Regular Governing Body Meeting
City of Rio Rancho
AGENDA
June 27, 2024
6:00 PM
Council Chambers

Governing Body Members

Greggory D. Hull, Mayor	Paul Wymer, Councilor District 4
Deb Dapson, Councilor District 1	Karissa Culbreath, Councilor District 5
Jeremy Lenentine, Councilor District 2	Nicole List, Councilor District 6
Bob Tyler, Councilor District 3	

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/83338157719?pwd=ST55whY8GCTELqBoGjYG1ipM1F5Uer.1
Meeting ID: 833 3815 7719
Passcode: 554297

Join by Phone:
Dial +1 720 707 2699 US (Denver)

Pursuant to the Governing Body Rules of Procedures, any person wishing to address the Governing Body related to an item listed under Second Reading of Ordinances, First Reading of Ordinances, or Discussion and Deliberation, shall register in person with the City Clerk no later than fifteen (15) minutes prior to the scheduled start time of a meeting. 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 Governing Body 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 City Clerk, as clerk of the Governing Body, 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

Proclamations and Awards of Merit

Public Forum
Pursuant to the Governing Body Rules of Procedure, any person wishing to address the Governing Body related to a non-agenda item shall register in person with the City Clerk no later than fifteen (15) minutes prior to the scheduled start time of a meeting. No more than two (2) hours in total will be allotted for public forum comments at any meeting. A majority vote of the Governing Body members present may approve to extend the total amount of time allotted for public forum at a meeting.

Comments by Councilors

Consent Calendar

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

1 Minutes of June 13, 2024 Regular Meeting
Minutes of June 13, 2024 Regular Meeting

2 R47, Resolution Authorizing the Trade-in of EMS Equipment
Resolution_R47
Exhibit A

3 R48, Resolution Authorizing the Disposal of Obsolete and Non-Working Office Furniture and Minor Equipment (Financial Services Department)
Resolution_R48
Exhibit A

4 R49, Resolution Decommissioning and Allowing for Disposal of Vehicles and Equipment
Resolution_R49
Exhibit A

5 R50, Resolution Authorizing the Disposal of Obsolete and Non-Working Equipment and Office Furniture (Miscellaneous)
Resolution_R50
Exhibit A

6 R51, Resolution Authorizing the Recycling of Damaged and/or Obsolete Items (Public Works Department)
Resolution_R51
Exhibit A

7 D22, Appointment of Jennifer Demiter to the Senior Services Advisory Board
Jennifer Demiter - Resume

8 D23, Appointment of Edward Mieszerski to the Senior Services Advisory Board
Edward Mieszerski - Resume

Boards/Commissions/Committee Reports

Public Hearings

9 R52, Resolution Amending the Los Diamantes Master Plan
Resolution_R52
Location Map
Reproduction of Notices, Legal
Application & Justification
(CURRENT) Los Diamantes Master Plan
Comprehensive Los Diamantes Master Plan Amendments 2020 through 2023
Exhibit A - Proposed Amendments to LDMP
Edmiston, Joe & Mary Beth_Public Comment (Collated)

10 O13, Ordinance of the City of Rio Rancho, New Mexico Amending the Zoning Classification and Official Zoning Map for the Property Described as Los Diamantes, Tract 2-A-1 From BP: Business Park District to C-2: Wholesale and Warehousing Commercial District; Providing for Severability and an Effective Date
Ordinance_O13
Location/Zone Map

Application Packet
154.25 C-2 Wholesale and Warehousing Commercial District
154.33 BP Business Park District
Current Los Diamantes Master Plan
Legal Ad Proof
Notice Letter

11 R53, Public Hearing: 2024-2025 CDBG Second Annual Action Plan 30-Day Public Comment Period
ABQ Journal English
ABQ Journal Spanish
Rio Rancho Observer English
Rio Rancho Observer Spanish

Second Reading of Ordinances

12 O12, Ordinance Amending the Rio Rancho Code of Ordinances (R.O. 2003) Title XV "Land Usage", Chapter 150 General Provisions, Section 150.23 (G) and (K), Section 150.30 (A)(5), the Addition of (B)(4)(e) and (f), and Repealing and Replacing the Appendix
Ordinance_O12 Redlined
Impact Fee Study
4.22.24 CIPCAC Draft Meeting Minutes
April 16 2024 Work Session Impact Fees Presentation
Legal Notice
R46 Signed
O12 Public Comment - Lana Smiddle HBA of CNM
012 Public Comment- Spangler Pacheco & Werbelow.pdf

First Reading of Ordinances

13 O14, Ordinance Granting Ezee Fiber Texas, LLC, a Non-Exclusive Franchise to Operate a Fiberoptic Internet System and Related Services within the City Limits by Utilizing Public Places
Ordinance_O14

Discussion and Deliberation

14 D24, Advice and Consent of the Governing Body to Award Contract No. 24-127-PW: College Boulevard Extension for a total of $1,649.643.51 (including NMGRT) to Salls Brothers Construction, Inc.
Contract College Boulevard Extension Project
Exhibit

15 R53, Resolution Adopting the Community Development Block Grant Second Annual Action Plan for the 2024-2025 Fiscal Year
Resolution_R53
CDBG Action Plan

16 R54, Resolution Authorizing a Budget Adjustment to Various Funds to Recognize Revenue Changes, Adjust Grant Funds, and Ensure Adequate Budget Authority for Necessary Expenses through the End of the Fiscal Year 2024
Resolution_R54

City Manager

Adjournment

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
June 27, 2024

DEPARTMENT:
City Clerk

SUBJECT:
Minutes of June 13, 2024 Regular Meeting

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: Minutes of June 13, 2024 Regular Meeting

Governing Body
of the
City of Rio Rancho

MINUTES
JUNE 13, 2024
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:	STAFF PRESENT:
Greggory D. Hull, Mayor	Matt Geisel, City Manager
Deb Dapson Councilor Dist. 1	Josh Rubin, City Attorney
Jeremy Lenentine, Councilor Dist. 2	Noel Davis, City Clerk
Paul Wymer, Councilor Dist. 4	Carol Jaramillo, Director of Financial Svcs.
Karissa Culbreath, Councilor Dist. 5	Connie Peterson, Dir. of Parks, Rec & Comm Svcs.
	James DeFillippo, Fire Chief
MEMBERS ABSENT:	Amy Rincon, Director of Development Services
Bob Tyler, Councilor Dist. 3	Jim Chiasson, Director of Utilities
Nicole List, Councilor Dist. 6	Jason Shoup, Library Director
	Yolanda Lucero, Deputy City Clerk

Call to Order and Pledge of Allegiance

Mayor Hull called the meeting to order at 6:01 p.m.

Proclamations and Awards of Merit

Public Forum

The following individuals spoke under this item:

Casey Robinson
Tom Dixon

Comments by Councilors

Mayor Hill stated he is moving O12 to be heard with R46, if there is no objection from the Governing Body. There was no objection.

Consent Calendar

1) Minutes of May 23, 2024 Regular Meeting
2) R43, Resolution Authorizing the Disposal of Municipal Court Non-Working Equipment
3) R44, Resolution Authorizing the Disposal of Library and Information Services Department Property

DRAFT

4) D21, Appointment of District 3 City Councilor Bob Tyler to the New Mexico Municipal League's Policy Committee

Jeremy Lenentine moved to approve consent calendar. Seconded by Karissa Culbreath

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

Boards/Commissions/Committee Reports

Public Hearings

5) O11, Ordinance of the City of Rio Rancho, New Mexico Amending the Zoning Classification and Official Zoning Map for the Property Described as Lot 130, Block 18, Rio Rancho Estates Unit 7 From Unzoned to R-1: Single-Family Residential District; Providing for Severability and an Effective Date

Amy Rincon, Director of Development Services presented this item. The applicant, requests approval of a Zone Map Amendment for the property legally described as Unit 7, Block 18, Lot 130; address as 1107 10th St. NW. The property consists of 0.5 acres and is currently unzoned; the applicant is seeking a zoning change to R-1: Single Family Residential. The subject property is on the west side of 10th St. NW, north of Northern Blvd. NW. The Planning and Zoning Board recommend approval.

Karissa Culbreath moved to approve O11. Seconded by Paul Wymer

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

6) R45, Resolution Adopting the Arrowhead East Master Plan

Amy Rincon presented this item. The applicant, Rio Rancho Road Runners, LLC., through their agent, Tierra West, LLC., requests approval of the Arrowhead East Master Plan. The Arrowhead East Master Plan comprises the entirety of the property Arrowhead East, Tract B and is located on the east side of NM Highway 528, a principal arterial, directly north of the Corrales Heights Subdivision. The northern boundary of the Master Plan is bordered by the Montoyas Arroyo, with M-1: Industrial and Business Park zoning further north. The Planning and Zoning Board recommended approval subject to findings of fact and conditions of approval.

Ronald Bohannan, Agent for the applicant provided a brief overview.

DRAFT

Sergio Lozoya, Agent for the applicant went over several questions and concerns that have been received by the neighbors and how the concerns have been addressed and the outreach and communication that the applicant has done.

Deb Dapson moved to approve R45. Seconded by Karissa Culbreath

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

7) R46, Resolution Approving Amended Land Use Assumptions as Required by the State of New Mexico Development Fees Act

Amy Rincon presented this item. She stated R46 is the Land Use Assumption and O12 is the text amendments for the Impact Fee updates. She went over the timeline of the process which stated in 2022. This item has come before the Governing Body at 5 work sessions.

Michelle Castillo, Development Services Planner briefly went over the Land Use Assumptions, which identify the additional demand placed on City services by new development. Identifying the Land Use Assumptions is the first step in calculation and adoption of development impact fees. Ms. Castillo went into further detail and the Land Use Assumptions.

Brian Babyak, Planning and Zoning Manager went over the Development Activity in Rio Rancho. He also went over the methodology which include existing inventory, system plan methods, and planned facilities method. All three formulaic in calculating potential impact fees.

Ms. Rincon went over the proposed schedule. During the process it was evident that three Land Uses that have a larger impact (Quick Service Restaurants, Carwashes and Assisted Living Facilities) should be in a subcategory. She went over the amendments being made to Chapter 150.30. The Capital Improvement Plan Citizen's Advisory Committee and the Planning and Zoning Board recommend approval of R46 and the Capital Improvement Plan Citizen's Advisory Committee recommends that the Governing Body approves the text amendments with findings and the Planning and Zoning Board recommends denial. The Capital Improvement Plan Citizens Advisory Committee is required to advise and assist in adoption of land use assumptions and the Planning and Zoning Board served as more of a secondary review and these items were taken before them as a courtesy.

Paul Wymer moved to approve R46. Seconded by Karissa Culbreath

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

DRAFT

First Reading of Ordinances

8) O12, Ordinance Amending the Rio Rancho Code of Ordinances (R.O. 2003) Title XV "Land Usage", Chapter 150 General Provisions, Section 150.23 (G) and (K), Section 150.30 (A)(5), the Addition of (B)(4)(e) and (f), and Repealing and Replacing the Appendix

Karissa Culbreath moved to approve O12. Seconded by Deb Dapson

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

Second Reading of Ordinances

9) O8, Ordinance Authorizing the Issuance and Sale of City of Rio Rancho, New Mexico Taxable Industrial Revenue Bonds (Quail Ranch Energy Storage LLC Project), in a Maximum Principal Amount of up to $140,000,000 in One or More Series to Provide Funds to Finance the Equipping of an Industrial Revenue Bond Project for use by Quail Ranch Energy LLC or its Successors or Assigns; Authorizing the Execution and Delivery of an Indenture, a Lease, a Bond Purchase Agreement, the Bonds and Other Documents in Connection With the Issuance of the Bonds and the Project; Authorizing Payments In Lieu of Taxes by the Company to the City, Rio Rancho Public Schools, and Albuquerque Public Schools; and Making Certain Determinations and Findings Relating to the Bonds and the Project; Ratifying Certain Actions Taken Previously; and Repealing all Actions Inconsistent With this Ordinance

Ryan Chavez, Assistant to the City Manager for Policy and Planning presented this item and O9 together. This is the second reading that will authorizing the approval of these ordinance to enable the financing and authorization needed for the Quail Ranch Energy Storage LLC Project. This Project is in line with New Mexico's transition to renewable energy and creates new one-time and recurring revenues in an outlying, undeveloped area of the City, known as Quail Ranch.

Jeremy Lenentine moved to approve O8. Seconded by Paul Wymer

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

10) O9, Ordinance Authorizing the Issuance and Sale of City of Rio Rancho, New Mexico Taxable Industrial Revenue Bonds (Quail Ranch Solar LLC Project), in a Maximum Principal Amount of up to $110,000,000 in One or More Series to Provide Funds to Finance the Equipping of an Industrial Revenue Bond Project for use by Quail Ranch Energy LLC or its Successors or Assigns; Authorizing the Execution and Delivery of an Indenture, a Lease, a Bond Purchase Agreement, the Bonds and Other

Documents in Connection With the Issuance of the Bonds and the Project; Authorizing Payments In Lieu of Taxes by the Company to the City, Rio Rancho Public Schools, and Albuquerque Public Schools; and Making Certain Determinations and Findings Relating to the Bonds and the Project; Ratifying Certain Actions Taken Previously; and Repealing all Actions Inconsistent With this Ordinance

Karissa Culbreath moved to approve O9. Seconded by Paul Wymer

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

11) O10, Ordinance Amending Chapter 51 Water and Wastewater Rules and Rates

Jim Chiasson, Director of Utilities presented this item. This is the second reading proposing the repeal and replace of Chapter 51. In order to operate and maintain a reliable and safe water/wastewater utility system for customers, regular rate adjustments are necessary to account for such factors as inflation, miscellaneous materials/services cost increases, and new/amended regulations with associated costs. The proposed water rate-only adjustment of 1.75 percent will increase the average monthly customer bill by approximately .94 cents. A 1.75 percent adjustment will result in approximately $443,000 in additional revenue for the Utilities Department. The rate adjustment does not fully offset projected increases in operating costs such as electricity.

Jeremy Lenentine moved to approve O10. Seconded by Deb Dapson

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

Discussion and Deliberation

12) D20, Advice and Consent of the Governing Body to Award an Amendment in the amount of $756,280 (Excluding NMGRT) to Contract 21-UT-108, Huitt Zollars, for Well 9

Jim Chiasson stated Well 9 has its own pumping permit separate from the 24,000 Acre-Feet pumping permit for the other wells. The well is anticipated to be able to supply 1,500 to 2,000 homes during peak day water consumption. Integration of Well 9 into the City's water system is essential for the City to provide potable water to the growing population in addition to meeting existing demand. This change order to the Huitt Zollars contract would be used to design and provide construction oversight of the production and treatment equipment at the well and all water infrastructure required to distribute water from Well 9 to the City's water distribution system.

DRAFT

Deb Dapson moved to approve D20. Seconded by Karissa Culbreath

The motion carried by a vote of 5 FOR and 0 AGAINST.
YES: Greggory Hull, Deb Dapson, Jeremy Lenentine, Paul Wymer, and Karissa Culbreath

City Manager

Matt Geisel, City Manager stated the Governing Body newsletter has been sent out to all Rio Rancho addresses. Also, the City Bond Rating has been upgraded and is at the highest rating of municipalities. He went over the following events:

- Saturday shop local market at Cabezon Park
- Movie in the Cabezon Park – June 22
- Juneteenth Freedom Day celebration - Saturday, June 22 from 10:00 a.m. to 2:00 p.m. at Haynes Park. (City offices/facilities will be closed on June 19, in observance of Juneteenth)

Adjournment

7:11 p.m.

APPROVED THIS JUNE 27, 2024

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel Davis, City Clerk
SEAL

DRAFT

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R47

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Fire and Rescue

SUBJECT:
R47, Resolution Authorizing the Trade-in of EMS Equipment

BACKGROUND AND ANALYSIS:
The Fire and Rescue Department periodically removes emergency medical services (EMS) equipment from service due to wear and tear, features being outdated, or functions no longer needed.

The department's primary vendor, Stryker, operates a program that allows the City to trade-in equipment for credit toward future purchase.

Approval of the Resolution will authorize the trade-in of two Stryker power gurneys, which will generate $7,300 in credit that will be applied to a future purchase.

IMPACT:
Trade-in credit applied toward future purchases creates additional resources for the Fire and Rescue Department to utilize.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution_R47
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE TRADE-IN OF EMS EQUIPMENT

WHEREAS: the Fire and Rescue Department periodically removes emergency medical services (EMS) equipment from service due to wear and tear, features being outdated, or functions no longer needed; and

WHEREAS: the department's primary vendor, Stryker, operates a program that allows the City to trade-in equipment for credit toward future purchases; and

WHEREAS: the trade-in of two power gurneys will generate credit ($7,300) that will be applied to a future purchase.

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

The equipment listed in Exhibit A, attached hereto, is authorized for trade-in to receive credit from Stryker.

ADOPTED THIS _____DAY OF _____, 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

Exhibit A

CAPITAL ASSET DISPOSAL FORM
ATTACHMENT IV

(Fill out the form with the pertinent data).

Department Disposing of Asset:	Fire Rescue
Asset Title, Description & Details:	Stryker Gurney's
Asset Model:	Stryker Gurney
Asset Serial #:	SN 141139944- Towards Power Load SN 130939311- Towards Power Load
Asset VIN #:	
Asset Tag/Reference #:	15312 14635
Original Cost/Value of Asset: (Blue book if applicable, include tax, freight, install costs, etc.)	$14,144.40 $15,000.00
Date of Asset Disposition:	October 1, 2023
General Asset Condition:	Used
Reason for Asset Disposition:	Units have served their life expectancy with City of Rio Rancho- Units are no longer compatible with RRFR rescue units in service.

JAMES DEFILLIPPO

Signature:
Department Director of Disposing Dept.

Signature:
Fleet Manager (For Vehicles Only)

Signature by the department director disposing the asset validates and confirms that the above asset data is true and correct.

Signature by the fleet manager validates that the vehicle/equipment is ready for disposal.

(Department disposing of asset must forward this signed and completed form to the Finance Department within ten (10) working days of the disposition).

Revised: August 9, 2013

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R48

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Financial Services

SUBJECT:
R48, Resolution Authorizing the Disposal of Obsolete and Non-Working Office Furniture and Minor Equipment (Financial Services Department)

BACKGROUND AND ANALYSIS:
The Financial Services Department has gathered and stored minor office furniture, equipment, and tools that are obsolete or are broken and unusable. Such items will not be put back into service and continuing to store the items is not optimal.

Items for disposal include chairs, a bookcase, computer accessories, and a variety of different office supplies.

The disposal of personal property is governed by Section 3-54-2, NMSA 1978 requiring Governing Body approval of property that does not exceed $2,500.

IMPACT:
Approval of the Resolution will allow for the needed disposal of items.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution

ATTACHMENT: Resolution_R48
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE DISPOSAL OF OBSOLETE AND NON-WORKING OFFICE FURNITURE AND MINOR EQUIPMENT (FINANCIAL SERVICES DEPARTMENT)

WHEREAS: the Financial Services Department has gathered and stored minor office furniture, equipment, and tools that are obsolete or broken and unusable; and

WHEREAS: continuing to store the obsolete, damaged, or unusable items is not optimal: and

WHEREAS: the disposal of personal property is governed by Section 3-54-2, NMSA 1978 requiring Governing Body approval for property that does not exceed $2,500.

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

That formal and required authorization is hereby given to properly dispose of the office furniture, equipment, and tools, as depicted in Exhibit A, attached hereto.

ADOPTED THIS _____DAY OF _____, 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

Exhibit A

Receipt Printer: ithaca9000
Serial Number: XY005280572

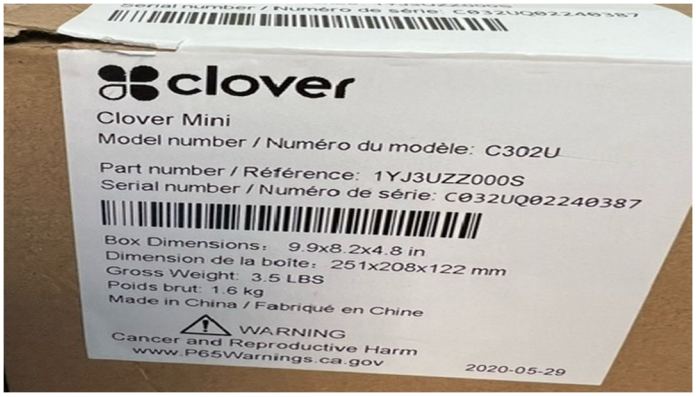




Property Disposal Pictures

Credit Card Machine: Clover
Serial Number: C032UQ02240387





Property Disposal Pictures

Cannon Image Formula P-215
Model: M111131
No. FUA25324

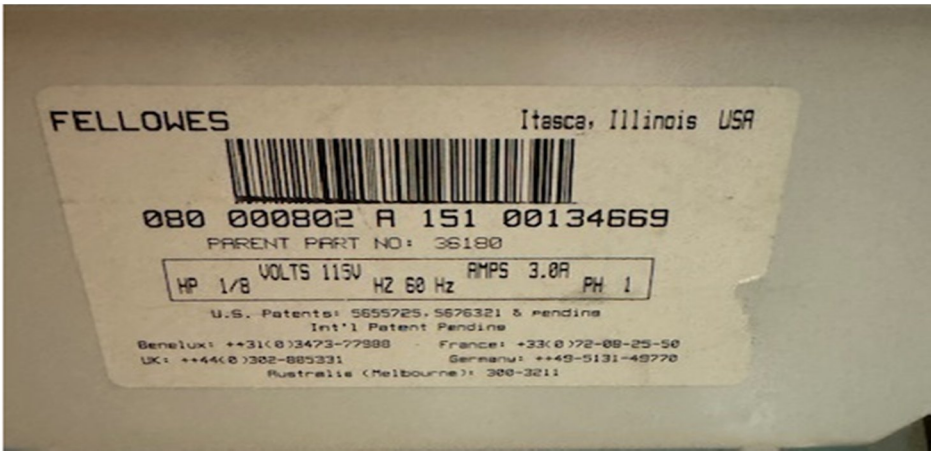




Property Disposal Pictures

Fellowes paper shredder
No. 080000802A15100134669





Property Disposal Pictures

Brother electric typewriter
Model No. SX-4000
No. U53052C3E538757



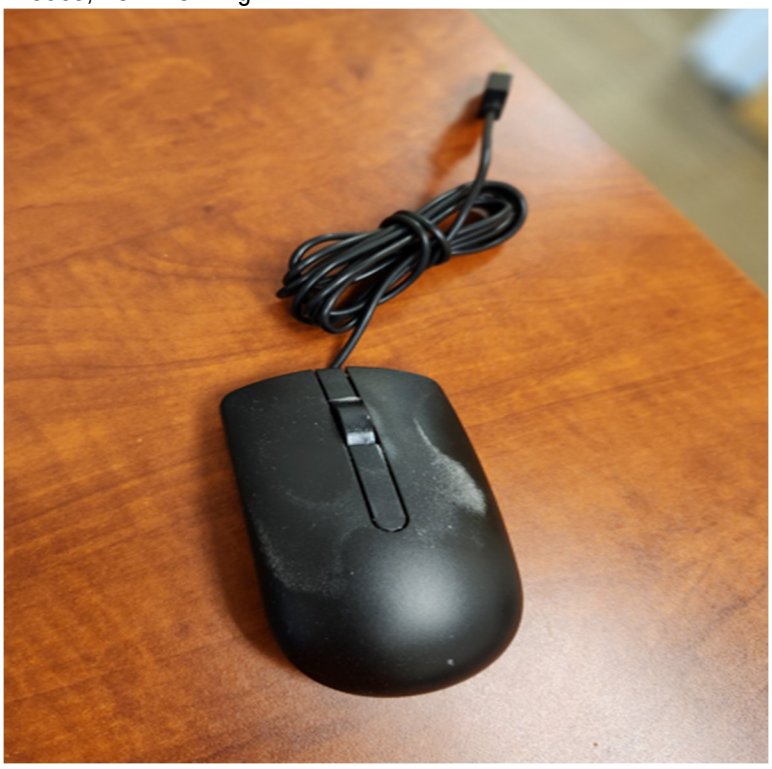


Property Disposal Pictures

Logitech Wireless keyboard
No mouse or fob



Mouse, non-working



Property Disposal Pictures

Book shelf, empty 3-ring binders, non-working speakers, magazine holders, file keeper, 2-hole punch, and a set of book ends



Property Disposal Pictures

Three office chairs, old and well used but their functionality and comfort are deteriorated beyond usefulness





CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R49

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Public Works

SUBJECT:
R49, Resolution Decommissioning and Allowing for Disposal of Vehicles and Equipment

BACKGROUND AND ANALYSIS:

In accordance with the provisions outlined in the City of Rio Rancho Administrative Policies and Procedures (Chapter 2, Article 12, and Section 2-12-10; Revised March 20, 2017), City vehicles are disposed of either by auction or by salvage.

Most usable vehicles are auctioned off, while heavily damaged vehicles are disposed of by salvage. City staff coordinates and executes the vehicle disposal process.

The attached Exhibit A contains a list of the vehicles and equipment that will be decommissioned and sent to auction. The proceeds from the auction will be returned to the General Fund or Utilities Enterprise Fund, as applicable. State Grant funded vehicle sale proceeds are returned to the Grantor(s).

IMPACT:

Execution of the attached Resolution will allow the City to decommission and dispose the specified vehicles and equipment for auction.

ALTERNATIVES:

Approve the Resolution.

Do not approve the Resolution

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the Resolution.

ATTACHMENT: Resolution_R49
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION DECOMMISSIONING AND ALLOWING FOR DISPOSAL OF VEHICLES AND EQUIPMENT

WHEREAS: the Department of Public Works is requesting approval to decommission and auction vehicles and equipment; and

WHEREAS: the list of vehicles and equipment that have been submitted meet the requirements outlined in the City of Rio Rancho Administrative Policies and Procedures (Chapter 2, Article 12, and Section 2-12-10; Revised March 20, 2017) to become eligible for decommissioning; and

WHEREAS: the proceeds from the auction will be returned to the General Fund or Utilities Enterprise Fund, as applicable.

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

That the vehicles and equipment listed in Exhibit A, attached hereto, are decommissioned and shall be disposed of at auction.

ADOPTED THIS _____DAY OF _____, 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

Dept-Div	Unit#	Asset	Year	Make	Model	Mileage	Vin/Serial #	Notes
Police Department	PD1613	16612	2015	Dodge	Charger	78540	2C3CDXAT4FH925151	Bad Transmission
Utilities	CS02	14920	2014	Ford	F150	152548	1FTEX1EM0EKD69648	
Utilities	CS04	15933	2015	Ford	F150	138371	1FTEX1E88FKD91577	
Fire	939	4337	2005	Dodge	Caravan	49829	1DWGP25R95B23473	
Police Department	PD1721	17088	2017	Dodge	Durango	75834	1C4SDJFT8HC857682	Total Loss
Police Department	DPS192	1985	2003	Ford	F350	176575	1FDWF36F63EA01081	
Utilities	UT147	5685	2006	Ford	F350	188661	1FDWF31536EB82823	
Parks and Recreation	PRT16	NA	2007	Felling	12' Tilt	NA	5FTUE121371029484	Tilt Trailer
Parks and Recreation	PRT27	8287	1995	Big Tex	Trailer	NA	16VAX141851A69063	Car Trailer
Utilities	UT157	6607	2006	Ford	E250	108465	1FTNE24W26DB35189	
Public Works	BM06	5767	2006	Chevrolet	2500 2x4	146392	1GCHK24D76E204439	
No Assignment	NA	NA		Ramsey	8,000 lb	NA	110413	Ramsey Winch
Utilities	NA	8385		Ramsey	12,000 lb	NA	112162	Ramsey Winch
Parks and Recreation	103	14498	2006	John Deere	Wide Mower	NA	TC1600TTD150156	1600 Turbo
Parks and Recreation	104	5944	2006	John Deere	Wide Mower	NA	TC1600T050165	1600 Turbo
No Assignment	32	NA	NA	NA	Equipment Trailer	NA	JB12788162391	
No Assignment	NA	NA	NA	NA	NA	NA	NA	Rear bumper from service bed with hydraulic stabilizer legs.
Public Works	NA	13756	NA	SNOWAY	26 SERIES	NA	2690WSS100664	SROW Yard Plow #1
Public Works	NA	13968	NA	SNOWAY	29 SERIES	NA	2990HDW100818	SROW Yard Plow #2. The SN tag says 29 Series.
Public Works	SRW58	13790	NA	SNOWAY	29 SERIES	NA	2990HDW100821	SROW Yard Plow #3.
Public Works	Unit 19	13813	NA	SNOWAY	29 SERIES	NA	2690WSS100664	SROW Yard Plow #4, Grey large
Public Works	SRW24	NA	NA	John Deere	955 Mower	NA	LV0955E301671	SROW Yard
Public Works	NA	NA	NA	NA	Service Bed PM Station	NA	NA	SROW Yard. This came off a maintenance truck, it has tanks, pumps, and dispensing reels with adjustable dispensers
Public Works	NA	2923 Asset # on Tiller.. 8233 is Asset number on Report	NA	John Deere	673 Tiller	NA	LV0673A100112	SROW Yard,
Public Works	SRW63	9514	2008	Kenworth	T300	87691	2NKMHN8X48M226824	SROW Yard,

Public Works	SRW63-1	15012		Stepp	SSPH4.0	NA	459PHS4Y6ES127047	SROW Yard, SLIP IN PREMIX ASPHALT HEATER. This is attached to SRW63
Public Works	SRW29	1932	2002	CRAFCO	SS125	NA	1C9SY101821418055	SROW Yard, CRACK SEALER
Public Works	SRW60	2293	2003	Freightliner	FL80	NA	1FVHBXAK43HK38661	SROW Yard, Dump Truck
Public Works	SRW61-1	4049	2004	MONROE	Spreader	NA	4/2/8333	SROW Yard, SPREADER, HOPPER TYPE MATERIAL, in SRW60
Public Works	NA	Asset ID 4184, Asset Tag 2964	2004	Challenger Lifts, INC.	Vehicle Lifts (4)	NA	100300000001801 100300000001802 100300000001803 100300000001804	SROW Yard, 4 Vehicle Lifts, each has its own serial #
Public Works	NA	4567	NA	Kohlhaas Corp	Water Tank Trailer	NA	3161	SROW Yard, Old water tank trailer, The asset tag is very faded.
Public Works	SRW20	3984	2004	GMC	W5 -Spray Truck	NA	J8DE5B14X47901442	SROW Yard
Public Works	NA	13830	NA	Henderson	Spreader, 5CY Slip In	NA	HPSL-14655	SROW Yard, In the back of SRW20.
Public Works	SRW19	5858	2006	Chevrolet	C4500 4x4		1GBE4E3226F419644	SROW Yard, 4 door 4x4 Flat bed. Has an asset tag in cab 9620
Public Works	NA	9622	NA	Henderson	8 x Mild Spreader	NA	FSP2-13347	SROW Yard, Yellow Spreader, on ground.
Public Works	NA	13893	NA	Henderson	HPSLx8xMILD xBRIGGS Spreader	NA	HPSL-14358	SROW Yard, Orange spreader on ground
Police Department	NA	NA	NA	NA	NA	NA	NA	Misc used Police Upfit Equipment

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R50

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Public Works

SUBJECT:
R50, Resolution Authorizing the Disposal of Obsolete and Non-Working Equipment and Office Furniture (Miscellaneous)

BACKGROUND AND ANALYSIS:

The miscellaneous equipment and minor furniture listed in Exhibit A were replaced or decommissioned due to their age, deterioration, and lack of available replacement parts. Staff is seeking to dispose of these items.

The disposal of property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500.

IMPACT:

Approval of the Resolution will enable the City to dispose of the non-repairable/non-operational equipment and office furniture.

ALTERNATIVES:

Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the Resolution.

ATTACHMENT: Resolution_R50
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE DISPOSAL OF OBSOLETE AND NON-WORKING EQUIPMENT AND OFFICE FURNITURE (MISCELLANEOUS)

WHEREAS: the Public Works Department has replaced equipment and furniture through upgrades at City facilities; and

WHEREAS: due to the age, deterioration, and lack of available replacement parts upgrades were required; and

WHEREAS: the disposal of property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500.

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

That formal authorization is hereby given to properly dispose of the obsolete and non-functioning equipment and furniture items listed in Exhibit A, attached hereto.

ADOPTED THIS _____DAY OF _____, 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

Disposal Inventory

Item/Description	Total # of Like Items	CoRR Tag Number
Ecoloxtech Sanitation Machine	1	
Office Chairs, broken	11	
Pare Paper Shredder	1	
Hard Hats, past date	10	
Manitowac Ice Maker, standing	1	815
Phone Booth w/o phone from Rainbow	1	
Wall Dividers / MVD	2	
Minifridge	1	
MVD Refrigerator	1	
Elkay Water Fountains, Wall Mount	6	
Elkay Water Fountains, Floor Mount	2	
Broken Cabinets, ARC	4	
Water Heater 40 Ga, ARC Admin Building no tag	1	
Tornado Wide-Area Floor Cleaner	1	
Broken Custodial Dolly	1	
Vacuum Cleaners	10	
Wash Sink, ARC	2	
Paper Towel Dispensers, Metal, Manual, Used	16	
Seat Cover Dispensers, Metal, Broken	12	
Floor Scrubber Pads, 17in	18	
Floor Scrubber Pads, 24in	32	
KC Toilet Paper Dispensers, Metal, Broken	12	
Office Tables, Broken	4	
Swamp Cooler, Haynes Rec Center	1	RR00401
Swamp Cooler, Haynes Rec Center	1	RR00403
Swamp Cooler, Haynes Rec Center	1	RR00404
Aluminum Frame for Carport	1	
Tornado Varnisher, Gas/Propane	1	
Floor Buffers, Broken, Tornado	3	
Powr-Flite, floor extractor	2	
Supoer Coach Vacs, broken	3	
Metal Support Rods, Steel	11	
Toilet Paper Dispensers, old style, Broken	8	

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R51

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Public Works

SUBJECT:
R51, Resolution Authorizing the Recycling of Damaged and/or Obsolete Items (Public Works Department)

BACKGROUND AND ANALYSIS:
The Public Works Department's Streets and Right-of-Way Division customarily recycles damaged and/or obsolete items that are no longer useable for their intended purpose. These items are sorted until they can be recycled. Items that are not recycled in a timely manner take up valuable space and is not practical.

Staff seeks to recycle damaged and/or obsolete items (e.g., vehicle parts, etc.) listed in the attachment marked Exhibit A.

The disposal of personal property is governed by Section 3-54-2, NMSA 1978 requiring Governing Body approval for property that does not exceed $2,500.

IMPACT:
Approval of the Resolution will enable the City to dispose of damaged and/or obsolete items.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution_R51
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE RECYCLING OF DAMAGED AND/OR OBSOLETE ITEMS (PUBLIC WORKS DEPARTMENT)

WHEREAS: the Public Works Department's Streets and Right-of-Way Division has gathered and stored damaged and/or obsolete items; and

WHEREAS: the items are no longer useable for their intended purpose, and continued storage of these items is not practical; and

WHEREAS: staff desires to properly dispose of these items at a local recycling center; and

WHEREAS: the disposal of personal property is governed by section 3-54-2, NMSA 1978 requiring Governing Body approval of property that does not exceed $2,500.

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

That authorization is hereby given to allow the recycling of damaged, and/or obsolete items detailed in Exhibit A, attached hereto.

ADOPTED THIS _____DAY OF _____, 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

EXHIBIT A

Items set for Recycling

Item	Qty	Destruction Method
Miscellanies cutting edged for graders and loaders	30	Recycle
Crushed metal barrel	2	Recycle
Small engines	3	Recycle
Brake drums	8	Recycle
Brake shoes	16	Recycle
Brake Pads	2	Recycle
Water Pump	1	Recycle
Tie rod	1	Recycle

*Pictures attached.





CITY OF RIO RANCHO
COVER PAGE

Legislation Item: D22

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Administration

SUBJECT:
D22, Appointment of Jennifer Demiter to the Senior Services Advisory Board

BACKGROUND AND ANALYSIS:
The board acts in an advisory capacity to insure the efficient and economical management and operation of City senior service programs and facilities.

Demiter resides in City Council District 4, and previously served on the board. If reappointed, Demiter will complete a term that expires on June 30, 2027.

IMPACT:
The appointment will fill a vacancy on the Senior Services Advisory Board caused by term expiration.

ALTERNATIVES:
Approve the appointment.

Do not approve the appointment.

DEPARTMENT RECOMMENDATION:
Mayor Hull recommends the reappointment of Jennifer Demiter to the Senior Services Advisory Board.

ATTACHMENT: Jennifer Demiter - Resume

JENNIFER DEMITER

[redacted]

Learning and Development/Team Management

Bilingual (English/Spanish) Learning and Development professional with a background in Team Management and extensive experience in customer service, technical support and leadership development fields. Strong foundation in the coordination, development, delivery, evaluation, administration and maintenance of training programs. Organized and passionate leader with a focus on employee development and advancement.

Virtual and Instructor Led Facilitation	Tech Savvy and Strong Troubleshooting Ability
Development of Training Materials	Innovative Thinker
Pre/Post-Training Assessments	Effective Interpersonal Communication
Change Management	Adult Learning Principles

Professional Experience

NEW MEXICO MUTUAL — December 2019 to Present
Corporate Trainer — Albuquerque, NM

- Responsible for creating, managing, and delivering CEU approved Workers Compensation Workshops on Underwriting, Audits, Safety, Ethics and many other relevant topics.
- Oversee employee and producer professional development courses aligned to developing business and leadership acumen.
- Consult with subject matter experts by department to identify, develop, and refresh curriculum and training materials for agents/policyholder stakeholders and other customer groups.
- Created and utilized needs assessments and post-training surveys to analyze training effectiveness, enabling data-driven adjustments and continuous improvement initiatives.
- Using Articulate, Vyond, and various Adobe and/or TechSmith products, create online courses for internal employee groups on topics such as Code of Conduct, Fraud Awareness, and Safety.
- Create and maintain vendor partnerships for online learning content and face to face workshops.
- Chair of our Values Committee (2021-2023), and lead a team of 10 volunteers responsible for organizing all internal employee engagement events.

GOODWILL INDUSTRIES OF NEW MEXICO — May 2019 to December 2019
Career Specialist — Rio Rancho, NM

- Worked with the general public to provide free resume writing, interview guidance, and job leads tailored to specific skills.
- Networked with the local business community to identify job openings and candidate requirements.
- Planned and participated in local job fairs to recruit employees and market Goodwill services.
- Independently worked and strategized to meet and exceed monthly goals for program enrollment, job placement, and community outreach contacts.

VERIZON WIRELESS — April 2006 to December 2018
VZW Sr. Trainer – Learning and Development — Albuquerque, NM

- Identified training needs and developed workshops to target needs through partnership with leadership, stakeholders and use of reporting metrics.
- Tech, Bilingual, and Leadership Development Subject Matter Expert, providing input on training needs to national/field curriculum development teams and providing suggestions/content for updating material.
- Evaluated the effectiveness of training conducted and reported results and feedback to training management, impacted leadership, trainer peers and the curriculum development staff.
- Certified Virtual Trainer with Adobe Connect 9 Certification, proficient with Microsoft Excel, Outlook, PowerPoint and Word, G Suite, and extensive WebEx meting hosting experience.
- 2015/2016 – Center Lead Trainer for all Bilingual and Tech Initiatives including Bilingual New to Role, Tech New to Role, Tech University, and Continuing Education Tech Courses.

JENNIFER DEMITER

[redacted]

- 2017/2018 – Center and Field Lead Trainer for Leadership Development initiatives. Sole trainer support for Bilingual initiatives. Collaborated with external vendor and traveled to deliver leadership training to leaders of union workers.
- 2017 – Recipient of Award Solutions Technology Convergence certification. Attended weeklong wireless and data workshop, completed four-month mentorship, and successfully passed course defense.
- 2018 – Core team member for development of Critical Thinking workshop designed to empower frontline leadership and employees. Partnered with external vendor for partial course content development and delivered during Wireless Leadership Academy in Leesburg, VA May-August 2018.
- 2018 – Developed course content and facilitated virtual three-week course Tech Support New to Role for Home Based Agents

VZW Supervisor – Operations El Paso, TX

- Analyzed reporting and identified behaviors to prepare and facilitate biweekly departmental calibrations to improve performance. Collaborated with training to coordinate onboarding for specialized roles and created various employee appreciation events to celebrate these roles. Prepared and delivered weekly performance reporting leadership team. Observed supervisor coaching sessions and provided performance feedback.
- Recruited, interviewed and selected candidates for leadership development program. Developed curriculum/timeline and coordinated program activities. Conducted follow-ups to monitor progress, completion and results.
- Partnered with HR to recruit, review, interview and select candidates for a Quarterly Career Progression.
- Worked with center engagement team for announcements and celebration activities.
- Rolled out Supervisor Onboarding process to center leadership, resulting in adoption by the West Area.
- Participated in the creation and development of roll out plans for various Operations-led initiatives, both center and field level, including Tech+ Google launch, Employee Engagement activities, shift bids, and Supervisor coaching and development.

Educational Background

Central New Mexico College	A.A.S, Business Administration	Albuquerque, NM
Arizona State University	Bachelor of Arts, Spanish	Tempe, AZ

Volunteer Experience

Rio Rancho Senior Services Advisory Board Member June 2020-present
Big Brothers, Big Sisters August 2020 – present

Memberships

Association for Talent Development (ATD)
Society for Insurance Trainers and Educators (SITE)
HP Rio Rancho Toastmasters
Mutually Speaking Toastmasters (Founder and President)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: D23

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Administration

SUBJECT:
D23, Appointment of Edward Mieszerski to the Senior Services Advisory Board

BACKGROUND AND ANALYSIS:
The board acts in an advisory capacity to insure the efficient and economical management and operation of City senior service programs and facilities.

Mieszerski resides in City Council District 5, and previously served on the board. If reappointed, Mieszerski will complete a term that expires on June 30, 2027.

IMPACT:
The appointment will fill a vacancy on the Senior Services Advisory Board caused by term expiration.

ALTERNATIVES:
Approve the appointment.

Do not approve the appointment.

DEPARTMENT RECOMMENDATION:
Mayor Hull recommends the reappointment of Edward Mieszerski to the Senior Services Advisory Board.

ATTACHMENT: Edward Mieszerski - Resume

[redacted]

Skills

- Technical report writing
- Heavy Lifting
- Decision-Making
- Analytical Skills
- Project Management
- Recordkeeping
- Analytical Thinking
- Budget Control

Education And Training

06/1980
Bachelor of Science:
Accounting
Cal Poly
Pomona CA

IRS
Los Angeles, CA

- 40 hours of CPE a year while working for the IRS and while self-employed.
- Mid and Top-level management training while with IRS.
- Basic Instructor Training - 1979 - taught many tax classes while with IRS.
- Conducted many interviews while working with IRS for both new agents and agents seeking a promotion.

Edward Mieszerski

Summary

My background work history, my training has all come down to excellent employee skills, training others, meeting deadlines and being successful in endeavors I attempt.

Experience

Self-employed - Tax Practice
Los Angeles And Rio Rancho, CA And NM
02/2007 - 12/2015

- Prepared tax returns for clients
- Represented clients before the IRS.

Radarman - US Navy
San Diego, CA
04/1967 - 04/1971

- three tours in Viet Nam
- I was promoted to an E-5 while receiving combat pay, 1969.

Rio Rancho Municipal Court - Court Bailiff
Rio Rancho, NM
10/2013 - Current

- Ensure courtroom security by maintaining order and decorum in the court.
- Check in defendants before each session.
- Work with judge and clerks in moving defendants along.
- Delivered official documents from one party to another during the court session.

2022 -Judge Cook ran for re-election. I was the campaign accountant keeping records of all monies in and out. Plus, several reports to the County Clerk during the election

AARP - AARP Driver Safety Instructor
Albuquerque/Rio Rancho, NM
05/2012 - Current

- Have taught over 135 classes.
- Chief Trainer for State - last 4 years.
- Worked on many other AARP programs under Driver Safety:
- Car Fit
- Drivertek - was initial instructor - free program for seniors to learn about auto technology.

+ Zone Coordinator for several years

IRS - Internal Revenue Agent
Los Angeles, CA
01/1974 - 01/2007

- Revenue Agent - worked on individual, partnership, and corporate audits. Los Angeles
- 1983 - Group manager, charge of 15 Revenue Agents.
- 1986 - Worked in San Francisco as an analyst- For western US.
- 1989-back to Los Angeles mid-level manager
- 1991- International Territory Manager – Responsible for International agents throughout the country. We worked the international side of large audits.
- I was responsible for over 100 agents and 7 managers.
- Since there were so few International Managers I was always in demand for presentations and teams
- Traught Tax and Management to several European countries including Poland and Turkey. Each visit lasted 3 months.

Volunteer Work - Senior Service Advisory Board
Rio Rancho, NM
01/2019 - Current

- Worked on many projects while on the board.
- Currently serve as the Chairperson

Volunteer Work

- The work I do now is all volunteering. Gives me the opportunity to pursue areas of interest that I could not do while working full time.

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R52

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Development Services

SUBJECT:
R52, Resolution Amending the Los Diamantes Master Plan

BACKGROUND AND ANALYSIS:

The applicant, LD Development, LLC., through their agent, Consensus Planning, Inc., requests approval of a Master Plan Amendment to the Los Diamantes Master Plan for proposed changes in the Business Park section, including the allowance of self-storage as a permissive use within the Business Park, updating the map (page 7 of Master Plan) to reflect the Business Park area as C-2: Commercial, allowing architectural metal as a primary construction material, welded wire mesh fencing as an allowed fencing type, and the color green as an allowable primary structure color. The Business Park comprises approximately 36.16 acres and is legally described as LD, Tract 2-A-1.

This item was originally heard under the same case number at the Tuesday, April 9, 2024 Planning and Zoning Board meeting where the Board voted unanimously to recommend approval of the Master Plan Amendment to the Governing Body. This subject application came back for a new review and recommendation as modifications were made to the request. City Administration has determined that the Applicant could not request the original companion Text Amendment (Case No. 24-105-00001) to R.O. 2003 Chapter 154.33 BP: Business Park District through the Chapter 150 Amendment process and would need to follow the process outlined in the City Charter for Initiative and Referendums. The correct process for the Text Amendment was identified prior to the item being heard by the Governing Body.

The original Master Plan Amendment request was postponed to allow the Applicant to make changes to the applications. Instead of starting a referendum process, the Applicant has submitted a new application requesting a Zone Map Amendment of Los Diamantes Tract 2-A-1 from BP: Business Park District to C-2: Wholesale and Warehousing Commercial District (Case No. 24-100-00004). The Master Plan Amendment request has been updated to reflect the proposed zone change of the BP: Business Park to C-2: Wholesale and Warehousing. Additionally, the Applicant has removed the proposed changes to Section 10. Implementation and Phasing, which had included provisions waiving infrastructure requirements along Viga Road SE and 10th St. SE.

The revised Master Plan Amendment was heard by the Planning and Zoning Board at their regular May 28, 2024 meeting. The Planning and Zoning Board voted by a vote of six (6) for and 0 against, to recommend approval of the Master Plan Amendment to the Governing Body.

The Master Plan consists of approximately 190 acres of land located near the northwest corner of Westside Blvd. SE and Los Diamantes Drive SE. The Master Plan was originally adopted on August 12, 2015 (Resolution No. 61, Enact. No. 15-055) and was subsequently amended on:

- August 13, 2020 (Resolution No. 73, Enact. No. 20-071),

- September 22, 2022 (Resolution No. 87, Enact. No. 22-087), and
- January 26, 2023 (Resolution No. 126, Enact. No. 23-017).

In a concurrent application (Case #24-100-00004), the Applicant has requested a Zone Map Amendment to the Business Park from BP: Business Park District to C-2: Wholesale and Warehousing Commercial District.

As the Los Diamantes Master Plan has been amended multiple times to change the design standards, boundaries, and contents of the Master Plan, staff has included an abbreviated list of the previously approved changes below. For a complete list of these changes, please see the attached document, "Comprehensive Los Diamantes Master Plan Amendments 2020 through 2023."

Master Plan Amendment (Approved August 13, 2020) (Resolution No. 73, Enact. No. 20-071):

The amendment updated the land use, proposed zoning, and parks and recreation sections to address a revised lot layout for the R-3 Mixed Residential located south of Westside Boulevard. The acreage for the Business Park land use was cut approximately in half with the addition of medium density residential. The amendment also provided for the possibility of a future development of 15 acres of multi-family residential and a public safety facility within the remaining Business Park area.

Master Plan Amendment (Approved September 22, 2022) (Resolution No. 87, Enact. No. 22-087):

The amendment included a conceptual diagram of new signage with measurements and updated text describing larger signage.

Master Plan Amendment (Approved January 26, 2023) (Resolution No. 126, Enact. No. 23-017):

The western boundary of the Master Plan was expanded to the REA Easement to the west and Ark Road and Westside Boulevard to the north. Land Uses were updated and changed to include multi-family south of Los Diamantes Drive.

Master Plan Amendment (May 28, 2024 Proposal):

The Applicant is proposing the following amendments to the Master Plan, as outlined below with additions underlined:

Map Exhibit on Page 7 of Master Plan updated to reflect the proposed C-2: Wholesale and Warehousing Commercial District zoning for the Business Park.

In Section 4: Design Standards under (B) Business Park Design Standards, the text update is as follows; edited or added text is underlined:

II. Building Orientation and Connectivity

a. Setbacks
1. Front Yard Setback
Minimum - 10'
Maximum - 80'
2. Side yard Setback:
~~Minimum of ten (10) feet~~ Minimum of five (5) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area. In the case of a corner lot, the front yard setbacks will apply except that cantilevered roofs and sunscreens may project six (6) feet into the setback area. Interior lot lines for a corner lot shall be considered side lot lines. Signs allowed by the

ordinance may be placed in street-side, side-yard setback areas. There is no maximum side setback. (Page 16 of master plan).
3. Rear Yard Setback:
Twenty (20) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area.

b. Building Placement:
~~1. Building placement that creates opportunities for plazas, courtyards, patios, or outdoor dining is strongly encouraged~~.

1. Building entries, for parcels and buildings adjacent to Los Diamantes Road, shall be located so that they are easily identifiable:
a. Los Diamantes Road is the primary roadway serving the business park.

f. Self Storage; permitted as a primary use, provided:

(a) A combination of buffer wall/fencing, landscape, and buildings shall separate outside storage from abutting properties and rights-of-way; and

(b) Proposed outside storage areas shall be delineated as such on applicable site or development plans; and

(c) Shall not be permitted where property abuts a residential zone; and

(d) Shall not include any outdoor sales display; or

(e) Shall be limited to personal RV, boat, and other recreational vehicle storage; and

(f) Shall require a minimum 7-foot wall and roof structure to screen RVs from view from adjacent properties; and

(g) Shading is required for all storage spaces.

*Pursuant to the City of Rio Rancho Zone Code, Section 154.61 Part (D).

...

IV. Architecture

a. Materials

1. Primary building materials shall be stucco, colored concrete, *architectural metal siding, or colored block. Stone, tile, metal, or brick accents are also allowed.
2. Finished building treatments are required on all four sides of the building.
3. Materials prohibited as the primary building material include the following:
i. Exposed, untreated precision block of wood walls
ii. Highly reflective surfaces
iii. Metal paneling

b. Color
1. Predominant colors shall be limited to shades of brown, tan, green, rust, and blue. High-intensity colors, such as metallic, black, or fluorescent colors are prohibited.

c. Height

1. Building height shall be limited to sixty (60) feet.

*Pursuant to the City of Rio Rancho Zone Code, Section 154.61 Part (D).

VII. SCREENING, BUFFERING AND WALLS
Intent: The intent is to reduce the visual impact of the necessary elements of parking, mechanical equipment, and refuse on the site; and to provide broader buffers to adjacent land uses without impacting the practical function of the site components.
...
b. Walls
1. All perimeter block walls facing rights-of-way shall be constructed of split-face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.
2. Plain grey CMU block shall not be used for wall material unless treated with stucco.
3. Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way.
4. Barbed wire, concertina wire and similar materials are prohibited.
5. Black or dark green welded wire mesh is permitted for security fencing except along Los Diamantes Road.

VII. STORAGE AND EQUIPMENT AREAS
Intent: Storage and equipment areas should be designed to be harmonious with the site without interfering with their storage function and need for security.
a. Any exterior storage and sales areas shall be screened with walls which are architecturally compatible with the primary building(s) on the site.
b. Loading and service areas should be provided with separate access and circulation whenever possible.
...

IX. SIGNAGE
The following signage standards were developed to regulate the size, location, type, and quality of sign elements within this property. A properly implemented signage program will serve four very important functions: to direct and inform employees and visitors; to provide circulation requirements and restrictions; to provide for public safety, and to complement the visual character of the development.
a. The following types of signs are permitted in the Los Diamantes Business Park:
1. Monument/Entry Signs
2. Building Mounted Signs (Including individual tenant signage)
3. Vehicle Directional Signs
4. Pedestrian Direction Signs
b. Entry signs shall be monument type and shall complement the materials, color, and architectural character of the buildings and shall not exceed on hundred thirty-five square feet in area, and fifteen feet in height above grade.
...
c. ~~One building mounted sign is~~ Building mounted signs are permitted for facade that faces ~~Los Diamantes Road and are limited to 6% of the building facade~~ a primary roadway~~.~~ ~~Building mounted signs shall be limited to 10% of the building facade, and a maximum projection of eighteen inches. Individual tenant signs are permitted provided they don't exceed the allowable percentage of the facade.~~ Building mounted signs: consistent with the City's sign Regulations, Section 156.08(B) Building-Mounted Signs.
d. Vehicle directional signs are permitted when necessary to direct vehicles to a special site feature, such as visitor parking. The design of these signs shall be integrated with the Los Diamantes Business Park entry signs and shall not exceed three square feet in area, and five feet in height above grade.
e. Pedestrian directional signs are permitted when it is necessary to direct pedestrians to a special

site feature such as a recreational trail. The design of these signs shall be integrated with the Los Diamantes Business Park monument entry signs and shall not exceed two square feet in area, and 3 feet in height above grade.
f. Illumination of signage is permitted and shall follow the regulations contained in Section X, Lighting, located below.
g. Digital and Light Emitting Diode Lighting is permitted per the City of Rio Rancho Institutional District sign regulations.
...

REVIEW:

Request to provide for additional design standards for self storage as a primary use:

The Applicant states, "The Amendment to the Los Diamantes Master Plan to allow for self-storage will increase employment opportunities within the city and the Los Diamantes Master Plan area. The amendment to allow for this type of development will pave the way for new industry, and create opportunities for businesses owners, and those looking for work in addition with the previous Master Plan Amendments in review. This amendment will support further expansion in Rio Rancho, furthering the goals of the Los Diamantes Master Plan, Unit 10 Specific Area Plan, and the City of Rio Rancho's Zoning Code."

ANALYSIS: Under the current Master Plan, self storage would not be permissive within the Business Park area. BP: Business Park District zoning only allows for indoor storage. As such, the Applicant is requesting to amend the zoning designation for the Los Diamantes Business Park to C-2: Wholesale and Warehousing Commercial District in a concurrent application (Case # 24-100-00004).

Under C-2 zoning, self storage is permissive. While the intent of the Business Park did not account for self storage, the Planning and Zoning Board finds the self storage regulations proposed by the Applicant would minimize the potential impact to the surrounding community and within the Los Diamantes Master Plan; Criteria is satisfied.

Request to change side setbacks and building placement:

The Applicant did not provide direct justification on the requested changes to the sections on Building Placement and Setbacks.

ANALYSIS: The requested changes to the side setbacks and building orientation do not have adverse effects on the Los Diamantes Master Plan area and the community as a whole. The Planning and Zoning Board recommends the Governing Body find that these requested changes do not affect the intent of the Master Plan and are generally minor.

Request to allow for architectural metal siding as a primary building material:

The Applicant states in their justification, "This quote shows citywide support of architectural metal siding as a primary building material, which conflicts with the LDMP design standards. The LDMP Business Park Design Standards do not allow architectural metal siding as a primary building material. The City of Rio Rancho's choice to permit the building material has already resulted in new businesses migrating to the city. This amendment is essentially an opportunity for the LDMP to match the rest of the City of Rio Rancho's existing zoning regulations."

Section 154.61 (D) states: The use of corrugated metal siding shall not compose more than 20% of a building facade. The use of architectural metal siding as an architectural element of a building that is finished with a powder coating designed to withstand natural elements for a minimum of 20 years

is encouraged as long as the metal panels used are composed of two or more colors if metal is the dominant building material used.

ANALYSIS: The Planning and Zoning Board recommends the Governing Body find that the Applicant has adequately justified the need for the addition of architectural metal siding as a primary building material. The Board understands the need for more monetarily accessible building options, and the allowance of architectural metal siding as a primary building material as presented by the Applicant should not conflict with the established community character and design guidelines of the Los Diamantes Master Plan area; Criteria is satisfied.

Request for fence material:

The Applicant states in their justification, "While fencing is already conditionally permitted under the LDMP, besides its use as a means of security, fencing itself is prohibited. Welded wire mesh fencing is a cost effective way to secure property but is currently under restriction by the Los Diamantes
Master Plan Design Standards section VII, part C which states, 'Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way'. While this section of the plan doesn't mention welded wire mesh fencing specifically, the language restricting the use of fencing itself has the potential to create roadblocks for projects in the future. The utilization of fencing for strictly security use is a wasted opportunity for potential projects, and an amendment lifting these restrictions would only serve to create more design options in the LDMP plan area. As with architectural metal siding, it is a cheap and resilient material that can be colored to be aesthetically pleasing for parts of the fencing facing the public right-of-way."

The Applicant states, "Welded wire mesh fencing has been used as a means of security for property throughout the state, and country. Its resistance to corrosion means it will last longer, and its core design intentionally makes it difficult to climb."

ANAYLSIS: Under the current master plan design guidelines, chain-link is only permitted as security fencing, provided the fencing is not visible from the public right-of-way. Welded wire mesh can look similar enough to chain-link that it would have the same restrictions. The Planning and Zoning Board recommends the Governing Body find the Applicant's proposal for allowance of security fencing within the master plan except along Los Diamantes Road should not conflict with the established design guidelines of the Master Plan. While fencing should be cohesive throughout the Master Plan area, allowing for additional fence types different from the residential areas may change the look of the Business Park to a more Industrial Park look. Subsequent platting of the business park area will additionally allow for opportunities for security fencing to meet the current design guidelines as the business park develops in the future; Criteria is satisfied.

Request to add a Building Color:

In regards to color, the Applicant states, "Color is also something that is loosely restricted in the Los Diamantes Plan Area. In section IV Part B of the Design Standards section of the Los Diamantes Master Plan, it states, 'Predominant colors shall be limited to shades of brown, tan, rust and blue'. It is requested that green be a permitted color within the Los Diamantes Plan Area. The color will be a shade of sage green, which will blend into the existing color palette in Rio Rancho. Expanding the color palette to include green will only serve to provide more architectural variety in the area, without sacrificing the predominant tones that currently exist in Rio Rancho."

ANALYSIS: The Planning and Zoning Board recommends the Governing Body find that the allowance of the expanded option of the use of the color sage green would generally be complimentary to the current natural colors outlined in the Los Diamantes Master Plan; however,

the color black for fencing material would not be complimentary to the natural earth colors as outlined in the current master plan.

Request for additional signage:

The applicant did not provide a justification for the request for additional signage, but staff was able to review the request since additional signage is a common request.

ANALYSIS: The Planning and Zoning Board recommends the Governing Body find that the Applicant's proposed changes to signage within the business park adds clarification and flexibility to the current design standards outlined in the master plan and would not adversely impact the surrounding community. Currently, individual tenant signs are not addressed within the design standards. The Applicant's proposed changes allow for building mounted signage as permitted in R.O. 2003 Chapter 156 Sign Regulations. As such, this will allow for wall signage for individual tenants.

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.

ANALYSIS: The Planning and Zoning Board recommends the Governing Body find that the Applicant's submittal generally conforms to the community character and design standards established within the Los Diamantes Master Plan. The Planning and Zoning Board finds that the Applicant has provided adequate justification to establish that the proposed changes contained in the subject Master Plan Amendment will not adversely affect the Los Diamantes Master Plan and surrounding areas.

REVIEWER COMMENTS: Application materials for this Master Plan Amendment request were sent to the below agencies for review:

Development Services Planning	Comments included as staff analysis throughout ABM.
Development Services Engineering	No adverse comments.
Rio Rancho Fire and Rescue	No adverse comments.
Rio Rancho Police	No comments received.
SSCAFCA	No adverse comments.
Parks, Recreation, and Community Services	Defers to DSD Planning for recommendations.
Rio Rancho Public Schools	No comments received.
MRMPO	No comments received.

NOTIFICATIONS: Notice of the application was sent via first class mail to abutting property owners. A legal notice was published in the Albuquerque Journal on June 12, 2024. All legal notification requirements have been met.

IMPACT:

The Planning and Zoning Board recommends the Governing Body approve the updated request for a Master Plan Amendment, subject to the following findings and conditions:

General Findings of Fact:

1. The Governing Body may review and make a decision on the applicant's request for an amendment to the Los Diamantes Master Plan.
2. The applicant has the authority to make an application to request an amendment to the Los Diamantes Master Plan.
3. The applicant and affected property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact:

1. The proposed Amended Los Diamantes Master Plan does not adversely affect the intended character of the Plan area.
2. The proposed Master Plan Amendment is consistent with the goals and elements of the Comprehensive Plan.
3. The Applicant shall provide an updated copy of the Los Diamantes Master Plan including all proposed amendments that will be reviewed by staff, and shall include correct acreages for the entire Master Plan boundary and Business Park Land Use acreage.

However, if the Governing Body finds the Applicant's proposal to not be in conformance with City standards, Staff recommends the following findings of fact for denial as detailed below:

Specific Findings of Fact for Denial:

1. The proposed Master Plan Amendment to the Los Diamantes Master Plan adversely affects the intended character of the Master Plan area.
2. The proposed Master Plan Amendment is not consistent with the goals and elements of the Comprehensive Plan.

ALTERNATIVES:

1. The Governing Body may approve the request;
2. The Governing Body may deny the request;
3. The Governing Body may modify the request and approve such modifications;
4. The Governing Body may continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

The Planning and Zoning Board recommends the Governing Body adopt the Resolution.

ATTACHMENT: Resolution_R52
ATTACHMENT: Location Map
ATTACHMENT: Reproduction of Notices, Legal
ATTACHMENT: Application & Justification
ATTACHMENT: (CURRENT) Los Diamantes Master Plan
ATTACHMENT: Comprehensive Los Diamantes Master Plan Amendments 2020 through 2023
ATTACHMENT: Exhibit A - Proposed Amendments to LDMP
ATTACHMENT: Edmiston, Joe & Mary Beth_Public Comment (Collated)

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AMENDING THE LOS DIAMANTES MASTER PLAN; 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: the Los Diamantes Master Plan was originally adopted on August 12, 2015 by Resolution No. 61, Enactment No. 15-055 and was subsequently amended on August 12, 2020 by Resolution No. 73, Enactment No. 20-071, on September 22, 2022 by Resolution No. 87, Enactment No. 22-087, and on January 26, 2023 by Resolution No.126, Enactment No.23-017; and

WHEREAS: in order to update design guideline criteria in Section 4. Design Standards; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Los Diamantes Master Plan at their meeting held on May 28, 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. 24-410-00001) to the Los Diamantes Master Plan at their meeting held June 27, 2024, 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 Los Diamantes Master Plan to update Section 4. Design

Standards, per the attached Exhibit A.

Section 2. Effective Date: This Resolution shall take effect immediately upon adoption.

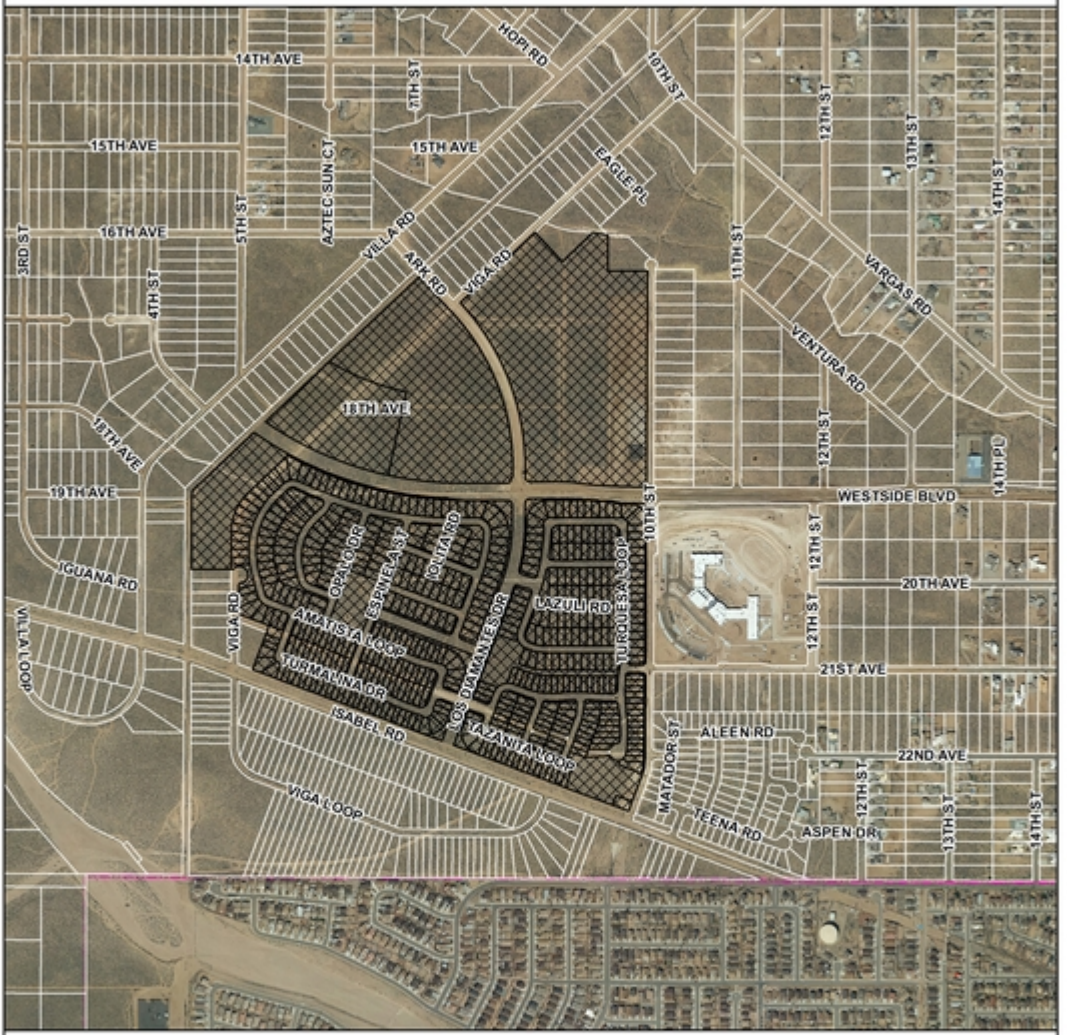
ADOPTED THIS _____ DAY OF _____, 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

MASTER PLAN AMENDMENT
LOS DIAMANTES MASTER PLAN



City of Vision

0 600 1,200 2,400
Feet

Los Diamantes Master Plan Area

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 Chris Benson on 03/07/2024

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 11, 2024

RE: Master Plan Amendment
Case No. 24-410-00001
Los Diamantes Master Plan Amendment

Dear Property Owner:

You are receiving this notice because your property is within the Los Diamantes Master Plan where a land development decision is required by the Governing Body.

The applicant, Los Diamantes, LLC., through their agent, Consensus Planning Inc., requests to amend the Los Diamantes Master Plan to allow self-storage as a permissive use within the Business Park, update the map (page 7 of Master Plan) to reflect the Business Park area as C-2: Commercial, allow architectural metal as a primary construction material, allow welded wire mesh fencing as an allowed fencing type, and allow the color green as the primary color of a structure within the Business Park area of the Los Diamantes Master Plan. The Business Park comprises approximately 36.16 acres and is legally described as LD, Tract 2-A-1.

The **Governing Body** will consider the request on **Thursday, June 27, 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 area identified in crosshatching.

If you would like to comment on this application, you are encouraged to send in comments in writing or via email to tdvorak@rrnm.gov, which will be presented to the Governing Body. This Governing Body 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 **Governing Body meeting,** to participate virtually: Join via computer:
https://us06web.zoom.us/j/85302353741?pwd=bWp1QXliSGJoeHhJaGVOczF4MDN0UT09
Meeting ID: 853 0235 3741 Passcode: 789419 Join via phone: 1-346-248-7799 US

Please do not hesitate to contact me via e-mail me at tdvorak@rrnm.gov or call me at 505-896-8361, if you have any questions concerning this matter. 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,

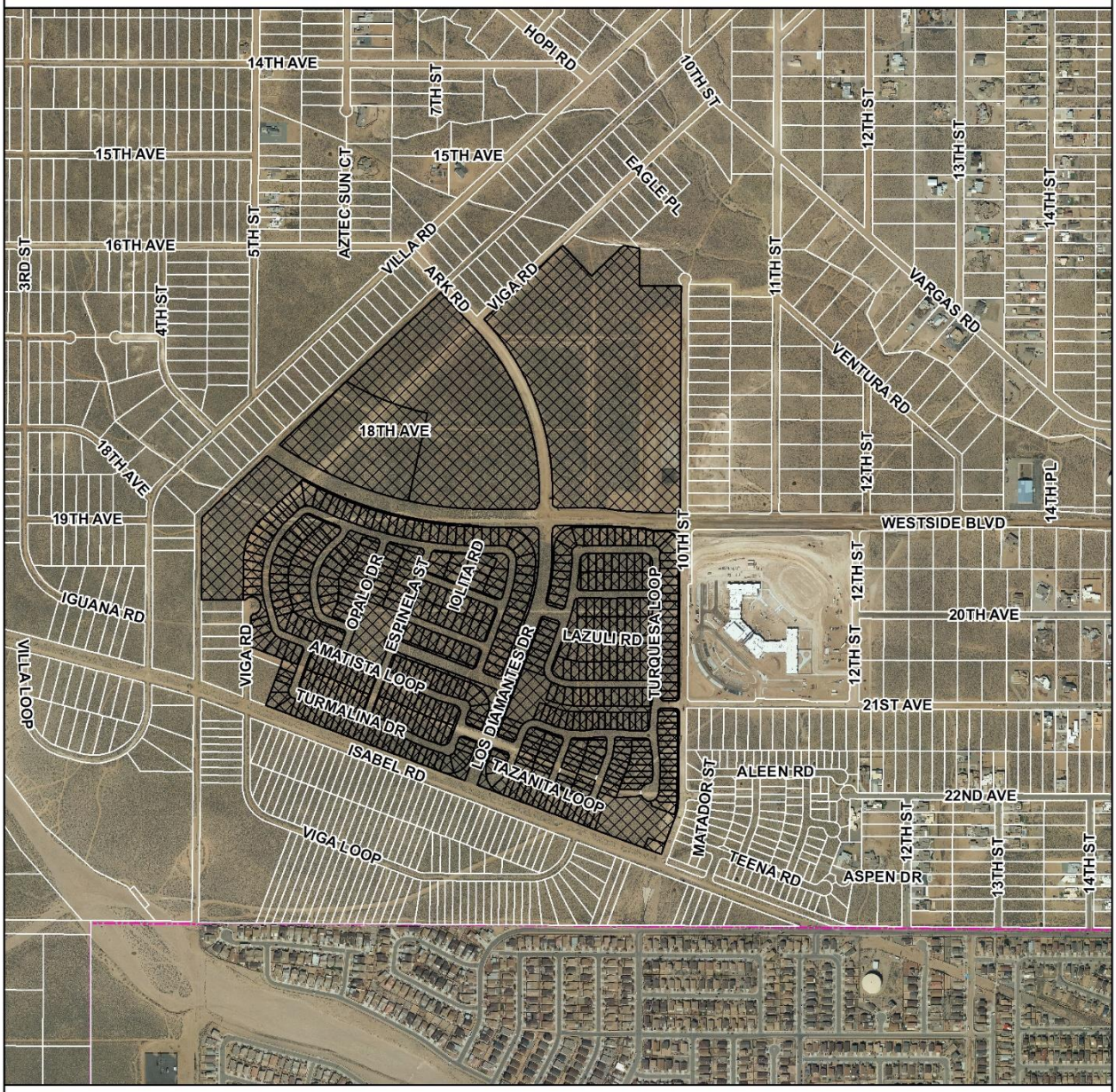
Tim Dvorak

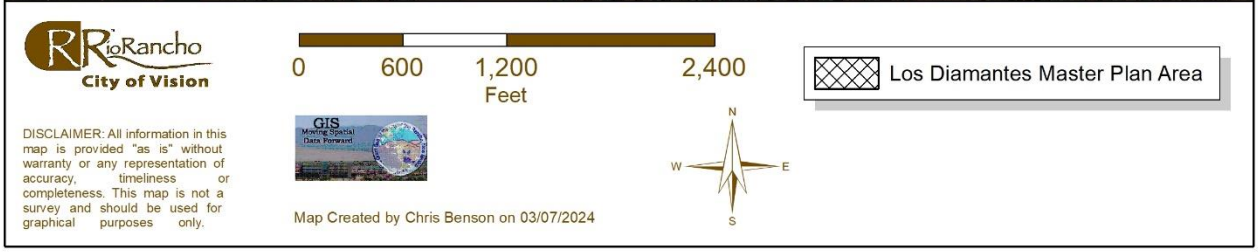
Tim Dvorak
Municipal Planner II
Development Services Department
City of Rio Rancho

The City of Rio Rancho

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

MASTER PLAN AMENDMENT
LOS DIAMANTES MASTER PLAN





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Map Created by Chris Benson on 03/07/2024

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The GOVERNING BODY of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Thursday, June 27, 2024:

Master Plan Amendment
Case #24-410-00001

The applicant, Los Diamantes, LLC., through their agent, Consensus Planning Inc., requests to amend the Los Diamantes Master Plan to allow self-storage as a permissive use within the Business Park, update the map (page 7 of Master Plan) to reflect the Business Park area as C-2: Commercial, allow architectural metal as a primary construction material, allow welded wire mesh fencing as an allowed fencing type, and allow the color green as the primary color of a structure within the Business Park area of the Los Diamantes Master Plan. The Business Park comprises approximately 36.16 acres and is legally described as LD, Tract 2-A-1.

Zone Map Amendment
Case #24-100-00004

The applicant, Los Diamantes, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for the Los Diamantes Business Park from BP: Business Park District to C-2: Wholesale and Warehousing Commercial District on the land legally described as LD, Tract 2-A-1.
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.

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 12, 2024

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

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box (Fees are listed on the back)

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Los Diamantes, LLC c/o Price Land Development Grouo		Phone: 505-243-3949
Address: 4461 Irving Boulevard NW		E-Mail: gprice@priceldg.com
City: A;buquerque	State: NM	Zip: 87114
Proprietary Interest: Owner and contract purchaser	List Owners: Los Diamantes LLC and Tangell Revocable Trust	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	

Agent Name: Consensus Planning Inc.		Phone: 505-764-9801
Address: 302 Eighth Street NW		E-Mail: cp@consensusplanning.com
City: Albuquerque	State: NM	ZIP Code: 87102

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

Requesting a Zone Map Amendment from BP:Business Park to C-2:Wholesale and Warehouse.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Los Diamantes	Block(s):	Lot(s): 2-A-1
Existing Zoning: BP: Business Park	Proposed Zoning: M-1: Industrial & Business Park	
No. of existing lots: 0	No. of proposed lots: 0	Total area of site (acres) 36.16

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: James K. Strozier, FAICP	Applicant: Los Diamantes, LLC	Agent: Consensus Planning Inc.
Signature:		Date: 5/6/2024

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

April 23, 2024

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

RE: Los Diamantes Master Plan Business Park related amendments and Zone Changes

Dear Planning & Zoning Board Chair,

The purpose of this letter is to authorize Consensus Planning to act as our agent for all meetings, applications, and public hearings regarding the review and approval of any Master Plan Amendment and related zoning changes for the Business Park portion of the Los Diamantes Master Plan.

Legal Description: Tract 2A-1, Los Diamantes Subdivision containing approximately 36 acres.

Los Diamantes, LLC is the owner of the property.

Sincerely,

Pierre Amestoy
Managing Member
Los Diamantes, LLC

CONSENSUS PLANNING

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

May 7, 2024

Mr. Fred Radosevich, Chair
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Re: Request for a Master Plan Amendment

Dear Chair Radosevich:

The purpose of this letter is to provide justification for a request to amend the Los Diamantes Master Plan (LDMP) to reflect the change of the Business Park zoning to C-2 and update to the design guidelines. The applicant's request for a revision to the design standards within the Los Diamantes Master Plan is to allow for self-storage. The request goes beyond the aesthetic and structural value the design standards will bring to the Master Plan, as it aims to use the amendment as a catalyst for future job creation and industrial development.



Figure 1: Subject Property Site

PRINCIPALS

James K. Strozier, FAICP
Jacqueline Fishman, AICP

ASSOCIATES

Ken Romig, PLA, ASLA,
SITES AP

Existing Conditions

The subject property is bordered by Viga Road to its north, and Westside Blvd to its south. The Business Park property lies within the Los Diamantes Master Plan area, and is legally described as LD, Tr 2-A-1. The property that will be requiring this amendment is a single lot zoned BP and is approximately 36.16 acres in size. The site itself is vacant and is surrounded by vacant land. The Project Site is currently located in between areas zoned R-1 zone on its North, M-1 on its East, and R-3 on its south and west.

The subject property falls under the regulation of the Los Diamantes Master Plan, which is currently zoned BP but is proposed to be changed to C-2 (separate application) which will allow self-storage and restaurants with drive throughs service land uses. Design standards were put in place to establish and maintain the unique style that the City has crafted throughout the years but has become outdated. The City of Rio Rancho allows self-storage and restaurants with drive through services as permissible uses within the C-2: Wholesale and Warehouse zone district, which is currently being proposed to replace the BP zone district. The design standards within the Los Diamantes Master Plan will need to be amended for self-storage to align with the uses allowed by the City in the C-2 zone,

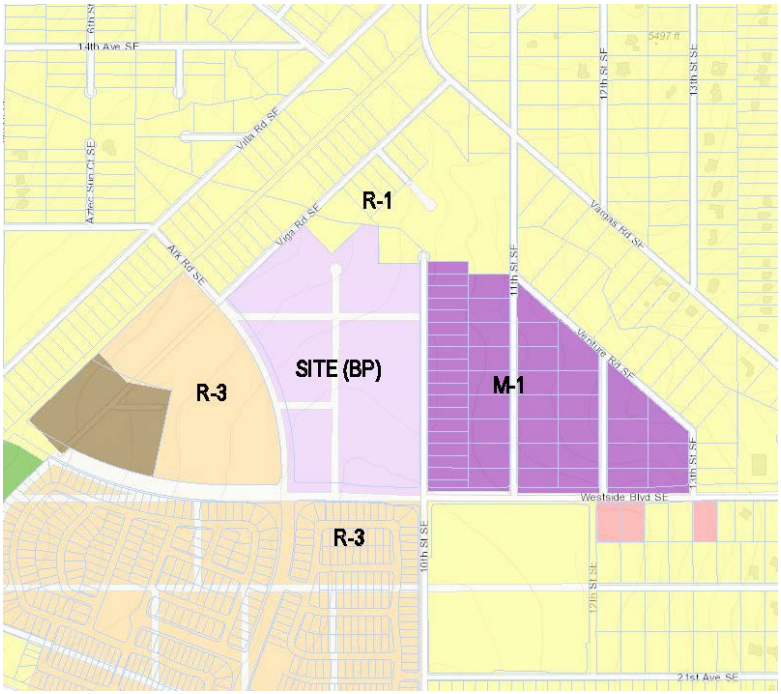


Figure 2: Subject Area Zoning Map

TABLE 1: SURROUNDING ZONING AND LAND USE		
Direction	**IDO Zoning**	**Land Use**
North	R-1: Single-Family Residential	Scattered Large Lot Single-Family Housing
South	R-3: Mixed Residential	Single-Family Housing and Elementary School
East	M-1: Industrial & Business Park	Vacant
West	R-3: Mixed Residential	Vacant (platting for single-family homes is underway)

Table 1: Surrounding Zoning and Land Use Table

Los Diamantes Master Development Plan

On August 12, 2015, the City of Rio Rancho Governing Body adopted the Los Diamantes Master Development Plan (LDMP). Since its adoption, the plan has been amended 3 times. These individual amendments were adopted on August 13, 2020, September 12, 2018, and September 22, 2023. These three amendments are listed as follows:

> *On July 12, 2015, the City adopted Resolution No. 61, Enactment No. 15-055, accepting the Los Diamantes Master Plan for an approximate one hundred eighty (180) acre development known as Los Diamantes (hereinafter "Los Diamantes"). Said plan identified the location, land uses, design standards, and improvements necessary to serve Los Diamantes, and other information and details regarding the development of Los Diamantes.*

This resolution accepted the Los Diamantes Master Plan as another guiding planning document for the City of Rio Rancho.

> *On August 13, 2020, a revised Los Diamantes Master Plan was approved 25 by Resolution No. 73, Enactment No. 20-071*

This resolution amended Section VII Signage (A.) of the Los Diamantes Master Plan. This amendment was adopted in order to allow for larger entry signage located within larger subdivisions in the Los Diamantes Plan Area. The amendments' broader goal was to create a sense of place in the area.

> *The Governing Body of the City of Rio Rancho approved the Generalized Land Use Map on September 12, 2018 through Resolution no. 60, Enactment no. 18-058*

This amendment allowed for the inclusion of a Generalized Land Use Map included in Section 3, page 9 of the Los Diamantes Master Plan.

> *On September 22, 2022, a revised Los Diamantes Master Plan was approved by Resolution No.87, Enactment No.22-087*

This resolution was adopted in order to expand the expand the boundary of the Los Diamantes Master Plan Area, update zoning designations, updating the phasing of the Master Plan, and updates to the "Los Diamantes Site Vicinity" map, and the "Los Diamantes Phasing Plan" map.

The Los Diamantes Master Development Plan was drafted to guide growth in the area, as the population of Rio Rancho rapidly expands. The standards it set forth aim to establish clear direction for Rio Rancho, focusing mainly on developing housing and economic opportunities within the City. The development of self-storage is not permissible within the BP zone or any zone within the Los Diamantes Master Plan. The proposed Zone Map Amendment for BP to C-2 will allow for the development of self-storage and the Amendment to the Master Plan will ensure the design standards allow for this use. With new master plans being written to zero in on the development of specific parts of the city, these plans must ensure safeguards are put in place to keep new construction on par with the style the city has stayed consistent with, but these safeguards need to be updated so they aren't an obstruction to future growth.

Unit 10 Specific Area Plan (SAP)
The Unit 10 Specific Area Plan is a document that outlines the Unit 10 area, which is bordered by Southern Blvd to its North and Black Arroyo Blvd to its South. The Unit 10 Area overlaps with the LDMP area, creating a space that is under the jurisdiction of two separate planning documents. The Unit 10 Specific Area Plan was adopted August 24, 2016, and was amended once on July 25, 2018. This amendment is as follows:

> *July 25, 2018, a revised Unit 10 Specific Area Plan was approved by Resolution No.50, Enactment No.18-049*

This amendment was approved in order to stay in line with the changes regarding land use and boundary changes that were updated in the Los Diamantes Master Plan.

While this amendment is to the LDMP (which takes precedence over other documents for development in the area), it is important to consider all goals, policies and regulations that may exist in all planning documents in the area. The Unit 10 SAP shares many of the same goals as the LDMP, such as its strong emphasis on job creation and future land use objectives. While it does share commonalities with the LDMP, the Unit 10 SAP does not include any restrictions on self-storage as a primary use.

Master Plan Amendments in Review
There was a previous Amendment to the Los Diamantes Master Plan that are currently recommended for approval by City of Rio Rancho Planning Staff by the City Governing Body in April of 2024. The additional Amendments to the Los Diamantes Master Plans that are recommended for approval are the following:

Article III. Supplemental Regulations and Standards and Zoning Districts Tables Design Criteria, Section 154.61, Part (D)

"The use of corrugated metal siding shall not compose more than 20% of a building facade. The use of architectural metal siding as an architectural element of a building that is finished with a powder coating designed to withstand natural elements for a minimum of 20 years is encouraged as long as the metal panels used are composed of two or more colors if metal is the dominant building material used."

Project Design – Fencing

While fencing is already conditionally permitted under the LDMP, besides its use as a means of security, fencing itself is prohibited. Welded wire mesh fencing is a cost-effective way to secure property but is currently under restriction by the Los Diamantes Master Plan Design Standards section VII, part C which states, "Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way". While this section of the plan doesn't mention welded wire mesh fencing specifically, the language restricting the use of fencing itself has the potential to create roadblocks for projects in the future. The utilization of fencing for strictly security use is a wasted opportunity for potential projects, and an amendment lifting these restrictions would only serve to create more design options in the LDMP plan area. As with architectural metal siding, it is a cheap and resilient material that can be colored to be aesthetically pleasing for parts of the fencing facing the public right-of-way.

Project Design – Color

Color is also something that is loosely restricted in the Los Diamantes Plan Area. In section IV Part B of the Design Standards section of the Los Diamantes Master Plan, it states, "Predominant colors shall be limited to shades of brown, tan, rust and blue". It is requested that green be a permitted color within the Los Diamantes Plan Area. The color will be a shade of sage green, which will blend into the existing color palette in Rio Rancho. Expanding the color palette to include green will only serve to provide more architectural variety in the area, without sacrificing the predominant tones that currently exist in Rio Rancho.

Project Design – Building Material

While identity is important to development, it is also important that building materials are cost effective, and appropriate for a structure's purpose. When observing the potential benefits of using architectural metal siding as the primary material in construction, the benefits that it will provide are clear. The material's resilience to weather is a large aspect of the material. The material is also able to be easily colored, allowing for the opportunity to create vibrant structures. In accordance with the LDMP, Unit 10 SAP and City of Rio Rancho Zoning Code, design aesthetic and structural quality is of high importance, so a change of this kind would be in clear support of the goals set forth in these documents. By using architectural metal siding as the primary material in construction, major aspects of the area's planning documents are being satisfied and are therefore pushing the area forward developmentally.

The Amendments to the Los Diamantes Master Plan design standards that are currently recommended by City Planning staff, and the proposed Amendment for self-storage and

wall mounted signage will benefit the development within the conceptual business park zoned C-2.

Comprehensive Plan

GOAL UD 1: Create focused growth areas where existing public infrastructure can support higher density development.

Applicant Response: The current vacancy of the BP zone and surrounding area will be vital in providing growth opportunities for the Los Diamantes Master Plan area. The site is already zoned to host a variety of different uses ranging from industrial to commercial through its BP zoning designation. By allowing for self-storage that could be developed with cheap architectural metal siding, which is a proposed Amendment to the design standards, the space will be more enticing to those who may want to move their businesses into the space now that developmental restrictions have been lifted. The resulting growth of Rio Rancho would all be a result of the current infrastructural conditions found in the area.

POLICY UD 1: Identify specific areas within the city where growth should be focused.

Applicant Response: The Rio Rancho Comprehensive Plan established BP zoning to encourage economic development. By creating an opportunity to broaden the City's economy and pave the way for new development in the future, this amendment would be in support of the City of Rio Rancho's Comprehensive Plan in that it would be encouraging growth in specific spaces within the city (BP zones). The Los Diamantes Master Plan mentions BP zones in its first project objective by stating that they "will attract future employers to the City of Rio Rancho". By amending the designs standards on the allowable uses, such as including self-storage, the Los Diamantes subdivision is creating a more welcoming environment for new businesses to capitalize on.

This proposal is also an opportunity for areas within the Los Diamantes Master Plan to catch up to the current zoning standards set by the City of Rio Rancho. The city itself has acknowledged the benefits steel paneling for construction could pose and has accepted the use of it as the primary construction material accordingly. The Los Diamantes Area could see even more rapid growth through creating spaces within the city that not only allow for commercial and industrial development but would encourage it as well.

ACTION UD 2: Amend the zoning ordinance to establish higher design-oriented development standards.

Applicant Response: The use of architectural metal siding as a primary construction material has been consistently growing amongst new and existing businesses across the county. The material is inexpensive, and is often colored to create more vibrant, modern structures. Encouraging the use of resilient material that also complements the look of areas through unique design are standards that could be achieved should this amendment be granted. Higher design-oriented standards will be achieved by removing unneeded barriers to using restricted materials.

Goal EDP-1: Create Jobs.

Applicant Response: Through allowing self-storage, businesses will be encouraged to expand into the Los Diamantes area because this use is not widely available throughout Rio Rancho. The construction projects for new development will employ many workers in the construction itself, and the finished businesses will also provide a range of jobs. Through the creation of these jobs the local economy will be further reinforced.

Goal EDR-1: Expand the economic base of Rio Rancho.

Applicant Response: Allowing for self-storage that will be able to be built in the area, there can be an increase of jobs in both the construction and operation of the businesses. The increased flexibility for construction will make it more feasible for large manufacturers to consider utilizing space in Rio Rancho for their businesses. By attracting manufacturing to the area, the City of Rio Rancho will create another avenue of income and job creation in the area and will expand the economic base of the city.

Goal EDR-3: Encourage large-scale manufacturing companies to relocate to Rio Rancho

Applicant Response: By removing the roadblock of applying for an exception to the restrictions set by the LDMP, companies will be encouraged to build new facilities in this Business Park functioning area. The vacancy of the land paired with the availability of people to staff these facilities will undoubtedly attract new businesses to the area.

Los Diamantes Master Development Plan

Unit 10 Specific Area Plan

GOAL DG-2: Foster attractive developments that use sound design principles.

Applicant Response: The use of architectural metal siding as a design material is very flexible in the way that it can be styled. Those who design using architectural metal siding as the primary construction material will often paint with more vibrant colors. These colors bring life to often monotonous landscapes dominated by the same color palette. On top of their aesthetic appeal, architectural metal siding is also a very resilient material that can withstand the elements and experience minimal degradation over time, making it a very structurally sound material for building design. The proposed structure would be a large metal facility, typical of the standard warehouse design. It would be expected for this structure to take advantage of the aesthetical and structural benefits that architectural metal siding allows for.

GOAL ACTIONS DEPARTMENT(S) TIMEFRAME GOAL CF-1: Encourage the development of future employment centers (including business parks) that support an improved jobs/housing balance and increased local employment.

Applicant Response: While the proposed amendment to the Los Diamantes Master Plan is to allow BP zones to permit self-storage, it also supports the goal for job creation and increased local employment set forth by the LDMP and the Unit 10 SAP. The space won't support the traditional business center that was conceptualized by Unit 10 SAP

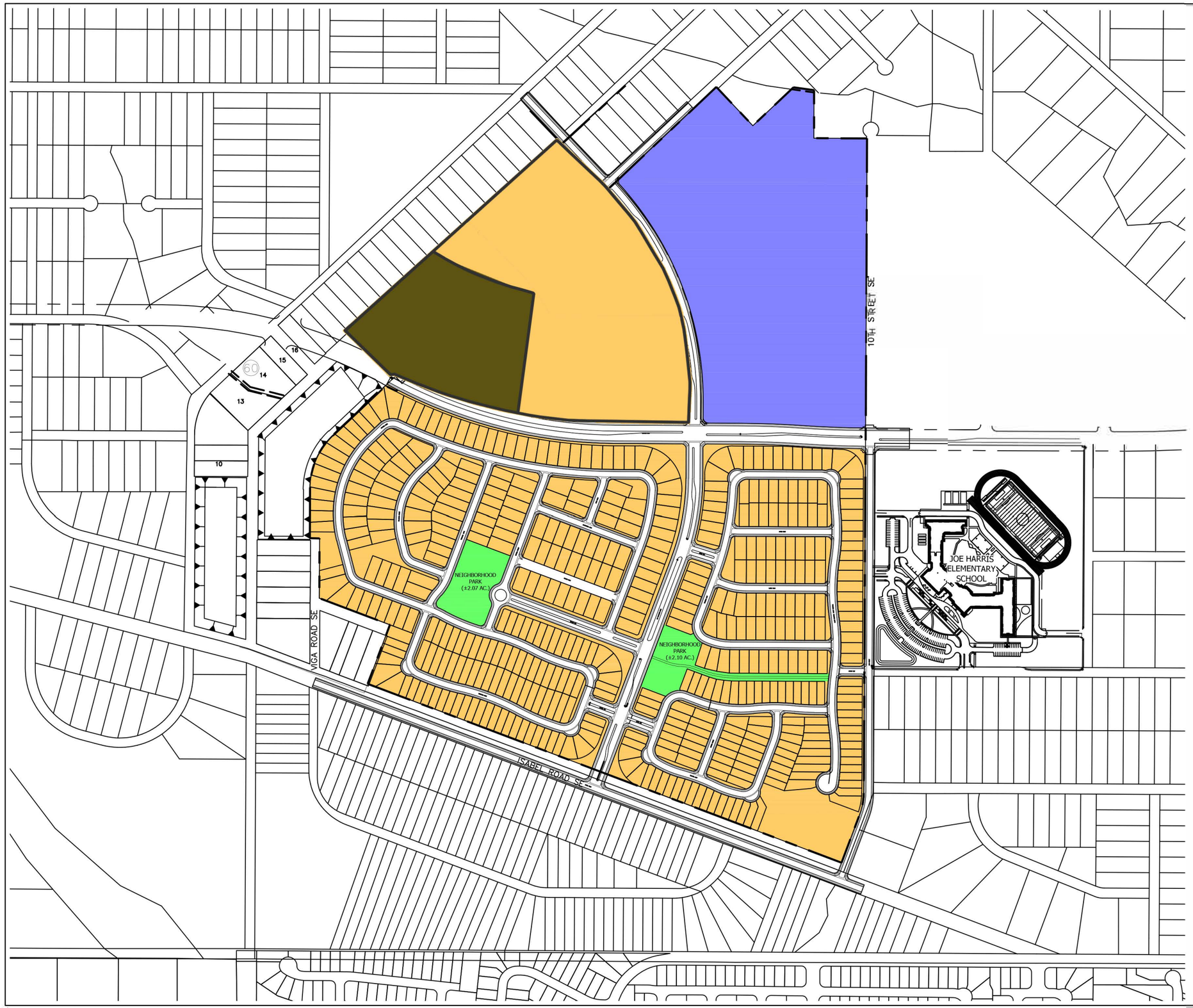
and LDMP but will feature a space that will spur local employment and encourage further development in the area. This amendment will create more jobs and diversify the local economy through the attraction of uncommon industries.

Conclusion

The Amendment to the Los Diamantes Master Plan to allow for self-storage will increase employment opportunities within the city and the Los Diamantes Master Plan area. The amendment to allow for this type of development will pave the way for new industry, and create opportunities for businesses owners, and those looking for work in addition with the previous Master Plan Amendments in review. This amendment will support further expansion in Rio Rancho, furthering the goals of the Los Diamantes Master Plan, Unit 10 Specific Area Plan, and the City of Rio Rancho's Zoning Code.

Sincerely,

James K. Strozier, FAICP
Principal



BUSINESS PARK: C-2 WHOLESALE AND WAREHOUSE (± 36 ACRES)

R-3 MIXED USE RESIDENTIAL (± 103 ACRES)

R-6 MULTI-FAMILY RESIDENTIAL (± 10 ACRES)

NEIGHBORHOOD PARK (± 5 ACRES)

N

500' 250' 0 500' 1000'

SCALE: 1" = 500'

CONSENSUS PLANNING

LOS DIAMANTES

Land Use/Zoning Plan

MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

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Los Diamantes Master Plan Design Standards Text Amendment

II. BUILDING ORIENTATION AND CONNECTIVITY

Intent: Buildings should be oriented with consideration to the visual impact from the perspective of the driver or pedestrian on the adjacent primary roadways. It is important to create the immediate first impression of a high quality business park, as part of the city's overall community character and identity. Business parks and campuses are enhanced when it is easier, safer, and more comfortable to walk between buildings and parking areas. The Los Diamantes Business Park is intended to accommodate large employers as well as live/work uses, and supportive retail and services which will have a more urban character. Therefore, both minimum and maximum setbacks have been included in order to allow for both of these land use forms. All development within the Business Park should connect to surrounding uses, including streets, businesses, transit facilities, and residential areas, where appropriate.

a. Setbacks

1. Front Yard Setback

Minimum – 10'

Maximum – 80'

2. Side yard Setback:

Minimum of five (5) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area. In the case of a corner lot, the front yard setbacks will apply except that cantilevered roofs and sunscreens may project six (6) feet into the setback area. Interior lot lines for a corner lot shall be considered side lot lines. Signs allowed by the ordinance may be placed in street-side, side-yard setback areas. There is no maximum side setback.

3. Rear Yard Setback:

Twenty (20) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area.

b. Building Placement

1. Building entries, for parcels and buildings adjacent to Los Diamantes Road, shall be located so that they are easily identifiable:

a. Los Diamantes Road is the primary roadway serving the business park.

c. Building Entries

1. Building entries should be located so that they are easily identifiable from the primary adjacent roadway.

2. Secondary and employee entrances shall be easily accessible and convenient to building parking and delivery areas but should not be dominant.

d. Sidewalks

1. Sidewalks shall be designed to connect to sidewalks internal to individual sites and to trails when relevant.

2. All sidewalks shall be designed per the Americans with Disability Act requirements.

e. Trails

1. All trails within Los Diamantes Business Park will be designed in compliance with City of Rio Rancho trail standards. Trails will be designed to connect with a sidewalk, business, and/or park. In some locations, a trail may be constructed in lieu of a sidewalk.

f. Self Storage; permitted as a primary use, provided:

(a) A combination of buffer wall/fencing, landscape, and buildings shall separate outside storage from abutting properties and rights-of- way; and

(b) Proposed outside storage areas shall be delineated as such on applicable site or development plans; and

(c) Shall not be permitted where property abuts a residential zone; and

(d) Shall not include any outdoor sales display; or

(e) Shall be limited to personal RV, boat, and other recreational vehicle storage; and

(f) Shall require a minimum 7-foot wall and roof structure to screen RVs from view from adjacent properties; and

(g) Shading is required for all storage spaces.

*Purusant to the City of Rio Rancho Zone Code, Section 154.61 Part (D)

IV. ARCHITECTURE

Intent: the purpose of the architectural standards is to provide direction for the development of an attractive, cohesive built environment that accommodates the function of the individual buildings within the Los Diamantes Business Park while also ensuring quality development and reinforcing the unique character and identity of the Park.

a. Materials

1. Primary building materials shall be stucco, colored concrete, *architectural metal siding, or colored block. Stone, tile, metal, or brick accents are also allowed.

2. Finished building treatments are required on all four sides of the building.

3. Materials prohibited as the primary building material include the following:

i. Exposed, untreated precision block or wood walls

ii. Highly reflective surfaces

iii. Metal paneling.

b. Color

1. Predominant colors shall be limited to shades of brown, green, tan, rust, and blue. High-intensity colors, such as metallic, black, or fluorescent colors are prohibited.

c. Height

1. Building height shall be limited to sixty (60) feet.

b. Walls

1. All perimeter block walls facing rights-of-way shall be constructed of split face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.

2. Plain grey CMU block shall not be used for wall material unless treated with stucco.

3. Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way.

4. Barbed wire, concertina wire and similar materials are prohibited.

5. Black or dark green welded wire mesh is permitted for security fencing except along Los Diamantes Road

VIII. STORAGE AND EQUIPMENT AREAS

Intent: Storage and equipment areas should be designed to be harmonious with the site without interfering with their storage function and need for security.

a. Any exterior storage and sales areas shall be screened with walls which are architecturally compatible with the primary building(s) on the site.

b. Loading and service areas should be provided with separate access and circulation whenever possible.

IX. SIGNAGE The following signage standards were developed to regulate the size, location, type, and quality of sign elements within this property. A properly implemented signage program will serve four very

important functions: to direct and inform employees and visitors; to provide circulation requirements and restrictions; to provide for public safety, and to complement the visual character of the development.

a. The following types of signs are permitted in the Los Diamantes Business Park:

1. Monument/Entry Signs
2. Building Mounted Signs
3. Vehicle Directional Signs
4. Pedestrian Directional Signs

b. Entry signs shall be monument type and shall complement the materials, color, and architectural character of the buildings and shall not exceed one hundred thirty-five square feet in area, and fifteen feet in height above grade.

IX. SIGNAGE The following signage standards were developed to regulate the size, location, type, and quality of sign elements within this property. A properly implemented signage program will serve four very important functions: to direct and inform employees and visitors; to provide circulation requirements and restrictions; to provide for public safety, and to complement the visual character of the development.

a. The following types of signs are permitted in the Los Diamantes Business Park:

1. Monument/Entry Signs
2. Building Mounted Signs (Including individual tenant signage)
3. Vehicle Directional Signs
4. Pedestrian Directional Signs

b. Entry signs shall be monument type and shall complement the materials, color, and architectural character of the buildings and shall not exceed one hundred thirty-five square feet in area, and fifteen feet in height above grade.

c. ~~permitted for each facade that . Building mounted signs shall be limited to 10% of the building facade, and a maximum projection of eighteen inches.~~ Building mounted signs: consistent with the City's Sign Regulations, Section 156.08 (B) Building-Mounted Signs.

d. Vehicle directional signs are permitted when necessary to direct vehicles to a special site feature, such as visitor parking. The design of these signs shall be integrated with the Los Diamantes Business Park entry signs and shall not exceed three square feet in area, and five feet in height above grade.

e. Pedestrian directional signs are permitted when it is necessary to direct pedestrians to a special site feature such as a recreational trail. The design of these signs shall be integrated with the Los Diamantes Business Park monument entry signs and shall not exceed two square feet in area, and 3 feet in height above grade.

f. Illumination of signage is permitted and shall follow the regulations contained in Section X, Lighting, located below.

g. Digital and Light Emitting Diode Lighting is permitted per the City of Rio Rancho Institutional District sign regulations.

LOS DIAMANTES

MASTER PLAN



PREPARED FOR: LOS DIAMANTES, LLC

PREPARED BY: MARK GOODWIN & ASSOCIATES, PA
CONSENSUS PLANNING, INC

ADOPTED ON AUGUST 12, 2015
AMENDMENTS: AUGUST 13, 2020
FEBRUARY 11, 2021
SEPTEMBER 22, 2022
JANUARY 23, 2023

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CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 33 **ENACTMENT NO. 23-03**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR THE PROPERTY LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 10, BLOCK 62, LOTS 24-33; APPROXIMATELY 0.312 ACRES OF RIO RANCHO ESTATES UNIT 10, BLOCK 64, LOT 15; AND APPROXIMATELY 18.618 ACRES OF LOS DIAMANTES, TRACT 3 FROM R-1: SINGLE-FAMILY RESIDENTIAL DISTRICT AND R-2: SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3: MIXED RESIDENTIAL DISTRICT, AND RIO RANCHO ESTATES UNIT 10, BLOCK 62, LOTS 16-23, APPROXIMATELY 0.618 ACRES OF RIO RANCHO ESTATES UNIT 10, BLOCK 64, LOT 15 AND APPROXIMATELY 5.382 ACRES OF LOS DIAMANTES, TRACT 3 FROM R-1: SINGLE-FAMILY RESIDENTIAL DISTRICT AND R-2: SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-6: MULTI-FAMILY RESIDENTIAL DISTRICT, AS DEPICTED IN EXHIBIT A OF THIS DOCUMENT, 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. 22-100-00024; and

WHEREAS: the Governing Body received a report from the Planning and Zoning Board, and such report indicates the Planning and Zoning Board has studied and considered the proposed changes pursuant to R.O. 2003 Section 150.07, and said report includes specific findings related to the affected property; and

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of Rio Rancho on December 15, 2022 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

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

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

Section 1. Rezoning of Property and Change in Land Use.

A. The Official Zone Map is hereby amended by assigning a zoning designation on approximately 23.93 acres from R-1: Single-Family Residential District and R-2: Single-Family Residential District to R-3: Mixed Residential District on the lands legally described as:

Rio Rancho Estates Unit 10, Block 62, Lots 24-33 filed in the office of the County Clerk of Sandoval County New Mexico in Book 1, Page 74 dated May 6, 1963.

Rio Rancho Estates Unit 10, Block 64, Lot 15 (approximately 0.312), filed in the office of the County Clerk of Sandoval County New Mexico in Book 1, Page 74 dated May 6, 1963.

Los Diamantes, Tract 3 (approximately 18.618 acres), filed in the office of the County Clerk of Sandoval County New Mexico in Book 28, Pages 95-97 dated September 27, 2019.

B. The Official Zone Map is hereby amended by assigning a zoning designation on approximately 4.618 acres from R-1: Single-Family Residential District and approximately 5.382 acres from R-2: Single-Family Residential District to R-6: Multi-Family Residential District on the lands legally described as:

Rio Rancho Estates Unit 10, Block 62, Lots 16-23 filed in the office of the County Clerk of Sandoval County New Mexico in Book 1, Page 74 dated May 6, 1963.

Rio Rancho Estates Unit 10, Block 64, Lot 15 (approximately 0.618), filed in the office of the County Clerk of Sandoval County New Mexico in Book 1, Page 74 dated May 6, 1963.

Los Diamantes, Tract 3 (approximately 5.382 acres), filed in the office of the County Clerk of Sandoval County New Mexico in Book 28, Pages 95-97 dated September 27, 2019.

C. A plat creating two tracts from the properties legally described as Unit 10, Block 62, Lots 16-33; Unit 10, Block 64, Lot 15; and LD, Tract 3 shall be submitted and recorded on the public records, following approval by the Planning and Zoning Board in order to verify and properly describe the acreage, vacation of right-of-way, and legal description of the subject properties.

Section 2. 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 3. Effective Date. This Ordinance shall become effective ten days after adoption.

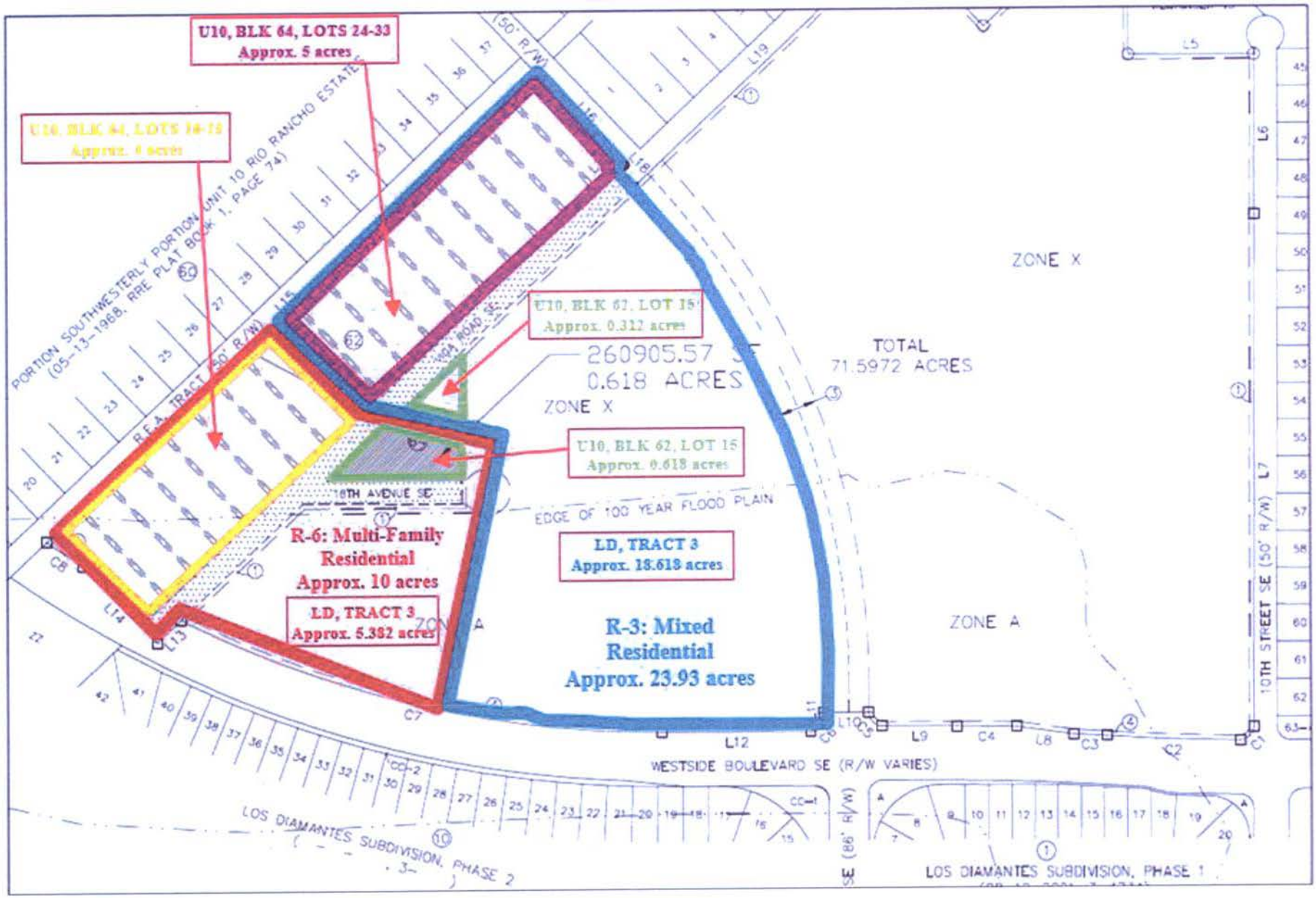
ADOPTED THIS 26th DAY OF JANUARY, 2023.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk
(SEAL)

Exhibit A:


U10, BLK 64, LOTS 24-33
Approx. 5 acres
U10, BLK 64, LOTS 34-35
Approx. 0 acres
U10, BLK 67, LOT 15
Approx. 0.312 acres
U10, BLK 62, LOT 15
Approx. 0.618 acres
260905.57 SF
0.618 ACRES
ZONE X
TOTAL
71.5972 ACRES
EDGE OF 100 YEAR FLOOD PLAIN
R-6: Multi-Family Residential
Approx. 10 acres
LD, TRACT 3
Approx. 5.382 acres
LD, TRACT 3
Approx. 18.618 acres
R-3: Mixed Residential
Approx. 23.93 acres
ZONE A
16TH AVENUE SE
WESTSIDE BOULEVARD SE (R/W VARIES)
10TH STREET SE (50' R/W)
LOS DIAMANTES SUBDIVISION, PHASE 2
LOS DIAMANTES SUBDIVISION, PHASE 1
PORTION SOUTHWESTERLY PORTION UNIT 10 RIO RANCHO ESTATES (05-13-1968, RRE PLAT BOOK 1, PAGE 74)
R.E.A. TRACT (50' R/W)

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 125 **ENACTMENT NO. 23-016**

RESOLUTION AMENDING THE UNIT 10 SPECIFIC AREA PLAN TO UPDATE MAP 3: EXISTING AND PROPOSED DEVELOPMENTS AND MAP 6: GENERALIZED LAND USE PROPOSED CHANGE AREAS TO REFLECT THE LAND USE AND ZONING UPDATES TO THE LOS DIAMANTES MASTER PLAN; 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 determines the hierarchy of plan development, Level 5: Specific Area Plans, consider a smaller geographical area of the City (min. 20 acres) and be consistent with community-scale development or a specific transportation corridor; 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 July 25, 2018 a revised Unit 10 Specific Area Plan was approved by Resolution No.50, Enactment No.18-049; and

WHEREAS: in order to reflect the updated land use and boundary changes to the Los Diamantes Master Plan, Map 3: Existing and Proposed Developments and Map 6: Generalized Land Use Proposed Change Areas must be amended; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Unit 10 Specific Area Plan at their meeting held on October 25, 2022, 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. 22-410-00011) to the Unit 10 Specific Area Plan at their meeting held December 15, 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 Unit 10 Specific Area Plan to update Map 3: Existing and Proposed Developments on page 26 of the Unit 10 Specific Area Plan and Map 6: Generalized Land Use Proposed Change Areas on page 37 of the Unit 10 Specific Area Plan to reflect the updated changes to the Los Diamantes Master Plan.

Section 2. Effective Date. This Resolution shall take effect immediately upon adoption.

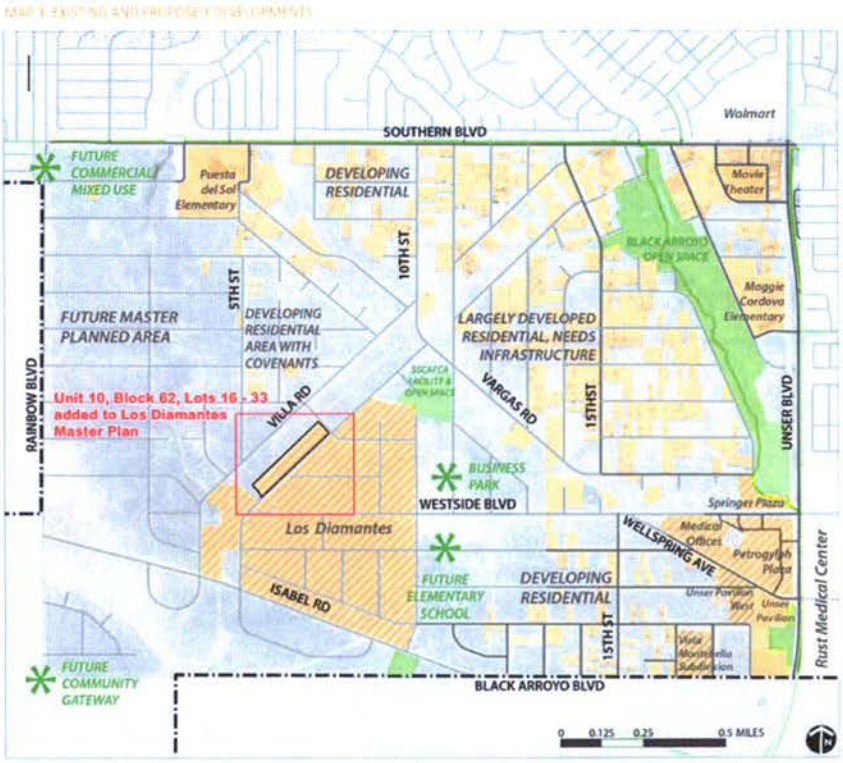
ADOPTED THIS 26th DAY OF JANUARY, 2023.

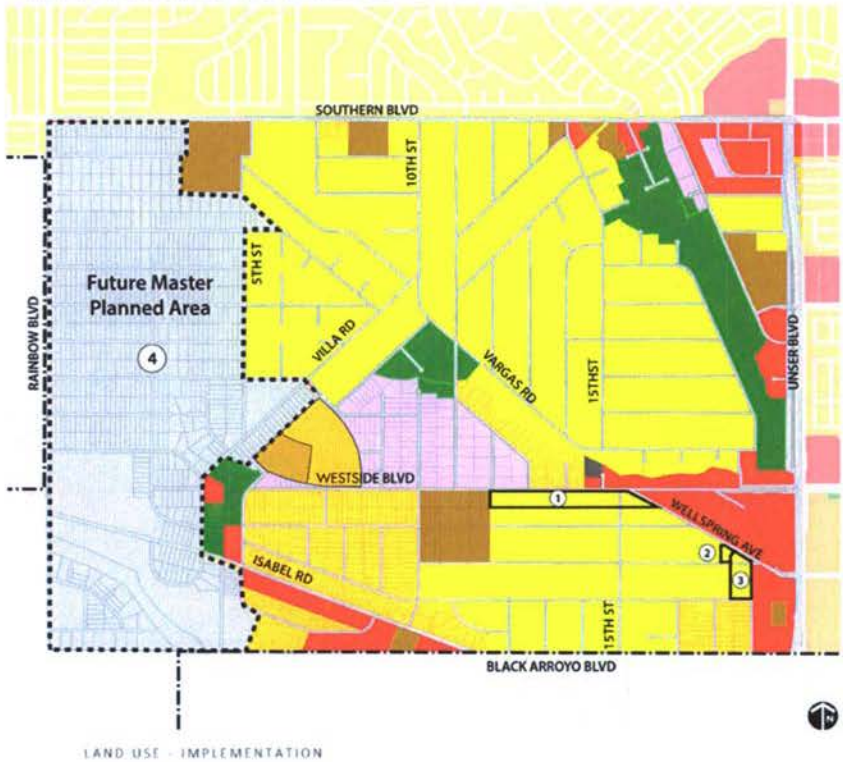
Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk
(SEAL)

EXHIBIT A:


SOUTHERN BLVD
Walmart
FUTURE COMMERCIAL/ MIXED USE
Puesta del Sol Elementary
DEVELOPING RESIDENTIAL
10TH ST
Movie Theater
BLACK ARROYO OPEN SPACE
Maggie Cordova Elementary
5TH ST
FUTURE MASTER PLANNED AREA
DEVELOPING RESIDENTIAL AREA WITH COVENANTS
LARGELY DEVELOPED RESIDENTIAL, NEEDS INFRASTRUCTURE
SSCAFCA FACILITY & OPEN SPACE
VARGAS RD
15THST
UNSER BLVD
RAINBOW BLVD
Unit 10, Block 62, Lots 16 - 33 added to Los Diamantes Master Plan
VILLA RD
BUSINESS PARK
WESTSIDE BLVD
Springer Plaza
Los Diamantes
WELLSPRING AVE
Medical Offices
Petroglyph Plaza
FUTURE ELEMENTARY SCHOOL
DEVELOPING RESIDENTIAL
ISABEL RD
Unser Pavilion West
Unser Pavilion
15TH ST
Vista Montecello Subdivision
Rust Medical Center
FUTURE COMMUNITY GATEWAY
BLACK ARROYO BLVD
0 0.125 0.25 0.5 MILES
UNIT 10 SPECIFIC AREA PLAN
EXISTING & PROPOSED DEVELOPMENTS
LEGEND
DEVELOPMENT
Existing Single Family
Existing Development
Proposed Development
SSCAFCA FACILITIES
Existing
Proposed


SOUTHERN BLVD
10TH ST
5TH ST
Future Master Planned Area
4
RAINBOW BLVD
VILLA RD
VARGAS RD
15THST
UNSER BLVD
WESTSIDE BLVD
1
WELLSPRING AVE
2
3
ISABEL RD
15TH ST
BLACK ARROYO BLVD
UNIT 10 SPECIFIC AREA PLAN
GENERALIZED LAND USE, PROPOSED CHANGE AREAS
LEGEND
LAND USE CATEGORY
Low Density Residential
Medium Density Residential
High Density Residential
Neighborhood Commercial
Community Commercial
Industrial, Business Park, Warehouse
Civic, School, Church
Parks, Open Space, Drainage
Utility
Future Master Planned Area
PROPOSED CHANGE AREAS
1. Change to Neighborhood Commercial to provide transition area with office. See page 27.
2. Identify as Neighborhood Commercial reflecting Unser Pavilion West Plan.
3. Identify as Community Commercial reflecting Unser Pavilion West Plan.
4. Change to Future Master Planned Area. See page 28 for description of the land uses in this area.

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO.126 **ENACTMENT NO. 23-017**

RESOLUTION AMENDING THE LOS DIAMANTES MASTER PLAN TO UPDATE SECTION 1. INTRODUCTION, SECTION 2. EXISTING CONDITIONS, SECTION 3. LAND USE, ZONING, AND DENSITY, SECTION 7. TRANSPORTATION ANALYSIS, AND SECTION 10. IMPLEMENTATION AND PHASING; 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 September 22, 2022, a revised Los Diamantes Master Plan was approved by Resolution No.87, Enactment No.22-087; and

WHEREAS: in order to expand the boundary of the Los Diamantes Master Plan in Section 2. Existing Conditions; update zoning designations in Section 3. Land Use, Zoning, and Density; provide provisions for vacation of public right-of-way in Section 7. Transportation Analysis; to update phasing of the Master Plan in Section 10. Implementation and Phasing; and to update the respective maps "Los Diamantes Site Vicinity" on page 2 of the Los Diamantes Master Plan and "Los Diamantes Master Plan Phasing Plan" on page 56 of the Los Diamantes Master Plan to reflect the updated changes; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Los Diamantes Master Plan at their meeting held on October 25, 2022, 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. 22-410-00010) to the Los Diamantes Master Plan at their meeting held December 15, 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 Los Diamantes Master Plan to update Section 2. Existing Conditions; Section 3. Land Use, Zoning, and Density; Section 7. Transportation Analysis; Section 10. Implementation and Phasing; and to update the respective maps "Los Diamantes Site Vicinity" on page 2 of the Los Diamantes Master Plan and "Los Diamantes Master Plan Phasing Plan" on page 56 of the Los Diamantes Master Plan to reflect the updated changes.

Section 2. Effective Date: This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 26th DAY OF JANUARY, 2023.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk

(SEAL)

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1. INTRODUCTION

This document is a Master Plan for the area known as Los Diamantes, located in Rio Rancho, Sandoval County, New Mexico. The Los Diamantes Master Plan area is comprised of approximately 180 acres owned by Los Diamantes, LLC. The vicinity map located on page 2 illustrates the location of the master plan area. The purpose of this Master Plan is to identify land uses, zoning, parks, trails, drainage facilities, conceptual utilities, transportation corridors, and provide design guidelines. The following are the objectives of the Master Plan:

- To create a zoning and land use plan that includes well-planned single family residential neighborhoods in close proximity to planned schools and commercial services, a business park area that will attract future employers to the City of Rio Rancho, multi-family residential opportunities to support affordable housing goals and commercial services and provide needed services to both the residential neighborhoods and the business park.

- To connect with and extend existing transportation corridors identified in the City's Transportation Policy.

- To correct the jobs/housing imbalance on the Westside by providing a desirable location and infrastructure necessary to support employment in a well-designed business park.

- To provide a balanced land use mix that accommodates high quality residential development of various densities and high-quality employment and commercial development with convenient access to housing.

- To comply with and implement the Rio Rancho Comprehensive Plan and the Unit 10 Specific Area Plan.

Master Planning Process

This Master Plan was accomplished in collaboration with City of Rio Rancho Development Services Department, Los Diamantes LLC, Mark Goodwin and Associates, Price Land Development Group, and Consensus Planning, Inc. A zone map amendment request is included in conjunction with this master plan application. This master plan establishes zoning for the Los Diamantes Plan Area. The Master Plan Project team worked with the City of Rio Rancho Development Services on the Business Park zone; and the Los Diamantes Business Park proposes to use this zone.


Rainbow Blvd
Unser Blvd
Broadmor Blvd
Southern Blvd
Puesta Del Sol Elementary School
Golf Course Rd
Rio Rancho Blvd / NM 528
Viga Rd
Los Diamantes
Proposed Westside Blvd
Isabel Rd
Westside Blvd
Presbyterian Rust Medical Center
City of Rio Rancho
City of Albuquerque
McMahon Blvd
McMahon Blvd
Irving Blvd
Universe Blvd
Coors Blvd Bypass
Paradise Blvd
Unser Blvd
LOS DIAMANTES SITE VICINITY

2. EXISTING CONDITIONS

As shown on the Vicinity Map, Los Diamantes is located approximately one mile west of Unser Boulevard and a little over a half mile south of Southern Boulevard in Unit 10. The proposed combination of the Business and Residential components comprises approximately 180 acres, which is currently vacant.

The existing alignment of West Side Boulevard runs east and west and bisects the Plan Area. The south boundary is the existing Isabel right-of-way. The east boundary is 10th Street, and the west boundary is the public right-of-way separating Viga Road and Villa Road between Ark Road and Westside Boulevard.

Los Diamantes is the first large scale development within Unit 10 and as such, it is not in close proximity to any other approved master plans. The Plan Area's preferred land use categories and zoning were addressed in the recently approved Generalized Land Use Map as is further discussed in the Land Use section of this master plan. The Los Diamantes Master Plan is in compliance with and furthers the Generalized Land Use Map.

The property lies within a geological saddle that falls from northwest to southeast. The surface is covered by a mixture of sand sagebrush, four-winged saltbush and blue grama grasses, and includes some cholla and cacti. Animal species in the Plan Area include coyote, cottontails, jackrabbits and horned lizards. An Endangered Species Act compliance document was produced, and no endangered species (plant or animal) were documented. A Cultural/ Archeological survey was also performed. The report, along with mitigation recommendations, is on file with the Historic Preservation Division of the State Historic Preservation Office.

There is a large undefined flood plain in an arroyo channel that is created by the "Rainbow Tributary" to the Calabacillas Arroyo that originates in Rio Rancho north of Southern Boulevard and terminates in the City of Albuquerque at the Calabacillas Arroyo. This arroyo and its flows are addressed in the drainage section of the Master Plan.

Amendments

Since this Master Plan was adopted in 2015, the City of Rio Rancho adopted the Unit 10 Specific Area Plan, which addresses land use, transportation, utilities and infrastructure, and general development guidelines for the larger geographic area surrounding Los Diamantes. The Specific Area Plan has subsequently been amended and further amendments have been considered by the Rio Rancho Governing Body.

The Unit 10 Specific Area Plan proposed land use change areas that designated different land uses than those adopted in the Comprehensive Plan and relied on in the original Los Diamantes Master Plan. Such changes included designation of the western portion of Unit 10 as a "Future Master Planned Area," location of the new Joe Harris Elementary School as a civic/institutional land use where residential was previously shown, and an increase in commercial uses along Westside Boulevard and near Unser Pavilion.

This Master Plan was previously amended in 2020 to add Unit 10, Block 64, Lot 15, as well as Unit 10, Block 18, Lot 41, and to remove Unit 10, Block 60, Lots 10 and 13. The Master Plan was amended again in 2022 to add Unit 10, Block 62, Lots 16 - 33, which are located north of Viga Road SE between Ark Road and the Westside Boulevard right-of-way.

3. LAND USE, ZONING, AND DENSITY

The zoning for the Plan is intended to allow for a mix of land uses that will provide for the creation of residential neighborhoods with a mix of single family housing types, multi-family residential opportunities, and the creation of a business park that will provide employment space and commercial services for the City of Rio Rancho. The creation of a regional pond has been designed to handle the regional drainage detention needs for the Plan Area. The residential plan also identifies two public neighborhood parks located within the Los Diamantes residential neighborhood south of Westside Boulevard. See the Los Diamantes Zoning Map on page 7.

The following sections and pages include descriptions of the land use and zoning for the Master Plan.

Business Park (34 acres)
The area that is zoned Business Park follows all of the regulations of the City of Rio Rancho Business Park Zone. The intent of the Los Diamantes Business Park is to provide for large employers within a campus style setting that is supported by commercial services.

This Master Plan contains design standards for the Business Park to ensure that the Park is developed in an aesthetically pleasing and cohesive manner and that the more intense aspects of the industrial uses are enclosed, screened, and/or buffered. The design standards will also ensure any multi-family residential component will be successfully integrated with the remainder of the business park uses.

The commercial uses are intended to support the Business Park by providing the opportunity for commercial services such as restaurants, dry cleaners, and banks that will serve both Business Park employees and the adjacent Los Diamantes residential neighborhoods. Within the employment and commercial mix in the Business Park there is the opportunity for both an employment campus like setting, as well as for the commercial services to take a more urban mixed-use form.

R-3 Mixed Residential District (125 acres)
The Los Diamantes residential neighborhood follows all of the requirements of the City of Rio Rancho R-3 Mixed Residential District. The Master Plan and Los Diamantes Residential Overlay Zone (LDROZ) does not permit multi-family development within the R-3 zone (LDROZ).

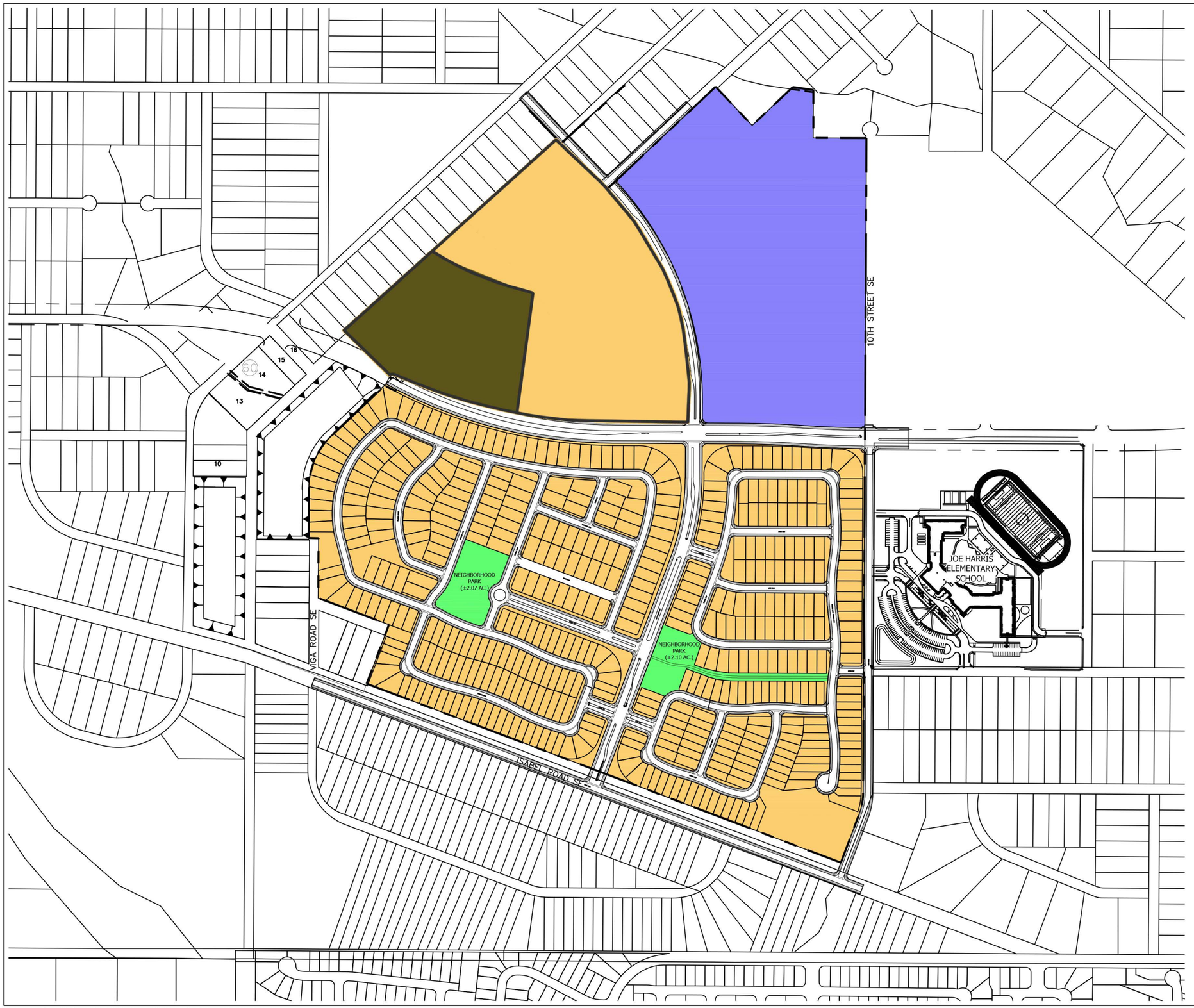
The R-3 residential neighborhoods will provide the opportunity for a variety of single-family housing types. The plan intends the neighborhood to develop with a range of lot sizes. All the lots will meet the minimum lot size requirement established by the R-3 zone. The Master Plan establishes the following residential lot sizes for the Plan Area:

Minimum Lot Width	Percent of Residential Units	Number of Units	Density (DU's per acre)
Forty (40) Feet	41%	200	+/- 6
Fifty (50) Feet	43%	209	+/- 5
Fifty-Five (55) Feet	16%	78	+/- 4

R-6 Multi-Family Residential (10 acres)
The proposed R-6 multi-family residential neighborhood follows all the requirements of the City of Rio Rancho R-6 zoning district. The neighborhood will be located at the southwestern edge of Los Diamantes along Westside Boulevard, and will feature densities of approximately 25 dwelling units per acre. When this land use is implemented, the Unit 10 buffer overlay district regulations established in Ordinance No. 20, Enactment 18-24 shall be considered and implemented. Further details regarding implementation of this land use may be defined in a separate development agreement.

Pond/Open Space (8 acres)
The pond that is located at the Plan Area's southwest boundary is being developed in collaboration with the Southern Sandoval County Flood Control Authority (SSCAFCA) and the City of Rio Rancho. More information on the Los Diamantes Regional Pond is included in Chapter 8, Conceptual Drainage Plan.

Neighborhood Parks
There are three neighborhood parks planned within the Los Diamantes residential neighborhoods. These parks will be a variety of sizes based on the neighborhood area served by each. These parks total approximately 4.9 acres. They will be dedicated to the City of Rio Rancho and will be maintained by the City of Rio Rancho. More information of these parks is contained in Chapter 6, Parks and Trails.



BUSINESS PARK
(± 36 ACRES)

SU: SPECIAL USE FOR PRD
(± 22 ACRES)

R-3 MIXED USE RESIDENTIAL
(± 103 ACRES)

R-6 MULTI-FAMILY RESIDENTIAL
(± 10 ACRES)

NEIGHBORHOOD PARK
(± 5 ACRES)

N

500' 250' 0 500' 1000'

SCALE: 1" = 500'

CONSENSUS PLANNING

LOS DIAMANTES

Land Use/Zoning Plan

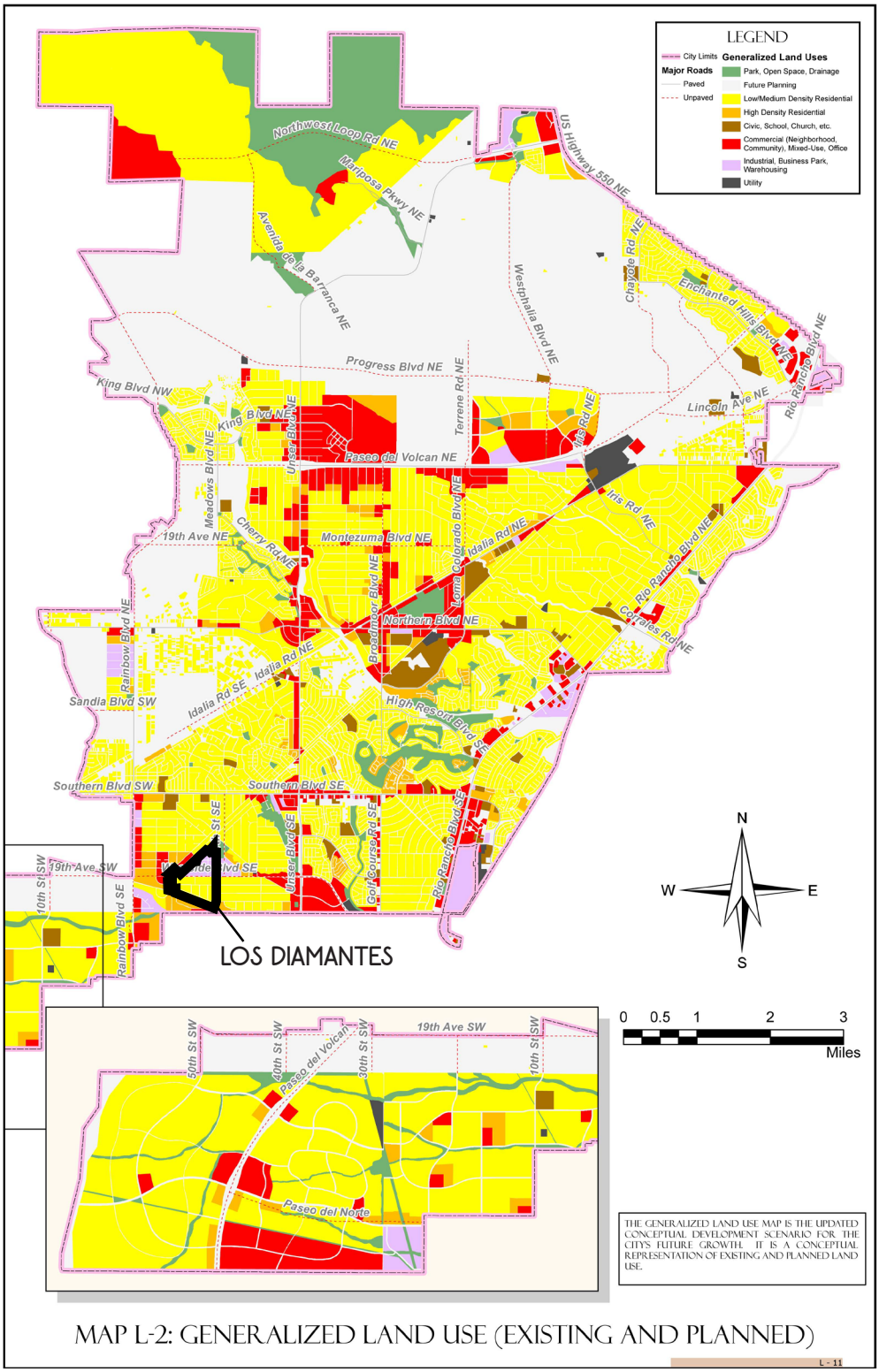
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Generalized Land Use

The City of Rio Rancho Comprehensive Plan Generalized Land Use Plan was recently updated in order to add proposed land uses for Unit 10. The Los Diamantes Master Plan is within Unit 10. The Master Plan is consistent with the Generalized Land Use Plan, which shows the land uses as Industrial, Business Park, Warehousing, and Low/Medium Density Residential. See the Generalized Land Use Map located below:



MAP L-2: GENERALIZED LAND USE (EXISTING AND PLANNED)

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4. DESIGN STANDARDS

The purpose of these Design Standards is to provide a framework to assist the architects, landscape architects, civil engineers, and designers in understanding the vision and development goals for the Plan Area. Minor amendments to these standards may be approved administratively by the Development Services Department Director and major amendments shall be approved by the City of Rio Rancho Governing Body.

A. RESIDENTIAL DESIGN STANDARDS

The residential design standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, and signage that will create the visual image desired for Los Diamantes. They are intended to be complementary to the surrounding area, and to create a unique neighborhood in Los Diamantes that has its own identity but reinforces the character of the Los Diamantes Business Park and commercial development.

I. ARCHITECTURAL REVIEW COMMITTEE

The Los Diamantes residential subdivision will establish a residential Architectural Review Committee (ARC) to ensure that new development follows the design standards and to encourage and promote development that is harmonious and in keeping with the character of the Los Diamantes neighborhood. The ARC will be responsible for reviewing all plans and for making sure that properties are continually maintained.

A more comprehensive and detailed set of design standards and CC&Rs are being developed for the property consistent with the intent of these Master Plan standards. It is anticipated that these CC&Rs will be more detailed and may conflict with these more general guidelines. The ARC will administer these standards to ensure a consistent character and quality of development.

II. PEDESTRIAN AMENITIES

a. 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.

b. Sidewalks along Westside Boulevard shall be six feet in width. All other sidewalks shall be five feet in width.

c. To the maximum extent feasible, private parks, public parks, and open space areas shall be designed to create an integrated system that is connected through trails and sidewalks, which also serve as recreational amenities for the residents.

d. All trails within Los Diamantes will be designed in compliance with City of Rio Rancho trail standards. Trails will be designed to connect with a sidewalk and/or park. In some locations, a trail may be constructed in lieu of a sidewalk.

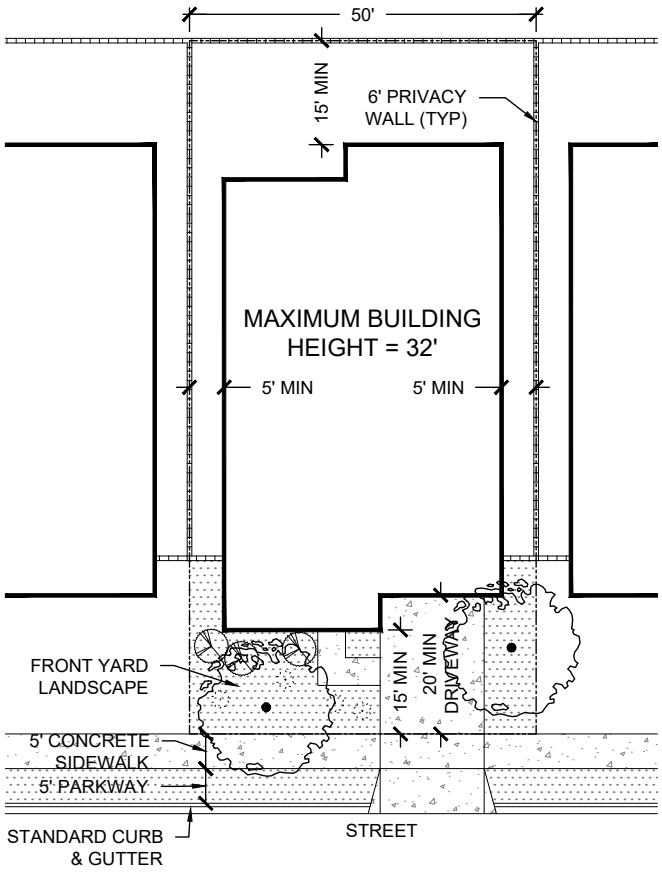
III. SETBACKS

The use of building area setbacks is required to provide space for the creation of visually attractive streetscapes. Required within these setbacks shall be pedestrian walkways and screening materials, including landscaping and walls.

a. Minimum Front Yard Setbacks: 15 feet, except 20 feet for garage doors and single-family attached and zero lot line dwelling units.

b. Minimum Rear Yard Setbacks: 15 Feet

c. Minimum Side Yard Setbacks: 5 feet on both sides for any principal building, for a total separation of 10 feet between buildings. 10 feet on the side of corner lots.



Conceptual Diagram Illustrating Setbacks

IV. BUILDING HEIGHT AND MATERIALS

a. Residential building heights shall not exceed 32 feet in height and shall be consistent with the City Comprehensive Zoning Code unless otherwise restricted as described below.

b. Stucco shall be the primary building material. Stucco colors shall be limited to shades of brown, tan, sage green, and sand. High intensity colors, such as metallic, black, or florescent colors are prohibited.

c. Accent colors in entry portals, front door, window frames and trim, and other incidental elements shall be shades of white, blue, brown, and green.

d. Windows may be wood, metal, or solid vinyl. Reflective film is prohibited.

e. Exterior doors, including garage doors, shall be stained or painted wood or painted metal and shall match the architectural theme of the dwelling.

f. 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" if they are adjacent to stucco or stone, unless they are wood encased.

V. LANDSCAPE

The development of an overall landscape concept will establish a framework that unifies the neighborhood. The goal is to provide a low water use landscaped community. These standards are to be made as a supplement to the City of Rio Rancho requirements. The following are minimum standards for the development of specific landscape plans:

a. A five-foot landscape parkway strip shall be located between the sidewalk and the curb. The groundcover for the landscape strip shall be required to be Santa Fe Brown rock, or other equivalent decorative rock groundcover. The maintenance of this strip shall be the responsibility of the Homeowner.

b. Every lot shall have a minimum of two trees, each of a minimum one and one-half inches in caliper.

c. Individual lot owners will be responsible for the installation and maintenance of the landscape on their property. All plant material, including trees, shrubs, groundcover, wildflowers, etc. shall be maintained by the lot owner in a living attractive condition.

d. Landscaping within the private common areas, as shown on the lot layout exhibit, shall be maintained by the Homeowners' Association. These areas are for the benefit of the Homeowners and will be defined with future platting.

e. The Homeowners' Association shall maintain landscaping in the right-of-way. All landscaping must be maintained in attractive living condition.

f. Irrigation and landscaping maintenance outside of individual lots shall be the responsibility of the HOA.

g. Front Yard Minimums:

<u>40' lots</u>
1. 2 trees at least 1.5" caliper and 10-12 feet high at the time of planting
2. 3 large shrubs (minimum 5 gallon)
3. 2 small shrubs (minimum 1 gallon)

<u>50' and 55' lots</u>
1. 2 trees at least 1.5" caliper and 10-12 feet high at the time of planting
2. 3 large shrubs (minimum 5 gallon)
3. 4 small shrubs (minimum 1 gallon)

h. At a minimum, all front yard landscaping shall be required to contain Pueblo Rose, Santa Fe Brown, River rock, or similar type rock over filter fabric for all yard areas that are not covered with living vegetative groundcover.

i. Accentuating bark mulch or pecan shells are permitted in front yard landscape.

j. Within individual lots, landscaping and irrigation system maintenance is required and will be the responsibility of the homeowner, including that which is between the curb and sidewalk. Landscaping shall be maintained in a healthy and attractive condition.

k. Xeric principles are to be employed when designing landscaped areas and they shall include the use of water harvesting areas to the extent possible.

l. Suggested Trees:
    1. Acer negundo 'Sensation' – Sensation Box Elder
    2. Fraxinus velutina 'Medesto' – Modesto Ash
    3. Gleditsia triacanthos – Honey Locust
    4. Pistacia chinensis – Chinese Pistache
    5. Platanus acerifolia 'Bloodgood' – Bloodgood London Plane Tree
    6. Ulmus hybrid 'Frontier' – Frontier Elm

VI. LIGHTING

In order to enhance the safety, security, and visual aesthetics, careful consideration must be given to both the daytime and the night-time appearance of the lighting design and fixtures. The primary design objective of the site lighting system shall be to provide for public safety without adversely affecting adjacent properties, buildings, or roadways with unnecessary glare or reflection.

a. Placement of fixtures and standards shall conform to state and local safety and illumination standards.

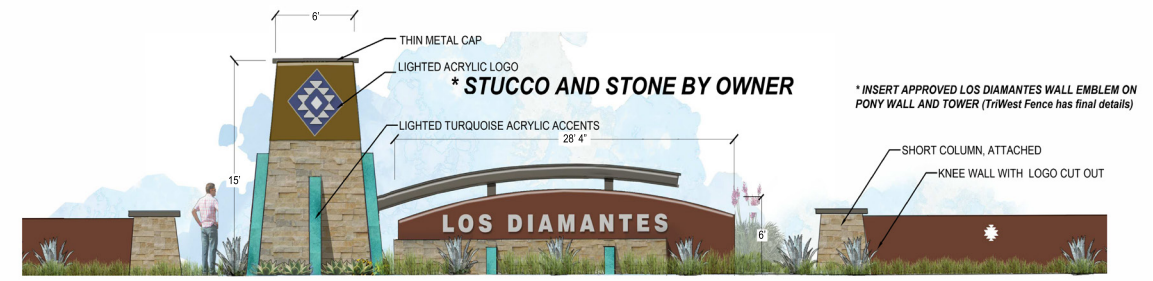
b. All lights shall be fully shielded source with glare cut off angles of a maximum of 75 degrees to prevent spillage onto adjoining properties or light pollution of the existing "dark sky". Cobra and sodium streetlights are prohibited.

c. Streetlights shall be in accordance with the City of Rio Rancho Outdoor Lighting Ordinance/Chapter 159. Height shall not exceed 16 feet.

VII. SIGNAGE

The following signage standards were developed to regulate the size, location, type, and quality of sign elements within Los Diamantes. The goal is to provide a signage program that is of high quality, maintains a consistent style and complements the visual character of the property.

a. Entry signs shall be the monument type and shall complement the materials, color, and architectural character of the buildings. No part of the monument sign shall exceed ~~forty~~ 180 square feet in area and 8 feet in height above grade. The ornamental tower shall be considered an architectural detail, and shall not be included as part of the sign for measurement purposes.



Conceptual Residential Monument Sign

b. Pedestrian directional signs are permitted. The design of these signs shall be integrated with the Los Diamantes neighborhood monument entry signs and shall not exceed two square feet in area, and three feet in height above grade.

c. Illumination of signage is permitted and shall follow the Lighting Standards contained in Section VI of this document.

d. Digital and light emitting diode signage is prohibited.

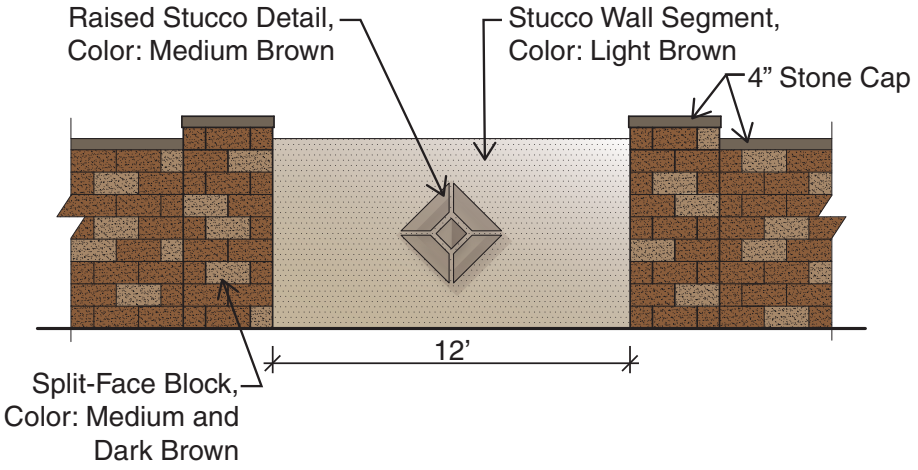
VIII. WALLS

a. All perimeter block walls facing rights-of-way shall be designed to complement entry monument signs.

b. Plain grey CMU block shall not be used for wall material unless treated with stucco.

c. Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way.

d. Barbed wire, concertina wire, and similar materials are prohibited.



Conceptual Los Diamantes Wall Design

IX. UTILITIES

To ensure the overall aesthetic quality of the property and the natural environment, the visual impact of utilities and equipment shall be minimized by the following:

a. All new electric distribution lines shall be placed underground.

b. Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or vegetation, per the access regulations of the applicable utility company, when viewed from the public right-of-way.

c. When an above ground backflow prevention device is required by the City, the heated enclosure shall be constructed of materials compatible with the architectural materials used as a main element of the building or with the landscaping there.

d. If prefabricated fiberglass enclosures are used, they shall be appropriately screened from view by low walls and/or landscaping.

X. OFF-STREET PARKING

Minimal number of off-street parking spaces shall be provided according to the design standard contained in the DPM and Requirements per Zoning Code. Parking shall be calculated and provided as follows:

a. For each house or townhouse:

1. Three spaces if the dwelling has up to two bedrooms, two in garage
2. Four spaces if the dwelling has three or more bedrooms, two in garage

b. Off street parking is prohibited in the front setback/landscape area. Off-street parking is permitted on the driveway within the front setback in front of the garage.

XI. RECYCLING

Curbside recycling pickup and garbage carts are provided by the City (currently via a private provider) within the City of Rio Rancho. Homes within Los Diamantes are required to provide storage for the automated carts, including the recycling cart, and homeowners are encouraged to participate in this recycling program.

B. Business Park Design Standards

The intent of the Los Diamantes Business Park Design Standards are to create the framework for a built environment within the Business Center that supports business and economic development through the creation of a cohesive, attractive setting while also respecting and accommodating the building size and use requirements of a range of employers. The design standards are intended to be complimentary to the surrounding residential neighborhoods and keep in the unique character of the entire Los Diamantes Master Plan. The Business Park Design Standards are based on the following principles:

- Design for compatibility with adjacent uses by outlining design standards which complement the nearby neighborhood and City of Rio Rancho, as a whole;
- Design for overall cohesiveness which unifies the business park with planned residential development; and
- Consider each building as a long-term addition to the city by ensuring high-quality development.

I. ARCHITECTURAL REVIEW COMMITTEE

The Los Diamantes Business Park will establish an Architectural Review Committee (ARC) to ensure that new development follows the design standards and to encourage and promote development that is harmonious and in keeping with the character of the Los Diamantes Business Park. The ARC will be responsible for reviewing all plans and for making sure that properties are continually maintained. The business park ARC will be separate from the residential ARC.

II. BUILDING ORIENTATION AND CONNECTIVITY

Intent: Buildings should be oriented with consideration to the visual impact from the perspective of the driver or pedestrian on the adjacent primary roadways. It is important to create the immediate first impression of a high-quality business park, as part of the city's overall community character and identity. Business parks and campuses are enhanced when it is easier, safer, and more comfortable to walk between buildings and parking areas. The Los Diamantes Business Park is intended to accommodate large employers as well as live/work uses, and supportive retail and services which will have a more urban character. Therefore, both minimum and maximum setbacks have been included in order to allow for both of these land use forms. All development within the Business Park should connect to surrounding uses, including streets, businesses, transit facilities, and residential areas, where appropriate.

a. Setbacks

1. Front Yard Setback:

Minimum - 10’

Maximum - 80’

2. Side Yard Setback:

Minimum of ten (10) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area. In the case of a corner lot, the front yard setbacks will apply except that cantilevered roofs and sunscreens may project six (6) feet into the setback area. Interior lot lines for a corner lot shall be considered side lot lines. Signs allowed by the ordinance may be placed in street-side, side yard setback areas. There is no maximum side setback.

3. Rear Yard Setback:

Twenty (20) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area.

b. Building Placement

1. Building placement that creates opportunities for plazas, courtyards, patios, or outdoor dining is strongly encouraged.

c. Building Entries

1. Building entries should be located so that they are easily identifiable from the primary adjacent roadway.

2. Secondary and employee entrances shall be easily accessible and convenient to building parking and delivery areas but should not be dominant.

d. Sidewalks

1. Sidewalks shall be designed to connect to sidewalks internal to individual sites and to trails when relevant.

2. All sidewalks shall be designed per the Americans with Disability Act requirements.

e. Trails

1. All trails within Los Diamantes Business Park will be designed in compliance with City of Rio Rancho trail standards. Trails will be designed to connect with a sidewalk, business, and/or park. In some locations, a trail may be constructed in lieu of a sidewalk.

III. PARKING

Intent: The intent of the parking standards is to develop a circulation system that safely and efficiently moves vehicles while avoiding and reducing potential conflicts between pedestrians and vehicles. the maximum front setback of 80’ allows for two rows of parking and a drive aisle in front of the building. Therefore, the majority of parking shall be located either on the side or

in the rear of the building.

a. Placement and Design

1. The placement and design of parking areas should foster safe pedestrian access and provide clearly identifiable pedestrian walkways between the primary entrance and visitor parking.

2. The minimum number of vehicular, disabled, motorcycle, and bicycle parking spaces shall be per Section 154.76 Off-street Parking Regulations contained in the City of Rio Rancho Zoning Code.

3. Large parking areas shall be visually segmented into smaller subareas separated by landscaping and/or pedestrian walkways.

4. Parking shall not dominate the street frontage. Wherever possible, visitor parking should be placed on the primary street frontage, and employee parking located either to the side or rear of the building.

5. Parking areas shall be designed to include a pedestrian link to the public sidewalk network, and/or trail system.

IV. ARCHITECTURE

Intent: the purpose of the architectural standards is to provide direction for the development of an attractive, cohesive built environment that accommodates the function of the individual buildings within the Los Diamantes Business Park while also ensuring quality development and reinforcing the unique character and identity of the Park.

a. Materials

1. Primary building materials shall be stucco, colored concrete, or colored block. Stone, tile, metal, or brick accents are also allowed.

2. Finished building treatments are required on all four side of the building.

3. Materials prohibited as the primary building material include the following:

   i. Exposed, untreated precision block or wood walls

   ii. Highly reflective surfaces

   iii. Metal paneling.

b. Color

1. Predominate colors shall be limited to shades of brown, tan, rust, and blue. High intensity colors, such as metallic, black, or florescent colors are prohibited.

c. Height

1. Building height shall be limited to sixty (60) feet.

d. Building Design

1. Facades with a high level of visual interest from both vehicular and pedestrian viewpoints are encouraged.

2. Long unbroken building facades should be broken up with architectural details. Facades with varied front setbacks are encouraged to provide visual interest.

3. Rear and side wall elevations shall be constructed of the same materials as the primary front facade and shall be of the same architectural design.

4. Entrances to individual buildings should be identifiable through the use of architectural recesses or projections, roof elements, columns, or other architectural elements.

V. SUSTAINABILITY

a. Energy efficient techniques shall be utilized to reduce energy and water consumption, where feasible.

b. Water harvesting techniques such as curb cuts for drainage to landscaped areas, permeable paving, and or bioswales to slow and treat storm water runoff shall be provided where feasible.

c. Buildings shall be oriented to take advantage of heat gain in the winter where feasible while coordinating with shading strategies to inhibit solar gain in the summer.

d. Grasses and other ground vegetation should be near edges to help filter and slow runoff as it enters and exits the site.

e. Convenient recyclable collection facilities shall be provided by all tenants of the site.

VI. LANDSCAPING

Intent: The intent of the landscape standards is to foster the development of an overall, water efficient, landscape concept that will establish a framework that unifies the entire Business Park.

a. The use of turf grasses shall be limited per the City of Rio Rancho regulations restricting turf grass.

b. A landscape setback (outside of the right-of-way) of a minimum of 10 feet shall be provided along each primary street frontage. The landscape area shall be comprised primarily of deciduous trees, 10-foot minimum height at the time of planting and shall be capable of reaching a mature height of at least 25 feet.

c. An automatic underground irrigation system shall be provided to support all landscaping.

The system shall be designed to avoid overspraying of walks, buildings, fences, etc.

d. Proposed lighting and landscaping shall be placed so they are not in conflict with each other.

e. All plant material within the business park, including trees, shrubs, groundcovers, turf, wildflowers, etc. shall be maintained by a landscaping company. A business park association shall be established to fund landscaping maintenance. Association membership shall be required by property owners within the business park and landscaping maintenance fees shall be based on property size.

f. Suggested Trees:
    1. Acer negundo 'Sensation' – Sensation Box Elder
    2. Fraxinus velutina 'Medesto' – Modesto Ash
    3. Gleditsia triacanthos – Honey Locust
    4. Pistacia chinensis – Chinese Pistache
    5. Platanus acerifolia 'Bloodgood' – Bloodgood London Plane Tree
    6. Ulmus hybrid 'Frontier' – Frontier Elm
    7. Pinus eldarica – Afghan Pine
    8. Pinus nigra – Austrian Pine

VII. SCREENING, BUFFERING AND WALLS

Intent: The intent is to reduce the visual impact of the necessary elements of parking, mechanical equipment, and refuse on the site; and to provide broader buffers to adjacent land uses without impacting the practical function of the site components.

a. Screening

    1. Portions of parking lots that are in front of or beside buildings along the primary street (as determined by main entrance) shall be screened with one or more of the following treatments:

        i. Landscaping to sufficiently screen the first 3 feet in height adjacent to the parking area, within the landscape setback.

        ii. Low walls made of concrete, masonry, or other similar material and not exceeding a height of 3 feet.

        iii. Raised planter walls planted with a minimum 80% evergreen shrubs not to exceed 3 feet in height.

    2. Refuse collection shall comply with Waste Management of New Mexico and City of Rio Rancho requirements.

    3. Screening for the refuse collection shall be comprised of a solid wall. The location, design, color, and material of the enclosure shall be compatible with the principal building.

4. Ground and roof-mounted mechanical equipment shall be screened from the view of adjoining properties by landscaping or parapets, respectively.

b. Walls

1. All perimeter block walls facing rights-of-way shall be constructed of split-face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.

2. Plain grey CMU block shall not be used for wall material unless treated with stucco.

3. Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way.

4. Barbed wire, concertina wire and similar materials are prohibited.

VIII. STORAGE AND EQUIPMENT AREAS

Intent: Storage and equipment areas should be designed to be harmonious with the site without interfering with their storage function and need for security.

a. Any exterior storage and sales areas shall be screened with walls which are architecturally compatible with the primary building(s) on the site.

b. Loading and service areas should be provided with separate access and circulation whenever possible.

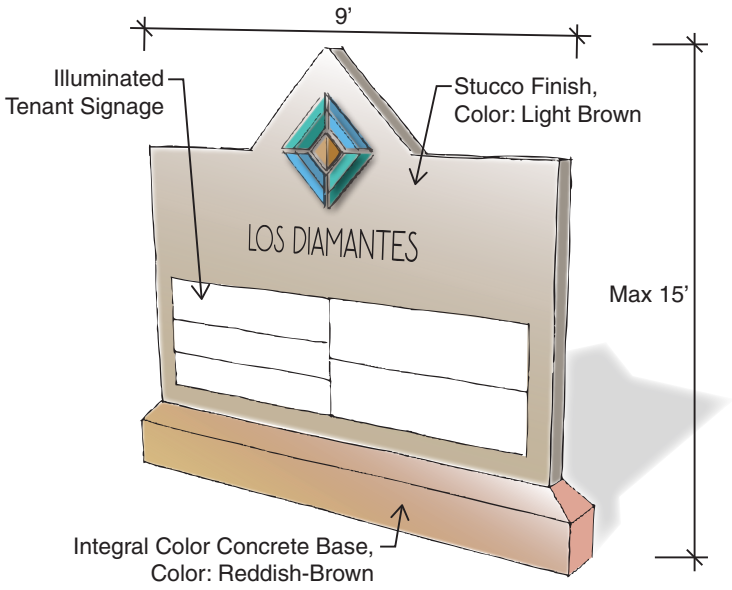
IX. SIGNAGE

The following signage standards were developed to regulate the size, location, type, and quality of sign elements within this property. A properly implemented signage program will serve four very important functions: to direct and inform employees and visitors; to provide circulation requirements and restrictions; to provide for public safety, and to complement the visual character of the development.

a. The following types of signs are permitted in the Los Diamantes Business Park:

1. Monument/Entry Signs
2. Building Mounted Signs
3. Vehicle Directional Signs
4. Pedestrian Directional Signs

b. Entry signs shall be monument type and shall complement the materials, color, and architectural character of the buildings and shall not exceed one hundred thirty-five square feet in area, and fifteen feet in height above grade.



Conceptual Business Park Monument Sign

c. One building mounted sign is permitted for each facade that faces a primary roadway. Building mounted signs shall be limited to 10% of the building facade, and a maximum projection of eighteen inches.

d. Vehicle directional signs are permitted when necessary to direct vehicles to a special site feature, such as visitor parking. The design of these signs shall be integrated with the Los Diamantes Business Park entry signs and shall not exceed three square feet in area, and five feet in height above grade.

e. Pedestrian directional signs are permitted when it is necessary to direct pedestrians to a special site feature such as a recreational trail. The design of these signs shall be integrated with the Los Diamantes Business Park monument entry signs and shall not exceed two square feet in area, and 3 feet in height above grade.

f. Illumination of signage is permitted and shall follow the regulations contained in Section X, Lighting, located below.

g. Digital and Light Emitting Diode Lighting is permitted per the City of Rio Rancho Institutional District sign regulations.

X. LIGHTING

Intent: Lighting should be designed to provide atmosphere, safety, and security. Lighting shall comply with all applicable City ordinances and shall be further restricted by the following design standards:

a. Site lighting shall be shielded and oriented to eliminate glare or light trespass on to adjacent rights-of-way and properties.

b. All parking lot lighting shall be fully shielded and night-sky compliant.

c. Pedestrian scale bollard lights are encouraged and shall be fitted with louvers, diffusers

or shields, as necessary, to eliminate glare or light trespass on to adjacent rights-of-way and properties.

d. Light fixtures shall conform to the architectural character of the buildings and other site elements.

e. Building mounted lights shall be fully shielded and mounted at a maximum height of sixteen feet.

f. Up-lighting for signage and landscape is permitted and shall be shielded to eliminate glare and light trespass and be night-sky compliant.

XI. UTILITIES

a. All electric distribution lines shall be placed underground.

b. Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or vegetation when viewed from the public right-of-way. Screening of transformers, electric boxes and other utility structures shall not impede access to the equipment and shall provide for safe maintenance and repair by utility workers.

c. When an above-ground backflow prevention device is required by the City of Rio Rancho, the heated enclosure shall be constructed of materials compatible with the architectural materials used as the main elements of the building. If prefabricated fiberglass enclosures are used, they shall be appropriately screened from view by walls and/or landscaping.

d. Any wireless communication facilities shall be concealed and architecturally integrated.

XII. RECYCLING

Recycling pick-up for businesses is provided within the City of Rio Rancho and is encouraged within Los Diamantes. To receive these services, business can purchase containers through the City (currently via a private provider). Site design shall accommodate recycling storage and pick-up.

XIII. MASS TRANSIT STOPS

The roadways adjacent to and through the Business Park shall be designed to accommodate transit stops in anticipation of future transit service within Rio Rancho. Transit shelters will be developed at such time as transit service is made available.

5. RIO RANCHO COMPREHENSIVE PLAN

The Los Diamantes Master Plan furthers and helps implement the Rio Rancho Comprehensive Plan. The Comprehensive Plan is a policy document that lays out goals, policies, and actions to guide growth and development in Rio Rancho. The Rio Rancho Comprehensive Plan is organized around nine fundamental principles, including:

- Annexations, Antiquated Platting & Addressing
- Conservation and the Natural Environment
- Land Use
- Population and Housing
- Transportation
- Public Facilities
- Parks and Recreation
- Urban Design
- Economic Development

The Los Diamantes Master Plan will implement these elements of the Rio Rancho Comprehensive Plan. An explanation of how the Plan meets and furthers the intent of the goals, policies, and actions under each element is included below.

ANNEXATIONS, ANTIQUATED PLATTING and ADDRESSING
The intent of the Annexations, Antiquated Platting, and Addressing element is to ensure proper platting and addressing within the City of Rio Rancho.

- Eliminate antiquated platting within the City of Rio Rancho where desirable.
- Identify alternative mechanisms to aide and encourage the consolidation of prematurely platted land.
- Require appropriate development standards for infrastructure and environmental improvements for both newly platted lots and antiquated lots.

The Los Diamantes Master Plan meets and furthers these goals and policies. The land has been assembled and will be platted according to City standards prior to development within the Plan Area. The Master Plan eliminates the challenges associated with antiquated platting by assembling land for a consolidated master planned community, providing adequate public infrastructure and paved roads to future residents, and addresses historical drainage patterns.

CONSERVATION and THE NATURAL ENVIRONMENT
The intent of the Conservation and the Natural Environment element is to ensure that sustainability is a key component of the City's growth. As development occurs, this element is intended to ensure that concerns such as water quality, air quality, water conservation, geological features, and soil conditions are taken into consideration when development decisions are made.

The Conservation and Natural Environment element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- Preserve water resources.
- Reuse and recycle materials, reduce waste and dispose of all wastes in a safe and responsible manner.
- Integrate site-specific development standards in areas where arroyos exist to manage and protect the functions of these critical areas.
- Provide incentives for developers to implement the use of low impact development techniques and green building practices.
- Develop and protect a public open space network.

The Los Diamantes Master Plan takes into consideration environmentally friendly building practices. Builders at Los Diamantes are encouraged to join green building programs and employ green building techniques.

The use of drought tolerant and native landscaping materials is required. A coordinated pedestrian network is established throughout the Plan Area to help foster non-vehicular mobility and accessibility and decrease vehicular pollution. An open space network will be provided that includes parks and trails to give residents recreation opportunities and non-motorized transportation alternatives.

The Master Plan maintains and improves natural resources in Rio Rancho through support for recycling, water conservation, transportation alternatives, and the use of renewable resources. Grading and development activities will be managed to prevent flood and erosion damage. A pond is proposed to capture and manage flows in the existing Rainbow Tributary and will also reserve land in an open, natural condition.

LAND USE, POPULATION and HOUSING

The intent of the Land Use and Population and Housing elements of the Rio Rancho Comprehensive Plan are to ensure the city has a balance of land uses that supports employment, creates a neighborhood identity, fosters human interaction, and provides a variety of quality housing for all segments of Rio Rancho's population.

The Land Use and Population and Housing elements of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- Encourage mixed uses – retail, office, and residential centered on pedestrian-oriented development along principal arterial roads.
- Maintain a balance of land uses throughout the City.
- 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.
- Promote and support developments that incorporate walkability.
- Maintain the strength, vitality, and stability of all residential neighborhoods and types.

- Promote a variety of housing types to meet the needs of all members of the community.
- To ensure that single-family and multi-family residential neighborhoods provide an attractive living environment.
- Support residential development with appropriate amenities for families with children.

The Los Diamantes Master Plan meets these objectives by providing a range of land uses. The Master Plan calls for a mix of land uses that will accommodate a diversity of single-family and multi-family housing, employment, and retail service options for residents. Land uses include office, commercial, business park, and residential. Los Diamantes is located west of Unser Boulevard and residents living in Los Diamantes will additionally have convenient access to employment, education, and commercial services in the Unser Gateway area. The Los Diamantes Master Plan is consistent with and furthers the City of Rio Rancho's Generalized Land Use Plan recently adopted by the governing body.

The Master Plan's residential and business park design standards promote a strong community character. Dedicated park land and trails are included in the Master Plan to encourage neighborhood vitality and social interaction. Rio Rancho Public Schools plans to build three schools in proximity to the Plan Area to ensure the residential development will be served sufficient educational opportunities for families with children.

The Los Diamantes Master Plan will primarily utilize existing City of Rio Rancho zoning categories. The City is creating a new Business Park zoning designation for the north side of the Plan Area. Development will conform to the design standards contained in this Master Plan.

TRANSPORTATION

The intent of the Transportation element of the Rio Rancho Comprehensive Plan is to establish a long-range transportation network to meet local and regional circulation needs and develop land uses that are benefited by and supportive of mass transit. A multi-modal transportation system to move people and goods is encouraged.

The Transportation element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- A balanced transportation system that provides access to a variety of transportation options….
- Plan key arterial routes that are essential for the efficient movement of goods with freight in mind….

A Traffic Impact Study has been provided to ensure that new residential, commercial, and business park development will not compromise the existing transportation network. Walkways and pedestrian corridors will be provided both as sidewalks along the roadways and within park land and trail corridors. Pedestrian and bicycle connections have been considered for arterial and collector roadways and within trail corridors.

There are plans to extend Westside Boulevard to increase connectivity between the development and other areas of Rio Rancho, while also keeping the integrity of a coordinated pedestrian network.

PUBLIC FACILITIES

The intent of the Public Facilities element of the Rio Rancho Comprehensive Plan is to focus development into areas of the city that already have well established public facilities and minimize the difficulties, due to antiquated platting, of providing infrastructure within the City.

The Public Facilities element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- Make land use recommendations based on the availability of adequate public facilities necessary to support a proposed land use.

The Master Plan is strategically located in an area of Rio Rancho where the project will be able to connect to existing infrastructure and is a logical location for urban expansion. The City considered proper access to schools, police, fire, and emergency services when it adopted the Generalized Land Use Plan. The Los Diamantes Master Plan is in compliance with and furthers the Generalized Land Use Plan. Police, fire, and emergency rescue services impacts will be considered in all future development plans.

PARKS and RECREATION

The intent of the Parks and Recreation element of the Rio Rancho Comprehensive Plan is to ensure that as the City develops, amenities such as parks and recreation facilities are provided for the growing population. The Parks and Recreation element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- 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.
- Be responsive to the recreational needs of the community.
- Provide a variety of quality of life services to meet community needs, assuring that there are strong relationships with all sectors of the community and ample opportunities to foster human interaction.
- Develop pedestrian and bicycle linkages between neighborhoods and major natural areas, recreation facilities, education, employment, and retail centers.

The Los Diamantes Master Plan provides well-connected park land and trail corridors to meet the goals of the Rio Rancho Comprehensive Plan. The Plan Area will dedicate the necessary park land and trail corridors per the subdivision ordinance. Fulfilling this requirement will ensure the Master Plan is responsive to the parks and recreation needs of new residents, employees, and the entire community. Through parks and recreation, the Master Plan supports a community and economy intended to improve the lives of its residents and employees.

URBAN DESIGN

The intent of the Urban Design element of the Comprehensive Plan is to ensure that development follows design standards that help to achieve the creation of community identity and aesthetic quality. The Urban Design element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- Create traditional neighborhood patterns that support a sense of place.
- Create street patterns with development that fosters human interaction.
- Create safe developments that discourage crime.
- Support development that links neighborhoods and encourages the use of all modes of transportation.
- Embrace the use of xeriscape landscaping.

Design features within the Los Diamantes Master Plan will highlight streetscapes, multi-use paths, perimeter walls, gateways, and pedestrian connections to create a community identity and promote aesthetic quality. Design standards created for the Plan Area are designed to expand on the City's Zoning Ordinance and will provide unified streetscapes, unified signage design, and perimeter and wall entry design. Street patterns will be designed to foster human interaction and discourage crime. Native and xeric plant species will be required and water harvesting and irrigation requirements will be included in any future landscape plans.

ECONOMIC DEVELOPMENT

The primary goal of the economic development element is to expand employment opportunities, provide a mix of jobs, support existing retail and service needs as well as provide infrastructure to support and attract existing and new businesses.

- Create jobs.
- Enhance the tax base.
- Expand the economic base of Rio Rancho.

The importance of economic development is amplified by Mayor Hull's stated goal of making the City of Rio Rancho "an environment attractive to job creation". Los Diamantes helps realize this goal through the creation of a new high-quality business park. The Los Diamantes Master Plan will consist of a large business park on the north side of the Plan Area supporting a wide variety of potential employers and new industry in Rio Rancho. This "across the river" job center will support approximately 1,400 jobs and large parcels of land with accessibility to several major arterials will be desirable for future employers. The City should also consider development incentives to attract employers and commercial services to Los Diamantes by providing an expedited development review process. An increase in economic base job creation will support a larger future increase in retail and service-based businesses, thus decreasing retail leakage to Albuquerque. The large business park will provide the necessary infrastructure and land needed to incentivize companies to locate in Rio Rancho.

The business park and residential uses will be served and supported by a mix of retail uses, such as restaurants, banks, dry cleaners, etc., providing a balance of employment and residential land uses within Los Diamantes. Providing retail and other commercial options will keep Rio Rancho residents from spending money in Albuquerque and grow the service-sector base of the City.

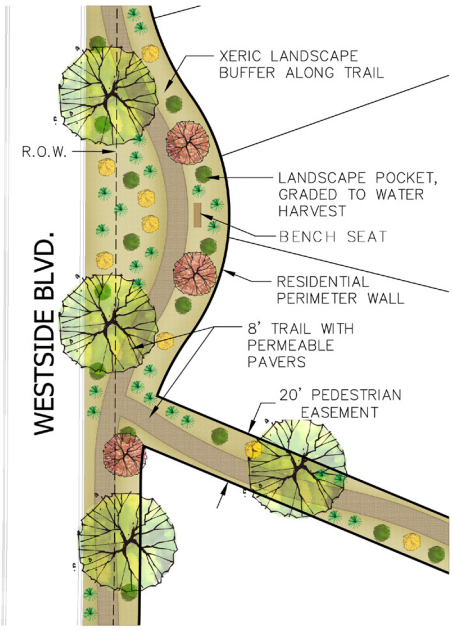
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6. PARKS AND TRAILS

Los Diamantes proposes to provide a significant recreational component to its new land use mix. It is anticipated that approximately 1,600 residents will reside here. Parks will be provided at or exceeding City of Rio Rancho standards (which is more than 4 acres for the Master Plan Area).

A. Non-Vehicular Circulation:
Paved trails and sidewalks are proposed inside and around the perimeter of Los Diamantes to create a pedestrian friendly environment. Paved pathways and sidewalks will be incorporated into the streetscape. The intent is to encourage residents and employees of the Business Park to walk or bike to and from work, education facilities, and for recreation.

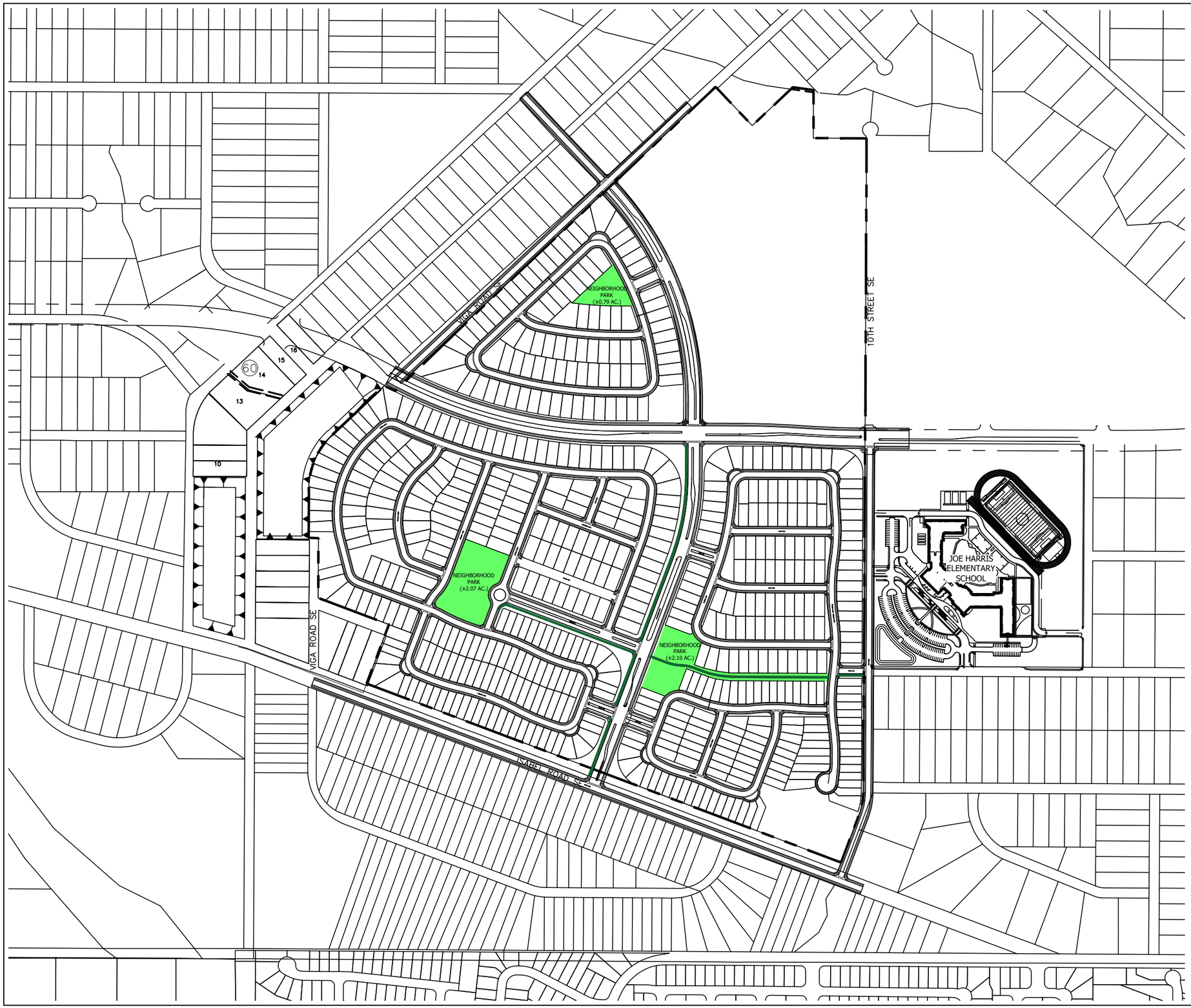
The internal parks will be linked to the paved trail and sidewalk network. There will be approximately 3,450 linear feet of trails within the Plan Area in addition to City standard sidewalks along all roadways throughout the development. These trails and sidewalks will create a comprehensive network within the Master Plan. The trails will be maintained by the HOA. Pedestrian access points will be placed throughout the trail network.



CONCEPTUAL LANDSCAPE POCKET

B. Neighborhood Parks

There are three parks proposed along the principal interior access and circulation routes for each neighborhood in Los Diamantes. Two neighborhood parks approximately two acres in size are proposed in the neighborhoods south of Westside Boulevard, and are designed to provide recreational opportunities for resident's living in the immediate neighborhoods and will feature age-dependent amenities. These parks will be designed and constructed according to the City's DPM standards, with an understanding that they will be dedicated to the City's Parks and Recreation Department. The developer of Los Diamantes will dedicate the land and install park improvements. A third, smaller park is located within the proposed single-family neighborhood located north of Westside Boulevard. This park will serve the residents of this small residential subdivision.



NEIGHBORHOOD PARK
(±5 ACRES)

TRAIL SYSTEM
(±3,450 LF OF TRAILS)

N

500' 250' 0 500' 1000'

SCALE: 1" = 500'

CONSENSUS PLANNING

LOS DIAMANTES

Parks and Trails

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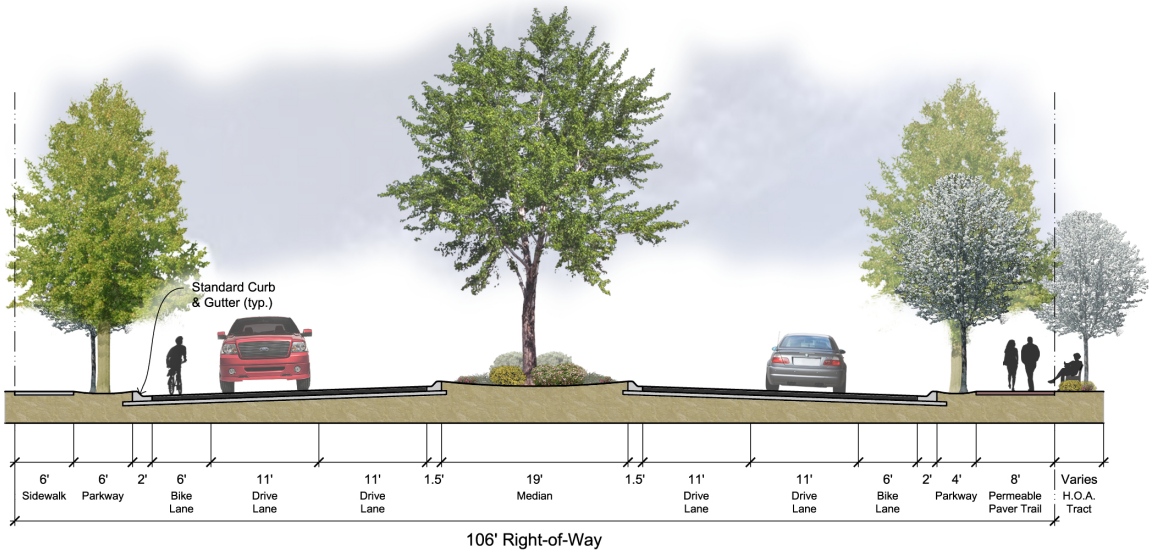
7. TRANSPORTATION ANALYSIS

Los Diamantes is located approximately one mile west of Unser Boulevard which is classified as a Principal Arterial and approximately one-half mile south of Southern Boulevard which is also classified as a Principal Arterial. The property is bisected by the unimproved Westside Boulevard which has been classified as a Minor Arterial by the Mid-Region Council of Governments, MRCOG. To the south, Isabel Road intersects Black Arroyo Road at the Municipal Boundary with the City of Albuquerque. Black Arroyo Road (City of Albuquerque) is classified as a collector.

For its principal access route, Los Diamantes will rely upon the improved Westside Boulevard. It is anticipated that Westside will be improved in phases with two lanes being required from Unser to the east boundary at 10th Street for the full build out of this project. Westside will be built to its' full section as it goes through Los Diamantes. This will also be done in phases. A Traffic Impact Study performed specifically for this project indicates that the City's local street network has adequate capacity for the vehicular impacts generated by Los Diamantes.

All new streets proposed within Los Diamantes will be improved to City of Rio Rancho Standards including the perimeter streets of Isabel, Viga, and 10th Street as phased development occurs. For the three primary circulation routes within the project, 8-foot paved meandering trails will be installed on one side along with common area landscaping in lieu of the typical 5' sidewalk. It may be necessary for antiquated rights-of-way within the master plan area to be vacated through a vacation plat, which must be approved by the Planning and Zoning Board.

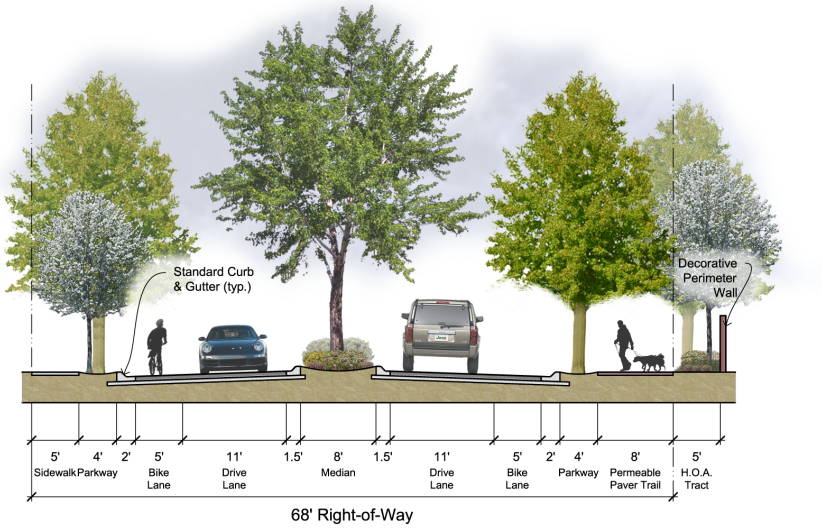
All of the trails and common area landscaping will be HOA maintained.



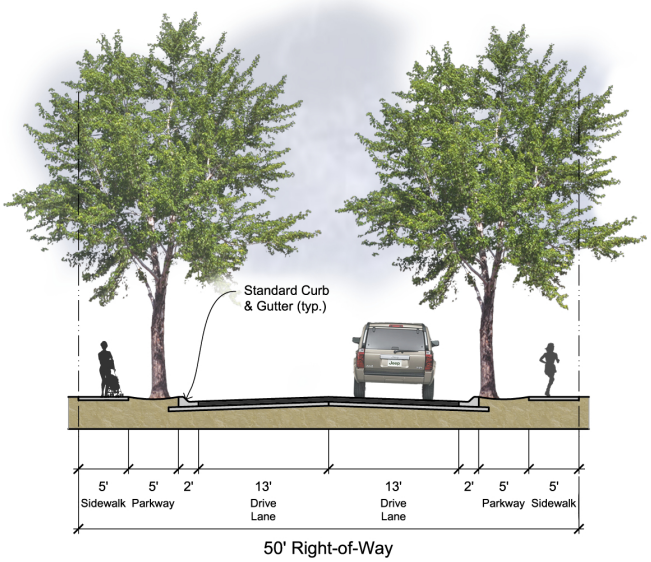
Minor Arterial - Westside Boulevard

Traffic Impact Study

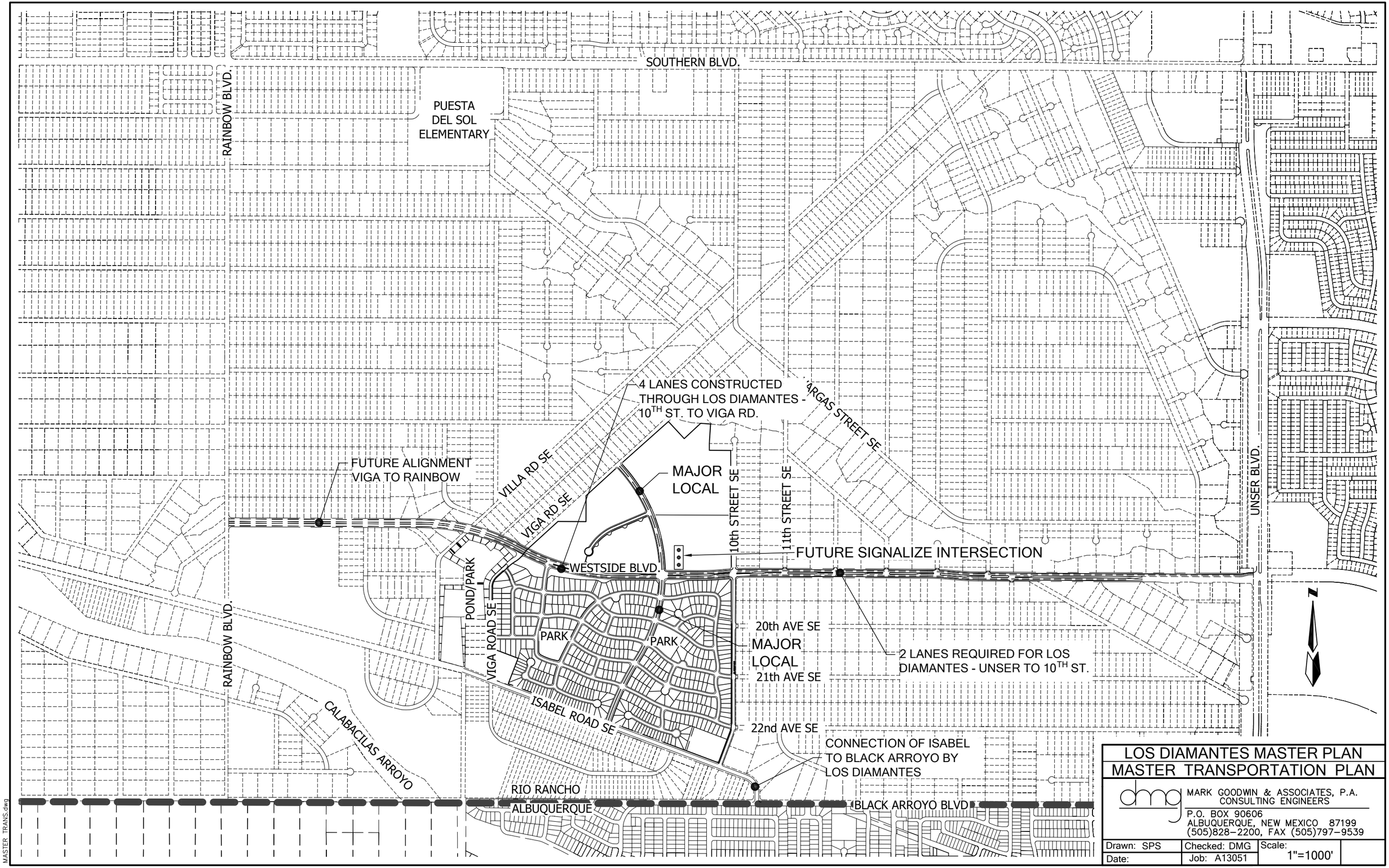
A traffic impact study was performed for Los Diamantes in March 2015. The executive summary of that study is included as Appendix C of this document. The traffic study includes conclusions and recommendations for the transportation network within the Plan Area and how the Plan should be regionally and locally accessed.



Local Street with Trail



Local Street



LOS DIAMANTES MASTER PLAN
MASTER TRANSPORTATION PLAN

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Date:	Job: A13051	

MASTER TRANS.dwg

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8. CONCEPTUAL DRAINAGE PLAN

The Los Diamantes development is encumbered by a FEMA Zone A flood plain created by the Rainbow Tributary to the Calabacillas Arroyo. The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood. The Rainbow Tributary originates within the City of Rio Rancho above Southern Blvd. and ends at the Municipal Boundary with the City of Albuquerque where it enters an existing 108" Storm Drain maintained by the City of Albuquerque for conveyance to the Calabacillas Arroyo (see page 47) The Rainbow Tributary was studied as part of SSCAFCA's Calabacillas Watershed Management Plan.

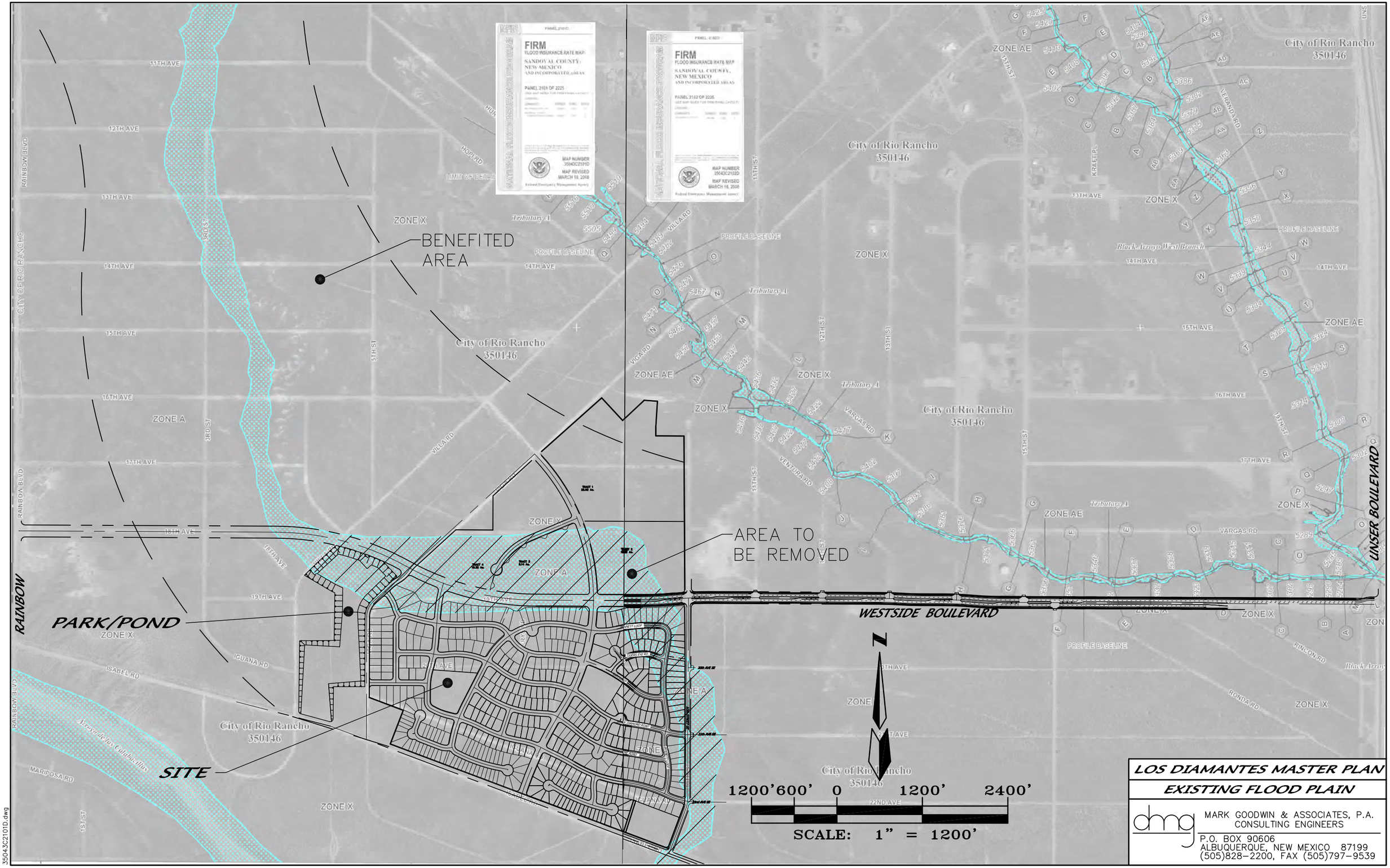
The Los Diamantes Drainage Management Plan, (DMP), proposes to intercept the Rainbow Tributary at the Western Boundary of the subdivision in a large Regional Pond. The Regional Pond will allow for the removal of the FEMA Flood Plain through the project. This pond will benefit approximately 700 acres of land outside of Los Diamantes by allowing those properties to develop without on-site drainage controls. The pond will also provide for a significant upgrade in the water quality of the released flow.

In coordination with SSCAFCA, the Regional Pond is designed to contain both the 10-year, 24-hour storm volume as well as provide flood protection from less frequent, larger storm events up to and including the 100-year storm event. It is proposed that SSCAFCA operate and maintain the pond facility.

Both the Business and Residential components will drain to an internal storm drain network that will discharge to an on-site Water Quality Pond prior to the flows being released to the existing 108" Saltillo storm drain. Water Quality will be enhanced as well as some Water Harvesting. Detention times will be such that significant amounts of urban debris, sediments, oils, and heavy metals will be removed. It will also allow for infiltration to occur.

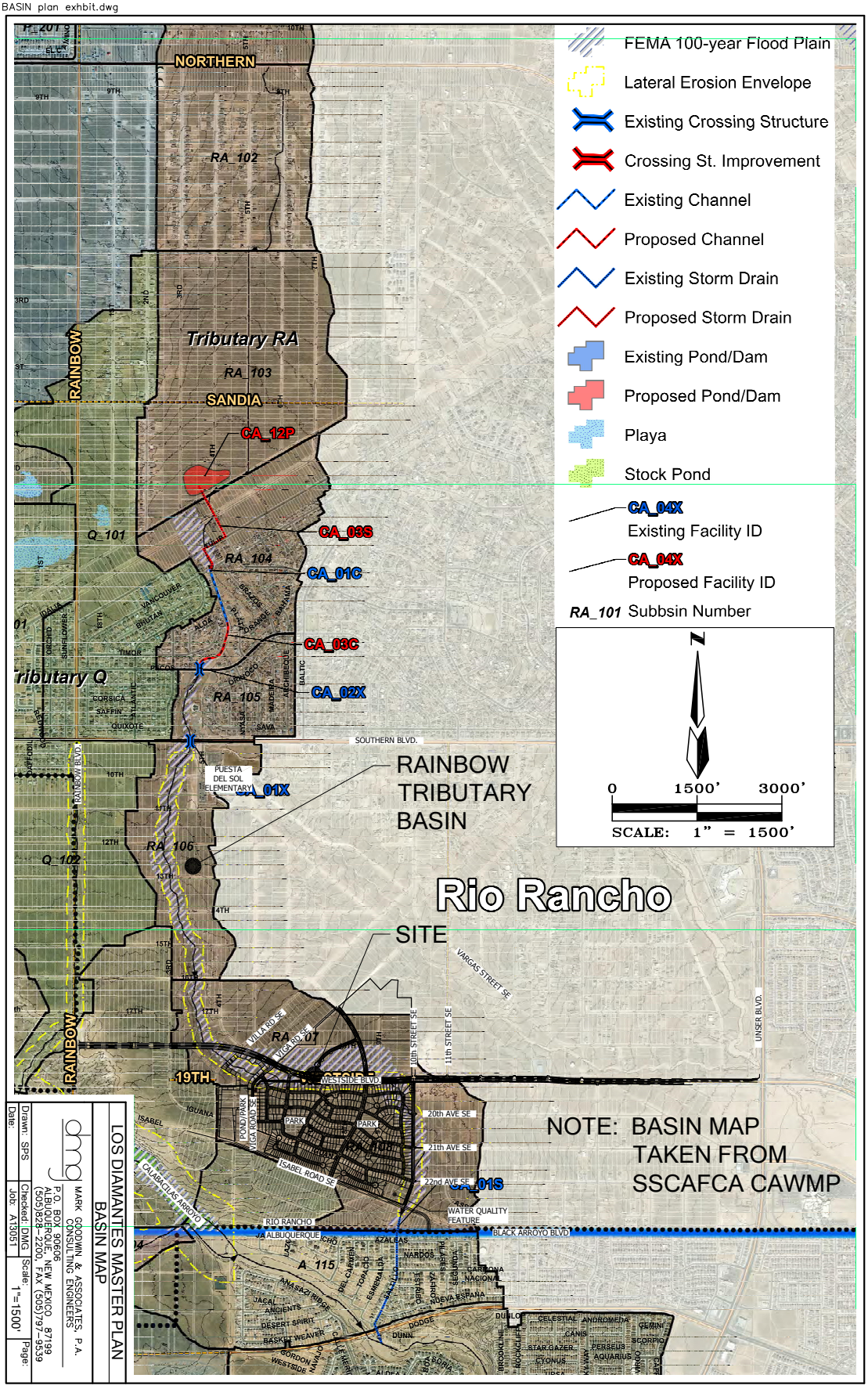
With the approval of SSCAFCA and the City of Rio Rancho, the analysis and design of the regional Pond will be submitted for FEMA for a Conditional Letter of Map Revision (CLOMR). Upon receipt of the CLOMR, construction would occur. When construction is complete, a Letter of Map Revision (LOMR) will be issued by FEMA.

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FIRM
FLOOD INSURANCE RATE MAP
SANDOVAL COUNTY, NEW MEXICO
AND INCORPORATED AREAS
PANEL 2101 OF 2225
MAP NUMBER 35043C2101D
MAP REVISED MARCH 16, 2008
PANEL 2102 OF 2225
MAP NUMBER 35043C2102D
MAP REVISED MARCH 16, 2008
BENEFITED AREA
AREA TO BE REMOVED
PARK/POND
SITE
ZONE X
ZONE A
ZONE AE
City of Rio Rancho 350146
Tributary 1
Black Arroyo West Branch
PROFILE BASELINE
LIMIT OF DETAIL
RAINBOW BLVD
CITY OF RIO RANCHO
11TH AVE
12TH AVE
13TH AVE
14TH AVE
15TH AVE
16TH AVE
17TH AVE
18TH AVE
19TH AVE
20TH AVE
22ND AVE
3RD ST
5TH ST
11TH ST
12TH ST
13TH ST
14TH ST
15TH ST
VILLA RD
VIGA RD
VARGAS RD
VENTURA RD
KRAFT PL
VERANDA RD
WESTSIDE BOULEVARD
UNSER BOULEVARD
PINON RD
RONDA RD
IGUANA RD
ISABEL RD
MARIPOSA RD
Arroyo de los Caballos
N
1200'600' 0 1200' 2400'
SCALE: 1" = 1200'
LOS DIAMANTES MASTER PLAN
EXISTING FLOOD PLAIN
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BASIN plan exhbit.dwg



LOS DIAMANTES MASTER PLAN
BASIN MAP

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CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

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NOTES:

1. DETAILED DRAINAGE REPORT AND GRADING PLANS TO BE PREPARED FOR PRELIMINARY PLAT SUBMITTAL / APPROVAL.
2. CAPACITY OF EXISTING 108" SD TO CALABACILLAS IS 1328 cfs ±
3. SSCAFCA PROJECT N. OF SUBASIN 102 PROPOSES TO DISCHARGE 100 cfs± SOUTH IN A SD IN 10TH STREET.

BASIN	AREA	*Q_{100}	SD	
101	82 AC.	375 cfs	60"	
102	20 AC.	176 cfs	48"	
103	25 AC.	200 cfs	54"	
104	22 AC.	198 cfs	72"	(incl. 101)
105	18 AC.	162 cfs	42"	
106	11 AC.	110 cfs	60"	(incl. 103)
107	17 AC.	136 cfs	84"	(incl. 101, 105, 104)
108	10 AC.	100 cfs	66"	(incl. 103, 106)
	195 AC	1457 cfs		

* RUNOFF CALCULATIONS HAVE NOT TAKEN INTO ACCOUNT WATER HARVESTING MEASURES.

RAINBOW TRIBUTORY

SSCAFCA PROJECT

SUBBASIN 101

SUBBASIN 102

SUBBASIN 103

SUBBASIN 104

SUBBASIN 105

SUBBASIN 106

SUBBASIN 107

SUBBASIN 108

POND/PARK

PARK

WATER QUALITY FEATURE

OUTFALL SD

HEADWALL

EXISTING 108" SD

CALABACILLAS ARROYO

RIO RANCHO

ALBUQUERQUE

VILLA RD SE

VARGAS STREET SE

WESTSIDE BLVD.

100th STREET SE

20th AVE SE

21th AVE SE

22nd AVE SE

ISABEL ROAD SE

LOS DIAMANTES MASTER PLAN
CONCEPTUAL STORM DRAIN LAYOUT

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9. CONCEPTUAL UTILITY PLAN

Los Diamantes will be served by the City of Rio Rancho Utility Department.

Water

The proposed development is south of Southern Boulevard and west of Unser Boulevard in southwest Rio Rancho, New Mexico. The development is generally bounded by 17th Avenue to the north,10th Street to the east, Isabel Road to the south, and Viga Road to the west. The development is bisected by Westside Boulevard with the property north of Westside Boulevard planned for Business Park uses and residential development south of Westside Boulevard.

The property slopes from the west to the east/southeast ranging in elevation from approximately 5515' to 5410'.

Los Diamantes is located in Zone 3 of the City of Rio Rancho's water system. The source of supply for the proposed development is via gravity from Tank 6 which is located near Tulip Road and 2nd Street and from Tank 8 (via PRVs) once a connection to the 16" line in Southern Boulevard NE is completed. It is planned for a new Zone 3 tank to be constructed further south within the City limit sometime in the future at the same HGL as this area continues to develop. Currently, service to the project area can be provided without the proposed Zone 3 tank. In this area Tank 8 and Well 19 feed Zone 5 via gravity and Zone 4 through PRVs.

Due to the proximity of Well 19 and the hydraulic connectivity in this area, these facilities will provide service to Los Diamantes through pressure reducing valves (PRVs).

Currently, no piping exists to support this development. The nearest infrastructure is located in Zone 4 off Hopi Road and Villa Road southeast of Puesta del Sol Elementary School off Southern Boulevard. This development is served from a PRV with the backbone infrastructure being 10-inch waterline.

A 16-inch waterline exists in Rainbow Boulevard bringing Well 19 water to the south. There is also 16-inch waterline in Southern Boulevard in front of Puesta Del Sol Elementary school which brings water east along Southern Boulevard to the lower pressure zones. Approximately 2,150 feet of 16-inch waterline is required to connect in the 16-inch waterlines in Rainbow Boulevard and Southern Boulevard for redundant supply from Tank 8 to Los Diamantes. In addition, some minor looping in Zone 4 is recommended to connect the 8-inch waterlines southwest of Hopi Road to the 10-inch waterline in Villa Road for redundancy to supply the proposed PRV in Ark Road to bring supply to Los Diamantes from the west. Due to the demand on Tank 6 to feed existing customers, this will be the primary supply to Los Diamantes.

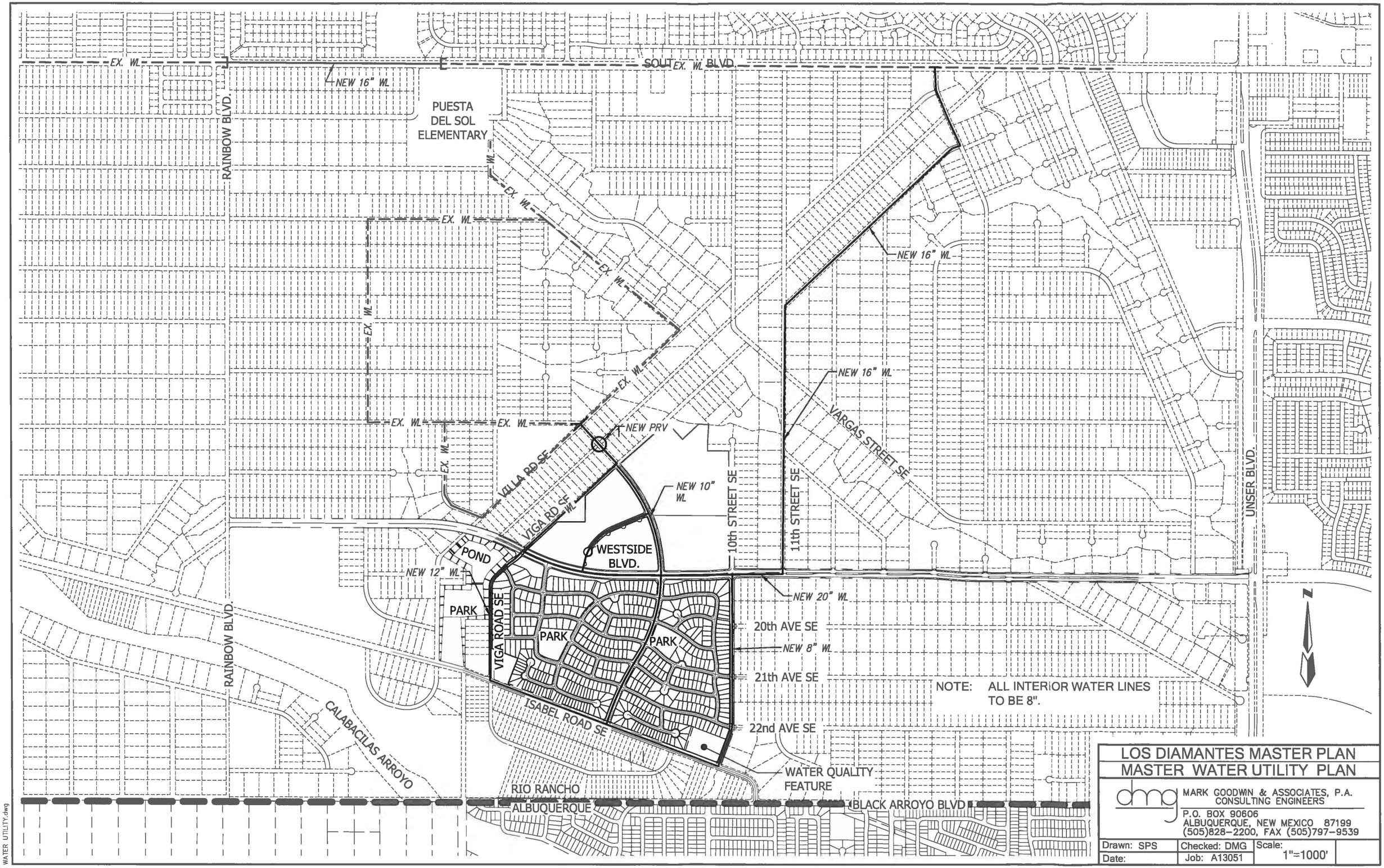
The feed (provided by Tank 6) to Los Diamantes will be extending the existing Zone 3 infrastructure from Southern Boulevard to Los Diamantes via a proposed 16-inch to extend along 15th Street and Viga Road North of Viga Road the 16-inch waterline and extends south along 11th Street to Westside Boulevard where it will tie into a proposed 20-inch waterline to bring water to Los Diamantes.

The waterline diameters required to bring water to Los Diamantes take into consideration the City's Master Plan for future growth. In the future, it is intended for supply from the lower pressure zones to potentially be pumped up to the higher zones using the Westside Boulevard corridor for redundancy. It is important for utilities such as this large diameter pipe, to be taken into consideration as well as the other utilities needed to serve this development during the planning stage.

The piping around the Los Diamantes development takes into consideration the City's Master Plan. A minimum 8-inch diameter pipe is proposed internal to the development.

Sanitary Sewer

Sewer service for Los Diamantes and all properties within the Rainbow Basin will require construction of a Sanitary Sewer Lift Station designed for a future population of nearly 2,000 dwelling units within nearly 500 acres. Future flows are anticipated to reach nearly 1 million gallons per day. Los Diamantes contribution to this will be on the order of 225,000 gallons per day. Internally, 8" lines will be used. Several collectors will be constructed north and west that will provide service to the remainder of the basin in the future. The Lift Station will be designed to accommodate all future flows, but construction will be phased as needed.



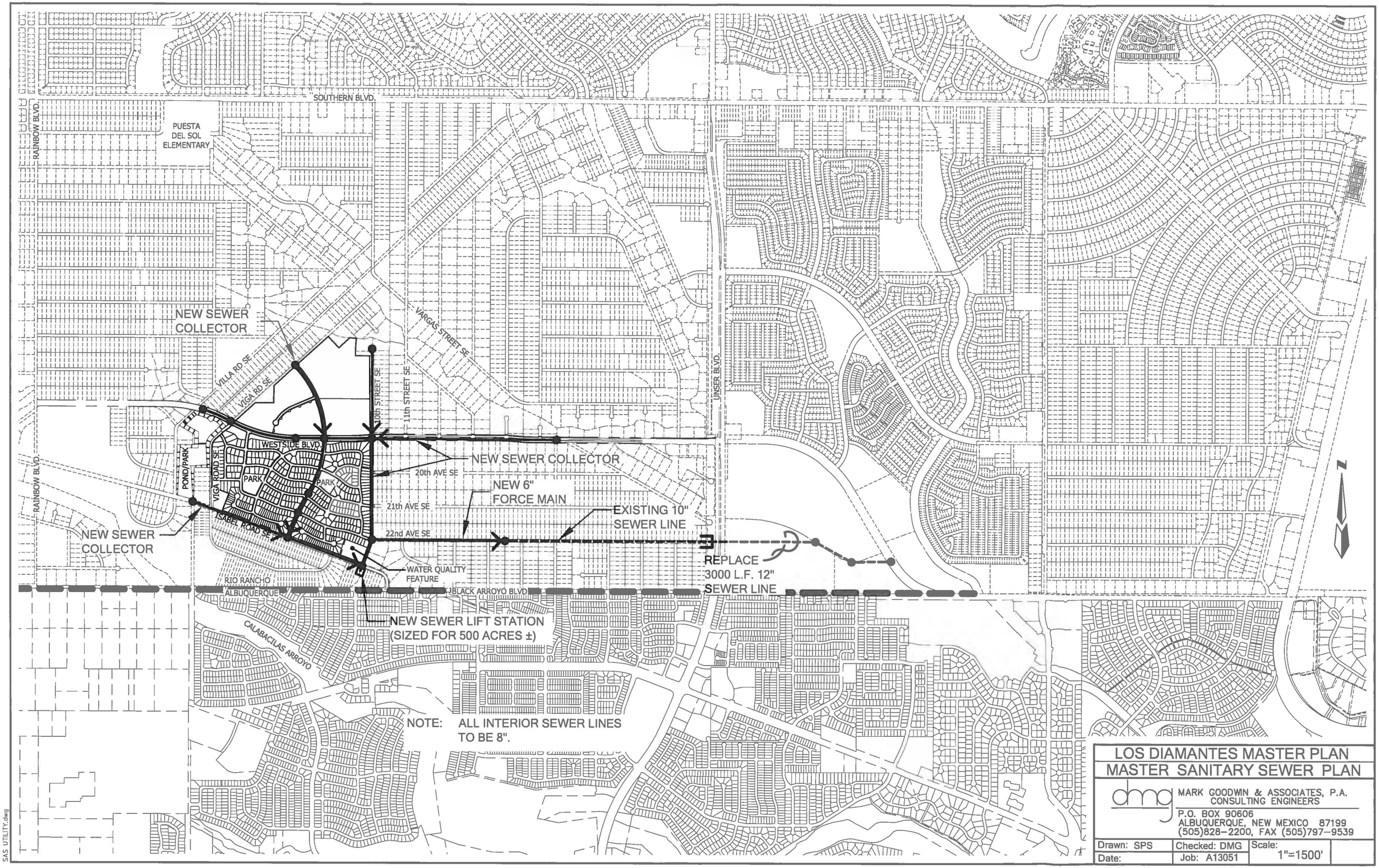
LOS DIAMANTES MASTER PLAN
MASTER WATER UTILITY PLAN

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LOS DIAMANTES MASTER PLAN
MASTER SANITARY SEWER PLAN

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ALBUQUERQUE, NEW MEXICO 87199
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10. IMPLEMENTATION AND PHASING

The implementation of the Los Diamantes Master Plan shall occur at the time of the zone map amendment and platting except for the potential multi-family residential land use. A future zone map amendment will be required to implement that land use in a specific location, up to 15 acres in size, within the larger business park area of this Master Plan depending on absorption of the commercial uses.

1. All land use decisions shall be in compliance with the Los Diamantes Master Plan and in accordance with the City of Rio Rancho Department of Development Services, including right-of-way acquisition.

2. All infrastructure shall be planned and coordinated with City of Rio Rancho Department of Public Works, Department of Development Services, Department of Public Safety, PNM, and any other established entities working with Sandoval County and the City of Rio Rancho.

3. In order to uphold national standards for emergency response times, facility planning shall be coordinated with the City of Rio Rancho as houses are built.

4. The developer shall ensure that all open spaces, entryways, linear walkways, rights-of-way, and landscaped areas meet City standards as shown on landscape and irrigation plans that shall be approved by the City of Rio Rancho prior to final plat.

5. Open space and trails shall be developed; a portion of which shall count towards the park requirements established by the City of Rio Rancho.

6. The residential design standards included in this Master Plan shall be incorporated into the CC&Rs for each Los Diamantes residential subdivision.

7. The Developer intends to use Tax Increment District and Public Improvement District financing within the Master Plan Area. These financing mechanisms will be implemented through separate applications to the City of Rio Rancho.

Due to its relatively large size, Los Diamantes will be divided into three (3) phases, with 224 dwellings in Phase 1, 263 dwellings in Phase 2. Phase 3a and Phase 3b will consist of approximately 250 dwelling units each. The availability of infrastructure and the Marketing Window were the primary determining factors in deciding to locate the first phase in the southeast corner of the property. Phase implementation will be a function of buyer demand and home builder preferences since it is anticipated that numerous homebuilders will be constructing a variety of housing types to get different price points.

The site's terrain slopes down toward the southeast corner where the Water Quality drainage pond will be used to collect runoff from the first phase and all subsequent phases. A new storm drain will then extend further south to the existing 108" Storm Drain and eventually drain into the Calabacillas Arroyo.

Los Diamantes sanitary sewer outfall will also be to a new Lift Station at the southeast corner of Phase 1. Domestic water service to Phase 1 will come south down 11th from an existing line located in Southern Blvd. and on the north side of the site.

Vehicular access for Phase 1 will be via newly constructed Westside Boulevard. New roadways within and around the perimeter of Los Diamantes will also be constructed as new phases of this project are added.

Prior to Construction of Phase 1, an on-site Drainage Management Plan (DMP) will have to be developed and approved by SSCAFCA and the City of Rio Rancho. As mentioned previously, a study to Amend the SSCAFCA CAW MP for the Regional Pond will also require approval by SSCAFCA and City of Rio Rancho as well as a FEMA CLOMR.

Initiation of Phase 1 will require substantial outlays of capital to extend essential elements of infrastructure to this site. As a result, no neighborhood park improvements will be undertaken until Phase II.

Residential Unit Data

* NUMBER OF UNITS IN PHASE I 224
* NUMBER OF UNITS IN PHASE II 263
* NUMBER OF UNITS IN PHASE IIIa .. 250
* NUMBER OF UNITS IN PHASE IIIb .. 250

TOTAL NUMBER OF UNITS 987

NOTE: BUSINESS PARK TO BE CONSTRUCTED WITH PHASE III

VILLA RD SE
VIGA RD SE
RESIDENTIAL PHASE IIIa
RESIDENTIAL PHASE IIIb
LOS DIAMANTES BUSINESS PARK PHASE III
10th ST SE
WESTSIDE BOULEVARD
JOE HARRIS ELEMENTARY SCHOOL
RESIDENTIAL PHASE II
RESIDENTIAL PHASE I
21st AVE SE
22st AVE SE
ISABEL RD
CALABACILLAS ARROYO
RIO RANCHO
ALBUQUERQUE

LOS DIAMANTES MASTER PLAN PHASING PLAN

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OFFICE (505) 828-2200, FAX (505) 797-9539

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11. APPENDICES

- Appendix A - Letters of Availability Page 59
- Appendix B - Economic Impact Assessment Page 73
- Appendix C - Traffic Impact Study Page 75
- Appendix D - Typical Trail Surfacing Page 83
- Appendix E - Previous Amendment Approvals Page 85

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APPENDIX A WATER AND SEWER AVAILABILITY

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
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toll free: 800.877.5332

March 10, 2015

Mr. Mark Goodwin, PE
President
Mark Goodwin & Associates, PA
8916 Adams St NE
Albuquerque, NM 87113

Re: Water System Availability – Los Diamantes Project – Unit 10, Rio Rancho, NM

Dear Mr. Goodwin:

Per your request, Bohannan Huston Inc. (BHI) performed an analysis of water availability for the proposed improvements for the Los Diamantes Project within Unit 10, in Rio Rancho, NM. BHI's analysis and results are presented below. Be advised that this letter serves as a recommendation only and is not to be considered an official commitment of water availability. Recommendations discussed herein may be revisited and potentially revised by the City of Rio Rancho Engineering and Utility Divisions prior to final plan acceptance. If development has not begun within 18 months of this letter the City of Rio Rancho may request this analysis be revised to take into consideration growth which has occurred over this period to verify recommendations are still valid.

We understand the proposed project consists of 450 new single family homes and 600,000 square feet of Business Park, with an average building size of 60,000 square feet. The total land area is approximately 175 acres. A preliminary pipe layout was not provided for this analysis.

BHI used the City of Rio Rancho Water and Wastewater Design Criteria Guidelines for this analysis.

Water Availability

I. General

The proposed development is south of Southern Blvd and west of Unser Blvd in southwest Rio Rancho, New Mexico. The development is generally bounded by 17th Ave to the north, 10th St to the east, Isabel Rd to the south, and Viga Rd to the west. The development is bisected by Westside Blvd with the property north of Westside Blvd intended for the Business Park and the residential development south of Westside Blvd. A vicinity map is included in Figure 1.

The property slopes from the west to the east/southeast ranging in elevation from approximately 5515' to 5410'.

Los Diamantes is located in Zone 3 of the City of Rio Rancho's water system. The source of supply for the proposed development is via gravity from Tank 6 which is located near Tulip Rd and 2nd St. and from Tank 8 (via PRVs) once a connection to the 16" line in Southern

Mark Goodwin
Mark Goodwin & Associates, PA

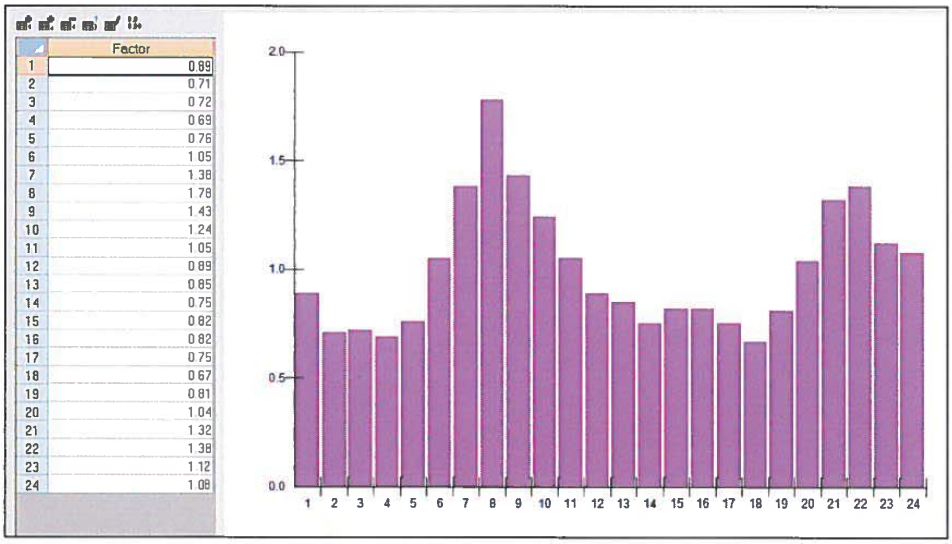
Blvd NE is completed. The hydraulic grade line (HGL) for this area is set by Tank 6 at approximately 5635'. It is planned for a new Zone 3 tank to be constructed further south within the city limit sometime in the future at the same HGL as this area continues to develop. Currently, service to the project area can be provided without the proposed Zone 3 tank. In this area Tank 8 and Well 19 feed Zone 5 via gravity and Zone 4 through PRVs. Due to the proximity of Well 19 and the hydraulic connectivity in this area, these facilities will provide service to Los Diamantes through pressure reducing valves (PRVs).

II. System Demands

The estimated demand for the residential development for Los Diamantes on an average day is 135,000 gallons. A peaking factor of 2.167 is used in the City of Rio Rancho Design Guidelines resulting in a peak day demand of 292,545 gallons per day, or 203 gallons per minute.

The estimated demand for the Business Park for Los Diamantes assumes a development type of Light Commercial which has an average day design demand of 1,750 gallons per day per acre. With this assumption the average day demand is calculated at 24,105 gallons. A peaking factor of 1.5 is used for non-residential demands resulting in a peak day demand of 36,160 gallons per day, or 26 gpm.

The system-wide diurnal curve, shown below in Table 1, was applied to the entire Los Diamantes peak day demands.



	Factor
1	0.89
2	0.71
3	0.72
4	0.69
5	0.76
6	1.05
7	1.38
8	1.76
9	1.43
10	1.24
11	1.05
12	0.89
13	0.85
14	0.75
15	0.82
16	0.82
17	0.75
18	0.67
19	0.81
20	1.04
21	1.32
22	1.38
23	1.12
24	1.08

Table 1 – City of Rio Rancho Diurnal Pattern of Use

Mark Goodwin
Mark Goodwin & Associates, PA
February 25, 2015
Page 3

Per the City's Water and Wastewater Design Criteria, the required fire flow for residential demand is 1,500 gallons per minute and for Light Commercial development 3,000 gallons per minute. These fire flow where evaluated in the model using a residual fire flow pressure of 20 psi at the demand nodes.

III. Proposed Infrastructure and Analysis

Currently, no piping exists to support this development. The nearest infrastructure is located in Zone 4 off Hopi Rd and Villa Rd southeast of Puesta del Sol Elementary School off Southern Blvd. This development is served from a PRV with the backbone infrastructure being 10-inch waterline.

A 16-inch waterline exists in Rainbow Blvd bringing Well 19 water to the south. There is also 16-inch waterline in Southern Blvd in front of Puesta Del Sol Elementary school which brings water east along Southern Blvd to the lower pressure zones. Approximately, 2,150 feet of 16-inch waterline is required to connect in the 16-inch waterlines in Rainbow Blvd and Southern Blvd for redundant supply from Tank 8 to Los Diamantes. In addition, some minor looping in Zone 4 is recommended to connect the 8-inch waterlines southwest of Hopi Rd to the 10-inch waterline in Villa Rd for redundancy to supply the proposed PRV in Ark Rd to bring supply to Los Diamantes from the west. Due to the demand on Tank 6 to feed existing customers this will be the primary supply to Los Diamantes.

The feed (provided by Tank 6) to Los Diamantes will be extending the existing Zone 3 infrastructure from Southern Blvd to Los Diamantes via a proposed 16-inch to extend along 15th St and Viga Rd. North of Viga Rd the 16-inch waterline and extends south along 11th St to Westside Blvd where it will tie into a proposed 20-inch waterline to bring water to Los Diamantes.

The waterline diameters to bring water to Los Diamantes take into consideration the City's Master Plan for future growth. In the future, it is intended for supply from the lower pressure zones to potentially be pumped up to the higher zones using the Westside Blvd corridor for redundancy. It is important for utilities such as this large diameter pipe be taken into consideration as well as the other utilities needed to serve this development during the planning stage.

The piping around the Los Diamantes development takes into consideration the City's Master Plan. A minimum 8-inch diameter pipe should be internal to the development.

Using the proposed infrastructure and calculated demands the hydraulic model was run and peak hour pressures are calculated to range from 50 to 95 psi. Figure 2 summarizes these results as well as the existing and proposed pipes by diameter.

Additionally, the fire flow analysis was conducted under the fire flow demand stated previously. The model results are reflected in Figure 3, and fire flows exceed 3,000 gallons per minute in both the residential and business park areas.

IV. Recommendations

The proposed Los Diamantes development should be provided with service from Zone 4 (Tank 8 via PRV) and Zone 3 (Tank 6 via gravity) to provide redundant supply from two separate sources. Additional, piping outside of the subdivision area is required to provide supply from Tank 8 along with incorporation of future Master Plan utilities within Westside Blvd SE. This piping network is also required since the location of this study is segregated from current water infrastructure. Improvements noted will provide redundant supply with pressures and fire flows consistent with City standards.

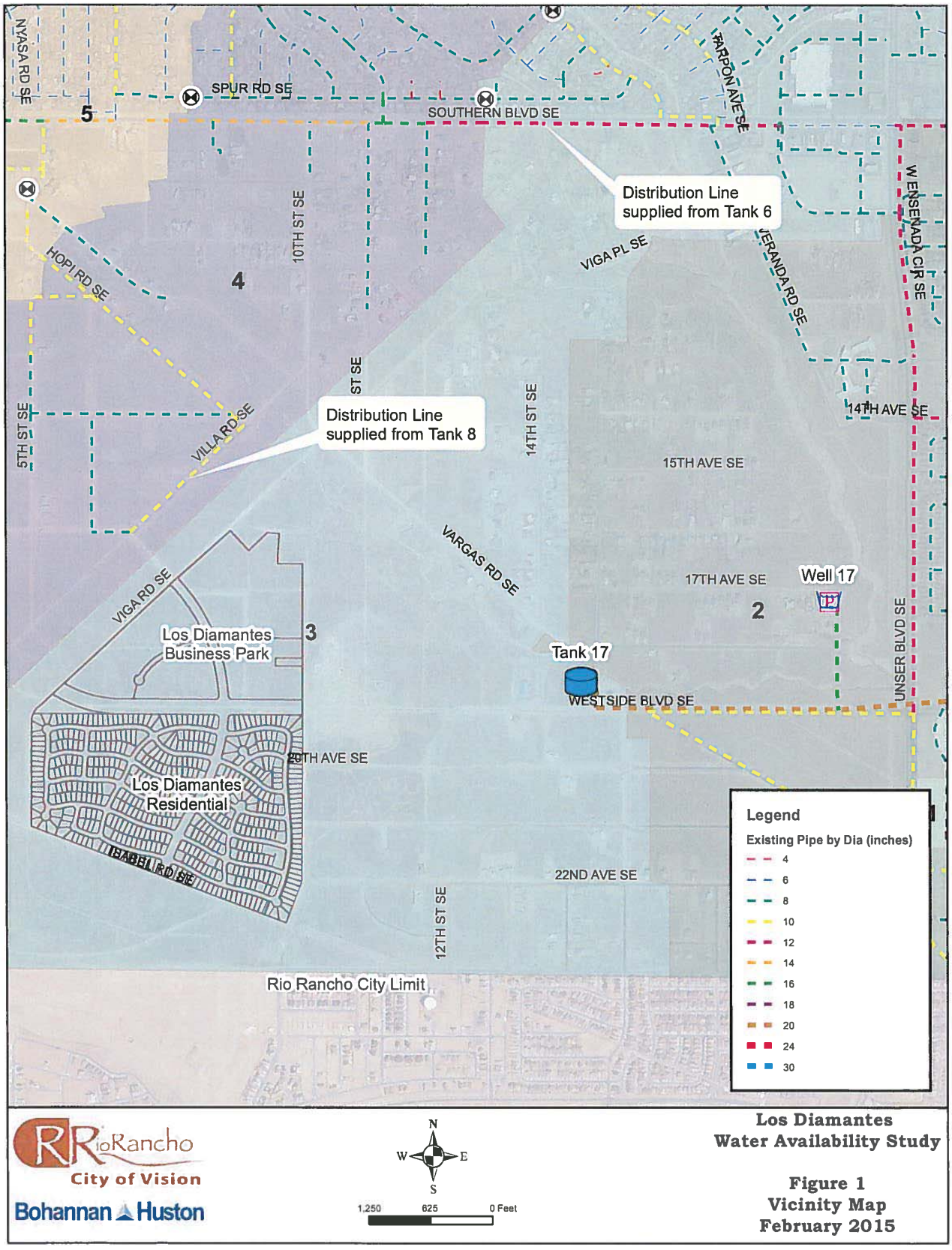
Sincerely,

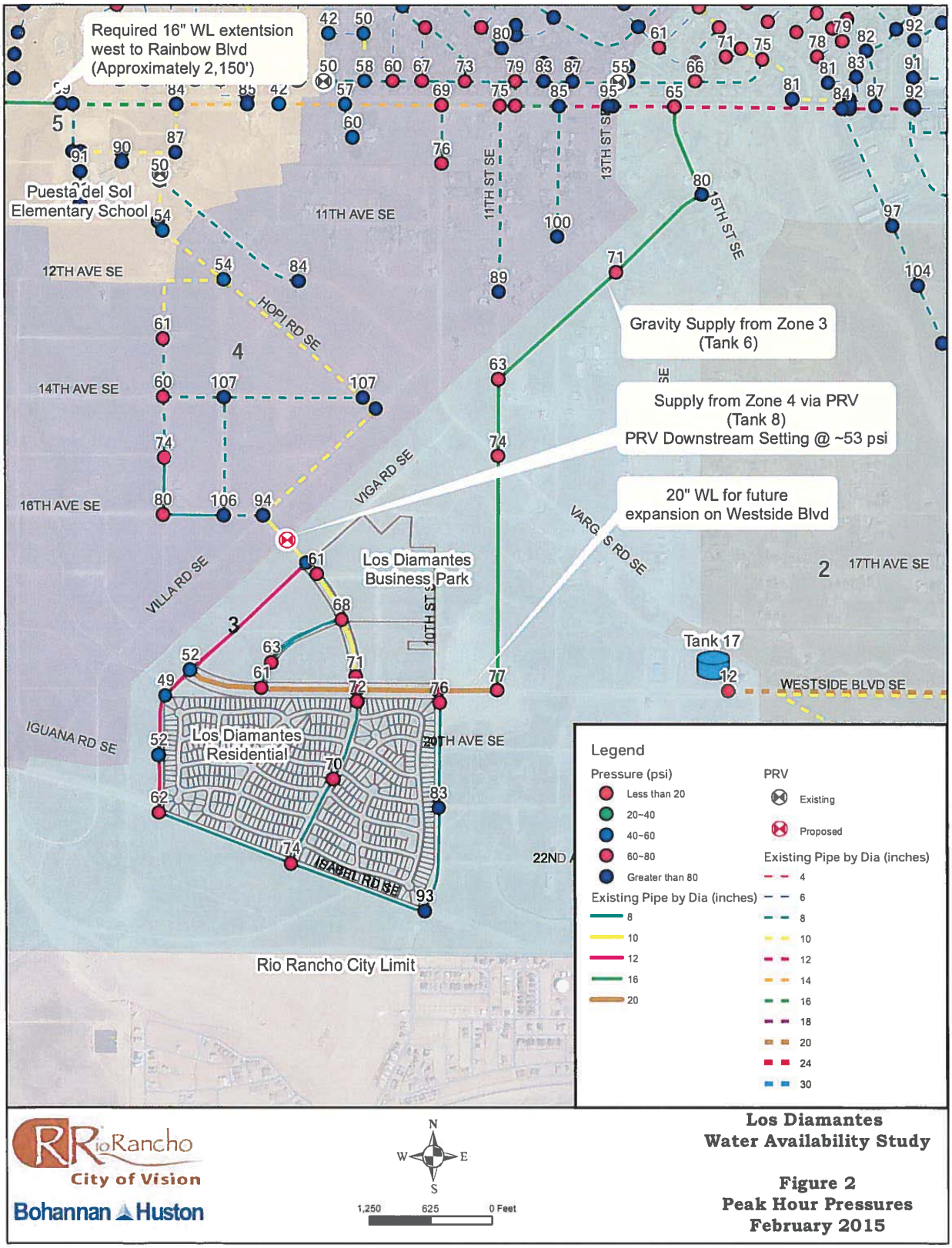
Nathan Roberts, P.E.
Engineer
Water Systems

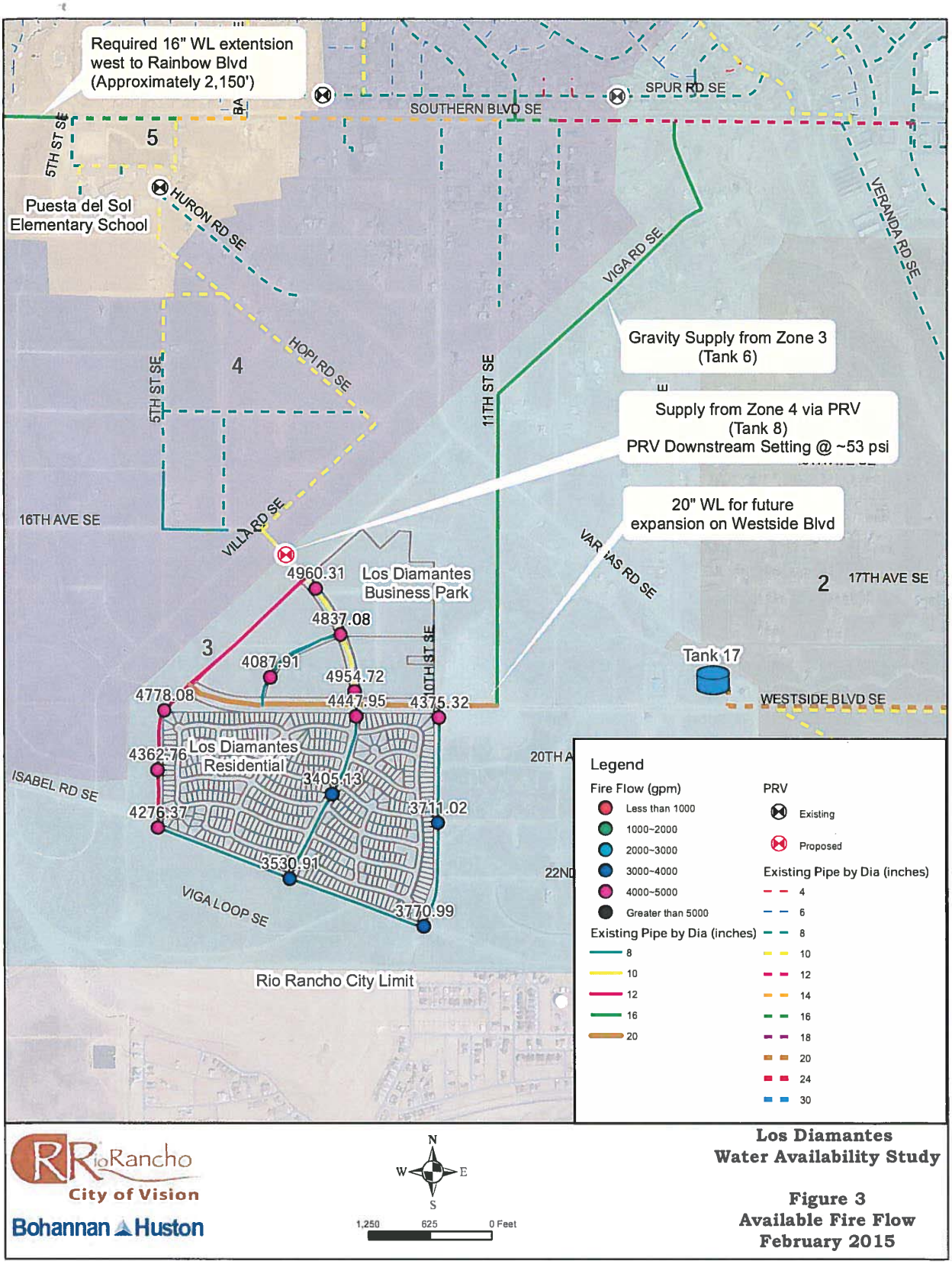
NR/le
Enclosures

cc: Steve Gallegos, CoRR Utilities Division (w/encls.)
Todd Burt, P.E., BHI (w/encls.)

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NYASA RD SE
SPUR RD SE
SOUTHERN BLVD SE
TARPON AVE SE
5
4
3
2
10TH ST SE
HOPI RD SE
VIGA PL SE
JERANDA RD SE
W ENSENADA CIR SE
Distribution Line supplied from Tank 6
Distribution Line supplied from Tank 8
5TH ST SE
VILLA RD SE
ST SE
14TH ST SE
14TH AVE SE
15TH AVE SE
VARGAS RD SE
VIGA RD SE
17TH AVE SE
Well 17
Los Diamantes Business Park
Tank 17
WESTSIDE BLVD SE
UNSER BLVD SE
20TH AVE SE
Los Diamantes Residential
ISABELL RD SE
22ND AVE SE
12TH ST SE
Rio Rancho City Limit
Legend
Existing Pipe by Dia (inches)
4
6
8
10
12
14
16
18
20
24
30
N
W
E
S
1,250
625
0 Feet
RioRancho
City of Vision
Bohannan Huston
Los Diamantes
Water Availability Study
Figure 1
Vicinity Map
February 2015


Required 16" WL extentsion west to Rainbow Blvd (Approximately 2,150')
Puesta del Sol Elementary School
11TH AVE SE
12TH AVE SE
14TH AVE SE
16TH AVE SE
17TH AVE SE
HOPI RD SE
VIGA RD SE
VILLA RD SE
IGUANA RD SE
VARGAS RD SE
WESTSIDE BLVD SE
11TH ST SE
13TH ST SE
15TH ST SE
10TH ST SE
ISABEL RD SE
Los Diamantes Business Park
Los Diamantes Residential
Tank 17
Gravity Supply from Zone 3 (Tank 6)
Supply from Zone 4 via PRV (Tank 8)
PRV Downstream Setting @ ~53 psi
20" WL for future expansion on Westside Blvd
Rio Rancho City Limit
Legend
Pressure (psi)
Less than 20
20~40
40~60
60~80
Greater than 80
Existing Pipe by Dia (inches)
8
10
12
16
20
PRV
Existing
Proposed
Existing Pipe by Dia (inches)
4
6
8
10
12
14
16
18
20
24
30
N
W
E
S
1,250
625
0 Feet
Rio Rancho
City of Vision
Bohannan Huston
Los Diamantes
Water Availability Study
Figure 2
Peak Hour Pressures
February 2015


Required 16" WL extentsion west to Rainbow Blvd (Approximately 2,150')
SOUTHERN BLVD SE
SPUR RD SE
5TH ST SE
5
Puesta del Sol Elementary School
HURON RD SE
VERANDA RD SE
VIGA RD SE
Gravity Supply from Zone 3 (Tank 6)
4
HOPI RD SE
11TH ST SE
Supply from Zone 4 via PRV (Tank 8)
PRV Downstream Setting @ ~53 psi
20" WL for future expansion on Westside Blvd
16TH AVE SE
VILLA RD SE
VAR IAS RD SE
4960.31
Los Diamantes Business Park
4837.08
2
17TH AVE SE
3
4087.91
4954.72
10TH ST SE
Tank 17
4778.08
4447.95
4375.32
WESTSIDE BLVD SE
Los Diamantes Residential
4362.76
3405.13
ISABEL RD SE
4276.37
3711.02
3530.91
VIGA LOOP SE
3770.99
Rio Rancho City Limit
Legend
Fire Flow (gpm)
Less than 1000
1000-2000
2000-3000
3000-4000
4000-5000
Greater than 5000
Existing Pipe by Dia (inches)
8
10
12
16
20
PRV
Existing
Proposed
Existing Pipe by Dia (inches)
4
6
8
10
12
14
16
18
20
24
30
RioRancho City of Vision
Bohannan Huston
N
W
E
S
1,250
625
0 Feet
Los Diamantes
Water Availability Study
Figure 3
Available Fire Flow
February 2015

NCS Engineers

ENGINEERING

March 27, 2015

Mr. Mark Goodwin, P.E.
D. Mark Goodwin & Associates, PA Consulting Engineers
PO Box 90606
Albuquerque, NM 87199
(505)-828-2200

Re: Sewer Availability Summary Report
Los Diamantes Business Park Project

Dear Mr. Goodwin:

We have reviewed your request for sewer availability for the proposed residential development bounded by Isabel Rd. SE, Villa Rd. SE, and 10th St. SE. The development proposes to connect to pump to the gravity line in 21st Avenue along the east side of the development.

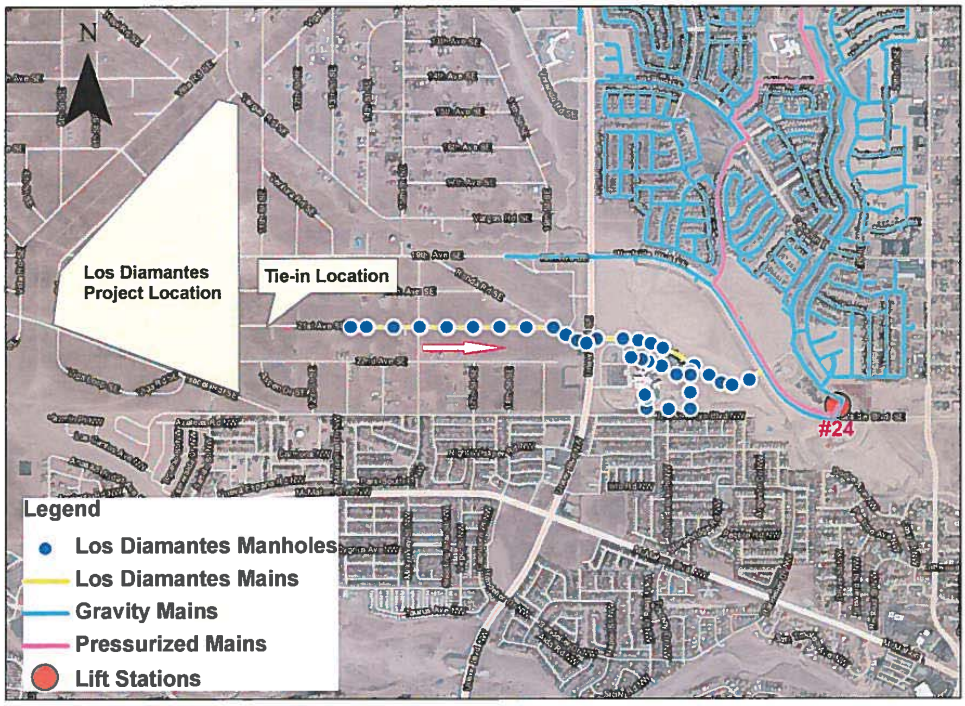
The proposed project includes 450 single family residential homes to be constructed in a 600,000 square feet area and part of a business park and is located north of Isabel Road SE approximately between 10th Street SE and 5th Street SE. The sanitary waste from the proposed subdivision will discharge to the 8-inch sewer in 21st Avenue, then increases to a 12- inch on Wellspring Blvd before discharging to a 15-inch sewer on Westside Blvd and ultimately to WWTP 6. Loadings were projected by using the Rio Rancho Wastewater Design Standards and classified as "Residential" at 175 gal/ac-day. This equates to a total of 54.68 gpm for average day and a peak load of 164 gpm, which is 3 times the average day.

The sewer availability was reviewed for the project, at the tie location, and considered downstream impacts at the wastewater facilities. The offsite infrastructure is assumed to tie into the 8-inch sewer line in 21st avenue. The project area is shown in Figure 1 (vicinity map).

3188 Southern Blvd, Suite A, Rio Rancho, NM 87124 • T: 505 896 7761 • F: 505 896 1985

Mr. Mark Goodwin
March 27, 2015
Page No. 2

Figure 1: Vicinity Map



Summary of Findings

Available capacities do exceed calculated full flow capacities along the trajectory to WWTP6. The minimum available capacity in the trajectory is reported at 0 gpm. The hydraulic profile also shows that the maximum hydraulic grade do surpass the criteria for the sewer line.

Figure 3 presents the maximum d/D ratio in the route from the project site to the WWTP 6. The maximum d/D ratio does exceed 75%.

Figure 4 presents the flows for the pipes in the project route.

The modeling results indicate that the City's sewer system cannot support the buildout of this project with the existing infrastructure. This analysis concludes that the City of Rio Rancho does not have sufficient capacity along this route to allow wastewater from this development without exceeding City criteria for available capacity, and maximum d/D. Possible mitigation measures can support the proposed development such as the following in order to the flows to meet the City's criteria.

1) Field verify the inverts associated with the problem area (implemented from the City's GIS) to ensure slopes are correct and carrying capacities are accurate.
2) Realign the construction of the slopes of the 12-inch pipes.
3) Construct a parallel sewer.

We encourage you to check with the City on these alternatives and associated costs. This may provide an opportunity for your development to move forward.

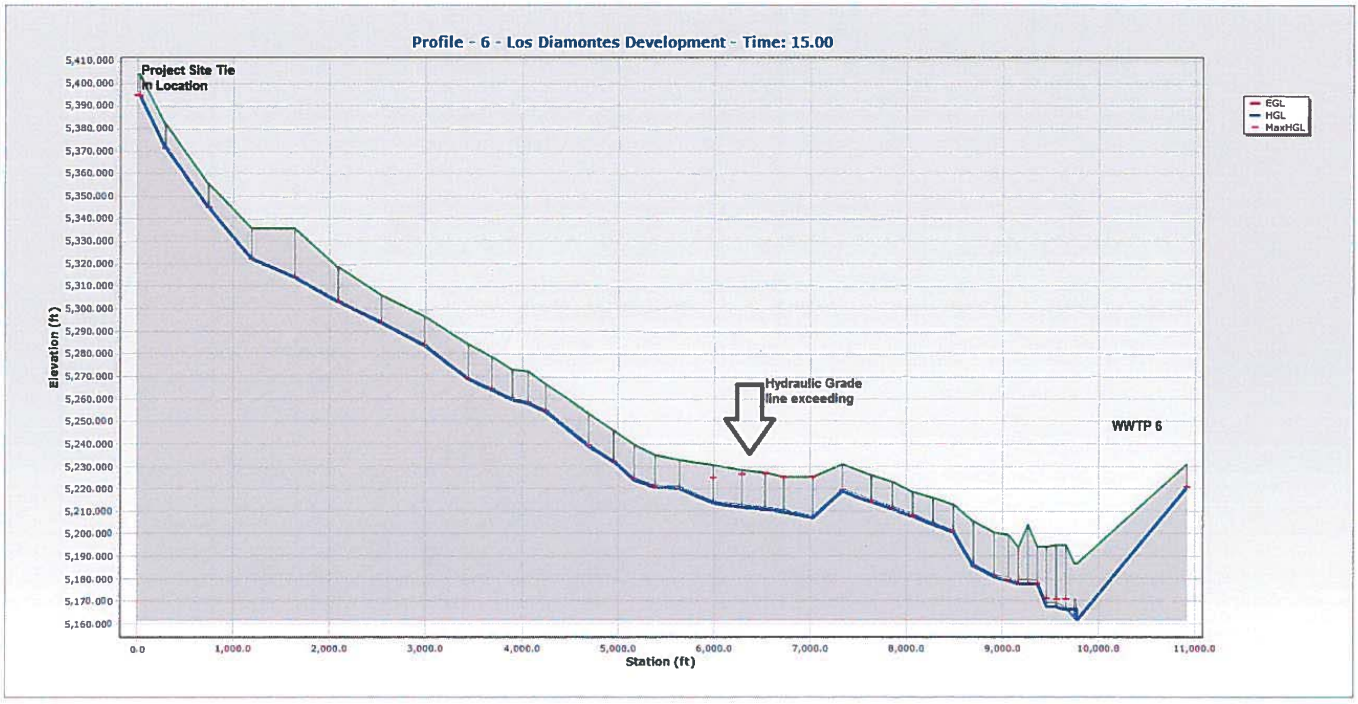
Please call me at (505) 896-7761 if you have any questions or need any additional information.

Sincerely,

Camila Fernandez
Project Engineer,
NCS Engineers

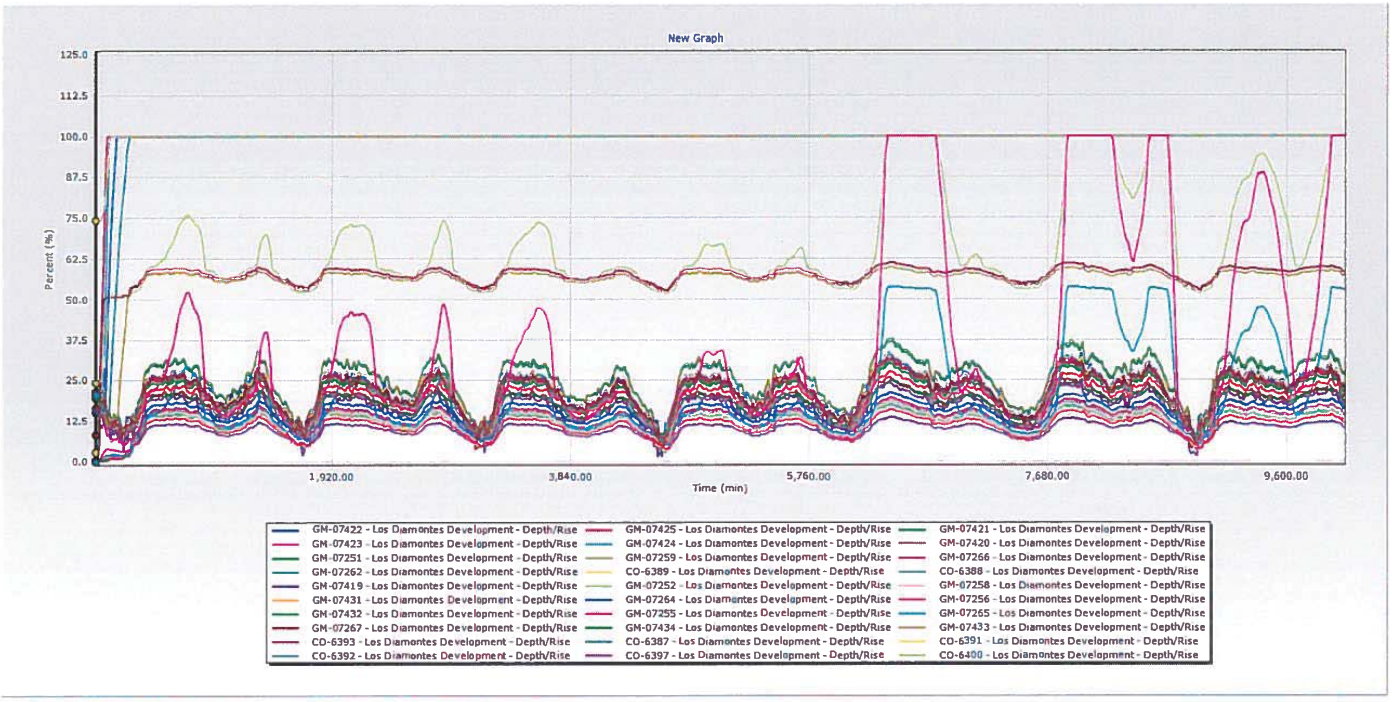
Mr. Mark Goodwin
March 27, 2015
Page No. 4

Figure 2: Hydraulic Profile



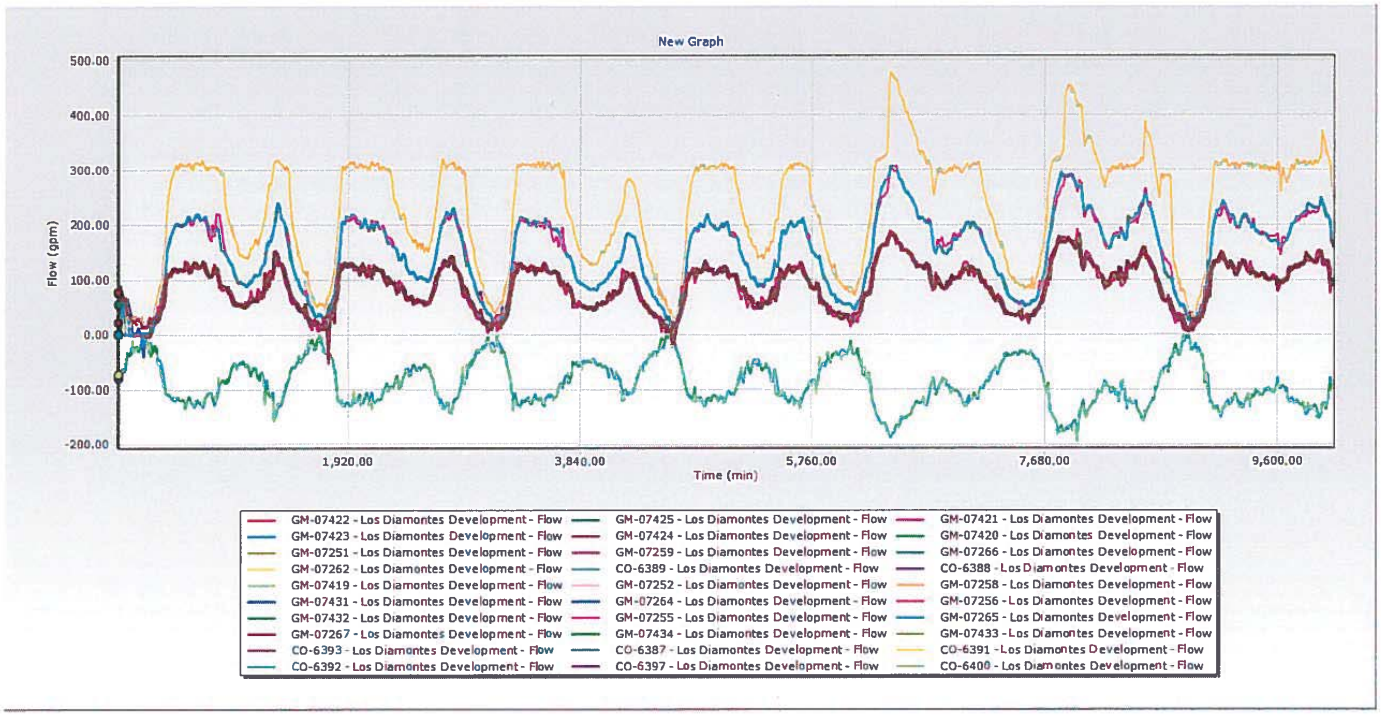
Mr. Mark Goodwin
March 27, 2015
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Figure 3: Maximum d/D Ratio in the Sewer Route to WWTP 6



Mr. Mark Goodwin
March 27, 2015
Page No. 6

Figure 4: Maximum Pipe Flow



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APPENDIX B LOS DIAMANTES ECONOMIC IMPACT ASSESSMENT

Los Diamantes Economic Impact Assessment

Initial Results and Assumptions

Mid-Region Council of Governments
November 10, 2014

Summary

The Mid-Region Council of Governments (MRCOG) provides this Economic Impact Assessment of a build out of the Los Diamantes conceptual plan to Sandoval County at the request of the County Manager, Mr. Phillip Rios. MRCOG utilized the REMI model (Regional Economic Models Inc.) for this analysis. This document presents a brief summary of the initial assumptions and findings. A follow up draft will be submitted with further detail related to the findings.

Los Diamantes is a conceptually planned area within the City of Rio Rancho's Unit 10 area. The project includes the development of a 60 acre business park for manufacturing and commercial uses, the development of a 450 single family homes adjacent to the business park, and related on and off-site investments including utilities, roads, and flood control infrastructure. All assumptions related to project costs, funding, and employment were provided to MRCOG by the Unser Gateway Coalition. These assumptions may be updated as more information is available over time.

Timeline

This analysis assumes a timeframe of 6 years with planning beginning in 2015, construction occurring between 2016 and 2018, and a ramp up to full employment between 2017 and 2020.

Funding

The majority of project is expected to be privately financed. Public funds are assumed for off-site infrastructure for the business park in the amount of $3.1M. Of that amount, $2.5M is assumed to come from the state and the remaining $600K from local governments. To reflect public expenditures, funding in the jurisdictions was reduced to offset the money used on the Los Diamantes project. Of the $2.5M in state funds, approximately $1.1M is assumed to have been forfeited by other projects within the Central New Mexico Region. The $1.1M is the population weighted share of the total $2.5M.

Employment

The construction of Los Diamantes Business Park is assumed to begin in the second half of 2016 and job creation is assumed to begin in 2017 and increase evenly until 2020.

Of the business park's 60 acres, it is assumed that just under one-third of the property would be developed, totaling 600,000 square feet of building space. This translates to an estimate of 1,440 employees using the following square footage to employment conversions as identified in the Institute of Transportation Engineers 2012 Trip Generation Manual, 9th edition:

- 50 % Miscellaneous manufacturing = 300,000 sqft, 1.8 jobs/1,000 sqft = 540 employees

- 10% Motion picture, sound rec = 60,000 sqft, 2.1 jobs/1,000 sqft = 126 employees
- 10% Administrative, support services = 60,000 sqft, 3.3 jobs/1,000 sqft = 198 employees
- 10% Ambulatory health care services = 60,000 sqft , 4.0 jobs/1,000 sqft = 240 employees
- 10% Nursing, residential care facilities = 60,000 sqft, 2.3 jobs/1,000 sqft = 138 employees
- 10% Social assistance = 60,000 sqft, 3.3 jobs/1,000 sqft = 198 employees

Assumptions

Table 1: Assumptions to the REMI model

Variable	Description	Year
Business Park		
On-site Infrastructure	$2,750,000 (Private Funding)	2016
Off-site Infrastructure	$2,500,000 (State Funding)	2016
	$600,000 (Local Funding)	2016
Government Spending	- $1,100,000 (State Funding) The $2.5M reductions expected based on the population share of the region to the State.	2016-2017
	- $600,000 (Local Funding)	2016-2017
Building Construction	$135,000,000 spread evenly over three years.	2016-2018
Residential Subdivision		
On-site Infrastructure	$13,500,000 (Private Funding)	2016
Off-site Infrastructure	$3,100,000 (Private Funding)	2016
Residential Construction	$54,000,000 (Private Funding) spread over six years.	2017-2022
Residential Building Permits	$1,600,000 (to City of Rio Rancho)	2017
Employment		
Total Employment	1,440 new jobs added over four years	2017-2020
Ambulatory Health Services	240 new jobs	
Nursing and Residential Care	138 new jobs	
Social Assistance	198 new jobs	
Administrative and Support	198 new jobs	
Motion Picture	126 new jobs	
Miscellaneous Manufacturing*	540 new jobs	

**Miscellaneous manufacturing jobs are associated with lower wages than most all other manufacturing jobs in the region, thereby representing a conservative estimate of impacts.*

Impacts

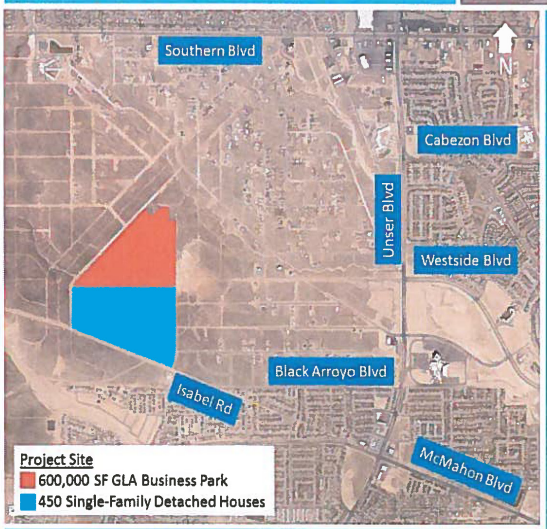
Preliminary estimates of the economic impacts from this project are presented in Table 2 on the following page. The table shows impacts for three regions: Central New Mexico, the City of Rio Rancho, and Sandoval County as a whole. The tables report changes in employment, gross domestic product, personal consumption, and income. Initially the largest effects are seen in Rio Rancho as construction begins and new jobs are added. Over time, the positive impacts spread throughout the Central New Mexico region.

APPENDIX C LOS DIAMANTES TRAFFIC IMPACT STUDY

LOS DIAMANTES TRAFFIC IMPACT STUDY

Draft Report March 2015





PREPARED FOR:
D. Mark Goodwin & Associates

PREPARED BY:
Lee Engineering, LLC

LEE ENGINEERING

Los Diamantes
Traffic Impact Study

Draft Report

March 2015

DRAFT

Prepared for:

D. Mark Goodwin & Associate

Prepared by:

LEE ENGINEERING

LEE ENGINEERING

Executive Summary

Background

A proposed residential and business park development site is to be located off of Westside Boulevard between Viga Road and 10th Street. The site is within the jurisdiction of the City of Rio Rancho (CoRR), New Mexico.

The site will contain 450 single family dwelling units south of Westside Boulevard and approximately 600,000 SF of Business Park land use on the north side of Westside Boulevard. The site plan is presented in **Figure 2 of this report**.

Access to and from the project site will use the existing road Western Boulevard to the east and 10th street to the south, adjacent to the proposed development site. No new access points are proposed and the existing driveway is shown in **Figure 1 of this report**.

Opening day of the development is anticipated to take place in 2020. Therefore, assessment for the opening year of 2020 was made using peak hour intersection turn movement volumes collected on February 24 and 26, 2015 and volumes from adjacent site developments. Peak hour trips generated by the proposed development were then added to the anticipated 2020 background volumes to assess the impact on the surrounding road network.

Conclusions and Recommendations

Based on the traffic analysis and report findings, the conclusions and recommendations are as follows:
Site Access

- Regional access to the site will mainly be provided via Unser Boulevard. Unser Boulevard provides routing to commercial and residential developments to the north and south of the project site. Additionally, Unser Boulevard provides access to east/west arterials of Southern Boulevard, Northern Boulevard and Paseo del Volcan.
- It should be noted that analyses contained within this study is considered conservative as they are based on interim conditions in which Unser Boulevard and Rio Rancho Boulevard/NM 528 are the only two north/south arterial options for project site trips. Ultimately, there will be additional north/south arterial and collector options including the development of Rainbow Boulevard (Minor Arterial) and a Major Collector Road east of the site as identified by the draft MRCOG 2040 Long Range Roadway Plan, which will better disperse project site trips so they are not concentrated strictly through the Unser Boulevard
- Project access will be provided via eight street connections to abutting arterial and collector streets. A main Spine Road will provide access to both residential and commercial components via an intersection with Westside Boulevard to be located approximately 840 feet west of the 10th Street alignment.

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- An additional access point off of Westside Boulevard will be provided to both residential and business park land uses located approximately 1350 feet west of the Spine Road intersection.
- The remainder of project access will be provided via several minor two lane collector streets. These will include the following:
  - 10th Street
  - Isabel Road
  - Viga Road
- A secondary access is proposed via Isabel Road to Black Arroyo Boulevard and McMahon Boulevard. Currently, the Isabel Road alignment is shown to be connecting to Black Arroyo at a very acute skew. It is therefore, recommended that the Isabel Road alignment be curved to the east of the current alignment to form a more perpendicular approach to Black Arroyo Boulevard.
- 10th Street is proposed to terminate at Isabel Road forming a T-intersection approximately 450 feet north of Black Arroyo.
- Based on Table 18.C-1 *Access Spacing Standards for Intersections and Driveways*, the following spacing is required for compliance:
  - Signalized intersection spacing should be no less than 1,760 feet on Westside Boulevard (Urban Minor Arterial 35-45 mph).
  - Unsignalized and full access driveway spacing on Westside Boulevard should be no less than 660 feet
  - Full movement driveways spacing on Viga Road, 10th Street, Isabel Road, and Spine Road should be no less than 150 feet.
  - The Isabel Road/Black Arroyo Boulevard intersection should be spaced no closer than 150 feet from existing driveways on Black Arroyo Boulevard (Saltillo Street and Caracol Street)
- Based on the latest site plan contained herein, all proposed driveways and access points appear to be in compliance with NMDOT SAMM recommended spacing.
- It is likely that signal control will be warranted at the Westside Boulevard/Spine Road. Therefore, any future signalized intersection to the east or west of this intersection should be located at a minimum 1,760 feet away from the Spine Road intersection.
- Parcel access for Business Park land use is recommended to be taken off of a Spoke Road on either side of the Spine Road located approximately at the mid-point between Viga Road and Westside Boulevard.
- Full movement parcel access on the Spine Road within the Business Park should be spaced no less than 330 feet and partial access no less than 150-feet. Additionally, there should not be any access point on the Spine Road within 250 feet of the signalized Westside Boulevard/Spine Road intersection.
- It is recommended that access to residential parcels be configured to produce ADT levels on local residential streets (i.e. with back-out driveways) less than 1,500 vehicles. Review of the latest proposed site plan indicates that there are no local residential streets that would generate more than 1,500 ADT.
- Initial project access will be provided via Westside Boulevard exclusively, which will be incorporating one through lane in each direction between 10th Street and Unser Boulevard.

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- It is estimated that approximately 70% of the total project can be constructed, which translates to the following scenarios at which secondary access to Black Arroyo and McMahon would be needed:
    - 98% of just the Business Park development
    - Phase 1 of Residential (150 Units) and 94% of the Business Park
    - Phase 2 of Residential (300 Units) and 90% of the Business Park
    - Phase 3 Residential (450 units) and 86% of the Business Park
- The proposed Isabel Road access in combination with a two-lane Westside Boulevard would accommodate full build of the project site.

Existing, Background and Build Out Traffic Demands

- Peak hour turning movement counts for all existing study intersections were collected on February 24, 2015 and February 26, 2015. Existing peak hour turning movements are presented in **Figure 3.**
- Per the February 10th scoping meeting with the CoRR, it was determined that background traffic demands for 2020 would be developed based on the following developments:
    - Cabezon Village
    - Pavilion at Presbyterian
    - X Ray Associates

  Resulting 2020 background traffic demands are presented in **Figure 4.**
- Trip generation analysis was performed based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition* and project land use were categorized as ITE land use category 210 (Single-Family Detached Housing) and category 770 (Business Park) and are summarized in **Table 1**.
- A 3% internal capture rate was assumed between the residential and business park land uses. Calculated internal and adjusted external trips are summarized in **Table 2**.
- Offsite primary trip distribution for both AM and PM peak hours are shown in **Figures 5 and 6** for the business park and residential development, respectively.
- On-site distribution are indicated in **Figures 7 and 8** for the business park and residential land use, respectively.
- Total on-site and off-site build out turning movement demands are indicated shown in **Figure 15 and 16.**

Signal Warrant, Capacity and Queuing Analysis

- Based on signal peak hour warrant analyses, signal control is recommended for the Westside Boulevard/Spine Road intersection and is expected to be needed at approximately 70% of total build-out.
- Based on capacity and queue analysis, the following lane geometry, traffic control and storage length mitigation is recommended as part of this development:
    - The following improvements were assumed to be in place as they were recommended and the responsibility of previous studies. They include:
        - Westbound dual left-turn lanes at the Unser Boulevard/Cabezon Boulevard

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- Westbound dual left-turn and right-turn lanes at the Unser Boulevard/Westside Boulevard intersection.
- Southbound dual left-turn lanes at the Unser Boulevard/Westside Boulevard intersection.

- The existing northbound left-turn lane at the Unser Boulevard/Westside Boulevard intersection should be modified to incorporate dual left-turns. This will require restriping and conversion from a northbound protected-permitted phasing to protected only phasing. Additionally, the receiving lanes on the west leg should incorporate two through lanes, which can be tapered down at approximately the west boundary of the proposed X-Ray site. Per MUTCD, lane reduction tapers should incorporate 320 feet.
- The westbound left-turn lane at Unser Boulevard/Westside Boulevard intersection should be modified to incorporate dual left-turns. This will require median modification and the construction and alignment of the receiving lanes on the east leg. The eastbound protected-permitted phasing should be changed to protected only.
- Signal undergrounds including conduit and pull boxes are recommended at the Westside Boulevard/Spine Road. Signal control activation should only occur upon the satisfaction of a full warrant study when count data of the intersection is avaialable.
- The following auxiliary lanes are recommended as part of this project:

Westside Boulevard/10th Street Intersection

- A single 300-foot westbound left-turn lane
- Single 300-foot eastbound left and right-turn lanes
- A single 150-foot Northbound left-turn lane

Westside Boulevard/Spine Road Intersection

- Single 325-foot westbound left and right-turn lanes
- Single 325-foot eastbound left and right-turn lanes
- A single 150-foot northbound left-turn lane
- Southbound 150-foot dual left-turn lanes but striped as a single turn lane until signal control is in place.

Westside Boulevard/Driveway A-Viga Road

- Single 300-foot westbound left and right-turn lanes
- Single 300-foot eastbound left and right-turn lanes
- Single 150-foot northbound and southbound left-turn lanes

Black Arroyo Boulevard/Isabel Road

- A single 175-foot westbound right-turn lane at Isabel Road
- A single 150-foot southbound left-turn lane at Isabel Road

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On-Site Street Classification

- Per the 2040 long range roadway map, Westside Boulevard is proposed as a Community Primary arterial that will ultimately incorporate 106 feet of ROW with two through lanes and a bike lane in each direction, a raised median, and a 40 mph speed limit.
- A review of the latest master bike facilities plan indicates no proposed multi-use trail along Westside Boulevard. However, it is noted that an existing multi-use trail existing along the south side Westside Boulevard east of Unser Boulevard, which terminates approximately 680 feet short of the Unser Boulevard/Westside Boulevard.
- For the build-out of this project, Westside Boulevard will incorporate one through lanes in each direction from 10th Street to the proposed Pavilion development located at the southwest corner of the Unser Boulevard/Westside Boulevard intersection.
- Between Viga Road and 10th Street, Westside would be fully improved incorporating the ultimate four-lane cross-section with raised median, bike lanes, curb, gutter and sidewalk.
- Two receiving lanes on Westside Boulevard will be required on the west leg of the Unser Boulevard intersection. The two westbound lanes can then taper (320 feet) to one through lane immediately west of the proposed Pavilion Commercial development.
- There are no existing or planned local transit routes along Westside Boulevard. Therefore transit stops, turnouts etc. are not required as part of this project.
- 10th Street is proposed as a minor collector road incorporating 50 feet of ROW and one undivided through lane in each direction with a 25 mph speed limit. Full improvements including curb, gutter and sidewalks will be constructed along the project frontage (west side only) from just north of Westside Boulevard to Isabel Road.
- Isabel Road is proposed as a minor collector incorporating 78 feet of ROW, one undivided through lane in each direction and a 25 mph speed limit. Full improvements including curb, gutter and sidewalks will be constructed along the project frontage (north side only) from Viga Road to 10th Street.
- Isabel Road is recommended to divert from its current alignment east of 10th Street to provide a intersection with Black Arroyo Boulevard that has no skew.
- Viga Road is proposed as a minor collector road incorporating 50 feet of ROW, one undivided through lane in each direction and a 25 mph speed limit. Viga Road will be constructed from Isabel Road to just south of Westside Boulevard and starting on the north side of Westside Boulevard to the north boundary of the business park property with full improvements of sidewalk, curb and gutter on the southeast side abutting the project site. Viga Road will be fully improved south of Westside Boulevard from Isabel Road to just short of Westside Boulevard
- The north leg of Viga Road is recommended to be aligned with Driveway A (westernmost driveway on Westside Boulevard) and the south alignment of Viga Road will not intersect with Westside Boulevard to avoid placing a stop controlled intersection within curved alignment on Westside Boulevard.
- The Spine Road within the Residential area is proposed to be a public minor collector street to incorporate 68 feet of ROW including one through lane in each direction, a minimum 5-foot sidewalk, curb, gutter, and narrow raised landscape medians. There will be no direct residential

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driveway access along this roadway. It is anticipated that this road will incorporate a 25 mph speed limit.

- The Spine Road north of Westside Boulevard is proposed to be a public minor collector street to incorporate 98 feet of ROW including one lane of traffic, curb gutter, and sidewalk in each direction. Additionally, due to anticipated traffic intensity and the density of the development, auxiliary lanes are recommended to all future major parcel access points along this alignment. There will likely be raised landscaped medians along this alignment within the business park. It is anticipated that this road will incorporate a 25 mph speed limit.
- A business park access road is to incorporate 50 feet of ROW and provide access for the most commercial parcels to the proposed Spine Road. This access street will terminate in a cul-de-sac at its southwest and northeast termini. It is anticipated that this road will incorporate one undivided lane, curb, gutter, and sidewalk in each direction. No auxiliary turn lanes are anticipated for this alignment. This is recommended to incorporate a 20 mph speed limit.
- All residential parcel access roads are proposed to incorporate 50-feet of ROW including one through lane, curb, gutter and sidewalk in each direction. These residential streets will provide direct access to residential driveways and incorporate a 20 mph speed limit.

Unser Boulevard Coordination Analysis

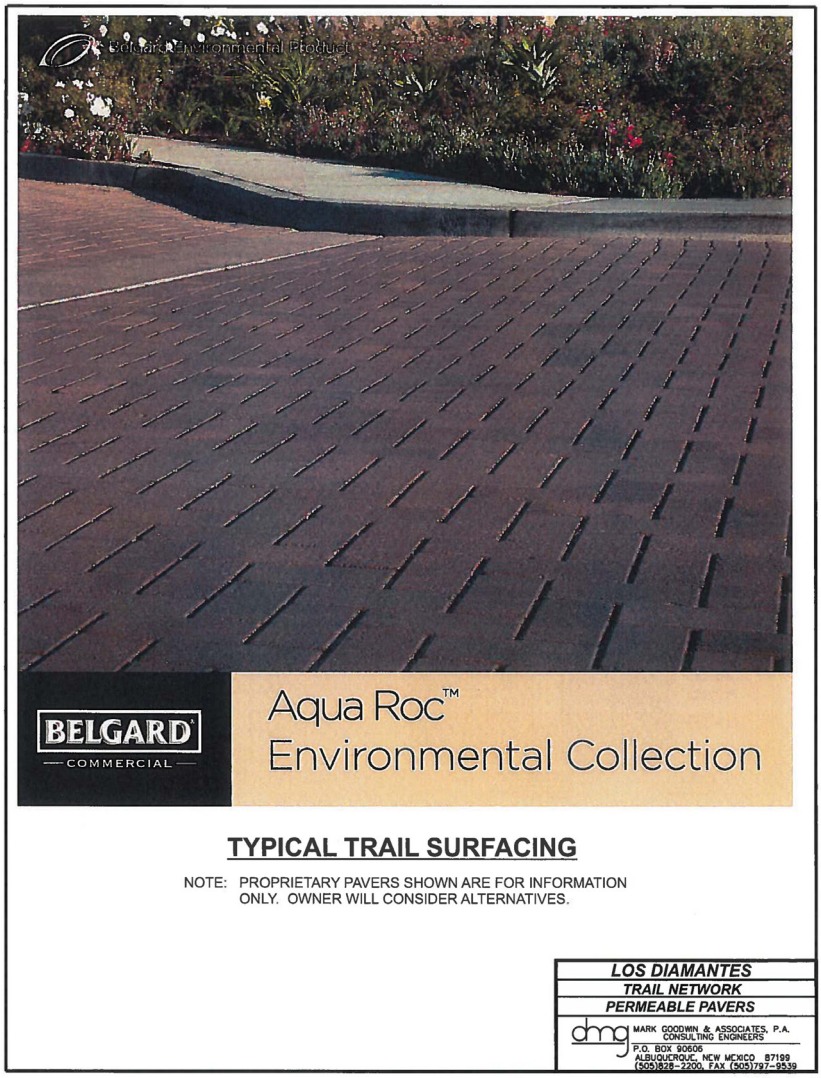
- A coordination analysis of Unser Boulevard indicates that optimal cycle lengths range from 130 seconds in the AM peak to 150 seconds in PM peak for Background and Build Out traffic demands assuming Unser Boulevard remains a four-lane roadway.
- If Unser Boulevard becomes a six-lane roadway, the optimized cycle length reduces to 120 seconds under Background and Build Out traffic demands.
- If a cycle length change on Unser Boulevard is implemented, the cycle lengths will also have to change on Southern Boulevard to maintain coordination on that corridor. This means that offsets would need to be adjusted on Southern Boulevard as well.
- Unser Boulevard is a lengthy corridor, which traverses both the City of Rio Rancho and City of Albuquerque. In order to provide a consistent and optimal coordinated corridor, both the Cities would need to coordinate timing plans between them.

Crash Analysis

- Crash analyses indicate a high frequency of crashes along Unser Boulevard, especially at Southern Boulevard and McMahon Boulevard. A more detailed safety study of this corridor could shed light on specific safety issues.
- There were two crash fatalities at the Unser Boulevard/Southern Boulevard intersection.
- The majority of the crashes at all the intersections were classified as following too close or driver inattention. This tends to be indicative of congestion issues and usually result in rear-end crashes.
- Many of the congestion caused crashes along this corridor could potentially be reduced when Unser Boulevard becomes a six-lane arterial.

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APPENDIX D TYPICAL TRAIL SURFACING



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APPENDIX E - PREVIOUS AMENDMENTS

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO.87 **ENACTMENT NO.22-087**

RESOLUTION AMENDING THE LOS DIAMANTES MASTER PLAN

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA, 1978; 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: the Governing Body of the City of Rio Rancho adopted the Los Diamantes Master Plan August 12, 2015 with Resolution No. 61, Enactment No. 15-055; and

WHEREAS: on August 13, 2020, a revised Los Diamantes Master Plan was approved by Resolution No. 73, Enactment No. 20-071; and

WHREAS: in order to update signage standards in the Los Diamantes Master Plan to accommodate larger subdivision entry signage than was previously allowed in the Master Plan, and to create a sense of place for future residents, Los Diamantes Development Company, through their agent Consensus Planning, Inc., submitted an application to amend the 2020 Master Plan, requesting to update Section VII. Signage (A.); and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Los Diamantes Master Plan at their meeting held on July 26, 2022, 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. 22-410-00006) to the Los Diamantes Master Plan at their meeting held on September 22, 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.

1

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 Los Diamantes Master Plan to update Section VII. Signage (A.) attached hereto as Exhibit A.

Section 2. This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 22nd DAY OF SEPTEMBER, 2022.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk

(SEAL)

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 5 **ENACTMENT NO. 21-09**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR PROPERTY LEGALLY DESCRIBED AS LOS DIAMANTES SUBDIVISION TRACT 3 FROM BP: BUSINESS PARK DISTRICT TO R-2: SINGLE-FAMILY RESIDENTIAL AND UNIT 10, BLOCK 64, LOT 15 FROM R-1: SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-2: SINGLE-FAMILY RESIDENTIAL DISTRICT, 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 designation on the subject property has been submitted by Los Diamantes, LLC, and assigned City Case No. 20-100-00018; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on January 12, 2021, regarding the proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

WHEREAS: the Governing Body received a report from the Planning and Zoning Board, and such report indicates the Planning and Zoning Board has studied and considered the proposed changes pursuant to R.O. 2003 Section 150.07, and said report includes specific findings related to the affected property; and

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on February 11, 2021 and the Governing Body heard interested parties and citizens for an against the proposed amendments; and

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

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

Section 1. Rezoning of Property and Change in Land Use

A. The Official Zone Map is hereby amended by assigning a zoning designation on approximately 24.0963 acres of property from BP: Business Park District to R-2: Single-Family Residential on land legally described as: Tract 3, Los Diamantes Subdivision, Unit 10, Rio Rancho Estates Within the Town of Alameda Grant, Projected Sections 33 & 34, Township 12 North, Range 2 East, NMPM, City of Rio Rancho, Sandoval County, New Mexico in Rio Rancho Estates Plat Book Number 28, As Page 95, 96, 97, on September 27, 2019.

B. The Official Zone Map is hereby amended by assigning a zoning designation on approximately on approximately 0.93 acres of property from R-1: Single-Family Residential District to R-2: Single-Family Residential District on land legally described as:
Unit 10, Block 64, Lot 15, Portion of Unit Ten, Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico, Filed in the Office of the County Clerk of Sandoval County, New Mexico, in Rio Rancho Estates Plat Book No. 1, Page 14, on January 31, 1962.

C. The City's Comprehensive Plan, Generalized Land Use Map (GLUM), Map L-2 will change to reflect the land described in Section 1A and 1B above, as having a "Low/Medium Residential" GLUM designation.

Section 2. Land Use, Conditions, Development Standards/Regulations and use of Property: The property identified in Section 1A and 1B, above is subject to all requirements of the R-2: Single-Family Residential District zoning designation.

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

Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS 11TH DAY OF FEBRUARY, 2021

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 73 **ENACTMENT NO. 20-071**

RESOLUTION AMENDING THE LOS DIAMANTES MASTER PLAN

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA, 1978; 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; provides for adoption of specific area plans for specific area within 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 has adopted a Comprehensive Plan that addresses land use in master planned communities; and

WHEREAS: the Governing Body of the City of Rio Rancho approved the Los Diamantes Master Plan on August 12, 2015 with Resolution No. 61 Enactment No. 15-055; and

WHEREAS: the Governing Body of the City of Rio Rancho approved the Generalized Land Use Map on September 12, 2018 through Resolution no. 60, Enactment no. 18-058; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the land use amendments to the Los Diamantes Master Plan at their meeting held on July 28, 2020, and following public hearing recommends approval of those amendments and modifications; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed land use amendments (Case No. 20-410-02) to the Los Diamantes Master Plan at their meeting held on August 13, 2020, 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 land use amendments and modifications to the Los Diamantes Master Plan, Exhibit A to this resolution.

Section 2. Designs, layouts, and engineering requirements or details are subject to compliance with City engineering and/or subdivision requirements prior to development.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 13th DAY OF AUGUST, 2020.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk

(SEAL)

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 17 **ENACTMENT NO. 15-14**

AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION FOR PROPERTIES KNOWN LEGALLY AS UNIT 10, BLOCK 18, LOTS 27-41; BLOCK 60, LOTS 1-10 & 13-16; BLOCK 62, LOTS 7-13; BLOCK 64, LOTS 1-14 & 16-25; BLOCK 65, LOTS 1-41; BLOCK 66, LOTS 1-28; BLOCK 67, LOTS 1-31; BLOCK 68, LOTS 1-36; BLOCK 69, LOTS 1-16; BLOCK 70, LOTS 1-17; BLOCK 71, LOTS 1-22; BLOCK 72, LOTS 1-27; BLOCK 73, LOTS 4-35. THE PROPERTY IS LOCATED NORTH OF ISABEL ROAD SE, WEST OF 10TH STREET SE, AND SOUTH AND EAST OF VILLA ROAD SE AND GENERALLY DESCRIBED AS LOS DIAMANTES AS NOTED BELOW:

WHEREAS: The Governing Body has recognized and approved the Los Diamantes Master Plan; and

WHEREAS: The zoning designations proposed for the master planned area are in conformance with the Los Diamantes Master Plan, the Rio Rancho Comprehensive Plan Generalized Land Use Map, and Title XV: Land Use, Chapter 154. Planning and Zoning with exceptions or revisions as set forth below:

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

Section 1. The Zone Map is hereby amended on property known as Los Diamantes with the legal description attached hereto as Exhibit A, to reflect a change in zoning designation from R-1/Single Family Residential District to R-3/Mixed Residential District (109 acres) with a Los Diamantes Residential Overlay Zone (hereafter LDROZ), BP/Business Park (63 acres), and PR/Parks & Recreation (8 acres) as reflected in the Los Diamantes Master Plan Zoning Map attached hereto as Exhibit B.

Section 2. **Land Use:**
Zoning designations are R-3/Mixed Residential District (109 ac) with LDROZ, BP/Business Park District (63 ac) and PR/Parks & Recreation (8 ac). Development shall occur in accordance with the approved Master Plan, or Amendments thereto, as adopted by the Governing Body by Resolution No. ____.

Section 3. **Development Regulations:**
Development shall occur as regulated in Title XV: Land Use, Chapter 154. Planning and Zoning; and the Los Diamantes Master Plan. In the event that there is conflict, the strictest shall apply.

For purposes of regulating development in the LDROZ, the following revisions/modifications to the R-3 District are hereby adopted:

B. Permissive Uses
   1. Same as those in the R-1 District, design standards apply;
   2. Single-family attached and detached dwelling units;
   3. Town-home, patio home, or similar development provided all city regulations are met;
   4. ~~Multi-family dwellings~~, and
   5. ~~Boarding and lodging houses~~

C. Conditional Uses (requiring use permit)
   1. ~~Same as those in the R-1 District.~~

2. ~~Community residential care facility up to 18 persons.~~
3. ~~Senior transitional care facilities, senior living facilities, and/or other similar facilities.~~

D. Area

4) Setbacks

~~a. Multi-family dwelling units~~

b. Single-family detached dwelling units:
   1. Front - 15 feet, garage - 20 feet; ~~side loaded garage – 15 feet~~
   2. Rear - ~~5 feet~~ ***15 feet***
   3. Side - 5 feet; ~~zero lot lines setbacks are allowed on one side with a 10 foot setback on the opposite side.~~ on both sides, for a total separation of 10 feet between buildings.
   4. Corner- 10 feet

c. Single-family attached dwelling units:
   1. Front - ~~20 feet~~ 15 feet
   2. Rear - ~~zero feet~~ 15 feet; ~~alley loaded garage – zero feet~~
   3. Side - ~~zero feet~~ 5 feet on both sides of any principal building, for a total separation of 10 feet between buildings.
   4. Corner- 10 feet

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

e. Free-standing wind energy units – 2:1 height to setback ratio with a 40 foot maximum height.

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

g. Flag poles – 10 feet from any property line.

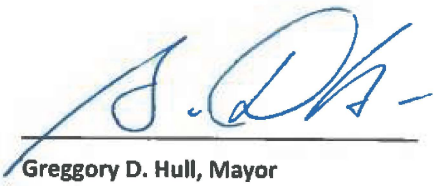
h. Trash containers and trash compactors – 15 feet from the property line when adjacent to land planned or zoned for a single-family residential use.
   1. All trash containers and trash compactors shall be screened from a public right of way by decorative wall or enclosure and shall be not less than 2 feet above the height of the trash container or compactor.

5) Projections into the setback area are the same as the R-1 District.

Section 4. 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 unenforceable, 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 5. Effective Date. This Ordinance shall take effect in ten (10) days after adoption.

ADOPTED THIS 12TH DAY OF AUGUST, 2015.



Greggory D. Hull, Mayor

ATTEST:



Stephen J. Ruger, City Clerk
(S E A L)

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 61 **ENACTMENT NO. 15-055**

A RESOLUTION ADOPTING THE LOS DIAMANTES MASTER PLAN

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

WHEREAS, The Governing Body of the City of Rio Rancho has adopted a Comprehensive Plan that addresses land use in master planned communities via master plans; and

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

WHEREAS, The Governing Body of the City of Rio Rancho has reviewed the proposed Los Diamantes Master Plan and determined that the Los Diamantes Master 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:

That the Governing Body hereby approves the Resolution adopting the *Los Diamantes Master Plan (LDMP)* comprised of properties known legally as Unit 10, block 18, lots 27-41; block 60, lots 1-10 & 13-16; block 62, lots 7-13; block 64, lots 1-14 & 16-25; block 65, lots 1-41; block 66, lots 1-28; block 67, lots 1-31; block 68, lots 1-36; block 69, lots 1-16; block 70, lots 1-17; block 71, lots 1-22; block 72, lots 1-27; block 73, lots 4-35. The property is located north of Isabel Road SE, west of 10th Street SE, and south and east of Villa Road SE

The *Los Diamantes Master Plan* attached hereto as "Exhibit A" is hereby adopted and accepted with the following conditions:

1) The *Los Diamantes Master Plan (LDMP)* constitutes approval of the conceptual land uses within the specified zoning. More detailed levels of information, planning and City reviews shall occur, including, but not limited to, a detailed Traffic Impact Analysis as the project proceeds through the development review process, i.e. subdivision stage, etc.
2) The zoning for the property is conditioned upon adherence to and enforcement of the conditions for approval of the *LDMP.*
3) Development shall occur as per the *LDMP* and Title XV: Land Use, Chapter 154. Planning and Zoning. Where there is conflict, the strictest requirement shall apply.
4) Significant changes to the approved *LDMP* will require approval by the Governing Body.
5) Applicant will provide areas for mass transit stops within the Business Park.
6) Stormwater Pond in the PR/Parks and Recreation District zoning requires Conditional Use approval.
7) All conditions of, and permit from SSCAFCA shall be met prior to construction.
8) Separation of uses between BP/Business Park and all residential uses shall be provided in accordance with the City Comprehensive Plans' Urban Design Element.
9) A Master Sign Plan shall be submitted and approved for the BP/Business Park District prior to issuance of any BP District sign permit per Title XV: Land Use, Chapter 156. Sign Regulations.
10) Parks located within the residential development component to be zoned R-3.

11) No trees required for landscaping on residentially zoned lots shall be planted within the right-of-way.

ADOPTED THIS 12TH DAY OF JULY, 2015.

Greggory D. Hull, Mayor

ATTEST:

Stephen J. Ruger, City Clerk
(S E A L)

As the Los Diamantes Master Plan has been amended recently multiple times to change the design standards, boundaries, and contents of the Master Plan, Staff has outlined these previously approved changes below in their entirety:

Master Plan Amendment (Approved August 13, 2020) (Resolution No. 73, Enact. No. 20-071):

Section 1: Introduction
- Changed ownership from AB Southwest, LLC., to reflect new ownership by Los Diamantes, LLC.
- Added “multi-family residential opportunities to support affordable housing goals and commercial services”.
- Added “To plan for a future public safety facility to serve the proposed development and surrounding area in southern Rio Rancho”.
- Changed “Unit 10 Generalized Land Use Plan” to “Unit 10 Specific Area Plan”.

Section 2: Existing Conditions
- Added “2020 Amendment: Since this Master Plan was adopted in 2015, the City of Rio Rancho adopted the Unit 10 Specific Area Plan, which addresses land use, transportation, utilities and infrastructure, and general development guidelines for the larger geographic area surrounding Los Diamantes. The Specific Area Plan has subsequently been amended and further amendments have been considered by the Rio Rancho Governing Body. Due to these changing conditions, housing market demands, and in support of the Comprehensive Plan policies of the City of Rio Rancho, this Master Plan was amended in 2020. The amendment updates the land use, zoning, and parks and recreation sections to address a revised lot layout for the R-3 Mixed Residential located south of Westside Boulevard, changes a portion of the Business Park to R-2 single-family residential, and provides for the future development of 15 acres of multi-family residential and a public safety facility within the remaining Business Park area.”

Section 3: Land Use, Zoning, and Density
- Added “multi-family residential opportunities” and “as well as a location for a public safety facility for the City of Rio Rancho.”
- Slight changes to reflect new regional pond designed to handle regional drainage detention.
- Removed “and provide an area for recreational fields.”
- Cuts proposed Business Park acreage approximately in half.
- Added language further describing reduction, stating, “In addition, up to 15 acres of the business park area is reserved for future multi-family residential development. A future zone map amendment will be required to implement the multi-family residential land use.”
- Added additional description of land use for Business Park stating, “The business park also offers an opportunity to provide for a new public safety facility for the City of Rio Rancho”.
- Removed “attached and detached” next to housing types.
- Removed “containing both detached single family houses and townhouses”.
- Edited chart for proposed lot criteria.
- R-2 Single-Family Residential acreage expanded due to reduction of Business Park area.

New description is as follows “The proposed R-2 single-family residential neighborhood follows all of the requirements of the City of Rio Rancho R-2 zoning district. This neighborhood, located north of Westside Boulevard, will provide additional single-family detached residential needed in the Rio Rancho housing market at slightly lower densities than within the R-3 area located to the south. A small park serving the residents of this neighborhood will be provided upon

development.”
• Added “Multi-Family Residential (15 acres)

New descriptions is as follows “As mentioned above, approximately 15 acres of the Business Park area is designated for potential multi-family residential development. Implementation and use of this land use will be done via a zone map amendment utilizing the R-6 zone district or other equivalent zoning designation provided by the Rio Rancho Code of Ordinances.”
• Removed “Park” from header for the Park/Pond/Open Space (8 acres) subsection.
• Changed the number of neighborhood parks from two to three.
• Changed the size of parks from “approximately 2 acres in size” to “a variety of sizes based on the neighborhood area served by each. These parks total approximately 4.5 acres”.
• In the proposed Master Plan land use map, in the far northeast corner of the Master Plan area, there is a new lot included within the boundaries. This lot is/was legally described as Unit 10, Block 18, Lot 42, and was combined by Summary Plat process (Book 28, Pages 95-98) and therefore included in the proposed Business Park area of the plan.
• In the approved Master Plan land use map, there is a triangular shaped lot, legally described as Unit 10, Block 64, Lot 15, along the boundary of the Business Park, however, the proposed Master Plan land use map shows the exclusion is now a part of the newly proposed residential subdivision north of Westside Blvd. SE. It is not included on Ordinance No. 17, Enactment No. 15-14 which zoned the Los Diamantes master planned area.
• In the approved Master Plan land use map, it shows a regional park and a pond along the western boundary of the Master Plan, however in the proposed Master Plan, this area is no longer reflecting to show a regional park and pond, and there is no key indicating what use it will serve.
• In the approved Master Plan land use map, it indicated that Viga Rd. SE will continue northward to intersect Westside Blvd. SE., however, in the proposed Master Plan land use map, Viga Rd. SE., will not continue northward to Westside Blvd. SE., and will dead end instead.

Section 4: Design Standards
• Added “or other equivalent decorative rock groundcover.”
• Added “deciduous or 8 feet minimum evergreens” to the front yard minimums, in Landscape.

Section 5: Rio Rancho Comprehensive Plan
• Removed “joint use” describing the pond.
• Removed “and recreation area”.
• Removed “provide recreational fields” and replaced with “will also reserve land in an open, natural condition”.
• Added “and multi-family”.
• Added “institutional/public safety”.
• Added “In addition, the Master Plan area allows for a new City of Rio Rancho public safety facility to be located within the proposed business park area. This public safety facility will extend the availability of public safety services and serve as a hub that covers this portion of Rio Rancho within the plan area, the larger Unit 10 area, and beyond.”

Section 6: Parks and Trails
• Removed “two” before ”internal parks”.
• Removed “system” and added “and sidewalk network”.
• Removed “The trail system will be expanded next to Westside Boulevard in order to enhance and provide for multi modal transportation on this main corridor through the Los Diamantes Community”.
• Removed “a total of seven trails within the Plan area, totaling 11,000 feet”.

• Added “3,450 linear [feet] of trails within the Plan Area in addition to City standard sidewalks along all roadways throughout the development.”
• Added “and sidewalks”.
• Changed the amount of parks proposed from two to three.
• Changed the language to state that instead of each park being approximately two acres in size, the two neighborhood parks will be approximately two areas in size and are “proposed in the neighborhoods south of Westside Boulevard”.
• Added “A third smaller park is located within the proposed single-family neighborhood located north of Westside Boulevard. This park will serve the residents of this small residential subdivision.
• Removed all of subsection C., labeled “Regional Park and Pond”.

Section 7: Transportation Analysis
• Changed “Middle Rio Grande” to “Mid-Region”.
• Removed “The trail and landscape buffer will also be installed along the south side of Westside adjacent to the residential component”.

Section 8: Conceptual Drainage Plan
• Removed “multi-use” and “park”.
• Removed “as well as providing a recreational opportunity”.
• Revised section detailing information in regards to the Regional Pond.

Section 9: Conceptual Utility Plan
• Removed “Per the attached sewer model performed for this project, 3,000 feet of an existing 12” sewer line east of Unser Boulevard will need to be re-constructed. It currently lacks the necessary capacity and needs to be re-done as part of Phase 1.”

Section 10: Implementation and Phasing
• Added “except for the multi-family residential land use. A future zone map amendment will be required to implement that land use in a specific location, up to 15 acres in size, within the larger business park area of this Master Plan.”
• Changes the number of phases from four to three.
• Removed “averaging 115 dwellings per phase”.
• Added “with 224 dwellings in Phase 1, 263 dwellings in Phase 2, and 91 dwellings in Phase 3.”
• Changed the phasing of the Business Park from Phase 1 to Phase 3.
• Changed the location of the first phase from the northeast corner of the property to the southeast.
• Changed vehicular access for Phase 1 to exclude Black Arroyo Road.
• Removed “Construction of recreation improvements within the regional park will be delayed until the downstream storm drain is installed”.

Master Plan Amendment (Approved September 22, 2022) (Resolution No. 87, Enact. No. 22-087):

Section VII. Signage (A) updated in order to accommodate signage that was not then allowed under the Master Plan standards. The amendment included a conceptual diagram of the new signage with measurements and updated text describing the larger sign. The revised signage consists of a 170 square foot freestanding monument sign (6' in height, 28' 4" long), accompanied by an ornamental tower. The ornamental tower measures 15' in height and approximately 8.06' in width. The total square footage of the ornamental tower comes to 121

square feet. The entire square footage for both the proposed monument sign and ornamental tower totals approximately 291 square feet. The freestanding monument sign and ornamental tower are proposed to be located on the southwest corner of the intersection on Tract 1-A-1 of the Los Diamantes Subdivision.

The text revision to VII. Signage (A) is as follows. Edited or added text is underlined: "Entry signs shall be the monument type and shall complement the materials, color, and architectural character of the buildings. No part of the monument sign shall exceed 180 square feet in area and 8 feet in height above grade. The ornamental tower shall be considered an architectural detail, and shall not be included as part of the sign for measurement purposes."

Master Plan Amendment (Approved January 26, 2023) (Resolution No. 126, Enact. No. 23-017):

The western boundary of the Master Plan was expanded to the public right-of-way separating Viga Road and Villa Road between Ark Road and Westside Boulevard. (pg. 3 of Master Plan)"

Under Section *2. Amendments,* Unit 10, Block 62, Lots 16-33, which are located north of Viga Road SE between Ark Road and the Westside Boulevard right-of-way, were added to the Master Plan area. (pg. 4 of Master Plan)"

A concurrent Zone Map Amendment was approved under Resolution No. 126, Enactment No. 23-017 on January 26, 2023 by the Governing Body, as outlined below:

R-1: Single-Family Residential (Unit 10, Block 62, Lots 16-26) and R-2: Single-Family Residential (Los Diamantes, Tract 3 & Unit 10, Block 64, Lot 15) to R-3: Mixed Residential District. These properties consist of approximately 23.93 acres.

For the 10 remaining acres of Los Diamantes, Tract 3 (approx. 6.5 acres) and Unit 10, Block 62, Lots 27-33 (approx. 3.5 acres) from R-1: Single-Family Residential and R-2: Single-Family Residential to R-6: Multi-Family District. The total acreage of all properties is approximately 34.2 acres.

The Unit 10 Specific Area Plan was additionally amended by the Governing Body on January 26, 2023 to reflect the approved Zone Map Amendment changes within the Los Diamantes Master Plan as outlined above, via Resolution No. 125, Enactment No. 23-016.

Under Section 3. Land Use, Zoning, and Density, the option of up to 15 acres within the Business Park area of the Master Plan has been completely removed. (pg. 5 of Master Plan). The section of R-2: Single-Family Residential zoning has been completely removed (pg. 6 of Master Plan). R-6: Multi-Family Residential has been updated as follows; edited or added text is underlined:

"The proposed R-6 multi-family residential neighborhood follows all the requirements of the City of Rio Rancho R-6 zoning district. The neighborhood will be located west of Los Diamantes Drive, and will feature densities of approximately 25 dwelling units per acre. When this land use is implemented, the Unit 10 buffer overlay district regulations established in Ordinance No. 20, Enactment 18-24 shall be considered and implemented. Further details regarding implementation of this land use may be defined in a separate development agreement."

CIRCULATION: Along with the proposed addition of 18 lots on Viga Rd SE (U10, Blk 62, Lots 16-33) to the master plan boundary, the proposal included right-of-way on Viga Rd SE and 18th Ave SE, which will be vacated with subsequent platting.

In Section 7. Transportation Analysis, the text update is as follows; edited or added text is underlined:

"It may be necessary for antiquated rights-of-way within the master plan area to be vacated through a vacation plat, which must be approved by the Planning and Zoning Board. (pg. 36 of Master Plan)"

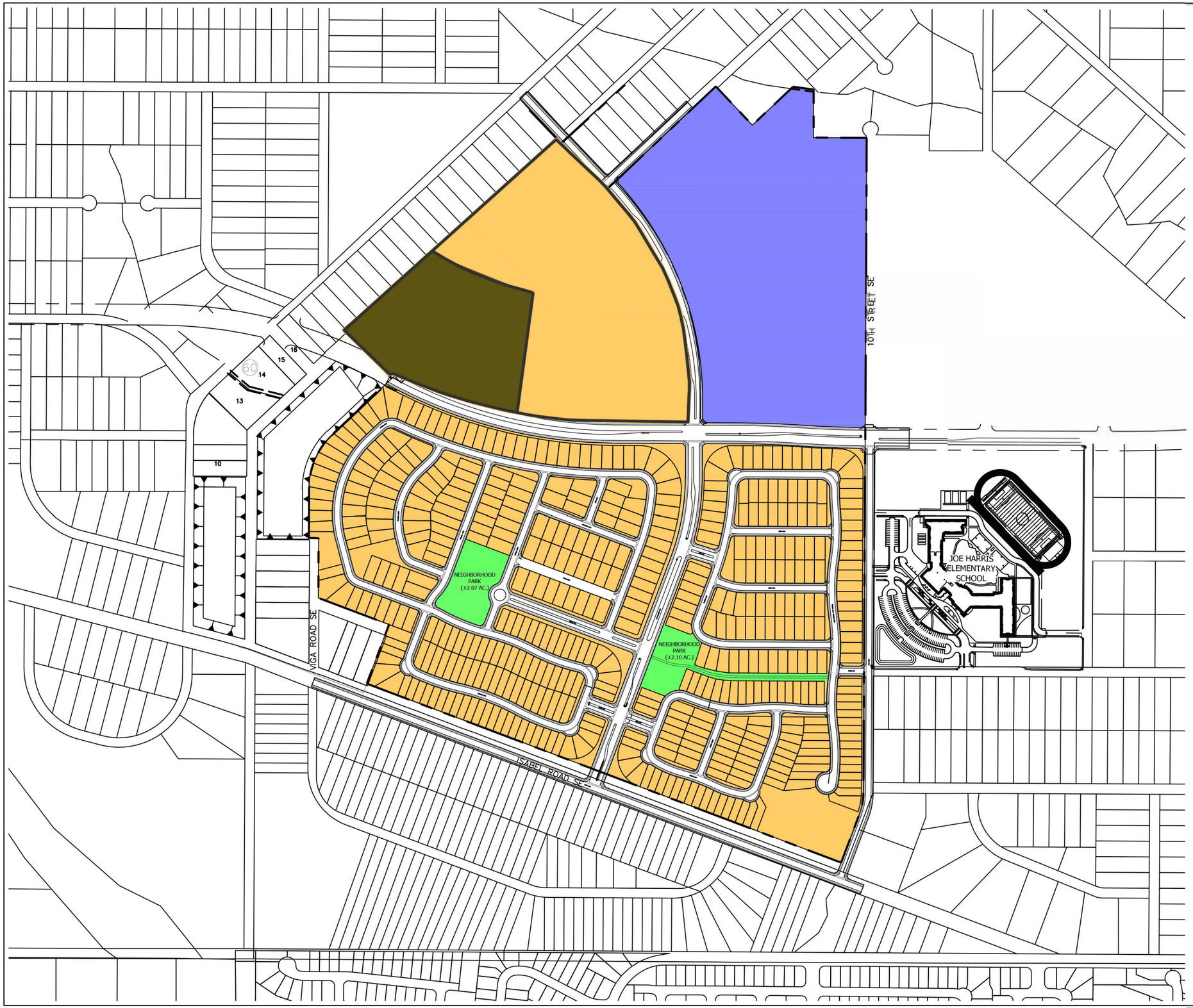
PHASING AND FINANCING: Phase III became the business park section of the master plan: LD, Tract 2. Phase IIIa comprises the approximately 23.93 acres of LD, Tract 3, Unit 10, Block 64, Lot 15, and Unit 10, Block 62, Lots 16-33, rezoned as R-3: Mixed Residential District. Phase IIIb comprises the remaining approximate 10 acres of LD, Tract 3 which was rezoned as R-6: Multi-Family Residential District. This updated phasing is reflected on the updated figure on page 56 of the Los Diamantes Master Plan.

In Section 10. Implementation and Phasing, the text update is as follows; edited or added text is underlined:

"Due to its relatively large size, Los Diamantes will be divided into three (3) phases, with 224 dwellings in Phase 1 and 263 dwellings in Phase 3. Phase 3a will consist of approximately 150 dwelling units, while 3b will consist of approximately 210 dwelling units. (pg. 54 of Master Plan)"

An updated phasing map incorporating Phases 3a and 3b is provided on page 56 of the Master Plan.

EXHIBIT A - PROPOSED AMENDMENTS



BUSINESS PARK: C-2 WHOLESALE AND WAREHOUSE (± 36 ACRES)

R-3 MIXED USE RESIDENTIAL (± 103 ACRES)

R-6 MULTI-FAMILY RESIDENTIAL (± 10 ACRES)

NEIGHBORHOOD PARK (± 5 ACRES)

N

500' 250' 0 500' 1000'

SCALE: 1" = 500'

CONSENSUS PLANNING

LOS DIAMANTES

Land Use/Zoning Plan

MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS

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Los Diamantes Master Plan Design Standards Text Amendment

II. BUILDING ORIENTATION AND CONNECTIVITY

Intent: Buildings should be oriented with consideration to the visual impact from the perspective of the driver or pedestrian on the adjacent primary roadways. It is important to create the immediate first impression of a high quality business park, as part of the city's overall community character and identity. Business parks and campuses are enhanced when it is easier, safer, and more comfortable to walk between buildings and parking areas. The Los Diamantes Business Park is intended to accommodate large employers as well as live/work uses, and supportive retail and services which will have a more urban character. Therefore, both minimum and maximum setbacks have been included in order to allow for both of these land use forms. All development within the Business Park should connect to surrounding uses, including streets, businesses, transit facilities, and residential areas, where appropriate.

a. Setbacks

1. Front Yard Setback

Minimum – 10'

Maximum – 80'

2. Side yard Setback:

Minimum of five (5) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area. In the case of a corner lot, the front yard setbacks will apply except that cantilevered roofs and sunscreens may project six (6) feet into the setback area. Interior lot lines for a corner lot shall be considered side lot lines. Signs allowed by the ordinance may be placed in street-side, side-yard setback areas. There is no maximum side setback.

3. Rear Yard Setback:

Twenty (20) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area.

b. Building Placement

1. Building entries, for parcels and buildings adjacent to Los Diamantes Road, shall be located so that they are easily identifiable:

a. Los Diamantes Road is the primary roadway serving the business park.

c. Building Entries

1. Building entries should be located so that they are easily identifiable from the primary adjacent roadway.

2. Secondary and employee entrances shall be easily accessible and convenient to building parking and delivery areas but should not be dominant.

d. Sidewalks

1. Sidewalks shall be designed to connect to sidewalks internal to individual sites and to trails when relevant.

2. All sidewalks shall be designed per the Americans with Disability Act requirements.

e. Trails

1. All trails within Los Diamantes Business Park will be designed in compliance with City of Rio Rancho trail standards. Trails will be designed to connect with a sidewalk, business, and/or park. In some locations, a trail may be constructed in lieu of a sidewalk.

f. Self Storage; permitted as a primary use, provided:

(a) A combination of buffer wall/fencing, landscape, and buildings shall separate outside storage from abutting properties and rights-of- way; and

(b) Proposed outside storage areas shall be delineated as such on applicable site or development plans; and

(c) Shall not be permitted where property abuts a residential zone; and

(d) Shall not include any outdoor sales display; or

(e) Shall be limited to personal RV, boat, and other recreational vehicle storage; and

(f) Shall require a minimum 7-foot wall and roof structure to screen RVs from view from adjacent properties; and

(g) Shading is required for all storage spaces.

*Purusant to the City of Rio Rancho Zone Code, Section 154.61 Part (D)

IV. ARCHITECTURE

Intent: the purpose of the architectural standards is to provide direction for the development of an attractive, cohesive built environment that accommodates the function of the individual buildings within the Los Diamantes Business Park while also ensuring quality development and reinforcing the unique character and identity of the Park.

a. Materials

1. Primary building materials shall be stucco, colored concrete, *architectural metal siding, or colored block. Stone, tile, metal, or brick accents are also allowed.

2. Finished building treatments are required on all four sides of the building.

3. Materials prohibited as the primary building material include the following:

i. Exposed, untreated precision block or wood walls

ii. Highly reflective surfaces

iii. Metal paneling.

b. Color

1. Predominant colors shall be limited to shades of brown, green, tan, rust, and blue. High-intensity colors, such as metallic, black, or fluorescent colors are prohibited.

c. Height

1. Building height shall be limited to sixty (60) feet.

b. Walls

1. All perimeter block walls facing rights-of-way shall be constructed of split face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.

2. Plain grey CMU block shall not be used for wall material unless treated with stucco.

3. Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way.

4. Barbed wire, concertina wire and similar materials are prohibited.

5. Black or dark green welded wire mesh is permitted for security fencing except along Los Diamantes Road

VIII. STORAGE AND EQUIPMENT AREAS

Intent: Storage and equipment areas should be designed to be harmonious with the site without interfering with their storage function and need for security.

a. Any exterior storage and sales areas shall be screened with walls which are architecturally compatible with the primary building(s) on the site.

b. Loading and service areas should be provided with separate access and circulation whenever possible.

IX. SIGNAGE The following signage standards were developed to regulate the size, location, type, and quality of sign elements within this property. A properly implemented signage program will serve four very

important functions: to direct and inform employees and visitors; to provide circulation requirements and restrictions; to provide for public safety, and to complement the visual character of the development.

a. The following types of signs are permitted in the Los Diamantes Business Park:

1. Monument/Entry Signs
2. Building Mounted Signs
3. Vehicle Directional Signs
4. Pedestrian Directional Signs

b. Entry signs shall be monument type and shall complement the materials, color, and architectural character of the buildings and shall not exceed one hundred thirty-five square feet in area, and fifteen feet in height above grade.

IX. SIGNAGE The following signage standards were developed to regulate the size, location, type, and quality of sign elements within this property. A properly implemented signage program will serve four very important functions: to direct and inform employees and visitors; to provide circulation requirements and restrictions; to provide for public safety, and to complement the visual character of the development.

a. The following types of signs are permitted in the Los Diamantes Business Park:

1. Monument/Entry Signs
2. Building Mounted Signs (Including individual tenant signage)
3. Vehicle Directional Signs
4. Pedestrian Directional Signs

b. Entry signs shall be monument type and shall complement the materials, color, and architectural character of the buildings and shall not exceed one hundred thirty-five square feet in area, and fifteen feet in height above grade.

c. ~~permitted for each facade that . Building mounted signs shall be limited to 10% of the building facade, and a maximum projection of eighteen inches.~~ Building mounted signs: consistent with the City's Sign Regulations, Section 156.08 (B) Building-Mounted Signs.

d. Vehicle directional signs are permitted when necessary to direct vehicles to a special site feature, such as visitor parking. The design of these signs shall be integrated with the Los Diamantes Business Park entry signs and shall not exceed three square feet in area, and five feet in height above grade.

e. Pedestrian directional signs are permitted when it is necessary to direct pedestrians to a special site feature such as a recreational trail. The design of these signs shall be integrated with the Los Diamantes Business Park monument entry signs and shall not exceed two square feet in area, and 3 feet in height above grade.

f. Illumination of signage is permitted and shall follow the regulations contained in Section X, Lighting, located below.

g. Digital and Light Emitting Diode Lighting is permitted per the City of Rio Rancho Institutional District sign regulations.

Timothy Dvorak

From: Mary Edmiston <guttersbutters@gmail.com>
Sent: Wednesday, March 13, 2024 12:14 PM
To: Timothy Dvorak
Subject: Re: Los Diamantes Master Plan Amendment

Caution! This message was sent from outside your organization.

[You don't often get email from guttersbutters@gmail.com. Learn why this is important at https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fus-east-2.protection.sophos.com%2F%3Fd%3Daka.ms%26u%3DaHR0cHM6Ly9ha2EubXMvTGVhcm5BYm91dFNlbmRlcklkZW50aWZpY2F0aW9u%26p%3Dm%26i%3DNjNhMjNjZTRmMDNkNmMxMTVmMmNmMDdk%26t%3DZ1IyUGhOWDlDVWZ0dVNVTk12aUZBWE5TMEd0UkUxK2E4WnNpSzloUFJvdz0%3D%26h%3D43ba4435e3f5436492c1c83e3ec4836c%26s%3DAVNPUEhUT0NFTkNSWVBUSVZijJrtlD4NLHFKCB-CPtvttcyMPh7WXWrvEE0PZa7WiQ&data=05%7C02%7Ctdvorak%40rrnm.gov%7C5917e97de8644efdf4c808dc4389634d%7C85f89ab989ad408d8ea95572052f806c%7C0%7C0%7C638459504577549992%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=IhPQw018zHsKdplSUnLT5HJNuE1HIUDAXy%2BxcwW79qA%3D&reserved=0]

Mr. Dvorak and Members of the Planning and Zoning Board,

My husband and I , Joseph and Mary Beth Edmiston, live at 3030 Turquesa Loop SE in the Los Diamantes Development. We do not feel that any change should be made to the original Los Diamantes Master Plan. We purchased our home with the understanding that there were specific guidelines for building additional homes in our neighborhood. We feel that allowing the change of primary construction materials to Architectural Metal and allowing welded wire mesh fencing instead of what it currently being used will cheapen the looks of the neighborhood and thus decrease our property values

Therefore we request that the Planning and Zoning Board deny the applicant’s request to amend the Los Diamantes Master Plan.

Thank you for your time and attention to this matter.

Sincerely, Joe and Mary Beth Edmiston

Sent from my iPad

Timothy Dvorak

From: Mary Edmiston <guttersbutters@gmail.com>
Sent: Friday, June 14, 2024 9:02 AM
To: Timothy Dvorak
Subject: Los Diamantes Master Plan Amendment

Caution! This message was sent from outside your organization.

Mr. Dvorak and Members of the Planning and Zoning Board,

My husband and I, Joseph and Mary Beth Edmiston, live at 3030 Turquesa Loop SE in the Los Diamantes Development. We are adamantly opposed to the request to amend the Los Diamantes Master Plan to allow self-storage within the Business Park. We also do not want the request for architectural metal as primary construction material or welded wire mesh fencing be allowed. We purchased our home with the understanding that there were specific guidelines for building in this area and feel that changing these guidelines midway through the construction process will cheapen the looks of our neighborhood.

Therefore we ask that the Planning and Zoning Board deny the applicant's request to amend the Los Diamantes Master Plan.

Thank you for your time and attention to this matter.

Sincerely, Joe and Mary Beth Edmiston

Sent from my iPad

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: O13

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Development Services

SUBJECT:
O13, Ordinance of the City of Rio Rancho, New Mexico Amending the Zoning Classification and Official Zoning Map for the Property Described as Los Diamantes, Tract 2-A-1 From BP: Business Park District to C-2: Wholesale and Warehousing Commercial District; Providing for Severability and an Effective Date

BACKGROUND AND ANALYSIS:
The applicant, Los Diamantes, LLC, through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment to change the zoning of BP: Business Park District zoning to C-2: Wholesale and Warehousing Commercial District for the property legally described as Los Diamantes, Tract 2-A-1. The subject property is physically located at 1829 10th St. SE, and is approximately 36.16 acres located in the Los Diamantes Master Plan area and is currently the only BP: Business Park District zoning within the City of Rio Rancho.

The Zone Map Amendment request was heard by the Planning and Zoning Board at their regular May 28, 2024 meeting. The Planning and Zoning Board voted by a vote of six (6) for and 0 against, to recommend approval of the Zone Map Amendment to the Governing Body.

The subject property, 1829 10th St. SE, is currently zoned BP: Business Park District per Ordinance No. 17, Enactment No. 15-14, adopted August 12, 2015 by the Governing Body.

The subject property is located within the Los Diamantes Master Plan which was most recently amended January 26, 2023 via Resolution No. 126, Enactment No. 23-017. The introduction section of the Los Diamantes Master Plan explains in the section titled "Master Planning Process": "The Master Plan Project team worked with the City of Rio Rancho Development Services on the Business Park zone; and the Los Diamantes Business Park proposes to use this zone".

The BP: Business Park District zoning designation was created as a zoning for the Los Diamantes Master Plan. BP: Business Parking District zoning currently only exists in the Los Diamantes Master Plan area; however, it can be utilized as a zoning across the City of Rio Rancho and is not limited to being located exclusively in the Los Diamantes Master Plan area.

The applicant is proposing a change of approximately 36.16 acres of BP: Business Park District to C-2: Wholesale and Warehousing District. The Rio Rancho Municipal Code Chapter 154.33 BP: Business Park District outlines the purpose of this zoning district as "(A) Purpose. This district facilitates economic development through the creation of employment centers with a mix of light industrial and supportive commercial uses in a master-planned setting. A master plan will permit flexible approaches to site design and development while accomplishing the objectives of the urban design element of the comprehensive plan. An emphasis shall be given to community compatibility

and appropriate transitions between land uses.'

Further, the Rio Rancho Municipal Code Chapter 154.25 C-2: Wholesale and Warehousing Commercial District outlines the purpose of this zoning designation as "(A) Purpose. This district permits heavier commercial activities."

Similarities between the two zoning designations can be found in both allowing for land uses such as auditoriums, bakeries, banks, hotel/motel, restaurants, repair shops - electrical, radio, and television appliances, keys, and similar articles, schools, stores, and wholesale commercial (see attachments 154.25 C-2: Wholesale and Warehousing Commercial District & 154.33 BP: Business Park District).

Differences between the two zoning designations occur in 154.25 C-2: Wholesale and Warehousing Commercial District having permissive land uses such as auto repair, major & minor, drive-in, drive-through window restaurants, convenience stores, and self-storage facilities. Additionally, C-2: Wholesale and Warehousing Commercial District allows for a conditional use of auto wrecking, salvage, and contractors yards provided the activities occur in an enclosed building or are enclosed by a solid wall/fence at least eight (8) feet high and that inoperative automobile bodies or other materials may be stacked to height that does not exceed the height of the required fence or wall.

BP: Business Park District differs from C-2: Wholesale and Warehousing Commercial District in allowing for laboratories, research and experimental stations, industrial and manufacturing as permissive land uses.

There are twenty-one similar land uses between both zoning designations. Despite differing purpose statements for each zoning district as mentioned in R.O. 2003 Chapter 154 Planning and Zoning, the similarities of the zoning districts and the increased land use possibilities for C-2: Wholesale and Warehousing Commercial District allow for greater commercial activity in this developing area of the City.

CONFORMANCE WITH CITY ZONING ORDINANCE:

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

Finding; The application, presented as an attachment, meets the minimum submittal requirements for the proposed zoning request.

Pursuant to the criteria provided by R.O. 2003 Section 150.07 (D) (1) through (4), and (E) through (G), a request for change in zoning designation must address the following policies and criterion for a zone map change:

(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: "The proposed zone change is consistent with the health, safety, morals, and general welfare of the City through the resolution of critical development constraints (drainage and access) that are necessary for new commercial development. Future development will benefit the people living in the adjacent neighborhoods by providing jobs and a needed service. The subject property abuts Los Diamantes Drive, existing Business Park and M-1 zoning. The frontage along Los Diamantes Drive will be developed with attractive building and landscaping consistent with the standards imposed by the Master Plan".

The Planning and Zoning Board recommends the Governing Body finds the proposed C-2: Wholesale and Warehousing Commercial District zoning would be consistent with the health, safety, morals, and general welfare of the City as there is similar/more-intensive zoning districts to the east, approximately 40 acres of M-1: Industrial and Business Park District. The C-2: Wholesale and Warehousing Commercial District allows for greater commercial activity in a growing master planned area.

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

The applicant states: "The proposed Zone Map Amendment, if granted, will change the existing zoning from BP: Business Park to C-2: Wholesale and Warehouse for needed services, warehouse distribution, offices, retail, and restaurants. While the C-2 zone allows more intensity, the similarities in the BP and C-2 zones allow for there to be more uniform land use within the area. The proposed zoning will maintain a business and provided a needed service.

The Planning and Zoning Board recommends the Governing Body finds that the applicant has provided sound justification as there is limited quantity of C-2 zoned property within this area of the City, and that the permissive uses of C-2: Wholesale and Warehouse Commercial will allow for there to potentially be a greater diversity of businesses, services, and overall commercial development in the area. The Planning and Zoning Board recommends the Governing Body finds that the proposed zoning will still accomplish the original intent of this area as a business and employment center while allowing for an increased variety of permissive uses.

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

The applicant states: "It furthers the goals and policies of the Comprehensive Plan in the following ways: it ensures a land use pattern that encourages mixed-uses as the area with 1/2 radius would be characterized as SU/Commercial, R-1: Single-Family, E-1: Estate Residential, and C-2: Wholesale and Warehousing; further the Comprehensive Plan's vision of this area being a Growth node with high intensity uses, links neighborhoods as the site is located adjacent to major thoroughfares and multi-use trail that aid in accessing other areas of Rio Rancho; and enhances the tax base by locating residents in close proximity to goods and services within Rio Rancho.

The applicant in their justification, included as an attachment, outlines that the proposed zone map amendment accomplishes these policies, goals, and sections of the Comprehensive Plan:

- Goal L-3: Maintain a balance of land use throughout the City.
- Goal UD 1: Create focused growth areas where existing public infrastructure can support higher density development.
- Goal EDP-3: Enhance the tax base.
- Goal EDR-1: Expand the economic base of Rio Rancho.

The Planning and Zoning Board recommends the Governing Body finds the proposed zone map amendment would meet the intent of the Comprehensive Plan by identifying an area for Wholesale and Warehousing and by accomplishing the goals listed above. The proposed zone change would allow for an increase in allowable uses while not significantly deviating from the original vision and purpose for the subject property as a Business Park.

(4) The applicant must demonstrate the existing zoning is inappropriate because:
(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including placement of R-1 or transitional zoning 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 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 as compared with other available property.

The applicant states: "The proposed Zone Map Amendment is applicable because of criteria b and c. The subject site is within a business park area and the proposed zoning will allow for development permissible within the business park zone along with other uses. The additional uses are complementary to the BP zone and will provide a needed service for the community. The proposed zone change from BP to C-2 will allow for development on the site that will benefit the surrounding community, contribute to the city's economic vitality, and be consistent with the Master Plan's intention for the business park".

The Planning and Zoning Board recommends the Governing Body finds the criterion has been met, as the applicant has provided a justification letter demonstrating that community conditions have changed and the proposed zoning may be more advantageous to the community. The requested zoning will allow for the potential development of uses that may be desirable to the growth of additional businesses in the City, and a higher intensity of commercial zoning allows for a larger range of development options.

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

The applicant states: "The cost of land or other economic considerations are not the determining factor behind this request. The request clearly furthers the Comprehensive and Redevelopment Plan's goals to balance land uses, provide commercial development for the adjacent neighborhoods, redeveloping vacant/blighted property, and locating a needed service within a designated growth node like the business and industrial business zones located at Westside Boulevard SE and 10th Street SE.

The Planning and Zoning Board recommends the Governing Body finds that the cost of the land or other economic considerations do not appear to be a justification for the proposed zone map amendment and that this change in zone would result in a greater variety of commercial land uses for the area.

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

The applicant states: "The proposed Zone Map Amendment will allow development that will benefit the surrounding neighborhoods and emerging businesses in the area. The subject site is adjacent to a minor arterial road, multi-modal trial, and bike path that connect the surrounding neighborhoods to Unser Boulevard and other major roads. The proposed C-2 zone change uses will be consistent with those of the business park zoning to bring needed services, warehouse distribution, offices, retail, and restaurants to the surrounding area".

The Planning and Zoning Board recommends the Governing Body finds that the sole justification is not based on the site's location on a major street.

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

change of zone may be approved only when:

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

The applicant states: "The proposed Zone Map Amendment to change the zoning from BP to C-2 will not create a spot zone. The proposed Zone Map Amendment will change the zoning of the 36.16 acre site creating a new zone district in the Los Diamantes subdivision. The subject site is proposed to change zoning to C-2 with proposed development for the site is similar to the permissive uses in the BP zoning. This request clearly facilitates realization of the many goals of the Comprehensive Plan such as balancing land uses to support employment, bringing amenities/services to neighborhoods to ensure that those opportunities are dispersed throughout the City, and create high quality development within Growth Nodes.

The Planning and Zoning Board recommends the Governing Body finds that the proposed zone change would not result in a spot zone. The proposed zone map amendment includes approximately 36.16 acres and the surrounding land uses to the east are similar in form and function to the zoning requirements found in C-2: Wholesale and Warehousing Commercial District.

Finding: The Planning and Zoning Board recommends the Governing Body finds that the proposed amendment conforms to the requirements promulgated within R.O. 2003 Section 150.07 (D) (1) through (4), and (E) through (G).

SURROUNDING LAND USE/ZONING:

NORTH	R-1: Single-Family Residential District (Ordinance No. 83-64)
SOUTH	R-3: Mixed Residential District (Ordinance No. 17, Enactment No. 15-14)
EAST	M-1: Industrial and Business Park District (Ordinance No. 2, Enactment No. 20-03)
WEST	R-1: Single-Family Residential District (Ordinance No. 83-64) R-3: Mixed Residential District (Ordinance No. 33, Enactment No. 23-03)

NOTIFICATIONS:

In accordance with State Statute NMSA Section 3-21-6, which stipulates notification procedures for this type of zoning action, all property owners within 100 feet of the subject property received a certified letter containing a notice of action and impending Governing Body meeting, with a return service requested. A legal advertisement was also placed in the Albuquerque Journal on June 12, 2024.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

REVIEWING AGENCY	RECEIVED APPLICATION FOR REVIEW	COMMENTS

DSD Planning and Zoning	X	Within this report.
DSD Engineering	X	
RRPS	X	
Fire and Rescue	X	Fire approves of this request.
Police Department	X	
SSCAFCA	X	SSCAFCA has no comments.
MRMPO	X	
Parks, Recreation, and Community Services	X	No comments. PRCS defers to DSD for any requirements, changes or recommendations related to the proposed zoning changes.

IMPACT:

The Planning and Zoning board recommends the Governing Body approve the Zone Map Amendment, subject to the following findings:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a zone map amendment.
2. Following procedures for a zone map amendment, proper notice of this hearing on this matter was given.
3. The applicant has the authority to make an application to request a zone map amendment.
4. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present views was given.

SPECIFIC FINDINGS OF FACT:

The applicant has submitted an application and narrative which demonstrates that the changes in zoning designations meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) § 150.07 (D) Amendments, including:

1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by being similar to surrounding permissive commercial uses to the east and with the existing zoning, while allowing for an increase in permissive commercial uses from the existing BP: Business Park zoning designation.
2. The applicant has provided sound justification, in a narrative dated May 6, 2024, for the proposed zone change and the zone map amendment would provide for stability of zoning.
3. The proposed zone map amendment would be consistent with the intent of the adopted elements of the Comprehensive Plan and the Los Diamantes Master Plan, pending approval of the Los Diamantes Master Plan Amendment.
4. The cost of land or other economic considerations does not appear to be a justification for the proposed zone map amendment.
5. The applicant has provided sufficient justification that the zone map amendment request is not based on the properties' location.
6. The requested zone map amendment would not create a "spot zone" in that it would be 36.16 acres in size and the proposed development for the site is similar to the permissive uses in the BP: Business Park District zoning.

ALTERNATIVES:

1. The Governing Body may approve the request.
2. The Governing Body may deny the request.
3. The Governing Body may modify the request and approve of such modifications.
4. The Governing Body may continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

The Planning and Zoning Board recommends the Governing Body approve of the Zone Map Amendment with findings.

ATTACHMENT: Ordinance_O13
ATTACHMENT: Location/Zone Map
ATTACHMENT: Application Packet
ATTACHMENT: 154.25 C-2 Wholesale and Warehousing Commercial District
ATTACHMENT: 154.33 BP Business Park District
ATTACHMENT: Current Los Diamantes Master Plan
ATTACHMENT: Legal Ad Proof
ATTACHMENT: Notice Letter

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR THE PROPERTY LEGALLY DESCRIBED AS LOS DIAMANTES, TRACT 2-A-1, FROM BP: BUSINESS PARK DISTRICT TO C-2: WHOLESALE AND WAREHOUSING COMMERCIAL DISTRICT, 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 designation on the subject property has been submitted by Los Diamantes, LLC, and assigned City Case No. 24-100-00004; and

WHEREAS: the Governing Body of the City of Rio Rancho adopted Los Diamantes Master Plan on August 12, 2015 with Resolution No. 61 Enactment No 15-005 and was subsequently amended on August 12, 2020 by Resolution No. 73, Enactment No. 20-071, on September 22, 2022 by Resolution No. 87, Enactment No. 22-087, on January 26, 2023 by Resolution No. 126, Enactment No. 23-017, and on June 27, 2024 by Resolution No. ___, Enactment No. 24-__; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on May 28, 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 zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on June 27, 2024 and the Governing Body heard interested parties and citizens for an against the proposed amendments; and

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

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

Section 1. Rezoning of Property and Change in Land Use

The Official Zone Map is hereby amended by assigning a zoning designation on approximately 36.16 acres of property from BP: Business Park to C-2: Wholesale and Warehousing on land legally described as:

> Los Diamantes, Tract 2-A-1, as shown on the plat "Summary Plat for Tracts 2-A-1, 3-A-1 & 3-A-2 Los Diamantes Subdivision Phase 1 (Being a Replat of Tracts 2-A & 3-A, Los Diamantes, Phase 1; Lots 16 Thru 33, Block 62 and Lot 15, Block 64, Rio Rancho Estates, Unit 10; Tract AAA, Los Diamantes, Phase 2; And A Portion of Vacated Viga Road SE and 18th Avenue SE Within the Town of Alameda Grant Projected Section 34 Township 12 North, Range 2 East, N.M.P.M., City of Rio Rancho, Sandoval County, New Mexico February 2023" filed in the office of the County Clerk of Sandoval County, New Mexico on March 3, 2023 in RRE Book 33, Pages 57-59.

Section 2. Land Use, Conditions, Development Standards/Regulations and use of Property:

A. The property identified in Section 1, above is subject to all requirements of the C-2: Wholesale and Warehousing Commercial District set forth in R.O. 2003 Section 154.25 (as of the effective date of this ordinance or as subsequently amended).

B. The property identified in Section 1, above is subject to all Land Use, Zoning, Density and Design Standards outlined in the Los Diamantes Master Plan. Development shall occur in accordance with the approved Master Plan, or Amendments thereto, as adopted by the Governing Body Resolution No. ___, Enactment No. 24-___.

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

Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS _____DAY OF _____, 2024.

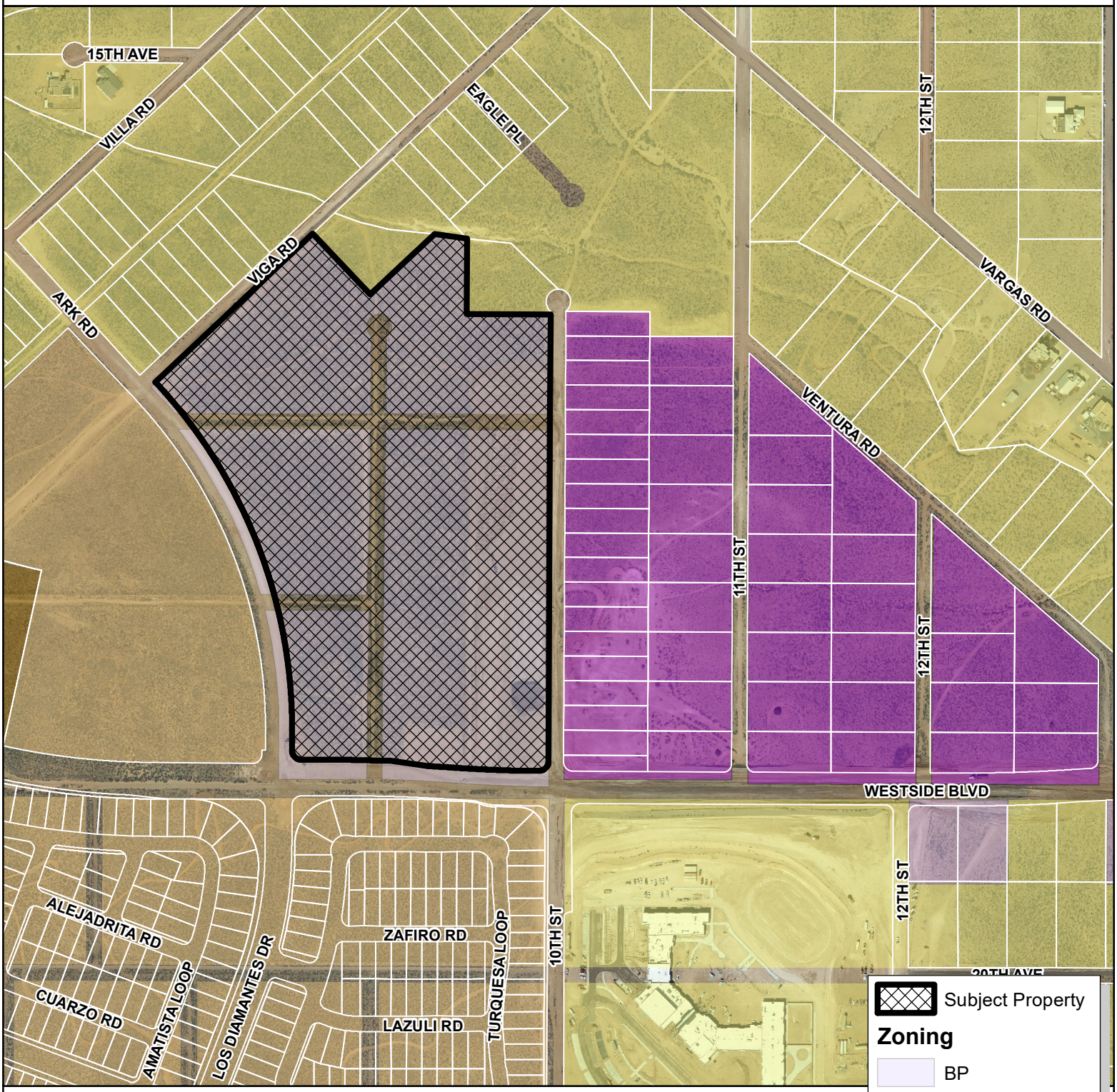
_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

Subject Property

ZONE MAP AMENDMENT
LOS DIAMANTES TRACT 2-A-1



RioRancho City of Vision

0 450 900 1,800
Feet

N
W E
S

GIS Moving Spatial Data Forward

Map Created by Chris Benson on 05/07/2024

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.

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

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box (Fees are listed on the back)

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Los Diamantes, LLC		Phone: (505) 243-3949
Address: 4461 Irving Boulevard NW		E-Mail:
City: Albuquerque	State: NM	Zip: 87114
Proprietary Interest: Owner and Contract Purchaser	List Owners: Los Diamantes, LLC and Tangell Revocable Trust	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	

Agent Name: Consensus Planning Inc.		Phone: (505) 764-9801
Address: 302 Eighth Street NW		E-Mail: cp@consensusplanning.com
City: Albuquerque	State: NM	ZIP Code: 87102

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

Requesting a Zone Map Amendment from BP: Business Park to C-2: Wholesale and Warehouse

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Los Diamantes	Block(s):	Lot(s): 2-A-1
Existing Zoning: BP: Business Park	Proposed Zoning: C-2: Wholesale and Warehouse	
No. of existing lots: 1	No. of proposed lots: 1	Total area of site (acres) 36.16

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: James K. Strozier, FAICP	Applicant: Los Diamantes, LLC	Agent: Consensus Planning Inc.
Signature:		Date: 05/07/2024

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #
24-100-00004	$863.00	
	FEE REDUCED BY $200.00 TO COVER	
	COST OF PREVIOUS TEXT AMENDMENT	

APPLICATION ACCEPTED BY: Chris Benson **DATE:** 05/13/2024

April 23, 2024

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

RE: Los Diamantes Master Plan Business Park related amendments and Zone Changes

Dear Planning & Zoning Board Chair,

The purpose of this letter is to authorize Consensus Planning to act as our agent for all meetings, applications, and public hearings regarding the review and approval of any Master Plan Amendment and related zoning changes for the Business Park portion of the Los Diamantes Master Plan.

Legal Description: Tract 2A-1, Los Diamantes Subdivision containing approximately 36 acres.

Los Diamantes, LLC is the owner of the property.

Sincerely,

Pierre Amestoy
Managing Member
Los Diamantes, LLC

CONSENSUS PLANNING

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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May 6, 2024

Mr. Fred Radosovich, Chair
Planning and Zoning Board
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Re: Request for a Zone Map Amendment

Dear Chair Radosovich,

The purpose of this letter is to provide justification for a Zone Map Amendment (ZMA) for the 36.16 acre business park located at 1829 10th Street SE. The property is currently described as of Tract 2-A-1 of the Los Diamantes subdivision. The subject site is within the Los Diamantes Master Plan and is planned to develop with businesses that create jobs and provide necessary services for the surrounding neighborhoods and the City of Rio Rancho. The request seeks to rezone the property from BP: Business Park to C-2: Wholesale and Warehouse to allow for development of the Business Park with needed services, warehouse distribution, offices, retail, and restaurants while still supporting the Master Plan's vision for a business park.

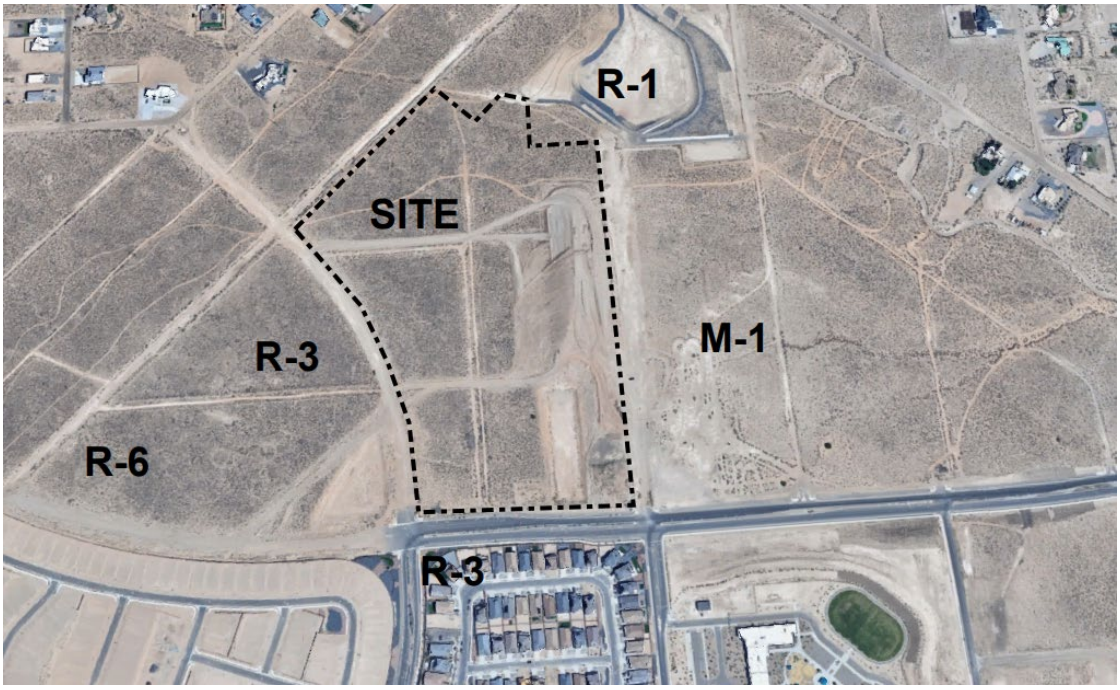


Figure 1 – Subject Site Location

PRINCIPALS

James K. Strozier, FAICP
Jacqueline Fishman, AICP

ASSOCIATES

Ken Romig, PLA, ASLA,
SITES AP

SITE HISTORY

On August 12, 2015, the City of Rio Rancho Governing Body adopted the Los Diamantes Master Development Plan (LDMP). Since its adoption, the plan has been amended 3 times. These individual amendments were adopted on August 13, 2020,

September 12, 2018, and September 22, 2023. These three amendments are listed as follows:

> *On July 12, 2015, the City adopted Resolution No. 61, Enactment No. 15-055, accepting the Los Diamantes Master Plan for an approximate one hundred eighty (180) acre development known as Los Diamantes (hereinafter "Los Diamantes"). Said plan identified the location, land uses, design standards, and improvements necessary to serve Los Diamantes, and other information and details regarding the development of Los Diamantes.*

This resolution accepted the Los Diamantes Master Plan as another guiding planning document for the City of Rio Rancho.

> *On August 13, 2020, a revised Los Diamantes Master Plan was approved 25 by Resolution No. 73, Enactment No. 20-071*

This resolution amended Section VII Signage (A.) of the Los Diamantes Master Plan. This amendment was adopted to allow for larger entry signage located within larger subdivisions in the Los Diamantes Plan Area. The amendments' broader goal was to create a sense of place in the area.

> *The Governing Body of the City of Rio Rancho approved the Generalized Land Use Map on September 12, 2018, through Resolution no. 60, Enactment no. 18-058*

This amendment allowed for the inclusion of a Generalized Land Use Map included in Section 3, page 9 of the Los Diamantes Master Plan.

> *On September 22, 2022, a revised Los Diamantes Master Plan was approved by Resolution No.87, Enactment No.22-087*

This resolution was adopted to expand the expand the boundary of the Los Diamantes Master Plan Area, update zoning designations, updating the phasing of the Master Plan, and updates to the "Los Diamantes Site Vicinity" map, and the "Los Diamantes Phasing Plan" map.

The Los Diamantes Master Development Plan was drafted to guide growth in the area, as the population of Rio Rancho rapidly expands. The standards it set forth aim to establish clear direction for Rio Rancho, focusing mainly on developing housing and economic opportunities within the City. With new master plans being written to zero in on the development of specific parts of the city, these plans must ensure safeguards are put in place to keep new construction on par with the style the city has stayed consistent with, but these safeguards need to be updated so they aren't an obstruction to future growth.

PLANNING CONTEXT

The property is located to the North of Westside Boulevard and is approximately 36.16 acres in the Los Diamantes Master Plan. Currently there is no development on the subject property. The Los Diamantes subdivision is rapidly developing with the first two phases of single-family housing to the south of Westside Boulevard. There is a multi-modal trail and bike path adjacent to Westside Boulevard on the south side of the property that connects the subject site to Unser Boulevard and the Unser Gateway portion of the city and Rust Medical Center. The subject site is currently zoned BP and the proposed C-2 zone will allow for development that will support the future surrounding neighborhoods and businesses.

Since the creation of the business park, demand has primarily been for residential development. The owner has determined that there is a need for services, like outdoor RV and recreational vehicle storage. The change to C-2 will allow for this critical service need to be met within the Los Diamantes Master Plan.

Table 1: ZONING AND LAND USE		
DIRECTION	ZONING	LAND USE
North	R-1: Single-Family Residential	Scattered Large Lot Single-Family Housing
South	R-3: Mixed Residential	Single-Family Housing and Elementary School
East	M-1: Industrial & Business Park	Vacant
West	R-3: Mixed Residential	Vacant (platting for single-family homes is underway)

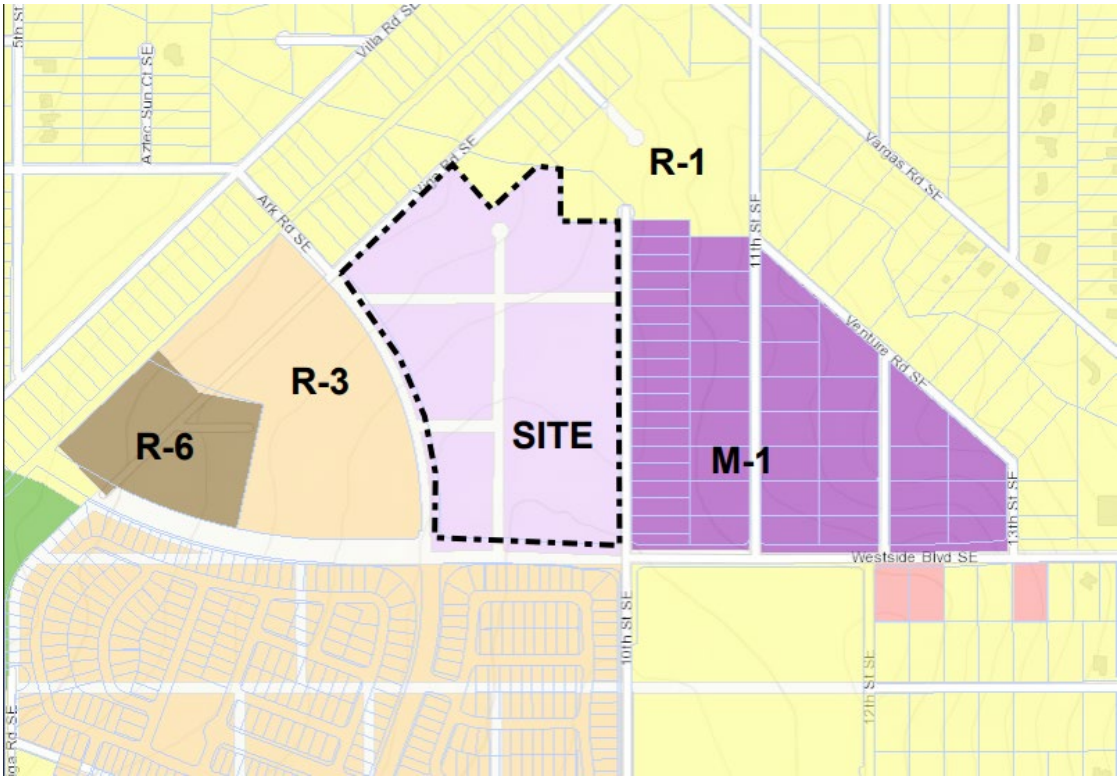


Figure 2 - Zoning and Land Use Map

CONSENSUS PLANNING

ZONE MAP AMENDMENT REQUEST

The request is seeking approval for a Zone Map Amendment to change the current BP: Business Park zoning to C-2: Wholesale and Warehouse for the 36.16 acres business park property in the Los Diamantes subdivision. The C-2 zoning will allow for the development of an outdoor RV and recreational vehicle storage facility, which is a more intense use than what is permissible in the business park zone but will be complementary and provide a valuable service for the surrounding neighborhoods that are currently restricted from storing these vehicles on their property.

RIO RANCHO COMPREHENSIVE PLAN JUSTIFICATION CRITERIA

The following responses justify how the request for a Zone Map Amendment to the property aligns with the goals and policies of the City of Rio Rancho Comprehensive Plan.

Goal L-3: Maintain a balance of land use throughout the City.

Applicant Response: This proposed Zone Map Amendment will maintain a balance of land use throughout the City because the proposed C-2: Wholesale zoning is consistent with surrounding area zoning. The C-2 zoning will allow for a more comprehensive land use mix within the Business Park.

Goal UD 1: Create focused growth areas where existing public infrastructure can support higher density development.

Applicant Response: The proposed Zone Map Amendment will allow for new growth in an area where existing and planned public infrastructure can support development because the subject site is in a rapidly growing area of the city. The subject site is located next to a minor arterial road, a multi-use trail, and a bike lane that connects from the subject site to the eastern boundary of the city. The development of the subject site through the proposed commercial zone will take advantage of the Los Diamantes Master Plan and provide a needed service to the new residents within the Master Plan as well as other surrounding neighborhoods within the City of Rio Rancho and Albuquerque as well.

Goal EDP-3: Enhance the tax base.

Applicant Response: The proposed Zone Map Amendment will allow for development on the subject site under the C-2 which will provide jobs and enhance the City's gross receipts tax base. The surrounding neighborhoods will support businesses that are adjacent to them because they are easily accessible and provide a needed service.

Goal EDR-1: Expand the economic base of Rio Rancho.

Applicant Response: The proposed Zone Map Amendment will allow for the development of a variety of permissive land uses ideal for a Business Park. The development will broaden the economic base within the city and provide some jobs and increase tax revenues to support the surrounding neighborhoods and city as a whole.

CONSENSUS PLANNING

ZONE MAP AMENDMENT POLICY COMPLIANCE

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

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

Applicant Response: The proposed zone change is consistent with the health, safety, morals, and general welfare of the City through the resolution of critical development constraints (drainage and access) that are necessary for new commercial development. Future development will benefit the people living in the adjacent neighborhoods by providing jobs and a needed service. The subject property abuts Los Diamantes Drive, existing Business Park and C-2 zoning. The frontage along Los Diamantes Drive will be developed with attractive buildings and landscaping consistent with the standards imposed by the Master Plan.

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

Applicant Response: The proposed Zone Map Amendment, if granted, will change the existing zoning from BP: Business Park to C-2: Wholesale and Warehouse for needed services, warehouse distribution, offices, retail, and restaurants. While the C-2 zone allows more intensity, the similarities in the BP and C-2 zones allow for there to be more uniform land use within the area. The proposed zoning will maintain a business and provide a needed service.

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

Applicant Response: The proposed zone map amendment is consistent with the City of Rio Rancho Comprehensive Plan. The Comprehensive Plan policy analysis is included in a prior section of this letter. It furthers the goals and policies of the Comprehensive Plan in the following ways: it ensures a land use pattern that encourages mixed-uses as the area within ½ radius would be characterized as SU/Commercial, R-1: Single-Family, E-1: Estate Residential, and C-2: Wholesale and Warehousing; further the Comprehensive Plan's vision of this areas being a Growth node with high intensity uses, links neighborhoods as the site is located adjacent to major thoroughfares and a multi-use trail that aid in accessing other areas of Rio Rancho; and enhances the tax base by locating residents in close proximity to goods and services within Rio Rancho.

4. The applicant must demonstrate the existing zoning is inappropriate because:
    a. there was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map patter was created, antiquated plat filed before the City's incorporation and adoption of its own Zoning Code or on land annexed by the City, or

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

Applicant Response: The proposed Zone Map Amendment is applicable because of criteria b and c. The subject site is within a business park area and the proposed zoning will allow for development permissible within the business park zone along with other uses. Those additional uses are complementary to the BP zone and will provide a needed service for the community. The proposed zone change from BP to C-2 will allow for development on the site that will benefit the surrounding community, contribute to the city's economic vitality, and be consistent with the Master Plan's intention for the business park.

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

Applicant Response: The cost of land or other economic considerations are not the determining factor behind this request. The request clearly furthers the Comprehensive and Redevelopment Plan's goals to balance land uses, provide commercial development for the adjacent neighborhoods, redeveloping vacant/blighted property, and locating a needed service within a designated growth nodes like the business and industrial businesses zones located at Westside Boulevard SE and 10th Steet SE.

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

Applicant Response: The proposed Zone Map Amendment will allow development that will benefit the surrounding neighborhoods and emerging businesses in the area. The subject site is adjacent to a minor arterial road, multi-modal trail, and bike path that connect the surrounding neighborhoods to Unser Boulevard and other major roads. The proposed C-2 zone change uses will be consistent with those of the business park zoning to bring needed services, warehouse distribution, offices, retail, and restaurants to the surrounding areas.

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

1. the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; OR
2. the area of the proposed zone change is different from surrounding land because it will function as a transition between adjacent zones; because the site is not suitable for the use allowed in any adjacent zone due to topography,

traffic, or special adverse land uses nearby; or because the nature of the structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant Response: The proposed Zone Map Amendment to change the zoning from BP to C-2 will not create a spot zone. The proposed Zone Map Amendment will change the zoning of the 36.16 acre site creating a new zone district in the Los Diamantes subdivision. The subject site is proposed to change zoning to C-2 with proposed development for the site is similar to the permissive uses in the BP zoning. This request clearly facilitates realization of the many goals of the Comprehensive Plan such as balancing land uses to support employment, bringing amenities/services to neighborhoods to ensure that those opportunities are dispersed throughout the City, and create high quality development within Growth Nodes.

CONCLUSION

Based upon the justification provided, we request that the City of Rio Rancho Planning and Zoning Board recommend approval of this Zone Map Amendment request to change the subject property zoning from BP: Business Park to C-2: Wholesale and Warehouse. The C-2 zoning will allow for development that will benefit the future neighborhoods and development in the Los Diamantes subdivision. The proposed C-2 zoning will bring needed services, warehouse distribution, offices, retail, and restaurants to the surrounding area. These uses will be consistent with those of the Business Park zoning to uphold the purpose of a Business Park in the City of Rio Rancho.

Sincerely,

James K. Strozier, FAICP
Principal

154.25 C-2: WHOLESALE AND WAREHOUSING COMMERCIAL DISTRICT.

(A) *Purpose.* This district permits heavier commercial activities.

(B) *Permissive uses.*

(1) Amateur radio antenna, up to 65 feet in height from grade;

(2) Auditoriums, bowling alleys, billiards, dance hall, theaters, skating rinks, indoor entertainment;

(3) Auto repair, major; provided, that:

(a) Repairs and associated activities are conducted within a completely enclosed building; and

(b) A solid masonry wall at least six feet high is erected between the activity and any abutting or contiguous residential zone;

(4) Auto repair, minor;

(5) Automotive dealers, motorcycle dealers;

(6) Bakeries, pastry and confectioneries for retail sales;

(7) Banks and other financial institutions;

(8) Churches, Sunday school and parish house, incidental facilities;

(9) Clubhouses, buildings for fraternal organizations, nonprofit public service organizations;

(10) Day spa;

(11) Drive-in, drive-through window restaurants, convenience stores;

(12) Gasoline service stations, convenience stores, and car washes;

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

(14) Hotel/motel;

(15) Lumberyards;

(16) Machinery, farm sales, repairing and overhauling; provided, that concealed storage and repair area are utilized;

(17) Manager/caretaker residential uses within the structure;

(18) Medical complexes, professional offices (medical and dental), veterinarians, offices/clinics;

(19) Medical supplies and services, drug prescription, prosthetic supplies and dental/medical lab;

(20) Nursery schools and daycare facilities;

(21) Nursing **homes**, senior transitional living and care facilities and similar institutions;

(22) Offices and office buildings;

(23) Offset press printing;

(24) Outside storage, as an accessory use, as defined in Article III, Section 154.71;

(25) Park and ride facilities, parking lots, garages;

(26) Parks, recreational parks and open spaces, public facilities;

(27) Permanent outdoor sales displays, provided they meet regulations defined in Article III, Section 154.72;

(28) Photocopying and blueprinting, shipping and messenger service;

(29) Public facilities;

(30) Public utilities, electric facilities;

(31) Radio or television studios;

(32) Recycling collection centers; provided, that they are an accessory use, and as defined in Article III, Section 154.74;

(33) Repair shops – electrical, radio, and television appliances, keys, and similar articles;

(34) Residential uses as secondary use or above the first floor; provided, that:

(a) The density shall not exceed 50 dwelling units per acre; and

(b) The exterior of any residential building shall be constructed of materials similar in color and appearance to those used in the primary business structure; and

(c) The residence shall be located either as part of the primary business structure or behind the primary business structure; and

(d) The residence can be used as a residence but cannot be used in a business capacity;

(35) Restaurants, bars, lounges, coffee/tea rooms, delicatessens, patio/al fresco dining facilities;

(36) Sales of sheet metal products;

(37) Schools, private, K-12, college, trade schools;

(38) Schools, public, K-12;

(39) Self-storage facilities;

(40) Shops – dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;

(41) Stores for the sale of retail goods, products, and services;

(42) Temporary model **home**/sales office as defined in Article III, Section 154.75(B);

(43) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material as defined in Article III, Section 154.75(D);

(44) Undertaking establishments;

(45) Warehouse and indoor storage;

(46) Wholesale commercial.

(C) *Conditional uses (requiring use permit and site plan).*

(1) Auto wrecking, salvage, and contractor's yards, provided:

(a) All activities are conducted in an enclosed building or are enclosed by a solid wall or solid fence at least eight feet high; and

(b) Inoperative automobile bodies or other material may be stacked to a height that does not exceed the height of the required fence or wall;

(2) Boarding kennels or pet shelters;

(3) Light industrial;

(4) Light manufacturing;

(5) Office uses that exceed the height limits of this district;

(6) Research and development office;

(7) Truck and trailer rentals.

(Ord. 18-20; Am. Ord. 19-17; Am. Ord. 22-20)

154.33 BP: BUSINESS PARK DISTRICT.

(A) *Purpose.* This district facilitates economic development through the creation of employment centers with a mix of light industrial and supportive commercial uses in a master-planned setting. A master plan will permit flexible approaches to site design and development while accomplishing the objectives of the urban design element of the comprehensive plan. An emphasis shall be given to community compatibility and appropriate transitions between land uses. The intent of the Business Park District is to:

(1) Promote economic development for the city by fostering the creation of significant employment centers;

(2) Enhance and implement the comprehensive plan by creating a land use category that supports campus-style office, warehousing, light manufacturing and supportive commercial use;

(3) Provide a high quality employment environment of multi-acre parcels based on an approved master plan that includes architectural guidelines and buffers as outlined in the urban design element of the comprehensive plan;

(4) Plan for efficient transportation access through proximity to arterial roadways;

(5) Ensure appropriate transitions and/or buffers to adjacent low density residential land uses.

(B) *Permissive uses.*

(1) Auditoriums, bowling alleys, billiard or pool halls, dance halls, theaters, skating rinks, and other indoor entertainment establishments;

(2) Bakeries, pastry and confectioneries for retail sales;

(3) Banks and other financial institutions;

(4) Brewpubs and microbreweries, artisanal distilleries, and taprooms;

(5) Hotel/motel;

(6) Indoor shooting range;

(7) Industrial;

(8) Laboratories, research and experimental stations;

(9) Libraries, museums, cultural institutions;

(10) Light industrial;

(11) Light manufacturing;

(12) Manufacturing;

(13) Medical complexes, professional offices (medical and dental), veterinarians, offices/clinics; except boarding kennels are not permitted;

(14) Motion picture production, radio and television production studios;

(15) Nursery schools and daycare facilities;

(16) Offices and office buildings;

(17) Offset press printing;

(18) Outdoor storage, as an accessory use, provided:

(a) A buffer wall shall separate outside storage from abutting properties and rights-of-way; and

(b) Proposed outside storage areas shall be delineated as such on applicable site or development plans; and

(c) Stored materials shall not be stacked or arranged above the height of the screen wall or fence. If a stored vehicle or other individual item exceeds the height of the screen wall or fence, it shall be stored no less than 15 feet from an abutting property or right-of-way; and

(d) Shall not include any outdoor sales display;

(19) Parks, recreational parks, open spaces, and public facilities;

(20) Personal services – beauty/barber shops, fitness centers, laundry/dry cleaning, tailor/dressmaking, shoe repair, tanning/manicure salon;

(21) Photocopying and blueprinting, shipping and messenger service;

(22) Public utilities, electric facilities;

(23) Repair shops – electrical, radio, and television appliances, keys and similar articles;

(24) Research and development office;

(25) Residential uses as secondary use or above the first floor; provided, that density shall not exceed 50 dwelling units per acre;

(26) Restaurants, bars, lounges, coffee/tea rooms, patio/al fresco dining facilities, provided:

(a) There shall be no drive-in or drive-up restaurants; and

(b) Outdoor seating is at least 75 feet away from any residential zone;

(27) Sales and display rooms or buildings for wholesalers, distributors, warehouses or manufactures;

(28) Schools, private, K-12, college, trade schools;

(29) Schools, public, K-12;

(30) Sheet metal working;

(31) Stores for the sale of retail goods, products, and services; except gasoline stations are not permitted;

(32) Temporary structures and enclosures used in construction as defined in Article III, Section 154.75(D);

(33) Warehousing and indoor storage;

(34) Wholesale commercial.

(C) *General requirements and design standards.*

(1) All activities and storage of materials, products or equipment shall be within an enclosed building unless consistent with Article III, Section 154.71;

(2) No noise, odors, vibration or other impacts shall be discernible off the premises of the building;

(3) All design standards shall be provided in a master plan approved by Planning and Zoning Board. The master plan shall address the following components:

(a) Development standards for height, setbacks, landscaping, etc.;

(b) Site compatibility and design, including:

1. Open space, trails, and recreational amenities;

2. Landscaping and buffers; and

3. Design concepts and guidelines;

(c) Drainage;

(d) Transportation;

(e) Utilities;

(f) Optional components which may be required by the Development Services Department Director:

1. Master sign plan;

2. Master parking plan.

(D) *Area.* A minimum 15 acres for the master-planned business park. Lots or tracts within the business park shall be a minimum of one-half acre (21,780 square feet).

(Ord. 18-20; Am. Ord. 22-20)



LOS DIAMANTES

LOS DIAMANTES MASTER PLAN



PREPARED FOR: LOS DIAMANTES, LLC

PREPARED BY: MARK GOODWIN & ASSOCIATES, PA
CONSENSUS PLANNING, INC



ADOPTED ON AUGUST 12, 2015
AMENDED ON AUGUST 13, 2020

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CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 73 **ENACTMENT NO. 20-071**

RESOLUTION AMENDING THE LOS DIAMANTES MASTER PLAN

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA, 1978; 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; provides for adoption of specific area plans for specific area within 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 has adopted a Comprehensive Plan that addresses land use in master planned communities; and

WHEREAS: the Governing Body of the City of Rio Rancho approved the Los Diamantes Master Plan on August 12, 2015 with Resolution No. 61 Enactment No. 15-055; and

WHEREAS: the Governing Body of the City of Rio Rancho approved the Generalized Land Use Map on September 12, 2018 through Resolution no. 60, Enactment no. 18-058; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the land use amendments to the Los Diamantes Master Plan at their meeting held on July 28, 2020, and following public hearing recommends approval of those amendments and modifications; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed land use amendments (Case No. 20-410-02) to the Los Diamantes Master Plan at their meeting held on August 13, 2020, 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 land use amendments and modifications to the Los Diamantes Master Plan, Exhibit A to this resolution.

Section 2. Designs, layouts, and engineering requirements or details are subject to compliance with City engineering and/or subdivision requirements prior to development.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 13th DAY OF AUGUST, 2020.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk

(SEAL)

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1. INTRODUCTION

This document is a Master Plan for the area known as Los Diamantes, located in Rio Rancho, Sandoval County, New Mexico. The Los Diamantes Master Plan area is comprised of approximately 180 acres owned by Los Diamantes, LLC. The vicinity map located on page 2 illustrates the location of the master plan area. The purpose of this Master Plan is to identify land uses, zoning, parks, trails, drainage facilities, conceptual utilities, transportation corridors, and provide design guidelines. The following are the objectives of the Master Plan:

- To create a zoning and land use plan that includes well-planned single family residential neighborhoods in close proximity to planned schools and commercial services, a business park area that will attract future employers to the City of Rio Rancho, multi-family residential opportunities to support affordable housing goals and commercial services and provide needed services to both the residential neighborhoods and the business park.

- To connect with and extend existing transportation corridors identified in the City's Transportation Policy.

- To correct the jobs/housing imbalance on the Westside by providing a desirable location and infrastructure necessary to support employment in a well-designed business park.

- To provide a balanced land use mix that accommodates high quality residential development of various densities and high-quality employment and commercial development with convenient access to housing.

- To comply with and implement the Rio Rancho Comprehensive Plan and the Unit 10 Specific Area Plan.

Master Planning Process

This Master Plan was accomplished in collaboration with City of Rio Rancho Development Services Department, Los Diamantes LLC, Mark Goodwin and Associates, Price Land Development Group, and Consensus Planning, Inc. A zone map amendment request is included in conjunction with this master plan application. This master plan establishes zoning for the Los Diamantes Plan Area. The Master Plan Project team worked with the City of Rio Rancho Development Services on the Business Park zone; and the Los Diamantes Business Park proposes to use this zone.


Rainbow Blvd
Unser Blvd
Broadmor Blvd
Southern Blvd
Puesta Del Sol Elementary School
Viga Rd
Los Diamantes
Proposed Westside Blvd
Isabel Rd
Golf Course Rd
Rio Rancho Blvd / NM 528
Westside Blvd
Presbyterian Rust Medical Center
City of Rio Rancho
City of Albuquerque
McMahon Blvd
McMahon Blvd
Coors Blvd Bypass
Irving Blvd
Universe Blvd
Paradise Blvd
Unser Blvd
LOS DIAMANTES SITE VICINITY

2. EXISTING CONDITIONS

As shown on the Vicinity Map, Los Diamantes is located approximately one mile west of Unser Boulevard and a little over a half mile south of Southern Boulevard in Unit 10. The proposed combination of the Business and Residential components comprises approximately 180 acres, which is currently vacant.

The existing alignment of West Side Boulevard runs east and west and bisects the Plan Area. The south boundary is the existing Isabel right-of-way. The east boundary is 10th Street, and the west boundary is Viga Road.

Los Diamantes is the first large scale development within Unit 10 and as such, it is not in close proximity to any other approved master plans. The Plan Area's preferred land use categories and zoning were addressed in the recently approved Generalized Land Use Map as is further discussed in the Land Use section of this master plan. The Los Diamantes Master Plan is in compliance with and furthers the Generalized Land Use Map.

The property lies within a geological saddle that falls from northwest to southeast. The surface is covered by a mixture of sand sagebrush, four-winged saltbush and blue grama grasses, and includes some cholla and cacti. Animal species in the Plan Area include coyote, cottontails, jackrabbits and horned lizards. An Endangered Species Act compliance document was produced, and no endangered species (plant or animal) were documented. A Cultural/ Archeological survey was also performed. The report, along with mitigation recommendations, is on file with the Historic Preservation Division of the State Historic Preservation Office.

There is a large undefined flood plain in an arroyo channel that is created by the "Rainbow Tributary" to the Calabacillas Arroyo that originates in Rio Rancho north of Southern Boulevard and terminates in the City of Albuquerque at the Calabacillas Arroyo. This arroyo and its flows are addressed in the drainage section of the Master Plan.

2020 Amendment

Since this Master Plan was adopted in 2015, the City of Rio Rancho adopted the Unit 10 Specific Area Plan, which addresses land use, transportation, utilities and infrastructure, and general development guidelines for the larger geographic area surrounding Los Diamantes. The Specific Area Plan has subsequently been amended and further amendments have been considered by the Rio Rancho Governing Body.

The Unit 10 Specific Area Plan proposed land use change areas that designated different land uses than those adopted in the Comprehensive Plan and relied on in the original Los Diamantes Master Plan. Such changes included designation of the western portion of Unit 10 as a "Future Master Planned Area," location of the new Joe Harris Elementary School as a civic/institutional land use where residential was previously shown, and an increase in commercial uses along Westside Boulevard and near Unser Pavilion.

Due to these changed conditions, housing market demands, and in support of the Comprehensive Plan policies of the City of Rio Rancho, this Master Plan was amended in 2020. The amendment updates the land use, zoning, and parks and recreation sections to address a revised lot layout for the R-3 Mixed Residential located south of Westside Boulevard, changes a portion of the Business Park to R-2 single-family residential, and provides for the future development of 15 acres of multi-family residential within the remaining Business Park area. In addition, the Master Plan boundary was adjusted to add Lot 15, Block 64 and Lot 41, Block 18 of Unit 10 while removing Lots 10 and 13 through 16, Block 60 of Unit 10, which reflects current lot consolidation and assembly efforts.

3. LAND USE, ZONING, AND DENSITY

The zoning for the Plan is intended to allow for a mix of land uses that will provide for the creation of residential neighborhoods with a mix of single family housing types, multi-family residential opportunities, and the creation of a business park that will provide employment space and commercial services for the City of Rio Rancho. The creation of a regional pond has been designed to handle the regional drainage detention needs for the Plan Area. The residential plan also identifies two public neighborhood parks located within the Los Diamantes residential neighborhood south of Westside Boulevard. See the Los Diamantes Zoning Map on page 7.

The following sections and pages include descriptions of the land use and zoning for the Master Plan.

Business Park (34 acres)
The area that is zoned Business Park follows all of the regulations of the City of Rio Rancho Business Park Zone.

The intent of the Los Diamantes Business Park is to provide for large employers within a campus style setting that is supported by commercial services. In addition, up to 15 acres of the business park area is appropriate for future multi-family residential development depending on the absorption of commercial uses. Multi-family residential would provide a more complete mixed-use center along the Westside corridor. A future zone map amendment may be required to implement the multi-family residential land use.

This Master Plan contains design standards for the Business Park to ensure that the Park is developed in an aesthetically pleasing and cohesive manner and that the more intense aspects of the industrial uses are enclosed, screened, and/or buffered. The design standards will also ensure any multi-family residential component will be successfully integrated with the remainder of the business park uses.

The commercial uses are intended to support the Business Park by providing the opportunity for commercial services such as restaurants, dry cleaners, and banks that will serve both Business Park employees and the adjacent Los Diamantes residential neighborhoods. Within the employment and commercial mix in the Business Park there is the opportunity for both an employment campus like setting, as well as for the commercial services to take a more urban mixed-use form.

R-3 Mixed Residential District (109 acres)
The Los Diamantes residential neighborhood follows all of the requirements of the City of Rio Rancho R-3 Mixed Residential District. The Master Plan and Los Diamantes Residential Overlay Zone (LDROZ) does not permit multi-family development within the R-3 zone (LDROZ).

The R-3 residential neighborhoods will provide the opportunity for a variety of single-family housing types. The plan intends the neighborhood to develop with a range of lot sizes. All the lots will meet the minimum lot size requirement established by the R-3 zone. The Master Plan establishes the following residential lot sizes for the Plan Area:

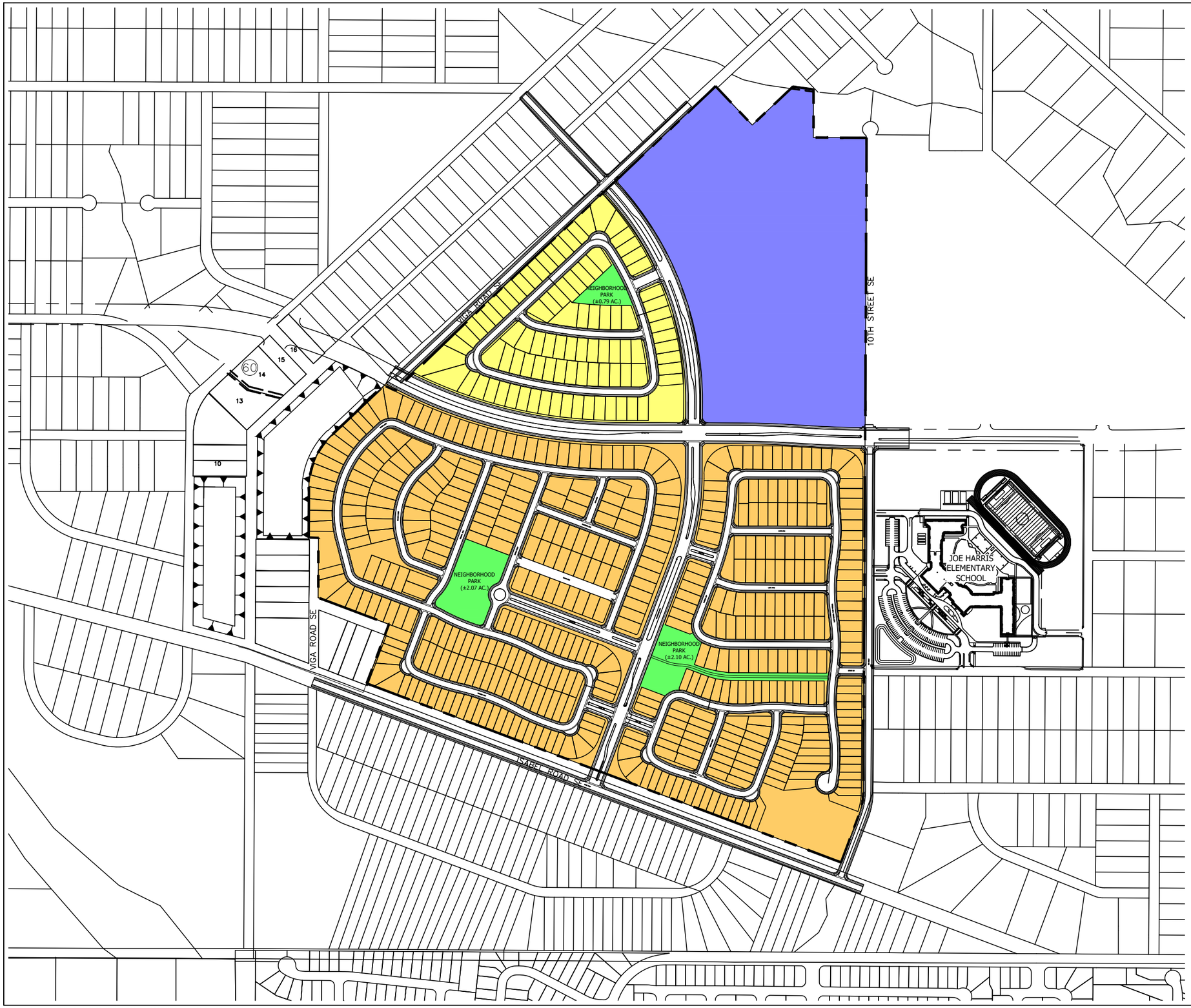
Minimum Lot Width	Percent of Residential Units	Number of Units	Density (DU's per acre)
Forty (40) Feet	41%	200	+/- 6
Fifty (50) Feet	43%	209	+/- 5
Fifty-Five (55) Feet	16%	78	+/- 4

R-2 Single-Family Residential (25 acres)
The proposed R-2 single-family residential neighborhood follows all the requirements of the City of Rio Rancho R-2 zoning district. This neighborhood, located north of Westside Boulevard, will provide additional single-family detached residential needed in the Rio Rancho housing market at slightly lower densities than within the R-3 area located to the south. A small park serving the residents of this neighborhood will be provided upon development.

Multi-Family Residential (15 acres)
As mentioned above, approximately 15 acres of the Business Park area is designated for potential multi-family residential development. Implementation and use of this land use will be done via a zone map amendment utilizing the R-6 zone district or other equivalent zoning designation provided by the Rio Rancho Code of Ordinances. When this land use is implemented, the Unit 10 buffer overlay district regulations established in Ordinance No. 20, Enactment 18-24 shall be considered and implemented. Further details regarding implementation of this land use may be defined in a separate development agreement.

Pond/Open Space (8 acres)
The pond that is located at the Plan Area's southwest boundary is being developed in collaboration with the Southern Sandoval County Flood Control Authority (SSCAFCA) and the City of Rio Rancho. More information on the Los Diamantes Regional Pond is included in Chapter 8, Conceptual Drainage Plan.

Neighborhood Parks
There are three neighborhood parks planned within the Los Diamantes residential neighborhoods. These parks will be a variety of sizes based on the neighborhood area served by each. These parks total approximately 4.9 acres. They will be dedicated to the City of Rio Rancho and will be maintained by the City of Rio Rancho. More information of these parks is contained in Chapter 6, Parks and Trails.



BUSINESS PARK
(±36 ACRES)

R-2 Single-Family Residential
(±22 ACRES)

R-3 MIXED USE RESIDENTIAL
(±103 ACRES)

NEIGHBORHOOD PARK
(±5 ACRES)

N

500' 250' 0 500' 1000'

SCALE: 1" = 500'

CONSENSUS PLANNING

LOS DIAMANTES

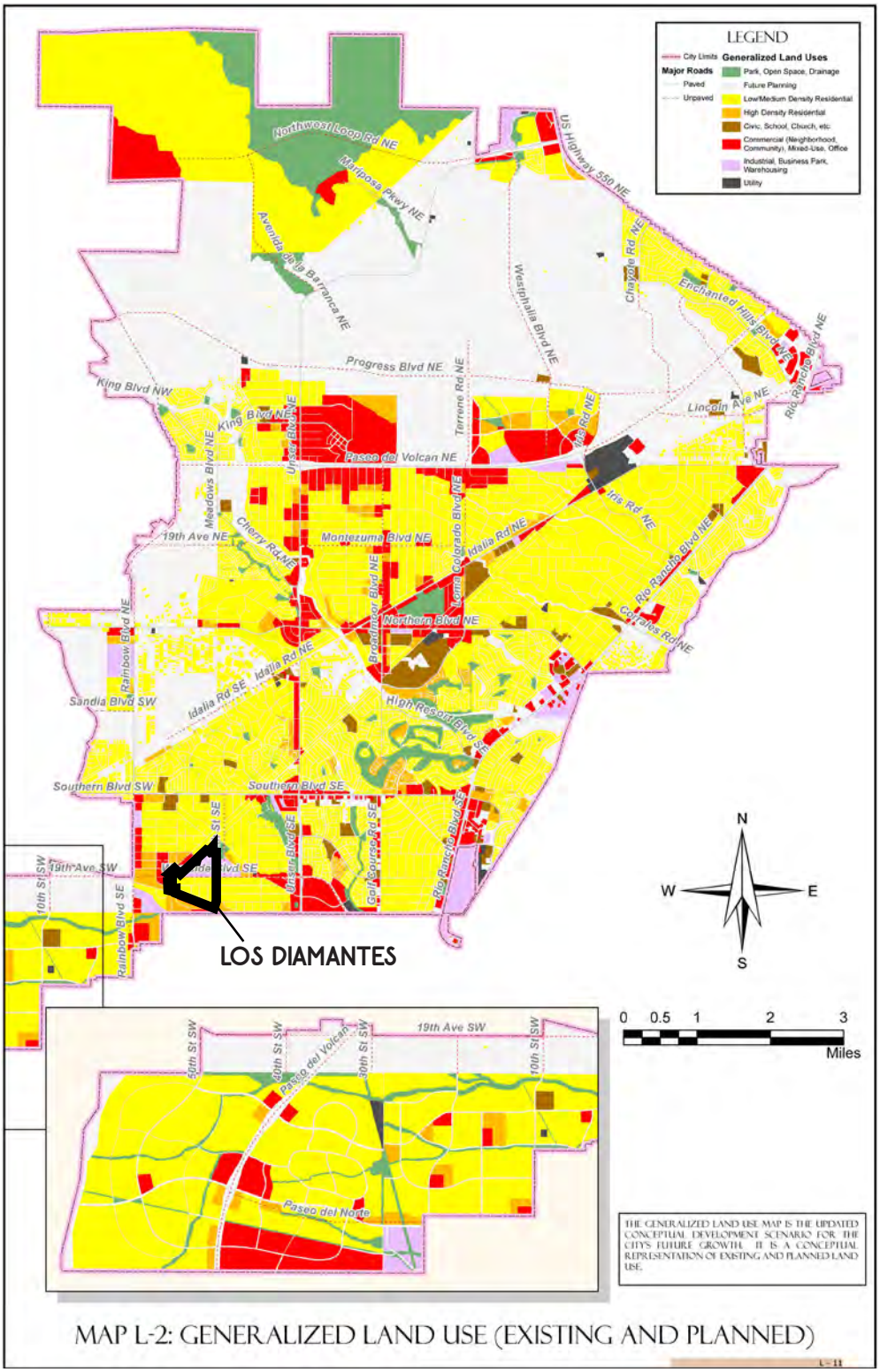
Land Use/Zoning Plan

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Generalized Land Use

The City of Rio Rancho Comprehensive Plan Generalized Land Use Plan was recently updated in order to add proposed land uses for Unit 10. The Los Diamantes Master Plan is within Unit 10. The Master Plan is consistent with the Generalized Land Use Plan, which shows the land uses as Industrial, Business Park, Warehousing, and Low/Medium Density Residential. See the Generalized Land Use Map located below:



MAP L-2: GENERALIZED LAND USE (EXISTING AND PLANNED)

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4. DESIGN STANDARDS

The purpose of these Design Standards is to provide a framework to assist the architects, landscape architects, civil engineers, and designers in understanding the vision and development goals for the Plan Area. Minor amendments to these standards may be approved administratively by the Development Services Department Director and major amendments shall be approved by the City of Rio Rancho Governing Body.

A. RESIDENTIAL DESIGN STANDARDS

The residential design standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, and signage that will create the visual image desired for Los Diamantes. They are intended to be complementary to the surrounding area, and to create a unique neighborhood in Los Diamantes that has its own identity but reinforces the character of the Los Diamantes Business Park and commercial development.

I. ARCHITECTURAL REVIEW COMMITTEE

The Los Diamantes residential subdivision will establish a residential Architectural Review Committee (ARC) to ensure that new development follows the design standards and to encourage and promote development that is harmonious and in keeping with the character of the Los Diamantes neighborhood. The ARC will be responsible for reviewing all plans and for making sure that properties are continually maintained.

A more comprehensive and detailed set of design standards and CC&Rs are being developed for the property consistent with the intent of these Master Plan standards. It is anticipated that these CC&Rs will be more detailed and may conflict with these more general guidelines. The ARC will administer these standards to ensure a consistent character and quality of development.

II. PEDESTRIAN AMENITIES

a. 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.

b. Sidewalks along Westside Boulevard shall be six feet in width. All other sidewalks shall be five feet in width.

c. To the maximum extent feasible, private parks, public parks, and open space areas shall be designed to create an integrated system that is connected through trails and sidewalks, which also serve as recreational amenities for the residents.

d. All trails within Los Diamantes will be designed in compliance with City of Rio Rancho trail standards. Trails will be designed to connect with a sidewalk and/or park. In some locations, a trail may be constructed in lieu of a sidewalk.

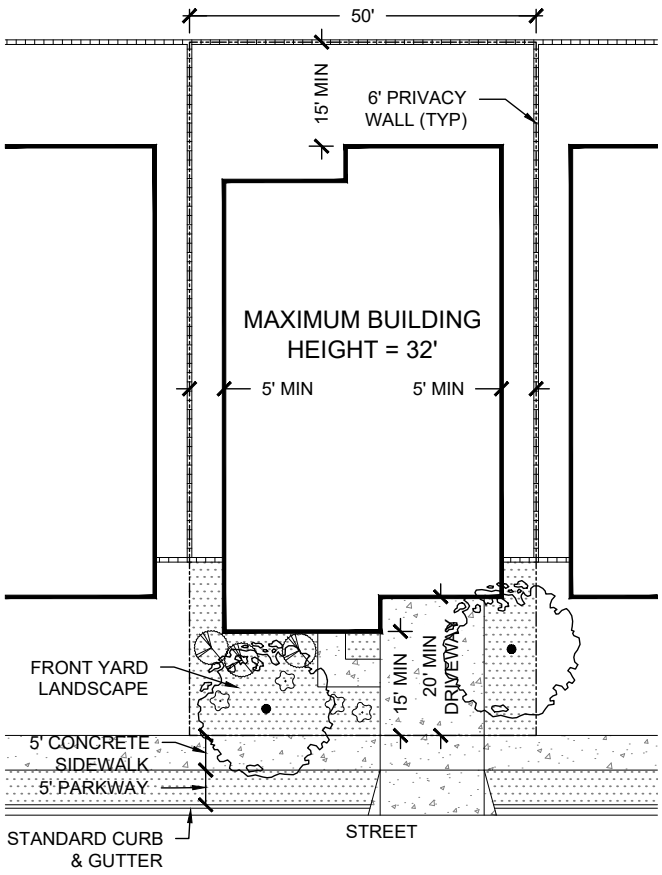
III. SETBACKS

The use of building area setbacks is required to provide space for the creation of visually attractive streetscapes. Required within these setbacks shall be pedestrian walkways and screening materials, including landscaping and walls.

a. Minimum Front Yard Setbacks: 15 feet, except 20 feet for garage doors and single-family attached and zero lot line dwelling units.

b. Minimum Rear Yard Setbacks: 15 Feet

c. Minimum Side Yard Setbacks: 5 feet on both sides for any principal building, for a total separation of 10 feet between buildings. 10 feet on the side of corner lots.



Conceptual Diagram Illustrating Setbacks

IV. BUILDING HEIGHT AND MATERIALS

a. Residential building heights shall not exceed 32 feet in height and shall be consistent with the City Comprehensive Zoning Code unless otherwise restricted as described below.

b. Stucco shall be the primary building material. Stucco colors shall be limited to shades of brown, tan, sage green, and sand. High intensity colors, such as metallic, black, or florescent colors are prohibited.

c. Accent colors in entry portals, front door, window frames and trim, and other incidental elements shall be shades of white, blue, brown, and green.

d. Windows may be wood, metal, or solid vinyl. Reflective film is prohibited.

e. Exterior doors, including garage doors, shall be stained or painted wood or painted metal and shall match the architectural theme of the dwelling.

f. 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" if they are adjacent to stucco or stone, unless they are wood encased.

V. LANDSCAPE

The development of an overall landscape concept will establish a framework that unifies the neighborhood. The goal is to provide a low water use landscaped community. These standards are to be made as a supplement to the City of Rio Rancho requirements. The following are minimum standards for the development of specific landscape plans:

a. A five-foot landscape parkway strip shall be located between the sidewalk and the curb. The groundcover for the landscape strip shall be required to be Santa Fe Brown rock, or other equivalent decorative rock groundcover. The maintenance of this strip shall be the responsibility of the Homeowner.

b. Every lot shall have a minimum of two trees, each of a minimum one and one-half inches in caliper.

c. Individual lot owners will be responsible for the installation and maintenance of the landscape on their property. All plant material, including trees, shrubs, groundcover, wildflowers, etc. shall be maintained by the lot owner in a living attractive condition.

d. Landscaping within the private common areas, as shown on the lot layout exhibit, shall be maintained by the Homeowners' Association. These areas are for the benefit of the Homeowners and will be defined with future platting.

e. The Homeowners' Association shall maintain landscaping in the right-of-way. All landscaping must be maintained in attractive living condition.

f. Irrigation and landscaping maintenance outside of individual lots shall be the responsibility of the HOA.

g. Front Yard Minimums:

<u>40' lots</u>

1. 2 trees at least 1.5" caliper and 10-12 feet high at the time of planting
2. 3 large shrubs (minimum 5 gallon)
3. 2 small shrubs (minimum 1 gallon)

<u>50' and 55' lots</u>

1. 2 trees at least 1.5" caliper and 10-12 feet high at the time of planting
2. 3 large shrubs (minimum 5 gallon)
3. 4 small shrubs (minimum 1 gallon)

h. At a minimum, all front yard landscaping shall be required to contain Pueblo Rose, Santa Fe Brown, River rock, or similar type rock over filter fabric for all yard areas that are not covered with living vegetative groundcover.

i. Accentuating bark mulch or pecan shells are permitted in front yard landscape.

j. Within individual lots, landscaping and irrigation system maintenance is required and will be the responsibility of the homeowner, including that which is between the curb and sidewalk. Landscaping shall be maintained in a healthy and attractive condition.

k. Xeric principles are to be employed when designing landscaped areas and they shall include the use of water harvesting areas to the extent possible.

l. Suggested Trees:
    1. Acer negundo 'Sensation' – Sensation Box Elder
    2. Fraxinus velutina 'Medesto' – Modesto Ash
    3. Gleditsia triacanthos – Honey Locust
    4. Pistacia chinensis – Chinese Pistache
    5. Platanus acerifolia 'Bloodgood' – Bloodgood London Plane Tree
    6. Ulmus hybrid 'Frontier' – Frontier Elm

VI. LIGHTING

In order to enhance the safety, security, and visual aesthetics, careful consideration must be given to both the daytime and the night-time appearance of the lighting design and fixtures. The primary design objective of the site lighting system shall be to provide for public safety without adversely affecting adjacent properties, buildings, or roadways with unnecessary glare or reflection.

a. Placement of fixtures and standards shall conform to state and local safety and illumination standards.

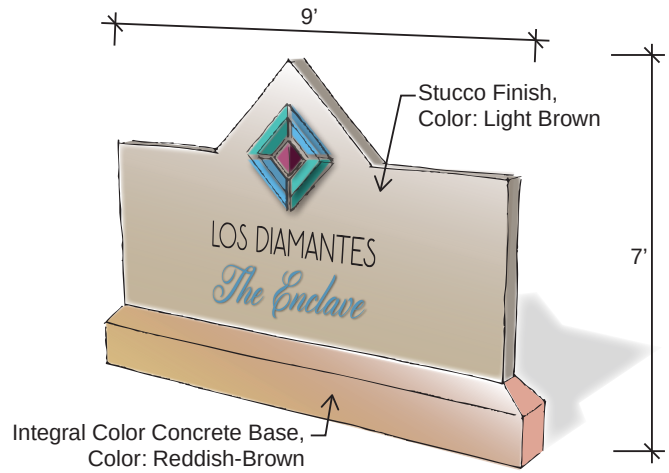
b. All lights shall be fully shielded source with glare cut off angles of a maximum of 75 degrees to prevent spillage onto adjoining properties or light pollution of the existing "dark sky". Cobra and sodium streetlights are prohibited.

c. Streetlights shall be in accordance with the City of Rio Rancho Outdoor Lighting Ordinance/Chapter 159. Height shall not exceed 16 feet.

VII. SIGNAGE

The following signage standards were developed to regulate the size, location, type, and quality of sign elements within Los Diamantes. The goal is to provide a signage program that is of high quality, maintains a consistent style and complements the visual character of the property.

a. Entry signs shall be the monument type and shall complement the materials, color, and architectural character of the buildings and shall not exceed forty square feet in area, and 8 feet in height above grade.



Conceptual Residential Monument Sign

b. Pedestrian directional signs are permitted. The design of these signs shall be integrated with the Los Diamantes neighborhood monument entry signs and shall not exceed two square feet in area, and three feet in height above grade.

c. Illumination of signage is permitted and shall follow the Lighting Standards contained in Section VI of this document.

d. Digital and light emitting diode signage is prohibited.

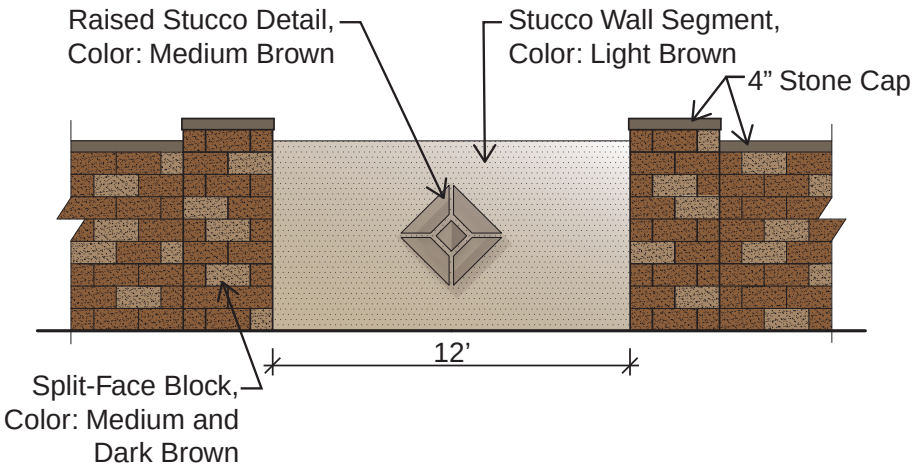
VIII. WALLS

a. All perimeter block walls facing rights-of-way shall be designed to complement entry monument signs.

b. Plain grey CMU block shall not be used for wall material unless treated with stucco.

c. Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way.

d. Barbed wire, concertina wire, and similar materials are prohibited.



Conceptual Los Diamantes Wall Design

IX. UTILITIES

To ensure the overall aesthetic quality of the property and the natural environment, the visual impact of utilities and equipment shall be minimized by the following:

a. All new electric distribution lines shall be placed underground.

b. Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or vegetation, per the access regulations of the applicable utility company, when viewed from the public right-of-way.

c. When an above ground backflow prevention device is required by the City, the heated enclosure shall be constructed of materials compatible with the architectural materials used as a main element of the building or with the landscaping there.

d. If prefabricated fiberglass enclosures are used, they shall be appropriately screened from view by low walls and/or landscaping.

X. OFF-STREET PARKING

Minimal number of off-street parking spaces shall be provided according to the design standard contained in the DPM and Requirements per Zoning Code. Parking shall be calculated and provided as follows:

a. For each house or townhouse:

    1. Three spaces if the dwelling has up to two bedrooms, two in garage
    2. Four spaces if the dwelling has three or more bedrooms, two in garage

b. Off street parking is prohibited in the front setback/landscape area. Off-street parking is permitted on the driveway within the front setback in front of the garage.

XI. RECYCLING

Curbside recycling pickup and garbage carts are provided by the City (currently via a private provider) within the City of Rio Rancho. Homes within Los Diamantes are required to provide storage for the automated carts, including the recycling cart, and homeowners are encouraged to participate in this recycling program.

B. Business Park Design Standards

The intent of the Los Diamantes Business Park Design Standards are to create the framework for a built environment within the Business Center that supports business and economic development through the creation of a cohesive, attractive setting while also respecting and accommodating the building size and use requirements of a range of employers. The design standards are intended to be complimentary to the surrounding residential neighborhoods and keep in the unique character of the entire Los Diamantes Master Plan. The Business Park Design Standards are based on the following principles:

- Design for compatibility with adjacent uses by outlining design standards which complement the nearby neighborhood and City of Rio Rancho, as a whole;
- Design for overall cohesiveness which unifies the business park with planned residential development; and
- Consider each building as a long-term addition to the city by ensuring high-quality development.

I. ARCHITECTURAL REVIEW COMMITTEE

The Los Diamantes Business Park will establish an Architectural Review Committee (ARC) to ensure that new development follows the design standards and to encourage and promote development that is harmonious and in keeping with the character of the Los Diamantes Business Park. The ARC will be responsible for reviewing all plans and for making sure that properties are continually maintained. The business park ARC will be separate from the residential ARC.

II. BUILDING ORIENTATION AND CONNECTIVITY

Intent: Buildings should be oriented with consideration to the visual impact from the perspective of the driver or pedestrian on the adjacent primary roadways. It is important to create the immediate first impression of a high-quality business park, as part of the city's overall community character and identity. Business parks and campuses are enhanced when it is easier, safer, and more comfortable to walk between buildings and parking areas. The Los Diamantes Business Park is intended to accommodate large employers as well as live/work uses, and supportive retail and services which will have a more urban character. Therefore, both minimum and maximum setbacks have been included in order to allow for both of these land use forms. All development within the Business Park should connect to surrounding uses, including streets, businesses, transit facilities, and residential areas, where appropriate.

a. Setbacks

    1. Front Yard Setback:

        Minimum - 10'

        Maximum - 80'

    2. Side Yard Setback:

        Minimum of ten (10) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area. In the case of a corner lot, the front yard setbacks will apply except that cantilevered roofs and sunscreens may project six (6) feet into the setback area. Interior lot lines for a corner lot shall be considered side lot lines. Signs allowed by the ordinance may be placed in street-side, side yard setback areas. There is no maximum side setback.

    3. Rear Yard Setback:

        Twenty (20) feet, except that cantilevered roofs and sunscreens may project three (3) feet into the setback area.

b. Building Placement

    1. Building placement that creates opportunities for plazas, courtyards, patios, or outdoor dining is strongly encouraged.

c. Building Entries

    1. Building entries should be located so that they are easily identifiable from the primary adjacent roadway.

    2. Secondary and employee entrances shall be easily accessible and convenient to building parking and delivery areas but should not be dominant.

d. Sidewalks

    1. Sidewalks shall be designed to connect to sidewalks internal to individual sites and to trails when relevant.

    2. All sidewalks shall be designed per the Americans with Disability Act requirements.

e. Trails

1. All trails within Los Diamantes Business Park will be designed in compliance with City of Rio Rancho trail standards. Trails will be designed to connect with a sidewalk, business, and/or park. In some locations, a trail may be constructed in lieu of a sidewalk.

III. PARKING

Intent: The intent of the parking standards is to develop a circulation system that safely and efficiently moves vehicles while avoiding and reducing potential conflicts between pedestrians and vehicles. the maximum front setback of 80' allows for two rows of parking and a drive aisle in front of the building. Therefore, the majority of parking shall be located either on the side or in the rear of the building.

a. Placement and Design

1. The placement and design of parking areas should foster safe pedestrian access and provide clearly identifiable pedestrian walkways between the primary entrance and visitor parking.
2. The minimum number of vehicular, disabled, motorcycle, and bicycle parking spaces shall be per Section 154.76 Off-street Parking Regulations contained in the City of Rio Rancho Zoning Code.
3. Large parking areas shall be visually segmented into smaller subareas separated by landscaping and/or pedestrian walkways.
4. Parking shall not dominate the street frontage. Wherever possible, visitor parking should be placed on the primary street frontage, and employee parking located either to the side or rear of the building.
5. Parking areas shall be designed to include a pedestrian link to the public sidewalk network, and/or trail system.

IV. ARCHITECTURE

Intent: the purpose of the architectural standards is to provide direction for the development of an attractive, cohesive built environment that accommodates the function of the individual buildings within the Los Diamantes Business Park while also ensuring quality development and reinforcing the unique character and identity of the Park.

a. Materials

1. Primary building materials shall be stucco, colored concrete, or colored block. Stone, tile, metal, or brick accents are also allowed.
2. Finished building treatments are required on all four side of the building.

3. Materials prohibited as the primary building material include the following:

    i. Exposed, untreated precision block or wood walls

    ii. Highly reflective surfaces

    iii. Metal paneling.

b. Color

    1. Predominate colors shall be limited to shades of brown, tan, rust, and blue. High intensity colors, such as metallic, black, or florescent colors are prohibited.

c. Height

    1. Building height shall be limited to sixty (60) feet.

d. Building Design

    1. Facades with a high level of visual interest from both vehicular and pedestrian viewpoints are encouraged.

    2. Long unbroken building facades should be broken up with architectural details. Facades with varied front setbacks are encouraged to provide visual interest.

    3. Rear and side wall elevations shall be constructed of the same materials as the primary front facade and shall be of the same architectural design.

    4. Entrances to individual buildings should be identifiable through the use of architectural recesses or projections, roof elements, columns, or other architectural elements.

V. SUSTAINABILITY

a. Energy efficient techniques shall be utilized to reduce energy and water consumption, where feasible.

b. Water harvesting techniques such as curb cuts for drainage to landscaped areas, permeable paving, and or bioswales to slow and treat storm water runoff shall be provided where feasible.

c. Buildings shall be oriented to take advantage of heat gain in the winter where feasible while coordinating with shading strategies to inhibit solar gain in the summer.

d. Grasses and other ground vegetation should be near edges to help filter and slow runoff as it enters and exits the site.

e. Convenient recyclable collection facilities shall be provided by all tenants of the site.

VI. LANDSCAPING

Intent: The intent of the landscape standards is to foster the development of an overall, water efficient, landscape concept that will establish a framework that unifies the entire Business Park.

a. The use of turf grasses shall be limited per the City of Rio Rancho regulations restricting turf grass.

b. A landscape setback (outside of the right-of-way) of a minimum of 10 feet shall be provided along each primary street frontage. The landscape area shall be comprised primarily of deciduous trees, 10-foot minimum height at the time of planting and shall be capable of reaching a mature height of at least 25 feet.

c. An automatic underground irrigation system shall be provided to support all landscaping. The system shall be designed to avoid overspraying of walks, buildings, fences, etc.

d. Proposed lighting and landscaping shall be placed so they are not in conflict with each other.

e. All plant material within the business park, including trees, shrubs, groundcovers, turf, wildflowers, etc. shall be maintained by a landscaping company. A business park association shall be established to fund landscaping maintenance. Association membership shall be required by property owners within the business park and landscaping maintenance fees shall be based on property size.

f. Suggested Trees:
    1. Acer negundo ‘Sensation’ – Sensation Box Elder
    2. Fraxinus velutina ‘Medesto’ – Modesto Ash
    3. Gleditsia triacanthos – Honey Locust
    4. Pistacia chinensis – Chinese Pistache
    5. Platanus acerifolia ‘Bloodgood’ – Bloodgood London Plane Tree
    6. Ulmus hybrid ‘Frontier’ – Frontier Elm
    7. Pinus eldarica – Afghan Pine
    8. Pinus nigra – Austrian Pine

VII. SCREENING, BUFFERING AND WALLS

Intent: The intent is to reduce the visual impact of the necessary elements of parking, mechanical equipment, and refuse on the site; and to provide broader buffers to adjacent land uses without impacting the practical function of the site components.

a. Screening

    1. Portions of parking lots that are in front of or beside buildings along the primary street (as determined by main entrance) shall be screened with one or more of the following treatments:

        i. Landscaping to sufficiently screen the first 3 feet in height adjacent to the parking area, within the landscape setback.

ii. Low walls made of concrete, masonry, or other similar material and not exceeding a height of 3 feet.

iii. Raised planter walls planted with a minimum 80% evergreen shrubs not to exceed 3 feet in height.

2. Refuse collection shall comply with Waste Management of New Mexico and City of Rio Rancho requirements.

3. Screening for the refuse collection shall be comprised of a solid wall. The location, design, color, and material of the enclosure shall be compatible with the principal building.

4. Ground and roof-mounted mechanical equipment shall be screened from the view of adjoining properties by landscaping or parapets, respectively.

b. Walls

1. All perimeter block walls facing rights-of-way shall be constructed of split-face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.

2. Plain grey CMU block shall not be used for wall material unless treated with stucco.

3. Chain-link (with or without slats), wood or plastic/vinyl fencing is prohibited except for security fencing where not visible from the public right-of-way.

4. Barbed wire, concertina wire and similar materials are prohibited.

VIII. STORAGE AND EQUIPMENT AREAS

Intent: Storage and equipment areas should be designed to be harmonious with the site without interfering with their storage function and need for security.

a. Any exterior storage and sales areas shall be screened with walls which are architecturally compatible with the primary building(s) on the site.

b. Loading and service areas should be provided with separate access and circulation whenever possible.

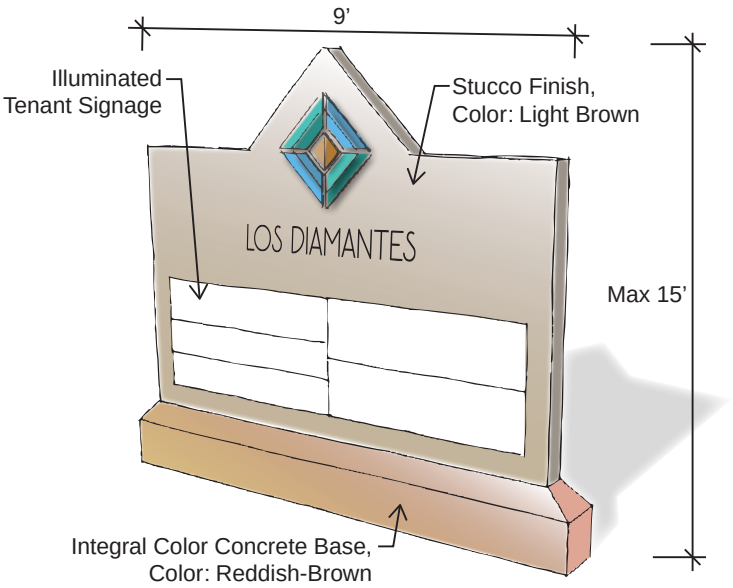
IX. SIGNAGE

The following signage standards were developed to regulate the size, location, type, and quality of sign elements within this property. A properly implemented signage program will serve four very important functions: to direct and inform employees and visitors; to provide circulation requirements and restrictions; to provide for public safety, and to complement the visual character of the development.

a. The following types of signs are permitted in the Los Diamantes Business Park:

1. Monument/Entry Signs
2. Building Mounted Signs
3. Vehicle Directional Signs
4. Pedestrian Directional Signs

b. Entry signs shall be monument type and shall complement the materials, color, and architectural character of the buildings and shall not exceed one hundred thirty-five square feet in area, and fifteen feet in height above grade.



Conceptual Business Park Monument Sign

c. One building mounted sign is permitted for each facade that faces a primary roadway. Building mounted signs shall be limited to 10% of the building facade, and a maximum projection of eighteen inches.

d. Vehicle directional signs are permitted when necessary to direct vehicles to a special site feature, such as visitor parking. The design of these signs shall be integrated with the Los Diamantes Business Park entry signs and shall not exceed three square feet in area, and five feet in height above grade.

e. Pedestrian directional signs are permitted when it is necessary to direct pedestrians to a special site feature such as a recreational trail. The design of these signs shall be integrated with the Los Diamantes Business Park monument entry signs and shall not exceed two square feet in area, and 3 feet in height above grade.

f. Illumination of signage is permitted and shall follow the regulations contained in Section X, Lighting, located below.

g. Digital and Light Emitting Diode Lighting is permitted per the City of Rio Rancho Institutional District sign regulations.

X. LIGHTING

Intent: Lighting should be designed to provide atmosphere, safety, and security. Lighting shall comply with all applicable City ordinances and shall be further restricted by the following design standards:

a. Site lighting shall be shielded and oriented to eliminate glare or light trespass on to adjacent rights-of-way and properties.

b. All parking lot lighting shall be fully shielded and night-sky compliant.

c. Pedestrian scale bollard lights are encouraged and shall be fitted with louvers, diffusers or shields, as necessary, to eliminate glare or light trespass on to adjacent rights-of-way and properties.

d. Light fixtures shall conform to the architectural character of the buildings and other site elements.

e. Building mounted lights shall be fully shielded and mounted at a maximum height of sixteen feet.

f. Up-lighting for signage and landscape is permitted and shall be shielded to eliminate glare and light trespass and be night-sky compliant.

XI. UTILITIES

a. All electric distribution lines shall be placed underground.

b. Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or vegetation when viewed from the public right-of-way. Screening of transformers, electric boxes and other utility structures shall not impede access to the equipment and shall provide for safe maintenance and repair by utility workers.

c. When an above-ground backflow prevention device is required by the City of Rio Rancho, the heated enclosure shall be constructed of materials compatible with the architectural materials used as the main elements of the building. If prefabricated fiberglass enclosures are used, they shall be appropriately screened from view by walls and/or landscaping.

d. Any wireless communication facilities shall be concealed and architecturally integrated.

XII. RECYCLING

Recycling pick-up for businesses is provided within the City of Rio Rancho and is encouraged within Los Diamantes. To receive these services, business can purchase containers through the City (currently via a private provider). Site design shall accommodate recycling storage and pick-up.

XIII. MASS TRANSIT STOPS

The roadways adjacent to and through the Business Park shall be designed to accommodate transit stops in anticipation of future transit service within Rio Rancho. Transit shelters will be developed at such time as transit service is made available.

5. RIO RANCHO COMPREHENSIVE PLAN

The Los Diamantes Master Plan furthers and helps implement the Rio Rancho Comprehensive Plan. The Comprehensive Plan is a policy document that lays out goals, policies, and actions to guide growth and development in Rio Rancho. The Rio Rancho Comprehensive Plan is organized around nine fundamental principles, including:

- Annexations, Antiquated Platting & Addressing
- Conservation and the Natural Environment
- Land Use
- Population and Housing
- Transportation
- Public Facilities
- Parks and Recreation
- Urban Design
- Economic Development

The Los Diamantes Master Plan will implement these elements of the Rio Rancho Comprehensive Plan. An explanation of how the Plan meets and furthers the intent of the goals, policies, and actions under each element is included below.

ANNEXATIONS, ANTIQUATED PLATTING and ADDRESSING
The intent of the Annexations, Antiquated Platting, and Addressing element is to ensure proper platting and addressing within the City of Rio Rancho.

- Eliminate antiquated platting within the City of Rio Rancho where desirable.
- Identify alternative mechanisms to aide and encourage the consolidation of prematurely platted land.
- Require appropriate development standards for infrastructure and environmental improvements for both newly platted lots and antiquated lots.

The Los Diamantes Master Plan meets and furthers these goals and policies. The land has been assembled and will be platted according to City standards prior to development within the Plan Area. The Master Plan eliminates the challenges associated with antiquated platting by assembling land for a consolidated master planned community, providing adequate public infrastructure and paved roads to future residents, and addresses historical drainage patterns.

CONSERVATION and THE NATURAL ENVIRONMENT
The intent of the Conservation and the Natural Environment element is to ensure that sustainability is a key component of the City's growth. As development occurs, this element is intended to ensure that concerns such as water quality, air quality, water conservation, geological features, and soil conditions are taken into consideration when development decisions are made.

The Conservation and Natural Environment element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- Preserve water resources.
- Reuse and recycle materials, reduce waste and dispose of all wastes in a safe and responsible manner.
- Integrate site-specific development standards in areas where arroyos exist to manage and protect the functions of these critical areas.
- Provide incentives for developers to implement the use of low impact development techniques and green building practices.
- Develop and protect a public open space network.

The Los Diamantes Master Plan takes into consideration environmentally friendly building practices. Builders at Los Diamantes are encouraged to join green building programs and employ green building techniques.

The use of drought tolerant and native landscaping materials is required. A coordinated pedestrian network is established throughout the Plan Area to help foster non-vehicular mobility and accessibility and decrease vehicular pollution. An open space network will be provided that includes parks and trails to give residents recreation opportunities and non-motorized transportation alternatives.

The Master Plan maintains and improves natural resources in Rio Rancho through support for recycling, water conservation, transportation alternatives, and the use of renewable resources. Grading and development activities will be managed to prevent flood and erosion damage. A pond is proposed to capture and manage flows in the existing Rainbow Tributary and will also reserve land in an open, natural condition.

LAND USE, POPULATION and HOUSING

The intent of the Land Use and Population and Housing elements of the Rio Rancho Comprehensive Plan are to ensure the city has a balance of land uses that supports employment, creates a neighborhood identity, fosters human interaction, and provides a variety of quality housing for all segments of Rio Rancho's population.

The Land Use and Population and Housing elements of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- Encourage mixed uses – retail, office, and residential centered on pedestrian-oriented development along principal arterial roads.
- Maintain a balance of land uses throughout the City.
- 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.
- Promote and support developments that incorporate walkability.
- Maintain the strength, vitality, and stability of all residential neighborhoods and types.

- Promote a variety of housing types to meet the needs of all members of the community.
- To ensure that single-family and multi-family residential neighborhoods provide an attractive living environment.
- Support residential development with appropriate amenities for families with children.

The Los Diamantes Master Plan meets these objectives by providing a range of land uses. The Master Plan calls for a mix of land uses that will accommodate a diversity of single-family and multi-family housing, employment, and retail service options for residents. Land uses include office, commercial, business park, and residential. Los Diamantes is located west of Unser Boulevard and residents living in Los Diamantes will additionally have convenient access to employment, education, and commercial services in the Unser Gateway area. The Los Diamantes Master Plan is consistent with and furthers the City of Rio Rancho's Generalized Land Use Plan recently adopted by the governing body.

The Master Plan's residential and business park design standards promote a strong community character. Dedicated park land and trails are included in the Master Plan to encourage neighborhood vitality and social interaction. Rio Rancho Public Schools plans to build three schools in proximity to the Plan Area to ensure the residential development will be served sufficient educational opportunities for families with children.

The Los Diamantes Master Plan will primarily utilize existing City of Rio Rancho zoning categories. The City is creating a new Business Park zoning designation for the north side of the Plan Area. Development will conform to the design standards contained in this Master Plan.

TRANSPORTATION

The intent of the Transportation element of the Rio Rancho Comprehensive Plan is to establish a long-range transportation network to meet local and regional circulation needs and develop land uses that are benefited by and supportive of mass transit. A multi-modal transportation system to move people and goods is encouraged.

The Transportation element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- A balanced transportation system that provides access to a variety of transportation options….
- Plan key arterial routes that are essential for the efficient movement of goods with freight in mind….

A Traffic Impact Study has been provided to ensure that new residential, commercial, and business park development will not compromise the existing transportation network. Walkways and pedestrian corridors will be provided both as sidewalks along the roadways and within park land and trail corridors. Pedestrian and bicycle connections have been considered for arterial and collector roadways and within trail corridors.

There are plans to extend Westside Boulevard to increase connectivity between the development and other areas of Rio Rancho, while also keeping the integrity of a coordinated pedestrian network.

PUBLIC FACILITIES

The intent of the Public Facilities element of the Rio Rancho Comprehensive Plan is to focus development into areas of the city that already have well established public facilities and minimize the difficulties, due to antiquated platting, of providing infrastructure within the City.

The Public Facilities element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- Make land use recommendations based on the availability of adequate public facilities necessary to support a proposed land use.

The Master Plan is strategically located in an area of Rio Rancho where the project will be able to connect to existing infrastructure and is a logical location for urban expansion. The City considered proper access to schools, police, fire, and emergency services when it adopted the Generalized Land Use Plan. The Los Diamantes Master Plan is in compliance with and furthers the Generalized Land Use Plan. Police, fire, and emergency rescue services impacts will be considered in all future development plans.

PARKS and RECREATION

The intent of the Parks and Recreation element of the Rio Rancho Comprehensive Plan is to ensure that as the City develops, amenities such as parks and recreation facilities are provided for the growing population. The Parks and Recreation element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- 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.
- Be responsive to the recreational needs of the community.
- Provide a variety of quality of life services to meet community needs, assuring that there are strong relationships with all sectors of the community and ample opportunities to foster human interaction.
- Develop pedestrian and bicycle linkages between neighborhoods and major natural areas, recreation facilities, education, employment, and retail centers.

The Los Diamantes Master Plan provides well-connected park land and trail corridors to meet the goals of the Rio Rancho Comprehensive Plan. The Plan Area will dedicate the necessary park land and trail corridors per the subdivision ordinance. Fulfilling this requirement will ensure the Master Plan is responsive to the parks and recreation needs of new residents, employees, and the entire community. Through parks and recreation, the Master Plan supports a community and economy intended to improve the lives of its residents and employees.

URBAN DESIGN

The intent of the Urban Design element of the Comprehensive Plan is to ensure that development follows design standards that help to achieve the creation of community identity and aesthetic quality. The Urban Design element of the Comprehensive Plan include some of the following goals, policies, and actions which are relevant to the Los Diamantes Master Plan:

- Create traditional neighborhood patterns that support a sense of place.
- Create street patterns with development that fosters human interaction.
- Create safe developments that discourage crime.
- Support development that links neighborhoods and encourages the use of all modes of transportation.
- Embrace the use of xeriscape landscaping.

Design features within the Los Diamantes Master Plan will highlight streetscapes, multi-use paths, perimeter walls, gateways, and pedestrian connections to create a community identity and promote aesthetic quality. Design standards created for the Plan Area are designed to expand on the City's Zoning Ordinance and will provide unified streetscapes, unified signage design, and perimeter and wall entry design. Street patterns will be designed to foster human interaction and discourage crime. Native and xeric plant species will be required and water harvesting and irrigation requirements will be included in any future landscape plans.

ECONOMIC DEVELOPMENT

The primary goal of the economic development element is to expand employment opportunities, provide a mix of jobs, support existing retail and service needs as well as provide infrastructure to support and attract existing and new businesses.

- Create jobs.
- Enhance the tax base.
- Expand the economic base of Rio Rancho.

The importance of economic development is amplified by Mayor Hull's stated goal of making the City of Rio Rancho "an environment attractive to job creation". Los Diamantes helps realize this goal through the creation of a new high-quality business park. The Los Diamantes Master Plan will consist of a large business park on the north side of the Plan Area supporting a wide variety of potential employers and new industry in Rio Rancho. This "across the river" job center will support approximately 1,400 jobs and large parcels of land with accessibility to several major arterials will be desirable for future employers. The City should also consider development incentives to attract employers and commercial services to Los Diamantes by providing an expedited development review process. An increase in economic base job creation will support a larger future increase in retail and service-based businesses, thus decreasing retail leakage to Albuquerque. The large business park will provide the necessary infrastructure and land needed to incentivize companies to locate in Rio Rancho.

The business park and residential uses will be served and supported by a mix of retail uses, such as restaurants, banks, dry cleaners, etc., providing a balance of employment and residential land uses within Los Diamantes. Providing retail and other commercial options will keep Rio Rancho residents from spending money in Albuquerque and grow the service-sector base of the City.

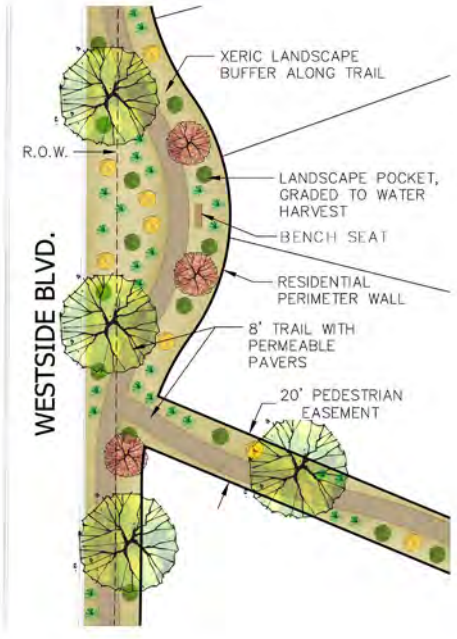
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6. PARKS AND TRAILS

Los Diamantes proposes to provide a significant recreational component to its new land use mix. It is anticipated that approximately 1,600 residents will reside here. Parks will be provided at or exceeding City of Rio Rancho standards (which is more than 4 acres for the Master Plan Area).

A. Non-Vehicular Circulation:
Paved trails and sidewalks are proposed inside and around the perimeter of Los Diamantes to create a pedestrian friendly environment. Paved pathways and sidewalks will be incorporated into the streetscape. The intent is to encourage residents and employees of the Business Park to walk or bike to and from work, education facilities, and for recreation.

The internal parks will be linked to the paved trail and sidewalk network. There will be approximately 3,450 linear feet of trails within the Plan Area in addition to City standard sidewalks along all roadways throughout the development. These trails and sidewalks will create a comprehensive network within the Master Plan. The trails will be maintained by the HOA. Pedestrian access points will be placed throughout the trail network.



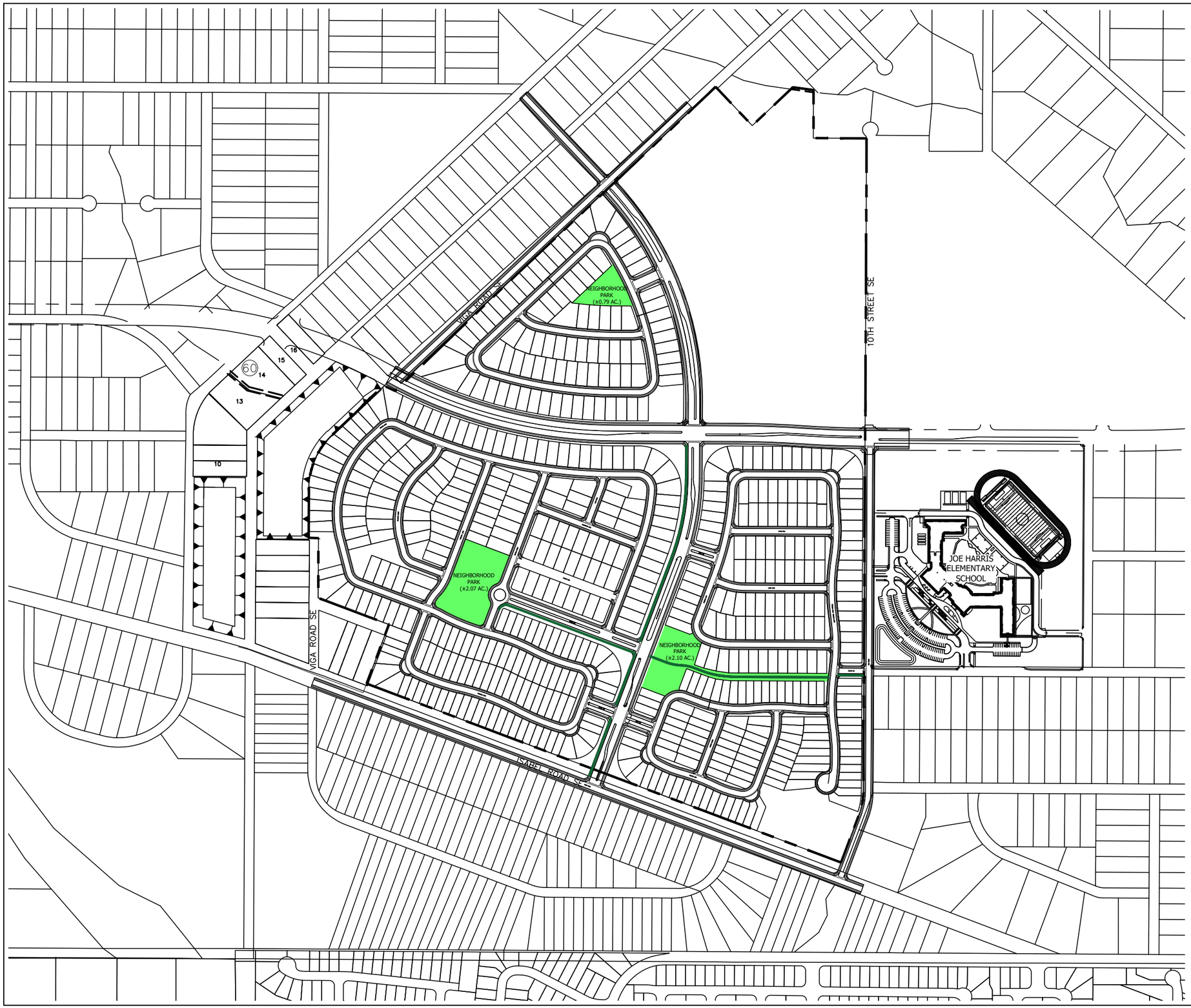
CONCEPTUAL LANDSCAPE POCKET

B. Neighborhood Parks

There are three parks proposed along the principal interior access and circulation routes for each neighborhood in Los Diamantes. Two neighborhood parks approximately two acres in size are proposed in the neighborhoods south of Westside Boulevard, and are designed to provide recreational opportunities for resident's living in the immediate neighborhoods and will feature age-dependent amenities. These parks will be designed and constructed according to the City's DPM standards, with an understanding that they will be dedicated to the City's Parks and Recreation Department. The developer of Los Diamantes will dedicate the land and install park improvements. A third, smaller park is located within the proposed single-family neighborhood located north of Westside Boulevard. This park will serve the residents of this small residential subdivision.



Conceptual Neighborhood Park Design



NEIGHBORHOOD PARK
(±5 ACRES)

TRAIL SYSTEM
(±3,450 LF OF TRAILS)

N

500' 250' 0 500' 1000'

SCALE: 1" = 500'

CONSENSUS PLANNING

LOS DIAMANTES

Parks and Trails

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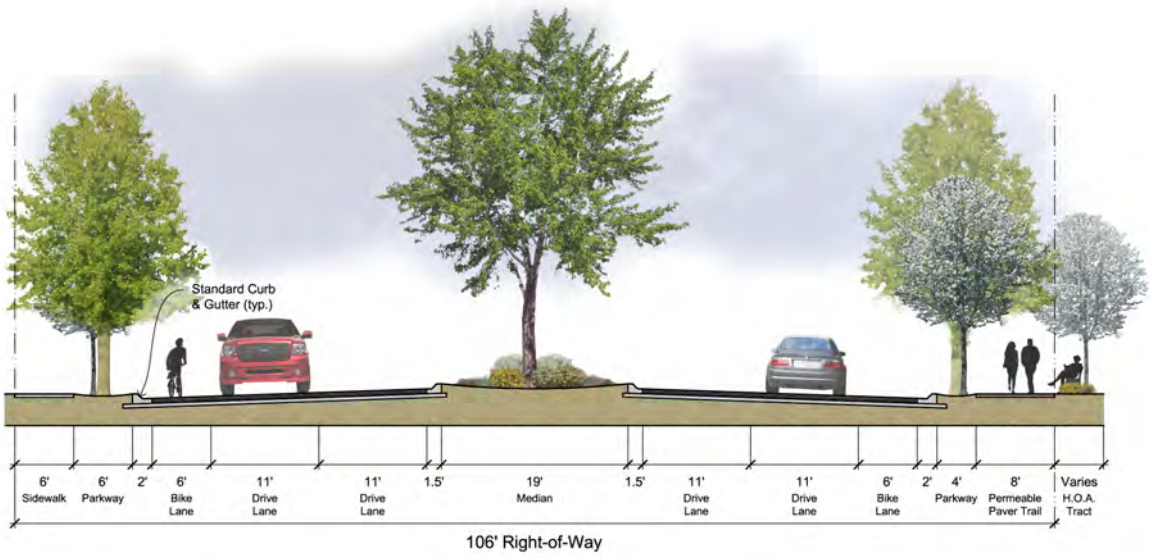
7. TRANSPORTATION ANALYSIS

Los Diamantes is located approximately one mile west of Unser Boulevard which is classified as a Principal Arterial and approximately one-half mile south of Southern Boulevard which is also classified as a Principal Arterial. The property is bisected by the unimproved Westside Boulevard which has been classified as a Minor Arterial by the Mid-Region Council of Governments, MRCOG. To the south, Isabel Road intersects Black Arroyo Road at the Municipal Boundary with the City of Albuquerque. Black Arroyo Road (City of Albuquerque) is classified as a collector.

For its principal access route, Los Diamantes will rely upon the improved Westside Boulevard. It is anticipated that Westside will be improved in phases with two lanes being required from Unser to the east boundary at 10th Street for the full build out of this project. Westside will be built to its' full section as it goes through Los Diamantes. This will also be done in phases. A Traffic Impact Study performed specifically for this project indicates that the City's local street network has adequate capacity for the vehicular impacts generated by Los Diamantes.

All new streets proposed within Los Diamantes will be improved to City of Rio Rancho Standards including the perimeter streets of Isabel, Viga, and 10th Street as phased development occurs. For the three primary circulation routes within the project, 8-foot paved meandering trails will be installed on one side along with common area landscaping in lieu of the typical 5' sidewalk.

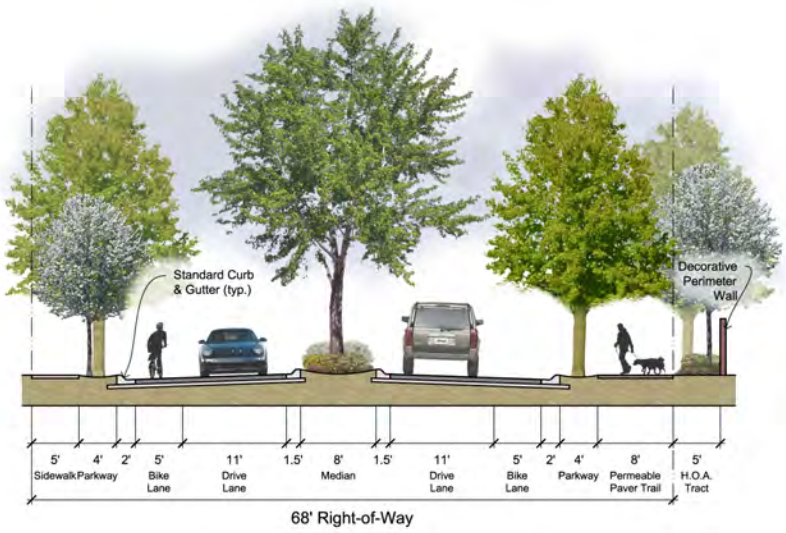
All of the trails and common area landscaping will be HOA maintained.



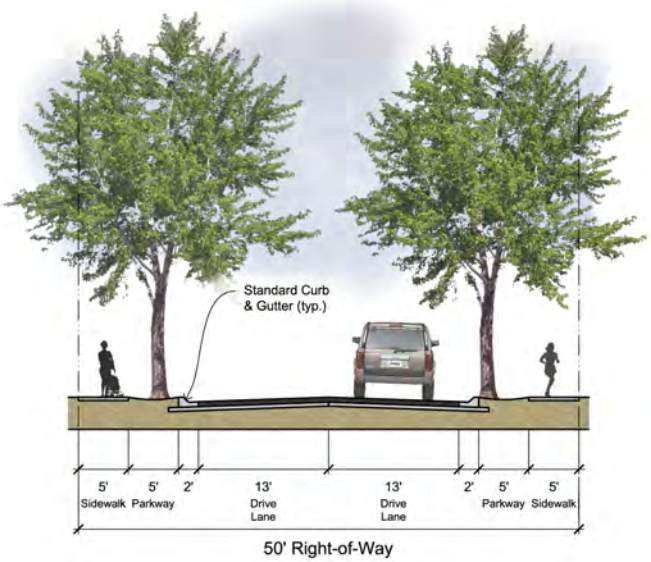
Minor Arterial - Westside Boulevard

Traffic Impact Study

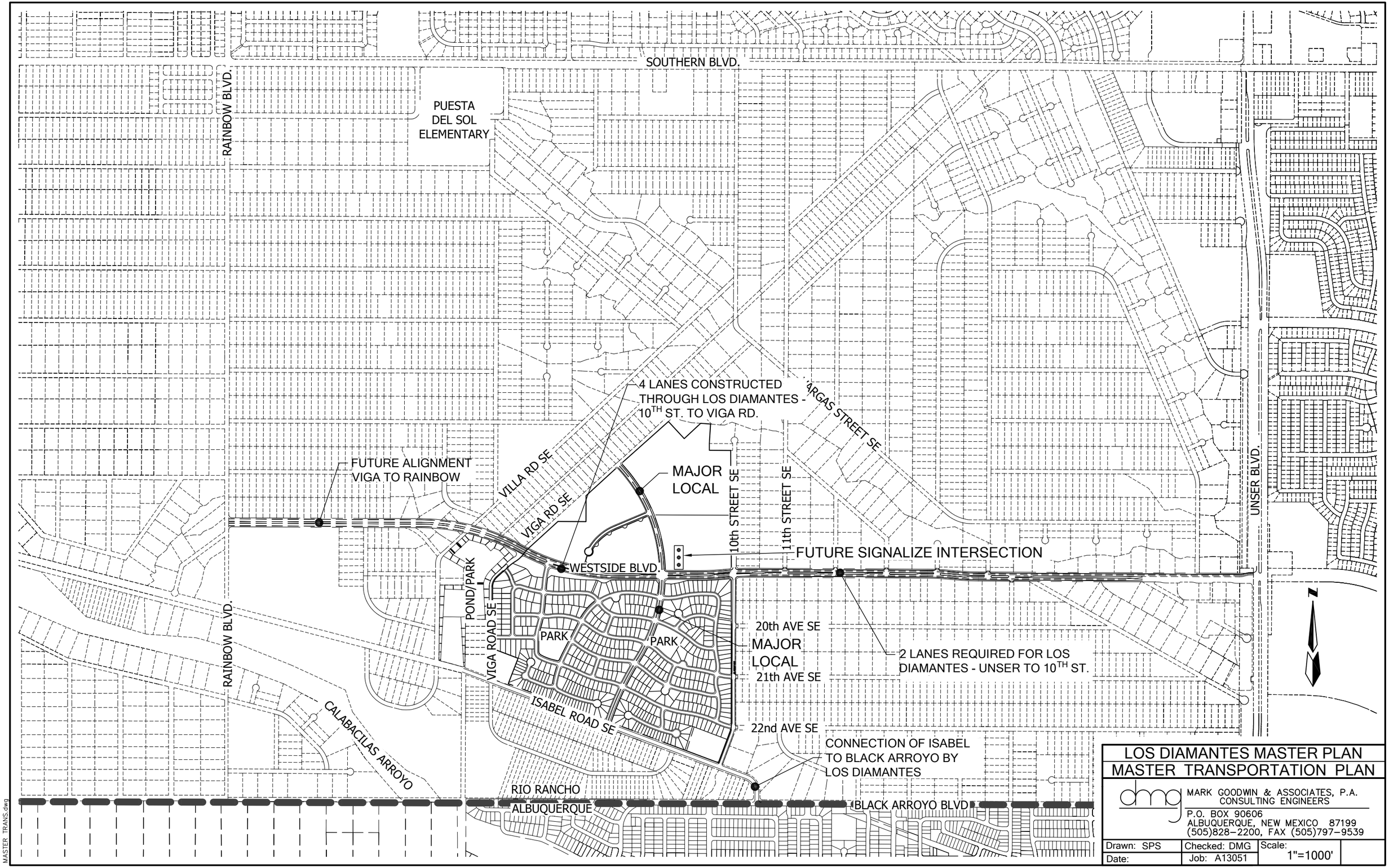
A traffic impact study was performed for Los Diamantes in March 2015. The executive summary of that study is included as Appendix C of this document. The traffic study includes conclusions and recommendations for the transportation network within the Plan Area and how the Plan should be regionally and locally accessed.



Local Street with Trail



Local Street



LOS DIAMANTES MASTER PLAN
MASTER TRANSPORTATION PLAN

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MASTER TRANS.dwg

8. CONCEPTUAL DRAINAGE PLAN

The Los Diamantes development is encumbered by a FEMA Zone A flood plain created by the Rainbow Tributary to the Calabacillas Arroyo. The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood. The Rainbow Tributary originates within the City of Rio Rancho above Southern Blvd. and ends at the Municipal Boundary with the City of Albuquerque where it enters an existing 108" Storm Drain maintained by the City of Albuquerque for conveyance to the Calabacillas Arroyo (see page 47) The Rainbow Tributary was studied as part of SSCAFCA's Calabacillas Watershed Management Plan.

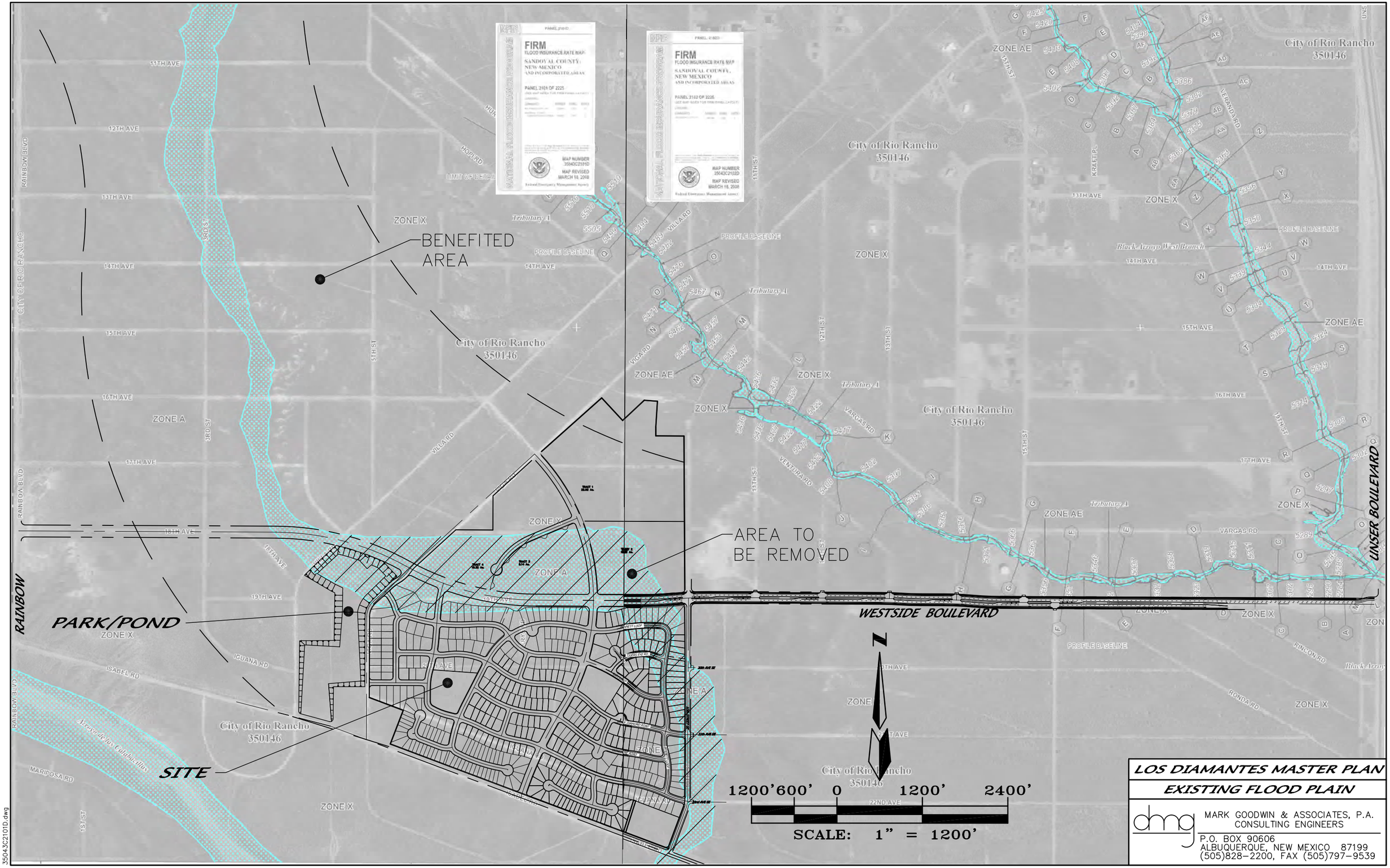
The Los Diamantes Drainage Management Plan, (DMP), proposes to intercept the Rainbow Tributary at the Western Boundary of the subdivision in a large Regional Pond. The Regional Pond will allow for the removal of the FEMA Flood Plain through the project. This pond will benefit approximately 700 acres of land outside of Los Diamantes by allowing those properties to develop without on-site drainage controls. The pond will also provide for a significant upgrade in the water quality of the released flow.

In coordination with SSCAFCA, the Regional Pond is designed to contain both the 10-year, 24-hour storm volume as well as provide flood protection from less frequent, larger storm events up to and including the 100-year storm event. It is proposed that SSCAFCA operate and maintain the pond facility.

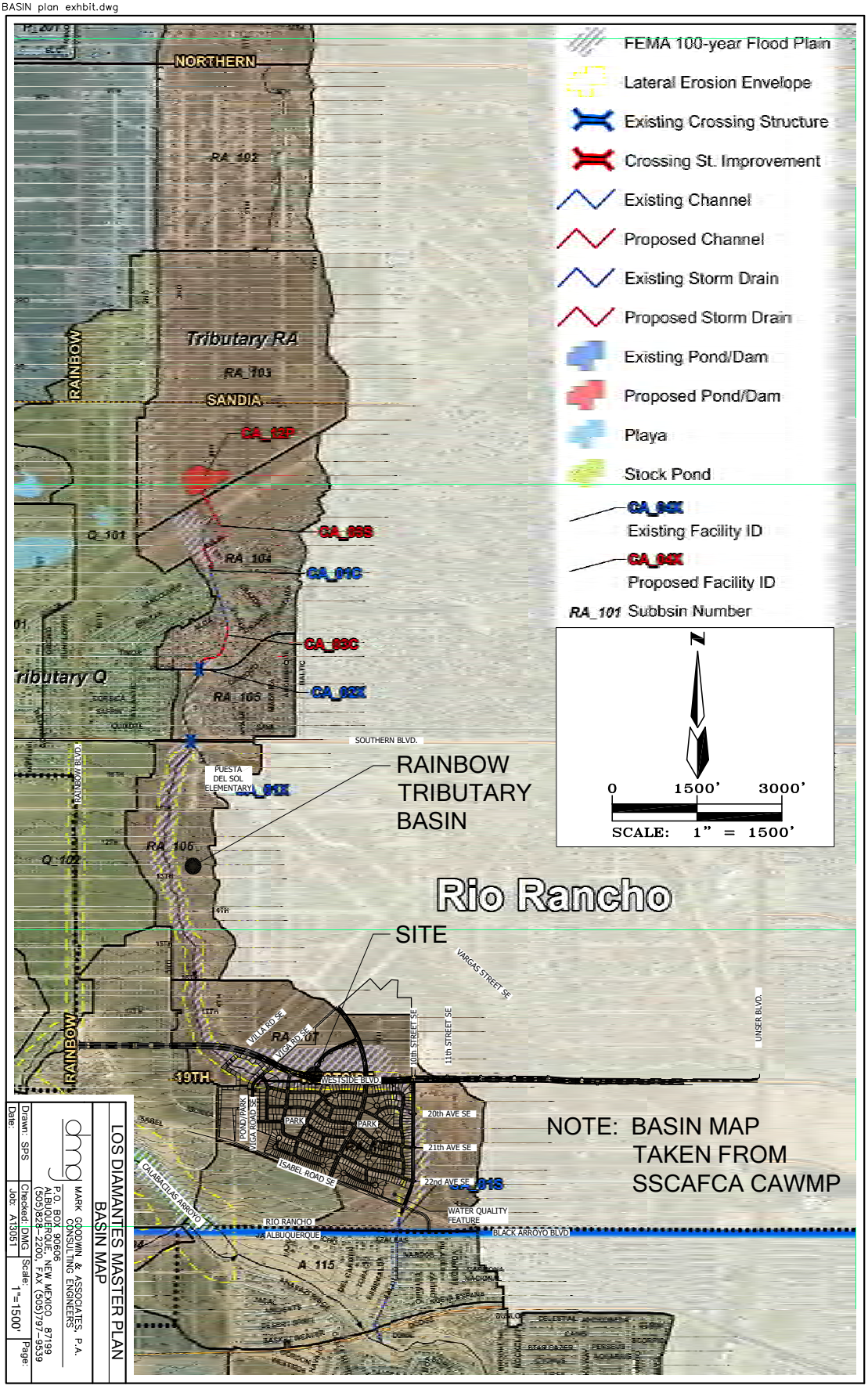
Both the Business and Residential components will drain to an internal storm drain network that will discharge to an on-site Water Quality Pond prior to the flows being released to the existing 108" Saltillo storm drain. Water Quality will be enhanced as well as some Water Harvesting. Detention times will be such that significant amounts of urban debris, sediments, oils, and heavy metals will be removed. It will also allow for infiltration to occur.

With the approval of SSCAFCA and the City of Rio Rancho, the analysis and design of the regional Pond will be submitted for FEMA for a Conditional Letter of Map Revision (CLOMR). Upon receipt of the CLOMR, construction would occur. When construction is complete, a Letter of Map Revision (LOMR) will be issued by FEMA.

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FIRM
FLOOD INSURANCE RATE MAP
SANDOVAL COUNTY, NEW MEXICO
AND INCORPORATED AREAS
PANEL 2101 OF 2225
MAP NUMBER 35043C2101D
MAP REVISED MARCH 16, 2008
PANEL 2102 OF 2225
MAP NUMBER 35043C2102D
MAP REVISED MARCH 16, 2008
BENEFITED AREA
AREA TO BE REMOVED
PARK/POND
SITE
ZONE X
ZONE A
ZONE AE
City of Rio Rancho 350146
Tributary 1
Black Arroyo West Branch
PROFILE BASELINE
LIMIT OF DETAIL
RAINBOW BLVD
CITY OF RIO RANCHO
11TH AVE
12TH AVE
13TH AVE
14TH AVE
15TH AVE
16TH AVE
17TH AVE
18TH AVE
19TH AVE
20TH AVE
22ND AVE
3RD ST
5TH ST
11TH ST
12TH ST
13TH ST
14TH ST
15TH ST
VILLA RD
VIGA RD
VARGAS RD
VENTURA RD
KRAFT PL
VERANDA RD
WESTSIDE BOULEVARD
UNSER BOULEVARD
PINON RD
RONDA RD
IGUANA RD
ISABEL RD
MARIPOSA RD
Arroyo de los Caballos
N
1200'600' 0 1200' 2400'
SCALE: 1" = 1200'
LOS DIAMANTES MASTER PLAN
EXISTING FLOOD PLAIN
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BASIN plan exhbit.dwg



LOS DIAMANTES MASTER PLAN
BASIN MAP

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NOTES:

1. DETAILED DRAINAGE REPORT AND GRADING PLANS TO BE PREPARED FOR PRELIMINARY PLAT SUBMITTAL / APPROVAL.
2. CAPACITY OF EXISTING 108" SD TO CALABACILLAS IS 1328 cfs ±
3. SSCAFCA PROJECT N. OF SUBASIN 102 PROPOSES TO DISCHARGE 100 cfs± SOUTH IN A SD IN 10TH STREET.

BASIN	AREA	*Q_{100}	SD	
101	82 AC.	375 cfs	60"	
102	20 AC.	176 cfs	48"	
103	25 AC.	200 cfs	54"	
104	22 AC.	198 cfs	72"	(incl. 101)
105	18 AC.	162 cfs	42"	
106	11 AC.	110 cfs	60"	(incl. 103)
107	17 AC.	136 cfs	84"	(incl. 101, 105, 104)
108	10 AC.	100 cfs	66"	(incl. 103, 106)
	195 AC	1457 cfs		

* RUNOFF CALCULATIONS HAVE NOT TAKEN INTO ACCOUNT WATER HARVESTING MEASURES.

RAINBOW TRIBUTORY

SSCAFCA PROJECT

SUBBASIN 101

SUBBASIN 102

SUBBASIN 103

SUBBASIN 104

SUBBASIN 105

SUBBASIN 106

SUBBASIN 107

SUBBASIN 108

POND/PARK

PARK

WATER QUALITY FEATURE

OUTFALL SD

HEADWALL

EXISTING 108" SD

CALABACILLAS ARROYO

RIO RANCHO

ALBUQUERQUE

VILLA RD SE

VARGAS STREET SE

WESTSIDE BLVD.

100th STREET SE

20th AVE SE

21th AVE SE

22nd AVE SE

ISABEL ROAD SE

LOS DIAMANTES MASTER PLAN
CONCEPTUAL STORM DRAIN LAYOUT

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CONCEP STORM DRAIN.dwg

9. CONCEPTUAL UTILITY PLAN

Los Diamantes will be served by the City of Rio Rancho Utility Department.

Water

The proposed development is south of Southern Boulevard and west of Unser Boulevard in southwest Rio Rancho, New Mexico. The development is generally bounded by 17th Avenue to the north,10th Street to the east, Isabel Road to the south, and Viga Road to the west. The development is bisected by Westside Boulevard with the property north of Westside Boulevard planned for Business Park uses and residential development south of Westside Boulevard.

The property slopes from the west to the east/southeast ranging in elevation from approximately 5515' to 5410'.

Los Diamantes is located in Zone 3 of the City of Rio Rancho's water system. The source of supply for the proposed development is via gravity from Tank 6 which is located near Tulip Road and 2nd Street and from Tank 8 (via PRVs) once a connection to the 16" line in Southern Boulevard NE is completed. It is planned for a new Zone 3 tank to be constructed further south within the City limit sometime in the future at the same HGL as this area continues to develop. Currently, service to the project area can be provided without the proposed Zone 3 tank. In this area Tank 8 and Well 19 feed Zone 5 via gravity and Zone 4 through PRVs.

Due to the proximity of Well 19 and the hydraulic connectivity in this area, these facilities will provide service to Los Diamantes through pressure reducing valves (PRVs).

Currently, no piping exists to support this development. The nearest infrastructure is located in Zone 4 off Hopi Road and Villa Road southeast of Puesta del Sol Elementary School off Southern Boulevard. This development is served from a PRV with the backbone infrastructure being 10-inch waterline.

A 16-inch waterline exists in Rainbow Boulevard bringing Well 19 water to the south. There is also 16-inch waterline in Southern Boulevard in front of Puesta Del Sol Elementary school which brings water east along Southern Boulevard to the lower pressure zones. Approximately 2,150 feet of 16-inch waterline is required to connect in the 16-inch waterlines in Rainbow Boulevard and Southern Boulevard for redundant supply from Tank 8 to Los Diamantes. In addition, some minor looping in Zone 4 is recommended to connect the 8-inch waterlines southwest of Hopi Road to the 10-inch waterline in Villa Road for redundancy to supply the proposed PRV in Ark Road to bring supply to Los Diamantes from the west. Due to the demand on Tank 6 to feed existing customers, this will be the primary supply to Los Diamantes.

The feed (provided by Tank 6) to Los Diamantes will be extending the existing Zone 3 infrastructure from Southern Boulevard to Los Diamantes via a proposed 16-inch to extend along 15th Street and Viga Road North of Viga Road the 16-inch waterline and extends south along 11th Street to Westside Boulevard where it will tie into a proposed 20-inch waterline to bring water to Los Diamantes.

The waterline diameters required to bring water to Los Diamantes take into consideration the City's Master Plan for future growth. In the future, it is intended for supply from the lower pressure zones to potentially be pumped up to the higher zones using the Westside Boulevard corridor for redundancy. It is important for utilities such as this large diameter pipe, to be taken into consideration as well as the other utilities needed to serve this development during the planning stage.

The piping around the Los Diamantes development takes into consideration the City's Master Plan. A minimum 8-inch diameter pipe is proposed internal to the development.

Sanitary Sewer

Sewer service for Los Diamantes and all properties within the Rainbow Basin will require construction of a Sanitary Sewer Lift Station designed for a future population of nearly 2,000 dwelling units within nearly 500 acres. Future flows are anticipated to reach nearly 1 million gallons per day. Los Diamantes contribution to this will be on the order of 225,000 gallons per day. Internally, 8" lines will be used. Several collectors will be constructed north and west that will provide service to the remainder of the basin in the future. The Lift Station will be designed to accommodate all future flows, but construction will be phased as needed.

EX. WL
SOUTH EX. WL BLVD.
NEW 16" WL
RAINBOW BLVD.
PUESTA DEL SOL ELEMENTARY
EX. WL
EX. WL
EX. WL
EX. WL
EX. WL
EX. WL
EX. WL
NEW PRV
NEW 16" WL
VARGAS STREET SE
NEW 16" WL
VILLA RD SE
VIGA RD SE
NEW 10" WL
10th STREET SE
11th STREET SE
UNSER BLVD.
POND
WESTSIDE BLVD.
NEW 12" WL
PARK
VIGA ROAD SE
PARK
PARK
NEW 20" WL
20th AVE SE
NEW 8" WL
21th AVE SE
22nd AVE SE
RAINBOW BLVD.
CALABACILLAS ARROYO
ISABEL ROAD SE
WATER QUALITY FEATURE
RIO RANCHO
ALBUQUERQUE
BLACK ARROYO BLVD
N
NOTE: ALL INTERIOR WATER LINES TO BE 8".

LOS DIAMANTES MASTER PLAN
MASTER WATER UTILITY PLAN

MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

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Date:	Job: A13051		

WATER UTILITY.dwg

SOUTHERN BLVD.

RAINBOW BLVD.

PUESTA DEL SOL ELEMENTARY

NEW SEWER COLLECTOR

VILLA RD SE

VIGA RD SE

VARGAS STREET SE

10th STREET SE

11th STREET SE

UNSER BLVD.

WESTSIDE BLVD.

POND/PARK

PARK

PARK

VIGA ROAD SE

ISABEL ROAD SE

NEW SEWER COLLECTOR

20th AVE SE

21th AVE SE

22nd AVE SE

NEW 6" FORCE MAIN

EXISTING 10" SEWER LINE

REPLACE 3000 L.F. 12" SEWER LINE

WATER QUALITY FEATURE

RIO RANCHO

ALBUQUERQUE

BLACK ARROYO BLVD

NEW SEWER LIFT STATION (SIZED FOR 500 ACRES ±)

CALABACILAS ARROYO

NOTE: ALL INTERIOR SEWER LINES TO BE 8".

LOS DIAMANTES MASTER PLAN
MASTER SANITARY SEWER PLAN

MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

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Date:	Job: A13051	

SAS UTILITY.dwg

10. IMPLEMENTATION AND PHASING

The implementation of the Los Diamantes Master Plan shall occur at the time of the zone map amendment and platting except for the potential multi-family residential land use. A future zone map amendment will be required to implement that land use in a specific location, up to 15 acres in size, within the larger business park area of this Master Plan depending on absorption of the commercial uses.

1. All land use decisions shall be in compliance with the Los Diamantes Master Plan and in accordance with the City of Rio Rancho Department of Development Services, including right-of-way acquisition.

2. All infrastructure shall be planned and coordinated with City of Rio Rancho Department of Public Works, Department of Development Services, Department of Public Safety, PNM, and any other established entities working with Sandoval County and the City of Rio Rancho.

3. In order to uphold national standards for emergency response times, facility planning shall be coordinated with the City of Rio Rancho as houses are built.

4. The developer shall ensure that all open spaces, entryways, linear walkways, rights-of-way, and landscaped areas meet City standards as shown on landscape and irrigation plans that shall be approved by the City of Rio Rancho prior to final plat.

5. Open space and trails shall be developed; a portion of which shall count towards the park requirements established by the City of Rio Rancho.

6. The residential design standards included in this Master Plan shall be incorporated into the CC&Rs for each Los Diamantes residential subdivision.

7. The Developer intends to use Tax Increment District and Public Improvement District financing within the Master Plan Area. These financing mechanisms will be implemented through separate applications to the City of Rio Rancho.

Due to its relatively large size, Los Diamantes will be divided into three (3) phases, with 224 dwellings in Phase 1, 263 dwellings in Phase 2, and 91 dwellings in Phase 3. The availability of infrastructure and the Marketing Window were the primary determining factors in deciding to locate the first phase in the southeast corner of the property. Phase implementation will be a function of buyer demand and home builder preferences since it is anticipated that numerous homebuilders will be constructing a variety of housing types to get different price points.

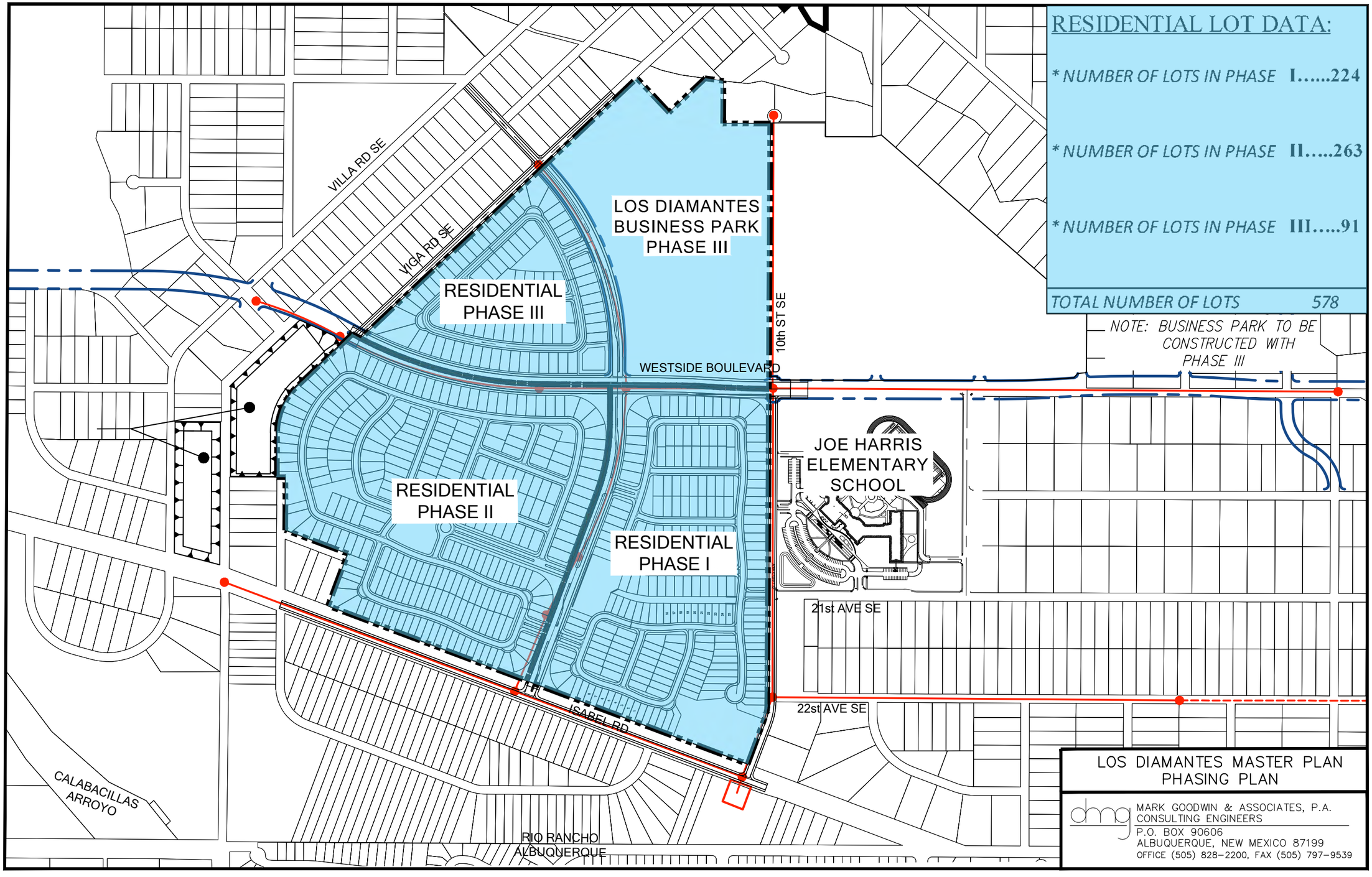
The site's terrain slopes down toward the southeast corner where the Water Quality drainage pond will be used to collect runoff from the first phase and all subsequent phases. A new storm drain will then extend further south to the existing 108" Storm Drain and eventually drain into the Calabacillas Arroyo.

Los Diamantes sanitary sewer outfall will also be to a new Lift Station at the southeast corner of Phase 1. Domestic water service to Phase 1 will come south down 11th from an existing line located in Southern Blvd. and on the north side of the site.

Vehicular access for Phase 1 will be via newly constructed Westside Boulevard. New roadways within and around the perimeter of Los Diamantes will also be constructed as new phases of this project are added.

Prior to Construction of Phase 1, an on-site Drainage Management Plan (DMP) will have to be developed and approved by SSCAFCA and the City of Rio Rancho. As mentioned previously, a study to Amend the SSCAFCA CAW MP for the Regional Pond will also require approval by SSCAFCA and City of Rio Rancho as well as a FEMA CLOMR.

Initiation of Phase 1 will require substantial outlays of capital to extend essential elements of infrastructure to this site. As a result, no neighborhood park improvements will be undertaken until Phase II.



RESIDENTIAL LOT DATA:

* NUMBER OF LOTS IN PHASE I	224
* NUMBER OF LOTS IN PHASE II	263
* NUMBER OF LOTS IN PHASE III	91
TOTAL NUMBER OF LOTS	578

NOTE: BUSINESS PARK TO BE CONSTRUCTED WITH PHASE III

LOS DIAMANTES MASTER PLAN
PHASING PLAN

MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
OFFICE (505) 828-2200, FAX (505) 797-9539

C:\Users\ssteffen\Documents\Los Diamantes\Arch\In\Goodwin\overall exhibit\ortho VIP 1.dwg
June 02, 2020 - 11:19am

11. APPENDICES

- Appendix A - Letters of Availability Page 59
- Appendix B - Economic Impact Assessment Page 73
- Appendix C - Traffic Impact Study Page 75
- Appendix D - Typical Trail Surfacing Page 83

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APPENDIX A WATER AND SEWER AVAILABILITY

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

March 10, 2015

Mr. Mark Goodwin, PE
President
Mark Goodwin & Associates, PA
8916 Adams St NE
Albuquerque, NM 87113

Re: Water System Availability – Los Diamantes Project – Unit 10, Rio Rancho, NM

Dear Mr. Goodwin:

Per your request, Bohannan Huston Inc. (BHI) performed an analysis of water availability for the proposed improvements for the Los Diamantes Project within Unit 10, in Rio Rancho, NM. BHI's analysis and results are presented below. Be advised that this letter serves as a recommendation only and is not to be considered an official commitment of water availability. Recommendations discussed herein may be revisited and potentially revised by the City of Rio Rancho Engineering and Utility Divisions prior to final plan acceptance. If development has not begun within 18 months of this letter the City of Rio Rancho may request this analysis be revised to take into consideration growth which has occurred over this period to verify recommendations are still valid.

We understand the proposed project consists of 450 new single family homes and 600,000 square feet of Business Park, with an average building size of 60,000 square feet. The total land area is approximately 175 acres. A preliminary pipe layout was not provided for this analysis.

BHI used the City of Rio Rancho Water and Wastewater Design Criteria Guidelines for this analysis.

Water Availability

I. General

The proposed development is south of Southern Blvd and west of Unser Blvd in southwest Rio Rancho, New Mexico. The development is generally bounded by 17th Ave to the north, 10th St to the east, Isabel Rd to the south, and Viga Rd to the west. The development is bisected by Westside Blvd with the property north of Westside Blvd intended for the Business Park and the residential development south of Westside Blvd. A vicinity map is included in Figure 1.

The property slopes from the west to the east/southeast ranging in elevation from approximately 5515' to 5410'.

Los Diamantes is located in Zone 3 of the City of Rio Rancho's water system. The source of supply for the proposed development is via gravity from Tank 6 which is located near Tulip Rd and 2nd St. and from Tank 8 (via PRVs) once a connection to the 16" line in Southern

Mark Goodwin
Mark Goodwin & Associates, PA

Blvd NE is completed. The hydraulic grade line (HGL) for this area is set by Tank 6 at approximately 5635'. It is planned for a new Zone 3 tank to be constructed further south within the city limit sometime in the future at the same HGL as this area continues to develop. Currently, service to the project area can be provided without the proposed Zone 3 tank. In this area Tank 8 and Well 19 feed Zone 5 via gravity and Zone 4 through PRVs. Due to the proximity of Well 19 and the hydraulic connectivity in this area, these facilities will provide service to Los Diamantes through pressure reducing valves (PRVs).

II. System Demands

The estimated demand for the residential development for Los Diamantes on an average day is 135,000 gallons. A peaking factor of 2.167 is used in the City of Rio Rancho Design Guidelines resulting in a peak day demand of 292,545 gallons per day, or 203 gallons per minute.

The estimated demand for the Business Park for Los Diamantes assumes a development type of Light Commercial which has an average day design demand of 1,750 gallons per day per acre. With this assumption the average day demand is calculated at 24,105 gallons. A peaking factor of 1.5 is used for non-residential demands resulting in a peak day demand of 36,160 gallons per day, or 26 gpm.

The system-wide diurnal curve, shown below in Table 1, was applied to the entire Los Diamantes peak day demands.

	Factor
1	0.99
2	0.71
3	0.72
4	0.69
5	0.76
6	1.05
7	1.38
8	1.76
9	1.43
10	1.24
11	1.05
12	0.89
13	0.85
14	0.75
15	0.82
16	0.82
17	0.75
18	0.67
19	0.81
20	1.04
21	1.32
22	1.38
23	1.12
24	1.08

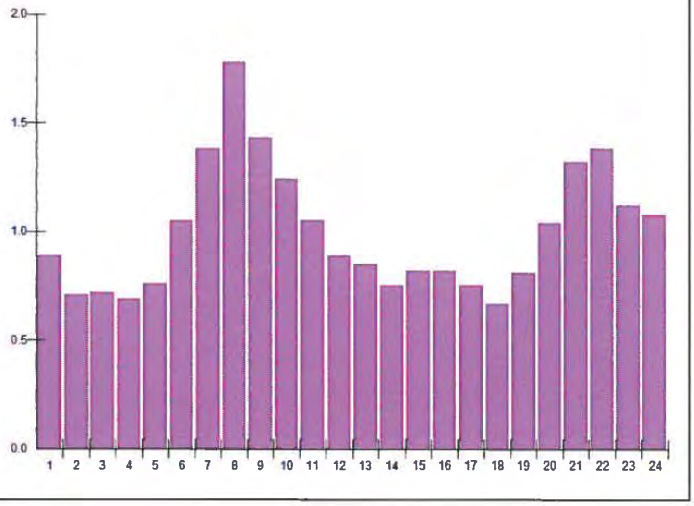


Table 1 – City of Rio Rancho Diurnal Pattern of Use

Mark Goodwin
Mark Goodwin & Associates, PA
February 25, 2015
Page 3

Per the City's Water and Wastewater Design Criteria, the required fire flow for residential demand is 1,500 gallons per minute and for Light Commercial development 3,000 gallons per minute. These fire flow where evaluated in the model using a residual fire flow pressure of 20 psi at the demand nodes.

III. Proposed Infrastructure and Analysis

Currently, no piping exists to support this development. The nearest infrastructure is located in Zone 4 off Hopi Rd and Villa Rd southeast of Puesta del Sol Elementary School off Southern Blvd. This development is served from a PRV with the backbone infrastructure being 10-inch waterline.

A 16-inch waterline exists in Rainbow Blvd bringing Well 19 water to the south. There is also 16-inch waterline in Southern Blvd in front of Puesta Del Sol Elementary school which brings water east along Southern Blvd to the lower pressure zones. Approximately, 2,150 feet of 16-inch waterline is required to connect in the 16-inch waterlines in Rainbow Blvd and Southern Blvd for redundant supply from Tank 8 to Los Diamantes. In addition, some minor looping in Zone 4 is recommended to connect the 8-inch waterlines southwest of Hopi Rd to the 10-inch waterline in Villa Rd for redundancy to supply the proposed PRV in Ark Rd to bring supply to Los Diamantes from the west. Due to the demand on Tank 6 to feed existing customers this will be the primary supply to Los Diamantes.

The feed (provided by Tank 6) to Los Diamantes will be extending the existing Zone 3 infrastructure from Southern Blvd to Los Diamantes via a proposed 16-inch to extend along 15th St and Viga Rd. North of Viga Rd the 16-inch waterline and extends south along 11th St to Westside Blvd where it will tie into a proposed 20-inch waterline to bring water to Los Diamantes.

The waterline diameters to bring water to Los Diamantes take into consideration the City's Master Plan for future growth. In the future, it is intended for supply from the lower pressure zones to potentially be pumped up to the higher zones using the Westside Blvd corridor for redundancy. It is important for utilities such as this large diameter pipe be taken into consideration as well as the other utilities needed to serve this development during the planning stage.

The piping around the Los Diamantes development takes into consideration the City's Master Plan. A minimum 8-inch diameter pipe should be internal to the development.

Using the proposed infrastructure and calculated demands the hydraulic model was run and peak hour pressures are calculated to range from 50 to 95 psi. Figure 2 summarizes these results as well as the existing and proposed pipes by diameter.

Additionally, the fire flow analysis was conducted under the fire flow demand stated previously. The model results are reflected in Figure 3, and fire flows exceed 3,000 gallons per minute in both the residential and business park areas.

IV. Recommendations

The proposed Los Diamantes development should be provided with service from Zone 4 (Tank 8 via PRV) and Zone 3 (Tank 6 via gravity) to provide redundant supply from two separate sources. Additional, piping outside of the subdivision area is required to provide supply from Tank 8 along with incorporation of future Master Plan utilities within Westside Blvd SE. This piping network is also required since the location of this study is segregated from current water infrastructure. Improvements noted will provide redundant supply with pressures and fire flows consistent with City standards.

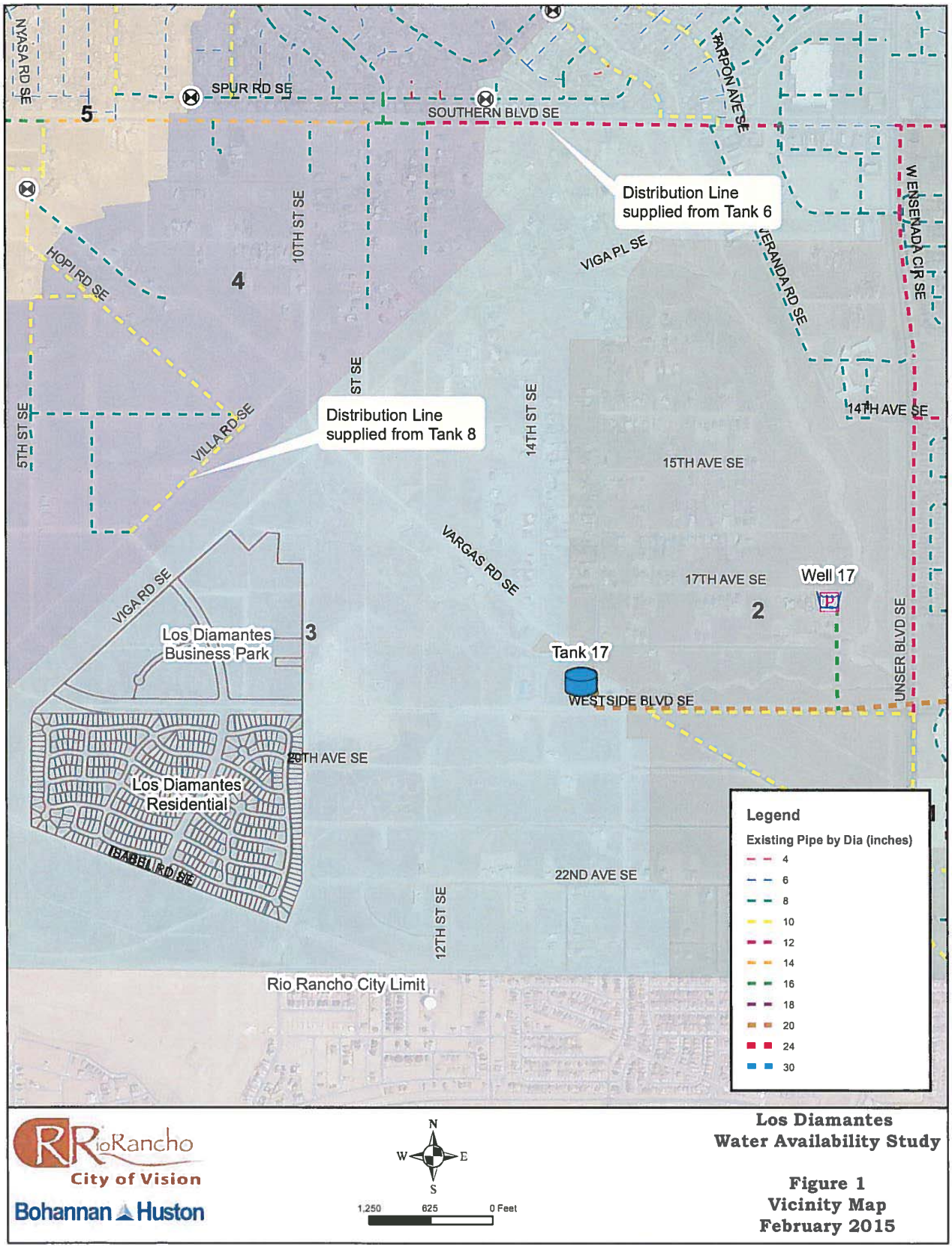
Sincerely,

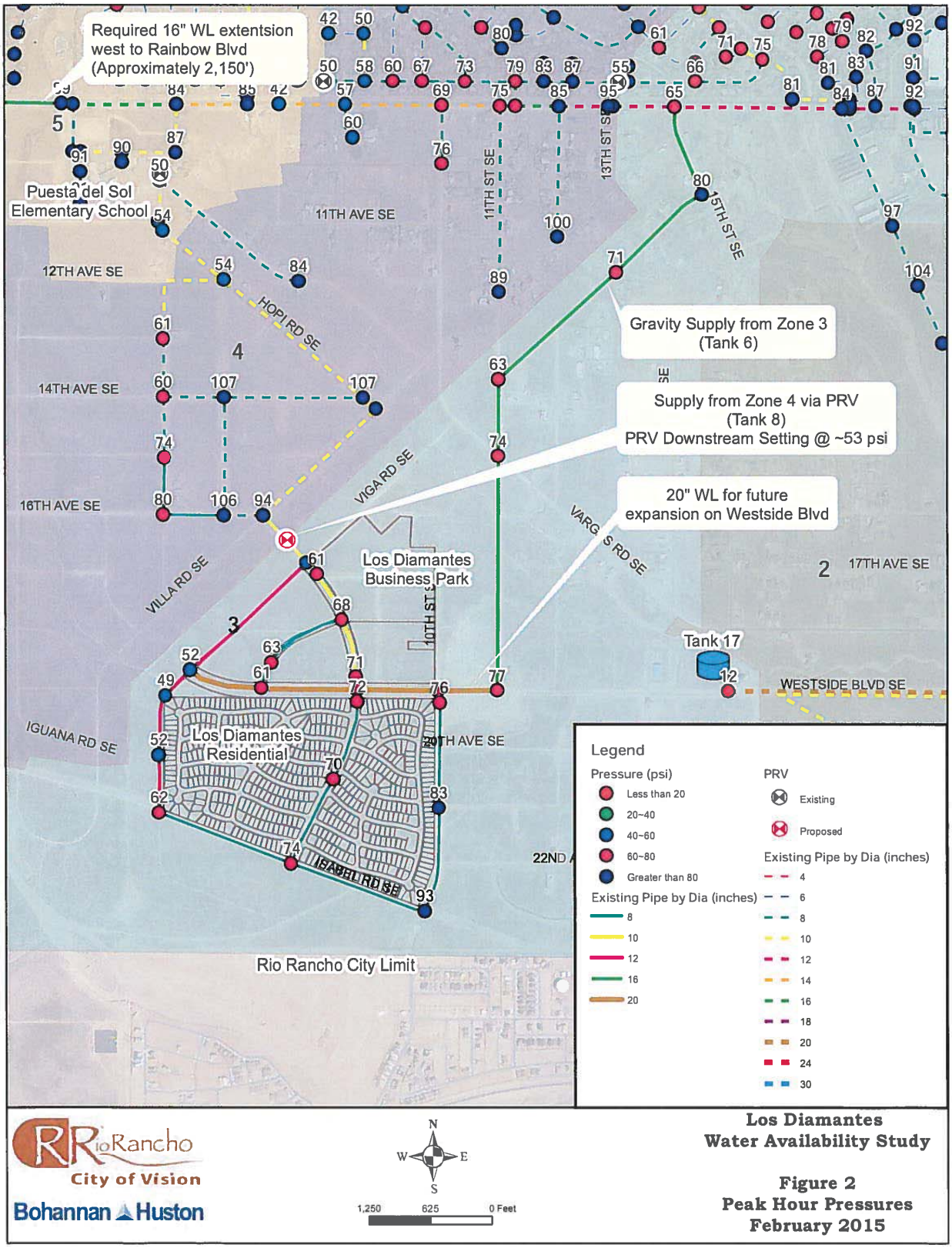
Nathan Roberts, P.E.
Engineer
Water Systems

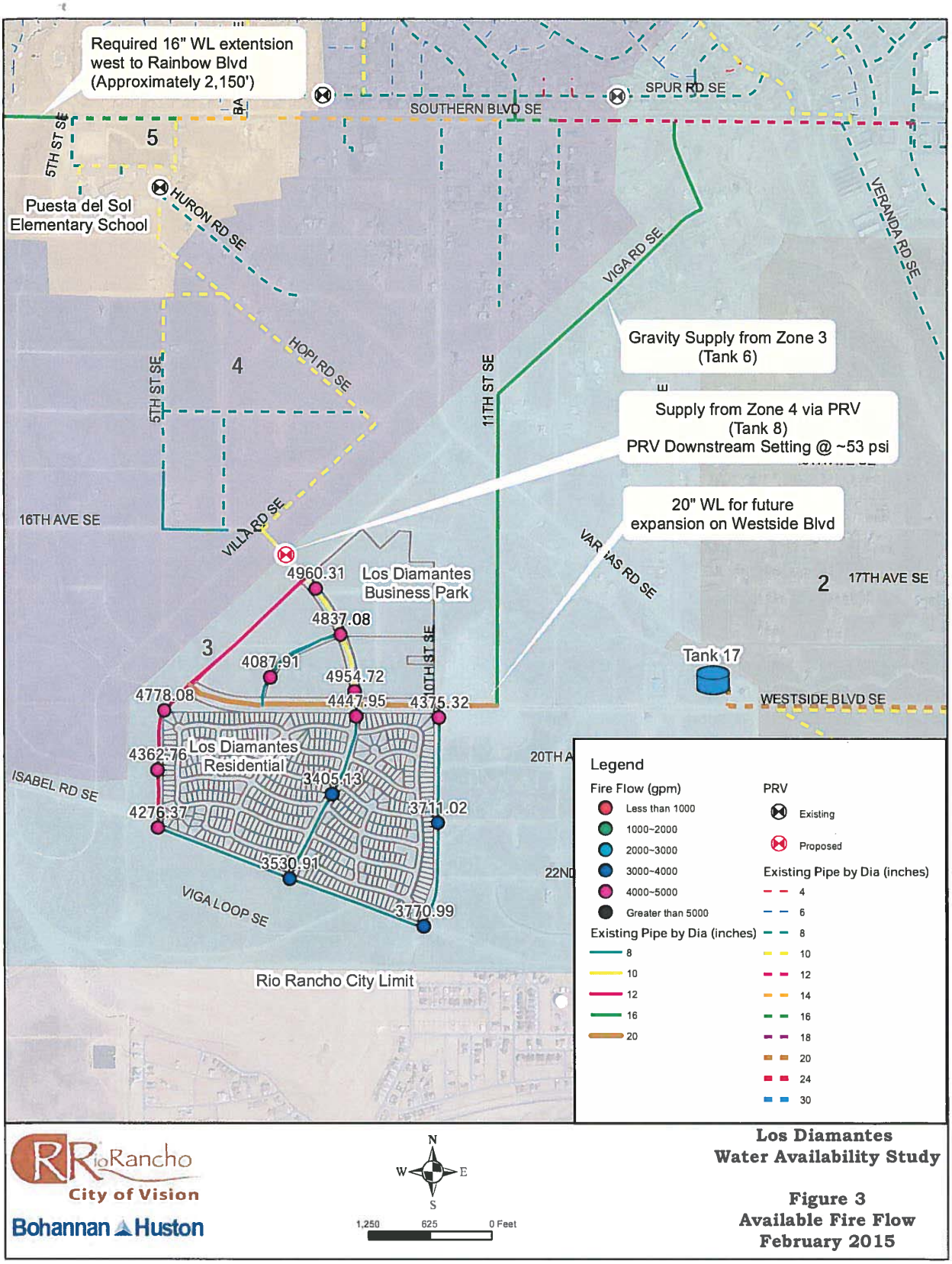
NR/le
Enclosures

cc: Steve Gallegos, CoRR Utilities Division (w/encls.)
Todd Burt, P.E., BHI (w/encls.)

P:\20150352\WR\Reports\Final\2015-02-25 Los Diamantes.docx


NYASA RD SE
SPUR RD SE
SOUTHERN BLVD SE
TARPON AVE SE
5
4
3
2
10TH ST SE
HOPI RD SE
VIGA PL SE
JERANDA RD SE
W ENSENADA CIR SE
Distribution Line supplied from Tank 6
Distribution Line supplied from Tank 8
5TH ST SE
VILLA RD SE
ST SE
14TH ST SE
14TH AVE SE
15TH AVE SE
VARGAS RD SE
VIGA RD SE
17TH AVE SE
Well 17
Los Diamantes Business Park
Tank 17
WESTSIDE BLVD SE
UNSER BLVD SE
20TH AVE SE
Los Diamantes Residential
ISABELL RD SE
22ND AVE SE
12TH ST SE
Rio Rancho City Limit
Legend
Existing Pipe by Dia (inches)
4
6
8
10
12
14
16
18
20
24
30
N
W
E
S
1,250
625
0 Feet
RioRancho
City of Vision
Bohannan Huston
Los Diamantes
Water Availability Study
Figure 1
Vicinity Map
February 2015


Required 16" WL extentsion west to Rainbow Blvd (Approximately 2,150')
Puesta del Sol Elementary School
11TH AVE SE
12TH AVE SE
14TH AVE SE
16TH AVE SE
17TH AVE SE
HOPI RD SE
VIGA RD SE
VILLA RD SE
IGUANA RD SE
VARGAS RD SE
WESTSIDE BLVD SE
11TH ST SE
13TH ST SE
15TH ST SE
10TH ST SE
ISABEL RD SE
Los Diamantes Business Park
Los Diamantes Residential
Tank 17
Gravity Supply from Zone 3 (Tank 6)
Supply from Zone 4 via PRV (Tank 8)
PRV Downstream Setting @ ~53 psi
20" WL for future expansion on Westside Blvd
Rio Rancho City Limit
Legend
Pressure (psi)
Less than 20
20~40
40~60
60~80
Greater than 80
Existing Pipe by Dia (inches)
8
10
12
16
20
PRV
Existing
Proposed
Existing Pipe by Dia (inches)
4
6
8
10
12
14
16
18
20
24
30
N
W
E
S
1,250
625
0 Feet
Rio Rancho
City of Vision
Bohannan Huston
Los Diamantes
Water Availability Study
Figure 2
Peak Hour Pressures
February 2015


Required 16" WL extentsion west to Rainbow Blvd (Approximately 2,150')
SOUTHERN BLVD SE
SPUR RD SE
5TH ST SE
5
Puesta del Sol Elementary School
HURON RD SE
VERANDA RD SE
VIGA RD SE
Gravity Supply from Zone 3 (Tank 6)
4
HOPI RD SE
11TH ST SE
Supply from Zone 4 via PRV (Tank 8)
PRV Downstream Setting @ ~53 psi
20" WL for future expansion on Westside Blvd
16TH AVE SE
VILLA RD SE
VAR IAS RD SE
4960.31
Los Diamantes Business Park
4837.08
2
17TH AVE SE
3
4087.91
4954.72
10TH ST SE
Tank 17
4778.08
4447.95
4375.32
WESTSIDE BLVD SE
Los Diamantes Residential
4362.76
3405.13
ISABEL RD SE
4276.37
3711.02
3530.91
VIGA LOOP SE
3770.99
Rio Rancho City Limit
Legend
Fire Flow (gpm)
Less than 1000
1000-2000
2000-3000
3000-4000
4000-5000
Greater than 5000
Existing Pipe by Dia (inches)
8
10
12
16
20
PRV
Existing
Proposed
Existing Pipe by Dia (inches)
4
6
8
10
12
14
16
18
20
24
30
RioRancho City of Vision
Bohannan Huston
N
W
E
S
1,250
625
0 Feet
Los Diamantes
Water Availability Study
Figure 3
Available Fire Flow
February 2015

NCS Engineers

ENGINEERING

March 27, 2015

Mr. Mark Goodwin, P.E.
D. Mark Goodwin & Associates, PA Consulting Engineers
PO Box 90606
Albuquerque, NM 87199
(505)-828-2200

Re: Sewer Availability Summary Report
Los Diamantes Business Park Project

Dear Mr. Goodwin:

We have reviewed your request for sewer availability for the proposed residential development bounded by Isabel Rd. SE, Villa Rd. SE, and 10th St. SE. The development proposes to connect to pump to the gravity line in 21st Avenue along the east side of the development.

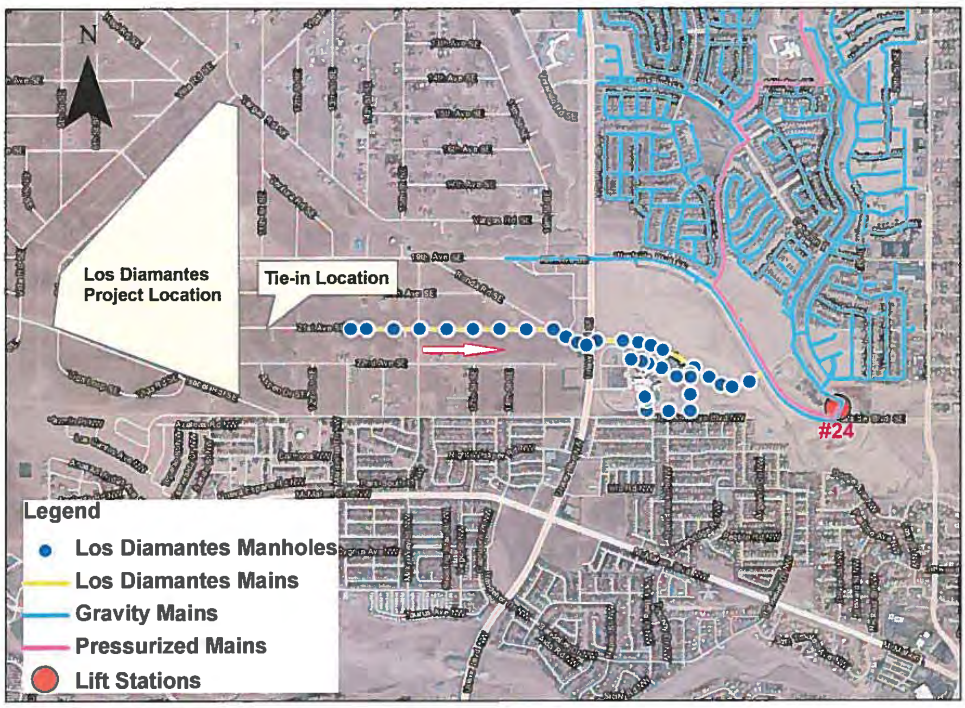
The proposed project includes 450 single family residential homes to be constructed in a 600,000 square feet area and part of a business park and is located north of Isabel Road SE approximately between 10th Street SE and 5th Street SE. The sanitary waste from the proposed subdivision will discharge to the 8-inch sewer in 21st Avenue, then increases to a 12- inch on Wellspring Blvd before discharging to a 15-inch sewer on Westside Blvd and ultimately to WWTP 6. Loadings were projected by using the Rio Rancho Wastewater Design Standards and classified as "Residential" at 175 gal/ac-day. This equates to a total of 54.68 gpm for average day and a peak load of 164 gpm, which is 3 times the average day.

The sewer availability was reviewed for the project, at the tie location, and considered downstream impacts at the wastewater facilities. The offsite infrastructure is assumed to tie into the 8-inch sewer line in 21st avenue. The project area is shown in Figure 1 (vicinity map).

3188 Southern Blvd, Suite A, Rio Rancho, NM 87124 • T: 505 896 7761 • F: 505 896 1985

Mr. Mark Goodwin
March 27, 2015
Page No. 2

Figure 1: Vicinity Map



Summary of Findings

Available capacities do exceed calculated full flow capacities along the trajectory to WWTP6. The minimum available capacity in the trajectory is reported at 0 gpm. The hydraulic profile also shows that the maximum hydraulic grade do surpass the criteria for the sewer line.

Figure 3 presents the maximum d/D ratio in the route from the project site to the WWTP 6. The maximum d/D ratio does exceed 75%.

Figure 4 presents the flows for the pipes in the project route.

The modeling results indicate that the City's sewer system cannot support the buildout of this project with the existing infrastructure. This analysis concludes that the City of Rio Rancho does not have sufficient capacity along this route to allow wastewater from this development without exceeding City criteria for available capacity, and maximum d/D. Possible mitigation measures can support the proposed development such as the following in order to the flows to meet the City's criteria.

1) Field verify the inverts associated with the problem area (implemented from the City's GIS) to ensure slopes are correct and carrying capacities are accurate.
2) Realign the construction of the slopes of the 12-inch pipes.
3) Construct a parallel sewer.

We encourage you to check with the City on these alternatives and associated costs. This may provide an opportunity for your development to move forward.

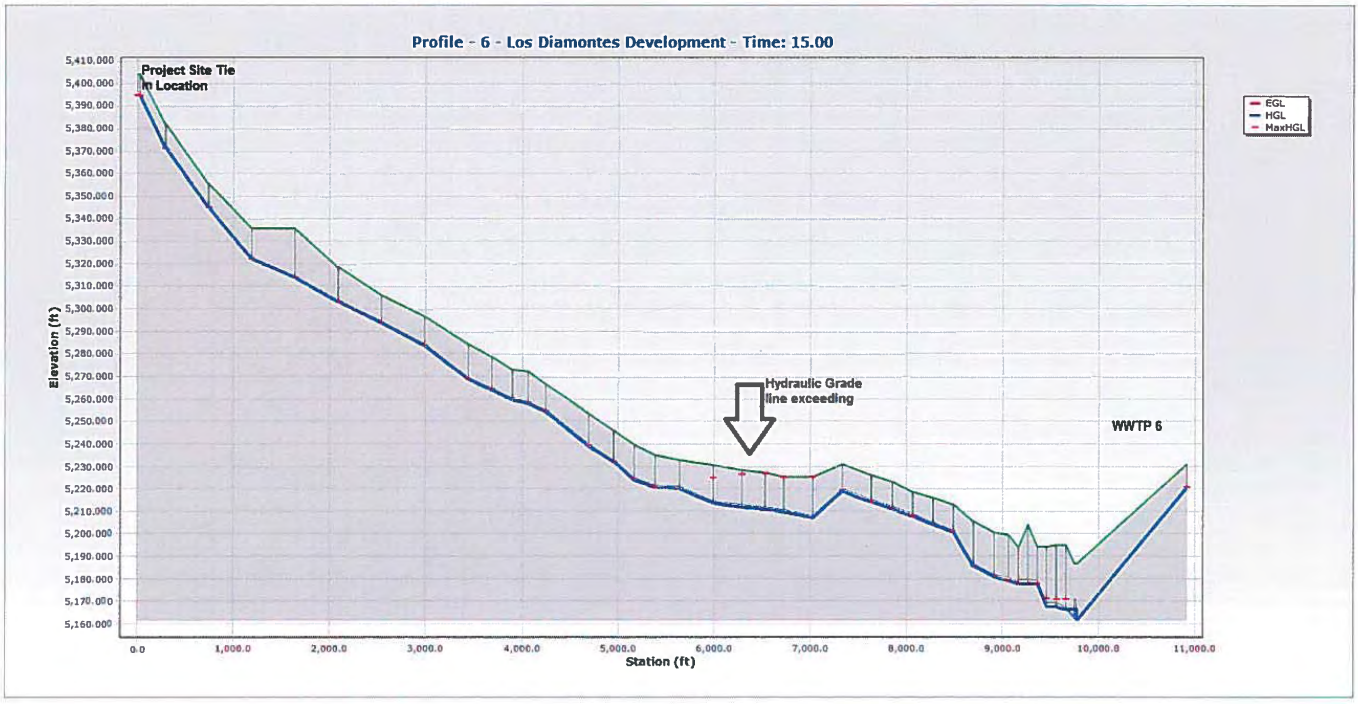
Please call me at (505) 896-7761 if you have any questions or need any additional information.

Sincerely,

Camila Fernandez
Project Engineer,
NCS Engineers

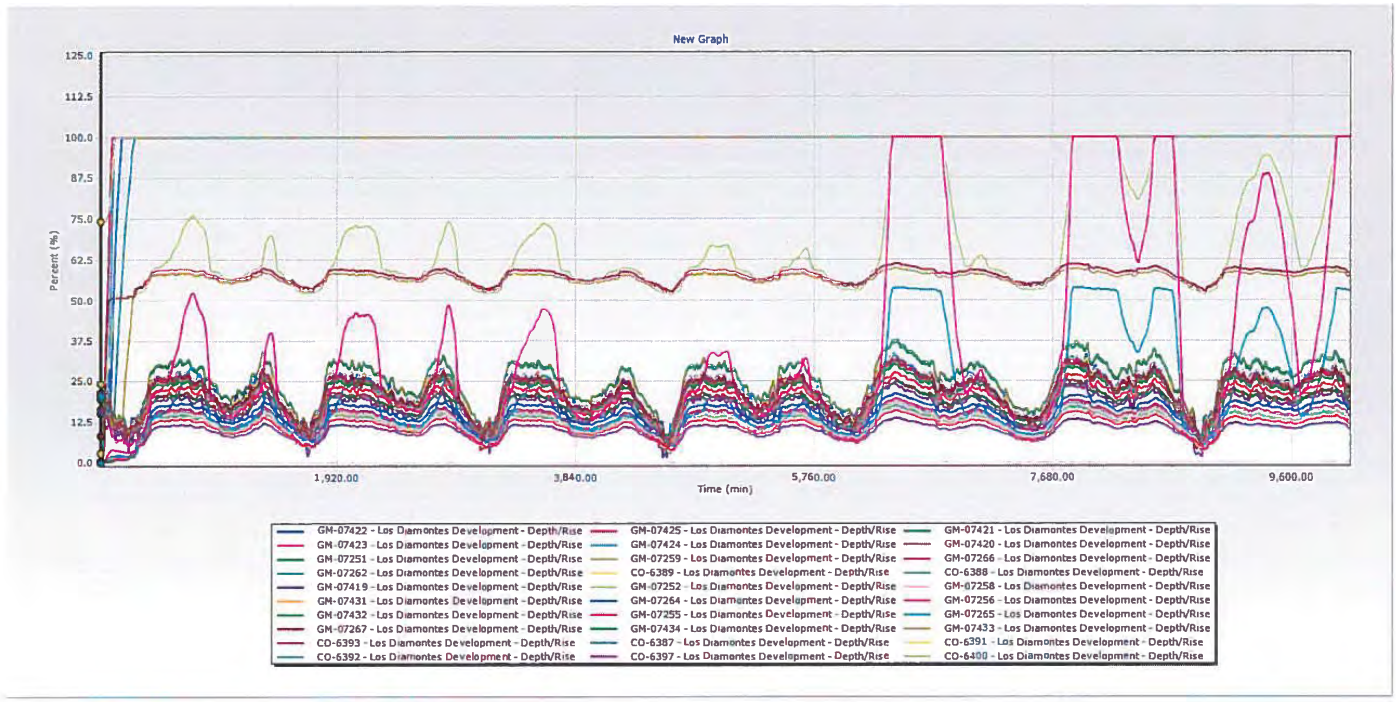
Mr. Mark Goodwin
March 27, 2015
Page No. 4

Figure 2: Hydraulic Profile



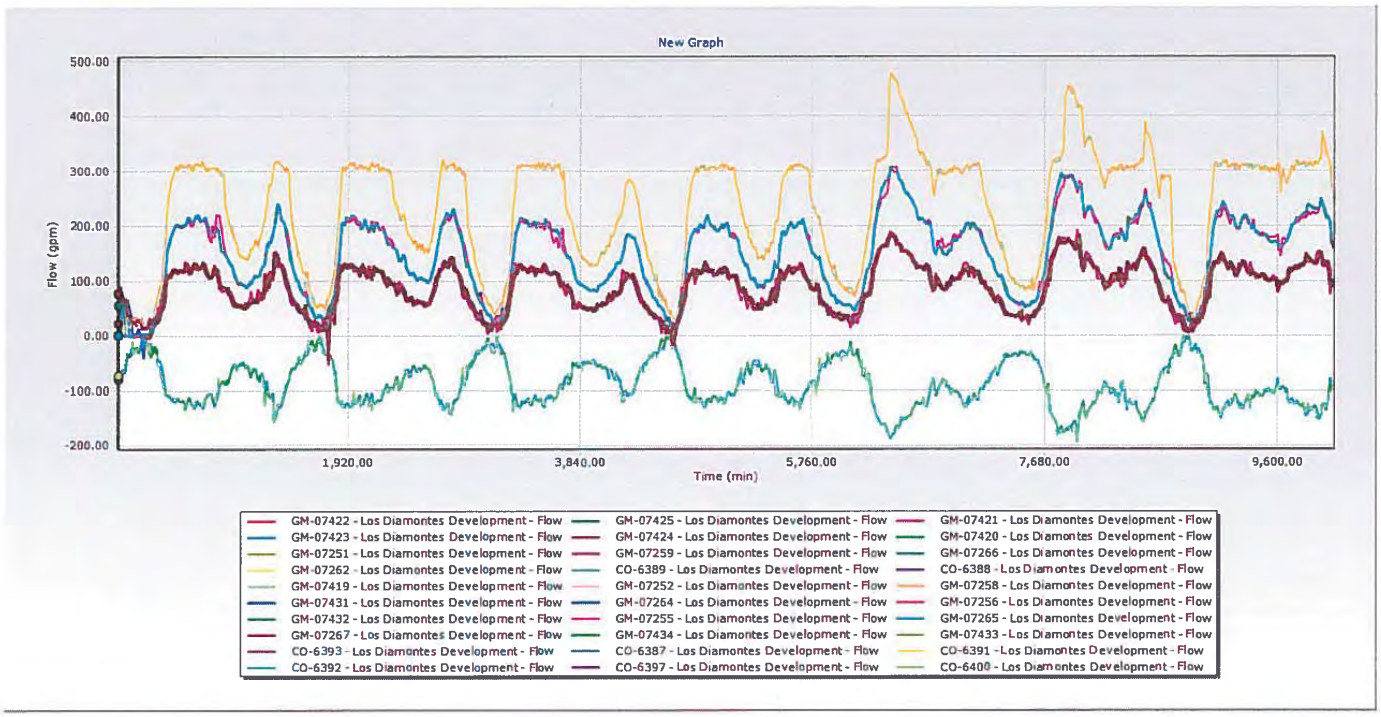
Mr. Mark Goodwin
March 27, 2015
Page No. 5

Figure 3: Maximum d/D Ratio in the Sewer Route to WWTP 6



Mr. Mark Goodwin
March 27, 2015
Page No. 6

Figure 4: Maximum Pipe Flow



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APPENDIX B LOS DIAMANTES ECONOMIC IMPACT ASSESSMENT

Los Diamantes Economic Impact Assessment

Initial Results and Assumptions

Mid-Region Council of Governments
November 10, 2014

Summary

The Mid-Region Council of Governments (MRCOG) provides this Economic Impact Assessment of a build out of the Los Diamantes conceptual plan to Sandoval County at the request of the County Manager, Mr. Phillip Rios. MRCOG utilized the REMI model (Regional Economic Models Inc.) for this analysis. This document presents a brief summary of the initial assumptions and findings. A follow up draft will be submitted with further detail related to the findings.

Los Diamantes is a conceptually planned area within the City of Rio Rancho's Unit 10 area. The project includes the development of a 60 acre business park for manufacturing and commercial uses, the development of a 450 single family homes adjacent to the business park, and related on and off-site investments including utilities, roads, and flood control infrastructure. All assumptions related to project costs, funding, and employment were provided to MRCOG by the Unser Gateway Coalition. These assumptions may be updated as more information is available over time.

Timeline

This analysis assumes a timeframe of 6 years with planning beginning in 2015, construction occurring between 2016 and 2018, and a ramp up to full employment between 2017 and 2020.

Funding

The majority of project is expected to be privately financed. Public funds are assumed for off-site infrastructure for the business park in the amount of $3.1M. Of that amount, $2.5M is assumed to come from the state and the remaining $600K from local governments. To reflect public expenditures, funding in the jurisdictions was reduced to offset the money used on the Los Diamantes project. Of the $2.5M in state funds, approximately $1.1M is assumed to have been forfeited by other projects within the Central New Mexico Region. The $1.1M is the population weighted share of the total $2.5M.

Employment

The construction of Los Diamantes Business Park is assumed to begin in the second half of 2016 and job creation is assumed to begin in 2017 and increase evenly until 2020.

Of the business park's 60 acres, it is assumed that just under one-third of the property would be developed, totaling 600,000 square feet of building space. This translates to an estimate of 1,440 employees using the following square footage to employment conversions as identified in the Institute of Transportation Engineers 2012 Trip Generation Manual, 9th edition:

- 50 % Miscellaneous manufacturing = 300,000 sqft, 1.8 jobs/1,000 sqft = 540 employees

- 10% Motion picture, sound rec = 60,000 sqft, 2.1 jobs/1,000 sqft = 126 employees
- 10% Administrative, support services = 60,000 sqft, 3.3 jobs/1,000 sqft = 198 employees
- 10% Ambulatory health care services = 60,000 sqft , 4.0 jobs/1,000 sqft = 240 employees
- 10% Nursing, residential care facilities = 60,000 sqft, 2.3 jobs/1,000 sqft = 138 employees
- 10% Social assistance = 60,000 sqft, 3.3 jobs/1,000 sqft = 198 employees

Assumptions

Table 1: Assumptions to the REMI model

Variable	Description	Year
Business Park		
On-site Infrastructure	$2,750,000 (Private Funding)	2016
Off-site Infrastructure	$2,500,000 (State Funding)	2016
	$600,000 (Local Funding)	2016
Government Spending	- $1,100,000 (State Funding) The $2.5M reductions expected based on the population share of the region to the State.	2016-2017
	- $600,000 (Local Funding)	2016-2017
Building Construction	$135,000,000 spread evenly over three years.	2016-2018
Residential Subdivision		
On-site Infrastructure	$13,500,000 (Private Funding)	2016
Off-site Infrastructure	$3,100,000 (Private Funding)	2016
Residential Construction	$54,000,000 (Private Funding) spread over six years.	2017-2022
Residential Building Permits	$1,600,000 (to City of Rio Rancho)	2017
Employment		
Total Employment	1,440 new jobs added over four years	2017-2020
Ambulatory Health Services	240 new jobs	
Nursing and Residential Care	138 new jobs	
Social Assistance	198 new jobs	
Administrative and Support	198 new jobs	
Motion Picture	126 new jobs	
Miscellaneous Manufacturing*	540 new jobs	

**Miscellaneous manufacturing jobs are associated with lower wages than most all other manufacturing jobs in the region, thereby representing a conservative estimate of impacts.*

Impacts

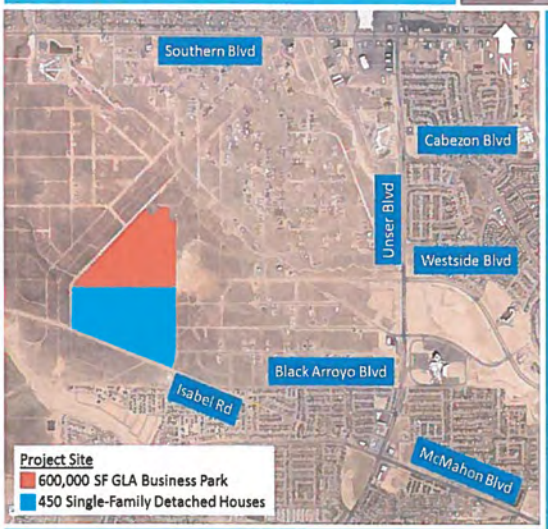
Preliminary estimates of the economic impacts from this project are presented in Table 2 on the following page. The table shows impacts for three regions: Central New Mexico, the City of Rio Rancho, and Sandoval County as a whole. The tables report changes in employment, gross domestic product, personal consumption, and income. Initially the largest effects are seen in Rio Rancho as construction begins and new jobs are added. Over time, the positive impacts spread throughout the Central New Mexico region.

APPENDIX C LOS DIAMANTES TRAFFIC IMPACT STUDY

LOS DIAMANTES TRAFFIC IMPACT STUDY

Draft Report March 2015





PREPARED FOR:
D. Mark Goodwin & Associates

PREPARED BY:
Lee Engineering, LLC

LEE ENGINEERING

Los Diamantes
Traffic Impact Study

Draft Report

March 2015

DRAFT

Prepared for:

D. Mark Goodwin & Associate

Prepared by:

LEE ENGINEERING

LEE ENGINEERING

Executive Summary

Background

A proposed residential and business park development site is to be located off of Westside Boulevard between Viga Road and 10th Street. The site is within the jurisdiction of the City of Rio Rancho (CoRR), New Mexico.

The site will contain 450 single family dwelling units south of Westside Boulevard and approximately 600,000 SF of Business Park land use on the north side of Westside Boulevard. The site plan is presented in **Figure 2 of this report**.

Access to and from the project site will use the existing road Western Boulevard to the east and 10th street to the south, adjacent to the proposed development site. No new access points are proposed and the existing driveway is shown in **Figure 1 of this report**.

Opening day of the development is anticipated to take place in 2020. Therefore, assessment for the opening year of 2020 was made using peak hour intersection turn movement volumes collected on February 24 and 26, 2015 and volumes from adjacent site developments. Peak hour trips generated by the proposed development were then added to the anticipated 2020 background volumes to assess the impact on the surrounding road network.

Conclusions and Recommendations

Based on the traffic analysis and report findings, the conclusions and recommendations are as follows:
Site Access

- Regional access to the site will mainly be provided via Unser Boulevard. Unser Boulevard provides routing to commercial and residential developments to the north and south of the project site. Additionally, Unser Boulevard provides access to east/west arterials of Southern Boulevard, Northern Boulevard and Paseo del Volcan.
- It should be noted that analyses contained within this study is considered conservative as they are based on interim conditions in which Unser Boulevard and Rio Rancho Boulevard/NM 528 are the only two north/south arterial options for project site trips. Ultimately, there will be additional north/south arterial and collector options including the development of Rainbow Boulevard (Minor Arterial) and a Major Collector Road east of the site as identified by the draft MRCOG 2040 Long Range Roadway Plan, which will better disperse project site trips so they are not concentrated strictly through the Unser Boulevard
- Project access will be provided via eight street connections to abutting arterial and collector streets. A main Spine Road will provide access to both residential and commercial components via an intersection with Westside Boulevard to be located approximately 840 feet west of the 10th Street alignment.

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- An additional access point off of Westside Boulevard will be provided to both residential and business park land uses located approximately 1350 feet west of the Spine Road intersection.
- The remainder of project access will be provided via several minor two lane collector streets. These will include the following:
  - 10th Street
  - Isabel Road
  - Viga Road
- A secondary access is proposed via Isabel Road to Black Arroyo Boulevard and McMahon Boulevard. Currently, the Isabel Road alignment is shown to be connecting to Black Arroyo at a very acute skew. It is therefore, recommended that the Isabel Road alignment be curved to the east of the current alignment to form a more perpendicular approach to Black Arroyo Boulevard.
- 10th Street is proposed to terminate at Isabel Road forming a T-intersection approximately 450 feet north of Black Arroyo.
- Based on Table 18.C-1 *Access Spacing Standards for Intersections and Driveways*, the following spacing is required for compliance:
  - Signalized intersection spacing should be no less than 1,760 feet on Westside Boulevard (Urban Minor Arterial 35-45 mph).
  - Unsignalized and full access driveway spacing on Westside Boulevard should be no less than 660 feet
  - Full movement driveways spacing on Viga Road, 10th Street, Isabel Road, and Spine Road should be no less than 150 feet.
  - The Isabel Road/Black Arroyo Boulevard intersection should be spaced no closer than 150 feet from existing driveways on Black Arroyo Boulevard (Saltillo Street and Caracol Street)
- Based on the latest site plan contained herein, all proposed driveways and access points appear to be in compliance with NMDOT SAMM recommended spacing.
- It is likely that signal control will be warranted at the Westside Boulevard/Spine Road. Therefore, any future signalized intersection to the east or west of this intersection should be located at a minimum 1,760 feet away from the Spine Road intersection.
- Parcel access for Business Park land use is recommended to be taken off of a Spoke Road on either side of the Spine Road located approximately at the mid-point between Viga Road and Westside Boulevard.
- Full movement parcel access on the Spine Road within the Business Park should be spaced no less than 330 feet and partial access no less than 150-feet. Additionally, there should not be any access point on the Spine Road within 250 feet of the signalized Westside Boulevard/Spine Road intersection.
- It is recommended that access to residential parcels be configured to produce ADT levels on local residential streets (i.e. with back-out driveways) less than 1,500 vehicles. Review of the latest proposed site plan indicates that there are no local residential streets that would generate more than 1,500 ADT.
- Initial project access will be provided via Westside Boulevard exclusively, which will be incorporating one through lane in each direction between 10th Street and Unser Boulevard.

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- It is estimated that approximately 70% of the total project can be constructed, which translates to the following scenarios at which secondary access to Black Arroyo and McMahon would be needed:
    - 98% of just the Business Park development
    - Phase 1 of Residential (150 Units) and 94% of the Business Park
    - Phase 2 of Residential (300 Units) and 90% of the Business Park
    - Phase 3 Residential (450 units) and 86% of the Business Park
- The proposed Isabel Road access in combination with a two-lane Westside Boulevard would accommodate full build of the project site.

Existing, Background and Build Out Traffic Demands

- Peak hour turning movement counts for all existing study intersections were collected on February 24, 2015 and February 26, 2015. Existing peak hour turning movements are presented in **Figure 3.**
- Per the February 10th scoping meeting with the CoRR, it was determined that background traffic demands for 2020 would be developed based on the following developments:
    - Cabezon Village
    - Pavilion at Presbyterian
    - X Ray Associates

  Resulting 2020 background traffic demands are presented in **Figure 4.**
- Trip generation analysis was performed based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition* and project land use were categorized as ITE land use category 210 (Single-Family Detached Housing) and category 770 (Business Park) and are summarized in **Table 1**.
- A 3% internal capture rate was assumed between the residential and business park land uses. Calculated internal and adjusted external trips are summarized in **Table 2**.
- Offsite primary trip distribution for both AM and PM peak hours are shown in **Figures 5 and 6** for the business park and residential development, respectively.
- On-site distribution are indicated in **Figures 7 and 8** for the business park and residential land use, respectively.
- Total on-site and off-site build out turning movement demands are indicated shown in **Figure 15 and 16.**

Signal Warrant, Capacity and Queuing Analysis

- Based on signal peak hour warrant analyses, signal control is recommended for the Westside Boulevard/Spine Road intersection and is expected to be needed at approximately 70% of total build-out.
- Based on capacity and queue analysis, the following lane geometry, traffic control and storage length mitigation is recommended as part of this development:
    - The following improvements were assumed to be in place as they were recommended and the responsibility of previous studies. They include:
        - Westbound dual left-turn lanes at the Unser Boulevard/Cabezon Boulevard

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- Westbound dual left-turn and right-turn lanes at the Unser Boulevard/Westside Boulevard intersection.
- Southbound dual left-turn lanes at the Unser Boulevard/Westside Boulevard intersection.

- The existing northbound left-turn lane at the Unser Boulevard/Westside Boulevard intersection should be modified to incorporate dual left-turns. This will require restriping and conversion from a northbound protected-permitted phasing to protected only phasing. Additionally, the receiving lanes on the west leg should incorporate two through lanes, which can be tapered down at approximately the west boundary of the proposed X-Ray site. Per MUTCD, lane reduction tapers should incorporate 320 feet.
- The westbound left-turn lane at Unser Boulevard/Westside Boulevard intersection should be modified to incorporate dual left-turns. This will require median modification and the construction and alignment of the receiving lanes on the east leg. The eastbound protected-permitted phasing should be changed to protected only.
- Signal undergrounds including conduit and pull boxes are recommended at the Westside Boulevard/Spine Road. Signal control activation should only occur upon the satisfaction of a full warrant study when count data of the intersection is avaialable.
- The following auxiliary lanes are recommended as part of this project:

Westside Boulevard/10th Street Intersection

- A single 300-foot westbound left-turn lane
- Single 300-foot eastbound left and right-turn lanes
- A single 150-foot Northbound left-turn lane

Westside Boulevard/Spine Road Intersection

- Single 325-foot westbound left and right-turn lanes
- Single 325-foot eastbound left and right-turn lanes
- A single 150-foot northbound left-turn lane
- Southbound 150-foot dual left-turn lanes but striped as a single turn lane until signal control is in place.

Westside Boulevard/Driveway A-Viga Road

- Single 300-foot westbound left and right-turn lanes
- Single 300-foot eastbound left and right-turn lanes
- Single 150-foot northbound and southbound left-turn lanes

Black Arroyo Boulevard/Isabel Road

- A single 175-foot westbound right-turn lane at Isabel Road
- A single 150-foot southbound left-turn lane at Isabel Road

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On-Site Street Classification

- Per the 2040 long range roadway map, Westside Boulevard is proposed as a Community Primary arterial that will ultimately incorporate 106 feet of ROW with two through lanes and a bike lane in each direction, a raised median, and a 40 mph speed limit.
- A review of the latest master bike facilities plan indicates no proposed multi-use trail along Westside Boulevard. However, it is noted that an existing multi-use trail existing along the south side Westside Boulevard east of Unser Boulevard, which terminates approximately 680 feet short of the Unser Boulevard/Westside Boulevard.
- For the build-out of this project, Westside Boulevard will incorporate one through lanes in each direction from 10th Street to the proposed Pavilion development located at the southwest corner of the Unser Boulevard/Westside Boulevard intersection.
- Between Viga Road and 10th Street, Westside would be fully improved incorporating the ultimate four-lane cross-section with raised median, bike lanes, curb, gutter and sidewalk.
- Two receiving lanes on Westside Boulevard will be required on the west leg of the Unser Boulevard intersection. The two westbound lanes can then taper (320 feet) to one through lane immediately west of the proposed Pavilion Commercial development.
- There are no existing or planned local transit routes along Westside Boulevard. Therefore transit stops, turnouts etc. are not required as part of this project.
- 10th Street is proposed as a minor collector road incorporating 50 feet of ROW and one undivided through lane in each direction with a 25 mph speed limit. Full improvements including curb, gutter and sidewalks will be constructed along the project frontage (west side only) from just north of Westside Boulevard to Isabel Road.
- Isabel Road is proposed as a minor collector incorporating 78 feet of ROW, one undivided through lane in each direction and a 25 mph speed limit. Full improvements including curb, gutter and sidewalks will be constructed along the project frontage (north side only) from Viga Road to 10th Street.
- Isabel Road is recommended to divert from its current alignment east of 10th Street to provide a intersection with Black Arroyo Boulevard that has no skew.
- Viga Road is proposed as a minor collector road incorporating 50 feet of ROW, one undivided through lane in each direction and a 25 mph speed limit. Viga Road will be constructed from Isabel Road to just south of Westside Boulevard and starting on the north side of Westside Boulevard to the north boundary of the business park property with full improvements of sidewalk, curb and gutter on the southeast side abutting the project site. Viga Road will be fully improved south of Westside Boulevard from Isabel Road to just short of Westside Boulevard
- The north leg of Viga Road is recommended to be aligned with Driveway A (westernmost driveway on Westside Boulevard) and the south alignment of Viga Road will not intersect with Westside Boulevard to avoid placing a stop controlled intersection within curved alignment on Westside Boulevard.
- The Spine Road within the Residential area is proposed to be a public minor collector street to incorporate 68 feet of ROW including one through lane in each direction, a minimum 5-foot sidewalk, curb, gutter, and narrow raised landscape medians. There will be no direct residential

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driveway access along this roadway. It is anticipated that this road will incorporate a 25 mph speed limit.

- The Spine Road north of Westside Boulevard is proposed to be a public minor collector street to incorporate 98 feet of ROW including one lane of traffic, curb gutter, and sidewalk in each direction. Additionally, due to anticipated traffic intensity and the density of the development, auxiliary lanes are recommended to all future major parcel access points along this alignment. There will likely be raised landscaped medians along this alignment within the business park. It is anticipated that this road will incorporate a 25 mph speed limit.
- A business park access road is to incorporate 50 feet of ROW and provide access for the most commercial parcels to the proposed Spine Road. This access street will terminate in a cul-de-sac at its southwest and northeast termini. It is anticipated that this road will incorporate one undivided lane, curb, gutter, and sidewalk in each direction. No auxiliary turn lanes are anticipated for this alignment. This is recommended to incorporate a 20 mph speed limit.
- All residential parcel access roads are proposed to incorporate 50-feet of ROW including one through lane, curb, gutter and sidewalk in each direction. These residential streets will provide direct access to residential driveways and incorporate a 20 mph speed limit.

Unser Boulevard Coordination Analysis

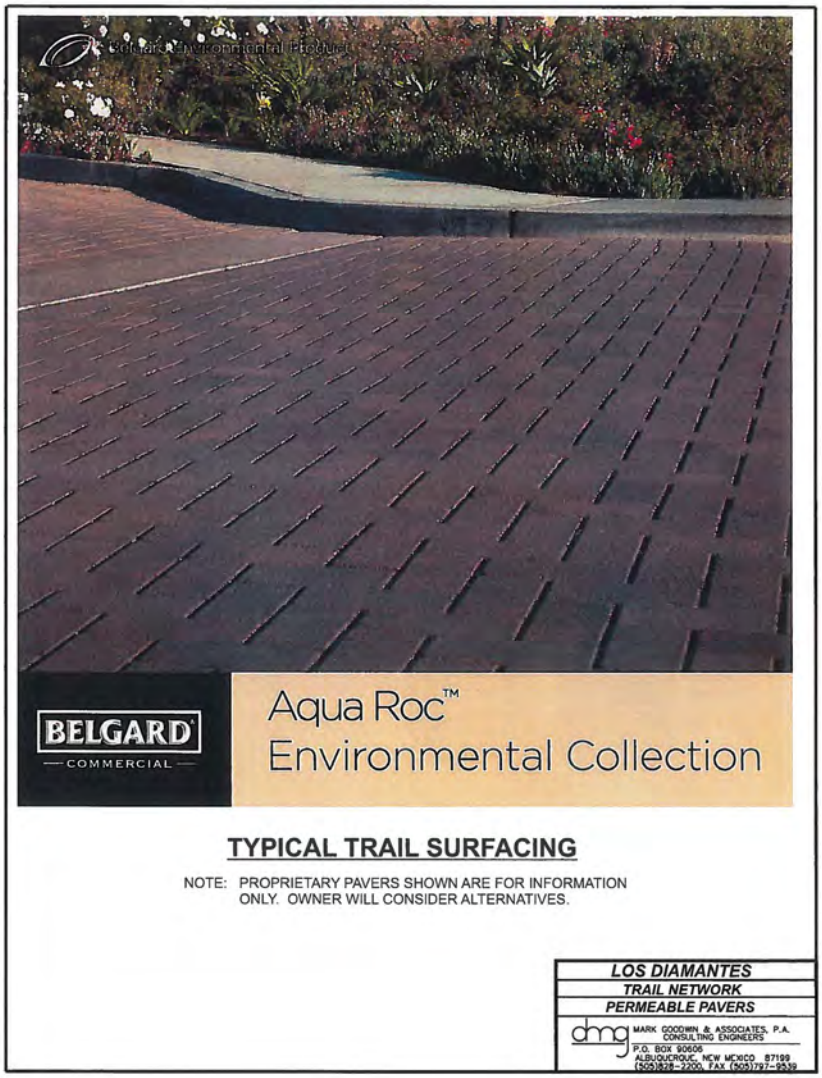
- A coordination analysis of Unser Boulevard indicates that optimal cycle lengths range from 130 seconds in the AM peak to 150 seconds in PM peak for Background and Build Out traffic demands assuming Unser Boulevard remains a four-lane roadway.
- If Unser Boulevard becomes a six-lane roadway, the optimized cycle length reduces to 120 seconds under Background and Build Out traffic demands.
- If a cycle length change on Unser Boulevard is implemented, the cycle lengths will also have to change on Southern Boulevard to maintain coordination on that corridor. This means that offsets would need to be adjusted on Southern Boulevard as well.
- Unser Boulevard is a lengthy corridor, which traverses both the City of Rio Rancho and City of Albuquerque. In order to provide a consistent and optimal coordinated corridor, both the Cities would need to coordinate timing plans between them.

Crash Analysis

- Crash analyses indicate a high frequency of crashes along Unser Boulevard, especially at Southern Boulevard and McMahon Boulevard. A more detailed safety study of this corridor could shed light on specific safety issues.
- There were two crash fatalities at the Unser Boulevard/Southern Boulevard intersection.
- The majority of the crashes at all the intersections were classified as following too close or driver inattention. This tends to be indicative of congestion issues and usually result in rear-end crashes.
- Many of the congestion caused crashes along this corridor could potentially be reduced when Unser Boulevard becomes a six-lane arterial.

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APPENDIX D TYPICAL TRAIL SURFACING



CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The GOVERNING BODY of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Thursday, June 27, 2024:

Master Plan Amendment
Case #24-410-00001

The applicant, Los Diamantes, LLC., through their agent, Consensus Planning Inc., requests to amend the Los Diamantes Master Plan to allow self-storage as a permissive use within the Business Park, update the map (page 7 of Master Plan) to reflect the Business Park area as C-2: Commercial, allow architectural metal as a primary construction material, allow welded wire mesh fencing as an allowed fencing type, and allow the color green as the primary color of a structure within the Business Park area of the Los Diamantes Master Plan. The Business Park comprises approximately 36.16 acres and is legally described as LD, Tract 2-A-1.

Zone Map Amendment
Case #24-100-00004

The applicant, Los Diamantes, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for the Los Diamantes Business Park from BP: Business Park District to C-2: Wholesale and Warehousing Commercial District on the land legally described as LD, Tract 2-A-1.
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.

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 12, 2024

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 7, 2024

RE: Zone Map Amendment, Los Diamantes Business Park
Case No. 24-100-00004
BP: Business Park District to C-2: Wholesale and Warehousing Commercial District

Dear Property Owner:

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

The applicant, Los Diamantes, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for the Los Diamantes Business Park from BP: Business Park District to C-2: Wholesale and Warehousing Commercial District on the land legally described as LD, Tract 2-A-1.

The **Governing Body** will consider the request on **Thursday, June 27, 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 area identified in crosshatching.

If you would like to comment on this application, you are encouraged to send in comments in writing or via email to cbenson@rrnm.gov, which will be presented to the Governing Body. This Governing Body 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 **Governing Body meeting**, to participate virtually: Join via computer:
https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 853 0235 3741 Passcode: 789419 Join via phone: 1-346-248-7799 US

Please do not hesitate to contact me via e-mail me at cbenson@rrnm.gov or call me at 505-896-8342, 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,

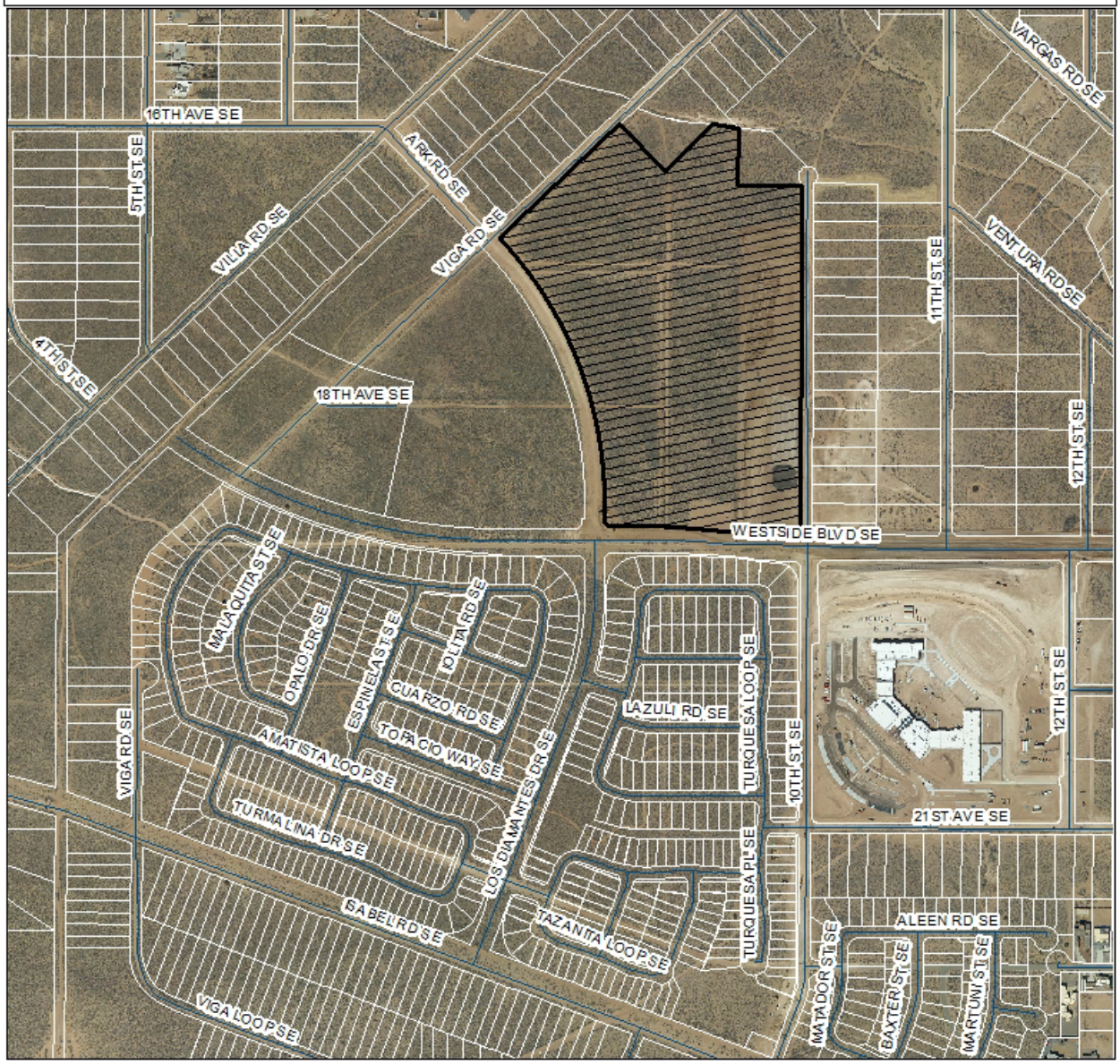
Chris Benson

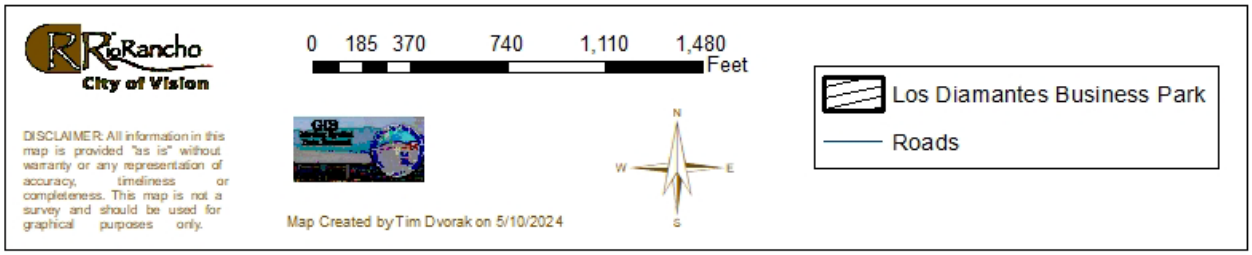
Chris Benson
Municipal Planner II
Development Services Department
City of Rio Rancho

The City of Rio Rancho

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

ZONE MAP AMENDMENT
LOS DIAMANTES BUSINESS PARK
BP: BUSINESS PARK DISTRICT TO C-2: WHOLESALE & WAREHOUSING COMMERCIAL DISTRICT





CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R53

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Financial Services

SUBJECT:
R53, Public Hearing: 2024-2025 CDBG Second Annual Action Plan 30-Day Public Comment Period

BACKGROUND AND ANALYSIS:
Per United States Department of Housing and Urban Development (HUD) guidelines, and the City of Rio Rancho Citizen Participation Plan, a 30-Day Public Comment Period is required to allow community input pertaining to the use of funds received by HUD via the Community Development Block Grant (CDBG).

This is a required public hearing that must be held during the public comment period to allow citizen participation. The 30-day Public Comment Period and Public Hearing dates were advertised in the Albuquerque Journal, the Rio Rancho Observer, and posted to the City's website beginning May 23, 2024. The Public Comment Period began May 29, 2024 and concludes June 27, 2024. All comments received during the public comment period, either in person or in writing, will be taken into consideration prior to the submission of the plans to HUD in July 2024. No comments have been received thus far.

The City of Rio Rancho is eligible to receive federal funds from HUD as an entitlement community due to its population exceeding 50,000 persons. The City's allocation for the 2024 program year is $470,571. The City has developed the Second Annual Action Plan consisting of the following project allocations:

Haven House Domestic Violence Shelter Salary Support	$40,500
Sandoval County Permanent Supportive Housing Salary Support	$26,000
City of Rio Rancho ADA Ramp Remediation on Safelite Boulevard	$148,954
City of Rio Rancho Star Heights Skate Park	$204,546
City of Rio Rancho Planning and Administration	$50,571

The Second Annual Action Plan are available for review at Rio Rancho CDBG.

IMPACT:
The City will be in compliance with the Citizen Participation Plan and HUD guidelines.

ALTERNATIVES:
No alternatives available; statutory requirement.

DEPARTMENT RECOMMENDATION:

No alternatives available; statutory requirement.

ATTACHMENT: ABQ Journal English
ATTACHMENT: ABQ Journal Spanish
ATTACHMENT: Rio Rancho Observer English
ATTACHMENT: Rio Rancho Observer Spanish

NOTICE OF PUBLIC COMMENT PERIOD AND PUBLIC HEARING FOR THE 2024-2025 ANNUAL ACTION PLAN CITY OF RIO RANCHO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

The 2024-2025 Annual Action Plan will be available for public review from May 29, 2024 until June 27, 2024 at 5:00 p.m. in the Financial Services Department (3200 Civic Center Circle NE, Suite 300), on the City of Rio Rancho's website at www.rrnm.gov/CDBG, and the City Clerk's Office. Persons are welcome to provide public comments prior to, after, or at the scheduled public hearing on June 27, 2024 to take place during the City of Rio Rancho council meeting. If you are unable to attend the public hearing, comments concerning the proposed activities outlined in the 2024-2025 Action Plan can be submitted by June 27, 2024 to the attention of Susan Gonzales, CDBG Grant Administrator, City of Rio Rancho, Financial Services Department, 3200 Civic Center Circle NE, Suite 300, Rio Rancho, New Mexico 87144 or via e-mail at sgonzales@rrnm.gov. For more information, please call Don Martinez at (505) 896-8720. For hearing impaired persons please dial 711.

CITY OF RIO RANCHO PUBLIC HEARING NOTICE: A Public hearing will be held on Thursday, June 27, 2024 at 6:00PM by the Governing Body in the City Council Chambers located at 3200 Civic Center Circle NE, Rio Rancho, NM 87144 to discuss community needs for housing, economic development, public facilities and public services for low to moderate income individuals as they relate to the Community Development Block Grant 2024-2025 Annual Action Plan. The City of Rio Rancho is seeking your comments regarding the 2024-2025 Action Plan; a one-year plan for expenditure of CDBG funds from July 1, 2024 through June 30, 2025. CDBG funds are made available through the U.S. Department of Housing and Urban Development (HUD).

The Governing Body will vote to approve the 2024-2025 Action Plan as presented on June 27, 2024. All comments received between May 29, 2024 until June 27, 2024 will be taken into consideration prior to the submission of the plan to HUD. The 2024-2025 Annual Action Plan is due July 5, 2024.

The 2024-2025 Annual Action Plan is the second annual report under the 2023-2027 Consolidated Plan and reflects the annual goals of that plan. This plan is submitted to HUD as part of the CDBG Program. The Annual Action Plan and the Consolidated Plan not only describe the activities proposed to be accomplished with the 2024-2025 CDBG allocation, but also discuss larger programs initiated by the City that address a myriad of development needs.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the City Clerk at (505) 891-5004 on or before the Friday prior to the meeting date. Public documents, including the agenda and minutes, can be provided in various accessible formats. For TTY please call (505) 891-1365. Please contact the City Clerk if a summary or other type of accessible format is needed.

Journal: May 23, 2024

AVISO DE PERIODO DE COMENTARIOS PÚBLICOS Y AUDIENCIA PÚBLICA PARA EL PLAN DE ACCIÓN ANUAL 2024-2025
SUBVENCIÓN EN BLOQUE PARA DESARROLLO COMUNITARIO DE LA CIUDAD DE RIO RANCHO (CDBG)

El Plan de Acción Anual 2024-2025 estará disponible para revisión pública desde el 29 de Mayo de 2024 hasta el 27 de Junio de 2024 a las 5:00 p.m. en el Departamento de Servicios Financieros (3200 Civic Center Circle NE, Suite 300), en el sitio web de la Ciudad de Rio Rancho en www.rrnm.gov/CDBG y en la Oficina del Secretario Municipal. Las personas pueden proporcionar comentarios públicos antes, después o durante la audiencia pública programada para el 27 de Junio de 2024 que tendrá lugar durante la reunión del consejo de la ciudad de Rio Rancho. Si no puede asistir a la audiencia pública, los comentarios sobre las actividades propuestas descritas en el Plan de Acción 2024-2025 pueden enviarse antes del 27 de Junio de 2024 a la atención de Susan Gonzales, Administradora de Subvenciones CDBG, Ciudad de Rio Rancho, Departamento de Servicios Financieros 3200 Civic Center Circle NE, Suite 300, Rio Rancho, Nuevo México 87144 o por correo electrónico a sgonzales@rrnm.gov. Para obtener más información, llame a Don Martínez al (505) 896-8720. Para personas con discapacidad auditiva, llame al 711.

AVISO DE AUDIENCIA PÚBLICA DE LA CIUDAD DE RIO RANCHO: El órgano rector llevará a cabo una audiencia pública el Jueves 27 de Junio de 2024 a las 6:00 p. m. en la Cámara del Concejo Municipal ubicada en 3200 Civic Center Circle NE, Rio Rancho, NM 87144 para discutir la comunidad. necesidades de vivienda, desarrollo económico, instalaciones públicas y servicios públicos para personas de ingresos bajos a moderados en relación con el Plan de Acción Anual de Subvención en Bloque para el Desarrollo Comunitario 2024-2025. La Ciudad de Rio Rancho solicita sus comentarios sobre el Plan de Acción 2024-2025; un plan de un año para gastar fondos CDBG desde el 1 de Julio de 2024 hasta el 30 de Junio de 2025. Los fondos CDBG están disponibles a través del Departamento de Vivienda y Desarrollo Urbano de EE. UU. (HUD).

El Órgano Rector votará para aprobar el Plan de Acción 2024-2025 presentado el 27 de Junio de 2024. Todos los comentarios recibidos entre el 29 de Mayo de 2024 y el 27 de Junio de 2024 se tendrán en cuenta antes de presentar el plan a HUD. El Plan de Acción Anual 2024-2025 vence el 5 de Julio de 2024.

El Plan de Acción Anual 2024-2025 es el segundo informe anual del Plan Consolidado 2023-2027
y refleja los objetivos anuales de ese plan. Este plan se presenta a HUD como parte del programa CDBG. El Plan de Acción Anual y el Plan Consolidado no solo describen las actividades propuestas a realizarse con la asignación CDBG 2024-2025, sino que también analizan programas más amplios iniciados por la Ciudad que abordan una gran variedad de necesidades de desarrollo.Si usted es una persona con una discapacidad que necesita un lector, un amplificador, un intérprete de lenguaje de señas calificado o cualquier otra forma de ayuda o servicio auxiliar para asistir o participar en la reunión, comuníquese con la Secretaria Municipal al (505) 891-5004 en o antes del viernes anterior a la fecha de la reunión. Los documentos públicos, incluidos el orden del día y las actas, se pueden proporcionar en varios formatos accesibles. Para TTY, llame al (505) 891-1365. Comuníquese con la Secretaria Municipal si necesita un resumen u otro tipo de formato accesible.

Journal: May 23, 2024

NOTICE OF PUBLIC COMMENT PERIOD AND PUBLIC HEARING FOR THE 2024-2025 ANNUAL ACTION PLAN
CITY OF RIO RANCHO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

The 2024-2025 Annual Action Plan will be available for public review from May 29, 2024 until June 27, 2024 at 5:00 p.m. in the Financial Services Department (3200 Civic Center Circle NE, Suite 300), on the City of Rio Rancho's website at www.rrnm.gov/CDBG, and the City Clerk's Office. Persons are welcome to provide public comments prior to, after, or at the scheduled public hearing on June 27, 2024 to take place during the City of Rio Rancho council meeting. If you are unable to attend the public hearing, comments concerning the proposed activities outlined in the 2024-2025 Action Plan can be submitted by June 27, 2024 to the attention of Susan Gonzales, CDBG Grant Administrator, City of Rio Rancho, Financial Services Department, 3200 Civic Center Circle NE, Suite 300, Rio Rancho, New Mexico 87144 or via e-mail at sgonzales@rrnm.gov. For more information, please call Don Martinez at (505) 896-8720. For hearing impaired persons please dial 711.

CITY OF RIO RANCHO PUBLIC HEARING NOTICE: A Public hearing will be held on Thursday, June 27, 2024 at 6:00PM by the Governing Body in the City Council Chambers located at 3200 Civic Center Circle NE, Rio Rancho, NM 87144 to discuss community needs for housing, economic development, public facilities and public services for low to moderate income individuals as they relate to the Community Development Block Grant 2024-2025 Annual Action Plan. The City of Rio Rancho is seeking your comments regarding the 2024-2025 Action Plan; a one-year plan for expenditure of CDBG funds from July 1, 2024 through June 30, 2025. CDBG funds are made available through the U.S. Department of Housing and Urban Development (HUD).

The Governing Body will vote to approve the 2024-2025 Action Plan as presented on June 27, 2024. All comments received between May 29, 2024 until June 27, 2024 will be taken into consideration prior to the submission of the plan to HUD. The 2024-2025 Annual Action Plan is due July 5, 2024.

The 2024-2025 Annual Action Plan is the second annual report under the 2023-2027 Consolidated Plan and reflects the annual goals of that plan. This plan is submitted to HUD as part of the CDBG Program. The Annual Action Plan and the Consolidated Plan not only describe the activities proposed to be accomplished with the 2024-2025 CDBG allocation, but also discuss larger programs initiated by the City that address a myriad of development needs.If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the City Clerk at (505) 891-5004 on or before the Friday prior to the meeting date. Public documents, including the agenda and minutes, can be provided in various accessible formats. For TTY please call (505) 891-1365. Please contact the City Clerk if a summary or other type of accessible format is needed.

Rio Rancho Obeserver: May 23, 2024

AVISO DE PERIODO DE COMENTARIOS PÚBLICOS Y AUDIENCIA PÚBLICA PARA EL PLAN DE ACCIÓN ANUAL 2024-2025
SUBVENCIÓN EN BLOQUE PARA DESARROLLO COMUNITARIO DE LA CIUDAD DE RIO RANCHO (CDBG)

El Plan de Acción Anual 2024-2025 estará disponible para revisión pública desde el 29 de Mayo de 2024 hasta el 27 de Junio de 2024 a las 5:00 p.m. en el Departamento de Servicios Financieros (3200 Civic Center Circle NE, Suite 300), en el sitio web de la Ciudad de Rio Rancho en www.rrnm.gov/CDBG y en la Oficina del Secretario Municipal. Las personas pueden proporcionar comentarios públicos antes, después o durante la audiencia pública programada para el 27 de Junio de 2024 que tendrá lugar durante la reunión del consejo de la ciudad de Rio Rancho. Si no puede asistir a la audiencia pública, los comentarios sobre las actividades propuestas descritas en el Plan de Acción 2024-2025 pueden enviarse antes del 27 de Junio de 2024 a la atención de Susan Gonzales, Administradora de Subvenciones CDBG, Ciudad de Rio Rancho, Departamento de Servicios Financieros 3200 Civic Center Circle NE, Suite 300, Rio Rancho, Nuevo México 87144 o por correo electrónico a sgonzales@rrnm.gov. Para obtener más información, llame a Don Martínez al (505) 896-8720. Para personas con discapacidad auditiva, llame al 711.

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El Órgano Rector votará para aprobar el Plan de Acción 2024-2025 presentado el 27 de Junio de 2024. Todos los comentarios recibidos entre el 29 de Mayo de 2024 y el 27 de Junio de 2024 se tendrán en cuenta antes de presentar el plan a HUD. El Plan de Acción Anual 2024-2025 vence el 5 de Julio de 2024.

El Plan de Acción Anual 2024-2025 es el segundo informe anual del Plan Consolidado 2023-2027 y refleja los objetivos anuales de ese plan. Este plan se presenta a HUD como parte del programa CDBG. El Plan de Acción Anual y el Plan Consolidado no solo describen las actividades propuestas a realizarse con la asignación CDBG 2024-2025, sino que también analizan programas más amplios iniciados por la Ciudad que abordan una gran variedad de necesidades de desarrollo.Si usted es una persona con una discapacidad que necesita un lector, un amplificador, un intérprete de lenguaje de señas calificado o cualquier otra forma de ayuda o servicio auxiliar para asistir o participar en la reunión, comuníquese con la Secretaria Municipal al (505) 891-5004 en o antes del viernes anterior a la fecha de la reunión. Los documentos públicos, incluidos el orden del día y las actas, se pueden proporcionar en varios formatos accesibles. Para TTY, llame al (505) 891-1365. Comuníquese con la Secretaria Municipal si necesita un resumen u otro tipo de formato accesible.

Rio Rancho Observer: May 23, 2024

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: O12

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Development Services

SUBJECT:
O12, Ordinance Amending the Rio Rancho Code of Ordinances (R.O. 2003) Title XV "Land Usage", Chapter 150 General Provisions, Section 150.23 (G) and (K), Section 150.30 (A)(5), the Addition of (B)(4)(e) and (f), and Repealing and Replacing the Appendix

BACKGROUND AND ANALYSIS:
Second reading of an Ordinance. The Governing Body approved of the Ordinance at first reading on June 13, 2024. Also, on June 13, 2024, the Governing Body approved Resolution 46/Enactment No. 24-045 approving amended land use assumptions as required by the State of New Mexico Development Fees Act, which is a companion item to this Ordinance.

The City of Rio Rancho is requesting approval of text amendments to the Rio Rancho Code of Ordinances (R.O. 2003) Chapter 150 General Provisions, Section 150.23 (G), Section 150.30 (A)(5) and (B)(4)(e) and (f), and repealing and replacing the Appendix. The City is authorized to impose impact fees under New Mexico Statutes (NMSA 1978) § 5-8-1 through 5-8-42, the Development Fees Act.

In preparation of updating the Impact Fee Schedule, the City put out a request for proposal and selected Wildan Financial Services as a consultant for the update. In collaboration with the City, Wildan provided a detailed impact fee study, which has been provided as an attachment. Staff reviewed data and assumptions provided by the consultants in developing the fee schedule and sought input and guidance from the City's Capital Improvement Plan Citizen's Advisory Committee (CIPCAC), Governing Body, and stakeholders. The City held multiple rounds of stakeholder sessions and presented updates and findings at five Governing Body Work Session meetings.

The consultants used three methodologies to calculate the potential impact fees. The methodologies are: existing standard, system standard, and planned facility. The data used for these methodologies, pursuant to State Statute, included land use assumptions, population projections, estimated employment projections, level of service, and ICIP items that had a percentage of need based on new growth. Detailed schedules were created using these three methodologies to determine the best measure of demand created by new development for each of the impact fees, as demonstrated in the attached impact fee study. Based on feedback from Governing Body members and stakeholders, staff determined that the proposed increases using the standard methodologies for impact fees would be overly burdensome to the development community to maintain the level of service currently held by residents.

Staff proposed a new impact fee schedule that will start with a "true up". The "true up" takes a weighted average of the Consumer Price Index, Producer Price Index-Final Demand and Produce Price Index-Government Construction since 2017 through the end of calendar year 2023 to compare the multi-year increases in the current impact fee schedule to the increases in the cost of capital project construction for the City. The intent of the “true up” is to address the erosion in the City’s purchase power since 2017 with the adoption of the current schedule. It should be noted that the last adjustment to impact fee rates took place on July 1, 2021 and rates have not changed since that time. Should this item pass with the new rates going into effect on July 8, 2024, it will have been three years since the rates last increased.

After this "true up" for year one of the schedule, staff presented five alternative options for minor increases for year 2-5 of the fee schedule. At the Governing Body Work Session held on April 16, 2024, the feedback was that some Governing Body members supported Option C. This option incorporates the recommended 18.8% initial increase rate ("true up"), which reflects the most updated increase in the Consumer Price Index and Producer Price Index since July 1, 2017, while also having a lower annual annual increase of 3.5% in order to account for growth and inflation/cost increases related to development. The presentation from the April 16, 2024 work session is attached and provides additional information related to percentages/dollars and adjustments over time. Of note and for reference, the dollar amounts of the increases follow:

	Previous Schedule	**Current Schedule**	**18.8% / 3.5%**			
	7/1/2016	7/1/2021	FY25: Year 1	FY30: Year 6	Year 1 Incr. vs Current	Year 6 Incr. vs Current
Single Family Residential (per unit)	$9,882.00	$10,718.00	$12,224.00	$14,518.00	$1,506.00	$3,800.00
Multi-family residential (per unit)	$2,967.00	$3,895.00	$4,627.00	$5,495.50	$732.00	$1,600.50
Commercial (per 1,000 sq ft)	$5,000.00	$1,955.00	$2,322.50	$2,758.00	$367.50	$803.00
Office/institutional (per 1,000 sq ft)	$3,465.00	$1,434.50	$1,704.00	$2,024.00	$269.50	$589.50
Industrial/warehouse (per 1,000 sq ft)	$2,155.00	$495.00	$588.00	$698.00	$93.00	$203.00

Staff also recommends the implementation of subcategory fees that are charged in lieu of a specific impact fee. These fees will be applied businesses that place a disproportionate strain on City infrastructure and services compared to others in the land use categories. The annual increase of these fees will also be 3.5%. The starting recommended subcategory fees are as follows:

Roadways:
1. $3,600 per 1,000 sf for Quick Service Restaurants.
2. $3,600 per 1,000 sf for Car Washes.
Public Safety:
1. $843 per bed for Assisted Living Facilities.

The current impact fee schedule is located in the Appendix of Chapter 150 General Provisions. This text amendment is proposing to repeal and replace this section to reflect the 18.8% initial increase rate starting July 8, 2024 and the subsequent 3.5% annual increase until July 1, 2029. This updated schedule also incorporates the addition of the subcategories.

In Chapter 150.23 (G), the proposed amendment includes updating the level of service calculations to reflect the new impact fees and in section (K) the language would be changed to reflect that the annual increase is accounting for inflation.

In Chapter 150.30, the main changes would be the additions of the sections (B)(4)(e) and (B)(4)(f).

In (B)(4)(e) language proposed would allow staff to have a way to calculate for RV storage square footage without a physical office. This addition would state: "the square footage of the nonresidential development shall be calculated by determining the square footage of the smallest parking space multiplied by the total number of all parking spaces." This method has been used by staff in order to calculate the impact fees for this type of development and adding this language to the code will allow this method to be formalized.

The added language in section (B)(4)(f) would state: "Subcategories have been created for development of land uses that have a disproportionately higher strain on infrastructure. These subcategories are only assessed on the specified development for that specific category by the listed unit. The development will be assessed on the remaining categories by the standard process listed above."

NMSA 5-8-34 requires that “the advisory committee …. shall file its written comments with the applicable municipality or county on the proposed amendments to the land use assumptions, capital improvements plan or impact fees before the fifth business day before the date of the public hearing on the amendments.” This advisory committee is the Capital Improvement Plan Citizen’s Advisory Committee (CIPCAC).

CIPCAC has received presentations mirroring the presentations at the Governing Body Work Session meetings and included updates on the RFP and Consultant selection that occurred in October of 2022. CIPCAC completed their final review of the impact fee amendments at their meeting held on April 22, 2024. The motion to recommend approval to the Governing Body received 4 votes for and 0 votes against and the motion passed. The draft meeting minutes are provided as an attachment.

In addition, a change or amendment to any portion of the Title XV Land Usage requires review and recommendation by the Planning and Zoning Board pursuant to Chapter 150.07 (A), which states "Proposed amendments shall be submitted to the Governing Body through the Planning and Zoning Board”, and (B) "The Board shall study the proposals at a regular meeting or at a special meeting, if necessary, and shall submit its recommendations to the Governing Body.”

The Planning and Zoning Board reviewed this item at their May 14, 2024 meeting and the motion to recommend approval to the Governing Body received 0 votes for and 5 votes against, and the motion failed.

Between the first reading of the Ordinance and the second reading, it was noted that line 3 on page 2 should read ""Findings and Declarations", Subsections G and K is hereby amended to read as follow".

IMPACT:

Adoption of the impact fee schedule will provide supplemental funding for the City to address capital

projects that are necessitated by growth.

The Capital Improvement Plan Citizen's Advisory Committee recommends that the Governing Body approves the text amendments with findings and the Planning and Zoning Board recommends denial, subject to the following findings of fact:

GENERAL FINDINGS OF FACT:
1.The City is authorized to impose impact fees under New Mexico Statutes (NMSA 1978) § 5-8-1 through 5-8-42, the Development Fees Act.
2. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a text amendment.
3. The applicant has the authority to apply for a text amendment.
4. The applicant and the public received due process.

SPECIFIC FINDINGS OF FACT FOR APPROVAL:
1. The proposed text amendment would be consistent with the health, safety, morals, and general welfare of the City.
2. Sound justification has been presented for the proposed text amendments which update outdated information.

If the Governing Body determines the proposed text amendment is not justified, the following findings are recommended for denial:

SPECIFIC FINDINGS OF FACT FOR DENIAL:
1. The proposed text amendment does not meet the requirements of Rio Rancho Code of Ordinances (R.O. 2003) §150.07(D) Amendments.

ALTERNATIVES:

The Governing Body may:

1. The Governing Body may approve the request.
2. The Governing Body may deny the request.
3. The Governing Body may modify the request and approve such modifications.
4. The Governing Body may continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

The Capital Improvement Plan Citizen's Advisory Committee recommends that the Governing Body approves the text amendments with findings and the Planning and Zoning Board recommends denial.

ATTACHMENT: Ordinance_O12 Redlined
ATTACHMENT: Impact Fee Study
ATTACHMENT: 4.22.24 CIPCAC Draft Meeting Minutes
ATTACHMENT: April 16 2024 Work Session Impact Fees Presentation
ATTACHMENT: Legal Notice
ATTACHMENT: R46 Signed
ATTACHMENT: O12 Public Comment - Lana Smiddle HBA of CNM
ATTACHMENT: 012 Public Comment- Spangler Pacheco & Werbelow.pdf

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE RIO RANCHO CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 150 GENERAL PROVISIONS, ARTICLE III IMPACT FEES, SECTION 150.23 (G) AND (K), SECTION 150.30 (A)(5) AND (B)(4)(e) AND (f), AND REPEALING AND REPLACING APPENDIX; PROVIDING FOR INTERPRETATION, SEVERABILITY, AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS: the Governing Body of City of Rio Rancho, has adopted impact fees in accordance with the State of New Mexico Statutes Annotated (NMSA 1978) Chapter 5 “Municipalities and Counties”, Article 8 “Land Development Fees and Rights”, cited as the Development Fees Act; and

WHEREAS: the Governing Body finds a need to amend the impact fees subchapter based on NMSA Section 5-8-30(B), requiring the City to review and evaluate its impact fee use assumptions and impact fee capital improvements plan (ICIP) in accordance with the Development Fees Act”; and

WHEREAS: the Capital Improvement Plan Citizen's Advisory Committee (CIPCAC) has reviewed the proposed amendments at the CIPCAC meeting on April 22, 2024, and recommended approval to the Governing Body; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board reviewed the proposed amendments at a public meeting on May 14, 2024 and made recommendations to the Governing Body regarding adoption of the changes; 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 text amendments and were duly advertised and held by the Governing Body of the City of Rio Rancho on June 13, 2024 (First Reading) and June 27, 2024 (Second and Final Reading), and the Governing Body heard interested parties and citizens for and against the proposed text amendments; and

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon findings and determination that the proposed amendments are consistent with the policies and criteria set forth in R.O.2003 and the City’s Comprehensive Plan, the Governing Body finds that the amendments promote the health, safety, morals, and general welfare of the City.

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

Section 1. Amendment of Chapter 150.23 (G).
The Rio Rancho Code of Ordinances (R.O. 2003) Title XV "Land Usage", Chapter 150.30: "Findings and Declarations", Subsection G and K is hereby amended to read as follows:

(G) The Governing Body hereby adopts the following standards for minimum level-of-service (LOS) for each of the following categories of capital facilities:

Facility Category	***Level-of-Service***
Roads	~~VMC/VMT ratio of 2.00~~ $49 per VMT
Bikeways and Trails	~~0.46 miles per 10,000 VMT~~ $49 per resident and $5.00 per worker
Parks	~~3.06 equivalent developed park acres per 1,000 peak residential population~~ $1,315 per resident
Public Safety	~~1.62 square feet of public safety building per functional population~~ $715 per resident and $222 per worker
Utilities (Water and Wastewater)	~~Single-family equivalent connector service unit, or ERU, requires: 340 gallons per day (gpd) potable water capacity, and 750 gallons per day maximum water day demand, and 175 gpd wastewater (sewer) capacity.~~ 60.96 gpd and 2.60 pph for 158 gpd per ERU
Drainage	~~To provide a conveyance system adequate to accommodate the design storm from the farthest upstream property or city boundary to the receiving waters of the Rio Grande River. The design storm is the 100-year storm event, with a duration of six hours for conveyance facilities and 24 hours for detention facilities.~~ $414 per 1,000 square feet

…

(K) The Governing Body further finds and declares that such impact fees may be increased yearly to try to account for inflation; ~~be phased-in over a period of time in order to equitably facilitate projects that may be in the development review process when this subchapter becomes effective;~~

Section 2. Amendment of Chapter 150.30.
The Rio Rancho Code of Ordinances (R.O. 2003) Title XV "Land Usage", Chapter 150.30: "Imposition of Fees; Assessment and Collection", is hereby amended to read as follows:

(A)(1) Any person who, after the effective date, engages in development shall pay impact fees in the manner and in the amounts required in this subchapter unless otherwise specified herein. No building permit or notice to proceed to commence construction shall be issued for development within the city unless the impact fees are assessed and collected pursuant to this subchapter.

(2) Payment of impact fees identified in and pursuant to the appendix to this chapter shall constitute full and complete payment of the development's proportionate share of system improvements for which the fee was paid and shall constitute compliance with the requirements of this subchapter.

(3) Notwithstanding any other provision of this subchapter, that portion of a development for which a valid building permit has been issued or applied for and deemed complete prior to the effective date shall not be subject to impact fees pursuant to this subchapter so long as the building permit remains valid and construction is commenced and diligently pursued according to the terms of the building permit. An application for a building permit which has been deemed complete prior to the effective date shall be subject to the fees in effect prior to the effective date of this subchapter.

(4) Nothing in this subchapter shall prevent the city from requiring a developer to construct reasonable project improvements in connection with the new development.

(5) Impact fees, as updated and amended, shall be phased in over a five-year period as applicable for increases in the fees, beginning ~~July 1, 2017~~ July 8, 2024, as detailed in the schedule contained in the appendix to this chapter.

(B)(1) The Impact Fees Administrator shall calculate and assess the impact fees at the earliest possible time.

(a) For land that is platted or replatted after the effective date of this amendment to the impact fees subchapter, the impact fees shall be assessed at the time that the preliminary subdivision plat or summary plat is approved.

(b) For land that was platted or replatted prior to the effective date of this amendment to the impact fees subchapter, or for development that occurs without platting, the impact fees shall be assessed at the time of development approval, zoning plan check or issuance of a building permit.

(2) The calculation and assessment of the impact fees shall be valid for a period of at least four years, but no greater than seven years, from the date of the assessment.

(3) Notwithstanding subsection (B)(2) of this section, the calculation and assessment of impact fees may be revised under the following circumstances:

(a) If the number of service units in the specific development increases; or

(b) If construction is not commenced within one year from the date of development approval or issuance of the building permit or zoning plan check, whichever date is earlier.

(4) The Impact Fees Administrator, or designee, shall calculate and assess the impact fees for new development as follows:

(a) The impact fee shall be calculated by multiplying the number of dwelling units or 1,000 square feet of gross floor area by the fee shown in the applicable fee schedule for the type of dwelling or nonresidential development.

(b) In the case of water utilities, the impact fee shall be calculated based on the meter size up to two inches. For meters larger than two inches, the fee will be calculated based on estimated usage.

(c) Applicable credits for system improvements constructed as part of the development and which are in excess of the development's proportionate share shall be subtracted. The value or amount of credits for construction of system improvements is also based on the year the system improvement is programmed for construction in the IFCIP, in relation to the year that the improvement is constructed based on the following schedule:

Year of Construction Prior to Fiscal Year Project Is Programmed in the IFCIP	Percentage Value of Credit for Value in Excess of Proportionate Share
0 – 1 Year	100%
2 Years	90%
3 Years	80%
4 Years	70%
5 Years	60%
6 Years or greater	50%

(d) For change of land use and/or additions, the impact fee shall be the difference between the impact fee calculated for the site prior to the change of land use and/or addition and the impact fee calculated for the site following the change of land use and/or addition. Should the change of land use and/or the addition result in a net decrease in gross floor area or calculated impact fee, no refund or credit for past development impact fees paid shall be made or created.

(e) In the case of outdoor RV Storage and parking lots with no physical office on site, the square footage of the nonresidential development shall be calculated by determining the square footage of the smallest parking space multiplied by the total number of all parking spaces.

(f) Subcategories have been created for development of land uses that have a disproportionately higher burden on infrastructure. These subcategories are only assessed on the specified development for that specific category by the listed unit. The development will be assessed the remaining categories by the standard process listed above.

(5) In the event that an application proposes a land use that does not directly match a land use type upon which fees are based, the Impact Fees Administrator shall assign the proposed use to the land use type that most closely resembles the proposed land use.

(6) If the assessment occurs at the time of subdivision plat approval, the assessment may provide the applicable fee schedule in lieu of the specific amount of impact fees due.

(7) When new development for which an application for a building permit has been made includes two or more buildings, structures or other land uses in any combination, including two or more land uses within a building or structure, the total impact fee shall be the sum of the fees for each and every building, structure or land use, including each and every land use within a building or structure.

(8) When a change of land use, redevelopment or modification of an existing land use or building requires the issuance of a building permit, the impact fee shall be based on the difference between the impact fee calculated for the previous land use and the impact fee calculated for the proposed land use. Should a redevelopment or modification of an existing land use or building that requires the issuance of a building permit but does not involve a change in land use result in a net increase in gross floor area, the impact fee shall be based on the net increase, if the service units are calculated on gross floor area. Should a change of land use, redevelopment or modification of an existing land use or building result in a net decrease in gross floor area or calculated impact fee, no refund or credit for past impact fees paid shall be made or created.

(9) In lieu of all or part of an impact fee, the city at its sole discretion may accept an offer from a developer to construct improvements or to contribute or dedicate land or money. The “in lieu” portion of any impact fee represented by construction of improvements shall be deemed paid when the construction is completed and accepted by the city for maintenance or at an earlier time upon terms and conditions and security acceptable to the city in its sole discretion. The “in lieu” portion of an impact fee represented by land dedication shall be deemed paid when the title to the land has been accepted by the city or at an earlier time upon terms and conditions acceptable to the city in its sole discretion.

(10) In addition to the cost of new or expanded system improvements needed to serve new development, the impact fee shall also include the proportionate cost of existing system improvements, but only to the extent that the public facilities have excess capacity and new development as well as existing development will be served by the facilities.

(11) The Impact Fees Administrator shall retain a record of the impact fees assessment. A copy shall be provided to the applicant on the forms prescribed by the city. If requested by the developer or property owner, a notice of impact fees assessment for the new development shall be recorded by the city in the appropriate real property title records of the County Clerk, with the cost of such recording being borne by the developer or owner.

(12) The impact fees shall be due and payable at the time of issuance of a building permit. Impact fees for mobile homes shall be collected at the time of issuance of a foundation permit, electric permit, or zoning plan check. Payment of impact fees shall not be accepted by the city prior to the issuance of a building

permit for which the impact fee is due unless payment is by means of a development agreement.

(13) Impact fees may be assessed but shall not be collected unless the collection is for a capital improvement or facility expansion that has been identified in the capital improvements plan and the city commits to complete construction within seven years and to have service available within seven years and to have service within a reasonable time after such completion of construction considering the type of capital improvement or facility expansion to be constructed, but in no event longer than seven years.

(14) The City Administrator or designee may enter into a written agreement with the owner of record providing a method of payment over time; providing that the city receive security ensuring payment of the fees, which security may be in the form of a cash bond, surety bond, an irrevocable letter of credit, negotiable certificate of deposit or escrow account, or a lien or mortgage on property for which the impact fees are due.

('87 Code, § 9-11-14)

(C)(1) Aside from impact fees collected for recoupment, the funds collected pursuant to this subchapter shall be used solely for the purpose of planning, design, acquisition, construction, expansion and development of system improvements within the service area from which the fees were collected.

(2) Impact fees collected for recoupment may be spent to offset the impact fees otherwise due from development for which a waiver of impact fees has been granted or for any other lawful municipal purpose.

(3) The city shall be entitled to expend three percent of the impact fees collected annually for city employees who are qualified professionals, as defined in the Development Fees Act, associated with the collection and use of the impact fee revenues.

(4) The city may issue bonds, revenue certificates and other obligations of indebtedness in a manner and subject to limitations as may be provided by law in furtherance of the provision of capital improvement projects. Funds pledged toward retirement of bonds, revenue certificates or other obligations of indebtedness for the projects may include impact fees and other city revenues as may be allocated by the Governing Body. The nonrecoupment impact fees paid pursuant to this subchapter, however, shall be restricted to use solely and exclusively for financing directly, or as a pledge against bonds, revenue certificates and other obligations of indebtedness for the cost of capital improvements as specified herein.

Section 3. Repeal and Replacement of Chapter 150, Appendix.
The Rio Rancho Code of Ordinances (R.O. 2003) Title XV "Land Usage", Chapter 150, Appendix is hereby repealed and replaced in its entirety to read as presented in Exhibit A.

Section 4. 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 5. Effective Date. This Ordinance shall become effective on July 8, 2024.

ADOPTED THIS _____ OF _____ , 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

EXHIBIT A

Note: Fees are calculated down to the nearest one-half dollar amount.

SCHEDULE FOR DEVELOPMENT IMPACT FEES

Land Use Type	*Unit*	*Roads*	*Bikeways and Trails*	*Parks*	*Public Safety*	*Total*
YEAR 1, beginning July 8, 2024:						
Single-family	Dwelling	$4,465	$47.50	$968	$628.50	$6,109
Multi-family	Dwelling	$3,125.50	$39	$834	$628.50	$4,627
Commercial	1,000 sf	$2,054	$7	$0	$261.50	$2,322.50
Quick Service Restaurant, Car Wash	1,000 sf	$3,600	$7	$0	$261.50	$3,868.50
Office/institutional	1,000 sf	$889	$19	$0	$796	$1,704
Assisted Living Facility	1,000 sf/ Per Bed for Public Safety	$889	$19	$0	$843	$908 plus $843 per bed
Industrial/warehouse	1,000 sf	$562	$2.50	$0	$24	$588.50
YEAR 2, beginning July 1, 2025:						
Single-family	Dwelling	$4,621.50	$49	$1,002	$650.50	$6,323
Multi-family	Dwelling	$3,235	$40.50	$863	$650.50	$4,789
Commercial	1,000 sf	$2,126	$7.50	$0	$270.50	$2,404
Quick Service Restaurant, Car Wash	1,000 sf	$3,726	$7.50	$0	$270.50	$4,004
Office/institutional	1,000 sf	$920.50	$19.50	$0	$824	$1,764
Assisted Living Facility	1,000 sf/ Per Bed for Public Safety	$920.50	$19.50	$0	$872.50	$940 plus $872.50 per bed
Industrial/warehouse	1,000 sf	$581.50	$2.50	$0	$24.50	$608.50
YEAR 3, beginning July 1, 2026:						

SCHEDULE FOR DEVELOPMENT IMPACT FEES

Land Use Type	*Unit*	*Roads*	*Bikeways and Trails*	*Parks*	*Public Safety*	*Total*
Single-family	Dwelling	$4,783	$51	$1,037	$673	$6,544
Multi-family	Dwelling	$3,348.50	$42	$893.50	$673	$4,957
Commercial	1,000 sf	$2,200.50	$7.50	$0	$280	$2,488
Quick Service Restaurant, Car Wash	1,000 sf	$3,856.50	$7.50	$0	$280	$4,144
Office/institutional	1,000 sf	$952.50	$20.50	$0	$852.50	$1,825.50
Assisted Living Facility	1,000 sf/ Per Bed for Public Safety	$952.50	$20.50	$0	$903	$973 plus $903 per bed
Industrial/warehouse	1,000 sf	$602	$2.50	$0	$25.50	$630
YEAR 4, beginning July 1, 2027:						
Single-family	Dwelling	$4,950.50	$52.50	$1,073.50	$697	$6,773.50
Multi-family	Dwelling	$3,465.50	$43.50	$924.50	$697	$5,130.50
Commercial	1,000 sf	$2,277.50	$8	$0	$290	$2,575
Quick Service Restaurant, Car Wash	1,000 sf	$3,991.50	$8	$0	$290	$4,289.50
Office/institutional	1,000 sf	$986	$21	$0	$882.50	$1,889.50
Assisted Living Facility	1,000 sf/ Per Bed for Public Safety	$986	$21	$0	$934.50	$1,007 plus $934.50 per bed
Industrial/warehouse	1,000 sf	$623	$2.50	$0	$26.50	$652
YEAR 5, beginning July 1, 2028:						
Single-family	Dwelling	$5,124	$54.50	$1,111	$721	$7,010.50
Multi-family	Dwelling	$3,586.50	$45	$957	$721	$5,310
Commercial	1,000 sf	$2,357	$8	$0	$300	$2,665

SCHEDULE FOR DEVELOPMENT IMPACT FEES

Land Use Type	*Unit*	*Roads*	*Bikeways and Trails*	*Parks*	*Public Safety*	*Total*
Quick Service Restaurant, Car Wash	1,000 sf	$4,131	$8	$0	$300	$4,439
Office/institutional	1,000 sf	$1,020.50	$22	$0	$913.50	$1,956
Assisted Living Facility	1,000 sf/ Per Bed for Public Safety	$1,020.50	$22	$0	$967	$1,042.50 plus $967 per bed
Industrial/warehouse	1,000 sf	$645	$2.50	$0	$27.50	$675
YEAR 6, beginning July 1, 2029:						
Single-family	Dwelling	$5,303	$56.50	$1,150	$746.50	$7,226
Multi-family	Dwelling	$3,712.50	$46.50	$990.50	$746.50	$5,496
Commercial	1,000 sf	$2,439.50	$8.50	$0	$310.50	$2,758.50
Quick Service Restaurant, Car Wash	1,000 sf	$4,275.50	$8.50	$0	$310.50	$4,594.50
Office/institutional	1,000 sf	$1,056	$22.50	$0	$945.50	$2,024
Assisted Living Facility	1,000 sf/ Per Bed for Public Safety	$1,056	$22.50	$0	$1,001	$1,078.50 plus $1,001 per bed
Industrial/warehouse	1,000 sf	$667.50	$3	$0	$28	$698.50

SCHEDULE FOR WATER UTILITIES IMPACT FEES

Meter Size	***5/8"***	***3/4"***	***1"***	***1.5"***	***2"***	***3" or greater***
YEAR 1, beginning July 8, 2024:						
Water impact fee	$3,740	$5,610	$8,941	$17,883	$28,612	Based upon estimated usage
Sewer impact fee	$2,375	$3,563	$5,937.50	$11,874	$18,998.50	
Total	$6,115	$9,173	$14,878.50	$29,757	$47,610.50	
YEAR 2, beginning July 1, 2025:						
Water impact fee	$3,871	$5,806.50	$9,254	$18,509	$29,613.50	Based upon estimated usage
Sewer impact fee	$2,458	$3,687.50	$6,145.50	$12,289.50	$19,663.50	
Total	$6,329	$9,494	$15,399.50	$30,798.50	$49,277	
YEAR 3, beginning July 1, 2026:						
Water impact fee	$4,006.50	$6,009.50	$9,578	$19,156.50	$30,650	Based upon estimated usage
Sewer impact fee	$2,544	$3,816.50	$6,360.50	$12,720	$20,351.50	
Total	$6,550.50	$9,826	$15,938.50	$31,876.50	$51,001.50	
YEAR 4, beginning July 1, 2027:						
Water impact fee	$4,146.50	$6,220	$9,913	$19,827	$31,722.50	Based upon estimated usage
Sewer impact fee	$2,633	$3,950	$6,583	$13,165	$21,064	
Total	$6,779.50	$10,170	$16,496	$32,992	$52,786.50	
YEAR 5, beginning July 1, 2028:						
Water impact fee	$4,291.50	$6,437.50	$10,260	$20,521	$32,833	Based upon estimated usage
Sewer impact fee	$2,725	$4,088.50	$6,813.50	$13,626	$21,801	
Total	$7,016.50	$10,526	$17,073.50	$34,147	$54,634	
YEAR 5, beginning July 1, 2029:						
Water impact fee	$4,442	$6,663	$10,619	$21,239.50	$33,982	Based upon estimated usage
Sewer impact fee	$2,820.50	$4,231.50	$7,052	$14,102.50	$22,564.50	
Total	$7,262.50	$10,894.50	$17,671	$35,342	$56,546.50	

SCHEDULE FOR DRAINAGE IMPACT FEES (for areas not served by an engineered and approved stormwater management system)

Land Use Type	***Unit***	***Year 1: Beginning July 8, 2024***	***Year 2: Beginning July 1, 2025***	***Year 3: Beginning July 1, 2026***	***Year 4: Beginning July 1, 2027***	***Year 5: Beginning July 1, 2028***	***Year 6: Beginning July 1, 2029***
Single-family	Dwelling	$2,444	$2,529.50	$2,618	$2,709.50	$2,804.50	$2,902.50
Multi-family	Dwelling	$2,105	$2,178.50	$2,255	$2,334	$2,415.50	$2,500
Commercial	1,000 sf	$468	$484.50	$501.50	$519	$537	$556
Office/institutional	1,000 sf	$468	$484.50	$501.50	$519	$537	$556
Industrial/warehouse	1,000 sf	$468	$484.50	$501.50	$519	$537	$556

City of Rio Rancho, NM

Impact Fee Study – Final Report

June 2024



WILLDAN

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Section 1 - Introduction

1.1. Introduction

Willdan Financial Services "Willdan" was retained by the City of Rio Rancho, New Mexico ("City") to conduct an Impact Fee Study "Study" for the City's public safety, parks, bikeways and trails, drainage, roadways, water and sewer impact fees. This report details the results of the Study analysis for the forecast fiscal period, Fiscal Year (FY) 2023-2028.

1.2. Overview of the Impact Fee Study Process

The impact fee study was a collaboration between Willdan and the City. We reviewed data and assumptions with City staff in developing the fees and sought input and guidance from the City's Capital Improvement Plan Citizen's Advisory Committee (CIPCAC) and City Council. The approach taken in this study adheres to industry standard practices for impact fee development and conforms to the requirements of the State Development Fee Act (New Mexico Statutes sections 5-8-1 through 5-8-43).

1.3. Organization of this Report

This Study presents an overview of the concepts employed in the development of the analysis contained herein. The analysis is followed by a discussion of the data, assumptions and results associated with each component of the analysis. Finally, appendices with detailed schedules are presented for further investigation into the data, assumptions and calculations which drive the results presented in this Study. The report is organized as follows:

- Section 1 - Introduction
- Section 2 – Development Projections
- Section 3 – Capital Improvement Plan and Impact Fees
- Appendix A – Demographic Data
- Appendix B – Public Safety Impact Fee
- Appendix C – Parks Impact Fee
- Appendix D – Bikeways and Trails Impact Fee
- Appendix E – Drainage Impact Fee
- Appendix F – Roadways Impact Fee
- Appendix G – Water Impact Fee
- Appendix H – Sewer Impact Fee

1.4. Reliance on Data

During the course of this project the City provided Willdan with a variety of technical information, including cost and demographic data. Willdan did not independently assess or test for the accuracy of such data – historic or projected. We have relied on this data in the formulation of our findings and subsequent recommendations, as well as in the preparation of this report. As is often the case, there will be differences between actual and projected data, and these differences may be significant. Therefore, we take no responsibility for the accuracy of data or projections provided by or prepared on behalf of the City, nor do we have any responsibility for updating this report for events occurring after the date of this report.

Section 2 - Development Projections

2.1. Introduction

Per the Development Fees Act, it is necessary to identify the development that were used as the basis of the impact fees contained within this report. This section of the report provides the projection of land use changes for the period 2023 through 2028, based on the City's anticipated growth.

2.2. Service Areas

The City intends to assess development fees using one system that serves the entire City rather than multiple individual service areas. The fixed assets and projects identified in the capital improvements plan (CIP) will benefit new growth to all sections of the City regardless of location. A City-wide service area approach is permissible under the Development Fees Act. Figure 1 illustrates the City of Rio Rancho service area.

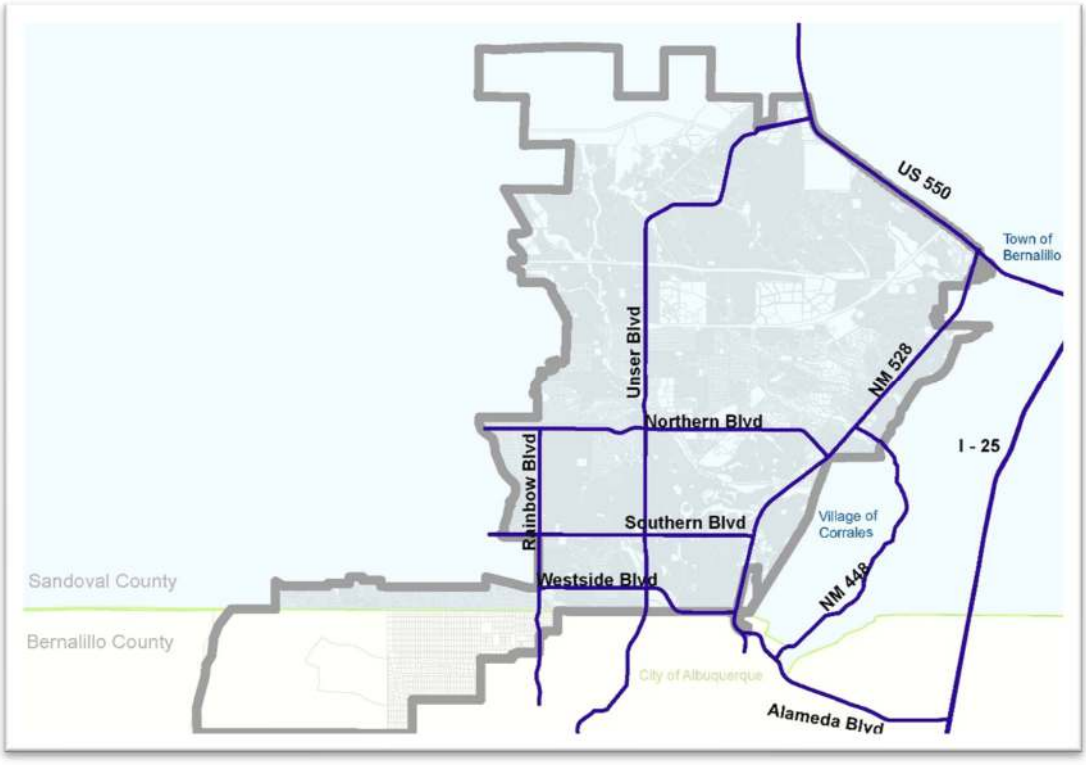


Figure 1
City of Rio Rancho Service Area

2.3. Key Requirements for Future Growth Trends

This section identifies the current population and development projections (as of 2023) and the projection of new population and development through 2028. It is anticipated that there will be 4,550 new housing units and 724,301 square feet of non-residential development added between 2023 and 2028. Table 1 summarizes the population and development projections.

Table 1
Population and Development Projections

Year	Population	Single Family Housing Units	Multifamily Housing Units	Commercial Square Footage	Office Square Footage	Industrial Square Footage
2023	108,082	37,429	4,164	4,289,284	4,511,501	1,565,344
2024	110,447	38,039	4,464	4,324,556	4,558,780	1,627,654
2025	112,811	38,649	4,764	4,359,827	4,606,058	1,689,964
2026	115,176	39,259	5,064	4,395,099	4,653,337	1,752,274
2027	117,541	39,869	5,364	4,430,370	4,700,615	1,814,584
2028	119,905	40,479	5,664	4,465,642	4,747,894	1,876,894

While the terms commercial, office and industrial are generic and encompass many types of developments, the following provides examples of developments within each category.

Commercial

- Retail
- Hotels and food services

Office

- Finance and insurance
- Real estate
- Health care

Industrial

- Utilities
- Construction
- Warehouses
- Manufacturing

2.4. Future Development Trends

The City's development projections for 2023 through 2028, anticipate a shift in development trends within the development classifications in 5 years as compared to today. The percentages of development by type current and projected are summarized in Table 2.

Table 2
Development Distribution

Development Type	2023 Units/SqFt	Percent of Distribution	2028 Units/SqFt	Percent of Distribution
Single Family	37,429	90%	40,479	88%
Multifamily	4,164	10%	5,664	12%
Total	41,593	100%	46,143	100%
Commercial	4,289,284	41%	4,465,642	40%
Office	4,511,501	44%	4,747,894	43%
Industrial	1,565,344	15%	1,876,894	17%
Total	10,366,129	100%	11,090,430	100%

As indicated in Table 2, there is a small shift in total housing unit distribution away from single family housing units to multifamily units. The industrial category is anticipated to represent a larger percentage of total non-residential square footage in 2028 as compared to 2023, while commercial and office developments will represent a smaller overall percentage of square footage of development.

Full demographic data can be found in Appendix A.

Section 3 - Capital Improvement Plan and Impact Fees

3.1. Service Areas

As was discussed in Section 1.2, the City provides services on a City wide basis. Impact fees are proposed to be assessed on a single service area basis rather than multiple service areas.

3.2. Fee Areas

This study involved a comprehensive review and update of the City's currently assessed impact fees. The following impact fees were reviewed and updated in the analysis:

- Public Safety (police and fire)
- Parks
- Bikeways and Trails
- Drainage
- Roadways
- Water
- Sewer

3.3. Existing and Future Levels of Service

In order to assess impact fees in an equitable manner to future development it was necessary to identify the existing level of service for each of the City's fee areas and ensure that new development is being asked to pay fees that will maintain the same level of service and not increase the level of service. The level of service will be discussed further in each fee area discussion.

3.3. Service Population

The impact fee analysis in this report uses a service population basis in calculating fees. Under the service population basis a resident equates to a service population of 1.00 and a worker equates to a service population of 0.31 based on a 40 hour work week out of a possible 128 non-work hours in a week. The exception to the use of service population applies to roadways, water and sewer. The approach for these three fee areas are discussed in their respective sections.

3.4. Fee Calculation Methodology

Three basic methodologies were used to calculate the City's various impact fees. There is no single right approach to be used in developing all impact fees, and there may be one methodology that works better for a specific fee area. The methodologies are used to determine the best measure of demand created by new development for each of the impact fees. The three basic methodologies are described below:

Under the **existing standard** new development will fund the expansion of facilities at the same standard currently serving existing development. By definition the existing inventory method results in no facility deficiencies attributable to existing development. This method is often used when a long-range plan for new facilities is not available. Future facilities to serve growth are identified through an annual CIP and budget process, possibly after completion of a new facility master plan.

The **system standard** methodology uses the City's past investment as well as all future facility needs along with total development at the end of the study period to identify the unit cost of facilities. Dividing total facilities by total development for the same period ensures level of service equity, as all developments have the same unit cost of facilities. However, only new development will be assessed impact fees.

The third approach used was the **planned facility** methodology. The planned facility methodology used the City's capital improvement plan (CIP) and related plans to determine new developments share of planned projects. Projects that do not add capacity, such as routine maintenance or replacement of existing facilities, are not included in the fees. Projects that add capacity are further evaluated as to the percentage of the project attributable to existing development versus new development. Only the incremental projects attributable to new development are included in the impact fees.

3.5. Public Safety

The public safety fee includes both the City's police and fire facilities and systems. Public safety impact fees were calculated using the system standard methodology.

Under the existing standard methodology approach new development is being asked to fund future expansion at the same level as the existing public safety facilities and associated system based on the current value of the system (fixed assets).

The system standard approach examined the value of existing and new facilities as of the end of 2028, a value of $86,695,855. The system value was then divided by the total service population at the end of 2028 to determine a cost per capita which was then converted to a cost per person and per worker as summarized in Table 3.

Table 3
Public Safety System Standard

Category	Metric
Value of Existing Facilities	$40,456,292
Value of Planned Facilities	46,239,563
Total System Value (2028)	$86,695,855
Total Service Population	121,233
Cost per Capita	$715
Existing Standard per Resident	715
Existing Standard per Worker	222

3.5.1 Public Safety Impact Fee

The cost per resident and per worker is used to identify the fee by development category based on persons per household for residential developments and workers per 1,000 square feet for non-residential developments. In addition to the existing fee categories a new development classification is proposed. An assisted living classification is being proposed in recognition of the incremental calls for service associated with assisted living developments as compared to the single family developments. The current and calculated fees are identified in Table 4.

Table 4
Current and Calculated Public Safety Impact Fees

Development Type	Current Fee	Calculated Fee	$ Difference	% Difference
Single Family Residential [1]	$529	$1,933	$1,404	265%
Multifamily Residential [1]	529	1,546	1,017	192%
Assisted Living [2]	n/a	3,256	3,256	n/a
Commercial [3]	0.220	0.580	0.360	164%
Office [3]	0.670	0.894	0.224	33%
Industrial [3]	0.020	0.318	0.298	1,490%

(1) Per dwelling unit
(2) Per bed
(3) Per square foot

The full public safety impact fee calculation can be found in Appendix B to this report.

3.6. Parks

Parks impact fees were calculated using the system standard methodology. The system standard approach examined the value of existing and new facilities as of the end of 2028 ($157,703,055). The system value was then divided by the total service population at the end of 2028 to determine a cost per capita which was then converted to a cost per person as summarized in Table 5.

Table 5
Parks System Standard

Category	Metric
Value of Existing Facilities	$136,882,902
Value of Planned Facilities	20,820,153
Total System Value (2028)	$157,703,055
Total Service Population	119,905
Cost per Capita	$1,315
Existing Standard per Resident	1,315

3.6.2 Parks Impact Fee

The cost per resident is used to identify the fee by development category based on persons per household. The current and calculated fees are identified in Table 6.

Table 6
Current and Calculated Parks Impact Fees

Development Type	Current Fee	Calculated Fee	$ Difference	% Difference
Single Family Residential [(1)]	$815	$3,555	$2,740	336%
Multifamily Residential [(1)]	702	2,844	2,142	305%

(1) Per dwelling unit

The full parks impact fee calculation can be found in Appendix C to this report.

3.7 Bikeways and Trails

Bikeways and trails impact fees were calculated using the system standard methodology.

The system standard approach examined the value of existing and new facilities as of the end of 2028, a value of $5,846,559. The system value was then divided by the total service population at the end of 2028 to determine a cost per capita which was then converted to a cost per person and per worker as summarized in Table 7.

Table 7
Bikeways and Trails System Standard

Category	Metric
Value of Existing Facilities	$3,103,669
Value of Planned Facilities	2,742,890
Total System Value (2028)	$5,846,559
Total Service Population	120,334
Cost per Capita	$49
Existing Standard per Resident	49
Existing Standard per Worker	5

3.7.1 Bikeways and Trails Fee per Unit

The cost per resident and per worker is used to identify the fee by development category based on persons per household for residential developments and workers per 1,000 square feet for non-residential developments. The current and calculated fees are identified in Table 8.

Table 8
Current and Calculated Bikeways and Trails Impact Fees

Development Type	Current Fee	Calculated Fee	$ Difference	% Difference
Single Family Residential [1]	$40	$133	$93	233%
Multifamily Residential [1]	33	106	73	221%
Commercial [2]	0.006	0.013	0.007	117%
Office [2]	0.016	0.020	0.004	25%
Industrial [2]	0.002	0.007	0.005	250%

(1) Per dwelling unit
(2) Per square foot

The full bikeways and trails impact fee calculation can be found in Appendix D to this report.

3.8. Drainage

Drainage impact fees were calculated using all the system standard approach.

The system standard approach examined the value of existing and new facilities as of the end of 2028, a value of $47,137,679. The system value was then divided by the total impervious area at the end of 2028 to determine a cost per 1,000 square feet as summarized in Table 9.

Table 9
Drainage System Standard

Category	Metric
Value of Existing Facilities	$9,900,704
Value of Planned Facilities	37,236,975
Total System Value (2028)	$47,137,679
Total Impervious Area (1,000 Sq.Ft.)	113,805
Cost per 1,000 Square Feet	$414

3.8.1 Drainage Fee per Unit

The cost per 1,000 square feet is used to identify the fee by development category based on an assumed square footage of 2,265 square feet for single family dwelling units and 1,951 square feet per multifamily dwelling unit. The fee is based on per 1,000 developed square feet for non-residential developments. The current and calculated fees are identified in Table 10.

Table 10
Current and Calculated Drainage Impact Fees

Development Type	Current Fee	Calculated Fee	$ Difference	% Difference
Single Family Residential [1]	$4,465	$957	($3,508)	(79%)
Multifamily Residential [1]	1,855	824	(1,031)	(56%)
Commercial [2]	0.394	0.422	0.028	7%
Office [2]	0.394	0.422	0.028	7%
Industrial [2]	0.394	0.422	0.028	7%

(1) Per dwelling unit
(2) Per square foot

The full drainage impact fee calculation can be found in Appendix E to this report.

3.9. Roadways

The roadways impact fees were calculated using the existing standard methodology.

Under the existing standard methodology approach new development is being asked to fund future expansion at the same level as the existing roadways facilities and associated system based on the current value of the system (fixed assets).

The current value of roadways assets was brought to today's dollars using the ENR CCI. Using this index attempts to value the City's assets at what it would cost to purchase or construct those assets today. It is important to recognize, however, that these assets are not new and are not being purchased today, but

rather have been depreciated over time. Therefore, the accumulated depreciation for each asset was subtracted from the calculated current day value to determine the RCNLD fixed asset value. The RCNLD fixed asset value was calculated at $334,750,935.

3.9.1 Vehicle Miles Traveled

Like other fee areas, roadways fees are developed based on the impact or burden each classification of new development places on the system. The metric used to identify the impact new development places on the roadways system is vehicle miles traveled (VMT). VMT represents the number of trips as well as the typical length of trip generated by development. Table 11 provides a summary of the inputs used to identify the VMT by development type.

Table 11
Development of Vehicle Miles Traveled

Development Type	Weekday VTE [1]	Trip Adjustment Factor	Average Trip Length	Trip Length Weight Factor	Average VMT [2]
Single Family Residential	9.43	65%	18.73	1.21	138.94
Multifamily Residential	6.74	65%	18.73	1.21	99.30
Commercial	42.70	33%	18.73	0.66	174.22
Office	11.03	50%	18.73	0.73	75.42
Industrial	6.97	50%	18.73	0.73	47.66
High Impact [3]	355.94	50%	18.73	0.73	2,433.75
RV Storage	2.05	50%	18.73	0.73	14.02

(1) VTE per dwelling unit for residential and per 1,000 square feet for non-residential
(2) VMT per dwelling unit for residential and per 1,000 square feet for non-residential
(3) Includes quick service restaurants and car washes

Weekday VTE represents the number of trip ends generated by each development type. For example, someone leaving their house to go to the grocery store and returning home represents four trip ends. The house represents two trip ends, one leaving the house and one returning to the house. The grocery store also represents two trip ends, one arriving at the grocery store and one leaving the grocery store.

The trip adjustment factor reflects the fact that trips can have multiple purposes and not all trip ends represent the primary destination. In the above example, if the stop at the grocery store was on the way home from work at the end of the day, the grocery store would not be the primary trip destination, it

would be a pass by stop on the way home. As such adjustments are made to reflect that not all trip ends are primary purposes of the trip.

Average trip length is a representation of the relative capacity placed on the City's roadways system based on each trip.

Trip length weight factor reflects the fact that not all trips are of the same length and therefore place less demand on the City's system. The 2009 National Household Travel Survey (NHTS) reports that trips from residential developments tend to be 121% of the overall average trip length. By contrast commercial trips lengths represent 66% of the overall average trip lengths and all other non-residential trips are approximately 73% of average overall trip lengths.

By multiplying the aforementioned components together, the VMT per development type is identified.

Once the VMT per development type has been determined it is possible to identify the total VMT that is projected for existing, incremental and total development based on the projected development in the study period. Table 12 summarizes the calculation of total VMT through 2023.

Table 12
Total Vehicle Miles Traveled – Existing

Development Type	Total Development [1]	Unit VMT [2]	Total VMT [3]
Single Family Residential	37,429	138.94	5,200,255
Multifamily Residential	4,164	99.30	413,500
Commercial	4,289	174.22	747,268
Office	4,512	75.42	340,248
Industrial	1,565	47.66	74,600
Total			6,775,871

(1) Residential development per dwelling unit, non-residential per 1,000 square feet
(2) VTE per dwelling unit for residential and per 1,000 square feet for non-residential
(3) VMT per dwelling unit for residential and per 1,000 square feet for non-residential

As indicated in Table 12, existing development represents 6,775,871 vehicle miles traveled. Table 13 provides a summary of the unit cost per VMT under the existing standard approach.

Table 13
Roadways Existing Standard

Category	Metric
Value of Existing Facilities	$334,750,935
Vehicle Miles Traveled (VMT)	6,775,871
Cost per VMT	$49.00

3.9.2 Roadways Fee per Unit

The cost per VMT is used to identify the fee by development category based on unit VMT per dwelling unit for residential developments and 1,000 of developed square feet for non-residential developments. The current and calculated fees are identified in Table 14.

Table 14
Current and Calculated Roadways Impact Fees

Development Type	Current Fee	Calculated Fee	$ Difference	% Difference
Single Family Residential [1]	$3,758	$6,944	$3,186	85%
Multifamily Residential [1]	2,631	4,963	2,332	89%
Commercial [2]	1.729	8.708	6.979	404%
Office [2]	0.749	3.769	3.021	404%
Industrial [2]	0.473	2.382	1.909	404%
High Impact [2] [3]	n/a	121.639	121.639	n/a
RV Storage [2]	n/a	0.701	0.701	n/a

(1) Per dwelling unit
(2) Per square foot
(3) Includes quick service restaurants and car washes

The full roadways impact fee calculation can be found in Appendix F to this report.

3.10 Water

The water impact fee was calculated using the existing standard methodology. Under this approach new development is being asked to fund future expansion at the same level as the existing system based on the current value of the system (fixed assets). Under this approach it was necessary to identify a single family equivalent (SFE) residential unit's proportionate investment share in the current water system, and therefore the unit cost per development.

The current value of water assets was brought to today's dollars using the ENR CCI. Using this index attempts to value the City's assets at what it would cost to purchase or construct those assets today. It is important to recognize, however, that these assets are not new and are not being purchased today, but rather have been depreciated over time. Therefore, the accumulated depreciation for each asset was subtracted from the calculated current day value to the RCNLD fixed asset value. The current value of the water system was calculated at $236,119,353.

3.10.1 Single Family Equivalent (SFE) Units

Through discussions with the City it was identified that the water system capacity is 10,000,000 gallons per day. It was also determined that the consumption per person is 60.96 gallons per day, and with 2.60 persons per household equates to an average single-family home consumption of 158 gallons per day. Based on the system capacity and the use per household, 63,128 SFEs can be served by the existing system as illustrated in Table 15.

Table 15
Single Family Equivalent Water Customers

	Consumption	Demand
System Capacity (gpd)		10,000,00
Average Water Flows per Person (gpd)	60.96	
Persons per household	2.60	
Flows per SFE (gpd)		158
SFEs to be Served		63,128

3.10.2 Calculated Water Impact Fees

By dividing the calculated value of the water system by the number of single family equivalents to be served, the proportionate share of ownership each single family equivalent has in (or will buy into) the system is $3,740 ($236,119,353/63,128).

The single family water impact fee represents the fee for a 5/8-inch meter (the typical meter size for a single family development). The water impact fee for all other meters are based on water meter size and the associated capacity compared to a 5/8-inch meter. The capacity ratio (as published by AWWA) is used to convert the single family residential equivalent fee for a 5/8-inch meter into a proportionate fee for larger meter sizes.

Impact fees for meter sizes 3/4-inch and greater are determined based on the meter capacity ratios of maximum safe continuous capacity as published in the AWWA Manual M6. For example, the capacity of a 1-inch meter is roughly 2.50 times greater than that of a 5/8-inch meter. Thus, the fee for a 1-inch meter is approximately 2.50 times greater than that of the 5/8-inch meter. Table 16 summarizes the water impact fee by meter size.

Table 16
Existing and Calculated Water Impact Fees

Meter Size	Capacity Ratio	Calculated	Current	$ Difference	% Difference
5/8-inch	1.00	$3,740	$3,577	$164	5%
3/4-inch	1.50	5,610	5,365	246	5%
1-inch	2.50	9,351	8,941	410	5%
1 ½-inch	5.00	18,702	17,883	819	5%
2-inch	8.00	29,923	28,612	1,311	5%
3-inch or greater	Impact Fee is Based on Estimated Use				

The full water impact fee calculation can be found in Appendix G to this report.

3.11 Sewer

The sewer impact fee was calculated using the existing standard methodology. Under this approach new development is being asked to fund future expansion at the same level as the existing system based on the current value of the system (fixed assets). Under this approach it was necessary to identify a single family equivalent (SFE) residential unit's proportionate investment share in the current sewer system, and therefore the unit cost per development.

The current value of sewer assets was brought to today's dollars using the ENR CCI. Using this index attempts to value the City's assets at what it would cost to purchase or construct those assets today. It is important to recognize, however, that these assets are not new and are not being purchased today, but rather have been depreciated over time. Therefore, the accumulated depreciation for each asset was subtracted from the calculated current day value to determine the RCNLD fixed asset value. The current value of the sewer system was calculated at $130,635,081.

3.11.1 Single Family Equivalent Units

Through discussions with the City it was identified total sewer system capacity is 4,600,00 gallons per day. It was also determined that the discharge per person is 60.96 gallons per day, with persons per household of 2.60 the average single family home contributes 158 gallons of discharge per day. Based on the system capacity and the use per household, the existing system can serve 29,039 SFEs as illustrated in Table 17.

Table 17
Existing Single Family Equivalent Sewer Customers

	Discharge	Demand
System Capacity (gpd)		4,600,00
Average Discharge per Person (gpd)	60.96	
Persons per household	2.60	
Discharge per SFE (gpd)		158
SFEs to be Served		29,039

3.11.2 Calculated Sewer Impact Fees

By dividing the calculated value of the sewer system by the number of single family equivalents to be served, by the proportionate share of ownership each single family equivalent has in (or will buy into) the system is $4,499 ($130,635,081/29,039).

The single family sewer impact fee represents the fee for a 5/8-inch meter (the typical meter size for a single family development). The sewer impact fees for all other meters are based on the capacity by water meter size. A capacity ratio (as published by AWWA) is used to convert the single family residential equivalent fee for a 5/8-inch meter into a proportionate fee for larger meter sizes.

Impact fees for meter sizes 3/4-inch and greater are determined based on the meter capacity ratios of maximum safe continuous capacity as published in the AWWA Manual M6. For example, the capacity of a 1-inch meter is roughly 2.50 times greater than that of a 5/8-inch meter. Thus, the fee for a 1-inch meter is approximately 2.50 times greater than that of the 5/8-inch meter. Table 18 summarizes the sewer impact fee by meter size.

Table 18
Existing and Calculated Sewer Impact Fees

Meter Size	Capacity Ratio	Calculated	Current	$ Difference	% Difference
5/8-inch	1.00	$4,499	$1,199	$2,500	125%
3/4-inch	1.50	6,748	2,999	3,749	125%
1-inch	2.50	11,247	4,998	6,249	125%
1 ½-inch	5.00	22,943	9,995	12,498	125%
2-inch	8.00	35,989	15,992	19,997	125%
3-inch or greater	Impact Fee is Based on Estimated Use				

The full sewer impact fee calculation can be found in Appendix H to this report.

APPENDIX A

Demographic Data

Demographic Assumptions

	2023	2028	Increase
Residents[1]	108,082	119,905	11,823
Dwelling Units[2]			
Single Family	37,429	40,479	3,050
Multifamily	4,164	5,664	1,500
Total	41,593	46,143	4,550
Employment[3]			
Commercial	1,672	1,741	69
Office	1,144	1,204	60
Industrial	1,115	1,337	222
Total	3,931	4,282	351
Building Square Feet (1,000s)[4]			
Commercial	4,289	4,466	176
Office	4,512	4,748	236
Industrial	1,565	1,877	312
Total	10,366	11,090	724

[1] Population in 2023 identified in the 2023 American Community Survey Estimates. Total population in 2028 identified based on current persons per household mulitplied by number of housing units projected in 2028.
[2] Total units in 2023 prepared by City of Rio Rancho Department of Financial Services. Assumed to increase at same annual growth rate as population.
[3] Nonresidential square footage prepared by City of Rio Rancho Department of Financial Services. Assumed to increase at same annual growth rate.
[4] Jobs in Rio Rancho in 2015 and 2019 identified using U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics. Jobs in 2023 through 2028 assumed to increase at rate consistent with increases from 2015 to 2019.

APPENDIX B

Public Safety Impact Fee

Table 1.1: Public Safety Service Population

	Residents	Workers[1]	Service Population
Existing (2023)	108,082	3,931	109,301
New Development (2023-2028)	11,823	351	11,932
Total (2028)	119,905	4,282	121,233
Weighting Factor	1.00	0.31	

[1] Workers are weighted at 0.31 of residents based on a 40 hour work week out of a possible 128 non-work hours in a week (40/128 = 0.31)

Table 1.2: Public Safety Assets

Asset #	Asset Class	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	CCI/CPI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
		Buildings					
	PBSAFETY	DPS Fire Station	2022	$4,000,000	$0	1.00	$4,000,000
	PBSAFETY	DPS North Hills Fire Su	2022	2,500,000	0	1.00	2,500,000
	PBSAFETY	DPS Rivers Edge Fire S	2022	1,500,000	0	1.00	1,500,000
	PBSAFETY	DPS 19th Street Fire Su	2022	200,000	0	1.00	200,000
	PBSAFETY	DPS/Court Bldg	2022	6,835,530	0	1.00	6,835,530
	PBSAFETY	Enchanted Hills Fire Sta	2022	3,000,000	0	1.00	3,000,000
	PBSAFETY	Mariposa Fire Station	2022	2,500,000	0	1.00	2,500,000
	PBSAFETY	Fire Station #7	2022	2,500,000	0	1.00	2,500,000
	PBSAFETY	Fire Administration Bldg	2022	1,500,000	0	1.00	1,500,000
	PBSAFETY	DPS Evidence Bldg	2022	106,000	0	1.00	106,000
		Equipment					
	PBSAFETY	Dayton Generator	1998	6,175	0	1.65	6,175
	PBSAFETY	Onan Emergency Generator	1998	10,957	0	1.65	10,957
	PBSAFETY	Generator	2006	13,000	0	1.37	13,000
	PBSAFETY	2010 Kubota Utility Vehicle	2010	15,045	0	1.21	15,045
	PBSAFETY	Stryker Power Pro Ambulance Cot	2013	12,614	0	1.15	12,614
	PBSAFETY	Heartstart MRX ALS Monitor	2014	22,348	0	1.12	22,348
	PBSAFETY	Phillips Heart Monitor	2014	22,844	0	1.12	22,844
	PBSAFETY	Heartstart MRX ALS Monitor	2014	13,354	0	1.12	13,354
	PBSAFETY	Ambulance Cot	2014	10,669	0	1.12	10,669
	PBSAFETY	Heartstart MRX Monitor	2014	26,309	0	1.12	26,309
	PBSAFETY	Heartstart Defibrillator	2014	26,981	0	1.12	26,981
	PBSAFETY	Ambulance Cot	2014	15,000	0	1.12	15,000
	PBSAFETY	Stryker Ambulance Cot	2014	14,144	0	1.12	14,144
	PBSAFETY	POWER PRO XT GURNEY, POWER	2019	13,848	0	1.05	13,848
	PBSAFETY	MONITOR, PHILLIPS HEART	2019	22,844	0	1.05	22,844
	PBSAFETY	MONITOR (ECG) PHILIPS, 12-LEAD	2019	21,649	0	1.05	21,649
	PBSAFETY	MONITOR (ECG) PHILIPS, 12-LEAD	2019	21,649	0	1.05	21,649
	PBSAFETY	MONITOR (ECG) PHILIPS, 12-LEAD	2019	21,649	0	1.05	21,649
	PBSAFETY	STYKER POWER PRO COT 6506	2019	13,918	0	1.05	13,918
	PBSAFETY	STYKER POWER PRO COT 6506	2019	13,918	0	1.05	13,918
	PBSAFETY	NXTGEN SPREADER-GENESIS	2019	9,953	0	1.05	9,953
	PBSAFETY	NXTGEN EFORCE CUTTER-GENESIS	2019	10,174	0	1.05	10,174
	PBSAFETY	SPREADER eFORCE 2.0 MODEL S42	2018	8,986	0	1.06	8,986
	PBSAFETY	SPREADER eFORCE 2.0 MODEL S42	2018	8,986	0	1.06	8,986
	PBSAFETY	NXTGEN CUTTER eFORCE C-236-SL	2018	9,174	0	1.06	9,174
	PBSAFETY	NXTGEN CUTTER eFORCE C-236-SL	2018	9,174	0	1.06	9,174
	PBSAFETY	NXTGEN CUTTER eFORCE C-236-SL	2018	9,174	0	1.06	9,174
	PBSAFETY	X SERIES MANUAL MONITOR/DEFIBR	2019	26,085	0	1.05	26,085
	PBSAFETY	X SERIES MANUAL MONITOR/DEFIBR	2019	26,085	0	1.05	26,085
	PBSAFETY	LUCAS 2.2 CHEST COMPRESSION SY	2019	13,211	0	1.05	13,211
	PBSAFETY	SPREADER eFORCE 2.0 MODEL S42	2018	8,986	0	1.06	8,986
	PBSAFETY	Stryker Power Pro Ambulance Cot	2020	20,612	0	1.04	20,612
	PBSAFETY	Zoll X-Series Defibrillator/Manual Monitor	2020	29,900	0	1.04	29,900
	PBSAFETY	Zoll X-Series Defibrillator/Manual Monitor	2020	29,900	0	1.04	29,900
	PBSAFETY	Continental Washer Extractor - 40 lb Capacity	2020	9,476	0	1.04	9,476
	PBSAFETY	TRAINING MANNEQUIN-AMBUMAN	2020	10,339	0	1.04	10,339
	PBSAFETY	S53 SPREADER EFORCE 2.0	2021	10,685	0	1.02	10,685
	PBSAFETY	C236-SL2 BLADES/CUTTER	2021	10,505	0	1.02	10,505
	PBSAFETY	X SERIES MANUAL MONITOR	2021	29,799	0	1.02	29,799
	PBSAFETY	X SERIES MANUAL MONITOR	2021	29,799	0	1.02	29,799
	PBSAFETY	X SERIES MANUAL MONITOR	2021	29,799	0	1.02	29,799
	PBSAFETY	CAP 5 STANDARD EMS MACHINE W/C	2021	9,691	0	1.02	9,691
	PBSAFETY	X-SERIES MANUAL MONITOR	2021	32,688	0	1.02	32,688
	PBSAFETY	DJI Inspire - Drone with Zenmus Camera	2020	9,700	0	1.04	9,700
	PBSAFETY	Polaris UTV- Ranger	2022	36,740	0	1.00	36,740
	PBSAFETY	Honda ATV	2022	5,850	0	1.00	5,850
	PBSAFETY	Honda ATV	2022	5,850	0	1.00	5,850
	PBSAFETY	Honda ATV	2022	4,848	0	1.00	4,848
		Vehicles					
	PBSAFETY	Ford Explorer	2022	30,639	0	1.00	30,639
	PBSAFETY	Chevy Winnebago	1995	110,000	0	1.79	110,000
	PBSAFETY	Ford Ambulance	1995	60,668	0	1.79	60,668
	PBSAFETY	Ford F350 Ambulance	2003	85,000	0	1.46	85,000
	PBSAFETY	Ford F350	1999	59,000	0	1.60	59,000
	PBSAFETY	Ford Type I Ambulance	2008	125,000	0	1.29	125,000
	PBSAFETY	Ford F-350	2008	36,694	0	1.29	36,694
	PBSAFETY	International Truck MRAP	2013	733,000	0	1.15	733,000
	PBSAFETY	Freightline Truck Tractor	2009	170,000	0	1.25	170,000
	PBSAFETY	Dodge Charger	2014	33,968	0	1.12	33,968
	PBSAFETY	Dodge Charger	2014	34,043	0	1.12	34,043
	PBSAFETY	Dodge Charger	2014	34,043	0	1.12	34,043
	PBSAFETY	Dodge Charger	2014	34,043	0	1.12	34,043
	PBSAFETY	Dodge Charger	2014	34,042	0	1.12	34,042
	PBSAFETY	Dodge Charger	2014	34,043	0	1.12	34,043
	PBSAFETY	Dodge Charger	2014	34,043	0	1.12	34,043
	PBSAFETY	Dodge Charger	2014	34,043	0	1.12	34,043
	PBSAFETY	BMW Motor Cycle	2016	20,786	0	1.08	20,786
	PBSAFETY	Dodge Charger	2016	30,329	0	1.08	30,329
	PBSAFETY	Dodge RAM 1500	2016	42,394	0	1.08	42,394
	PBSAFETY	Dodge RAM 1500	2016	44,135	0	1.08	44,135
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Charger	2016	37,515	0	1.08	37,515
	PBSAFETY	Dodge Ram	2017	44,135	0	1.06	44,135
	PBSAFETY	Dodge Charger	2015	37,340	0	1.10	37,340
	PBSAFETY	Dodge Ram 1500	2017	35,717	0	1.06	35,717
	PBSAFETY	Dodge Charger	2017	29,394	0	1.06	29,394
	PBSAFETY	Dodge Charger	2017	29,394	0	1.06	29,394
	PBSAFETY	Dodge Charger	2017	29,394	0	1.06	29,394
	PBSAFETY	Dodge Durango	2017	34,849	0	1.06	34,849
	PBSAFETY	Dodge Ram 1500 SSV	2017	44,517	0	1.06	44,517
	PBSAFETY	Dodge Ram 1500 SSV	2017	44,517	0	1.06	44,517
	PBSAFETY	Dodge Ram 1500 SSV	2018	44,517	0	1.06	44,517
	PBSAFETY	Dodge Ram 1500 SSV	2017	44,517	0	1.06	44,517
	PBSAFETY	Dodge Ram 1500 SSV	2018	44,517	0	1.06	44,517
	PBSAFETY	Dodge Ram 1500 SSV	2018	44,517	0	1.06	44,517
	PBSAFETY	Dodge Ram 1500 SSV	2017	44,517	0	1.06	44,517
	PBSAFETY	Dodge Charger	2018	30,274	0	1.06	30,274
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502

Table 1.2: Public Safety Assets

Asset #	Asset Class	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	CCI/CPI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Ram 1500	2018	44,502	0	1.06	44,502
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	BMW R1250RT Motorcycle	2019	28,990	0	1.05	28,990
	PBSAFETY	BMW R1250RT Motorcycle	2019	28,990	0	1.05	28,990
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Ford Explorer	2019	35,124	0	1.05	35,124
	PBSAFETY	Ford Explorer	2019	35,124	0	1.05	35,124
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	38,092	0	1.05	38,092
	PBSAFETY	Dodge Charger	2019	37,715	0	1.05	37,715
	PBSAFETY	Ford Explorer	2019	48,518	0	1.05	48,518
	PBSAFETY	Ford Explorer	2019	48,518	0	1.05	48,518
	PBSAFETY	Ford Explorer	2019	48,518	0	1.05	48,518
	PBSAFETY	Dodge Ram Crew Cab 4x4	2019	44,502	0	1.05	44,502
	PBSAFETY	Dodge Ram Crew Cab 4x4	2019	36,263	0	1.05	36,263
	PBSAFETY	Dodge Ram Crew Cab 4x4	2019	36,263	0	1.05	36,263
	PBSAFETY	Dodge Ram Crew Cab 4x4	2019	36,263	0	1.05	36,263
	PBSAFETY	Dodge Charger	2019	30,450	0	1.05	30,450
	PBSAFETY	Ford F150	2019	36,807	0	1.05	36,807
	PBSAFETY	Ford F150	2019	36,807	0	1.05	36,807
	PBSAFETY	Ford F150	2019	36,807	0	1.05	36,807
	PBSAFETY	Dodge Challenger	2019	45,012	0	1.05	45,012
	PBSAFETY	Dodge Ram 1500	2019	36,263	0	1.05	36,263
	PBSAFETY	Dodge Ram 1500	2019	35,903	0	1.05	35,903
	PBSAFETY	Dodge Ram 1500	2019	35,913	0	1.05	35,913
	PBSAFETY	Dodge Ram 1500	2019	34,046	0	1.05	34,046
	PBSAFETY	Ford Explorer	2020	37,971	0	1.04	37,971
	PBSAFETY	Dodge Ram 1500	2019	29,210	0	1.05	29,210
	PBSAFETY	BMW Motorcycle	2020	29,004	0	1.04	29,004
	PBSAFETY	Dodge Charger	2019	25,868	0	1.05	25,868
	PBSAFETY	Dodge Charger	2019	42,695	0	1.05	42,695
	PBSAFETY	Ford F150	2020	33,243	0	1.04	33,243
	PBSAFETY	Dodge Charger	2019	41,729	0	1.05	41,729
	PBSAFETY	Dodge Charger	2019	41,729	0	1.05	41,729
	PBSAFETY	Dodge Charger	2019	43,229	0	1.05	43,229
	PBSAFETY	AM General Military Humvee (Donated Unit)	2015	49,897	0	1.10	49,897
	PBSAFETY	Chevrolet Tahoe	2020	49,319	0	1.04	49,319
	PBSAFETY	Dodge Charger	2014	34,043	0	1.12	34,043
	PBSAFETY	BMW R1200RT	2017	17,225	0	1.06	17,225
	PBSAFETY	INTL MT 4700 Armored Truck (DONATED UNIT)	1998	5,000	0	1.65	5,000
	PBSAFETY	Chevrolet Tahoe	2020	49,486	0	1.04	49,486
	PBSAFETY	Dodge Charger	2020	34,606	0	1.04	34,606
	PBSAFETY	GM M1224 MaxxPro MRAP-Donated	2007	658,000	0	1.33	658,000
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	34,366	0	1.02	34,366
	PBSAFETY	Ford Explorer	2021	35,124	0	1.02	35,124
	PBSAFETY	Ford Explorer	2021	35,124	0	1.02	35,124
	PBSAFETY	Ford Explorer	2021	35,124	0	1.02	35,124
	PBSAFETY	Ford Explorer	2021	35,124	0	1.02	35,124
	PBSAFETY	Ford Explorer	2021	35,124	0	1.02	35,124
	PBSAFETY	Ford Expedition	2020	49,901	0	1.04	49,901
	PBSAFETY	BMW R1250	2020	28,773	0	1.04	28,773
	PBSAFETY	Dodge Charger	2021	40,560	0	1.02	40,560
	PBSAFETY	Dodge Charger	2021	40,560	0	1.02	40,560
	PBSAFETY	Dodge Charger	2021	40,560	0	1.02	40,560
	PBSAFETY	Ford Maverick	2022	21,054	0	1.00	21,054
	PBSAFETY	Dodge Charger	2021	34,148	0	1.02	34,148
	PBSAFETY	Explorer Interceptor	2021	34,767	0	1.02	34,767
	PBSAFETY	Explorer Interceptor	2021	34,767	0	1.02	34,767
	PBSAFETY	Explorer Interceptor	2021	34,767	0	1.02	34,767
	PBSAFETY	Explorer Interceptor	2021	34,767	0	1.02	34,767
	PBSAFETY	Explorer Interceptor	2021	34,767	0	1.02	34,767
	PBSAFETY	Explorer Interceptor	2021	34,767	0	1.02	34,767
	PBSAFETY	Explorer Interceptor	2021	34,767	0	1.02	34,767
	PBSAFETY	Explorer Interceptor	2021	34,767	0	1.02	34,767
	PBSAFETY	Ford F350 Ambulance	1999	75,000	0	1.60	75,000
	PBSAFETY	BMW MC RT250	2022	29,331	0	1.00	29,331
	PBSAFETY	Polaris UTV- Ranger	2022	35,120	0	1.00	35,120
	PBSAFETY	Cargo Mate Utility Trailer	2022	3,890	0	1.00	3,890
	PBSAFETY	Ford Ambulance	1997	75,786	0	1.70	75,786
	PBSAFETY	Pierce Ambulance	2005	234,711	0	1.40	234,711
	PBSAFETY	Ford F350 Ambulance	2006	86,850	0	1.37	86,850

Table 1.2: Public Safety Assets

Asset #	Asset Class	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	CCI/CPI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
	PBSAFETY	Ford F450 Supercab	2012	38,620	0	1.17	38,620
	PBSAFETY	Ford E450 Ambulance	2016	147,318	0	1.08	147,318
	PBSAFETY	Ford E450 Type III Ambu	2016	147,318	0	1.08	147,318
	PBSAFETY	Ford E450 Ambulance Typ	2016	147,318	0	1.08	147,318
	PBSAFETY	Ford Utility Police Interceptor	2016	26,404	0	1.08	26,404
	PBSAFETY	Pierce Ambulance	2012	165,547	0	1.17	165,547
	PBSAFETY	Ford E450 Ambulance	2013	168,900	0	1.15	168,900
	PBSAFETY	Medix Type III E450 Ambulance	2016	168,694	0	1.08	168,694
	PBSAFETY	Dodge Durango	2017	25,860	0	1.06	25,860
	PBSAFETY	Dodge Durango	2017	26,355	0	1.06	26,355
	PBSAFETY	Pierce Enforcer-Pumper Truck	2017	470,579	0	1.06	470,579
	PBSAFETY	Pierce Enforcer-Ladder Truck	2017	846,741	0	1.06	846,741
	PBSAFETY	Ford E450 Ambulance	2018	155,751	0	1.06	155,751
	PBSAFETY	Ford F150	2019	37,007	0	1.05	37,007
	PBSAFETY	Freightliner - Pierce FXP Tanker/Tender	2018	265,000	0	1.06	265,000
	PBSAFETY	Ford F150	2019	30,998	0	1.05	30,998
	PBSAFETY	Ford Ambulance Type I	2019	158,856	0	1.05	158,856
	PBSAFETY	Ford F550 - Brush Truck	2020	134,267	0	1.04	134,267
	PBSAFETY	Pierce Enforcer Pumper	2020	574,826	0	1.04	574,826
	PBSAFETY	Pierce Enforcer Ladder	2021	998,163	0	1.02	998,163
	PBSAFETY	Dodge Durango	2021	49,899	0	1.02	49,899
	PBSAFETY	Dodge Durango	2021	39,805	0	1.02	39,805
	PBSAFETY	Ford F550 SD Flatbed	2000	33,485	0	1.57	33,485
	PBSAFETY	Pierce Arrow XT Pumper	2006	323,514	0	1.37	323,514
	PBSAFETY	GMC Mini Pumper	2007	133,892	0	1.33	133,892
	PBSAFETY	International Pumper	1993	90,000	0	1.93	90,000
	PBSAFETY	Arrow 75' Ladder Truck	2007	569,866	0	1.33	569,866
	PBSAFETY	Pierce (Pumper) Fire Truck	2009	319,485	0	1.25	319,485
	PBSAFETY	Pierce Arrow XT Pumper	2010	429,780	0	1.21	429,780
	PBSAFETY	Pierce XT Pumper	2014	481,579	0	1.12	481,579
				$40,456,292	$0		$40,456,292

Table 1.3: Public Safety CIP

Line No.	Description	FY 2023-24 2024	FY 2024-25 2025	FY 2025-26 2026	FY 2026-27 2027	FY 2027-28 2028	FY 2028-29 2029	Total 2024-2029	Growth-Related %	Growth-Related Total 2024-2029
1	State Homeland Security Grant Program (SHSGP)	$244,000	$0	$0	$0	$0	$0	$244,000	0%	$0
2	Fire Command Vehicles	78,750	82,688	75,000	78,750	82,688	86,822	484,698	0%	0
3	Fire Station Improvement and Major Repair	525,000	250,000	100,000	350,000	-	175,000	1,400,000	13%	175,000
4	Fire and EMS Equipment	609,125	1,285,119	562,419	369,996	485,811	394,595	3,707,065	71%	2,634,208
5	Fire Apparatus Replacement	500,000	6,987,500	486,500	3,705,000	3,158,000	2,490,000	17,327,000	54%	9,364,500
6	Fire Command Vehicles	165,000	-	-	-	-	-	165,000	100%	165,000
7	Fire Training Facility	-	65,000	6,125,000	-	-	-	6,190,000	100%	6,190,000
8	Fire Station 8	-	252,500	5,125,000	-	-	-	5,377,500	100%	5,377,500
9	Police Vehicles	587,819	1,464,750	769,956	1,611,658	847,083	1,773,624	7,054,890	0%	0
10	Police Equipment	193,300	-	-	-	-	-	193,300	0%	0
11	SRECC Expansion	45,112	-	-	-	-	-	45,112	0%	0
12	Police All Terrain Vehicles	23,200	23,896	-	-	-	-	47,096	0%	0
13	Police Headquarters	60,000	-	-	672,000	1,758,937	-	2,490,937	0%	0
14	Crisis Negotiation Team Vehicle	-	350,000	-	-	-	-	350,000	0%	0
15	Police Motorcycles	101,000	42,230	43,497	44,802	46,146	47,530	325,205	0%	0
16	Law Enforcement SWAT Robot	-	-	85,000	-	-	-	85,000	0%	0
17	Police Building Design Fund	-	250,000	-	-	-	-	250,000	0%	0
18	SWAT Vehicles and Heavy Equipment	-	-	502,760	-	-	-	502,760	0%	0
19		-	-	-	-	-	-	0	0%	0
20	**Total**	**$3,132,306**	**$11,053,683**	**$13,875,132**	**$6,832,206**	**$6,378,665**	**$4,967,571**	**$46,239,563**		**$23,906,208**
21	**Total ICIP Costs**									**$46,239,563**

Table 1.4: Public Safety System Standard

Value of Existing Facilities	$40,456,292
Value of Planned Facilities	46,239,563
Total System Value (2028)	$86,695,855
Future Service Population (2028)	121,233
Cost per Capita	$715
Facility Standard per Resident	$715
Facility Standard per Worker[1]	222

[1] Based on a weighing factor of 0.31.

Table 1.5: Revenue Projection - System Standard

Cost per Capita	$715
Growth in Service Population (2023 - 2028)	11,932
Fee Revenue	$8,531,000
Cost of Planned Facilities	$23,906,208
Non-Fee Revenue to Be Identified	($15,375,208)

Table 1.6: Public Safety Fee - System Standard

Land Use	A Cost Per Capita	B Density	C = A x B Base Fee[1]	D = C x 0.02 Admin Charge[1, 2]	E = C + D Total Fee[1]	E / 1,000 Fee per Sq. Ft.
Residential - per Dwelling Unit						
Single Family	$715	2.65	$1,895	$38	$1,933	
Multifamily	715	2.12	1,516	30	1,546	
Assisted Living - per Bed						
Assisted Living		-	3,192	64	3,256	
Nonresidential - per 1,000 Sq. Ft.						
Commercial	$222	2.57	$569	$11	$580	$0.580
Office	222	3.94	876	18	894	0.894
Industrial	222	1.40	312	6	318	0.318

[1] Fee per dwelling unit (residential) or per 1,000 square feet (nonresidential).
[2] Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.
[3] Assisted living fee based on calls for service of 0.64 per 1,000 residents compared to calls per population for single family of 0.38, a ratio of 1.68 times

APPENDIX C

Parks Impact Fee

Table 2.1: Parks Service Population

	Residents	Workers[1]	Service Population
Existing (2023)	108,082	-	108,082
New Development (2023-2028)	11,823	-	11,823
Total (2028)	119,905	-	119,905
Weighting Factor	1.00	0.31	

Table 2.2: Parks Assets

Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	CCI/CPI Inflation Factor	Replacement Cost New (RCN)	Replacement Cost New Less Depreciation (RCNLD)
Land						
Land (Developed and Undeveloped)	2022	$108,738,828	$0	1.00	$108,738,828	$108,738,828
Buildings						
Haynes Pool,bath hous	2022	292,680	0	1.00	292,680	292,680
Star Heights Recreation	2022	1,316,592	0	1.00	1,316,592	1,316,592
Haynes Recreation Cen	2022	408,876	0	1.00	408,876	408,876
Medowlark Sr. Center	2022	2,772,000	0	1.00	2,772,000	2,772,000
Sabana Grande Portabl	2022	85,200	0	1.00	85,200	85,200
Rainbow Park Pool hou	2022	430,200	0	1.00	430,200	430,200
Sabana Grande Rec Ce	2022	560,880	0	1.00	560,880	560,880
Animal Control Kennel	2022	1,500,000	0	1.00	1,500,000	1,500,000
Rainbow Park Pool	2022	1,275,000	0	1.00	1,275,000	1,275,000
Rio Rancho Sports Co	2022	84,404	0	1.00	84,404	84,404
Rio Rancho Sports Co	2022	152,700	0	1.00	152,700	152,700
Cabezon Recreation Ce	2022	1,610,029	0	1.00	1,610,029	1,610,029
Animal Control Office	2022	607,504	0	1.00	607,504	607,504
Rio Rancho Aquatics C	2022	12,033,600	0	1.00	12,033,600	12,033,600
Office - 24' All Steel Sq	2022	17,350	0	1.00	17,350	17,350
Chemical Storage Lock	2022	23,850	0	1.00	23,850	23,850
Chemical Storage Lock	2022	23,850	0	1.00	23,850	23,850
Camino Crossing Park	2022	89,700	0	1.00	89,700	89,700
Havasu Park	2022	82,800	0	1.00	82,800	82,800
Haynes Park BBQ Shad	2022	431,328	0	1.00	431,328	431,328
Haynes Park Playgroun	2022	118,105	0	1.00	118,105	118,105
Rio Rancho Sports Co	2022	155,250	0	1.00	155,250	155,250
Rainbow Park playgrou	2022	75,388	0	1.00	75,388	75,388
Broadmoor Senior center	2022	3,121,215	0	1.00	3,121,215	3,121,215
Campus Park Bathroom	2022	345,254	0	1.00	345,254	345,254
Campus Park- Sky Room	2022	530,319	0	1.00	530,319	530,319
		$136,882,902	$0		$136,882,902	$136,882,902

Table 2.3: Parks CIP

Line No.	Description	FY 2023-24 2024	FY 2024-25 2025	FY 2025-26 2026	FY 2026-27 2027	FY 2027-28 2028	FY 2028-29 2029	Total 2024-2029	Growth-Related %	Growth-Related Total 2024-2029
1	Aquatic Center	$410,000	$162,000	$100,000	$120,000	$154,206	$100,000	$1,046,206	13%	$136,206
2	Park Maintenance Equipment	448,288	116,000	96,500	300,000	154,000	339,582	1,454,370	0%	0
3	Haynes Pool	20,504	-	37,000	-	8,000	-	65,504	69%	45,000
4	Rainbow Pool	151,969	-	-	-	-	-	151,969	88%	134,000
5	Sports Complex Improvements	116,088	54,000	54,000	68,000	98,000	-	390,088	70%	274,000
6	Bosque Improvements	6,485	-	-	-	-	-	6,485	100%	6,485
7	Campus Park Phase 2	3,297,729	-	-	-	-	-	3,297,729	100%	3,297,729
8	Sports Complex North	-	3,117,291	2,764,134	2,791,321	4,684,462	-	13,357,208	100%	13,357,208
9	Park Parking Lot Renovations	250,000	-	-	-	-	-	250,000	100%	250,000
10	Park Playground Replacement, Surfacing and Shade Improvements	362,594	-	-	-	-	-	362,594	100%	362,594
11	Cabezon Pool and Recreation Center Improvements	-	-	-	-	8,000	-	8,000	100%	8,000
12	Star Heights Park Improvements	-	-	-	350,000	-	-	350,000	100%	350,000
13	Star Heights Recreation Center Improvements and Repairs	-	-	80,000	-	-	-	80,000	100%	80,000
14								0	0%	0
15	**Total**	**$5,063,657**	**$3,449,291**	**$3,131,634**	**$3,629,321**	**$5,106,668**	**$439,582**	**$20,820,153**		**$18,301,222**
16	**Total ICIP Costs**									**$20,820,153**

Table 2.4: Parks System Standard

Value of Existing Facilities	$136,882,902
Value of Planned Facilities	20,820,153
Total System Value (2028)	$157,703,055
Future Service Population (2028)	119,905
Cost per Capita	$1,315
Facility Standard per Resident	$1,315

Table 2.5: Revenue Projection - System Standard

Cost per Capita	$1,315
Growth in Service Population (2023 - 2028)	11,823
Fee Revenue	$15,548,000
Cost of Planned Facilities	$18,301,222
Non-Fee Revenue to Be Identified	($2,753,222)

Table 2.6: Parks Fee - System Standard

Land Use	A Cost Per Capita	B Density	C = A x B Base Fee[1]	D = C x 0.02 Admin Charge[1, 2]	E = C + D Total Fee[1]	E / 1,000 Fee per Sq. Ft.
Residential - per Dwelling Unit						
Single Family	$1,315	2.65	$3,485	$70	$3,555	
Multifamily	1,315	2.12	2,788	56	2,844	

[1] Fee per dwelling unit (residential) or per 1,000 square feet (nonresidential).
[2] Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

APPENDIX D

Bikeways & Trails Impact Fee

Table 3.1: Bikeways & Trails Service Population

	Residents	Workers	Service Population
Existing (2023)	108,082	3,931	108,475
New Development (2023-2028)	11,823	351	11,859
Total (2028)	119,905	4,282	120,334
Weighting Factor	1.00	0.10	

Table 3.2: Bikeways & Trails Assets

Asset #	Asset Class	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	CCI/CPI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
		Infrastructure					
143	BIKETRAL	INFRA - BIKEWAYS & TRAILS DC	2007	$10,265	$4,521	1.63	$12,234
162	BIKETRAL	BIKEWAYS & TRAILS DEV CB	2007	31,820	8,075	1.63	43,864
206	BIKETRAL	BIKELANES/TRAILS, MEADOWLARK	2007	407,397	3,799	1.63	661,188
0	BIKETRAL	INFRASTRUCTURE - BIKE PATHS	2007	254,100	-	1.63	0
0	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	264,000	-	1.63	0
0	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	273,900	-	1.63	0
0	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	277,200	-	1.63	0
0	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	290,400	3,196	1.63	470,819
9	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	297,000	67,340	1.63	417,448
20	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	310,200	41,592	1.63	464,743
33	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	313,500	20,567	1.63	491,154
45	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	323,400	-	1.63	0
57	BIKEWAYS	INFRASTRUCTURE - BIKE PATHS	2007	330,000	20,317	1.63	518,337
116	BIKEWAYS	PATHS/TRAILS DEVELOPER CONTRIB	2007	27,077	20,317	1.63	23,881
145	BIKEWAYS	10TH STREET TRAILS	2007	114,121	-	1.63	0
119	BKYTRLS	PATHS/TRAILS DEVELOPER CONTRIB	2007	15,959	-	1.63	0
150	BKYTRLS	INFRA - BIKEWAYS & TRAILS DC	2007	57,950	-	1.63	0
				$3,598,289	$189,724		$3,103,669

Table 3.3: Bikeways & Trails CIP

Line No.	Description	FY 2023-24 2024	FY 2024-25 2025	FY 2025-26 2026	FY 2026-27 2027	FY 2027-28 2028	FY 2028-29 2029	Total 2024-2029	Growth-Related %	Growth-Related Total 2024-2029
1	Bosque Improvements	$22,174	$0	$0	$0	$0	$0	$22,174	100%	$22,174
2	Campus Park Phase 2	101,890	-	-	-	-	-	101,890	100%	101,890
3	Park Parking Lot Renovations	224,826	109,000	109,000	109,000	109,000	109,000	769,826	98%	757,717
4	Park Playground Replacement, Surfacing and Shade Improvements	109,000	580,000	-	580,000	-	580,000	1,849,000	6%	109,000
5										
6	**Total**	**$457,890**	**$689,000**	**$109,000**	**$689,000**	**$109,000**	**$689,000**	**$2,742,890**		**$990,781**
7	**Total ICIP Costs**									**$2,742,890**

Table 3.4: Bikeways & Trails System Standard

Value of Existing Facilities	$3,103,669
Value of Planned Facilities	2,742,890
Total System Value (2028)	$5,846,559
Future Service Population (2028)	120,334
Cost per Capita	$49
Facility Standard per Resident	$49
Facility Standard per Worker[1]	5

[1] Based on a weighing factor of 0.10.

Table 3.5: Revenue Projection - System Standard

Cost per Capita	$49
Growth in Service Population (2023 - 2028)	11,859
Fee Revenue	$581,000
Cost of Planned Facilities	$990,781
Non-Fee Revenue to Be Identified	($409,781)

Table 3.6: Bikeways & Trails Fee - System Standard

Land Use	A Cost Per Capita	B Density	C = A x B Base Fee[1]	D = C x 0.02 Admin Charge[1, 2]	E = C + D Total Fee[1]	E / 1,000 Fee per Sq. Ft.
Residential - per Dwelling Unit						
Single Family	$49	2.65	$130	$3	$133	
Multifamily	49	2.12	104	2	106	
Nonresidential - per 1,000 Sq. Ft.						
Commercial	5	2.57	$13	$0	$13	$0.013
Office	5	3.94	20	-	20	0.020
Industrial	5	1.40	7	-	7	0.007

[1] Fee per dwelling unit (residential) or per 1,000 square feet (nonresidential).
[2] Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

APPENDIX E

Drainage Impact Fee

Table 4.1: Drainage Impervious Square Feet

	Impervious Square Feet (1,000s)		
	2023	**2028**	**Incremental**
Residential			
Single Family [1]	84,760	91,667	6,907
Multifamily [2]	8,122	11,048	2,926
Nonresidential			
Commercial	4,289	4,466	176
Office	4,512	4,748	236
Industrial	1,565	1,877	312
Total	103,248	113,805	10,557

(1) Assumes 2,265 square feet per dwelling unit

(2) Assumes 1,951 square feet per dwelling unit

Table 4.2: Drainage Assets

Asset Class	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	CCI/CPI Inflation Factor	Replacement Cost New (RCN)	Replacement Cost New Less Depreciation (RCNLD)
	Infrastructure						
DRAIN	STORM DRAIN/ALBERTA WATERSHED	2007	883,240	46,100	1.63	1,441,698	1,395,599
DRAIN	EMERGENCY FLOOD CONTROL PROJ	2007	2,241,914	83,422	1.63	3,659,441	3,576,018
DRAIN	STORM DRAINAGE, PdV EXTENSION	2006	2,064,103	103,766	1.69	3,494,958	3,391,192
DRAINAGE	DRAINAGE, BARRANCAS ARROYO	2007	192,324	0	1.63	313,928	313,928
DRAINAGE	LOMA COLORADO 9B DRAINAGE DC	2007	61,552	0	1.63	100,471	100,471
DRAINIDA	REPLACE DRAINAGE IRIS/IDALIA	2007	17,469	0	1.63	28,515	28,515
STORMLIN	Infrastructure - StormDrn Line	2008	710,863	17,455	1.56	1,112,438	1,094,983
			$6,171,465	$250,743		$10,151,448	$9,900,704

Table 4.3: Drainage CIP

Line No.	Description	FY 2023-24 2024	FY 2024-25 2025	FY 2025-26 2026	FY 2026-27 2027	FY 2027-28 2028	FY 2028-29 2029	Total 2024-2029	Growth-Related %	Growth-Related Total 2024-2029
1	City Center Facility Plan-Storm Drainage & Land Acquisition		$919,806	$663,210	$1,961,320	$10,471,064	$10,120,921	$24,136,321	12%	$2,883,016
2	Southern Boulevard Reconstruction Phase IIA - NicklausChannel			5,000,000				5,000,000	100%	5,000,000
3	Idalia Road Culvert Crossing at Arroyo de la Barranca	1,993,889						1,993,889	100%	1,993,889
4	Pine Road Drainage Improvements	500,000					3,800,000	4,300,000	12%	500,000
5	Loma Barbon Sediment Control at Kennard Road Pond	250,000						250,000	100%	250,000
6	MS4 Outfalls to the Rio Grande	538,665	258,100					796,765	68%	538,655
7	Unser Boulevard Drainage Design at Acano Circle NE		60,000					60,000	0%	0
8	2nd Street at Unser Boulevard Drainage Design		200,000					200,000	0%	0
9	Iris Road Drainage Improvements		500,000					500,000	0%	0
10								0	0%	0
11	**Total**	**$3,282,554**	**$1,937,906**	**$5,663,210**	**$1,961,320**	**$10,471,064**	**$13,920,921**	**$37,236,975**		**$11,165,560**
12	**Total ICIP Costs**									**$37,236,975**

Table 4.4: Drainage System Standard

Value of Existing Facilities	$9,900,704
Value of Planned Facilities	37,236,975
Total System Value (2028)	$47,137,679
Total Impervious Area - 2028 (1,000 Sq. Ft.)	113,805
Cost per 1,000 Square Feet	$414

Table 3.5: Revenue Projection - System Standard

Cost per 1,000 square feet	$414
Growth in Impervious Area - 2023 - 2028 (1,000 Sq. Ft.)	10,557
Fee Revenue	$4,371,000
Cost of Planned Facilities	$11,165,560
Non-Fee Revenue to Be Identified	($6,794,560)

Table 4.6: Drainage Fee - System Standard

Land Use	A Cost Per 1,000 Sq. Ft.	B Base Sq. Ft per Unit	C = A x B Base Fee[1]	D = C x 0.02 Admin Charge[1, 2]	E = C + D Total Fee[1]	E / 1,000 Fee per Sq. Ft.
Residential - per Dwelling Unit						
Single Family	$414	2,265	$938	$19	$957	
Multifamily	414	1,951	808	16	824	
Nonresidential - per 1,000 Sq. Ft.						
Commercial	$414	1,000	$414	$8	$422	$0.422
Office	414	1,000	414	8	422	0.422
Industrial	414	1,000	414	8	422	0.422

[1] Fee per dwelling unit (residential) or per 1,000 square feet (nonresidential).

[2] Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

APPENDIX F

Roadways Impact Fee

Table 5.1a: Roadways Units - Existing

Line No.	Land Use Pattern	Existing Development	Trip Generation Relative Weighting [1]	Units	Weighted Trip Generation Factors	Percent Distribution
1	Single Family Residential	37,429	9.43	D.U.	352,955	56.49%
2	Multi-Family Residential	4,164	6.74	D.U.	28,065	4.49%
3	Commercial	4,289	42.70	sq ft	183,152	29.31%
4	Office	4,512	11.03	sq ft	49,762	7.96%
5	Industrial	1,565	6.97	sq ft	10,910	1.75%
6	**Total**				**624,846**	**100%**

[1] Source: International Transportation Trip Generation Manual
These figures represent peak weekday conditions.

Table 5.1b: Roadways Units New Development (2023 - 2028)

Line No.	Land Use Pattern	New Development (2023 - 2028)	Trip Generation Relative Weighting [1]	Units	Weighted Trip Generation Factors	Percent Distribution
1	Single Family Residential	3,050	9.43	D.U.	28,762	56.20%
2	Multi-Family Residential	1,500	6.74	D.U.	10,110	19.75%
3	Commercial	176	42.70	sq ft	7,530	14.71%
4	Office	236	11.03	sq ft	2,607	5.09%
5	Industrial	312	6.97	sq ft	2,172	4.24%
6	**Total**				**51,181**	**100%**

[1] Source: International Transportation Trip Generation Manual
These figures represent peak weekday conditions.

Table 5.1c: Roadways Trip Generation

Line No.	Land Use Pattern	(a) Ave Day VTE	(b) Trip Adjustment Factor	(c) Rio Rancho Average Trip Length	(d) Trip Length Wt Factor	(e) Average VMT	Service Unit Index
						*(a) * (b) * (c) * (d)*	
	Weekday Average VTE (per Dwelling Unit)						
1	Single Family	9.43	65%	18.73	1.21	138.94	1.00
2	Multi-Family	6.74	65%	18.73	1.21	99.30	0.71
	Weekday Average VTE (per Ksq ft)						
2	Commercial	42.70	33%	18.73	0.66	174.22	1.25
3	Office	11.03	50%	18.73	0.73	75.42	0.54
4	Industrial	6.97	50%	18.73	0.73	47.66	0.34
5	High Impact (Quick Service and Car Wash)	355.94	50%	18.73	0.73	2,433.75	17.52
6	RV Storage	2.05	50%	18.73	0.73	14.02	0.10

Table 5.1d: Roadways Vehicle Miles Traveled - Existing

Line No.	Land Use Pattern	(a) Existing Development	(b) Unit VMT	(c) Total VMT	(d) Percent Distribution
	Weekday Average VTE (per Dwelling Unit)				
1	Single Family	37,429	138.94	5,200,255	76.75%
2	Multi-Family	4,164	99.30	413,500	6.10%
	Weekday Average VTE (per Ksq ft)				
3	Commercial	4,289	174.22	747,268	11.03%
4	Office	4,512	75.42	340,248	5.02%
5	Industrial	1,565	47.66	74,600	1.10%
6	**Total**			6,775,871	100%

Table 5.1e: Roadways Vehicle Miles Traveled - New Development (2023 - 2028)

Line No.	Land Use Pattern	(a) New Development (2023 - 2028)	(b) Unit VMT	(c) Total VMT	(d) Percent Distribution
	Weekday Average VTE (per Dwelling Unit)				
1	Single Family	3,050	138.94	423,756	66.62%
2	Multi-Family	1,500	99.30	148,955	23.42%
	Weekday Average VTE (per Ksq ft)				
3	Commercial	176	174.22	30,725	4.83%
4	Office	236	75.42	17,828	2.80%
5	Industrial	312	47.66	14,848	2.33%
6	**Total**			636,112	100%

Table 5.1f: Roadways Vehicle Miles Traveled - Total Development (2028)

Line No.	Land Use Pattern	(a) Total Development	(b) Unit VMT	(c) Total VMT	(d) Percent Distribution
	Weekday Average VTE (per Dwelling Unit)				
1	Single Family	40,479	138.94	5,624,011	75.88%
2	Multi-Family	5,664	99.30	562,455	7.59%
	Weekday Average VTE (per Ksq ft)				
3	Commercial	4,466	174.22	777,993	10.50%
4	Office	4,748	75.42	358,076	4.83%
5	Industrial	1,877	47.66	89,448	1.21%
6	**Total**			7,411,983	100%

Table 5.2: Roadways Assets

Asset Class	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	CCI/CPI Inflation Factor	Replacement Cost New (RCN)	Replacement Cost New Less Depreciation (RCNLD)
	Existing Road System						
	320 Centerlines @ $1,046,097 per mile	2022	$334,750,935	$0	1.00	$334,750,935	$334,750,935
	Infrastructure						
21STAVE	INFRASTRUCTURE 21ST AVE SE	1996	$503,059	$3,535	2.31	$1,164,055	$1,160,520
40STREET	40TH STREET PAVING PROJECT	2004	426,617	2,560	1.83	779,748	777,188
40STREET	40TH ST & LOMA CO REALIGN	2004	573,434	1,805	1.83	1,048,091	1,046,285
40TSIGNL	TRAFFIC SIGNAL/40TH & NORTHERN	2004	71,890	1,348	1.83	131,397	130,049
8TH STRT	8TH STREET ROAD IMPROVEMENTS	1993	327,372	2,182	2.50	817,137	814,955
HRNGSTRE	HIGH RANGE III-DC ST LIGHTS	2007	45,826	9,420	1.63	74,801	65,381
MATTROAD	RACHEL MATTHEWS OFFICE ROADWAY	2007	20,467	9,381	1.63	33,408	24,027
PDVBROAD	PDV AND BROADMOOR TURNLANE	2007	136,541	0	1.63	222,874	222,874
PDVROAD	PASEO DEL VOLCAN PROJECT	2007	5,380,389	0	1.63	8,782,325	8,782,325
TSIGNALS	AUTOSCOPE 2020	2007	16,000	49,550	1.63	26,117	0
TSIGNALS	TRAFFICE SIGNAL/UNSER & ABRAZO	2008	207,062	102,464	1.56	324,033	221,569
TSIGNALS	TRAFFIC SIGNAL SERVER	2008	6,055	4,433	1.56	9,476	5,042
TSIGNALS	EAGLE RIDGE MS ZONE FLASHERS	2008	5,220	0	1.56	8,169	8,169
TSIGNALS	ASC/3-2100 STD CONTROLLER, 110	2008	23,625	0	1.56	36,971	36,971
VILLROAD	VILLAGE ROADWAY ST LIGHTS/PAVE	2008	59,328	0	1.56	92,843	92,843
			$7,802,885	$186,678		$13,551,443	$13,388,199

Table 5.3: Roadways CIP

Line No.	Description	FY 2023-24 2024	FY 2024-25 2025	FY 2025-26 2026	FY 2026-27 2027	FY 2027-28 2028	FY 2028-29 2029	Total 2024-2029	Growth-Related %	Growth-Related Total 2024-2029
1	Idalia Road Design (Iris Road to Northern Boulevard)	$2,812,735						$2,812,735	6%	$170,078
2	Sara Road Reconstruction NM 528 to Meadowlark Lane	4,050,000						4,050,000	0%	0
3	Rainbow Boulevard Preliminary Engineering - City of Albuquerque						2,500,000	2,500,000	0%	0
4	Idalia Road and Loma Colorado Boulevard Roundabout Phase 2 - Right of Way			1,500,000				1,500,000	0%	0
5	Idalia Road and Broadmoor Boulevard Roundabout Phase 1 - Right of Way			1,500,000				1,500,000	0%	0
6	Unser Boulevard Widening Phase IIB	500,000			15,000,000			15,500,000	0%	0
7	Northern Boulevard Widening Phase B1					16,600,000		16,600,000	0%	0
8	City Wide Right of Way Acquisition	915,618	400,000	400,000	400,000	400,000	400,000	2,915,618	0%	0
9	15th Street SE Realignment Design	300,000						300,000	0%	0
10	Sara Road and Meadowlark Lane Roundabout Design	400,000		2,200,000				2,600,000	0%	0
11	Pavement Preservation, Rehabilitation, and Reconstruction Programs	6,500,000	6,500,000	6,500,000	6,500,000	6,500,000	6,500,000	39,000,000	0%	0
12	Roadway General Obligation Bond Projects		10,610,000		10,610,000		10,610,000	31,830,000	0%	0
13	Traffic Signal Detection Replacement	120,900	120,900	120,900	120,900	120,900	120,900	725,400	0%	0
14	Multi-Modal Safety Improvements	47,900	47,900	47,900	47,900	47,900	47,900	287,400	0%	0
15	ADA Sidewalk Improvements	110,000	110,000	110,000	110,000	110,000	110,000	660,000	0%	0
16	Broadmoor Boulevard Extension Phase II R/W (Northern Boulevard to PdV)				750,000		2,000,000	2,750,000	27%	750,000
17	Loma Colorado Boulevard Extension aand Roundabout to Silent Spring Drive			1,000,000			6,200,000	7,200,000	0%	0
18	College Boulevard from King Boulevard to Broadmoor Boulevard	2,000,000					4,000,000	6,000,000	0%	0
19	Southern Boulevard Reconstruction Phase 2A - Western Hills to 525' east					500,000	22,725,000	23,225,000	0%	0
20								-	0%	0
21								-	0%	0
22										
23	**Total**	**$17,757,153**	**$17,788,800**	**$13,378,800**	**$33,538,800**	**$24,278,800**	**$55,213,800**	**$161,956,153**		**$920,078**
24	**Total ICIP Costs**									**$161,956,153**

Table 5.4: Roadways Existing Standard

Value of Existing Facilities	$334,750,935
Existing Vehicle Miles Traveled (VMT)	6,775,871
Cost per VMT	$49.00

Table 5.5: Revenue Projection - Existing Standard

Cost per VMT	$49
Growth in VMT (2023 - 2028)	636,112
Fee Revenue	$31,169,000
Cost of Planned Facilities	$920,078
Unfunded Costs	$30,248,922

Table 5.6: Roadways Fee - Existing Standard

Land Use	A Cost Per VMT	B Unit VMT	C = A x B Base Fee[1]	D = C x 0.02 Admin Charge[1, 2]	E = C + D Total Fee[1]	F = E / 1,000 Fee per Sq. Ft.
Residential - per Dwelling Unit						
Single Family	$49	138.94	$6,808	$136	$6,944	
Multifamily	49	99.30	4,866	97	4,963	
Nonresidential - per 1,000 Sq. Ft.						
Commercial	$49	174.22	$8,537	$171	$8,708	$8.708
Office	49	75.42	3,695	74	3,769	3.769
Industrial	49	47.66	2,335	47	2,382	2.382
High Impact	49	2,433.75	119,254	2,385	121,639	121.639
RV Storage	49	14.02	687	14	701	0.701

[1] Fee per dwelling unit (residential) or per 1,000 square feet (nonresidential).

[2] Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

APPENDIX G

Water Impact Fee

Table 1.1: Water Fixed Assets

Asset No.	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	Original Cost Less Depreciation	CCI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
	Land and Buildings						
1678	LAND-PURCHASE OF LT22,23-BLK92	2015	$60,278	$0	$60,278	1.30	$60,278
1675	LAND-PURCHASE OF LT20 FOR UT	2015	24,057	0	24,057	1.30	24,057
2207	LAND PARCEL	2015	1,612	0	1,612	1.30	1,612
2208	LAND PARCEL	2015	2,000	0	2,000	1.30	2,000
2209	LAND PARCEL	2015	2,500	0	2,500	1.30	2,500
2210	LAND PARCEL	2015	4,000	0	4,000	1.30	4,000
2211	LAND PARCEL	2015	5,000	0	5,000	1.30	5,000
2212	LAND PARCEL	2015	5,000	0	5,000	1.30	5,000
2213	LAND PARCEL	2015	7,060	0	7,060	1.30	7,060
2214	LAND PARCEL	2015	10,019	0	10,019	1.30	10,019
2215	LAND PARCEL	2015	10,019	0	10,019	1.30	10,019
2216	LAND PARCEL	2015	10,104	0	10,104	1.30	10,104
2217	LAND PARCEL	2015	10,542	0	10,542	1.30	10,542
2218	LAND PARCEL	2015	13,214	0	13,214	1.30	13,214
2219	LAND PARCEL	2015	14,000	0	14,000	1.30	14,000
2220	LAND PARCEL	2015	19,471	0	19,471	1.30	19,471
2221	LAND PARCEL	2015	20,038	0	20,038	1.30	20,038
2222	LAND PARCEL	2015	23,933	0	23,933	1.30	23,933
2223	LAND PARCEL	2015	25,000	0	25,000	1.30	25,000
2224	LAND PARCEL	2015	27,486	0	27,486	1.30	27,486
2225	LAND PARCEL	2015	28,087	0	28,087	1.30	28,087
2226	LAND PARCEL	2015	31,500	0	31,500	1.30	31,500
2227	LAND PARCEL	2015	44,645	0	44,645	1.30	44,645
2228	LAND PARCEL	2015	45,000	0	45,000	1.30	45,000
2229	LAND PARCEL	2015	90,785	0	90,785	1.30	90,785
2230	LAND PARCEL	2015	129,000	0	129,000	1.30	129,000
2231	LAND PARCEL	2015	229,671	0	229,671	1.30	229,671
2232	LAND PARCEL	2015	231,217	0	231,217	1.30	231,217
2444	LAND PARCEL UT13/LT17,18,19,20	2015	125,757	0	125,757	1.30	125,757
3796	LAND ACQ/LOT 7-A PARCEL A	2015	28,500	0	28,500	1.30	28,500
4496	LAND/UT11, BLK 45, LOT 25	2015	9,138	0	9,138	1.30	9,138
4497	LAND/UT11, BLK E, LOT 80	2015	9,138	0	9,138	1.30	9,138
4533	LAND/UT17 BLK 1-31/LT1,2,9	2015	1,435	0	1,435	1.30	1,435
4505	LAND/UT17/BLK 38/LOT 34	2015	108,182	0	108,182	1.30	108,182
5546	LAND/UT21,BLK 31, LOT 25	2015	8,050	1,964	6,086	1.30	6,086
5566	U21/BLK19/L30,U21/BLK31/L23&24	2015	22,919	1,800	21,119	1.30	21,119
5731	LAND/UT11, BLK E, LT 79 & 80	2015	44,425	0	44,425	1.30	44,425
5791	RESERVOIR ROW/U21, B19, LT1	2015	12,231	0	12,231	1.30	12,231
5796	ROW/U25, BLK 138, LT 32-36	2015	53,928	0	53,928	1.30	53,928
5909	ROW/U11,BLK E,L73 - 78	2015	131,386	816	130,570	1.30	130,570
5988	LAND ROW/UT6,BLK76,LT19	2015	8,800	0	8,800	1.30	8,800
6034	LAND/UT20/BLK36/LT7A/LFTST#15	2015	11,575	0	11,575	1.30	11,575
6106	LAND/UT11, BLK E, LOT 72	2015	22,164	0	22,164	1.30	22,164
5902	LAND/U21, BLK31, LT21	2015	25,616	0	25,616	1.30	25,616
6538	TANK#10/U13,BLK117,LT33-A	2015	40,000	0	40,000	1.30	40,000
6806	LAND/UT13,BLK29,LT57	2015	66,105	0	66,105	1.30	66,105
8882	LAND/UT17, BLK 38, LT 43	2015	316,356	0	316,356	1.30	316,356
8987	LAND/UT13, BLK 29, LOT 55&56	2015	181,469	0	181,469	1.30	181,469
9133	APPRAISAL OF WELL SITE S26	2015	1,283	0	1,283	1.30	1,283
9698	LAND/UT20,BLK18,LT19,20,24,25	2015	85,282	0	85,282	1.30	85,282
3169	LAND/UT11,BLK V, LT 30 & 31	2015	13,832	0	13,832	1.30	13,832
9750	LAND/UT13,BLK5,LT1	2015	65,934	0	65,934	1.30	65,934
9751	LAND/UT13,BLK5,LT34	2015	65,914	0	65,914	1.30	65,914
9752	LAND/UT20,BLK18,LT 26&27	2015	46,026	0	46,026	1.30	46,026
9753	LAND/UT20,BLK18,LT 21&22	2015	46,137	0	46,137	1.30	46,137
9760	LAND/UT20,BLK18,LT23	2015	21,477	0	21,477	1.30	21,477
9926	LAND/UT13,BLK6,LT33 (WELLSITE)	2015	76,022	0	76,022	1.30	76,022
9952	LAND/UT20,BLK18,LT28(WELLSITE)	2015	21,709	0	21,709	1.30	21,709
9983	LAND/UT13,BLK5,LT2(WELLSITE)	2015	65,970	0	65,970	1.30	65,970
10571	LAND, PARCEL 21-A (15-ACRE)CAB	2015	2,011,943	0	2,011,943	1.30	2,011,943
6503	TANK#15/BACK TAXES & FEES	2015	66	0	66	1.30	66
5706	TANK#15/LAND ACQUISITION	2015	533	0	533	1.30	533
12452	LAND/UT21 BLK103 LT 46	2015	13,066	0	13,066	1.30	13,066
12444	LAND/UT21 BLK99 LOT 19	2015	13,000	0	13,000	1.30	13,000
12517	LAND/UT21 BLK99 LT20	2015	15,430	0	15,430	1.30	15,430
12572	LAND/UT17,BLK84,LT11	2015	133,193	0	133,193	1.30	133,193
12584	LAND CONDE/UT13,BLK2,LT16	2015	48,000	0	48,000	1.30	48,000
12587	LAND/UT17, BLOCK 84, LOT 11	2015	139,107	0	139,107	1.30	139,107
12325	APPRAISAL OF UNIT 21, BLOCK 99	2015	6,390	0	6,390	1.30	6,390
12603	LAND/UT13,BLK2,LT16(WELL14 BOO	2015	52,800	1,673	51,127	1.30	51,127
12604	LAND/UT6,BLK66,LT1 (BOOSTER)	2015	13,179	0	13,179	1.30	13,179
12606	REC FEES, UT21 BLK99 LT20	2015	9	0	9	1.30	9
12607	REC FEES, UT21 BLK 103 LT 46	2015	9	0	9	1.30	9
12608	REC FEES, UT 21 BLK103 LT46	2015	9	0	9	1.30	9
12609	REC FEES, UT 17 BLK84 LT11	2015	9	0	9	1.30	9
12728	PROVIDE SERVICES TO ACQUIRE PR	2015	5,640	0	5,640	1.30	5,640
12856	LAND/UT17,BLK117,LTS3B,33A1	2015	3,207	0	3,207	1.30	3,207
12857	LAND/UT17,BLK117,LTS4,32A(MORE	2015	9,286	0	9,286	1.30	9,286
12863	LAND/UT21,BLK103,LT48 PASEO GA	2015	13,165	0	13,165	1.30	13,165
12885	LAND/UT21,BLK99,LT22	2015	17,000	0	17,000	1.30	17,000
12886	LAND/UT21,BLK103,LTS 1 & 2	2015	34,708	0	34,708	1.30	34,708
12973	PROF SVCS LAND ACQUISITION	2015	9,430	0	9,430	1.30	9,430
13029	PURCHASE UT 21, BLK 99, LT 21	2015	23,154	0	23,154	1.30	23,154
13038	LAND/UT21,BLK103,LT47	2015	17,000	0	17,000	1.30	17,000
13489	2010 PROPTAX-UT21,BLK99,LT19	2015	178	0	178	1.30	178
13534	LAND/UT21,BLK103,LT22	2015	18,279	0	18,279	1.30	18,279
13729	LAND/UT21,BLK108,LOTS 15-17	2015	1,514	0	1,514	1.30	1,514
13750	LAND/UT21,BLK99,LT20-PROP TAX	2015	816	0	816	1.30	816
13751	LAND/UT21,BLK103,LT46-PROP TAX	2015	48	0	48	1.30	48
13752	LAND/UT21,BLK99,LT22-PROP TAX	2015	97	0	97	1.30	97
13753	LAND/UT21,BLK103,LT47-PROP TAX	2015	97	0	97	1.30	97
13754	LAND/UT21,BLK103,LT1-PROP TAX	2015	97	0	97	1.30	97
13755	LAND/UT21,BLK103,LT2-PROP TAX	2015	97	17	80	1.30	80
13892	LAND/UT13,BLK2,LT16/PROP TAX	2015	120	29	91	1.30	91
12160	APPRAISAL FOR UNIT 13, BLOCK 2	2015	1,065	0	1,065	1.30	1,065
12706	CONDEMNATION SERVICES FOR CITY	2015	543	0	543	1.30	543
11191	LAND IMPRV, WELL#10A	2015	17,880	0	17,880	1.30	17,880
12844	LAND IMPROV WELL#12	2015	318,993	0	318,993	1.30	318,993
13344	WELL#9 LAND IMPROVMENTS	2015	191,008	0	191,008	1.30	191,008
13347	WELL#13 LAND IMPROVEMENTS	2015	220,026	0	220,026	1.30	220,026
196	WELL 15 LAND IMPROVEMENTS	2015	12,466	0	12,466	1.30	12,466
196	WELL 6 LAND IMPROVEMENTS	2015	170,572	0	170,572	1.30	170,572

Asset No.	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	Original Cost Less Depreciation	CCI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
196	WELL 16 LAND IMPROVEMENTS	2015	161,853	0	161,853	1.30	161,853
196	WELL10A LAND IMPROVEMENTS	2015	1,930,368	0	1,930,368	1.30	1,930,368
196	WELL 14 LAND IMPROVEMENTS	2015	238,733	0	238,733	1.30	238,733
196	WELL 17 LAND IMPROVEMENTS	2015	211,408	0	211,408	1.30	211,408
205	WELL#3 LAND IMPROVEMENTS	2015	448,113	0	448,113	1.30	448,113
1566	Chlorine Analyzer Shed	2022	7,000	0	7,000	1.00	7,000
1581	Warehouse -Well #6	2022	40,977	0	40,977	1.00	40,977
4711	Meter Warehouse	2022	1,064,385	0	1,064,385	1.00	1,064,385
1553	Water Office	2022	140,000	0	140,000	1.00	140,000
	Water Infrastructure						
2007	VISTA HILLS WATERLINE	2015	599,719	0	599,719	1.30	777,257
2009	WATERLINES, WELL#10A	2015	154,635	0	154,635	1.30	200,412
2010	CLEVELAND HS WATERLINE	2015	1,535,394	0	1,535,394	1.30	1,989,923
2011	SAD INFRA WATERLINE	2015	2,011,671	0	2,011,671	1.30	2,607,194
2012	SASC WATERLINE EXTENSION	2015	14,567	0	14,567	1.30	18,879
2008	INFRASTRUCTURE - WATERLINE DEV	2015	1,293,424	0	1,293,424	1.30	1,676,322
2010	INFRASTRUCTURE - WATERLINE DEV	2015	258,121	0	258,121	1.30	334,534
2012	INFRASTRUCTURE - WATERLINE DEV	2015	133,707	0	133,707	1.30	173,289
2010	24" WATER TRANSMISSION LINE	2015	1,902,850	0	1,902,850	1.30	2,466,160
2003	17TH AVE 12" WATERLINE REPLACE	2015	259,549	0	259,549	1.30	336,384
2012	BROADMOOR DR WATER SVCLN REPL	2015	8,690	0	8,690	1.30	11,262
3921	Aquifer/Storage/Reinjection	2022	1,577,907	0	1,577,907	1.00	1,577,907
3922	Aquifer/Storage/Reinjection	2022	386,283	0	386,283	1.00	386,283
	Wells						
944	Well # 1 Warehouse	2022	150,000	0	150,000	1.00	150,000
946	Well # 1	2022	40,000	0	40,000	1.00	40,000
947	Well # 2	2022	30,000	0	30,000	1.00	30,000
948	Well # 3	2022	2,650,000	0	2,650,000	1.00	2,650,000
949	Well # 4	2022	20,000	0	20,000	1.00	20,000
951	Well # 6	2022	5,800,000	0	5,800,000	1.00	5,800,000
952	Well # 7	2022	2,650,000	0	2,650,000	1.00	2,650,000
953	Well # 8	2022	2,650,000	0	2,650,000	1.00	2,650,000
954	Well # 9	2022	185,805	0	185,805	1.00	185,805
957	Well # 12	2022	5,800,000	0	5,800,000	1.00	5,800,000
958	Well # 13	2022	410,889	0	410,889	1.00	410,889
959	Well # 14	2022	5,800,000	0	5,800,000	1.00	5,800,000
960	Well # 15	2022	5,800,000	0	5,800,000	1.00	5,800,000
961	Well # 16	2022	5,800,000	0	5,800,000	1.00	5,800,000
962	Well # 17	2022	5,800,000	0	5,800,000	1.00	5,800,000
963	Well # 19	2022	5,800,000	0	5,800,000	1.00	5,800,000
3011	Well 10A	2022	6,100,000	0	6,100,000	1.00	6,100,000
3018	Well 21	2022	5,800,000	0	5,800,000	1.00	5,800,000
4394	Well#22	2022	6,400,000	0	6,400,000	1.00	6,400,000
	Tanks and Boosters						
2012	INFRASTRUCTURE-SAD7A WATER	2015	872,816	0	872,816	1.30	1,131,200
2012	INFRASTRUCTURE-SAD8 WATER	2015	100,081	0	100,081	1.30	129,709
2012	35TH AVE WATERLINE CONSTRUCTIO	2015	10,927	0	10,927	1.30	14,162
2010	3 MGD SEC RESERVOIR NO. 15	2015	1,916,871	0	1,916,871	1.30	2,484,331
2004	6 MGD BOOSTER PIPLINE	2015	428,701	0	428,701	1.30	555,611
2013	CITY CENTER BOOSTER INFRA	2015	1,129,100	0	1,129,100	1.30	1,463,352
6260	ENCH HILLS E/HWY 44 & SF HILLS	2011	376,296	0	376,296	1.43	539,527
6263	ENCH HILLS W/KENNARD ROAD	2011	817,430	0	817,430	1.43	1,172,017
12853	BLDG, TANK10 WATER COMPLEX	2011	1,040,968	0	1,040,968	1.43	1,492,522
965	Tank # 3	2022	1,000,000	0	1,000,000	1.00	1,000,000
969	Tank # 6	2022	2,000,000	0	2,000,000	1.00	2,000,000
971	Tank # 8S	2022	3,000,000	0	3,000,000	1.00	3,000,000
972	Tank # 9	2022	200,000	0	200,000	1.00	200,000
973	Tank # 3	2022	700,000	0	700,000	1.00	700,000
974	Tank # 4	2022	2,000,000	0	2,000,000	1.00	2,000,000
975	Tank # 13	2022	3,100,000	0	3,100,000	1.00	3,100,000
976	Tank # 15N	2022	1,000,000	0	1,000,000	1.00	1,000,000
1579	Well 12 Booster Station	2022	3,405,566	0	3,405,566	1.00	3,405,566
1580	Well 10 Booster Station	2022	3,405,566	0	3,405,566	1.00	3,405,566
1582	Tank # 4	2022	20,000	0	20,000	1.00	20,000
1583	Tank # 17	2022	1,000,000	0	1,000,000	1.00	1,000,000
2729	Booster Station # 6	2022	3,405,566	0	3,405,566	1.00	3,405,566
3012	Tank 12E	2022	893,807	0	893,807	1.00	893,807
3017	Mariposa Tank	2022	2,250,000	0	2,250,000	1.00	2,250,000
3088	City Center Tank	2022	4,000,000	0	4,000,000	1.00	4,000,000
3746	Well 14 Booster/Fill Station	2022	1,217,600	0	1,217,600	1.00	1,217,600
4156	Enchanted Hills Tank 1	2022	3,000,000	0	3,000,000	1.00	3,000,000
4288	Recycled Water Tank	2022	2,791,086	0	2,791,086	1.00	2,791,086
4379	City Center Booster Station	2022	3,405,566	0	3,405,566	1.00	3,405,566
4395	Well 15 Booster Station	2022	674,045	0	674,045	1.00	674,045
4396	Mariposa Booster Station	2022	674,045	0	674,045	1.00	674,045
4397	Tank 6B	2022	3,100,000	0	3,100,000	1.00	3,100,000
4398	Tank #8S	2022	4,500,000	0	4,500,000	1.00	4,500,000
4399	Tank 10A	2022	3,000,000	0	3,000,000	1.00	3,000,000
4400	Tank 10B	2022	4,000,000	0	4,000,000	1.00	4,000,000
4401	Tank 15S	2022	3,000,000	0	3,000,000	1.00	3,000,000
4402	Well 8 Booster Station	2022	3,405,556	0	3,405,556	1.00	3,405,556
	Equipment						
2193	GROUP OF CHAIN LINK FENCING	2015	6,768	0	6,768	1.30	6,768
2195	GROUP OF CHAIN LINK FENCING	2015	8,594	0	8,594	1.30	8,594
2196	GROUP OF CHAIN LINK FENCING	2015	8,993	0	8,993	1.30	8,993
2197	GROUP OF CHAIN LINK FENCING	2015	9,233	0	9,233	1.30	9,233
2199	GROUP OF CHAIN LINK FENCING	2015	10,127	0	10,127	1.30	10,127
2200	GROUP OF CHAIN LINK FENCING	2015	11,422	0	11,422	1.30	11,422
2201	GROUP OF CHAIN LINK FENCING	2015	16,833	0	16,833	1.30	16,833
2202	GROUP OF CHAIN LINK FENCING	2015	18,627	0	18,627	1.30	18,627
8784	GROUP OF CHAIN LINK FENCING	2015	1,815	0	1,815	1.30	1,815
8785	GROUP OF CHAIN LINK FENCING	2015	3,604	0	3,604	1.30	3,604
8786	GROUP OF CHAIN LINK FENCING	2015	4,822	0	4,822	1.30	4,822
13924	SECURITY SYSTEM IMPRV WELL10	2015	282,114	0	282,114	1.30	282,114
13925	SECURITY SYSTEM IMPRV WELL6	2015	23,314	0	23,314	1.30	23,314
13926	SECURITY SYSTEM IMPRV WELL16	2015	84,476	0	84,476	1.30	84,476
13927	SECURITY SYSTEM IMPRV WELL14	2015	162,191	0	162,191	1.30	162,191
13928	SECURITY SYSTEM IMPRV WELL17	2015	22,364	0	22,364	1.30	22,364
13929	SECURITY SYSTEM IMPRV WELL15	2015	74,974	0	74,974	1.30	74,974
13930	SECURITY SYSTEM IMPRV WELL3	2015	21,451	0	21,451	1.30	21,451
13931	SECURITY SYSTEM IMPRV WELL12	2015	16,140	0	16,140	1.30	16,140
13932	SECURITY SYSTEM IMPRV WELL19	2015	6,166	0	6,166	1.30	6,166
13933	SECURITY SYSTEM IMPRV WELL13	2015	52,457	0	52,457	1.30	52,457
2013	FIBEROPTIC LINE (SCADA)	2015	9,262	0	9,262	1.30	12,003

Asset No.	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	Original Cost Less Depreciation	CCI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
13934	SECURITY SYSTEM IMPRV WELL9	2015	52,087	0	52,087	1.30	52,087
	Treatment						
2012	WELL 12 REVERSE OSMOSIS	2015	2,037,223	0	2,037,223	1.30	2,640,312
1020	BUILDING-WATER OFFICE	2010	53,807	0	53,807	1.48	79,524
1027	BUILDING-WATER WAREHOUSE/SHOP	2010	24,253	0	24,253	1.48	35,845
1143	BUILDING-TREATMENT POND	2010	107,676	0	107,676	1.48	159,139
1149	BUILDING-CHLORINE CONTACT BASI	2010	46,898	2,840	44,058	1.48	66,473
1166	BUILDING-CONTROL	2010	38,570	395	38,175	1.48	56,609
1171	BUILDING-UV TREATMENT	2010	29,266	395	28,871	1.48	42,858
8314	BUILDING-WASHWATER SHED	2011	2,252	0	2,252	1.43	3,229
8316	BLDG-CONF/TILE-REMOVE CARPET	2011	2,503	0	2,503	1.43	3,589
8317	BLDG-CONTROL/REPLACE CARPET	2011	3,533	0	3,533	1.43	5,066
8318	BLDG-CONTROL/RM-CARPET/VINYLBS	2011	1,832	0	1,832	1.43	2,627
8319	BLDG-OPS/WINDOW REPLACEMENT	2011	3,473	0	3,473	1.43	4,979
8320	VINYL BASE/REM&REPL CARPET	2011	1,214	0	1,214	1.43	1,741
1181	BUILDING-WASHWATER HOLDING TAN	2010	20,920	395	20,525	1.48	30,523
3319	Arsenic Treatment Well	2022	5,200,000	0	5,200,000	1.00	5,200,000
3320	Arsenic Treatment Well	2022	11,500,000	0	11,500,000	1.00	11,500,000
3321	Arsenic Treatment Well	2022	5,095,000	0	5,095,000	1.00	5,095,000
3322	Arsenic Treatment Well	2022	5,200,000	0	5,200,000	1.00	5,200,000
3451	Arsenic Treatment Well	2022	5,095,000	0	5,095,000	1.00	5,095,000
3452	Arsenic Treatment Well	2022	5,095,000	0	5,095,000	1.00	5,095,000
3453	Arsenic Treatment Well	2022	5,200,000	0	5,200,000	1.00	5,200,000
3454	Arsenic Treatment Well	2022	5,200,000	0	5,200,000	1.00	5,200,000
3573	Arsenic Treatment Well	2022	4,450,000	0	4,450,000	1.00	4,450,000
3574	Arsenic Treatment Well	2022	4,450,000	0	4,450,000	1.00	4,450,000
	Fleet						
17697	Ditch Witch FX30	2006	39,563	0	39,563	1.68	39,563
17698	Big Tex 24' Pintle Hook	2015	14,733	0	14,733	1.30	14,733
17699	Ditch Witch Trailer FX20	2015	24,707	0	24,707	1.30	24,707
17863	International 7500	2007	60,219	0	60,219	1.63	60,219
17879	Pace Cargo	1997	3,277	0	3,277	2.23	3,277
17880	Townmaster Pipe Trailer	1996	2,700	0	2,700	2.31	2,700
17881	Big Tex Trailer	2002	7,875	0	7,875	1.99	7,875
17864	Kenworth T800	2006	89,654	0	89,654	1.68	89,654
17942	Ford F350	2007	30,579	0	30,579	1.63	30,579
17875	Ford F350	2013	34,983	0	34,983	1.36	34,983
17876	Ford F350	2013	34,893	0	34,893	1.36	34,893
17872	Kenworth T800	2014	20,017	0	20,017	1.33	20,017
17703	Big Tex 24' Pintle Hook	2014	17,106	0	17,106	1.33	17,106
17874	Pjtr U81	2014	2,900	0	2,900	1.33	2,900
17870	Big Tex 16' Dump Trailer	2014	7,315	0	7,315	1.33	7,315
17868	Ford F450	2014	48,065	0	48,065	1.33	48,065
17869	Ford F450	2014	48,065	0	48,065	1.33	48,065
17944	Ford F150	2014	25,000	0	25,000	1.33	25,000
17866	Ford F450	2015	52,043	0	52,043	1.30	52,043
17871	Big Tex 14LX-14BK7SIRPD	2017	7,960	0	7,960	1.20	7,960
17867	Kenworth T300	2008	71,561	0	71,561	1.56	71,561
17877	Big Tex Trailer	2000	3,500	0	3,500	2.09	3,500
17878	Interstate Trailer	2002	11,479	0	11,479	1.99	11,479
17865	International HV607	2021	132,150	0	132,150	1.04	132,150
17873	Kenworth T800	2020	171,529	0	171,529	1.12	171,529
17886	Ford F150	2013	22,317	0	22,317	1.36	22,317
17903	John Deere Welding	1993	1,300	0	1,300	2.50	1,300
17904	Towmaster C10	2000	3,500	0	3,500	2.09	3,500
17905	Jbmf Steam Clean	2003	12,000	0	12,000	1.94	12,000
17895	Ford F350	2006	24,461	0	24,461	1.68	24,461
17890	Chevrolet Colorado	2006	12,086	0	12,086	1.68	12,086
17894	Chevrolet 2500	2007	28,362	0	28,362	1.63	28,362
17891	Ford Ranger	2007	16,144	0	16,144	1.63	16,144
17906	Felling hydraulic Pump Trailer	2010	7,724	0	7,724	1.48	7,724
17898	Ford F150	2010	20,903	0	20,903	1.48	20,903
17893	Chevrolet 1500	2008	20,446	0	20,446	1.56	20,446
17885	Ford F150	2013	22,317	0	22,317	1.36	22,317
17896	Ford F350	2013	34,893	0	34,893	1.36	34,893
17889	PJ Trailer MFG U8121	2012	1,825	0	1,825	1.40	1,825
17899	Ford F250	2016	23,878	0	23,878	1.26	23,878
17901	Ford F250	2016	23,878	0	23,878	1.26	23,878
17908	Ford F150	2017	29,600	0	29,600	1.20	29,600
17897	Chevrolet 3500	2008	39,983	0	39,983	1.56	39,983
17902	Norstar Ironbull	2018	6,165	0	6,165	1.16	6,165
17887	Ford F350	2019	29,964	0	29,964	1.14	29,964
17909	Ford F350	2019	29,964	0	29,964	1.14	29,964
17888	Ford F350	2019	34,907	0	34,907	1.14	34,907
17892	Ford F450	2020	40,007	0	40,007	1.12	40,007
	Meters						
1996	INFRASTRUCTURE - METERS/FITTIN	2015	143,060	0	143,060	1.30	185,410
1998	INFRASTRUCTURE - METERS/FITTIN	2015	13,231	0	13,231	1.30	17,148
2001	INFRASTRUCTURE - METERS/FITTIN	2015	14,764	0	14,764	1.30	19,135
2002	INFRASTRUCTURE - METERS/FITTIN	2015	26,835	0	26,835	1.30	34,779
2003	Infrastructure - Meters/Fittin	2015	85,231	0	85,231	1.30	110,463
2004	METERS AND FITTINGS	2015	76,228	0	76,228	1.30	98,794
2005	METERS & FITTINGS	2015	106,111	0	106,111	1.30	137,523
2006	METERS & FITTINGS	2015	33,512	0	33,512	1.30	43,433
2006	METER SETTING & INSTALL PROGRM	2015	700,756	0	700,756	1.30	908,204
2007	METERS/FITTINGS	2015	985,399	0	985,399	1.30	1,277,112
2008	Infrastructure - Meters/Fittin	2015	911,076	0	911,076	1.30	1,180,786
2009	METERS & FITTINGS	2015	845,551	0	845,551	1.30	1,095,864
2010	METERS & FITTINGS - AUTO	2015	1,038,539	0	1,038,539	1.30	1,345,982
2011	FY11 METERS & FITTINGS	2015	642,898	0	642,898	1.30	833,218
2012	FY12 METERS & FITTINGS	2015	594,038	0	594,038	1.30	769,894
2013	METERS/FITTINGS FY13	2015	634,025	0	634,025	1.30	821,718
2005	METER SETTINGS & INSTALL	2015	331,747	0	331,747	1.30	429,956
2010	FY10 METERS & FITTINGS	2015	627,664	0	627,664	1.30	813,474
2012	17" X 15" X 24" METER CAN	2015	11,401	0	11,401	1.30	14,776
	Total		$228,339,685	$10,324	$228,329,361		$236,119,353

Table 1.2: Water CIP

Description - Inflated	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Unser Boulevard Water Line City Center Tank to Tank 15	$9,094,000	$0	$0	$0	$0	$0	$9,094,000
Redrill Well 9 and Equip for Arsenic Removal	18,213,857	0	0	0	0	0	18,213,857
Hydroexcavator Storage Garage	0	898,978	0	0	0	0	898,978
Booster Station and Transmission Line Well 17	5,898,290	0	0	0	0	0	5,898,290
Northern Blvd and North Hills Waterline	84,843	8,813,394	0	0	0	0	8,898,237
Well 13 Equipping Continued from FY23	8,285,873	0	0	0	0	0	8,285,873
Well Chemical Storage Canopies	65,000	74,033	83,892	94,641	106,351	119,095	543,012
Sodium Hydroxide Skids	110,751	122,155	134,228	147,877	162,654	178,642	856,307
Sodium Hypochlorite Systems at Well Sites	245,000	269,693	296,419	326,512	359,089	396,983	1,893,697
Well Line Shaft Sound Walls	0	190,372	0	224,773	0	0	415,145
Water Well Level Monitoring Wells	41,400	47,593	55,928	65,066	75,071	86,013	371,071
Equipment for Water Production, Treatment and Distribution	13,670	0	0	0	0	0	13,670
Water Utility Vehicles and Heavy Equipment	1,098,984	0	0	0	0	0	1,098,984
Well Site Security and SCADA	200,000	219,985	242,728	266,179	294,028	324,203	1,547,123
Install/Replace Water Lines	0	2,517,139	3,187,904	4,022,253	4,254,021	4,499,143	18,480,459
Renovate/Paint Water Storage Tanks	0	2,644,053	2,857,928	3,087,671	3,334,401	3,599,314	15,523,367
New Tank at Well 17	0	0	0	0	0	463,147	463,147
New Tank Volcan Water Tank (Near Sue Cleeland HS same as Tank 6 overflow)	0	0	0	354,905	5,004,730	0	5,359,635
New and Replacement Pressure Reducing Valves (PRVs)	305,000	338,439	369,126	396,310	431,658	463,147	2,303,680
Drill S25 (Lacuna/Chayote property owned by Utilities) or Well 15 Mariposa	0	0	0	0	312,796	7,145,697	7,458,493
Redrill Well 2 or 4 and Equip 850 ft depth	2,824,833	0	5,212,502	0	0	0	8,037,335
Water Rights	1,291,795	1,269,145	1,454,132	1,656,222	1,876,774	2,117,244	9,665,311
Total	$47,773,296	$17,404,980	$13,894,786	$10,642,409	$16,211,572	$19,392,628	$125,319,671

Description - Current Day Dollars	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Unser Boulevard Water Line City Center Tank to Tank 15	$9,094,000	$0	$0	$0	$0	$0	$9,094,000
Redrill Well 9 and Equip for Arsenic Removal	18,213,857	0	0	0	0	0	18,213,857
Hydroexcavator Storage Garage	0	850,000	0	0	0	0	850,000
Booster Station and Transmission Line Well 17	5,898,290	0	0	0	0	0	5,898,290
Northern Blvd and North Hills Waterline	84,843	8,333,223	0	0	0	0	8,418,066
Well 13 Equipping Continued from FY23	8,285,873	0	0	0	0	0	8,285,873
Well Chemical Storage Canopies	65,000	70,000	75,000	80,000	85,000	90,000	465,000
Sodium Hydroxide Skids	110,751	115,500	120,000	125,000	130,000	135,000	736,251
Sodium Hypochlorite Systems at Well Sites	245,000	255,000	265,000	276,000	287,000	300,000	1,628,000
Well Line Shaft Sound Walls	0	180,000	0	190,000	0	0	370,000
Water Well Level Monitoring Wells	41,400	45,000	50,000	55,000	60,000	65,000	316,400
Equipment for Water Production, Treatment and Distribution	13,670	0	0	0	0	0	13,670
Water Utility Vehicles and Heavy Equipment	1,098,984	0	0	0	0	0	1,098,984
Well Site Security and SCADA	200,000	208,000	217,000	225,000	235,000	245,000	1,330,000
Install/Replace Water Lines	0	2,380,000	2,850,000	3,400,000	3,400,000	3,400,000	15,430,000
Renovate/Paint Water Storage Tanks	0	2,500,000	2,555,000	2,610,000	2,665,000	2,720,000	13,050,000
New Tank at Well 17	0	0	0	0	0	350,000	350,000
New Tank Volcan Water Tank (Near Sue Cleeland HS same as Tank 6 overflow)	0	0	0	300,000	4,000,000	0	4,300,000
New and Replacement Pressure Reducing Valves (PRVs)	305,000	320,000	330,000	335,000	345,000	350,000	1,985,000
Drill S25 (Lacuna/Chayote property owned by Utilities) or Well 15 Mariposa	0	0	0	0	250,000	5,400,000	5,650,000
Redrill Well 2 or 4 and Equip 850 ft depth	2,824,833	0	4,660,000	0	0	0	7,484,833
Water Rights	1,291,795	1,200,000	1,300,000	1,400,000	1,500,000	1,600,000	8,291,795
Total	$47,773,296	$16,456,723	$12,422,000	$8,996,000	$12,957,000	$14,655,000	$113,260,019

Table 1.3: Water CIP Allocation %

Description - Inflated	Capital Costs Allocated to Existing Customers (System Upgrade)	System Expansion Costs Allocated to New Customers	Total Allocation
Unser Boulevard Water Line City Center Tank to Tank 15	84%	16%	100%
Redrill Well 9 and Equip for Arsenic Removal	100%	0%	100%
Hydroexcavator Storage Garage	100%	0%	100%
Booster Station and Transmission Line Well 17	64%	36%	100%
Northern Blvd and North Hills Waterline	90%	10%	100%
Well 13 Equipping Continued from FY23	70%	30%	100%
Well Chemical Storage Canopies	100%	0%	100%
Sodium Hydroxide Skids	100%	0%	100%
Sodium Hypochlorite Systems at Well Sites	100%	0%	100%
Well Line Shaft Sound Walls	100%	0%	100%
Water Well Level Monitoring Wells	100%	0%	100%
Equipment for Water Production, Treatment and Distribution	100%	0%	100%
Water Utility Vehicles and Heavy Equipment	100%	0%	100%
Well Site Security and SCADA	100%	0%	100%
Install/Replace Water Lines	100%	0%	100%
Renovate/Paint Water Storage Tanks	100%	0%	100%
New Tank at Well 17	100%	0%	100%
New Tank Volcan Water Tank (Near Sue Cleeland HS same as Tank 6 overflow)	70%	30%	100%
New and Replacement Pressure Reducing Valves (PRVs)	100%	0%	100%
Drill S25 (Lacuna/Chayote property owned by Utilities) or Well 15 Mariposa	96%	4%	100%
Redrill Well 2 or 4 and Equip 850 ft depth	78%	22%	100%
Water Rights	100%	0%	100%

Table 1.4: Water CIP Allocation $

Description - Inflated	Capital Costs Allocated to Existing Customers (System Upgrade)	System Expansion Costs Allocated to New Customers	Total
Unser Boulevard Water Line City Center Tank to Tank 15	$7,594,000	$1,500,000	$9,094,000
Redrill Well 9 and Equip for Arsenic Removal	18,213,857	0	18,213,857
Hydroexcavator Storage Garage	898,978	0	898,978
Booster Station and Transmission Line Well 17	3,751,655	2,146,635	5,898,290
Northern Blvd and North Hills Waterline	8,052,604	845,632	8,898,237
Well 13 Equipping Continued from FY23	5,840,368	2,445,505	8,285,873
Well Chemical Storage Canopies	543,012	0	543,012
Sodium Hydroxide Skids	856,307	0	856,307
Sodium Hypochlorite Systems at Well Sites	1,893,697	0	1,893,697
Well Line Shaft Sound Walls	415,145	0	415,145
Water Well Level Monitoring Wells	371,071	0	371,071
Equipment for Water Production, Treatment and Distribution	13,670	0	13,670
Water Utility Vehicles and Heavy Equipment	1,098,984	0	1,098,984
Well Site Security and SCADA	1,547,123	0	1,547,123
Install/Replace Water Lines	18,480,459	0	18,480,459
Renovate/Paint Water Storage Tanks	15,523,367	0	15,523,367
New Tank at Well 17	463,147	0	463,147
New Tank Volcan Water Tank (Near Sue Cleeland HS same as Tank 6 overflow)	3,739,280	1,620,355	5,359,635
New and Replacement Pressure Reducing Valves (PRVs)	2,303,680	0	2,303,680
Drill S25 (Lacuna/Chayote property owned by Utilities) or Well 15 Mariposa	7,128,471	330,022	7,458,493
Redrill Well 2 or 4 and Equip 850 ft depth	6,254,800	1,782,535	8,037,335
Water Rights	9,665,311	0	9,665,311
Total	$114,648,987	$10,670,684	$125,319,671

Table 1.5: Water Impact Fee Existing Standard

Description	Original Cost	Original Cost Less Depreciation	Replacement Cost New Less Depreciation (RCNLD)
Existing - Assets			
Land and Buildings	10,638,066	10,631,768	10,631,768
Water Infrastructure	10,136,516	10,136,516	12,555,806
Wells	67,686,694	67,686,694	67,686,694
Tanks and Boosters	70,841,594	70,841,594	73,130,834
Equipment	907,832	907,832	910,574
Treatment	58,858,421	58,854,395	59,617,512
Fleet	1,448,496	1,448,496	1,448,496
Meters	7,822,067	7,822,067	10,137,669
Total Fixed Assets	228,339,685	228,329,361	236,119,353
Water Rights	42,469,248	42,469,248	42,469,248
Total Assets	270,808,934	270,798,609	278,588,601
Number of SFE's	63,128	63,128	63,128
Proposed Water System Impact Fee per SFE	$3,617	$3,617	$3,740
Current Impact Fee per SFE	$3,577	$3,577	$3,577
Change	$41	$40	$164
Proposed Water Rights Impact Fee per SFE	$673	$673	$673
Proposed Water Impact Fee w/ Water Rights per SFE	$4,290	$4,290	$4,413

Demand Capacity			10,000,000
Average Water Flows per person (gpd)	60.96		
Average Use per SFE (2.60 pph)		158	
Water Flows per SFE			158
Total SFEs			63,128

Meter Size	Ratio	Proposed Fee	Current Fee	Difference $	Difference %
5/8-inch	1.00	$3,740	$3,577	$164	5%
3/4-inch	1.50	5,610	5,365	$246	5%
1-inch	2.50	9,351	8,941	$410	5%
1 1/2-inch	5.00	18,702	17,883	$819	5%
2-inch	8.00	29,923	28,612	$1,311	5%

APPENDIX H

Sewer Impact Fees

Table 1.1: Sewer Fixed Assets

Asset No.	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	Original Cost Less Depreciation	CCI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
	Land and Buildings						
11101	LAND,MARIPOSA EAST TRACT 1B-1	2015	$605,138	$0	605,138	1.30	$605,138
11175	LAND, MARISPOSA WWTP, LEGAL SV	2015	1,811	0	1,811	1.30	1,811
11400	LAND, UT6,BLK66,LT1 - BSTR ST	2015	7,915	0	7,915	1.30	7,915
12102	LAND/MARIPOSA EAST TRACT 1B-1	2015	605,000	0	605,000	1.30	605,000
15094	PURCHASE OF LAND FOR LIFT STAT	2015	209,909	0	209,909	1.30	209,909
942	WWTP Warehouse	2022	2,867,777	0	2,867,777	1.00	2,867,777
943	WWTP Office/Laborator	2022	11,604,548	0	11,604,548	1.00	11,604,548
1005	WWTP Control Building	2022	217,244	0	217,244	1.00	217,244
1541	Blower Building	2022	100,000	0	100,000	1.00	100,000
1557	Blower Building	2022	578,103	0	578,103	1.00	578,103
	Manholes						
1985	INFRASTRUCTURE - MANHOLES	2007	55,680	8,252	47,428	1.63	82,634
1986	INFRASTRUCTURE - MANHOLES	2007	60,030	569,866	0	1.63	0
1987	INFRASTRUCTURE - MANHOLES	2007	60,900	5,525	55,375	1.63	93,881
1988	INFRASTRUCTURE - MANHOLES	2007	61,770	5,525	56,245	1.63	95,301
1989	INFRASTRUCTURE - MANHOLES	2007	62,640	5,400	57,240	1.63	96,846
1990	INFRASTRUCTURE - MANHOLES	2007	63,510	16,071	47,439	1.63	87,595
1991	INFRASTRUCTURE - MANHOLES	2007	64,380	18,036	46,344	1.63	87,050
1992	INFRASTRUCTURE - MANHOLES	2007	66,990	12,933	54,057	1.63	96,414
1993	INFRASTRUCTURE - MANHOLES	2007	69,600	8,827	60,773	1.63	104,780
1994	INFRASTRUCTURE - MANHOLES	2007	72,210	0	72,210	1.63	117,867
1995	INFRASTRUCTURE - MANHOLES	2007	73,080	0	73,080	1.63	119,287
1996	INFRASTRUCTURE - MANHOLES	2007	76,560	95,736	0	1.63	29,232
1997	INFRASTRUCTURE - MANHOLES	2007	78,300	155,008	0	1.63	0
1998	INFRASTRUCTURE - MANHOLES	2007	81,780	9,716	72,064	1.63	123,772
1999	INFRASTRUCTURE - MANHOLES	2005	82,650	1,072	81,578	1.75	143,276
2001	INFRASTRUCTURE - MANHOLES	2007	18,000	8,853	9,147	1.63	20,528
1996	INFRASTRUCTURE - MANHOLES	2015	2,712,547	0	2,712,547	1.30	3,515,554
2000	INFRASTRUCTURE - MANHOLES	2007	20,580	11,585	8,995	1.63	22,008
	Infrastructure						
2012	INFRASTRUCTURE-SAD8 WASTEWATER	2015	161,434	0	161,434	1.30	209,223
	Equipment						
2194	GROUP OF OUTDOOR LIGHTING	2015	7,953	0	7,953	1.19	9,434
2203	GROUP OF CHAIN LINK FENCING	2015	28,830	0	28,830	1.19	34,200
2198	GROUP OF OUTDOOR LIGHTING	2015	10,127	0	10,127	1.19	12,013
2204	GROUP OF ASPHALT PAVING	2015	30,433	0	30,433	1.19	36,102
2205	GROUP OF CHAIN LINK FENCING	2015	40,508	0	40,508	1.19	48,053
2192	GROUP OF CHAIN LINK FENCING	2015	6,352	0	6,352	1.19	7,536
2206	GROUP OF ASPHALT PAVING	2015	102,161	0	102,161	1.19	121,191
3057	PAVING, ASPHALT 3" WWTP#2	2015	10,037	0	10,037	1.19	11,906
3064	GROUP OF CHAIN LINK FENCING	2015	6,143	0	6,143	1.19	7,287
3065	GROUP OF CONCRETE PAVING	2015	9,819	0	9,819	1.19	11,648
3183	GROUP OF ASPHALT PAVING	2015	23,725	0	23,725	1.19	28,145
3184	GROUP OF ASPHALT PAVING	2015	23,725	0	23,725	1.19	28,145
3806	FENCING, SECURITY	2015	5,147	0	5,147	1.19	6,106
4872	ROCK BASE COURSE - CABEZON	2015	13,145	0	13,145	1.19	15,593
6035	LIFT STATION LAND IMPRMTS	2015	157,009	0	157,009	1.19	186,256
8787	GROUP OF ASPHALT PAVING	2015	3,132	0	3,132	1.19	3,715
8788	GATE, AUTOMATIC CHAIN LINK	2015	2,264	0	2,264	1.19	2,686
8789	GRAVEL, BASE COURSE 4" WWTP#1	2015	3,375	0	3,375	1.19	4,004
8790	GROUP OF OUTDOOR LIGHTING	2015	4,781	0	4,781	1.19	5,671
8791	GROUP OF CHAIN LINK FENCING	2015	1,478	0	1,478	1.19	1,753
8792	PAVING, ASPHALT 3" WWTP#3	2015	2,257	0	2,257	1.19	2,678
8793	FINES, GREY CRUSHER	2015	1,064	0	1,064	1.19	1,263
8794	FINES, GREY CRUSHER	2014	1,741	0	1,741	1.19	2,068
8795	GRAVEL, SANTA ANA TAN 3/4"	2015	1,499	0	1,499	1.19	1,778
8796	FENCING & GATE, SECURITY	2015	2,909	0	2,909	1.19	3,451
8797	FENCING & GATE, 8' SECURITY	2015	1,935	0	1,935	1.19	2,296
8798	FENCING & GATE, 8' SECURITY	2015	1,649	0	1,649	1.19	1,956
8799	FENCING & GATE, 8' SECURITY	2015	1,649	0	1,649	1.19	1,956
8800	FENCING & GATE, 8' SECURITY	2015	2,063	0	2,063	1.19	2,448
14432	GROUP OF OUTSIDE LIGHTING	2015	28,710	0	28,710	1.19	34,058
	Treatment and Lift Stations						
3185	WWTP #2 REHAB - IMPROVMENTS	2015	149,788	0	149,788	1.30	194,130
12845	WWWTP2 LS14.2 IMPROVEMENTS	2015	3,646,843	0	3,646,843	1.30	4,726,434
1030	EFFLUENT POND	2010	418,900	0	418,900	1.48	619,110
3161	GRATING, SAFETY LIFT STATION #	2010	5,208	0	5,208	1.48	7,697
2010	WWTP LS 14.2 FORCE MAIN	2015	440,836	0	440,836	1.30	571,338
943	Clarifier	2022	1,700,000	0	1,700,000	1.00	1,700,000
943	Clarifier	2022	1,700,000	0	1,700,000	1.00	1,700,000
1003	WWTP Operations	2022	230,000	0	230,000	1.00	230,000
1007	Lift Station # 1	2022	808,485	0	808,485	1.00	808,485
1008	Lift Station # 2	2022	808,485	0	808,485	1.00	808,485
1009	Lift Station # 3	2022	808,485	0	808,485	1.00	808,485
1010	Lift Station # 4	2022	808,485	0	808,485	1.00	808,485
1011	Lift Station # 5	2022	808,485	0	808,485	1.00	808,485
1012	Lift Station # 6	2022	808,485	0	808,485	1.00	808,485
1013	Lift Station # 8	2022	808,485	0	808,485	1.00	808,485
1014	Lift Station # 9	2022	808,485	0	808,485	1.00	808,485
1016	Lift Station # 11	2022	808,485	0	808,485	1.00	808,485
1017	Lift Station # 12	2022	808,485	0	808,485	1.00	808,485
1018	Lift Station # 13	2022	808,485	0	808,485	1.00	808,485
1558	Aerobic Digester #1	2022	1,200,000	0	1,200,000	1.00	1,200,000
1559	Aerobic Digester #2	2022	500,000	0	500,000	1.00	500,000
1560	Influent/Headworks/Grit	2022	4,000,000	0	4,000,000	1.00	4,000,000
1561	Aeration Basin	2022	1,500,000	0	1,500,000	1.00	1,500,000
1562	Clarifier	2022	2,500,000	0	2,500,000	1.00	2,500,000
1563	Blower Building	2022	578,103	0	578,103	1.00	578,103
2720	Lift Station # 17	2022	808,485	0	808,485	1.00	808,485

Asset No.	Fixed Asset	Valuation Date	Original Cost	Accumulated Depreciation	Original Cost Less Depreciation	CCI Inflation Factor	Replacement Cost New Less Depreciation (RCNLD)
2721	Lift Station # 18	2022	808,485	0	808,485	1.00	808,485
2722	Lift Station # 19	2022	808,485	0	808,485	1.00	808,485
2723	Lift Station # 20	2022	808,485	0	808,485	1.00	808,485
2724	Lift Station # 21	2022	1,008,485	0	1,008,485	1.00	1,008,485
2725	Lift Station # 22	2022	808,485	0	808,485	1.00	808,485
2726	Lift Station # 23	2022	808,485	0	808,485	1.00	808,485
2727	Lift Station # 24	2022	1,008,485	0	1,008,485	1.00	1,008,485
3013	WWTP # 5 - Operations	2022	4,506,176	0	4,506,176	1.00	4,506,176
3014	WWTP # 5 - Headworks	2022	3,115,006	0	3,115,006	1.00	3,115,006
3015	WWTP # 6 - Operations	2022	6,913,046	0	6,913,046	1.00	6,913,046
3016	WWTP # 6 - Headworks	2022	14,642,874	0	14,642,874	1.00	14,642,874
3085	Lift Station 15A	2022	1,308,485	0	1,308,485	1.00	1,308,485
3324	Lift Station 14.2	2022	5,208,250	0	5,208,250	1.00	5,208,250
3455	Sue Cleveland HS Lift Station	2022	808,485	0	808,485	1.00	808,485
4289	Lift Station 10	2022	2,898,003	0	2,898,003	1.00	2,898,003
4386	Lift Station # 16	2022	350,035	0	350,035	1.00	350,035
4387	Lift Station # 26	2022	1,008,485	0	1,008,485	1.00	1,008,485
4402	Mariposa Lift Station	2022	808,485	0	808,485	1.00	808,485
4617	WWTP # 6 Solids Handling	2022	1,762,422	0	1,762,422	1.00	1,762,422
4618	Lift Station 27	2022	5,721,788	0	5,721,788	1.00	5,721,788
	Process Aeration Basin	2022	1,500,000	0	1,500,000	1.00	1,500,000
	Solids Handling Building	2022	3,038,485	0	3,038,485	1.00	3,038,485
	Fleet						
17700	Ve enterprises EVC 140	2007	49,550	0	49,550	1.63	49,550
17701	Harmon 1N11SI	2002	56,379	0	56,379	1.99	56,379
17940	International 2115-J6	2007	331,250	0	331,250	1.63	331,250
17936	International Diamond spec 7600	2008	95,736	0	95,736	1.56	95,736
17910	Sterling LT9500	2008	102,464	0	102,464	1.56	102,464
17937	Kenworth T800	2010	100,485	0	100,485	1.48	100,485
17938	Kenworth T800	1989	13,217	0	13,217	2.82	13,217
17934	Big tex Welding	1996	3,500	0	3,500	2.31	3,500
17939	International 2574	2002	64,337	0	64,337	1.99	64,337
17926	Chevrolet 1500	2004	15,531	0	15,531	1.83	15,531
17911	International diamond	2008	109,923	0	109,923	1.56	109,923
17922	Freightliner M2 business class	2004	51,896	0	51,896	1.83	51,896
17920	Ford F250	2005	24,721	0	24,721	1.75	24,721
17923	Chevrolet 1500	2008	20,446	0	20,446	1.56	20,446
17921	Ford F350	2006	28,083	0	28,083	1.68	28,083
17915	Ford F450	2014	40,585	0	40,585	1.33	40,585
17927	Ford F150	2014	21,586	0	21,586	1.33	21,586
17916	Ford S-Dty F450	2014	40,585	0	40,585	1.33	40,585
17928	Ford F150	2014	25,000	0	25,000	1.33	25,000
17914	FreightlinerChassis	2015	403,003	0	403,003	1.30	403,003
17924	Chevrolet 1500	2008	19,117	0	19,117	1.56	19,117
17917	Ford E450	2016	288,593	0	288,593	1.26	288,593
17919	Lark United VT8.5x20TA-3500	2017	7,140	0	7,140	1.20	7,140
17929	Kenworth T800	2018	170,266	0	170,266	1.16	170,266
17925	Chevrolet 1500	2008	30,861	0	30,861	1.56	30,861
17931	Martinez trailers Low Boy	1986	1,375	0	1,375	3.03	1,375
17913	Sterling LT9500	2008	102,464	0	102,464	1.56	102,464
17912	Ford F800	1997	49,875	0	49,875	2.23	49,875
17951	Road boss Trailer	2002	2,995	0	2,995	1.99	2,995
17933	Big tex 14' Single Axle	2013	1,425	0	1,425	1.36	1,425
17941	Ford F350	2019	36,649	0	36,649	1.14	36,649
17918	Lamar	2019	7,800	0	7,800	1.14	7,800
	Mains and Pipes						
9105	WALL, LS#22 - MAIN ST SEWER	2015	11,400	0	11,400	1.30	14,775
9106	DRAINAGE IMPRV, MAIN ST SEWER	2015	179,235	0	179,235	1.30	232,295
2004	INFRASTRUCTURE-ACO SEWERLINE	2015	236,148	0	236,148	1.30	306,055
2012	CLEVELAND HIGH SCH SEWERLINE	2015	665,453	0	665,453	1.30	862,450
2007	SEWERLINE, INDUSTRIAL LOOP	2015	888,507	0	888,507	1.30	1,151,535
2012	PRADO ALTO UNIT II SEWERLINES	2015	134,736	0	134,736	1.30	174,622
2014	PUERTO DEL SOL WASTEWATER LINE	2015	129,111	0	129,111	1.30	167,332
2012	INFRASTRUCTURE-SAD7A WASTEWTR	2015	565,081	0	565,081	1.30	732,365
2013	INNOVATION WAY WASTEWATERLINE	2015	36,073	0	36,073	1.30	46,752
2013	SCRMC SEWER LINE	2015	140,311	0	140,311	1.30	181,847
2007	MAIN STREET SEWERLINES	2015	1,151,215	0	1,151,215	1.30	1,492,014
2008	SEWERLINE, MONTOYAS ARROYO	2015	2,476,514	0	2,476,514	1.30	3,209,647
2011	SAD INFRA SEWERLINES	2015	1,509,696	0	1,509,696	1.30	1,956,618
2012	LA BARRANCA SEWERLINE PHI	2015	3,047,930	0	3,047,930	1.30	3,950,223
2008	SEWERLINE, BLACK ARROYO GRAVTY	2015	1,230,261	0	1,230,261	1.30	1,594,461
2010	NBLVD COMM CTR - SEWERLINE	2015	300,231	0	300,231	1.30	389,109
			$124,215,359	$932,405	$123,888,675		$130,635,081

Table 1.2: Sewer CIP

Description - Inflated	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Wastewater Treatment Plant (WWTP) 5 Membrane Bioreactor (MBR) Expansion	$0	$0	$0	$354,905	$23,522,231	$0	$23,877,136
Wastewater Treatment Plant (WWTP) 2 Biological Nutrient Removal or Membrane Bioreactor (MBR) Expansion	0	0	0	2,366,031	13,137,416	13,894,411	29,397,859
Laboratory	0	0	1,118,563	591,508	0	0	1,710,071
Lift Station 15 Improvements	0	0	4,474,251	0	0	0	4,474,251
Lift Station 2 Replacements	0	4,230,485	0	0	0	0	4,230,485
Lift Station 22 Improvements	5,066,628	0	0	0	0	0	5,066,628
Equipment for Recycled Water Operations	28,183	0	0	0	0	0	28,183
Injection Wells and Advance Water Treatment Facility	0	0	4,848,969	0	0	0	4,848,969
Wastewater Treatment Plant (WWTP) 2 Headworks	8,739,228	0	0	0	0	0	8,739,228
Equipment for Wastewater Treatment and Rehab of Lift Stations	157,197	0	0	0	0	0	157,197
Lift Station 21 Improvements	391,813	4,230,485	0	0	0	0	4,622,298
Wastewater Vehicles and Heavy Equipment	1,264,701	0	0	0	0	0	1,264,701
Security and SCADA Improvements at WWTPs and Lift Station	200,000	219,985	242,728	266,179	294,028	324,203	1,547,123
Install/Replace Sanitary Sewer Lines	3,000,000	4,018,961	2,796,407	2,957,539	3,253,075	3,705,176	19,731,157
Wastewater Treatment Plant (WWTP) 5 Membranes and Equipment Expansion	2,537,173	317,286	335,569	0	0	0	3,190,028
Total	$21,384,923	$13,017,202	$13,816,487	$6,536,162	$40,206,750	$17,923,790	$112,885,314

Description - Current	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
	2024	2025	2026	2027	2028	2029	
Wastewater Treatment Plant (WWTP) 5 Membrane Bioreactor (MBR) Expansion	$0	$0	$0	$300,000	$18,800,000	$0	$19,100,000
Wastewater Treatment Plant (WWTP) 2 Biological Nutrient Removal or Membrane Bioreactor (MBR) Expansion	0	0	0	2,000,000	10,500,000	10,500,000	23,000,000
Laboratory	0	0	1,000,000	500,000	0	0	1,500,000
Lift Station 15 Improvements	0	0	4,000,000	0	0	0	4,000,000
Lift Station 2 Replacements	0	4,000,000	0	0	0	0	4,000,000
Lift Station 22 Improvements	5,066,628	0	0	0	0	0	5,066,628
Equipment for Recycled Water Operations	28,183	0	0	0	0	0	28,183
Injection Wells and Advance Water Treatment Facility	0	0	4,335,000	0	0	0	4,335,000
Wastewater Treatment Plant (WWTP) 2 Headworks	8,739,228	0	0	0	0	0	8,739,228
Equipment for Wastewater Treatment and Rehab of Lift Stations	157,197	0	0	0	0	0	157,197
Lift Station 21 Improvements	391,813	4,000,000	0	0	0	0	4,391,813
Wastewater Vehicles and Heavy Equipment	1,264,701	0	0	0	0	0	1,264,701
Security and SCADA Improvements at WWTPs and Lift Station	200,000	208,000	217,000	225,000	235,000	245,000	1,330,000
Install/Replace Sanitary Sewer Lines	3,000,000	3,800,000	2,500,000	2,500,000	2,600,000	2,800,000	17,200,000
Wastewater Treatment Plant (WWTP) 5 Membranes and Equipment Expansion	2,537,173	300,000	300,000	0	0	0	3,137,173
Total	$21,384,923	$12,308,000	$12,352,000	$5,525,000	$32,135,000	$13,545,000	$97,249,923

Table 1.3: Sewer CIP Allocation %

Description - Inflated	Capital Costs Allocated to Existing Customers (System Upgrade)	System Expansion Costs Allocated to New Customers	Total Allocation
Wastewater Treatment Plant (WWTP) 5 Membrane Bioreactor (MBR) Expansion	96%	4%	100%
Wastewater Treatment Plant (WWTP) 2 Biological Nutrient Removal or Membrane Bioreactor (MBR) Expansion	100%	0%	100%
Laboratory	100%	0%	100%
Lift Station 15 Improvements	100%	0%	100%
Lift Station 2 Replacements	100%	0%	100%
Lift Station 22 Improvements	100%	0%	100%
Equipment for Recycled Water Operations	100%	0%	100%
Injection Wells and Advance Water Treatment Facility	100%	0%	100%
Wastewater Treatment Plant (WWTP) 2 Headworks	90%	10%	100%
Equipment for Wastewater Treatment and Rehab of Lift Stations	100%	0%	100%
Lift Station 21 Improvements	100%	0%	100%
Wastewater Vehicles and Heavy Equipment	100%	0%	100%
Security and SCADA Improvements at WWTPs and Lift Station	100%	0%	100%
Install/Replace Sanitary Sewer Lines	95%	5%	100%
Wastewater Treatment Plant (WWTP) 5 Membranes and Equipment Expansion	100%	0%	100%

Table 1.4: Sewer CIP Allocation $

Description - Inflated	Capital Costs Allocated to Existing Customers (System Upgrade)	System Expansion Costs Allocated to New Customers	Total
Wastewater Treatment Plant (WWTP) 5 Membrane Bioreactor (MBR) Expansion	$22,877,047	$1,000,089	$23,877,136
Wastewater Treatment Plant (WWTP) 2 Biological Nutrient Removal or Membrane Bioreactor (MBR) Expansion	29,397,859	0	29,397,859
Laboratory	1,710,071	0	1,710,071
Lift Station 15 Improvements	4,474,251	0	4,474,251
Lift Station 2 Replacements	4,230,485	0	4,230,485
Lift Station 22 Improvements	5,066,628	0	5,066,628
Equipment for Recycled Water Operations	28,183	0	28,183
Injection Wells and Advance Water Treatment Facility	4,848,969	0	4,848,969
Wastewater Treatment Plant (WWTP) 2 Headworks	7,889,228	850,000	8,739,228
Equipment for Wastewater Treatment and Rehab of Lift Stations	157,197	0	157,197
Lift Station 21 Improvements	4,622,298	0	4,622,298
Wastewater Vehicles and Heavy Equipment	1,264,701	0	1,264,701
Security and SCADA Improvements at WWTPs and Lift Station	1,547,123	0	1,547,123
Install/Replace Sanitary Sewer Lines	18,813,429	917,728	19,731,157
Wastewater Treatment Plant (WWTP) 5 Membranes and Equipment Expansion	3,190,028	0	3,190,028
Total	$110,117,496	$2,767,818	$112,885,314

Table 1.5: Sewer Impact Fee Existing Standard

Description	Original Cost	Original Cost Less Depreciation	Replacement Cost New Less Depreciation (RCNLD)
Existing - Assets			
Land and Buildings	16,797,445	16,797,445	16,797,445
Manholes	3,781,207	3,454,522	4,836,026
Infrastructure	161,434	161,434	209,223
Equipment	535,619	535,619	635,396
Treatment and Lift Stations	87,920,917	87,920,917	89,378,052
Fleet	2,316,837	2,316,837	2,316,837
Mains and Pipes	12,701,900	12,701,900	16,462,101
Total Fixed Assets	124,215,359	123,888,675	130,635,081
Total Assets	124,215,359	123,888,675	130,635,081
Number of SFE's	29,039	29,039	29,039
Proposed Capacity Fee per SFE	$4,278	$4,266	$4,499
Current Capacity Fee per SFE	$1,999	$1,999	$1,999
Change	$2,279	$2,267	$2,500

Demand Capacity			4,600,000
Average Sewer Flows per person (gpd)	60.96		
Average Use per SFE (2.60 pph)		158	
Sewer Flows per SFE			158
Total SFEs			29,039

Meter Size	Ratio	Proposed Fee	Current Fee	Difference $	Difference %
5/8-inch	1.00	$4,499	$1,999	$2,500	125%
3/4-inch	1.50	6,748	2,999	3,749	125%
1-inch	2.50	11,247	4,998	6,249	125%
1 1/2-inch	5.00	22,493	9,995	12,498	125%
2-inch	8.00	35,989	15,992	19,997	125%



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THE CITY OF RIO RANCHO
CAPITAL IMPROVEMENTS PLAN
CITIZEN'S ADVISORY COMMITTEE (CIPCAC)
REGULAR MEETING MINUTES
April 22, 2024
6:00 PM
Hybrid (In-Person/Public ZOOM)
3200 CIVIC CENTER CIRCLE, NE; RIO RANCHO, NM 87144

CIPCAC Committee Members:	City Staff Present:
Cynthia Spring, Chair (virtual)	Amy Rincon, DSD Director
Rada Moss (virtual)	Michelle Costilla, Planner II
Tommy Knight (absent)	
Dan Darnell	
Kyle Olsen	

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting called to order upon reaching a quorum at 6:12pm by Chair Spring.

CONSENT CALENDAR: October 23, 2023

Dan Darnell motions to approve the minutes at 6:13pm, second by Committee Member Moss. Motion passes by a vote of four (4) for and 0 against.

STAFF PRESENTATIONS, REPORTS, AND COMMENTS:

PUBLIC HEARINGS

At 6:14pm, Development Services Director Amy Rincon presents the items discussing the adoption of a resolution of the City of Rio Rancho, New Mexico for the Impact Fee's Land Use Assumptions and text amendments to the Rio Rancho Code of Ordinances (R.O. 2003) Chapter 150.30, and the Appendix.

The Land Use Assumptions serve as the basis for projecting the demand for capital improvements or facility expansions that will be needed to serve the anticipated growth of the City during the period 2023-2030.

The City is updating the impact fee schedule and is authorized to impose impact fees under New Mexico Statutes (NMSA 1978) § 5-8-1 through 5-8-42, the Development Fees Act. In conjunction with the Wildan consultant group research, stakeholder sessions, and City Council, staff proposed five options for the new schedule.

Option A would be a 20.31% initial increase rate with an increase 5% each following year until July 1, 2029.

Option B would be a 18.8% initial increase rate, followed by a 5% increase per year.

Option C would be a 18.8% initial increase rate, followed by a 3.5% increase per year.

Option D would be a 18.8% initial increase rate, followed by a step-down increase per year (4% for FY26-27, 3% for FY28-30).

Option E would be a 18.8% true-up followed by annual adjustment based on Producer's Price Index-Government Construction.

Rada Moss motions to recommend approval of the adoption of the Land Use Assumptions resolution and to recommend approval of Option C for the Impact Fee Update, second by Chair Spring. Motion passes by a vote of four (4) for and 0 against.

DISCUSSION AND DELIBERATION:

Discussion and deliberation for the election of the new Chair and Vice Chair begins at 6:55 pm. Dan Darnell motions to elect Kyle Olsen as the new Chair and Rada Moss as Vice Chair, second by Chair Spring. Motion passes by a vote of four (4) for and 0 against.

COMMENTS BY MEMBERS

PUBLIC FORUM

ADJOURNMENT:

Hearing no other business before the Committee, the Chair motioned to adjourn the meeting at 6:57 pm, second by Committee Member Darnell. Motion passes by a vote of four (4) for and 0 against.

_____ _____

Kyle Olsen, Chair, CIPCAC Date

Development Impact Fee Update

Governing Body Work Session
April 16, 2024

Rio Rancho
City of Vision



Roadmap

- Recap of previous GB Work Sessions
- Stakeholder Sessions
- Key Considerations
- Proposed Schedule
- Next Steps

Previous GB Work Sessions

- April 18, 2023 Wildan presented on Impact Fees and the methodologies the consultant would be using to propose updates to the Impact Fee Schedule

- August 15, 2023 Willdan presented on the Land Use Assumptions (LUA identifies additional demand created by new development, first step in calculating impact fees)

- October 17, 2023 Staff presented the “true-up” fourth methodology for impact fee calculations

- December 12, 2023 Staff presented the Subcategories to be charged in lieu of a specific impact fee applied to businesses that place a disproportionate burden on City infrastructure.

Stakeholder Sessions

Meetings

First Round

- 11/29/23: NAIOP
- 11/30/23: Chamber of Commerce
- 12/5/23: HBA

Second Round (Subcategories)

- 1/17/24: NAIOP and HBA
- 1/23/24: Chamber of Commerce

Supplemental Meetings

- 2/1/24: HBA

Stakeholder Sessions
Feedback and Response

HBA Feedback	Staff Comments
Agreed that a true-up makes sense yet expressed concern that the 5% increase each year may be a little high in the outer years if inflation moderates.	Subject to Governing Body input, it would be possible to use a step-down approach, lower annual fixed % increase, or annual adjustment based on actual inflation.
Suggested an updated true-up that incorporated this past year's CPI.	Staff has calculated an updated true-up incorporating the CPI and PPI through YE2023, resulting in a lower 18.8% true-up (down from 20.3%).
Expressed Concern that the new schedule will begin July 2024 because they have already started acquisition deals.	Rates are locked in in for 2-4 years with the preliminary plat approval. Impact Fee Update started 12 mos ago and the current schedule was slated to be updated as of 7/1/22.

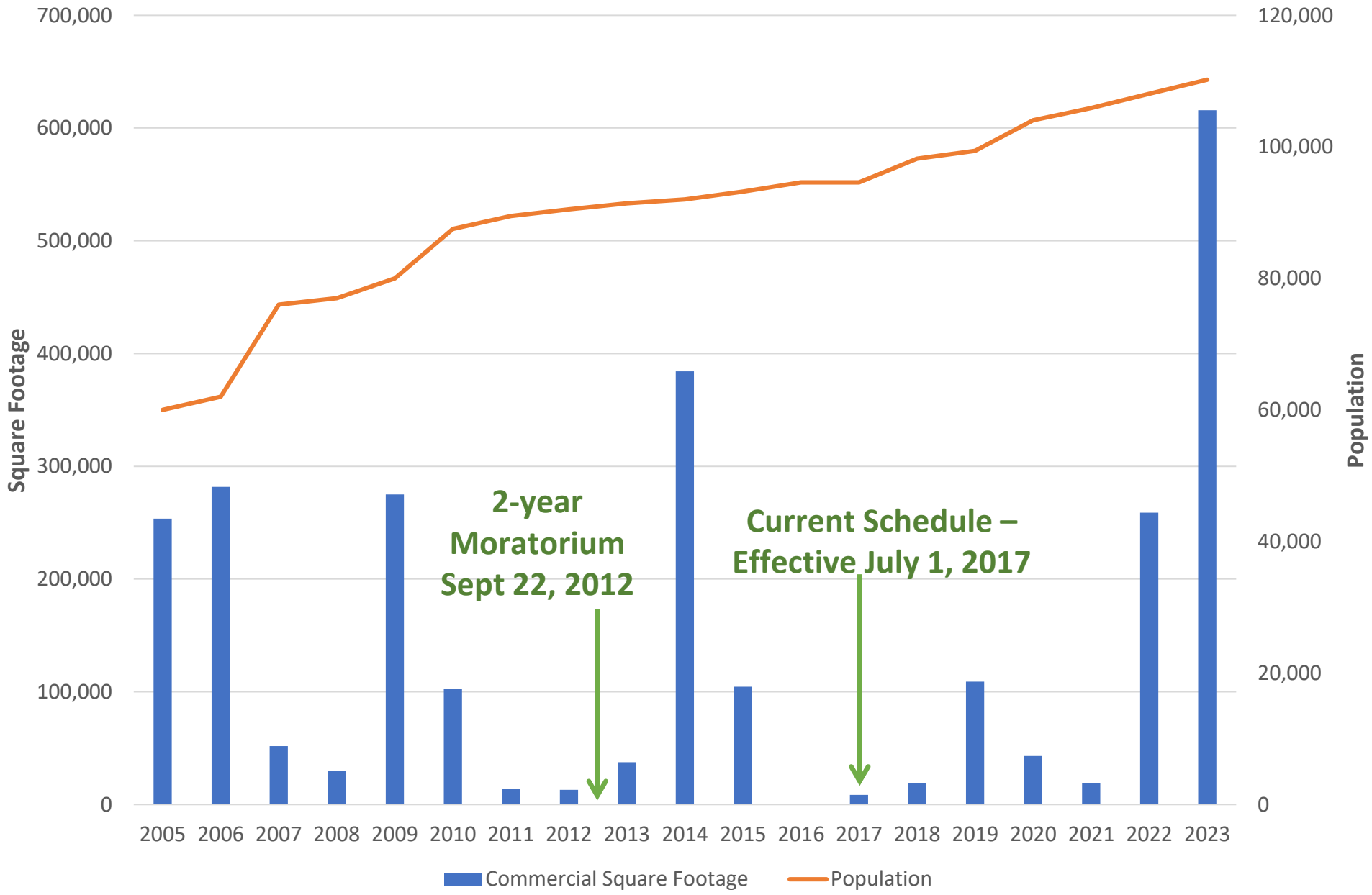
Stakeholder Sessions Feedback and Response

NAIOP Feedback	Staff Comments
Suggested establishing a payment plan for our water and wastewater impact fees.	Staff finds that this isn't common practice among other municipalities, though we do understand the ABCWUA has a process. The City would have to front any capital costs and recoup the impact fee overtime and in essence repay the utility for the capital expenditure that has already been made.

Stakeholder Sessions Feedback and Response

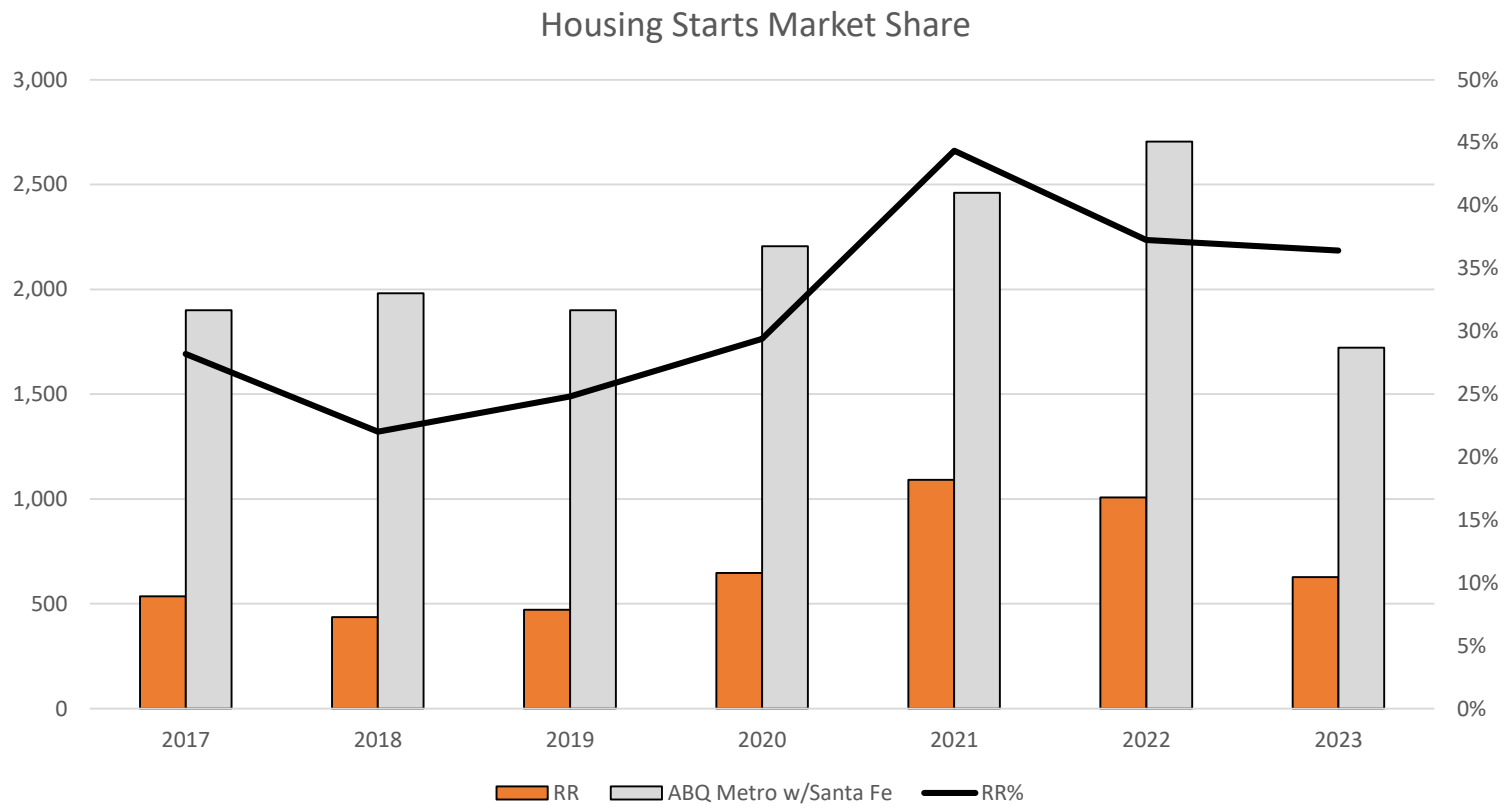
Rio Rancho Regional Chamber of Commerce Feedback	Staff Comments
The risk of slowing construction due to higher impact fees could lead to an overall lower budget for the city.	Impact Fees are only one of many factors that are considered with construction, existing entitlements, inflation, market absorption, land availability, available contractors etc.
Consider differentiated impact fees based on multifamily construction types, incentivizing lower fees for higher-density single-level housing that aligns with workforce housing needs.	City just adopted the Affordable Housing Plan which enables criteria for fee waiving and other funding sources; not exclusive to multifamily. The Impact Fees categories are separated by single family residential and multi-family residential.
Suggest exploring the possibility of reducing impact fees based on employee count or jobs that provide a livable wage, supporting housing affordability for employees.	Existing economic development tools such as LEDA which now includes retail in addition to e-based job creators enable impact fee waivers. Other tools include MRA, PID, TIDD and the purchasing of credits from other developers at below face value.
Before any impact fee increases, reconcile all impact fee tax credits to ensure accurate accountability.	Impact Fees and tax credits are two different items. Tax credits are administered by NMTRD or the IRS. Attached is a list of current estimated Impact Fee Credits.
Provide an annual report on impact fees charged, collected, and credits given, along with details on funds held in each category and their utilization in the past year.	Part of the annual budget report
Propose a one-time increase of 20%-25% beginning mid-fiscal year 1/1/2025, with no further increases for a three-year period.	True-up is intended to restore its purchasing power. No further increases erodes the purchasing power on top of the Developer locking-in fees for multiple years at preliminary plat.

Commercial Square Footage and Population By Year



Rio Rancho Single Family Residential Starts as a Percentage of the Metro

Fiscal Year	RR	ABQ Metro with Santa Fe	RR %
2017	536	1901	28.2%
2018	436	1981	22.0%
2019	472	1901	24.8%
2020	648	2205	29.4%
2021	1091	2460	44.3%
2022	1008	2705	37.3%
2023	627	1722	36.4%



Key Considerations

- The Current Schedule has been in effect since July 1, 2021
- The intent of the “true-up” is to bridge the erosion of City purchase power since 2017 and over the three years with no increase; that is, to try to restore the fees back to a level where the same amount of infrastructure can be purchased as in 2017
- Developers commonly lock-in Impact Fee rates for 2-4 years
- Credits are more favorable to the Developer and Business. It provides for supplemental income for the development’s infrastructure costs and allow other business to buy credits below face value to “save money at the window”
- Under any of the scenarios presented, several categories will only reach their FY17 (previous schedule) or FY18 (year one of current schedule) in later years, including:
  - Parks (SFR) – In FY17 the fee was $1,258, in the proposed scheduled it will be $1,251.50 in 2029
  - Non-residential Road fees will not catch up
  - Residential and Non-Residential Bikeways and Trails won’t catch up
  - Public Safety fees will only exceed in the Office/Institutional category

Key Considerations (Con't)

- Proposed Impact Fees are in the range of other communities' current schedules in the 5-county area (several of which are in the process of updating their Impact Fees)
  - Additionally, Rio Rancho has a very competitive GRT rate that translates into a $1500-$3000 savings per dwelling unit
- Impact Fees are important to funding the City's ICIP:
  - The proposed ICIP is $614M, of which 43% or $264.5M is growth related.
  - Of the $264.5M an estimated $96.7M, or 37% has funding TBD
  - Growth comprises
    - Public Works: 39%
    - Utilities: 39%
    - Public Safety: 58%
    - Parks: 65%

Proposed Schedule and Alternatives

Impact Fee Schedule Options

- Option A – Originally Proposed:
  - 20.31% true-up, followed by 5% increase per year
- Option B:
  - 18.8% true-up, followed by 5% increase per year
- Option C:
  - 18.8% true-up, followed by 3.5% increase per year
- Option D:
  - 18.8% true-up, followed by a step-down increase per year:
    - 4% for FY25-27, 3% for FY28-30
- Option E:
  - 18.8% true-up followed by annual adjustment based on Producer's Price Index-Government Construction

Side-by-Side Comparison

	Previous Schedule	Current Schedule	Option A		Option B		Option C		Option D	
	7/1/2016	7/1/2021	20.31% / 5%		18.8% / 5%		18.8% / 3.5%		18.8% / 4%/4%/3%/3%/3%	
			FY25: Year 1	FY30: Year 6	FY25: Year 1	FY30: Year 6	FY25: Year 1	FY30: Year 6	FY25: Year 1	FY30: Year 6
Single Family Residential (per unit)	$9,882.00	$10,718.00	$ 12,331.60	$ 15,738.60	$ 12,224.10	$ 15,601.40	$ 12,224.10	$ 14,518.40	$ 12,224.10	$ 14,447.59
Multi-family residential (per unit)	$2,967.00	$3,895.00	$ 4,685.89	$ 5,980.52	$ 4,627.26	$ 5,905.69	$ 4,627.26	$ 5,495.73	$ 4,627.26	$ 5,468.93
Commercial (per 1,000 sq ft)	$5,000.00	$1,955.00	$ 2,351.97	$ 3,001.77	$ 2,322.54	$ 2,964.21	$ 2,322.54	$ 2,758.45	$ 2,322.54	$ 2,744.99
Office/institutional (per 1,000 sq ft)	$3,465.00	$1,434.50	$ 1,725.78	$ 2,202.58	$ 1,704.19	$ 2,175.02	$ 1,704.19	$ 2,024.04	$ 1,704.19	$ 2,014.17
Industrial/warehouse (per 1,000 sq ft)	$2,155.00	$495.00	$ 595.51	$ 760.04	$ 588.06	$ 750.53	$ 588.06	$ 698.43	$ 588.06	$ 695.02

Option A – Originally Proposed: 20.31% true-up, followed by 5% increase per year

Option A		Proposed Fee Schedule: 2024-2029				
		20.31% True-Up - 5% Annually				
	BEGINNING July 1, 2024	**BEGINNING July 1, 2025**	**BEGINNING July 1, 2026**	**BEGINNING July 1, 2027**	**BEGINNING July 1, 2028**	**BEGINNING July 1, 2029**
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
	FY25	FY26	FY27	FY28	FY29	FY30
	TRUE-UP	**5% Increase Annually thru FY30**				
Total (excluding drainage)						
Single Family Residential (per unit)	$ 12,332	$ 12,948	$ 13,596	$ 14,275	$ 14,989	$ 15,739
Multi-family residential (per unit)^	$ 4,686	$ 4,920	$ 5,166	$ 5,425	$ 5,696	$ 5,981
Commercial (per 1,000 sq ft)^	$ 2,352	$ 2,470	$ 2,593	$ 2,723	$ 2,859	$ 3,002
Office/institutional (per 1,000 sq ft)^	$ 1,726	$ 1,812	$ 1,903	$ 1,998	$ 2,098	$ 2,203
Industrial/warehouse (per 1,000 sq ft)^	$ 596	$ 625	$ 657	$ 689	$ 724	$ 760

Note(s): ^ Plus Water/Sewer based on meter size

Option B:
18.8% true-up, followed by 5% increase per year

Option B		Proposed Fee Schedule: 2024-2029				
		18.8% True-Up - 5% Annually				
	BEGINNING July 1, 2024	**BEGINNING July 1, 2025**	**BEGINNING July 1, 2026**	**BEGINNING July 1, 2027**	**BEGINNING July 1, 2028**	**BEGINNING July 1, 2029**
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
	FY25	FY26	FY27	FY28	FY29	FY30
	TRUE-UP	**5% Increase Annually thru FY30**				
Total (excluding drainage)						
Single Family Residential (per unit)	$ 12,224	$ 12,835	$ 13,477	$ 14,151	$ 14,858	$ 15,601
Multi-family residential (per unit)^	$ 4,627	$ 4,859	$ 5,102	$ 5,357	$ 5,624	$ 5,906
Commercial (per 1,000 sq ft)^	$ 2,323	$ 2,439	$ 2,561	$ 2,689	$ 2,823	$ 2,964
Office/institutional (per 1,000 sq ft)^	$ 1,704	$ 1,789	$ 1,879	$ 1,973	$ 2,071	$ 2,175
Industrial/warehouse (per 1,000 sq ft)^	$ 588	$ 617	$ 648	$ 681	$ 715	$ 751
Note(s):	^ Plus Water/Sewer based on meter size					

Option C:
18.8% true-up, followed by 3.5% increase per year

Option C		Proposed Fee Schedule: 2024-2029				
		18.8% True-Up - 3.5% Annually				
	BEGINNING July 1, 2024	**BEGINNING July 1, 2025**	**BEGINNING July 1, 2026**	**BEGINNING July 1, 2027**	**BEGINNING July 1, 2028**	**BEGINNING July 1, 2029**
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
	FY25	FY26	FY27	FY28	FY29	FY30
	TRUE-UP	**3.5% Increase Annually thru FY30**				
Total (excluding drainage)						
Single Family Residential (per unit)	$ 12,224	$ 12,652	$ 13,095	$ 13,553	$ 14,027	$ 14,518
Multi-family residential (per unit)^	$ 4,627	$ 4,789	$ 4,957	$ 5,130	$ 5,310	$ 5,496
Commercial (per 1,000 sq ft)^	$ 2,323	$ 2,404	$ 2,488	$ 2,575	$ 2,665	$ 2,758
Office/institutional (per 1,000 sq ft)^	$ 1,704	$ 1,764	$ 1,826	$ 1,889	$ 1,956	$ 2,024
Industrial/warehouse (per 1,000 sq ft)^	$ 588	$ 609	$ 630	$ 652	$ 675	$ 698
Note(s):	^ Plus Water/Sewer based on meter size					

Option D:
18.8% true-up, followed by a step-down increase per year: 4% for FY26-27, 3% for FY28-30

Option D		Proposed Fee Schedule: 2024-2029				
		18.8% True-Up, 4% for FY26-27, 3% for FY28-30				
	BEGINNING July 1, 2024	**BEGINNING July 1, 2025**	**BEGINNING July 1, 2026**	**BEGINNING July 1, 2027**	**BEGINNING July 1, 2028**	**BEGINNING July 1, 2029**
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
	FY25	FY26	FY27	FY28	FY29	FY30
	TRUE-UP	**4%**	**4%**	**3%**	**3%**	**3%**
Total (excluding drainage)						
Single Family Residential (per unit)	$ 12,224	$ 12,713	$ 13,222	$ 13,618	$ 14,027	$ 14,448
Multi-family residential (per unit)^	$ 4,627	$ 4,812	$ 5,005	$ 5,155	$ 5,310	$ 5,469
Commercial (per 1,000 sq ft)^	$ 2,323	$ 2,415	$ 2,512	$ 2,587	$ 2,665	$ 2,745
Office/institutional (per 1,000 sq ft)^	$ 1,704	$ 1,772	$ 1,843	$ 1,899	$ 1,956	$ 2,014
Industrial/warehouse (per 1,000 sq ft)^	$ 588	$ 612	$ 636	$ 655	$ 675	$ 695

Note(s): ^ Plus Water/Sewer based on meter size

Option E:
18.8% true-up followed by annual adjustment based on Producer's Price Index-Gov't Construction

- Pros:
  - Should move in line with City's construction costs
  - Acknowledges that both development community and City may face increased construction cost
- Cons:
  - Future numbers are not concretely published
  - May require annual ordinance update

Side-by-Side Comparison

	Previous Schedule	Current Schedule	Option A		Option B		Option C		Option D	
	7/1/2016	7/1/2021	20.31% / 5%		18.8% / 5%		18.8% / 3.5%		18.8% / 4%/4%/3%/3%/3%	
			FY25: Year 1	FY30: Year 6	FY25: Year 1	FY30: Year 6	FY25: Year 1	FY30: Year 6	FY25: Year 1	FY30: Year 6
Single Family Residential (per unit)	$9,882.00	$10,718.00	$ 12,331.60	$ 15,738.60	$ 12,224.10	$ 15,601.40	$ 12,224.10	$ 14,518.40	$ 12,224.10	$ 14,447.59
Multi-family residential (per unit)	$2,967.00	$3,895.00	$ 4,685.89	$ 5,980.52	$ 4,627.26	$ 5,905.69	$ 4,627.26	$ 5,495.73	$ 4,627.26	$ 5,468.93
Commercial (per 1,000 sq ft)	$5,000.00	$1,955.00	$ 2,351.97	$ 3,001.77	$ 2,322.54	$ 2,964.21	$ 2,322.54	$ 2,758.45	$ 2,322.54	$ 2,744.99
Office/institutional (per 1,000 sq ft)	$3,465.00	$1,434.50	$ 1,725.78	$ 2,202.58	$ 1,704.19	$ 2,175.02	$ 1,704.19	$ 2,024.04	$ 1,704.19	$ 2,014.17
Industrial/warehouse (per 1,000 sq ft)	$2,155.00	$495.00	$ 595.51	$ 760.04	$ 588.06	$ 750.53	$ 588.06	$ 698.43	$ 588.06	$ 695.02

Next Steps

- 4/22/24: CIPCAC review on updated Impact Fee schedule
- 5/14/24: Planning and Zoning Board Hearing
- 5/23/24: Governing Body Hearing- 1st Reading
- 6/13/24: Governing Body Hearing- 2nd Reading
- 7/1/24: Implementation

Appendix

Summary of Existing Impact Fee Credits

Development Agreements[2]	ROADS	TRAILS	PARKS	BLIC SAFE	WATER	SEWER	RAINAG	TOTAL
Lomas Encantadas DA (boundary)[1]	$2,633,027	$119,917	$697,540		$232,955	($248,447)		$3,434,990
Los Diamantes DA	$526,190	$22,576	$475,960	$308,936	$500,710	$217,891		$2,052,263
Melon Ridge DA	$42,540	$390,873			$16,263		$0	$449,676
Stonegate DA	$2,214,693	$26,336	$1,035,334		$646,988	$1,891,254		$5,814,605
Tierra del Norte DA	$364,762				$43,051		$0	$407,813
Broadmoor Heights DA	$1,212,390		$278,730					$1,491,120
Cabezon DA	$3,759							$3,759
Hawksite DA (boundary)[1]	$1,850,974	$43,835	($4,380)		$286,268	$845,801		$3,022,498
Enchanted Hills DA Non-residential								$0
Loma Colorado DA (boundary)[1]	$2,559,488	$79,385						$2,638,873
JLM DA	$87,900							$87,900
Mariposa (2000 dwelling units)								
Vatapa Rd DA	$152,713							$152,713

[1] Excess Credits can only be used within a specific boundary outside of the DA boundary

[2] These are estimates until the infrastructure is built and accepted where the final creditable amount is determined.

The Gap in Impact Fees and Purchase Power

	Percentage of change from July 1, 2017 - June 30, 2023	Gap (Increase in Index %-Impact Fee Increase %)
Impact Fees	13.69%	-
Consumer Price Index	27.50%	13.81%
Producer Price Index – Final Demand	22.70%	9.01%
Producer Price Index - Construction	42.90%	29.21%
	Proposed "True-Up"	
Option A	17.34%	Average of CPI, PPI Final Demand and PPI Construction
Option B	20.31%	Weighted towards construction costs (50% PPI Construction, 25% PPI Final Demand and 25% CPI)

Option A (20.31% + 5% Annual): SFR Proposed Impact Fee Schedule –Per Unit

Impact Fee Type	FY17 Previous Schedule (eff 7/1/16)	Current Schedule (eff 7/1/21)	Beginning July 1, 2024	Beginning July 1, 2025	Beginning July 1, 2026	Beginning July 1, 2027	Beginning July 1, 2028	Beginning July 1, 2029	Difference 2029 vs 2021
Roadways	$2,691	$3,759	$4,521.50	$4,748	$4,985	$5,234.50	$5,496	$5,771	$2,012
Bikeways and Trails	$32	$40	$48	$50.50	$53	$55.50	$58.50	$61.50	$21.50
Parks	$1,258	$815	$980.50	$1,029.50	$1,081	$1,135	$1,192	$1,251.50	$436.50
Public Safety	$339	$529	$636.50	$668	$701.50	$736.50	$773.50	$812	$283
Water 5/8'' meter	$3,264	$3,577	$3,740	$3,927	$4,123.50	$4,329.50	$4,546	$4,773.50	$1,196.50
Sewer 5/8'' meter	$2,298	$1,999	$2,405	$2,525	$2,651.50	$2,784	$2,923	$3,069.50	$1,070.50
Drainage- Only When Necessary	$4,465	$4,465	$2,444	$2,566	$2,694.50	$2,829	$2,970.50	$3,119	($1,346)
Total (Without Drainage)	$9,882	$10,718	$12,331.50	$12,948	$13,595.50	$14,275	$14,989	$15,739	$5,021

Option A (20.31% + 5% Annual): MFR Proposed Impact Fee Schedule –Per Unit

Impact Fee Type	FY17 Previous Schedule (eff 7/1/16)	Current Schedule (eff 7/1/21)	Beginning July 1, 2024	Beginning July 1, 2025	Beginning July 1, 2026	Beginning July 1, 2027	Beginning July 1, 2028	Beginning July 1, 2029	Difference 2029 vs 2021
Roadways	$1,887	$2,631	$3,165	$3,323.50	$3,489.50	$3,664	$3,847.50	$4,039.50	$1,409
Bikeways and Trails	$23	$33	$39.50	$41.50	$44	$46	$48.50	$50.50	$18
Parks	$832	$702	$844.50	$887	$931	$977.50	$1,026.50	$1,078	$376
Public Safety	$225	$529	$636.50	$668	$701.50	$736.50	$773.50	$812	$283
Water 3/4'' meter	$4,896	$5,365	$5,610	$5,890.50	$6,185	$6,494.50	$6,819	$7,160	$1,795
Sewer 3/4'' meter	$3,447	$2,999	$3,608	$3,788.50	$3,978	$4,176.50	$4,385.50	$4,605	$1,606
Drainage- Only When Necessary	$1,191	$1,855	$2,105	$2,210.50	$2,231	$2,437	$2,558.50	$2,686.50	$832
Total* (Without Drainage)	$2,967	$3,895	$4,685.50	$4,920	$5,166	$5,424	$5,696	$5,980	$2,085

* Plus water and sewer based on meter size

Option A (20.31% + 5% Annual): Result/Comparisons- Single Family Residential

	Rio Rancho FY17 (eff 7/1/16)	Rio Rancho Current 7/1/21)	Albuquerque Current 2012	Bernalillo County Current 2013	July 1, 2024 for Rio Rancho	July 1, 2025 for Rio Rancho	July 1, 2026 for Rio Rancho	July 1, 2027 for Rio Rancho	July 1, 2028 for Rio Rancho	July 1, 2029 for Rio Rancho
Single Family Residential (Per Unit)	$9,882	$10,718	$12,547	$14,904	$12,331	$12,948	$13,596	$14,276	$14,990	$15,737

- Excluding Drainage
- Based on a 5/8'' Water and Sewer Meter
- Albuquerque and Bernalillo County water/sewer fees are payable to the Water Authority

Option A: Commercial, Office/Institutional, Industrial Proposed Impact Fee Schedule- Per 1,000 square feet

Impact Fee Type	FY17 Previous Schedule	Current Schedule	Beginning July 1, 2024	Beginning July 1, 2025	Beginning July 1, 2026	Beginning July 1, 2027	Beginning July 1, 2028	Beginning July 1, 2029
Roadways								
Commercial	$4,196	↓ $1,729	$2,080	$2,184	$2,293.50	$2,408	$2,528.50	$2,655
Office/Institutional	$3,094	↓ $749	$900.50	$945.50	$993	$1,042.50	$1,094.50	$1,149.50
Industrial/Warehouse	$1,955	↓ $473	$569	$597.50	$627.50	$658.50	$691.50	$726.50
Bikeways and Trails								
Commercial	$49	↓ $6	$7	$7.50	$8	$8	$9	$9
Office/Institutional	$36	↓ $16	$19	$20	$21	$22	$23	$25
Industrial/Warehouse	$23	↓ $2	$2.50	$2.50	$2.50	$3	$3	$3
Public Safety								
Commercial	$755	↓ $220	$264.50	$278	$292	$306.50	$321.50	$338
Office/Institutional	$335	↓ $670	$806	$846.50	$888.50	$933	$980	$1,028.50
Industrial/Warehouse	$177	↓ $20	$24	$25.50	$26.50	$28	$29	$30.50

Option A: Commercial, Office/Institutional, Industrial Proposed Impact Fee Schedule- Per 1,000 square feet

Impact Fee Type	FY17 Previous Schedule	Current Schedule	Beginning July 1, 2024	Beginning July 1, 2025	Beginning July 1, 2026	Beginning July 1, 2027	Beginning July 1, 2028	Beginning July 1, 2029
Water								
1" meter	$8,160	$8,941	$8,941	$9,388	$9,857.50	$10,350.50	$10,868	$11,411
1 1/2" meter	$16,320	$17,883	$17,883	$18,777	$19,716	$20,702	$21,737	$22,883.50
2" meter	$26,112	$28,612	$28,612	$30,042.50	$31,544.50	$33,122	$34,778	$36,517
Sewer								
1" meter	$5,745	$4,998	$6,013	$6,313.50	$6,629	$6,960.50	$7,309	$7,674
1 1/2" meter	$11,490	$9,995	$12,024.50	$12,625.50	$13,257	$13,920	$14,616	$15,346.50
2" meter	$18,384	$15,992	$19,239	$20,201	$21,211	$22,272	$23,385.50	$24,554.50
Total* (Without Drainage)								
Commercial	$5,000	$1,955	$2,351.50	$2,469.50	$2,593.50	$2,722.50	$2,859	$3,002
Office/Institutional	$3,465	$ 1,435	$1,725.50	$1,812	$1,902.50	$1,997.50	$2,097.50	$2,203
Industrial/ Warehouse	$2,155	$495	$595.50	$625.50	$656.50	$689.50	$723.50	$760

* Plus water and sewer based on meter size

Option A (20.31% + 5% Annual) Result/Comparisons- Commercial for 5,000 square foot building

	Rio Rancho FY17	Rio Rancho Current	ABQ Current 2012	Bernalillo County Current 2013	July 1, 2024 for Rio Rancho	July 1, 2025 for Rio Rancho	July 1, 2026 for Rio Rancho	July 1, 2027 for Rio Rancho	July 1, 2028 for Rio Rancho	July 1, 2029 for Rio Rancho
Commercial	$38,905	$23,714	$22,617	$20,614	$26,714	$28,049	$29,452	$30,921	$32,474	$34,095
Per SF	$7.78	$4.74	$4.52	$4.12	$5.34	$5.61	$5.89	$6.18	$6.49	$6.82

- Rio Rancho excludes drainage, ABQ and Bernalillo charge drainage on impervious surface
- Based on a 1’’ meter size



Option A (20.31% + 5% Annual) Result/Comparisons- Office for 10,000 square foot building

	Rio Rancho FY17	Rio Rancho Current	ABQ Current 2012	Bernalillo County Current 2013	July 1, 2024 for Rio Rancho	July 1, 2025 for Rio Rancho	July 1, 2026 for Rio Rancho	July 1, 2027 for Rio Rancho	July 1, 2028 for Rio Rancho	July 1, 2029 for Rio Rancho
Office	$62,460	$42,223	$38,275	$35,544	$47,165	$49,524	$52,000	$54,592	$57,322	$60,201
Per SF	$6.25	$4.22	$3.83	$3.55	$4.72	$4.95	$5.20	$5.46	$5.73	$6.02

- Rio Rancho excludes drainage, ABQ and Bernalillo charge drainage on impervious surface
- Based on a 1.5’’ meter size

Result/ Comparisons- Industrial for 10,000 square foot building

	Rio Rancho FY17	Rio Rancho Current	ABQ Current 2012	Bernalillo County Current 2013	July 1, 2024 for Rio Rancho	July 1, 2025 for Rio Rancho	July 1, 2026 for Rio Rancho	July 1, 2027 for Rio Rancho	July 1, 2028 for Rio Rancho	July 1, 2029 for Rio Rancho
Industrial	$66,046	$49,554	$57,125	$53,782	$53,806	$56,497	$59,321	$62,294	$65,408	$68,672
Per SF	$6.60	$4.96	$5.71	$5.38	$5.38	$5.65	$5.93	$6.23	$6.54	$6.87

- Rio Rancho excludes drainage, ABQ and Bernalillo charge drainage impervious surface
- Based on a 2’’ meter size



Subcategories

Categories

Commercial

- Restaurants
- Shops
- Stores
- Car Washes
- Hotels/Motels

Office/ Institutional

- Banks
- Hospitals
- Medical Complexes
- Office Buildings
- Churches

Industrial

- Self Storage
- Manufacturing
- Warehousing
- Wholesale
- Truck and Trailer Rentals

Sample Sub-Categories

Bernalillo County Road Subcategories

- Elementary School
- Mid-School
- High School
- Day Care Center
- Hospital
- Nursing Home
- Shopping Center
- Quality Restaurant
- Fast Food Restaurant
- High Turnover Sit-Down Restaurant
- Free-Standing Discount Superstore

Odessa, TX Road Subcategories

- Assisted Living Facilities

For your consideration – Select subcategory fees

- A subcategory fee is charged in lieu of a specific impact fee and is applied to businesses that place a disproportionate burden on City infrastructure.
- Examples
  - Quick Service Restaurants
  - Car Washes
  - Assisted Living Facilities
- Affected Infrastructure
  - Roads
  - Public Safety
  - Water

Summary of subcategory recommendation

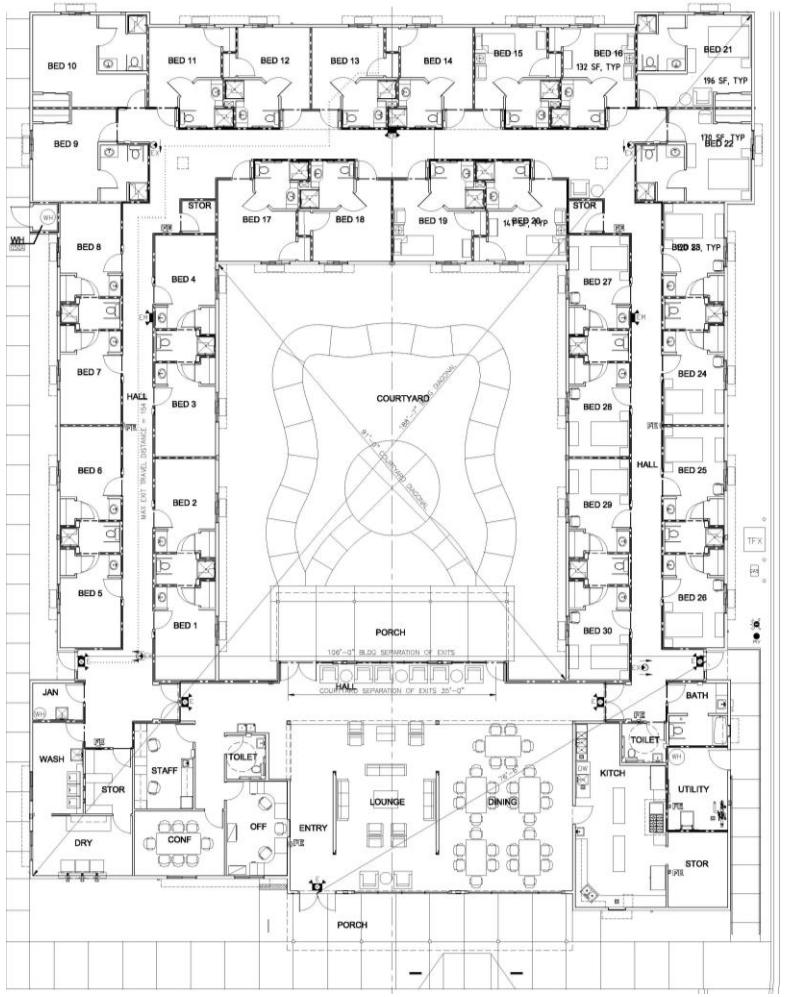
Subcategory	Proposed Baseline Fee	Proposed Subcategory Fee	Difference
Quick Service Restaurants	$2,080 per 1,000 sf	$3,600 per 1,000 sf	$1,520 per 1,000 sf
Car Washes	$2,080 per 1000 sf	$3,600 per 1,000 sf	$1,520 per 1,000 sf
Assisted Living Facilities	$806 per 1000 sf	$843 per bed	-

Subcategory- Assisted Living (Per Bed)

	Public Safety	Roadways
Bernalillo County (2013)	0	$596 per bed
Odessa, TX	0	$1,681 per bed
Rio Rancho-FY25 Proposed (Baseline, per 1,000 sf)	$806 per 1,000 sf	-
Rio Rancho – Method 1	$1,685 per bed	0
Rio Rancho – Method 2	$3,192 per bed	0
Rio Rancho – Method 3	$8,945 per bed	0
Rio Rancho-FY25 Recommendation – 50% method 1	$843 per bed	-

Calculations

13,060 sf., 30 beds



First year of 5 year Impact Fees Schedule Based on Square Footage

Roads	Bikeways and Trails	Parks	Public Safety	Water	Sewer	Total
$11,760	$251	$0	$10,527	$17,883	$12,025	$52,446

FY25 Recommended Safety Impact Fees Based on Bed Count

	Roads	Bikeways and Trails	Parks	Public Safety	Water	Sewer	Total
Method 1 $1,685/ bed	$11,760	$251	$0	$50,550	$17,883	$12,025	$92,469
Method 2 $3,192/ bed	$11,760	$251	$0	$95,760	$17,883	$12,025	$137,679
Method 3 $8,945/ bed	$11,760	$251	$0	$268,350	$17,883	$12,025	$406,029
Proposed – 50% Method 1				$25,290			$67,209

- Excluding Drainage
- 1.5’’ Meter

Who pays for development?

- Is it development that causes the strains on the system?
- Is it the broader tax/user base, based on the presumption that growth ultimately expands the pie, benefiting everyone?
- It is a question GBs across the country have grappled with for decades:
  - Too high - you may stifle development
  - Too low – you will exasperate already stretched, limited infrastructure funding as you need to fund expansion of infrastructure in addition to re-investment in existing infrastructure
- 1-Time expenditure versus long-term operations/ownership and maintenance

Result/ Comparisons- Commercial

	July 1, 2024 for Rio Rancho	July 1, 2025 for Rio Rancho	July 1, 2026 for Rio Rancho	July 1, 2027 for Rio Rancho	July 1, 2028 for Rio Rancho	July 1, 2029 for Rio Rancho
Commercial 5,000 sf	$26,714	$28,049	$29,452	$30,921	$32,474	$34,095
Commercial 30,000 sf	$85,513	$89,789	$94,278	$98,971	$103,959	$109,145
Commercial 50,000 sf	$132,552	$139,180	$146,139	$153,411	$161,147	$169,185

- Excluding drainage
- Based on a 1’’ meter size

Quick Service Restaurants



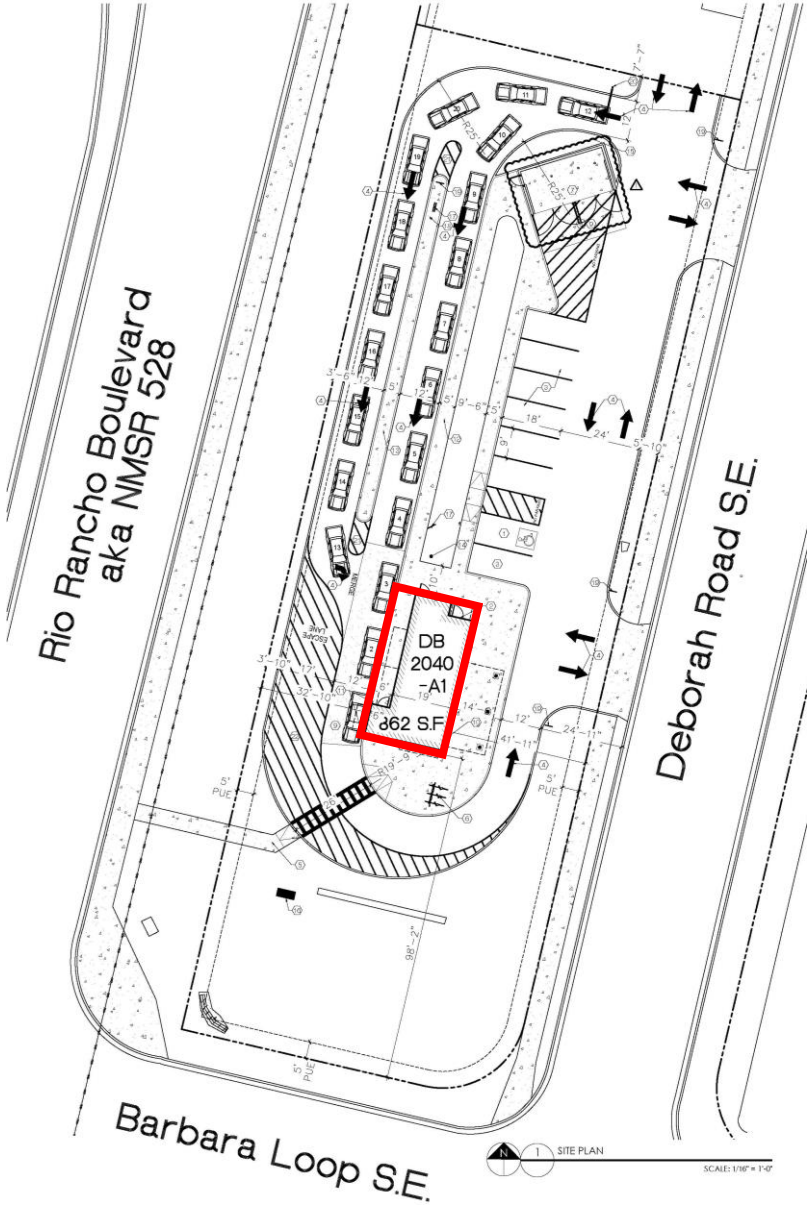


Subcategory- High Impact (Per 1,000 sf)

	Roadways
Bernalillo County (2013)	$12,850
Odessa, TX	$56,181
Rio Rancho-FY25 Proposed (Baseline)	$2,080
Rio Rancho – Method 1	$121,639
Rio Rancho – Method 2	$111,709
Rio Rancho – Method 3	$3,600
Rio Rancho-FY25 Recommendation – Method 3	$3,600

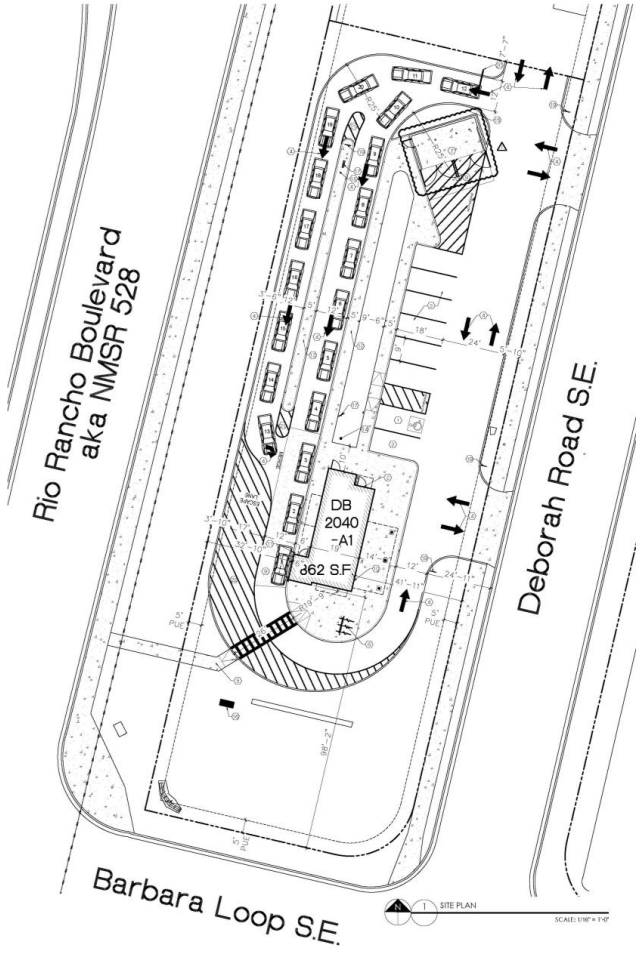
Quick Service Restaurants

- 862 square foot building on an 0.7 acre (30,492 square feet) site
- Two-lane drive through
- Increased traffic
- Minimal on-premise seating
- Floor to area ratio: 2.8%



Calculations

862 sf.



FY25 Baseline Impact Fees Based on Square Footage

Roads	Bikeways and Trails	Parks	Public Safety	Water	Sewer	Total
$1,793	$6	$0	$228	$5,610	$3,608	$11,245

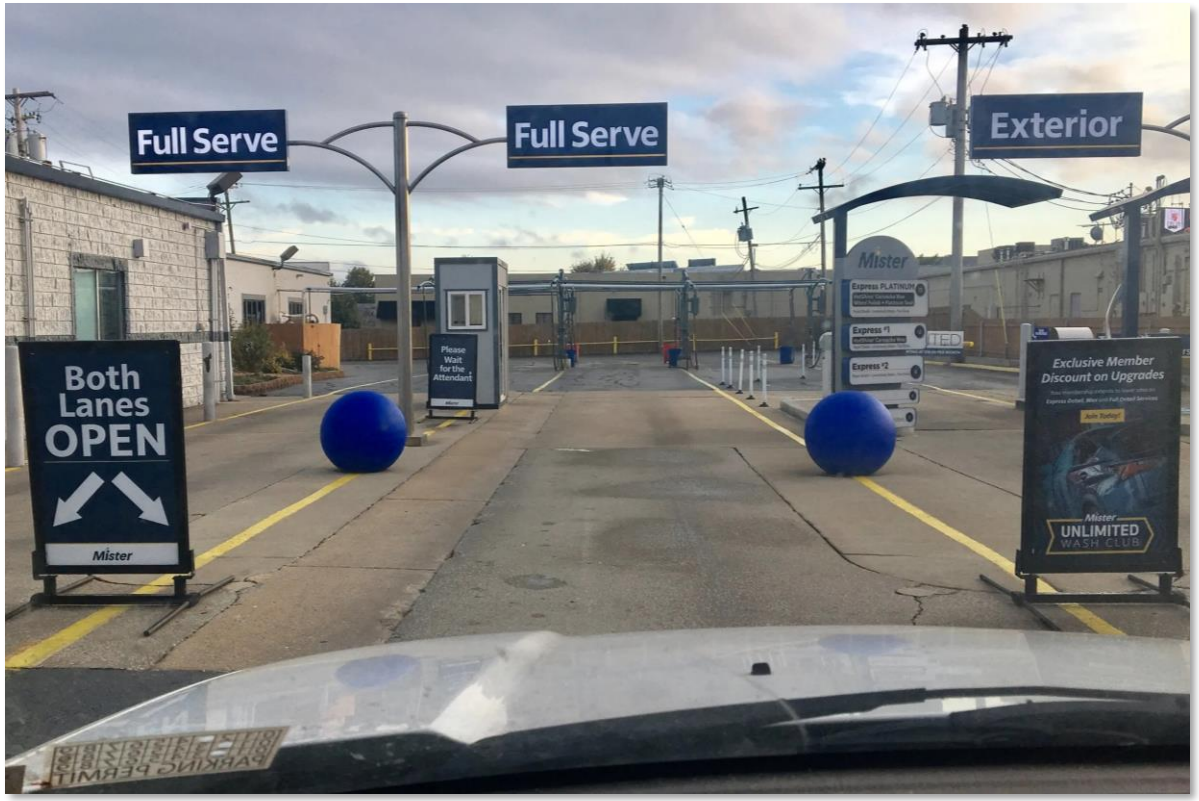
FY25 Recommended Impact Fees Based on Square Footage

	Roads	Bikeways and Trails	Parks	Public Safety	Water	Sewer	Total
Method 1 $121,639/ 1,000 sf	$104,853	$6	$0	$228	$5,610	$3,608	$114,305
Method 2 $111,709/ 1,000 sf	$96,293	$6	$0	$228	$5,610	$3,608	$105,745
Method 3 $3,600/ 1,000 sf	$3,103	$6	$0	$228	$5,610	$3,608	$12,555
Proposed $3,600/ 1,000 sf	$3,103						$12,555

- Drainage N/A
- 3/4'' Meter

Car Washes


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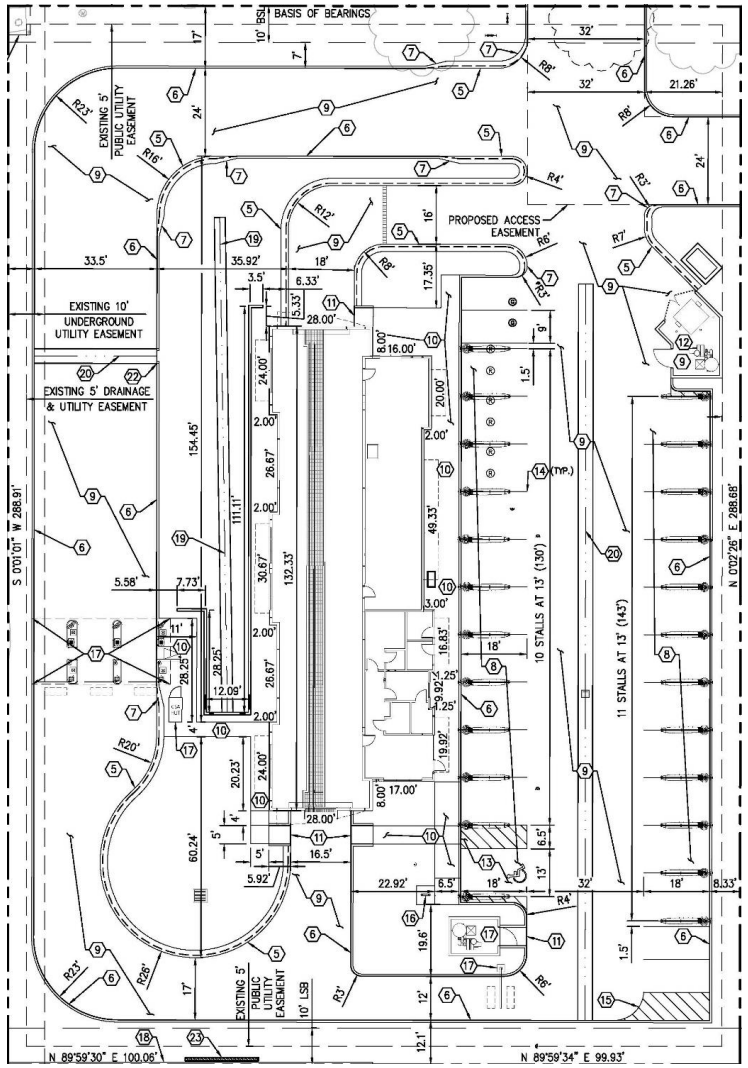

Full Serve
Full Serve
Exterior
Both Lanes OPEN
Mister
Please Wait for the Attendant
Exclusive Member Discount on Upgrades
UNLIMITED WASH CLUB

Subcategory- High Impact (Per 1,000 sf)

Carwash	Roadways
Bernalillo County (2013)	$3,825
Rio Rancho-FY25 Proposed (Baseline)	$2,080
Rio Rancho – Method 1	$121,639
Rio Rancho – Method 2	$111,709
Rio Rancho – Method 3	$3,600
Rio Rancho-FY25 Recommendation	$3,600

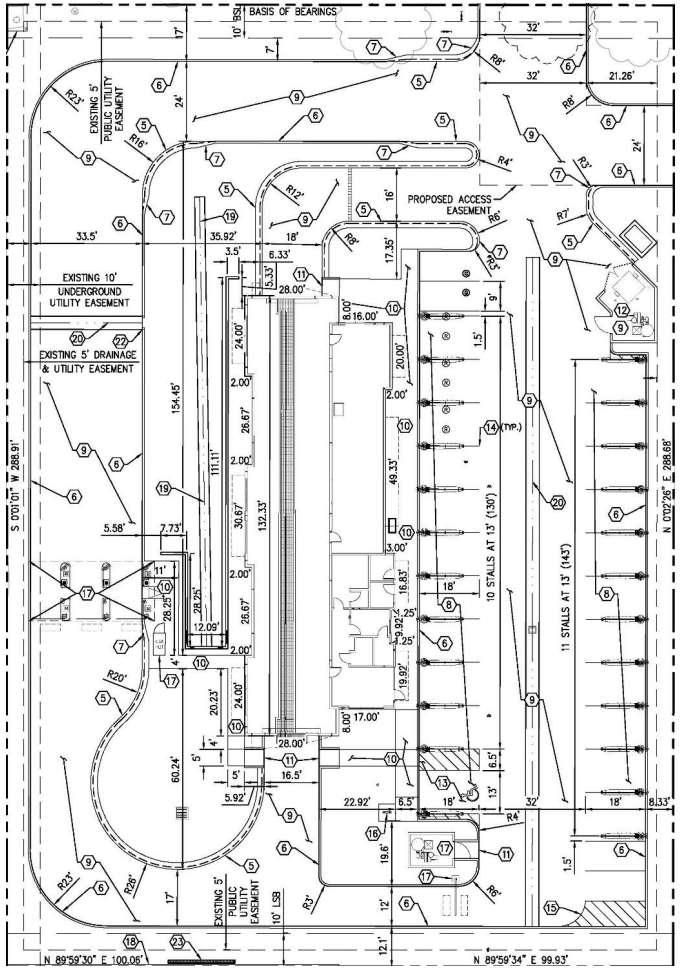
Car Washes

- Multi-lane drive through
- High turnover
- Increased traffic



Calculations

5,381 sf.



- Drainage N/A
- 2'' Meter

FY25 Impact Fees Based on Square Footage

Roads	Bikeways and Trails	Parks	Public Safety	Water	Sewer	Total
$11,193	$39	$0	$1,424	$28,612	$19,239	$47,851

FY25 Recommended Impact Fees Based on Square Footage

	Roads	Bikeways and Trails	Parks	Public Safety	Water	Sewer	Total
Method 1 $121,639/ 1,000 sf	$654,539	$39	$0	$1,424	$28,612	$19,239	$703,853
Method 2 $111,709/ 1,000 sf	$601,106	$39	$0	$1,424	$28,612	$19,239	$650,420
Method 3 $3,600/ 1,000 sf	$19,371	$39	$0	$1,424	$28,612	$19,239	$68,685
Proposed $3,600/ 1,000 sf	$19,371						$68,685

Assisted Living Facilities





Assisted Living Facilities

- Any facility which is operated for the maintenance or care of two (2) or more adults who need or desire assistance with one (1) or more activities of daily living. *(New Mexico State Statue)*



Subcategory- Assisted Living (Per Bed)

	Public Safety	Roadways
Bernalillo County (2013)	0	$596 per bed
Odessa, TX	0	$1,681 per bed
Rio Rancho-FY25 Proposed (Baseline, per 1,000 sf)	$806 per 1,000 sf	-
Rio Rancho – Method 1	$1,685 per bed	0
Rio Rancho – Method 2	$3,192 per bed	0
Rio Rancho – Method 3	$8,945 per bed	0
Rio Rancho-FY25 Recommendation – 50% method 1	$843 per bed	-

Additional information on how assisted living development impact on EMS

Calls by Population	
Rio Rancho population	107,000
Care Facility Bed Capacity	1,547
Percentage of Total Population	1.45%

	CY 2021	CY 2022	CY 2023
EMS Calls	9,244	9,957	9,691
Care Facility Calls (Adjusted)	827	1,111	1,198
Percentage of EMS Calls	8.95%	11.16%	12.36%

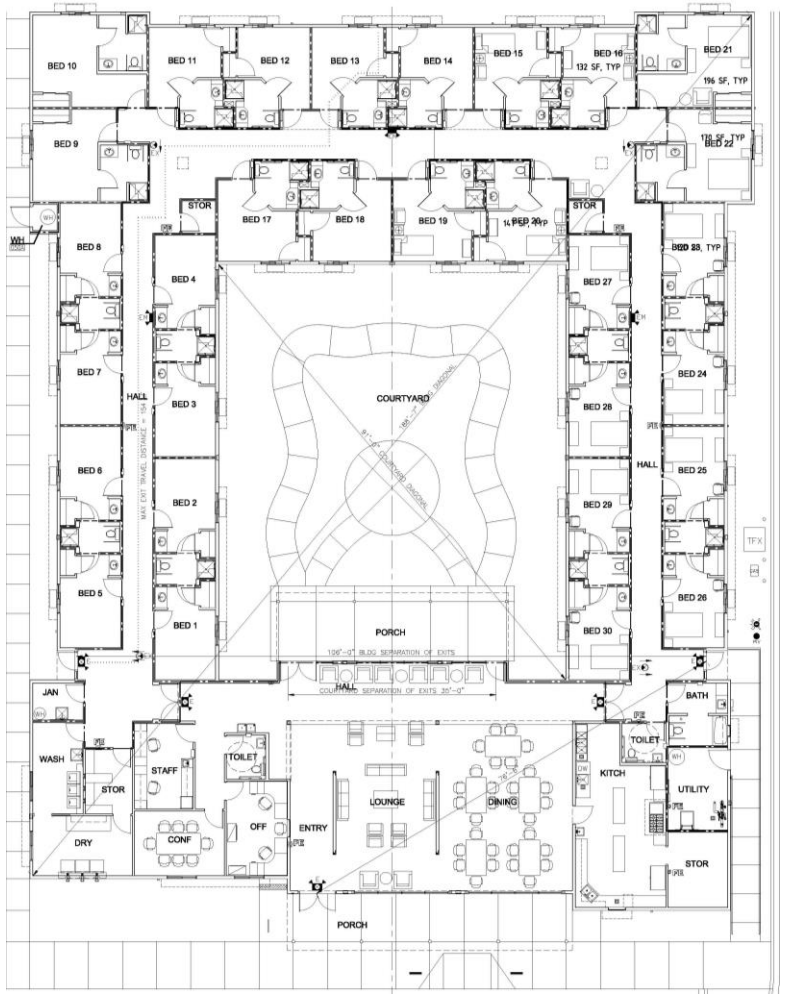
Additional information on how assisted living development impact on EMS Continued

Care Facility	Square Footage	Beds	CY21 Calls	CY22 Calls	CY23 YTD Calls
Clear Sky Rehab	33,000	32	92	111	143
Genesis Health Care	32,500	120	242	241	278

Business	Square Footage	CY21 Calls	CY22 Calls	CY23 YTD Calls
1558 Stephanie	14,592	2	1	0
1400 Jackie	11,196	1	1	1

Calculations

13,060 sf., 30 beds



First year of 5 year Impact Fees Schedule Based on Square Footage

Roads	Bikeways and Trails	Parks	Public Safety	Water	Sewer	Total
$11,760	$251	$0	$10,527	$17,883	$12,025	$52,446

FY25 Recommended Safety Impact Fees Based on Bed Count

	Roads	Bikeways and Trails	Parks	Public Safety	Water	Sewer	Total
Method 1 $1,685/ bed	$11,760	$251	$0	$50,550	$17,883	$12,025	$92,469
Method 2 $3,192/ bed	$11,760	$251	$0	$95,760	$17,883	$12,025	$137,679
Method 3 $8,945/ bed	$11,760	$251	$0	$268,350	$17,883	$12,025	$406,029
Proposed – 50% Method 1				$25,290			$67,209

- Excluding Drainage
- 1.5’’ Meter

What are impact fees and what do they fund?

- Roads

Sources	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023
Beginning Fund Balance	804,944	846,929	1,271,726	1,559,705	1,145,287	1,658,694	1,769,637
Assessment Revenue	296,709	441,794	288,873	399,453	1,007,867	647,270	490,947
Interest Earnings	709	5,026	7,772	10,219	9,023	2,406	6,276
Total Sources	1,102,362	1,293,749	1,568,371	1,969,377	2,162,177	2,308,370	2,266,860

Uses	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	Impact Fee Source as a Percentage of Total Project
Administrative Costs	8,901	13,254	8,666	11,984	-	49,654	14,728	
Lincoln Avenue Phase II: Adams to PdV	14,399	-	-	54,018	410,241	166,081	103	15%
Idalia Rd. Reconstruction	170	8,769	-	-	-	-	-	3%
Sprint/Enchanted Hills Intersection	231,963							59%
Southern Blvd.: NM528 to Golf Course Rd.				716,299				5%
Unser Blvd. Phase IIB ROW				41,789	19,761	22,599	13,652	23%
Southern Blvd.: Golf Course Rd. to Unser Blvd.					73,481	158,944	37,459	6%
Northern Blvd. Phase B: Broadmoor to Unser Blvd.						68,004	61,605	14%
Idalia Road Corridor Study						73,451	33,839	15%
Loma Colorado Boulevard Extension							62,019	15%
Total Uses	255,433	22,023	8,666	824,090	503,483	538,733	223,406	8%
Projects	246,532	8,769	-	812,106	503,483	489,079	208,678	

What are impact fees and what do they fund?

- Bikeway and Trails

Sources	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	
Beginning Fund Balance	195,841	197,145	200,577	75,562	91,719	127,298	159,733	
Assessment Revenue	5,574	8,429	6,710	16,624	35,550	34,394	23,338	
Interest Earnings	-	-	-	25	29	140	4,535	
Total Sources	201,415	205,574	207,287	92,211	127,298	161,831	187,606	
Uses	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	Impact Fee Source as a Percentage of Total Project
Administrative Costs	167	253	201	492	-	2,098	700	
Bosque Trail	4,103	4,744	131,523					100%
Total Uses	4,271	4,997	131,724	492	-	2,098	700	
Ending Fund Balance	197,145	200,577	75,562	91,719	127,298	159,733	186,906	
Projects	4,103	4,744	131,523	-	-	-	-	

What are impact fees and what do they fund?

- Parks

Sources	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	
Beginning Fund Balance	286,308	321,429	402,708	423,592	627,296	1,618,022	2,210,698	
Assessment Revenue	115,566	88,325	177,981	326,886	992,601	655,248	295,050	
Interest Earnings	394	2,463	3,599	4,877	4,494	1,473	4,425	
Total Sources	402,268	412,217	584,288	755,354	1,624,391	2,274,743	2,510,173	
Uses	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	Impact Fee Sources as a Percentage of Total Project
Administrative Costs	3,467	2,650	5,293	9,300	-	49,435	8,851	
Sports Complex North	50,786	6,859	96,766	49,239	6,369	14,610	963,486	50%
Big Brothers Big Sisters			44,928	2,882				91%
A Park Above	26,586		13,710	66,637				14%
Campus Park Phase 2							7,849	2%
Total Uses	80,839	9,509	160,697	128,059	6,369	64,045	980,187	27%
Ending Fund Balance	321,429	402,708	423,592	627,296	1,618,022	2,210,698	1,529,986	
Projects	77,372	6,859	155,404	118,759	6,369	14,610	971,335	

What are impact fees and what do they fund?

- Drainage

Sources	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	
Beginning Fund Balance	337,626	472,364	570,175	804,763	1,093,018	1,561,452	1,983,976	
Assessment Revenue	166,098	180,176	242,567	292,905	464,819	447,432	357,200	
Interest Earnings	237	1,788	2,725	3,810	3,616	2,040	29,970	
Total Sources	503,961	654,328	815,467	1,101,478	1,561,452	2,010,924	2,371,145	
Uses	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	Impact Fee Sources as a Percentage of Total Project
Administrative Costs	4,983	5,405	7,277	8,460	-	26,948	10,716	
Los Milagros Channel Improvements	26,614							96%
Northern Blvd. Drainage		78,748	3,427					100%
Total Uses	31,597	84,153	10,704	8,460	-	26,948	10,716	96%
Ending Fund Balance	472,364	570,175	804,763	1,093,018	1,561,452	1,983,976	2,360,429	
Projects	26,614	78,748	3,427	-	-	-	-	

What are impact fees and what do they fund?

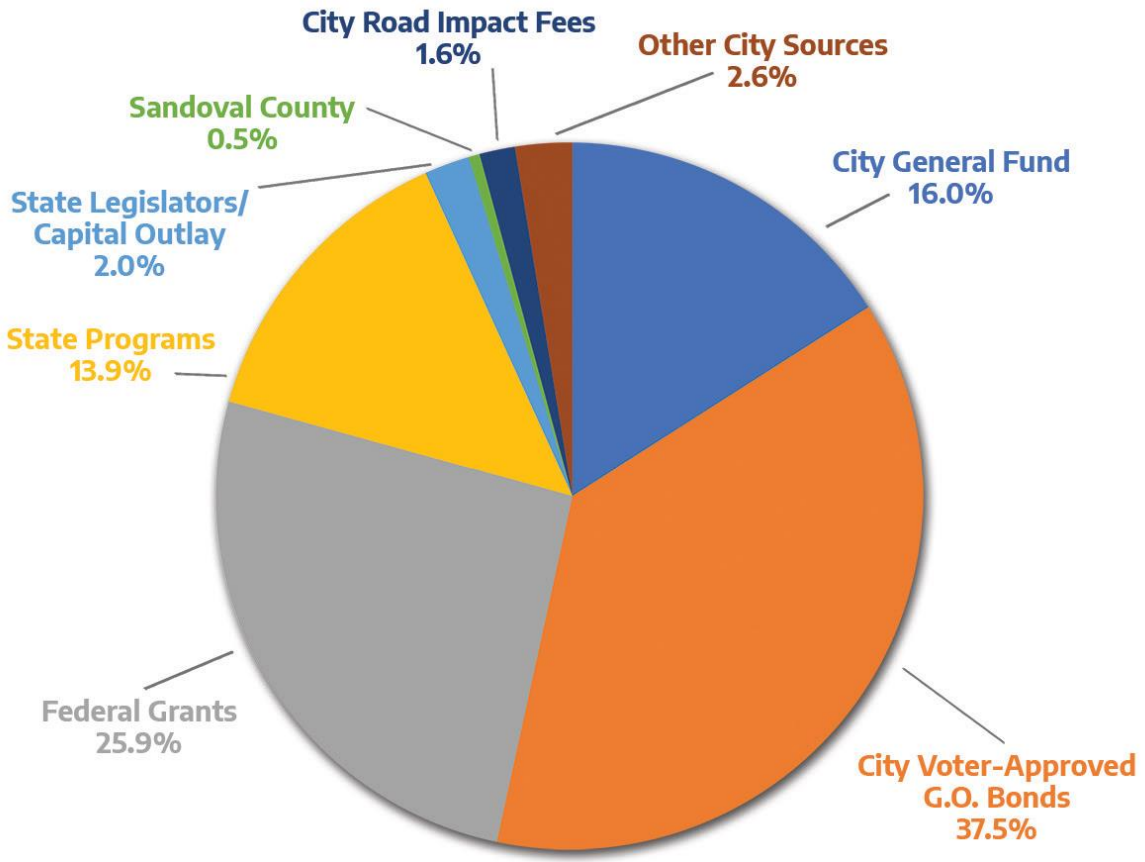
- Public Safety

Sources	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	
Beginning Fund Balance	192,798	58,714	220,911	107,544	304,051	627,970	783,893	
Assessment Revenue	132,691	203,765	95,198	301,001	455,836	411,543	224,458	
Interest Earnings	-	-	-	73	82	402	19,319	
Insurance Recovery and Auction Revenue	-	-	15,207	994	-	-	-	
Total Sources	325,490	262,479	331,316	409,611	759,970	1,039,914	1,027,670	
Uses	**FY2017**	**FY2018**	**FY2019**	**FY2020**	**FY2021**	**FY2022**	**FY2023**	Impact Fee Sources as a Percentage of Total Project
Administrative Costs	3,981	6,113	2,856	8,911	-	26,021	6,450	
FY2016 Police Vehicles	16,706							11%
FY2017 Ambulance	174,089							100%
FY2017 Police Vehicles	72,000							12%
FY2018 Police Vehicles		35,455	30,274					18%
Evidence Storage Facility			59,920					21%
FY2019 Ambulance			130,722	96,649				63%
FY2021 Vehicles					132,000			36%
FY2022 Vehicles						230,000		44%
FY2022 Ambulance							4,344	0.4%
Total Uses	266,776	41,568	223,772	105,560	132,000	256,021	10,794	
Ending Fund Balance	58,714	220,911	107,544	304,051	627,970	783,893	1,016,876	
Projects	262,795	35,455	220,916	96,649	132,000	230,000	4,344	

Road Work Funding Sources

Since 2016,

38 major road projects HAVE BEEN completed AND MORE THAN **110 miles** of residential streets have been improved.



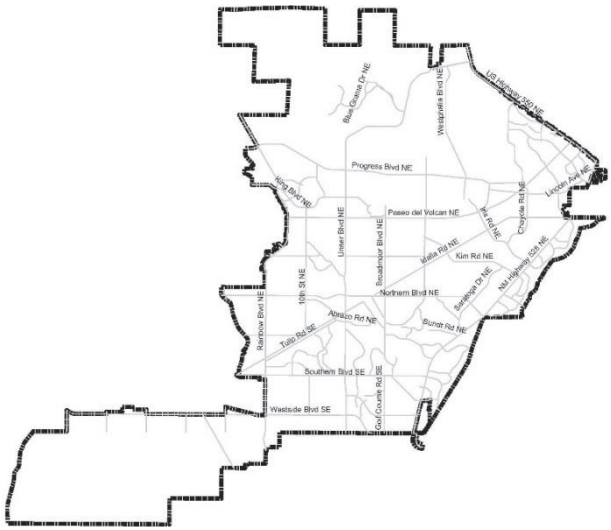
NOTICE OF PUBLIC HEARING ON AMENDMENTS TO LAND USE ASSUMPTIONS AND IMPACT FEES

At their regularly scheduled Governing Body meeting starting at 6pm on June 13, 2024, in the Council Chambers at City Hall, 3200 Civic Center Cir. NE, Rio Rancho, NM, the Governing Body will hold a public hearing to consider the adoption of a resolution for Amendments to the Land Use Assumptions and the first reading of an Ordinance for Amendments to the Impact Fees. The Governing Body will consider the following actions:

- Ordinance of the City of Rio Rancho, New Mexico Amending the Rio Rancho Code of Ordinances Title XV Land Usage, Chapter 150 General Provisions, Article III Impact Fees, Section 150,23 (G) and (K); Section 150.30 (A)(5); adding Section 150.30 (B)(e) and (f), repealing and replacing the Appendix; providing for interpretation, severability, and conflicts; and providing for an effective date of July 8, 2024.

- Resolution to adopt an Amendment Study titled: 2023-2030 Land Use Assumptions that will be used to develop capital improvements plan under which an impact fee may be imposed.

The Impact Fee Area subject to the above Ordinance is the boundary of the City of Rio Rancho as generally depicted in the map below:



Any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions. Materials related to this item are available for viewing in the Development Services Department at City Hall and at the following link: https://rrnm.gov/4929/Impact-Fee-Schedule-Update

If you would like to comment on this application, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

(Date of Publication: Friday, May 17, 2024**)**
PO# 240051 Client # 1010956

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 46 **ENACTMENT NO. 24-045**

RESOLUTION APPROVING AMENDED LAND USE ASSUMPTIONS AS REQUIRED BY THE STATE OF NEW MEXICO DEVELOPMENT FEES ACT

WHEREAS: the State of New Mexico Statutes Annotated (NMSA) Chapter 5 "Municipalities and Counties", Article 8 "Land Development Fees and Rights", cited as the Development Fees Act, authorizes, governs and regulates impact fee legislation adopted by a municipality; and

WHEREAS: City of Rio Rancho Impact Fee Land Use Assumptions for the years 2023 through 2030 were developed in compliance with the requirements set forth by the New Mexico Development Fees Act; and

WHEREAS: the Land Use Assumptions will serve as the basis for projecting the demand for capital improvements or facility expansions that will be needed to serve the anticipated growth of the City during this period; and

WHEREAS: the Capital Improvement Plan Citizen's Advisory Committee (CIPCAC) has reviewed the Land Use Assumptions at the CIPCAC meeting on April 22, 2024, and recommended approval of the Land Use Assumptions to the Governing Body; and

WHEREAS: the Governing Body of the City of Rio Rancho held a public hearing on the Impact Fee Land Use Assumptions on June 13, 2024, in compliance with the requirements, including notice of public hearing, of the New Mexico Development Fee Act.

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

Section 1. that the Governing Body hereby approves the Impact Fee Land Use Assumptions titled "2023-2030 Land Use Assumptions, City of Rio Rancho Impact Fee Update and Amendment Study" as attached hereto as Exhibit A, and made a part hereof.

Section 2. This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 13TH DAY OF JUNE, 2024.

Greggory D. Hull, Mayor

ATTEST:

Noel C. Davis, City Clerk
(SEAL)

EXHIBIT A

2023-2030 Land Use Assumptions

City of Rio Rancho Impact Fee Study and Amendment Study



Prepared by

City of Rio Rancho Development Services Department

With assistance by

City of Rio Rancho Finance Services Department,
Wildan Financial Services,
and
Mid-Region Council of Governments

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City of Rio Rancho Impact Fee Study
2023-2030 Land Use Assumptions

Adopted July xx, 2024 by Resolution No. xx, Enactment xx

Governing Body:

Mayor - Greggory D. Hull
City Council District 1 – Deborah Dapson
City Council District 2 - Jeremy Lenentine
City Council District 3 - Bob Tyler
City Council District 4 - Paul Wymer
City Council District 5 - Karissa Culbreath
City Council District 6 – Nicole List

Capital Improvement Plan Citizen's Advisory Committee (C.I.P.C.A.C):

District 1 – Rada Moss
District 2 – Tommy Knight
District 3 – Dan Darnell
District 4 – Vacant
District 5 – Cynthia Spring (Chair)
District 5 – Kyle Olsen
District 6 – Vacant
At Large – Vacant

Planning and Zoning Board:

District 1 – Scottie Richardson (Vice Chair)
District 2 – Kevin Kofchur
District 3 – Fred Radosevich (Chair)
District 4 – Robert Gabaldon
District 5 – Vacant
District 6 – Lisa Hardisty
At Large – Salvatore Tortorici

Administration:

City Manager – Matt Geisel
City Attorney – Josh Rubin

Development Services Director – Amy Rincon, AICP
Planning and Zoning Manager – Brian Babyak, AICP
Planner II – Michelle Costilla
Budget Analyst – Kay Bennett

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City of Rio Rancho Impact Fee Study
2023-2030 Land Use Assumptions

Introduction

Land use assumptions are the projections for future changes to land use, densities, intensities and the population. These projections are created by analyzing existing land use, densities and intensities over a specific time frame and analyzing the growth trends which can then be used to project future trends. The purpose of the land use assumptions in the process of evaluating development fees is to project the demand for capital improvements or facility expansions that will be needed to serve anticipated growth. An understanding of probable population and job growth and projected land uses will help the City of Rio Rancho develop the capital improvements plan under which an impact fee may be imposed. Impact fees, and land use assumptions necessary to develop those fees, are governed by the New Mexico Development Fees Act (Section 5-8-1 through 5-8-42 NMSA 1978).

The land use assumptions describe the service area and projected land use changes for a seven- year period from the beginning of FY 2024 (July 1, 2023) to the end of FY 2030 (June 31, 2030). For convenience, the planning horizon will be referred to as 2023 to 2030 or simply the planning horizon.

Land use assumptions are based on a several data sources as follows:

- The 2017 and 2021 Census of population, housing and occupancy rates
- 2021 population estimates from the American Community Survey (ACS)
- Demographic projections prepared by the Mid-Region Council of Governments (MRCOG)
- Construction data provided by the City of Rio Rancho
- Residential and non-residential growth averages and projections from the Finance Department
- Approved master plans for major new developments provided by the Finance Department and Development Services

References and associated documents are listed in Appendix A.

The current Rio Rancho municipal limits which are Impact Fee Service area are displayed in Figure 1.

The land use assumptions will enable the City to structure its development program to accommodate future growth in the incorporated urban area in southeast Sandoval County, and the Quail Ranch/Paradise West annexation area in Bernalillo County. The unincorporated Rio Rancho Estates area in southwest Sandoval County is assumed to remain undeveloped for the time period of this study. The City is a single service area for the purpose of assessing impact fees on new development.

The following report describes development trends in Rio Rancho, the methodology used to prepare the land use assumptions, and to project future land uses. Population, housing, jobs and land use by type are based on the MRCOG report “Rio Rancho 2030 Population and Employment Projections”, 2021 Census data, 2021 ACS population estimates, and permit data provided by the City Development Services Department. Historical data for 2018 to 2023, combined with the proposed land uses in master planned areas inside the City, was used to project the City's future land use requirements for the 2023-2030 planning horizon.

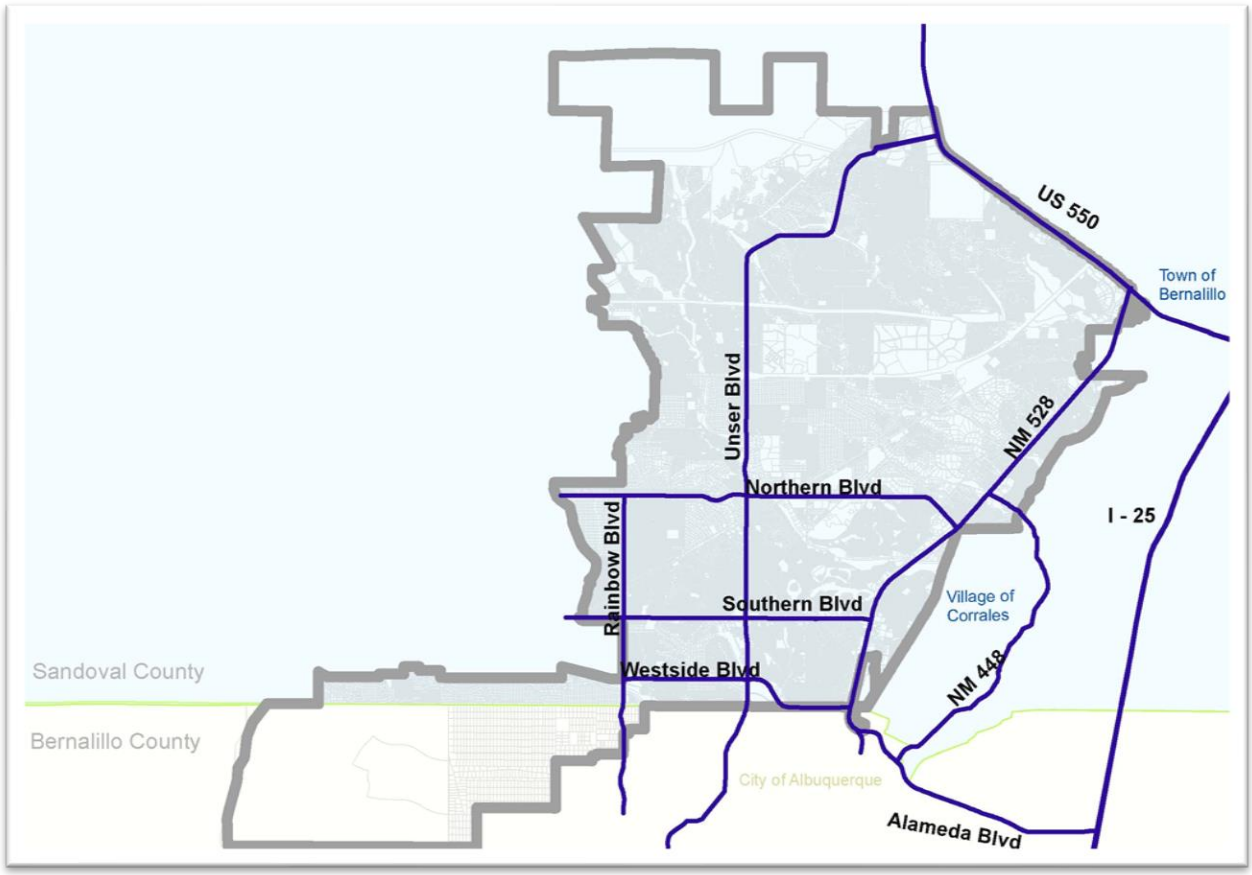


Figure 1. Rio Rancho Municipal Limits and Impact Fee Service Area - July 2024

Background

The City of Rio Rancho was one of the fastest growing communities in the United States from the early 1980's through 2007. From a population of just over 10,000 in 1980, the population is estimated to have increased to over 70,000 in 2005, and the U.S. Census recorded 87,500 persons in 2010. Following the "Great Recession", from December 2007 to June 2009, growth slowed from an approximate average annual population of seven percent (7%) in the first decade of this century to a rate of approximately two percent (2%) during the first half of 2010-2015. The ACS estimates that in July of 2015 the population was approximately 94,171 and rose to 104,046 in 2020, continuing at a two percent (2%) growth rate.

Development History

Rio Rancho Estates encompassed approximately 155.7 square miles when it was originally platted in the early 1960s. Approximately one-half of the original Estates area is now within the incorporated City boundaries. During these early years, Rio Rancho developed as an unincorporated community in Sandoval County. The nucleus of a suburban community was constructed at the intersection of New Mexico (NM) 528 and Southern Boulevard during the 1970s. Rio Rancho grew rapidly from a population of 1,164 in 1970 to 10,131 people in 1980. Most growth occurred north of Southern Boulevard on both sides of NM 528. A small number of custom homes were built in Unit 16 East (South of Southern Boulevard and West of NM 528), which was served with power and municipal water.

As the community's population increased to over 10,000 people, its needs for urban services such as roads, parks and public safety facilities grew beyond the level typically provided by Sandoval County. The City of Rio Rancho was incorporated in 1981 out of a portion of the Rio Rancho Estates subdivision. Through a series of annexations over the past twenty years, the total municipal area, including the Quail Ranch/Paradise West annexation area, has increased to over 105 square miles in two counties. The main portion of the City covers 87.2 square miles in southern Sandoval County, while the Quail Ranch/Paradise West annexation area covers 15.5 square miles in northern Bernalillo County. Less than one-fourth of the total land area of the City is currently developed.

Much of the land in Rio Rancho Estates was sold to individual owners throughout the United States during the early years of the subdivision. The resulting pattern of pre-mature platting and fractionalized ownership has dictated the locations of most new development, and the most rapid growth in the City has occurred on large parcels under single ownership. The Cabezon project in Unit 16 represents the first major redevelopment project in the City, in which the City was able to exercise its condemnation powers to help assemble and replat large tracts of land. This condemnation power no longer exists as a result of 2007 New Mexico State law changes.

The redevelopment expertise gained by the City in Unit 16 will help future redevelopment of infill areas in the city limits.

The continued pace of growth will be influenced by the supply of land that can be platted, developed and sold to builders. Areas with pre-mature platting may have to be replatted or redeveloped before significant growth can take place. A review of building permits issued in Rio Rancho from 1999 through 2002 shows that 43 percent of new residential construction in Rio Rancho occurred in major subdivisions which are typically platted on large tracts developed by a single entity. Approximately one third of new housing was built in smaller subdivisions, and 23 percent of new homes were built on individual lots in the original platting of the obsolete subdivisions that are located throughout the City.

This development pattern is important because of the differences in lot sizes and the level of infrastructure and amenities associated with the type of subdivision being developed. Most of the City's residential development is zoned R-1, which has a minimum lot size of 7,000 square feet.

However, there are approximately 6,760 lots that are under 7,000 square feet in size, which cover over 951 acres inside the City. In 2003, almost one third of the new homes were built on lots that were less than 7,000 square feet in size. These lots were in subdivisions where project level improvements, such as local streets with sidewalk, curb and gutter, and lights, are required under the subdivision ordinance. System-level infrastructure for major roads, bikeways, parks, and public safety facilities is provided under the impact fee ordinance or through developer dedications in large-scale projects.

In Unit 17, lots are typically 1/2 acre or larger, and lots are usually developed individually for custom-built homes without the project level-improvements required by the subdivision ordinance. This is because the pre-mature platting in Unit 17 predates the subdivision ordinance.

However, the area is still eligible for system level improvements under the impact fee ordinance. As infrastructure is extended to serve major subdivisions, proximity to roads and utilities makes development of nearby individual lots feasible. Therefore, average lot sizes, land absorption and the distribution of new homes will reflect a mix of new subdivisions and individual lots.

Trends

Population estimates, and projected permit applications point to a growing population and an increase in residential and non-residential development in the City of Rio Rancho. The following sections will breakdown the population estimates and projections, land uses, and the associated densities and intensities.

Methodology

The rationale behind the methodology used in developing the land use assumptions is that land use change is a function of population and employment growth. Therefore, the land use assumptions reflect changes to current developed conditions that would result from projected population and employment growth. Demand for new housing is also a function of population and employment growth, so that assumptions about future housing are integrated into the overall approach to the land use assumptions.

Data Sources

Information used in developing land use assumptions was taken from the existing sources described in each section. References are listed in Appendix A.

Population

Population and population projections have been formulated from analyzing various sources, these sources start with the US Census and include estimates from the American Community Survey and projections from MRCOG and CoRR Development Services. The US Decennial Census every 10 years and was completed in 2020, this survey aims to count every individual. American Community Survey (ACS) is a smaller spot survey that estimates the population in 5 time frames. MRCOG uses Census information and modeling scenarios to produce population projections. MRCOG projections are from “Rio Rancho 2030 Population and Employment Projections”. This report took two methods for projecting population, one method includes the projected number of new residential starts and housing occupancy rates and uses three scenarios to project three possible populations, one scenario would be a decline, a middle of the road, and an increase in residential starts. The second method used by MRCOG is a method that projects population on projected births, deaths and migration, this method

again has three scenarios. MRCOG took the middle of both scenarios and averaged the results to project a population of 120,935 in 2030. This represents a compound annual growth rate of 1.6 % and a total increase of 16.2% from the 2020 Census population count of 104,046.

The population of Rio Rancho was 104,046 in 2020 adding about 16,500 people since 2010. Per the most recent U.S. Census American Community Survey 1-year Estimates (2021), the city has added an additional 1,793 new residents for a total population of 105,839.

Table 1: City Population and Projections of Population: 2000 - 2030

Year	2000[1]	2010[1]	2020[1]	2025[2]	2030[3]
Population	51,765	87,521	104,046	112,144	120,935

(1) US Census 2000, 2010, 2020
(2) ACS July 1, 2021 Estimates
(3) 2030 Projected by MRCOG scenario 1.C.

Table 2: 2021 American Community Survey Housing Occupancy figures

Housing Units (2021)	Households	Average household size	Average family size	Occupancy
40,978	40,013	2.64	3.06	96%

In 2021 the American Community Survey 1-year Estimate, it projected the average number of housing units in the City of Rio Rancho to be 40,978. These housing units housed 40,013 different households with an average household size of 2.64 people per house. Rio Rancho also has a high occupancy rate at 96% which means that there is not a large market of homes available. A high occupancy rate is generally a good sign for developers that there is a need to build more housing units.

Table 3: Percent of Dwelling Units by Type

	2010	2021
Single Family Detached	87.70%	85%
Attached	2.50%	2%
Multi-Family	7.5%	12%
Average Household Size	2.76	2.64

As described in the 2023 Affordable Housing Plan, the vast majority of housing units in the city are 1-unit detached homes. The majority of the population are living in detached single family dwelling units but there has been an increase in the share of people living in multi-family homes. The housing occupancy rates can help describe the distribution or share of single-family dwelling units versus the share of multi-family dwelling units. The average household size has slightly decreased from 2.76 to 2.64 over the years decreasing the number of persons per dwelling unit.

Table 4: Total Housing Units and Projections

	2015	2020	2022	2028[(1)]	2030[(2)]
Total Dwelling Units	35,462	38,100	40,649	44,643	46,941

(1) Projections from Finance
(2) Projections Willdan Financial Services

Total dwelling units are calculated from the number of building starts which is a way to count the number of dwelling units based on when the construction was started. The 2028 projections are from the Finance department and average the number of construction starts continues to increase by 3%. Projections for 2030 are from Wildan Financial Services and are assumed to increase at the same annual growth rate as population, 1.52%.

Land Uses, Densities and Intensities

The City of Rio Rancho has an adequate supply of vacant land to accommodate the projected growth of both residential and non-residential uses. Land Uses are generally tied to the existing uses and zoning on a parcel. In the planning horizon the following residential planned developments may build-out close to capacity and that single-family homes on individual lots will continue to increase. Below is a list of planned developments that have been approved and are likely to continue building single family detached homes.

Baltic Park	Idalia Crossing	Montreal	Tierra Del Norte
Broadmoor Heights	Lomas Encantadas	Mountain Hawk	Tierra Del Oro
Carriage Estates	Los Diamantes	Rainbow	Vista Grande
Cielo Azul	Mariposa	Stone Mountain	Vista Montebella
High Range	Melon Ridge	Stonegate	Zuma Ranch

These developments include the majority of the 5,540 residential lots inventory that are listed in the DSD system. Approvals range from utilities in place to areas that will need more work to get ready to build.

Table 5: Residential Permit starts and projections for single family detached homes per year

Year	2011	2013	2015	2019	2021	2022	2023	2030
Permits **	301	479	500	448	1,054	636	950	700

**Permits are counted in the year construction began, Projections by MRCOG

The 2030 projections by MRCOG assumes that Rio Rancho will enter a recession but will be softened by the recent uptick in new starts in Rio Rancho. Construction will slowly return to the trend of the past 5 years, returning to about 700 starts per year by 2030.

Along with building permits the City tracts large subdivisions and associated master plans. These give a baseline for vacant residential property that is ready for development. Currently there is an estimated 5,540 vacant lots ready for development. Taking into account the projected building permits, the existing vacant lots ready for development can be absorb over 4 years of development. This does not include vacant lots that individual property owners develop independently of a subdivision, which is the development pattern for portions of Unit 10 and the majority of Unit 17. As the economy rebounds, new applications for master planned communities and large subdivisions are expected to continue, and it is likely more vacant lots ready for development will be in reserve before the existing 5,540 lots are exhausted.

Land Use Estimates

The land use assumptions begin with existing, or base year, conditions. For this project, the base year is 2023. US Census data, MRCOG population data, housing counts and building permit records were used by the City of Rio Rancho to update housing and population estimates. Population forecasts are based upon the average growth of the City. Acres of land use were tabulated from the City's geographic information system (GIS), records of subdivision plat, and certificates of occupancy. The potential use of vacant land was determined from the City's GIS data and approved master plans for major subdivisions. Developed land use categories include two residential land use types and three nonresidential land use types. These are:

- Single-family Residential. This category includes custom built single-family residential development, primarily on large lots of one-half acre or more in areas such as Unit 10 and 17.

- Multi-family Residential. This category includes apartments, condominiums and other higher density residential development. The lot sizes for this category vary according to the type of unit and density of development.

- Retail/Commercial. This category includes all retail and service land use categories.

- Warehousing/Industrial. Manufacturing, warehousing and other industrial uses are included in this category. Land that is located in industrial parks and land zoned for mixed commercial/industrial use are assumed to become industrial in the future.

- Office/institutional. Offices, some services, medical facilities and private institutions such as churches and private schools are included in this category.

- Vacant. Developable land includes land that is vacant and zoned for residential or commercial use.

- Public. Public land includes rights-of-way, utility sites, schools and government facilities. City land use data include public rights-of-way and easements. The percentage of total developed area devoted to these uses is assumed to remain constant into the future as new roads, drainage easements, and utility easements are incorporated into new development.

The City of Rio Rancho has a more than adequate supply of vacant land to accommodate projected growth through 2030. Vacant land within the developed area of Rio Rancho has been quantified by the City from the City's geographic information system (GIS). New, large-scale master planned communities and smaller, replatted subdivisions in infill areas will provide for an increasing share of future residential and nonresidential development. Below is a map of approved subdivisions followed by a table that breaks down the number of approved lots and the number of houses that have been built in the subdivision. There is also a projected population increase based on the number of houses and a housing an average family household size of 2.64.

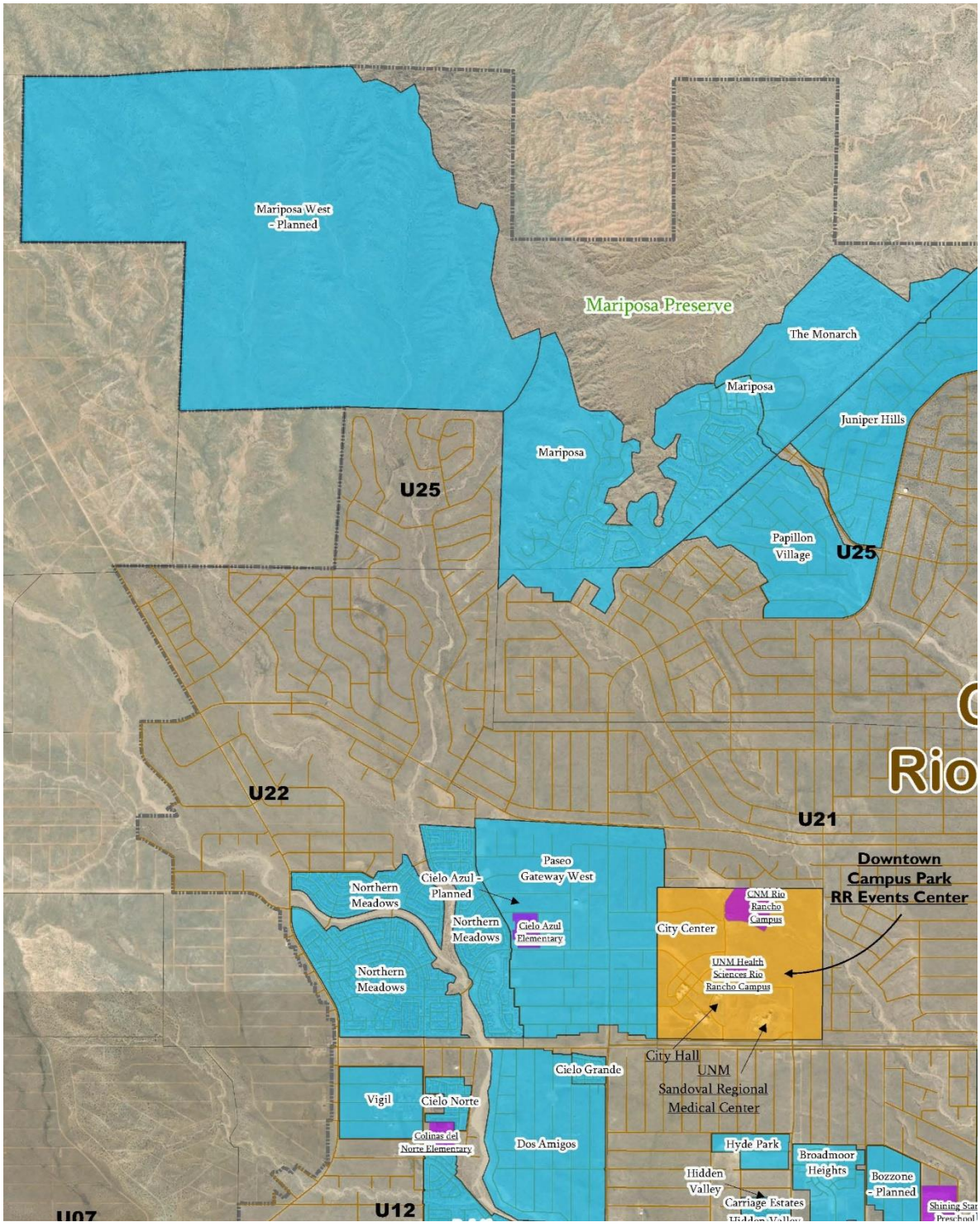


Figure 2. Approved and "actively developing" subdivisions with vacant lots available for development – July 2023

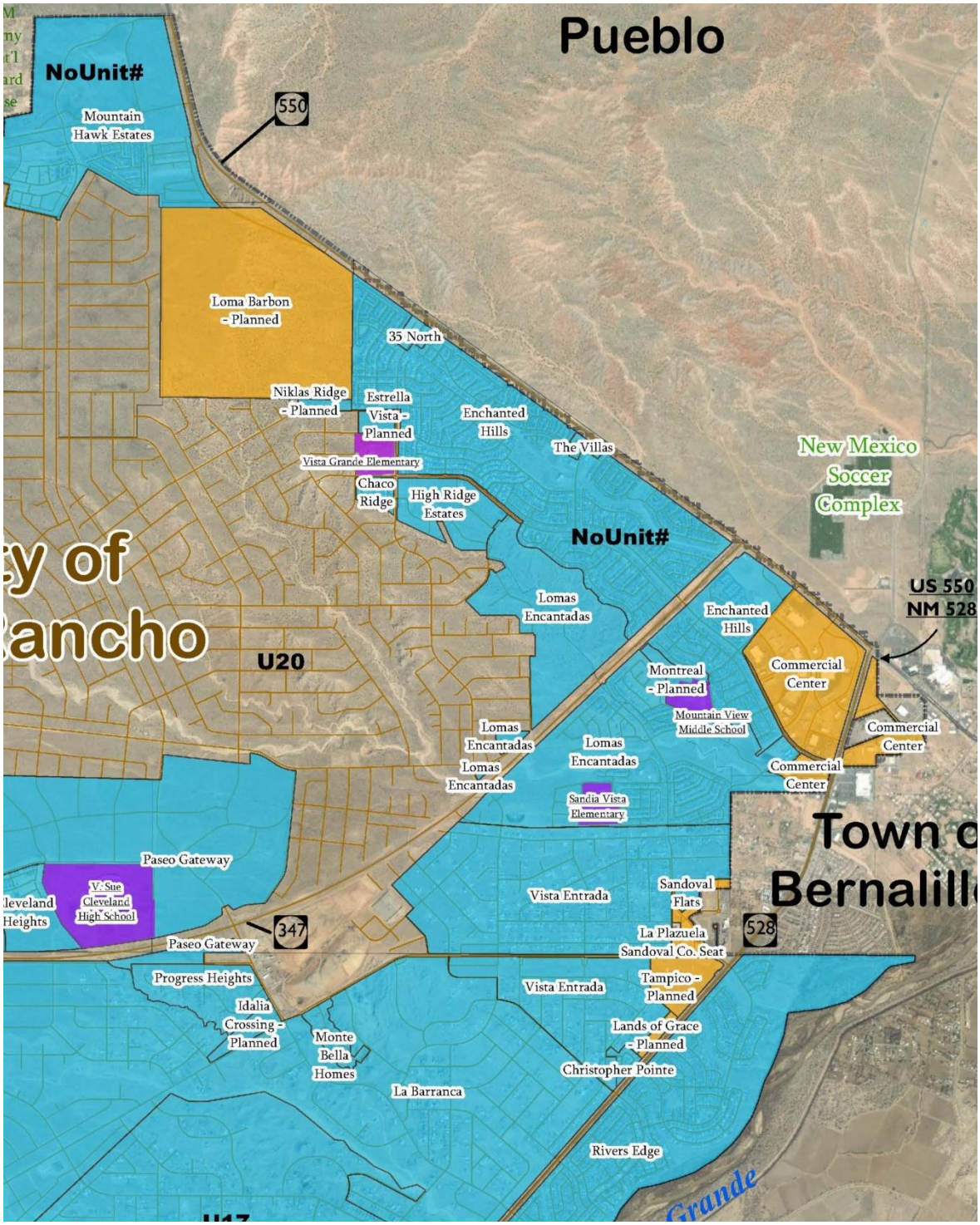


Figure 2. Approved and "actively developing" subdivisions with vacant lots available for development – July 2023 Cont.

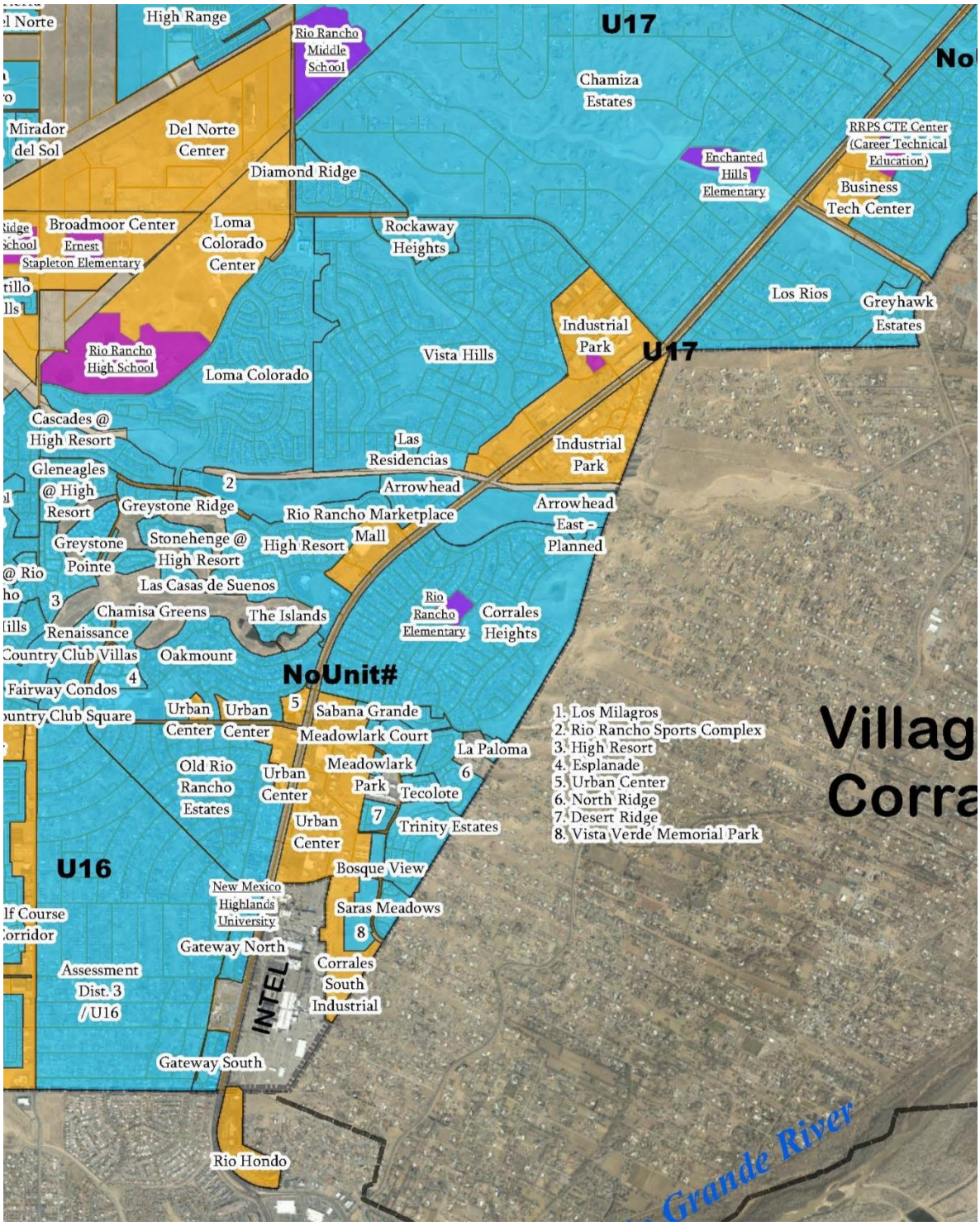


Figure 2. Approved and "actively developing" subdivisions with vacant lots available for development – July 2023 Cont.

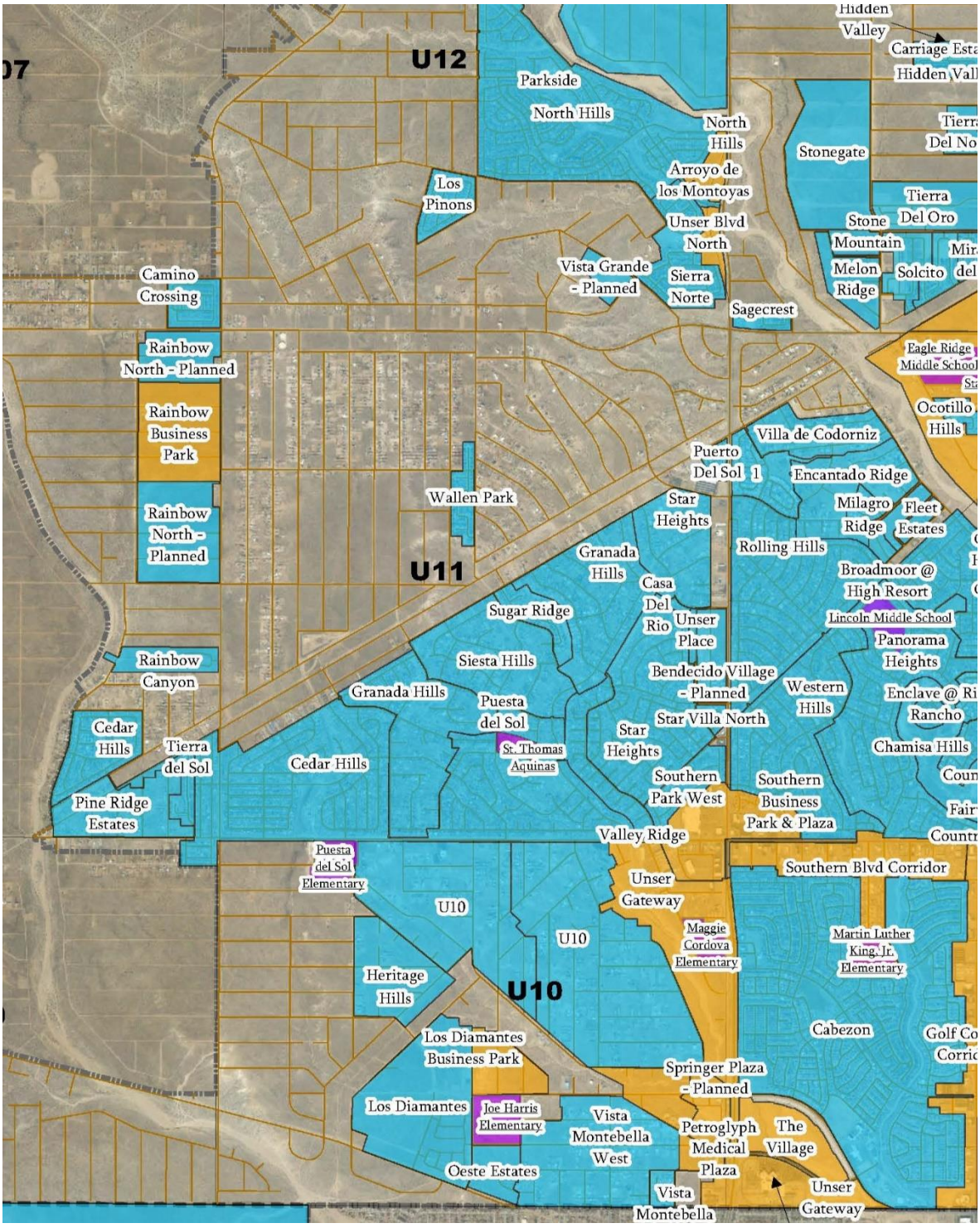


Figure 2. Approved and "actively developing" subdivisions with vacant lots available for development – July 2023 Cont.

Table 6: Master Planned Communities

Subdivision/ Master plan	Single Family Acreage	Dwelling Units	Single Family Built	Projected Population
Mariposa	3,734 acres	6,825	305	1,367
Lomas Encantadas	71 acres	1,746	778	4,609
Mountain Hawk Estates	315 acres	1,600	563	4,224
Mountain Hawk West	86 acres	270	0	712
Los Diamantes	125 acres	487	283	1,285
High Range 5	72 acres	329	0	868
Solcito	38 acres	190	139	501
Papillon Village	319 acres	1,125	0	2,970
Paseo Gateway	566 acres	400	139	1,056
Tierra Del Norte	24 acres	115	0	303
Montreal	20 acres	78	0	205
Hyde Park	49 acres	250	0	660
Scottish Isle	22 acres	118	0	311
Zuma Ranch	59 acres	476	0	1,256

Multi-Family residential Growth

Master Plans that include multi-family zoning are Mountain Hawk Estates, Los Diamantes, Mariposa and Paseo Gateway. There is currently approximately 145.8 acres of R-6 zoned area and 982.4 acres of R-3 zoned area in the City. The R-3 designation allows attached single-family units along with townhome, patio home, or similar development. In this zone, multifamily development is only allowed as a conditional use and limits the dwelling units per acre to 26. R-6 is the only zoning designation that allows multi-family development as a straight permissive use.

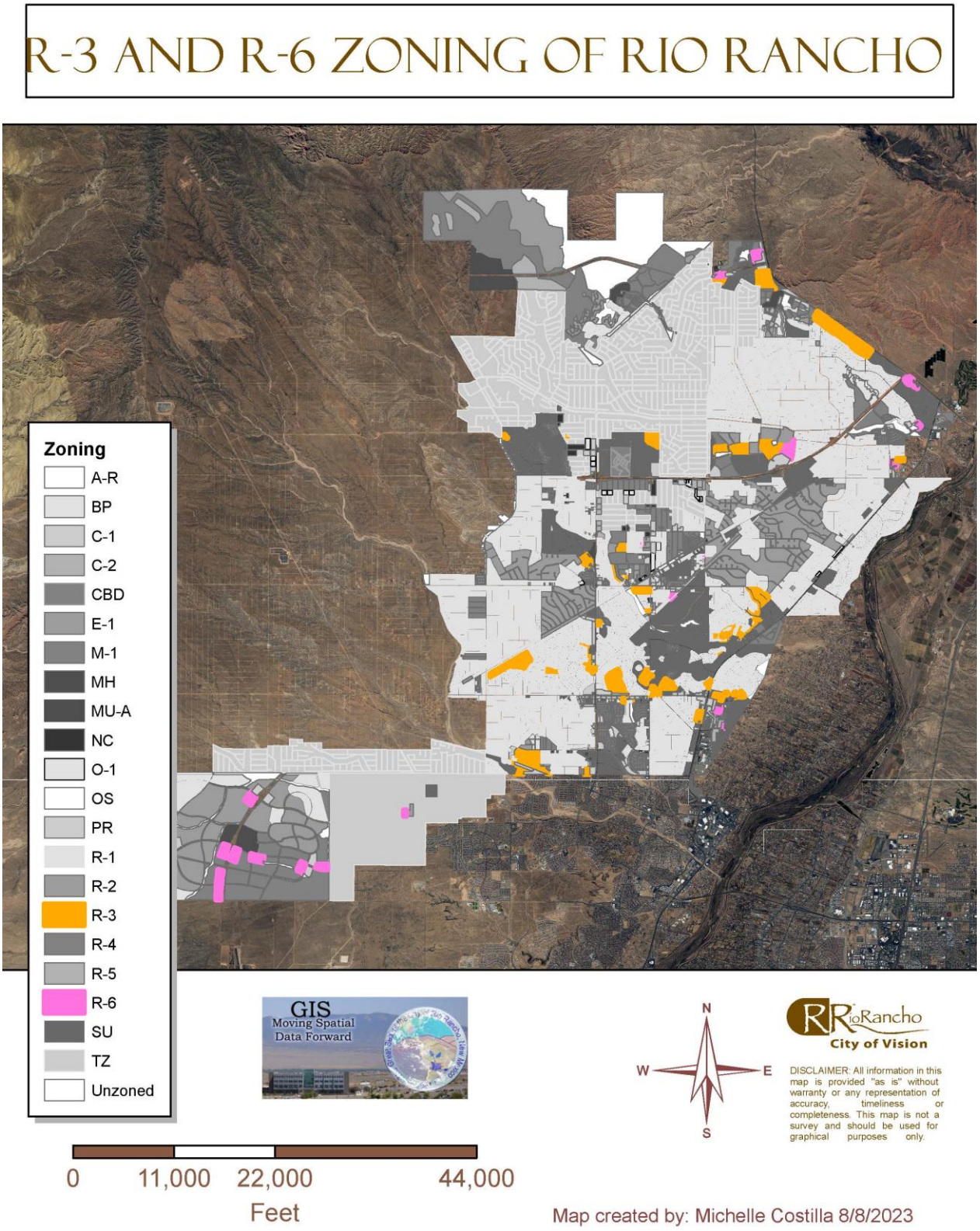


Figure 3. R-3 and R-6 Zoning in Rio Rancho

Non-residential Growth Projections

Baseline data for existing nonresidential space is estimated from the approved building permits for nonresidential structures. Nonresidential growth has maintained a steady growth that can be described as a 0.81% yearly increase in commercial space, 1.03% yearly increase in office and intuitional space, and a 3.70% yearly growth in Industrial space.

Non-residential land uses can be estimated by the amount of approved square footage per year. Below is a table displaying the approved non-residential building square footage.

Table 7: Non-residential approved square footage and projected square footage

	FY2015	FY2020	FY2023	FY2024	FY2026	FY2028
Commercial	128,716	65,16	59,867	34,705	35,269	35,842
Office/Institutional	103,528	118,989	21,915	46,318	47,274	48,249
Industrial	0	22,800	133,716	57,870	62,228	66,914
TOTAL	232,244	207,405	215,498	138,893	144,771	151,006

Projections by Finance and DSD

There have been fluctuations in the amount of non-residential growth, but in general is a 2% increase in commercial square footage after large projects have been removed from the numbers. Office and Institutional, which includes schools and government, has a 0.67% rate of growth and Industrial has a 9.34% rate of growth. Table 7 has the existing approved square footage and projected square footage for each individual and is not a cumulative of the non-residential square footage in the City.

Employment Growth Projections

Employment is projected to grow at a steady 2-3% rate during the planning horizon. Mid Region Metropolitan Planning forecasts that Sandoval County, led by the City of Rio Rancho, will hold onto its position as the fastest growing county in the region and state. Again, MRCOG's report on population on employment is referenced for the projected numbers. For employment MRCOG used three scenarios. The third scenario takes the Intel expansion and other recent developments in the Albuquerque metro area into consideration. Staff feels confident that the third scenario should be the projected numbers for future employment.

Table 8: Employment Growth Projections

	2020	**2030**
MRCOG projections	30,142	36,962
Percent of Growth	1.40%	2.26%

Data from the "Rio Rancho 2030 Population and Employment Projections" a copy can be found in the appendix.

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Appendix A

References

2023 Affordable Housing Plan

American Community Survey of Population and Housing, 2021

Finance Department, Fiscal year 2023 through 2028 Impact Fee Projections

Mid-Region Council of Governments, “Rio Rancho 2030 Population and Employment Projections”

U.S. Census of Population and Housing, 2020

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Appendix B

Rio Rancho 2030 Population and Employment Projections

James Kolberg, Socioeconomic and Land Use Coordinator
Mid-Region Council of Governments
October 2022

Introduction

*The Mid-Region Council of Governments (MRCOG) was requested by the City of Rio Rancho to provide 2030 population and employment projections for the municipality. Data sources that were drawn upon to inform the population projection include the US Census Bureau (historical population estimates), City of Rio Rancho (single-family and multi-family building permits for new residences) and the New Mexico Department of Health (birth and death statistics). The population projections for the City of Rio Rancho for 2030 are **120,935**. The projections were determined using two demographic techniques: a housing unit method, and a components of change method. The employment projection for the City of Rio Rancho for 2030 is **36,962**. The employment projection was determined using MRCOG's regional macroeconomic model created by Regional Economic Models, Inc. (REMI) and an employment forecast from University of New Mexico Bureau of Business and Economic Research (BBER).*

Population History

The population of Rio Rancho was 104,046 in 2020 adding about 17,000 people since 2010. The last decade was the slowest growing decade in Rio Rancho's history with a 2% average annual growth rate.

Figure 1: Rio Rancho Population History

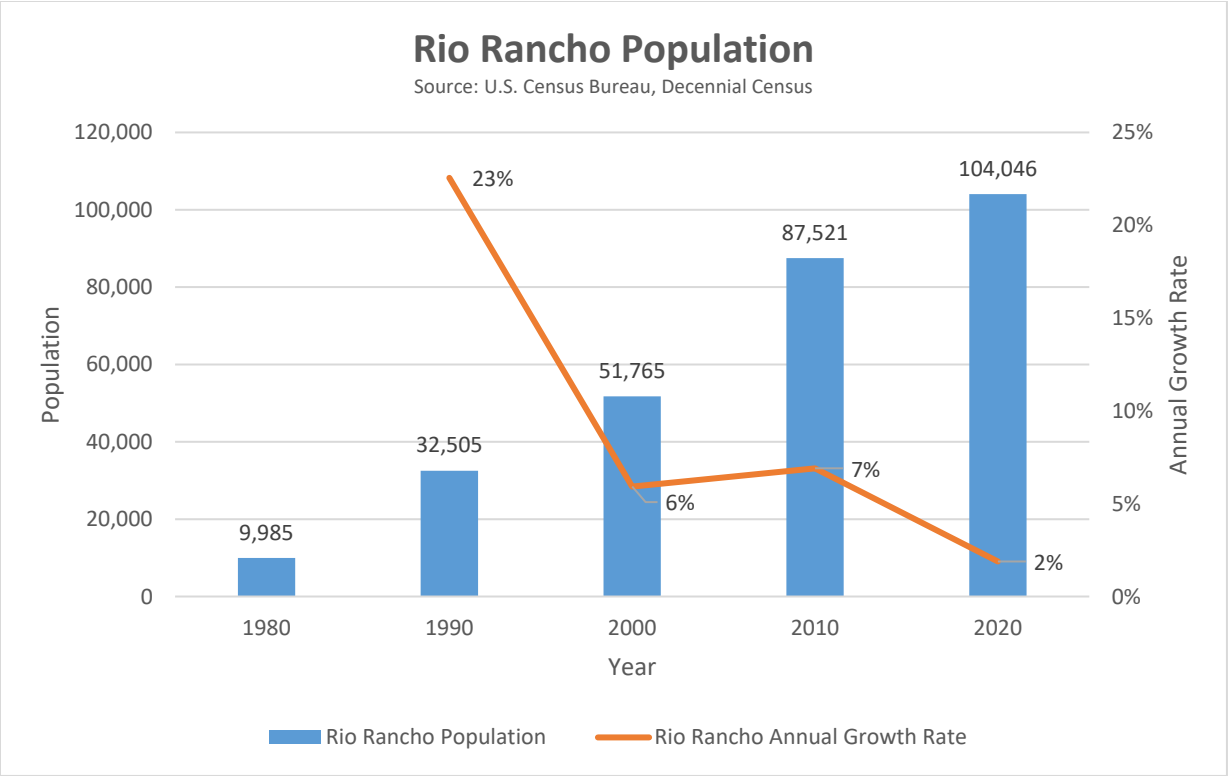
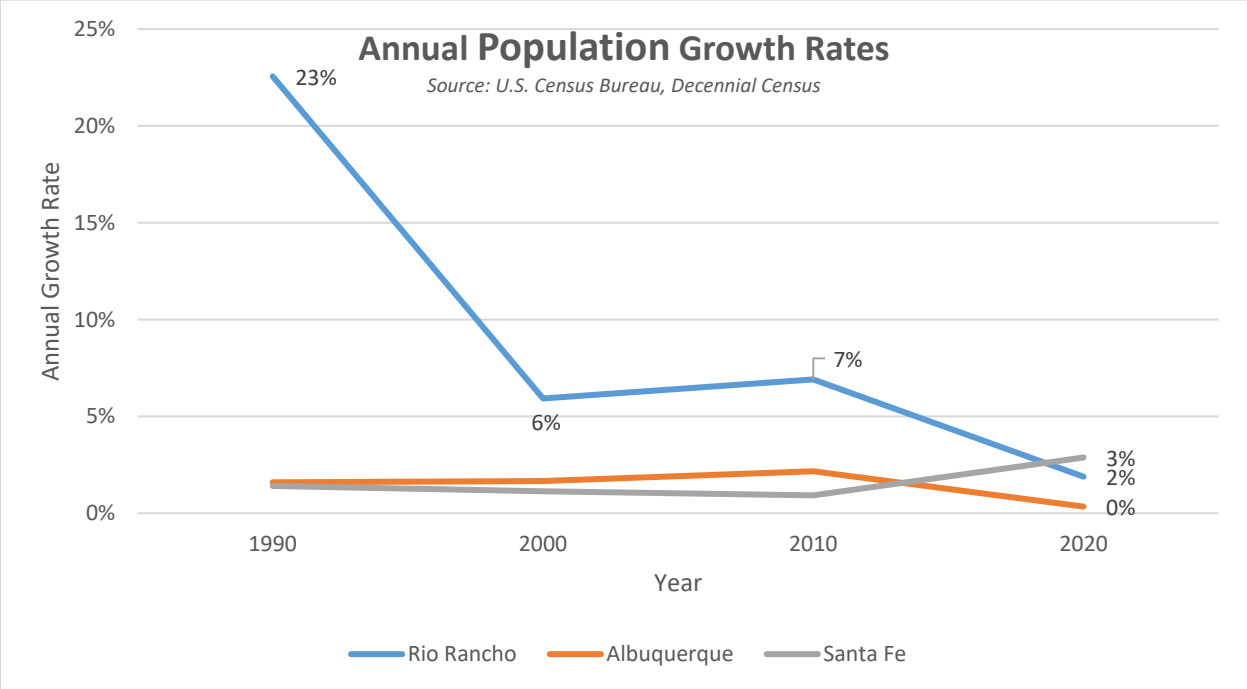


Figure 2: Annual Population Growth Rates



Historically Rio Rancho has grown at a much faster pace than Albuquerque or Santa Fe but was surpassed by Santa Fe in the last decade.

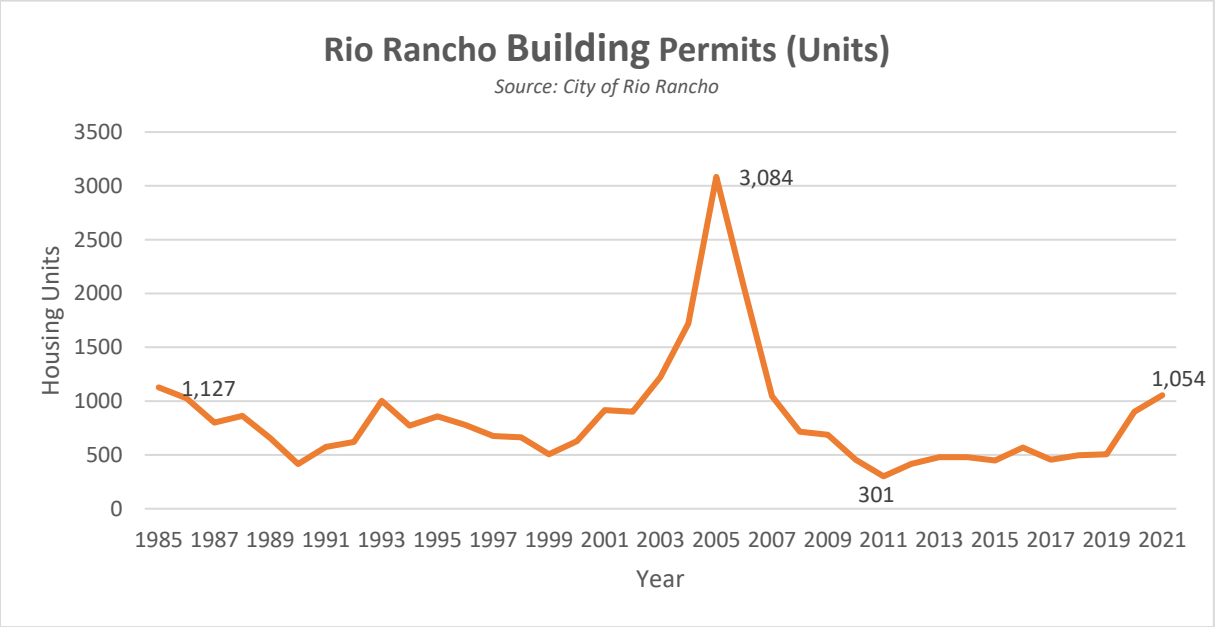
Housing Unit Method

The housing unit method is a common method used for estimating population. For the purpose of this analysis, residential new starts will also be referred to as permits. The method applies the following formula:

2030 Population = 2021 Population + ((projected residential new starts * 2021 occupancy rate) * 2021 persons per household)

Rio Rancho experienced a major housing boom in the early-to-mid 2000s that resulted in a peak number of new permits of 3,084 in 2005, a major increase from 628 in 2000. The rapidly growing city followed the path of many other cities in the US as it entered the Great Recession, the housing bubble burst and new permits collapsed, which resulted in a multi-decade low of 301 in 2011. The housing market has slowly recovered from that low point and permits have risen to 1,054 in 2021.

Figure 3: Building Permits



While housing growth is often indicative of population growth, the two may diverge. For example, the existing housing stock in Rio Rancho has been filled with new residents at a faster rate than new units were built, which has resulted in a slightly higher occupancy rate. The occupancy rate was 94 percent in 2010, according to the American Community Survey (ACS) 5-year data, and increased to 95 percent in 2020 as excess housing stock was filled. In addition, an increase in household size occurred. According to U.S. Census, the average household size was 2.74 in 2010 and increased to 2.76 persons in 2020. Therefore, population has grown at a slightly faster rate than housing. Examples of this trend include aging seniors that are moving back in with children, or young adults that are unemployed or employed part-time and have delayed moving away from home or have moved back in with their parents. While housing permits are a key indicator of growth, they should be viewed in light of these conditions.

Three scenarios were created based on separate assumptions about the housing market to create population projections. All three scenarios assume that the most recent occupancy rate and household size for the City of Rio Rancho will continue into the projection years. In 2020, the occupancy rate was 95 percent and the average household size was 2.76 persons.

Scenario 1.A assumes that Rio Rancho will enter a recession and residential new housing starts will

decline to the levels observed after the 2007 crash then slowly rise to average levels of starts seen in the 2010s. The chance of a recession in the United States in the next 12 months is as high as 50 percent, according to Bank of America Merrill Lynch.

Scenario 1.B assumes thar Rio Rancho will enter a recession but it be softened by the recent uptick in new starts in Rio Rancho. Construction will slowly return to the trend of the past 5 years, returning to about 700 starts per year by 2030.

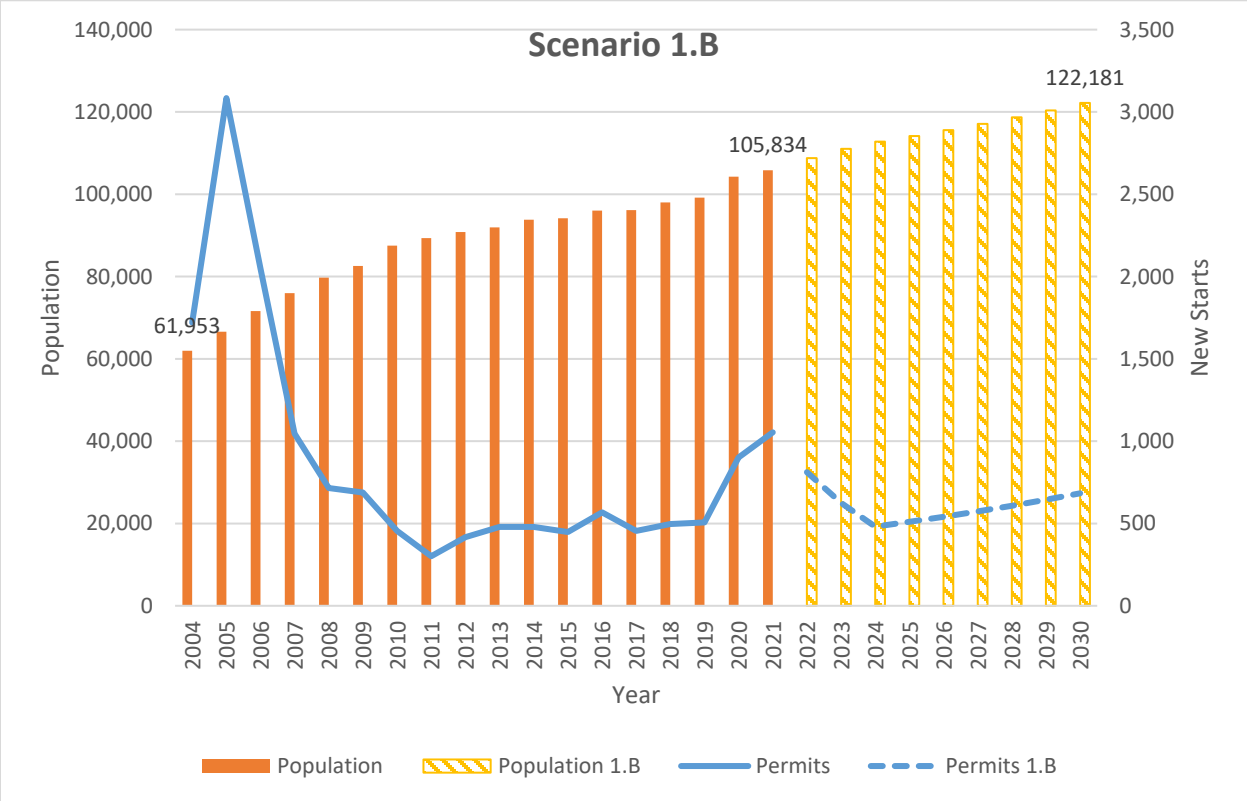
Scenario 1.C Assumes that no recession occurs and that the upward trend in new starts will continue into the future and level out at about 1,600 starts per year by 2030.

Table 1

Permit Method	Population 2030
Scenario 1.A: Recession and housing market crash	118,075
Scenario 1.B: Recession and return to 2010s levels of growth	122,181
Scenario 1.C: Post-pandemic growth continues	143,086

Scenario 1.B is the preferred scenario. The high chance of a recession makes scenario 1.C unlikely. Scenario 1.A is also unlikely because another housing market crash similar to the 2007 crash is unlikely. The relaxed lending rules that led to the 2007 crash have been tightened and the growth in housing demand has come from much less risky borrowers than in the 2007 bubble.

Figure 4: Scenario 1.B Projection



Components of Change Method

A second method to project population growth considers demographic factors, including births, deaths,

and migration. The method applies the following formula:

2030 Population = 2021 Population + ((projected births – projected deaths) + (projected in-migration – projected out-migration))

Rio Rancho has relied on migration, both from inside and outside of the state, as a key component of growth. For the period from 2010 to 2020, migration accounted for approximately 79 percent of the population change in Rio Rancho. By comparison, the natural increase (births minus deaths) accounted for approximately 21 percent of the population change. Migration will likely be the variable that has the most significant impact on future population growth in Rio Rancho. Birth and death statistics from the New Mexico Department of Health Selected Health Statistics Annual Report were used to inform the projections.

The components of change method was used to produce three different population projection scenarios for the City of Rio Rancho. All scenarios incorporate the same natural increase (births minus deaths) assumptions. Births are expected to rise gradually as family formation increases among those in the millennial generation. It is assumed that births will rise from 981 in 2019 to 1,069 in 2029. Deaths are expected to rise from 854 in 2019 to 1,053 in 2029, as death rates rise among those in the baby boomer generation. Data for 2020 and 2021 was not yet released so the increased deaths in those years due to Covid-19 were estimated by applying the rate of increase in deaths for Sandoval County in 2020 to the Rio Rancho population.

Scenario 2.A assumes zero net migration and that natural increase will be the only source of growth (or decline).

Scenario 2.B assumes that the recent uptick in migration is temporary and that following a recession, Rio Rancho will return to a similar migration rate of the 2010s.

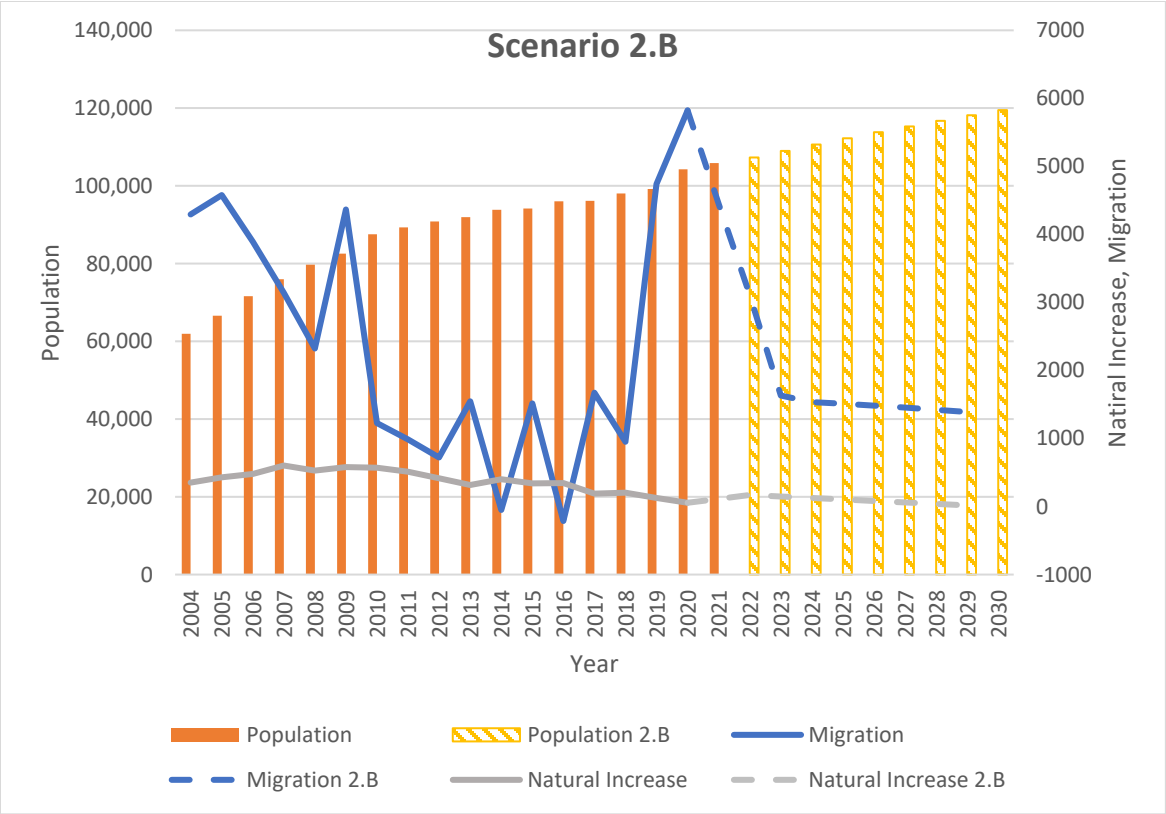
Scenario 2.C assumes no recession occurs and that the post-pandemic upward growth trend continues.

Table 2

Cohort Component Scenarios	Population 2030	Avg. Annual Growth Rate
Scenario 2.A: Net 0 migration	106,694	0.1%
Scenario 2.B: Return to the migration rate of the 2010s	119,689	1.5%
Scenario 2.C: Post-pandemic growth trend continues	124,679	2.0%

Scenario 2.B is the preferred scenario. Scenario 2.A is unlikely because net zero migration is unprecedented in Sandoval County or Rio Rancho over the past two decades. Rio Rancho is a growing city and has attracted in-state migration from neighboring Bernalillo and Santa Fe Counties. While this may be slowing, it is unlikely to stop completely. However, given the likelihood of a recession, it is not likely that migration will rebound to levels observed in the mid-2000s.

Figure 5: Scenario 2.B Projection



Combined Population Projections

The population projections for the two preferred scenarios and the average annual growth rates are shown below in Table 3. The combined population projection incorporates the projected residential new starts, the expected natural increase, and the projected migration activity for the City of Rio Rancho. The preferred scenarios using the housing unit method (1.B) and the components of change method (2.B) produce 2030 population projections that differ by about two percent. When averaged, they produce a combined 2030 population projection of 120,935 for the City of Rio Rancho. This represents a compound annual growth rate of 1.6 percent and a total increase of 16.2 percent from the 2020 Census population count of 104,046.

Table 3: Preferred Population Projection Scenarios

Preferred Scenarios	Population 2030	Avg. Annual Growth Rate
Scenario 1.B	122,181	1.7%
Scenario 2.B	119,689	1.5%
Population Projection (Average)	120,935	1.6%

Employment History

Rio Rancho has grown from about 20,000 jobs in 2001 to about 31,600[1] jobs in 2019, growing just over 3% per year. Historically the government and retail industries made up the largest share of employment but healthcare and administrative, support, waste management and remediation services have grown the fastest since 2010. Manufacturing continues to make up a large share of employment, providing input goods for nearby Intel in Sandoval County.

REMI Model

Three employment scenarios were explored using MRCOG's REMI Model. MRCOG has operated REMI since 1999 for the purpose of long-range employment forecasting and for analyzing economic activity in central New Mexico. REMI models are well respected and used by organizations throughout the world for economic impact analyses. REMI accepts inputs regarding projects of economic interest. These inputs are used to calculate, or to simulate, resulting economic impacts. At its core, REMI is an input-output computational general equilibrium model. The model uses information specific to the region collected from various agencies including the Bureau of Labor Statistics and the U.S. Department of Commerce. Hundreds of variables interact to produce a regional control for the model.

Employment Scenarios

Scenario 1

The first scenario is the REMI Baseline scenario for Rio Rancho which was last updated in March of 2021. It accounts for the employment losses and subsequent recovery from the COVID-19 pandemic but does not include more recent developments such as the recently announced Intel expansion. Scenario 1 estimates Rio Rancho will have **34,184** jobs by 2030.

Scenario 2

Scenario 2 adds the recently announced Intel expansion to the baseline REMI scenario. Although the jobs at Intel are just outside of Rio Rancho, there are many companies and contractors in Rio Rancho who would benefit from the expansion and many of the new employees hired by Intel would live in Rio Rancho, spending their income at Rio Rancho establishments. The REMI model estimates the spinoff effects of Intel adding 700[2] new permanent employees and $3.5 billion in new construction to be an overall increase in 1,155 jobs in Rio Rancho by 2030, or a total of **35,340**.

Scenario 3

Scenario 3 uses the most recent employment projection from the University of New Mexico Bureau of Business and Economic Research (BBER). The projection for the Albuquerque MSA is input into the REMI model in order to generate a subset projection for Rio Rancho. The BBER projection takes the Intel expansion and other recent developments in the Albuquerque metro area into consideration. This scenario has the benefit of being a locally produced projection based on recent local data. Scenario 3 estimates Rio Rancho will have **36,962** jobs by 2030. Scenario 3 is the preferred scenario because it includes the most recent and local data.

[1] The REMI model uses employment estimates from the Bureau of Economic Analysis which includes jobs not included in employment estimates from New Mexico Dept. of Workforce Solutions such as the self-employed, military, railroad and farm workers.

[2] Source: Bizjournals.com, "Intel exec offers update of its Rio Rancho expansion", July 2022.

Figure 6: Employment Projections

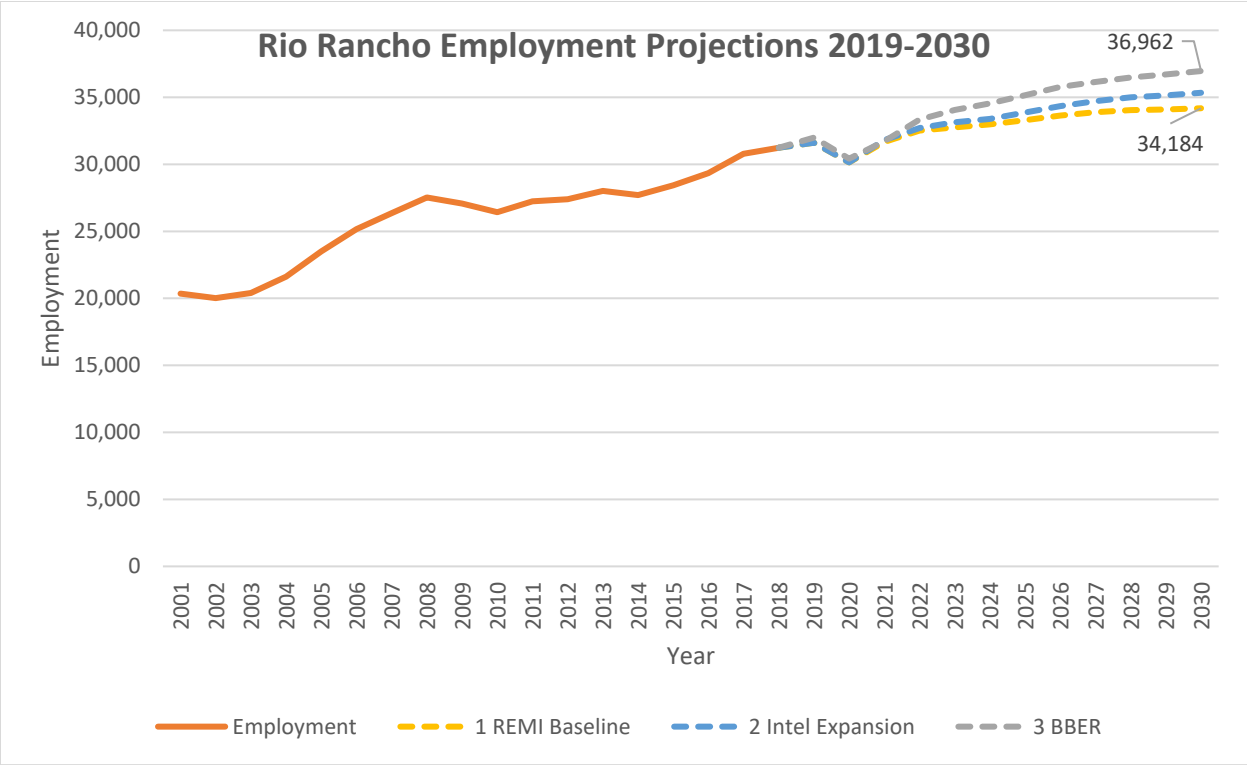


Table 4: Employment Scenario Projections

Scenarios	Employment 2030	Avg. Annual Growth Rate
Scenario 1: Baseline	34,184	0.8%
Scenario 2: Intel Expansion	35,340	1.1%
Scenario 3: BBER Projection (Preferred)	36,962	1.5%

Final Population and Employment Projections

Table 5 below shows population and employment history and final projections for Rio Rancho. The 2030 population projection is an average of the preferred components of change projection and the preferred housing unit method projection. The 2030 employment projection was created with REMI and the UNM-BBER projection.

Table 5: Rio Rancho Population and Employment Projections

Year	Population	Employment
2010	87,521	26,432
2020	104,046	30,142
2030	120,935	36,962

From:	Lana Smiddle
To:	Clerk
Subject:	Input for Gov. Body Meeting - June 27, 2024
Date:	Thursday, June 27, 2024 8:09:48 AM
Attachments:	image001.png DOC062624.pdf

Caution! This message was sent from outside your organization.

You don't often get email from lsmiddle@hbacnm.com. Learn why this is important

I have attached a letter from the Home Builders Association of Central NM addressing the new Impact Fee Schedule to be addressed tonight at the Governing Body Meeting. Unfortunately, I cannot attend in person.

It will be discussed in this section below –

Second Reading of Ordinances
12 O12, Ordinance Amending the Rio Rancho Code of Ordinances (R.O. 2003) Title XV "Land Usage",
Chapter 150 General Provisions, Section 150.23 (G) and (K), Section 150.30 (A)(5), the Addition of (B)(4)(e) and (f), and Repealing and Replacing the Appendix
Ordinance_O12 Redlined
Impact Fee Study

Thank you and please let me know if you have any questions.

Lana Smiddle

Executive Vice-President

HBA of CNM
p (505)344-3294
www.hbacnm.com

**I have changed my email to LSmiddle@HBACNM.COM, please update.

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HBA
Building & Remodeling New Mexico
HOME BUILDERS ASSOCIATION

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LANA SMIDDLE

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BUILDERS TRUST.
OF NEW MEXICO

June 26, 2024

RE: Schedule for Development Impact Fees
Mayor Hull and Governing Body,

Thank you to the city staff members who have worked so hard on this new impact fee schedule. We were involved in two stakeholder meetings and appreciate their time.

Our many national and local builders, plus our developer members, contribute greatly to the impact fees in Rio Rancho. We do understand the cycle of the impact fee schedule and were anticipating this review and possible changes.

At the same time, we are in a housing crisis, and it is difficult for us to be in favor of anything that will add to the affordability issue we currently have. These increased fees will be passed directly to the prospective homeowners. According to Redfin, the median home price in Rio Rancho for May 2024 was $377,000 up 5.8% from May of 2023. According to Rocket Homes (May), the median price for a home sold in Rio Rancho was $353,538 up 3.9% or $13,428 from May 2023 to May 2024. New construction currently starts in the $330,000 range with an average sales price of $454,000. These prices do not allow for the average working individual and families to attain homeownership.

We would ask the City to consider waiving fees for residential units which support projects that deliver the lowest possible attainable market priced home/unit (this does not necessarily mean "affordable" so as not to confuse the two.) One option to offset these waived fees is to work together to tap into the State's Opportunity Enterprise and Housing Development Act. We are willing to work with the city staff on any new programs that can alleviate the Impact Fees.

We know Rio Rancho takes pride in the fact that it has always been a beautiful, affordable place to live. We want to support the City on its efforts to grow this community, by helping to create paths that open doors for more homeownership in Rio Rancho.

Sincerely,

Lana Smiddle
Executive Vice President

THE TRUSTED RESOURCE...
Affiliated with the National Association of Home Builders since 1947
4100 Wolcott Ave NE, Suite B • Albuquerque, NM 87109
(505) 344-3294 • Fax: (505) 345-3795
mailbox@hbacnm.com www.hbacnm.com

SPANGLER PACHECO & WERBELOW

MATTHEW M. SPANGLER
OF COUNSEL
CHRISTOPHER M. PACHECO
OF COUNSEL
LEEANN WERBELOW*
*also licensed in Colorado and Texas
ERIC RHOADES
TRISTIAN ORTIZ

June 27, 2024

VIA EMAIL (mgeisel@rrnm.gov)

Mr. Matthew Geisel
City Manager
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, New Mexico 87144

Re: Governing Body Meeting - June 27, 2024
Agenda Item #12 – Proposed Ordinance O-12
Conflict with State Statute

Dear Mr. Geisel:

Our law office represents AMREP Southwest Inc., a New Mexico corporation ("Amrep"). This letter concerns Item #12 on the City of Rio Rancho (the "City") Governing Body Meeting Agenda for June 27, 2024, regarding the proposed amendment of Rio Rancho Code of Ordinances ("RO") Title XV Land Usage, Chapter 150 General Provisions, Article III Impact Fees §§ 150.20 through 150.49 (the "Impact Fee Ordinance"). The amendments to the Impact Fee Ordinance contained in proposed Ordinance O-12 (hereinafter "O-12") continue to contain language which is in conflict with the State enabling legislation. Therefore, the Impact Fee Ordinance, both as currently written and as proposed to be amended in O-12, is illegal under New Mexico law. Amrep requests that the Governing Body revise the language of both O-12 (at RO § 150.30(B)(4)(c) on Page 4, Lines 4 through 9) and the existing Impact Fee Ordinance at RO § 150.34(B)(1)(b)(3) to remove the illegal conflict.

The specific explanation of the conflict between the City's Impact Fee Ordinance and the New Mexico enabling legislation is as follows. The City assesses impact fees pursuant to its Impact Fee Ordinance. The City enacted the Impact Fee Ordinance pursuant to the specific authority granted to the City by the New Mexico Development Fees Act (NMSA 1978 §§ 5-8-1 through 5-8-42) (the "State Statute"). See, RO § 150.21. The State Statute controls and limits the Impact Fee Ordinance. The Impact Ordinance cannot exceed the limited authority granted in the State Statute. See, RO § 150.21(B). The City cannot enact or impose an impact fee unless the

impact fee is authorized by the State Statute. See, NMSA 1978 § 5-8-3(A). If the City's Impact Fee Ordinance conflicts with the State Statute, the Impact Fee Ordinance is invalid and illegal.

An impact fee is limited to a development's proportionate share of all system improvements. Pursuant to the State Statute, the amount of an impact fee cannot exceed the amount necessary to pay for the proportionate share of the cost of system improvements needed to serve the new development. See, NMSA 1978 § 5-8-7. A development's "proportionate share" of a system improvement is the portion of the improvement necessitated solely by the new development. The impact fee is the developer's payment for the development's proportionate share of all system improvements. The City's Impact Fee Ordinance recognizes this principal when it states that a developer's payment of impact fees constitutes full and complete payment of a development's proportionate share of system improvements and constitutes full compliance with the Impact Fee Ordinance. See, RO §150.30(A)(2).

As an alternative to the payment of impact fees, the City may allow a developer to construct system improvements in lieu of impact fees and receive impact fee credits for such construction. See, RO § 150.30(B)(9); see also, NMSA 1978 § 5-8-11(B). The Impact Fee Ordinance recognizes that the developer's construction of system improvements is in lieu of impact fees and results in impact fee credits. The impact fee credits offset the impact fees and prevent the developer from paying twice for its proportionate share of system improvements. The developer's construction of its proportionate share of system improvements is an alternative to the payment of impact fees, not in addition to impact fees.

The City, through the Impact Fee Ordinance (as amended by O-12), determines the impact fee amount equal to any development's proportional share of impact to the system improvements. If the developer pays an impact fee, the developer has paid its proportionate share of the system improvements required for its development. See, RO § 150.30(A)(2). If the City requires a developer to build the developer's proportionate share of system improvements, the developer has also paid its proportionate share of the system improvements required for its development. The developer should then receive impact fee credits equal to the full cost of such construction in order to offset the impact fees otherwise due. Any construction by the developer of a system improvement, whether or not it is in excess of the developer's proportionate share impact to the system, should be impact fee creditable. On the other hand, if the City requires a developer to construct the developer's proportionate share of system improvements and the developer does not receive impact fee credits for the full cost of the improvements, the developer pays twice for the system improvements because the developer has to pay a portion of the impact fee plus pay for the cost of construction of the improvement. Double payment violates the State Statute and is illegal. See, NMSA 1978 § 5-8-7.

Existing City Ordinance RO § 150.34(B)(1)(b)(3) violates the State Statute to the extent it states that the City may grant only partial impact fee credits for construction of a development's proportionate share of system improvements. The sole purpose of impact fees is to pay for a new development's proportionate share of system improvements. The City cannot both: (i) charge the developer an impact fee; and (ii) require the developer to construct its proportionate share of a system improvement. In O-12 at RO § 150.30(B)(4)(c) on Page 4, Lines 4 through 9 this same

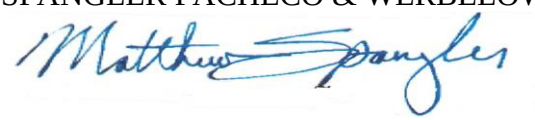
double payment language exists. This section of the Impact Fee Ordinance limits impact fee credits to the portion of system improvements which are in excess of the developer's proportionate share. Because the Impact Fee Ordinance, both as currently written and as continued in O-12, requires a developer to construct the developer's proportionate share of system improvements and yet precludes the developer from receiving impact fee credits for the full cost of the improvements, the developer pays twice for a portion of the system improvements because it has to pay a portion of the impact fee plus pay for the cost of construction of the improvement. This double payment is illegal under the State Statute. Therefore, Amrep respectfully requests that the Governing Body revise the language of both O-12 at RO § 150.30(B)(4)(c) on Page 4, Lines 4 through 9 and the existing Impact Fee Ordinance at RO § 150.34(B)(1)(b)(3) to remove the illegal conflict.

Any development should only be required to pay its proportionate share of impact to the system improvements. That proportionate share is the impact fee amount being determined by the Governing Body tonight in O-12. The City cannot extract more from the developer by both charging the development an impact fee and not providing 100% impact fee credits for any system level improvements built by the developer. Alternatively, if a developer builds system level improvements and the developer receives credits only for amounts in excess of the dollar amount determined pursuant to the Impact Fee Ordinance to be developer's proportionate share of the impact to the system (eg, the impact fee per residential lot), then the development should not be assessed any impact fees with respect to that category of impact fee.

Thank you for your consideration of this letter. Please include this letter in the official record of the hearing on O-12. If you have any questions regarding the matters addressed in this letter, please do not hesitate to contact me.

Sincerely yours,

SPANGLER PACHECO & WERBELOW PA



Matthew M. Spangler

MMS/dt
cc: Mayor Greggory Hull (via email: ghull@rrnm.gov)
Councilor Deborah Dapson (via email: ddapson@rrnm.gov)
Councilor Jeremy Lenentine (via email: jlenentine@rrnm.gov)
Councilor Bob Tyler (via email: btyler@rrnm.gov)
Councilor Paul Wymer (via email: pwymer@rrnm.gov)
Councilor Karissa Culbreath (via email: kculbreath@rrnm.gov)
Councilor Nicole List (via email: nlist@rrnm.gov)
Josh Rubin, City Attorney (via email: jrubin@rrnm.gov)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: O14

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Administration

SUBJECT:
O14, Ordinance Granting Ezee Fiber Texas, LLC, a Non-Exclusive Franchise to Operate a Fiberoptic Internet System and Related Services within the City Limits by Utilizing Public Places

BACKGROUND AND ANALYSIS:
First reading of an Ordinance. Two readings with approval required for passage.

Ezee Fiber is a fiber optic telecommunications company providing high-speed fiber internet for residential and business customers. Ezee Fiber has a demonstrated history of providing services to different cities. Most recently, Ezee Fiber has obtained an approved license agreement with the City of Albuquerque and the first phase of construction is scheduled to begin in the mid-summer of 2024. Ezee Fiber currently operates and is expanding in the Houston Metroplex with network presence in Houston, the Woodlands, Sugar Land, Conroe, Pearland, Spring, Katie, among other jurisdictions.

Ezee Fiber provides fiber-to-home services and enterprise services to communities. For residences, Ezee Fiber provides home internet services with download and upload speeds ranging from 1Gig to 20Gig. Ezee Fiber provides telecom services for small, medium, and large businesses and enterprises with download and upload speeds ranging from 1Gig to 100Gig. In other metropolitan areas, Ezee Fiber provides services to municipalities, eRate school networks, police and fire departments, parks, the federal government, and other governmental entities. Ezee Fiber has requested permission to start a franchise in the City of Rio Rancho to connect the local community by operating a fiber optic telecommunications network that can provide greater bandwidth to meet the City's growing need for internet services.

Ezee Fiber and the City agree that relevant laws have been followed and adhered to in negotiating the Franchise. Ezee Fiber has a Certificate of Registration and is designated as a Competitive Local Exchange Carrier by the New Mexico Public Regulation Commission. This designation and certificate provide Ezee Fiber with certain rights and abilities to access public rights of way. Should the Governing Body not approve the franchise Ordinance, the City may be subjected to litigation pursuant to State and Federal law. Staff has reviewed relevant information and has made the assessment that there is no basis to deny their franchise request. The franchise Ordinance prepared by and with Ezee Fiber representatives is similar to a previous franchise granted by the City.

Highlights of the franchise include that it is non-exclusive, the term is for 10 years, and the franchise provides a mechanism for a telecommunications system connection for the City facilities and each public school under certain conditions, and the maximum fee of five percent (5%) of gross revenue derived from telecommunications system services is assessed for use of public places. The

franchise Ordinance allows all of the fee revenue received by the City to flow into the General Fund.

IMPACT:

Approval of the Ordinance is beneficial for the public and for business growth in the in the community for the next 10 years. Approval will help to facilitate options for citizens related to their internet service, and it will generate revenue for the City that will be used to fund and provide a variety of public services through the City's general fund.

Not approving the Ordinance may negatively impact existing Rio Rancho citizens and enterprises by limiting competition between internet service providers and the City's ability to provide public services.

Approval of the Ordinance does not prohibit another telecommunications provider's potential deployment of a fiber optic telecommunications network and/or other services in Rio Rancho, should they desire to do so.

ALTERNATIVES:

Approve the Ordinance.

Do not approve the Ordinance.

DEPARTMENT RECOMMENDATION:

City staff recommends approval of the Ordinance as presented.

ATTACHMENT: Ordinance_O14

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE GRANTING TO EZEE FIBER TEXAS, LLC, D/B/A EZEE FIBER, FOR A PERIOD OF TEN (10) YEARS FROM AND AFTER THE PASSAGE, ACCEPTANCE AND EFFECTIVE DATE OF THIS ORDINANCE, THE NONEXCLUSIVE RIGHT, PRIVILEGE, PERMIT AND FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A FIBER OPTIC TELECOMMUNICATIONS NETWORK IN, UPON, ALONG, ACROSS, ABOVE, OVER, AND UNDER STREETS, ALLEYS, EASEMENTS, OPEN AREAS, PUBLIC WAYS AND PUBLIC PLACES, NOW LAID OUT OR DEDICATED, AND ALL EXTENSIONS THEREOF AND ADDITIONS THERETO, IN THE CITY OF RIO RANCHO, PROVIDING TERMS AND CONDITIONS FOR THE OPERATION OF SUCH FIBER OPTIC TELECOMMUNICATIONS NETWORK AND THE PAYMENT OF FEES THEREFORE

WHEREAS: Ezee Fiber Texas, LLC d/b/a/ ("Ezee Fiber"), has formally notified the City that it desires a non-exclusive franchise to operate a fiber optic telecommunications network and other services within the City limits; and

WHEREAS: City staff has negotiated and worked with Ezee Fiber regarding its franchise request, where applicable; and

WHEREAS: approval of the franchise helps to facilitate options for citizens related to their telecommunications service, and generates revenue for the City that is used to provide a variety of public services.

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

Section 1. FINDINGS. The Governing Body hereby finds:

(A) The City is authorized to grant and renew franchises for the installation, operation and maintenance of fiber optic telecommunications networks within the City.

(B) The City has endeavored to identify the future telecommunications-related needs and interests of the community; to consider the financial, technical, and legal qualifications of Ezee Fiber; and to determine whether plans for upgrading and operating its system are adequate.

(C) The City has relied on Ezee Fiber's written representations and has considered all of the information Ezee Fiber has presented in making its determination.

(D) The City, having considered the interests proposed and advanced, has found that the grant of the franchise requested, subject to conditions, is in the public interest and hereby grants a franchise to Ezee Fiber as follows:

Section 2. DEFINITIONS.

References to any City official or City office also refer to any official or office that succeeds to any or all of the responsibilities of the named official, whether by succession or otherwise. In addition, the following definitions shall apply:

AFFILIATE. When used in connection with Franchisee, means any Person who owns or controls, is owned or controlled by, or is under common ownership or control with the Franchisee.

APPLICABLE LAW. References to laws or "applicable laws" in this Franchise include federal, state and local laws (and regulations lawfully adopted pursuant to those laws) now in effect, and to amended or new federal and state laws lawfully enacted.

TELECOMMUNICATIONS ORDINANCE. Has the same meaning as “Franchise”.

CITY. The City of Rio Rancho; when used to describe a geographic area, the term refers to the boundaries of the City of Rio Rancho, New Mexico, as they exist now or may exist in the future.

CITY COUNCIL. The Rio Rancho Governing Body, or its successor, the Governing Body of the City.

DWELLING UNIT. The definition of “Dwelling Unit” shall be consistent and match the definition as cited in Rio Rancho Municipal Code Section 150.25(B).

FCC. The Federal Communications Commission.

FRANCHISE. This document, i.e., this Ordinance and, upon the written unconditional and acknowledged acceptance by the Franchisee, a contractual agreement, executed between the City and the Franchisee, containing the specific provisions of the authorization granted, including references, specifications, requirements and other related matters. This Franchise, however, is not and shall not for any purpose be considered to be a cable television franchise, nor shall it be construed as a cable television franchise, and no terms used herein shall be construed as relating to a cable television system or cable television service, or the like.

FRANCHISE AREA. All parts of the City now existing and hereafter annexed.

FRANCHISEE. Ezee Fiber company and its lawful and permitted successors, assigns and transferees.

GROSS REVENUE.

(1) Includes all revenues derived directly or indirectly by a Provider from or in connection with the Telecommunications Services offered within the City through or by means of a Telecommunications Network within the City, exclusive of any Franchise Fee or tax passed through to consumers on behalf of governmental agencies, received by the Provider for services provided to customers through use of the Network. Gross Revenue shall include any revenue received by a Provider or any Affiliate through any means that is intended to have the effect of evading the payment of compensation that would otherwise be paid to the City for Franchise Contract granted pursuant to this ordinance.

(2) Gross Revenue shall not include (i) proceeds from the sale of bonds, mortgages, or other evidence of indebtedness, securities, or stocks; or (ii) gross receipts taxes, bad debt write-offs, and customer credits; or (iii) revenue of any Affiliate or Provider from long distance service, commercial mobile radio service, cellular, personal communications service, other wireless communications service, or directory advertising. Each of the above are not included in the definition of Gross Revenue and, therefore, are not included in the calculation of any fee due under a Franchise.

(3) Gross Revenue shall not include the wholesale revenue of any Provider to the extent that the Person providing such wholesale revenue to the Provider pays to the City, pursuant to an agreement with the City, an annual Franchise Fee, or an amount equivalent thereto, calculated on the basis of such Person's Gross Revenue (as defined in this ordinance) from the provision of Telecommunications Service in the City.

(4) Gross Revenue shall be measured and monitored periodically.

ORDINANCE. Has the same meaning as “Franchise”.

PERSON. An individual or a corporation, trust, partnership, limited liability company, or other entity recognized by law.

PUBLIC RIGHTS-OF-WAY. The surface of and the space above and below any street, road, highway, freeway, bridge, lane, path, alley, court, sidewalk, parkway, or right-of way or easement dedicated to compatible uses, now or hereafter existing within the City which may be properly used for the purpose of installing, maintaining, and operating the Telecommunications System; and any other property that the Franchisee is entitled by state or federal law to use by virtue of the grant of this Franchise.

STANDARD DROP. An aerial or underground connection extending no more than 125 feet from the potential Subscriber's demarcation point to the nearest point of subscriber distribution on the Telecommunications Network from which Telecommunications Service is provided to that subscriber.

SUBSCRIBER. The City or any person who lawfully is receiving Telecommunications Service from a Franchisee and does not further distribute such service except as permitted by Franchisee.

SUBSCRIBER NETWORK. The fibers and the equipment and other components that are used in the provision of Telecommunications Service to subscribers.

SYSTEM HUB. A facility for signal interfacing between the Telecommunications Network and supporting networks.

TELECOMMUNICATIONS NETWORK Any System which includes facilities and/or equipment placed in the Public Rights-of-Way and used to provide any Telecommunications Service.

TELECOMMUNICATIONS. This means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

TELECOMMUNICATIONS PROVIDER *("*Provider*")* means:

(1) Any Person who provides any Telecommunications Service within the City by means of: (i) a Telecommunications Network owned by such Person or its Affiliate; (ii) specifically identifiable facilities of a Telecommunications Network reserved or made available for the use of such Person or its Affiliate under a lease or any other arrangement for a term longer than 120 days; or (iii) facilities of a Telecommunications Network not owned by such Person or its Affiliate and not specifically identifiable but obtained from another Person (including another Provider) if the use of such facilities is continuing and substantial. A Person owning or operating telecommunications facilities that merely pass through the City and such Person and facilities do not offer Telecommunications Service to subscribers within the City shall not be subject to this ordinance, provided that Person has received other appropriate authorization from the City to rent or occupy the Public Rights-of-Way.

(2) Except to the extent that a Provider or a Person uses the Public Rights-of-Way, a Provider or any Person which provides commercial mobile radio service, cellular, personal communications service, or other wireless communications service shall not be subject to this ordinance with respect to such service.

TELECOMMUNICATIONS SERVICE. This means the offering of Telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

TELECOMMUNICATIONS SYSTEM. See Telecommunications Network.

Section 3. GRANT OF FRANCHISE; LIMITS AND RESERVATIONS.

(A) Grant, Term and Effective Date.

The City hereby grants to the Franchisee, a non-exclusive right, privilege, permit and franchise to construct, operate, and maintain a Telecommunications System in, upon, across, above, over and under, streets, alleys, easements, open areas, public ways, and public places now laid out or dedicated in the City and upon annexation of any territory to the City, this Franchise shall extend to the territory so annexed, commencing on the effective date of the Franchise and extending for ten (10) years unless earlier terminated in accordance with this Franchise or applicable law. The Franchise and its terms and provisions shall be unconditionally adopted by written instrument executed and acknowledged by the appropriate officials of the City and delivered to the Franchisee which shall accept same not later than thirty (30) days after receiving it by acknowledging the Franchisee's acceptance in writing. The date of the Franchisee's acceptance shall be the effective date of the Franchise.

(B) Surrender.

Franchisee may surrender this Franchise at any time upon filing with the City a written notice of its intention so to do, at least six (6) months before the surrender date. All the

rights and privileges and all of the obligations, duties, and liability of Franchisee under this Ordinance, except as to the extent previously accrued hereunder, shall terminate on the surrender date specified in such notice.

(C) Relation to Other Provisions of Law.

(1) The Franchise issued by the City is subject to Applicable Law. This Franchise does not confer any rights upon the Franchisee other than as expressly provided herein, nor pass rights by implication except those that may otherwise vest pursuant to governing law. The Franchise does not convey title, equitable or legal, in the Public Rights-of Way or public property. Nothing in this Franchise shall be deemed to waive the right of the Franchisee to offer such other services as may be permitted by Applicable Law.

(2) This Franchise and all rights granted under the Franchise are subject to the lawful and non-discriminatory or arbitrary exercise of the police powers the City now has or may later obtain, including but not limited to the power of eminent domain; and are further subject to the exercise of the City's rights as a property owner under state and federal laws. Except as expressly set forth herein, neither the granting of this Franchise or any provision herein shall constitute a waiver or bar to the exercise of any governmental right or power of the City, including without limitation the right of eminent domain, and the right to grant additional fiber optic system franchises. However, once effective, this Franchise is a contract and except as to those changes which are the result of the City's lawful and necessary exercise of police powers, neither party may take any unilateral action which changes the explicit mutual promises.

(3) The Franchise issued and the franchise fees paid hereunder are not in lieu of any other required generally applicable permit, authorization, fee, charge or tax. Without limiting the foregoing, the City, among other things, does not waive the requirements of, or the Franchisee's duty to obtain, all applicable permits, and to comply with the conditions thereof; to comply with zoning laws; or to comply with any generally applicable codes, ordinances and regulations governing the construction of the Telecommunications System.

(D) No Recourse.

Without limiting such immunities as the City or other persons may have under applicable law, Franchisee shall have no monetary recourse whatsoever against the City or its officials, boards, commissions, agents, volunteers, or employees for any loss, costs, expense or damage arising out of any provision or requirement of this Franchise or because of the enforcement of this Franchise or other applicable law, unless the same shall be caused by criminal acts or by willful or gross negligence.

(E) Effect of Change in Law.

In the event that state or federal laws, rules, or regulations preempt a provision or limit the enforceability of a provision of this franchise, then the provision shall be read to be preempted or limited to the extent and for the time, but only to the extent and for the time, that such laws, rules or regulations validly acted to preempt or limit such provision. In the

event such state or federal law, rule, or regulation is subsequently repealed, rescinded, amended, or otherwise changed, so that the provision hereof that had been preempted or limited is no longer so affected, such provision shall thereupon return to full force and effect and shall thereafter be binding on the parties hereto, without the requirement of further action on the part of the affected party.

Section 4. RENEWAL PROCEDURES.

The Parties agree that renewal of this Franchise will be guided by and comply with the provisions provided on Exhibit “A” attached hereto and incorporated herein by this reference.

Section 5. TRANSFERS.

(A) The Telecommunications System and this Franchise shall not be sold, assigned, transferred, leased or disposed of, either in whole or in part, either by involuntary sale or by voluntary sale, merger or consolidation; nor shall title thereto either legal or equitable, or any right, interest or property therein pass to or vest in any Person without the prior written consent of the City, which consent shall not be unreasonably withheld. Such consent shall not be deemed to waive any rights of the City to subsequently enforce this provision, or to enforce any other provision of this Franchise.

(B) The Franchisee shall promptly notify the City of any actual or proposed sale, change in, transfer of, or acquisition by any other party, of control of the Franchisee. The word "control" as used herein is not limited to majority stock ownership but includes actual working control in whatever manner exercised. Every change, transfer or acquisition of control of the Franchisee shall make this Franchise subject to cancellation unless and until the City shall have expressly consented in writing thereto. Such consent shall not be deemed to waive any rights of the City to subsequently enforce noncompliance issues relating to this Franchise.

(C) Prior to any such sale, transfer or change in control of the Telecommunications System, the Franchisee shall make a written request to the City for its approval of a sale or transfer or change in control and shall furnish therewith all information required by law.

(D) In seeking the City's consent to any change in ownership or control, the proposed transferee or new controlling Person shall indicate whether it or any of its management officers or directors:

(1) Has or have ever been convicted, pleaded guilty or nolo contendere, or held liable for acts involving deceit including any violation of federal, State or local law or regulations or is currently under an indictment, investigation or complaint charging such acts;

(2) Has or have ever had a judgment in an action for fraud, deceit or misrepresentation entered against it by any court;

(3) Has or have pending any material legal claim, lawsuit or administrative proceeding arising out of or involving a Telecommunications System;

(4) Has the financial, legal and technical capability to enable it to maintain and operate the Telecommunications System consistent with all of the terms and

requirements of this Franchise for the remaining term of the Franchise.

(E) The City shall act on the request within one hundred twenty (120) days of the Franchisee's submission of a complete application with all information required herein. Subject to the foregoing, if the City fails to render a final decision on the request within one hundred twenty (120) days thereafter, such request shall be deemed granted unless the requesting party and the City agree to an extension of time.

(F) Within thirty (30) days of any transfer, sale or change in control, if approved or deemed approved by the City, the Franchisee shall file with the City a copy of the deed, agreement, lease or other written instrument evidencing such sale or transfer of ownership or change in control, certified and sworn to as correct by the Franchisee and the transferee or new controlling Person. In case of a sale or transfer of ownership, the transferee shall file its written acceptance agreeing to be bound by all of the provisions of this Franchise, subject to applicable law. In the event of a change in control in which the Franchisee is not replaced by another entity, the Franchisee will continue to be bound by all of the provisions of this Franchise.

(G) In reviewing a request for sale or transfer or change in control, the City may inquire into the legal, technical and financial qualifications of the prospective controlling party or transferee, and the Franchisee shall assist the City in so inquiring; however, any inquiry shall not serve to extend the one hundred twenty (120) day review period referenced in subsection E.

(H) Notwithstanding anything to the contrary in this subsection, the prior approval of the City shall not be required for any sale, assignment or transfer of the Franchise or Telecommunications System to an intra-company Affiliate; provided that the proposed assignee or transferee must show financial responsibility as is satisfactory to the City and must agree in writing to comply with all of the provisions of this Franchise. Further, the Franchisee may pledge the assets of the Telecommunications System for the purpose of financing without the consent of the City; provided that such pledge of assets shall not impair the Franchisee's responsibilities and capabilities to meet all of its obligations under the provisions of this Franchise.

Section 6. FRANCHISE FEE.

(A) Payment to the City.

The Franchisee shall pay the City a franchise fee in an amount equal to five percent (5%) of Gross Revenues. The balance shall be deposited into the general fund or other fund(s) as designated by the City Council.

(B) GAAP (General Acceptable Accounting Principles) Applies.

Records of Telecommunications System revenues and expenses shall be kept in accordance with GAAP. Any disputes related to underpayment of franchise fees will be resolved with reference to GAAP.

(C) Not in Lieu of any other Assessments, Tax or Fee.

The franchise fee is in addition to all other generally applicable fees, assessments, taxes or payments that the Franchisee may be required to pay under any federal, state, or local law.

(D) Payments.

Franchise fees shall be paid quarterly commencing thirty (30) days after the end of each calendar quarter.

(E) No Accord or Satisfaction.

In accordance with the appropriate statute of limitations, no acceptance of any payment by the City required by this Franchise shall be construed as a release or an accord and satisfaction of any claim the City may have for further or additional sums payable as a franchise fee or for the performance of any other obligation of the Franchisee.

(F) Monitoring Audits.

The City may conduct an independent audit of the Franchisee's records reasonably related to the enforcement of this Franchise. If the audit shows that franchise fee payments have been underpaid by five percent (5%) or more, the Franchisee shall pay the total cost of the audit, such cost not to exceed fifteen thousand dollars ($15,000) along with all unpaid franchise fee payments shown thereby, within forty-five (45) days following completion of the audit. The City shall have the right to conduct such audits as the City deems necessary, though no more frequently than once per calendar year, upon thirty (30) days' prior written notice to the Franchisee.

(G) Consumer Disclosure.

The amount of a Subscriber's total bill assessed as a Franchise Fee may be listed as a separate line item.

Section 7. CONSTRUCTION.

(A) All work Subject to City Laws and Regulations.

The construction, operation, and repair of the Telecommunications System shall be performed in compliance with all laws, ordinances, resolutions, departmental rules, regulations, written policies, and practices affecting such system. Persons engaged in the construction, operation, or repair of the Telecommunications System shall exercise reasonable care in the performance of all their activities and shall use commonly accepted methods and devices for preventing failures and accidents that are likely to cause damage, injury, or nuisance to the public or to property.

(B) Permits.

All work performed will be performed in strict accordance with the conditions of the appropriate City permits. City will not unreasonably withhold granting of permits. Upon order of the City, any work and/or construction undertaken that is not completed in

compliance with the City's requirements, or which is installed without obtaining necessary permits and approvals shall be removed in accordance with the reasonable time line set forth by the City, unless the Franchisee receives the necessary permits and approvals and/or corrects the non-compliant work or construction.

(C) Safety Codes.

Without limiting the foregoing, the installation, construction, operation and maintenance of the Telecommunications System shall be in accordance with the requirements of the National Electrical Safety Code of the American Insurance Association (successor to National Board of Fire Underwriters) and all applicable laws, ordinances, rules, regulations of the State and of the City affecting electrical installations and buildings in effect at the time of such installation. All structures and all lines, equipment, and connections in, over, under, and upon the streets shall at all times be kept and maintained in a safe, suitable, substantial condition, and in good order and repair.

(D) Installations, Excavations, and Restorations.

The City shall have the right to regulate the time, manner and location of facilities in the Public Rights-of-Way. Without limiting the foregoing, the City may require the Franchisee, where unreasonable delay in the Franchisee's work will not result, to coordinate its work with work performed by others in the Public Rights-of-Way so that interference with the use of the Public Rights of-Way by others, including others that may be installing fiber optic systems or other communications systems such as but not limited to fiber, telephone, and cable television, may be minimized. The City may require a person using the Public Rights-of-Way to cooperate with others through joint trenching and other arrangements to minimize adverse impacts on the Public Rights-of-Way, subject to the Franchisee's right to not be unduly delayed in its emergency or planned work. The Franchisee shall have the right to excavate in, occupy, and use all Public Rights-of-Way and easements for the purpose of installing, erecting, constructing, repairing, maintaining, removing, relocating, and operating the Telecommunications System after obtaining any and all appropriate permits from the City.

(E) Employee Identification.

Any and all employees performing work on behalf of the Franchisee shall possess at all times a photo identification badge including a telephone number for verification. The Franchisee's vehicles shall also be marked with applicable identification.

(F) Clean-up and Restoration.

After any excavation shall be made and after work is completed, the Franchisee, at the Franchisee's expense, shall as soon as practicable, weather permitting, remove all surplus material, and restore the portion of the Public Rights-of-Way to a condition that reasonably meets or exceeds the pre-excavation condition of such Rights-of-Way, subject to inspection by the City. Any other affected public or private property shall be restored to a condition reasonably as good as that which existed prior to the work. If the Franchisee fails to restore promptly the affected property, including reseeding, then following written notice to the Franchisee, and reasonable opportunity to cure, the City may make the restoration in a manner satisfactory to the City, and all costs incurred for such restoration,

whether done with the City work forces and equipment or otherwise shall be paid by the Franchisee.

(G) Use of Existing Poles and Conduit.

(1) The Franchisee shall utilize existing poles and conduit wherever possible, subject to the consent of such pole and/or conduit owners. Franchisee shall not install poles in the Right-of-Way without the permission of the City, which City may withhold for any or no reason.

(2) In areas where either electric or telephone utility wiring is aerial, the Franchisee may install aerial fiber optic lines, except when a property owner or resident requests underground installation and agrees to bear the additional cost in excess of aerial installation.

(3) In areas where electric and telephone lines or wires are installed underground at the time of Telecommunications System construction, or when all such wiring is subsequently placed underground, all Telecommunications System lines shall also be placed underground with other wireline service at no expense to the City or Subscribers unless funding is generally available for such relocation to all users of the Public Rights-of-Way. All Telecommunications System equipment, including, but not limited to, pedestals and power supplies, must be placed in accordance with the City's applicable code requirements and rules. New drops which are intended to be underground shall be buried within fourteen (14) business days of placement, weather and ground permitting.

(4) In the event that (i) the Franchisee cannot obtain the necessary poles and related facilities pursuant to a pole attachment agreement, and (ii) the City in its sole discretion has consented to the installation of a pole, and only in such event, then it shall be lawful for the Franchisee to make all needed excavations in the Rights-of-Way for the purpose of placing, erecting, laying, maintaining, repairing, and removing poles, supports for wires and conductors, and any other facility needed for the maintenance or extension of the Franchisee's Telecommunications System. Any poles of the Franchisee shall be located as designated by the proper City authorities.

(5) This Franchise does not grant, give or convey to the Franchisee the right or privilege to install its facilities in any manner on specific utility poles or equipment.

(6) The Franchisee and the City recognize that situations may occur in the future where the City may desire to place its own fiber optic lines or conduit. The Franchisee agrees to cooperate with the City in any construction by the Franchisee that involves trenching or boring, provided that the City has first notified the Franchisee in writing that it is interested in sharing the trenches or bores in the area where the Franchisee's construction is occurring. The Franchisee shall allow the City to lay City cables and conduits in the Franchisee's trenches and bores, provided that the City shares in the cost of the trenching and boring on the same terms and conditions as the Franchisee, and that the City agrees not to use such cables and conduits laid in the Franchisee's trenches and bores to provide commercial services competing with those of the Franchisee under this Franchise.

The City shall be responsible for maintaining its respective cables and conduits buried in the Franchisee's trenches and bores under this paragraph.

(H) Publicizing proposed Construction Work.

The Franchisee will publicize any initial build or any substantial rebuild or upgrade of its Telecommunications System in each affected neighborhood before commencing that work by notifying those persons whose property is within three hundred (300) feet of the work in at least two of the following ways:

(1) Telephone;
(2) In person;
(3) By mail;
(4) Online via its website;
(5) Other forms of electronic communication such as e-mail or text message as allowed by law;
(6) By distributing flyers to residences; or
(7) By publication in local newspapers or by television public service
(8) announcement.

(I) Relocation.

The Franchisee shall, within a reasonable time specified by the City, protect, support, temporarily disconnect, relocate, or remove any of its property when requested by the City by reason of traffic conditions; public safety; Public Right-of-Way construction and repair (including re-grading, resurfacing or widening); Public Right-of-Way vacation; construction, installation or repair of sewers, drains, water pipes, power lines, signal lines, tracks, or any other type of government-owned system or utility, public work, public facility, or improvement. Collectively, such matters are referred to below as the "public work." If funds are available to any person using the Public Rights-of-Way for the purpose of defraying the cost of any of the foregoing, the City shall reimburse the Franchisee in the same manner in which other persons affected by the requirement are reimbursed. If the funds are controlled by another governmental entity, the City shall make application for such funds on behalf of the Franchisee.

(J) Contribution.

Nothing herein shall be construed to reduce or otherwise affect any right the Franchisee has to recover (from a party other than the City), seek contribution for or to offset the costs of complying with the requirements of this provision.

(K) Removal or Modification of Facilities.

Whenever the Franchisee intends to discontinue using any facility within the Public Rights-of-Way, the Franchisee shall notify the City of its intent regarding such discontinuance. The Franchisee may remove the facility or request that the City permit it to remain in place. Notwithstanding the Franchisee's request that any such facility remain in place, the City may require the Franchisee to remove the facility from the Right-of-Way and/or modify the facility to protect the public health, welfare, safety, and convenience, or otherwise serve the public interest. The Franchisee shall use its best efforts to complete

such removal or modification in accordance with a schedule set by the City. Until such time as the Franchisee removes or modifies the facility as directed by the City, or until the rights to and responsibility for the facility are accepted by another Person having authority to construct and maintain such facility, the Franchisee shall be responsible for all necessary repairs and relocations of the facility, as well as maintenance of the Public Right-of-Way, in the same manner and degree as if the facility were in active use, and the Franchisee shall bear all liability for such facility.

(L) Moving of Buildings.

Whenever it becomes necessary to temporarily rearrange, remove, lower, or raise the aerial cables or wires or other apparatus of the Franchisee to permit the passage of any building, machinery, or other object, the Franchisee shall perform such rearrangement upon receipt of payment for the estimated costs incurred by the Franchisee in making such rearrangements, and provided that the Franchisee received written notice at least thirty (30), days in advance from the person or persons desiring to move said building, machinery, or other objects. The written notice shall detail the route of movement of the building, machinery, or other object. The costs incurred by the Franchisee in making such rearrangements of its aerial plant will be borne by the person or persons seeking such rearrangement, unless the aerial plant is placed or maintained in violation of the applicable rules of any local, state, or federal regulatory agency and thereby unlawfully interferes with the movement.

(M) Restoration of Property.

The Franchisee shall reconstruct, replace, or restore to its previous condition in a timely fashion that portion of any street, alley, or public way or place; and any water, sewer, sanitary sewer, storm drainage, traffic signalization or other facility of the City, disturbed or damaged by the Franchisee, to a condition reasonably acceptable to the City consistent with reasonable standards of safety and appearance as required by generally applicable law and codes adopted pursuant to exercise of the City's police powers.

(N) Repairs and Reimbursement.

The Franchisee shall properly replace and repair the surface, base, and landscape treatment of any Public Right-of-Way that may be excavated or damaged by reason of the erection, construction, maintenance, or repair of the Franchisee's facilities within a reasonable time after completion of the work in accordance with existing standards of the City in effect at the time of the work. The Franchisee shall give to the City twenty-four (24) hours' notice prior to undertaking any repair, replacement, or extension of its service on Public Rights-of-Way which require a City permit. Upon failure of the Franchisee to perform any such repair or replacement work, and after ten days' notice in writing shall have been given by the City to the Franchisee, the City may repair such portion of the Public Right-of-Way as may have been disturbed by the Franchisee, its contractors or agents, and upon receipt of an itemized bill from the City, the Franchisee will promptly reimburse the City for all reasonable costs so incurred. Notwithstanding the foregoing, if the City determines that the failure of the Franchisee to properly repair or restore the Public Right-of-Way constitutes a safety hazard to the public, the City may undertake emergency repairs and restoration efforts. The Franchisee shall promptly reimburse the City for all reasonable costs incurred by the City. Should the City reasonably determine,

within three (3) years for the surface or base, and within ninety (90) days for landscape treatment, from the date of any restoration performed by the Franchisee, that such surface, base, or landscape treatment requires additional restoration under this section, the Franchisee shall perform and bear the costs for such additional restoration work to the reasonable satisfaction of the City within a reasonable period of time following notice from the City.

(O) Trimming of Trees.

The Franchisee may, upon reasonable notification to the City, trim trees above ground which infringe upon easements, rights of way or streets of the City to prevent the trees from coming into contact with the Telecommunications System, and the City, at its option may do such trimming at the expense of the Franchisee.

(P) Supplying Maps.

The Franchisee shall maintain on file all available maps, operational data, and reports pertaining to its operations in the City. Upon request of the City, the Franchisee shall furnish to the City, as soon as practicable without charge, current maps in a format compatible with the City's GIS software showing the location and dimension of those distribution facilities located within the Public Rights-of-Way within the Franchise Area. The Franchisee supplying maps under this provision may excise proprietary information so long as the location and dimension of any facilities, and their character (e.g., pole, equipment cabinet, fiber optic cable, power line) are clearly shown.

(Q) Failure to Perform.

If the Franchisee should fail to perform any work required under this Section after written notice and reasonable opportunity to cure, the City may cause work to be performed, and may bill the Franchisee therefore, or draw upon any security fund or bond to recover its costs and associated recovery costs. If the City bills the Franchisee, the Franchisee shall pay the amount billed within thirty (30) days of receipt of the bill.

(R) Inspection of Construction and Facilities.

The City may inspect any of the Franchisee's facilities, equipment or construction in the Public Right-of-Way at any time during normal business hours upon at least twenty-four (24) hour notice, or, in case of an emergency, at any time, upon demand without prior notice. If an unsafe condition is found to exist, the City, in addition to taking any other action permitted under applicable law, may order the Franchisee, in writing, to make the necessary repairs and alterations specified therein forthwith to correct the unsafe condition by a time the City establishes. The City has the right to correct, inspect, administer and repair the unsafe condition if the Franchisee fails to do so, and to charge the Franchisee therefor.

Section 8. CONSTRUCTION PROVISIONS.

(A) Construction Standards.

The Franchisee will comply with all lawful and generally applicable construction standards utilized by the City. The construction, operation, and repair of the Telecommunications

System will be in accord with all applicable law. The construction, operation, and maintenance of the Telecommunications System shall be performed by experienced and properly trained properly and licensed maintenance and construction personnel.

(B) Standards following construction or upgrade.

Upon completion of any Telecommunications System upgrade, the Telecommunications System shall:

(1) Utilize facilities and equipment generally comparable to that used in other high-quality, reliable Telecommunications Systems of similar design, including commercially reasonable backup power resources.

(2) Shall include the facilities and equipment (except customer premises equipment) required to support the broadband services.

(3) Provide reliable service and possess auto-start back-up power at the System Hub and elsewhere reasonably necessary (consistent with accepted industry standards and the system design) to avoid or minimize service interruptions.

Section 9. RESIDENTIAL SERVICE.

(A) Telecommunications System Deployment and Access.

Franchisee has established Telecommunications System deployment plans which include the estimated projected dates when deployment of the Telecommunications System will be completed and activated within the Franchise Area. Franchisee commits to using reasonable efforts to construct its Telecommunications System within the Franchise Area in accordance with those plans and will meet with the City every six (6) months to update the City on the current status of construction and anticipated timeline to completion. The Franchisee may not charge the Subscriber the cost of extending the Telecommunications System plant to a point where the dwelling unit can be served by a Standard Drop, other than its standard, non-discriminatory installation fee.

(B) General Service.

Once the Telecommunications System construction is complete in a given location within the Franchise Area, and Telecommunications Service is available, Franchisee shall provide Telecommunications Service within seven (7) days of a request by any potential Subscriber within the given location. For purposes of this Section, a request shall be deemed made on the date of signing a service agreement, receipt of funds by Franchisee, receipt of a written request by Franchisee or receipt by Franchisee of a verified verbal request. Except as otherwise provided herein, Franchisee shall provide such service:

(1) With no line extension charge except as specifically authorized elsewhere in this Franchise Agreement.

(2) At a non-discriminatory installation charge for a standard installation, consisting of a Standard Drop connecting to an inside wall for Residential

Subscribers, with additional charges for non-standard installations computed according to a non-discriminatory methodology for such installations, adopted by Franchisee and provided in writing to the City.

(3) At non-discriminatory monthly rates for Residential Subscribers.

(C) Cost-Sharing for Low Density Areas.

The Franchisee shall offer a cost-sharing arrangement to residents requesting service in a low-density area whereby the Franchisee and the requesting Subscriber will each bear their proportionate share of construction costs to the point where the Dwelling Unit can be served by a Standard Drop. The Franchisee's share will be the cost of construction multiplied by a fraction, the numerator of which will be the number of Dwelling Units per mile of fiber optic plant in the area where the extension will occur, and the denominator of which will be thirty (30). The requesting Subscribers shall bear the remaining cost on a pro-rata basis. The Franchisee may require the payment of the construction cost borne by potential Subscribers in low density areas be paid in advance.

(D) New Housing Developments.

Nothing in this Agreement shall prohibit the City, the Franchisee, or any other person from entering into an agreement whereby entire new housing developments may be pre-wired for efficient future expansion of the Telecommunications System.

(E) Service to Multiple Dwelling Units.

Consistent with this Section 9, once the Telecommunications System construction is complete in a given location within the Franchise Area and the Telecommunications Network is available, the Franchisee intends to offer the individual units of a Multiple Dwelling Unit the Telecommunications Service offered to other Dwelling Units in the City and shall individually wire units upon request of the property owner or renter who has been given written authorization by the owner; provided, however, that any such offering is conditioned upon the Franchisee having legal access to said Dwelling Unit.

(F) Mandatory Line Extension for Primary Telecommunications Service Provider.

(1) In the event Franchisee provides Telecommunications Service to at least 65% of all potential subscribers within the Franchise Area, the Franchisee shall, upon written request by an un-served potential subscriber, extend service to any Dwelling Unit not already passed by the Franchisee’s Telecommunications System in which the density of Dwelling Units is at least thirty (30) Dwelling Units per fiber mile from existing connection to the Telecommunications System plant. The Franchisee may not charge the Subscriber the cost of extending the Telecommunications System plant to a point where the dwelling unit can be served by a Standard Drop, other than its standard, non-discriminatory installation fee.

(2) If any other Telecommunications Service provider, other than Franchisee, is actively and currently providing or offering Telecommunications Services to the specific requesting Dwelling Unit requesting Telecommunications Services as described in this Section 9, Paragraph F(1), the Franchisee is not required to

extend Telecommunications Service or its Telecommunications System until no other Telecommunications Service Provider is willing and able to provide Telecommunications Service to the Dwelling Unit.

Section 10. SYSTEM OPERATIONS.

(A) Technical Standards.

The Telecommunications System must meet or exceed industry standard technical performance standards.

(B) Future Upgrades.

The Franchisee shall make such commercially practicable improvements to its Telecommunications System throughout the Franchise term to ensure that Subscribers are able to obtain advanced Telecommunications Service, and so that services can be added throughout the franchise term.

(C) System Maintenance.

The Franchisee may intentionally interrupt service on the Telecommunications System only for good cause and for the shortest time possible and, except in emergency situations or to the extent necessary to fix the affected Subscriber's service problems, only after a minimum of forty-eight (48) hours' prior notice to Subscribers and the City of the anticipated service interruption; provided, however, that there shall be no minimum prior notice period, for planned maintenance that:

(1) Does not require more than two (2) hours' interruption of service; and

(2) occurs between the hours of 1:00 a.m. and 6:00 a.m.

(D) FCC-Mandated Testing.

(1) The Franchisee shall, at its expense, perform any tests on its Telecommunications System that may be required by the FCC or Applicable Law and shall maintain written records of its test results. Copies of such test results will be provided to the City upon request.

(2) All required technical performance tests may be witnessed by representatives of the City. Upon request, the Franchisee will notify the City before any required technical proof-of-performance testing occurs.

(3) The Franchisee shall promptly take such measures as are necessary to correct any performance deficiencies fully and to prevent their recurrence as far as practicable.

(E) Standby Power.

The Franchisee shall provide standby power generating capacity at the System Hub capable of providing at least twelve (12) hours of emergency operation.

SECTION 11. Customer Service Standards; Customer Bills; and Privacy Protection

(A) Customer Service Standards.

Franchisee shall comply in all respects with industry standard “best practice” customer service requirements as well as any customer service requirements established by Applicable Law.

(B) Customer Bills.

Customer bills shall be designed in such a way as to present the information contained therein clearly and comprehensibly to Customers, and in a way that is not misleading and does not omit material information.

(C) Privacy Protection.

Franchisee shall comply with all applicable federal and state privacy laws and regulations adopted pursuant thereto.

Section 12. CONNECTION OF PUBLIC FACILITIES

(A) As Franchisee’s construction of its Telecommunications System passes public buildings within the City, and upon one hundred twenty (120) days advance written request of the City:

(1) Franchisee shall provide one (1) Telecommunications System connection at no charge to each City government building, including without limitation to the City Government Center, each public school, each fire station, and each police station located within the Franchise area within one Standard Drop of the nearest Telecommunications System facilities; and

(2) Franchisee shall provide, at its sole cost and expense, at each connection made in Section 12(A)(1) above either five (5) static IPv4 addresses or twenty-four (24) static IPv6 addresses.

(B) Franchisee covenants and warrants that Franchisee and its related entities shall take no steps to limit, speed or throughput throttle, or in any other way diminish, meter, or alter the City’s or any of the covered public schools’ provision of internet communications delivered to or received from any Internet-connected entity; and

(C) Franchisee may offset the costs for the provision of the services and conditions specified in this Section against the Franchise Fee payable hereunder. Should Franchisee elect to offset complimentary Service after service is activated, Franchisee shall provide the City with advance written notice of such action. Such notice shall document the proposed offset or service charges so that the City can make an informed decision as to its course of action. Upon receipt of such notice the City shall have up to one hundred twenty (120) days to either (1) maintain the commitment with the understanding that the value shall be offset from Franchise Fees; (2) relieve Franchisee from the commitment obligation under the Franchise; or (3) pay for the services rendered pursuant to the commitment in accordance with Franchisee’s regular and nondiscriminatory term and conditions.

Section 13. OPERATION AND REPORTING PROVISIONS.

(A) Right to inspect and copy.

The City shall have the right to inspect and copy records: related in whole or in part to the construction, operation or repair of the Telecommunications System and reasonably necessary for the City to monitor compliance with the terms of this Ordinance or applicable law; or reasonably necessary to the exercise of any right or duty of the City under the same. The Franchisee is responsible for maintaining control over records, as required by law, related to the construction, operation, or repair of the Telecommunications System. Other than records containing confidential financial and/or proprietary information, the Franchisee shall produce these records upon the City's request for the City's inspection within the limits of the City. Records must be maintained for a period of six (6) years, except that the Franchisee may specify a shorter period for certain categories of voluminous records where the information contained therein can be derived simply from other materials. The City agrees it will not audit more than once every two years.

(B) Reports.

Unless the City specifically waives the requirement in writing, the Franchisee shall at all times maintain:

(1) Records of all written complaints received, their nature and resolution. The term "complaints" refers to complaints about any aspect of the Franchisee's construction, operations or repair activities;

(2) Records of outages known to the Franchisee, their cause and duration;

(3) Records of service calls for repair and maintenance indicating the nature of the call for service, the date and time service was requested, the date of acknowledgment and date and time service was scheduled (if it was scheduled), and the date and time service was provided, and (if different) the date and time the problem was solved;

(4) Records of installation/reconnection and requests for service extension, indicating date of request, date of acknowledgment, and the date and time service were extended;

(5) Records sufficient to show whether the Franchisee has complied with Applicable Law related to the Telecommunications Service.

(C) Retention of Records; Relation to Privacy Rights.

Nothing in this Section shall be read to require the Franchisee to violate Applicable Law governing privacy. The Franchisee shall be responsible for redacting any data that state or federal law prevents it from providing to the City. Records shall be kept for at least six (6) years, except that service call logs may be retained for three (3) years, so long as the information contained therein is reflected in other documents.

Section 14. INSURANCE; SURETY; INDEMNIFICATION.

(A) Insurance.

General Conditions. Except as this Franchise may otherwise provide, the Franchisee shall procure and maintain in full force and effect during the life of its Franchise, such insurance as is required in this Section below. Policies of insurance shall be written by companies authorized to write such insurance in New Mexico, and they shall be in a form reasonably satisfactory to the City and properly filed and approved by the Superintendent of Insurance, State of New Mexico. The Franchisee shall furnish the City copies of certificates of required insurance upon written request. All certificates of insurance (or policies) shall provide that thirty (30) days' written notice be given to the City before a policy is cancelled, materially changed or not renewed. Various types of required insurance may be written in one or more policies. With respect to all coverages required other than workers' compensation, the City shall be named an additional insured. All coverages shall be primary with respect to operations provided. The certificates of insurance and endorsements for each policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. Certificates and other required proofs shall be filed with the City within thirty (30) days of the issuance of this Franchise, once a year thereafter, and whenever there is any change in coverage, upon written request.

(B) No Work Without Insurance.

The Franchisee (or those acting on its behalf) shall not commence construction or operation of the Telecommunications System without first obtaining insurance in amounts and of a type satisfactory to the City. The required insurance must be obtained and maintained for the entire period the Franchisee has facilities in the Public Rights-of-Way or on public property. If the Franchisee, its contractors, or subcontractors do not have the required insurance, the City may order such persons to stop operations until the insurance is obtained and approved.

(C) Work of Subcontractors.

If any part of the construction, operation or repair of the Telecommunications System is subcontracted, the Franchisee shall:

(1) Include any and all subcontractors in its insurance policies; or

(2) Require the subcontractor to secure insurance to protect itself against all hazards enumerated herein which are not covered by the Franchisee's policies.

(D) Approval of Insurance.

Neither approval nor failure to disapprove certificates, policies or the insurance by the City shall relieve the Franchisee or any sub-Franchisee of full responsibility to maintain the required insurance in full force and effect.

(E) Commercial General Liability Insurance Including Automobile.

(1) The Franchisee shall procure and maintain during the life of this Franchise

a comprehensive commercial general liability and automobile liability insurance policy with liability limits in amounts not less than One Million Dollars ($1,000,000) combined single limit of liability for bodily injury, including death, and property damage in anyone occurrence and in the aggregate. Said policies or insurance must include coverage for all operations performed for the City by the Franchisee, including, but not limited to, coverage for collapse, explosion, and underground liability coverage, coverage for the user of all owned, non-owned, hired automobiles, vehicles, and other equipment both on and off work, and contractual liability coverage which shall specifically insure the indemnification provisions of this Ordinance and any Franchise.

(2) The above requirements shall include, but shall not be limited to, protection against:

i. Damage to, or destruction of, public and private property including telephone conduit, telegraph conduit, power conduit, telephone signal cable, fiber optics cable, television cable, computer cable, fire alarm circuits, gas mains, gas service connections, sanitary sewers, sewer, house or building connections, water mains, water service connections, steam lines, petroleum products pipe lines, storm drains, storm inlet lines, including all appurtenances thereto while located below the surface of the ground, including injury or death, to person or persons caused by the Franchisee's operations, including blasting and trenching-backfilling-tamping with or without the use of mechanical equipment; and

ii. The collapse of, or structural damage to, a building, house or structure, including power, telephone, telegraph, fire alarm, and street-light poles, curb and gutter and sidewalk, on public or private property, and destruction of, or damage to, other public and private property resulting therefrom, including injury or death to person or persons caused by the Franchisee, including but not limited to as a result of the Franchisee's operations in the removal of other buildings, structures, including their supports, trees and utility poles, or by excavation, including blasting, and trenching backfilling-tamping with or without use of mechanical equipment. "Other public and private property" as used herein shall include lawns, plants, flowers, trees, fences, yards, walls, etc.

(F) Workers' Compensation Insurance.

The Franchisee shall comply with the provisions of the Workers' Compensation Act, the Subsequent Injury Act, and the New Mexico Occupational Disease Disablement Law. The Franchisee shall procure and maintain during the life of a Franchise, complete workers' and employer's liability insurance in accordance with New Mexico law and regulations. Such insurance shall include coverage permitted under Section 52-1-10 NMSA 1978, for safety devices. With respect to workers' compensation insurance, if the Franchisee elects to be self-insured, it shall comply with the applicable requirements of law. If any portion of the construction, operation or repair of the Telecommunications System is to be subcontracted, The Franchisee shall require the subcontractor similarly to provide such coverage (or qualify as a self-insured) for all latter's employees to be engaged in such

work. The Franchisee shall save harmless the City, its officers, agents and employees from any claims or actions occasioned by failure of the Franchisee to comply with the provisions of this subparagraph. It is agreed that with respect to all workers' compensation insurance, the Franchisee and its insurer shall waive any right of subrogation it may acquire against the City, its officers, agents and employees by reason of any payment made on account of injury, including death resulting therefrom, sustained by any employee arising out of the performance of a Franchise, unless caused by the gross negligence or malfeasance of the City, its officers, agents and employees.

(G) Alterations in Limits.

This Franchise shall be interpreted to permit the City to require the Franchisee to increase its insurance limits, or obtain additional types of insurance should the City determine in good faith that there are significant increased risks to the City or its citizens based on the Franchisee's actions, by such time as reasonably may be specified by the City.

(H) Ratings.

The Franchisee's insurer shall have no less than an "A-" policyholder's rating and a financial rating of at least Class XI in accordance with the Best's rating current at the time purchased, unless specifically waived in writing by the City Manager.

(I) No Contribution.

Any insurance or self-insurance maintained by the City shall be excess of the Franchisee's insurance and shall not contribute with it.

(J) Material Terms.

The insurance requirements are material terms of this Franchise and cannot be changed without the mutual agreement of the City and the Franchisee. The Franchisee shall have insurance in place as herein required by the effective date of this Franchise, and shall, upon request, provide proof of such insurance reasonably satisfactory to the City prior to the effective date of the Franchise grant.

(K) Indemnification.

(1) To the extent permitted by applicable law, the Franchisee agrees to defend, indemnify and hold harmless the City, its trustees, elected and appointed officers, agents, volunteers, and employees, from and against any and all claims, demands, or causes of action of any kind or nature not resulting from the actions of the City, its trustees, elected and appointed officers, agents, volunteers, and employees, and the resulting losses, costs, expenses, reasonable attorneys' fees, liabilities, damages, orders, judgments, or decrees sustained by any third party arising out of, or by reason of, or resulting from or of the acts, errors, or omissions of the Franchisee, or its agents, independent contractors or employees related to or in any way arising out of the construction, operation or repair of the system, the conduct of the Franchisee's business in the City, or the Franchisee's enjoyment or exercise of its franchise.

(2) The City will notify the Franchisee in writing of its duty to indemnify in any case subject to the indemnity in which the Franchisee is not a named defendant or plaintiff. The Franchisee will employ competent counsel, reasonably acceptable to the City Attorney.

Section 15. CONTINUITY OF SERVICE.

(A) It is the right of each subscriber in the Franchisee's Franchise Area to receive all available Telecommunications Service offered by the Franchisee as long as the subscriber's financial and other obligations to the Franchisee are satisfied.

(B) The Franchisee shall make its best efforts to provide all Subscribers with continuous services.

(C) Uninterrupted Telecommunications Service. At the City's request, the Franchisee shall operate its system for a temporary period (the "transition period") following the termination of its franchise or any transfer as necessary to maintain Telecommunications Service to Subscribers, and shall cooperate with the City to assure an orderly transition from it to another entity. The transition period shall be no longer than the reasonable period required to select another entity and in no event shall be longer than twelve (12) months, unless extended by mutual consent of the Franchisee and the City. During the transition period, the Franchisee will continue to be obligated to comply with the terms and conditions of this franchise and applicable laws and regulations, and will be deemed to have the necessary authorization required from the City to enable it to provide Telecommunications Service.

(D) If the Franchisee abandons its Telecommunications System during the franchise term or any transition period, or fails to operate its Telecommunications System in accordance with the terms set forth in this Section, the City, at its option, may purchase the Telecommunications System at the price established pursuant to the procedure set forth of Exhibit B incorporated herein by this reference (the “Market Price”) and operate the Telecommunications System or designate another entity to operate the Telecommunications System temporarily until the Franchisee agrees to restore and restores a continuous Telecommunications Service in compliance with the franchise or until the franchise is revoked and a new entity selected by the City is providing Telecommunications Service.

(E) The City shall be entitled to exercise its rights under this Section if the:

(1) The Franchisee fails to provide the Telecommunications Service in accordance with its franchise over a substantial portion of the Franchise Area for one hundred-twenty (120) consecutive hours, unless such failure is due to force majeure or the City authorizes a longer interruption of service; or

(2) The Franchisee, for any period, willfully and without cause refuses to provide the Telecommunications Network in accordance with its franchise over a substantial portion of the Franchise Area.

(F) Rights upon Franchise Termination or Revocation.

If the City revokes the franchise or the franchise otherwise terminates, the City shall have

the following rights, in addition to the rights specified in this franchise or under applicable law:

(1) The City may require the former Franchisee to remove its facilities and equipment at the former Franchisee's expense. If the former Franchisee fails to do so within a reasonable period of time, the City may have the removal done at the former Franchisee's and/or surety's expense, subject to any right of abandonment that may be provided for under applicable law. However, Franchisee shall have no obligation to remove its facilities where it utilizes the system to provide other non-Telecommunications Services and has any other authority under applicable law to maintain facilities in the public rights-of-way, or where Franchisee is able to find a purchaser of the Telecommunications System, acceptable to the City, who holds such authorization.

(2) The City, by resolution, may acquire ownership or affect a transfer of the Telecommunications System at the Market Price if the franchise is revoked for cause in accordance with this Franchise.

(3) Section 15(F)(ii) does not apply to an abandonment. If the Telecommunications System or any part thereof is abandoned by the Franchisee, the City may require the Franchisee to transfer title to the abandoned portions to it at no charge, free and clear of encumbrances, and the same will become the City's property and the City may keep, sell, assign, or transfer all or part of the assets of the Telecommunications System, or otherwise dispose of those assets as it sees fit. In the event the City acquires title, the Franchisee shall have no further liability for the Telecommunications System.

Section 16. ENFORCEMENT AND REMEDIES; DUE PROCESS; REVOCATION.

(A) Right to Revoke; Generally.

(1) The City may revoke this Franchise if it finds that the Franchisee has committed a material breach of this Franchise or repeatedly failed to comply with this Franchise; has defrauded or attempted to defraud the City or Subscribers; or has attempted to evade the requirements of this Franchise.

(2) Before revoking a Franchise, the following must have occurred:

i. The City Manager, or designee, must give the Franchisee notice of an alleged default in performance (which notice will describe the nature of an alleged violation or breach) and a thirty (30) calendar day opportunity to cure or such additional time as is reasonably necessary (the "cure period"); except that an opportunity to cure is not required where the defect in performance is due to willful misconduct or fraud or attempted fraud, is an adjudicated felony violation of criminal law, or is part of a pattern of substantial violations where the Franchisee has already had notice and opportunity to cure. The City may extend the cure period for up to thirty (30) additional days if the Franchisee has diligently attempted to correct the alleged default.

ii. Not sooner than thirty (30) calendar days after the City Manager, or

designee, notifies the Franchisee of the default (or such longer period as may be required to encompass an extended cure period), the City Council shall hold a public hearing to consider whether the Franchise should be revoked, at which time the Franchisee and the public will be given an opportunity to be heard and the Franchisee to present evidence for consideration by the City Council.

(3) Following the close of the public hearing the City Council may determine whether to revoke the Franchise. If the Franchisee was entitled to an opportunity to cure a default, the Franchise may not be revoked if the default was fully cured during the cure period, including by payment of all damages and penalties owed. If the City Council determines to revoke the Franchise, it will issue a written decision setting forth the reasons for its decision.

(4) A copy of such decision will be transmitted to the Franchisee.

(B) Rights upon Franchise Termination or Revocation.

If the City revokes the Franchise or the Franchise otherwise terminates, the City may require the former Franchisee to remove its facilities and equipment at the former Franchisee's expense. If the former Franchisee fails to do so within a reasonable period of time, the City may have the removal done at the former Franchisee's and/or its surety's expense, subject to any right of abandonment that may be provided for under applicable law. The Franchisee may appeal such actions to a court of competent jurisdiction.

(C) Termination in the Event of Bankruptcy.

This Franchise will terminate automatically by force of law one hundred eighty (180) calendar days after an assignment for the benefit of creditors or the appointment of a receiver or trustee to take over the business of the Franchisee, whether in a receivership, reorganization, bankruptcy assignment for the benefit of creditors, or other action or proceeding. However, the Franchise may be reinstated within that one hundred eighty (180) day period, if:

(1) Such assignment, receivership or trusteeship has been vacated; or

(2) Such assignee, receiver or trustee has fully complied with the terms and conditions of this Franchise, and has executed an agreement, approved by any court having jurisdiction, assuming and agreeing to be bound by the terms and conditions of this Franchise. In the event of foreclosure or other judicial sale of any of the facilities, equipment or property of the Franchisee, the City may revoke the Franchise following a public hearing before the City Council, by serving notice upon the Franchisee and the successful bidder at the sale, in which event the Franchise and all rights and privileges thereunder will be revoked and will terminate thirty (30) calendar days after serving such notice, unless:

i. The City has approved the transfer of the Franchise to the successful bidder; and

ii. The successful bidder has covenanted and agreed with the City to

assume and be bound by the terms and conditions of the Franchise.

(D) Effect of termination or forfeiture.

Upon termination or forfeiture of this Franchise, whether by action of the City as provided above, or by passage of time, the City may do one or a combination of the following:

(1) The Franchisee must, should the City so direct, stop using the Telecommunications System for the purposes authorized by the Franchise.

(2) The City may require the former Franchisee to remove all or a portion of its facilities and equipment at the former Franchisee's expense, subject to any right the Franchisee may have to abandon property in place. If the former Franchisee fails to remove its property within a reasonable period of time, the City may have the removal done at the former Franchisee's and/or surety's expense. Such removal by the Franchisee must be done in accordance with all applicable laws and construction standards. Conditions of the site of removal must be left in substantially as good of condition as before the equipment was removed.

Section 17. MISCELLANEOUS PROVISIONS.

(A) Compliance with Laws. The Franchisee shall comply with all applicable federal, state and local laws and regulations as they become effective, unless otherwise stated herein.

(B) Governing Law. This franchise shall be governed and construed in accordance with applicable federal law and the statutes and laws of the state of New Mexico.

(C) No Pledging of the City's Credit. Under no circumstances shall the Franchisee have the authority or power to pledge the credit of the City or incur any obligation in the name of the City. The Franchisee shall save and hold harmless the City, its Governing Body, its officers, employees, boards and commissions for expenses arising out of any unauthorized pledges of the City's credit by the Franchisee under this franchise.

(D) Venue. In the event that suit shall be brought by either party, the parties agree that venue shall be exclusively vested in the Thirteenth Judicial District Court, State of New Mexico or, where otherwise appropriate, exclusively in the United States District Court for the district of New Mexico.

(E) Force Majeure. The Franchisee shall not be deemed in default with provisions of its franchise where performance was rendered impossible by war or riots, civil disturbances, floods or other natural catastrophes beyond the Franchisee's control or the unforeseeable unavailability of labor or materials. The acts or omissions of affiliates are not beyond the Franchisee's control, and the knowledge of affiliates shall be imputed to Franchisee. The Franchise shall not be revoked or the Franchisee penalized for such noncompliance, provided that the Franchisee takes immediate and diligent steps to bring itself back into compliance and to comply as soon as possible under the circumstances with its Franchise without unduly endangering the health, safety and integrity of the Franchisee's employees or property, or the health, safety and integrity of the Public, Public Rights-of-Way, Public Property, or private property.

(F) Notices. Unless otherwise expressly stated herein, notices required under this franchise shall be mailed first class, postage prepaid, or sent overnight delivery to the addressees below. Each party may change its designee by providing thirty (30) days written notice to the other party, but each party may only designate one entity to receive notice.

Notices to the Franchisee shall be mailed to the designated entity at the following address:

Ezee Fiber Texas, LLC
ATTN: Legal
14850 Woodham Drive, Houston, TX 77073
713-255-7500

Notices to the City shall be mailed to the designated entity at the following address:

City Manager
City of Rio Rancho
3200 Civic Center Circle
Rio Rancho, New Mexico 87144

with a simultaneously-delivered copy to:

City Attorney
City of Rio Rancho
3200 Civic Center Circle
Rio Rancho, New Mexico 87144

Either party may change one or both of its addresses and/or addresses by giving the other party no less than thirty (30) days' written notice to the then-current addresses. Any required copies of notices are an administrative step and do not constitute actual notice.

(G) Calculation of Time. Unless otherwise indicated, when the performance or doing of any act, duty, matter or payment is required hereunder and a period of time or duration for the completion thereof is prescribed and is fixed herein, the time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of duration/time.

(H) Time of Essence; Maintenance of Records of Essence. In determining whether the Franchisee has substantially complied with its franchise, the parties agree that time is of the essence to this franchise. The maintenance of records and provision of reports in accordance with the franchise is also of the essence to this franchise.

(I) Publication Costs. The Franchisee shall pay the cost of publication of the franchise ordinance upon the Franchisee's acceptance of the Franchisee.

(J) Captions. The captions and headings of this franchise are for convenience and reference purposes only and shall not affect in any way the meaning and interpretation of

any provisions of this franchise.

(K) Third Parties. The parties agree this Franchise Agreement creates no rights for any third party.

Section 18. ANTI-TAMPERING.

It shall be unlawful for any person, firm, corporation or other entity:

(A) To make any unauthorized connection, whether physically or electrically.

(B) To willfully tamper with, remove or injure any cable, wires or equipment of the Telecommunications System used by the Franchisee within the Franchise Area for distribution of such signals without the consent of the Franchisee operating such Telecommunications System.

(C) Any person convicted of a violation of this section shall be guilty of a petty misdemeanor and shall be punished by a fine of not more than five hundred dollars ($500) or by imprisonment of not more than ninety (90) days or by both fine and imprisonment or the maximum permitted under applicable law, as may be less.

Section 19. SEVERABILITY CLAUSE.

If any section, paragraph, sentence, clause, word or phrase of this Ordinance is for any reason held to be illegal, unconstitutional, invalid or unenforceable by a court, agency or legislature of competent jurisdiction, said provision shall be considered a separate, distinct, and independent part of this Franchise, and such decision shall not affect the validity of the remaining provisions of this ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid. In the event that a court or agency or legislature of competent and controlling jurisdiction acts so that any material provision of this agreement is unenforceable according to its terms, or is otherwise void, the parties agree to immediately enter into negotiations in good faith to restore the relative burdens and benefits of this franchise. If the parties are unable to agree to a modification of this Agreement within sixty (60) days, either party may with ninety (90) days prior notice, terminate or shorten the franchise term; or resort to litigation to seek any available equitable relief; or do both. Each party agrees to participate in up to sixteen (16) hours of negotiation during the sixty (60) day period. Notwithstanding the foregoing, if a party believes a provision is not material, it must so notify the other party within fourteen (14) days of a request by such other party that it enter into negotiations, or else the materiality claim is waived. The obligation to negotiate is not tolled, and the parties must discharge their negotiation responsibility notwithstanding the dispute as to materiality. The remedies provided for herein do not prevent a party from contending that a particular provision is enforceable, or foreclose any remedies if a provision is enforceable.

Section 20. MERGER; AMENDMENT.

This Franchise represents the entire agreement between the parties with respect to the matters addressed herein, and all prior franchises, agreements, covenants, and understandings between the parties concerning the same have been merged into this written Franchise. This Franchise shall not be altered, modified, changed, or amended except by a written instrument executed by the parties.

Section 21. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after adoption.

ADOPTED THIS ___ DAY OF _____, _____.

For Ezee Fiber Texas, LLC

By: _____

Name: Patrick Hildebrand

Title: Chief Development Officer

Date: _____

For The City of Rio Rancho, New Mexico:

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

EXHIBIT “A”

Any time during the final forty-two (42) month period prior to the expiration of the Franchise discussions regarding a potential renewal of the Franchise shall be guided by the following procedures:

1. If not currently in default, Ezee Fiber may submit in writing a proposal for renewal of the Franchise (the “Proposal for Renewal”). The Proposal for Renewal shall set forth Ezee Fiber’s proposed terms for a renewed franchise. The City may request, in its sole discretion, additional information from Ezee Fiber that the Proposal for Renewal shall include, including, but not limited to, a proposal for an upgrade of the Telecommunications System.
2. Following Ezee Fiber’s submission of a final Proposal for Renewal, the City shall: (a) renew the Franchise, or (b) determine that the Franchise shall not be renewed.
3. In the event that the City elects to not renew the Franchise, Ezee Fiber may request that the City commence a publicly noticed administrative proceeding to consider whether the Franchise should be renewed (the “Franchise Hearing”).
4. The Franchise Hearing shall consider: (a) whether Ezee Fiber has complied with the existing Franchise and law; (b) the quality of Ezee Fiber Telecommunications System, to include signal quality, customer complaints, and billing practices; (c) whether Ezee Fiber has the financial, legal, and technical ability to provide the Telecommunications System as set forth in the Renewal Proposal; and (d) whether Ezee Fiber’s proposal is reasonable to meet the City’s needs for such a telecommunications service.
5. Ezee Fiber shall be afforded adequate notice, along with the opportunity for full participation (to include the right to present evidence and question witnesses) in any Franchise Hearing so conducted.
6. Upon the conclusion of the Franchise Hearing, the City shall issue a written determination, to include the reasons therefor, granting or denying the Proposal for Renewal, based upon the factors set forth in Paragraph 4, above.
7. Ezee Fiber may appeal a final denial by the City of the Franchise Proposal within one hundred (100) days to a court of competent jurisdiction.

EXHIBIT “B”

Determination of Market Price

Market Price shall be determined in the manner provided below:

Within ten (10) days after City delivers to Ezee Fiber written notice of its election to purchase the Telecommunications System, as may be provided above, City and Ezee Fiber shall meet to agree on the Market Price for the Telecommunications System. If City and Ezee Fiber] agree on the Market Price within such period, Telecommunications System shall be transferred by Ezee Fiber to City, by bill of sale using the Market Value as the purchase price within ten (10) days after determination of the Market Price.

If City and Ezee Fiber do not agree on the Market Price within the time provided, City and Ezee Fiber shall each appoint an appraiser within twenty (20) days and immediately notify the other in writing of such appointment and of the name and address of the appraiser so appointed. City and Ezee Fiber shall instruct the appraisers to determine the Market Price of the Telecommunications System within forty-five (45) days after their appointment. If within forty-five (45) days after their appointment the two appraisers do not agree on the Market Price, the Market Price shall be determined as follows:

If the higher appraisal is not more than five (5) percent higher than the lower appraisal, then the Market Price shall equal the average of the determinations made by the two appraisers, and shall be binding on City and Ezee Fiber.

If the higher appraisal is more than five (5) percent higher than the lower appraisal, the appraisers shall then appoint a third appraiser within _ ten (10) days after the original two appraisers complete their determination of the Market Price. The third appraiser shall make a determination of Market Price within twenty (20) days after such appointment. The Market Price shall equal the average of the three appraisals, , and shall be binding on City and Ezee Fiber. If (i) the third appraiser fails to determine the Market Price within _ twenty (20) days of appointment and as provided above; or (ii) the appraisers selected by City and Ezee Fiber are unable to agree on a third appraiser, then in such event the Market Price shall be the average of the determinations of Market Price made by the two appraisers.

Each appraiser appointed pursuant to this Section must be an MAI appraiser (or equivalent) specializing in telecommunications and wireless real estate with at least ten (10) years’ continuous and active experience in the county in New Mexico. Each appraiser shall be independent and shall have no financial interest in the Telecommunications System other than to earn a customary fee. The charges for services of each appraiser, if any, shall be borne by the party who selected that appraiser and the charges for the third appraiser shall be borne equally by City and Ezee Fiber.

If either Ezee Fiber or City fails to appoint an appraiser as provided above, the appraiser appointed by the other party shall alone determine the Market Price and such determination shall be binding on the parties.

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: D24

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Public Works

SUBJECT:
D24, Advice and Consent of the Governing Body to Award Contract No. 24-127-PW: College Boulevard Extension for a total of $1,649.643.51 (including NMGRT) to Salls Brothers Construction, Inc.

BACKGROUND AND ANALYSIS:

The City of Rio Rancho received bids for the College Boulevard Extension project from King Boulevard to Center Boulevard. This project includes asphalt paving which matches the existing HP Way roadway section, curb and gutter, ADA compliant curb ramps, on-street parking, sidewalks, crosswalk, bike lanes, landscaping, lighting, and storm infrastructure.

These improvements will further enhance transportation infrastructure by providing additional connectivity between current and future higher education facilities within the City Center area.

The construction duration for this project is estimated to be four (4) months from the Notice to Proceed (NTP) date.

An Invitation for Bid (IFB) was issued, and the City received four bids of which Salls Brothers Construction, Inc. was the low bidder. The proposed contract for Salls Brothers Construction, totals $1,649,643.51 including NMGRT.

Funding for this project was previously earmarked in the current fiscal year budget utilizing the Higher Education Facilities Special Fund. This fund recognizes revenues from the higher education facilities gross receipts tax increment. Improvements to land (e.g., roadway construction) that serve/benefit higher education facilities is a permissive use of the funding source.

IMPACT:

The project will create College Boulevard from King Boulevard to Center Boulevard by adding new pavement, pedestrian improvements, lighting, on-street parking, bike lanes, and storm infrastructure.

ALTERNATIVES:

Approve the contract.

Do not approve the contract.

DEPARTMENT RECOMMENDATION:

Staff recommends that the Governing Body approves the project to award the contract to Salls Brothers Construction, Inc.

ATTACHMENT: Contract College Boulevard Extension Project
ATTACHMENT: Exhibit

CONTRACT NUMBER 24-127-PW
Construction Contract
College Boulevard Extension

THIS AGREEMENT is made and entered into by and between the City of Rio Rancho, hereinafter referred to as the "CITY," and Salls Brothers Construction, Inc. hereinafter referred to as the "CONTRACTOR."

City and Contractor, in consideration of the mutual covenants hereinafter set forth, agree as follows:

1. WORK

CONTRACTOR shall complete all Work as specified or indicated here below. The Work and project are generally described in Invitation for Bid IFB 24-013-PW.

2. GENERAL CONDITIONS

The general conditions ("General Conditions") of this Agreement shall be the Standard General Conditions of the Construction Contract prepared by the Engineers Joint Contract Documents Committee (EJCDC) Document C-700, 2007, and modifications thereto incorporated herein by reference.

3. ENGINEER

The ENGINEER of record for this project, as described in the General Conditions, is the City of Rio Rancho.

4. CONTRACT TIMES

4.1 The Work will be substantially completed within **One Hundred Twenty (120)** consecutive calendar days after the date when the Contract Times commence to run as provided in Paragraph 2.03 of the General Conditions and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions.

4.2 Liquidated Damages. City and Contractor recognize that time is of the essence of this Agreement and that City will suffer financial loss if the Work is not completed within the times specified in Paragraph 4.1 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The parties also recognize the delays, expense and difficulties involved in proving the actual loss suffered by City if the Work is not completed on time. Accordingly, instead of requiring any such proof, City and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay City **Two Thousand Five Hundred dollars and no cents ($2,500.00)** for each day that expires after the substantial completion date established by the City's written Notice to Proceed.

5. CONTRACT PRICE

The City shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract price comprises the Base Bid described in IFB 24-013-PW and all addenda thereto. The Contract price shall be **CONTRACT PRICE One Million Six Hundred Forty-Nine Thousand, Six Hundred Forty-Three Dollars and Fifty-One Cents ($1,649,643.51)** which

excludes applicable gross receipts tax, subject to additions and deductions as provided in the Contract Documents.

6. NON-APPROPRIATIONS

The terms of this Agreement and all amounts payable hereunder are contingent upon sufficient appropriations therefore by the City's Governing Body. If sufficient appropriations are not made, the City shall notify the Contractor of the same, and this Agreement shall terminate forthwith.

7. PAYMENT PROCEDURES

Contractor shall submit Application for Payment in accordance with Article 14 of the General Conditions. Engineer will process applications for Payment as provided in the General Conditions. The City shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment as recommended by Engineer, twenty-one (21) days after receipt of the Engineer approved Application for Payment. All such payments will be measured by the schedule of values established in Paragraph 14.02 of the General Conditions (and in the case of Unit Price Work based on the number of units completed).

8. CONTRACTOR'S REPRESENTATIONS

In order to induce City to enter into this Agreement Contractor makes the following representations:

8.1 Contractor has examined and carefully studied the Contract Documents and other related data identified in the Bidding Documents including "technical data."

8.2 Contractor has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Work.

8.3 Contractor is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect cost, progress, performance and furnishing of the Work.

8.4 Contractor has examined all reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the site (except underground facilities) which have been identified in Paragraph 4.02 A of the General Conditions. Contractor accepts the determination set forth in Paragraph 4.02 B of the General Conditions of the extent of the "technical data" contained in such reports and drawings upon which Contractor is entitled to rely as provided in Paragraph 4.02 B.1 of the General Conditions. Contractor acknowledges that such reports and drawings are not Contract Documents and may not be complete for Contractor's purposes. Contractor acknowledges that City and Engineer do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents with respect to Underground Facilities at or contiguous to the site. Contractor has obtained and carefully studied (or assumes responsibility for having done so) all such additional supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and underground facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or

furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by Contractor and safety precautions and programs incident thereto. Contractor does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the performance and furnishing of the Work at the contract price, within the contract times and in accordance with the other terms and conditions of the contract documents.

8.5 Contractor is aware of the general nature of work to be performed by City and others at the site that relates to the Work as indicated in the Contract Documents.

8.6 Contractor has correlated the information known to Contractor, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, tests, studies and data with the Contract Documents.

8.7 Contractor has given City written notice of all conflicts, errors, ambiguities or discrepancies that Contractor has discovered in the Contract Documents. Contractor certifies that any written resolution thereof by City is acceptable and that the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

8.8 Contractor shall make prompt payment to its subcontractors and suppliers for amounts owed for work performed on the construction project within seven days after receipt of payment from the City. If Contractor fails to pay Contractor's subcontractor and suppliers by first-class mail or hand delivery within seven days of receipt of payment, Contractor shall pay interest to Contractor's subcontractors and suppliers beginning on the eight day after payment was due, computed at one and one-half percent of the undisputed amount per month or fraction of a month until payment is issued. These payment provisions apply to all tiers of contractors, subcontractors and suppliers.

9. CONTRACT DOCUMENTS

In addition to this Agreement, the Contract Documents, which comprise the entire agreement between City and Contractor concerning the Work, consist of the documents which are appended to this Contract as listed below in Subsection 9A and the documents which formed part of the IFB package upon which Contractor made its successful bid, as listed below in Subsection 9B.

A. Documents attached to hereto:
   1. Contractor's Bid Form
   2. The Bidder's Listing of Subcontractors for Compliance with Subcontractors Fair Practices Act
   3. Bid Bond
   4. Local/Area/Resident/Resident Veteran/Recycled Content Goods Preference Certification Form
   5. Resident Veteran Preference Certification

6. Certification of Bidder Regarding Affirmative Action/Equal Employment Opportunity and Non-discrimination
7. Non-Collusion Affidavit
8. Construction Performance Bond
9. Labor and Materials Payment Bond
10. Certificates of Insurance
11. Drawings

B. Documents which were part of the IFB package and not listed above:
   1. Advertisement for Bids
   2. Instructions to Bidders
   3. Standard General Conditions of the Construction Contract, EJCDC Document No. C-700 (2007)
   4. Supplemental Conditions
   5. Notice to Contractor
   6. Wage Decision SA 24-1457-A
   7. Any Addenda issued for IFB 24-013-PW
   8. Construction Plans and Specifications as prepared by the City of Rio Rancho.
   9. Minimum Testing Requirements

There are no Contract Documents other than those listed in Section 9 of this Agreement. The Contract Documents may only be amended, modified or supplemented as provided in Paragraphs 3.04 A & B, General Conditions. Any question regarding the documents which formed the IFB package shall be resolved by use of the documents maintained by City in its files on the Work. Contractor may obtain access to these documents at any time, upon reasonable notice.

10. MISCELLANEOUS

10.1 Terms used in this Agreement will have the same meaning as those defined in Article 1 of the General Conditions.

10.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.3 The City and Contractor each binds themselves, their partners, successors, assigns and legal representatives to the other party hereto, in respect to all covenants, agreements and obligations contained in the Contract Documents.

10.4 Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions

shall continue to be valid and binding upon the City and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.5 If, through any cause, Contractor shall fail to fulfill in timely and proper manner Contractor's obligations under this Agreement, or if Contractor shall violate any of the covenants, agreements, or stipulations of this Agreement, the City shall thereupon have the right to terminate this Agreement by giving written notice to Contractor of such termination and specifying the effective date thereof, at least five (5) days prior to the effective date of such termination. In such event, all finished and/or unfinished documents, data, studies, surveys and reports prepared by Contractor under this Agreement shall, at the option of the City, become its property and Contractor shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

10.6 Notwithstanding the above, Contractor shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of the contract by Contractor, and the City may withhold any payments to Contractor for the purpose of set-off until such time as the exact amount of damages due the City from Contractor is determined.

10.7 The City may terminate this Agreement at any time for the City's convenience, by giving at least thirty (30) days' notice in writing to Contractor. If the Agreement is terminated by the City as provided herein, Contractor will be paid for the time provided and expenses incurred up to the termination date. If this Agreement is terminated due to the fault of Contractor, paragraph 10.5 hereof relative to termination shall apply.

10.8 Notices: Any notice required or permitted to be given hereunder shall be sufficient if mailed to the address shown below or faxed to the number shown below for the party receiving notice, or to such other address or fax number of which such party has duly notified the other party in accordance with the provisions of this paragraph.

For notice to the City:
City of Rio Rancho
Alexander Clay, Project Manager
3200 Civic Center Circle NE
Rio Rancho, New Mexico 87144
(505) 896-8227
aclay@rrnm.gov

For Notice to the Contractor:
Salls Brothers Construction, Inc.,
Richard Salls, Vice President
7301 Reading SE
Albuquerque, New Mexico 87105
(505) 873-8780
rsalls@sallsbrothers.com

10.9 To the extent, if at all, that NMSA § 56-7-1 is applicable to any agreement to indemnify contained in this Contract, and any such agreement to indemnify contained in this Contract is interpreted to indemnify a party against liability, claims, damages, losses, or expenses, including attorney fees, arising out of bodily injury to persons or damage to property caused by, or resulting from, in whole or in part the negligence, act, or omission of the indemnitee, or the agents or employees of the indemnitee, or any legal

entity for whose negligence, acts, or omissions any of them may be liable, any such agreement to indemnify contained this Contract shall not extend to liability, claims, damages, losses, or expenses, including attorney fees, arising out of:

A. The preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, or specifications by the indemnitee or the agents or employees of the indemnitee; or

B. giving or failure to give directions or instructions by the indemnitee, or the agents or employees of the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

10.10 Where documents listed in Section 9 contain terms that are different from City Ordinances, City Ordinances shall prevail. In that regard, any inconsistency between terms occurring among the following portions of this Agreement shall be resolved by giving precedence in the following order: (1) City Ordinances, (2) this Agreement (3) the Supplemental Conditions, and (4) the Standard General Conditions of the Construction Contract.

IN WITNESS WHEREOF, the parties have executed this Agreement to become effective as of the date of the last party's signature.

CITY OF RIO RANCHO	**Salls Brothers Construction, Inc**
By: _____	By: _____
Matthew B Geisel, City Manager	Richard Salls, Vice President
Date:	Date:
_____	_____

APPROVED AS TO FORM:

_____

Josh Rubin, City Attorney

PW2402 - College Boulevard Extension



Rio Rancho City of Vision

GIS Moving Spatial Data Forward

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.

Project Boundaries

N

0 50 100 200 Feet

Map Created by Abby Schondel 05/30/2024

Data: City of Rio Rancho GIS Section · Spatial Reference: NAD 1983 StatePlane NM Central · Basemap: Maxar, Microsoft, Earthstar Geographics

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R53

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Financial Services

SUBJECT:
R53, Resolution Adopting the Community Development Block Grant Second Annual Action Plan for the 2024-2025 Fiscal Year

BACKGROUND AND ANALYSIS:
The City of Rio Rancho is eligible to receive federal funds from the United States Department of Housing and Urban Development (HUD) as an entitlement community due to its population exceeding 50,000 persons.

City staff has completed all applicable requirements to finalize the Second Annual Action Plan for approval and submission to HUD. The Second Annual Action Plan consists of CDBG-funded project awards totaling $470,571 as recommended by staff, the Capital Improvements Plan Citizen's Advisory Committee (CIPCAC), and considering any public comment offered during the required 30-day public comment period.

The 2024-2025 CDBG projects and activities can be found in Section AP-38 Projects Summary of the attached Annual Action Plan and are proposed as follows:

Haven House Domestic Violence Shelter Salary Support	$40,500
Sandoval County Permanent Supportive Housing Salary Support	$26,000
City of Rio Rancho ADA Ramp Remediation on Safelite Boulevard	$148,954
City of Rio Rancho Star Heights Skate Park	$204,546
City of Rio Rancho Planning and Administration	$50,571

The Second Annual Action Plan is available for review at Rio Rancho CDBG.

The Public Comment Period began May 29, 2024 and concludes June 27, 2024. All comments received during the public comment period, either in person or in writing, will be taken into consideration prior to the submission of the plans to HUD in July 2024. No comments have been received thus far.

IMPACT:
The City's low-to-moderate income and at-risk residents will be served by the projects and services

proposed in the Second Annual Action Plan. There will be no impact on the City's General Fund.

ALTERNATIVES:

If the Resolution is not adopted, the City cannot submit the Second Annual Action Plan per HUD deadlines and requirements.

DEPARTMENT RECOMMENDATION:

The Financial Services Department recommends approval of the Resolution.

ATTACHMENT: Resolution_R53
ATTACHMENT: CDBG Action Plan

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT SECOND ANNUAL ACTION PLAN FOR THE 2024-2025 FISCAL YEAR

WHEREAS: the City of Rio Rancho is eligible to receive federal funds from the United States Department of Housing and Urban Development (HUD) as an entitlement community due to its population exceeding 50,000 persons; and

WHEREAS: the City has conducted a public hearing and published notifications of a thirty-day public comment period to obtain citizen participation, and has identified needs and services from which its low-to-moderate income and at-risk residents will benefit; and

WHEREAS: the 2023-2028 Consolidated Plan established the City's plan to accomplish the priorities, objectives, and goals of the City's proposed and ongoing housing, economic development, and community development activities; and

WHEREAS: the City has developed the Second Annual Action Plan for the 2024-2025 Fiscal Year reflecting the goals established in the 2023-2028 Five-Year Consolidated Plan.

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

The Governing Body adopts the Community Development Block Grant Second Annual Action Plan for the 2024-2025 Fiscal Year, incorporated herein by reference.

ADOPTED THIS _____DAY OF _____, 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

City of Rio Rancho

COMMUNITY DEVELOPMENT BLOCK GRANT

SECOND ANNUAL ACTION PLAN

FISCAL YEAR 2024-2025

FINANCIAL SERVICES DEPARTMENT

3200 CIVIC CENTER CIRCLE, NE

RIO RANCHO, NEW MEXICO 87144-4501

(505)891-5010

www.rrnm.gov

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Rio Rancho's second Annual Action plan focuses on goals outlined in the City's 2023-2027 Consolidated Plan. Initiatives addressed in this plan include public facility improvement, housing, supportive housing, and public services for low-income residents living in the community.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

During the development of the Consolidated Plan, several priority needs were identified. Guidelines for addressing these priority needs over the five-year time period from 2023-2027 are summarized below:

- Housing Affordability – Rehabilitation of Existing Units, Financial Assistance to Homebuyers
- Public Infrastructure Reinvestment - Construct Public Infrastructure, Construct Repair Public Infrastructure
- Public Facility Reinvestment - Acquire Public Facilities, Construct Public Facilities, Rehabilitate Public Facilities
- Increase Capacity of Public Services - Services for the homeless and at-risk populations, Youth and childcare programs, Transportation for seniors and youth, Rental Housing Subsidies to prevent homelessness, Senior Services, Services for victims of domestic violence, dating violence, sexual assault, or stalking

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Each year, the City of Rio Rancho reports its progress in meeting the five-year and annual goals in the Consolidated Annual Performance Evaluation Report (CAPER). Listed below are some of the goals and accomplishments in the City's 2022 CAPER.

In the 2018-2022 Consolidated Plan, the City prioritized the needs of Rio Rancho's low-income population through increased access to public services, improvements to public facilities, and increasing the affordability of housing, with an emphasis on public facility improvement. The City leveraged its own resources and funds provided by CDBG to increase services and to improve facilities for the at-risk population of Rio Rancho. As outlined in the 2018-2022 Consolidated Plan and the 2017 AFFH Plan, ADA Ramp Remediation and Public Facility Improvements were the City of Rio Rancho's top funding priorities. These were accomplished through the City's ADA Ramp Remediation Project (Activity 255) in the Northern Meadows and Enchanted Hills neighborhoods, the Rio Rancho Sports Complex Little League Field 7 ADA Remediation (Activity 253) and the Haven House Security Wall Construction (Activity 254). Both the ADA Ramp Remediation Project (Activity 255) and the Haven House Security Wall Construction, (Activity 254) were completed in PY22. With the funding provided, 155 ramps were remediated to ADA compliance standards, and the project was completed before June 30, 2023. The City of Rio Rancho Sports Complex Little League Field 7 ADA Ramp Remediation project was not yet complete at the end of PY22, however, completion is anticipated in early PY23. The Haven House Security Wall (Activity 254) was completed in April of 2023 and has made a huge difference in the comfort level and peace of mind for the residents of the facility. Residents of the facility have expressed an increased feeling of safety since that wall project was completed.

The City utilized CDBG funds to accomplish public service objectives through programs facilitated by Sub-Recipients such as Haven House, Saint Felix Pantry, and Sandoval County Permanent Supportive Housing. These organizations provide services and support to victims of domestic violence, low income households, and people experiencing homelessness. Haven House Shelter Services (Activity 251) exceeded the service-goal stated in the PY 22 AAP by 27 clients. The 392 clients served by Haven House reflect the continued need to prioritize funding for programs serving Rio Rancho's victims of domestic violence. The public service goal established in the 2022 AAP for Saint Felix Pantry (325 beneficiaries) was not fully realized. Saint Felix Pantry's Homelessness Prevention project (Activity 251), served a total of 249 beneficiaries in PY22, however, 126 of those individuals benefited from PY21 funding and 123 persons benefitted by PY22 funding. Sandoval County Permanent Supportive Housing continued to provide supportive housing services to the homeless, however, they did not report any new intake clients and none of their existing clients exited the program. There are vouchers that have not yet been submitted for reimbursement due to clarification needed from the agency: Once those vouchers are processed, PY22 funds will be expended.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

All comments received from affected citizens, other public, private and non-profit agencies, and other interested parties are considered before the final draft of the Action Plan and any amendments or performance reports are submitted to HUD. City staff processes all comments received by: identifying the issue, documenting the comment/complaint, and describing the action taken by the City in

response. The 30-day public comment period for this draft of the 2024 Annual Action Plan began on May 29, 2024 and ended on June 27, 2024.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

No public comments have been received for this plan.

6. Summary of comments or views not accepted and the reasons for not accepting them

No public comments have been received for this plan.

7. Summary

Public participation for the Second Annual Action Plan was solicited in multiple ways. The CDBG funding application process and presentation of applications was advertised in the Rio Rancho Observer and Albuquerque Journal at least 14 days prior to the events. All meetings were open to the public and public participation was encouraged. The City publicly presented the 2024 Draft Action Plan on June 27, 2024 at a public hearing held prior to approval of the plan by the Governing Body. A public notice was published in the Rio Rancho Observer on May 23, 2024 advising the public that the 2024 Annual Action plan was available for review and public comment. The Plan was posted on the City's website and at City Clerk's office for the 30-day Public Comment Period. No public comments have been received for this plan.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	RIO RANCHO	
CDBG Administrator	RIO RANCHO	Financial Services Department
HOPWA Administrator		
HOME Administrator		
HOPWA-C Administrator		

Table 1 – Responsible Agencies

Narrative (optional)

The City of Rio Rancho is the lead agency for the development and administration of the Consolidated Plan and Annual Action Plan. The Accounting Division of the City of Rio Rancho's Department of Financial Services provides oversight of grants funds allocated through the Community Development Block Grant (CDBG). The City has prepared the Consolidated Plan and Second-Year Action plan to provide a comprehensive a strategy to address community development, affordable housing, and homelessness needs with CDBG funds.

Consolidated Plan Public Contact Information

Don Martinez, Capital Planning and Grants Supervisor

City of Rio Rancho, Financial Services Department

3200 Civic Center Circle, NE

Rio Rancho, New Mexico 87144

(505) 896-8720

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The City works to assist in the continuation of needed services to low-to-moderate income persons. This includes working with public and assisted housing providers, as well as public service providers, to enhance coordination of all public service deliveries in Rio Rancho throughout the year.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The Albuquerque Housing Authority, Santa Fe Civic Housing Authority, and the Town of Bernalillo Housing Authority are the local the local public housing agencies serving Rio Rancho. These agencies provide data on tenant and housing choice voucher holder characteristics, waiting lists, and future plans for development. These agencies provided input during the charrette process.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Rio Rancho is a part of the New Mexico Balance of State Continuum of Care. The New Mexico Balance of State CoC's mission is to offer comprehensive services, housing options, resources, funding, and advocacy to support homeless individuals and families. In consultation to develop this plan, the City of Rio Rancho consulted with the Continuum to gain access to all CoC data and an understanding of how the City and the CoC work together. Coordination between the City and the CoC ensures that CoC goals and the City's Consolidated Plan priorities are integrated into the plan.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City of Rio Rancho is a member of the New Mexico Balance of State Continuum of Care. The City does not receive Emergency Solutions Grant funds and therefore does not need to develop performance standards or policies and procedures.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	City of Rio Rancho
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	All
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Coordinate charrette process with other agencies
2	**Agency/Group/Organization**	Albuquerque Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing relationship to provide services.
3	**Agency/Group/Organization**	BERNALILLO COUNTY HOUSING DEPT
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing relationship to provide services.
4	**Agency/Group/Organization**	SANTA FE CIVIC HOUSING AUTHORITY
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing relationship to provide services.

5	**Agency/Group/Organization**	Sandoval County Permanent Supportive Housing
	Agency/Group/Organization Type	Other government - County
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing relationship to provide services.
6	**Agency/Group/Organization**	Saint Felix Pantry
	Agency/Group/Organization Type	Nonprofit Organization
	What section of the Plan was addressed by Consultation?	Homelessness Prevention
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing relationship to provide services.
7	**Agency/Group/Organization**	Haven House
	Agency/Group/Organization Type	Nonprofit
	What section of the Plan was addressed by Consultation?	Homelessness Prevention
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing relationship to provide services.

Identify any Agency Types not consulted and provide rationale for not consulting

The City did not exclude any agency type or agency during this consolidated planning process.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	New Mexico Coalition to End Homelessness	Homelessness Prevention
City of Rio Rancho Affordable Housing Plan	City of Rio Rancho	Market Analysis
City of Rio Rancho Comprehensive Plan	City of Rio Rancho	Market Analysis

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

The City presented the first draft of the FY24-25 Annual Action Plan at a public hearing held just prior to the Governing Body meeting held on June 27, 2024. The 30-Day Public Comment Period was advertised in the Rio Rancho Observer and Albuquerque Journal on May 23, 2024. The published notices included contact information for individuals needing accommodations for a disability as well as the phone number for those seeking TTY services. The time, location, and purpose of the public meeting was advertised in the local newspaper prior to the meeting. The time and location of the meeting was selected specifically to allow increased access and encourage the largest number of working people to participate in the process. Notices were also posted in the City Clerk's office to inform the public that the Action Plan was available for review and comment in the City of Rio Rancho Financial Services Department. The Public Comment Period ended June 27, 2024. After the annual award determination was received, the final draft of the FY24-25 Annual Action Plan was approved by the Governing Body at its next regularly scheduled meeting.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	5 applications received; 4 applications presented to CIPCAC	None	None	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Meeting	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	2 public meetings attended by City Staff, Staff representing Nonprofit agencies and members of CIPCAC	none	none	
3	Website Posting	Non-targeted/broad community	None	None	None	https://rrnm.gov
4	Public Hearing	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	None	None	None	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	470,571	0	0	470,571	1,411,713	CDBG funds will be used to accomplish activities related to Acquisition, Administration and Planning, Housing, Public Facility Improvements, and Public Services

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City of Rio Rancho will use a combination of public and private funding to carry out activities identified in this plan. During this Consolidated Plan period, the City will research opportunities to apply for additional funding streams which are consistent with the goals of the Consolidated Plan. Rio Rancho will continue to investigate other sources of funding that are consistent with the goals of the 2023-2027 Consolidated Plan by working with community partners and non-profit organizations to encourage leveraging of available funding sources and strengthen capacity building.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Rio Rancho plans to fund two public facility improvement projects in PY24. The Star Heights Skate Park Replacement Project will provide recreational activities for youth living in the Star Heights neighborhood. The improvements will be made on public land that the City of Rio Rancho currently owns. The service area where Star Heights Recreation Center is located is considered to be a low-income neighborhood with a service area LMI percentage of 47.47%. This percentage is above the Grantee Quartile Exception LMI percentage limit for Rio Rancho, which is 44.12% LMI and above.

The second public facility improvement project that will be funded in PY24 is the Safelight Blvd ADA Ramp Remediation Project. The city will remediate existing handicap ramps located on Safelight Blvd within the city's right of way. A total of 10 ramps are planned for remediation to current ADA standards.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Provide Funding to Support Public Service Programs	2023	2027	Non-Housing Community Development	Citywide	Increase Capacity of Public Services	CDBG: $66,500	Public service activities other than Low/Moderate Income Housing Benefit: 250 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: 47 Households Assisted
2	Acquire, Construct or Rehab. Public Facilities	2023	2027	Non-Housing Community Development		Public Infrastructure Improvements	CDBG: $353,500	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 3330 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Provide Administrative Structure	2023	2027	Planning and Administration	Citywide	Housing Affordability - Rehabilitation Housing Affordability - Homebuyer Assistance Public Infrastructure Improvements Public Facility Reinvestment Increase Capacity of Public Services	CDBG: $50,571	Other: 1 Other

Table 6 – Goals Summary

Goal Descriptions

1	**Goal Name**	Provide Funding to Support Public Service Programs
	Goal Description	Haven House, Inc. Salary Support - Services provided to victims of domestic violence (250) ($40,500.00), Sandoval County Permanent Supportive Housing - Services to chronically homeless disabled persons (47) ($26,000.00).
2	**Goal Name**	Acquire, Construct or Rehab. Public Facilities
	Goal Description	Safelight Blvd ADA Ramp Remediation Project (10 Ramps remediated, approximately 1500 beneficiaries) ($148,954.00), Star Heights Skate Park Replacement Project (1 facility, approximately 1830 beneficiaries) ($204,546.00).

3	**Goal Name**	Provide Administrative Structure
	Goal Description	Planning and Administration of CDBG Entitlement

Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Rio Rancho typically allocates funds throughout the entire City. Conversely, as need arises, special emphasis is placed on revitalization and redevelopment efforts geared toward specific low and moderate-income neighborhoods.

Projects

#	Project Name
1	Haven House, Inc. Salary Support
2	Sandoval County Permanent Supportive Housing
3	City of Rio Rancho Safelight Blvd ADA Ramp Remediation Project
4	City of Rio Rancho Star Heights Skate Park Replacement
5	City of Rio Rancho Planning and Administration

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City of Rio Rancho typically allocates grant funds throughout the City with efforts geared toward specific low and moderate-income communities.

Over the next year, the City of Rio Rancho will continue to provide CDBG funds to local nonprofits for the provision of public services to low and moderate-income households. The selection of agencies that serve the low-to-moderate income residents is done through a citywide advertisement by issuing a Request for Proposal (RFP). The Capital Improvement Plan Citizen Advisory Committee, (CIPCAC) recommended the CDBG funds to be distributed according to the priority needs that exist for the low-to-moderate income persons.

Due to HUD mandated spending caps, public service projects funding is limited. As a basis for the priority need to eliminate homelessness, the City will continue to provide program funds from CDBG to support non-profit agencies providing rental housing services to homeless persons and/or those at-risk of becoming homeless. Provision of services to victims of domestic violence, youth and their families will also remain a funding priority for the City.

AP-38 Project Summary

Project Summary Information

1	**Project Name**	Haven House, Inc. Salary Support
	Target Area	Citywide
	Goals Supported	Provide Funding to Support Public Service Programs
	Needs Addressed	Increase Capacity of Public Services
	Funding	CDBG: $40,500
	Description	CDBG funds will be used to offset administrative costs by providing salary support for staff who provide shelter and services to Domestic Violence victims and their children. In addition to offering shelter beds, help victims achieve not only immediate safety but also the knowledge, skills and resources to move on with their daily lives.
	Target Date	12/31/2025
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 250 abuse victims and their children
	Location Description	Haven House, Inc.'s physical location is confidential. PO Box 15611, Rio Rancho, NM 87174
	Planned Activities	CDBG funds will be used to offset administrative costs by providing salary support for staff who provide shelter and services to Domestic Violence victims and their children. In addition to offering shelter beds, help victims achieve not only immediate safety but also the knowledge, skills and resources to move on with their daily lives.
2	**Project Name**	Sandoval County Permanent Supportive Housing
	Target Area	Citywide
	Goals Supported	Provide Funding to Support Public Service Programs
	Needs Addressed	Increase Capacity of Public Services
	Funding	CDBG: $26,000
	Description	CDBG funds will be used to offset administrative costs by providing salary support for staff who provide long-term supportive housing assistance and comprehensive outreach, case management, and advocacy services to chronically disabled persons who are experiencing homelessness. In addition, the grant provides salary support for ongoing HUD-funded rental assistance to help persons exit homelessness by securing housing and providing support necessary for the participant to retain housing and successfully build self-sufficiency.

	Target Date	12/31/2025
	Estimate the number and type of families that will benefit from the proposed activities	There are currently 47 beneficiaries participating in the program
	Location Description	
	Planned Activities	CDBG funds will be used to offset administrative costs by providing salary support for staff who provide long-term supportive housing assistance and comprehensive outreach, case management, and advocacy services to chronically disabled persons who are experiencing homelessness. In addition, the grant provides salary support for ongoing HUD-funded rental assistance to help persons exit homelessness by securing housing and providing support necessary for the participant to retain housing and successfully build self-sufficiency.
3	**Project Name**	City of Rio Rancho Safelight Blvd ADA Ramp Remediation Project
	Target Area	Citywide
	Goals Supported	Acquire, Construct or Rehab. Public Facilities
	Needs Addressed	Public Infrastructure Improvements
	Funding	CDBG: $148,954
	Description	The City of Rio Rancho Safelight Blvd ADA Ramp Remediation Project located on Safelight Blvd near Fulcrum Way will include full reconstruction of approximately 10 existing curb ramps to meet current ADA standards as identified in the 2019 ADA Transition plan.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	This area of Rio Rancho is rapidly developing with new single family homes and multi-family apartment structures. The current estimate of families that will benefit from this project is approximately 1500, however this number will increase in the very near future.
	Location Description	Safelight corridor connects surrounding neighborhoods to Fulcrum Way which provides access to multiple medical, financial, and shopping facilities
	Planned Activities	
4	**Project Name**	City of Rio Rancho Star Heights Skate Park Replacement
	Target Area	
	Goals Supported	Acquire, Construct or Rehab. Public Facilities

	Needs Addressed	Public Infrastructure Improvements
	Funding	CDBG: $204,546
	Description	This project will replace the existing skate park located at Star Heights Recreation Center located at 800 Polaris, Rio Rancho, NM 87124 and will benefit approximately 1830 residents who live in the Star Heights Neighborhood area.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	There are approximately 1830 residents in the Star Heights Neighborhood area. The Star Heights Recreation Center serves over 1200 children per year, providing recreational activities year round.
	Location Description	The Star Heights Recreation Center is located in Census Tract 107.12 Block 4
	Planned Activities	The Star Heights Skate Park Replacement project will replace/construct the complete skate park system of eleven skate features, in the 13,000 square foot skate park area at Star Heights Park with a new metal, thirteen skate feature, anti-vandal system.
5	**Project Name**	City of Rio Rancho Planning and Administration
	Target Area	Citywide
	Goals Supported	Provide Administrative Structure
	Needs Addressed	Housing Affordability - Rehabilitation Housing Affordability - Homebuyer Assistance Public Infrastructure Improvements Public Facility Reinvestment Increase Capacity of Public Services
	Funding	CDBG: $50,571
	Description	Planning and Administration of CDBG Entitlement Grant
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	3200 Civic Center Circle NE, Rio Rancho, NM 87124
	Planned Activities	Planning and Administration of CDBG Entitlement Grant

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Public facility improvement projects are planned in areas of the city that have been designated as limited clientele. Public service activities are provided to those beneficiaries that qualify as low to moderate income. Those services include the following:

- rehabilitation of existing units,
- rental assistance,
- financial assistance to home buyers,
- general public facilities and improvements,
- neighborhood facilities including ADA improvements,
- parks, recreational facilities including ADA improvements,
- youth services,
- services to persons with disabilities,
- services to victims of domestic violence,
- services to the homeless,
- general public services

Geographic Distribution

Target Area	Percentage of Funds
Citywide	58

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Typically CDBG funding benefits residents city wide. Public Facility improvements are made as needed utilizing CDBG funds, if the facility is located in a specific qualifying target area.

Discussion

The need for assistance is not limited to the LMI Census Tracts, since the need is spread throughout the City. The majority of the services and benefits to be provided via funded projects will be provided citywide and will cover beneficiaries known under the CDBG program as limited clientele, such as persons with disabilities, homeless persons, and victims of domestic violence. In Program Year 2024, CDBG will fund the Star Heights Skate Park which is located in a target area that has been designated as a low-to-moderate income area, where the percentage of low-to-moderate income families is at 47.47. The City of Rio Rancho qualifies for the Quartile Method exemption, which allows the city to fund

target areas that are 44.12% low-to-moderate income areas.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The focus for Program Year 2024 will be low-income families and underserved populations such as veteran families, single parent head of households, seniors, homelessness, and near-homeless populations within the City of Rio Rancho. The City will continue to fund projects specific to housing and supportive housing needs of homeless and near homeless populations. Home ownership assistance continues to be a goal that are being funded from prior year allocations.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	47
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	47

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

Homelessness prevention is a high priority and a strategic goal. The City will continue to provide funding to Sandoval County Permanent Supportive Housing Program. St. Felix Pantry offers utility, mortgage, and rental payment-assistance to at-risk individuals across Rio Rancho. The Sandoval County Permanent Supportive Housing Program provides supportive housing rental assistance coupled with comprehensive case management, service coordination and advocacy services to chronically disabled persons, and their immediate family members, who are experiencing homelessness. They provide their participants the motivation and means to thrive, not merely survive, to achieve greater self-sufficiency, and to claim their places as positive, engaged members of the communities in which they live.

AP-60 Public Housing – 91.220(h)

Introduction

The City of Rio Rancho does not have a Public Housing Authority. The Town of Bernalillo has historically served the needs of Section 8 Voucher rental assistance for Rio Rancho. In 2012, Santa Fe Civic Housing Authority (SFCHA) took over the responsibility of the Choice Voucher Program from the Town of Bernalillo Public Housing Authority. In addition, SFCHA manages vouchers that were "ported" to Rio Rancho but were originally designated by HUD to other authorities. This program assists very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments. The participant is free to choose any housing that meets the requirements of the program and is not limited to units located in subsidized housing projects. A family that is issued a housing voucher is responsible for finding a suitable housing unit of the family's choice where the owner agrees to rent under the program. This unit may include the family's present residence. Rental units must meet minimum standards of health and safety. A housing subsidy is paid to the property owner directly by the Housing Authority on behalf of the participating family. The family then pays the difference between the actual rent charged by the property owner and the amount subsidized by the program. The City of Rio Rancho has a written Memorandum of Understanding (MOU) with Albuquerque Housing Authority, and Bernalillo County Housing Authority to be the second and third Housing Authority to serve Rio Rancho. Rio Rancho citizens have the option to contact any of the three housing authorities.

Actions planned during the next year to address the needs to public housing

The CDBG office, in cooperation with other City departments, completed a Housing Needs Survey to determine the needs for public housing and fair housing. The study was instrumental in developing the Affordable Housing Plan. The draft is in the process of being approved by NM MFA. Once final approval is received from MFA, the city will be able to pass enabling legislation resulting in the Affordable Housing Ordinance (AHO). Passing the AHO is anticipated to take place sometime in PY24.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable since there are no public housing units located within the City limits.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

In the event that one of the participating Housing Authorities becomes troubled, beneficiaries would be

referred to one of the other participating agencies.

Discussion

The City of Rio Rancho does not have a Public Housing Authority. The Town of Bernalillo has historically served the needs of Section 8 Voucher rental assistance for Rio Rancho. In 2012, Santa Fe Civic Housing Authority (SFCHA) took over the responsibility of Choice Voucher Program from the Town of Bernalillo Public Housing Authority. In addition, SFCHA manages vouchers that were “ported” to Rio Rancho but were originally designated by HUD to other authorities. The City of Rio Rancho has a written Memorandum of Understanding (MOU) with Albuquerque Housing Authority, and Bernalillo County Housing Authority to be the second and third Housing Authority to serve Rio Rancho.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City of Rio Rancho one-year goals and actions include Homeless Prevention and General Public Service for reducing and ending homelessness. The following strategies will be used by the City to address and prevent individuals, families and unaccompanied youth from becoming homeless:

The City will continue to support Saint Felix Pantry who provides homeless prevention through emergency rental/mortgage assistance, clothing, food assistance and referral services for homeless and indigent, including families with children, veterans, chronically homeless, and youth.

The City will continue to support and fund Sandoval County Permanent Supportive Housing, who provides homeless prevention through supportive housing rental assistance coupled with comprehensive case management, service coordination and advocacy services to chronically disabled persons and immediate family members.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City, through funds received from CDBG, funds St. Felix Pantry, Haven House, and Sandoval County Permanent Supportive Housing to mitigate homelessness through food subsidy, utility assistance, mortgage/rent assistance, and support to reach self-sufficiency.

Collaboration with agencies to assess homeless needs, especially unsheltered:

The New Mexico Coalition to End Homelessness provides a tracking system, Homeless Management Information System (HMIS), to help quantify the need and provide specific data reporting elements to U.S. Department of Housing and Urban Development (HUD). However, Staff reported that the actual number of homeless might potentially be much greater, in Sandoval County and Rio Rancho. Specifically, homeless people who elect not to use the servicers, will not be counted, which further reduces the accurate number of homeless in need. Additional, inaccuracy occurs when non-profit agencies choose not to participate in reporting to the HMIS due to the additional data entry burden.

Catholic Charities provides HUD funded rental assistance with comprehensive case management for single parent households for up to 24 months. In addition, provides a limited homeless prevention program, providing 3-6 months of rental assistance.

NMHELP offers emergency assistance, on the job training, work experience, training related support services, classroom training, specialized training, supportive housing, child and adult care food program,

OLAO program (daycare), Foster Grandparent and Senior Companion programs, and a variety of other trainings such as financial literacy, job readiness, pesticide training, and tractor safety. Also, offered are youth programs such as WIOA and of course the HELP program. However, not all of these services are offered by the agency in the Sandoval county area.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City has used CDBG funds to provide transitional housing services to the homeless and emergency shelter to the victims of domestic violence in the past. The City of Rio Rancho does not currently have any type of shelter for homeless individuals and families. The City provides funding to the Sandoval County Permanent Supportive Housing Program to provide an on-going program for residents of Rio Rancho who are homeless or at risk of become homeless. The City will continue to fund Haven House, Inc. to provide shelter services to victims of domestic violence and their families.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City of Rio Rancho is not a recipient of Homelessness Prevention and Rapid Re-Housing Program or the Emergency Solutions Grants (ESG) Program.

The City of Rio Rancho one-year goals and actions include Homeless Prevention and General Public Service for helping make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

New Mexico Coalition to End Homelessness reported the lack of emergency shelters in Rio Rancho and Sandoval County as whole. In addition, there is a significant lack of resources for unaccompanied youth.

The following strategies will be used by the City to address helping homeless persons, especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth:

Continue to support Sandoval County Permanent Supportive Housing provides support for chronically homeless individuals with disabilities and their families.

Helping low-income individuals and families avoid becoming homeless, especially extremely

low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The City of Rio Rancho one-year goals and actions include Homeless Prevention and General Public Service for helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are being discharged from publicly funded institutions and systems of care.

The following strategies will be used by the City to address helping low-income individuals and families avoid becoming homeless:

The Sandoval County Permanent Supportive Housing Program to provide services including housing access assistance to participants in attempt to identify suitable housing units, establish relationships through acting as a liaison with landlords, conduct periodic home safety inspections prior to move-in, and payment of move-in deposits and monthly rental assistance. They also provide client-centered, strength-based case management services which focus on facilitating participants' abilities to retain stable housing and increase self-sufficiency by connecting participants to mainstream services and benefits for which they may be eligible and encourage participation in treatment services and activities such as secondary education, vocational rehabilitation and financial literacy training.

The City continues to support St Felix Pantry in its homelessness prevention program to provide families with emergency resources to enable them to have the time necessary to acquire funds needed to prevent homelessness by providing rental deposits and emergency rental and mortgage assistance.

Discussion

The City has used CDBG funds to provide transitional housing services to the homeless and emergency shelter to the victims of domestic violence in the past. The City of Rio Rancho does not currently have any type of shelter for homeless individuals and families; the City provides funding to the Sandoval County Permanent Supportive Housing Program to provide an on-going program for residents of Rio Rancho who are disabled and homeless or at risk of become homeless. The City will continue to fund Haven House, Inc. to provide shelter services to victims of domestic violence and their families.

The housing need for those who are not homeless but require supportive housing, including the elderly, frail elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents is significant. Homelessness and vagrancy are not always transparent in Rio Rancho as in other cities; even more so with special needs cohort. 20% of Rio Rancho households are experiencing a cost burden and 14% are experiencing a severe cost

burden. Anecdotally, special need cohort may require additional support, which takes away their ability to contribute towards housing or alternatively have enough to pay housing but leaves even less for medication, food, and other daily needs.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

As stated in the Consolidated Plan, the City of Rio Rancho has created zoning ordinances, subdivision review and impact fees, design standards and building codes to protect the health, safety and welfare of its citizens. This protection may well affect affordable housing, as well as community and economic development. These regulations may significantly affect the location and type of housing and business investments, especially within the housing industry. With the soon-to-be approved Affordable Housing Ordinance, the city will be able to more effectively impact the availability of affordability of housing within the City of Rio Rancho.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Barriers to affordable housing are both governmental and non-governmental. Governmental barriers include land use controls, entitlement processing fees and building codes. Land use controls are necessary to ensure orderly and appropriate development and growth in the City. Fees and public improvement are usually required as part of land development and entitlement processing to ensure an adequate supply of infrastructure, parks, and schools to serve the development. To facilitate the development of affordable housing, the City may consider waiving fees or assisting developers in locating resources to fund affordable housing in the future, as well as attempt at establishing inclusionary zoning and/or the development of a Housing Trust Fund. Since building and housing codes are implemented to ensure the safety of housing residents, it is unlikely that the city will waive building or housing codes as a method of increasing affordability. In attempt to remove or ameliorate barriers to affordable housing, the City will take actions to address barriers, as appropriate, taking into consideration available resources and policies. Principal policies relating to affordable housing are found in the Population and Housing Element of the City's 2010 Comprehensive Plan, as amended. The City's Governing Body relies on the Comprehensive Plan to make decisions concerning zoning changes and land use approvals.

Discussion:

City staff reviews city ordinances, building codes, fees and charges, land use controls, etc. on an on-going basis. The City completed a Housing Needs Survey in 2023. The data made available through the survey is being compiled and will be used for the development of the Affordable Housing Ordinance; approval to take place in 2024. All changes must be reviewed and recommended by the Planning and Zoning Commission prior to any changes being presented to the Governing Body; the Governing Body must give final approval to any changes or new ordinances.

AP-85 Other Actions – 91.220(k)

Introduction:

Rio Rancho's Consolidated Plan is imperative to long-term compliance to achieve the goals and objectives set out in the Plan. Every effort is made to comply with the Plan, which serves as a basis for community development decisions for the best short and long-term needs of the community. The City consults with housing, economic development and other nonprofit service providers to provide and implement services set out in the Plan.

Actions planned to address obstacles to meeting underserved needs

The City of Rio Rancho is dedicated to providing safe accessibility for our senior and disabled population. Various projects throughout the City will receive a sidewalk enhancement to comply with ADA standards including major centers and recreational facilities.

Unfortunately, limited funding continues to pose a barrier to providing necessary assistance to all low-income persons in need. Due to HUD threshold restrictions on public service projects, the City has not been able to fully fund all applicants at the requested level. However, with the funding that is awarded through CDBG, the City has been able to address some needs established for disabled persons, homeless persons, and the overall low-income population of Rio Rancho.

Actions planned to foster and maintain affordable housing

The Rio Rancho Housing Opportunities Program offered by the City will continue to provide down payment assistance to first-time homebuyers. No-interest loans assist with the acquisition of newly constructed or existing homes, and are secured with a second mortgage. If the homeowner remains in the home for five years, the City files a Release of Lien with the Sandoval County Clerk's Office, and the funds are treated as a grant. If the home is sold or otherwise transferred within the first five years, the loan is repaid. This project is funded with existing DPA project funds in a previous plan year.

Additionally, through the approval of the Affordable Housing Ordinance in PY24, the city will address the availability of affordable housing in Rio Rancho and will work to increase affordable housing for those in need

Actions planned to reduce lead-based paint hazards

The definition of a lead-based paint hazard as stated in Section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 is "any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as

established by the appropriate Federal agency."

According to the New Mexico Department of Health, homes built before 1950 pose highest threat: there are 764 homes in Rio Rancho built before 1950. For many reasons, lead-based paint is typically not an issue in New Mexico. Historically, homes were covered with mortar and plaster or stucco, not paint. Further, paint containing lead was more expensive than non-lead paint. Due to the nature of structures and the overall poverty of New Mexico, most homeowners were not able to afford lead paint.

When a homebuyer purchases an existing home through the City's Down Payment Assistance Program, they are given a lead-based paint disclosure form that must be signed. If a home is purchased that was built before 1978, the EPA lead-based paint pamphlet entitled "Protect Your Family from Lead in Your Home" is also given to the homeowner. The homebuyer must also sign a series of forms acknowledging they were informed of the lead-based paint issue.

Actions planned to reduce the number of poverty-level families

Anti-poverty efforts are encompassed in the Economic Development Element goals, policies and actions. Following are some of the goals, policies and actions included in the Economic Development Element:

1) Goals: a) Create jobs; b) Retain jobs; c) Enhance the tax base; d) Improve the quality of life; and e) Expand the economic base of Rio Rancho;

2) Policies: a) Proactively support the economic development allies currently providing services applicable to the Entrepreneurship and Small Business Development Tactic; b) Explore opportunities to enhance internships, mentoring programs and expand educational linkages within the community; and c) Consider seeking the adoption of an economic development tax to be utilized for low interest loans for rehabilitation projects;

3) Actions: a) Evaluate ways for the City to increase resident access to the arts, culture and quality of life enhancements; b) Establish Redevelopment Support Program; and c) Establish a targeted, proactive, economic base business recruitment initiative.

Actions planned to develop institutional structure

The City has adopted the Infrastructure Capital Improvement Plan (ICIP) for Fiscal Years 2024–2029. This ICIP plan reflects the collective efforts of several City departments and various levels of management and staff and is intended to be a planning document and financial management tool that projects the capital needs and priorities of the City while identifying future financing requirements over the planning period. The ICIP is reviewed and updated each fiscal year.

The City of Rio Rancho's strategy for overcoming gaps in the institutional structure and service delivery system to carry out and address priority needs is to maintain a high level of communication between the

City and the Non-Profit Service Providers within the community. Through a higher level of communication, it is believed that funds made available through the CDBG Entitlement Grant will benefit more people within the community with the greatest level of need without duplication of service.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Rio Rancho plans to enhance coordination between public and private housing and social service agencies with continued support the Chamber of Commerce Nonprofit Alliance (NPA) that works to support our local nonprofits. This initiative seeks to develop and strengthen partnerships among the nonprofit, private and public sectors in order to help improve quality of life in the area. The NPA strives to raise awareness of the economic impact, needs and values of local non-profit organizations.

With respect to economic development, Rio Rancho supports and works with the Sandoval Economic Alliance (SEA) to enhance coordination with private industry, businesses, developers, and social services agencies. Sandoval Economic Alliance (SEA) is a private, not-for-profit economic development corporation established to strengthen and diversify the economic base of Rio Rancho and Sandoval County, New Mexico. SEA provides a broad range of free and confidential services to businesses and industries considering new locations for expansion, relocation, or consolidation. Corporation services include identifying available sites and facilities, accessing applicable local and statewide business support and incentive programs, and economic and workforce research. SEA also assists existing Sandoval County and Rio Rancho companies through our Retention and Expansion program, called CORE.

Discussion:

The City requires quarterly progress and financial reports from all Sub-recipients of CDBG funding that mandate adherence to specific program requirements. In addition to quarterly reports, programs are monitored through site visits, file audits and management of fiscal functions inherent in contract administration. By requiring quarterly reporting, the City is able to determine if the Sub-recipients are utilizing funds on a timely basis.

All site visits include meeting with staff, discussing current projects, evaluating the efficacy of the sub recipient's performance and adherence to the scope of services in the Sub recipient Agreement. Within the application, the City requires all sub recipients to provide documentation of Articles of Incorporation, current Bylaws, list of current Board of Directors, authorization letter to request funds, designation of authorized official, organizational charts, resumes of Chief Administrator and Chief Financial Officer, copy of most recent financial statement and audit, documentation of compliance with national objectives, and conflict of interest certification.

Each sub recipient's quarterly reports require the organization or agency to document the number of

clients they have served based upon race, ethnicity, gender, age (elderly), income and female-head-of-household. This information in turn is used to fulfill reporting requirements to HUD.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

The City of Rio Rancho does not administer projects that produce program income. We do not have section 108 loans or income from float-funded activities.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R54

AGENDA DATE:
June 27, 2024

DEPARTMENT:
Financial Services

SUBJECT:
R54, Resolution Authorizing a Budget Adjustment to Various Funds to Recognize Revenue Changes, Adjust Grant Funds, and Ensure Adequate Budget Authority for Necessary Expenses through the End of the Fiscal Year 2024

BACKGROUND AND ANALYSIS:
Before the end of each fiscal year, the Financial Services Department staff analyzes all funds to ensure that grant funds are correct and to determine if adjustments are needed in the various funds to ensure adequate budget authority for necessary expenditures through the end of the fiscal year. As a result of this analysis, adjustments are needed to recognize revenue changes, correct grant errors as needed, and ensure adequate funds to meet projected expenses through the end of the fiscal year (June 30).

This Resolution will make needed budget adjustments to recognize revenue adjustments, correct any errors in grants, and support necessary expenditures through the end of the fiscal year:

- Increase the General Fund (101) revenue by $5,001 to recognize auction revenue from an item purchased using CDBG grant sources.
- Increase General Fund (101) revenues by $113,102 to recognize additional impact fee administration fees due to greater-than-expected construction activities.
- Increase the General Fund (101) revenue by $18,000 from Sandoval County reimbursement for using the polling lease space at Unser Plaza.
- Increase several cellular phone services and other utility accounts to ensure adequate budget authority through June 30, 2024.
- Increase various fiduciary accounts totaling $3,442 to ensure adequate budget authority through June 30, 2024.
- Increase transfer to RioVision Cable Fund (226) to ensure adequate budget authority through June 30, 2024.
- Decrease transfer to Multi-Purpose Event Center (MPEC) by $347,500 and substitute Lodger Tax sources (Fund 225) to support the MPEC capital projects.
- Increase transfer to the Building Improvement Fund (313) by $56,207, decreasing expenditures in the Public Works Department contract services in the Building Maintenance cost center (-$11,658) and (-$44,549) in the custodial contract services account. This transfer, in addition to the reallocation of budget within the Building Improvement Fund (313), will ensure adequate budget authority for the City facilities universal fire and security alarm system project and the City Hall HVAC upgrade project.
- Increase City Clerk (CC 1505) budgets by $73,979 to cover all costs for the 2024 municipal elections.
- Reallocate the Municipal Court budget by $21,741 from court admin. fee expenditures to

capital to properly account for expenditures.

- Reallocate budget authority in the Public Works Department from conferences and training (-$1,040), Property Tax (-$3,125), Technological Initiative (-$13,902), Repair and Maintenance (-$1,970), and Travel (-$1,848) to professional services by $21,885.
- Increase the land improvement account to the Public Works Engineering Division by $125,000 for lot fencing costs.
- Increase Police Department personnel budget by $104,000 to pay out comp. time accrued in FY2024.
- Increase Fire and Rescue Department personnel budget by $77,000 to pay out comp. time accrued in FY2024.
- Increase Fire and Rescue Department fleet maintenance account by $28,000 toto ensure adequate budget authority through June 30, 2024.
- Reallocate $110,000 from Major Furniture and Equipment to the Vehicle to purchase an ambulance and be able to use a State Appropriation grant before June 30, 2024.
- Decrease the Ending Fund Balance in the Recreation Activities Fund (206) by $102,049 for Rainbow Pool sand filter replacement.
- Recognize the State in Aid Grant in the Library fund (220) of $326,725.
- Increase transfer from the Convention and Visitor Bureau Fund (225) to transfer $347,500 to the MPEC for capital projects and reduce the General Fund (101) transfer to MPEC by the same amount.
- Increase personnel service costs in the SAD Operations Fund (227) by $700 to ensure adequate budget authority through June 30, 2024.
- Reallocate budgets in the Law Enforcement Retention Fund (236) (LERF) to the correct line items based on actual expenditures.
- Reallocate budgets in the Law Enforcement Recruitment Fund (237) to the correct line items based on actual expenditures.
- Recognize additional revenues of $40,500 in the Local Government Correction Fund (240) and to increase prisoner care expenses by the same amount to to ensure adequate budget authority through June 30, 2024. The Sandoval County Detention Center increased its daily fee to $130.
- Reallocate budgets in the Fire Protection Fund (250) to increase the Fleet Maintenance account; expenses have been higher than anticipated.
- Reallocate budgets in the State Grants Fund (252) to the correct line items based on actual expenditures.
- Recognize additional revenues in the E-911 Grant Fund (255) of $49,758 to adjust expenditure accounts.
- Reduce the grant budget to the actual award amount and adjust expenditures accounts to use the Federal Grant Fund (259) according to the grant objectives.
- Increase expenditures in the Environmental GRT Fund (260) by $1 to correct a rounding error for FY2024.
- Reduce the Ending Fund Balance in the Higher Ed GRT Fund (263) by $500,000 to increase funds for the College Boulevard project.
- Reallocate budgets in the Municipal Road Fund (270) to the correct line items based on actual expenditures.
- Decrease the Ending Fund Balance of the Regional Emergency Communication Center Fund (280) to budget for a pending invoice of $70,801 (for which the purchase order was erroneously closed) related to a CAD project from several years ago. The SCRECC Board has been advised and briefed (May 2024). In addition, the reallocate budget authority from telephone services to cellular phone services by $25 to ensure adequate budget authority through June 30, 2024.
- In the Infrastructure Fund (305), adjust accounts to pay for professional services to perform a pavement analysis of Unser Boulevard by $61,322 and return $500 to the State for the Unser ROW acquisition project.
- Reallocate budgets in the Computer Software Replacement Fund (311) totaling $21,925 to

fully fund the City Facilities Security Cameras project.

- Reallocate budgets in the State Appropriations Capital Grant Fund (315) to correct a negative balance of $2 and correct the building repairs account for expenditures erroneously budgeted in building improvements by $80,612.
- Recognize interest revenue of $450,000 in the 2022 GO Bond Construction Fund (333) and reallocate expenditures based on additional sources needed for various projects.
- Recognize increased revenue in various impact fees funds (Road—351, Trails and Bikeways—352, Parks—353, Public Safety—354, Drainage—355, Water—545, and Wastewater—555) and the corresponding administration fees and reserves, due higher than anticipated construction activity.
- Increase revenues in the HUD CDBG Grant Fund (375) by $3 to match the grantor's financial system and balances in the expenditures account.
- Reallocate expenditure budgets in the Crime Victims Assistance Fund (376) to ensure adequate budget authority through June 30, 2024.
- Decrease the Ending Fund Balance in the Utilities Operating Fund (501) by $107,613, and increase expenditure budgets to ensure adequate budget authority through June 30, 2024 in the fleet maintenance and electric power equipment accounts due to higher than anticipated expenses. In addition, increase professional services by $32,300 for a review of governmental gross receipts taxes practices to ensure accurate collection and reporting of amounts due to the State of New Mexico.
- Recognize additional surcharge revenue by $1,100,000 in the MPEC Surcharge Fund (601) and increase expenditure accounts to ensure adequate budget authority through June 30, 2024.
- Increase Transfers from the MPEC Fund (601) to the MPEC Debt Service Fund (610) by $824,886.
- Decrease the Ending Fund Balance in the Health Self Insurance Fund (750) by $60,0000 for increased claims activity expenditures.

IMPACT:

General Fund (101) Unrestricted Reserves will increase by $32,976.

In addition, the following changes will be made:

- Decrease Ending Fund Balance in the Recreation Activities Fund (206) by $102,049.
- Increase the Library Fund (220) by $326,725.
- Increase Transfer to other Fund and decrease the Ending Fund Balance in the Convention and Visitor's Bureau Fund (225) by $347,500.
- Increase Transfer in from the General Fund (101) and increase expenditures in the Rio Vision Fund (226) by $3,500.
- Reallocate expense budget without a change to the Ending Fund Balance in the SAD Operation Fund (227).
- Reallocate expense budget without a change to the Ending Fund Balance in the Law Enforcement Retention Fund (236).
- Reallocate expense budget without a change to the Ending Fund Balance in the Law Enforcement Recruiting Fund (237).
- Increase the Local Government Corrections Fund (240) by $40,500.
- Reallocate expense budget without a change to the Ending Fund Balance in the Fire Protection Fund (250).
- Reallocate expense budget without a change to the Ending Fund Balance in the State Grants Fund Fund (252).
- Increase the E-911 Grant Fund (255) by $49,758.
- Decrease the Federal Grants Fund (259) by $2,050.
- Reallocate expense budget without a change to the Ending Fund Balance in the Environmental GRT Fund (260).

- Decrease Ending Fund Balance in the Higher Education GRT Fund (263) by $500,000.
- Reallocate expense budget without a change to the Ending Fund Balance in the Municipal Road Fund (270).
- Decrease Ending Fund Balance in the Regional Communications Center Fund (280) by $70,801.
- Adjust revenues by $2 and allocate budget expenditures in line items based on the actual expenditures in the Infrastructure Fund (305).
- Reallocate expense budget without a change to the Ending Fund Balance in the Computer Replacement Fund (311).
- Increase transfer from General Fund (101) to budget for additional project resources in Building Improvements Fund (313).
- Decrease Ending Fund Balance in the State Appropriations Capital Grants Fund (315) by $2.
- Increase 2022 GO Bond Construction Fund (333) by $450,000 for various projects.
- Increase Impact Fees - Roads Fund (351) by $191,181.
- Increase Impact Fees - Bikeway/Trails Fund (352) by $14,539.
- Increase Impact Fees - Parks Fund (353) by $871,204.
- Increase Impact Fees - Public Safety Fund (354) by $301,122.
- Increase Impact Fees - Drainage Fund (355) by $350,567.
- Increase CDBG Fund (375) by $3.
- Reallocate expense budget without a change to the Ending Fund Balance in the Crime Victims Assistant Fund (376).
- Decrease the Utility Fund (501) Ending Fund Balance by $107,613.
- Increase Impact Fees - Water Fund (545) by $1,385,325.
- Increase Impact Fees - Wastewater Fund (555) by $656,116.
- Recognize additional surcharge revenue by $1,100,000 in the MPEC Surcharge Fund (601) and increase expenditure accounts to clear negative balances.
- Increase MPEC Surcharge Fund (601) by $1,100,000.
- Increase MPEC Debt Service Fund (610) by $824,886.
- Decrease the Ending Fund Balance in the Health Self-Insurance Fund (750) by $60,000.

ALTERNATIVES:

Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the Resolution.

ATTACHMENT: Resolution_R54

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO VARIOUS FUNDS TO RECOGNIZE REVENUE CHANGES, ADJUST GRANT FUNDS, AND ENSURE ADEQUATE BUDGET AUTHORITY FOR NECESSARY EXPENSES THROUGH THE END OF THE FISCAL YEAR 2024

WHEREAS: the Fiscal Year 2024 Budget, approved May 25, 2023, was based on estimates of revenues and expenditures; and

WHEREAS: adjustments to the budget are necessary due to unanticipated needs or circumstances and

WHEREAS: in order to close the 2024 Fiscal Year with adequate budget authority across all funds, a budget adjustment is necessary.

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

That authorization is given for the following budget adjustment:

General Fund (101)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
101-0000-369-1013 Fiscal Services	FS1933	$68,000	$5,001		$73,001
101-0000-368-4100 Admin Charges		$85,800	$113,102		$198,902
101-0000-369-1011 Miscellaneous Rev. Clerk	CC2491	$2,500	$18,000		$20,500
Total Revenue		$156,300	$136,103	$0	$292,403

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
101-0515-410-5502 Cellular Phone Services		$27,197	$390	$0	$27,587
101-0515-410-6516 Tax Penalty		$17,548	$942		$18,490
101-0515-410-6518 Banking Charges		$250,000	$2,400		$252,400

101-0515-410-8004 Transfer to RioVision Cable Fund		$65,062	$3,500		$68,562
101-0515-410-8021 Transfer to MPEC		$3,289,377		$347,500	$2,941,877
101-0515-410-8026 Transfer to Building Replacement		$2,039,769	$56,207		$2,095,976
101-1505-411-1013 Temporary Employee	See Note 1	$61,000	$41,718		$102,718
101-1505-411-1021 Overtime	See Note 2	$0	$12,630		$12,630
101-1505-411-2005 FICA	See Note 3	$3,873	$5,761		$9,634
101-1505-411-2015 Worker's Comp	See Note 4	$1,185	$284		$1,469
101-1505-411-3005 Municipal Election	See Note 5	$192,630	$13,586		$206,216
101-1705-412-4011 Court Admin Fee Expenditures		$75,100		$21,741	$53,359
101-1705-412-7025 Major Furniture and Equipment		$0	$21,741		$21,741
101-3003-415-3207 Contract Services	FS1933	$37,265	$5,001		$42,266
101-3505-450-5502 Cellular Phone Services		$20,806	$490		$21,296
101-3511-450-5050 Telephone Services		$11,255	$490		$11,745
101-5501-441-5011 Conferences and Training		$1,040		$1,040	$0
101-5501-441-6515 Property Tax		$5,144		$3,125	$2,019
101-5505-441-3207 Contract Services		$561,596		$11,658	$549,938
101-5510-441-3207 Contract Services		$162,373		$44,549	$117,824
101-5520-441-3106 Technological Initiative		$75,919		$13,902	$62,017
101-5520-441-3201 Professional Services		$586,063	$21,885		$607,948
101-5520-441-5006 Travel		$2,695		$1,848	$847
101-5520-441-5037 Repair and Maintenance		$90,113		$1,970	$88,143
101-5520-441-7008 Land Improvement		$0	$125,000		$125,000

101-6005-421-5502 Cellular Phone Services		$133,980	$23,354		$157,334
101-6025-424-1027 Other Pay		$0	$104,000		$104,000
101-6530-423-1027 Other Pay		$703,921	$77,000		$780,921
101-6530-423-5040 Fleet Maintenance		$179,028	$28,000		$207,028
101-6530-423-6053 Program supplies		$15,897	$2,170		$18,067
101-6530-423-7015 Vehicles	FR2251		$110,000		$110,000
101-6530-423-7025 Major Furniture and Equipment	See Note 6	$385,728		$110,000	$275,728
101-6545-421-5040 Fleet Maintenance		$600	$3,811		$4,411
101-0515-410-9001 Ending Fund Balance		$22,257,215	$32,976		$22,290,191
Total Expense		$31,253,379	$693,436	$557,333	$31,389,482

1: CC2491 $18,133; CC2492 $23,585
2: CC2491 $9,974; CC2492 $2,656
3: CC2491 $4,247; CC2493 $1,514
4: CC2491 $208; CC2492 $76
5: CC2491 $13,155; CC2492 $431
6: Unallocated -$1,220; FR2251 -$56,697; FR2272 -$45,703; FR2433 -$6,380

Recreation Activities Fund (206)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
206-0000-450-7610 Park Improvements	PR2429	$327	$102,049		$102,376
206-0000-450-9001 Ending Fund Balance		$145,049		$102,049	$43,000
Total Expense		$145,376	$102,049	$102,049	$145,376

Library Fund (220)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
220-0000-334-1000 State Grants	LB2408	$167,924	$326,725	$0	$494,649
Total Revenue		$167,924	$326,725	$0	$494,649

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
220-0000-450-3106 Technological Initiatives	LB2408	$295,010	$145,000	$0	$440,010
220-0000-450-3207 Contract Services	LB2408	$54,136	$20,000		$74,136

220-0000-450-5005 Memberships and Subscriptions	LB2408	$89,393	$30,000		$119,393
220-0000-450-6053 Program Supplies	LB2408	$2,766	$7,000		$9,766
220-0000-450-6074 State Bond Books	LB2408	$56,383	$124,725		$181,108
Total Expense		$497,688	$326,725	$0	$824,413

Convention and Visitor Bureau Fund (225)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
225-0000-465-8001 Transfer to Other Fund		$275,000	$347,500	$0	$622,500
225-0000-465-9001 Ending Fund Balance		$457,600		$347,500	$110,100
Total Expense		$732,600	$347,500	$347,500	$732,600

RioVision Cable Fund (226)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
226-0000-392-3000 Trans from General Fund		$65,062	$3,500	$0	$68,562
Total Revenue		$65,062	$3,500	$0	$68,562

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
226-0000-465-3207 Contract Services		$97,069	$3,500	$0	$100,569
Total Expense		$97,069	$3,500	$0	$100,569

SAD Operations Fund (227)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
227-0000-415-1037 Longevity Pay		$0	$700	$0	$700
227-0000-415-3021 SAD Costs and Fees		$32,343		$700	$31,643
Total Expense		$32,343	$700	$700	$32,343

LERF 21220 Fund (236)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
236-0000-421-1009 Non-Exempt Full Time	PS2448	$425,824	$0	$64,900	$360,924

236-0000-421-1019 Chief's Overtime	PS2448	$0	$16,000		$16,000
236-0000-421-1021 Overtime	PS2448	$0	$13,000		$13,000
236-0000-421-1022 Holiday Pay	PS2448	$0	$14,000		$14,000
236-0000-421-1025 PTO	PS2448	$0	$3,000		$3,000
236-0000-421-1030 Uniform Allowance	PS2448	$2,227	$3,000		$5,227
236-0000-421-2001 PERA	PS2448	$83,198		$27,000	$56,198
236-0000-421-2005 FICA	PS2448	$6,075		$1,500	$4,575
236-0000-421-2015 Worker's Compensation	PS2448	$7,109		$2,500	$4,609
236-0000-421-2020 Health Insurance	PS2448	105,380		$73,000	$32,380
236-0000-421-2025 Life Insurance	PS2448	$106	$200		$306
236-0000-421-2030 Dental Insurance	PS2448	$7,146		$4,000	$3,146
236-0000-421-2040 Retiree Healthcare	PS2448	$8,516		$2,500	$6,016
236-0000-424-1009 Non-Exempt Full Time	PS2448	$282,143	$70,000		$352,143
236-0000-424-1021 Overtime	PS2448	$0	$18,000		$18,000
236-0000-424-1022 Holiday Pay	PS2448	$0	$17,000		$17,000
236-0000-424-1030 Uniform Allowance	PS2448	$6,682	$14,000		$20,682
236-0000-424-2002 PERA – Law Enforcement	PS2448	$96,634	$25,000		$121,634
236-0000-424-2005 FICA	PS2448	$4,189	$1,400		$5,589
236-0000-424-2015 Worker’s Comp	PS2448	$11,629	3,300		$14,929
236-0000-424-2020 Health Insurance	PS2448	$66,399		$23,000	$43,399
236-0000-424-2025 Life Insurance	PS2448	$38	$300		$338
236-0000-424-2030 Dental Insurance	PS2448	$4,651		$1,800	$2,851
236-0000-424-2040 Retiree Healthcare	PS2448	$7,054	$2,000		$9,054
Total Expense		$1,125,000	$200,200	$200,200	$1,125,000

Law Enforcement Recruitment Fund (237)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
237-0000-424-1009 Non-Exempt Full Time	PS2347	$165,217		$24,816	$140,401
237-0000-424-1019 Chief's Overtime	PS2347	$185	$163		$348
237-0000-424-1021 Overtime	PS2347	$7,212	$20,822		$28,034
237-0000-424-1022 Holiday Pay	PS2347	$7,471	$2,153		$9,624
237-0000-424-1036 Interpreter Pay	PS2347	$0	$139		$139
237-0000-424-1038 Recruitment Incentives	PS2347	$324	$176		$500
237-0000-424-2002 PERA-Law Enforcement	PS2347	$50,331	$166		$50,497
237-0000-424-2005 FICA	PS2347	$2,638		$176	$2,462
237-0000-424-2015 Worker's Compensation	PS2347	$7,156		$459	$6,697
237-0000-424-2020 Health Insurance	PS2347	$16,938	$1,169		$18,107
237-0000-424-2025 Life Insurance	PS2347	$117	$16		$133
237-0000-424-2030 Dental Insurance	PS2347	$1,179		$119	$1,060
237-0000-424-2040 Retiree Healthcare	PS2347	$3,732	$766		$4,498
Total Expense		$262,500	$25,570	$25,570	$262,500

Local Government Correction Fund (240)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
240-0000-342-5500 Local Government Correction Revenue		$200,000	$40,500	$0	$240,500
Total Revenue		$200,000	$40,500	$0	$240,500

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
240-0000-412-3030 Prisoner Care		$351,581	$40,500	$0	$392,081
Total Expense		$351,581	$40,500	$0	$392,081

Fire Protection Fund (250)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
250-0000-422-3025 Insurance		$2,412	$0	$49	$2,363
250-0000-422-3106 Technological Initiatives		$0	$12,264		$12,264
250-0000-422-5005 Membership and Subscriptions		$4,878	$49		$4,927
250-0000-422-5007 Transportation		$2,700		$1,000	$1,700
250-0000-422-5037 Repair and Maintenance		$28,392		$10,000	$18,392
250-0000-422-5040 Fleet Maintenance		$210,159	$30,000		$240,159
250-0000-422-6020 Protective Clothing		$296,534		$21,264	$275,270
250-0000-422-6053 Program supplies		$9,200		$5,000	$4,200
250-0000-422-6070 Minor Furniture and Equipment		$73,729		$5,000	$68,729
Total Expense		$628,004	$42,313	$42,313	$628,004

State Grants Fund (252)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
252-0000-421-1009 Non-Exempt Full Time	PS2433	$16,335	$730		$17,065
252-0000-421-1021 Overtime	PS2433	$159,083		$955	$158,128
252-0000-421-2001 PERA	PS2433	$3,387		$40	$3,347
252-0000-421-2005 FICA	PS2433	$245		$10	$235
252-0000-421-2020 Health Insurance	PS2433	$3,997	$315		$4,312
252-0000-421-2030 Dental Insurance	PS2433	$292		$40	$252
Total Expense		$183,339	$1,045	$1,045	$183,339

E-911 Grant Fund (255)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
255-0000-334-1000 State Grant	PS2432	$323,016	$49,758	$0	$372,774
Total Revenue		$323,016	$49,758	$0	$372,774

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
255-0000-421-4039 DFA Direct Maintenance Payment	PS2432	$255,940	$53,297	$0	$309,237
255-0000-424-4040 Program Activities	PS2432	$52,429		$3,539	$48,890
Total Expense		$308,369	53,297	$3,539	$358,127

Federal Grants Fund (259)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
259-0000-331-2000 Federal Grants	FR2337	$1,224,279	$0	$2,050	$1,222,229
Total Revenue		$1,224,279	$0	$2,050	$1,222,229

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
259-0000-424-3106 Technological Initiatives	FR2342	$57,153	$16,163	$0	$73,316
259-0000-424-3201 Professional Services	FR2342	$65,000		$65,000	$0
259-0000-424-3207 Contract Services	FR2342	$112,500		$112,500	$0
259-0000-424-4040 Program Activities	FR2337	$87,825		$2,050	$85,775
259-0000-424-5035 Repair and Maintenance Buildings	FR2342	$63,750		$5,127	$58,623
259-0000-424-7025 Major Furniture and Equipment	FR2342	$190,882	$166,464		$357,346
Total Expense		$577,110	$182,627	$184,677	$575,060

Environmental GRT Fund (260)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
260-0000-511-7037 Capital Infrastructure	WW2177	$297,517	$1	$0	$297,518
260-0000-511-9001 Ending Fund Balance		$257,476		$1	$257,475
Total Expense		$554,993	$1	$1	$554,993

Higher Ed GRT Fund (263)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
263-0000-410-7010 Road Construction	PW2402	$2,000,000	$500,000	$0	$2,500,000
263-0000-410-9001 Ending Fund Balance		$9,411,219		$500,000	$8,911,219
Total Expense		$11,411,219	$500,000	$500,000	$11,411,219

Municipal Road Fund (270)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
270-0000-443-5038 Rep/Maintenance Infrastructure	PW2376	$146,024	$6,000		$152,024
270-0000-443-7024 Road Restoration	PW2376	$6,000		$6,000	$0
Total Expense		$152,024	$6,000	$6,000	$152,024

Regional Emergency Communication Center Fund (280)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
280-0000-421-5050 Telephone Services		$28,621	$0	$25	$28,596
280-0000-421-5502 Cellular Phone Services		$5,526	$25		$5,551
280-0000-421-7025 Major Furniture and Equipment	PS1864	$0	$70,801		$70,801
280-0000-421-9004 Ending Fund Balance		$2,068,881		$70,801	$1,998,080
Total Expense		$2,103,028	$70,826	$70,826	$2,103,028

Infrastructure Fund (305)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
305-0000-361-1000 Interest Revenue	PW2097	$0	$2	$0	$2
Total Revenue		$0	$2	$0	$2

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
305-0000-442-3201 Professional Services	PW2419	$7,941	$61,322	$0	$69,263
305-0000-442-4103 Project Refunds	PW2097	$0		$500	$-500
305-0000-442-4150 Grant Reversion	PW2097	$382,943	$502		$383,445

305-0000-442-7010 Road Construction	PW2379	$31,425,460		$61,322	$31,364,138
Total Expense		$31,816,344	$61,824	$61,822	$31,816,346

Computer Software Replacement Fund (311)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
311-0000-410-3106 Technological Initiative	IT2395	$380,208	$21,925	$0	$402,133
311-0000-410-3207 Contract Services	IT2395	$196,442		$21,925	$174,517
Total Expense		$576,650	$21,925	$21,925	$576,650

City Facilities Improvement/Replacement Fund (313)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
313-0000-392-3000 Transfer from General Fund		$2,039,769	$56,207	$0	$2,095,976
Total Revenue		$2,039,769	$56,207	$0	$2,095,976

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
313-0000-416-3106 Technological Initiatives	PW2489	$26,510	$87,202	$0	$113,712
313-0000-416-5035 Repair and Maintenance Buildings	See Note 1	$939,144	$279,537		$1,218,681
313-0000-416-6070 Minor Furniture and Equipment	See Note 2	$75,398		$2,286	$73,112
313-0000-416-7011 Building Improvements	See Note 3	$2,430,392		$308,246	$2,122,246
Total Expense		$3,471,444	$366,739	$310,532	$3,527,651

1: PW2489 $93,483; PW2418 $186,054
2: AD2157 -$1,006; Unallocated -$1,280
3: PW2489 -$180,685; LB2405 -$10,879; PS2349 -$1,281; PW2401 -$262; PW2241 -$115,139

State Appropriations Capital Grants Fund (315)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-416-5035 Building Repairs	PR2218	$287,147	$80,612		$367,759
315-0000-416-7010 Road Construction	PW2244	$1,194,216	$2		$1,194,218
315-0000-416-7011 Building Improvements	PE2218	$2,135,156		$80,612	$2,054,544
315-0000-416-9001 Ending Fund Balance		$2		$2	$0
Total Expense		$3,616,521	$80,614	$80,614	$3,616,521

2022 GO Bond Construction Fund (333)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
333-0000-361-1000 Interest		$0	$450,000	$0	$450,000
Total Revenue		$0	$450,000	$0	$450,000

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
333-0000-423-7025 Major Furniture and Equipment	See Note*	$91,850		$10,800	$81,050
333-0000-424-7015 Vehicles and Heavy Equipment	PS2246	$660,794	$106,230		$767,024
333-0000-441-7010 Road Construction	See Note**	$8,089,143	$327,001		$8,416,144
333-0000-450-6072 Books	LB2233	$13,595	$30,688		$44,283
333-0000-450-7025 Major Furniture and Equipment	PR2232	$507,521		$3,119	$504,402
Total Expense		$9,362,903	$463,919	$13,919	$9,812,903

* FR2250 ($1,605); FR2251 ($9,195). ** PW2248 ($163,501); PW2249 ($163,500)

Impact Fees – Road Fund (351)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
351-0000-363-4100 Impact Fees		$545,000	$191,181	$0	$736,181
Total Revenue		$545,000	$191,181	$0	$736,181

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
351-0000-442-6106 Administrative Costs		$16,350	$5,735		$22,085
351-0000-442-9001 Ending Fund Balance		$1,208,567	$185,446		$1,394,013
Total Expense		$1,224,917	$191,181	$0	$1,416,098

Impact Fees – Bikeway/Trails Fund (352)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
352-0000-363-4200 Impact Fees		$20,000	$14,539	$0	$34,539
Total Revenue		$20,000	$14,539	$0	$34,539

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
352-0000-442-6106 Administrative Costs		$600	$436	$0	$1,036
352-0000-442-9001 Ending Fund Balance		$65,757	$14,103		$79,860
Total Expense		$66,357	$14,539	$0	$80,896

Impact Fees – Parks Fund (353)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
353-0000-363-4300 Impact Fees		$295,000	$871,204	$0	$1,166,204
Total Revenue		$295,000	$871,204	$0	$1,166,204

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
353-0000-442-6106 Administrative Costs		$8,850	$26,136	$0	$34,986
353-0000-442-9001 Ending Fund Balance		$1,593,827	$845,068		$2,438,895
Total Expense		$1,602,677	$871,204	$0	2,473,881

Impact Fees – Public Safety Fund (354)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
354-0000-363-4400 Impact Fees		$225,000	$301,122	$0	$526,122
Total Revenue		$225,000	$301,122	$0	$526,122

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
354-0000-424-6106 Administrative Costs		$6,750	$9,034	$0	$15,784
354-0000-424-9001 Ending Fund Balance		$518,626	$292,088		$810,714
Total Expense		$525,376	$301,122	$0	$826,498

Impact Fees – Drainage Fund (355)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
355-0000-363-4500 Impact Fees		$370,000	$350,567	$0	$720,567
Total Revenue		$370,000	$350,567	$0	$720,567

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
355-0000-424-6106 Administrative Costs		$11,100	$10,517	$0	$21,617

355-0000-442-9001 Ending Fund Balance		$2,534,329	$340,050		$2,874,379
Total Expense		$2,545,429	$350,567	$0	$2,895,996

HUD CDBG Fund (375)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
375-0000-331-4700 HUD Grant Proceeds	FS2071	$489,772	$3	$0	$489,775
Total Revenue		$489,772	$3	$0	$489,775

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
375-0000-445-4040 Program Activities	FS2071	$73,687	$2	$0	$73,689
375-0000-445-4115 RRHOP	FS2071	$26,294	$1		$26,295
Total Expense		$99,981	$3	$0	$99,984

Crime Victims Assistance Fund (376)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
376-0000-424-1009 Non-Exempt Full Time	PS2449	$77,806	$0	$370	$77,436
376-0000-424-2020 Health Insurance	PS2449	$17,977	$340		$18,317
376-0000-424-2025 Life Insurance	PS2449	$75	$30		$105
Total Expense		$95,858	$370	$370	$95,858

Utility Fund (501)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
501-7005-505-9001 Ending Fund Balance		$3,235,027		$107,613	$3,127,414
501-7007-540-5050 Telephone Services		$150,253	$1,285		$151,538
501-7019-505-3201 Professional Services		$35,338	$32,300		$67,638
501-7025-540-5056 Electric - Power Equipment		$2,801,690		$25,868	$2,775,822
501-7030-545-5040 Fleet Maintenance		$147,777	$75,313		$223,090
501-7045-540-5056 Electric – Power Equipment		$135,307	$24,583		$159,890
Total Expense		$6,505,392	$133,481	$133,481	$6,505,392

Impact Fees – Water

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
545-0000-363-4500 Impact Fees		$970,000	$1,385,325	$0	$2,355,325
Total Revenue		$970,000	$1,385,325	$0	$2,355,325

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
545-0000-442-6106 Administrative Costs		$29,100	$41,560	$0	$70,660
545-0000-442-9001 Ending Fund Balance		$700,186	$1,343,765		$2,043,951
Total Expense		$729,286	$1,385,325	$0	$2,114,611

Impact Fees – Wastewater Fund (555)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
555-0000-363-4500 Impact Fees		$435,000	$656,116	$0	$1,091,116
Total Revenue		$435,000	$656,116	$0	$1,091,116

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
555-0000-555-6106 Administrative Costs		$13,050	$19,683	$0	32,733
555-0000-555-9001 Ending Fund Balance		$305,283	$636,433		$941,716
Total Expense		$318,333	$656,116	$0	$974,449

MPEC Surcharge Fund (601)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
601-0000-366-1005 Surcharge Revenue		$503,798	$1,100,000	$0	$1,603,798
601-0000-392-3000 Transfer from General Fund		$3,289,377		$347,500	$2,941,877
601-0000-392-3500 Transfer from Other Fund		$275,000	$347,500		$622,500
Total Revenue		$4,068,175	$1,447,500	$347,500	$5,168,175

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
601-0000-410-6625 Intergovernmental		$196,217	$275,114	$0	$471,331

601-0000-410-8008 Transfer to Debt Service		$382,886	$824,886		$1,207,772
Total Expense		$579,103	$1,100,000	$0	$1,679,103

MPEC Debt Service Fund (610)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
610-0000-392-1200 Transfer from Other Fund		$382,886	$824,886	$0	$1,207,772
Total Revenue		$382,886	$824,886	$0	$1,207,772

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
610-0000-505-9001 Ending Fund Balance		$531,459	$824,886	$0	$1,356,345
Total Expense		$531,459	$824,886	$0	$1,356,345

Health Self-Insurance Fund (750)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
750-0000-410-6554 Claims BCBS	N/A	$1,200,000	$60,000		$1,260,000
750-0000-410-9006 Ending Fund Balance	N/A	$604,810		$60,000	$544,810
Total Expense		$1,804,810	$60,000	$60,000	$1,804,810

ADOPTED THIS _____DAY OF _____, 2024.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)