 154
 Depth: 10.95
 Blind Box:

Total Ad Cost \$128.33
Amount Paid \$0.00

Publication	Start	Stop	Inserts	Cost
Albuquerque Journal	06/24/2024	06/24/2024	1	119.24

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, July 9, 2024:

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: June 24, 2024.

Preliminary, Final Plat
Case #24-210-00004

The applicant, City of Rio Rancho, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat relating Cabezon, Parcel A into five parcels and dedicating right of way. The subject property is zoned OS: Open Space and comprises approximately 8.08 acres.

Text Amendment

Case #24-105-00002

The applicant, City of Rio Rancho, requests approval of text amendments to the following Chapters of the Rio Rancho Code of Ordinances: 154.03 Definitions to include a definition for Façade to read: Exterior walls and appearance of a building which are adjacent to or front a street, park or plaza; 154.50 Zoning Table/Residential to relocate footnote number two (2) to apply to side setbacks only in E-1 districts; 154.51 Zoning Table/Nonresidential to include the addition of the TZ: Transitional Zoning District, the minimum lot area 7,000 square feet, the minimum lot width 60 feet, the front setback 35 feet, rear setback 25 feet, side setback 10 feet, and corner setback 10 feet, and maximum building height 32 feet; and 150.03 Applications and Procedures (B) Master Plans/Plan Amendments/Specific Area Plans to correct notice requirements to read: First class mail to affected property owners 15 days prior to hearing (for both hearing if an amendment), and final decision to read: Master Plans and Specific Area Plans; Governing Body Plan Amendments: Planning and Zoning Board; for the purposes of updating incorrect or outdated information and providing clarity by adding definitions.

Master Plan Amendment

Case #24-110-00002

The applicant, High Range 5 LLC, requests approval of an amendment to the High Range 5 Master Plan, to incorporate another lot; ie. U13, Block 72, Lot 11.

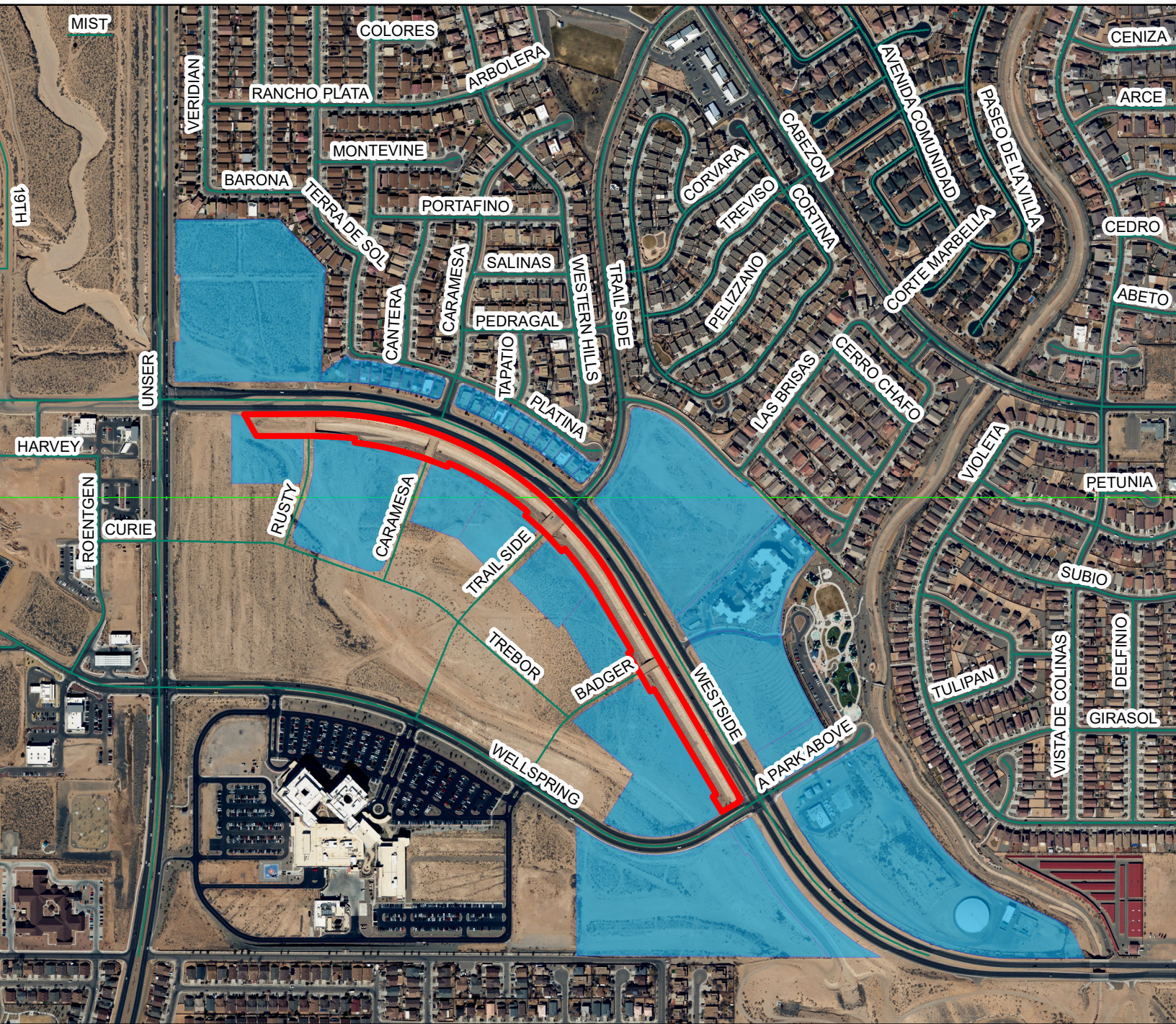
Zone Map Amendment

Case #24-100-00005

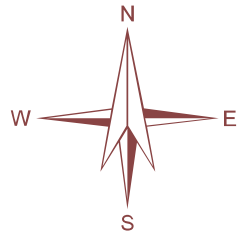
The applicant, High Range 5 LLC, requests approval of a Zone Map Amendment for the property legally described as U13, Blk 72, Lot 11; physically The lot is currently zoned R-1: Single-Family Residential, and consists of 1 acre.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

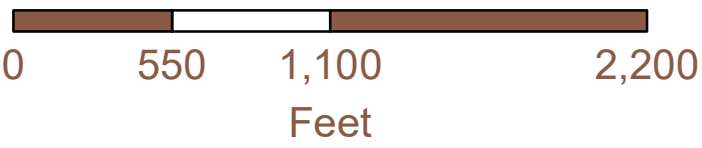
CABEZON, PARCEL A



Subject Property
 Adjacent Properties



DISCLAIMER: All information in 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.





City of Rio Rancho

Development Services

3200 Civic Center Circle NE - Ste 130
Rio Rancho, NM 87144
(505) 891-5005 Fax: (505) 896-8994

July 3, 2024

TO: Huitt-Zollars, Inc.

**333 Rio Rancho Blvd, Ste 101
Rio Rancho, NM 87124**

RE: Case 24-210-00004

The following are the comments and feedback received in regards to the Final Plat.

Planning & Zoning Division:

1. Replace Rebecca A. Martinez with Noel C. Davis on the City Clerk's Certificate signature block.
2. Add Comcast to the Utility Approvals signature block.

Parks and Recreation

1. PRCS defers to DSD Engineering and the Public Works Department as any parcels tied to public right of way will be maintained by the Public Works Department.

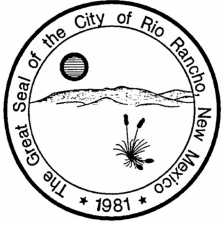
Fire and Rescue:

1. If there are existing hydrants they would need to be moved.

If you have any additional questions or concerns please feel free to contact me at any time.

Respectfully,

Michelle Costilla
Municipal Planner II
Development Services Department
City of Rio Rancho
(505) 896-8362 mcostilla@rrnm.gov



CITY OF RIO RANCHO COVER PAGE

Legislation Item: 24-410-0002

AGENDA DATE:
July 9, 2024

DEPARTMENT:
Development Services

SUBJECT:

Master Plan Amendment. The applicant, High Range 5 LLC, requests approval of a Master Plan Amendment to the High Range 5 Master Plan, to incorporate an additional lot, legally described as Unit 13, Block 72, Lot 11. Staff contact is Liz Ruiz Carlos and staff recommends the Planning and Zoning Board recommend approval to the Governing Body, with findings and conditions.

BACKGROUND AND ANALYSIS:

The applicant, High Range 5 LLC, requests approval of a Master Plan Amendment to the High Range 5 Master Plan, to incorporate an additional lot, legally described as Unit 13, Block 72, Lot 11. The original High Range 5 Master Plan was approved on May 27, 2021, and at that time Lot 11 was excluded as a hold-out parcel under separate ownership. LGI Homes recently acquired this property, and the master plan amendment seeks to incorporate the lot into the proposed High Range 5 Subdivision. The overall High Range 5 plan acreage will be updated ± 74 acres due to the addition of Lot 11. A concurrent Zone Map Amendment to rezone the lot from R-1 to R-4 is being heard under case #24-100-00005.

REVIEW CRITERIA: The Rio Rancho Comprehensive Plan defines a master plan as a detailed development plan often created by a developer, which may fit within a Specific Area Plan boundary or may provide sufficient planning detail that they may be developed in unplanned areas and stand in place of a Specific Area Plan. It states that, "The City will rely on the development of Specific Area Plans and Master Plans for identifying a specific land use at the parcel-level. Specific Area Plans and Master Plans are a part of the Land Use Element and are used as a statement of policy to guide land use decision making by the Governing Body."

Policy L-1 (5.6.3) of the Comprehensive Land Use Plan states: "Encourage 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."

The current boundaries of the Master Plan will remain largely the same, but it will be slightly extended to include Unit 13, Block 72, Lot 11. The exhibits have been updated to reflect the new boundary, and are included as an attachment. In their justification, the applicant states: "The overall High Range 5 plan will be updated from ± 72 acres to ± 74 acres due to the addition of Lot 11 and final adjustments made to the project boundary as the project moves through the platting process. This update maintains the intent, character, zoning, and density of the prior approval while improving upon the existing site design and entitlements with the inclusion of an undeveloped outparcel."

The applicant further states, "High Range 5 was approved as an approximately 72 acre community with an anticipated total of 329 lots, which equated to approximately 4.6 dwelling units per acre. The

current request updates High Range 5 to approximately 74 acres with an anticipated total of 340 lots, maintaining the approved density of approximately 4.6 dwelling units per acre. This update upholds the intent and character of the prior approvals. The land use, lot sizes, density, development standards, open space criteria, and other community elements remain as approved." Staff concurs that the proposed boundary amendment is in compliance with both the Comprehensive Plan and the Lomas Negra Specific Area Plan. Criteria is satisfied.

SITE ANALYSIS: The High Range 5 Master Plan currently comprises approximately 72 acres, with an intended build-out of 329 lots. Current zoning consists of R-4: Single-Family Residential (Phases I & II). This Master Plan is bounded by Inca Rd NE to the south, Guinevere St SE to the east, Montezuma Blvd NE to the north, and Excalibur St NE to the west. Wild Horse Rd NE runs east to west through the master plan, separating Phases I & II.

LAND USE: No proposed changes.

GRADING & DRAINAGE: No proposed changes.

CIRCULATION: With the addition of Unit 13, Block 72, Lot 11, Mustang Rd NE has been extended to connect to Wild Horse Rd; effectively removing Sandia Ridge Rd.

Goal L-2 of the Comprehensive Plan states, "Encourage consolidation of lots to promote a variety of land uses in a planned manner." Staff finds that this amendment further the intent of the Comprehensive Plan to resolve antiquated platting which inhibits the development process; Criteria is satisfied.

PHASING AND FINANCING: No proposed changes.

DESIGN STANDARDS: No proposed changes.

NOTIFICATIONS: Notifications were sent to affected property owners in conjunction with the Zone Map Amendment and Master Plan Amendment requests. A legal advertisement was placed in the June 24, 2024 edition of the Albuquerque Journal. A sign was posted on the property one week prior to the hearing. All legal notification requirements have been met.

IMPACT:

Staff finds that no adverse impacts are likely to occur as a result of the approval of this Master Plan Amendment. Staff recommends the Planning and Zoning Board recommend approval of the Master Plan Amendment to the Governing Body, subject to the following findings below:

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 master plan amendment.
2. The applicant has the authority to apply for an amendment to the High Range 5 Master Plan.
3. The applicant and adjacent property owners received due process.

SPECIFIC FINDINGS OF FACT:

1. The proposed Master Plan Amendment to the High Range 5 Master Plan to does not adversely affect the intended character of the Master Plan area.
2. The proposed Master Plan Amendment is consistent with the goals and elements of the Comprehensive Plan.
3. The proposed Master Plan Amendment is consistent with the Lomas Negras Specific Area Plan.

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 in order to further review.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board recommend approval to the Governing Body, with findings and conditions.

ATTACHMENT: [Location, Zoning Map.pdf](#)

ATTACHMENT: [Application Form.pdf](#)

ATTACHMENT: [High Range 5 - Justification Letter.pdf](#)

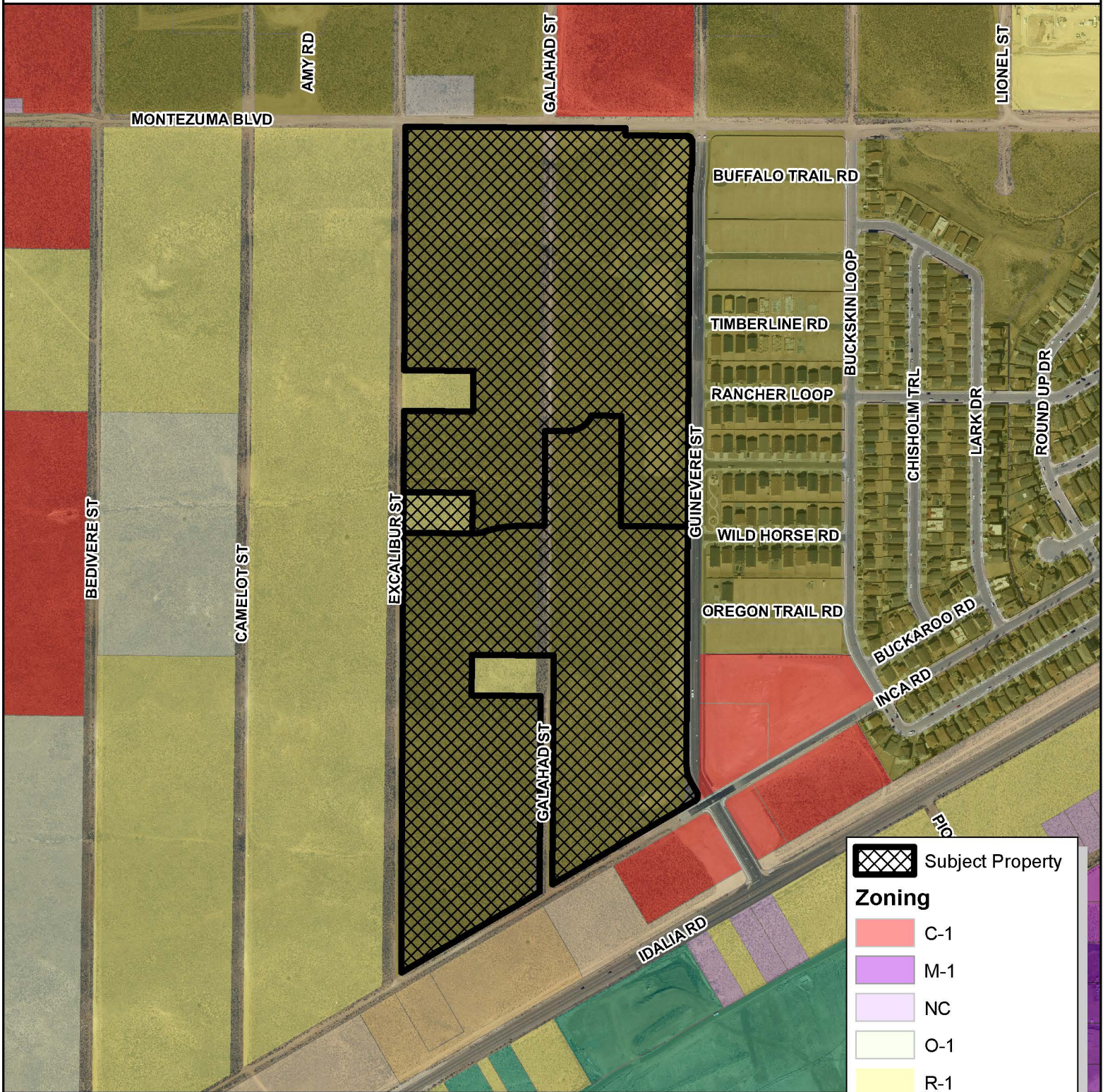
ATTACHMENT: [Exhibit A - Amended MP](#)


ATTACHMENT: [Existing High Range 5 Master Plan.pdf](#)

ATTACHMENT: [Reproduction_of_Notices.pdf](#)











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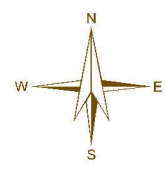
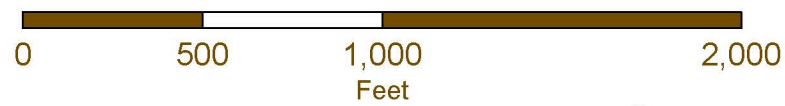
ZMA & MASTER PLAN AMENDMENT HIGH RANGE 5, UNIT 13, BLOCK 72, LOT 11



 Subject Property

Zoning

-  C-1
-  M-1
-  NC
-  O-1
-  R-1
-  R-3
-  R-4
-  SU
-  TZ
-  Unzoned



DISCLAIMER: All information in 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 Created by Liz Ruiz Carlos on 06/20/2024

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

Administrative Permit	Plan	Subdivision	Zoning
<input type="checkbox"/> Community Residential Care Facility	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Annexation
<input type="checkbox"/> Development Review Committee (DRC)	<input type="checkbox"/> Corridor Plan Amendment	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Appeal
<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Summary Plat	<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Model Home / Sales Office	<input type="checkbox"/> Master Plan Amendment	<input type="checkbox"/> Vacation of Plat	<input type="checkbox"/> Master Sign Plan
<input type="checkbox"/> Residential Child Care Facility 6 or <	<input type="checkbox"/> Specific Area Plan Amendment	<input type="checkbox"/> Street Name Change	<input type="checkbox"/> Site Plan
<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Subdivision Interpretation	<input type="checkbox"/> Special Exception
<input type="checkbox"/> Other		<input type="checkbox"/> Subdivision Variance	<input type="checkbox"/> Variance
			<input type="checkbox"/> Zone Map Amendment
			<input type="checkbox"/> Zoning Certification
			<input type="checkbox"/> 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:		Phone:
Address:		E-Mail:
City:	State:	Zip:
Proprietary Interest:	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)

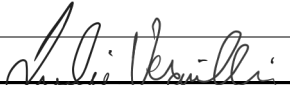
Master Plan Amendment and Zone Map Amendment applications to incorporate a ±1 acre portion of undeveloped land identified as Unit 13, Block 72, Lot 11 into the existing High Range 5 community.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION) *Adding Rio Rancho Estates Unit 13, Block 72, Lot 11.

Subdivision/Unit :	Block(s):	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:	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:	Applicant:	Agent:
Signature: 		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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



June 17, 2024

City of Rio Rancho
Development Services
3200 Civic Center Circle NE - Ste 130
Rio Rancho, NM 87144

Re: High Range 5 – Update for Inclusion of Unit 13, Block 72, Lot 11
Master Plan Amendment (MPA) and Zoning Map Adjustment (ZMA) Findings

This letter outlines the current request and required findings for approval met by the applicant in pursuit of companion Master Plan Amendment (MPA) and Zone Map Amendment (ZMA) applications to incorporate a ± 1 acre portion of undeveloped land identified as Rio Rancho Estates Unit 13, Block 72, Lot 11 (“Lot 11”) into the High Range 5 community. Please refer to the attached zoning maps and concept lotting for details. A Preliminary Plat Amendment is planned to follow the approval of this request.

Request

At the time of the original High Range 5 Master Plan approval on May 27, 2021, Lot 11 was excluded as a hold-out parcel under separate ownership. LGI Homes has recently acquired this property for development as part of High Range 5. MPA and ZMA applications are requested to update the underlying zoning district of Lot 11 from the existing R-1 Single-Family Residential zoning to R-4 Single-Family Residential zoning to incorporate this parcel into the High Range 5 Master Plan.

The overall High Range 5 plan will be updated from ± 72 acres to ± 74 acres due to the addition of Lot 11 and final adjustments made to the project boundary as the project moves through the platting process. This update maintains the intent, character, zoning, and density of the prior approval while improving upon the existing site design and entitlements with the inclusion of an undeveloped outparcel.

Background

The approved High Range 5 Master Plan spanned undeveloped parcels of checkerboard ownership platted as a portion of Rio Rancho Estates Unit 13, Blocks 72 and 73. At the time that Rio Rancho Estates was annexed and platted, it was common to have a development pattern with streets laid out in a grid with rectangular one-acre residential parcels adjacent to those streets. This development pattern created long blocks of checkerboard ownership and antiquated platting that is in contrary to and does not further the City’s goals and standards for development. A few key challenges typically associated with antiquated platting include access issues and inadequate street layout, insufficient lot sizes, diversity of ownership, and obsolete and impractical planning practices.

City of Rio Rancho

Re: High Range 5 – Update for Inclusion of Unit 13, Block 72, Lot 11

Master Plan Amendment (MPA) and Zoning Map Adjustment (ZMA) Findings

June 17, 2024

Rio Rancho’s Vision 2020 Integrated Comprehensive Plan (ICP) recognizes that this antiquated platting is a major obstacle to growth and promotes land assemblage to address the issue. In accordance with the City’s vision for growth, the High Range 5 Master Plan was created to improve upon the existing entitlements by establishing the framework and site design required for the development of a master planned, single-family residential community.

During the initial planning of the community, the developers of High Range 5 attempted to reach out to the land ownership of all parcels within the plan area of the proposal with an offer to acquire their properties. These efforts were successful for most parcels, but some outlying parcels like Lot 11 were excluded at that time. LGI Homes has since acquired Lot 11 and request that this parcel be included into the Master Plan and updated with the appropriate R-4 zoning to develop as part of the High Range 5 community.

Updated Master Plan

The approved 2021 High Range 5 Master Plan shall apply except as amended by the subject MPA and ZMA applications described herein. High Range 5 was approved as an approximately 72 acre community with an anticipated total of 329 lots, which equated to approximately 4.6 dwelling units per acre. The current request updates High Range 5 to approximately 74 acres with an anticipated total of 340 lots, maintaining the approved density of approximately 4.6 dwelling units per acre.

This update upholds the intent and character of the prior approvals. The land use, lot sizes, density, development standards, open space criteria, and other community elements remain as approved.

Findings

The community’s conformance is detailed below pursuant to the criteria set forth in subsections (D) and (G) of the City of Rio Rancho (City) Zoning Code Chapter 150.07, “Amendments.”

(D) The following policies for deciding zone map change applications pursuant to the City zoning code are hereby adopted:

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

Adequate safety, health and general welfare of the public is ensured in the single-family residential community of High Range 5. The subdivision provides several points of access for adequate circulation for day to day function, police access and, in case of fire, flood, or other natural disaster, will allow for orderly and timely evacuation.

The recreational amenities, trail, and common open space areas will ensure ease of travel for pedestrians and allow outdoor exercise, increasing overall public health and general welfare. High Range 5 brings an attractive neighborhood that is not only consistent with but furthers the health, safety, morals, and general welfare of the City.

- (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.**

Unit 13, Block 72, Lot 11 is an undeveloped parcel of land surrounded by the proposed High Range 5 and High Range 6 communities. This land is best suited for development as part of High Range 5 and this update provides a good land use solution for the parcel.

The requested zone change on Lot 11 from the existing R-1 to R-4 would eliminate the current R-1 spot zoning on Lot 11 for consistency with the surrounding R-4 zoned High Range 5 community.

The proposed MPA and ZMA requests will update High Range 5 to further support the development of a community that improves upon the existing undeveloped land under antiquated checkerboard ownership to bring new housing, recreational amenities, landscaping, and infrastructure improvements to the area for a positive contribution to Rio Rancho.

- (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.**

As with the original High Range 5 approval, this request supports the City's goals, objectives, and vision by providing a land use that is compatible with the Lomas Negras Specific Area Plan (SAP) designation of Medium Density Residential (MDR).

This request conforms with the key concepts identified for future growth within the SAP and complies with the permitted uses under the current MDR designation. High Range 5 is consistent with the SAP Goals and Objectives including but not limited to the highlights featured below.

Land Use

Land Use Goal: Promote a variety of housing choices including low- and medium density single-family residential uses and high density multi-family residential uses.

The High Range 5 Master Plan furthers the above goal by implementing medium density residential use on the site. The medium density residential use approved for the community increases the availability of affordable housing opportunities and brings a diversity of housing types to the City.

Utilities

Utilities Goal: Assure that urban uses have full utilities, both community water and sewer provided to all new development in the Plan area.

Utilities Objective: Coordinate water and sewer utility infrastructure among various master plan and subdivision developments as approved within the Plan area.

The High Range 5 Master Plan furthers the SAP's utilities goal, objective, and policy by coordinating and linking to existing water and sewer utility infrastructure within adjacent roadways.

Existing water and sewer utility systems are available to serve High Range 5 as described further in the original Master Plan approval. All proposed utility systems and plans will be designed per the standards of the City and utility company to be submitted for review and approval during the development process. Additional coordination with the utility providers will be made to confirm adequate servicing.

Community Facilities

Community Facilities Goal: Create open space, parkland, trails, and other recreation amenities to serve the Plan area.

The High Range 5 Master Plan expands the City of Rio Rancho's parks inventory through the provision of a neighborhood park and multi-use trail, furthering the abovementioned Community Facilities goal. The neighborhood park and multi-use trail along Wild Horse Road NE will serve the residents of High Range 5, the adjacent High Range 6 to the west, and other residents in the area.

(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**

Refer to item 4.b. below.

- (b) Changed neighborhood or community conditions justify the change; or**

With the current trajectory of development leaning towards new medium density residential communities, leaving the property as-is under R-1 zoning would likely remain stagnant as undeveloped land surrounded by High Range 5. Currently there is no known market interest in developing the existing R-1 zoned parcels at this location.

As stated above, antiquated platting and checkerboard ownership existing on the property presents a significant challenge to development and land assemblage. The community improves upon the existing undeveloped land

under antiquated checkerboard ownership to bring new housing, recreational amenities, landscaping, and infrastructure improvements to the area as a positive contribution to Rio Rancho that fulfills the needs of the current conditions of the community.

- (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.**

Refer to item 4.b. above.

- (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.”**

A zone change from the existing R-1 to R-4 would eliminate the current R-1 spot zone on Lot 11 within the overall High Range 5 community zoned R-4.

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**

Refer to item G. above.

- (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.**

Refer to item G. above.

As described above, the proposed incorporation of Unit 13, Block 72, Lot 11 into the High Range 5 community is an appropriate land use solution that will complete High Range 5 while updating the antiquated platting in the area.

The development of High Range 5 as proposed will complement the surrounding neighborhoods and support the growth planned in this area of Rio Rancho. This update maintains the intent, character, zoning, and density of the prior approval while improving upon the existing site design and entitlements with the inclusion of a long undeveloped outparcel.

City of Rio Rancho

Re: High Range 5 – Update for Inclusion of Unit 13, Block 72, Lot 11
Master Plan Amendment (MPA) and Zoning Map Adjustment (ZMA) Findings

June 17, 2024

Thank you for your consideration. Should you have questions or concerns, please contact me at 602-285-4765 or jvermillion@cvlci.com.

Respectfully,

COE & VAN LOO
Consultants, Inc.



Julie Vermillion
Project Manager



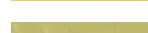
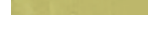










Attachments: Existing and Proposed Zoning Maps, Concept Lotting.

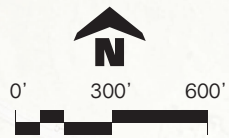
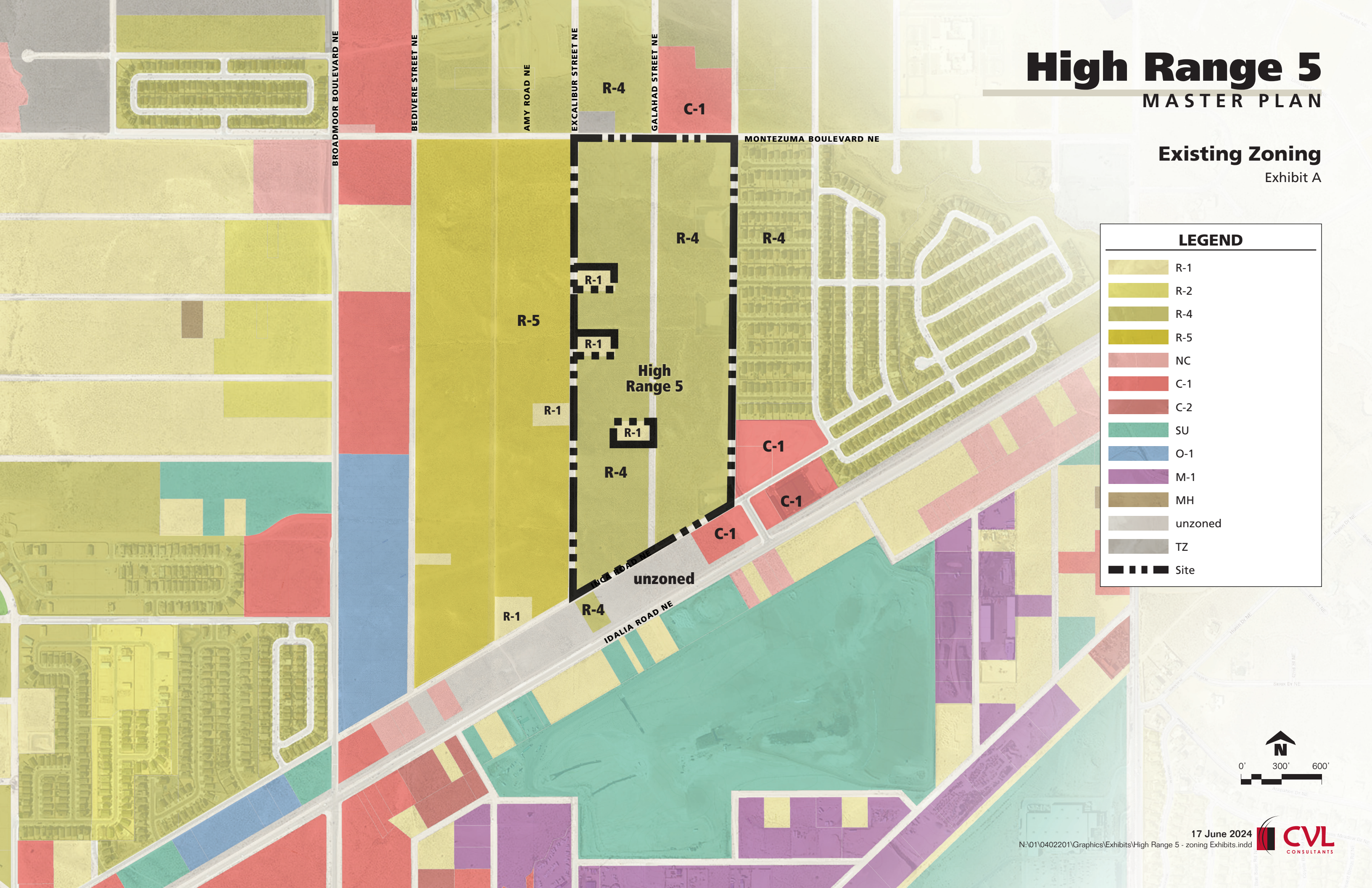
High Range 5

MASTER PLAN

Existing Zoning

Exhibit A

LEGEND	
	R-1
	R-2
	R-4
	R-5
	NC
	C-1
	C-2
	SU
	O-1
	M-1
	MH
	unzoned
	TZ
	Site



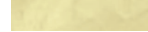

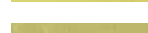
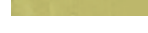










High Range 5

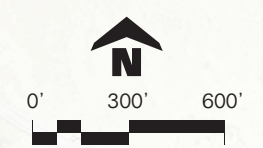
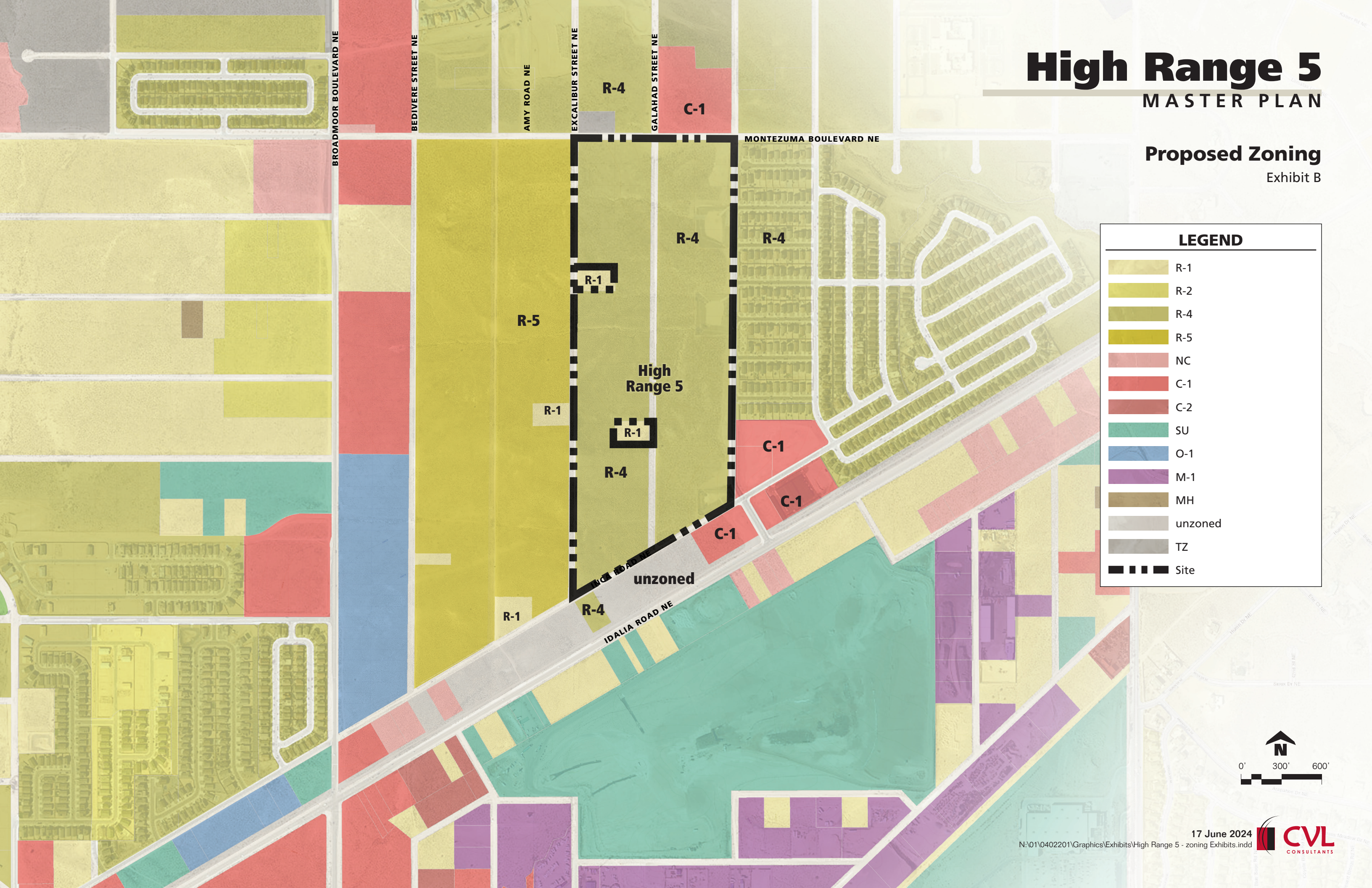
MASTER PLAN

Proposed Zoning

Exhibit B

LEGEND

	R-1
	R-2
	R-4
	R-5
	NC
	C-1
	C-2
	SU
	O-1
	M-1
	MH
	unzoned
	TZ
	Site



17 June 2024

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PRELIMINARY PLAT
FOR
HIGH RANGE 5 SUBDIVISION
(BEING A REPLAT OF TRACT 1 AND TRACT 2, HIGH RANGE 5)
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTION 7
TOWNSHIP 12 NORTH, RANGE 3 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
APRIL, 2024

PROPERTY CORNERS

- - FOUND 1/2" REBAR WITH CAP "LS 7719"
- - FOUND 1/2" REBAR
- - FOUND 1" PIPE

ABBREVIATIONS

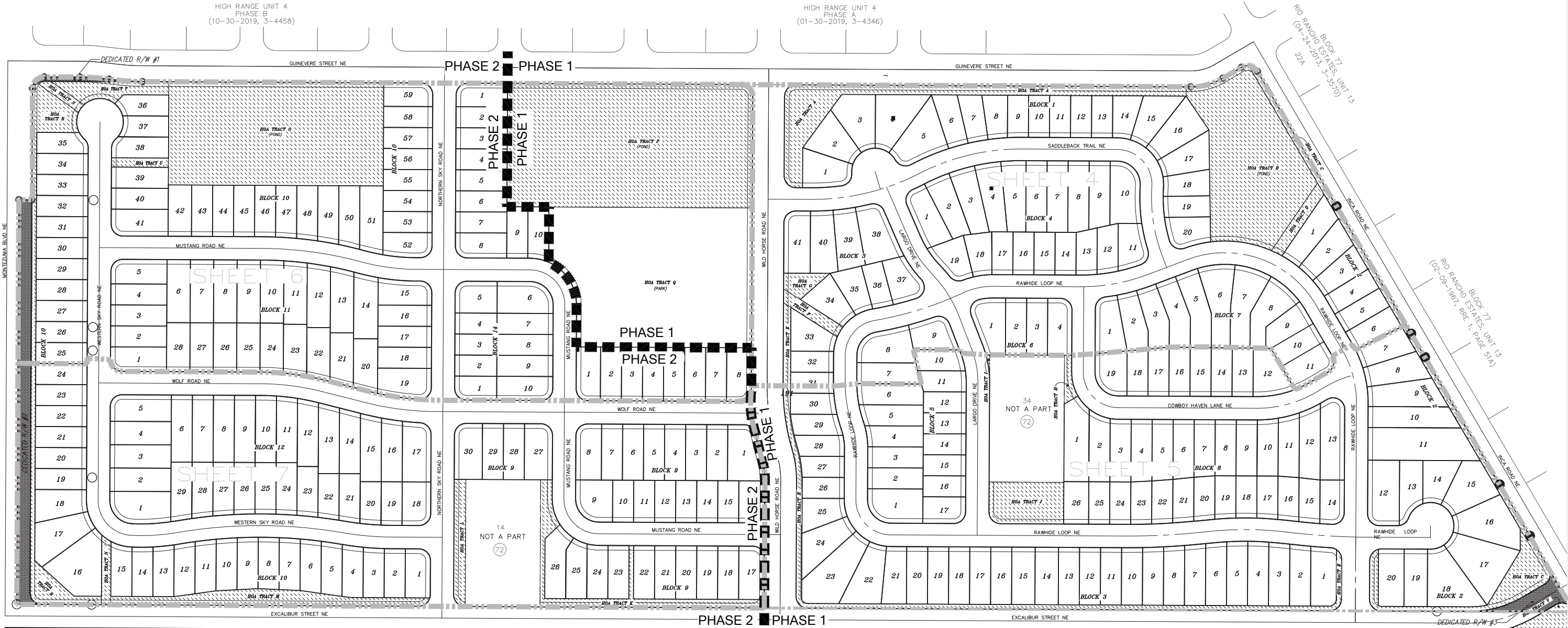
- 10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
- ROW = RIGHT-OF-WAY
- H.O.A. = HOME OWNERS ASSOCIATION

NOTES:

1. HOA TRACTS A, C, D, E, F, G, H, I, J, K, R, S, T AND V, ARE LANDSCAPE TRACTS TO OWNED AND TO BE MAINTAINED BY THE HIGH RANGE 5 HOA FOR THE BENEFIT OF ALL LOT OWNERS.
2. HOA TRACTS B, O AND P ARE TO BE HOA MAINTAINED PONDS FOR THE USE AND BENEFIT OF ALL THE HIGH RANGE 5 HOMEOWNERS.
3. HOA TRACT Q IS AN HOA MAINTAINED PARK FOR THE USE AND BENEFIT OF THE HIGH RANGE 5 LOT OWNERS.
4. HOA TRACTS L, M, N AND U ARE HOA MAINTAINED TRACTS USED FOR PUBLIC SANITARY SEWER, WATERLINE, AND DRAINAGE TO BENEFIT ALL LOT OWNERS.

HIGH RANGE UNIT 4
PHASE B
(10-30-2019, 3-4458)

HIGH RANGE UNIT 4
PHASE A
(01-30-2019, 3-4346)



A:\01\0402201\CAD\High Range 5 Phase 1\Final\Pre-Plot\149023_PREL-PLAT-OVERALL.dwg, Last saved by: jbrjng, 7/26/23

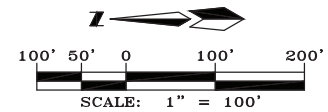
ALL STREETS AND ROADS SHOWN
HEREON ARE HEREBY DEDICATED TO
THE C.O.R.R. IN FEE SIMPLE WITH
WARRANTY COVENANTS AS PUBLIC
RIGHT-OF-WAY

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

LEGEND

- SHEET INDEX
- PHASE LINE



ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG Drawn: JAR Checked: ALS
Scale: as shown Date: 4/12/24 Job: A19023 **4.3** of 35

High Range 5
MASTER PLAN
Concept Lotting
Exhibit C



CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 55

ENACTMENT NO. 21-054

RESOLUTION ADOPTING THE HIGH RANGE 5 MASTER PLAN

1
2
3 **WHEREAS:** the State of New Mexico has granted the City of Rio Rancho the power,
4 authority, jurisdiction and duty to enforce and carry out the provisions of law
5 relating to planning, platting, and zoning pursuant to 3-19-1, NMSA, 1978;
6 and
7

8 **WHEREAS:** the Governing Body of the City of Rio Rancho has adopted a
9 Comprehensive Plan that addresses and provides for specific goals,
10 policies, and actions; and proposes land use throughout a specific area
11 within the City; and also provides for land use in master planned
12 communities via master plans; and
13

14 **WHEREAS:** the Governing Body of the City of Rio Rancho, State of New Mexico has
15 the authority to adopt, amend, extend, and carry out a general municipal
16 plan, Rio Rancho Comprehensive Plan; and
17

18 **WHEREAS:** the Planning and Zoning Board of the City of Rio Rancho, at their meeting
19 held on April 27, 2021, has reviewed the proposed High Range 5 Master
20 Plan and have made recommendation to the Governing Body on the
21 adoption of the proposed Plan; and
22

23 **WHEREAS:** the Governing Body of the City of Rio Rancho, following a duly noticed
24 public hearing on May 27, 2021, has reviewed the proposed High Range 5
25 Master Plan and determined that the Plan is in conformance with the City
26 of Rio Rancho Comprehensive Plan.
27

28 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY**
29 **OF RIO RANCHO:**
30

31 **Section 1.** The Governing Body hereby approves and adopts the High Ridge 5
32 Master Plan (planning area comprising approximately 72 acres), attached hereto.
33

34 **Section 2.** This Resolution shall become effective upon its adoption.
35

36 ADOPTED THIS 27th DAY OF MAY, 2021.
37

38
39 
Greggory D. Hull, Mayor

40 ATTEST:

41 
42 Rebecca A. Martinez, City Clerk
43 (SEAL)
44



HIGH RANGE 5 MASTER PLAN

RIO RANCHO, NM

PREPARED BY:

CONSENSUS PLANNING, INC.

**MARK GOODWIN &
ASSOCIATES**



APPROVED 5.27.2021

HIGH RANGE 5 MASTER PLAN

CONTENTS

1: Introduction	1
2: Existing Conditions	5
3: High Range Land Use, Zoning, and Density	9
4: City of Rio Rancho Plans and Policies	13
5: Transportation	19
6: Conceptual Drainage Plan	21
7: Conceptual Utility Plan	27
8: Design Guidelines	31
9: Implementation	37

APPENDICES

Appendix A: Plant Palette	39
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1: INTRODUCTION

High Range 5 is a master planned, single-family development in Rio Rancho, New Mexico. It is located within Rio Rancho Estates Unit 13 and the Lomas Negras Specific Area Plan (SAP). The project area is bound by Montezuma Boulevard NE on the north, Inca Road NE on the south, Guinevere Street NE on the east, and Excalibur Street NE on the west, and is approximately 72 acres in size. At full build-out of the two proposed phases, High Range 5 will contain 329 single-family lots with an overall density of approximately 4.57 dwelling units per acre. The property covered by the High Range 5 Master Plan includes:

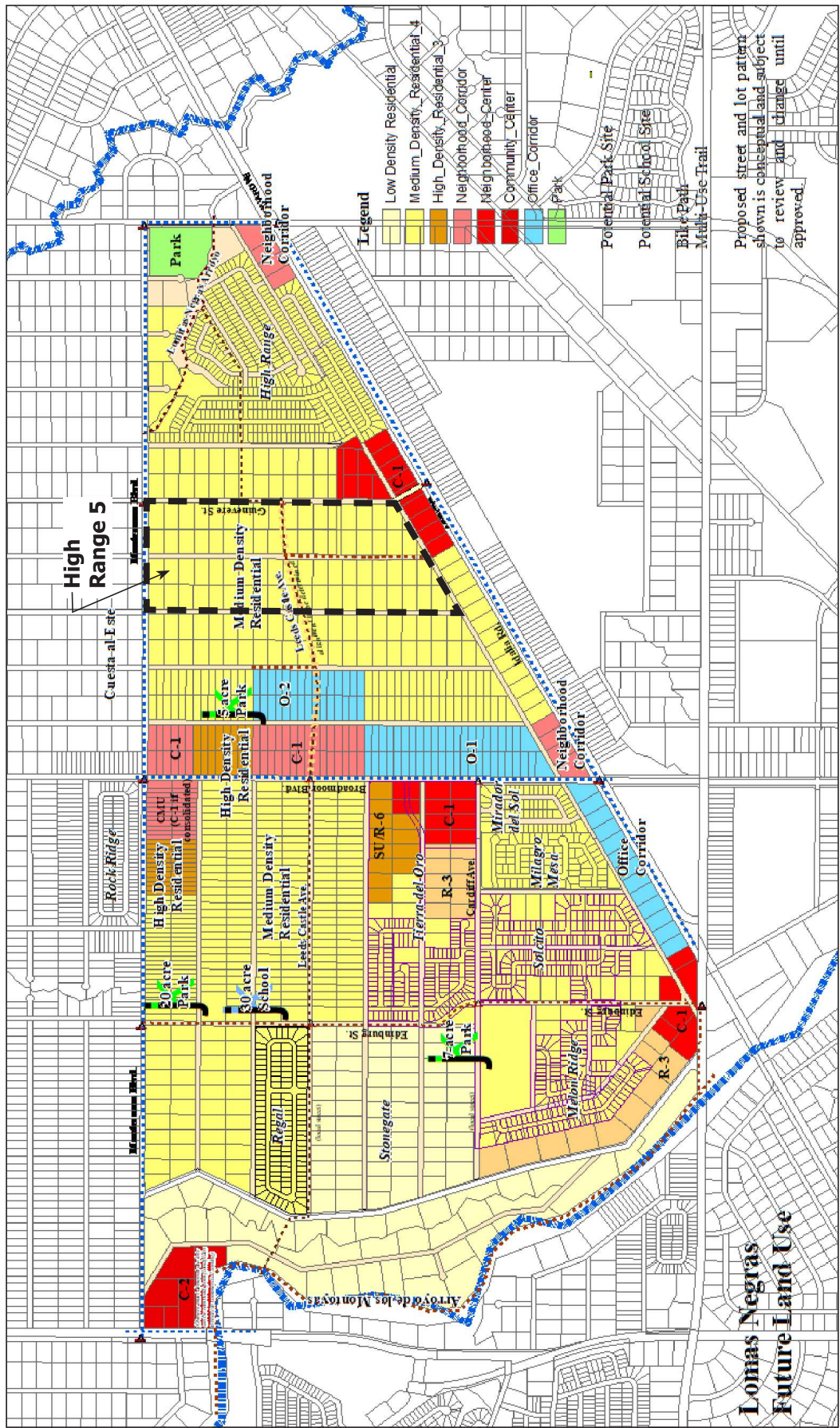
- Rio Rancho Estates Unit 13, Block 72, Lots 2, 9, 15, 17, 20-22, 24, 26, 33, 37, and 38
- Rio Rancho Estates Unit 13, Block 73, Lots 1-18
- High Range 4, Block 73, Lots 19A-35A

The following three "out parcels" are shown in the Master Plan paving plan but are not included as part of this application:

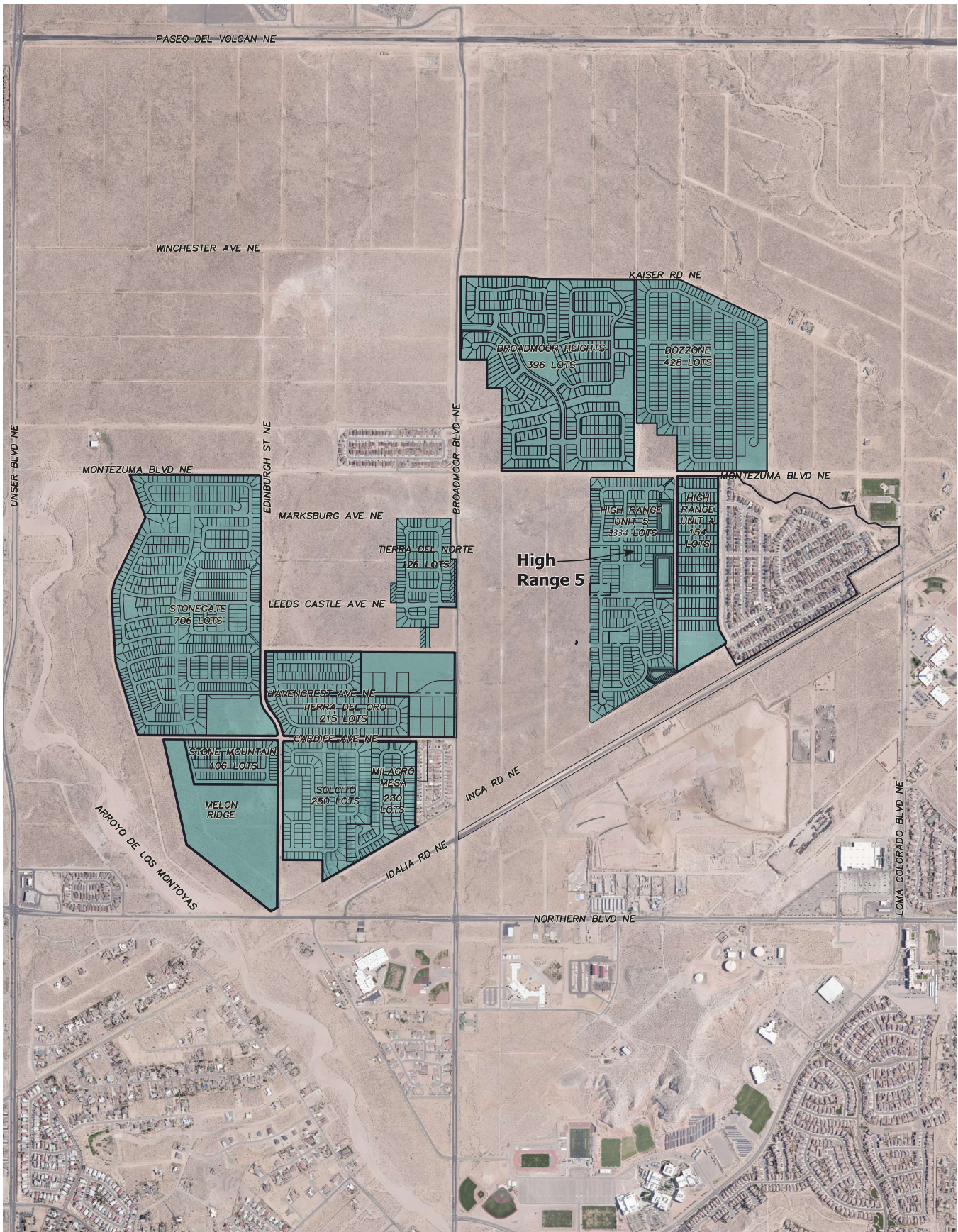
- Rio Rancho Estates Unit 13, Block 72, Lot 11
- Rio Rancho Estates Unit 13, Block 72, Lot 14
- Rio Rancho Estates Unit 13, Block 72, Lot 34



SITE VICINITY.



HIGH RANGE 5 WITHIN LOMAS NEGRAS SAP.



NEARBY ONGOING SUBDIVISIONS.

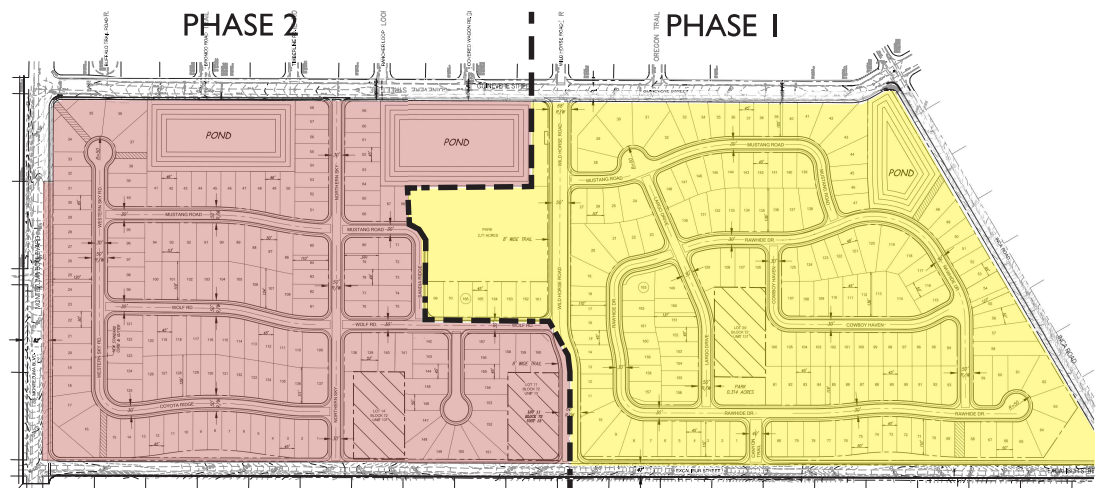
The High Range 5 Master Plan is the mechanism that was used to assemble 74 parcels that are currently challenged by antiquated platting and checkerboard ownership. The Master Plan provides the development framework and design guidance for the developer and homebuilders intending to build the High Range 5 community. The Master Plan also provides the City of Rio Rancho Development Services with the framework and point of reference regarding future platting actions and development that is anticipated to occur in two phases.

The objectives of the High Range 5 Master Plan are to:

- Eradicate the antiquated platting and checkerboard ownership that hinder the growth of the City of Rio Rancho;
- Designate the preferred zoning for the subject property;
- Provide high quality, medium-density single-family residential development within this area of Rio Rancho;
- Implement the goals and policies of the City of Rio Rancho Comprehensive Plan and the Lomas Negras SAP; and
- Integrate land use, recreation facilities, drainage, and utilities into a comprehensive, master development plan.

MASTER PLANNING PROCESS

The High Range 5 Master Plan was completed in collaboration with the City of Rio Rancho Development Services, High Range 5, LLC. and High Range 72, LLC., Consensus Planning, Inc., and Mark Goodwin and Associates. A Zone Map Amendment and an amendment to the Lomas Negras Area Plan accompanied the High Range Master Plan approval. Subsequent approvals of subdivision plats are required for each of the two phases of development, with the south area of High Range being Phase 1 (166 lots) and the north area being Phase 2 (163 lots), for a total of 329 lots.



2: EXISTING CONDITIONS

INTRODUCTION

The Existing Conditions chapter describes the surrounding land use and zoning; challenges presented by antiquated platting; transportation and existing infrastructure; and natural features. This chapter also includes an analysis and discussion of the relevant goals, objectives, and policies of the City of Rio Rancho Comprehensive Plan and the Lomas Negras SAP that are furthered by the High Range 5 Master Plan.

ANTIQUATED PLATTING

The antiquated platting and diverse land ownership, a common constraint faced within Rio Rancho, is a challenge for land development. Antiquated platting makes orderly, harmonious, and economically sound development difficult to achieve, if not impossible. The City of Rio Rancho Comprehensive Plan recognizes antiquated platting as a major obstacle to sound growth and promotes land assemblage to address the issue. The challenges typically associated with antiquated platting include inadequate street layout; faulty lot layout related to size, adequacy, accessibility or usefulness; diversity of ownership; improper subdivision; and obsolete and impractical planning and platting.

At the time Unit 13 was annexed and platted, it was common to have a development pattern with streets laid out in a grid with rectangular one-acre residential parcels adjacent to the streets. This development pattern created long blocks of checkerboard ownership and antiquated platting that is in contrary to and does not further the City's goals and standards for development. The High Range 5 Master Plan is the outcome of assembling 74 parcels (approximately one acre in size) to create the approximately 72-acre development site.

Three parcels within Block 72 are not covered or governed by the High Range 5 Master Plan. The developers of High Range 5 offered the owners of these properties several times to acquire their properties, but were unsuccessful in gaining their interest. The subdivision layout identifies these three out-parcels.

SURROUNDING ZONING and LAND USE

The High Range 5 Master Plan is accompanied by a request from the developer for a Zone Map Amendment from R-1 to R-4: Single Family Residential and a request to amend the Lomas Negras SAP land use map. The R-4 zone allows for a minimum lot width of 40 feet and a minimum lot size of 4,000 square feet. The zoning and density of approximately 4.57 dwelling units per acre is consistent with other development within High Range, Units 1-4. Table 1, shown below, identifies the existing zoning and land use that surrounds High Range 5.

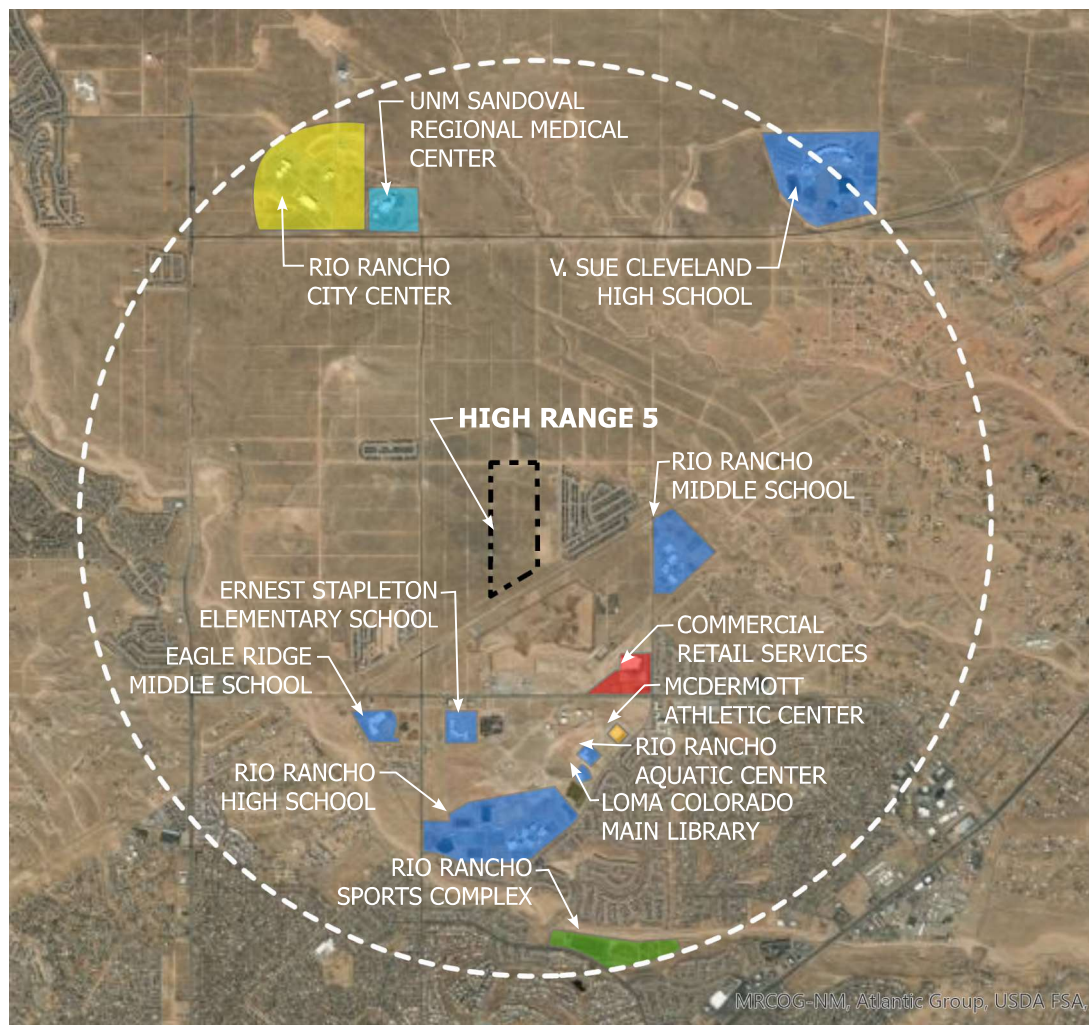
TABLE 1: SURROUNDING ZONING & LAND USE		
Direction	Zoning	Land Use
North	C-1, R-4, R-1	Vacant
South	C-1, R-4, Special use, Unzoned	Vacant
East	C-1, R-1	High Range Units 1-4, Single Family Developments; Vacant
West	R-1, O-1, C-1	Vacant

ROADWAY SYSTEM

High Range 5 is well served by Rio Rancho's existing and planned roadway system. The main north-south roadways serving High Range 5 are Guinevere Street (Major Collector) on the east and Excalibur Road on the west. The east-west roadways serving High Range 5 are Inca Road (Local Street) on the south and Montezuma Boulevard (proposed Minor Arterial) on the north. Montezuma Boulevard directs traffic east to Loma Colorado Boulevard (Minor Arterial) and west to Broadmoor Boulevard (Major Collector). Guinevere Street has direct access to Idalia Road (Minor Arterial), which bisects Loma Colorado Boulevard and Broadmoor Boulevard. This existing roadway system provides convenient access for High Range 5 residents to major activity nodes of the City.

PROXIMITY TO ACTIVITY NODES

High Range 5 is optimally situated between activity nodes in Rio Rancho. Within a 2-mile radius of High Range 5 is the Rio Rancho City Center, UNM Sandoval Regional Medical Center, and V. Sue Cleveland High School to the north; Rio Rancho Middle School to the east; and Ernest Stapleton Elementary School, Eagle Ridge Middle School, Rio Rancho High school, McDermott Athletic Center, Rio Rancho Aquatic Center, Loma Colorado Main Library, Rio Rancho Sports Complex, and commercial retail services to the south.



PROXIMITY TO ACTIVITY NODES.

EXISTING INFRASTRUCTURE

Existing water and sewer utility systems are available to serve High Range 5. There is an existing 8-inch water line in Guinevere Street and an existing 12-inch water line in Montezuma Boulevard. There is also an existing 8-inch sewer line in Guinevere Street and an existing 12-inch sewer line in Montezuma Boulevard.

NATURAL FEATURES

The subject property is primarily rolling grassland hills with shrubs sparsely covering the surface within a high-desert environment. Indian rice grass, blue grama, and ring and bush muhly are the dominant grass species. Cholla, prickly pear, and narrow leaf yucca are common. Fauna within the area include quail, cottontail rabbit, jackrabbit, and coyotes. In addition, High Range 5 has expansive views of the Sandia Mountains to the east.

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3: HIGH RANGE 5 LAND USE, ZONING, & DENSITY

LAND USE

High Range 5 is intended to provide an affordable housing option for current and future Rio Rancho residents. It is designed to complement the single-family development to the east and in the area, consistent with the Lomas Negras Specific Area Plan. In addition to single-family detached homes, High Range 5 includes a 2.71-acre public park, a .314 pocket park, and a multi-use trail that will serve residents of High Range 5 and residents of other subdivisions in the area. The three existing drainage facilities located within High Range 5 along Guinevere Street are designed to hold the stormwater outfall from High Range 5 and the subdivision to the east.

CATEGORY	ACRES
Medium Density Single-Family Residential	45.31
Parks	3.02
Common Areas	2.42
Drainage Facilities	6.59
Roads	15.50
Total	72.84

ZONING

The zoning for High Range 5 is R-4: Single-Family Residential, which requires a minimum lot width of 40 feet and a minimum lot size of 4,000 square feet. All the lots within High Range 5 exceed this lot size and are designed with a minimum lot width of 45 feet and lot depth of 105 feet, exceeding the requirements of the R-4 zone. Setbacks, height, and other development standards are addressed in the Master Plan's Design Standards.

DENSITY

High Range 5 is a medium-density, single-family residential development. It contains 329 lots, which equates to approximately 4.57 dwelling units per acre.

PARKS AND COMMON AREAS

Neighborhood parks are an important quality of life amenity. They provide visual relief from development and promote active lifestyles through recreation. High Range 5 is designed with a 2.71-acre neighborhood park and a .314-acre pocket park that will serve the community residents as well as residents in the area. Park amenities will be determined in conjunction with City of Rio Rancho Parks and Recreation and may include a children's play area, basketball court, walking paths, parking, trees, and turf. The developer will design and construct the park.

In addition to the neighborhood park and pocket park, High Range 5 includes several common areas, including buffers along the perimeter, small areas at the primary entries, and at intersections. These are areas where landscape improvements can be provided that will help beautify the community.

TRAILS

Wild Horse Road is a collector road that runs east-west through High Range 5. It is designed with adequate right-of-way to accommodate a 8-foot multi-use trail along its north side. The multi-use trail provides an alternative to vehicle travel in the area and will provide a link to other parks within the Lomas Negras Specific Area Plan boundaries. The multi-use trail will be designed and constructed in accordance with the City of Rio Rancho Development Standards.

4. CITY OF RIO RANCHO PLANS & POLICIES

CITY OF RIO RANCHO COMPREHENSIVE PLAN

The City of Rio Rancho Comprehensive Plan provides general development policies and guidelines for new development. The High Range 5 Master Plan is consistent with the goals and policies contained in the Comprehensive Plan. The following analysis describes how the High Range 5 Master Plan achieves and furthers the goals and policies.

ANNEXATION, ANTIQUATED PLATTING, AND ADDRESSING

The intent of this element of the Comprehensive Plan is to ensure the challenges associated with antiquated platting be resolved throughout Rio Rancho through proper platting and addressing.

The High Range 5 site was annexed into the City of Rio Rancho in 1995 and remained vacant for 25 years. Antiquated platting and checkerboard ownership presented a significant challenge to development and made assembling the land a difficult process. The developer assembled 74 parcels, totaling approximately 72-acres, to create the High Range 5 Master Plan. Gallahad Street was vacated in order to create a pedestrian-oriented residential community with appropriate infrastructure.

CONSERVATION AND THE NATURAL ENVIRONMENT

The intent of the Conservation and the Natural Environment element of the Comprehensive Plan is to ensure that sustainability is a key component of the City's growth. As development occurs, concerns regarding water quality, air quality, water conservation, energy conservation, geological features, and soil conditions should be considered by the City of Rio Rancho when development decisions are made. The following goal is furthered by the High Range 5 Master Plan:

- Goal 1: Preserve water resources.

The High Range 5 Master Plan identifies xeriscape landscape requirements in the Design Guidelines. Preferred plant materials include native shrubs, trees, and grasses, as identified in Appendix B: Plant Palette. Materials such as cobblestone and boulders are encouraged as accents in the front yard landscapes and cool season turf is discouraged (see Design Guidelines).

LAND USE

The intent of the Land Use element of the Comprehensive Plan is to provide land use guidance for population growth by identifying and proposing the location of different types of development and land uses. Land use creates planning implications for infrastructure needs, traffic circulation, recreation needs, the environment, community and neighborhood character, and the City's overall economic viability.

- Policy 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.

The High Range 5 Master Plan establishes the desired community character through the Design Guidelines, which addresses building colors, finishes, and landscape requirements. The development includes a neighborhood park and

multi-use trail to meet the recreational needs of residents. The grading and drainage plan for High Range 5 incorporates three on-site ponds that will retain water from the site and water flows from the west.

POPULATION AND HOUSING

The intent of the Population and Housing Element of the Comprehensive Plan is to ensure that housing is available to all sectors of the population and to guide development to key areas that are fundamental to the development of the City. The High Range 5 Master Plan furthers the following Population and Housing goals and policies:

- Goal 4: To ensure that single-family and multi-family residential neighborhoods provide an attractive living environment.
- Policy 7: Support residential developments with appropriate amenities for families and children.

The High Range 5 community is an attractive single-family neighborhood with amenities for a variety of households, including family and non-family households. The development includes a neighborhood park and a multi-use trail that will help serve the multi-generational needs of the community. High Range 5 is in proximity to other existing public amenities, such as the Loma Colorado Main Library, McDermott Athletic Center, and the Rio Rancho Sports Complex.

TRANSPORTATION

The Transportation element of the Comprehensive Plan encourages a multi-modal transportation network to meet long-term local and regional circulation needs. A coordinated pedestrian network is encouraged throughout the Plan Area to help foster non-vehicular mobility and accessibility. The following transportation goals, policies, and objectives are applicable to the High Range 5 Master Plan:

- Goal TR-1: Transportation facilities designed and constructed in a manner to facilitate Rio Rancho's economic goals, enhance livability, and meet federal, state, and regional and local requirements.
- Goal TR-3: A balanced transportation system that provides access to a variety of transportation options (automobile, transit, bus rapid transit, rail, bicycle, and pedestrian facilities).
- Policy TR-11: Ensure all rights-of-way and transportation facilities are ADA-compliant.

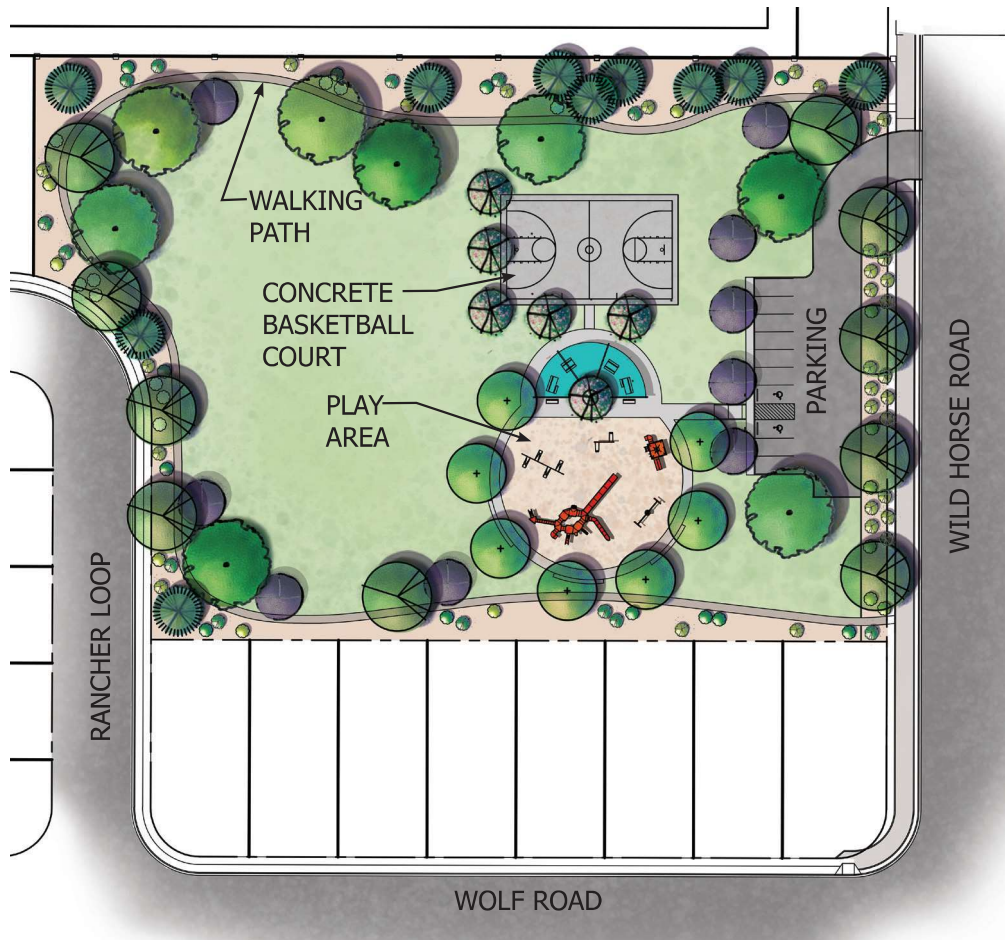
In addition, the east to west collector identified in the Lomas Negras SAP as 16th Avenue will be partially constructed and identified as Wild Horse Road within High Range 5. Wild Horse Road accommodates adequate right-of-way for an ADA accessible, 8-foot multi-use trail. According to the Lomas Negras SAP, the Department of Public Works will program the multi-use trail in the ICIP and be built to City standards as funds become available (*see page 36, Lomas Negras SAP*). The multi-use trail will provide greater balance to the transportation system by providing an option for residents to bike and walk.

PARKS AND RECREATION

The intent of the Parks and Recreation element of the Comprehensive Plan is to ensure that amenities such as parks and recreational facilities are provided for City residents. The goals and objectives met by the High Range 5 Master Plan are:

- Goal PR-1: Establish new and maintain existing recreation and senior centers, parks, trails and open space that foster a quality community, support a strong economy, and meet the needs of current and future residents.
- Goal PR-2: Be responsive to the recreational needs of the community.

As previously mentioned, the High Range 5 Master Plan furthers these goals by providing a neighborhood park, a multi-use trail along Wild Horse Road, and a pocket park that responds to the recreational needs of the community and creates a quality neighborhood. A conceptual layout of the neighborhood park is provided below. Design and construction of the park will be coordinated with and reviewed and approved by the Rio Rancho Parks and Recreation Department. The developer will be seeking Impact Fee credits for the park, which will be negotiated with the City of Rio Rancho as part of a Development Agreement.



HIGH RANGE 5 NEIGHBORHOOD PARK CONCEPT.

URBAN DESIGN

The Urban Design element of the Comprehensive Plan ensures that development will follow design standards that achieve the creation of community identity and aesthetic quality. Relevant goals furthered by the High Range 5 Master Plan include:

- Goal UD-2: Create traditional neighborhood patterns that support a sense of place.

- Goal UD-6: Support development that links neighborhoods and encourages the use of all modes of transportation.

These goals are furthered by the High Range 5 layout which creates a traditional neighborhood development pattern with multiple points of access to the existing street system and adjacent neighborhoods. High Range 5 is linked to the Entrada at High Range neighborhood through the provision of a multi-use trail along Wild Horse Road, the east-west collector street running through the center of High Range 5. Wild Horse Road will also link High Range 5 to future development to the west towards Broadmoor Boulevard and Unser Boulevard. The multi-use trail will connect to the existing multi-use trail along the east side of Guinevere Street.

LOMAS NEGRAS SPECIFIC AREA PLAN

The purpose of the Lomas Negras Specific Area Plan (SAP) is ..."to help guide and manage future development along, and in the vicinity of, major arterial streets within the City or Rio Rancho." The Lomas Negras SAP encompasses 981 acres located within Rio Rancho Estates Unit 13. The SAP boundaries are Montezuma Boulevard on the north; Idalia Road on the south; Loma Colorado Boulevard on the east; and the Montoyas Arroyo on the west. High Range 5 is one of several subdivisions located within the Lomas Negras SAP boundaries. The High Range 5 Master Plan implements the following goals and objectives of the SAP:

LAND USE

The Lomas Negras SAP proposes land use categories that are consistent with and promote the goals and policies in the Comprehensive Plan, such as medium density residential. The Lomas Negras SAP encourages the consolidation of lots and platting action to meet the current development standards. Preferred residential densities for properties within the Lomas Negras SAP ranges from low to high. Community uses, such as schools, parks, and churches that are integral to a creating a complete neighborhood, are also identified in the Lomas Negras SAP. The following land use goal is furthered by the High Range 5 Master Plan:

- Land Use Goal: Promote a variety of housing choices including low- and medium-density single family residential uses and high density multi-family residential uses.

The High Range 5 Master Plan furthers this goal by implementing medium density residential use through a Zone Map Amendment to R-4: Single-family Residential. The medium-density residential increases the availability of affordable housing opportunities and increases the mix of housing types within Rio Rancho.

UTILITIES

The High Range 5 Master Plan furthers the utilities goal, objective, and policy by coordinating and linking to existing water and sewer utility infrastructure within adjacent rights-of-way:

- Utilities Goal: Assure that urban uses have full utilities, both community water and sewer provided to all new development in the Plan area.

- Utilities Objective: Coordinate water and sewer utility infrastructure among various master plan and subdivision developments as approved within the Plan area.
- Utilities Policy: No building permits will be issued for development in the Plan area by Development Services department if the owner cannot provide community water and sewer to the property.

A water and sewer serviceability letter has been requested by the developer for High Range 5. It is anticipated that High Range 5 will be served by the existing water line within Guinevere Street and the existing sewer line within Inca Road. The three existing drainage facilities will serve High Range 5 and continue to serve Entrada at High Range to the east.

COMMUNITY FACILITIES

The High Range 5 Master Plan expands the City of Rio Rancho’s parkland inventory through the provision of a neighborhood park and multi-use trail, furthering the Community Facilities goal:

- Community Facilities Goal: Create open space, parkland, trails and other recreation amenities to serve the Plan area.

As previously mentioned, the neighborhood park and multi-use trail will serve the residents of High Range 5, Entrada at High Range, and other residents in the area.

CORRIDOR OVERLAY ZONE

In 2008, the Governing Body adopted Ordinance No. 57 as an amendment to the Lomas Negras Specific Area Plan. It created a Corridor Overlay Zone for access, floodplain, and design standards on certain properties within High Range 5:

- Unit 13 Block 73, Lots 1-5; a portion of Lot 6, and a portion of Lot 3, and 32-35

The amendment included design standards that apply to commercial and multi-family development, which will not be included in High Range 5. It also included an overlay for future rights-of-way and setbacks for collector streets as follows:

- Collector street - 34-foot setback from centerline, plus zoning district setback
- Minor arterial street - 53-foot setback from centerline, plus zoning district setback
- Principal arterial street - 78-foot setback from centerline, plus zoning district setback

The street section proposed for Wild Horse Road (collector street) provides 68 feet of right-of-way, which meets or exceeds the standards in the Corridor Overlay Zone. The layout does not include any driveway access to residential lots from Wild Horse Road.

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5: TRANSPORTATION

OVERVIEW

The newly planned High Range 5 is to be located contiguous to the established High Range subdivision located west of the Unit 4 subdivision that is currently under construction. The new development phase is to be situated north of Inca Road, south of the future Montezuma Boulevard and east of the future Excalibur Street alignment. High Range 5 will have access to Idalia Road via the Guinevere Street intersection, located along this site's easterly property line. The Guinevere Street intersection is to be located about 0.65 miles southwest of Loma Colorado Boulevard and about 0.68 miles northeast of Broadmoor Boulevard. Access will also be available to the future Montezuma Boulevard to the north via Guinevere Street as well as via Excalibur Street. East/west access to Loma Colorado Boulevard and the other site development phases will be possible via Inca Road, an internal local collector street parallel to Idalia Road.

Located near the northerly reaches of the developing Rio Rancho area, major employment centers of the greater Albuquerque and Rio Rancho areas are generally located to the south and east. The lone major intersection associated with this site includes the signalized intersection of Idalia Road and Loma Colorado Boulevard.

The site will be developed in two construction phases with a total of 329 single-family dwelling units at full build-out. Access to the High Range 5 internal street network will be via two entrance roads off of Guinevere Street and three entrance road connections off of Excalibur Street. The main entrance road (Wild Horse Road) will be a 50-foot wide collector street (68-foot right-of-way) extending west from the existing High Range Unit 4. There will be a 8-foot wide multi-use trail on the north side and a 5-foot wide sidewalk on the south side. Access to the major roadway network will be mostly gained through the Guinevere Street intersection with Inca Road, south to Idalia Road or east to Loma Colorado Boulevard. All internal streets in the subdivision will have a 30-foot wide paved section.

All new streets within High Range 5 will be constructed to meet City of Rio Rancho standards. This includes the perimeter streets of Excalibur and Inca. A Traffic Impact Study is in the process of being revised at the date of this writing to reflect a lesser number of residential lots than were previously assumed in the prior Traffic Impact Study.

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6: CONCEPTUAL DRAINAGE PLAN

PLAN AREA DESCRIPTION

The proposed High Range 5 subdivision will consist of 329 single family residential lots covering approximately 72 acres. The project site is not encumbered by a FEMA 100-year floodplain (*refer to FEMA firmette 35043C1900D, 3/18/2008*). This project site is part of the overall approved drainage management plan report prepared by Huitt-Zollars, "Drainage Study for High Range 4 Subdivision". The Drainage Master Plan for this project will be in compliance with previously approved drainage plans, with special attention to compliance with previous design assumptions for the SSCAFCA High Range pond both for storage capacity/peak elevation for the 100-year, 24-hour design storm event.

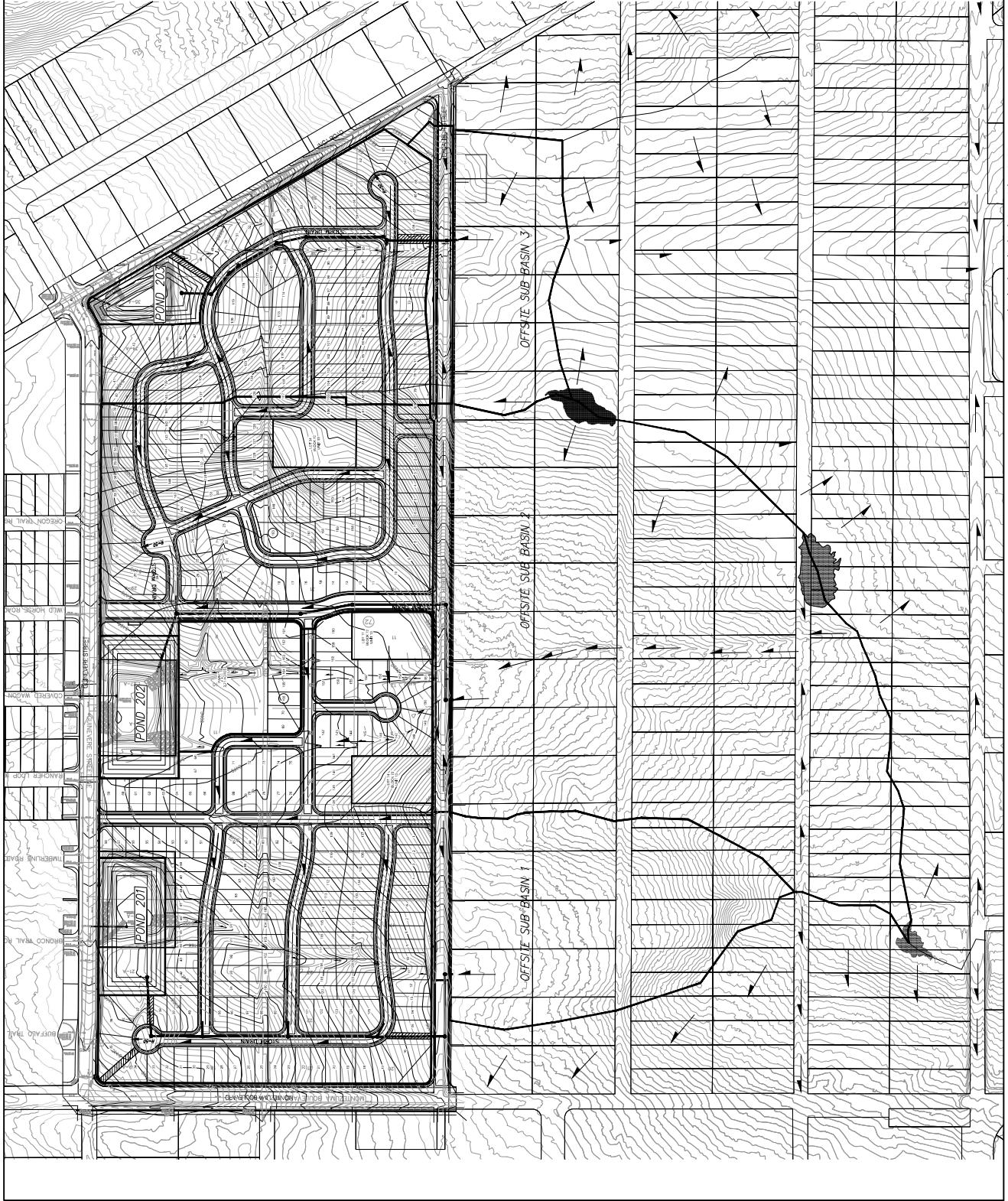
EXISTING CONDITIONS

The general topography in the area flows downhill from west to east. There are three offsite sub basins west of the future Excalibur Street. Runoff from these sub basins flows through the site to one of three existing detention ponds located adjacent to Guinevere Street. Existing downstream storm drain system conveys an allowable limited discharge from the two northern ponds to a larger downstream pond located east of High Range 4. The south pond at Inca Road has a limited allowable discharge into Inca Road through sidewalk culverts. The amount of allowable discharge is shown on the Master Drainage Plan exhibit.


DEVELOPED CONDITIONS

Under developed conditions, the offsite flows west of Excalibur Street will be intercepted and conveyed through an internal storm drain to one of the three detention ponds. The internal runoff will be conveyed through surface street runoff before being intercepted by inlets into the onsite storm drain. The existing pond will be resized, as necessary, to detain runoff from offsite flows for existing conditions and onsite developed conditions runoff while limiting the discharge into the existing downstream storm drain in accordance with the previously approved Drainage Management Plan. The ponds will also be sized to detain/retain the required water quality volume for the onsite flows in accordance with the City of Rio Rancho current requirements. When the site to the west develops, it will be required to detain its developed flows and be restricted to an allowable discharge as approved by City drainage requirements. The developer ensures that increased stormwater runoff volume from High Range 5 development will not overwhelm the downstream SSCAFCA facility (SSCAFCA High Range Pond) and more analysis will be completed in a future drainage submittal indicating no change of design assumptions as the subdivision plats for High Range move forward.

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HIGH RANGE 5	
MASTER DRAINAGE PLAN OVERVIEW	
 MARK GOODWIN & ASSOCIATES, P.A. CONSULTING ENGINEERS 1100 S. UNIVERSITY BLVD., SUITE 100 ALBUQUERQUE, NEW MEXICO, 87199 (505) 928-2200, FAX (505) 797-9539	
Drawn: DMH	Checked: DMH
Drawn: CM	Checked: DMH
Date: 3/21	Sheet 1 of 2

7. CONCEPTUAL UTILITY PLAN

This section describes water and sewer infrastructure and services. High Range 5 shall be serviced by the City of Rio Rancho Utility Department.

WATER

The existing High Range 5 property slopes from west to east and ranges in elevation from 5505 feet to 5450 feet.

The water supply source is proposed to come from an existing 8-inch line in Guinevere and an existing 12-inch line in Montezuma. An 8-inch line would be extended in Excalibur Street with three stubs to the west for future development. This 8-inch line would be looped to a new 8-inch line in Inca Road, which would extend eastward where it will connect to the existing 8-inch waterline just west of Guinevere Street.

An 8-inch line would be looped throughout the proposed subdivision extending from the three entrance roads off of Excalibur Street on the west side and looped to the existing 8-inch waterline in Guinevere Street at the two entrance road locations on the east side of the subdivision.

All waterlines within High Range 5 are proposed to be 8-inch lines with all the appropriate valves and fire hydrants.

SANITARY SEWER

The High Range 5 subdivision will be serviced through an internal 8-inch gravity line with manholes as necessary to meet City of Rio Rancho design standards along with sanitary sewer services to each lot. The topography within the project site falls from west to east and there are several low-lying sump areas in Guinevere Street, which are also indicative of the condition onsite.

Due to the particular topography of the area, the proposed subdivision will require up to three separate sanitary sewer connections to drain the site properly. One connection will be at the far northeast corner cul-de-sac connecting to the existing sanitary sewer line at the intersection of Guinevere Street and Montezuma Boulevard. The additional two connections will be in Guinevere Street at the intersection with the two entrance roads. Several 8-inch stub-outs will be provided to the property to the west in Excalibur Street in the same vicinity of the storm drain stub outs at the low-lying areas.

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8: DESIGN GUIDELINES

INTRODUCTION

The High Range 5 Master Plan recognizes the importance of creating design guidelines that promote cohesiveness within the residential development. The purpose of the Design Guidelines is to provide a flexible framework with specific objectives that encourage a creative approach to community design. The desired character of design features common to the community, such as grading, landscape, signage, lighting, walls, setback, pedestrian connections, and architecture, are expressed in these guidelines. These design guidelines help implement the Urban Design provisions of the City of Rio Rancho's Comprehensive Plan.

The Design Guidelines are primarily intended for use by homebuilders. Guidelines using the term "shall" and "will" are mandatory. These guidelines do not supersede specific requirements under the Rio Rancho Zoning Code. Where conflicts occur between these design guidelines and City regulations, the more restrictive shall apply.

The Design Guidelines address site planning, pedestrian amenities, multi-use trail, building design and materials, setbacks, landscape, walls, entry signs, lighting, and utilities to create the visual image desired for High Range 5. The Design Guidelines are intended to be complementary to the surrounding area while creating an unique High Range neighborhood identity.

GENERAL SITE PLANNING

- Development within High Range 5 shall comply with the City of Rio Rancho Subdivision Ordinance.
- Residential lots are prohibited from fronting or having driveway access to a collector or major local street.
- The typical lot shall be a minimum of 45 feet by 105 feet.
- Lots that face streets at the front and rear shall be limited to one driveway access from the front facing street. A solid wall shall be provided at the rear yard of these properties to ensure no access from the secondary street frontage.
- Clear sight distances shall be maintained at all driveway locations and intersections per AASHTO design standards.

PEDESTRIAN AMENITIES

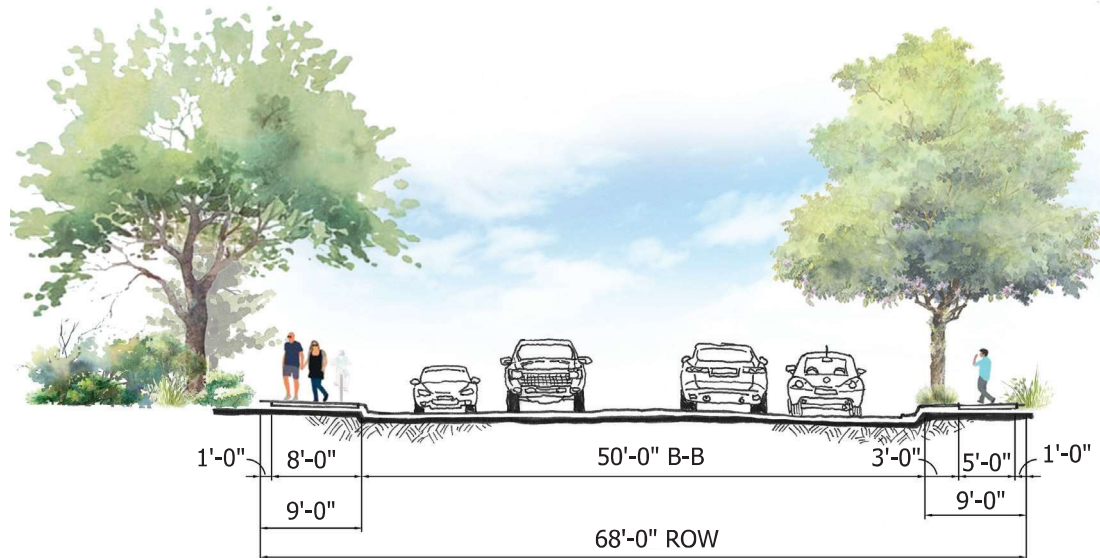
- All pedestrian paths shall be designed to be handicapped accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design), except where topography makes this unfeasible.
- Sidewalks shall be five feet in width throughout the subdivision, with the exception of the north side of Wild Horse Road, which shall contain the 8-foot multi-use trail.
- To the maximum extent feasible, all residential streets, parks, trails, and common open space areas shall be designed to create a connected system that promotes pedestrian circulation and access.

- All pedestrian walkways and trails shall be designed to be accessible and consistent with the Americans with Disabilities Act Criteria for Barrier-Free Design.

MULTI-USE TRAIL

The Lomas Negras SAP calls for a 8-foot multi-use trail within the right-of-way of the east-west collector road (Wild Horse Road) through the High Range 5 project area. The High Range 5 Master Plan provides a 68-foot right-of-way for Wild Horse Road that is designed to accommodate the multi-use trail (see *street section below*).

- The multi-use trail shall be 8 feet in width, designed to be ADA-compliant, and constructed to AASHTO standards, or equivalent.
- The multi-use trail shall be located on the north side of Wild Horse Road.



WILD HORSE ROAD SECTION.

BUILDING DESIGN AND MATERIALS

Architectural style is not regulated by the City of Rio Rancho. However, certain common design elements should be complementary to and enhance the community image. The architectural design should respond to climate, views, solar exposure, and aesthetic considerations. The architectural design elements shall be enforced through an Architectural Review Committee (ARC) established through the Homeowners' Association (HOA).

- Residential building heights shall not exceed 32 feet in height and shall be consistent with the City Comprehensive Zoning Code.
- Stucco shall be the primary building material. Stucco colors shall be limited to shades of brown, sage green, and tan. High intensity colors, such as metallic, black, or florescent colors, are prohibited.
- Stucco colors should vary and there shall be no more than two houses in a row with the same stucco color.
- Accent colors in entry portals, front door, window frames and trim, and other incidental elements shall be shades of white, blue, maroon, brown, and green.
- Windows may be wood, metal, or solid vinyl. Reflective film is prohibited.
- Exterior doors, including garage doors, shall be stained or painted wood or painted metal and shall match the architectural theme of the dwelling.

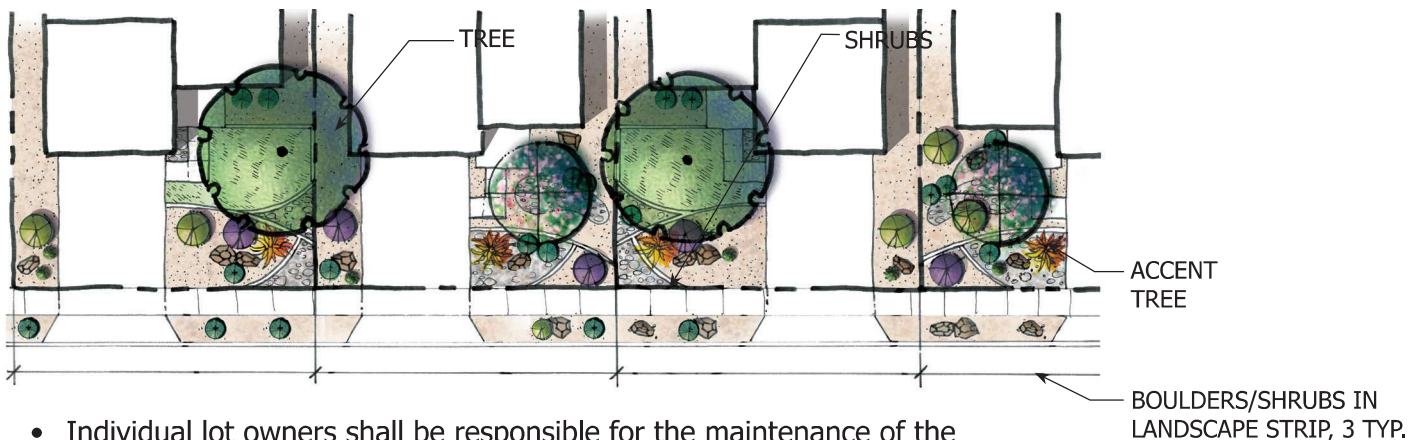
- Accent materials may consist of rock, wood, tile, or brick.
- All vinyl or metal window frames must be either recessed or projected a minimum of 2-inches if they are adjacent to stucco or stone, unless they are wood encased.

LANDSCAPE

The environmental and aesthetic value of landscaping in an arid environment is important. Landscaping shall be used to provide shade and relief from the heat and glare generated by development; buffer residents from undesirable views; to control soil erosion; and enhance pedestrian and vehicular traffic and safety.

The High Range 5 Master Plan promotes the use of native and naturalized plant species that perform well in an arid environment and conserve water. A landscape palette is included in Appendix A. The landscape within the planting strip adjacent to residential lots shall be maintained by the individual homeowner.

- Shrubs and/or boulders shall be provided along rights-of-way where front yards face the street, in a group of three. For example, two boulders and one shrub, one boulder and two shrubs, or three shrubs. The shrubs/boulders shall be provided in the planting strip between the back of curb and the public sidewalk.
- Street trees shall be provided along rights-of-way where side yards face the street, at a frequency of one tree per 50 feet and a maximum of two trees per side yard frontage. The street trees should be provided in the planting strip between the back of curb and the sidewalk; however, where planting strips are not present, the street trees shall be provided within 20 feet of the back of curb.
- Builders are required to provide front yard landscaping for each residential unit.
- Front yard residential landscapes shall include:
 - 1 Tree
 - 9 Shrubs
 - 3 Accent boulders



- Individual lot owners shall be responsible for the maintenance of the landscape on their property and the landscape strip between the back of curb and sidewalk within the public right-of-way. All plant material, including trees, shrubs, groundcover, wildflowers, etc. shall be maintained by the lot owner in a living attractive condition.
- Landscapes shall employ xeric principles of design and is encouraged to incorporate water harvesting to the extent possible.

SETBACKS

The use of setbacks provides space for visually attractive streetscapes and allows for adequate spacing and fire access between homes.

- The front setback shall be a minimum of 20 feet to any front facing garage door. The living or heated portion of the dwelling shall have a minimum offset of 5 feet from the garage in order to avoid a garage-dominated landscape. The use of courtyards, porches, or other design features may be used to accomplish this. The offset shall vary a minimum of every 3 lots.
- The rear setback shall be a minimum of 15 feet.
- The side setback shall be a minimum of 5 feet for a total of 10 feet between structures.
- Corner lots shall have a minimum 10-foot setback.

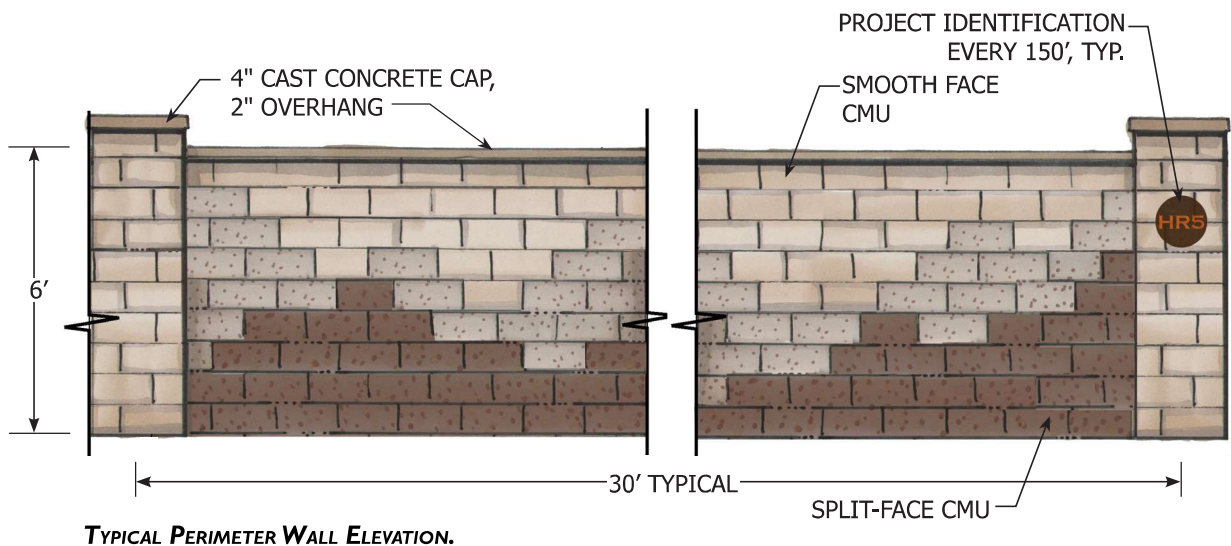
YARD WALLS

Walls and fences will serve to provide security, screening of unsightly areas, and visual relief. A consistent approach to wall design, quality, and height will provide visual continuity. Walls are considered an integral part of the site design and shall include:

- 6-foot CMU block with stucco finish.
- Yard walls shall not be constructed of unfinished gray block walls, barbed wire, chain link, concertina wire, and wood or plastic/vinyl fencing.

PERIMETER WALL

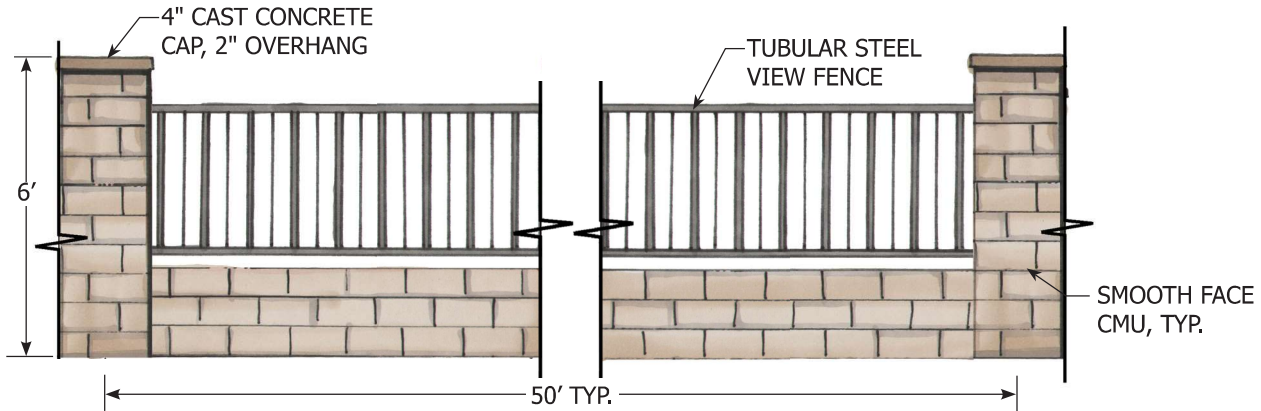
- The perimeter wall surface shall be finished with a combination of:
 - Smooth and split-face CMU block;
 - A continuous 4-inch cap that projects 2 inches out from the wall surface on the public side of the wall; and
 - Project identification medallion facing public rights-of-way along Montezuma Boulevard, Inca Road, Guinevere Street, and Excalibur Street.



VIEW FENCE

To enhance the aesthetics of the High Range 5 community, a view fence shall enclose the drainage ponds. The view fences shall include:

- Smooth-face CMU block for the base and pilasters; and
- Tubular steel fence panels between the pilasters.

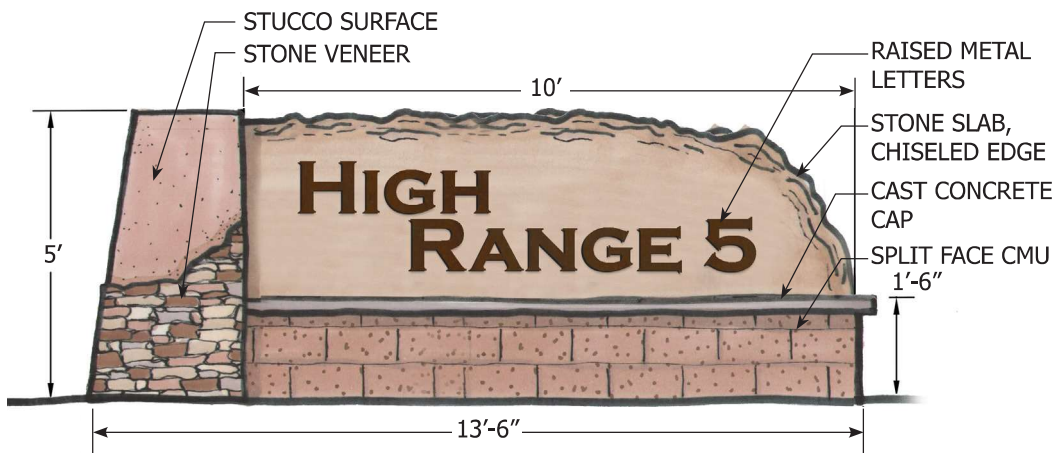


TYPICAL VIEW FENCE/WALL ELEVATION.

ENTRY SIGNAGE

Signage should enhance the overall attractive character of the community and provide project identification. A common design theme for signage will enhance the community image of High Range 5. Size and placement of entry monument signs should be considered an integral part of the site development process.

- Entry signage shall be monument style. The entryway monument shall not exceed 5 feet in height and 14 feet in length.
- Entry monument signs shall be designed and sited to allow adequate sight distance at roadway intersections.



ENTRY SIGN ELEVATION.

LIGHTING

The objective of the lighting guidelines is to provide lighting that enhances the safety, security, and visual aesthetic of High Range 5. Careful attention to lighting detail will contribute to a cohesive community feel and image.

- Outdoor lighting shall conform to state and local safety illumination standards and the existing City of Rio Rancho Outdoor Lighting Ordinance.
- Lighting should be located to enhance the safety of pedestrian and vehicular flows at key points along roadways. Street lights should be limited to intersections, tight curves, cul-de-sacs, and pedestrian crosswalks.
- The developer is responsible for obtaining any applicable approvals and permits prior to installation of lighting. Where any provisions of federal, state, county, or city statutes, codes, or laws conflict with any provisions of these design guidelines, the more restrictive shall govern unless otherwise regulated by law.

SITE UTILITIES AND SCREENING

Screening is required to minimize the visual impact associated with utility equipment and structures.

- All permanent utilities shall be located underground.
- Mechanical roof top units shall be screened from public view by the use of parapets or equivalent.
- Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or vegetation when viewed from the public right-of-way as practical and allow adequate clearance for safe operation, maintenance, and repair purposes.

9: IMPLEMENTATION

The implementation of the High Range 5 Master Plan shall occur at the time of development.

1. All land use decisions shall be in compliance with the adopted High Range 5 Master Plan and in accordance with the City of Rio Rancho Public Infrastructure Department approval; this includes platting and right-of-way acquisition.
2. All infrastructure should be planned and coordinated with City of Rio Rancho Public Infrastructure, City of Rio Rancho Departments of Public Safety and Transportation, PNM, and any other established entities working with Sandoval County and the City of Rio Rancho.
3. National Standards for emergency response times shall be upheld; therefore, facility planning shall be coordinated upon subdivision occurrence.
4. The neighborhood park developed as part of the High Range 5 Master Plan shall count towards the parks requirement established by the City of Rio Rancho.
5. All interior street locations and alignments are conceptual and subject to minor adjustment. Final location and alignment of internal streets shall be determined at the time of subdivision plat.
6. All streets shall be dedicated to the City of Rio Rancho at the time of subdivision plat.
7. The subdivision design and dwelling units shall be developed in accordance with the High Range 5 Master Plan and the City of Rio Rancho Ordinances.
8. A Development Agreement shall be submitted and approved at the time of subdivision plat. Impact Fee credits may be pursued by the developer for the park.

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APPENDIX A: PLANT PALETTE

Landscape plans within High Range 5 should emphasize plant materials with low to medium water requirements and xeriscape principles of design, to the extent feasible. The following plant palette is not intended to limit plant selection, but rather to provide guidance only.

Scientific Name	Common Name
TREES	
<i>Acer tartaricum</i> 'Hot Wings'	Hot Wings Maple
<i>Chilopsis linearis</i> 'Bubba'	Desert Willow
<i>Crataegus crus-galli inermis</i>	Thornless Cockspur Hawthorn
<i>Fraxinus oxycarpa</i> 'Raywood'	Raywood Ash
<i>Fraxinus velutina</i> 'Modesto'	Modesto Ash
<i>Gleditsia T.</i> 'Imperial'	Imperial Honeylocust
<i>Juniperus scopulorum</i>	Skyrocket Juniper
<i>Koelreuteria paniculata</i>	Goldenrain Tree
<i>Lagerstroemia indica</i> 'Whit II'	Crape Myrtle
<i>Pinus eldarica</i>	Afghan Pine
<i>Pinus nigra</i>	Austrian Pine
<i>Pistachia chinensis</i>	Chinese Pistache
<i>Platanus a.</i> 'Bloodgood'	London Plane Tree
<i>Pyrus calleryana</i> 'Cleveland'	Flowering Pear
<i>Quercus shumardii</i>	Shumard Oak
<i>Vitex agnus-castus</i>	Chaste Tree
SHRUBS	
<i>Arctostaphylos pungens</i>	Pointleaf Manzanita
<i>Buddleia davidii</i> 'Nanhoensis'	Butterfly Bush
<i>Caryopteris clandonensis</i>	Blue Mist
<i>Cotoneaster apiculatus</i>	Cranberry Cotoneaster
<i>Ephedra</i> spp.	Joint Fir
<i>Erysimum</i> 'Bowles Mauve'	Bowles Mauve Wallflower
<i>Fallugia paradoxa</i>	Apache Plume
<i>Gallardia grandiflora</i> 'Fanfair'	Blanket Flower
<i>Helichrysum augustifolia</i>	Curry Plant
<i>Hemerocallis</i> hybrid	Daylily
<i>Hymenoxys acaulis</i>	Angelita Daisy
<i>Lavandula augustifolia</i>	English Lavender
<i>Nandina domestica</i> 'Firepower'	Dwarf Heavenly Bamboo
<i>Perovskia atriplicifolia</i>	Russian Sage
<i>Pinus mugo mugo</i>	Mugo Pine
<i>Potentilla fruticosa</i>	Shrubby Cinquefoil

SHRUBS (continued)

Prunus besseyi	Western Sand Cherry
Rhaphiolepis indica	India Hawthorn
Rhus trilobata 'Autumn Amber'	Creeping Three-leaf Sumac
Rosmarinus officinalis	Rosemary
Salvia greggii 'furman's red'	Cherry Sage
Salvia dorrii	Purple Sage
Sedum spectabile	Stonecrop

DESERT ACCENTS

Agave havardiana	Havard Agave
Hesperaloe parviflora	Red/yellow Flowering Yucca
Nolina microcarpa	Beargrass

ORNAMENTAL GRASSES

Bouteloua g. 'Blond Ambition'	Blond Ambition Blue Grama
Calamagrostis a. 'Karl Foerster'	Karl Foerster Reed Grass
Helictotrichon sempervirens	Blue Avena Grass
Miscanthus spp.	Maiden Grass
Muhlenbergia c. 'Regal Mist'	Muhly Grass

VINES

Campsis radicans	Trumpet Vine
Rosa banksiae	Lady Banks Rose

TURFGRASS

Turfgrass revielle	Bluegrass Sod
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NATIVE GRASSES

Blue Grama	Bouteloua Gracilis
Buffalo Grass	Bouteloua dactyloides



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

June 20, 2024

RE: Master Plan Amendment, Zone Map Amendment
Case No. 24-410-0002, 24-100-00005
High Range 5 (HGHR5, Tr 1; HGHR5, Tr 2; U13, Blk 72, Lot 11)

Dear Property Owner:

You are receiving this certified notice because your property abuts a site where a land development decision is required by the Planning and Zoning Board.

The applicant, High Range 5 LLC, requests approval of an amendment to the High Range 5 Master Plan, to incorporate another lot; ie. U13, Block 72, Lot 11. The applicant concurrently requests approval of a Zone Map Amendment for the lot as well. The lot is currently zoned R-1: Single-Family Residential, and consists of 1 acre.

The **Planning and Zoning Board** will consider the request on **Tuesday, July 9, 2024** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below**.

On the back of this letter is a location map of the project, with the subject properties identified with the black outline.

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rnm.gov or on Sparklight cable channel 56.

For the **Planning and Zoning Board meeting**, to participate virtually: Join via computer: <https://us06web.zoom.us/j/85180741871?pwd=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

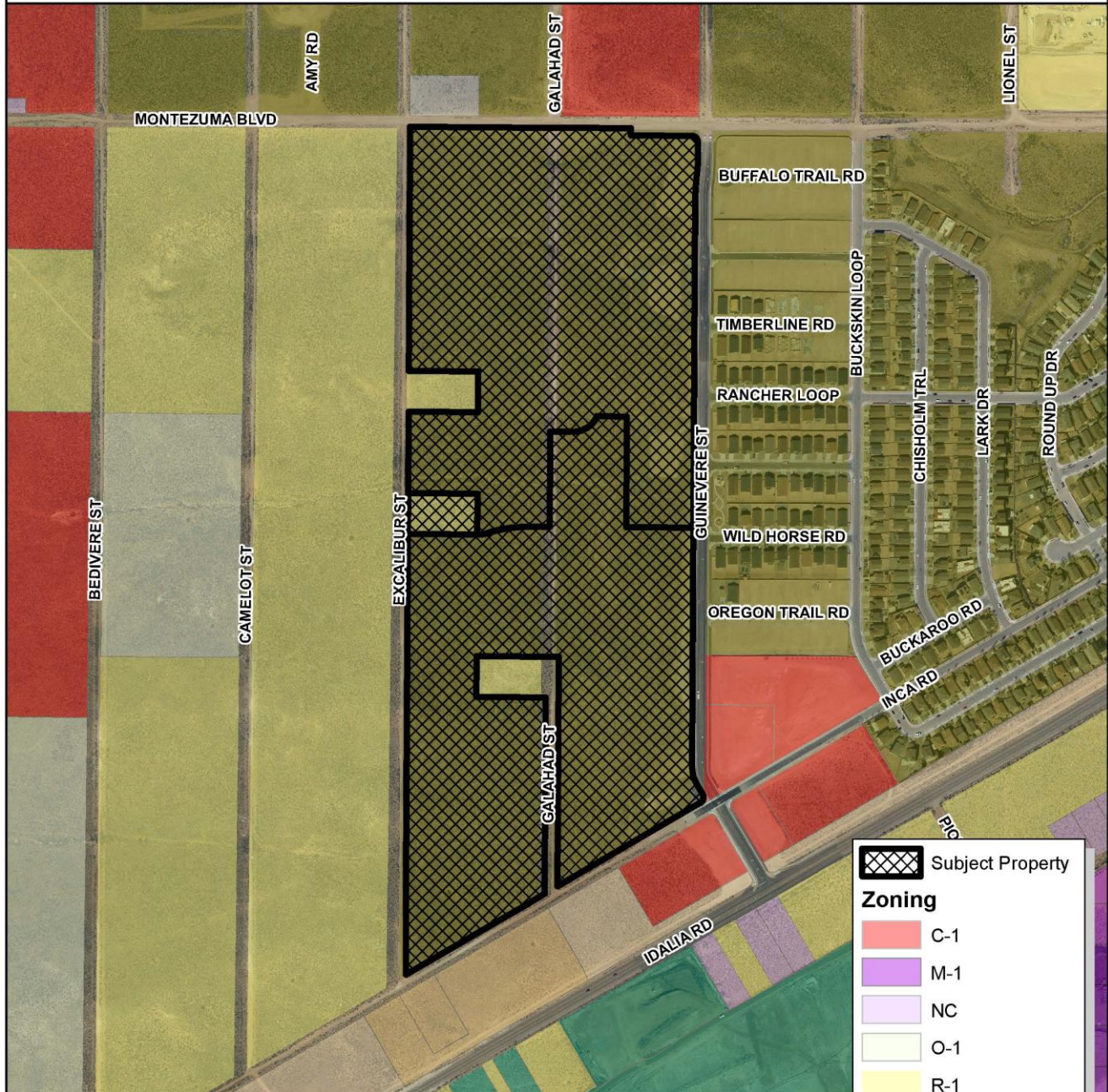
Please do not hesitate to contact me via e-mail me at lruizcarlos@rnm.gov or call me at 505-896-8785, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rnm.gov, the Friday before the hearing.

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,

Liz Ruiz Carlos
Municipal Planner II
Development Services Department
City of Rio Rancho

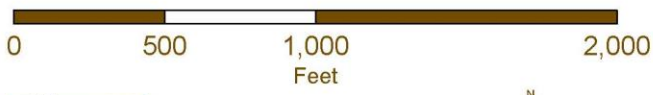
ZMA & MASTER PLAN AMENDMENT HIGH RANGE 5, UNIT 13, BLOCK 72, LOT 11



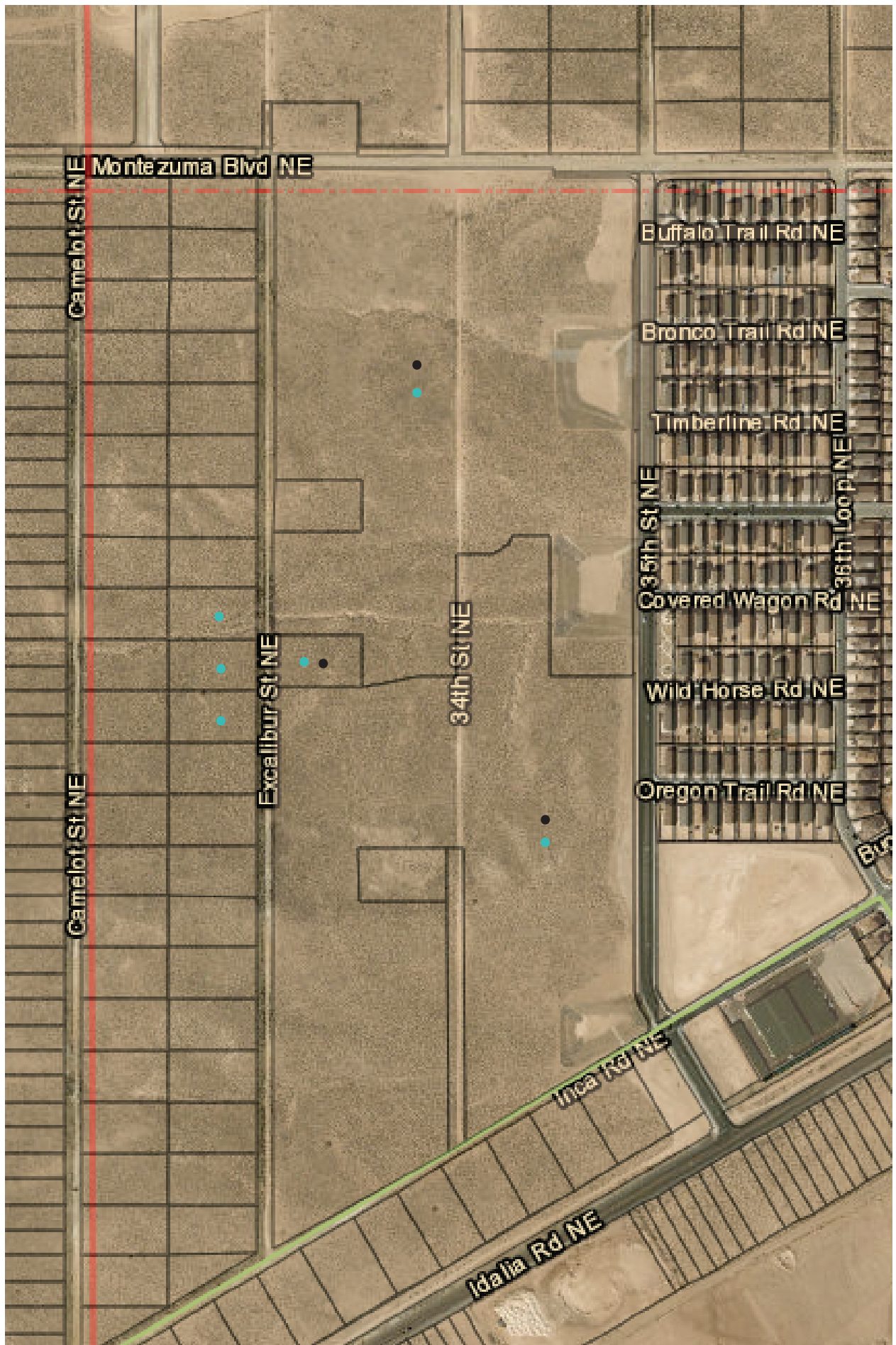
Subject Property

Zoning

- C-1
- M-1
- NC
- O-1
- R-1
- R-3
- R-4
- SU
- TZ
- Unzoned



DISCLAIMER: All information in 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.



- Notice Map:
- - First class mail to affected property owners (MPA)
 - - 100ft f/subject property, certified letter, return receipt requested (ZMA)

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, July 9, 2024:

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: June 24, 2024.

Preliminary, Final Plat
Case #24-210-00004

The applicant, City of Rio Rancho, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat replatting Cabezon, Parcel A into five parcels and dedicating right of way. The subject property is zoned OS: Open Space and comprises approximately 8.08 acres.

Text Amendment
Case #24-105-00002

The applicant, City of Rio Rancho, requests approval of text amendments to the following Chapters of the Rio Rancho Code of Ordinances: 154.03 Definitions to include a definition for Façade to read: Exterior walls and appearance of a building which are adjacent to or front a street, park or plaza; 154.50 Zoning Table/Residential to relocate footnote number two (2) to apply to side setbacks only in E-1 districts; 154.51 Zoning Table/Nonresidential to include the addition of the TZ: Transitional Zoning District, the minimum lot area 7,000 square feet, the minimum lot width 60 feet, the front setback 35 feet, rear setback 25 feet, side setback 10 feet, and corner setback 10 feet, and maximum building height 32 feet; and 150.03 Applications and Procedures (B) Master Plans/Plan Amendments/Specific Area Plans to correct notice requirements to read: First class mail to affected property owners 15 days prior to hearing (for both hearing if an amendment), and final decision to read: Master Plans and Specific Area Plans; Governing Body Plan Amendments: Planning and Zoning Board; for the purposes of updating incorrect or outdated information and providing clarity by adding definitions.

Master Plan Amendment
Case #24-110-00002

The applicant, High Range 5 LLC, requests approval of an amendment to the High Range 5 Master Plan, to incorporate another lot; ie. U13, Block 72, Lot 11.

Zone Map Amendment
Case #24-100-00005

The applicant, High Range 5 LLC, requests approval of a Zone Map Amendment for the property legally described as U13, Blk 72, Lot 11; physically The lot is currently zoned R-1: Single-Family Residential, and consists of 1 acre.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.



**CITY OF RIO RANCHO
RESOLUTION**

RESOLUTION NO.

ENACTMENT NO.

**A RESOLUTION AMENDING THE HIGH RANGE 5 MASTER PLAN TO INCLUDE
UNIT 13, BLOCK 72, LOT 11; 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: the Governing Body of the City of Rio Rancho has adopted a Comprehensive Plan that addresses and provides for specific goals, policies, and actions; proposes land use throughout the City; and also provides for land use in master planned communities via master plans; and

WHEREAS: the Governing Body of the City of Rio Rancho recognizes the need for long range, integrated comprehensive planning to direct future growth and development of the City; and

WHEREAS: on May 27, 2021, the High Range 5 Master Plan was approved by Resolution No.55, Enactment No.21-054; and

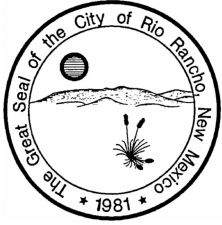
WHEREAS: in order to expand the boundary of the High Range 5 Master Plan to include Unit 13, Block 72, Lot 11; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the High Range 5 Master Plan at their meeting held on July 9, 2024, and following public hearing recommended approval of those amendments and modifications; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed amendments (Case No. 24-410-00002) to the High Range 5 Master Plan at their meeting held July 25, 2022, and following public hearing and receipt of the Planning and Zoning Board's report and recommendation, has determined that the amended Plan is in conformance with the City of Rio Rancho Comprehensive Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY
OF RIO RANCHO:**

Section 1. The Governing Body hereby approves and adopts the amendments and modifications to the High Range 5 Master Plan to include Unit 13, Block 72, Lot 11, per the attached Exhibit A.



CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 24-100-
00005**

AGENDA DATE:
July 9, 2024

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The applicant, High Range 5 LLC, requests approval of a Zone Map Amendment from R-1: Single-Family Residential to R-4: Single-Family Residential, for the property legally described as Unit 13, Block 72, Lot 11. Staff contact is Liz Ruiz Carlos and staff recommends the Planning and Zoning Board recommend approval to the Governing Body, with findings and conditions.

BACKGROUND AND ANALYSIS:

The applicant, High Range 5 LLC, requests approval of a Zone Map Amendment from R-1: Single-Family Residential to R-4: Single-Family Residential, for the property legally described as U13, Block 72, Lot 11. The subject property consists of 1 acre and is addressed off of Excalibur St NE, a residential road. The adopted Generalized Land Use Map (GLUM), Map L-2 of the City Comprehensive Plan identifies the subject property as "Low/Medium Density Residential." Concurrent to this Zone Map Amendment request, is an amendment to the High Range 5 Master Plan, to incorporate the lot into the plan.

REVIEW CRITERIA:

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 & 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 the criteria provided by R.O. 2003 Section 150.07 (D) through (G), a request for change in zoning designation must address the following policies and criterion for a zone map change: (D) The following policies for deciding zone map change applications pursuant to the City zoning code are hereby adopted: (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: "adequate safety, health and general welfare of the public is ensured in the single-family residential community of High Range 5. The subdivision provides several points of access for adequate circulation for day to day function, police access and, in case of fire, flood, or other natural disaster, will allow for orderly and timely evacuation. The recreational amenities, trail, and common open space areas will ensure ease of travel for pedestrians and allow outdoor exercise, increasing overall public health and general welfare. High Range 5 brings an attractive neighborhood that is not only consistent with but furthers the health, safety, morals, and general

welfare of the City."

Staff recommends that the Planning & Zoning Board find that the proposed zoning is consistent with the health, safety, morals and general welfare of the City. The requested Zone Map Amendment would enable additional housing dwellings in the City of Rio Rancho, providing residents with increased housing options in a growing area of the City, consistent with surrounding developments, and consistent with the morals and welfare of the City. 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 be made.

The applicant states: "Unit 13, Block 72, Lot 11, is an undeveloped parcel of land surrounded by the proposed High Range 5 and High Range 6 communities. This land is best suited for development as part of High Range 5...the requested zone change on Lot 11 from the existing R-1 to R-4 would eliminate the current R-1 spot zoning on Lot 11 for consistency with the surrounding R-4 zoned High Range 5 community."

Staff recommends that the Planning & Zoning Board find that the zone change will bring added stability to the area as it will address the current spot zone designation of Lot 11, given its proximity to the currently zoned R-4 properties within the High Range 5 Master Plan area. The request will allow for stability of land use by zoning the lot consistently with surrounding properties and enabling it to develop as part of the High Range 5 subdivision. 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: "as with the original High Range 5 approval, this request supports the City's goals, objectives, and vision by providing a land use that is compatible with the Lomas Negras Specific Area Plan (SAP) designation of Medium Density Residential (MDR). This request conforms with the key concepts identified for future growth within the SAP and complies with the permitted uses under the MDR designation...The High Range 5 development is consistent with the SAP Goals and Objectives including but not limited to the excerpts featured below; [ie.] Land Use, Utilities, and Community facilities."

Staff recommends that the Planning & Zoning Board find that the zone change is consistent with adopted elements of the Comprehensive Plan. Staff recommends that the Planning & Zoning Board find that the proposed zone change to R-4 promotes and furthers goals and policies of the Population and Housing Element of the City Comprehensive Plan; particularly Goal PH-3: Promote a variety of housing types to meet the needs of all members of the community. Staff recommends the Board find that the zone change also meets the Goals and Objectives of the Lomas Negras Specific Area Plan, in that it enables a variety of housing. 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.

In response to criteria B, the applicant states that: "with the current trajectory of development leaning towards new medium density residential communities, leaving the property as-is under R-1 zoning would likely remain stagnant as undeveloped land surrounded by High Range 5. Currently there is no known market interest in developing the existing R-1 zoned parcels at this location....the community improves upon the existing undeveloped land under antiquated checkerboard ownership to bring new housing, recreational amenities, landscaping, and infrastructure improvements to the area."

Staff recommends that the Planning & Zoning Board find that the existing zoning is inappropriate because a different zoning type would be more advantageous for the community. The proposed R-4: Single-Family Residential zoning designation serves as a more cohesive zoning designation given the surrounding R-4 zoned High Range 5 community; as well as provides a more varied mix of housing strategies, per goal PH-6 of the comprehensive plan. Criteria is satisfied.

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

Staff recommends that the Planning and Zoning Board find that the cost of land or other economic considerations pertaining to the applicant is not considered a determining factor in the change in zoning designation. Criteria is satisfied.

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

Staff recommends that the Planning and Zoning Board find that the zoning request does not involve apartment, office, or commercial zoning. Criteria is satisfied.

(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: The change will clearly facilitate realization of the comprehensive Plan and any applicable adopted sector development plan or area development plan; or 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, "a zone change from the existing R-1 to R-4 would eliminate the current R-1 spot zone on Lot 11 within the overall High Range 5 community zoned R-4...the development of High Range 5 as proposed will complement the surrounding neighborhoods and support the growth planned in this area of Rio Rancho."

Staff recommends that the Planning and Zoning Board find that the requested zone map amendment will bring Lot 11 into cohesion with the rest of the surrounding R-4 that makes up the High Range 5 development. Criteria is satisfied.

SURROUNDING LAND USE/ZONING: The neighboring properties to the north, east, and south, are zoned R-4: Single-Family Residential, while the properties to the west are zoned R-1: Single-Family Residential.

NOTIFICATIONS: Notifications were sent to affected property owners in conjunction with the Zone Map Amendment and Master Plan Amendment requests. A legal advertisement was placed in the

June 24, 2024 edition of the Albuquerque Journal. A sign was posted on the property one week prior to the hearing. All legal notification requirements have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW: DSD Planning and Zoning - Comments within document. DSD Engineering - No comments provided. Rio Rancho Public Schools - No comments provided. Fire and Rescue - No adverse comments. Police Department - No comments provided. SCAFCA - No comments provided. MRCOG - No comments provided. Parks, Recreation, and Community Services - No comments provided.

IMPACT:

Staff finds that no adverse impacts are likely to occur as a result of the approval of this zone map amendment. Staff recommends the Planning and Zoning Board recommend approval of the zone map amendment to the Governing Body, subject to the following findings below:

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 FOR APPROVAL:

1. The proposed ordinance change would be consistent with the health, safety, morals, and general welfare of the City by promoting a variety of housing options.
2. The applicant has provided sound justification, in a narrative dated June 17, 2024, for the proposed zone change and the zone map amendment would provide for stability of zoning with surrounding zoning and future uses.
3. The proposed zone map amendment would be consistent with the adopted elements, goals, policies, and objective of the Comprehensive Plan and Lomas Negras Specific Area Plan.
4. The applicant has demonstrated that the R-4: Single-Family Residential zoning designation would be more advantageous zoning for the subject property.
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 solely based on the properties' location.
7. The requested zone map amendment would not create a "spot zone."

SPECIFIC CONDITIONS OF APPROVAL:

1. Approval of the Zone Map Amendment is pending approval of Master Plan Amendment case no. 24-410-00002.

If the Board determines the proposed zone map amendment is not justified, the following findings are recommended for 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 in order to further review.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board recommend approval to the Governing Body, with findings and conditions.

ATTACHMENT: [Location, Zoning Map.pdf](#)

ATTACHMENT: [Application Form.pdf](#)

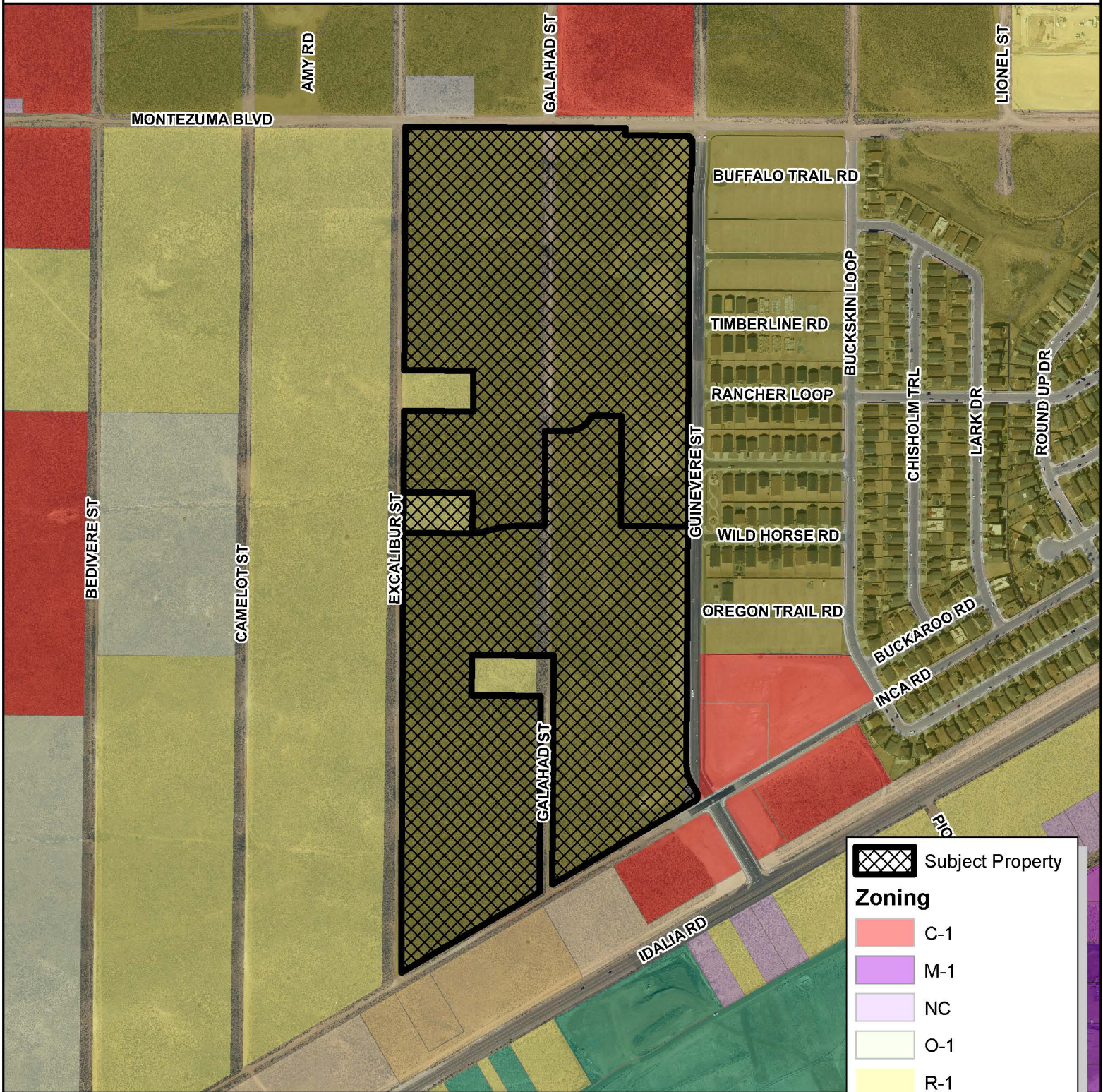
ATTACHMENT: [High Range 5 - Justification Letter.pdf](#)


ATTACHMENT: [High Range 5 - Exhibits.pdf](#)

ATTACHMENT: [Reproduction of Notices.pdf](#)











ATTACHMENT: [Draft_Ordinance_BMB.docx](#)

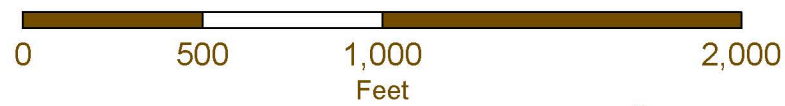
ZMA & MASTER PLAN AMENDMENT HIGH RANGE 5, UNIT 13, BLOCK 72, LOT 11



 Subject Property

Zoning

-  C-1
-  M-1
-  NC
-  O-1
-  R-1
-  R-3
-  R-4
-  SU
-  TZ
-  Unzoned



DISCLAIMER: All information in 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 Created by Liz Ruiz Carlos on 06/20/2024

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

Administrative Permit	Plan	Subdivision	Zoning
<input type="checkbox"/> Community Residential Care Facility	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Annexation
<input type="checkbox"/> Development Review Committee (DRC)	<input type="checkbox"/> Corridor Plan Amendment	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Appeal
<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Summary Plat	<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Model Home / Sales Office	<input type="checkbox"/> Master Plan Amendment	<input type="checkbox"/> Vacation of Plat	<input type="checkbox"/> Master Sign Plan
<input type="checkbox"/> Residential Child Care Facility 6 or <	<input type="checkbox"/> Specific Area Plan Amendment	<input type="checkbox"/> Street Name Change	<input type="checkbox"/> Site Plan
<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Subdivision Interpretation	<input type="checkbox"/> Special Exception
<input type="checkbox"/> Other		<input type="checkbox"/> Subdivision Variance	<input type="checkbox"/> Variance
			<input type="checkbox"/> Zone Map Amendment
			<input type="checkbox"/> Zoning Certification
			<input type="checkbox"/> 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:		Phone:
Address:		E-Mail:
City:	State:	Zip:
Proprietary Interest:	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)

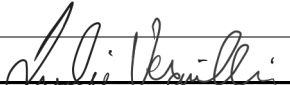
Master Plan Amendment and Zone Map Amendment applications to incorporate a ±1 acre portion of undeveloped land identified as Unit 13, Block 72, Lot 11 into the existing High Range 5 community.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION) *Adding Rio Rancho Estates Unit 13, Block 72, Lot 11.

Subdivision/Unit :	Block(s):	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots:	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:	Applicant:	Agent:
Signature: 	Date:	

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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



June 17, 2024

City of Rio Rancho
Development Services
3200 Civic Center Circle NE - Ste 130
Rio Rancho, NM 87144

Re: High Range 5 – Update for Inclusion of Unit 13, Block 72, Lot 11
Master Plan Amendment (MPA) and Zoning Map Adjustment (ZMA) Findings

This letter outlines the current request and required findings for approval met by the applicant in pursuit of companion Master Plan Amendment (MPA) and Zone Map Amendment (ZMA) applications to incorporate a ± 1 acre portion of undeveloped land identified as Rio Rancho Estates Unit 13, Block 72, Lot 11 (“Lot 11”) into the High Range 5 community. Please refer to the attached zoning maps and concept lotting for details. A Preliminary Plat Amendment is planned to follow the approval of this request.

Request

At the time of the original High Range 5 Master Plan approval on May 27, 2021, Lot 11 was excluded as a hold-out parcel under separate ownership. LGI Homes has recently acquired this property for development as part of High Range 5. MPA and ZMA applications are requested to update the underlying zoning district of Lot 11 from the existing R-1 Single-Family Residential zoning to R-4 Single-Family Residential zoning to incorporate this parcel into the High Range 5 Master Plan.

The overall High Range 5 plan will be updated from ± 72 acres to ± 74 acres due to the addition of Lot 11 and final adjustments made to the project boundary as the project moves through the platting process. This update maintains the intent, character, zoning, and density of the prior approval while improving upon the existing site design and entitlements with the inclusion of an undeveloped outparcel.

Background

The approved High Range 5 Master Plan spanned undeveloped parcels of checkerboard ownership platted as a portion of Rio Rancho Estates Unit 13, Blocks 72 and 73. At the time that Rio Rancho Estates was annexed and platted, it was common to have a development pattern with streets laid out in a grid with rectangular one-acre residential parcels adjacent to those streets. This development pattern created long blocks of checkerboard ownership and antiquated platting that is in contrary to and does not further the City’s goals and standards for development. A few key challenges typically associated with antiquated platting include access issues and inadequate street layout, insufficient lot sizes, diversity of ownership, and obsolete and impractical planning practices.

City of Rio Rancho

Re: High Range 5 – Update for Inclusion of Unit 13, Block 72, Lot 11

Master Plan Amendment (MPA) and Zoning Map Adjustment (ZMA) Findings

June 17, 2024

Rio Rancho’s Vision 2020 Integrated Comprehensive Plan (ICP) recognizes that this antiquated platting is a major obstacle to growth and promotes land assemblage to address the issue. In accordance with the City’s vision for growth, the High Range 5 Master Plan was created to improve upon the existing entitlements by establishing the framework and site design required for the development of a master planned, single-family residential community.

During the initial planning of the community, the developers of High Range 5 attempted to reach out to the land ownership of all parcels within the plan area of the proposal with an offer to acquire their properties. These efforts were successful for most parcels, but some outlying parcels like Lot 11 were excluded at that time. LGI Homes has since acquired Lot 11 and request that this parcel be included into the Master Plan and updated with the appropriate R-4 zoning to develop as part of the High Range 5 community.

Updated Master Plan

The approved 2021 High Range 5 Master Plan shall apply except as amended by the subject MPA and ZMA applications described herein. High Range 5 was approved as an approximately 72 acre community with an anticipated total of 329 lots, which equated to approximately 4.6 dwelling units per acre. The current request updates High Range 5 to approximately 74 acres with an anticipated total of 340 lots, maintaining the approved density of approximately 4.6 dwelling units per acre.

This update upholds the intent and character of the prior approvals. The land use, lot sizes, density, development standards, open space criteria, and other community elements remain as approved.

Findings

The community’s conformance is detailed below pursuant to the criteria set forth in subsections (D) and (G) of the City of Rio Rancho (City) Zoning Code Chapter 150.07, “Amendments.”

(D) The following policies for deciding zone map change applications pursuant to the City zoning code are hereby adopted:

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

Adequate safety, health and general welfare of the public is ensured in the single-family residential community of High Range 5. The subdivision provides several points of access for adequate circulation for day to day function, police access and, in case of fire, flood, or other natural disaster, will allow for orderly and timely evacuation.

The recreational amenities, trail, and common open space areas will ensure ease of travel for pedestrians and allow outdoor exercise, increasing overall public health and general welfare. High Range 5 brings an attractive neighborhood that is not only consistent with but furthers the health, safety, morals, and general welfare of the City.

- (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.**

Unit 13, Block 72, Lot 11 is an undeveloped parcel of land surrounded by the proposed High Range 5 and High Range 6 communities. This land is best suited for development as part of High Range 5 and this update provides a good land use solution for the parcel.

The requested zone change on Lot 11 from the existing R-1 to R-4 would eliminate the current R-1 spot zoning on Lot 11 for consistency with the surrounding R-4 zoned High Range 5 community.

The proposed MPA and ZMA requests will update High Range 5 to further support the development of a community that improves upon the existing undeveloped land under antiquated checkerboard ownership to bring new housing, recreational amenities, landscaping, and infrastructure improvements to the area for a positive contribution to Rio Rancho.

- (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.**

As with the original High Range 5 approval, this request supports the City's goals, objectives, and vision by providing a land use that is compatible with the Lomas Negras Specific Area Plan (SAP) designation of Medium Density Residential (MDR).

This request conforms with the key concepts identified for future growth within the SAP and complies with the permitted uses under the current MDR designation. High Range 5 is consistent with the SAP Goals and Objectives including but not limited to the highlights featured below.

Land Use

Land Use Goal: Promote a variety of housing choices including low- and medium density single-family residential uses and high density multi-family residential uses.

The High Range 5 Master Plan furthers the above goal by implementing medium density residential use on the site. The medium density residential use approved for the community increases the availability of affordable housing opportunities and brings a diversity of housing types to the City.

Utilities

Utilities Goal: Assure that urban uses have full utilities, both community water and sewer provided to all new development in the Plan area.

Utilities Objective: Coordinate water and sewer utility infrastructure among various master plan and subdivision developments as approved within the Plan area.

The High Range 5 Master Plan furthers the SAP's utilities goal, objective, and policy by coordinating and linking to existing water and sewer utility infrastructure within adjacent roadways.

Existing water and sewer utility systems are available to serve High Range 5 as described further in the original Master Plan approval. All proposed utility systems and plans will be designed per the standards of the City and utility company to be submitted for review and approval during the development process. Additional coordination with the utility providers will be made to confirm adequate servicing.

Community Facilities

Community Facilities Goal: Create open space, parkland, trails, and other recreation amenities to serve the Plan area.

The High Range 5 Master Plan expands the City of Rio Rancho's parks inventory through the provision of a neighborhood park and multi-use trail, furthering the abovementioned Community Facilities goal. The neighborhood park and multi-use trail along Wild Horse Road NE will serve the residents of High Range 5, the adjacent High Range 6 to the west, and other residents in the area.

(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**

Refer to item 4.b. below.

- (b) Changed neighborhood or community conditions justify the change; or**

With the current trajectory of development leaning towards new medium density residential communities, leaving the property as-is under R-1 zoning would likely remain stagnant as undeveloped land surrounded by High Range 5. Currently there is no known market interest in developing the existing R-1 zoned parcels at this location.

As stated above, antiquated platting and checkerboard ownership existing on the property presents a significant challenge to development and land assemblage. The community improves upon the existing undeveloped land

under antiquated checkerboard ownership to bring new housing, recreational amenities, landscaping, and infrastructure improvements to the area as a positive contribution to Rio Rancho that fulfills the needs of the current conditions of the community.

- (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.**

Refer to item 4.b. above.

- (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.”**

A zone change from the existing R-1 to R-4 would eliminate the current R-1 spot zone on Lot 11 within the overall High Range 5 community zoned R-4.

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**

Refer to item G. above.

- (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.**

Refer to item G. above.

As described above, the proposed incorporation of Unit 13, Block 72, Lot 11 into the High Range 5 community is an appropriate land use solution that will complete High Range 5 while updating the antiquated platting in the area.

The development of High Range 5 as proposed will complement the surrounding neighborhoods and support the growth planned in this area of Rio Rancho. This update maintains the intent, character, zoning, and density of the prior approval while improving upon the existing site design and entitlements with the inclusion of a long undeveloped outparcel.

City of Rio Rancho

Re: High Range 5 – Update for Inclusion of Unit 13, Block 72, Lot 11
Master Plan Amendment (MPA) and Zoning Map Adjustment (ZMA) Findings

June 17, 2024

Thank you for your consideration. Should you have questions or concerns, please contact me at 602-285-4765 or jvermillion@cvlci.com.

Respectfully,

COE & VAN LOO
Consultants, Inc.



Julie Vermillion
Project Manager

Attachments: Existing and Proposed Zoning Maps, Concept Lotting.

High Range 5

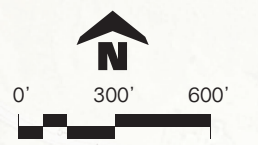
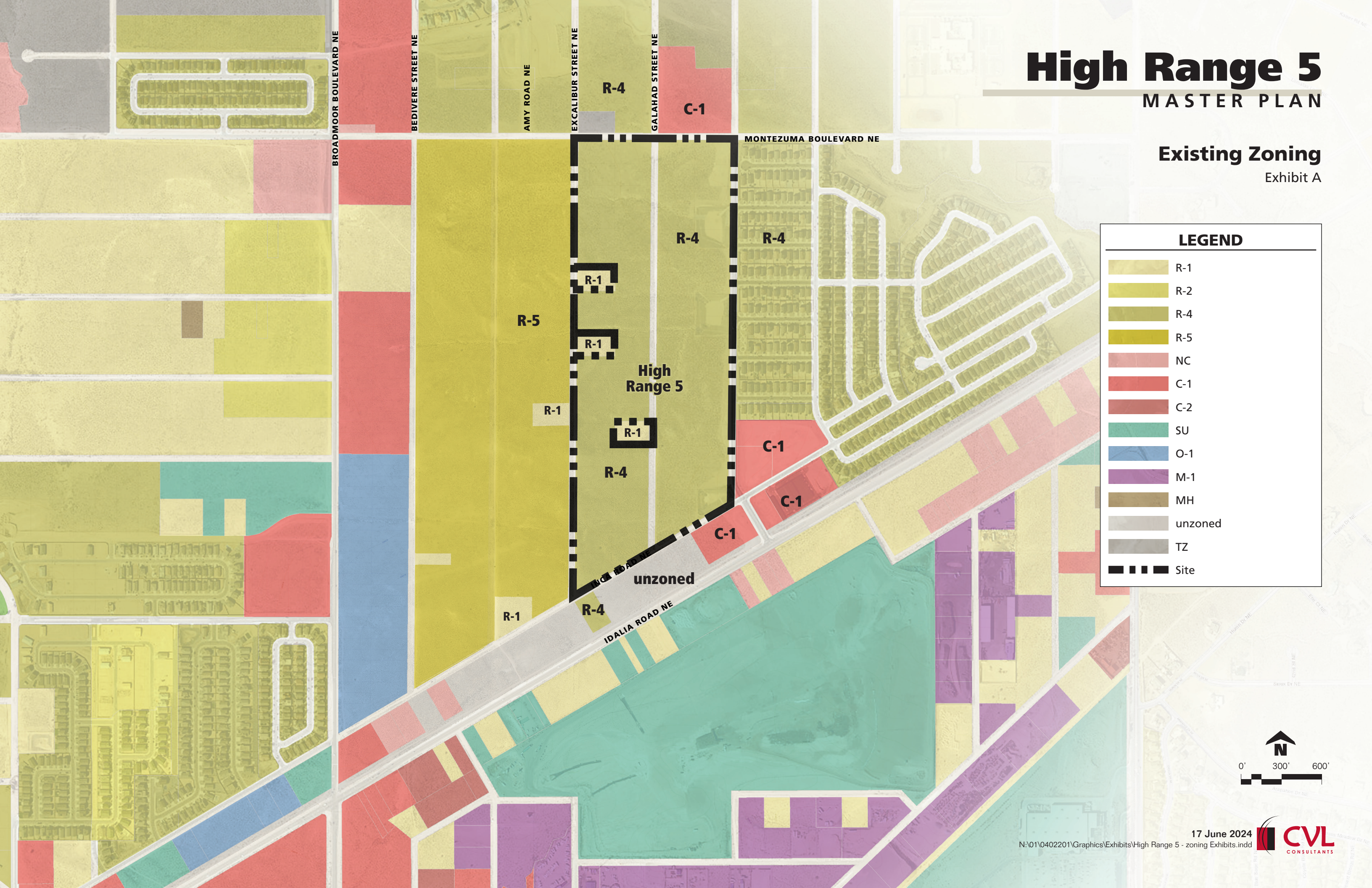
MASTER PLAN

Existing Zoning

Exhibit A

LEGEND

- R-1
- R-2
- R-4
- R-5
- NC
- C-1
- C-2
- SU
- O-1
- M-1
- MH
- unzoned
- TZ
- Site



17 June 2024

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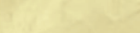










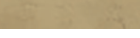




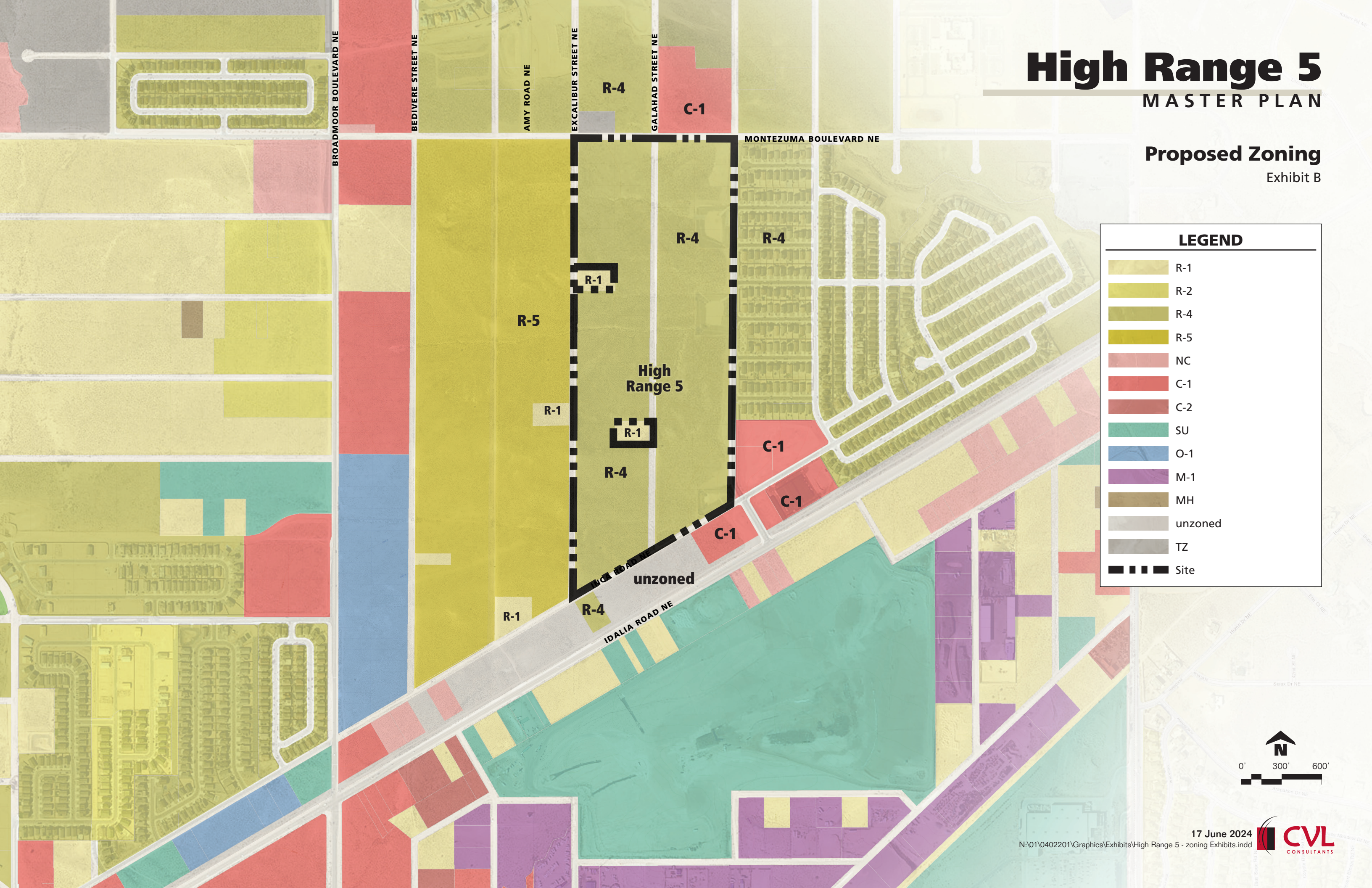
High Range 5

MASTER PLAN

Proposed Zoning

Exhibit B

LEGEND	
	R-1
	R-2
	R-4
	R-5
	NC
	C-1
	C-2
	SU
	O-1
	M-1
	MH
	unzoned
	TZ
	Site



17 June 2024

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PRELIMINARY PLAT
FOR
HIGH RANGE 5 SUBDIVISION
(BEING A REPLAT OF TRACT 1 AND TRACT 2, HIGH RANGE 5)
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTION 7
TOWNSHIP 12 NORTH, RANGE 3 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
APRIL, 2024

PROPERTY CORNERS

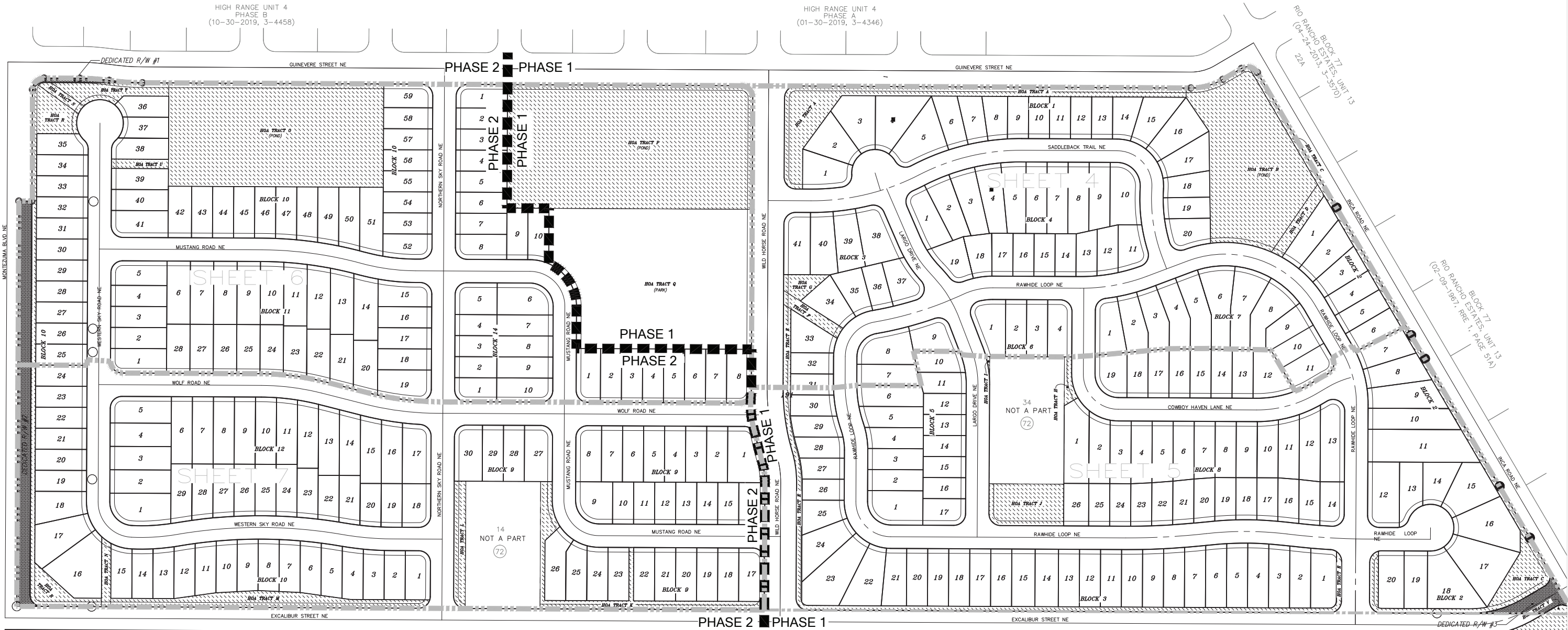
- - FOUND 1/2" REBAR WITH CAP "LS 7719"
- - FOUND 1/2" REBAR
- - FOUND 1" PIPE

ABBREVIATIONS

- 10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
- ROW = RIGHT-OF-WAY
- H.O.A. = HOME OWNERS ASSOCIATION

NOTES:

1. HOA TRACTS A, C, D, E, F, G, H, I, J, K, R, S, T AND V, ARE LANDSCAPE TRACTS TO OWNED AND TO BE MAINTAINED BY THE HIGH RANGE 5 HOA FOR THE BENEFIT OF ALL LOT OWNERS.
2. HOA TRACTS B, O AND P ARE TO BE HOA MAINTAINED PONDS FOR THE USE AND BENEFIT OF ALL THE HIGH RANGE 5 HOMEOWNERS.
3. HOA TRACT Q IS AN HOA MAINTAINED PARK FOR THE USE AND BENEFIT OF THE HIGH RANGE 5 LOT OWNERS.
4. HOA TRACTS L, M, N AND U ARE HOA MAINTAINED TRACTS USED FOR PUBLIC SANITARY SEWER, WATERLINE, AND DRAINAGE TO BENEFIT ALL LOT OWNERS.



BLOCK 71
RIO RANCHO ESTATES, UNIT 13
(02-09-1967, RRE 1, PAGE 51A)

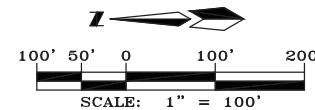
ALL STREETS AND ROADS SHOWN
HEREON ARE HEREBY DEDICATED TO
THE C.O.R.R. IN FEE SIMPLE WITH
WARRANTY COVENANTS AS PUBLIC
RIGHT-OF-WAY

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

LEGEND

- SHEET INDEX
- PHASE LINE



P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG Drawn: JAR Checked: ALS
Scale: as shown Date: 4/12/24 Job: A19023 **4.3** of 35

High Range 5
MASTER PLAN
Concept Lotting
Exhibit C

A:\01\0402201\CADD\High Range 5 Phase 1\Final\Pre-Plot\A19023_PREL-PLAT-OVERALL.dwg, Last saved by: jbrjngf, 7/26/23



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

June 20, 2024

RE: Master Plan Amendment, Zone Map Amendment
Case No. 24-410-0002, 24-100-00005
High Range 5 (HGHR5, Tr 1; HGHR5, Tr 2; U13, Blk 72, Lot 11)

Dear Property Owner:

You are receiving this certified notice because your property abuts a site where a land development decision is required by the Planning and Zoning Board.

The applicant, High Range 5 LLC, requests approval of an amendment to the High Range 5 Master Plan, to incorporate another lot; ie. U13, Block 72, Lot 11. The applicant concurrently requests approval of a Zone Map Amendment for the lot as well. The lot is currently zoned R-1: Single-Family Residential, and consists of 1 acre.

The **Planning and Zoning Board** will consider the request on **Tuesday, July 9, 2024** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below**.

On the back of this letter is a location map of the project, with the subject properties identified with the black outline.

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rnm.gov or on Sparklight cable channel 56.

For the **Planning and Zoning Board meeting**, to participate virtually: Join via computer: <https://us06web.zoom.us/j/85180741871?pwd=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

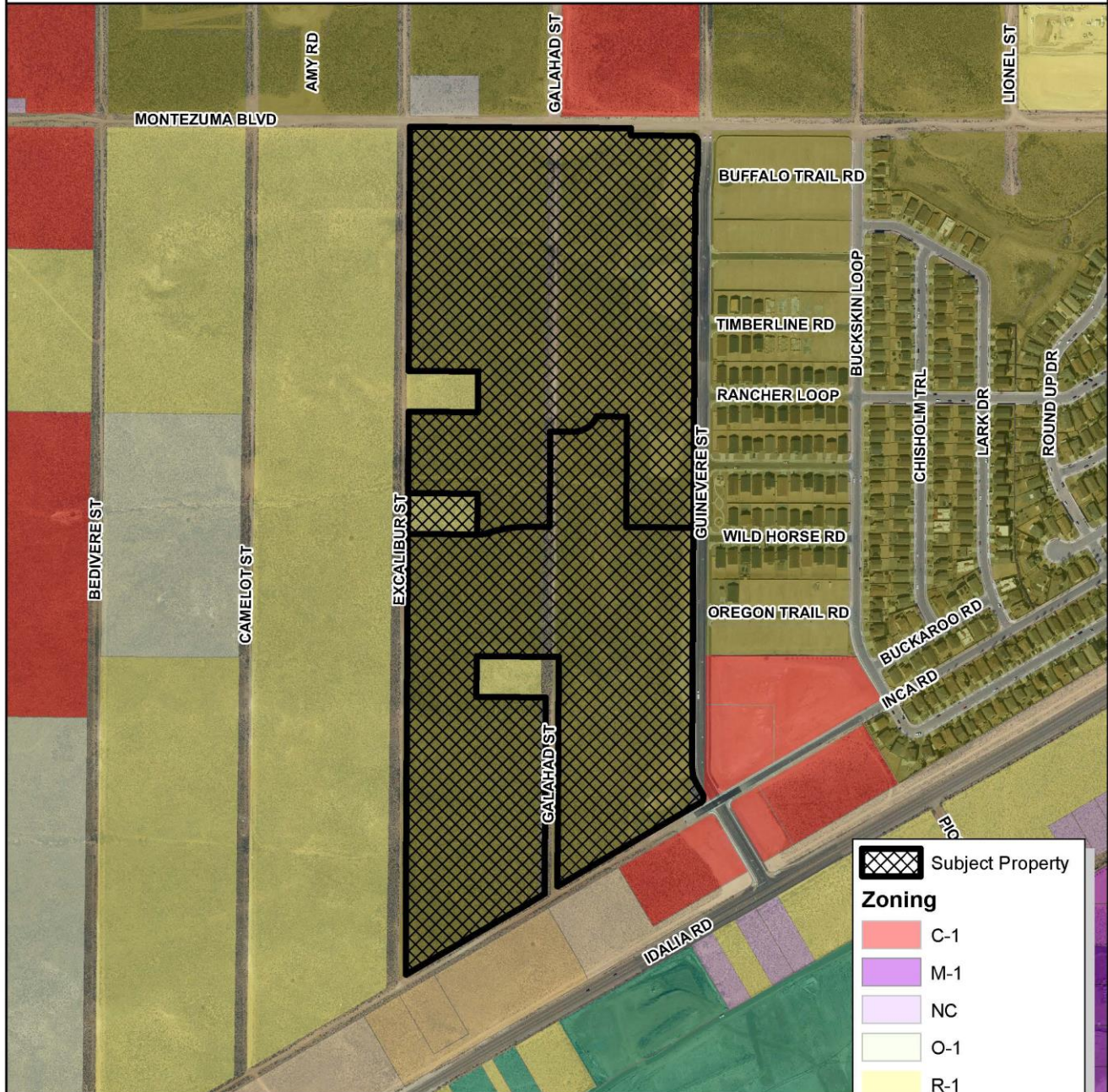
Please do not hesitate to contact me via e-mail me at lruizcarlos@rnm.gov or call me at 505-896-8785, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rnm.gov, the Friday before the hearing.

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,

Liz Ruiz Carlos
Municipal Planner II
Development Services Department
City of Rio Rancho

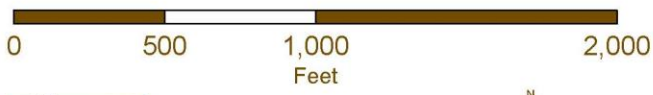
ZMA & MASTER PLAN AMENDMENT HIGH RANGE 5, UNIT 13, BLOCK 72, LOT 11



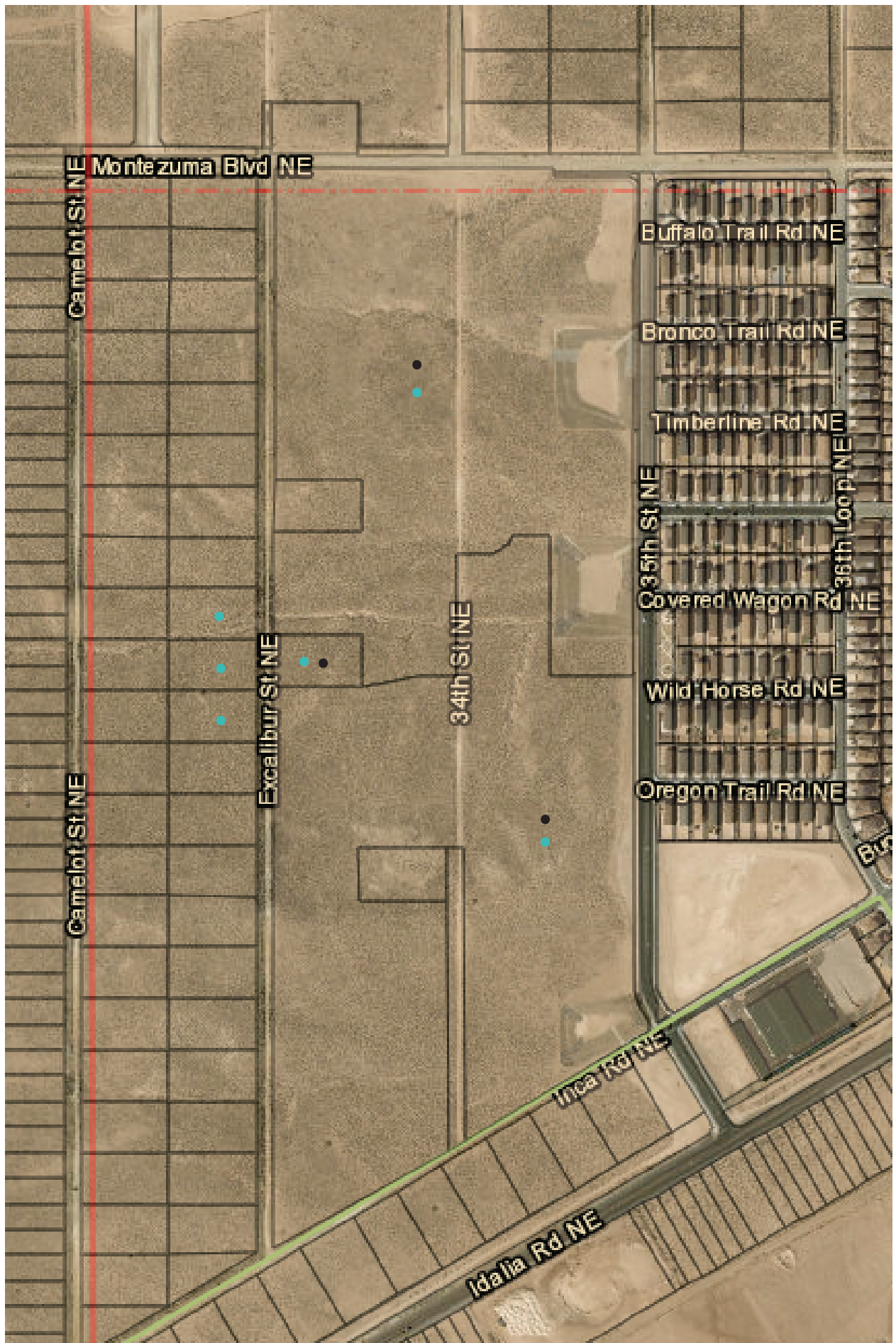
Subject Property

Zoning

- C-1
- M-1
- NC
- O-1
- R-1
- R-3
- R-4
- SU
- TZ
- Unzoned



DISCLAIMER: All information in 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.



- Notice Map:
- - First class mail to affected property owners (MPA)
 - - 100ft f/subject property, certified letter, return receipt requested (ZMA)

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, July 9, 2024:

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: June 24, 2024.

Preliminary, Final Plat
Case #24-210-00004

The applicant, City of Rio Rancho, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat replatting Cabezon, Parcel A into five parcels and dedicating right of way. The subject property is zoned OS: Open Space and comprises approximately 8.08 acres.

Text Amendment
Case #24-105-00002

The applicant, City of Rio Rancho, requests approval of text amendments to the following Chapters of the Rio Rancho Code of Ordinances: 154.03 Definitions to include a definition for Façade to read: Exterior walls and appearance of a building which are adjacent to or front a street, park or plaza; 154.50 Zoning Table/Residential to relocate footnote number two (2) to apply to side setbacks only in E-1 districts; 154.51 Zoning Table/Nonresidential to include the addition of the TZ: Transitional Zoning District, the minimum lot area 7,000 square feet, the minimum lot width 60 feet, the front setback 35 feet, rear setback 25 feet, side setback 10 feet, and corner setback 10 feet, and maximum building height 32 feet; and 150.03 Applications and Procedures (B) Master Plans/Plan Amendments/Specific Area Plans to correct notice requirements to read: First class mail to affected property owners 15 days prior to hearing (for both hearing if an amendment), and final decision to read: Master Plans and Specific Area Plans; Governing Body Plan Amendments: Planning and Zoning Board; for the purposes of updating incorrect or outdated information and providing clarity by adding definitions.

Master Plan Amendment
Case #24-110-00002

The applicant, High Range 5 LLC, requests approval of an amendment to the High Range 5 Master Plan, to incorporate another lot; ie. U13, Block 72, Lot 11.

Zone Map Amendment
Case #24-100-00005

The applicant, High Range 5 LLC, requests approval of a Zone Map Amendment for the property legally described as U13, Blk 72, Lot 11; physically The lot is currently zoned R-1: Single-Family Residential, and consists of 1 acre.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.



**CITY OF RIO RANCHO
ORDINANCE**

ORDINANCE NO.

ENACTMENT NO.

**ORDINANCE AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING
MAP FOR THE PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES
UNIT 13, BLOCK 72, LOT 11, FROM R-1: SINGLE-FAMILY RESIDENTIAL TO R-4:
SINGLE-FAMILY RESIDENTIAL, 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 property has been submitted by The City of Rio Rancho, and assigned City Case No. 23-100-00008; and

WHEREAS: the City of Rio Rancho adopted the Lomas Negras Specific Area Plan on June 25, 2008 pursuant to Resolution No. 56 Enactment No. 08-51; and amended the plan on July 8, 2009, pursuant to Resolution No. 75 Enactment No. 09-74; February 23, 2011, pursuant to Resolution No. 15 Enactment No. 11-17; May 27, 2021, pursuant to Resolution No. 54, Enactment No. 21-053; July 22, 2021, pursuant to Resolution No. 69, Enactment No. 21-068; October 12, 2023, pursuant to Resolution No.123, Enactment No. 23-124; and April 25, 2024, pursuant to Resolution No. 34, Enactment No. 24-033; and

WHEREAS: the City of Rio Rancho adopted the High Range 5 Master Plan on May 27, 2021 pursuant to Resolution No. 55, Enactment No. 21-054, and amended on July 24, 2024 pursuant to Resolution No. ___, Enactment No. 24-___; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on July 9, 2024, 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

1 zoning district and Official Zone Map changes hereinafter described were
2 duly advertised and held by the Governing Body of the City of Rio Rancho
3 on July 25, 2024 and the Governing Body heard interested parties and
4 citizens for and against the proposed amendments; and
5

6 **WHEREAS:** the proposed amendments to be adopted by this Ordinance comply with
7 the statutory and regulatory requirements of the aforesaid Code of
8 Ordinances and Statutes, and upon specific findings related to the subject
9 property and determining the proposed amendment is consistent with the
10 policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G),
11 the Governing Body finds the amendments promote the health, safety,
12 morals, and general welfare of the City.
13

14 **NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF**
15 **RIO RANCHO:**
16

17 **Section 1. Rezoning of property and Change in Land Use.**

- 18 A. The Official Zone Ordinance is hereby amended on approximately 1 acre, from R-
19 1: Single-Family Residential Zoning District to R-4: Single-Family Residential
20 Zoning District on the land legally described as:
21 Unit 13, Block 72, Lots 11, as shown on "S.E. PORTION OF UNIT
22 THIRTEEN RIO RANCHO ESTATES, TOWN OF ALAMEDA GRANT,
23 SANDOVAL COUNTY, NEW MEXICO" filed in the office of the County Clerk
24 of Sandoval County, New Mexico on February 9, 1967.
25

26 **Section 2. Land Use, Conditions, Development Standards/Regulations and use**
27 **of PROPERTY:**
28

29 The property identified in Section 1, above, is subject to all requirements of the R-4:
30 Single-Family Residential District; as set forth in R.O. 2003 Section 154.11 (as of the
31 effective date of this ordinance or as subsequently amended).
32

33 **Section 3. Severability Clause.** If any section, paragraph, clause, or provision of
34 this Ordinance, or any section, paragraph, clause, or provision of any regulation
35 promulgated hereunder shall for any reason be held to be invalid, unlawful, or
36 enforceable, the invalidity, illegality, or unenforceability of such section, paragraph,
37 clause, or provision shall not affect the validity of the remaining portions of this
38 Ordinance or the regulation so challenged.
39

40 **Section 4. Effective Date.** This Ordinance shall become effective ten days after
41 adoption.
42

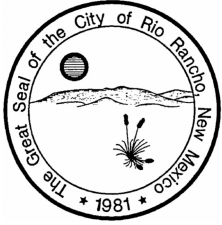
43 ADOPTED THIS _____ DAY OF _____, 2024.
44
45

46 _____
47 Gregory D. Hull, Mayor
48
49

50 ATTEST:

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2
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4

Noel C. Davis, City Clerk
(SEAL)



**CITY OF RIO RANCHO
COVER PAGE**

Legislation Item: 24-105-00002

AGENDA DATE:
July 9, 2024

DEPARTMENT:
Development Services

SUBJECT:
Text Amendment. The applicant, the City of Rio Rancho, requests an amendment to the Rio Rancho Municipal Code, Title XV Land Usage, Chapters 150 and 154, Section 150.03 Applications and Procedures (B) Notification Requirements Table, 154.03 Definitions, and 154.50 Zoning Table/Residential and 154.51 Zoning Table/Nonresidential. Staff contact is Chris Benson and staff recommends the Planning and Zoning Board recommend approval of the requested text amendment.

BACKGROUND AND ANALYSIS:

The applicant, the City of Rio Rancho, requests a text amendment to the Rio Rancho Municipal Code, Sections 150.03 Applications and Procedures (B), for the purpose of correcting notice requirements and final decision for Master Plans/Plan Amendments/Specific Area Plans; 154.03 Definitions to include a definition for Facade; 154.50 Zoning Table/Residential to relocate footnote two to apply to only E-1 districts; and 154.51 Zoning Table/Nonresidential to include a block for TZ: Transitional Zoning to clarify the TZ: Transitional Zoning Districts Minimum Lot Area (in square feet), Minimum Lot Width (in feet), Front, Rear, Side and Corner Setbacks (in feet) and Maximum Building Height (in feet).

The following text amendments are being requested by the City of Rio Rancho Development Services Department to Title XV Land Usage of the Rio Rancho Municipal Code Chapter 150 General Provisions, Section 150.03 "Applications and Procedures" (B) Notification Requirements Table (additions noted with underline, deletions noted with strike through):

Application Type	Mailing Notifications*	Legal Ad Notifications	Property Posting Notifications	Final Decision
Master Plans/Plan Amendments/Specific Area Plans	First class mail to affected property owners 15 days prior <u>to each hearing</u> (for both hearing if an amendment)	15 days prior to Planning and Zoning hearing and 15 days prior to Governing Body hearing	1 week prior to Planning and Zoning Board hearing	Master Plans and Specific Area Plans: Governing Body Plan Amendments: Planning and Zoning Board

The purpose of the text amendment to Section 150.03 Applications and Procedures (B) Notification Requirements Table is to remove unnecessary language and clarify the noticing requirements for this type of action. The application type requires first class mail to affected property owners 15 days prior to hearing, regardless of whether it is a Master Plan, Specific Area Plan, or an amendment to

an existing plan of either nature, and to clarify that final decision for either type of these applications is made by the Governing Body.

Staff finds that the proposed text amendment eliminates confusion for notification requirements for Master Plans, Specific Area Plans, and Plan Amendments and clarifies that final decision for each of these types of application is made by the Governing Body. Staff finds that this proposed text amendment will benefit City Staff, Applicants, and residents in providing clearer notification requirements and clarifying that the Governing Body of the City of Rio Rancho will have final decision in these types of applications.

The following text amendment is being requested by the City of Rio Rancho Development Services Department to Title XV Land Usage of the Rio Rancho Municipal Code Chapter 154 Planning and Zoning, Section 154.03 "Definitions" (additions noted with underline, deletions noted with strike through):

Facade. Exterior walls and appearance of a building which are adjacent to or front on a street, park, or plaza.

The purpose of 154.03 Definitions asserts that this section of code exists "For the purpose of this chapter, the following definitions will apply unless the context clearly indicates or requires a different meaning".

Staff finds that the addition of a definition for facade will benefit both City Staff and residents in clearly defining facade and how this definition will be applied and reviewed in looking at residential and nonresidential development and design criteria. "Facade" is used throughout Chapter 154, most often in the context of accessory buildings needing to "have the same facade as the primary structure". The clarification language will assist in staff review and resident building permit applications, including language which staff has been using for their reviews.

The following text amendments are being requested by the City of Rio Rancho Development Services Department to Title XV Land Usage of the Rio Rancho Municipal Code, Chapter 154 Planning and Zoning, Section 154.50 "Zoning Table/Residential":

Removal of footnote 2 after "Side" under "Setbacks" and re-located now after "10" in the E-1: Estate Residential District row. Footnote 2 currently applies to the side setbacks of all residential zoning designations.

Footnote 2 reads "In the case where the side setback requirement in total is greater than 20% of the lot frontage, the side setback may be reduced to five feet". This footnote is proposed to apply only to E-1 districts in order to correct an error to a previously approved iteration of the Rio Rancho Municipal Code.

Prior to the current structure and organization of Chapter 154, in the 2013 Chapter 154 City Code of Ordinances (Ordinance 13-03), setbacks were included in each Zoning District section, without a compiled easy-to-read table. At this time, the footnote 2 (above) was included only under the E-1: Estate Residential District, however after the amendment for re-organization of Chapter 154, this footnote was included to cover all residential zoning districts. Staff finds that the intent of these 2018 amendments was not to make changes to the regulations of the Planning and Zoning Chapter, but rather re-organize for access and ease of use.

Staff finds that this amendment will correct Section 154.50 Zoning Table/Residential and better align this section of code with the original intent of footnote 2.

The following text amendment is being requested by the City of Rio Rancho Development Services

Department to Title XV Land Usage of the Rio Rancho Municipal Code, Chapter 154 Planning and Zoning, Section 154.51 "Zoning Table/Nonresidential" (additions noted with the underline, deletions noted with strike through):

District	Minimum Lot Area	Minimum Lot Width	Setback Front	Setback Rear	Setback Side	Setback Corner	Maximum Building Height
T-Z	<u>7,000</u>	<u>60</u>	<u>35</u>	<u>25</u>	<u>10</u>	<u>10</u>	<u>32</u>

Staff finds that including T-Z: Transitional Zoning District in 154.50 Zoning Table/Residential is beneficial in clarifying the minimum lot area, width, setback and maximum building height requirements for this zoning designation. Staff additionally finds that this better organizes Chapter 154 Planning and Zoning for ease of use for both City Staff and applicants.

Similar to the footnote amendment above, these setbacks were included under the T-Z: Transitional Zoning District section of Code prior to the 2018 amendment re-organizing Chapter 154. At the time of re-organization, these setbacks were removed from the district section, however, unlike other zoning districts, these T-Z setbacks were not included in the zoning table. Staff is recommending the Board finds that adding these setbacks into Code will clarify and correct a previous error and oversight and allow for better understanding of the setbacks for T-Z properties.

Staff have included the T-Z zoning in the "Non-residential" table as this zoning designation is listed under the "Overlay and Special Purpose Zoning Districts" section of Code and not under the residential zoning districts section of Code.

NOTIFICATIONS:

A legal notification was published in the Albuquerque Journal on June 24, 2024. All legal notification requirements for this case have been met.

INTERDEPARTMENTAL REVIEW:

A transmittal was sent out to Development Services Planning and Zoning Staff and internal review of this item was conducted and discussed upon.

IMPACT:

Staff recommends the Planning and Zoning Board recommends approval of the proposed text amendments to the Governing Body, subject to the findings set forth below:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board may review and make a recommendation to the Governing Body on the request for text amendments to the Rio Rancho Municipal Code.
2. The City has the authority to make an application to request an amendment to the Rio Rancho Municipal Code.
3. The applicant and citizens of Rio Rancho have received due process, as proper notice of hearing was given.

SPECIFIC FINDINGS OF FACT:

1. The proposed Text Amendment meets the requirements of Rio Rancho Code of Ordinances (R.O. 2003) § 150.07 (D) Amendments.
2. The proposed amendment is consistent with the goals of promoting health, safety, morals, and general welfare of the City of Rio Rancho by clarifying and defining requirements outlined in the Rio Rancho Municipal Code.

If the Planning and Zoning Board recommends denial to the Governing body the text amendment is

subject to the following Findings of Fact:

1. The proposed Text Amendment does not meet the requirements of Rio Rancho Code of Ordinances § 150.07 (D) Amendments.
2. The proposed amendment is not consistent with the goals of promoting health, safety, morals and general welfare of the City of Rio Rancho.

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. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board recommend approval of the Text Amendment to the Governing Body.

ATTACHMENT: [Legal Ad Proof](#)

ATTACHMENT: [13-03 O4 - 2013 Chapter 154](#)

ATTACHMENT: [150.03_-_154.03___154.50_Ordinance_DRAFT_BMB.docx](#)

ALBUQUERQUE JOURNAL



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RIO RANCHO OBSERVER

VALENCIA COUNTY News-Bulletin

PO Box 880697

Phoenix, AZ 85038-9650 Phone: (505)823-3220

Proof of Ad 06/20/2024

Account: 1010956
 Name: CITY OF RIO RANCHO
 Company: CITY OF RIO RANCHO
 Address: ATTN: ACCOUNTS PAYABLE
 3200 CIVIC CENTER CIR NE
 RIO RANCHO, NM 87144
 Telephone: (505)891-5005

Ad ID: 58560
 Description:
 Run Dates: 06/24/2024 - 06/24/2024
 Class: 3001
 Orig User: master
 Words: 432
 Lines: 108
 Agate Lines: 154
 Depth: 10.95
 Blind Box:

Total Ad Cost \$128.33
Amount Paid \$0.00

Publication	Start	Stop	Inserts	Cost
Albuquerque Journal	06/24/2024	06/24/2024	1	119.24

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, July 9, 2024:

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: June 24, 2024.

Preliminary, Final Plat
Case #24-210-00004

The applicant, City of Rio Rancho, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat replatting Cabezon, Parcel A into five parcels and dedicating right of way. The subject property is zoned OS: Open Space and comprises approximately 8.08 acres.

Text Amendment
Case #24-105-00002

The applicant, City of Rio Rancho, requests approval of text amendments to the following Chapters of the Rio Rancho Code of Ordinances: 154.03 Definitions to include a definition for Façade to read: Exterior walls and appearance of a building which are adjacent to or front a street, park or plaza; 154.50 Zoning Table/Residential to relocate footnote number two (2) to apply to side setbacks only in E-1 districts; 154.51 Zoning Table/Nonresidential to include the addition of the TZ: Transitional Zoning District, the minimum lot area 7,000 square feet, the minimum lot width 60 feet, the front setback 35 feet, rear setback 25 feet, side setback 10 feet, and corner setback 10 feet, and maximum building height 32 feet; and 150.03 Applications and Procedures (B) Master Plans/Plan Amendments/Specific Area Plans to correct notice requirements to read: First class mail to affected property owners 15 days prior to hearing (for both hearing if an amendment), and final decision to read: Master Plans and Specific Area Plans; Governing Body Plan Amendments: Planning and Zoning Board; for the purposes of updating incorrect or outdated information and providing clarity by adding definitions.

Master Plan Amendment
Case #24-110-00002

The applicant, High Range 5 LLC, requests approval of an amendment to the High Range 5 Master Plan, to incorporate another lot; ie. U13, Block 72, Lot 11.

Zone Map Amendment
Case #24-100-00005

The applicant, High Range 5 LLC, requests approval of a Zone Map Amendment for the property legally described as U13, Blk 72, Lot 11; physically The lot is currently zoned R-1: Single-Family Residential, and consists of 1 acre.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.



**CITY OF RIO RANCHO
ORDINANCE**

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ORDINANCE NO. 4

ENACTMENT NO. 13-03

AN ORDINANCE REPEALING AND REPLACING CHAPTER 154 PLANNING AND ZONING

WHEREAS: the Governing Body deemed it important to review land use ordinances to ensure that regulations and development requirements are understandable, predictable and fair for all who want to pursue residential and nonresidential development, and

WHEREAS: the Governing Body finds it increasingly important that regulations do not make the City less competitive than neighboring jurisdictions through regulations and process, and

WHEREAS: the Governing Body seeks to continue to maintain the City's quality of life via reasonable yet moderate regulations that protect and preserve property rights; and

WHEREAS: the Governing body pursuant to discussion with various community stakeholders and staff has reviewed Chapter 154 Planning and Zoning at length and,

WHEREAS: pursuant to that review find substantial changes are warranted to setbacks, building heights, densities, and an expansion of uses within the various zoning districts while clarifying and simplifying the ordinance, and

WHEREAS: the proposed changes further policies contained within the Comprehensive Plan pertaining to residential and nonresidential development;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. Chapter 154: Planning and Zoning shall be repealed and replaced in its entirety as follows:

1 **CHAPTER 154 PLANNING AND ZONING**

2
3 **Section**

- 4 154.01 Purpose
- 5 154.02 Adoption of zone map and application of the zoning chapter
- 6 154.03 Definitions
- 7 154.04 Establishment of districts
- 8 154.05 R-1: Single-family Residential District
- 9 154.06 R-2: Single-family Residential District
- 10 154.07 R-3: Mixed Residential District
- 11 154.08 R-4: Single-family Residential District
- 12 154.09 R-5: Single-family Residential District
- 13 154.10 R-6: Multi-family Residential District
- 14 154.11 M-H: Mobile Home Residential District
- 15 154.12 C-1: Retail Commercial District
- 16 154.13 C-2: Wholesale and Warehousing Commercial District
- 17 154.14 M-1: Industrial and Business Park District
- 18 154.15 H-1: Historical Site District
- 19 154.16 A-R: Agricultural Residential District
- 20 154.17 SU: Special Use District
- 21 154.18 E-1: Estate Residential District
- 22 154.19 O-1: Office District
- 23 154.20 T-Z: Transitional Zoning District
- 24 154.21 NC: Neighborhood Commercial District
- 25 154.22 Off-street parking requirements
- 26 154.23 Fence requirements
- 27 154.24 Nonconforming uses
- 28 154.25 Building permits
- 29 154.26 Occupancy permits
- 30 154.27 Special event permit
- 31 154.28 OS: Open Space District
- 32 154.29 PR: Parks and Recreation District
- 33 154.30 MU-A: Mixed Use Activity Center District
- 34 154.31 CBD: Central Business District
- 35 154.32 Overlay zones

36
37
38 **154.01 PURPOSE.**

39
40 (A) This is a chapter on zoning to regulate and restrict the height, number of stories, and
41 size of buildings and other structures, the percentage of a lot that may be occupied, the
42 size of yards, courts, and other open spaces, the density of population, and the location
43 and use of buildings; dividing the municipality into districts and regulating within such
44 districts the erection, construction, reconstruction, alteration, repair, or use of buildings,
45 structures, or lands; adopting a zone map of the city; providing for the administration of
46 zoning, the interpretation of this chapter and the zone map, providing for appeals,
47 applications, fees, and administration hereof; providing for amendments, enforcement,
48 penalties for violation; and separability of provisions.

1 (B) It is intended by this chapter to promote the general health, safety, morals, convenience,
2 and welfare of the people of the city. These regulations are required to provide adequate
3 space for light and air; to avoid undue concentration of population; to secure safety from
4 fire, panic, and other dangers; to control congestion on the streets and public ways; to
5 control and abate the unsightly use of buildings or land; to facilitate provisions for
6 community services and public utilities, including transportation, water sewers, schools,
7 parks, and other public requirements; to encourage the most appropriate use of land;
8 and to conserve and stabilize the value of property.

9
10 (Ord. 02-004, § 9-1-1)

11
12 **154.02 ADOPTION OF ZONE MAP AND APPLICATION OF THE ZONING CHAPTER.**

13
14 (A) The zones and boundaries of zones as established and shown on the official zone map
15 on file within the Development Services Department (DSD), and all amendments
16 thereto, are incorporated herein and designated as the official zone map of the city. Any
17 use not designated a permissive or conditional use in a zone is specifically prohibited in
18 that zone except as otherwise provided herein.

19
20 (B) Zoning boundaries indicated as approximately following right-of-way lines of streets,
21 alleys, city limits, irrigation, or drainage ways shall be construed as following such lines.

22
23 (C) Abutting zoning along frontage on public rights-of-way shall automatically extend to the
24 centerline upon vacation from public use of said rights-of-way.

25
26 (D) An application for change of zone of unplatted land must be accompanied by a plan
27 delineating the boundaries of each tract requested to be rezoned.

28
29 (E) Where physical or cultural features existing on the ground are at variance with those
30 shown on the official zoning map, or in other circumstances not covered above, the
31 Planning and Zoning Board shall interpret the district boundaries.

32
33 (F) In creating certain districts and allowing certain uses the city refers to the North
34 American Industry Classification System, and any supplements thereto. Those portions
35 of the manual or its amendments which are referenced in any law or regulation creating
36 or modifying zone districts or allowed uses, are intended to be adopted or incorporated
37 herein by reference, but only to the extent that they are consistent with other provisions
38 of the city relating to such zones, districts, or uses. The city reserves the right to modify
39 within its laws or regulations any of the selected provisions within the manual or its
40 amendments that the city might adopt.

41
42 (Ord. 02-004, § 9-1-2)

1 **154.03 DEFINITIONS.**

2 For the purpose of this chapter, the following definitions will apply unless the context clearly
3 indicates or requires a different meaning.

4
5 **ABUT/ABUTTING.** Having a common border with, or being separated from such a common
6 border by a right-of-way, alley, or easement.

7
8 **ACCESS or ACCESS WAY.** The place, means, or way by which pedestrians and vehicles
9 shall have safe, adequate and usable ingress and egress to a property or use as required
10 by city ordinance.

11
12 **ACCESSORY BUILDING OR USE.** A building or use that is appropriate, subordinate, and
13 customarily incidental to the main use of the lot; a building detached from the primary
14 structure and does not cumulatively exceed 75% of the size of the primary structure or 15%
15 of the lot area, whichever is greater and is located on the same site as the primary structure
16 or principal use served.

17
18 **ACCESSORY DWELLING UNIT.** A separate, complete housekeeping unit, attached or
19 detached, which does not exceed 900 square feet or 50% of the primary structure,
20 whichever is greater and is on a lot 7,000 square feet or greater in area, but not a mobile
21 home, with a separate entrance, kitchen, sleeping area and full bathroom facilities. An
22 additional parking space that does not block a two-car garage is required for an accessory
23 dwelling unit.

24
25 **ACCESSORY LIVING SPACE.** Living space that is accessory to the primary residence
26 used for residential purposes which does not contain kitchen facilities located within an
27 accessory building and on the same lot as the primary building on the lot.

28
29 **ACRE.** An area unit of measurement consisting of 43,560 square feet.

30
31 **ACTIVITY CENTER.** A collection of land uses that attracts residents and visitors for multiple
32 purposes that may include: shopping, employment, culture, education, housing, government
33 services, recreation, and entertainment.

34
35 **AGRICULTURAL USE.** The use of land where such land is devoted to the production of
36 plants, animals or horticultural products, including but not limited to forages; grains and feed
37 crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep,
38 swine and horses; bees and apiary products; trees and forest products; fruits, nuts and
39 berries; vegetables; or nursery, floral, ornamental and greenhouse products. Agricultural
40 use shall not include use of land for recreational purposes.

41
42 **ALLEY.** A public thoroughfare, which affords only a secondary means of access to abutting
43 property.

44
45 **AMATEUR RADIO ANTENNA.** Any antenna used for the purpose of transmitting and
46 receiving radio signals as licensed by the Federal Communications Commission.

47
48 **ANIMAL FOSTER CARE PROVIDER.** Any person who supplies a home to an animal on
49 behalf of an animal rescue group while a permanent home for the animal is being found.

1 Such providers shall follow the regulations set forth for foster homes in Chapter 116 of this
2 code.

3
4 **ANIMAL RESCUE.** Any person or group who accepts companion animals for the purpose
5 of finding a permanent adoptive home for the animals and does not maintain a central
6 facility for keeping animals, but rather uses a system of fostering in private homes, or
7 boarding or keeping in licensed pet animal facilities. This definition does not include wildlife
8 rescue and rehabilitation services.

9
10 **ANNEXATION.** To add additional territory into Rio Rancho's jurisdiction thereby changing
11 the boundaries of the community.

12
13 **ANTENNA.** A device designed to receive or send broadcasts either as over the air signals
14 from transmitters, including fixed television or radio signals, or microwave signals for earth
15 orbiting communications satellites.

16
17 **ARTERIAL STREET.** A street having the primary purpose of carrying large volumes of
18 traffic and does not usually provide direct access to individual properties. Arterials are
19 designed to provide cross-city travel.

20
21 **AUTO REPAIR, MINOR.** Repairs and servicing that will produce relatively low noise,
22 vibration and fumes and, more specifically, include the following types of repairs to motor
23 vehicles; air conditioning service, brake repair/replacement, engine oil changes, fluids
24 replacement, exhaust system repair/replacement, shock absorber/spring/strut replacement,
25 tire balancing/installation, wheel alignment, windshield/glass replacement, tune-ups,
26 diagnostics, emission control service.

27
28 **AUTO REPAIR, MAJOR.** Repairs that produce relatively high levels of noise, vibration and
29 fumes and, more specifically, include the following types of repairs to motor vehicles and
30 repairs of a similar nature with respect to impacts on nearby properties; auto body
31 customizing, auto body sheet metal/fiberglass/plastic repair/replacement, auto body
32 prepping/painting/media blasting, chassis fabrication/repair, complete engine/transmission
33 rebuild and replacement.

34
35 **BALCONY.** A small outdoor area, raised above the ground, directly accessible from within
36 the building and open except for a balustrade on at least one side.

37
38 **BASEMENT (OR CELLAR).** A story of a building, which has at least one-half of its height
39 below grade.

40
41 **BAY WINDOW.** A projection from the wall of a building that contains a window is wholly
42 above the level of the adjacent floor surface and does not result in any projection of the
43 adjacent floor area.

44
45 **BOARD.** The Planning and Zoning Board of the City of Rio Rancho.

46
47 **BOARDING HOUSE (BOARDING, LODGING HOUSE, OR BED AND BREAKFAST).** A
48 dwelling containing one or more, but not more than five, guest rooms where lodging is
49 provided with or without meals for compensation.

1
2 **BOARDING KENNEL.** Any facility where dogs or cats are housed for the general public for
3 a profit with the exception of state-inspected veterinarian hospitals, pet shops, animal
4 grooming parlors and pet shelters.
5
6 **BUFFER LANDSCAPING.** Areas of landscaping parallel to a buffer wall.
7
8 **BUFFER WALL.** A stone, concrete, or masonry wall that is located on or near the property
9 line between nonresidential zoned and residential property, is a part of a buffer zone and, is
10 intended to provide a buffer for the residential zone.
11
12 **BUFFER ZONE.** A strip of property located between commercially and residentially zoned
13 property, where property lines abut, and intended to provide a buffer for the residential
14 zone.
15
16 **BUILD.** To erect, convert, enlarge, reconstruct, or structurally alter a building or structure.
17
18 **BUILDING.** Any structure built for use of persons or animals.
19
20 **BUILDING ENVELOPE.** Refers to an area on a developable lot that delineates the
21 maximum area of disturbance in which any building and associated structures may be
22 located, exclusive of the driveway, underground utilities, irrigation, landscaping and natural
23 material retaining walls (not to exceed four feet in height). The intent of this delineation is to
24 preserve pre-existing grade and native vegetation outside of the building envelope.
25
26 **BUILDING HEIGHT.** Building height means the vertical distance measured from the
27 finished floor elevation of the structure, to the highest point of the roof, parapet wall, or
28 uppermost part. Chimneys, vents, or utility service structures shall not be included in the
29 measurement of vertical dimensions.
30
31 **BUILDING, PRINCIPAL.** A building which occupies the major or central portion of a lot, is
32 the chief or main building on a lot, or constitutes by reason of its use, the primary purpose
33 for which the lot is used.
34
35 **BUILDING, TEMPORARY.** A building or structure intended for removal or demolition within
36 a prescribed time not exceeding two years or as set out in a building permit.
37
38 **CALIPER.** A measurement of thickness or diameter of new landscape plantings measured
39 six inches above ground.
40
41 **CARETAKER LIVING QUARTERS.** an accessory housing unit that is permitted in
42 association with a commercial or industrial use where no residential dwelling exists, and the
43 expressed purpose of the accessory housing unit is to provide housing for an on-site
44 security or operations personnel.
45
46 **CARPORT.** A structure not completely enclosed by walls for use to shelter automobiles.
47
48 **CELLAR.** A story of a building which has more than one-half its height below grade.
49

- 1 **CENTER LINE.** The line which bisects any right-of-way.
2
- 3 **CLEAR SIGHT TRIANGLE.** The area needed to be clear of site obstructions for safe
4 vehicular turning movements based on AASHTO's: A Policy on Geometric Design of
5 Highways and Streets.
6
- 7 **CLINIC.** An establishment occupied by one or more members of the medical profession for
8 the purpose of providing medical services.
9
- 10 **CLUB.** Any membership organization catering exclusively to members and their guests and
11 whose facilities are limited to meeting, eating, and/or recreation uses, and further whose
12 activities are not conducted for monetary gain; including but not limited to civic, fraternal,
13 charitable, religious, social, and patriotic organizations.
14
- 15 **COLLECTOR STREET.** A street that collects traffic from local streets and provides
16 connections to arterial streets.
17
- 18 **COMMERCIAL VEHICLE/EQUIPMENT.** Any vehicle and/or equipment which has a gross
19 vehicle weight rating that exceeds 10,000 lbs. that is used or designed for a commercial or
20 industrial function. This term includes any vehicle/equipment that is not a noncommercial or
21 a recreational vehicle.
22
- 23 **COMMUNITY RESIDENTIAL CARE FACILITY.** Any congregate residence, maternity
24 shelter, or building for persons, which provides and whose primary purpose is to provide to
25 the residents, within the facility, either directly or through contract services, programmatic
26 services, room, board, assistance with the activities of daily living, in accordance with the
27 program narrative, and/or general supervision of two or more adults who have difficulty
28 living independently or managing their own affairs. Community Residential Care Facility
29 does not include facilities for persons currently in custody of, or recently released by,
30 correctional authorities that are designed to offer an alternative to imprisonment and/or to
31 facilitate ex-offender reintegration into community life, nor does it include facilities for
32 persons who require such services by reason of the effects of alcohol or drug abuse.
33 Community Residential Care Facility does include facilities for recovering alcohol or drug
34 abusers.
35
- 36 **CONDITIONAL USE.** A use allowed with conditions in the applicable zoning district as
37 determined by the Planning and Zoning Board.
38
- 39 **CONIFER.** Any tree with needle leaves and a woody cone fruit.
40
- 41 **CONSTRUCTION TRAILER.** Is a movable structure, which may be a mobile home, that is:
42
- 43 (1) Located on a construction site and occupied by persons having construction or
44 security responsibilities over such construction site; or
45 (2) Located on a construction site in order to provide storage for tools and materials.
46
- 47 **CONVERSION.** Changing the original purpose of a building to a different use with or without
48 structural alteration requiring a building permit.
49

1 **COURT.** An open space that is more than half surrounded by a single building or buildings.
2
3 **CURB CUT.** Depressing the curb to the adjacent level.
4
5 **DAY SPA.** Any premises, place of business or membership club providing facilities devoted
6 especially to health, beauty, and relaxation that deals with cosmetic, therapeutic massage,
7 and/or holistic treatments, where people visit for professionally administered personal care
8 treatments.
9
10 **DECIDUOUS TREE.** A tree that drops its foliage annually before becoming dormant.
11
12 **DECK, UNENCLOSED.** Structure usually made of wood, built to provide a solid continuous
13 surface for outdoor use and/or access to a door, which is accessible from the ground level,
14 directly or from a connecting stairway and is separated from the ground by air space.
15
16 **DENSITY.** The measure of families, individuals, dwelling units, household or housing
17 structures per unit of land, i.e., number of dwelling units per acre.
18
19 **DENSITY, GROSS RESIDENTIAL.** The ratio between the number of dwelling units located
20 or proposed to be located on a lot and the area of the lot where the area to be measured
21 includes all lands within the lot used or proposed to be used for roads or any other purpose
22 other than an industrial use, and may be determined by dividing the lot area by the number
23 of dwelling units.
24
25 **DEVELOPMENT.** The construction, reconstruction, conversion, structural alteration,
26 relocation, or enlargement of any buildings, structures, or accessory structures, any use or
27 change in use of any buildings or land, any extension of any use of land, mining, dredging,
28 filling grading, paving, excavation or drilling operations or, the storage deposition or
29 extraction of materials; public or private sewage disposal systems or water supply facilities;
30 for which permission may be required pursuant to city ordinances.
31
32 **DRIVEWAY.** An all-weather, vehicular access way connecting an off-street parking space
33 or parking lot with a public or private street.
34
35 **DUPLEX.** A building arranged, intended, or designed to be occupied by two families living
36 independently of each other and having separate cooking facilities in each dwelling unit.
37
38 **DWELLING, MULTIPLE-FAMILY.** A building arranged or designed to be occupied by two
39 or more families living independently of each other and having separate cooking facilities in
40 each dwelling unit.
41
42 **DWELLING, SINGLE-FAMILY.** A building arranged or designed to be occupied by one
43 family, the structure having only one dwelling unit but not including a mobile home.
44
45 **DWELLING UNIT.** One or more rooms within a building designed for residential occupancy
46 by one family for living and sleeping purposes, and containing kitchen facilities, but not
47 including a recreation vehicle or travel trailer, permanently installed on a permanent
48 foundation which has received a permit from the city pursuant to R.O. 1987 or another
49 permitting agency with jurisdiction, and the structure is either:

1
2 (1) Constructed to the standards adopted by the city and other technical codes, as of
3 the date of the unit's construction; or
4

5 (2) A single-family detached dwelling with a heated area at least 36 by 24 feet and
6 864 square feet, constructed in a factory to the standards of the U.S. Department
7 of Housing and Urban Development, National Manufactured Housing
8 Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 et seq., HUD
9 Zone Code II, as amended to the date of the unit's construction, and installed
10 consistent with the Manufactured Housing Act (NMSA Chapter 60, Article 14),
11 and with the regulations made pursuant thereto relating to ground level
12 installation and ground anchors.
13

14 **ENTERTAINMENT ESTABLISHMENT.** An establishment which includes live performances
15 and/or patron dancing, including but not limited to, nightclubs, dance halls or discotheques.
16

17 **EVERGREEN.** Those trees, including broad-leaved and conifer evergreens, that maintain
18 their leaves year-round.
19

20 **FAMILY.** One or more persons who are related by blood or marriage, and including any
21 foster children or a group of not more than five persons living together as a house keeping
22 unit by joint agreement on a nonprofit cost sharing basis, or a combination of persons
23 related by blood or marriage along with unrelated adults living together and occupying a
24 single housekeeping unit. In addition, up to ten persons with a disability or handicap,
25 including any staff residents residing in a dwelling shall be considered a family.
26

27 **FAMILY CHILD CARE FACILITY.** A private residence in which care, services, and
28 supervision is provided to a maximum of 12 children for a period of less than 24 hours of
29 any given day. The licensee will reside in the home and be the primary caregiver.
30

31 **FENCING.** A masonry, metal, or wood wall, or plantings such as hedges, forming a
32 boundary to and enclosing same area.
33

34 **FLOOR AREA.** The area included within the surrounding walls of a building measured from
35 outside to outside, excluding vents, shafts, and courts.
36

37 **FLOOR AREA, GROSS.** For the purpose of this chapter, the sum of all the floor areas of a
38 building or buildings, measured from the exterior of the supporting walls or supporting
39 devices, including all accessory buildings on the same lot.
40

41 **FRONTAGE.** The distance along a street line from one intersecting street to another or from
42 one intersecting street to the end of a dead end street. Lot frontage is the width of a lot
43 measured along a street.
44

45 **GARAGE, COMMERCIAL.** Any building or structure where automobiles, trucks, tractors, or
46 other vehicles are stored, painted, repaired, or equipped for a charge, and where the
47 service and sale of gasoline and oil are incidental to the principal building use.
48

49 **GARAGE, PRIVATE.** A detached accessory building or, a portion of a dwelling unit, which

- 1 is designed or used for the sheltering of private motor vehicles and the storage of
2 household equipment incidental to the residential occupancy and which is fully enclosed
3 and roofed and, excludes a carport or other open shelter.
4
- 5 **GASOLINE SERVICE STATION.** Any building or premises used principally for the storing,
6 dispensing, sale, or offering for sale at retail, of gasoline, oil, and/or other fuels.
7
- 8 **GOLF COURSE or CLUB.** Nine or 18-hole course, which may or may not be associated
9 with a club house, but not including miniature course or golf driving range.
10
- 11 **GRADE.** The average of the finished ground level at the center of all walls of a structure.
12
- 13 **GREENHOUSE.** A transparent enclosed building used for cultivating plants.
14
- 15 **HANDICAP RAMP.** An inclined surface for handicap movement in lieu of steps.
16
- 17 **HOBBY BREEDER.** Any person that occasionally breeds and raises animals on their
18 property as regulated in Chapter 116 of this code.
19
- 20 **HOME OCCUPATION.** An occupation conducted within a dwelling unit as regulated in
21 Chapter 121 of this code.
22
- 23 **HOTEL/MOTEL.** An establishment or building providing lodging, food, and the like to
24 travelers and long-term residents.
25
- 26 **LANDFILL.** A waste disposal site where waste is deposited with cover material being
27 applied at regular intervals.
28
- 29 **LANDSCAPING.** To improve or ornament through the arrangement and/or modification of
30 the effects of natural scenery over a tract of land for aesthetic effect.
31
- 32 **LOT.** Any parcel of land platted and placed on record in accordance with laws and
33 ordinances; a parcel described by metes and bounds and having frontage on a public right-
34 of-way.
35
- 36 **LOT WIDTH.** The distance between straight lines connecting front and rear lot lines at each
37 side of the lot, measured across the rear of the required front yard.
38
- 39 **LUMBERYARD.** A facility where building materials such as lumber, plywood, dry-wall,
40 paneling, cement blocks and other cement products, and other building products are stored
41 and sold. Lumberyards may also process lumber by performing millwork, planing, cutting,
42 and other customizing processes. Lumberyards may provide for the sale of associated
43 products including tools and fasteners.
44
- 45 **MANUFACTURING USE.** Primarily engaged in the mechanical or the chemical
46 transformation of materials or substances into new products. Manufacturing activities
47 include, but are not limited to, assembly, baking, brewing, fabrication, milling, processing,
48 refining, smelting and treatment. Except as otherwise provided in this chapter,
49 Manufacturing Uses are defined, and distinguished from non-manufacturing uses in the

1 North American Industrial Classification Manual.

2
3 **MANUFACTURED/MOBILE HOME PARK.** A unified development that provides space and
4 facilities for manufactured/mobile homes.

5
6 **MASTER PLAN.** A comprehensive plan of development for a large tract of land (such as a
7 growth node, or activity center that may include intended land use, street patterns,
8 development timing and functional plans for open space, utilities, drainage and the
9 interrelationship between the development and the city's comprehensive plan).

10
11 **MINING.** For the purposes of this chapter, means the removal of sand, gravel, earth, rock,
12 stone or mineral bearing substance from the ground for the purpose of obtaining any
13 mineral therefrom.

14
15 **MIXED USE.** A project or single building which includes both primary non-residential and
16 primary residential uses or where the different types of land uses are in close proximity,
17 planned as a unified complementary whole, and functionally integrated for the use of shared
18 vehicular and pedestrian access and parking areas.

19
20 **MOBILE HOME.** A movable or portable housing structure larger than 40 feet in body length,
21 8 feet in width or 11 feet in overall height, designed for and occupied by no more than one
22 family for living and sleeping purposes that is not constructed to the standards of the United
23 States Department of Housing and Urban Development, the National Manufactured
24 Housing Construction and Safety Standards Act of 1974 and the Housing and Urban
25 Development Zone Code 2 or Uniform Building Code, as amended to the date of the unit's
26 construction or built to the standards of any municipal building code.

27
28 **MODEL HOME.** Any furnished dwelling, which is primarily used as a marketing tool to show
29 prospective homebuyers a particular plan, type of construction, accoutrements or floor plan
30 and which is not a residence at the same time. A sales office need not be physically located
31 in the dwelling.

32
33 **MULTI-SECTION MANUFACTURED HOME.** A manufactured home or modular home that
34 is a single-family dwelling with a heated area of at least 36 by 24 feet and at least 864
35 square feet and constructed in a factory to the standards of the United States Department of
36 Housing and Urban Development, the National Manufactured Housing Construction and
37 Safety Standards Act of 1974 and the Housing and Urban Development Zone Code 2 or the
38 Uniform Building Code, as amended to the date of the unit's construction, and installed
39 consistent with the Manufactured Housing Act and with the rules made pursuant thereto
40 relating to permanent foundations.

41
42 **NIGHT SKY PROTECTION ACT.** The Night Sky Protection Act regulates outdoor night
43 lighting fixtures to preserve and enhance the state's dark sky while promoting safety,
44 conserving energy and preserving the environment for astronomy as per NMSA1978 Article
45 12 Night Sky Protection.

46
47 **NONCOMMERCIAL VEHICLE/EQUIPMENT.** A motor vehicle/equipment used in the
48 conduct of normal daily activities which has a gross vehicle weight rating of not more than
49 14,000 pounds which can be lawfully parked in a 9-foot x 28-foot parking space. This term

- 1 includes motor vehicles commonly called motorcycles, automobiles, vans, sport utility
2 vehicles, light trucks or pickups.
3
- 4 **NONCONFORMING USE.** Lots, structures, and uses which were in conformity with the
5 applicable zoning ordinance and regulations when created but which would now be
6 prohibited or do not conform to one or more of the regulations in the zoning code or future
7 amendments thereto.
8
- 9 **NORTH PROPERTY LINE.** Any lot line which is positioned at an angle of 45 degrees or
10 less in relation to a line drawn due east/west. Measurement of an angle shall occur in the
11 interior of the lot under review.
12
- 13 **NURSING HOME.** An institution, building or place, whether operated for profit or not,
14 including a place operated by a county or municipality, which undertakes through its
15 ownership or management to provide for a period exceeding 24 hours, nursing care,
16 personal care, or custodial care and may include a rest home, convalescent home or senior
17 transitional living and care facilities.
18
- 19 **OFFICE BUILDING.** A building designed for or used as the offices of professional,
20 commercial, industrial, religious, public or semipublic persons or organizations.
21
- 22 **OPEN SPACE.** Any parcel or area of land or water essentially unimproved and set aside,
23 dedicated, designated, or reserved for public or private use or enjoyment or for the use and
24 enjoyment of owners, occupants, and their guests of land adjoining or neighboring such
25 open space.
26
- 27 **OUTDOOR SALES DISPLAY.** An outdoor arrangement of objects, items, products, or other
28 materials, typically not in a fixed position and capable of rearrangement, designed and used
29 for the purpose of advertising or identifying a business, product, or service.
30
- 31 **OUTSIDE STORAGE.** Outside storage is the keeping material, or equipment not within an
32 enclosed building, including incidental maintenance and repair of the material which is being
33 stored. Materials and equipment that are transferred from an enclosed building for an
34 outdoor sales display is not considered outside storage.
35
- 36 **OVERHANG.** The part of a roof or wall that extends beyond the facade of a lower wall or,
37 the portion of a vehicle extending beyond the wheel stops or curb.
38
- 39 **PARAPET.** The extension of the main walls of a building above the roof level.
40
- 41 **PARK.** An open space reserved in the public domain where appropriate development may
42 take place and which is intended primarily for passive activity.
43
- 44 **PARKS, RECREATIONAL.** An area developed and maintained primarily for active
45 recreation.
46
- 47 **PARKING AREA, PRIVATE.** An open off-street area of land used for the parking of more
48 than five motor vehicles used by occupants including employees of a building to which such
49 area is appurtenant.

1
2 **PARKING AREA, PUBLIC.** An open area other than a street provided for public use or
3 including customer use.
4

5 **PARKING LOT.** An area provided for the free use of patrons or employees of any office or
6 state or local government or of any public accommodation, or retail or commercial
7 establishment.
8

9 **PARKING SPACE.** An area on a lot sufficient in size to store one automobile (not less than
10 9 feet wide and 18 feet long) connected to a public street or alley by a driveway not less
11 than 10 feet wide and so arranged as to permit ingress and egress of the automobile at all
12 times without moving any other automobile parked adjacent to the parking space. The
13 required length of the space can be reduced to 16 feet with the incorporation of a 2-foot
14 vehicle overhang if such overhang does not reduce the required width of an adjacent
15 pedestrian walkway and/or landscape area.
16

17 **PARKING SPACE, ACCESSIBLE.** A parking space with a minimum stall depth of 18 feet,
18 a minimum stall width of 9 feet and an access aisle and access route per current ADA
19 regulations. Accessible parking spaces must be located on the shortest accessible route of
20 travel to an accessible facility entrance.
21

22 **PARKING SPACE, VAN ACCESSIBLE.** A parking space with a minimum stall depth of 18
23 feet, a minimum stall width of 9 feet and an access aisle and access route per current ADA
24 regulations. Van accessible parking spaces shall also contain wider access aisles and
25 access routes to accommodate wheelchair lifts along with additional signage that clearly
26 identifies the parking spaces as "van accessible."
27

28 **PARKING STRUCTURE.** Includes a partially open and/or an enclosed area other than a
29 street or lane used for the parking of motor vehicles. A parking structure generally includes
30 three or more parking spaces together with aisles and has a principal access from a
31 driveway to a street and may constitute the main use of the lot.
32

33 **PATIO COVER.** An unenclosed attached roofed structure used only for recreational and
34 outdoor living purposes.
35

36 **PERMISSIVE USE.** A use allowed by right in a particular zoning district.
37

38 **PET SHELTER.** Any establishment owned and operated by a not-for-profit organization,
39 licensed to do business in the State of New Mexico, whose sole function is to bring aid and
40 comfort to animals.
41

42 **PET SHOP.** Any commercial establishment or premises or part thereof, maintained for the
43 purchase, sale, exchange, or hire of animals of any type; except that the term shall not
44 include livestock auctions.
45

46 **PICKUP CAMPER.** A structure designed to be mounted on a pickup or truck chassis with
47 sufficient equipment to render it suitable for use as a temporary dwelling for travel and
48 recreation use.
49

1 **PLAT.** A map showing the location, boundaries and ownership of individual properties,
2 planned and developed as a single project.
3

4 **PLAZA.** A community gathering space, sometimes called a square, usually with seating
5 areas, and with a variety of ground-plane finishes such as hard-surfaces, lawn and
6 landscaping. It is often designed as a focal point with an amenity located within, and it may
7 be bounded on one or more sides by a civic or commercial use in a neighborhood,
8 commercial and recreational centers.
9

10 **PREMISES.** Land together with any buildings or structures occupying it; however, each
11 individual business shall be considered a premises.
12

13 **PUBLIC FACILITIES.** Facilities operated by a municipality including parks, trails, paths, and
14 other recreational areas and open spaces, public schools and other public buildings,
15 including fire stations and police substations, and places where the public is directly or
16 indirectly invited to visit or permitted to congregate.
17

18 **PUBLIC UTILITY.** An office, pumping station, communication center, distribution, or transfer
19 facility, or other management or operation need for electricity, communication, gas, water,
20 transportation, sewage, but exclusive of production or disposal plants, storage yards, or
21 supply base, unless otherwise provided for by this chapter.
22

23 **RECREATIONAL VEHICLE.** A vehicular unit primarily designed as a temporary living
24 quarters for recreational, camping, or travel use; it either has its own motive power or is
25 designed to be mounted on or drawn by an automotive vehicle. Recreational vehicle
26 includes motor home, boat, truck camper travel trailer, and camping trailer.
27

28 **RECYCLING COLLECTION CENTER.** A temporary site/facility which is an accessory use
29 to an existing site/facility and serves as a "drop off" location for household recyclables such
30 as paper, glass, plastics, and aluminum, but not to include refuse.
31

32 **REPLAT.** Is a process that is used to move, erase, or add new interior property lines within
33 a recorded Summary or Subdivision Plat. It results in a new plat being recorded for the
34 affected parcels or lots.
35

36 **SALES OFFICE.** An office accessory use to a dwelling unit being used as a model home or,
37 a freestanding building usually located in a residential area, used specifically for the
38 purpose of conducting business transactions associated with the sale of residential dwelling
39 units.
40

41 **SCHOOL.** A public school, a separate school, a university, a college or a private school
42 authorized by the authority having jurisdiction.
43

44 **SECOND KITCHEN.** A second culinary facility which is located within a dwelling and may
45 include a stove, oven, sink, cabinets and/or other related storage areas, refrigerator or any
46 combination of these, in addition to the primary culinary facilities located in the kitchen of
47 the dwelling. Outdoor kitchens which may consist of barbeques and/or ovens are not
48 considered second kitchens so long as they are not enclosed within a building.
49

1 **SELF-STORAGE FACILITY.** A group of buildings or other facilities having components,
2 rooms, spaces, containers or other types of units that are individually leased, rented, sold or
3 otherwise contracted for by customers for the storage of personal or business goods or
4 property.
5

6 **SENIOR TRANSITIONAL LIVING AND CARE FACILITY.** An age-targeted facility for
7 “seniors” (typically 55 years and over) that can provide a continuum of care and living
8 arrangements from independent living apartments to assisted care units, nursing care beds,
9 memory units for memory-impaired residents, and other health conditions. Living units can
10 be owned or leased, separate or attached, and with varying degrees of independence for
11 residents, but all units are under a common management.
12

13 **SETBACK.** The shortest distance between a structure and the present or future street line
14 or property line. Setbacks shall be measured to the foundation and provide an allowance of
15 four inches (4”) for stucco, cladding, and exterior building finishes. Placement of the
16 following structures is allowed in this area: structures of 120 square feet or less. The
17 placement of paved concrete, blacktop, brick and wood decking, pads, poured slabs,
18 driveways, walkways, and ornamental landscaping accoutrements are permitted. It is the
19 responsibility of the property owner to secure permission, in writing, from any and all
20 franchised utilities upon whose easements the property owner wishes to place any of the
21 above structures. Setback exceptions for residential and non-residential zone categories
22 are included in each relevant chapter of this ordinance.
23

24 **SHOOTING RANGE, INDOOR.** An enclosed facility used for the discharge of firearms at
25 targets.
26

27 **SHOPPING CENTER.** Two or more-tenants or occupants of a structure or structures used
28 for commercial purposes on a single parcel, or more than one parcel within a common
29 commercial subdivision, of at least five acres that typically includes shared parking, access,
30 and sidewalks under common management.
31

32 **SIGNAGE.** A structure or graphic display designed to inform or attract the attention of
33 persons not on the premises on which the sign is located.
34

35 **SITE PLAN.** A scale drawing or plan showing accurately and with complete dimensioning,
36 all of the buildings, structures and uses and the exact manner of development proposed for
37 a specific parcel of land.
38

39 **SOLAR ENERGY UNIT.** A solar collector or other device that relies upon sunshine as an
40 energy source and is capable of collecting, distributing, and storing (if so equipped) the
41 sun’s radiant energy.
42

43 **SPECIAL EVENT.** An event, the duration of which is temporary in nature.
44

45 **STUDIO.** The workspace of a painter, sculptor, or other artist, limited to the production and
46 sale of the works of said artist and to one occupational employee.
47

48 **STREET.** A thoroughfare which has been dedicated to the public or which has been made
49 public by right-of-use and which affords the principal means of access to abutting property.

1
2 **STRUCTURE.** Anything constructed or erected which requires location on the ground or
3 attached to something having a location on the ground but not including a utility pole, a tent
4 or vehicle.
5

6 **STRUCTURAL ALTERATION.** Any change in the supporting members of a building, such
7 as bearing walls, or partitions, columns, beams, or girders, or any substantial change in the
8 roof or exterior walls.
9

10 **SWIMMING POOL.** A deep body of usually fresh water, suitable for swimming, built into the
11 ground, or situated above the ground, made of concrete or plastic, but exceeding 36 inches
12 in depth.
13

14 **SWIMMING POOL, PRIVATE.** A swimming pool to which admission is limited by ownership
15 or membership.
16

17 **SWIMMING POOL, PUBLIC.** A swimming pool to which admission may be gained by the
18 general public with or without payment of a fee.
19

20 **TEMPORARY, EMERGENCY, CONSTRUCTION, OR REPAIR RESIDENCE.** Which may
21 be a mobile home, is:
22

23 (1) Located on the same lot as a residence made uninhabitable by fire, flood or other
24 natural disaster; or
25

26 (2) Located on the same lot as a residence that is under construction or undergoing
27 substantial repairs or reconstruction and occupied by the persons intending to
28 live in such permanent residence when the work is completed.
29

30 **TOWNHOUSE, TOWNHOME, CONDOMINIUM, OR PATIO HOME.** A residential dwelling
31 unit which is connected by one or more walls to a series of similar units, usually sharing the
32 same street frontage.
33

34 **TRACT, SEPARATE.** A parcel of land or a group of continuous parcels of land under one
35 ownership on the effective date of this chapter.
36

37 **TRAVEL TRAILER or RECREATIONAL VEHICLE.** A vehicular, portable structure built on
38 a chassis, designed to be used as a temporary dwelling for travel and recreational
39 purposes, and not permanently connected to utilities.
40

41 **TRAVEL TRAILER OR RECREATIONAL VEHICLE PARK OR CAMPGROUND.** A tract of
42 land with spaces or stands provided for temporary use of travel trailers, pickup campers,
43 tents, or recreational vehicles. The parking area for two or more vehicles of this type will be
44 considered a trailer park or campground.
45

46 **USABLE RECREATION SPACE.** An area on the same lot as the multi-family residential
47 development that serves to permanently provide indoor or outdoor open space and/or
48 recreational uses. Usable recreation space may include, but is not limited to: lawns,
49 decorative planting areas, and native plants; open balconies and covered patios that are

1 open on 2 or more sides, walkways, active and passive recreational areas, fountains,
2 swimming pools, water features, and ponds; clubhouse areas for video/technology rooms,
3 exercise or fitness activities, or meeting rooms; or playgrounds. Usable recreation space
4 does not include public right-of-way, parking lots, driveways, or buildings, garages, carport
5 or equipment areas that are not designed for commons use.
6

7 **WIND ENERGY UNIT.** A machine by which mechanical energy supplied by the wind is
8 converted to electrical energy, including any energy storing device (if so equipped).
9

10 **XERISCAPE.** A combination of landscaping and irrigation techniques which reduce the
11 demand for water requirement to maintain a given landscape. Primary techniques are; use
12 of water-conserving plants, minimum amount of turf (grass area), plants grouped based on
13 watering needs, irrigation system designed to meet the needs of the plants in the
14 landscape.
15

16 **YARD.** An open space on the same lot as a building; except as provided herein, it is
17 unoccupied and unobstructed by a structure. Yard width or depth is the shortest horizontal
18 distance from a lot line to the main building.
19

20 **YARD, FRONT.** The area from one side lot line to the other side lot line and between the
21 main building and the street. A front yard line is a line parallel to the street and as far from
22 the street as required in this chapter. On corner lots (lots abutting on two or more streets at
23 their intersection), the front yard may face either street.
24

25 **YARD, REAR.** The area from one side lot line to the other side lot line and from the main
26 building to the rear lot line. The rear yard is always on the opposite end of the lot from the
27 front yard.
28

29 **YARD, SIDE.** The area from the front building line to the rear building line and from the
30 main building to the side lot line.
31

32 **ZERO LOT LINE HOME.** A structure of two or more dwelling units with common walls at the
33 lot lines between adjoining units, or the placement of a detached home on the lot line on
34 one side with the setback on the other side.
35

36 **ZONING DISTRICT.** Any section of the City of Rio Rancho where regulations governing the
37 use of buildings and premises or the height and area of buildings and lot size are uniform.
38 (Ord. 02-004, § 9-1-3) (Am. Ord. 07-50; Am. Ord. 08-15)
39
40
41
42
43
44
45
46
47
48
49

1 **154.04 ESTABLISHMENT OF DISTRICTS.**

2 There are 21 zoning districts established for use in the city as follows:

3

R-1	Single-Family Residential
R-2	Single-Family Residential
R-3	Mixed Residential
R-4	Single-Family Residential
R-5	Single-Family Residential
R-6	Multi-Family Residential
M-H	Mobile Home Residential
C-1	Retail Commercial
C-2	Wholesale and Warehousing Commercial
M-1	Industrial and Business Park
H-1	Historical Site
A-R	Agricultural Residential
SU	Special Use
E-1	Estate Residential
O-1	Office Zone
T-Z	Transitional Zone
NC	Neighborhood Commercial
OS	Open Space
PR	Parks and Recreation
MU-A	Mixed-Use Activity Center
CBD	Central Business District

4

5 (Ord. 02-004, § 9-1-4) (Am. Ord. 05-33; Am. Ord. 05-38)

6

1 **154.05 R-1: SINGLE-FAMILY RESIDENTIAL DISTRICT.**

2 (A) Purpose. This district permits a low density of population in which the primary land use
3 is a single-family dwelling unit.

4
5 (B) Permissive uses.

6
7 (1) One single-family dwelling unit per lot; provided such dwelling unit meets the
8 following design standards:

9
10 (a) All dwelling units shall be permanently affixed to a permanent foundation. No
11 dwelling unit shall be temporary in nature. Permanent foundations for dwelling
12 units that are not site built shall comply with New Mexico Manufactured Housing
13 Division Rules and Regulations (NMAC 14.12.2) for permanent foundations.

14
15 (b) Each dwelling unit must have either an attached or detached private garage
16 structurally affixed to a permanent foundation of sufficient size to at a minimum
17 park automobiles and/or light trucks. The number of parking spaces shall be in
18 accordance with off-street parking requirements. The garage shall have an
19 external appearance and finish-treatment similar to and consistent with the
20 dwelling unit and shall be completed and issued a certificate of occupancy no
21 later than 12 months after occupation of the dwelling unit.

22
23 (c) Each dwelling unit shall have a roof meeting one of the following minimum
24 criteria:

25
26 1. A pitched roof with a minimum slope of 2-1/2 inches in every 12 inches and
27 no less than six-inch overhangs

28
29 2. A flat roof with parapets at least six inches in height above the finished roof.

30
31 (d) These overhang, roof pitch and private garage requirements shall not apply to
32 any dwelling unit, building or structure constructed or installed prior to December
33 23, 1999. Notwithstanding the above, conversions of pre-existing or post
34 December 23, 1999, private garages are prohibited unless another private
35 garage is constructed to replace the converted private garage.

36
37 (e) Each single-family dwelling unit shall have exterior siding and roofing which, in
38 color, materials and appearance, is comparable to the predominant materials in
39 use on surrounding dwelling units, or if there is no predominance, is similar to the
40 exterior siding and roofing material commonly in use on residential dwelling units
41 in the community as a whole.

42
43 (f) All dwelling units must face the address street or create a presence on the
44 address street. Street presence can be created by including elements such as
45 windows, site walls, gates, portals, courtyards and landscaping in the
46 architectural design or site plan.

47
48 (g) All front steps necessary for access due to a difference in grade between the
49 front door and/or the floor of the dwelling unit and finished grade shall be

1 permanently installed and shall be constructed of stone, concrete or masonry
2 materials.
3

4 (h) An all-weather driveway shall be constructed from the property line to the private
5 garage or carport, or to any other area designated for off-street parking in
6 accordance with § 154.22.
7

8 (i) All utility service and distribution lines shall be placed underground. All liquid
9 propane installations shall be either behind the primary structure from the
10 address street or placed underground.
11

12 (j) Sites shall be prepared in such a manner that positive drainage of surface water
13 is maintained and directed away from the dwelling unit as per state regulations.
14

15 (k) With the exception of division (B) (1) (b) above, all requirements of this division
16 shall be completed within a reasonable time after occupation of the dwelling unit
17 not to exceed 120 days;
18

19 (2) Accessory buildings or structures, including accessory dwelling units but not to
20 include structures for livestock or fowl; provided such accessory buildings or
21 structures meet the following design standards:
22

23 (a) Accessory buildings and structures shall not exceed the height of the primary
24 structure or 24 feet, whichever is greater;
25

26 (b) The exterior of any accessory building and structure encompassing more than
27 250 square feet shall be constructed of materials similar in color and appearance
28 to those used in the primary structure or has a facade similar to that of the
29 primary structure. Accessory structures greater than 600 square feet shall be
30 constructed of the same materials or have the same facade as the primary
31 structure.
32

33 (c) Accessory buildings shall not exceed 75% of the size of the primary house or
34 15% of the lot area, whichever is greater.
35

36 (d) By definition, an accessory building may not be constructed without the existence
37 of the primary structure; the dwelling unit;
38

39 (3) Accessory living space;
40

41 (4) Noncommercial gardens, swimming pools, tennis courts;
42

43 (5) Parks, open spaces, recreational parks, and public facilities;
44

45 (6) Home occupations;
46

47 (7) Construction trailers for a period not to exceed 21 days before construction plus the
48 entire period of construction up to 12 months and no more than 14 days after
49 construction has finished, provided that the use of the trailer is for assisting in the

1 security of the construction site and facilitating the delivery of construction material,
2 and that no sales are conducted from the construction trailer either before or after
3 the site development is completed. If an extension is needed, application to and
4 certification from the administration is necessary and may be granted for up to 120
5 days. Construction trailers will be allowed in R-1, R-2, R-3, R-4, R-5, M-H, and E-1
6 districts only where five or more contiguous lots are being developed at the same
7 time, by an individual developer, and the trailer is not to be used for residence;
8

9 (8) Temporary, emergency, construction, and repair residences for a period not to
10 exceed 21 days before construction, plus the entire period of construction up to 180
11 days, and not later than 30 days after construction has finished for a total of 231
12 consecutive days maximum. If an extension is needed, application to the
13 administration is necessary and may be granted for up to 120 days. The dwelling
14 shall be connected to utilities or self-contained and shall not be located in the front
15 setback;
16

17 (9) Family child care facility with a capacity of six or less;
18

19 (10) Second Kitchen: A second kitchen is permitted and may be located within the
20 primary residence or accessory dwelling unit, but not both.
21

22 (11) A single-family dwelling unit or a manufactured/modular unit may be used as a
23 model home or sales office.
24

25 (a) Hours of operation will be 8:00 a.m. to 8:00 p.m.
26

27 (b) Signage shall be in accordance with the Sign Ordinance.
28

29 (c) All freestanding sales offices shall have a minimum of six parking spaces, which
30 shall include off-street ADA-compliant parking as per § 154.22.
31

32 (d) The time limit for a model home or sales office is five years. DSD may approve
33 time extensions.
34

35 (e) Ten percent of the lot on which each model home or sales office is located shall
36 be landscaped with shrubs and trees or as per an approved xeriscape landscape
37 plan.
38

39 (f) Each model home or sales office shall have exterior siding and roofing which, in
40 color, materials and appearance, is comparable to the predominant materials in
41 use on surrounding dwelling units. The minimum pitch shall be 2/12.
42

43 (g) All setback and area requirements of the R-1 zoning district apply.
44

45 (h) All modular or manufactured models or sales offices shall be ADA compliant and
46 meet all applicable, building, plumbing, mechanical, and electrical code
47 requirements;
48

1 (12) Community residential care facility up to ten persons, including any staff residents
2 providing all city regulations are met as set forth in Chapter 120 of this code.
3

4 (13) Public utilities, including electric facilities including, but not limited to, substations,
5 switching stations and generation;
6

7 (14) Churches and other places of worship, Sunday school buildings, and parish houses;
8

9 (15) Amateur radio antenna;
10

11 (C) Conditional uses (requiring use permit).
12

13 (1) Hospitals and private institutions of an educational nature;
14

15 (2) Family child care facility with a capacity of seven or more;
16

17 (3) Hobby breeders or animal foster care providers as regulated by Chapters 90 and
18 116, provided the lot has an area appropriate to the type and size of the animals
19 being bred;
20

21 (D) Area.
22

23 (1) Every lot must have an area of not less than 7,000 square feet and a width of not
24 less than 60 feet along the front yard setback line. This minimum lot area assumes
25 that the lot is serviced by community utilities. If on-site water and/or sewer are used,
26 then lot sizes required by the New Mexico Environmental Improvement Division shall
27 apply.
28

29 (2) Setbacks.
30

31 (a) Front – 20 feet; garage – 20 feet; side-loaded garage – 15 feet;
32

33 (b) Rear – 15 feet; alley-loaded garage – 0 feet;
34

35 (c) Side – 5 feet; Zero lot line setbacks are allowed on one side with a 10-foot
36 setback on the opposite side.
37

38 (d) Corner side – 10 feet;
39

40 (e) Setbacks shall not apply to storage sheds of 120 square feet or less, provided
41 that the structure is located behind the required front setback line and on a
42 corner lot, is not located in a side yard that is visible from the street.
43

44 (f) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
45 maximum height.
46

47 (g) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of
48 10 feet except for pools.
49

- 1 (h) Flag Poles – 10 feet from any property line,
2
3 (3) Projections into setback area. The following structures are permitted to project into
4 the established setback area for the lot or parcel as indicated.
5
6 (a) Patio covers. A patio cover may encroach to within five feet from the side
7 property lines and five feet from the rear property line.
8
9 1. The setback shall be measured from the supporting posts, however, the
10 overhang of a patio cover may not extend closer than three feet from a
11 property line.
12
13 2. Any patio cover extending into the established setback area for the lot or
14 parcel may not be permanently enclosed with any materials, including wood,
15 metal, canvas, plastic, glass or any other screening material. A permanently
16 enclosed patio must conform to the setback standards applicable to the main
17 dwelling.
18
19 3. The height of the patio cover shall not exceed 12 feet.
20
21 (b) Architectural features. Bay windows, fireplaces, roof eaves, chimneys and similar
22 architectural features may encroach no more than two feet into any required
23 setback area, provided the encroachments:
24
25 1. Remain at least three feet from the property line; and
26
27 2. Do not increase the living space of the structure at the floor level.
28
29 (c) Carports may be located in the front yard provided that the carport shall not be
30 located closer than ten feet from the front property line and, the carport is not
31 enclosed greater than 50%, and the carport may be located in the side yard up to
32 the side property line provided that no carport overhangs or drains onto the
33 adjacent property.
34
35 (d) Lots adjacent to open space. On any lot which adjoins a golf course, park area,
36 common open space or similar open space, open balconies or open decks may
37 extend up to ten feet into the required setback from the dwelling and toward the
38 open space; provided, however that the projection extends no closer than five
39 feet from the property line.
40
41 (e) Unenclosed decks with floor surfaces no more than 30 inches above grade and,
42 unenclosed porches and balconies may extend into the rear yard a distance of
43 up to one-half of the required rear yard.
44
45 (f) Fireproof outside stairways projecting into a minimum yard not more than 3-1/2
46 feet may be permitted where same are placed so as to not obstruct light and
47 ventilation.
48
49 (g) Mechanical equipment. Mechanical equipment such as air-conditioning units,

1 pool filtering and heating equipment, water softeners, and similar mechanical
2 equipment may occupy the required rear and side yard setback areas if such
3 mechanical equipment does not restrict the required access through such
4 setback areas as determined by DSD. If screening is provided, screening should
5 be designed to allow for access to utility facilities. All screening and vegetation
6 surrounding ground-mounted transformers and utility pads are to allow 10 feet of
7 clearance in front of the equipment door and 5 feet of clearance on the remaining
8 three sides for safe operation, maintenance and repair purposes.
9

10 (4) Building envelopes. If a building envelope is included at the time of plat, appropriate
11 placement of the building envelope within the setback area will be allowed.
12 Envelopes may be placed within the setback area for the following reasons:
13

- 14 (a) To preserve open space;
- 15
- 16 (b) To preserve native plant material on the site;
- 17
- 18 (c) To preserve natural drainage courses; and
- 19
- 20 (d) To preserve views of nearby lots.
- 21

22 (E) Off-street parking. Off-street parking must be provided as set forth in § 154.22.
23

24 (1) One commercial vehicle/equipment may be parked only on a developed residential
25 property provided;

26 (a) It is parked in a parking space; maximum size of 9 feet x 28 feet, and
27

28 (b) It is designed as a van, pickup truck or similar vehicle, and
29

30 (c) It is not more than 28 feet in length or no more than 10 feet in height.
31

32 (2) (a) One commercial vehicle/equipment not meeting the requirement of division (E)
33 (1) above, may only be parked on a developed residential property if such is parked
34 beyond the profile of the home with lawfully permitted physical blinding to provide
35 visual abatement from the street and the properties adjacent to the subject property.
36

37 (b) A lawfully permitted physical blinding means a structure, screening or
38 structure that is in accordance with all existing applicable codes including but
39 not limited to building codes, fire codes, and zoning codes.
40

41 (3) A vehicle that is engaged in the expeditious process of loading or unloading
42 passengers or freight is permitted to be parked for a reasonable time period to
43 permit the loading or unloading.
44

45 (F) Height restrictions.
46

47 (1) No building or structure shall exceed 32 feet in height except for others permitted
48 herein.
49

- 1
- 2 (2) No accessory building shall exceed the height of the primary structure or 24 feet,
- 3 whichever is greater. Height is measured from finished floor elevation.
- 4
- 5 (3) Antennas, chimneys, flues, vents, or similar structures, shall not exceed over ten feet
- 6 above the specified maximum height limit.
- 7
- 8 (4) Water towers and mechanical equipment shall not extend over five feet above the
- 9 specified maximum height limit.
- 10
- 11 (5) Church spires, bell towers and like architectural projections, may extend over the
- 12 maximum height limit.
- 13
- 14 (6) Satellite dishes may not exceed the permissible height of the building they are
- 15 attached to, and may not have a dish diameter that exceeds 36 inches.
- 16
- 17 (7) Amateur radio antenna to a height of 65 feet from grade is permitted; anything above
- 18 65 feet from grade may be allowed by the approval of a conditional use permit.
- 19
- 20 (8) Flag poles shall not exceed 32 feet in height.
- 21

22 (G) Landscaping. All single-family residential development shall include the installation and
23 maintenance of landscaping in the front yard, and when an unscreened side yard abuts
24 a street right-of-way, in that side yard as well. A minimum of two trees, each of a
25 minimum 1-1/2 inches in caliper (deciduous trees) or eight-foot high conifers (evergreen
26 trees) and three five-gallon shrubs, or the equivalent thereof in accordance with a
27 written plan submitted to and approved by the Director of Development Services, or that
28 person's official designee, shall be installed within a reasonable time after occupation of
29 the dwelling unit not to exceed 120 days. The installation of cool season turf grass in
30 residential front yards is prohibited. Cool season turf grass is permitted in side and rear
31 yards but shall not exceed 1,000 square feet or 20% of the total lot area, whichever is
32 less. Cool season turf grasses include but are not limited to the following species: *Poa*
33 *pratensis* (Kentucky Bluegrass), *Festuca* spp. (Fescues), and *Lolium* spp. (Ryegrasses).
34 Plant materials in front yards shall be limited to species that are not listed as high water
35 use on the City of Rio Rancho plant list. Existing turf and other plants installed prior to
36 October 31, 2011, are exempt from this regulation. After October 31, 2011, future
37 homeowner association bylaws or new restrictive covenants shall not have requirements
38 that conflict with the landscaping restrictions contained herein. Effective the date of this
39 ordinance, homeowner association bylaws or new restrictive covenants shall not
40 mandate a minimum amount of live grass.

41
42 (Ord. 02-004, § 9-1-5; Am. Ord. 02-036; Am. Ord. 05-33; Am. Ord. 03-004; Am. Ord. 07-50;
43 Am. Ord. 08-15; Am. Ord. 10-27; Am. Ord. 11-20)

44
45
46 **154.06 R-2: SINGLE-FAMILY RESIDENTIAL DISTRICT.**

47 (A) Purpose. This district permits a moderate density of population in which the principal
48 use is single-family dwelling units.

1 (B) Permissive uses.

2
3 (1) Same as those in the R-1 district; R-1 design standards apply.

4
5 (C) Conditional uses (requiring use permit).

6
7 (1) Same as those in the R-1 district.

8
9 (D) Area.

10
11 (1) Every lot must have an area of not less than 5,000 square feet and a minimum lot
12 width of 50 feet along the front yard setback line.

13
14 (2) Setbacks.

15
16 (a) Front – 15 feet; garage – 20 feet; side-loaded garage – 15 feet;

17
18 (b) Rear – 15 feet; alley-loaded garage – 0 feet.

19
20 (c) Side – 5 feet; Zero lot line setbacks are allowed on one side with a 10-foot
21 setback on the opposite side.

22
23 (d) Corner side – 10 feet;

24
25 (e) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
26 maximum height.

27
28 (f) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of
29 10 feet except for pools.

30
31 (g) Flag Poles – 10 feet from any property line.

32
33 (3) Projections into setback area. Same as R-1 district.

34
35 (E) Off-street parking. Off-street parking spaces must be provided as set forth in § 154.22.

36
37 (1) The same restrictions as stipulated in the R-1 district pertaining to parking of
38 commercial vehicles apply.

39
40 (F) Height restrictions. Same as R-1 district.

41
42 (G) Landscaping. Same as R-1 district.

43
44 (Ord. 02-004, § 9-1-6; Am. Ord. 05-33; Am. Ord. 07-50; Am. Ord. 08-15)

45
46 **154.07 R-3: MIXED RESIDENTIAL DISTRICT.**

47 (A) Purpose. This district permits a moderate density of population in which the principal
48 use is single-family attached or detached townhome or patio home dwelling units or for
49 small-scale multi-family units.

1
2 (B) Permissive uses.
3

- 4 (1) Same as those in the R-1 district, design standards apply;
5
6 (2) Single-family attached or detached dwelling units;;
7
8 (3) Multi-family dwellings, provided there are not more than 26 units per acre;
9
10 (4) Boarding and lodging houses;
11
12 (5) Town-home, patio home, or similar development provided all city regulations are
13 met.
14

15 (C) Conditional uses (requiring use permit).
16

- 17 (1) Same as those in the R-1 district.
18
19 (2) Community residential care facility up to 18 persons, including any staff residents,
20 providing all city regulations are met
21
22 (3) Senior transitional care facilities, senior living facility, and or other similar facilities up
23 to 35 dwelling units per acre and up to 50 feet in height.
24

25 (D) Area.
26

- 27 (1) Where multi-family dwellings exist, every lot must have an area of not less than
28 10,000 square feet and a width of not less than 70 feet along the front yard setback
29 line.
30
31 (2) Where detached single-family dwellings exist, every lot must have an area of not
32 less than 3,000 square feet with a minimum width of 35 feet along the front yard
33 setback line.
34
35 (3) Where attached town-homes exist, the minimum lot size shall be 1,200 square feet
36 with a minimum front width of 28 feet along the front yard setback line.
37

38 (4) Setbacks.
39

40 (a) Multi-family dwelling units
41

- 42 1. Front – 20 feet;
43
44 2. Rear – 15 feet;
45
46 3. Side – 7 ½ feet;
47
48 4. Corner side – 10 feet;
49

1 (b) Single-family detached dwelling units
2

- 3 1. Front – 15 feet; garage – 20 feet; side-loaded garage – 15 feet;
4
5 2. Rear – 5 feet; alley-loaded garage – 0 feet;
6
7 3. Side – 5 feet; Zero lot line setbacks are allowed on one side with a 10-foot
8 setback on the opposite side.
9
10 4. Corner side – 10 feet;
11

12 (c) Single-family attached dwelling units
13

- 14 1. Front – 20 feet; garage – 20 feet;
15
16 2. Rear – 0 feet; alley-loaded garage – 0 feet;
17
18 3. Side – 0 feet;
19
20 4. Corner side – 10 feet;
21

22 (d) Setbacks shall not apply to storage sheds of 120 square feet or less, provided
23 that the structure is located behind the required front setback line and on a
24 corner lot, is not located in a side yard visible from the street.
25

26 (e) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
27 maximum height.
28

29 (f) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of
30 10 feet except for pools.
31

32 (g) Flag Poles – 10 feet from any property line.
33

34 (h) Trash Containers and Trash Compactors – 15 feet from the property line when
35 adjacent to land planned or zoned for a single-family residential use.
36

- 37 1. All trash containers and trash compactors shall be screened from a public
38 right-of-way by decorative wall or enclosure and shall be not less than two
39 feet above the height of the trash container or compactor.
40

41 (5) Projections into the setback area are the same as the R-1 district.
42

43 (E) Off-street parking. Off-street parking spaces must be provided as set forth in § 154.22.
44

- 45 (1) The same restrictions as stipulated in the R-1 district pertaining to parking of
46 commercial vehicles apply.
47

48 (F) Height restrictions. 32 feet; Multi-family dwelling units: 50 feet.
49

1 (G) Landscaping.

2
3 (1) Multi-family dwellings. All multi-family residential development shall include the
4 installation and maintenance of landscaping throughout the site. A minimum of two
5 trees, each of a minimum 1 ½ inches in caliper (deciduous trees) or eight feet high
6 (evergreen trees), and three five gallon shrubs or the equivalent thereof per dwelling
7 unit in accordance with a written plan submitted to and approved by the Director of
8 Development Services, or that person's official designee, shall be installed within a
9 reasonable time after occupation of the dwelling unit not to exceed 120 days. Cool
10 season turf grass shall be limited to areas designated for recreational use and shall
11 be limited to a maximum of 15% of the total lot area. Cool season turf grasses
12 include but are not limited to the following species: *Poa pratensis* (Kentucky
13 Bluegrass), *Festuca* spp. (Fescues), and *Lolium* spp. (Ryegrasses). Plant materials
14 shall be limited to species that are not listed as high water use in the City of Rio
15 Rancho plant list. Existing turf and other plants installed prior to October 31, 2011
16 are exempt from this regulation. Effective the date of this ordinance, homeowner
17 association bylaws or new restrictive covenants shall not mandate a minimum
18 amount of live grass.

19
20 (2) Single-family dwellings. Same as R-1 district.

21
22 (Ord. 02-004, § 9-1-7; Am. Ord. 05-33; Am. Ord. 07-50; Am. Ord. 08-15; Am. Ord. 11-20)

23
24 **154.08 R-4: SINGLE-FAMILY RESIDENTIAL DISTRICT.**

25 (A) Purpose. This district permits a moderate density of population in which the principal
26 use is single-family dwelling units.

27
28 (B) Permissive uses. Same as those in the R-1 district; design standards apply.

29
30 (C) Conditional uses (requiring use permit). Same as those in R-1 district.

31
32 (D) Area. Lots must have an area of not less than 4,000 square feet with a minimum width
33 of 40 feet along the front yard setback line.

34
35 (1) Setbacks.

36
37 (a) Front – 15 feet; garage – 20 feet; side-loaded garage – 15 feet;

38
39 (b) Rear – 15 feet; alley-loaded garage – 0 feet.

40
41 (c) Side – 5 feet; Zero lot line setbacks are allowed on one side with a 10-foot
42 setback on the opposite side.

43
44 (d) Corner side – 10 feet;

45
46 (e) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
47 maximum height.

48
49 (f) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of

1 10 feet except for pools.
2

3 (g) Flag Poles – 10 feet from any property line.
4

5 (2) Projections into the setback area are the same as the R-2 district.
6

7 (E) Off-street parking. Off-street parking spaces must be provided as set forth in § 154.22.
8

9 (1) The same restrictions as stipulated in the R-1 district pertaining to parking of
10 commercial vehicles apply.
11

12 (F) Height restrictions.
13

14 (1) No building or structure shall exceed 32 feet in height.
15

16 (2) No accessory building shall exceed the height of the primary structure or 24 feet,
17 whichever is greater.
18

19 (3) Antennas, chimneys, flues, vents, or similar structures, shall not exceed over ten feet
20 above the specified maximum height limit.
21

22 (4) Water towers and mechanical equipment shall not extend over five feet above the
23 specified maximum height limit.
24

25 (5) Church spires, bell towers and like architectural projections, may extend over the
26 maximum height limit.
27

28 (6) Satellite dishes may not exceed the permissible height of the building they are
29 attached to, and may not have a dish diameter that exceeds 36 inches.
30

31 (7) Amateur radio antenna heights above the maximum height to a height of 65 feet
32 from grade is permitted; anything above 65 feet from grade may be allowed by the
33 approval of a conditional use permit.
34

35 (8) Flag poles shall not exceed 32 feet in height.
36

37 (G) Landscaping. All single-family residential development shall include the installation and
38 maintenance of landscaping in the front yard, and when an unscreened side yard abuts
39 a street right-of-way, in that side yard as well. A minimum of two trees, each of a
40 minimum 1-1/2 inches in caliper (deciduous trees) or eight-foot high conifers (evergreen
41 trees) and three five-gallon shrubs, or the equivalent thereof in accordance with a
42 written plan submitted to and approved by the Director of Development Services, or that
43 person's official designee, shall be installed within a reasonable time after occupation of
44 the dwelling unit not to exceed 120 days. The installation of cool season turf grass in
45 residential front yards is prohibited. Cool season turf grass is permitted in side and rear
46 yards but shall not exceed 1,000 square feet or 20% of the total lot area, whichever is
47 less. Cool season turf grasses include but are not limited to the following species: *Poa*
48 *pratensis* (Kentucky Bluegrass), *Festuca* spp. (Fescues), and *Lolium* spp. (Ryegrasses).
49 Plant materials in front yards shall be limited to species that are not listed as high water

1 use on the City of Rio Rancho plant list. Existing turf and other plants installed prior to
2 October 31, 2011, are exempt from this regulation. After October 31, 2011, future
3 homeowner association bylaws or new restrictive covenants shall not have requirements
4 that conflict with the landscaping restrictions contained herein. Effective the date of this
5 ordinance, homeowner association bylaws or new restrictive covenants shall not
6 mandate a minimum amount of live grass.
7

8 (Ord. 02-004, § 9-1-26; Am. Ord. 05-33; Am. Ord. 08-15; Am. Ord. 10-27)
9

10 **154.09 R-5: SINGLE-FAMILY RESIDENTIAL DISTRICT.**

11 (A) Purpose. This district permits a moderately high density of population in which the
12 principal use is single-family dwelling units.
13

14 (B) Permissive uses. Same as those in the R-1 district; design standards apply.
15

16 (C) Conditional uses (requiring use permit). Same as those in the R-1 district.
17

18 (D) Area. Lots must have an area of not less than 2,500 square feet and a minimum lot
19 width of 35 feet along the front yard setback line.
20

21 (1) Setbacks.

22
23 (a) Front – 10 feet; garage – 20 feet; side-loaded garage – 15 feet;
24

25 (b) Rear – 15 feet; alley-loaded garage – 0 feet.
26

27 (c) Side – 5 feet; Zero lot line setbacks are allowed on one side with a 10-foot
28 setback on the opposite side.
29

30 (d) Corner side – 10 feet;
31

32 (e) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
33 maximum height.
34

35 (f) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of
36 10 feet except for pools.
37

38 (g) Flag Poles – 10 feet from any property line.
39

40 (2) Projections into the setback area are the same as the R-2 district.
41

42 (E) Off-street parking. Off-street parking spaces must be provided as set forth in § 154.22.
43

44 (1) The same restrictions as stipulated in the R-1 district pertaining to parking of
45 commercial vehicles apply.
46

47 (F) Height restrictions.
48

49 (1) No building or structure shall exceed 32 feet in height.

- 1
- 2 (2) No accessory building shall exceed the height of the primary structure or 24 feet,
- 3 whichever is greater.
- 4
- 5 (3) Antennas, chimneys, flues, vents, or similar structures, shall not exceed over ten feet
- 6 above the specified maximum height limit.
- 7
- 8 (4) Water towers and mechanical equipment shall not extend over five feet above the
- 9 specified maximum height limit.
- 10
- 11 (5) Church spires, bell towers and like architectural projections, may extend over the
- 12 maximum height limit.
- 13
- 14 (6) Satellite dishes may not exceed the permissible height of the building they are
- 15 attached to, and may not have a dish diameter that exceeds 36 inches.
- 16
- 17 (7) Amateur radio antenna heights above the maximum height to a height of 65 feet
- 18 from grade is permitted; anything above 65 feet from grade may be allowed by the
- 19 approval of a conditional use permit.
- 20
- 21 (8) Flag poles shall not exceed 32 feet in height.
- 22

23 (G) Landscaping. All single-family residential development shall include the installation and
 24 maintenance of landscaping in the front yard, and when an unscreened side yard abuts
 25 a street right-of-way, in that side yard as well. A minimum of two trees, each of a
 26 minimum 1-1/2 inches in caliper (deciduous trees) or eight-foot high conifers (evergreen
 27 trees) and three five-gallon shrubs, or the equivalent thereof in accordance with a
 28 written plan submitted to and approved by the Director of Development Services, or that
 29 person's official designee, shall be installed within a reasonable time after occupation of
 30 the dwelling unit not to exceed 120 days. The installation of cool season turf grass in
 31 residential front yards is prohibited. Cool season turf grass is permitted in side and rear
 32 yards but shall not exceed 1,000 square feet or 20% of the total lot area, whichever is
 33 less. Cool season turf grasses include but are not limited to the following species: *Poa*
 34 *pratensis* (Kentucky Bluegrass), *Festuca* spp. (Fescues), and *Lolium* spp. (Ryegrasses).
 35 Plant materials in front yards shall be limited to species that are not listed as high water
 36 use on the City of Rio Rancho plant list. Existing turf and other plants installed prior to
 37 October 31, 2011, are exempt from this regulation. After October 31, 2011, future
 38 homeowner association bylaws or new restrictive covenants shall not have requirements
 39 that conflict with the landscaping restrictions contained herein. Effective the date of this
 40 ordinance, homeowner association bylaws or new restrictive covenants shall not
 41 mandate a minimum amount of live grass.

42
 43 (Ord. 02-004, § 9-1-27; Am. Ord. 08-15; Am. Ord. 10-27)

44
 45 **154.10 R-6: MULTI-FAMILY RESIDENTIAL DISTRICT.**

46 (A) Purpose. This district permits a high density of population in which the principal use is
 47 multi-family dwelling units.

48
 49 (B) Permissive uses. Multiple family dwelling units for sale or rent that are attached and

1 allowed up to a density of 50 dwelling units/acre. Senior transitional care or living
2 facilities are also permissive with the same height and density limits; Same uses as
3 those in the R-3 district are also allowed.
4

5 (1) Electric facilities including, but not limited to, substations, switching stations and
6 generation
7

8 (C) Conditional uses (requiring use permit). Same as those in R-3 district.
9

10 (D) Area.
11

12 (1) Lots must have an area of not less than 10,000 square feet with a minimum width of
13 70 feet along the front yard setback line.
14

15 (2) The maximum allowable density on a lot is 50 dwelling units per acre.
16

17 (3) Setbacks.
18

19 (a) Multi-family dwelling units
20

21 1. Front – 20 feet;
22

23 2. Rear – 15 feet;
24

25 3. Side – 7 ½ feet;
26

27 4. Corner side – 10 feet;
28

29 (b) Single-family detached dwelling units
30

31 1. Front – 15 feet; garage – 20 feet; side-loaded garage – 15 feet;
32

33 2. Rear – 5 feet; alley-loaded garage – 0 feet;
34

35 3. Side – 5 feet; Zero lot line setbacks are allowed on one side with a 10-foot
36 setback on the opposite side.
37

38 4. Corner side – 10 feet;
39

40 (c) Single-family attached dwelling units
41

42 1. Front – 20 feet; garage – 20 feet;
43

44 2. Rear – 0 feet; alley-loaded garage – 0 feet;
45

46 3. Side – 0 feet;
47

48 4. Corner side – 10 feet;
49

1 (d) Setbacks shall not apply to storage sheds of 120 square feet or less, provided
2 that the structure is located behind the required front setback line and on a
3 corner lot, is not located in a side yard visible from the street.
4

5 (e) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
6 maximum height.
7

8 (f) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of
9 10 feet except for pools.
10

11 (g) Flag Poles – 10 feet from any property line.
12

13 (h) Trash Containers and Trash Compactors – 15 feet from the property line when
14 adjacent to land planned or zoned for a single-family residential use.
15

16 1. All trash containers and trash compactors shall be screened from a public
17 right-of-way by decorative wall or enclosure and shall be not less than two
18 feet above the height of the trash container or compactor.
19

20 (4) Projections into the setback area are the same as the R-2 district.
21

22 (E) Off-street parking. Off-street parking spaces must be provided as set forth in § 154.22.
23

24 (1) The same restrictions as stipulated in the R-1 district pertaining to parking of
25 commercial vehicles apply.
26

27 (F) Height restrictions. 78 feet or 6 stories.
28

29 (G) Landscaping.
30

31 (1) Multi-family dwellings. All multi-family residential development shall include the
32 installation and maintenance of landscaping throughout the site. A minimum of two
33 trees, each of a minimum 1 ½ inches in caliper (deciduous trees) or eight feet high
34 (evergreen trees), and three five gallon shrubs or the equivalent thereof per dwelling
35 unit in accordance with a written plan submitted to and approved by the Director of
36 Development Services, or that person's official designee, shall be installed within a
37 reasonable time after occupation of the dwelling unit not to exceed 120 days. Cool
38 season turf grass shall be limited to areas designated for recreational use and shall
39 be limited to a maximum of 15% of the total lot area. Cool season turf grasses
40 include but are not limited to the following species: Poa pratensis (Kentucky
41 Bluegrass), Festuca spp. (Fescues), and Lolium spp. (Ryegrasses). Plant materials
42 shall be limited to species that are not listed as high water use in the City of Rio
43 Rancho plant list. Existing turf and other plants installed prior to October 31, 2011
44 are exempt from this regulation. Effective the date of this ordinance, homeowner
45 association bylaws or new restrictive covenants shall not mandate a minimum
46 amount of live grass.
47

48 (2) Single-family dwellings. Same as R-1 district.
49

1 (H) Usable Recreation Space: 50 square feet for each studio or one-bedroom dwelling unit,
2 100 square feet for each two+ bedroom dwelling unit for uses as defined in the Usable
3 Recreation Space definition.
4

5 (Ord. 02-004, § 9-1-28; Am. Ord. 07-50; Am. Ord. 08-15)
6

7 **154.11 M-H: MOBILE HOME RESIDENTIAL DISTRICT.**

8 (A) Purpose. This district permits a low density of population in which the principal use is a
9 mobile home dwelling.
10

11 (B) Permissive uses.
12

13 (1) One mobile home per lot;
14

15 (2) Accessory buildings or structures but not to include structures for domestic livestock
16 or fowl;
17

18 (3) Noncommercial gardens, swimming pools, and tennis courts; and
19

20 (4) Parks, open spaces, and public utilities.
21

22 (5) Churches and other places of worship, Sunday school buildings, and parish houses;
23

24 (C) Conditional uses (requiring use permit). Same as those in the R-1 district.
25

26 (D) Area.
27

28 (1) Every lot must have an area of not less than 5,000 square feet and a width of not
29 less than 50 feet along the front yard setback line. This lot size assumes community
30 utilities, otherwise New Mexico Environmental Industries Division standards apply.
31

32 (2) Setbacks.
33

34 (a) Front – 20 feet; garage – 20 feet; side-loaded garage – 15 feet;
35

36 (b) Rear – 15 feet; alley-loaded garage – 0 feet;
37

38 (c) Side – 5 feet;
39

40 (d) Corner side – 10 feet;
41

42 (e) Setback shall not apply to storage sheds of 120 square feet or less, provided that
43 the structure is located behind the required front setback line, and on a corner lot,
44 is not located in a side yard visible from the street.
45

46 (f) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
47 maximum height.
48

49 (g) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of

1 10 feet except for pools.
2

3 (h) Flag Poles – 10 feet from any property line.
4

5 (E) Off-street parking. Off-street parking spaces must be provided as set forth in § 154.22.
6

7 (1) The same restrictions as stipulated in the R-1 district pertaining to parking of
8 commercial vehicles apply.
9

10 (F) Height restrictions. One story but not more than 22 feet total height.
11

12 (G) Landscaping. The installation of cool season turf grass in residential front yards is
13 prohibited. Cool season turf grass shall be limited to 1,000 square feet or 20% of the
14 total lot area, whichever is less. Cool season turf grasses include but are not limited to
15 the following species: *Poa pratensis* (Kentucky Bluegrass), *Festuca* spp. (Fescues), and
16 *Lolium* spp. (Ryegrasses). Plant materials in front yards shall be limited to species that
17 are not high water use on the City of Rio Rancho plant list. Existing turf and other plants
18 installed prior to October 31, 2011, are exempt from this regulation. Effective the date of
19 this ordinance, homeowner association bylaws or new restrictive covenants shall not
20 mandate a minimum amount of live grass.
21

22 (Ord. 02-004, § 9-1-8; Am. Ord. 08-15; Am. Ord. 11-20)
23

24 **154.12 C-1: RETAIL COMMERCIAL DISTRICT.**

25 (A) Purpose. This district permits limited commercial uses such as those pertaining to the
26 day-to-day needs of the residential populace.
27

28 (B) Permissive uses.
29

30 (1) Stores for the sale of retail goods, products, and services;
31

32 (2) Restaurants, bars, and lounges;
33

34 (3) Repair shops-electrical, radio, and television appliances, keys, and similar articles;
35

36 (4) Shops-dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;
37

38 (5) Banks and office buildings;
39

40 (6) Churches and other places of worship, Sunday school buildings, and parish houses;
41

42 (7) Bakeries and confectioneries where goods are sold at retail prices;
43

44 (8) Parks, recreational parks, and open spaces;
45

46 (9) Nursery schools and daycare facilities;
47

48 (10) Undertaking establishments;
49

- 1 (11) Club houses, buildings for fraternal organizations, nonprofit public service
2 organizations;
3
- 4 (12) Medical complexes, professional offices associated with medical complexes, and
5 veterinarians;
6
- 7 (13) Construction trailers for a period not to exceed 21 days before construction plus the
8 entire period of construction up to 6 months and no more than 30 days after
9 construction has finished, provided that the use of the trailer is for assisting in the
10 security of the construction site and facilitating the delivery of construction material,
11 and that no sales are conducted from the construction trailer either before or after
12 the site development is completed. If an extension is needed, application to and
13 certification from the administration is necessary and may be granted for up to 120
14 days;
15
- 16 (14) Photocopying and blueprinting;
17
- 18 (15) Public facilities;
19
- 20 (16) Hospitals;
21
- 22 (17) Nursing homes, senior transitional living and care facilities and similar institutions;
23
- 24 (18) Temporary structures and enclosures used in construction of a building and used for
25 storage of equipment and material. Such structure must be removed after the
26 specific construction project is completed and not to remain on the premises for
27 more than one month after completion. Temporary commercial structures used for
28 seasonal purposes may be erected for a period of not more than 90 days. But, in no
29 case shall the structure or enclosure be present for longer than one week after the
30 ending of the season for which it was intended;
31
- 32 (19) Drive-in or drive-up window restaurants, and/or convenience stores, provided drive
33 up liquor dispensing windows are excluded at such establishments;
34
- 35 (20) Auditoriums, bowling alleys, billiard or pool halls, dance halls, theaters, skating rinks,
36 and other indoor entertainment establishments;
37
- 38 (21) Manager/caretaker residential uses within the structures;
39
- 40 (22) R-3 multi-family or R-6 residential uses if located above the first floor;
41
- 42 (23) Offset press printing:
43
- 44 (a) Maximum of two offset printers;
45
- 46 (b) Maximum size of offset duplicator machines shall not exceed 20 inches each.
47
- 48 (24) Gasoline service stations, convenience stores, and carwashes.
49

1 (25) Auto repair, minor;
2

3 (26) Public utilities, electric facilities including, but not limited to, substations, switching
4 stations, and generation.
5

6 (27) Day spa;
7

8 (28) Public, private or charter schools;
9

10 (29) Park and ride facilities and parking lots.
11

12 (C) Conditional uses (requiring use permit).
13

14 (1) Automotive dealers, motorcycle dealers and auto repair, major, provided that:
15

16 (a) Repairs and associated activities are conducted within a completely enclosed
17 building; or
18

19 (b) A solid masonry wall at least six feet high is erected between the activity and any
20 abutting or contiguous residential zone;
21

22 (c) Applicants shall provide site plans which show lot dimensions, location and
23 dimensions of proposed structures/facilities, parking, proposed signage,
24 landscaping and buffers; if applicable, information with regard to the nature of the
25 operation as well as hours of operation, for review and approval by the Planning
26 and Zoning Board.
27

28 (2) Temporary model home/sales office:
29

30 (a) Setbacks shall be as per standard C-1 requirements or as approved by the
31 Planning and Zoning Board; whichever is greater.
32

33 (b) Landscaping shall be as per standard C-1 requirements.
34

35 (c) Signage shall be as per standard trade sign requirements.
36

37 (d) The time limit for a model home is five years. The Planning and Zoning Board
38 may approve time extensions through the conditional use process.
39

40 (e) Applicants shall submit a site plan which shows lot dimensions, location and
41 dimensions of all proposed structures, proposed signage, landscaping and
42 landscape buffers; if applicable, for review and approval by the Planning and
43 Zoning Board.
44

45 (f) Restroom must be provided for during hours of operation.
46

47 (g) All nonconformities on the site shall be brought into compliance before a
48 certificate of occupancy is issued.
49

1 (h) The model home/sales office is not to be used for residential purposes.
2

3 (i) Parking shall be as per standard C-1 requirements.
4

5 (j) Restoration of the model home site shall be accomplished within 30 days after
6 the removal of the model home.
7

8 (3) Recycling collection centers provided that they are an accessory use, and:
9

10 (a) Applicants provide site plans which show lot dimensions, location and
11 dimensions of proposed structures/facilities, parking, proposed signage,
12 landscaping and buffers; if applicable, information with regard to the nature of the
13 operation, duration of the proposed use, and hours of operation, for review and
14 approval by the Planning and Zoning Board.
15

16 (b) Applicants shall provide a statement of responsibility which verifies that as the
17 host of the operation, the applicant shall be responsible for site maintenance in
18 that it shall be free of litter, refuse, and recyclables.
19

20 (c) The applicant shall include plans with regard to the number and type of collection
21 bins to be used. No open type bins will be allowed.
22

23 (d) Collection centers shall be located at minimum 100 feet from residential property.
24

25 (e) The applicant shall furnish information with regard to the disposal of the collected
26 recyclable ensuring that they will not be disposed of at landfills.
27

28 (4) Self-storage facilities. Applicants shall provide a site plan which includes at minimum
29 the following information: lot dimensions, location and dimensions of proposed
30 structures/facilities, parking, proposed signage, landscaping and landscape buffers
31 and, if applicable, information with regard to the nature of the operation as well as
32 hours of operation, for review and approval by the Planning and Zoning Board.
33

34 (5) Circuses, carnivals, flea markets and other similar outdoor amusement activities,
35 provided:
36

37 (a) Lighting is located so it does not reflect off the premises and complies with the
38 Night Sky Protection Act.
39

40 (b) The site is located at least 300 feet from a residential dwelling that is a
41 conforming use.
42

43 (D) Area. Minimum ½ acre (21,780 square feet)
44

45 (1) Setbacks.
46

47 (a) Front – 10 feet;
48

49 (b) Rear – 0 feet, unless abutting a residential zone, then a 10-foot setback with

1 landscaped buffer is required for buildings up to 35 feet in height. For portions of
2 a building greater than 35 feet in height, the building shall have a step-back of
3 one foot for each additional one foot of height up to the maximum height of the
4 district;

5
6 (c) Side – 0 feet, unless abutting a residential zone then, a 10-foot setback with
7 landscaped buffer is required for buildings up to 35 feet in height. For portions of
8 a building greater than 35 feet in height, the building shall have a step-back of
9 one foot for each additional one foot of height up to the maximum height of the
10 district;

11
12 (d) Corner side – 10 feet;

13
14 (e) Trash Containers and Trash Compactors – 15 feet from the property line when
15 adjacent to land planned or zoned for a single-family residential use.

16
17 1. All trash containers and trash compactors shall be screened from a public
18 right-of-way by decorative wall or enclosure and shall be not less than two
19 feet above the height of the trash container or compactor.
20

21 (f) Flag Poles – 25 feet from any property line, with a maximum height of 50 feet.
22 Pole heights greater than 50 feet may be approved by conditional use permit.
23

24 (E) Height. 50 feet; up to 78 feet with an approved conditional use permit.
25

26 (F) Off-street parking. Off-street parking shall be provided as set forth in § 154.22. Parking
27 will be permitted in setbacks unless otherwise restricted in an adopted plan.
28

29 (G) Landscaping. Appropriate landscaping shall be provided for visual relief along the
30 frontage of the parcel; provided, that no less than 10% of the lot shall be landscaped,
31 and no less than one-fourth of the 10% shall be located on the front. Cool season turf
32 grass shall be limited to areas designated for recreational use and shall be limited to a
33 maximum of 1,000 square feet or 20% of the total lot area, whichever is less. Cool
34 season turf grasses include but are not limited to the following species: *Poa pratensis*
35 (Kentucky Bluegrass), *Festuca* spp. (Fescues), and *Lolium* spp. (Ryegrasses). Plant
36 materials shall be limited to species that are not listed as high water use in the City of
37 Rio Rancho plant list. Existing turf and other plants installed prior to October 31, 2011,
38 are exempt from this regulation.
39

40 (H) Buffer zone.

41
42 (1) Buffer wall. The buffer wall shall be a minimum of six feet in height and shall be
43 constructed of masonry, sealed adobe, brick or other solid material.
44

45 (a) Where nonresidential property abuts residential property, the wall shall abut the
46 property line;

47
48 (b) Where the nonresidential district is adjacent to the residential district and a public
49 thoroughfare separates them, the wall shall be located ten feet inside the

1 property line on the nonresidential property. The nonresidential structure may be
2 used in lieu of a wall if it is solid (non-openings), and if it connects to the
3 remainder of the buffer wall to form a continuous buffer for the nonresidential
4 site.
5

6 (2) Buffer landscaping.
7

8 (a) Landscaped buffer areas shall be a minimum of ten feet in width measured
9 perpendicular to the buffer wall.
10

11 (b) The landscaped buffer areas shall include a minimum of one buffer tree per 25
12 feet, or an approved equivalent screening density. Minimum tree sizes at the time
13 of planting shall be three-inch caliper, 30-inch boxed variety or 30-gallon
14 container, or at least 10 feet in height.
15

16 (c) Where nonresidential property abuts residential property, the landscaped buffer
17 shall be located inside the buffer wall and is separated by a public thoroughfare;
18 the landscape buffer shall be located outside the wall. In cases where the
19 building is acting as a partial wall buffer, the landscape buffer may be more than
20 ten feet in width to allow for the appropriate building setbacks.
21

22 (d) Where the nonresidential district is adjacent to the residential district and is
23 separated by a public thoroughfare, the landscape buffer shall be located outside
24 the wall. In cases where the building is acting as a partial wall buffer, the
25 landscape buffer may be more than ten feet in width to allow for the appropriate
26 building setbacks.
27

28 (e) Buffer trees may be a mix of conifers and deciduous trees; however, the
29 emphasis shall be placed on conifers.
30

31 (3) If the buffer wall plus retaining wall have an effective height of over eight feet on the
32 residential side, the city shall decide the required height.
33

34 (I) Any lighting shall comply with the Night Sky Protection Act and be placed so as to reflect
35 the light away from adjacent residential districts.
36

37 (J) The use of corrugated metal siding shall not compose more than 20% of a building
38 façade. The use of architectural metal siding as an architectural element of a building
39 that is finished with a powder-coating designed to withstand natural elements for a
40 minimum of 20 years is encouraged as long as the metal panels used are composed of
41 two or more colors if metal is the dominant building material used.
42

43 (K) No unreasonable noise, odor, or vibration shall be emitted by uses outside the
44 boundaries of the Commercial District. Such comparison shall be made at the boundary
45 of the Commercial District.
46

47 (Ord. 02-004, § 9-1-9; Am. Ord. 04-042; Am. Ord. 11-20)
48
49

1 **154.13 C-2: WHOLESALE AND WAREHOUSING COMMERCIAL DISTRICT.**

2 (A) Purpose. This district permits heavier commercial activities.

3
4 (B) Permissive uses.

5
6 (1) All uses of the C-1, NC and O-1 districts, provided that all regulations of the district
7 and use are met;

8
9 (2) Lumber yards;

10
11 (3) Machinery, farm sales, repairing and overhauling, provided that concealed storage
12 and repair area is utilized;

13
14 (4) Sales of Sheet metal products;

15
16 (5) Wholesale commercial;

17
18 (6) Warehousing and storage;

19
20 (7) Caretaker's living quarters;

21
22 (8) Park and ride facilities and parking lots.

23
24 (C) Conditional uses (requiring use permit).

25
26 (1) Light manufacturing or industrial;

27
28 (2) Research and development office;

29
30 (3) Auto wrecking, salvage, and contractor's yards, provided:

31
32 (a) All activities are conducted in an enclosed building or are enclosed by a solid wall
33 or solid fence at least eight feet high.

34
35 (b) Inoperative automobile bodies or other material may be stacked to a height that
36 does not exceed the height of the required fence or wall;

37
38 (D) Area. Minimum 1/2 acre.

39
40 (1) Setbacks.

41
42 (a) Front – 10 feet;

43
44 (b) Rear – 0 feet, unless abutting a residential zone, then a 10-foot setback with
45 landscaped buffer is required for buildings up to 35 feet in height. For portions of
46 a building greater than 35 feet in height, the building shall have a step-back of
47 one foot for each additional one foot of height up to the maximum height of the
48 district;

1 (c) Side – 0 feet, unless abutting a residential zone then, a 10-foot setback with
2 landscaped buffer is required for buildings up to 35 feet in height. For portions of
3 a building greater than 35 feet in height, the building shall have a step-back of
4 one foot for each additional one foot of height up to the maximum height of the
5 district;

6
7 (d) Corner side – 10 feet;

8
9 (e) Trash Containers and Trash Compactors – 15 feet from the property line when
10 adjacent to land planned or zoned for a single-family residential use.

11
12 1. All trash containers and trash compactors shall be screened from a public
13 right-of-way by decorative wall or enclosure and shall be not less than two
14 feet above the height of the trash container or compactor.

15
16 (f) Flag Poles – 25 feet from any property line, with a maximum height of 50 feet.
17 Pole heights greater than 50 feet may be approved by conditional use permit.

18
19 (E) Height restrictions. Same restrictions as C-1 district.

20
21 (F) Off-street parking. Off-street parking shall be provided as set forth in § 154.22. Parking
22 will be permitted in setbacks unless otherwise restricted in an adopted plan.

23
24 (G) Landscaping. Same as C-1 district.

25
26 (H) Buffer zone. Same as C-1 district.

27
28 (Ord. 02-004, § 9-1-10; Am. Ord. 11-20)

29
30 **154.14 M-1: INDUSTRIAL AND BUSINESS PARK DISTRICT.**

31 (A) Purpose. This district will permit heavy commercial and manufacturing uses which do
32 not create danger and which do not create offensive noise, vibration, smoke, dust, lint,
33 odors, heat, or glare.

34
35 (B) Permissive uses.

36
37 (1) All uses of the C-1, C-2, NC and O-1 districts, provided that all regulations of the
38 district and use are met;

39
40 (2) Laboratories, research, and experimental stations;

41
42 (3) Manufacturing uses;

43
44 (4) Public utility including production and disposal facilities, storage yard, or supply
45 base;

46
47 (5) Tire recapping or re-treading;

48
49 (6) Concrete batching plants, concrete products companies and concrete contractors

1 provided:

2
3 (a) Appropriate dust control devices be installed and operable;

4
5 (b) Appropriate screening be erected to avoid unsightly operations;

6
7 (7) Adults only bookstores, adults only motion picture theaters, and adult entertainment
8 centers as defined in Chapter 111 provided that such uses meet the requirements
9 and/or restrictions set forth in Chapter 111.

10
11 (8) Indoor shooting range;

12
13 (9) Boarding kennels or pet shelters;

14
15 (C) Conditional uses (requiring use permit).

16
17 (1) Automobile dismantling yard, provided:

18
19 (a) All activities are conducted in a completely enclosed building or are enclosed by
20 a solid wall or solid fence at least eight feet high;

21
22 (b) Inoperative automobile bodies or portions thereof may be stacked to a height that
23 does not exceed the height of the required wall;

24
25 (D) Height restrictions. 100 feet.

26
27 (E) Area. Minimum- ½ acre (21,780 square feet)

28
29 (1) Setbacks.

30
31 (a) Front – 10 feet;

32
33 (b) Rear – 0 feet, unless abutting a residential zone, then a 25-foot setback with a
34 10-foot landscaped buffer is required for buildings up to 35 feet in height. For
35 portions of a building greater than 35 feet in height, the building shall have a
36 step-back of one foot for each additional one foot of height up to the maximum
37 height of the district.

38
39 (c) Side – 0 feet, unless abutting a residential zone, then a 25-foot setback with a
40 10-foot landscaped buffer is required for buildings up to 35 feet in height. For
41 portions of a building greater than 35 feet in height, the building shall have a
42 step-back of one foot for each additional one foot of height up to the maximum
43 height of the district;

44
45 (d) Corner side – 10 feet;

46
47 (e) Trash Containers and Trash Compactors – 15 feet from the property line when
48 adjacent to land planned or zoned for a single-family residential use.
49

1 1. All trash containers and trash compactors shall be screened from a public
2 right-of-way by decorative wall or enclosure and shall be not less than two
3 feet above the height of the trash container or compactor.
4

5 (f) Flag Poles – 25 feet from any property line, with a maximum height of 50 feet.
6 Pole heights greater than 50 feet may be approved by conditional use permit.
7

8 (F) Off-street parking. Off-street parking shall be provided as set forth in § 154.22. Parking
9 will be permitted in setbacks unless otherwise restricted in an adopted plan.
10

11 (G) Landscaping. Same as C-1 district.
12

13 (H) Buffer zone. Same as C-1 district.
14

15 (Ord. 02-004, § 9-1-11) (Am. Ord. 07-50)
16

17 **154.15 H-1: HISTORICAL SITE DISTRICT.**

18 (A) Purpose. The purpose of this zone is to preserve, protect, and enhance those structures
19 and areas of historic significance lying within the zoning jurisdiction of the city.
20

21 (B) Special approval required. Any erection, construction, modification, addition, alteration,
22 moving, or destruction that would affect the exterior appearance of any structure,
23 building, or significant object or artifact within this zone which is subject to public view
24 will require review and approval by the Planning and Zoning Board.
25

26 (C) Permissive uses.
27

28 (1) Single-family dwellings;
29

30 (2) Lodging houses, duplexes, beauty, and barber shops;
31

32 (3) Antique shops;
33

34 (4) Arts and crafts shops, or galleries;
35

36 (5) Confectionery stores;
37

38 (6) Bar or lounge;
39

40 (7) Gift shop;
41

42 (8) Restaurant;
43

44 (9) Museum;
45

46 (10) Photographer's studio;
47

48 (11) Churches and other places of worship, Sunday school buildings, and parish houses.
49

1 (D) Conditional uses. None.

2
3 (Ord. 02-004, § 9-1-12)

4
5 **154.16 A-R: AGRICULTURAL RESIDENTIAL DISTRICT.**

6 (A) Purpose. This district permits low-density uses and other uses customarily conducted in
7 agricultural areas.

8
9 (B) Permissive uses.

10
11 (1) One single-family dwelling per lot or one mobile home per lot;

12
13 (2) Incidental structures such as private workshops, storage, recreation, hobby,
14 greenhouses, accessory dwelling unit or accessory living space, or for the keeping
15 or housing of domestic animals and/or agricultural products;

16
17 (3) Home occupations;

18
19 (4) Raising of nursery products;

20
21 (5) Parks, open spaces, recreational parks, and public facilities;

22
23 (6) Agricultural activity provided the lot has an area of at least one acre:

24
25 (a) Stand for display or sale of agricultural products provided the number of stands is
26 limited to one for each lot and that the size of the stand does not exceed 400
27 square feet of floor area.

28
29 (b) Animals such as cattle, horses, pigs, sheep, and goats for commercial purposes
30 provided that one head of cattle or horses does not exceed one for each 10,000
31 square feet of open lot area; one sheep or goat for each 4,000 square feet or
32 equivalent combination. All livestock and poultry shall be kept in such a manner
33 as not to constitute a nuisance, through violation of the following regulations:

34
35 1. Offensive noise, odor, or dust shall be effectively controlled;

36
37 2. Areas devoted to livestock and poultry, including accessory buildings or
38 structure, shall be constructed and maintained to discourage concentration
39 and breeding of insect pests;

40
41 3. All animals shall be confined within owner's property boundaries.

42
43 (7) Temporary, emergency, construction, and repair residences for a period not to
44 exceed 21 days before construction, plus the entire period of construction up to 180
45 days, and not later than 30 days after construction has finished for a total of 231
46 consecutive days maximum. If an extension is needed, application to the
47 administration is necessary and may be granted for up to 120 days. Lot size of a
48 minimum of 1/2 acre or larger is required. The dwelling shall be connected to utilities
49 or self-contained and shall not be located in the front setback;

1
2 (8) Community residential care facility up to ten persons, including any staff residents
3 providing all city regulations are met;

4
5 (9) Family child care facility with a capacity of six or less;

6
7 (10) Public utilities, electric facilities including, but not limited to, substations, switching
8 stations and generation;

9
10 (11) Churches and other places of worship, Sunday school building, and parish house;

11
12 (C) Conditional uses (requiring use permit).

13
14 (1) Hospitals and institutions of an educational nature;

15
16 (2) Nursery, pre-kindergarten, kindergarten, and other private or special schools;

17
18 (3) Fur-bearing animal farm;

19
20 (4) Kennel, veterinary hospital;

21
22 (5) Family child care facility with a capacity of seven or more;

23
24 (6) Hobby breeders and animal foster care providers as per conditions listed under the
25 R-1 Single-family Residential District.

26
27 (D) Height. Same restrictions as R-1 district.

28
29 (E) Area.

30
31 (1) Every lot must have an area of at least one acre with a width of at least 100 feet
32 along the front yard setback line. A lot or parcel of land that has less area or width
33 than that herein required and which was held under separate ownership or was on
34 record prior to the adoption date of this chapter, may be occupied by any use
35 permitted in this district.

36
37 (2) Setbacks.

38
39 (a) Front, garage, and side-loaded garage – 35 feet;

40
41 (b) Rear – 25 feet; alley-loaded garage – 0 feet;

42
43 (c) Side and corner side – 10 feet;

44
45 (d) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
46 maximum height.

47
48 (e) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of
49 10 feet except for pools.

1
2 (f) Flag Poles – 10 feet from any property line.
3

4 (F) Off-street parking. Off-street parking spaces must be provided as set forth in § 154.22.
5 Parking will be permitted in setbacks unless otherwise restricted in an adopted plan.
6

7 (1) The same restrictions as stipulated in the R-1 zoning district pertaining to parking of
8 commercial vehicles apply except that one commercial vehicle/equipment may be
9 parked on the property when such is used and is related to a permitted use being
10 conducted on the property.
11

12 (G) Landscaping. Same as R-1 district.

13
14 (Ord. 02-004, § 9-1-13) (Am. Ord. 07-50; Am. Ord. 08-15; Am. Ord. 11-20)
15

16 **154.17 SU: SPECIAL USE DISTRICT.**

17 (A) (1) This zoning district is suitable for property which is special because of its potential
18 effect on surrounding property, or for other reasons in which the appropriateness is
19 partially or entirely dependent on the character of the site. A special use zoning
20 designation is also appropriately used to:
21

22 (a) To restrict uses otherwise permitted in an underlying zoning district,
23

24 (b) To allow a combination of uses not otherwise permitted in an underlying district,
25

26 (c) To establish a singular land use,
27

28 (d) To establish requirements or conditions that are unique to the property.
29

30 (e) To establish requirements for height, setbacks, width, parking, landscaping,
31 signage or other provisions that are unique to the property,
32

33 (2) An application for a change to SU zoning must state the proposed land use(s).
34

35 (3) All SU zoned property must have a site plan approved by the Governing Body. The
36 site plan may accompany the application for a change in zoning designation or may
37 be submitted for approval at a later date. Approval of the site plan must be obtained
38 prior to any development of the property. The site plan at a minimum shall contain
39 the following information:
40

41 (a) Scale and north arrow;
42

43 (b) Lot boundaries and easements;
44

45 (c) Existing and proposed utilities;
46

47 (d) Existing and proposed rights-of-way;
48

49 (e) Proposed structures with uses dimensions, and setbacks;

1
2 (f) Proposed ingress, egress, parking and circulation;
3

4 (g) Landscaping and landscape buffers;
5

6 (h) Elevations;
7

8 (i) Adjacent property characteristics;
9

10 (j) Preliminary drainage plan.
11

12 (4) The Director of Development Services may approve minor changes to an approved
13 site plan if the change is consistent with the use and other written requirements
14 and/or conditions of approval, if the buildings are of the same general configuration,
15 if the total square footage is not greater than 10% than the approved plan, the site
16 circulation is similar in its effect on adjacent property or streets, and the approving
17 official finds that neither the city nor any person will be substantially aggrieved by the
18 altered site plan. Notice of the proposed change shall be mailed to owners of
19 adjacent property and to associations entitled to notice of the change. Substantial
20 changes to an approved site plan must be approved by the Governing Body.
21

22 (B) Special uses include but are not limited to the following:
23

24 (1) Airport;
25

26 (2) Amusement park of a permanent character;
27

28 (3) Cemetery, including columbarium, mausoleum, or crematory;
29

30 (4) Resorts, spas;
31

32 (5) Race track;
33

34 (6) Stadium;
35

36 (7) Indoor shooting range;
37

38 (8) Manufactured home/mobile home park;
39

40 (9) Recreational vehicle/travel trailer park or campground;
41

42 (10) Concrete batching plant;
43

44 (11) Outdoor theater;
45

46 (12) Community residential care facility provided all city regulations are met in addition to
47 any conditions set forth via the SU/Special Use zoning hearing process;
48

49 (13) Landfill;

1
2 (14) Mining;

3
4 (15) Planned residential developments.

5
6 (a) Permitted uses include single-family homes, townhouses, and apartments, and
7 associated accessory structures as regulated by an underlying zoning district or
8 an approved site plan. Permissive commercial uses may be allowed, up to 25%
9 of the gross floor area of the development.

10
11 (b) A site plan for a P.R.D. shall include information as to the maximum number of
12 dwelling units and/or density; maximum and minimum lot sizes; maximum
13 building height; minimum building setbacks; architectural design standards
14 including but not limited to exterior wall materials and colors roof materials and
15 colors; preliminary grading and drainage plan, landscape design standards,
16 parking, site lighting, design of walls and fences visible from public rights-of-way,
17 and pedestrian amenities.

18
19 (16) Public utilities, electric facilities including, but not limited to, substations, switching
20 stations and generation.

21
22 (17) Any use or combination of uses, not otherwise permitted under a specific zoning
23 district.

24
25 (Ord. 02-004, § 9-1-14; Am. Ord. 08-15; Am. Ord. 08-18)

26
27 **154.18 E-1: ESTATE RESIDENTIAL DISTRICT.**

28 (A) Purpose. This district permits a very low density of population in which the principal land
29 use is single-family dwellings.

30
31 (B) Permissive uses.

32
33 (1) Permissive uses of the R-1 district; design standards apply except for the
34 requirement that dwelling units face or create a presence on the address street;

35
36 (2) Accessory buildings or structures as per R-1, including stable facilities for the
37 housing and maintenance of horses but not to include structures for other types of
38 domestic livestock or fowl; such stable facilities greater than 600 square feet may be
39 exempt from using the same construction materials and having the same façade as
40 the primary structure, but still shall be similar in color.

41
42 (3) Horses are allowed by the following criteria:

43
44 (a) The minimum lot size required for the first horse is one acre;

45
46 (b) Thereafter, each additional horse shall require 1/2 acre per horse in addition to
47 the minimum;

48
49 (c) Horses must be corralled in such a manner as to keep horses a minimum of ten

1 feet away from any property line.

2
3 (C) Conditional uses (requiring use permit).

4
5 (1) Family child care facility with a capacity of seven or more;

6
7 (2) Hobby breeders and animal foster care providers as per conditions listed under the
8 R-1 Single-family Residential District.

9
10 (D) Area.

11
12 (1) Every lot must have an area of not less than 21,780 square feet.

13
14 (2) Setbacks.

15
16 (a) Front – 35 feet; front and side-loaded garages – 35 feet;

17
18 (b) Rear – 25 feet; alley-loaded garage – 0 feet;

19
20 (c) Side – 10 feet except in the case where the side setback requirement in total is
21 greater than 20% of the lot frontage. In that case, side setbacks may be reduced
22 to 5 feet;

23
24 (d) Corner side – 10 feet;

25
26 (e) Free-standing Wind Energy Units – 2:1 height to setback ratio with a 40-foot
27 maximum height;

28
29 (f) Sports courts and pools – 5 feet on side and rear lot lines. Corner side setback of
30 10 feet except for pools;

31
32 (g) Flag Poles – 10 feet from any property line;

33
34 (3) Building envelopes. If a building envelope is included at the time of plat, appropriate
35 placement of the building envelope within the setback area will be allowed.
36 Envelopes may be placed with the setback area for the following reasons:

37
38 (a) To preserve open space;

39
40 (b) To preserve native plant material on the site;

41
42 (c) To preserve natural drainage courses;

43
44 (d) To preserve views of nearby lots.

45
46 (E) Restrictions.

47
48 (1) Height. Same as R-1 district.

1 (2) Grading and drainage. No grading of sites will be allowed until DSD has approved
2 both the grading and the drainage for the site.
3

4 (F) Off-street parking. Off-street parking spaces must be provided as set forth in § 154.22.
5

6 (1) The same restrictions as stipulated in the R-1 zoning district pertaining to parking of
7 commercial vehicles apply except that a commercial vehicle/equipment may be
8 parked on the property when such is used and is related to a permitted use being
9 conducted on the property.
10

11 (G) Landscaping. Same as R-1 district.
12

13 (Ord. 02-004, § 9-1-15; Am. Ord. 07-50; Am. Ord. 08-15; Am. Ord. 10-27)
14

15 **154.19 O-1: OFFICE DISTRICT.**

16 (A) Purpose. This district permits office uses. This district may act as a buffer between
17 residential property and more intensive nonresidential uses or may be located adjacent
18 to any other use. No noise, odor or vibration shall be emitted which would cause a
19 negative impact on the adjacent residential district. Such comparison shall be made at
20 the property line.
21

22 (B) Permissive uses.
23

24 (1) Office uses.
25

26 (2) Banks and financial institutions.
27

28 (3) Beauty shop, barber shop, hair and nail salon.
29

30 (4) Church, or other place of worship, including incidental facilities.
31

32 (5) Club or association meeting space, provided there is no liquor license.
33

34 (6) Manager/caretaker residential uses within the structure.
35

36 (7) Incidental uses within a building or on a site owned in common with a primary office
37 use for uses such as coffee or snack shop, restaurant, news stand so long as it is
38 not the primary use of the site.
39

40 (8) Institutions such as library, museum, schools, day care, senior transitional care
41 facility, fire or police stations.
42

43 (9) Hospital and other health services.
44

45 (10) Medical supplies and services such as drug prescription and health care supplies,
46 physical therapy office, shop for prosthetic or health aid devices, or medical or dental
47 laboratory.
48

- 1 (11) Amateur radio antenna, up to 65 feet in height from grade.
- 2
- 3 (12) Public facilities.
- 4
- 5 (13) Park and ride facilities and parking lots.
- 6
- 7 (14) Photocopy, photography studio, shipping and messenger service offices.
- 8
- 9 (15) Public utility structures and facilities including but not limited to substations,
- 10 switching stations and generation
- 11
- 12 (16) Radio or television studios that do not exceed height limits.
- 13
- 14 (17) Storage structure or yard for equipment provided that outdoor equipment is stored
- 15 behind an eight-foot solid wall, and the storage is ancillary to an office use and
- 16 located in the back or rear yard.
- 17
- 18 (18) Construction trailers for a period not to exceed 21 days before construction plus the
- 19 entire period of construction up to 180 days and no more than 30 days after
- 20 construction has finished for a total of 231 consecutive days. If an extension is
- 21 needed, application is necessary and may be granted for up to 120 days.
- 22

23 (C) Conditional uses: (requiring use permit).

- 24
- 25 (1) Amateur radio antenna over 65 feet in height from grade;
- 26
- 27 (2) Community residential care facilities;
- 28
- 29 (3) R-3 multi-family uses above the first floor;
- 30
- 31 (4) Retail or restaurant facilities that is not permissive and incidental to other uses on
- 32 the site;
- 33
- 34 (5) Office uses that exceed the height limits of this district.
- 35

36 (D) Area. Minimum 1/4 acre.

- 37
- 38 (1) Setbacks.
- 39
- 40 (a) Front – 10 feet;
- 41
- 42 (b) Rear – 0 feet, unless abutting a residential zone, then a 10-foot setback with
- 43 landscaped buffer is required for buildings up to 35 feet in height. For portions of
- 44 a building greater than 35 feet in height, the building shall have a step-back of
- 45 one foot for each additional one foot of height up to the maximum height of the
- 46 district;
- 47
- 48 (c) Side – 0 feet, unless abutting a residential zone, then a 10-foot setback with
- 49 landscaped buffer is required for buildings up to 35 feet in height. For portions of

1 a building greater than 35 feet in height, the building shall have a step-back of
2 one foot for each additional one foot of height up to the maximum height of the
3 district;

4
5 (d) Corner side – 10 feet;

6
7 (e) Trash Containers and Trash Compactors – 15 feet from the property line when
8 adjacent to land planned or zoned for a single-family residential use.

9
10 1. All trash containers and trash compactors shall be screened from a public
11 right-of-way by decorative wall or enclosure and shall be not less than two
12 feet above the height of the trash container or compactor.

13
14 (f) Flag Poles – 20 feet from any property line, with a maximum height of 50 feet.
15 Pole heights greater than 50 feet may be approved by conditional use permit.

16
17 (E) Height. 60 feet.

18
19 (F) Off-street parking. Off street parking shall be provided as set forth in § 154.22.

20
21 (G) Landscaping. Appropriate landscaping consisting of trees, shrubs and groundcover shall
22 be provided for visual relief along the frontage of the parcel; provided, that no less than
23 15% of the lot shall be landscaped, and no less than half of the 15% shall be located on
24 the front. Cool season turf grass shall be limited to areas designated for recreational use
25 and shall be limited to a maximum of 1,000 square feet or 20% of the total lot area,
26 whichever is less. Cool season turf grasses include but are not limited to the following
27 species: *Poa pratensis* (Kentucky Bluegrass), *Festuca* spp. (Fescues), and *Lolium* spp.
28 (Ryegrasses). Plant materials shall be limited to species that are not listed as high water
29 use in the City of Rio Rancho plant list. Existing turf and other plants installed prior to
30 October 31, 2011, are exempt from this regulation. Effective the date of this ordinance,
31 homeowner association bylaws or new restrictive covenants shall not mandate a
32 minimum amount of live grass.

33
34 (H) Buffer zone. Same as C-1 district.

35
36 (Ord. 02-004, § 9-1-16; Am. Ord. 11-20)

37
38 **154.20 T-Z: TRANSITIONAL ZONING DISTRICT.**

39 (A) This zoning district permits low density residential uses on an interim basis for newly
40 annexed areas. All provisions of the R-1 district shall apply to those areas zoned T-Z
41 except as noted below.

42
43 (B) The T-Z Transitional Zoning District shall consist of territory annexed in which long-term
44 land uses and development policies consistent with the city's comprehensive plan have
45 not yet been determined.

46
47 (C) Setbacks.

48
49 (1) Front – 35 feet;

1
2 (2) Rear – 25 feet;

3
4 (3) Sides – 10 feet;

5
6 (D) No conditional uses shall be allowed in the Transitional Zoning District.

7
8 (E) No subdivision of property shall be permitted in the Transitional Zoning District, except
9 for lot consolidation.

10
11 (F) A permanent zoning district for the annexed territory shall be adopted by the governing
12 body when long-term land use and development policies consistent with the city's
13 comprehensive plan have been determined.

14
15 **154.21 NC: NEIGHBORHOOD COMMERCIAL DISTRICT.**

16 (A) Purpose. This district permits limited commercial and residential uses such as those
17 pertaining to the day-to-day needs of the residential populace.

18
19 (B) Permissive uses.

20
21 (1) Stores for the sale of retail goods, products, and services; except gasoline stations
22 are not permitted;

23
24 (2) Repair shops-electrical, radio, and television appliances, keys and similar articles;

25
26 (3) Shops-dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;

27
28 (4) Banks, and office buildings;

29
30 (5) Churches and other places of worship, Sunday school buildings, and parish houses;

31
32 (6) Bakeries and confectionaries where goods are sold at retail prices;

33
34 (7) Parks, recreational parks, open spaces, public facilities;

35
36 (8) Nursery schools;

37
38 (9) Undertaking establishments;

39
40 (10) Club houses or buildings for fraternal organizations provided there is no liquor
41 license, and nonprofit public service organizations;

42
43 (11) Medical complexes, professional offices associated with medical complexes, and
44 veterinarians with overnight kenneling for medical purposes only (no boarding
45 kennels);

46
47 (12) Construction trailers for a period not to exceed 21 days before construction plus the
48 entire period of construction up to 6 months and no more than 30 days after
49 construction has finished, provided that the use of the trailer is for assisting in the

1 security of the construction site and facilitating the delivery of construction material,
2 and that no sales are conducted from the construction either before or after
3 development is completed. If an extension is needed, application to and certification
4 from DSD is necessary and may be granted for up to 120 days;

5
6 (13) Photocopying and blueprinting businesses;

7
8 (14) Residential uses are permitted as a secondary use conducted in conjunction with a
9 primary business use, provided the following conditions shall be met:

10 (a) The exterior of any residential building shall be constructed of materials similar in
11 color and appearance to those used in the primary business structure.

12
13 (b) The residence shall be located either as part of the primary business structure or
14 behind the primary business structure.

15
16 (c) The residence can be used as a residence but cannot be used in a business
17 capacity.

18
19 (15) Public utilities, electric facilities including, but not limited to, substations, switching
20 stations and generation.

21
22 (C) Conditional uses (requires use permit).

23
24 (1) Temporary structures and enclosures used in construction of a building and used for
25 storage of equipment and material. Such structure must be removed after the
26 specific construction project is completed and not to remain on the premises for
27 more than one month after completion. Temporary commercial structures used for
28 seasonal purposes may be erected for a period of not more than 90 days. But, in no
29 case shall the structure or enclosure be present for longer than one week after the
30 ending of the season for which it was intended;

31
32 (2) Schools;

33 (3) Storage, limited to self-storage units and storage of vehicles which are behind a wall
34 and not visible from the surrounding neighborhood;

35 (4) Research and development offices, excluding those that could be a nuisance or
36 hazard to the surrounding neighborhood;

37
38 (D) Area. Minimum 1/4 acre.

39
40 (1) Setbacks.

41 (a) Front – 10 feet;

42
43 (b) Rear – 0 feet, unless abutting a residential zone, then a 10-foot setback with
44 landscaped buffer is required for buildings up to 35 feet in height. For portions of
45 a building greater than 35 feet in height, the building shall have a step-back of
46
47
48
49

1 one foot for each additional one foot of height up to the maximum height of the
2 district;

3
4 (c) Side – 0 feet, unless abutting a residential zone, then a 10-foot setback with
5 landscaped buffer is required for buildings up to 35 feet in height. For portions of
6 a building greater than 35 feet in height, the building shall have a step-back of
7 one foot for each additional one foot of height up to the maximum height of the
8 district;

9
10 (d) Corner side – 10 feet;

11
12 (e) Trash Containers and Trash Compactors – 15 feet from the property line when
13 adjacent to land planned or zoned for a single-family residential use.

14
15 1. All trash containers and trash compactors shall be screened from a public
16 right-of-way by decorative wall or enclosure and shall be not less than two
17 feet above the height of the trash container or compactor.

18
19 (f) Flag Poles – 25 feet from any property line, with a maximum height of 50 feet.
20 Pole heights greater than 50 feet may be approved by conditional use permit.

21
22 (E) Height. Same restrictions as O-1 district.

23
24 (F) Off-street parking. Off-street parking shall be provided as set forth in § 154.22.

25
26 (G) Landscaping. Appropriate landscaping shall be provided for visual relief along the
27 frontage of the parcel; provided, that no less than 10% of the lot shall be landscaped,
28 and no less than one-fourth of the 10% shall be located on the front. Landscaping
29 requirements shall be established in accordance with any applicable land use plan. Cool
30 season turf grass shall be limited to areas designated for recreational use and shall be
31 limited to a maximum of 1,000 square feet or 20% of the total lot area, whichever is less.
32 Cool season turf grasses include but are not limited to the following species: *Poa*
33 *pratensis* (Kentucky Bluegrass), *Festuca* spp. (Fescues), and *Lolium* spp. (Ryegrasses).
34 Plant materials shall be limited to species that are not listed as high water use in the City
35 of Rio Rancho plant list. Existing turf and other plants installed prior to October 31,
36 2011, are exempt from this regulation. Effective the date of this ordinance, homeowner
37 association bylaws or new restrictive covenants shall not mandate a minimum amount of
38 live grass.

39
40 (H) Buffer zone.

41
42 (1) Where the side and/or rear property lines of a commercial site are contiguous to a
43 residential zoning district, or are separated there from only by an alley, there shall be
44 a six-foot high solid masonry wall adjacent to the property lines, and a 10-foot wide
45 landscaped area adjacent to the wall on the commercial property. The landscaped
46 area shall contain evergreen trees at least three-inch caliper, spaced no further than
47 25 feet apart.

48
49 (2) If the masonry wall plus retaining wall have an effective height of over eight feet on

1 the residential side, the city shall decide the required height. Any lighting shall be
2 placed so as to reflect the light away from adjacent residential districts. No noise,
3 odor, or vibration shall be emitted by uses outside the boundaries of the
4 Neighborhood Commercial District.

5
6 (3) Parking will be permitted in side and rear yard setbacks, but no accessory buildings
7 will be permitted in that area.

8
9 (Ord. 02-004, § 9-1-19) (Am. Ord. 07-50; Am. Ord. 11-20)

10
11 **154.22 OFF-STREET PARKING REQUIREMENTS.**

12 (A) All developments in all zoning districts shall provide a sufficient number of parking
13 spaces to accommodate the number of vehicles that ordinarily are likely to be attracted
14 to the development in question, as per the following criteria:

15
16 (1) Single-family dwelling: Parking spaces for automobiles and/or light trucks shall be
17 provided on site for all single-family residential uses. Parking spaces shall be paved
18 or all weather in nature and shall be provided within a driveway or a garage as
19 follows:

20
21 (a) Two spaces if the dwelling is a studio or one-bedroom home, with a minimum of
22 one space in an enclosed garage;

23
24 (b) Three spaces if the dwelling has two bedrooms, with a minimum of two spaces in
25 an enclosed garage;

26
27 (c) Four spaces if the dwelling has three or more bedrooms, with a minimum of two
28 spaces in an enclosed garage.

29
30 (2) Multi-family dwelling: One and one-half parking spaces per studio or one-bedroom
31 dwelling unit; 1.75 spaces per two-bedroom dwelling unit, 2.0 spaces for three-
32 bedroom units, plus 6 guest/staff parking spaces. Parking spaces for multi-family
33 dwellings shall not be in the required yards.

34
35 (3) Mobile home: One parking space per dwelling unit.

36
37 (4) Hotels and motels: One space for each unit; one space for each two employees, and
38 appropriate space for any accessory use, such as a restaurant.

39
40 (5) Hospital, clinic, or convalescent or nursing home: One space for each bed.

41
42 (6) Medical or dental office: one space per 300 square feet.

43
44 (7) Places of public assembly, including churches, community centers, auditoriums,
45 theaters, gymnasiums, arenas, and mortuaries: One space for every four fixed seats
46 or, if there are no fixed seats, one space for every 40 square feet of gross floor area
47 in the main gathering area.

48
49 (8) Clubs, lodges, or fraternal organizations: One space per 200 square feet of floor

1 area.

2
3 (9) Dance hall, skating rink: One space for each 200 square feet of floor area.

4
5 (10) Office, professional, retail businesses, and public buildings: One space for each 300
6 square feet of floor area.

7
8 (11) Restaurant, bar: One space for each four seats or one per 100 square feet,
9 whichever is greater.

10
11 (12) Bowling alley: Four spaces per alley.

12
13 (13) Industrial, manufacturing, and wholesale establishments: One space for each two
14 employees for the largest shift or one space per 1,500 square feet of warehouse,
15 whichever is greater.

16
17 (14) Shopping centers: Five spaces per 1,000 square feet of gross floor area.

18
19 (B) Mixed uses. For mixed uses, the total requirement for off-street parking spaces shall be
20 the sum of the fractional requirements of the various uses computed separately.

21
22 (C) An applicant for a building permit must submit plans showing location, arrangement, and
23 dimensions of the parking facilities, turning spaces, drives, aisles, and ingress and
24 egress for approval by DSD.

25
26 (D) The number of required parking spaces must be provided on the same lot where the
27 principal use associated with the parking spaces is located. Spaces may be provided on
28 adjacent or nearby lots provided that the number of off-site parking spaces does not
29 exceed 25% of the total number of required spaces. The off-site parking spaces must be
30 located within 300 feet of a public entrance or a principal building housing the use
31 associated with the parking. A developer wishing to take advantage of these provisions
32 must present a legally recorded document indicating that he has the irrevocable
33 permission of the owner or agent in charge of the area where the off-site parking will be
34 located to use such spaces.

35
36 (E) Design standards.

37
38 (1) All facilities must provide appropriate access to a street, alley or public thoroughfare.

39
40 (2) Parking aisle widths shall conform to the following widths:

41

Aisle Width	0°	30°	45°	60°	90°
One-Way Traffic	13	11	13	18	24
Two-Way Traffic	19	20	21	23	24

42
43 (3) Driveways shall not be less than 10 feet in width for one-way traffic and 20 feet in

1 width for two-way traffic, except that 10 feet wide driveways are permissible for two-
2 way traffic when the driveway is not longer than 50 feet, it does not provide access
3 for more than six spaces, and there is sufficient turning space so that vehicles do not
4 need to back onto a public street. Each parking space shall consist of an area of not
5 less than 9 feet in width by 18 feet in length exclusive of driveway area, except in the
6 following situations:
7

8 (a) In parking areas containing ten or more parking spaces, up to 20% of the parking
9 spaces may contain a rectangular area of 7-1/2 feet by 15 feet in length provided
10 that such spaces are conspicuously designated as reserved for small or compact
11 cars only.
12

13 (b) Wherever parking areas consist of parallel parking spaces, the dimensions of
14 such parking spaces shall not be less than 9 feet by 22 feet.
15

16 (4) Vehicle accommodation areas shall be designed so that vehicles may exit parking
17 areas without backing onto arterial streets and shall be designed so that sanitation,
18 emergency, and other public service vehicles can serve the development without the
19 necessity of backing unreasonable distances or making other dangerous or
20 hazardous turning movements.
21

22 (5) Parking areas shall be designed so that vehicles do not extend beyond the property
23 lines.
24

25 (6) Parking areas shall be designed so that traffic circulation allows vehicles to proceed
26 safely without posing a danger to pedestrians and other vehicles and without
27 interfering with parking areas.
28

29 (7) Parking areas shall be properly maintained in all respects. In particular, markings
30 shall be kept clearly visible and distinct.
31

32 (8) Parking areas, loading and unloading areas, and the driveways constructed to
33 service those areas shall be paved with asphalt paving or other suitable material as
34 determined by DSD.
35

36 (F) Accessible parking spaces.
37

38 (1) Accessible parking space size. Each required accessible space shall consist of an
39 area of at least 9 feet wide and shall have an adjacent access aisle 5 feet wide,
40 minimum. At least one of the required accessible parking spaces shall be van
41 accessible; a minimum of 9 feet wide with an adjacent access aisle a minimum of 8
42 feet wide. One of every six accessible parking spaces must be designated van
43 accessible. Parking access aisles shall be part of the accessible route to the building
44 or facility entrance and shall comply with this chapter and the Americans with
45 Disabilities Act (ADA). Two accessible parking spaces may share a common access
46 aisle. Parked vehicle overhangs shall not reduce the clear width of an accessible
47 circulation route.
48

49 (2) Every parking lot shall have a minimum number of designated disabled parking

spaces as provided herein: (per the current state and federal ADA standards)

Total Spaces in Parking Lot	Minimum Designated Accessible Parking Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	8
201-300	12
301-400	16
401-500	20
501-1000 Over 1000	2% of total 20 plus 1 for each 100 or fraction thereof over 100

(3) The designated disabled parking spaces shall be located so as to provide the most convenient access to entry-ways or to the nearest curb cut or ramp and must be clearly designated as such as per ADA specifications.

(4) No building permit shall be issued for the construction or substantial renovation of a commercial building inviting public access, unless the parking lot has designated disabled parking spaces as delineated herein.

(G) Wherever the normal operation of a development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development a sufficient off-street loading and unloading area must be provided in accordance with the following:

(1) The area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area given the nature of the development.

1

Gross Leasable Area of Building	Number of Spaces*
1,000 to 19,000	1
20,000 to 79,000	2
80,000 to 127,999	3
128,000 to 191,000	4
192,000 to 255,999	5
*The area shall be a minimum of 12 feet by 55 feet with an overhead clearance of 14 feet from grade.	

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(2) Loading and unloading areas shall be located and designed so that the vehicles intended to use them can maneuver safely without obstructing or interfering with any public right-of-way, parking space, or parking lot aisle.

(3) No area allocated to loading and unloading facilities may be used to satisfy the parking area requirements of the development or vice versa.

(H) Recognizing that the parking requirements set forth in this section cannot cover every possible situation, DSD is authorized to determine the parking requirements using this section as a guide.

(1) Whenever the department allows or requires a deviation from the parking requirements set forth herein, it shall record the parking requirement that it imposes and the reasons for allowing the deviation.

(2) If the department concludes, based upon information it receives in consideration of a specific development proposal, that the requirements for a particular use classification is in error, the department shall initiate a request for an amendment to the table of parking requirements as set forth herein.

(Ord. 02-004, § 9-1-20; Am. Ord. 05-33; Am. Ord. 10-27)

154.23 FENCE REQUIREMENTS.

(A) For the purpose of administering and enforcing this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMON FENCE. A fence that straddles a property line. For the purposes of this section, it is assumed that common fences are jointly owned in their entirety by each

1 property owner and that initial construction of and any modifications that require city
2 approval beyond typical maintenance requires the written permission of each property
3 owner.

4
5 **ELECTRICAL FENCING.** A fence consisting of wires charged with electricity serving to
6 confine domestic animals or livestock.

7
8 **FENCE.** A vertical structure taller than 1-foot, not more than 20 inches wide, which
9 forms a barrier built for the purpose of protection, decoration, confinement,
10 enhancement of privacy, and in some cases, built for safety.

11
12 **RETAINING WALL.** Any structure that is intended to retain more than 18 inches of soil
13 or similar material.

14
15 **SWIMMING POOL FENCE.** A fence that is six feet in height that serves to limit access
16 for safety purposes.

17
18 (B) Construction materials for fences include common construction materials such as wood,
19 masonry, adobe, chain link, wire mesh, or other materials approved by DSD. Barbed
20 wire, concertina wire, or similar material is only appropriate in the E-1/Estate Residential
21 District where it may be used to confine horses or in M-1 and C-2 district. Broken glass
22 in/on fences is strictly prohibited.

23
24 (C) Fences may be placed anywhere within a lot, parcel, or tract of land within the city as
25 specified herein. Fences may not be placed beyond property lines. Fences in the public
26 right-of-way are strictly prohibited. Placement of a fence within an easement requires
27 written permission of the grantee to which the easement is assigned.

28
29 (D) Maximum fence height varies with the location of the fence on the property.

30
31 (1) Fences allowed in the front setback area can reach a maximum height of four feet,
32 except that fence height on corner lots must conform to the specifications under
33 clear sight triangle, as defined in § 154.03.

34
35 (2) Fences built within the side yard setback, behind the front setback to the rear
36 setback can be a maximum of six feet.

37
38 (3) Fences built outside the setback area within the buildable area of a lot, parcel, or
39 tract may reach a maximum height of eight feet.

40
41 (a) The maximum fence height on nonresidential property is eight feet where it abuts
42 residential property, along the rear or side property line.

43
44 (E) (1) Fence height is measured from grade where the fence is located. It is considered a
45 subterfuge of the ordinance to pile or berm dirt or other materials and attempt to
46 measure a fence from the top of the berm or from the top of a "pseudo" retaining wall. It
47 is however, allowed to fill in large areas of a lot, parcel, tract in order to achieve an
48 overall or consistent grade, and then measure fence heights from that grade. A change
49 in grade requires approval by DSD.

1
2 (2) Fences may be placed on top of retaining walls and height will be measured from the
3 grade level of the retained material behind the retaining wall or in other words, from
4 the highest soil or similar material point.
5

6 (F) Special fences.
7

8 (1) Swimming pool. Fences are required around any swimming pool which is greater
9 than 3 feet in depth or which exceeds 5,000 gallons. The pool must be enclosed on
10 all sides by a fence or other barrier that provides an impediment of a least 6 feet
11 thereby limiting access. In the event of a grade separation or the erection of an
12 above ground swimming pool, the 6-foot minimum height is measured from outside
13 the fence, while the pool is on the inside. Gates on pool fences are required to be 6
14 feet in height with a self-closing latch at least 4 1/2 feet (54 inches) off the ground. In
15 the case where a common fence cannot be used for a swimming pool fence, the
16 swimming pool fence must be a minimum of 4 feet in height with a hardcover which
17 complies with the International Building Code.
18

19 (2) Corner lots. Fences in the clear sight triangle as defined in § 154.03 may not be
20 greater than 30% solid when viewed along a line of sight which is parallel to the
21 hypotenuse of the clear sight triangle.
22

23 (3) Residential fences that abut high intensity nonresidential or multi-family uses may be
24 erected as follows: where a residential lot, parcel or tract abuts an arterial or
25 collector street as defined in the comprehensive plan, multi-family or nonresidential
26 zoned property, a fence may be a maximum of eight feet in height along the abutting
27 side or rear property line, behind the front house line.
28

29 (4) Buffer walls. Fences that are required with multi-family or nonresidential
30 development must be erected and continuously maintained so that a six-foot opaque
31 fence exists along the property lines that abut the residentially zoned property.
32

33 (5) Electrical fencing may be placed only on the inside of a fence so that it is not
34 accessible to adjacent property and requires a conditional use permit.
35

36 (G) Approval process. All fences require a zoning plan review. If the fence is a part of a
37 larger submittal, for example new home construction, the fencing plan review will occur
38 at that time and is inclusive in the plan review fee. If the fence is an improvement to a
39 developed site, a fencing plan review is required.
40

41 (1) Fencing plan review submittal should include the following:
42

43 (a) Application;
44

45 (b) Lot dimensions (sketch);
46

47 (c) Location of existing structures, including retaining walls;
48

49 (d) Location of proposed fence, proposed height, and construction materials (cross-

1 section).

2
3 (H) Exemptions. This section does not apply to fences in existence before the effective date
4 of this ordinance, as amended, except when the fence is declared a nuisance or hazard
5 as determined by DSD or the Traffic Safety Advisory Committee, such fence may be
6 made to conform with the requirements of this chapter, or removed within 30 days of the
7 closing or transfer or declaration of the fence as a nuisance or hazard.

8
9 (Ord. 02-004, § 9-1-21)

10
11 **154.24 NONCONFORMING USES.**

12 (A) When, within the various districts established by this chapter or amendments that may
13 be later adopted, there exist lots, structures, or uses that were in conformity with the
14 applicable zoning ordinance and regulations when created but which would be
15 prohibited or do not conform to the requirements of this chapter or future amendment, it
16 is the intent of this chapter to:

17 (1) Allow these nonconforming uses to continue until they are removed;

18 (2) Not encourage their survival or perpetuation;

19 (3) Insure that the nonconformities shall not be enlarged upon, expanded, or extended;

20 (4) Not permit the nonconformities to be used as grounds for adding other structures or
21 uses prohibited elsewhere in the same district;

22 (5) Not permit the attachment of additional signs to the building or the placement of
23 additional signs or display devices on the land outside the building or permit the
24 addition of other uses if such additions are of a nature that would be prohibited
25 generally in the district involved.

26
27 (B) To avoid undue hardship, nothing in this chapter shall be deemed to require a change in
28 plans, construction, or designated use of any building in which actual and lawful
29 construction had begun prior to the effective date or adoption or amendment of this
30 chapter and upon which construction has been diligently carried on.

31
32 (C) Existing buildings that are in violation of lot area requirements may be remodeled or
33 repaired, but may not be reconstructed or structurally altered unless made to conform to
34 the requirements of this chapter.

35
36 (D) If a nonconforming use is damaged or destroyed by any means to an extent of more
37 than 50% of its replacement cost at the time of destruction, then restoration must be for
38 a permitted use.

39
40 (E) Each owner of a nonconforming use that was in existence before March 7, 1983, shall
41 apply for a nonconforming use certificate. Application shall be made to DSD. DSD shall
42 make final determination on all applications. A certified nonconforming use ceases to be
43 valid only after abandonment (a period of 6 consecutive months for uses, or a period of
44 12 consecutive months for structures) and cannot subsequently be reestablished by the
45

1 property owner where such use is otherwise prohibited. Prior to the issuance of a
2 nonconforming use certificate, the department shall confirm via submitted
3 documentation that the nonconformity has been in continuous existence and shall
4 subsequently affirm that the non-conformity continues to exist on an annual basis.
5

6 (Ord. 02-004, § 9-1-22)
7

8 **154.25 BUILDING PERMITS.**

9 (A) No building may be undertaken in the city without a building permit as required by the
10 City of Rio Rancho and/or the General Construction Industries Commission of the State
11 of New Mexico and without an application having been made for an occupancy permit
12 as required by § 154.26.
13

14 (B) All buildings or houses other than accessory buildings shall display identification
15 numbers.
16

17 (1) DSD shall record designated street numbers on the plan review application of new
18 construction, and shall furnish building numbers of all buildings needed.
19

20 (2) Numbers shall be affixed on buildings the last day of the first month the building is
21 occupied.
22

23 (a) Street numbers shall be as designated by DSD.
24

25 (b) All numbers other than those designated shall be removed.
26

27 (3) The numbers shall be located on the right/left side of the street address entrance,
28 clearly visible from the street.
29

30 (a) Each figure of a house or building number shall be a material which will withstand
31 the natural elements.
32

33 (b) The figures shall not be less than three inches in height and of corresponding
34 width.
35

36 (4) It shall be the responsibility of the building owner to maintain numbers of houses
37 and/or buildings in good as well as legible condition or design.
38

39 (Ord. 02-004, § 9-1-23)
40

41 **154.26 OCCUPANCY PERMITS.**

42 Subsequent to the effective date of this chapter, no change in the use or occupancy
43 of land, nor any change of use or occupancy in an existing building other than for
44 single-family dwelling purposes, shall be made, nor shall any new building be
45 occupied until a certificate of occupancy has been issued by DSD. Every certificate
46 of occupancy shall state that the new occupancy complies with all provisions of this
47 chapter. No building or premises shall be occupied until such a certificate and permit
48 is issued. A record of all certificates of occupancy shall be kept on file in the office of
49 the City Clerk, and copies shall be furnished on request to any person having a

1 proprietary or tenancy interest in land or a building affected by such a certificate of
2 occupancy.

3
4 (Ord. 02-004, § 9-1-24)
5

6 **154.27 SPECIAL EVENT PERMIT.**

7 (A) Incidental or infrequent uses/events such as but not limited to, circuses, carnivals,
8 festivals, indoor and outdoor sales, motorcycle runs, grand-openings, fireworks stands,
9 charitable fundraisers, outdoor concerts and sporting events, film productions, seasonal
10 events and events open to the public that are commonly associated with a business or
11 club which include but is not limited to civic, fraternal, charitable, religious, social and
12 patriotic organizations may be allowed in all zones provided that:

13
14 (1) The applicant, prior to any formal scheduling of an event, shall submit in writing at
15 least 30 days in advance – an application for a special event permit to DSD, for
16 temporary zoning approval. The application shall contain the following information:

17
18 (a) The date, hours of operation, approximate attendance, and location of the
19 proposed event;

20
21 (b) Written verification and approval of property owner’s permission to conduct the
22 event if the event is to be held on property not under ownership of the applicant;

23
24 (c) A notarized statement by the applicant and/or property owner, proof of liability
25 insurance, current City business registration, and a detailed site plan of the event
26 set up including, but not limited to parking availability, emergency exits,
27 tent/canopy, stage and vendor booth locations.

28
29 (d) When applicable, the applicant shall also submit a Chief overtime agreement
30 from the RRDPS, a detailed traffic/route plan and any required permits and
31 approvals issued from the Rio Rancho City Clerk and the State of New Mexico.
32

33 (2) Temporary signage for special events shall be allowed; however, all signs are
34 subject to the regulations in RRO Chapter 156: Sign Regulation.

35
36 (3) Special events shall be limited to no more than four events per
37 business/organization per calendar year and shall not exceed a maximum of 14
38 consecutive or non-consecutive days in operation. Approval to exceed the maximum
39 time allowed to conduct a special event shall be obtained by the DSD prior to the last
40 day of the event.

41
42 (4) For fees, refer to the fee schedule on file in the City Clerk’s office.
43

44 (Ord. 02-004, § 9-1-25)
45

46 **154.28 OS: OPEN SPACE DISTRICT.**

47 (A) Purpose. The purpose of this district is to satisfy the visual and psychological needs of
48 the community for light and air, and permit beneficial low-impact recreational uses and
49 outdoor education that minimize disruption of the land’s natural systems and are not

1 detrimental to the natural characteristics of the land.

2
3 (B) Permissive uses.

4
5 (1) Natural areas designated for outdoor education, low-impact recreation,
6 wildlife/habitat enhancement and conservation, natural and cultural resource
7 preservation;

8
9 (2) Land undergoing restoration;

10
11 (3) Regional preserves;

12
13 (4) Lakes, waterways, flood water storage areas, and other public facilities for handling
14 flood water, all designed in such a way as to be considered a visual and or physical
15 amenity in the community;

16
17 (5) Land that serves as a buffer, protecting the public from natural hazards.

18
19 (6) Structures and facilities incidental to the above uses, provided that such incidental
20 buildings do not cover more than 5% of the ground area;

21
22 (7) Amenities and improvements supporting the above uses including drinking water
23 fountains and spigots, trash and dog waste receptacles, tables and benches, bicycle
24 racks, and regulatory and interpretive signs.

25
26 (8) Unpaved service roads, permeable parking lots with 25 spaces or less, fencing six
27 feet in height or less, trails and trial corridors, and public utilities necessary for the
28 protection, development and use of the open space area.

29
30 (C) Conditional uses (requiring use permit).

31
32 (1) Development, including public utilities, roads other than unimproved service roads,
33 drainage structures other than those necessary for resource protection,
34 amphitheater, visitor center, interpretive center, botanical garden, arboretum, garden
35 open to the public, parking lot with more than 25 spaces, and other uses as specified
36 in Resource Management Plans or Master Plans.

37
38 (2) Applications for condition uses must demonstrate that;

39
40 (a) The proposed development is in accord with the letter and intent of The
41 Comprehensive Plan regarding open space, Open Space Master Plans and
42 applicable Resource Management or Master Development Plan

43
44 (b) The proposed development complies with sections A and B.

45
46 (Ord. 02-004, § 9-1-29)

47
48 **154.29 PR: PARKS AND RECREATION DISTRICT.**

49 (A) Purpose. The purpose of this district is to beautify and create neighborhood identity,

1 provide green space for active recreation and sports activities, relaxation, social
2 interaction; to enhance and beautify the urban landscapes; to off-set heat island affect;
3 and to satisfy the visual and psychological needs of the community for light and air.
4

5 (B) Permissive uses.
6

7 (1) Parks and plazas; including playgrounds, fenced off-leash dog areas, skateboard
8 facilities; sport courts and fields, bathroom facilities, pavilions, community and
9 recreation centers, swimming pools, and trails;
10

11 (2) Botanical gardens, arboretums and gardens open to the public;
12

13 (3) Roads and public utilities and public utilities necessary for the development and use
14 of the park.
15

16 (C) Conditional uses (requiring use permit).
17

18 (1) Golf courses;
19

20 (2) Cemeteries including columbariums, mausoleums, or crematories;
21

22 (3) Natural areas designated for recreation, wildlife/habitat enhancement, natural and
23 cultural resource preservation;
24

25 (4) Land undergoing restoration;
26

27 (5) Regional preserves;
28

29 (6) Lakes, waterways, flood water storage areas, and other public facilities for handling
30 flood water, all designed in such a way as to be considered a visual and or physical
31 amenity in the community;
32

33 (7) Structures and facilities incidental to the above uses, provided that such incidental
34 buildings do not cover more than 5% of the ground area.
35

36 (Ord. 02-004, § 9-1-30)
37

38 **154.30 MU-A: MIXED USE ACTIVITY CENTER DISTRICT.**

39 (A) Purpose. The Mixed Use Activity Center District permits new mixed-use development
40 and infill consisting of integrated blends of land uses and networks of interconnected
41 pedestrian-oriented streets and ways.
42

43 (B) Application for rezoning. Applications for rezoning to a Mixed Use Activity zone should
44 follow the site plan requirements of the Special Use zone and comply with the policies of
45 the Comprehensive Plan.
46

47 (C) Intent.
48

49 (1) Encourage a greater intensity of development in order to attract the people and

1 commerce necessary to create a vibrant and diverse urban center.

2
3 (2) Encourage a blending of residential, civic, commercial and office uses in close
4 proximity to each other with active commercial and retail uses along arterial and
5 collector street frontages, and encouraging residential uses above the ground floor
6 or behind a commercial building that fronts the street.

7
8 (3) Encourage a mixture of service and employment uses so that residents will have the
9 opportunity to work as well as shop and play within walking distance from their
10 houses.

11
12 (4) Encourage planning, design and detailing that reflects the needs of pedestrians,
13 establishes multi-modal circulation opportunities, and creates memorable civic
14 spaces.(Ord. 02-004, § 9-1-31)

15
16 (D) Considerations for approval.

17
18 (1) Plans should reflect the intent of the Comprehensive Plan.

19
20 (2) Plans should comply with the intent and requirements of a mix of land uses set forth
21 herein and not be used for a single land use

22
23 (3) The total area of the district must be a minimum of two acres, but may be smaller
24 with an approved conditional use permit.

25
26 (4) Plans must include residential and non-residential uses within or in close proximity to
27 the district with shared access and adequate pedestrian linkages.

28
29 (5) Plans may also include civic or community building, public utility and/or public
30 spaces within the district.

31
32 (E) Development Review Process.

33
34 (1) Property zoned MU-A requires the approval of a master plan and development
35 guidelines for the district prior to development or re-development of the land. An
36 applicant wishing to develop property zoned MU-A must submit a master plan and
37 design and development guidelines for the mixed use development to the Director of
38 Development Services for a preliminary review.

39
40 (2) DSD will provide potential applicants with a checklist of required items consistent
41 with those for the Special Use Zone.

42
43 (3) Following preliminary review by DSD, the application will be subject to the review
44 and approval of the Planning and Zoning Board.

45
46 (4) Upon approval, the master plan and accompanying documents will be used as the
47 official guide for future development within the district.

48
49 (5) Site development within the district will require the submission of a site development

1 permit application to DSD for approval. A site development plan will include items
2 from a list provided by DSD and consistent with those for the Special Use Zone. The
3 site development permit application will be evaluated based on compliance with the
4 approved master plan and guidelines.
5

6 (F) Permissive Uses.
7

8 (1) Permissive uses of the NC and O-1 districts, provided that all regulations of the
9 district and use are met, and provided that:

10 (a) No indoor or outdoor storage structure or yard shall be permitted;
11

12 (b) Park and ride and commercial parking facilities shall be treated as a conditional
13 use;
14

15 (c) Stores for the sale of retail goods, products, and services shall be allowed up to
16 15,000 square feet;
17

18 (d) Churches and other places of worship, as well as any club, association, or
19 fraternal meeting space shall be allowed up to 5,000 square feet;
20

21 (2) Dwelling units above the ground floor;
22

23 (3) Multi-family residential;
24

25 (4) Live/work units;
26

27 (5) Home occupations;
28

29 (6) Hotel or motel; bed and breakfast
30

31 (7) Family child care facility with a capacity of six or less;
32

33 (8) Restaurants, bars, and lounges with or without outdoor seating which exclude drive-
34 in or drive-up uses;
35

36 (9) Live entertainment accessory to an eating or drinking establishment;
37

38 (10) Coffee shops and cafes;
39

40 (11) Auditoriums, bowling alleys, billiard or pool halls, dance halls, theaters and other
41 indoor entertainment establishments;
42

43 (12) Bicycle sales, service, and repair shop;
44

45 (13) Personal service including health clubs and gyms;
46

47 (14) Community or conference center;
48
49

1 (G) Conditional uses (requiring permit).

2
3 (1) Townhomes and row houses;

4
5 (2) Schools;

6
7 (3) Family child care with a capacity of seven or more;

8
9 (4) Stores for the sale of retail goods, products, and services greater than 15,000
10 square feet;

11
12 (5) Churches and other places of worship, as well as any club, association, or fraternal
13 meeting space greater than 5,000 square feet;

14
15 (6) Farmer's markets;

16
17 (7) Tattoo and body piercing shops;

18
19 (8) Commercial parking lots and structures;

20
21 (9) Bus terminals and park and ride facilities;

22
23 (H) Area. Minimum size is two acres, but may be smaller with an approved conditional use
24 permit for small neighborhood mixed use centers or infill.

25
26 (1) Setbacks.

27
28 (a) Front — 10 feet;

29
30 (b) Rear — 0 feet, unless abutting a residential zone, then a 10-foot setback with
31 landscaped buffer is required for buildings up to 35 feet in height. For portions of
32 a building greater than 35 feet in height, the building shall have a step-back of
33 one foot for each additional one foot of height up to the maximum height of the
34 district;

35
36 (c) Side — 0 feet, unless abutting a residential zone then, a 10-foot setback with
37 landscaped buffer is required for buildings up to 35 feet in height. For portions of
38 a building greater than 35 feet in height, the building shall have a step-back of
39 one foot for each additional one foot of height up to the maximum height of the
40 district;

41
42 (d) Corner side — 10 feet;

43
44 (e) Trash Containers and Trash Compactors – 15 feet from the property line when
45 adjacent to land planned or zoned for a single-family residential use.

- 46
47 1. All trash containers and trash compactors shall be screened from a public
48 right-of-way by decorative wall or enclosure and shall be not less than two
49 feet above the height of the trash container or compactor.

1
2 (f) Flag Poles – 25 feet from any property line, with a maximum height of 50 feet.
3 Pole heights greater than 50 feet may be approved by conditional use permit.
4

5 (l) Height restrictions. 32 feet for single family uses; 78 feet for multi-family uses; 85 feet for
6 vertically mixed uses, commercial/office or institutional uses.
7

8 (J) Off-street parking. Off-street parking shall be provided as set forth in § 154.22.
9

10 (1) Off-street parking may be located to the side and rear of buildings in order to
11 maintain street frontage for pedestrian connections and circulation. On sites with
12 multiple buildings, parking is allowed in front of or between buildings that are interior
13 to the site.
14

15 (2) Application requests for a reduction in the number of required off-street parking
16 spaces as the result of shared parking will be considered. DSD will consider parking
17 availability and proximity to transit during the site plan review process.
18

19 (3) The requirements of § 154.22 (G) do not apply in the MU district.
20

21 (4) The amount of required off-street parking shall be reduced by one space for each
22 on-street parking space adjacent to the development.
23

24 (5) The number of surface parking spaces shall not exceed 125% of the minimum
25 required excluding dedicated residential spaces and parking structures.
26

27 (6) Bicycle parking shall be provided at 10% of the total off-street parking requirement or
28 four spaces, whichever is greater.
29

30 (K) Landscaping. Appropriate landscaping shall provide visual relief of the district and safe,
31 comfortable and attractive spaces for pedestrians. Landscaping will be evaluated as part
32 of the submittal process. Landscaping requirements for buffering shall be as established
33 in the C-1 district. Other landscaping shall be as required to conform to the intent of the
34 Comprehensive Plan. Cool season turf grass shall be limited to areas designated for
35 recreational use and shall be limited to a maximum of 1,000 square feet or 20% of the
36 total lot area, whichever is less. Cool season turf grasses include but are not limited to
37 the following species: *Poa pratensis* (Kentucky Bluegrass), *Festuca* spp. (Fescues), and
38 *Lolium* spp. (Ryegrasses). Plant materials shall be limited to species that are not listed
39 as high water use in the City of Rio Rancho plant list. Existing turf and other plants
40 installed prior to October 31, 2011, are exempt from this regulation. Effective the date of
41 this ordinance, homeowner association bylaws or new restrictive covenants shall not
42 mandate a minimum amount of live grass.
43

44 (L) Buffer zone.
45

46 (1) Buffering is not required in the MU-A District except for parking structures that do not
47 incorporate ground floor commercial.
48

49 (2) Buffering may be implemented at the perimeter of the mixed-use district, but only

1 when there is a non-residential use inside the district, adjacent to a residential use
2 outside the district.

3
4 (3) Buffer wall. A buffer wall may be a maximum of six feet in height and shall be
5 constructed of masonry, wood, sealed adobe, brick or other solid material.

6
7 (a) Where mixed-use property abuts residential property, the wall shall abut the
8 property line;

9
10 (b) Where the mixed-use district is adjacent to a residential district and separated by
11 a public thoroughfare, the wall shall be located ten feet inside the property line on
12 the nonresidential property. The nonresidential structure may be used in lieu of a
13 wall if it is solid (non-openings), and if it connects to the remainder of the buffer
14 wall to form a continuous buffer for the nonresidential site.

15
16 (4) Buffer landscaping.

17
18 (a) Landscaped buffer areas shall be a minimum of ten feet in width measured
19 perpendicular to the buffer wall.

20
21 (b) The landscaped buffer areas shall include a minimum of one buffer tree per 25
22 feet, or an approved equivalent screening density. Minimum tree sizes at the time
23 of planting shall be 3-inch caliper, 30-inch boxed variety or 30-gallon container,
24 or at least 10 feet in height.

25
26 (c) Where nonresidential property abuts residential property, the landscaped buffer
27 shall be located inside the buffer wall.

28
29 (d) Where the nonresidential district is adjacent to the residential district and is
30 separated by a public thoroughfare, the landscape buffer shall be located outside
31 the wall. In cases where the building is acting as a partial wall buffer, the
32 landscape buffer may be more than ten feet in width to allow for the appropriate
33 building setbacks.

34
35 (e) Buffer landscaping for parking garages shall be located in the front setback area.

36
37 (M) Lighting shall comply with the Night Sky Protection Act and be placed so as to reflect the
38 light away from adjacent residential districts.

39
40
41 **154.31 CBD: CENTRAL BUSINESS DISTRICT.**

42 (A) Intent; purpose.

43
44 (1) It is the intent of this section to create a Central Business District (CBD) to provide a
45 mixed land use environment consisting of concentrated retail, commercial,
46 government, recreational and entertainment, residential and office uses that are
47 intended to serve as a destination and service the needs of the regional trade area.
48 The CBD is intended to be used to establish the City of Rio Rancho's first downtown.
49

1 (2) The downtown is modeled as a “lifestyle center” providing a “main street”
2 environment with open-air shopping, planned and developed as a unit and intended
3 to serve consumer demands for the citizens of the city, as well as the region, with
4 the primary offering consisting of a mix of specialty retailers, restaurants,
5 entertainment and theater facilities and civic uses (i.e., City Hall).
6

7 (3) The CBD shall utilize the City Centre Master Plan and accompanying regulating
8 design standards to provide guidance pertaining to the landscaping, architecture,
9 parking, pedestrian, multi-modal transportation, and specific design features of the
10 downtown area of the city. It is the purpose of this section to:

11
12 (a) Encourage a greater intensity of development in order to attract the people and
13 commerce necessary to create a vibrant and diverse urban center.
14

15 (b) Encourage primary retail oriented land uses in combination with civic recreational
16 and entertainment uses. Ancillary uses would include service, residential, office
17 and mixed uses.
18

19 (c) Encourage a mixed-use density creating walkable, multi-level, live-work-play
20 neighborhoods intended to stimulate and engage pedestrian-level detail such
21 that the CBD user experiences the core of exciting urban living.
22

23 (d) Encourage planning, design and detailing that reflects the needs of pedestrians,
24 establishes multi-modal circulation opportunities, and creates memorable civic
25 spaces.
26

27 (e) To encourage uses such as theaters and restaurants, which provide “life” to the
28 CBD. These types of businesses help attract people to the area and can provide
29 more efficient use of shared parking facilities.
30

31 (f) To create small blocks within which commercial uses can be sited as groupings
32 of shops attractive to on-street parking and pedestrian use.
33

34 (g) Parking accommodations are primarily made with on-street, diagonal and parallel
35 parking, parking structures, and underground parking facilities that have
36 attractive street facades and/or ground floor commercial/retail.
37

38 (h) Retail buildings shall orient their entrances together along a sidewalk network in
39 an open-air setting, complemented by landscaping, street furniture and urban
40 furnishing amenities.
41

42 (i) Pedestrian amenities such as gathering places for sitting/eating outdoors shall be
43 encouraged.
44

45 (B) Permitted uses. The following uses and structures are permitted in the CBD.
46

47 (1) Amusement and places of entertainment;

48 (2) Antique shops;

- 1 (3) Apparel and accessory stores;
- 2 (4) Artist studios, shops and galleries;
- 3 (5) Automobile supply accessory stores;
- 4 (6) Auditorium;
- 5 (7) Bakery and pastry shops (retail only);
- 6 (8) Banks and other financial institutions;
- 7 (9) Bicycle shops (sales and repair);
- 8 (10) Books and stationery stores;
- 9 (11) Cigar and tobacco stores;
- 10 (12) Clothing retail stores;
- 11 (13) Commercial recreation uses;
- 12 (14) Delicatessens, cafes and catering establishments;
- 13 (15) Department Stores;
- 14 (16) Dry goods and notion shops;
- 15 (17) Fire stations, police stations and other public buildings;
- 16 (18) Florist;
- 17 (19) Furniture and home furnishings shops and stores;
- 18 (20) Grocery stores;
- 19 (21) Hardware stores;
- 20 (22) Hotels-full service;
- 21 (23) Household appliance stores;
- 22 (24) Interior decorator shops;
- 23 (25) Jewelry stores;
- 24 (26) Leather goods and luggage stores;
- 25 (27) Libraries and museums;

- 1 (28) Mail order catalogue stores;
- 2 (29) Music and music instrument stores and studios;
- 3 (30) Newspaper offices;
- 4 (31) Newsstands;
- 5 (32) Offices and office buildings;
- 6 (33) Office and computer supply stores;
- 7 (34) Personal services-beauty and barber shops, fitness centers, laundry/dry cleaning,
- 8 tailor and dressmaking, shoe repair, tanning and manicure salons;
- 9
- 10 (35) Photographic studios;
- 11 (36) Parking lots and garages (public and private);
- 12 (37) Radio and television studios;
- 13 (38) Restaurant, coffee and tea rooms, patio/al fresco dining facilities;
- 14 (39) Shoe store;
- 15 (40) Above ground level residential uses;
- 16 (41) Sporting goods store;
- 17 (42) Taverns;
- 18 (43) Theaters;
- 19 (44) Toy and hobby shops;
- 20 (45) Travel bureaus;
- 21 (46) Utility company office, public utilities, electric facilities, including but not limited to,
- 22 substations, switching stations and generations;
- 23
- 24 (47) Other uses compatible with the intent and purpose of this chapter, uses similar in
- 25 character and operation to the permitted uses described above and uses
- 26 complementary and an enhancement to the permitted uses;
- 27
- 28 (C) Uses requiring administrative review and permitting.
- 29
- 30 (1) Farmers' market;
- 31
- 32 (2) Street performers;

1
2 (3) Sidewalk and street sales (right-of-way vending and mobile vending). Any person
3 intending to sell or purchase, offer to sell or purchase, or display for sale or
4 purchase, any food, fruit, goods, wares, merchandise, personal services or any other
5 article of any kind or description upon any public or private street, alley, sidewalk or
6 other right-of-way shall apply for a permit through the Department of Development
7 Services. Sidewalk and street sales conditions:
8

9 (a) The proposed sale or display will not obstruct or interfere with the free, safe and
10 orderly movement of vehicular and pedestrian traffic, and will not hinder or
11 impede access required for emergency vehicles or buses.
12

13 (b) For sales or displays occurring during any hours of darkness, the applicant shall
14 provide, or conduct activities within, sufficient illumination so as to prevent any
15 safety hazard to persons and property.
16

17 (c) The location of sidewalk cafe fixtures and operation of the sidewalk cafe shall
18 provide for and maintain on the sidewalk running parallel to the curb a four-foot
19 wide minimum clear zone for pedestrian and wheelchair movement.
20

21 (D) Conditional uses. The following uses and structures may be permitted only after they
22 have been reviewed and approved by the Planning and Zoning Board:
23

24 (1) Drive-thru facilities.
25

26 (2) Vehicle sales.
27

28 (E) Conditional use process. Application shall be submitted to DSD for Planning and Zoning
29 Board consideration. At that time the Planning and Zoning Board may grant or deny the
30 permit, or grant the permit with such conditions and limitations as the Planning and
31 Zoning Board may determine to be in the best interests of the public and the
32 neighborhood.
33

34 (F) Prohibited uses. Prohibited land uses include those that may negatively impact the
35 health, safety and welfare of the citizens of the community. Prohibited land uses include
36 limited service hotels/motels, outdoor storage, warehouse-type stores, general building
37 supply stores, adult businesses as defined under Chapter 111, other than by licensed
38 massage therapists under New Mexico Therapy Practice Act, NMSA §§ 61-12C-1 et
39 seq., and those uses which are or will become an annoyance, nuisance or hazard to the
40 surrounding area or to the general public.
41

42 (G) Design guidelines.
43

44 (1) The CBD design guidelines provide special guidance for the development review
45 process to include, but not be limited to landscaping, architecture, color palette,
46 external parking, pedestrian and traffic circulation, signs and all specific design
47 features in the downtown area of the city. The guidelines are included within the City
48 Centre Master Plan as the "regulating design standards."
49

1 (2) Development review process. CBD zoning shall require the approval of a site
2 development plan prior to development of the land. An applicant wishing to develop
3 property zoned CBD must submit a site development plan application to the Director
4 of Development Services for review and approval.
5

6 (3) The design, siting, site coverage, yards, heights of buildings, external finish,
7 architectural appearance, landscaping and any accessory buildings or structures
8 shall be to the satisfaction of the Director of Development Services. The Director, or
9 his designee, shall, in determining such matters, pay due regard to the existing uses
10 and prospective uses of land in the vicinity and the regulations governing CBD
11 zoning district to include adopted plans so that the proposed use of land or buildings
12 will not prejudice the orderly development of the areas and is consistent in all
13 respects with the general purpose of the CBD.
14

15 (4) Site development plan checklist. DSD will provide applicants with a checklist of
16 required items. The checklist will include, but is not limited to, the following:
17

- 18 (a) General and structural information;
- 19
- 20 (b) Non-structural and parking information;
- 21
- 22 (c) Utility information;
- 23
- 24 (d) Phasing and financing information; and
- 25
- 26 (e) Landscape plan information.
27

28 (H) Streetscape. Street appearances represent the most and prevalent public space within
29 the CBD. The quality and design of streetscapes is important to define the CBD as an
30 attractive, pedestrian-scaled destination. Specific streetscape design criteria are further
31 defined within the City Centre Master Plan.
32

33 (I) Signage. The CBD may be enhanced as a unique destination by the use of signage.
34 Signage shall conform with Chapter 156 and further supplemented with specific signage
35 criteria as defined within the City Centre Master Plan.
36

37 (J) Public spaces. The CBD may be further enhanced as a unique and attractive downtown
38 center by the use of public art and landscaping. Specific public space design criteria are
39 further defined within the City Centre Master Plan.
40

41 (K) Environmental sustainability. Development of the CBD shall consider environmental
42 impacts associated with a built urban environment, i.e., outdoor lighting and the Night
43 Sky Protection Act, erosion control, use of drought tolerant landscape materials and
44 green building sustainability measures.
45

46 **154.32 OVERLAY ZONES.**

47 (A) Purpose. The use of overlay zones in certain areas of the city is a planning and zoning
48 tool that may be used to buffer one zone from another; impose additional design
49 standards or access control measures; require additional setbacks to protect future

1 right-of-way acquisition; modify certain standards which may cause undue hardship; or
2 address specific problems in a particular area of the city.

3
4 (B) Priority. Overlay zones shall apply to areas where they are mapped in addition to the
5 provisions of another zone. Where the provisions of an overlay zone are more or less
6 restrictive than another section of this chapter, the provisions of the overlay zone shall
7 prevail.

8
9 (C) Procedure. The overlay zone shall be mapped through the regular zone map
10 amendment procedures and the existence of an overlay zone shall be denoted on the
11 official zone map by the notation "OZ," or a similar descriptive notation, in conjunction
12 with the notation for the underlying zone district.

13
14 (D) Corridor Overlay Zone. The Corridor Overlay Zone (COZ) establishes additional design
15 guidelines and access management standards pursuant to an adopted plan.

16
17 (Ord. 07-69)

18
19 **Section 2. Change in title of zoning designation.**

20 (1) Properties currently designated as CMU: Commercial/Mixed Use shall hereafter
21 be designated NC: Neighborhood Commercial in accordance with the change in
22 title approved herein. Consequently, all adopted land use plans are hereby
23 amended to reflect the same change in titling of the zoning district from CMU to
24 NC.

25 (2) Properties currently designated as O-2: Office shall hereafter be designated O-1:
26 Office in accordance with the change approved herein that by effect combines
27 the two districts into one. Consequently all adopted land use plans are hereby
28 amended to reflect the same change in titling of the zoning district from O-2 to
29 O-1.

30 **Section 3. Severability Clause.** If any section, paragraph, clause, or provision of
31 this Ordinance, or any section, paragraph, clause, or provision of any regulation
32 promulgated hereunder shall for any reason be held to be invalid, unlawful, or
33 enforceable, the invalidity, illegality, or unenforceability of such section, paragraph,
34 clause, or provision shall not affect the validity of the remaining portions of this
35 Ordinance or the regulation so challenged.

36 **Section 4. Compiling Clause.** This Ordinance shall be incorporated in and compiled
37 as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

38 **Section 5. Effective Date.** This Ordinance shall become effective ten days after
39 adoption.


40

1 ADOPTED THIS 10TH DAY OF APRIL, 2013.

2

3

4



Thomas E. Swisstack, Mayor

5

6 ATTEST:

7

8



9 Stephen J. Ruger, City Clerk

10 (SEAL)



**CITY OF RIO RANCHO
ORDINANCE**

ORDINANCE NO.

ENACTMENT NO.

1 **ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF RIO RANCHO;**
2 **TITLE XV LAND USAGE, CHAPTER 150 GENERAL PROVISIONS SECTION 150.03**
3 **APPLICATIONS AND PROCEDURES (B) NOTIFICATION REQUIREMENTS TABLE,**
4 **CHAPTER 154 PLANNING AND ZONING, SECTION 154.03 DEFINITIONS, 154.50**
5 **ZONING TABLE/RESIDENTIAL, and 154.51 ZONING TABLE/NONRESIDENTIAL**

6
7 **WHEREAS:** the Governing Body of the City of Rio Rancho has adopted zoning
8 regulations and an official zone map in accordance with New Mexico
9 Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

10
11 **WHEREAS:** the Governing Body of the City of Rio Rancho has repealed and replaced
12 in its entirety the Rio Rancho Code of Ordinance (R.O. 2003) Title XV
13 "Land Usage", Chapter 154 "Planning and Zoning" on July 25, 2018; and

14
15 **WHEREAS:** staff has been encountering inconsistencies and confusion over
16 notifications for Master Plans, Specific Area Plans, and Plan
17 Amendments; and

18
19 **WHEREAS:** in an attempt to address these issues, the notification requirements and
20 final decision for these cases has been amended for consistency for all
21 three case types; and

22
23 **WHEREAS:** staff has been encountering errors and reoccurring inconsistencies with
24 regards to setback requirements for the T-Z: Transitional Zoning District
25 and an exception to the setback requirements for the residential zoning
26 districts; and

27
28 **WHEREAS:** in an attempt to address these errors, T-Z: Transitional Zoning District is
29 being added to the "Zoning Table/Nonresidential" and a footnote in the
30 "Zoning Table/Residential" is being corrected to reflect the intent of the
31 Code; and

32
33 **WHEREAS:** staff and residents have been encountering inconsistencies and
34 challenges in reviewing façade regulations due to a lack of a definition for
35 façade; and

36
37 **WHEREAS:** in order to address this issue, a definition for façade based on language
38 from the American Planning Association has been added to Chapter 154
39 "Planning and Zoning"; and

40
41 **WHEREAS:** the Governing Body finds the need to amend section 150.03 Applications
42 and Procedures (B) Notification Requirements Table, clarifying noticing
43 requirements and final decision, 154.03 Definitions, adding a definition for
44 façade, 154.50 Zoning Table/Residential relocating footnote 2 to apply

1 only to E-1 districts, and 154.51 Zoning Table/Nonresidential including T-
2 Z: Transitional Zoning in the zoning table clarifying minimum lot area,
3 minimum lot width, setback requirements, and maximum building height;
4 and

5
6 **WHEREAS:** the City of Rio Rancho Planning and Zoning Board held a duly noticed
7 public hearing on July 9, 2024, regarding the proposed text amendment to
8 the Rio Rancho Municipal Code, following study and consideration, has
9 made findings (where applicable) whether or not criteria R.O. 2003
10 Section 150.08 are satisfied, and made these recommendations to the
11 Governing Body regarding adoption of the changes; and

12
13 **WHEREAS:** the Governing Body received a report from the Planning and Zoning
14 Board, and such report indicates the Planning and Zoning Board has
15 studied and considered the proposed changes; and

16
17 **WHEREAS:** a public hearing occurred, in accordance with procedures set forth in R.O.
18 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed
19 zoning regulation changes hereinafter described were duly advertised and
20 held by the Governing Body of the City of Rio Rancho on July 25, 2024
21 and the Governing Body heard interested parties and citizens for and
22 against the proposed amendments; and

23
24 **WHEREAS:** the proposed amendments to be adopted by this Ordinance comply with
25 the statutory and regulatory requirements of the aforesaid Code of
26 Ordinances and Statutes, and upon specific findings related to the subject
27 property and determining the proposed amendments is consistent with the
28 policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G),
29 the Governing Body finds the amendments promote health, safety, morals
30 and general welfare of the City.

31
32 **NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF**
33 **RIO RANCHO:**

34
35 **Section 1.** Section 150.03 APPLICATIONS AND PROCEDURES (B) Notification
36 Requirements Table is hereby amended as the following:

37
38 **150.03 APPLICATIONS AND PROCEDURES.**

39
40 (A) Each applicant for a zoning amendment, variance or conditional use permit shall
41 be accompanied by an accurate sketch of the property involved, or other related
42 material as required by the City Development Department or Planning and Zoning
43 Board.

44
45 (B) Notification Requirements Table. The following table provides notification
46 requirements for mail, published legal ads, and posted signs for each respective
47 planning and zoning application. All distances exclude right-of-way. Neighborhood
48 associations and homeowners' associations registered with the City Clerk that
49 have boundaries which include the subject property or properties within the
50 required notification distances are included in all mailing notifications.

Application Type	Mailing Notifications*	Legal Ad Notifications	Property Posting Notifications	Final Decision
Conditional Use Permit/Special Exceptions Sign	Property owners 100 ft. from subject property, certified mail 15 days prior to hearing	15 days prior to hearing	1 week prior to hearing	Planning and Zoning Board
Variance/ Subdivision Variance	Property owners 100 ft. from subject property, certified mail 15 days prior to hearing Property owners between 100 ft. and 300 ft. from subject property, informational postcards 15 days prior to hearing	15 days prior to hearing	1 week prior to hearing	Planning and Zoning Board
Administrative Variance	None	None	None	Administrative
Zone Map Amendments	Follow State Statute NMSA § 3-21-6	15 days prior to Planning and Zoning Board hearing 15 days prior to Governing Body hearing	1 week prior to Planning and Zoning Board hearing	Governing Body
Text Amendments	None	15 days prior to Planning and Zoning hearing and 15 days prior to Governing Body hearing	None	Governing Body
Master Plans/Plan Amendments/ Specific Area Plans	First class mail to affected property owners 15 days prior to hearing (for both hearing if an amendment)	15 days prior to Planning and Zoning hearing and 15 days prior to Governing Body hearing	1 week prior to Planning and Zoning Board hearing	Master Plans and Specific Area Plans: Governing Body Plan Amendments: Planning and Zoning Board
Appeals	To PZB – Appellant, DSD and a representative of the opponents 15 days prior to the hearing To GB – Appellant, members of the Board and a representative of the opponents 15 prior to the hearing	15 days prior for Planning and Zoning Board and Governing Body	None	Planning and Zoning Board OR Governing Body
Special Use Site Plans and Amendments	To adjacent property owners certified mail 15 days prior to meeting	15 days prior to Governing Body hearing If PZB hearing is required in ordinance for the subject property: 15 days prior	1 week prior to Governing Body If PZB hearing is required in ordinance for the subject property: 1 week prior	Governing Body

Application Type	Mailing Notifications*	Legal Ad Notifications	Property Posting Notifications	Final Decision
Preliminary Plat	First class mail to sub-divider and abutting property owners 15 days prior to hearing	15 days prior to Planning and Zoning Board hearing	1 week prior to Planning and Zoning Board hearing	Planning and Zoning Board hearing
Preliminary Plat Extension	First class mail to sub-divider and abutting property owners 15 days prior to hearing	15 days prior to Planning and Zoning Board hearing	1 week prior to Planning and Zoning Board hearing	Planning and Zoning Board hearing
Final Plat/Summary Plat	None	None	None	Final Plat: Planning and Zoning Board Summary: Administrative
Vacation Plats (of Public Right-of-Way)	15 days prior to hearing, first class mail to utilities and property owners of adjacent lots	15 days prior to hearing	15 days prior to hearing if the ROW is paved or if the entire width of the ROW is proposed for vacation	Planning and Zoning Board
Street Name Changes (as Petitioned by the Public)	First class mail to adjacent property owners 30 days prior to any decision	None	None	Planning and Zoning Board
Telecommunication Towers	First class mail to property owners within 100 ft. of subject property 15 days prior to hearing	15 days prior to hearing	1 week prior to hearing	Administrative

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16

Section 2. Section 154.03 DEFINITIONS is hereby amended as the following:

154.03 DEFINITIONS.

For the purpose of this chapter, the following definitions will apply unless the context clearly indicates or requires a different meaning:
...

FAÇADE. Exterior walls and appearance of a building which are adjacent to or front on a street, park, or plaza.

Section 3. 154.50 ZONING TABLE/RESIDENTIAL is hereby amended as the following:

District	Minimum Lot Area (in square feet)	Minimum Lot Width (in feet)	Setbacks (in feet)							Maximum Building Height ¹ (in feet)	
			Front	Rear	Side ²	Corner	Garages				
								Front Loaded	Side Loaded	Alley Loaded	
E-1	21,780	no min	35	25	10 ²	10	35	35	0		32

M-H	5,000	50	20	15	5	10	20	15	0	22
R-1 ⁴	7,000	60	20	15	5 ³	10	20	15	0	32
R-2	5,000	50	15	15	5 ³	10	20	15	0	32
R-3 detached	3,000	35	15	5	5 ³	10	20	15	0	32
R-3 attached	1,200	28	20	0	0	10	20	NA	0	32
R-3 M-F	10,000	70	20	15	7.5	10	NA	NA	0	50
R-4	4,000	40	15	15	5 ³	10	20	15	10	32
R-5	2,500	35	10	15	5 ³	10	20	15	10	32
R-6	10,000	70	20	15	7.5	10	NA	NA	10	78 or 6 stories
R-6 detached	3,000	35	15	5	5 ³	10	20	15	0	32
R-6 attached	1,200	28	20	0	0	10	20	NA	0	32

- 1 1 No building or structure shall exceed 32 feet in height except as permitted herein.
- 2 2 In the case where the side setback requirement in total is greater than 20% of the lot
- 3 frontage, the side setback may be reduced to five feet.
- 4 3 Zero lot line setbacks are allowed on one side with a 10-foot setback on the opposite
- 5 side.
- 6 4 The minimum lot area assumes that the lot is serviced by community utilities. If on-
- 7 site water and/or sewer were used, then lot sizes required by the New Mexico
- 8 Environmental Improvement Division shall apply.
- 9 5 Setbacks for pools and sports courts, freestanding wind energy units and flagpoles,
- 10 please see Section 154.60(B).
- 11
- 12

13 **Section 4.** 154.51 ZONING TABLE/NONRESIDENTIAL is hereby amended as the
14 following:

15
16 154.51 ZONING TABLE/NONRESIDENTIAL.
17

District	Minimum Lot Area (square feet and/or acres)	Minimum Lot Width (in feet)	General Building Setbacks (in feet)				Maximum Building Height (in feet)	Allowed with Conditional Use
			Front	Rear	Side	Corner		
O-1	10,890 (1/4 acre)	NONE	10	0'	0'	10	60	NA
NC	10,890 (1/4 acre)	NONE	10	0'	0'	10	60	NA
C-1	21,780 (1/2 acre)	NONE	10	0'	0'	10	50	78
C-2	21,780 (1/2 acre)	NONE	10	0'	0'	10	50	78

District	Minimum Lot Area (square feet and/or acres)	Minimum Lot Width (in feet)	General Building Setbacks (in feet)				Maximum Building Height (in feet)	
			Front	Rear	Side	Corner		Allowed with Conditional Use
M-1	21,780 (1/2 acre)	NONE	10	0 ²	0 ²	10	100	NA
MU-A	87,120 ³ (2 acres)	NONE	10	0 ¹	0 ¹	10	32 (single-family) 78 (multi-family) 85 (vertical mixed)	NA
A-R	43,560 (1 acre)	100	35	25	10	10	32	NA
<u>T-Z</u>	<u>7,000</u>	<u>60</u>	<u>35</u>	<u>25</u>	<u>10</u>	<u>10</u>	<u>32</u>	<u>NA</u>

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Section 5. 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 6. Compiling Clause. This Ordinance shall be incorporated in and compiled as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

Section 7. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS _____ DAY OF _____, 2024.

Greggory D. Hull, Mayor

ATTEST:

Noel C. Davis, City Clerk
(SEAL)