



**Planning and Zoning Board
Meeting
City of Rio Rancho
AGENDA
January 14, 2025
6:00 PM
City Hall**

BOARD MEMBERS

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

MEETING INFORMATION

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

Join by Computer: <https://us06web.zoom.us/j/85180741871?pwd=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>

Meeting ID: 851 8074 1871

Passcode: 026819

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

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

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

1. [December 17, 2024 Planning and Zoning Board Meeting Minutes 2024-1217 PZB Minutes.docx](#)

STAFF PRESENTATIONS, REPORTS AND COMMENTS

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

- 3.** Planning and Zoning Monthly Summary Plat Report - December 2024
Dec Summ Plat.pdf

PUBLIC HEARINGS

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

- 4.** **Preliminary Plat Extension.** The applicant, Mariposa East L.P., through their agent, Bohannon Huston Inc., requests approval of a Preliminary Plat Extension to a previously approved preliminary plat for the Mariposa East Subdivision. Staff contact is Liz Ruiz Carlos and staff recommends approval with findings and conditions.
Location, Zoning Map.pdf
Preliminary Plat Extension_Mariposa Subdivision.pdf
Reproduction of Notices.pdf
- 5.** **Preliminary Plat Extension.** The applicant, Lomas Encantadas Development Co, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary Plat Extension for the Lomas Encantadas 1D Phase 1A, 1B, & 2 Subdivision. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.
Zoning, Location
Application & Extension Request
Authorization
Preliminary Plat
Reproduction of Notices, Legal
- 6.** **Preliminary Plat Extension & Amendment.** The Applicant, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requests approval of an Amended Preliminary Plat Extension for the Lomas Encantadas 1E Phase 2 Subdivision. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.
Zoning, Location
Amended Preliminary Plat
Plat Changes
Application & Extension Request
Amendment Request Application
Authorization
Lomas Encantadas 1E lot summary
Reproduction of Notices, Legal
- 7.** **Variance.** The applicant, Mario Risso, requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property legally described as Rio Rancho Estates Unit 11, Block 5, Lot 80. Staff contact is Tim Dvorak and staff recommends denial with findings.
Zoning, Location
Application
Justification
Property Site Plan
Building Permit Application Packet
Wall Photos - Current
Wall Photos - Previous
Reproduction of Notices, Legal
Findings_of_Fact_401_5th_St_NE.docx

- 8. Variance.** The applicant, Ann Bagley, is requesting approval of a variance request to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning, Section 154.50 Zoning Table to allow for a 5 ft rear setback of a 552 sq. ft. proposed accessory structure on the subject property legally described as Corrales North Unit 3, Block 24, Lot 4, and addressed as 2428 Manzano Lp NE. Staff contact is Michelle Costilla, and staff recommends denial.

Zoning, Location.pdf

Justification.pdf

Site Plan.pdf

Corner of Property.jpg

Corner of Property 2.jpg

Tiering.jpg

Reproduction of Notices.pdf

Findings_of_Fact_BMB.docx

- 9. Text Amendment.** The applicant, the City of Rio Rancho requests an amendment to the Rio Rancho Municipal Code, Title XV Land Usage, Chapter 154 Planning and Zoning, Sections 154.10, 154.13, 154.19, and 154.43. Staff contact is Brian Babyak and staff recommends the Planning and Zoning Board recommend approval to the Governing Body.

BoardingLodgingHouses_Ordinance_1.6.24.docx

O22_-_Signed (Ch 123 STRs).pdf

O24_-_Signed (Ch 154 Permissive Use STRs).pdf

PZB Legal Ad Proof.pdf

DISCUSSION AND DELIBERATION

COMMENTS BY MEMBERS

PUBLIC FORUM

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

ADJOURNMENT



**CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:

January 14, 2025

DEPARTMENT:

Development Services

SUBJECT:

December 17, 2024 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

Approval

ATTACHMENT: [2024-1217 PZB Minutes.docx](#)



Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

DECEMBER 17, 2024
6:00 PM
Overflow Room, City Hall

MEMBERS PRESENT:

Scottie Richardson, District 1, Vice-Chair
Kevin Kofchur, District 2
Fred Radosevich, District 3, Chair
Robert Gabaldon, District 4 (*Virtual*)
Andrea Hankins, District 5 (*Virtual*)
Lisa Hardisty, District 6
Sal Tortorici, At-Large

MEMBERS ABSENT:

STAFF PRESENT:

Amy Rincon, Development Services Director
Brian Babyak, Planning & Zoning Manager
Liz Ruiz Carlos, Planner II
Michelle Costilla, Planner II
Sharon Bitah, Administrative Assistant

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

- 1) November 19, 2024 Planning and Zoning Board Meeting Minutes
- 2) 2025 Planning and Zoning Board Regular Meeting Calendar

Sal Tortorici moved to approve the Consent Calendar. Seconded by Lisa Hardisty.

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

YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Andrea Hankins,
Lisa Hardisty, Sal Tortorici

NO: (None)

STAFF PRESENTATIONS, REPORTS AND COMMENTS

- 3) Planning and Zoning Monthly Building Activity Report – November 2024
- 4) Planning and Zoning Monthly Summary Plat Report – November 2024

PUBLIC HEARINGS

- 5) The applicant, Mariposa East L.P., through their agent, Bohannon Huston Inc., had requested approval of a Preliminary Plat Extension to a previously approved preliminary plat for the Mariposa East Subdivision.

Staff member, Liz Ruiz Carlos recommended postponement to a meeting date certain of January 14, 2025.

Lisa Hardisty moved to postpone Item #5 to a date certain of January 14, 2025. Seconded by Sal Tortorici.

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

YES: Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Andrea Hankins,
Lisa Hardisty, Sal Tortorici

1 **NO:** (None)
2

- 3 **6)** The applicant, Lucas Weidner, requested approval of a Hobby Breeder Conditional Use Permit for the
4 intermittent breeding of Great Danes at the location legally described as Vista Montebella, Block 1, Lot
5 27, and addressed as 2437 Lynn Rd SE.
6

7 Staff member, Michelle Costilla presented the item recommending denial with findings and stood for
8 questions.
9

10 Commissioner Tortorici questioned the outcome of the court date to which staff member, Michelle
11 Costilla replied the applicant failed to show up and the court hearing was postponed to January.
12 Commissioner Hardisty commented on the clear intention to breed in the justification letter.
13

14 The following members of the public spoke in opposition of the item:

- 15 • Paul Gallegos
- 16 • Sheryl Easley
- 17

18 Sal Tortorici moved to approve Item #6. Seconded by Kevin Kofchur.

19 The motion failed by a vote of **0 FOR** and **7 AGAINST**

20 **YES:** (None)

21 **NO:** Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Andrea Hankins,
22 Lisa Hardisty, Sal Tortorici
23

- 24 **7)** The applicant, LGI Homes-New Mexico, LLC, through their agent, Douglas Chubin, PE, of CVL
25 Consulting, requested approval of a Final Plat for the subject property legally described as High Range
26 5, Tract 1 and 2 and Unit 13, Block 72, Lot 11.
27

28 Staff member, Liz Ruiz Carlos presented the item recommending approval with findings and conditions
29 and stood for questions.
30

31 Agent, Douglas Chubin spoke on the item after being administered the oath virtually.
32

33 Lisa Hardisty moved to approve Item #7. Seconded by Kevin Kofchur.

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

35 **YES:** Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Andrea Hankins,
36 Lisa Hardisty, Sal Tortorici

37 **NO:** (None)
38

- 39 **8)** The applicant, Forestar (USA) Real Estate Group, Inc., through their agent, Isaacson & Arfman, Inc,
40 requested approval of a Final Plat for the Stone Mountain subdivision to create 86 R-4: Single-Family
41 Residential lots and one tract on the property legally described as Unit 13, Block 63, Parks and
42 Recreation Area.
43

44 Staff member, Michelle Costilla presented the item recommending approval with findings and
45 conditions and stood for questions.
46

47 Agent Justin Simonsen spoke on the item and stood for questions.
48

49 Kevin Kofchur moved to approve Item #8. Seconded by Lisa Hardisty.

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

51 **YES:** Scottie Richardson, Kevin Kofchur, Fred Radosevich, Robert Gabaldon, Andrea Hankins,
52 Lisa Hardisty, Sal Tortorici

53 **NO:** (None)
54

55 **DISCUSSION AND DELIBERATION**

56

1 **COMMENTS BY BOARD MEMBERS**

2
3 Chairman Radosevich stated that during his annual presentation to the Mayor and Councilors, they
4 expressed their appreciation of the hard work the Planning and Zoning Board were doing.

5
6 **PUBLIC FORUM**

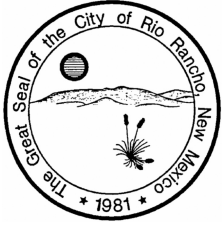
7
8 **ADJOURNMENT**

9
10 Sal Tortorici moved to adjourn the meeting. Seconded by Scottie Richardson.
11 Chairman Radosevich adjourned the meeting at 6:21 PM.

12
13 **APPROVED THIS 14th DAY OF JANUARY 2025.**

14
15
16
17

Fred Radosevich, Chairman



**CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:
January 14, 2025

DEPARTMENT:
Development Services

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

BACKGROUND AND ANALYSIS:

IMPACT:

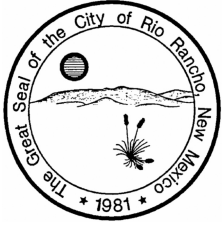
ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

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

2024 BUILDING ACTIVITY COMPARISON

PERMIT TYPES	JAN #s	FEB #s	MAR #s	APR #s	MAY	JUNE	JUL	AUG	AUGUST VALUATION	SEPT	SEPTEMBER VALUATION	OCT	OCTOBER VALUATION	NOV	NOVEMBER VALUATION	DEC	DECEMBER VALUATION	ANNUAL TOTALS		ANNUAL TOTALS (2023)	
Single Family	86	78	56	91	107	114	76	55	\$11,969,314	79	\$15,644,771	80	\$18,065,143	85	\$16,436,028	71	\$15,919,130	978	\$203,284,682	966	\$204,503,567
Additions/Residential	12	13	16	19	15	12	10	20	\$726,285	6	\$180,206	7	\$174,724	5	\$172,738	4	\$49,114	139	\$4,780,524	165	\$5,734,314
New Commercial	1	4	2	1	0	0	0	0	\$0	1	\$2,000,000	3	\$7,366,135	0	\$0	0	\$0	12	\$45,655,635	9	\$28,267,088
New Office/Institution	0	0	2	0	0	0	0	0	\$0	1	\$6,895,525	0	\$0	1	\$1,550,000	0	\$0	4	\$15,892,176	7	\$12,512,251
New Industrial	0	0	0	0	0	0	0	0	\$0	0	\$0	0	\$0	1	\$55,000,000	0	\$0	1	\$55,000,000	3	\$6,131,719
Non-Residential Interior Tenant Improvement	3	0	1	1	1	2	3	2	\$58,033	4	\$1,395,683	2	\$259,453	2	\$3,250,910	2	\$98,000	23	\$11,668,260	39	\$5,655,181
Office/Institution Addition	0	0	0	0	1	0	0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	1	\$35,000	1	\$160,881
Industrial Addition	0	0	0	0	0	0	0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
New Multi-Family	0	0	0	0	0	0	11	0	\$0	7	\$515,232	16	\$1,172,127	44	\$55,691,479	2	\$115,332	80	\$59,886,454	6	\$12,900,414
Telecommunication Tower	0	1	0	0	1	4	1	1	\$45,990	1	\$45,990	3	\$100,000	0	\$0	0	\$0	12	\$510,470	16	\$243,925
Demolition - Non-Residential	0	0	0	1	0	1	0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	2	\$12,000	4	\$613,073
Demolition - Residential	0	0	0	0	0	0	0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Fence	5	8	13	15	10	13	16	10	\$57,200	9	\$73,500	12	\$41,819	6	\$9,001	7	\$25,200	124	\$4,213,173	115	\$1,088,018
Garages	2	4	6	6	10	6	6	6	\$131,884	4	\$136,855	4	\$118,466	5	\$256,055	3	\$50,926	62	\$2,023,027	58	\$2,350,380
Pool	7	6	9	8	5	13	6	8	\$567,187	4	\$349,000	7	\$480,034	1	\$164,600	4	\$378,115	78	\$5,722,342	88	\$6,362,621
Reroofs/Windows/ Doors	28	43	54	36	62	76	71	62	\$861,805	53	\$798,813	72	\$1,050,710	77	\$1,627,165	55	\$880,746	689	\$10,669,898	725	\$10,358,706
Retaining Wall	34	25	25	31	6	9	15	21	\$4,910,180	13	\$2,844,720	15	\$4,555,115	4	\$1,107,450	12	\$3,558,300	210	\$42,046,776	218	\$43,413,314
Small Shed (120 sq.ft. or less)	11	17	17	21	26	26	17	17	\$63,300	19	\$81,533	22	\$86,626	16	\$102,275	8	\$45,387	217	\$815,850	190	\$877,165
Sheds	10	8	8	125	14	13	15	15	\$200,513	7	\$47,256	13	\$137,071	14	\$526,028	3	\$127,245	245	\$2,279,833	89	\$1,743,000
Solar (Rooftop & Ground Mount)	38	48	36	56	43	37	46	56	\$4,984	79	\$15,468	81	\$62,958	63	\$40,289	34	\$3,026	617	\$6,428,170	1,114	\$81,702,232
Business Registrations (Occupancy Inspection)	16	10	11	20	20	11	16	25	\$0	28	\$0	21	\$0	12	\$0	6	\$0	196	\$0	155	\$0
Building Inspections	3,322	3,377	3,364	3,178	3,313	3,266	3,682	3,334	\$0	3,307	\$0	3,643	\$0	3,050	\$0	3,194	\$0	40,030	\$0	35,209	\$0
Engineering Inspections	255	242	189	179	259	202	174	196	\$0	212	\$0	263	\$0	186	\$0	194	\$0	2,551	\$0	2,116	\$0
R.O.W. Permits (Fees)	35	50	59	43	37	54	42	47	\$15,016	31	\$31,588	40	\$50,664	21	\$17,052	50	\$22,598	509	\$300,630	378	\$162,595
TOTALS:	3,865	3,934	3,796	3,831	3,930	3,859	4,207	3,875	\$19,611,691	3,865	\$31,056,140	4,304	\$33,721,045	3,593	\$135,951,070	3,438	\$21,273,119	46,780	\$471,224,900	41,671	\$424,780,444



**CITY OF RIO RANCHO
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Legislation Item:

AGENDA DATE:

January 14, 2025

DEPARTMENT:

Development Services

SUBJECT:

Planning and Zoning Monthly Summary Plat Report - December 2024

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: [Dec Summ Plat.pdf](#)

SUMMARY PLAT ACTIVITY

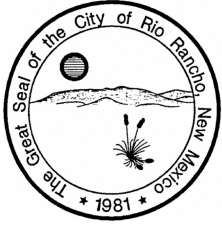
December 2024

CASE #	RECEIVED	LOCATION	COMMENTS	RECORDED
21-200-00014	03/11/21	UNIT 20-INDUSTRIAL PARK, BLK A, PARCEL	Under Review	
21-200-00016	03/23/21	U16, BLOCK M, LOT 6A GRANTING EASEMENTS	Under Review	
21-200-00027	06/04/21	U10 B36 L21 AND 22 COMBINATION	Under Review	
21-200-00033	07/30/21	UNIT 16, BLOCK 18A, LOTS 9 & 10	Awaiting Signatures	
22-200-00007	03/03/22	UNIT 17, BLOCK 113, LOTS 32 AND 33A LOT	Awaiting Signatures	
22-200-00012	04/18/22	UNIT 16, BLOCK F, LOTS 2A, 4, 5 COMBINATION	Under Review	
22-200-00013	04/19/22	UNIT 11, BLK 34, LOTS 23 & 24 COMBO	Awaiting Signatures	
22-200-00016	05/12/22	LA PLAZUELA, TRACTS 2A & 2B	Under Review	
22-200-00024	08/17/22	MARIPOSA TCT 4, 2, 3A, & NW LOOP (TRACT CONSOLIDATION)	RECORDED	X
22-200-00027	09/14/22	RIO WEST BUSINESS PARK, BLK A, LOTS 4A-1	RECORDED	X
22-200-00029	09/26/22	UNIT 11, BLOCK BB, LOTS 32-37 LOT COMBINATION	RECORDED	X
22-200-00031	10/12/22	LOT COMBO U17, BLK 105, LOT 4A-1 (lot 4A & 5)	Awaiting Signatures	
22-200-00034	10/19/22	Unit 12, Blk C, Lots 67 & 68 - LOT COMBINATION	RECORDED	X
22-200-00035	11/09/22	Unit 20, Block 106, Lot 4 Vacation of Easement	Awaiting Signatures	
22-200-00040	12/08/22	UNIT 11, BLOCK V, LOT 34-A; COMBO OF LOTS 34 & 35	Under Review	
23-200-00005	02/21/23	UNIT 13, BLOCK 143, LOTS 23A & 23B LOT SPLIT	Awaiting Signatures	
23-200-00010	03/13/23	UNIT 17, TRACT U SPLIT	Under Review	
23-200-00012	04/14/23	U10, BLK B, LOTS 20, 21, AND 22 (LOT COMBO)	Under Review	
23-200-00015	5/8/2023	UNIT 17, BLOCK 72, LOTS 16 & 17 COMBO	Under Review	
23-200-00016	6/5/2023	SUMMARY PLAT- LOT COMBO U13, BLK S, LOTS	Under Review	
23-200-00024	8/29/2023	SUMMARY PLAT - CABEZON, LOTS 3 AND 4 (RE	Under Review	
23-200-00026	9/7/2023	SUMMARY PLAT - UNIT 17, TRACTS A-1-A AN	Under Review	
23-200-00028	9/14/2023	CS, BLK A, LOT A-1-A (LOT SPLIT)	Under Review	
23-200-00031	10/4/2023	SUMMARY PLAT - LOT COMBO - U10, BLK A, L	Under Review	
23-200-00036	11/13/23	CS, BLK 1, LOTS 8 AND 2A2A - SUMMARY PLA	Under Review	
24-200-00002	01/04/24	SUMMARY PLAT - LOT COMBO - CABE/TRACTS 1	Under Review	
24-200-00004	01/16/24	UNIT 10 BLOCK 35 LOT 30-A LOT COMBO.	Under Review	
24-200-00007	01/18/24	PROPOSED LOT 16-A, BLK. U, RRE UN. 11 /	Under Review	
24-200-00009	01/22/24	UNIT 11, BLOCK V, LOTS 16-17 TO CREATE 1	Under Review	
24-200-00012	2/1/2024	SUMMARY PLAT - U11, BLK 17, LTS 42 & 43	Under Review	
24-200-00017	4/8/2024	LOT CONSOLIDATION / U21, BLOCK 18, LOTS	Under Review	
24-200-00019	4/29/2024	SUMMARY PLAT - STONEGATE - CREATING 1 HO	Under Review	
24-200-00022	5/1/2024	SUMMARY PLAT - UNIT 10, BLOCK 33, LOTS 7	Under Review	
24-200-00024	05/14/24	UNIT 20, BLOCK, 106, LOTS 5-6, LOT LINE	Under Review	

SUMMARY PLAT ACTIVITY

December 2024

24-200-00025	05/14/24	SUMMARY PLAT - U13, BLK QQ, LOTS 16&17 -	Under Review	
24-200-00026	05/14/24	SUMMARY PLAT - U11, BLK E, LOTS 56 & 57	Under Review	
24-200-00027	05/17/24	SUMMARY PLAT (LOT SPLIT) U13, BLOCK 114,	Under Review	
24-200-00029	5/31/2024	UNIT 17, BLOCK 132, LOT 11-A, LOT SPLIT	Under Review	
24-200-00033	7/15/2024	SUMMARY PLAT / RRE UNIT 17, BLOCK 121, L	Under Review	
24-200-00034	8/2/2024	SUMMARY PLAT, UNIT 20, BLOCK 145, LOTS 5	Under Review	
24-200-00036	9/4/2024	SUMMARY PLAT - U20, BLK 108, LOTS 33 AND	Under Review	
24-200-00040	10/1/2024	SUMMARY PLAT (VACATE EXISTING DRAINAGE E	Under Review	
24-200-00041	10/4/2024	JAG PLANNING & ZONING	Under Review	
24-200-00042	10/8/2024	COMMUNITY SCIENCES CORPORATION	Under Review	
24-200-00043	10/08/24	U13, BLK 68, LOTS 5A / SUMMARY PLAT	Under Review	
24-200-00045	10/18/24	SUMMARY PLAT / LE, PAR 2 & ECD, PAR EC1	Under Review	
24-200-00047	10/21/24	SUMMARY PLAT - MOUNTAIN HAWK, TRACTS 1A	Under Review	
24-200-00048	10/23/24	SUMMARY PLAT - HAWKSITE TRACTS 13A AND 1	Under Review	
24-200-00049	11/5/2024	UNIT 10, BLOCK 5, LOTS 48-50, LOT CONSOL	Under Review	
24-200-00052	12/9/2024	UNIT 11, BLOCK UU, LOTS 26-27, LOT COMBI	Under Review	
24-200-00053	12/10/2024	PARCEL 1-A ARROYO DE LOS MONTOYAS, U13 -	Under Review	
24-200-00054	12/18/2024	UNIT 20, BLOCK 106, PARCEL A, VACATION O	Under Review	
24-200-00055	12/18/2024	SUGAR RIDGE, BLOCK 2, PAR B-1-A / SUMMAR	Under Review	
24-200-00056	12/30/2024	SUMMARY PLAT / WALMART FUEL STATION EASE	Under Review	
TOTAL TO DATE:		55		



**CITY OF RIO RANCHO
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**Legislation Item: 21-210-
00028**

AGENDA DATE:
January 14, 2025

DEPARTMENT:
Development Services

SUBJECT:
Preliminary Plat Extension. The applicant, Mariposa East L.P., through their agent, Bohannon Huston Inc., requests approval of a Preliminary Plat Extension to a previously approved preliminary plat for the Mariposa East Subdivision. Staff contact is Liz Ruiz Carlos and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:

The applicant, Tim Brislin, Mariposa East L.P., through their agent, Josh Lutz P.E., Bohannon Huston Inc., requests approval of a Preliminary Plat Extension for the Mariposa East Subdivision. The original preliminary plat was heard and approved by the Planning and Zoning Board at their February 8, 2022 meeting. This request was postponed from the December 17, 2024 Planning and Zoning Board Meeting.

The plat was amended at the August 23, 2022 Planning and Zoning Board meeting, and then extended at the January 5, 2023 Planning and Zoning Board Meeting, and extended a second time at the January 9, 2024 Planning and Zoning Board Meeting.

The subdivision consists of 186 lots and 19 tracts on 46.87 acres. The property is legally described as Mariposa East, Tract 1A-12A, and is located off of Mariposa Loop NE. The subject property is zoned R-4: Single Family Residential per Ordinance No. 33, Enactment No. 19-08.

This extension is to allow for additional time for review of construction plans, which have yet to be approved by the city. The City Subdivision Ordinance [Code of Ordinances, Chapter 155.22(F), Longevity], states:

“Approval of a preliminary plat is effective for one year unless extended by the Planning Board, based on a finding that the delay has been unavoidable and the extension is in the public interest.”

The Development Services Department finds it is in the public interest to grant the preliminary plat extension. The extension provides the applicant with additional time to address any issues or outstanding items for subdivision construction. One of the primary purposes of the longevity clause is to prevent development of a subdivision, approved under previous iterations of the subdivision and zoning codes, that no longer meets the City’s standards.

There have been no significant revisions to the subdivision code, zoning code, or infrastructure design standards since the plat's approval date that would necessitate a second review and re-approval for the Mariposa East Subdivision. Staff recommends the Planning and Zoning Board find that the Preliminary Plat extension will allow the applicant additional time to finalize construction

plans and that re-approval of the Preliminary Plat would serve a compelling public interest.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board approve of the Preliminary Plat Extension with the following findings and conditions:

GENERAL FINDINGS:

1. The Planning and Zoning Board has jurisdiction over the applicant's request for approval of a preliminary plat extension.
2. The applicant has the authority to apply for a preliminary plat extension.
3. The Preliminary Plat Extension is effective until December 17, 2025.

SPECIFIC FINDINGS:

1. The preliminary plat extension has been prepared, reviewed and conforms to the City of Rancho plans and policies.
2. The preliminary plat conforms to the requirements of the Subdivision Code, Code of Ordinances, Chapter 155.22 (F).
3. The preliminary Plat extension provides the applicant with additional time to comply with the conditions of preliminary plat approval.
4. The City has made no significant revisions to the Code of Ordinance or infrastructure design standards since the approval of the Mariposa East Subdivision Plat that would create inconsistent standards for the development given the preliminary plat extension.
5. All the conditions of the February 8, 2022 Preliminary Plat Approval shall apply to this extension, with those conditions being:
 - a. In accordance with R.O. 2003 Chapter 155.24(A), the final plat shall be recorded within 12 months following approval of the preliminary plat, or the Planning and Zoning Board approval shall become null and void.
 - b. Infrastructure shall be installed and accepted prior to the recording of the final plat or the applicant shall submit for staff review and approval of a subdivision improvement agreement and financial guarantee prior to the final plat hearing.
 - c. The applicant shall submit updated construction plans addressing comments from DSD Engineering prior to construction.
 - d. Impact Fee assessment will be based on the date of the original preliminary plat approval and valid for four (4) years from the date of that approval.
 - e. The applicant shall address all of the preliminary plat reviewer's staff comments prior to submitting construction plans or the final plat, whichever is applicable.
 - f. Applicant has received approval for a Subdivision Variance to Chapter 155.43, which requires easements of 5 feet on all side and rear lot lines.

ALTERNATIVES:

The Planning and Zoning Board may:

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

DEPARTMENT RECOMMENDATION:

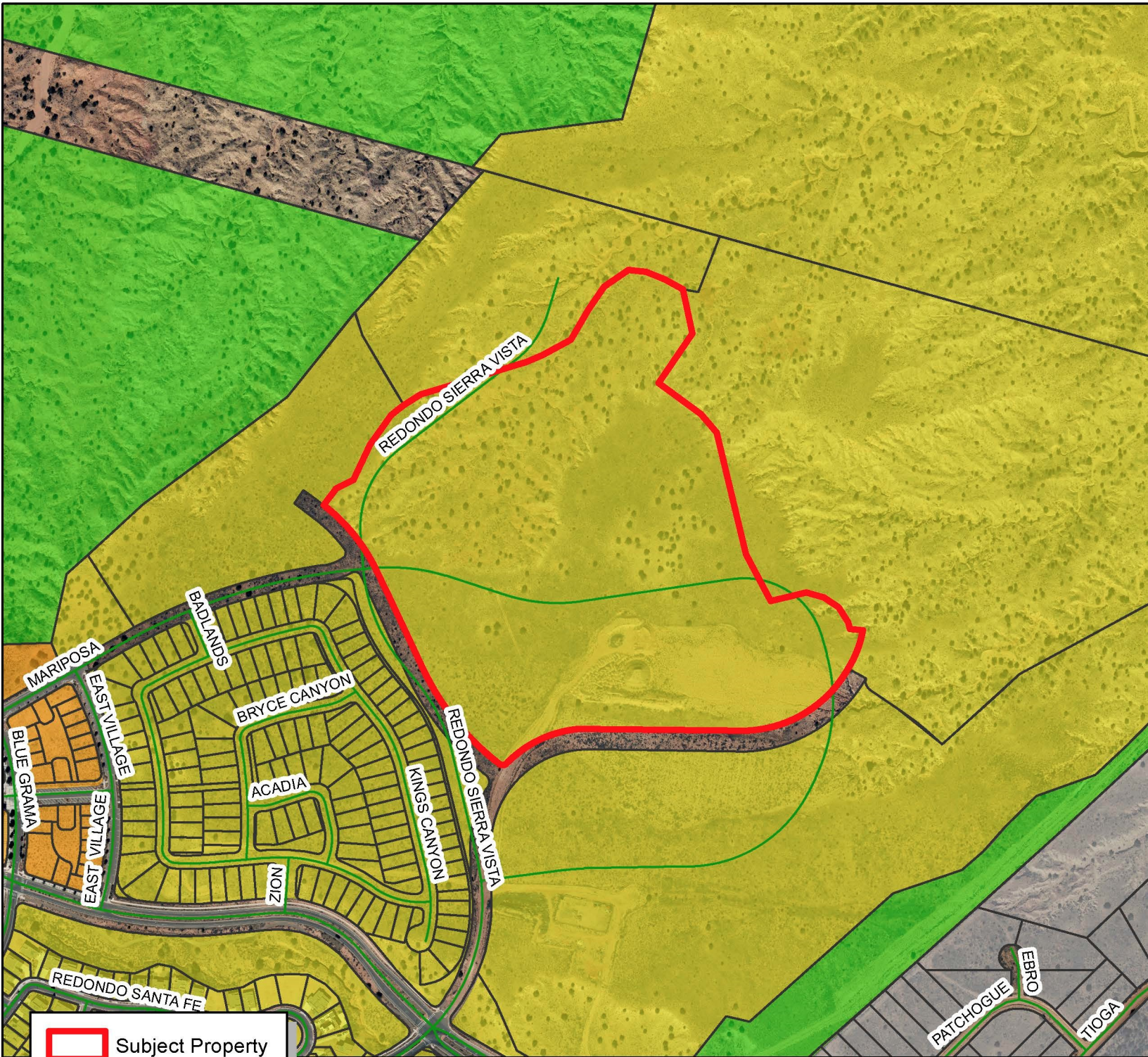
Staff recommends the Planning and Zoning Board approve the preliminary plat extension for the Mariposa East Subdivision, with findings and conditions.


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

ATTACHMENT: [Preliminary Plat Extension_Mariposa Subdivison.pdf](#)





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

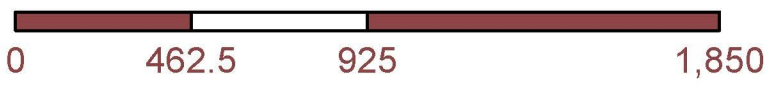
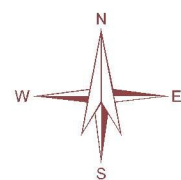
TRACT 1A-12A MARIPOSA EAST



 Subject Property

Zoning

-  MU-A
-  OS
-  R-4
-  TZ



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.

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

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

Please Print In Ink Only or Type

Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: Tim Brislin, Mariposa East L.P.		Phone: (480)518-3255
Address: 17700 N. Pacesetter Way, Suite 100		E-Mail: tbrislin@harvardinvestments.com
City: Scottsdale	State: AZ	Zip: 85255
Proprietary Interest: Owner	List Owners: Mariposa East, L.P.	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)

Agent Name: Josh Lutz, PE (Bohannon Huston, Inc.)		Phone: (505)823-1000
Address: 7500 Jefferson St NE		E-Mail: jlutz@bhinc.com
City: Albuquerque	State: NM	ZIP Code: 87109

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

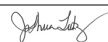
Request for Preliminary Plat Extension

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Mariposa (Tract 1A-12A)	Block(s):	Lot(s):
Existing Zoning: R-4	Proposed Zoning: R-4	
No. of existing lots: 1	No. of proposed lots: 186	Total area of site (acres) 46.87

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: Josh Lutz, PE	Applicant:	Agent: Bohannon Huston, Inc.
Signature: 		Date: November 7, 2025

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

November 7, 2024

Ms. Liz Carlos
City of Rio Rancho
Department of Development Services
3200 Civic Center Circle, NE
Rio Rancho, NM 87144

Re: Extension of Preliminary Plat – Tract 1A-12A Mariposa East

Dear Liz,

We are requesting an extension for the Monarch 1A-12A Subdivision Preliminary Plat which expires January 4th, 2025. The Monarch Subdivision is divided into two phases and 19 separate tracts. Phase 1 and 2 Construction Plans have been reviewed by the city, but not yet approved. We are requesting the extension for Monarch Subdivision preliminary plat and have provided the following information per your request for review and comment by the necessary City Agencies and the City Planning and Zoning Commission.

- Land Use Application Form
- Preliminary Plat

There are no major changes to the approved infrastructure, drainage, or requests for variances that were already approved with the original preliminary plat Submittal.

Please feel free to give me a call at 1-505-923-3306 should you have any questions or require any additional information regarding the submittal.

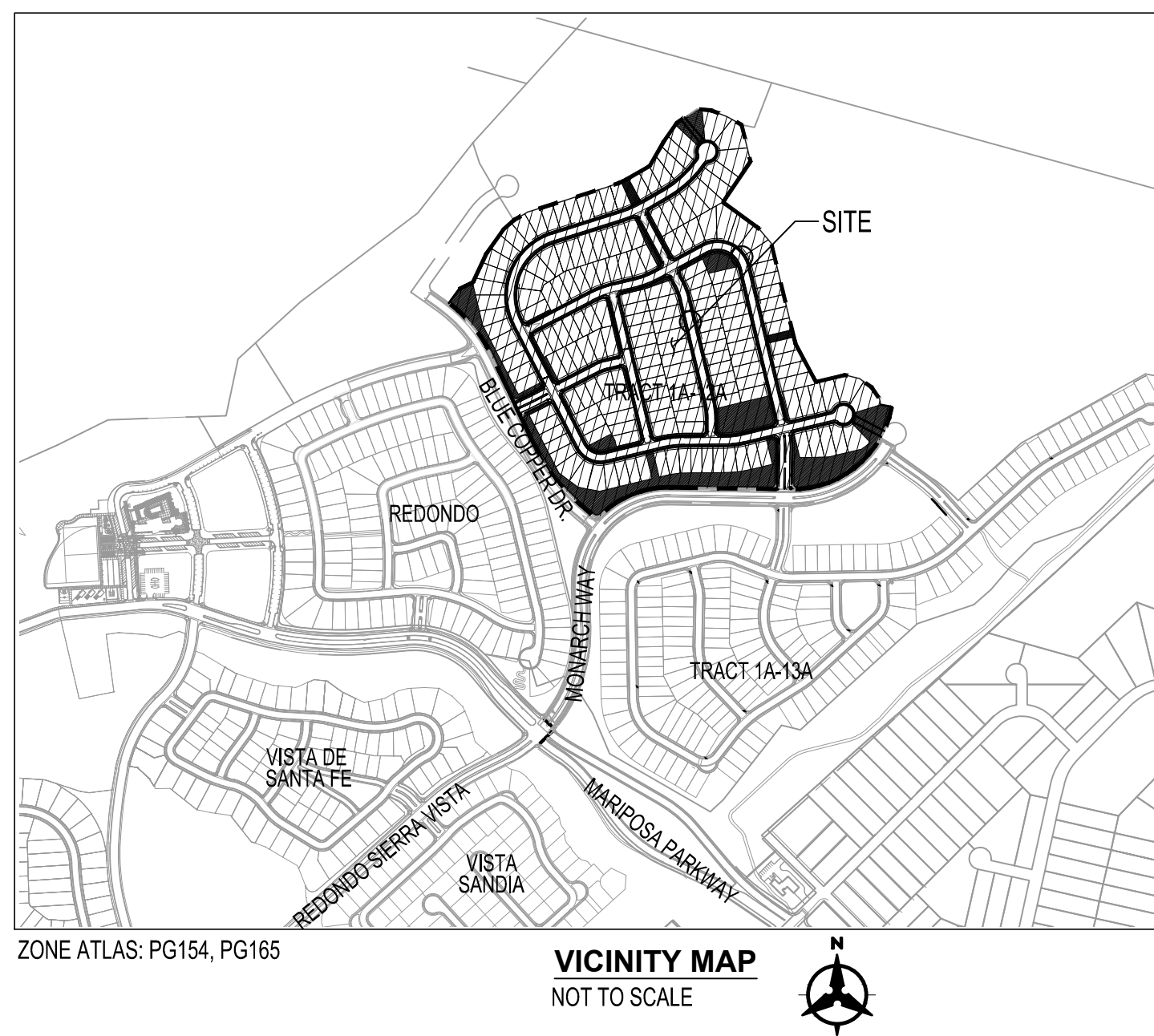
Sincerely,



Josh Lutz, P.E.
Senior Project Manager
Community Development & Planning

Enclosures

cc: Scott Steffen, Price Land Development Group (w/encl)



Indexing Information

Sections 7, 12 & 13, Township 12 North, Range 2 East, N.M.P.M.
 Subdivision: Tract 1A-12A Subdivision
 Owner: Mariposa East, LP
 UPC #: (Tract 1A-12A)

Legal Description

TRACT 1A-12A OF BULK LAND PLAT OF TRACTS 1A-12 THRU 1A-15 MARIPOSA EAST, AND PORTIONS OF NORTHWEST LOOP RD NE, MARIPOSA LOOP NE AND REDONDO SIERRA VISTA NE RIGHTS-OF-WAY AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON JULY 2, 2021 IN MAP BOOK 3, FOLIO 4715.

Documents

1. PLAT OF RECORD FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON JULY 2, 2021 IN MAP BOOK 3, FOLIO 4715

Public Utility Easements

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

- A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.
- B. New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.
- C. Qwest Corporation d/b/a CenturyLink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.
- D. Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.
- E. City of Rio Rancho Utilities

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformer/switchgears, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

Disclaimer

In approving this plat, Public Service Company of New Mexico (PNM) and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

Filing Information

STATE OF NEW MEXICO }
 COUNTY OF SANDOVAL } SS
 THIS INSTRUMENT WAS FILED FOR RECORD ON ____: ____ AM/PM, _____, 20____
 RECORDED IN VOLUME _____, OF RECORDS OF SAID COUNTY, FOLIO _____

BY: _____
 DEPUTY

Preliminary Plat for Tract 1A-12A Subdivision
Being Comprised of Tract 1A-12-A
City of Rio Rancho
Sandoval County, New Mexico
February, 2022

Public Approvals

CHAIRMAN OF THE RIO RANCHO PLANNING AND ZONING BOARD
 APPROVED THE _____ DAY OF _____, 20____

BY: _____
 CHAIRMAN OF THE RIO RANCHO PLANNING AND ZONING BOARD

CITY CLERK'S CERTIFICATE:

I, REBECCA MARTINEZ, CITY CLERK OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED AND ALL RIGHTS OF WAY (ROW) WHICH ARE SHOWN HEREON WERE ACCEPTED FOR DEDICATION TO THE CITY OF RIO RANCHO BY THE CITY OF RIO RANCHO PLANNING AND ZONING BOARD AT THEIR MEETING HELD ON THE _____ DAY OF _____, 20____.

BY: _____
 REBECCA MARTINEZ, CITY CLERK

TREASURER'S CERTIFICATE:

I, JENNIFER TAYLOR, TREASURER OF SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PREVIOUS TEN (10) YEARS PROPERTY TAXES HAVE BEEN PAID IN FULL.

 SANDOVAL COUNTY TREASURER DATE

Plat Approvals

THE UTILITY COMPANY SIGNATURES SHOWN HEREON ARE BY AUTHORIZED COMPANY REPRESENTATIVES.

 CITY OF RIO RANCHO DATE

 QWEST CORPORATION D/B/A CENTURYLINK QC DATE

 PNM ELECTRIC SERVICE DATE

 NEW MEXICO GAS COMPANY DATE

 SPARKLIGHT DATE

Jurisdiction Certification

I, _____, A NEW MEXICO REGISTERED, PROFESSIONAL, LAND SURVEYOR DO HEREBY AFFIRM THAT THE PROPERTY DESCRIBED DOES LIE WITHIN THE PLATTING AND SUBDIVISION JURISDICTION OF THE CITY OF RIO RANCHO, NEW MEXICO.

 DATE

Surveyor's Certificate

I, _____, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION, AND MEETS THE MINIMUM REQUIREMENTS OF MONUMENTATION AND SURVEYS OF THE CITY OF RIO RANCHO SUBDIVISION ORDINANCE CHAPTER 155, AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

 DATE

Purpose of Plat

1. GRANT EASEMENTS AS SHOWN HEREON.
2. SUBDIVIDE AS SHOWN HEREON.
3. VACATE EASEMENTS AS SHOWN HEREON.
4. DEDICATE RIGHT-OF-WAY AS SHOWN HEREON

Notes

2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE PARCELS SHOWN HEREON ARE LOCATED IN SECTIONS 7, 12 & 13, TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
4. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL).
5. SUBDIVISION DATA
 NUMBER OF TRACTS REPLATTED: 1
 NUMBER OF LOTS CREATED: 186
 NUMBER OF TRACTS CREATED: 19
 MILES OF ROAD CREATED: 0
 ACREAGE IN ROADS: 0
 ACREAGE DEDICATED BY THIS PLAT: 0
 TOTAL PLATTED ACREAGE: 46.8699 ACRES
6. THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES ON GROUND (NAD 83-GROUND), USING GROUND TO GRID FACTOR OF 0.999628211677.
7. NO DIRECT VEHICULAR ACCESS TO OR FROM BLUE COPPER DR., OR MONARCH WAY.
8. TRACTS 1-19 SHALL BE GRANTED TO AND MAINTAINED BY THE HOME OWNER'S ASSOCIATION.
9. IN LIEU OF FRONT CORNER, A CHISELED "X" WILL BE SET IN THE GUTTER PAN, BEING AN EXTENSION OF THE SIDE LOT LINES EXTENDED TO A ONE FOOT INCREMENT DISTANCE FROM THE FRONT CORNER, REAR CORNERS WILL BE MARKED BY A BATHEY MARKER WITH CAP "LS 14271".
10. MEASURED BEARINGS AND DISTANCES MATCH RECORD INFORMATION, AS SHOWN ON THE PLAT OF RECORD.

Free Consent

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. EXISTING AND/OR GRANTED PUBLIC UTILITY EASEMENTS (P.U.E.) AS SHOWN HEREON, UNLESS NOTED OTHERWISE, ARE FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUIT AND PIPES FOR UNDERGROUND UTILITIES. SAID UTILITY COMPANIES HAVE THE RIGHT OF INGRESS/EGRESS FOR CONSTRUCTION OF, MAINTENANCE OF AND REPLACEMENT OF SAID UTILITIES INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS WITHIN SAID P.U.E.. SAID OWNERS CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. TRACTS 1-19 SHALL BE CONVEYED TO AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.

 MARIPOSA EAST, LP DATE

AN ARIZONA LIMITED PARTNERSHIP
 BY: ABO-GP, LLC ITS GENERAL PARTNER
 BY: HARVARD VENTURES, INC., ITS MANAGER

STATE OF NEW MEXICO }
 COUNTY OF _____ } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____DAY OF _____, 20____
 BY: TIM BRISLIN, MANAGER, MARIPOSA EAST, LP

By: _____
 NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Line Table			Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction	Line #	Length	Direction
L1	78.453	N35° 43' 01.80"E	L12	104.161	N34° 57' 09.34"E	L23	136.273	N76° 31' 21.75"E
L2	70.562	N64° 20' 49.11"E	L13	109.559	N55° 41' 15.71"E	L24	68.325	S75° 28' 48.10"E
L3	145.704	N25° 08' 55.03"E	L14	65.222	S84° 35' 11.23"E	L25	66.662	S55° 00' 43.05"E
L4	136.360	N35° 21' 13.78"E	L15	76.964	S68° 57' 27.50"E	L26	65.984	S33° 32' 16.74"E
L5	59.748	N48° 46' 54.10"E	L16	76.695	S60° 29' 49.82"E	L27	25.595	S11° 44' 03.24"E
L6	73.033	N59° 41' 54.12"E	L17	172.037	S13° 28' 38.25"E	L28	52.065	S79° 12' 52.97"E
L7	370.650	N72° 31' 54.37"E	L18	222.503	S34° 13' 16.04"W	L29	548.319	N89° 04' 40.61"W
L8	64.208	N70° 52' 04.29"E	L19	200.703	S53° 39' 00.90"E	L30	16.566	N51° 27' 28.23"W
L9	38.739	N64° 53' 53.62"E	L20	90.529	S40° 11' 34.78"E	L31	407.818	N25° 17' 23.22"W
L10	121.246	N60° 07' 17.14"E	L21	467.238	S13° 28' 38.25"E			
L11	129.306	N29° 52' 53.36"E	L22	198.439	S28° 04' 16.27"E			

**Preliminary Plat for
Tract 1A-12A Subdivision**
Being Comprised of
Tract 1A-12-A
City of Rio Rancho
Sandoval County, New Mexico
February, 2022

SUBDIVISION DATA:
TRACT 1A-12A SUBDIVISION

TRACT 1 = 0.2938 ACRES
TRACT 2 = 0.7023 ACRES
TRACT 3 = 0.0289 ACRES
TRACT 4 = 0.0814 ACRES
TRACT 5 = 0.0519 ACRES
TRACT 6 = 0.0658 ACRES
TRACT 7 = 0.0973 ACRES
TRACT 8 = 0.0531 ACRES
TRACT 9 = 0.2777 ACRES
TRACT 10 = 2.1842 ACRES
TRACT 11 = 0.0189 ACRES
TRACT 12 = 0.0239 ACRES
TRACT 13 = 0.1732 ACRES
TRACT 14 = 0.0506 ACRES
TRACT 15 = 0.7950 ACRES
TRACT 16 = 0.0250 ACRES
TRACT 17 = 1.4288 ACRES
TRACT 18 = 0.0935 ACRES
TRACT 19 = 0.1144 ACRES

TOTAL SUBDIVISION ACREAGE: 46.8669 ACRES
UNIT 1 = 95 LOTS
UNIT 2 = 91 LOTS
TOTAL NUMBER OF LOTS: 186 LOTS

LEGEND			
	SUBDIVISION BOUNDARY LINE		PROPOSED EASEMENT
	TRACT LINE		EXISTING EASEMENT
	ADJOINING PROPERTY LINE		PROPOSED HOA TRACT

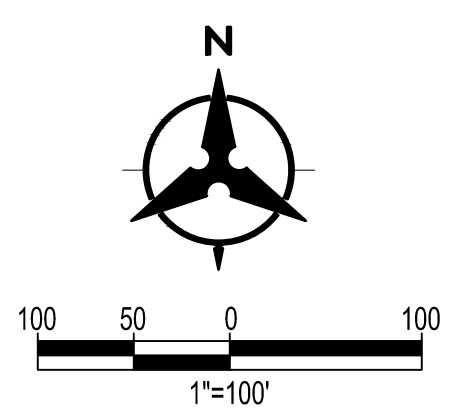
CURVE TABLE				
ID	RADIUS	ARC	DELTA	TANGENT
C1	679.81'	315.71'	26° 36' 31"	160.75'
C2	970.00'	443.04'	26° 10' 10"	225.45'
C3	25.00'	36.29'	83° 10' 40"	22.19'
C4	438.00'	348.27'	45° 33' 27"	183.93'
C5	462.00'	495.30'	61° 25' 31"	274.45'
C6	462.00'	150.88'	18° 42' 42"	76.12'

TRACT 1 THRU TRACT 19 ARE PUBLIC DRAINAGE EASEMENTS GRANTED TO, AND TO BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.

NO VEHICULAR ACCESS FROM ALL LOTS WILL BE ALLOWED FROM BLUE COPPER DR., OR MONARCH WAY

1. A PRIVATE COMMUNICATION EASEMENT LOCATED WITHIN THE PUE IS GRANTED TO HARVARD INVESTMENTS CORPORATION, ITS SUCCESSORS AND ASSIGNS ("HARVARD"), THE SUBSERVIENT EASEMENTS GRANTED THEREUNDER AND THE RIGHTS ASSIGNED THEREUNDER WILL CONTINUE FOR SO LONG AS HARVARD AND/OR THE GRANTEE LEGALLY EXIST AS ENTITIES AND HARVARD AND/OR THE GRANTEE MAINTAIN THE IMPROVEMENTS WITHIN THE EASEMENT (THE "IMPROVEMENTS"). PRIOR TO INSTALLATION, HARVARD AND/OR THE GRANTEE SHALL DELIVER TO THE CITY OF RIO RANCHO (THE "CITY") CITY ENGINEER CONSTRUCTION PLANS FOR SUCH IMPROVEMENTS FOR THE CITY'S REVIEW AND APPROVAL. HARVARD AND/OR THE GRANTEE SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ANY AND ALL PRIVATE COMMUNICATION IMPROVEMENTS CONSTRUCTED IN THE [PUE] PUBLIC RIGHT-OF-WAY PURSUANT TO THIS PLAT. HARVARD AND/OR THE GRANTEE SHALL BE LIABLE FOR AND SHALL INDEMNIFY THE CITY AGAINST ANY AND ALL CLAIMS, LIABILITIES, DAMAGES, COSTS OR EXPENSES INCURRED BY THE CITY AS A RESULT OF THE FAILURE OF SUCH IMPROVEMENTS. HARVARD AND/OR THE GRANTEE SHALL COMPLY WITH ANY AND ALL RULES PROMULGATED BY THE CITY ENGINEER FROM TIME TO TIME REGARDING THE DEPTH AND LOCATION OF SUCH IMPROVEMENTS.

2. THE PUBLIC RIGHT-OF-WAYS SHOWN ON THIS PLAT ARE DEDICATED SUBJECT TO THE RIGHT OF THE MARIPOSA COMMUNITY ASSOCIATION, INC., A NEW MEXICO NON-PROFIT CORPORATION (THE "ASSOCIATION"), AND HARVARD INVESTMENTS, A NEW MEXICO CORPORATION ("HARVARD") AND/OR EITHER OF THEIR DESIGNEES, TO, WITHIN SUCH PUBLIC RIGHTS-OF-WAY, (I) DESIGN, INSTALL, CONSTRUCT, USE, ACCESS AND OPERATE LANDSCAPING AND ENHANCEMENT OF LANDSCAPING USING NATIVE AND SUPPLEMENTAL VEGETATION AND IMPROVEMENTS RELATED THERETO; (II) DESIGN, INSTALL, CONSTRUCT, USE, ACCESS AND OPERATE LANDSCAPING IRRIGATION FACILITIES; AND (III) REPAIR AND MAINTAIN OF SUCH LANDSCAPING AND RELATED IRRIGATION FACILITIES (ALL SUCH LANDSCAPING AND FACILITIES ARE REFERRED TO AS THE "IMPROVEMENTS") FOR THE BENEFIT OF THE ASSOCIATION AND ITS MEMBERS FOR SO LONG AS THE ASSOCIATION CONTINUES TO LEGALLY EXIST AND TO MAINTAIN SUCH IMPROVEMENTS. PRIOR TO THE INSTALLATION OF ANY IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAYS SHOWN ON THIS PLAT, HARVARD OR THE ASSOCIATION SHALL DELIVER TO THE CITY OF RIO RANCHO (THE "CITY") CITY ENGINEER PLANS FOR SUCH IMPROVEMENTS FOR THE CITY'S REVIEW AND APPROVAL. THE CITY ENGINEER SHALL TIMELY REVIEW THE PLANS AND THE ASSOCIATION SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ANY AND ALL IMPROVEMENTS CONSTRUCTED IN THE PUBLIC RIGHT-OF-WAY PURSUANT TO THIS PLAT. THE ASSOCIATION SHALL BE LIABLE FOR AND SHALL INDEMNIFY THE CITY AGAINST ANY AND ALL CLAIMS, LIABILITIES, DAMAGES, COSTS OR EXPENSES INCURRED BY THE CITY AS A RESULT OF THE LEAKING OR FAILURE OF SUCH IMPROVEMENTS. HARVARD AND THE ASSOCIATION SHALL COMPLY WITH ANY AND ALL RULES PROMULGATED BY THE CITY ENGINEER FROM TIME TO TIME REGARDING THE DEPTH AND LOCATION OF SUCH IMPROVEMENTS.





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

November 26, 2024

RE: Preliminary Plat (Extension), Case No. 21-210-00028
Tract 1A-12A Mariposa East Preliminary Plat

Dear Property Owner:

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

The applicant, Tim Brislin, Mariposa East L.P., through their agent, Josh Lu P.E., Bohannon Houston Inc., requests approval of an extension for a previously approved preliminary plat, that created 186 lots, from the property legally described as Mariposa East, Tract 1A-12A.

The **Planning and Zoning Board** will consider this request at a public hearing on **December 17, 2024** at 6:00 pm in the **Council Chambers** and **Virtually** through the **zoom link and number below**.

On the back of this letter is a location map of the project, with the property identified with an outline of red.

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

If you would like to participate virtually during the meeting please use the following information to join the meeting: <https://us06web.zoom.us/j/85180741871?pwd=T3B1SHVpWkp6d3dDRmlHd3k2VzYvUT09> or call +1(253)215-8782 (US) Meeting ID: 851 8074 1871 **Passcode: 026819**

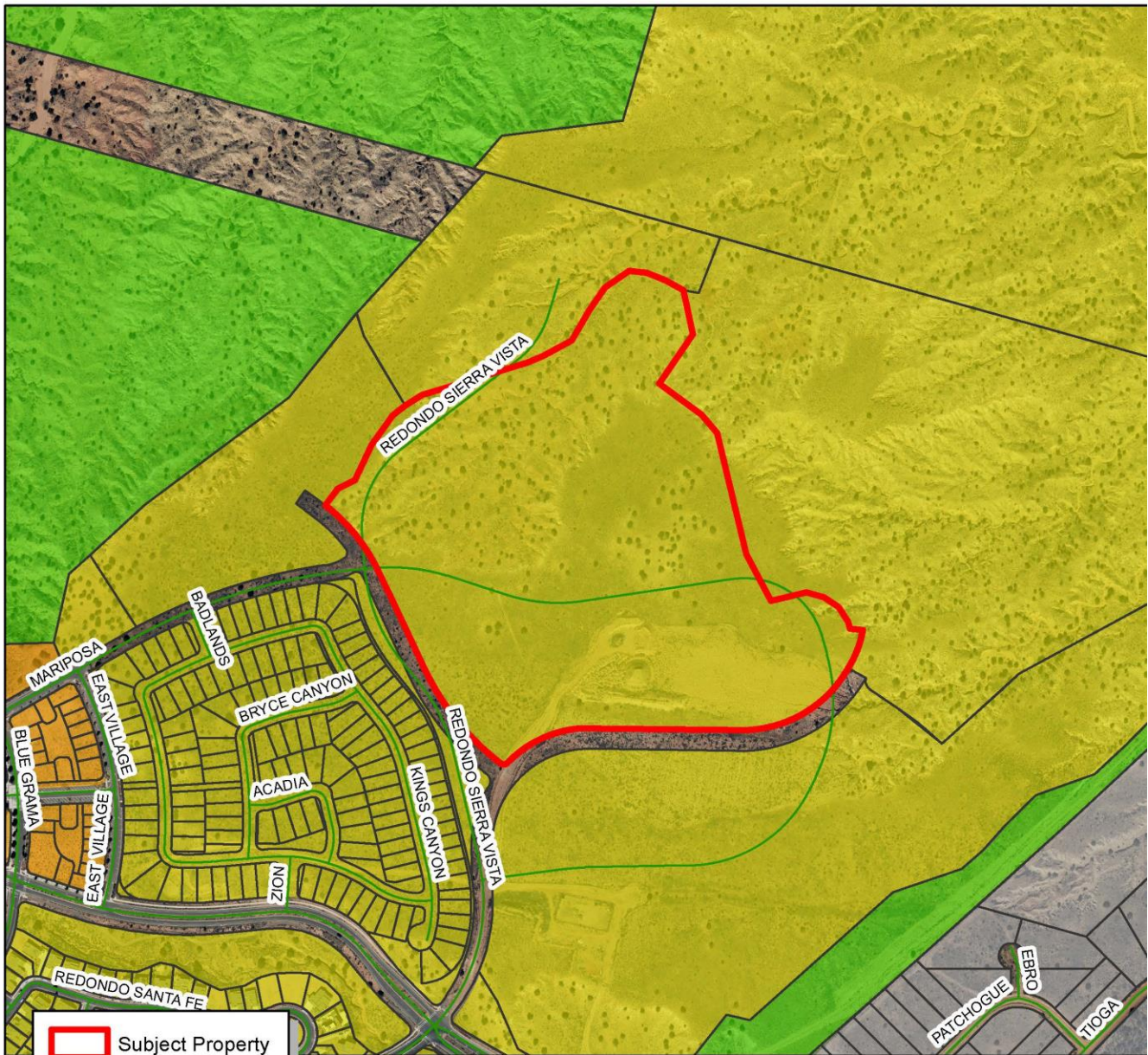
Please do not hesitate to contact me via e-mail me at lruizcarlos@rnm.gov or call me at 505-896-8785, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rnm.gov, approximately one week before the hearing. The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


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. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk if a summary or other type of accessible format is needed.

Respectfully,





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

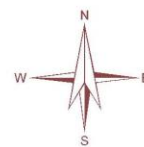
TRACT 1A-12A MARIPOSA EAST



 Subject Property

Zoning

-  MU-A
-  OS
-  R-4
-  TZ



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.



Feet

Map created by: Michelle Costilla 1/7/2022



Notice Map: ● - First class mail to subdivider and abutting property owners



CITY OF RIO RANCHO PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, December 17, 2024:

Conditional Use Case #24-120-00012

The applicant, Lucas Weidner, is requesting approval of a hobby breeder conditional use permit at the location legally described as Vista Montebella, Block 1, Lot 27, and addressed as 2437 Lynn Rd SE. The permit is for the intermittent breeding of Great Danes.

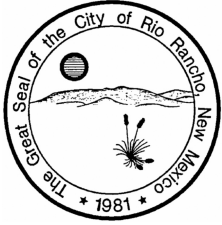
Preliminary Plat (Extension) Case #21-210-00028

The applicant, Tim Brislin, Mariposa East L.P., through their agent, Josh Lu P.E., Bohannan Houston Inc, is requesting approval of an extension on the preliminary plat for a proposed subdivision containing 186 single-family residential lots, on approximately 46.87 acres zoned R-4: Single Family Residential. The subject property is legally described Mariposa East, Tract 1A-12A.

The meeting is scheduled in the Overflow Room 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: December 2, 2024



**CITY OF RIO RANCHO
COVER PAGE**

Legislation Item: 22-210-00004

AGENDA DATE:
January 14, 2025

DEPARTMENT:
Development Services

SUBJECT:
Preliminary Plat Extension. The applicant, Lomas Encantadas Development Co, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary Plat Extension for the Lomas Encantadas 1D Phase 1A, 1B, & 2 Subdivision. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:

The applicant, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary Plat Extension for the Lomas Encantadas 1D, Phase 1A, 1B, & 2 Preliminary Plat. The property is legally described as Lomas Encantadas, Tract 12-A-1-A and comprises approximately 57.2817 acres.

The subject property is located on the north side of Paseo del Volcan, a principal arterial, and west of Camino Encantadas NE, a future minor arterial. Adjacent zoning includes R-4: Single-Family Residential to the south, and R-1: Single-Family Residential to the east, west, and north.

The Preliminary Plat for Lomas Encantadas 1D, Phase 1 & 2 was originally approved with conditions by the Planning and Zoning Board on April 26, 2022 under Case No. 22-210-00004 and was subsequently extended at the April 11, 2023 Planning and Zoning Board Meeting.

On March 12, 2024, The Planning and Zoning Board approved an amended Preliminary Plat Extension for Lomas Encantadas 1D, Phases 1 and 2, splitting Phase 1 into Phases 1A & 1B. All phases comprise a total of 169 lots and 13 tracts with approximately 21.4654 lot acres and 28.6464 tract acres.

Lot & Tract Totals:

Phase 1A	Phase 1B	Phase 2
44 Lots	52 Lots	73 Lots
6 Tracts	1 Tract	6 Tracts

Staff recommends the Planning and Zoning Board find the Preliminary Plat is in conformance with Chapter 154 Planning and Zoning and Chapter 155 Subdivisions. The minimum lot width is 40 ft in conformance with the minimum lot width of 40 ft; and the minimum lot size is 4,400 square ft, in conformance with the minimum lot size of 4,000 square ft. Both zoning regulations are per the R-4: Single-Family Residential Zoning District. The proposed subdivision is part of and in conformance with the Lomas Encantadas Master Plan, originally adopted in 2004 and amended in February

2020.

The City Subdivision Ordinance R.O. 2003 Chapter 155.22 (F) Longevity states: "Approval of a preliminary plat is effective for one year unless extended by the Planning Board, based on a finding that the delay has been unavoidable and the extension is in the public interest."

The applicant states in their justification letter, "Construction of Unit 1D Phase 1A is planned to commence as soon as revised plans are approved and will be completed by the end of 2025. Unit 1D Phase 2 construction will commence while 1D Phase 1A is under construction, while Unit 1D Phase 1B will commence while Unit 1D Phase 2 is under construction. This extension of the preliminary plat will allow for completion of Lomas Encantadas Unit 1D Phase 1A, 1B and 2."

Staff recommends the Planning and Zoning Board finds it is in the public interest to grant this third preliminary plat extension. Given that the previous plat extension approval on March 12, 2024 additionally reconfigured the plat and split Phase 1 into Phases 1A & 1B, staff finds the plat extension request to be acceptable. The extension would provide the applicant with additional time to address any issues or outstanding items for subdivision construction.

One of the primary purposes of the longevity clause is to prevent development of a subdivision, approved under previous iterations of the subdivision and zoning codes, that no longer meets the City's standards. There have been no significant revisions to the subdivision code, zoning code, or infrastructure design standards since the plat's approval date that would necessitate a second plat review and re-approval for the Lomas Encantadas 1D, Phase 1A, 1B, & 2 Preliminary Plat.

NOTIFICATIONS. Notice of the third preliminary plat extension request and hearing date was sent via first class mail to abutting property owners. A legal notice was published in the December 30, 2024 edition of the Albuquerque Journal. A notice sign was posted to the property per Ordinance. All legal notification requirements for this project have been met.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board approve the preliminary plat extension with the following findings and conditions:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over the applicant's request for approval of a preliminary plat extension.
2. The applicant has the authority to apply for a preliminary plat extension.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The preliminary plat has been prepared, reviewed, and conforms to the City of Rio Rancho plans and policies.
2. The preliminary plat conforms to the requirements of R.O. 2003 Chapter 154 Planning and Zoning.
3. The preliminary plat conforms to the requirements of R.O. 2003 Chapter 155 Subdivisions.
4. The preliminary plat extension provides the applicant with additional time to comply with the conditions of preliminary plat approval.
5. The City has made no significant revisions to the Code of Ordinance or infrastructure design standards since the approval of the Lomas Encantadas 1D Phase 1A, 1B, & 2 Preliminary Plat that would create inconsistent standards for the development given the preliminary plat extension.

6. All the conditions of the April 26, 2022 Preliminary Plat Approval shall apply to this extension, with those conditions being:
 - a. The applicant shall address all of the preliminary plat reviewers' comments prior to submitting construction plans or the final plat, whichever is applicable, including: providing further information for Pond 207R in the drainage plan and finalize ownership transfer from SSCAFCA to the City of Rio Rancho for parcel U20, Block 155, Lot ARROYO AKA "6222 Caldera Rd NE." The applicant shall make the following revisions on the plat, but not limited to:
 1. Correctly reflect the lot count of Phase 2 as 73 Lots.
 2. Under Purpose of Plat, Note No. 4, correctly reflect "169 R-4: Single Family Residential Units."
7. The preliminary plat extension is effective until January 14, 2026.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the preliminary plat extension.
2. Approve the preliminary plat extension with amendments to recommendations and/or conditions.
3. Deny the preliminary plat extension.
4. Postpone the item and continue the public hearing for the preliminary plat extension for further review.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends approval with findings and conditions.

ATTACHMENT: [Zoning, Location](#)

ATTACHMENT: [Application & Extension Request](#)

ATTACHMENT: [Authorization](#)

ATTACHMENT: [Preliminary Plat](#)

ATTACHMENT: [Reproduction of Notices, Legal](#)

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

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

Please Print In Ink Only or Type

Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: LOMAS ENCANTADAS DEVELOPMENT COMPANY		Phone: 505-389-2191
Address: 409 NM HWY 528 NE		E-Mail: BryanA@aswinc.com
City: RIO RANCHO	State: NM	Zip: 87124
Proprietary Interest: OWNER		List Owners: LOMAS ENCANTADAS DEVELOPMENT COMPANY
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)

Agent Name: HUITT-ZOLLARS, INC.		Phone: 505-892-5141
Address: 333 RIO RANCHO DRIVE NE, SUITE 101		E-Mail: dduneman@huitt-zollars.com
City: RIO RANCHO	State: NM	ZIP Code: 87124

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

PRELIMINARY PLAT EXTENSION REQUEST FOR LOMAS ENCANTADAS UNIT 1D PHASE 1A, 1B AND 2

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Lomas Encantadas	Block(s): Tract 12-A-1-A / 155	Lot(s): 34-41, ARROYO
Existing Zoning: R-4 / R-1	Proposed Zoning: R-4	
No. of existing lots: 10	No. of proposed lots: 169	Total area of site (acres) 57.2967

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: DONALD DUNEMAN	Applicant:	Agent: HUITT-ZOLLARS, INC.
Signature:		Date: 12/4/24

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

December 4, 2024

City of Rio Rancho
Development Services Engineering Division
Attn: Tim Dvorak
3200 Civic Center Circle NE
Rio Rancho, NM 87144

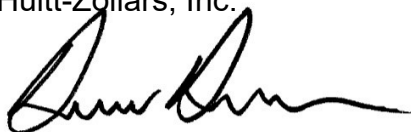
**RE: Lomas Encantadas Unit 1D Phase 1A, 1B and 2 Subdivision:
Preliminary Plat Extension Request
Huitt-Zollars Project No. R315014.01**

Dear Mr. Dvorak,

We respectfully request a one-year extension of the preliminary plat for Lomas Encantadas Unit 1D Phase 1A, 1B and 2 Subdivision. The preliminary plat was originally approved on April 26, 2022, extended on April 11, 2023 and amended on March 12, 2024. Construction of Unit 1D Phase 1A is planned to commence as soon as revised plans are approved and will be completed by the end of 2025. Unit 1D Phase 2 construction will commence while 1D Phase 1A is under construction, while Unit 1D Phase 1B will commence while Unit 1D Phase 2 is under construction. This extension of the preliminary plat will allow for completion of Lomas Encantadas Unit 1D Phase 1A, 1B and 2.

We are requesting that this item be scheduled for the next available City of Rio Rancho Planning and Zoning Board meeting. If you have any questions or require any additional information, please contact me at your convenience.

Sincerely,
Huitt-Zollars, Inc.



Donnie Duneman

Lomas Encantadas Development Company

409 Rio Rancho Blvd.
Rio Rancho, NM 87124

March 9, 2022

Ms. Maida Rubin
Planning and Zoning Manager
Development Services
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Dear Ms. Rubin:

Please accept this letter as our authorization to have Huitt-Zollars act as our agent for the following property:

Lomas Encantadas 1D

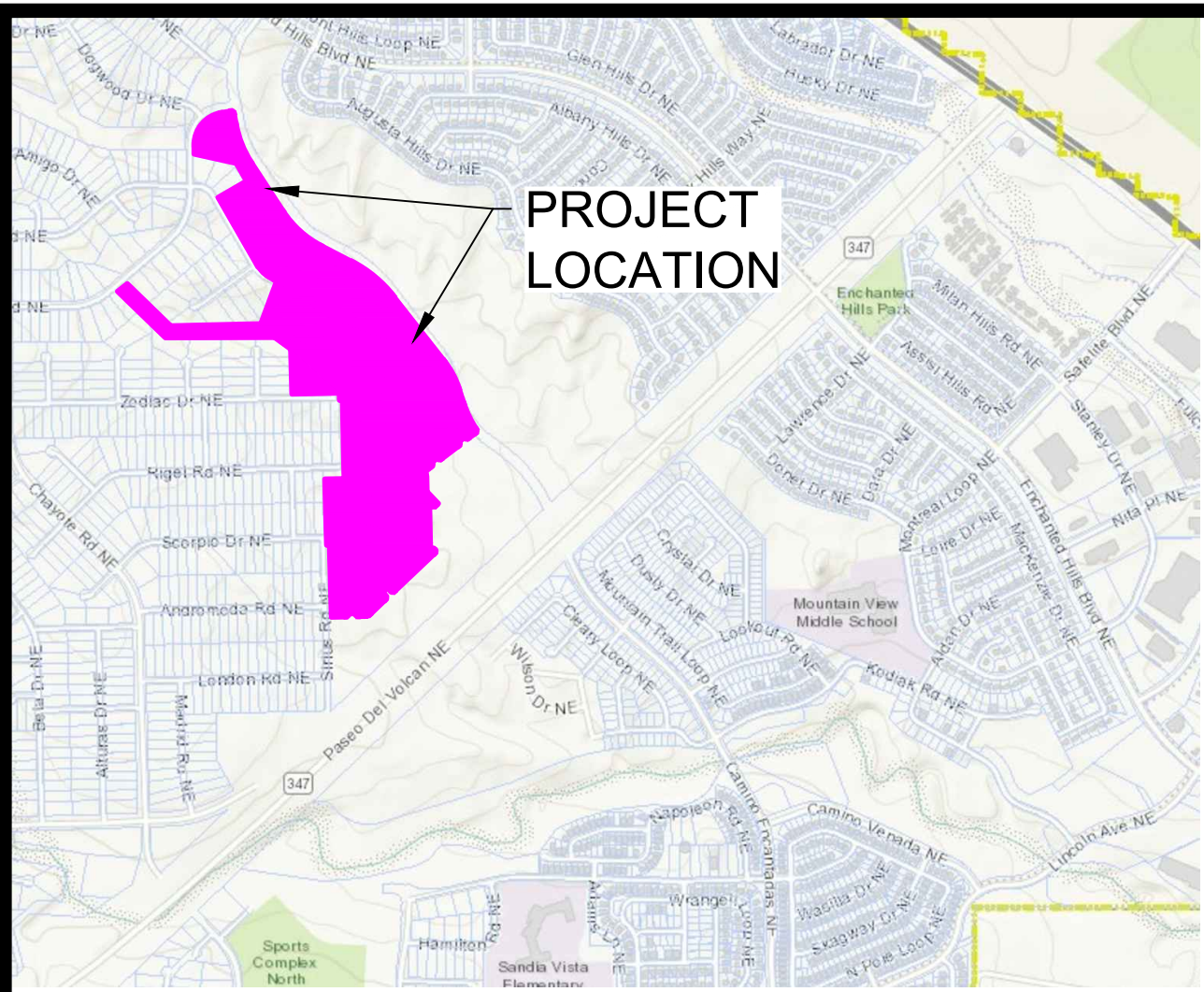
Lomas Encantadas Tract 12

If you have any questions regarding the request please feel free to contact me at 505-389-2191.

Sincerely,



Bryan Aragon, PE
Land Development Coordinator



VICINITY MAP
NOT TO SCALE
ZONE ATLAS SHEET NO. 132, 133 and 146

DEDICATION

THE SUBDIVISION PLAT HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO VACATE EXISTING 10' WIDE AND 5' WIDE 'PUBLIC UTILITY EASEMENTS' AND TO VACATE EXISTING 50' RADIUS TEMPORARY TURNAROUND AND 50' RADIUS 'TEMPORARY PUBLIC ACCESS EASEMENTS' AS NOTED AND SHOWN HEREON. SAID OWNER TO VACATE A PORTION OF CITY OF RIO RANCHO STREET RIGHT OF WAY AS NOTED AND SHOWN HEREON. SAID OWNER(S) TO VACATE LOTS 34 THRU 41 AND A PORTION OF LOT ARROYO, BLOCK 155, UNIT TWENTY, RIO RANCHO ESTATES AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO SUBDIVIDE TRACT '12-A-1-A' INTO 168 R-4 SINGLE FAMILY RESIDENTIAL LOTS AND 15 TRACTS. ALSO TO THE GRANTING OF INTERIOR LOT AND TRACT 'PUBLIC UTILITY EASEMENTS' AS NOTED HEREON AND TO THE GRANTING OF 1' WIDE 'NO VEHICULAR ACCESS EASEMENTS' AS SHOWN AND NOTED HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT '12-A-1-A-1', AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACTS 'C', 'D', 'E', 'H', 'I', AND 'J' AS SHOWN HEREON. SAID TRACTS ARE HEREBY RESERVED AS PRIVATE LANDSCAPING EASEMENTS. TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION INC. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'B' AND 'F' AS SHOWN HEREON. SAID TRACTS ARE HEREBY RESERVED AS PRIVATE LANDSCAPING / WATER QUALITY EASEMENTS, TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION INC. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'G' AS SHOWN HEREON. SAID TRACT IS HEREBY RESERVED AS A PUBLIC PARK. TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION INC. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE DEDICATION OF A PORTION OF LOT ARROYO, BLOCK 155, UNIT TWENTY, RIO RANCHO ESTATES AS SHOWN HEREON, TO BE DEDICATED FROM SSCAFCA TO THE CITY OF RIO RANCHO FOR PUBLIC USE. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'L' AS SHOWN HEREON. SAID TRACT IS HEREBY RESERVED AS A DRAINAGE POND OWNED AND MAINTAINED BY CITY OF RIO RANCHO. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'A' AS SHOWN HEREON. SAID TRACT IS HEREBY RESERVED AS A DRAINAGE EASEMENT OWNED AND MAINTAINED BY SSCAFCA. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'K' AS SHOWN HEREON. SAID TRACT IS HEREBY RESERVED FOR SINGLE FAMILY RESIDENTIAL LOTS OWNED AND MAINTAINED BY LOMAS ENCANTADAS DEVELOPMENT COMPANY, LLC. FURTHERMORE, SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF THE ROADWAY RIGHTS-OF-WAY AS SHOWN HEREON, TO BE DEDICATED TO THE CITY OF RIO RANCHO FOR PUBLIC USE. SAID OWNER(S) OF SUCH REAL ESTATE DO HEREBY GRANT ANY AND ALL EASEMENTS SHOWN OR NOTED ON THE PLAT INCLUDING THE RIGHT OF INGRESS AND EGRESS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNER(S) AND/OR PROPRIETOR(S) WARRANT THAT THEY HAD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE PROPERTY SUBDIVIDED HEREON.

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- A. CITY OF RIO RANCHO FOR INSTALLATION, MAINTENANCE, AND SERVICE OF STORM DRAIN LINES, MANHOLES AND INLETS; SANITARY SEWER LINES, MANHOLES AND SERVICE LINES; WATER LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE STORM, SANITARY SEWER AND WATER SERVICES.
- B. PUBLIC SERVICE COMPANY OF NEW MEXICO (PSNM), A NEW MEXICO CORPORATION, (PSNM ELECTRIC) FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND OTHER EQUIPMENT AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICES.
- C. NEW MEXICO GAS COMPANY FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.
- D. QWEST CORPORATION D/B/A CENTURY LINK QC FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLES, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES.
- E. SPARKLIGHT AND/OR COMCAST FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLES, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE SERVICES.

INCLUDED, IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, REPLACE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMER/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMER/SWITCHGEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

DISCLAIMER:

IN APPROVING THIS PLAT, PUBLIC SERVICE COMPANY OF NEW MEXICO (PSNM), NEW MEXICO GAS COMPANY (NMGC), SPARKLIGHT, COMCAST AND QWEST CORPORATION D/B/A CENTURYLINK (QWEST) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PSNM, NMGC, SPARKLIGHT, COMCAST AND QWEST DO NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT AND WHICH ARE NOT SHOWN ON THIS PLAT.

THE UTILITY COMPANY SIGNATURES SHOWN HEREON ARE BY AUTHORIZED UTILITY COMPANY REPRESENTATIVES

CITY OF RIO RANCHO	DATE
PNM ELECTRIC SERVICES	DATE
NM GAS COMPANY	DATE
QWEST D/B/A CENTURYLINK QC	DATE
SPARKLIGHT	DATE
COMCAST	DATE

PURPOSE OF PLAT

- TO VACATE EXISTING 10' WIDE AND 5' WIDE PUBLIC UTILITY EASEMENTS AND TO VACATE EXISTING 50' RADIUS TEMPORARY TURNAROUND AND 50' RADIUS TEMPORARY PUBLIC ACCESS EASEMENTS AS NOTED AND SHOWN HEREON.
- TO VACATE A PORTION OF CITY OF RIO RANCHO STREET RIGHT OF WAY AS NOTED AND SHOWN HEREON.
- TO VACATE LOTS 34 THRU 41 AND LOT ARROYO, BLOCK 155, UNIT TWENTY, RIO RANCHO ESTATES AS SHOWN HEREON.
- TO DIVIDE TRACT '12-A-1' INTO 168 R-4 SINGLE FAMILY RESIDENTIAL UNITS AND 15 TRACTS AS SHOWN HEREON.
- TRACTS 'C', 'D', 'E', 'H', 'I' AND 'J' TO BE DEDICATED AS PRIVATE LANDSCAPING EASEMENTS, OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION INC. AS NOTED AND SHOWN HEREON.
- TRACTS 'B' AND 'F' TO BE DEDICATED AS A PRIVATE LANDSCAPING / WATER QUALITY EASEMENT, OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION INC. AS NOTED AND SHOWN HEREON.
- TRACT 'G' TO BE DEDICATED AS A PUBLIC PARK OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION INC. AS NOTED AND SHOWN HEREON.
- TRACT 'L' TO BE DEDICATED AS A DRAINAGE POND OWNED AND MAINTAINED BY THE CITY OF RIO RANCHO AS NOTED AND SHOWN HEREON.
- TO GRANT EASEMENTS AS NOTED AND SHOWN HEREON.
- DEDICATE THE STREET RIGHTS OF WAY AS SHOWN TO THE CITY OF RIO RANCHO FOR PUBLIC USE.

SUBDIVISION DATA

SUBDIVISION: LOMAS ENCANTADAS UNIT 1-D PHASE 1A, 1B & 2	PLAT ACRES	57.2817
NO. OF PHASE 1A LOTS: 44	LOT ACRES:	21.4654
NO. OF PHASE 1A PARCELS: 0	PARCEL ACRES:	0
NO. OF PHASE 1A TRACTS: 6	TRACT ACRES:	28.6464
NO. OF PHASE 1B LOTS: 52	NO. OF PHASE 2 LOTS:	72
NO. OF PHASE 1B PARCELS: 0	NO. OF PHASE 2 PARCELS:	0
NO. OF PHASE 1B TRACTS: 1	NO. OF PHASE 2 TRACTS:	6
NO. OF EXIST. TRACTS:	1	
NO. OF EXIST. LOTS	9	
ROAD MILES DEDICATED TO THE CITY OF RIO RANCHO:	1.2639	
NEW ROAD ACRES DEDICATED TO THE CITY OF RIO RANCHO:	7.1699	
ROAD MILES VACATED:	0.2116	

LOMAS ENCANTADAS DEVELOPMENT COMPANY, LLC

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY

Jarrod D. Likar, Vice President - Land Development

Dave Gatterman, Executive Engineer

STATE OF NEW MEXICO)
COUNTY OF SANDOVAL)

STATE OF _____)
COUNTY OF _____)

On this ___ day of _____, 20___, before me the undersigned Notary Public in and for said County and State, personally appeared Jarrod D. Likar, who being by me duly sworn, did say that he is the Vice President of Land Development Lomas Encantadas Development Company, LLC, a New Mexico Company organized under the laws of the State of New Mexico and that he signed this instrument on behalf of said company as the free act and deed of said company.

On this ___ day of _____, 20___, before me the undersigned Notary Public in and for said County and State, personally appeared Dave Gatterman, who being by me duly sworn, did say that he is the Executive Engineer of Southern Sandoval County Arroyo Flood Control Authority, a New Mexico Corporation organized under the laws of the State of New Mexico and that he signed this instrument on behalf of said corporation as the free act and deed of said corporation.

Notary Public

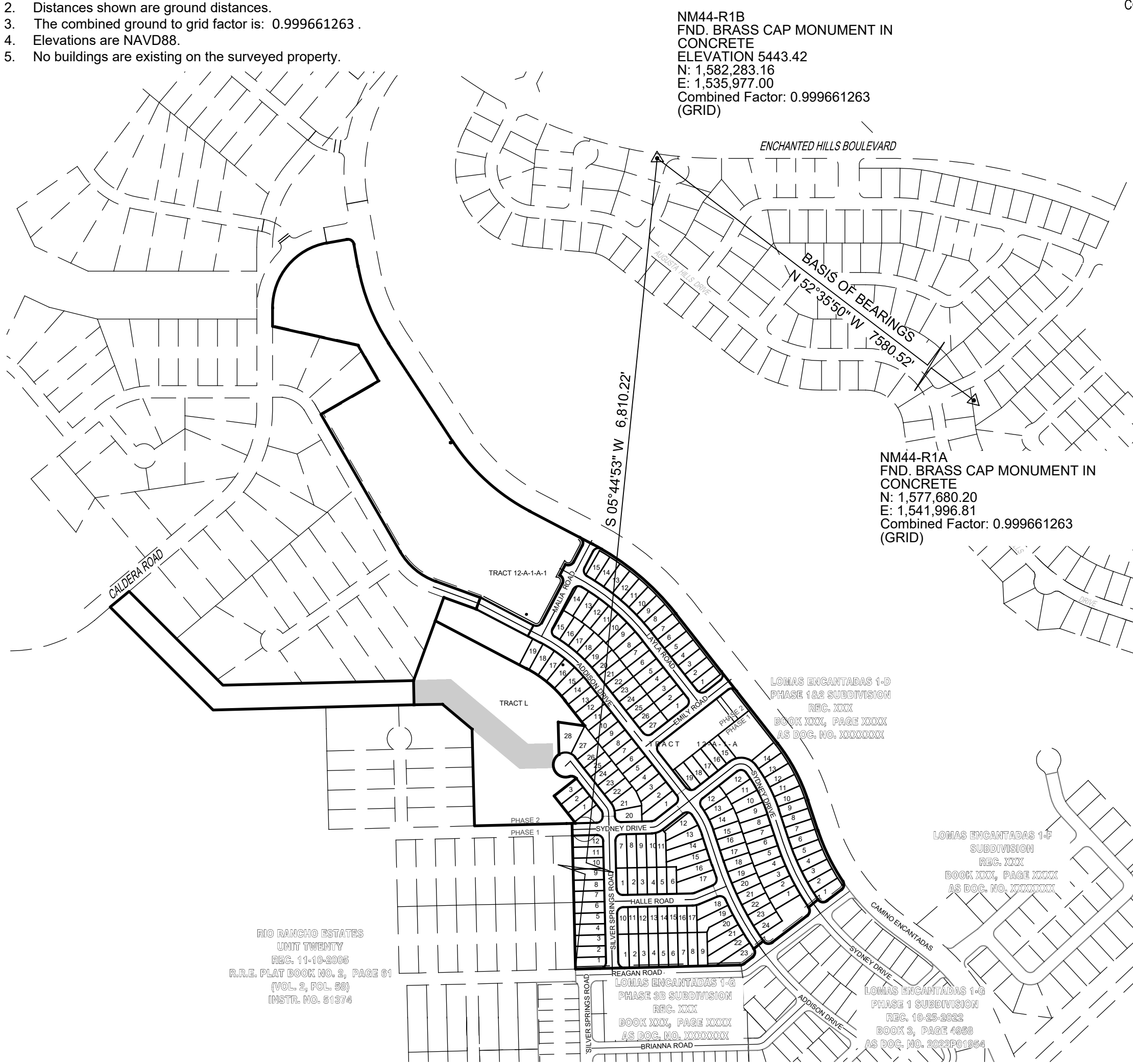
Notary Public

My Commission Expires _____

My Commission Expires _____

NOTES

- Basis of Bearings: the line between found brass cap monuments NM44-R1A and NM44-R1B being N. 52°35'50" W. on former New Mexico State Road No. 44 (N.M.S.R. 550).
- Distances shown are ground distances.
- The combined ground to grid factor is: 0.999661263.
- Elevations are NAVD88.
- No buildings are existing on the surveyed property.



NOTES: UNLESS OTHERWISE INDICATED:

Existing ten (10) foot wide and five (5) foot wide public utility easements adjacent to the outside boundary of Tract 12-A-1-A, as shown on Lomas Encantadas Unit 1-D, Phase 1 & 2 Subdivision, said easements to remain as granted.

There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Sydney Drive NE from Phase 1 Block 5, Lot 12, Phase 2 Block 3, Lots 1 & 20 and Phase 1 Block 2, Lots 12 & 13. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Silver Springs Road NE from Phase 1 Block 3, Lots 1 & 10, Phase 1 Block 4, Lots 1 & 7. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Reagan Rd NE from Phase 1 Block 5 Lot 1, Phase 1 Block 3, Lot 22 and Phase 1 Block 1, Lot 1. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Halle Road NE from Phase 1 Block 3, Lot 17. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Emily Road NE from Phase 2 Block 2, Lots 1 & 27.

There is a ten (10) foot wide public utility easement within all new lots and tracts adjacent to all road rights-of-way being granted hereon except for corner lots where the easement width adjacent to the side street is only five (5) feet wide. There is also a five (5) foot wide public utility easement within all lots and tracts on all other side and rear property lines.

All property corners are set with a 5/8" x 24" rebar with yellow plastic cap stamped 7482, or nail with shinner stamped 7482 (unless otherwise indicated).

Distances are horizontal ground distances in feet. Information in parenthesis () are record where different from actual field survey.

Lot lines are radial or perpendicular to street lines (unless otherwise indicated).

- D.E. - Drainage Easement
- P.L.E. - Private Landscaping Easement
- P.L.W.Q.E. - Private Landscaping / Water Quality Easement
- N.V.A.E. - No Vehicle Access Easement
- P.U.E. - Public Utility Easement
- RAD - Radial bearing
- AC - Acres
- R/W - Right-of-Way
- "F" - Corner Lot Frontage

SURVEYOR'S CERTIFICATE

I, Kim C. Stelzer, New Mexico Registered Land Surveyor No. 7482, do hereby certify that the plat shown hereon was prepared under my supervision, and that the same is true and correct to the best of my knowledge and belief. This survey conforms to the Land Surveying Standards as adopted by the New Mexico State Board of Registration for Professional Engineers and Land Surveyors and the City of Rio Rancho Subdivision Ordinance.



Kim C. Stelzer, NMPS No. 7482 Date _____

JURISDICTIONAL AFFIDAVIT

I, Kim C. Stelzer, New Mexico Registered Land Surveyor No. 7482, do hereby affirm that the property described does lie within the platting and extra-territorial subdivision jurisdiction of the City of Rio Rancho.



Kim C. Stelzer, NMPS No. 7482 Date _____

HUITT-ZOLLARS
333 RIO RANCHO DR. N.E., STE. 101
RIO RANCHO, N.M., 87124
(505) 892-5141

**PRELIMINARY PLAT
OF
LOMAS ENCANTADAS UNIT 1-D, PHASE 1A,
PHASE 1B AND PHASE 2 SUBDIVISION
BEING TRACT 12-A-1-A**

**OF
LOMAS ENCANTADAS UNIT 1-G,
PHASE 3B SUBDIVISION**

FILED XXXX XX, 2024, IN BOOK X, PAGE XX,
AS DOCUMENT NUMBER XXXXX
WITHIN SECTIONS 22, 23, 26 & 27, T. 13 N., R. 3 E., N.M.P.M.

CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
AND

**LOTS 34 THRU 41 AND LOT ARROYO
BLOCK 155
UNIT TWENTY
RIO RANCHO ESTATES**

FILED JUNE 19, 1972, IN BOOK 2, PAGE 61
AS DOCUMENT NUMBER 2022P01954
WITHIN SECTIONS SECTION 27, T. 13 N., R. 3 E., N.M.P.M.
SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 5

FEBRUARY 2024

LEGAL DESCRIPTION:

A Tract of land being all of Tract 12-A-1-A, Lomas Encantadas Unit 1-G Phase 3 Subdivision plat, recorded on xxxxxx in Book xxx, Page xxx, as Document Number xxxxxx, being located within Sections 22, 23, 26 and 27, Township 13 North, Range 3 East, New Mexico Principal Meridian, City of Rio Rancho, Sandoval County, New Mexico.

Said Tract contains 57.2817 acres, more or less (168) Lots, (15) Tracts.

and

A Tract of land being all of Lots 34 thru 41 and Lot Arroyo of Block 155, Unit Twenty, recorded on June 19, 1972 in Book 2, Page 61 as Document Number 53212, being located within Section 27, Township 13 North, Range 3 East, New Mexico Principal Meridian, Rio Rancho Estates, Sandoval County, New Mexico.

SUBDIVIDER:

LOMAS ENCANTADAS DEVELOPMENT COMPANY, LLC
409 NM-528 NE,
RIO RANCHO, NM 87124
JARROD LIKAR, PHONE NO. (505) 896-9037

AGENT/ENGINEER:

HUITT-ZOLLARS, INC.
333 RIO RANCHO DRIVE NE, SUITE 101
RIO RANCHO, NM 87124
DONALD DUNEMAN, PHONE NO. (505) 892-5141

CITY CLERKS CERTIFICATE

I, Rebecca Martinez, City Clerk of the City of Rio Rancho, New Mexico do hereby certify that the plat shown hereon was approved by the Rio Rancho Planning and Zoning Board Chairman on the ___ day of _____, 20___.

Rebecca Martinez, City Clerk

RIO RANCHO PLANNING AND ZONING BOARD

Approved at their meeting on this ___ day of _____, 20___.

Chairman

TREASURER'S CERTIFICATE

I, Jennifer A. Taylor, Treasurer of Sandoval County, New Mexico, do hereby certify that the previous ten (10) years property taxes have been paid in full.

Jennifer A. Taylor, Sandoval County Treasurer Date _____

COUNTY FILING CERTIFICATION

STATE OF NEW MEXICO)
SS.)
COUNTY OF SANDOVAL)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AS)
DOCUMENT NO. _____)
ON THE _____ DAY OF _____, 20___, AT _____)
O'CLOCK ___ M. AND DULY RECORDED IN PLAT BOOK _____, PAGES)
_____, OF THE RECORDS OF SAID COUNTY.)
(RIO RANCHO ESTATES BOOK _____, PAGES _____))

COUNTY CLERK DATE _____

PRELIMINARY PLAT
OF
LOMAS ENCANTADAS UNIT 1-D, PHASE 1A,
PHASE 1B AND PHASE 2 SUBDIVISION
BEING TRACT 12-A-1-A

OF
LOMAS ENCANTADAS UNIT 1-G,
PHASE 3B SUBDIVISION

FILED XXXX XX, 2024, IN BOOK X, PAGE XX,
AS DOCUMENT NUMBER XXXXX
WITHIN SECTIONS 22, 23, 26 & 27, T. 13 N., R. 3 E., N.M.P.M.

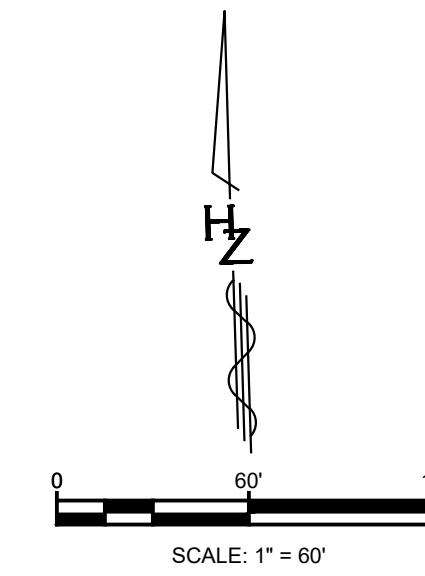
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SANDOVAL COUNTY, NEW MEXICO
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WITHIN SECTIONS 27, T. 13 N., R. 3 E., N.M.P.M.
SANDOVAL COUNTY, NEW MEXICO

SHEET 2 OF 5

FEBRUARY 2024



EASEMENTS

- 1 EXISTING 10' WIDE AND 5' WIDE PUBLIC UTILITY EASEMENTS GRANTED BY VACATION AND REPLAT OF LOMAS ENCANTADAS, RECORDED ON NOVEMBER 10, 2005 IN BOOK 408, PAGE 46844, AS DOCUMENT NUMBER 20546844, AROUND TRACT 12-A-1-A TO REMAIN AS GRANTED, UNLESS NOTED OR SHOWN OTHERWISE.
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- 4 EXISTING 10' WIDE PUBLIC UTILITY EASEMENT GRANTED BY LOMAS ENCANTADAS, UNIT 1-G, PHASE 3B SUBDIVISION PLAT, RECORDED ON XXXXXX, IN BOOK XXX, PAGE XXX, AS DOCUMENT NUMBER XXXXXX. (VACATED BY THIS PLAT)
- 5 EXISTING 50' RADIUS TEMPORARY TURN AROUND EASEMENT GRANTED BY VACATION AND REPLAT OF LOMAS ENCANTADAS, RECORDED ON NOVEMBER 10, 2005 IN BOOK 408, PAGE 46844, AS DOCUMENT NUMBER 20546844 (VACATED BY THIS PLAT).
- 6 EXISTING LOT LINES, RIGHT OF WAY AND PUBLIC UTILITY EASEMENTS GRANTED BY BLOCKS 154 THRU 167 AND PORTION OF BLOCK 168 UNIT TWENTY PLAT, RECORDED JUNE 19, 1972 IN BOOK 2, PAGE 61 AS DOCUMENT NUMBER 53212. (VACATED BY THIS PLAT)
- 7 10' WIDE (P.U.E.) ADJACENT TO MALIA ROAD AND ADDISON DRIVE ROAD RIGHT OF WAY CREATED WITH THIS PLAT WITHIN TRACT 12-A-1-A-1 (GRANTED BY THIS PLAT).
- 8 20' PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT)
- 9 A 1.5184 ACRE PORTION OF EXISTING LOT 'ARROYO' BLOCK 155, UNIT 20 TO BE DEDICATED TO THE CITY OF RIO RANCHO FROM SSCAFCA (VACATED AND DEDICATED BY THIS PLAT)

ABBREVIATIONS:

- D.E. - Drainage Easement
- P.L.E. - Private Landscaping Easement
- P.L.W.Q.E. - Private Landscaping / Water Quality Easement
- N.V.A.E. - No Vehicle Access Easement
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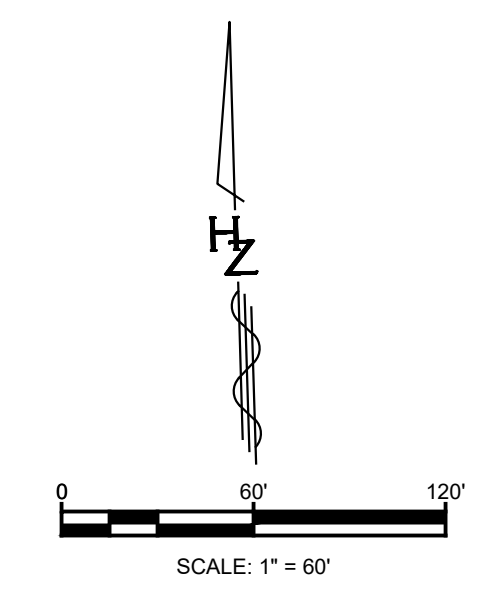
HUITT-ZOLLARS
 333 RIO RANCHO DR. N.E., STE. 101
 RIO RANCHO, N.M., 87124
 (505) 892-5141

PRELIMINARY PLAT
OF
LOMAS ENCANTADAS UNIT 1-D, PHASE 1A,
PHASE 1B AND PHASE 2 SUBDIVISION
BEING TRACT 12-A-1-A

OF
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LOTS 34 THRU 41 AND LOT ARROYO
BLOCK 155
UNIT TWENTY
RIO RANCHO ESTATES
AS DOCUMENT NUMBER 2022P01954
WITHIN SECTIONS SECTION 27, T. 13 N., R. 3 E., N.M.P.M.
SANDOVAL COUNTY, NEW MEXICO

SHEET 3 OF 5
FEBRUARY 2024



CURVE NO.	Δ	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C2	15°43'37"	843.08'	S26°01'43"E	230.69'	231.41'
C3	22°32'21"	762.00'	N49°22'06"W	297.83'	299.76'
C4	22°06'37"	1047.00'	S49°09'14"E	401.53'	404.03'
C6	19°56'02"	747.00'	S28°07'55"E	258.58'	259.89'
C7	17°03'36"	853.00'	S26°41'42"E	253.05'	253.98'
C8	19°56'02"	462.00'	N28°07'55"W	159.93'	160.74'
C9	15°30'12"	1138.00'	N25°54'59"W	306.99'	307.92'
C10	15°30'12"	1138.00'	N25°54'59"W	306.99'	307.92'
C11	24°14'36"	906.87'	N50°13'07"W	380.86'	383.72'
C12	24°14'23"	627.00'	N50°13'07"W	263.29'	265.26'
C13	24°14'23"	627.00'	N50°13'07"W	263.29'	265.26'
C14	36°46'03"	50.00'	N19°42'54"W	31.54'	32.09'
C16	36°30'13"	50.00'	S70°09'11"W	31.32'	31.86'
C18	91°18'55"	50.00'	N82°26'28"W	71.52'	79.69'
C19	18°37'07"	607.00'	N27°28'27"W	196.38'	197.25'
C20	19°01'50"	993.00'	N27°40'49"W	328.31'	329.82'
C21	19°01'50"	1273.00'	N27°40'48"W	420.88'	422.82'
C22	21°17'56"	50.00'	S78°01'10"W	18.48'	18.59'
C26	19°56'02"	327.00'	N28°07'55"W	113.19'	113.77'
C27	19°01'50"	1273.00'	N27°40'48"W	420.88'	422.82'

CURVE NO.	Δ	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C28	19°01'50"	1273.00'	N27°40'48"W	420.88'	422.82'
C47	89°44'10"	25.00'	S43°32'13"W	35.27'	39.15'
C48	90°15'50"	25.00'	N46°27'47"W	35.44'	39.39'
C49	36°46'03"	75.00'	N19°42'54"W	47.31'	48.13'
C50	36°46'03"	25.00'	S19°42'54"E	15.77'	16.04'
C51	250°31'44"	50.00'	S16°38'13"W	81.65'	218.63'
C52	70°31'44"	25.00'	S73°21'48"E	28.87'	30.77'
C53	90°00'00"	25.00'	S6°54'04"W	35.36'	39.27'
C54	90°00'00"	25.00'	N83°05'56"W	35.36'	39.27'
C57	90°00'00"	25.00'	S6°54'04"W	35.36'	39.27'
C58	91°18'55"	75.00'	N82°26'28"W	107.28'	119.53'
C59	18°37'41"	631.68'	N27°28'27"W	204.47'	205.37'
C60	91°18'55"	25.00'	N82°26'28"W	35.76'	39.84'
C63	16°16'58"	1018.00'	S26°18'23"E	288.33'	289.30'
C64	15°59'29"	968.00'	N26°09'38"W	269.29'	270.17'
C65	16°41'15"	1248.00'	S26°30'31"E	362.20'	363.48'
C66	16°41'15"	1248.00'	S26°30'31"E	362.20'	363.48'
C67	17°59'25"	352.00'	S27°09'36"E	110.07'	110.52'
C68	36°30'13"	75.00'	N70°09'11"E	46.98'	47.78'
C69	89°44'10"	25.00'	N43°32'13"E	35.27'	39.15'

CURVE NO.	Δ	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C108	90°00'00"	25.00'	S72°39'41"W	35.36'	39.27'
C110	90°00'00"	25.00'	S17°20'19"E	35.36'	39.27'
C111	90°00'00"	25.00'	S72°39'41"W	35.36'	39.27'
C112	24°14'23"	602.00'	S50°13'07"E	252.79'	254.68'
C113	86°27'54"	25.00'	S15°34'16"E	34.25'	37.73'
C114	20°42'17"	652.00'	S48°27'04"E	234.33'	235.61'
C130	7°38'56"	50.00'	N66°09'47"W	6.67'	6.67'
C131	21°17'56"	75.00'	N78°01'10"E	27.72'	27.88'

CURVE NO.	Δ	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C71	90°00'00"	25.00'	N46°19'52"W	35.36'	39.27'
C74	87°50'03"	25.00'	S23°27'11"W	34.68'	38.32'
C76	17°17'18"	302.00'	S26°48'32"E	90.78'	91.12'
C77	90°00'00"	25.00'	N43°40'08"E	35.36'	39.27'
C83	87°50'03"	25.00'	S68°42'47"E	34.68'	38.32'
C84	10°14'01"	1298.00'	S29°54'46"E	231.53'	231.83'
C85	89°54'49"	25.00'	N43°37'32"E	35.33'	39.23'
C86	90°05'12"	25.00'	N46°22'28"W	35.38'	39.31'
C87	90°15'50"	25.00'	N46°27'47"W	35.44'	39.39'
C89	90°00'00"	25.00'	S83°05'56"E	35.36'	39.27'
C91	90°00'00"	25.00'	N83°05'56"W	35.36'	39.27'
C92	90°00'00"	25.00'	S6°54'04"W	35.36'	39.27'
C94	90°00'00"	25.00'	N83°05'56"W	35.36'	39.27'
C97	90°00'00"	25.00'	N6°54'04"E	35.36'	39.27'
C98	21°43'54"	932.35'	N48°58'08"W	351.51'	353.63'
C99	21°26'53"	882.00'	N48°49'22"W	328.24'	330.17'
C100	92°47'31"	25.00'	S74°03'26"W	36.21'	40.49'
C103	87°30'00"	25.00'	S16°05'19"E	34.58'	38.18'
C105	92°19'05"	25.00'	S73°49'14"W	36.06'	40.28'
C106	90°00'00"	25.00'	S17°20'19"E	35.36'	39.27'



EASEMENTS

- EXISTING 10' WIDE AND 5' WIDE PUBLIC UTILITY EASEMENTS GRANTED BY VACATION AND REPLAT OF LOMAS ENCANTADAS, RECORDED ON NOVEMBER 10, 2005 IN BOOK 408, PAGE 46844, AS DOCUMENT NUMBER 20546844, AROUND TRACT 12-A-1-A TO REMAIN AS GRANTED, UNLESS NOTED OR SHOWN OTHERWISE.
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- 10' WIDE (P.U.E.) ADJACENT TO MALIA ROAD AND ADDISON DRIVE ROAD RIGHT OF WAY CREATED WITH THIS PLAT WITHIN TRACT 12-A-1-A-1 (GRANTED BY THIS PLAT).
- 20' PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT)
- A 1.5184 ACRE PORTION OF EXISTING LOT 'ARROYO' BLOCK 155, UNIT 20 TO BE DEDICATED TO THE CITY OF RIO RANCHO FROM SSSACFA (VACATED AND DEDICATED BY THIS PLAT)

ABBREVIATIONS:

- D.E. - Drainage Easement
- P.L.E. - Private Landscaping Easement
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HUITT-ZOLLARS
333 RIO RANCHO DR. N.E., STE. 101
RIO RANCHO, N.M., 87124
(505) 892-5141

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PRELIMINARY PLAT
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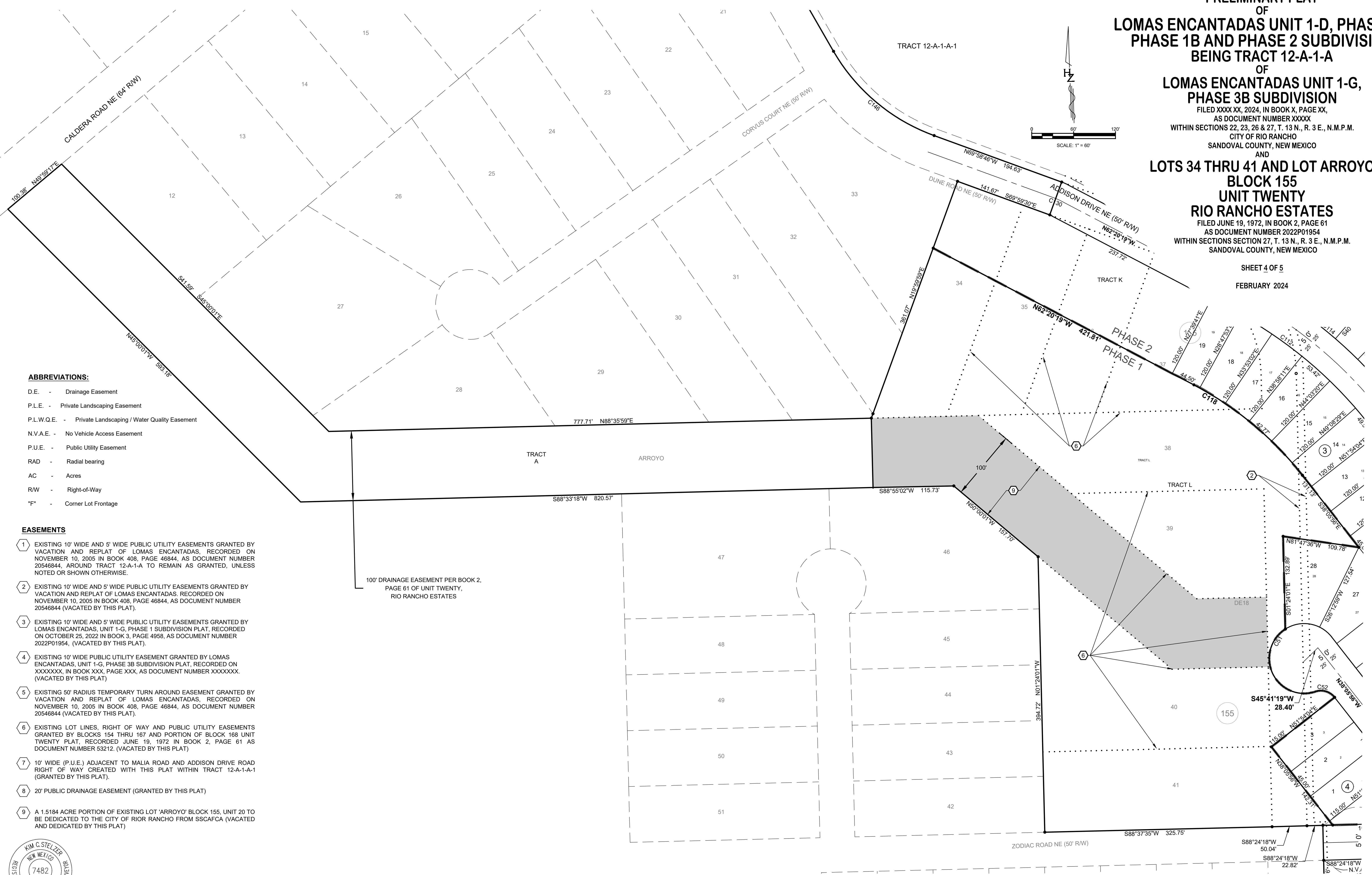
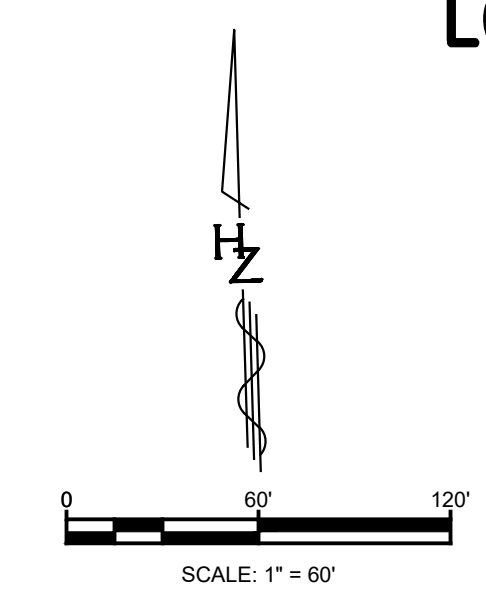
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SHEET 4 OF 5

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- 7 10' WIDE (P.U.E.) ADJACENT TO MALIA ROAD AND ADDISON DRIVE ROAD RIGHT OF WAY CREATED WITH THIS PLAT WITHIN TRACT 12-A-1-A-1 (GRANTED BY THIS PLAT).
- 8 20' PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT)
- 9 A 1.5184 ACRE PORTION OF EXISTING LOT 'ARROYO' BLOCK 155, UNIT 20 TO BE DEDICATED TO THE CITY OF RIO RANCHO FROM SCAFA (VACATED AND DEDICATED BY THIS PLAT)

100' DRAINAGE EASEMENT PER BOOK 2,
PAGE 61 OF UNIT TWENTY,
RIO RANCHO ESTATES



HUITT-ZOLIARS
333 RIO RANCHO DR. N.E., STE. 101
RIO RANCHO, N.M., 87124
(505) 892-5141

Plotted: 2/20/2024 2:46:19 PM, By: Duneman, Donnie
 H:\proj\R315014.01 - LE - ID PH105 Design\05.11 Survey\PLAT\LE - 1D - PH 1-2 PRELIM PLAT.dwg
 Last Saved: 2/20/2024 2:45:00 PM, dduneman

PRELIMINARY PLAT
OF
LOMAS ENCANTADAS UNIT 1-D, PHASE 1A,
PHASE 1B AND PHASE 2 SUBDIVISION
BEING TRACT 12-A-1-A

OF
LOMAS ENCANTADAS UNIT 1-G,
PHASE 3B SUBDIVISION

FILED XXXX XX, 2024, IN BOOK X, PAGE XX,
AS DOCUMENT NUMBER XXXXX

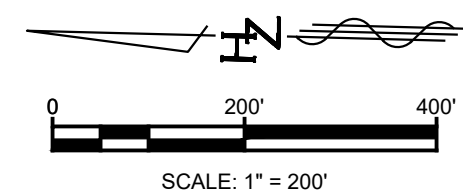
WITHIN SECTIONS 22, 23, 26 & 27, T. 13 N., R. 3 E., N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

AND
LOTS 34 THRU 41 AND LOT ARROYO
BLOCK 155
UNIT TWENTY
RIO RANCHO ESTATES

FILED JUNE 19, 1972, IN BOOK 2, PAGE 61
AS DOCUMENT NUMBER 2022P01954
WITHIN SECTIONS 27, T. 13 N., R. 3 E., N.M.P.M.
SANDOVAL COUNTY, NEW MEXICO

SHEET 5 OF 5

FEBRUARY 2024



RIO RANCHO ESTATES
UNIT TWENTY
REG. 11-10-2005
R.R. PLAT BOOK NO. 2, PAGE 61
(VOL. 2, PGL. 60)
INSTR. NO. 51874

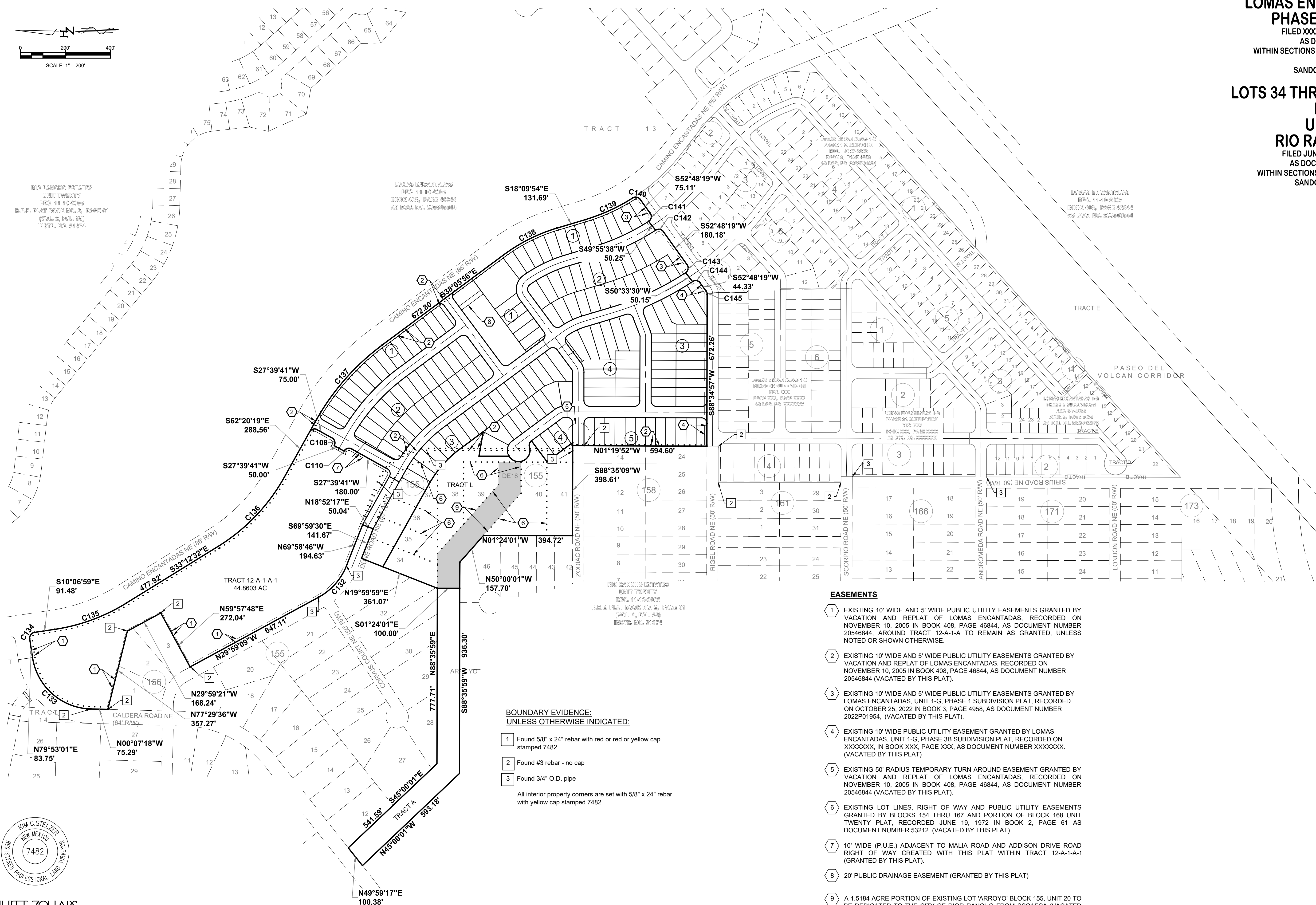
LOMAS ENCANTADAS
REG. 11-10-2005
BOOK 408, PAGE 48844
AS DOC. NO. 20546844

LOMAS ENCANTADAS
REG. 11-10-2005
BOOK 408, PAGE 48844
AS DOC. NO. 20546844

TRACT 13

TRACT E

PASEO DEL
VOLCAN CORRIDOR



EASEMENTS

- 1 EXISTING 10' WIDE AND 5' WIDE PUBLIC UTILITY EASEMENTS GRANTED BY VACATION AND REPLAT OF LOMAS ENCANTADAS, RECORDED ON NOVEMBER 10, 2005 IN BOOK 408, PAGE 48844, AS DOCUMENT NUMBER 20546844, AROUND TRACT 12-A-1-A TO REMAIN AS GRANTED, UNLESS NOTED OR SHOWN OTHERWISE.
- 2 EXISTING 10' WIDE AND 5' WIDE PUBLIC UTILITY EASEMENTS GRANTED BY VACATION AND REPLAT OF LOMAS ENCANTADAS, RECORDED ON NOVEMBER 10, 2005 IN BOOK 408, PAGE 48844, AS DOCUMENT NUMBER 20546844 (VACATED BY THIS PLAT).
- 3 EXISTING 10' WIDE AND 5' WIDE PUBLIC UTILITY EASEMENTS GRANTED BY LOMAS ENCANTADAS, UNIT 1-G, PHASE 1 SUBDIVISION PLAT, RECORDED ON OCTOBER 25, 2022 IN BOOK 3, PAGE 4958, AS DOCUMENT NUMBER 2022P01954, (VACATED BY THIS PLAT).
- 4 EXISTING 10' WIDE PUBLIC UTILITY EASEMENT GRANTED BY LOMAS ENCANTADAS, UNIT 1-G, PHASE 3B SUBDIVISION PLAT, RECORDED ON XXXXXX, IN BOOK XXX, PAGE XXX, AS DOCUMENT NUMBER XXXXXX. (VACATED BY THIS PLAT)
- 5 EXISTING 50' RADIUS TEMPORARY TURN AROUND EASEMENT GRANTED BY VACATION AND REPLAT OF LOMAS ENCANTADAS, RECORDED ON NOVEMBER 10, 2005 IN BOOK 408, PAGE 48844, AS DOCUMENT NUMBER 20546844 (VACATED BY THIS PLAT).
- 6 EXISTING LOT LINES, RIGHT OF WAY AND PUBLIC UTILITY EASEMENTS GRANTED BY BLOCKS 154 THRU 167 AND PORTION OF BLOCK 168 UNIT TWENTY PLAT, RECORDED JUNE 19, 1972 IN BOOK 2, PAGE 61 AS DOCUMENT NUMBER 53212. (VACATED BY THIS PLAT)
- 7 10' WIDE (P.U.E.) ADJACENT TO MALIA ROAD AND ADDISON DRIVE ROAD RIGHT OF WAY CREATED WITH THIS PLAT WITHIN TRACT 12-A-1-A-1 (GRANTED BY THIS PLAT).
- 8 20' PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT)
- 9 A 1.5184 ACRE PORTION OF EXISTING LOT 'ARROYO' BLOCK 155, UNIT 20 TO BE DEDICATED TO THE CITY OF RIO RANCHO FROM SSCAFCA (VACATED AND DEDICATED BY THIS PLAT)

**BOUNDARY EVIDENCE:
UNLESS OTHERWISE INDICATED:**

- 1 Found 5/8" x 24" rebar with red or red or yellow cap stamped 7482
 - 2 Found #3 rebar - no cap
 - 3 Found 3/4" O.D. pipe
- All interior property corners are set with 5/8" x 24" rebar with yellow cap stamped 7482



HUITT-ZOLLARS
333 RIO RANCHO DR. N.E., STE. 101
RIO RANCHO, N.M., 87124
(505) 892-5141



December 23, 2024

**RE: Preliminary Plat Extension #22-210-00004 Lomas Encantadas 1-D, Phases 1A, 1B & 2
Lomas Encantadas Tract 12-A-1-A**

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, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requests approval of a preliminary plat extension for Lomas Encantadas Unit 1D Phases 1A, 1B & 2 for the properties legally described as LE, Tract 12-A-1-A and Rio Rancho Estates Unit 20, Block 155, Lots 34-41 & Lot Arroyo within the Lomas Encantadas Master Plan. On the back of this letter is an approximate location map of the project.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, January 14, 2025** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

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

Please do not hesitate to contact me at 505-896-8361 or e-mail me at tdvorak@rrnm.gov if you have any questions about the application or accessing the meeting. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, approximately one week before the hearing.

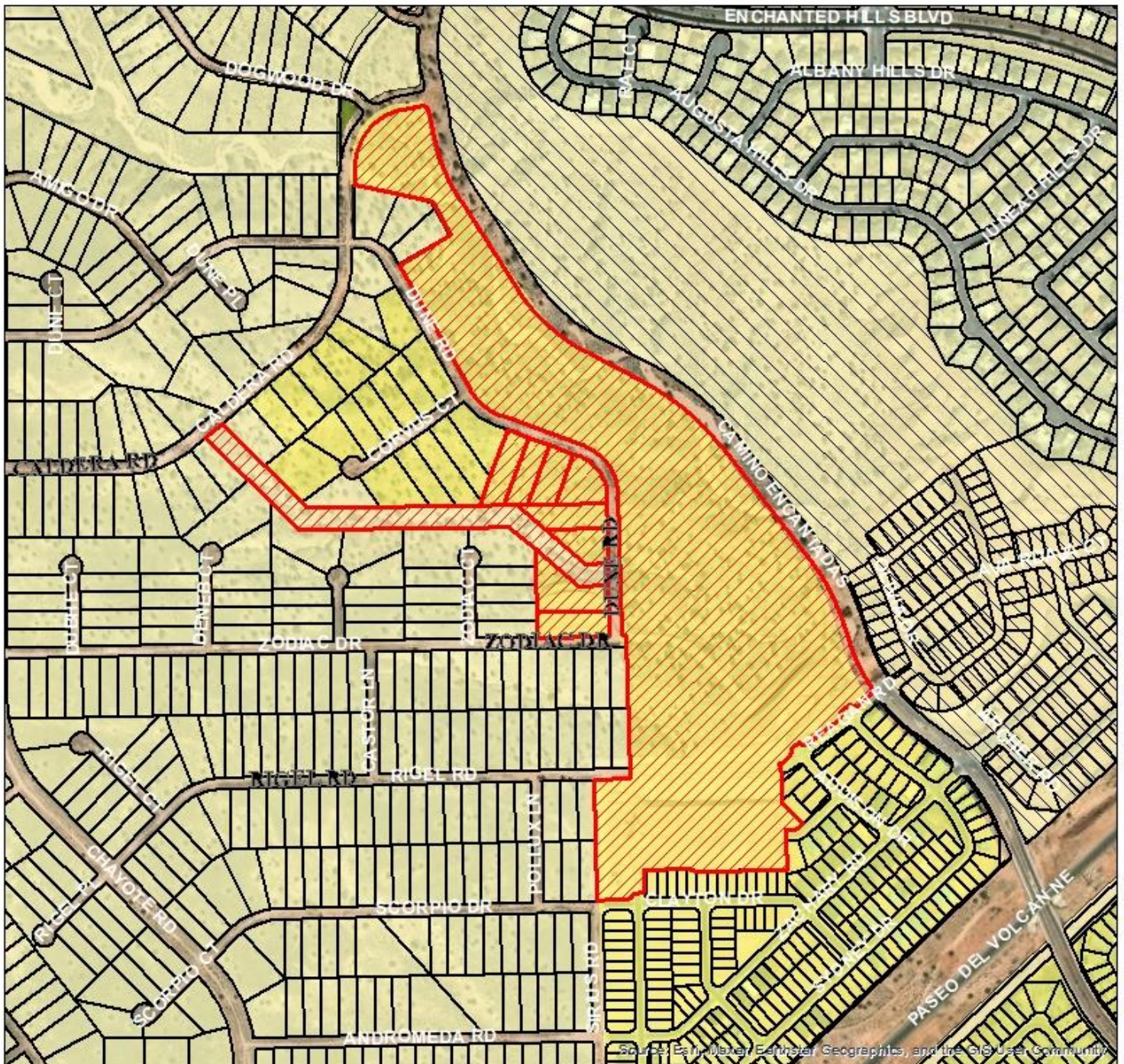
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public documents including the agenda and minutes can be provided in various accessible formats. 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
Planning Division
City of Rio Rancho

LOMAS ENCANTADAS ID, PHASES 1A, 1B & 2 PRELIMINARY PLAT EXTENSION



Source: Esri, Imagery, Earthstar, Geographics, and the GIS User Community



Map Created by Tim Dvorak on December 23, 2024



LEGEND	
	Subject Properties
Zoning	
	R-1
	R-4
	SU
	CS

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





**CITY OF RIO RANCHO
PUBLIC HEARING NOTICE**

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, January 14, 2025:

**Amended Preliminary Plat Extension
Case #22-210-00010**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of an Amended Preliminary Plat Extension for the Lomas Encantadas 1E Phase 2 subdivision, legally described as LE, Tract 13-A-1.

virtually at www.rmm.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@rmm.gov. Written comments will be inserted into the public record.

Journal: December 30, 2024

**Preliminary Plat Extension
Case #22-210-00004**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary Plat Extension for the Lomas Encantadas 1D Phases 1A, 1B & 2 subdivisions, legally described as LE1G, Tract 12-A-1-A and RRE Unit 20, Block 155, Lots 34-41 and Lot Arroyo.

**Variance
Case #24-110-00048**

The applicant, Mario Riso, requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE, legally described as RRE Unit 11, Block 5, Lot 80.

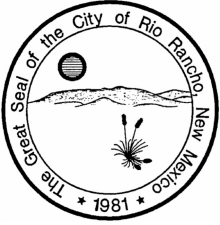
**Text Amendment
Case #24-105-00004**

The applicant, the City of Rio Rancho, is requesting approval of a Text Amendment to Chapter 154 Planning and Zoning, Sections 154.10, 154.13, 154.19 and 154.43. The requested amendment is to remove "BOARDING HOUSE (BOARDING, LODGING HOUSE, OR BED AND BREAKFAST)" from the list of permissive uses in the R-3: Mixed-Residential and R-6: Multi-Family Residential Zoning districts, and the corresponding Residential Land Use Table; and add the use to the Special Use District 154.43 (B).

**Variance
Case #23-110-00006**

The applicant, Ann Bagley, is requesting approval of a variance to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build an accessory dwelling unit. The property is located at 2428 Manzano Lp NE, is legally described as Corrales North Unit 3, Block 24, Lot 4, and is zoned R-1: Single Family Residential.

The meeting is scheduled in the Overflow Room at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or



CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 22-210-
00010**

AGENDA DATE:
January 14, 2025

DEPARTMENT:
Development Services

SUBJECT:
Preliminary Plat Extension & Amendment. The Applicant, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requests approval of an Amended Preliminary Plat Extension for the Lomas Encantadas 1E Phase 2 Subdivision. Staff contact is Tim Dvorak and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:

The Applicant, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requests approval of an amended Preliminary Plat Extension for the Lomas Encantadas 1E Phase 2 Subdivision. The previously approved subdivision will be creating 43 single-family residential lots and 10 tracts zoned R-1: Single Family Residential District. The property is legally described as Lomas Encantadas, Tract 13-A and comprises approximately 7.3398 lot acres and 10.7644 subdivision tract acres.

As the Preliminary Plat has expired, a plat extension is required in order to keep the plat active for Phase 2. Given that the applicant is requesting to amend the Preliminary Plat concurrently with a Preliminary Plat Extension for the subject plat, these applications are being heard as one item.

The original Preliminary Plat for the Lomas Encantadas 1E Phase 1 & 2 subdivision was approved by the Planning and Zoning Board on July 26, 2022.

The Preliminary Plat was extended at the June 27, 2023 Planning and Zoning Board Meeting, and a Preliminary Plat Amendment for Lomas Encantadas 1E Phase 1 was approved by the Planning and Zoning Board on November 14, 2023.

The Final Plat for Lomas Encantadas 1E Phase 1 was approved by the Planning and Zoning Board on January 23, 2024.

The originally approved Lomas Encantadas 1E Phase 2 subdivision included 49 single-family residential lots and 9 tracts. The subject Preliminary Plat Amendment adds 1 tract, for a new total of 10, and reduces the single-family lot count by 6 for a new total of 43 lots.

The changes to the LE1E Phase 2 plat include:

1. Block 7 changed to Block 1: No change to lot or tract count. Total: 7 Lots, 2 Tracts
2. Block 8 changed to Block 2: One lot and one tract removed. Total: 3 Lots, 2 Tracts
3. Access from Parker Rd NE to Camino Encantadas NE eliminated.
4. Block 5 changed to Block 3: No change to lot count; one tract removed. Total: 6 Lots, 1 Tract

5. Block 6 changed to Block 4: Six lots and two tracts removed. Total: 12 Lots, 0 Tracts
6. Creation of Block 5 along the north side of Parker Rd NE: Addition of six lots and two tracts.
Total: 6 Lots, 2 Tracts
7. Block 2 changed to Block 6: four lots removed. Total: 9 Lots, 2 Tracts

The proposed subdivision of Lomas Encantadas 1E Phase 2 is located on the north side of Paseo Del Volcan NE, northeast of Camino Encantadas (a proposed Minor Arterial), and southwest of Enchanted Hills Boulevard NE (see attached location map). The subject property is located in the central portion of Tract 13, to the north of Lomas Encantadas 1E Phase 1 (see plat page 1 for location within tract). The proposed subdivision is part of the Lomas Encantadas Master Plan, originally adopted in 2004 and amended in February 2020.

Staff recommends the Planning and Zoning Board find the Preliminary Plat Amendment is in conformance with Chapter 154 Planning and Zoning and Chapter 155 Subdivisions. The minimum lot width is 60 ft from front setback, in conformance with the minimum lot width of 60 ft; and the minimum lot size is 7,020 square ft, in conformance with the minimum lot size of 7,000 square ft. Both zoning regulations are per the R-1: Single-Family Residential Zoning District. The proposed subdivision is part of and in conformance with the Lomas Encantadas Master Plan, originally adopted in 2004 and amended in February 2020.

The City Subdivision Ordinance R.O. 2003 Chapter 155.22 (F) Longevity states: "Approval of a preliminary plat is effective for one year unless extended by the Planning Board, based on a finding that the delay has been unavoidable and the extension is in the public interest."

The applicant states in their justification letter, "Construction of Unit 1E Phase 2 is planned to commence as soon as revised plans are approved and will be completed by the end of 2025. This extension of the preliminary plat will allow for completion of the final phase of Lomas Encantadas Unit 1E."

Staff recommends the Planning and Zoning Board finds it is in the public interest to grant this amended preliminary plat and second extension. The extension would provide the applicant with additional time to address any issues or outstanding items for subdivision construction.

One of the primary purposes of the longevity clause is to prevent development of a subdivision, approved under previous iterations of the subdivision and zoning codes, that no longer meets the City's standards. There have been no significant revisions to the subdivision code, zoning code, or infrastructure design standards since the plat's approval date that would necessitate a second plat review and re-approval for the Lomas Encantadas 1E, Phase 2 Preliminary Plat.

NOTIFICATIONS: Notice of the second preliminary plat extension request and hearing date was sent via first class mail to abutting property owners. A legal notice was published in the December 30, 2024 edition of the Albuquerque Journal. A notice sign was posted to the property per Ordinance. All legal notification requirements for this project have been met.

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board approve the amended preliminary plat extension with the following findings and conditions:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over the applicant's request for approval of a

- preliminary plat amendment.
2. The applicant has the authority to apply for a preliminary plat amendment.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The preliminary plat amendment has been prepared, reviewed, and conforms to the City of Rio Rancho plans and policies.
2. The preliminary plat amendment conforms to the requirements of the Subdivision Code, Code of Ordinances, Chapter 155.22 (F).
3. The preliminary plat amendment conforms to the requirements of the R-1: Single-Family Residential Zoning District.
4. The preliminary plat amendment conforms to the Lomas Encantadas Master Plan, adopted as amended under Resolution No. 11, Enactment No. 20-009.
5. In accordance with R.O. 2003 § 155.24(A), the final plat shall be recorded within 12 months following approval of the preliminary plat, or the Planning and Zoning Board approval shall become null and void.
6. Infrastructure shall be installed and accepted prior to the recording of the final plat or the applicant shall submit for staff review and approval of a subdivision improvement agreement and financial guarantee prior to the final plat hearing.
7. Impact fee assessment will be based on the date of original preliminary plat approval and valid for four (4) years from July 26, 2022.
8. The applicant shall address all of the Preliminary Plat reviewers' comments prior to submitting construction plans or the Final Plat, whichever is applicable. The reviewing comments include:
 - a. Ensure drainage calculations and drawings match for Pond 1E-1 D. Include grading details for proposed ponds.
 - b. Show where drainage exiting Parker Road will flow.
 - c. Provide updated signal analysis for Lincoln Ave. and Camino Encantadas NE, Lincoln Ave and Paseo del Volcan, and applicable adjoining subdivisions.
 - d. Provide an overlay showing proposed roads and access that meets the State Access Management Manual (SAMM) for Camino Encantadas for surrounding and adjoining developments.
 - e. Ensure document "Lomas Encantadas 1E lot summary" is consistent with the modified lot and tract lines in the preliminary plat amendment.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the preliminary plat amendment.
2. Deny the preliminary plat amendment.
3. Modify the preliminary plat and approve such modifications.
4. Postpone the item and continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board approve the Preliminary Plat Amendment & Extension with findings and conditions.

ATTACHMENT: [Zoning, Location](#)

ATTACHMENT: [Amended Preliminary Plat](#)

ATTACHMENT: [Plat Changes](#)

ATTACHMENT: [Application & Extension Request](#)

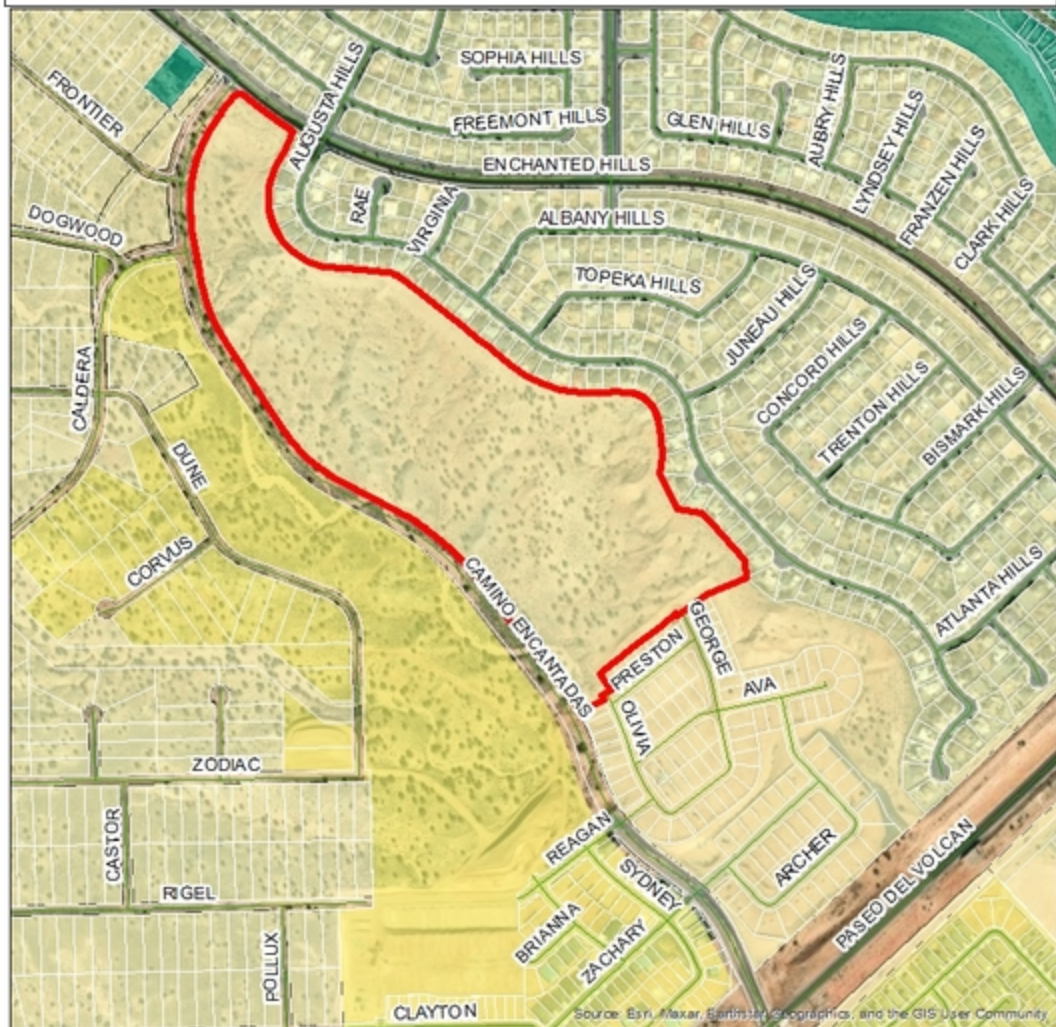
ATTACHMENT: [Amendment Request Application](#)

ATTACHMENT: [Authorization](#)

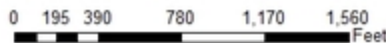
ATTACHMENT: [Lomas Encantadas 1E lot summary](#)

ATTACHMENT: [Reproduction of Notices, Legal](#)

LOMAS ENCANTADAS IE, PHASE 2 AMENDED PRELIMINARY PLAT EXTENSION



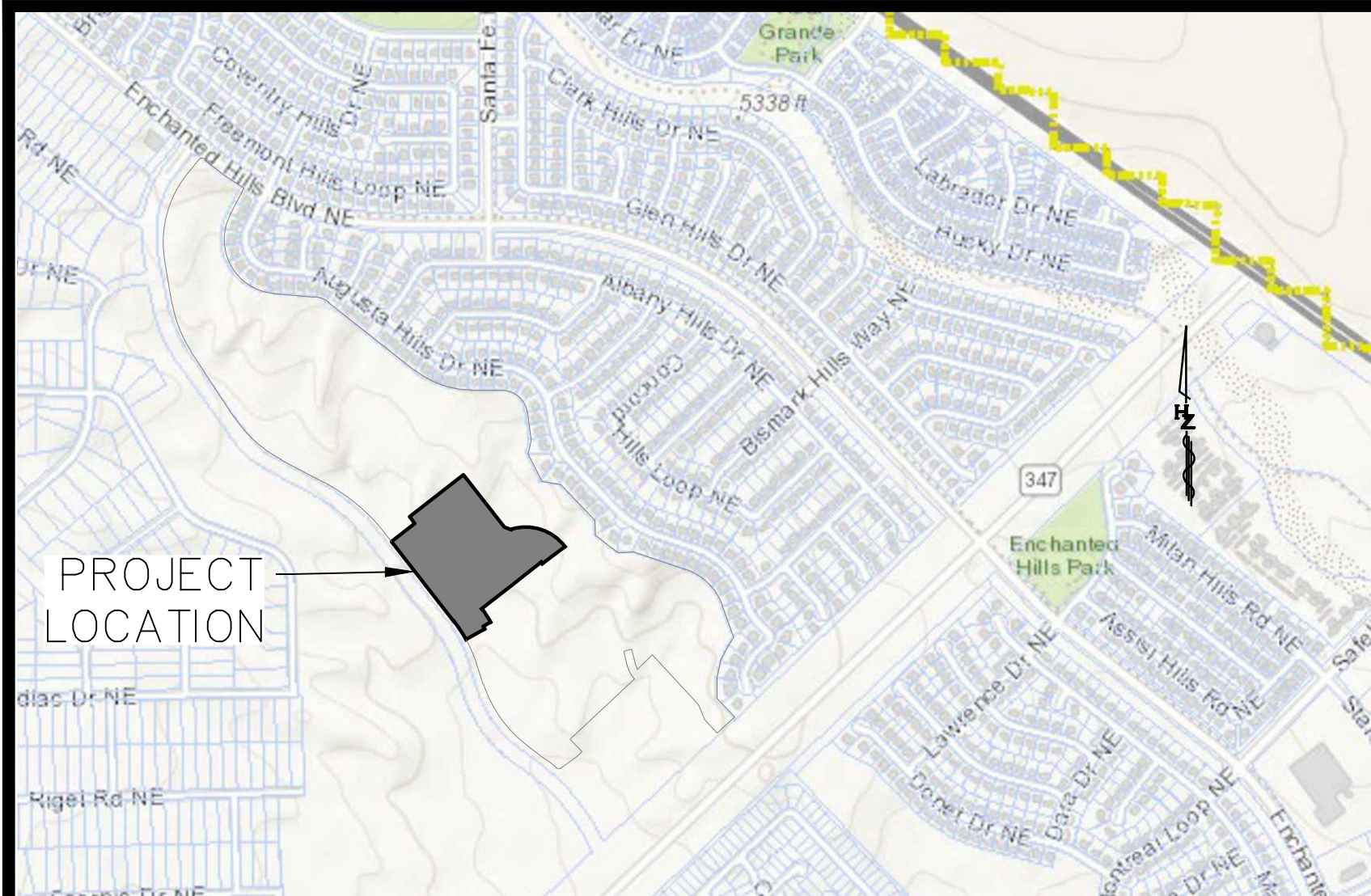
Source: Esri, Maxar, Earthstar, GeoGraphics, and the GIS User Community



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 Tim Dvorak on 12/23/2024

	Roads
	LE Tract 13-A-1
Zoning	
	OS
	R-1
	R-4
	SU



VICINITY MAP
NOT TO SCALE

NOTES: UNLESS OTHERWISE INDICATED:

Existing ten (10) foot wide public utility easement along Camino Encantadas Right-of-Way within this Subdivision (Unit 1-E), as shown on Vacation and Replat of Lomas Encantadas, is being vacated by this plat. Said easement to remain inside new Tract 13-A-1 as shown hereon and being vacated within the subdivision boundaries.

All of Tracts 'A', 'B', 'D' thru 'G', and 'I' to be dedicated as private landscaping easements, owned and maintained by the Lomas Encantadas Master Association, Inc. as shown hereon.

Tract 'C' to be dedicated as a private landscape and water quality easement, owned and maintained by the Lomas Encantadas Master Association, Inc. as shown hereon.

Tract 'H' to be dedicated as a public drainage easement, owned and maintained by the Lomas Encantadas Master Association, Inc. as shown hereon.

There is a ten (10) foot wide public utility easement within all new lots adjacent to all road rights-of-way being granted hereon except for corner lots where the easement width adjacent to the side street is only five (5) feet wide (lot frontage hereon designated by letter "F"). There is also a five (5) foot wide public utility easement within all lots and tracts on all other side and rear property lines.

There is a one (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Emily Road from Block 2, Lot 1. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to Parker Road NE from Block 4, Lots 6 and 7, and Block 6 Lot 9. There is a (1) foot wide "NO VEHICULAR ACCESS EASEMENT" to prevent vehicle access to George Loop NE from Block 4, Lots 1 and 12.

All property corners are set with a 5/8" x 24" rebar with red or yellow plastic cap stamped LS 7482, or nail with shiner stamped LS 7482 (unless otherwise indicated).

Basis of Bearings: the line between found brass cap monuments NM44-R1A and NM44-R1B being N. 52° 35' 48" w. on former New Mexico State Road No. 44 (N.M.S.R. 550).

Bearings are NM State Plane Grid Bearings (Central Zone)

Distances shown are ground distances (U.S. survey ft.)

Elevations are NAVD88.

Combined Scale Factor = 0.9996612633

No buildings are existing on the surveyed property.

Information in parenthesis () are record where different from actual field survey.

- P.L.W.Q. - Private Landscaping / Water Quality Easement
- P.L.E. - Private Landscaping Easement
- D.E. - Public Drainage Easement
- N.V.A.E. - No Vehicle Access Easement
- P.U.E. - Public Utility Easement
- RAD - Radial bearing
- AC - Acres
- R/W - Right-of-Way
- "F" - Lot Frontage

SURVEYOR'S CERTIFICATE

I, Kim C. Stelzer, New Mexico Registered Land Surveyor No. 7482, do hereby certify that the plat shown hereon was prepared under my supervision, and that the same is true and correct to the best of my knowledge and belief. This survey conforms to the Land Surveying Standards as adopted by the New Mexico State Board of Registration for Professional Engineers and Land Surveyors and the City of Rio Rancho Subdivision Ordinance.

Kim C. Stelzer, NMPS No. 7482 Date

JURISDICTIONAL AFFIDAVIT

I, Kim C. Stelzer, New Mexico Registered Land Surveyor No. 7482, do hereby affirm that the property described does lie within the platting and extra-territorial subdivision jurisdiction of the City of Rio Rancho.

Kim C. Stelzer, NMPS No. 7482 Date

HUITT-ZOLLARS
333 RIO RANCHO DR. N.E., STE. 101
RIO RANCHO, N.M., 87124
(505) 892-5141

SUBDIVISION DATA

SUBDIVISION: LOMAS ENCANTADAS UNIT 1-E PH 2	PLAT ACRES	60.4516
TOTAL NO. OF LOTS: 43	LOT ACRES:	7.3398
NO. OF PARCELS: 0	PARCEL ACRES:	0
NO. OF TRACTS: 10	TRACT ACRES:	50.5466
NO. OF EXIST. TRACTS: 1	SUBDIVISION TRACT ACRES:	10.7644
ROAD MILES DEDICATED TO THE CITY OF RIO RANCHO:		0.4233
NEW ROAD ACRES DEDICATED TO THE CITY OF RIO RANCHO:		2.5652

DEDICATION

THE SUBDIVISION PLAT HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE VACATION OF THE EXISTING 10' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO SUBDIVIDE TRACT '13-A-1' INTO 43 R-1 SINGLE FAMILY RESIDENTIAL LOTS AND 10 TRACTS, ALSO TO THE GRANTING OF INTERIOR LOT AND TRACT 'PUBLIC UTILITY EASEMENTS' AS NOTED HEREON AND TO THE GRANTING OF 1' WIDE 'NO VEHICULAR ACCESS EASEMENTS' AS SHOWN AND NOTED HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT '13-A-1-A' AS SHOWN HEREON. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACTS 'A', 'B', 'D' THRU 'G' AND 'I' AS SHOWN HEREON. SAID TRACTS ARE HEREBY RESERVED AS PRIVATE LANDSCAPING EASEMENTS, TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION, INC. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'C' AS SHOWN HEREON, SAID TRACT IS HEREBY RESERVED AS A PUBLIC LANDSCAPE AND WATER QUALITY EASEMENTS, TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION, INC. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF TRACT 'H' AS SHOWN HEREON, SAID TRACT IS HEREBY RESERVED AS A PUBLIC DRAINAGE EASEMENT TO BE OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS H.O.A. SAID OWNER(S) OF SUCH REAL ESTATE DO HEREBY GRANT ANY AND ALL EASEMENTS SHOWN OR NOTED ON THE PLAT INCLUDING THE RIGHT OF INGRESS AND EGRESS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNER(S) AND/OR PROPRIETOR(S) WARRANT THAT THEY HAD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE PROPERTY SUBDIVIDED HEREON.

LOMAS ENCANTADAS DEVELOPMENT COMPANY, LLC.

Jarrod D. Likar, Vice President

STATE OF _____)
COUNTY OF _____) SS

On this ____ day of _____, 20____, before me the undersigned Notary Public in and for said County and State, personally appeared Jarrod D. Likar, who being by me duly sworn, did say that he is the Vice President of Lomas Encantadas Development Company, LLC, a New Mexico Company organized under the laws of the State of New Mexico and that he signed this instrument on behalf of said company as the free act and deed of said company.

Notary Public

My Commission Expires _____

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- A. CITY OF RIO RANCHO FOR INSTALLATION, MAINTENANCE, AND SERVICE OF STORM DRAIN LINES, MANHOLES AND INLETS; SANITARY SEWER LINES, MANHOLES AND SERVICE LINES; WATER LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE STORM, SANITARY SEWER AND WATER SERVICES.
- B. PUBLIC SERVICE COMPANY OF NEW MEXICO ("PNM"), A NEW MEXICO CORPORATION, (PNM ELECTRIC) FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND OTHER EQUIPMENT AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICES.
- C. NEW MEXICO GAS COMPANY FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.
- D. QWEST CORPORATION D/B/A CENTURY LINK QC FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLES, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES.
- E. CABLE TV FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLES, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE SERVICES.

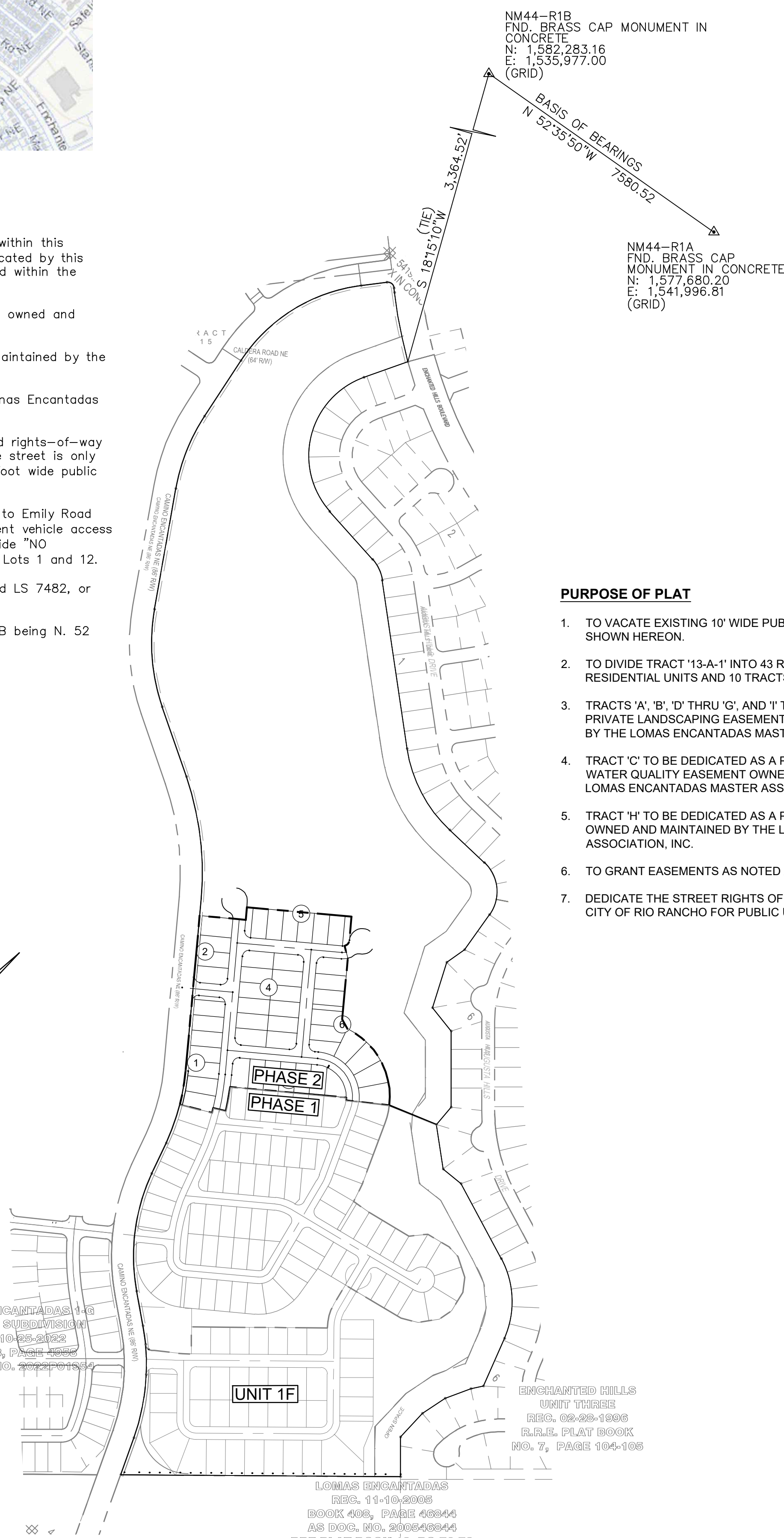
INCLUDED, IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, REPLACE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMER/SWITCHEARS, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMER/SWITCHEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

DISCLAIMER:
IN APPROVING THIS PLAT, PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM), NEW MEXICO GAS COMPANY (NMGC), SPARKLIGHT, COMCAST AND QWEST CORPORATION D/B/A CENTURYLINK (QWEST) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM, NMGC, SPARKLIGHT, COMCAST AND QWEST DO NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT AND WHICH ARE NOT SHOWN ON THIS PLAT.

THE UTILITY COMPANY SIGNATURES SHOWN HEREON ARE BY AUTHORIZED UTILITY COMPANY REPRESENTATIVES

CITY OF RIO RANCHO	DATE
PNM ELECTRIC SERVICES	DATE
NM GAS COMPANY	DATE
QWEST D/B/A/CENTURYLINK QC	DATE
SPARKLIGHT	DATE
COMCAST	DATE



PURPOSE OF PLAT

1. TO VACATE EXISTING 10' WIDE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON.
2. TO DIVIDE TRACT '13-A-1' INTO 43 R-1 SINGLE FAMILY RESIDENTIAL UNITS AND 10 TRACTS.
3. TRACTS 'A', 'B', 'D' THRU 'G', AND 'I' TO BE DEDICATED AS PRIVATE LANDSCAPING EASEMENTS OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION, INC.
4. TRACT 'C' TO BE DEDICATED AS A PUBLIC LANDSCAPING AND WATER QUALITY EASEMENT OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION, INC.
5. TRACT 'H' TO BE DEDICATED AS A PUBLIC DRAINAGE EASEMENT OWNED AND MAINTAINED BY THE LOMAS ENCANTADAS MASTER ASSOCIATION, INC.
6. TO GRANT EASEMENTS AS NOTED AND SHOWN HEREON.
7. DEDICATE THE STREET RIGHTS OF WAY AS SHOWN TO THE CITY OF RIO RANCHO FOR PUBLIC USE

PLAT OF LOMAS ENCANTADAS UNIT 1-E, PHASE 2
A SUBDIVISION OF TRACT 13-A-1 LOMAS ENCANTADAS
FILED MAY 22, 2024, IN BOOK 3, PAGE 5238,
AS DOCUMENT NUMBER 2024P02234
WITHIN SECTIONS 22, 23, & 26, T. 13 N., R. 3 E., N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

SHEET 1 OF 3

JANUARY 2025

LEGAL DESCRIPTION:

A Tract of land being all of Tract 13-A-1, Lomas Encantadas, recorded on May 22, 2024 in Book 3, Page 5238, as Document Number 2024P02234, RRE Plat Book 34, Pg. 84-86, being located within Sections 22, 23, and 26, Township 13 North, Range 3 East, New Mexico Principal Meridian, City of Rio Rancho, Sandoval County, New Mexico.

Said Tract contains 60.4516 acres, (43) Lots, (10) Tracts.

SUBDIVIDER:

LOMAS ENCANTADAS DEVELOPMENT COMPANY, LLC.
409 NM-528 NE,
RIO RANCHO, NM 87124
JARROD LIKAR, PHONE NO. (505) 896-9037

AGENT/ENGINEER:

HUITT-ZOLLARS, INC.
333 RIO RANCHO DRIVE NE, SUITE 101
RIO RANCHO, NM 87124
DONALD DUNEMAN, PHONE NO. (505) 892-5141

CITY CLERKS CERTIFICATE

I, Rebecca Martinez, City Clerk of the City of Rio Rancho, New Mexico do hereby certify that the plat shown hereon was approved by the Rio Rancho Planning and Zoning Board Chairman on the ____ day of _____, 20____.

Rebecca Martinez, City Clerk

RIO RANCHO PLANNING AND ZONING BOARD

Approved at their meeting on this ____ day of _____, 20____.

Fred Radosevich, Chairman

TREASURER'S CERTIFICATE

I, Jennifer A. Taylor, Treasurer of Sandoval County, New Mexico, do hereby certify that the previous ten (10) years property taxes have been paid in full.

Jennifer A. Taylor, Sandoval County Treasurer Date

COUNTY FILING CERTIFICATION

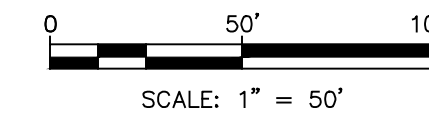
STATE OF NEW MEXICO)
SS.
COUNTY OF SANDOVAL)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AS
DOCUMENT NO. _____
ON THE _____ DAY OF _____, 20____, AT _____
O'CLOCK __M. AND DULY RECORDED IN PLAT BOOK _____, PAGES
_____, OF THE RECORDS OF SAID COUNTY.
(RIO RANCHO ESTATES BOOK _____, PAGES _____)

COUNTY CLERK DATE

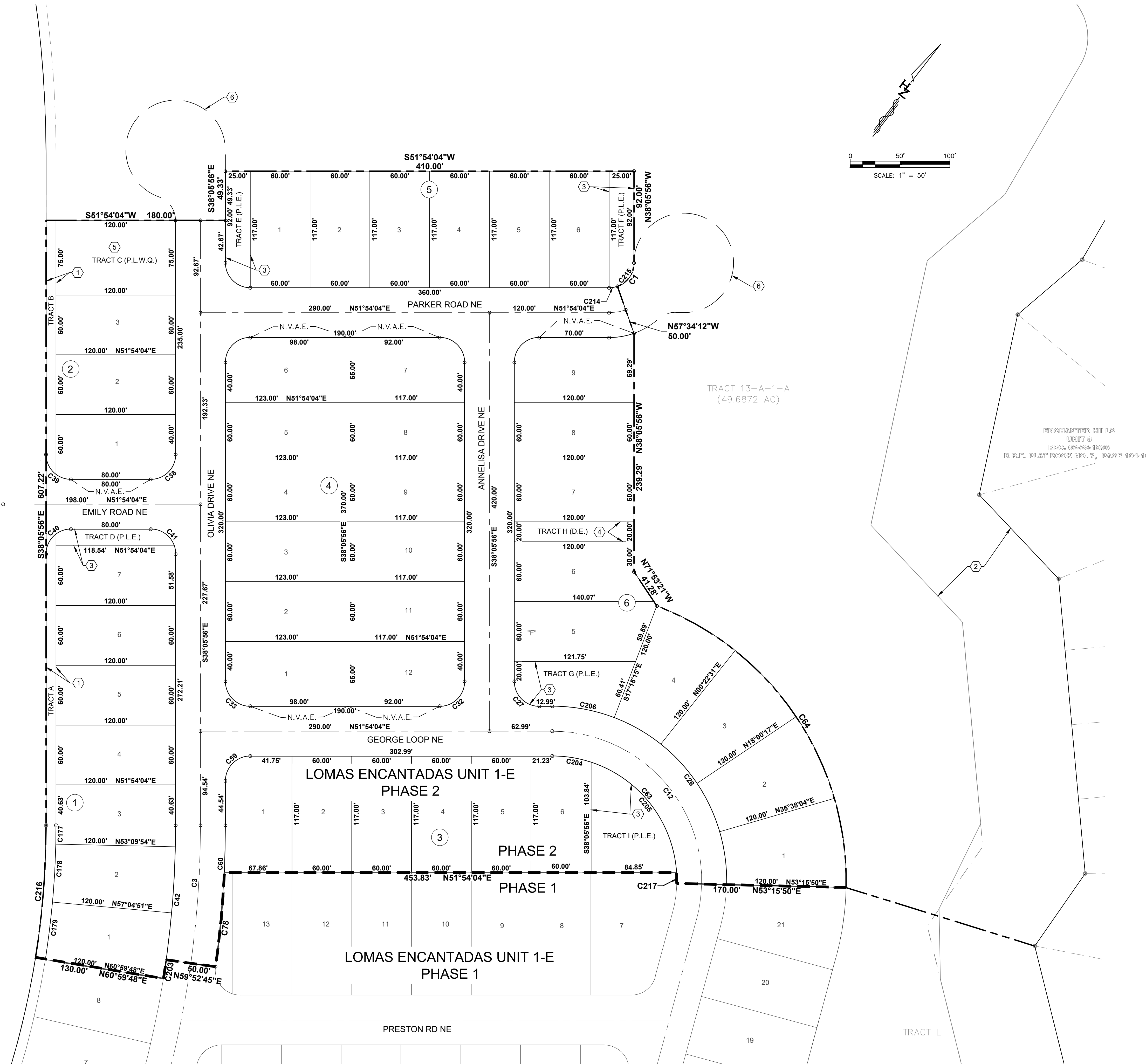
**PLAT
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CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

SHEET 2 OF 3

JANUARY 2025



CAMINO ENCANTADAS NE (86' R/W)



EASEMENTS

- 1 EXISTING 10' WIDE PUBLIC UTILITY EASEMENT, GRANTED BY LOMAS ENCANTADAS, RECORDED ON NOVEMBER 10, 2005 IN BOOK 408, PAGE 46844, AS DOCUMENT NUMBER 20546844. TO BE VACATED THIS PLAT
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- 3 TRACTS 'D' THRU 'G', AND 'I' ARE ENCUMBERED WITH PRIVATE LANDSCAPING EASEMENTS (GRANTED BY THIS PLAT).
- 4 TRACT 'H' IS ENCUMBERED WITH A PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT).
- 5 TRACT 'C' IS ENCUMBERED WITH A PUBLIC LANDSCAPE AND WATER QUALITY EASEMENT.
- 6 50' RADIUS TEMPORARY PUBLIC ACCESS EASEMENT, TO BE VACATED WITH FUTURE ADJACENT PHASE DEVELOPMENT (GRANTED BY THIS PLAT).

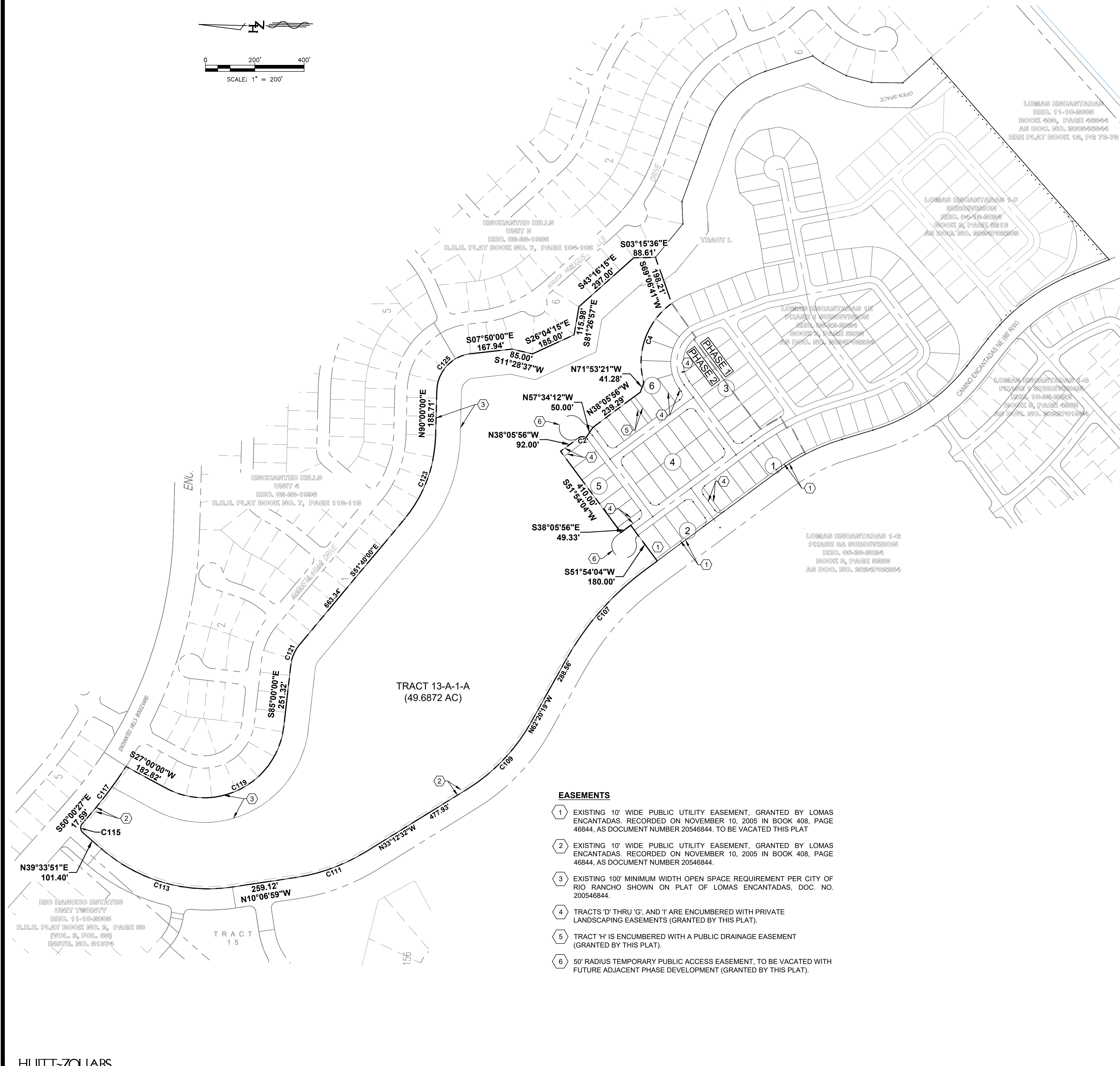
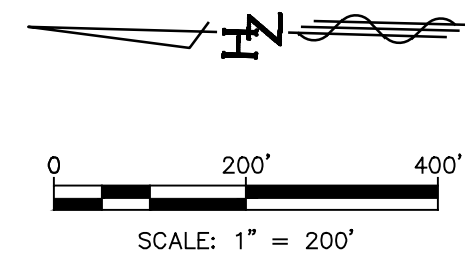
ABBREVIATIONS

- P.L.W.Q. - Private Landscaping / Water Quality Easement
- P.L.E. - Private Landscaping Easement
- D.E. - Public Drainage Easement
- N.V.A.E. - No Vehicle Access Easement
- P.U.E. - Public Utility Easement
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- AC - Acres
- R/W - Right-of-Way
- "F" - Lot Frontage

**PLAT
OF
LOMAS ENCANTADAS UNIT 1-E,
PHASE 2
A SUBDIVISION OF TRACT 13-A-1
LOMAS ENCANTADAS**
FILED MAY 22, 2024, IN BOOK 3, PAGE 5238,
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CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

SHEET 3 OF 3

JANUARY 2025



ROW / PROPERTY Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C26	279.05	175.00	91.36	N82° 25' 03"W	250.41
C27	39.27	25.00	90.00	S83° 05' 56"E	35.36
C32	39.27	25.00	90.00	N6° 54' 04"E	35.36
C33	39.27	25.00	90.00	S83° 05' 56"E	35.36
C38	39.27	25.00	90.00	N6° 54' 04"E	35.36
C39	39.27	25.00	90.00	S83° 05' 56"E	35.36
C40	39.27	25.00	90.00	S6° 54' 04"W	35.36
C41	39.27	25.00	90.00	N83° 05' 56"W	35.36
C42	154.46	973.00	9.10	N33° 33' 04"W	154.30
C59	39.27	25.00	90.00	S6° 54' 04"W	35.36
C60	142.45	1023.00	7.98	N34° 06' 35"W	142.33
C63	199.32	125.00	91.36	N82° 25' 03"W	178.87
C177	18.82	853.00	1.26	N37° 28' 01"W	18.82
C178	58.30	853.00	3.92	N34° 52' 37"W	58.28
C179	58.30	853.00	3.92	N30° 57' 41"W	58.28
C204	40.47	125.00	18.55	S61° 10' 37"W	40.30
C205	147.87	125.00	67.78	N75° 39' 28"W	139.40
C206	63.67	175.00	20.84	S62° 19' 25"W	63.32
C214	8.50	25.00	19.47	N42° 09' 56"E	8.46

CL Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C3	138.96	998.00	7.98	N34° 06' 35"W	138.85
C12	239.19	150.00	91.36	N82° 25' 03"W	214.64

Boundary Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	30.77	25.00	70.53	N2° 50' 04"W	28.87
C64	363.00	295.44	70.40	N71° 59' 43"W	340.59
C78	94.97	1023.00	5.32	N32° 46' 49"W	94.94
C203	18.98	973.00	1.12	N29° 33' 44"W	18.97
C216	133.82	843.00	9.10	S33° 33' 04"E	133.68
C217	10.98	125.00	5.03	S39° 15' 08"E	10.97

Tract 13-A-1-A Boundary Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C2	30.77	25.00	70.53	N2° 50' 04"W	28.87
C4	363.00	295.44	70.40	N71° 59' 43"W	340.59
C107	483.56	1143.00	24.24	N50° 13' 07"W	479.96
C109	384.87	757.00	29.13	N47° 46' 26"W	380.73
C111	305.10	757.00	23.09	N21° 39' 46"W	303.04
C113	569.68	657.00	49.68	N14° 43' 26"E	552.00
C115	39.46	25.00	90.43	N84° 46' 42"E	35.49
C117	275.04	1853.00	8.50	S54° 15' 35"E	274.79
C119	635.30	325.00	112.00	S29° 00' 00"E	538.87
C121	90.18	155.00	33.33	S68° 20' 00"E	88.91
C123	364.63	545.00	38.33	S70° 50' 00"E	357.87
C125	222.28	155.00	82.17	S48° 55' 00"E	203.72

EASEMENTS

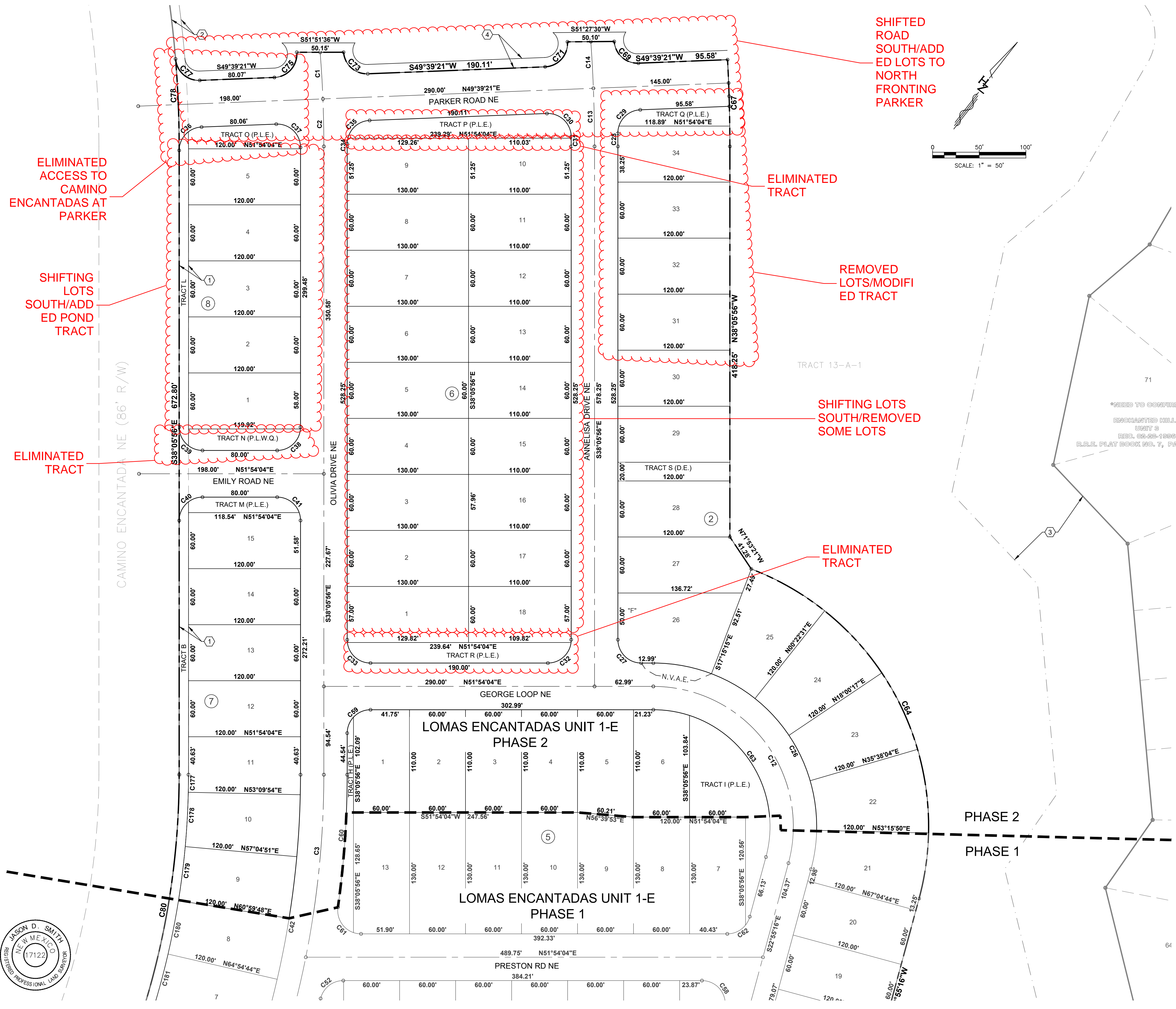
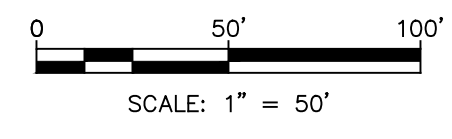
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**PRELIMINARY PLAT
OF
LOMAS ENCANTADAS UNIT 1-E,
PHASE 1 & 2
A SUBDIVISION OF TRACT 13-A
LOMAS ENCANTADAS**
WITHIN SECTIONS 22, 23, & 26, T. 13 N., R. 3 E., N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

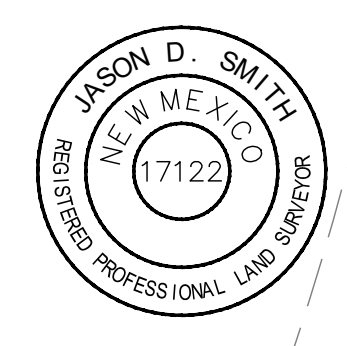
SHEET 3 OF 4
JULY 2022

- EASEMENTS**
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 - 4 10' WIDE (P.U.E.) ADJACENT TO PARKER ROAD RIGHT OF WAY CREATED WITH THIS PLAT WITHIN TRACT 13-A-1 (GRANTED BY THIS PLAT).
 - 5 TRACT 'S' IS ENCUMBERED WITH A PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT).
 - 6 TRACT 'T' IS ENCUMBERED WITH A PUBLIC DRAINAGE EASEMENT (GRANTED BY THIS PLAT).
 - 7 50' RADIUS TEMPORARY PUBLIC ACCESS EASEMENT TO BE VACATED WITH THIS PLAT.

- ABBREVIATIONS**
- P.L.W.Q. - Private Landscaping / Water Quality Easement
 - P.L.E. - Private Landscaping Easement
 - D.E. - Public Drainage Easement
 - N.V.A.E. - No Vehicle Access Easement
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Plotted: 7/21/2022 3:58:11 PM, By: Huerta, Dominic
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 Last Saved: 7/21/2022 3:54:00 PM, dhuerta



HUITT-ZOLIARS
 333 RIO RANCHO DR. N.E., STE. 101
 RIO RANCHO, N.M., 87124
 (505) 892-5141

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

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

Please Print In Ink Only or Type

Application must be complete. Please attach the appropriate checklist for the action you are requesting, if applicable.

APPLICANT/AGENT INFORMATION

Applicant Name: LOMAS ENCANTADAS DEVELOPMENT COMPANY		Phone: 505-389-2191
Address: 409 NM HWY 528 NE		E-Mail: BryanA@aswinc.com
City: RIO RANCHO	State: NM	Zip: 87124
Proprietary Interest: OWNER		List Owners: LOMAS ENCANTADAS DEVELOPMENT COMPANY
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)

Agent Name: HUITT-ZOLLARS, INC.		Phone: 505-892-5141
Address: 333 RIO RANCHO DRIVE NE, SUITE 101		E-Mail: dduneman@huitt-zollars.com
City: RIO RANCHO	State: NM	ZIP Code: 87124

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


PRELIMINARY PLAT EXTENSION SUBMITTAL FOR LOMAS ENCANTADAS UNIT 1E PHASE 2

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Lomas Encantadas	Block(s): Tract 13-A-1	Lot(s):
Existing Zoning: R-1	Proposed Zoning: R-1	
No. of existing lots: 1	No. of proposed lots: 37	Total area of site (acres) 70.08

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: DONNIE DUNEMAN	Applicant: 	Agent: HUITT-ZOLLARS, INC.
Signature:	Date: 12/4/24	

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ DATE: _____

December 4, 2024

City of Rio Rancho
Development Services Engineering Division
Attn: Tim Dvorak
3200 Civic Center Circle NE
Rio Rancho, NM 87144

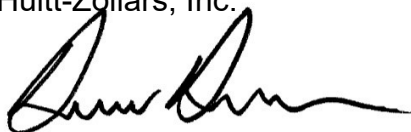
**RE: Lomas Encantadas Unit 1E Phase 2 Subdivision:
Preliminary Plat Extension Request
Huitt-Zollars Project No. R307760.01**

Dear Mr. Dvorak,

We respectfully request a one-year extension of the preliminary plat for Lomas Encantadas Unit 1E Phase 1 and 2 Subdivision. The preliminary plat was originally approved on July 26, 2022, extended on June 27, 2023 and amended on November 14, 2023. Construction of Unit 1E Phase 1 is complete and the Phase 1 final plat was recorded on May 22, 2024. Construction of Unit 1E Phase 2 is planned to commence as soon as revised plans are approved and will be completed by the end of 2025. This extension of the preliminary plat will allow for completion of the final phase of Lomas Encantadas Unit 1E.

We are requesting that this item be scheduled for the next available City of Rio Rancho Planning and Zoning Board meeting. If you have any questions or require any additional information, please contact me at your convenience.

Sincerely,
Huitt-Zollars, Inc.



Donnie Duneman

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

Administrative Permit	Plan	Subdivision	Zoning
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<input checked="" type="checkbox"/> Other PRELIM. PLAT AMENDMENT		<input type="checkbox"/> Subdivision Variance	<input type="checkbox"/> Variance
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Proprietary Interest: OWNER		List Owners: LOMAS ENCANTADAS DEVELOPMENT COMPANY
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)

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City: RIO RANCHO	State: NM	ZIP Code: 87124

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


PRELIMINARY PLAT AMENDMENT SUBMITTAL FOR LOMAS ENCANTADAS UNIT 1E PHASE 2

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Print Name: DONNIE DUNEMAN	Applicant: 	Agent: HUITT-ZOLLARS, INC.
Signature:		Date: 11/18/24

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ DATE: _____

LOMAS ENCANTADAS
Development Company
333 Rio Rancho Drive, Suite 202
Rio Rancho, NM 87124

June 14, 2021

Ms. Amy Rincon
Planning and Zoning Manager
Development Services Dept.
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Dear Amy:

Please accept this letter as our authorization to have Huitt-Zollars act as our agent for the following property:

Lomas Encantadas Tract 13

Lomas Encantadas Unit 1F

If you have any questions regarding the request please feel free to contact me at 505-389-2191.

Sincerely,

A handwritten signature in blue ink that reads "Bryan Aragon". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Bryan Aragon, PE
Lomas Encantadas Development Company, LLC

Block 1	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60
6	60
7	60
8	60
9	60
10	60
11	60
12	60
13	60
14	60
15	64.5

Block 2	
Lot	Frontage
1	64.5
2	60
3	60
4	60
5	60
6	60
7	60.95
8	78.33
9	60
10	60
11	60
12	60
13	60
14	64.5
15	60
16	60
17	60
18	60
19	60
20	60
21	60
22	60
23	60
24	60
25	60
26	74.5
27	60
28	60
29	60
30	60
31	60
32	60
33	60
34	60

Block 3	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60
6	60
7	60
8	60
9	60
10	60
11	60

Block 4	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60
6	60
7	60
8	60
9	60
10	60
11	60
12	60

Block 5	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60
6	60
7	60
8	60
9	60
10	60
11	60
12	60
13	60

Block 6	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60
6	60
7	60
8	60
9	60
10	60
11	60
12	60
13	60
14	60
15	60
16	60
17	60
18	60

Block 7	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60
6	63.94
7	65.13
8	65.13
9	65.13
10	65.13
11	61.66
12	60
13	60
14	60
15	60

Block 8	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60

Block 1		
Lot	Frontage	Area (SF)
1	64.91	8952
2	60	10232
3	60	10511
4	60	7200
5	60	7200
6	60	7200
7	60	7200
8	60	8311
9	60	10232
10	60	8451
11	60	7501
12	60	7802
13	67.3	8682
14	60	7200
15	64.49	7667

Block 2		
Lot	Frontage	Area (SF)
1	64.49	7667
2	60	7200
3	60	7200
4	60	10080
5	60	10568
6	60	10563
7	60.95	10093
8	81.57	8337
9	60	8525
10	60	7200
11	60	7200
12	60	7200
13	60	7379
14	64.49	7340
15	60	7009
16	60	7780
17	60	7200
18	60	7200
19	60	7200
20	60	7200
21	60	8359

Lot
1
2
3
4
5
6
7
8
9
8
9
10
11

Block 3	
Frontage	Area (SF)
60	7183
60	7200
60	7200
60	7200
60	7200
60.63	9679
60	7183
60	7200
60	7200
60	7200
60	7200
60	7200
60	7200

Block 4		
Lot	Frontage	Area (SF)
1	60	7022
2	60	7022
3	60	7022
4	60	7022
5	60	7022
6	60	7022
7	61.51	7954
8	60.18	7418
9	60	7379
8	60	7379
9	60	7379
10	60	7379
11	60	7379
12	60	7379

Block 5	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60
6	60
7	64.97

Area (SF)
7797
7802
7802
7802
7649
7501
9383

Block 6		
Lot	Frontage	Area (SF)
1	60	7610
2	60	7645
3	60	7645
4	60	7218
5	60	7200
6	63.94	7423
7	63.13	7488
8	65.13	7488

Block 1		
Lot	Frontage	Area (SF)
1	65.13	7488
2	65.13	7488
3	61.66	7293
4	60	7200
5	60	7200
6	60	7200
7	60	7196

Block 2		
Lot	Frontage	Area (SF)
1	64.49	7642
2	60	7200
3	60	7200

Lot
1
2
3
4
5
6

Block 3	
Frontage	Area (SF)
66.25	7694
60	7020
60	7020
60	7020
60	7020
62.02	7052

Block 4		
Lot	Frontage	Area (SF)
1	64.49	7471
2	60	7380
3	60	7380
4	60	7380
5	60	7380
6	64.49	7471
7	64.49	7471
8	60	7020
9	60	7020
8	60	7020
9	60	7020
10	60	7020
11	60	7020
12	64.49	7471

Block 5	
Lot	Frontage
1	60
2	60
3	60
4	60
5	60
6	60

Area (SF)
7020
7020
7020
7020
7020
7020

Block 6		
Lot	Frontage	Area (SF)
1	60	8677
2	60	8677
3	60	8677
4	60	8677
5	60	7981
6	60	7501
7	60	7200
8	60	7200
9	64.49	7701



December 23, 2024

RE: Amended Preliminary Plat Extension #22-210-00010 Lomas Encantadas 1E, Phase 2

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, Lomas Encantadas Development Co., through their agent, Huitt-Zollars, Inc., requests approval of an amended preliminary plat extension for Lomas Encantadas 1E, Phase 2. This preliminary plat requires an extension in order to remain active and includes proposed modifications to the plat itself, resulting in a lot and tract reconfiguration that reduces the lot count by six (6) lots, for a new total of forty-three (43) residential lots; the tract count of nine (9) will remain the same. The required minimum 100-foot open space buffer shall remain as previously approved and will not change. Lomas Encantadas 1E, Phase 2 comprises approx. 7.3398 lot acres and 0.8338 subdivision tract acres.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, January 14, 2025** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

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

Please do not hesitate to contact me at 505-896-8361 or e-mail me at tdvorak@rrnm.gov if you have any questions about the application or accessing the meeting. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, approximately one week before the hearing.

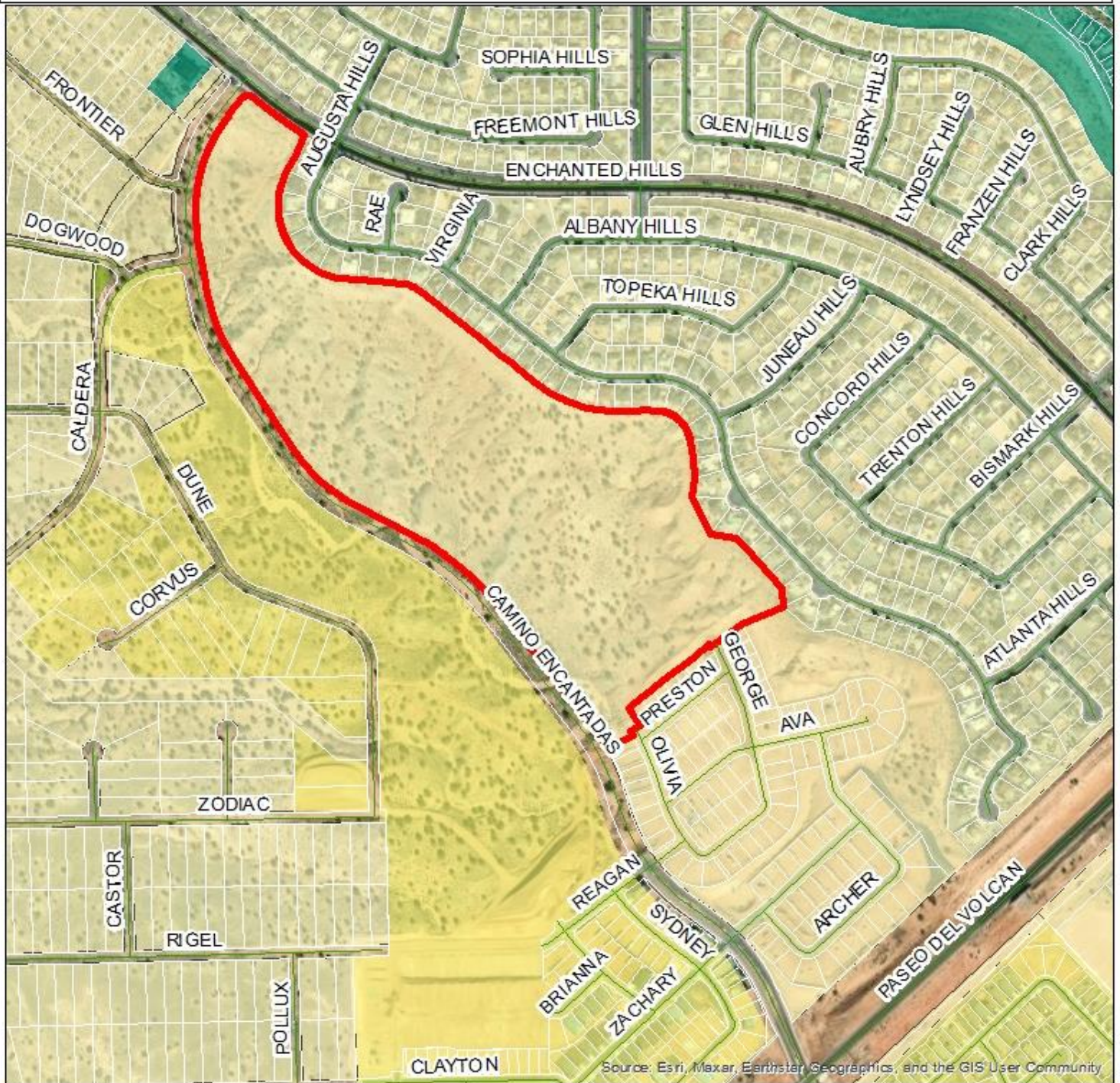
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk if a summary or other type of accessible format is needed.

Respectfully,

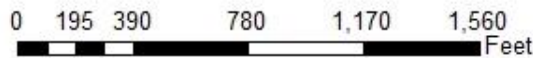
Tim Dvorak

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

LOMAS ENCANTADAS 1E, PHASE 2 AMENDED PRELIMINARY PLAT EXTENSION



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



	Roads
	LE, Tract 13-A-1
Zoning	
	OS
	R-1
	R-4
	SU

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



Map Created by Tim Dvorak on 12/23/2024





**CITY OF RIO RANCHO
PUBLIC HEARING NOTICE**

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, January 14, 2025:

virtually at www.rmm.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@rmm.gov. Written comments will be inserted into the public record.

Journal: December 30, 2024

**Amended Preliminary Plat Extension
Case #22-210-00010**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of an Amended Preliminary Plat Extension for the Lomas Encantadas 1E Phase 2 subdivision, legally described as LE, Tract 13-A-1.

**Preliminary Plat Extension
Case #22-210-00004**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary Plat Extension for the Lomas Encantadas 1D Phases 1A, 1B & 2 subdivisions, legally described as LE1G, Tract 12-A-1-A and RRE Unit 20, Block 155, Lots 34-41 and Lot Arroyo.

**Variance
Case #24-110-00048**

The applicant, Mario Riso, requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE, legally described as RRE Unit 11, Block 5, Lot 80.

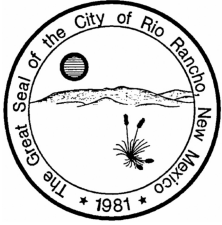
**Text Amendment
Case #24-105-00004**

The applicant, the City of Rio Rancho, is requesting approval of a Text Amendment to Chapter 154 Planning and Zoning, Sections 154.10, 154.13, 154.19 and 154.43. The requested amendment is to remove "BOARDING HOUSE (BOARDING, LODGING HOUSE, OR BED AND BREAKFAST)" from the list of permissive uses in the R-3: Mixed-Residential and R-6: Multi-Family Residential Zoning districts, and the corresponding Residential Land Use Table; and add the use to the Special Use District 154.43 (B).

**Variance
Case #23-110-00006**

The applicant, Ann Bagley, is requesting approval of a variance to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build an accessory dwelling unit. The property is located at 2428 Manzano Lp NE, is legally described as Corrales North Unit 3, Block 24, Lot 4, and is zoned R-1: Single Family Residential.

The meeting is scheduled in the Overflow Room at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or



CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 24-110-
00048**

AGENDA DATE:
January 14, 2025

DEPARTMENT:
Development Services

SUBJECT:
Variance. The applicant, Mario Risso, requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property legally described as Rio Rancho Estates Unit 11, Block 5, Lot 80. Staff contact is Tim Dvorak and staff recommends denial with findings.

BACKGROUND AND ANALYSIS:

The subject application by Mr. Mario Risso requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE, legally described as Rio Rancho Estates Unit 11, Block 5, Lot 80. The property is zoned R-1: Single-Family Residential District and comprises approximately 0.5 acres.

The applicant is seeking the subject variance for approval due to height modifications made to the walls within the front portion of the property without an approved fence permit application. Additionally, the modified wall heights exceed the permissive wall height within the front setback of the R-1: Single-Family Residential District.

Per R.O. 2003 §154.77(D)(1), fences allowed within the front setback area can reach a maximum of four (4) feet. As the subject property is zoned R-1: Single-Family Residential, the front setback would be twenty (20) feet, as per R.O. 2003 § 154.50. Given this stipulation, all walls within the first twenty (20) feet from the front property line cannot exceed the maximum of four (4) feet.

Per R.O. 2003 § 154.77(D)(2), fences built within the side yard setback, behind the front setback to the rear setback, can be a maximum of six (6) feet.

Included as part of this variance request are the remaining 40' of raised wall on both the right and left side property lines, outside of the 20-foot front property line setback. Additionally, as the wall along the right side property line is a shared common wall, authorization from the adjacent property owner is required. As such, the applicant has provided signed authorization from this adjacent neighbor, included in the residential fence permit application packet.

Per the residential fence permit application submitted with this variance request, the walls within the front yard have been raised to the following heights:

- Wall along front property line: 5'6"
- Wall along left side property line: 6'2"-6'6" (Approx. 60' of wall)
- Wall along right side property line: 6'6" (Approx. 60' of wall) (Adjacent property owner authorization obtained)

REVIEW CRITERIA:

The applicant submitted a justification narrative in support of the variance application. This narrative is presented as an attachment to this item.

The criteria for a variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application. R.O. 2003 Section 150.06 (Variance) reads:

(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship.

In their justification letter, the applicant states that they were unaware of needing a permit and that they had made the decision to raise the existing front walls in order to provide better security for their children and dog to prevent them from being able to climb over the fence or escape the yard. The applicant cites that the intersection of 5th St NE and 5th Ave NE is very busy, and this presents not only a vehicular danger, but generates large amounts of dust on the unpaved roads and prevents their children from being able to play in the yard. The applicant states, "Raising my wall, specifically on the southside and southeast corner of the property, has significantly reduced the amount [of] dust that was entering my yard and house."

Staff recommends the Planning and Zoning Board find that the subject property is not exceptionally irregular, narrow, shallow or steep. As such, there are no unique characteristics about the subject property that would prevent the applicant from complying with Chapter 154.

Staff finds the applicant's justification does not meet the criteria for approval of a variance. Given that there is sufficient room on the property to construct 6' walls outside of the front property line setback, the property is not impeded by shape irregularity or topographical issues that would otherwise impact the construction of permissive walls. While staff understands the need for security and dust mitigation, these aspects can still be achieved within the current requirements of the existent zoning code.

City of Rio Rancho (R.O. 2003) §150.06 (B) requires that an applicant file a request for a variance through the City Planning and Zoning Board when a variance is sought.

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

REVIEWER COMMENTS:

This application and associated materials were provided to the following departments for review:

DSD Planning	Comments included herein.
DSD Engineering	No adverse comments.
Rio Rancho Fire & Rescue	No adverse comments.
Parks, Recreations, & Community Services	No adverse comments.
SSCAFCA	No adverse comments.
Rio Rancho Police	No comments received.

Rio Rancho Public Schools	No comments received.
MRMPO	No comments received.

NOTIFICATIONS:

Neighboring property owners within 100 feet of the subject property were notified via certified mail of the public hearing. Additionally, neighboring property owners within 100-300 feet of the subject property were notified via informational postcard. A legal ad was run in the December 30, 2024 version of the Albuquerque Journal. A public notice sign was posted on the property as per ordinance.

IMPACT:

Staff recommends the Planning and Zoning Board deny the subject Variance Case #24-110-00048 with the following findings of fact:

General Findings of Fact:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a variance to wall height within the R-1: Single-Family Residential District front setback.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a variance to the wall height within the R-1: Single-Family Residential District front setback.
4. The applicant has the authority to make an application to request a variance to the wall height within the R-1: Single-Family Residential District side setbacks.

Specific Findings for Denial:

1. The application has not adequately met the criteria for granting a variance as set forth in R.O. 2003 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the zoning code.

However, if the Planning and Zoning Board finds that the variance application meets the criteria for approval, the following findings and conditions for approval are recommended:

Specific Findings and Conditions for Approval:

1. The applicant has adequately addressed the criteria for granting a variance to allow for 5'6"-6'6" high walls within the R-1: Single-Family Residential District front setback.
2. The applicant has adequately addressed the criteria for granting a variance to allow for 6'2"-6'6" high walls within the R-1: Single-Family Residential District left and right side setbacks.
3. The subject variance will not adversely affect the public or surrounding properties.
4. The walls, as identified in the included building permit application #24-12233, shall conform to all applicable building and engineering codes; approval of this variance does not constitute approval of the subject building permit.
5. The walls shall comply with all other fence/wall requirements under R.O 2003 154.77.

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the variance request.

2. Deny the variance request.
3. Modify the variance request and approve with such modifications;
4. Continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends denial with findings.

ATTACHMENT: [Zoning, Location](#)

ATTACHMENT: [Application](#)

ATTACHMENT: [Justification](#)

ATTACHMENT: [Property Site Plan](#)

ATTACHMENT: [Building Permit Application Packet](#)

ATTACHMENT: [Wall Photos - Current](#)

ATTACHMENT: [Wall Photos - Previous](#)

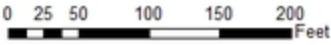
ATTACHMENT: [Reproduction of Notices, Legal](#)

ATTACHMENT: [Findings_of_Fact_401_5th_St_NE.docx](#)

401 5TH ST NE
Ull, BLOCK 5, LOT 80
VARIANCE TO WALL HEIGHT IN R-1 FRONT SETBACK



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



	Subject Property
	Roads
Zoning	
	R-1

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 Tim Dvorak on 12/23/2024

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

(Fees are listed on the back)

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Mario Rizzo		Phone: 505-974-0727	
Address: 402 5th Street NE		E-Mail: mxsrizzo@gmail.com	
City: Rio Rancho	State: NM	Zip: 87124	
Proprietary Interest:		List Owners: Mario Rizzo & Marriana Rizzo	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)	
Agent Name:		Phone:	
Address:		E-Mail:	
City:	State:	ZIP Code:	

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


Request for variance for wall height @ front of property

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit: 11	Block(s): 5	Lot(s): 80
Existing Zoning:	Proposed Zoning:	
No. of existing lots:	No. of proposed lots:	Total area of site (acres):

ACKNOWLEDGEMENT

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

Print Name: Mario Rizzo	Applicant:	Agent:
Signature: 		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ DATE: _____

To: The City of Rio Rancho – Planning & Zoning Division

From: Mario Risso & Family

Regarding: Permit and Variance Request for Wall at 401 5th Street NE

This letter serves as my request for a permit and variance regarding the fence/wall that was raised at the front portion of my property at 401 5th Street NE. I want to first apologize for not realizing that there was a permit process for such a project. I should have had the foresight to research the potential requirement for a permit. I believed at the time that I would not need a permit because I am not a member of a Homeowners Association. Regardless of this mistake, I am asking for a retroactive permit, as well as a variance regarding this project.

As indicated on the attached site plan, when I purchased this home in September of 2017, there was an existing block wall surrounding most of the property line of the home. This wall varied in size along the perimeter of the home but was only 3'6" in the front portion of the property. I have included before and after pictures in my attached application that show the previous and current height of the wall. My decision to raise this wall was based on 3 primary factors:

- **Child Safety**
- **Public Safety**
- **Family Health**

I would like to elaborate on these 3 factors:

Child Safety:

I have 3 boys ages 10, 8, & 8. As well as a highly autistic 5-year-old nephew who frequently stays with us at this property. These children were able to easily get over the 3'6" wall, and that was extremely concerning to me. My home is on the corner of 5th Street and 5th Avenue. The roads in this neighborhood are un-paved, and residents can attest to the fact that many vehicles have zero concern for speeds going down 5th Avenue. Daily, I witness vehicles traveling past my home at speeds that I have estimated to be frequently up to 70 mph. In September, my autistic nephew was staying with us and he easily climbed over the front wall, placing him directly in the unpaved road. Luckily, we were able to grab him before any cars came by. However, this was extremely concerning to me and his parents. Not only for my nephew's life, but also the life and safety of my 3 boys. I immediately made the decision to invest the money into raising this wall to alleviate that concern.

Public Safety:

My family owns a 5-year-old, 150lb Italian Mastiff who can be seen standing over the wall in one of the google earth photos I included in my application. This picture was taken prior to raising the wall. As you can see in the photo, this massive dog could easily jump over the wall. I do not believe that he

would attack anyone walking past my home, however he is extremely frightening to many people and I did not want him to jump over the fence and scare or attack anyone. I had been securing the dog in our empty back lot due to this concern. I wanted this animal to be able to roam the entirety of my property without the concern of him jumping over the previously short front wall.

Family Health:

When vehicles drive down 5th Avenue past my house, it brings a large cloud of dust and allergens directly into my yard. These dust clouds are so large that my kids will have to go inside of the home if they are playing outside. The cloud causes respiratory difficulty and allergy exacerbation for my family. It also results in clogging the AC unit filters in my home which I must change more frequently. Raising my wall, specifically on the southside and southeast corner of the property, has significantly reduced the amount of dust that was entering my yard and home.

In conclusion, I would like everyone reading this to know that my family and I are longtime residents of Rio Rancho. We are raising our children in this home, and this is our forever home. I have worked for a New Mexico Fire Department for 17 years, and my wife works as a Registered Nurse for Rio Rancho Public Schools. I would never intend to cause any issues for the City, or to violate any codes or permit requirements. I accept the responsibility for these actions, and

I humbly ask that you please take all the factors I have communicated in this request into consideration when making your decision.

Thank you and have a great Thanksgiving.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mario Risso', written over a horizontal line. The signature is stylized with large, sweeping letters.

Mario Risso



Residential Shed, Wall, Fence & Reroof Application

City of Rio Rancho Development Services
3200 Civic Center Circle NE 1st Floor
Rio Rancho, NM 87144
(505) 891-5006 Fax (505) 896-8994
Permit #

Property Information

Acreage of property 0.5 Height of Primary 30' SQ. Ft. of Primary 3300

Physical Address/Legal Description

Address 401 5th street NE Zip 87124

Subdivision/Unit 11 Block 5 Lot 80 Zoning ? Tract/Parcel ?

- Checked: \$10 FENCE
Unchecked: \$10 SHED (120 SQ. FT. UNDER)
Unchecked: \$48.90 RETAINING WALL (ATTACH ENGINEERING PLAN)
Unchecked: \$56 REROOF (WINDOWS, DOORS, STUCCO)

Cost \$ 4500 Gross Floor Area 7 Height 3' addition

Dimension-Location from property lines.

Front 5' Rear NA Left Appx 60' Right Appx 60'

Homeowner Info

Name Mario Rizzo
Address 401 5th Street NE
City Rio Rancho State NM Zip 87124
Phone 505-974-0727 Email MXRIZZO@gmail.com

Contractor Info

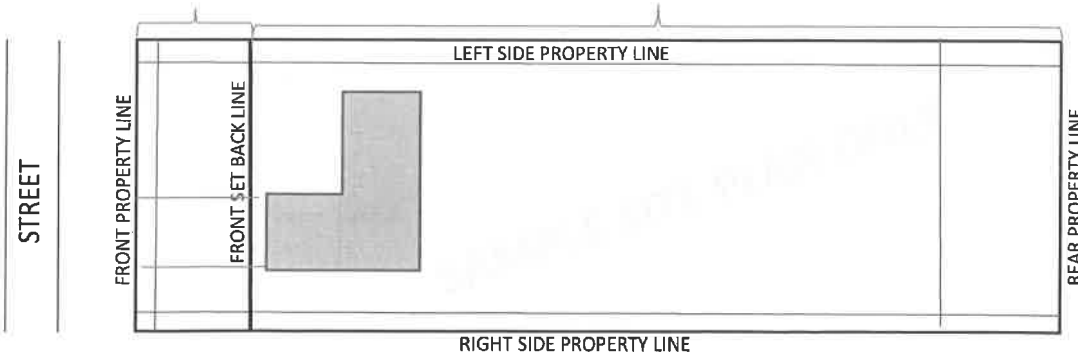
Name
Address
City State Zip
Phone Fax Email

I, the undersigned, certify the information is correct and agree to comply with conditions of approval and applicable codes.

Name (printed) Mario Rizzo Date

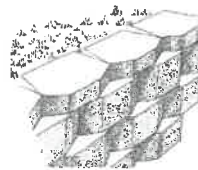
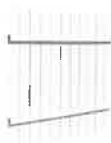
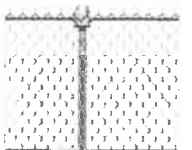
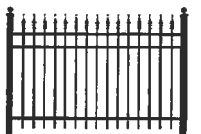
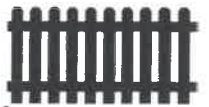
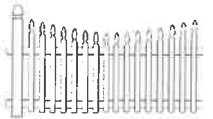
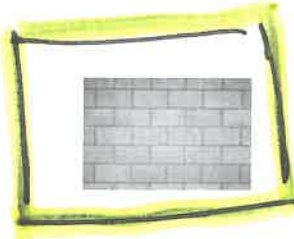
Signature [Handwritten Signature]

4' FENCE 6' FENCE



4' Fence height max allowed in the front setback area.
6' Max allowed in the remaining yard area.
Corner lots require Engineer approval for clear sight triangle.

IDENTIFY TYPE OF FENCING BEING PERMITTED





Development Services Department

Letter of Consent

Date: 11.18.24

I am the property owner of record for 405 5th St. NE
Rio Rancho, NM. Legal Description: Subdivision/Unit 11,
Block 5, Lot 79.

With my signature below, I hereby grant written permission to the adjoining
property owner Mario Pizzo of

(print name)

401 5th St. NE Rio Rancho, NM 87124 for

(print address)

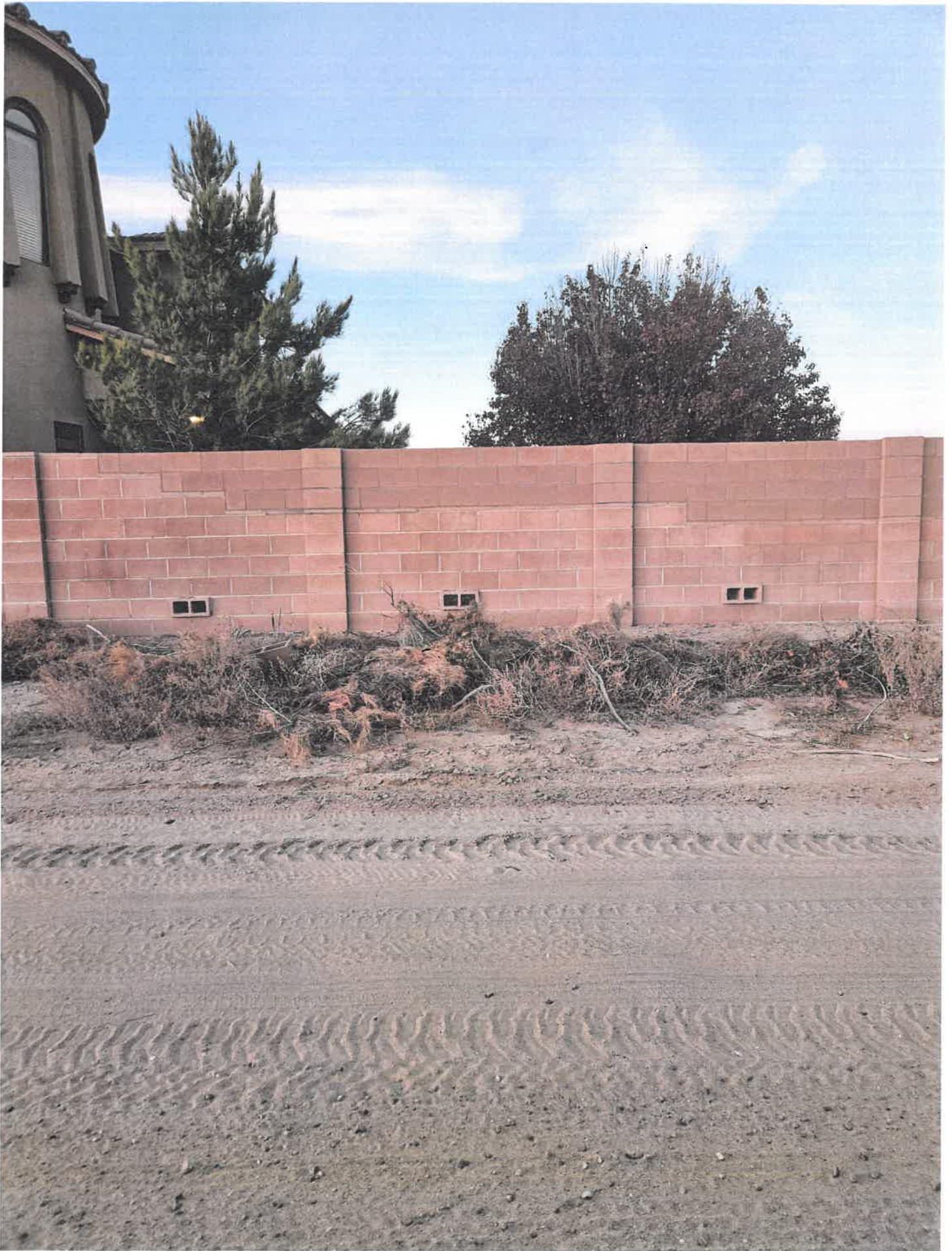
the sole purpose of raising the common wall/fence between our properties.

Crystal Ramirez
Printed Name

Crystal Ramirez
Signature

CITY OF RIO RANCHO
3200 CIVIC CENTER CIRCLE N.E. RIO RANCHO, NEW MEXICO 87144

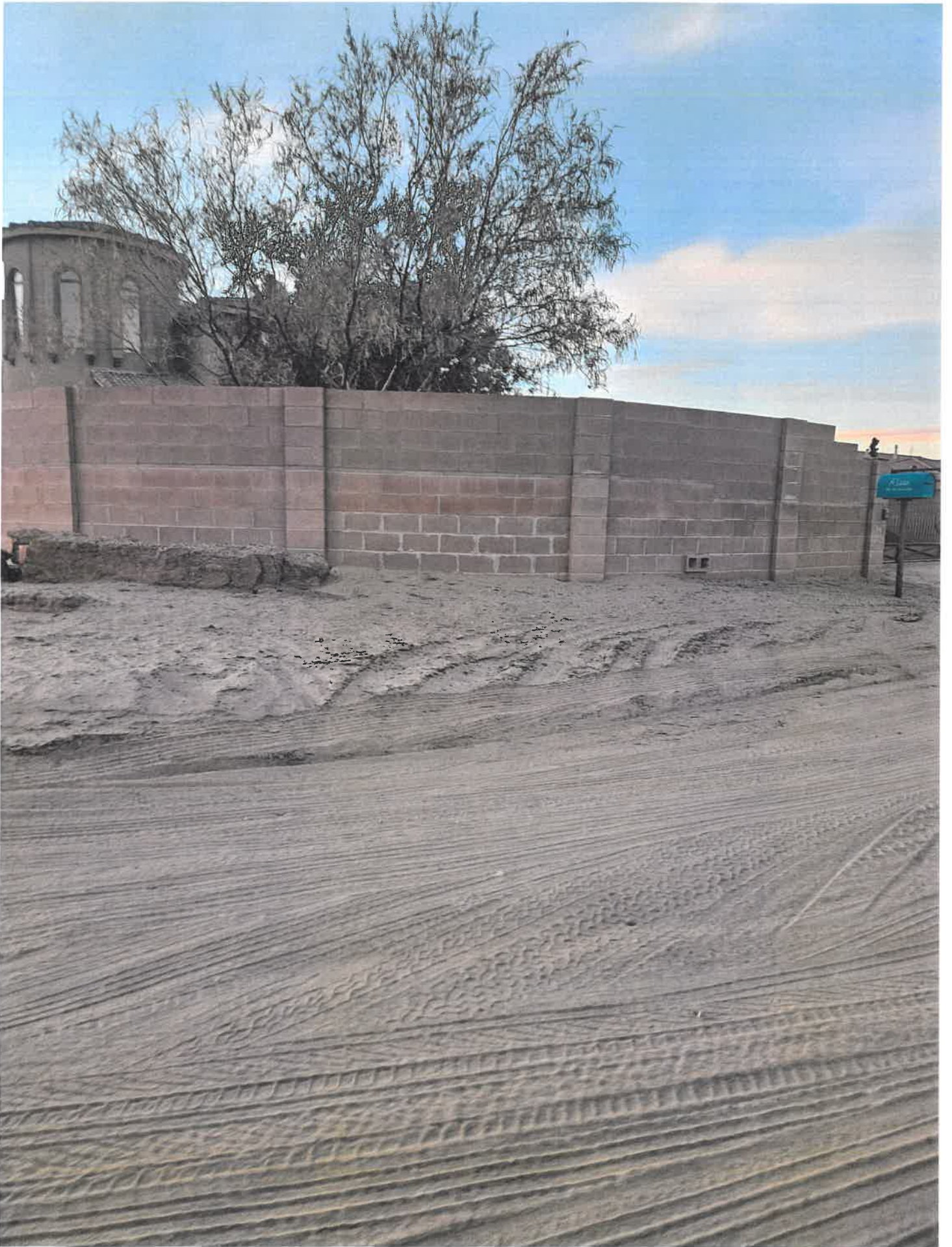
BUILDING DIVISION (505) 891-5006 ZONING DIVISION (505) 891-8994 FAX: (505) 891-8994
EMAIL: PERMITS@RRNM.GOV



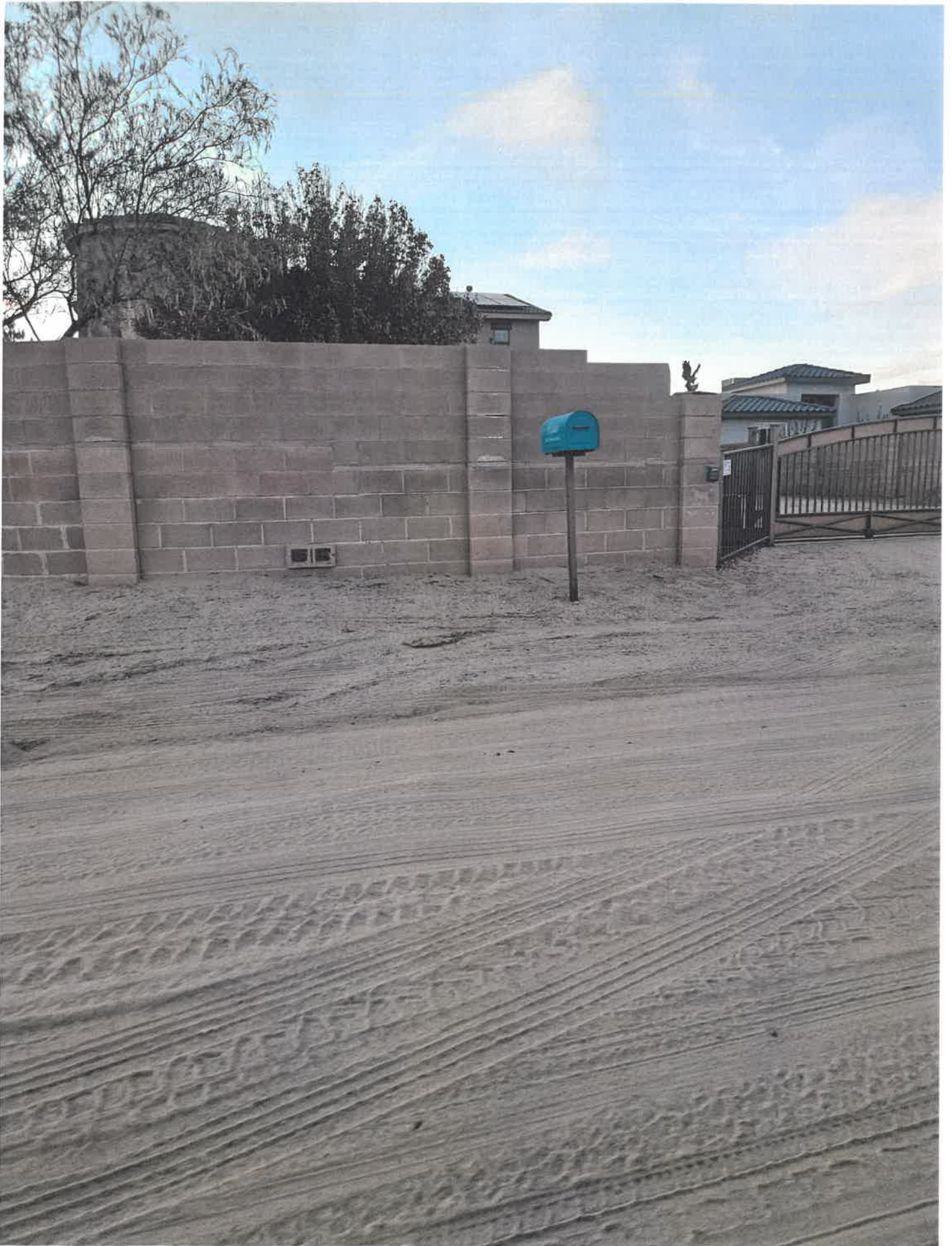
South facing wall



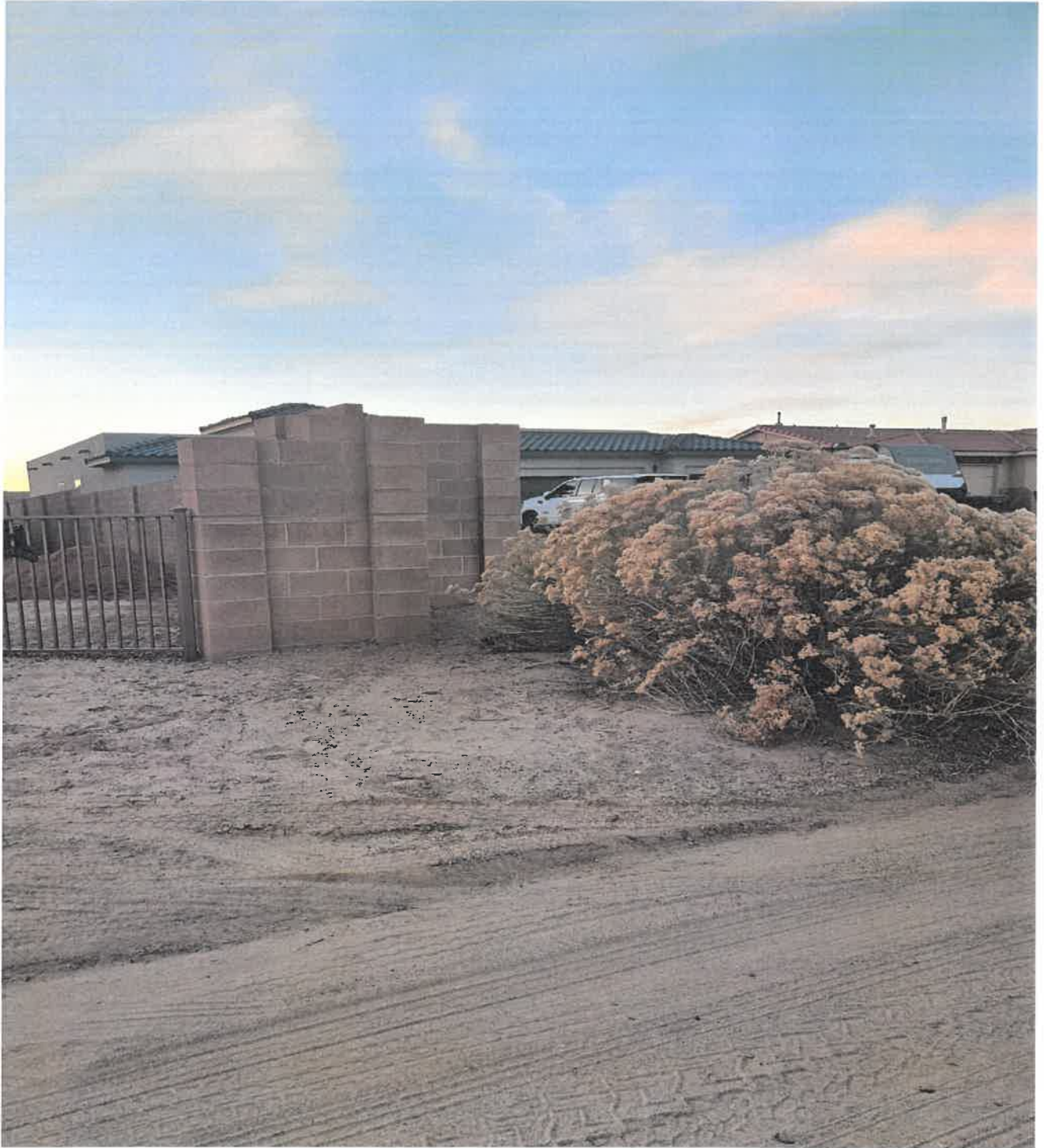
South East facing wall



Corner of 5th St. & 5th Ave



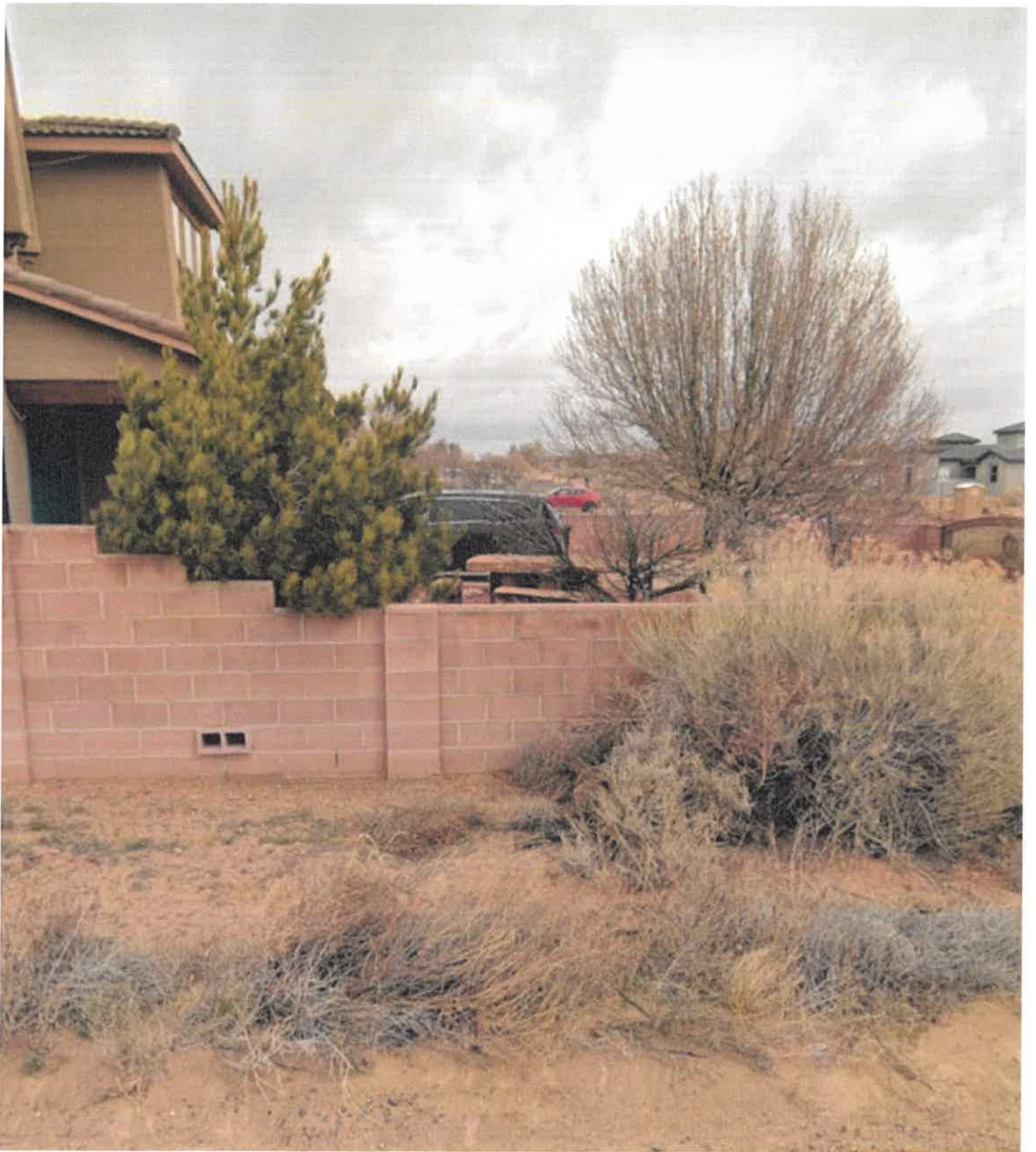
Front of home



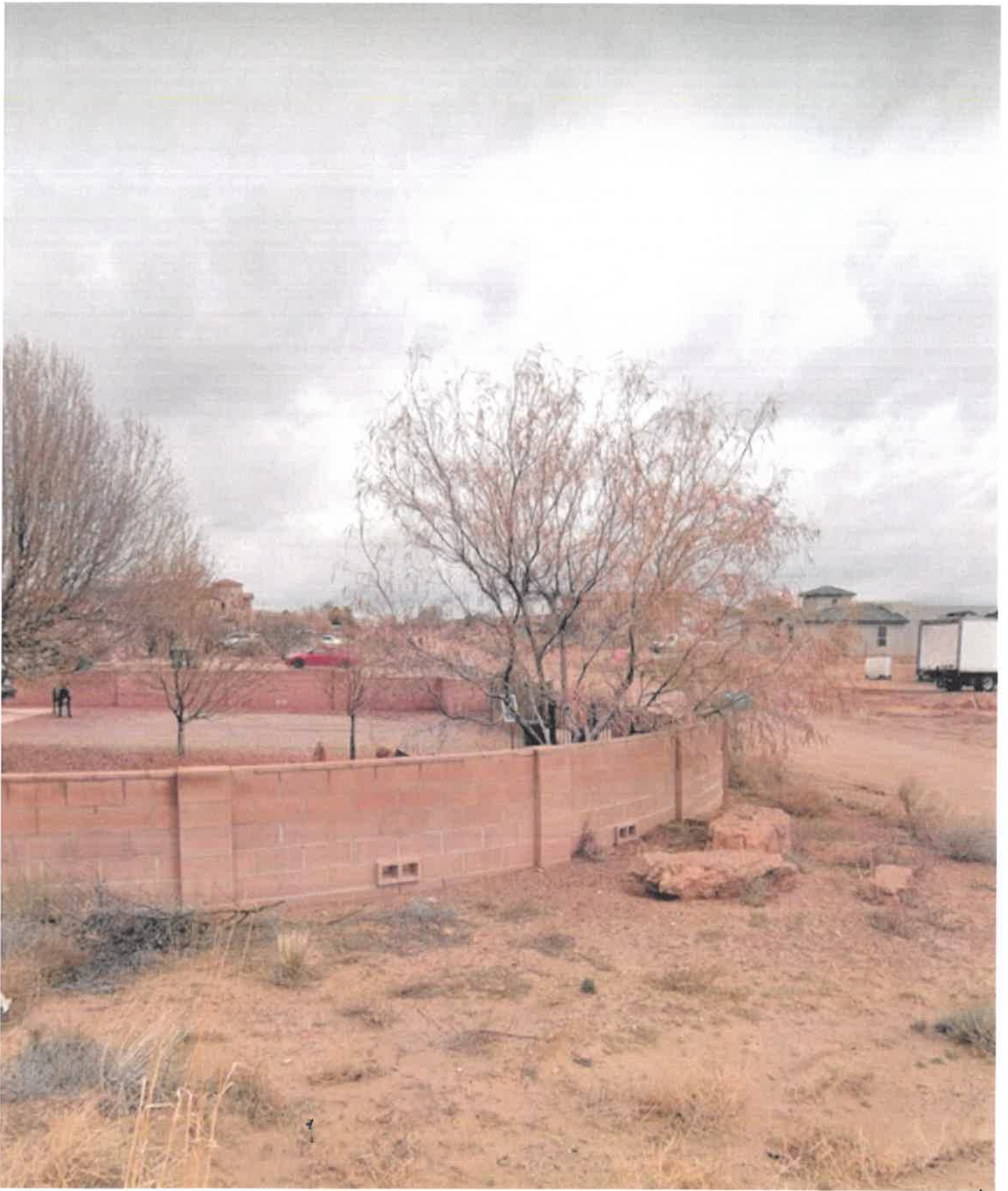
North side wall facing East



North side of wall shared with 405 5th St.
Neighbors



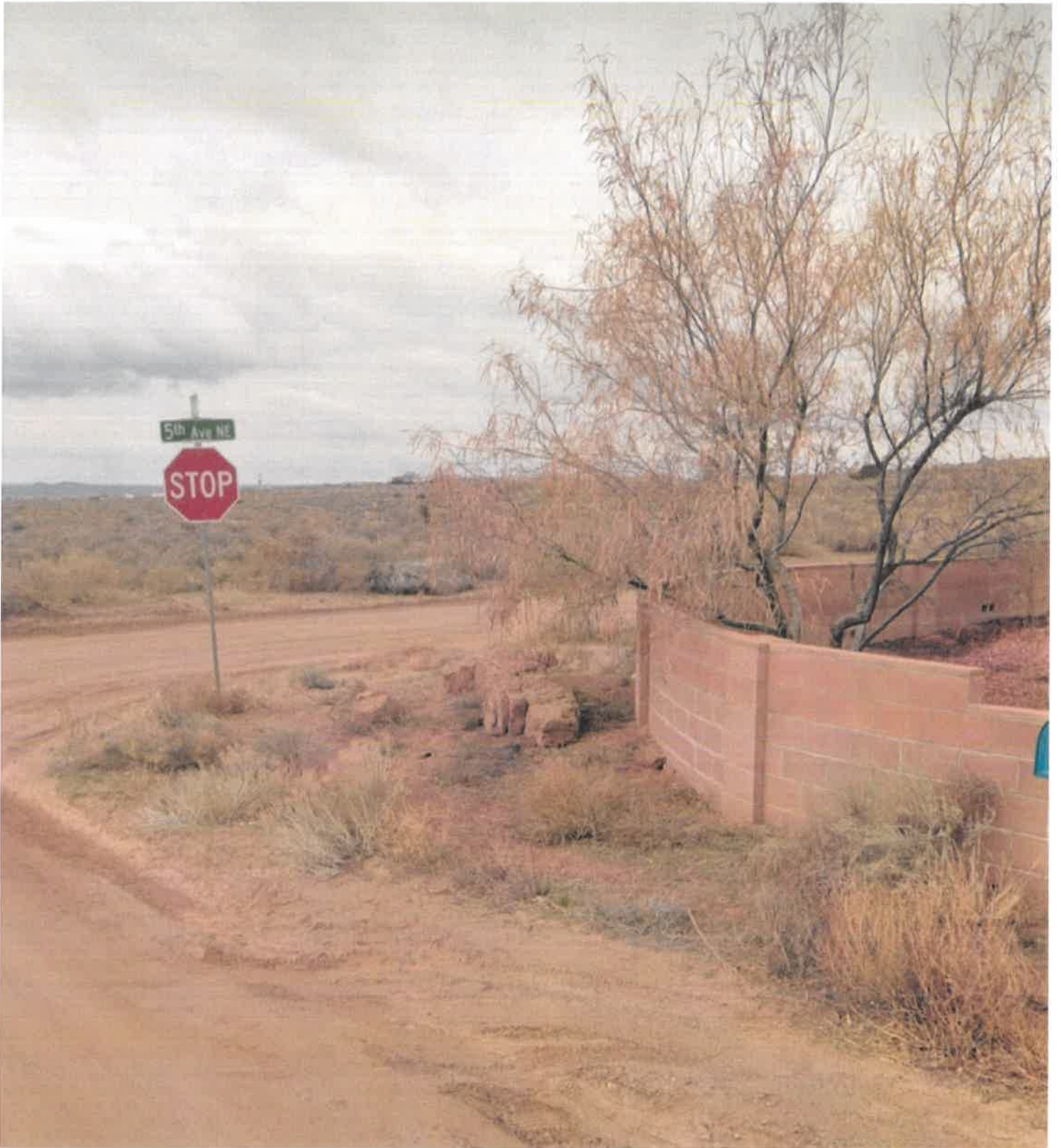
Right side of property (Facing 5th Ave)
3'6" Before raising wall



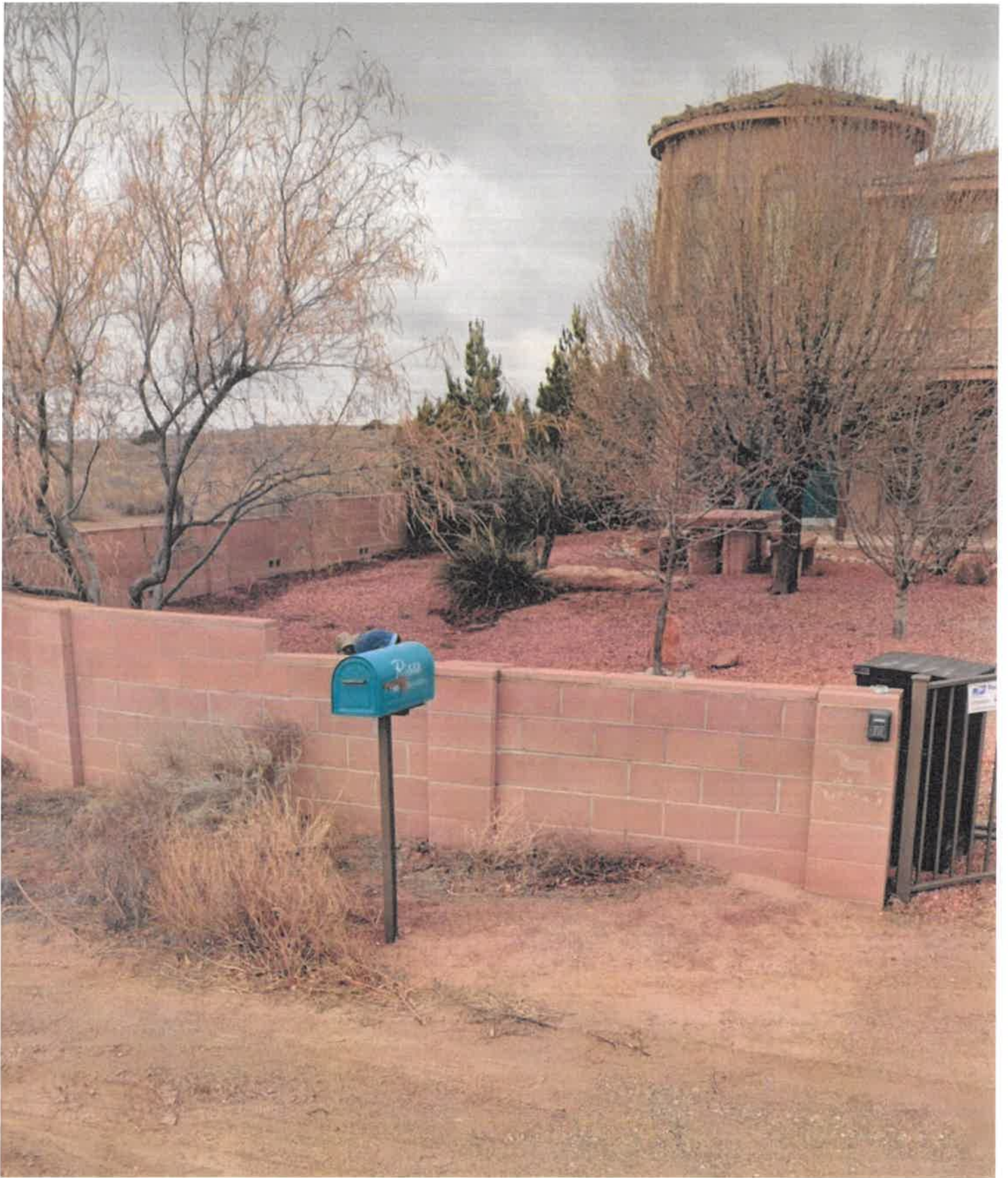
Corner of Lot (5th Ave & 5th Street)
3'6" Wall before raising



Corner of property BEFORE raising wall



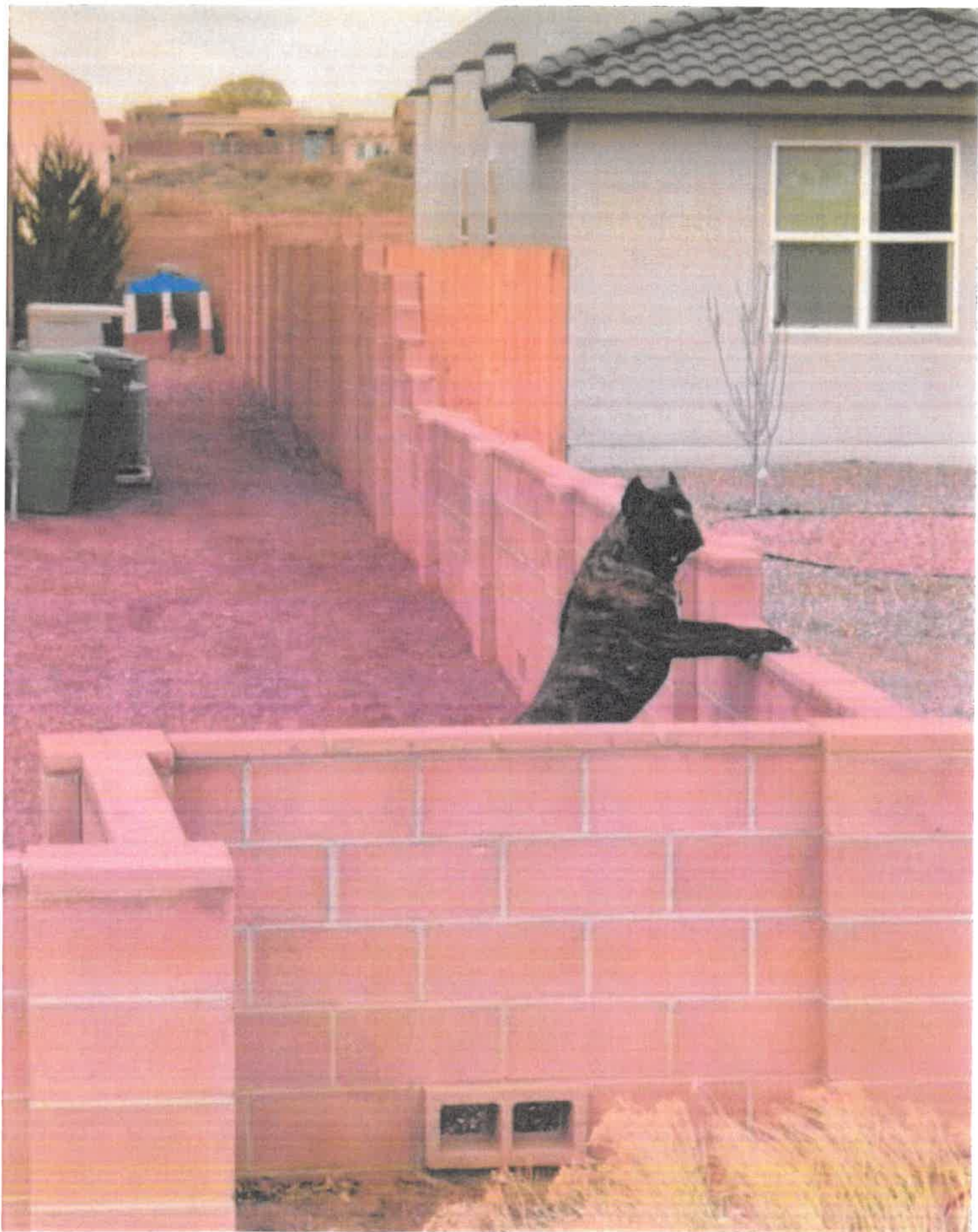
View from 5th Street looking
② 5th Avenue (BEFORE)



Front view of property
3'6" wall Before raising



Left side of property (405 stl st.)



150 lb Mastiff able to jump the previous wall





December 23, 2024

RE: **Variance Request: Case No. 24-110-00048 (401 5th St NE) Variance to Maximum Wall Height within the Front R-1 District Setback**

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, Mario Risso, requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE, legally described as RRE Unit 11, Block 5, Lot 80.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, January 14, 2025** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

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

Please do not hesitate to contact me at 505-896-8361 or e-mail me at tdvorak@rrnm.gov if you have any questions about the application or accessing the meeting. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, approximately one week 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. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk if a summary or other type of accessible format is needed.

Respectfully,

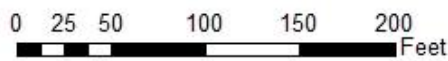
Tim Dvorak

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

401 5TH ST NE
U11, BLOCK 5, LOT 80
VARIANCE TO WALL HEIGHT IN R-1 FRONT SETBACK



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



 Subject Property

 Roads

Zoning

 R-1

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 Tim Dvorak on 12/23/2024





Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting: Planning & Zoning Board
Location: Virtual (Zoom)/City Hall
Date: **January 14, 2025**
Time: 6:00PM
Staff Contact: Tim Dvorak (505) 896-8361
tdvorak@rrnm.gov



Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting: Planning & Zoning Board
Location: Virtual (Zoom)/City Hall
Date: **January 14, 2025**
Time: 6:00PM
Staff Contact: Tim Dvorak (505) 896-8361
tdvorak@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The applicant, Mario Risso, is requesting approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE. The PZB will hear the request on January 14, 2025.

We are promoting social distancing and running Planning and Zoning Board Meetings as a hybrid virtual and in person. If you'd like to present comments on the case while the meeting is occurring, please join the meeting from your computer, tablet or smartphone:

<https://us06web.zoom.us/j/85180741871?pwd=T3B1SHVpWkp6d3dDRmlHd3k2VzYvUT09>

Meeting ID: 851 8074 1871 Passcode:

026819 Join via phone: 1-253-215-8782 US



Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The applicant, Mario Risso, is requesting approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE. The PZB will hear the request on January 14, 2025.

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<https://us06web.zoom.us/j/85180741871?pwd=T3B1SHVpWkp6d3dDRmlHd3k2VzYvUT09>

Meeting ID: 851 8074 1871 Passcode:

026819 Join via phone: 1-253-215-8782 US



Noticed Adjacent Properties within 100' (Right-of-Way Excluded)



4TH ST NE

5TH ST NE

4TH ST NE

5TH ST NE

416

417

416

412

413

412

408

409

408

404

405

404

400

401

400

5TH AVE NE

5TH AVE

320

321

320

316

317

316

312

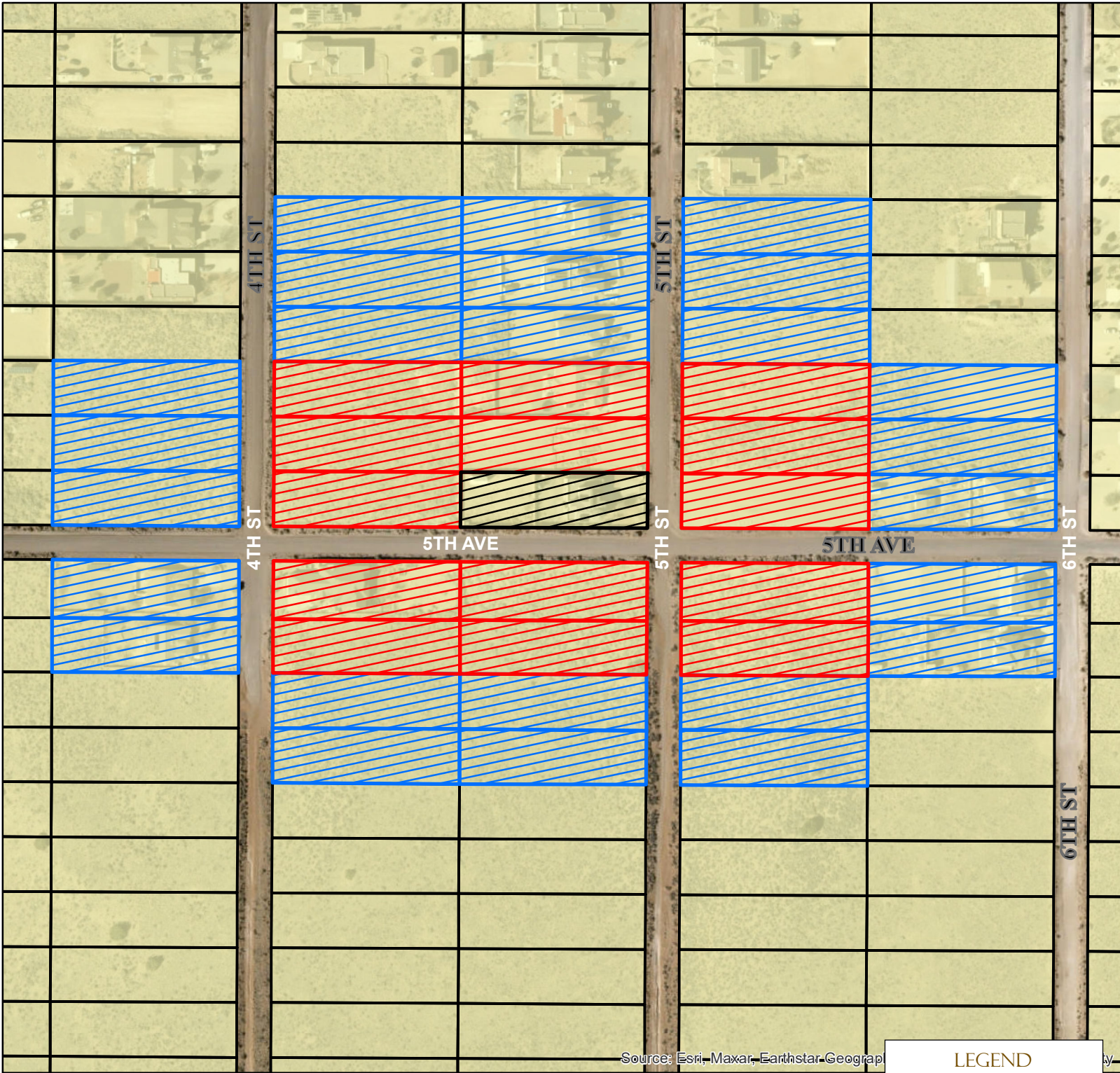
313

312

Noticed Adjacent Properties within 300' (Right-of-Way Excluded)



401 5TH ST NE U11, BLOCK 5, LOT 80 VARIANCE TO WALL HEIGHT IN R-1 FRONT SETBACK



Source: Esri, Maxar, Earthstar-Geograph

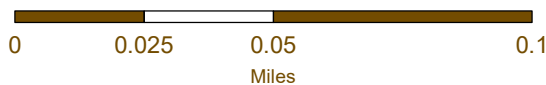
LEGEND

- Subject Property
- Noticed Properties - 100'
- Noticed Properties - 300'

Zoning

- R-1
- R-4
- SU
- OS

Map Created by Tim Dvorak on December 23, 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.





**CITY OF RIO RANCHO
PUBLIC HEARING NOTICE**

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, January 14, 2025:

**Amended Preliminary Plat Extension
Case #22-210-00010**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of an Amended Preliminary Plat Extension for the Lomas Encantadas 1E Phase 2 subdivision, legally described as LE, Tract 13-A-1.

**Preliminary Plat Extension
Case #22-210-00004**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary Plat Extension for the Lomas Encantadas 1D Phases 1A, 1B & 2 subdivisions, legally described as LE1G, Tract 12-A-1-A and RRE Unit 20, Block 155, Lots 34-41 and Lot Arroyo.

**Variance
Case #24-110-00048**

The applicant, Mario Riso, requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE, legally described as RRE Unit 11, Block 5, Lot 80.

**Text Amendment
Case #24-105-00004**

The applicant, the City of Rio Rancho, is requesting approval of a Text Amendment to Chapter 154 Planning and Zoning, Sections 154.10, 154.13, 154.19 and 154.43. The requested amendment is to remove "BOARDING HOUSE (BOARDING, LODGING HOUSE, OR BED AND BREAKFAST)" from the list of permissive uses in the R-3: Mixed-Residential and R-6: Multi-Family Residential Zoning districts, and the corresponding Residential Land Use Table; and add the use to the Special Use District 154.43 (B).

**Variance
Case #23-110-00006**

The applicant, Ann Bagley, is requesting approval of a variance to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build an accessory dwelling unit. The property is located at 2428 Manzano Lp NE, is legally described as Corrales North Unit 3, Block 24, Lot 4, and is zoned R-1: Single Family Residential.

The meeting is scheduled in the Overflow Room at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or

virtually at www.rmm.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@rmm.gov. Written comments will be inserted into the public record.

Journal: December 30, 2024



BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 24-110-00048

REQUEST FOR VARIANCE TO ALLOW FOR 5'6" to 6'6" WALLS WITHIN THE R-1: SINGLE-FAMILY RESIDENTIAL DISTRICT FRONT PROPERTY LINE SETBACK AT THE SUBJECT PROPERTY OF RIO RANCHO ESTATES UNIT 11, BLOCK 5, LOT 80.

Applicant: Mario Risso

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 14th day of January 2025, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a variance to wall height within the R-1: Single-Family Residential District front setback.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a variance to the wall height within the R-1: Single-Family Residential District front setback.
4. The applicant has the authority to make an application to request a variance to the wall height within the R-1: Single-Family Residential District side setbacks.

SPECIFIC FINDINGS OF FACT:

1. The applicant has adequately addressed the criteria for granting a variance to allow for 5'6"-6'6" high walls within the R-1: Single-Family Residential District front setback.
2. The applicant has adequately addressed the criteria for granting a variance to allow for 6'2"-6'6" high walls within the R-1: Single-Family Residential District left and right side setbacks.
3. The subject variance will not adversely affect the public or surrounding properties.
4. The walls, as identified in the included building permit application #24-12233, shall conform to all applicable building and engineering codes; approval of this variance does not constitute approval of the subject building permit.
5. The walls shall comply with all other fence/wall requirements under R.O 2003 154.77.

THEREFORE, the application for 5'6" to 6'6" walls within the R-1: Single-Family Residential District front property line setback, is APPROVED by the Planning & Zoning Board of the City of Rio Rancho on January 14, 2025, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Chairman



BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 24-110-00048

REQUEST FOR VARIANCE TO ALLOW FOR 5'6" to 6'6" WALLS WITHIN THE R-1: SINGLE-FAMILY RESIDENTIAL DISTRICT FRONT PROPERTY LINE SETBACK AT THE SUBJECT PROPERTY OF RIO RANCHO ESTATES UNIT 11, BLOCK 5, LOT 80.

Applicant: Mario Risso

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 14th day of January 2025, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board has jurisdiction over approval of a request for a variance to wall height within the R-1: Single-Family Residential District front setback.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a variance to the wall height within the R-1: Single-Family Residential District front setback.
4. The applicant has the authority to make an application to request a variance to the wall height within the R-1: Single-Family Residential District side setbacks.

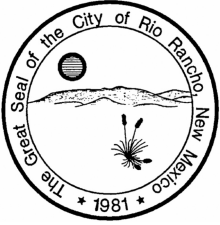
SPECIFIC FINDINGS OF FACT:

1. The application has not adequately met the criteria for granting a variance as set forth in R.O. 2003 § 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that prevents the applicant from complying with the zoning code.

THEREFORE, the application for 5'6" to 6'6" walls within the R-1: Single-Family Residential District front property line setback, is DENIED by the Planning & Zoning Board of the City of Rio Rancho on January 14, 2025, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Chairman



CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 24-110-
00049**

AGENDA DATE:
January 14, 2025

DEPARTMENT:
Development Services

SUBJECT:
Variance. The applicant, Ann Bagley, is requesting approval of a variance request to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning, Section 154.50 Zoning Table to allow for a 5 ft rear setback of a 552 sq. ft. proposed accessory structure on the subject property legally described as Corrales North Unit 3, Block 24, Lot 4, and addressed as 2428 Manzano Lp NE. Staff contact is Michelle Costilla, and staff recommends denial.

BACKGROUND AND ANALYSIS:

The applicant, Ann Bagley, is requesting approval of a variance request to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table to allow for a 5 ft rear setback of a 552 sf proposed accessory structure on the subject property legally described as Corrales North Unit 3, Block 24, Lot 4, and addressed as 2428 Manzano Lp NE. The subject property is zoned R-1: Single Family Residential per Ordinance No. 81-015, and is located off of Manzano Loop NE, a residential road.

The variance would enable the structure to encroach 10 feet into the rear setback. The structure will measure approximately 552 square feet and will be 5 feet away from the rear property line according to an included site plan. There is a corresponding Building Permit #25-52 with this item. Per the Rio Rancho Code of Ordinances (R.O. 2003) 154.50, in the R-1: Single Family Residential Zone, any structure must be a minimum of 15 feet away from the rear property line.

SURROUNDING LAND USE/ZONING:

The subject property is surrounded by R-1: Single Family Residential to the north, south, east, and west.

REVIEW CRITERIA:

The applicant submitted a justification narrative in support of the variance application. This narrative is presented as an attachment to this item. The criteria for a variance, as defined in the Rio Rancho Code of Ordinances (R.O. 2003), has been used to review this application.

R.O. 2003 Section 150.06 (Variances) reads in part: "(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings is the basis for the claim of hardship."

The applicant states, "1. The lot slopes down toward the river and is tiered. At the back of the lot only so much room exists on the bottom level. This level also provides placement that does not obstruct anyone else's view. 2. This land sloped toward the river when we bought it. 3. There is Open Space behind our wall where no one will build. 4. As you can see from the enclosed satellite view (blue roof) no one will be detrimentally affected. Parking will be in the 3rd door of my garage. I have my 2 vehicles on the other side and the 3rd space is empty. This is a residential loop st and traffic is minimal. Dumpster sits behind gate on wall of garage."

Staff recommends the Board finds that the lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that is preventing the applicant from complying with the zoning code. The applicant has provided pictures of the lot, which have been included as an attachment. From the pictures, it appears that the development constraints are due to the landscaping design. There appears to be the same issue in regards to the area to the south of the lot where there seems to be a sufficient amount of room for development.

Per R.O. 2003 Section 150.06 (A), "Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one's personal comfort is the basis for the claim of hardship." Staff recommends the Board finds that practical difficulty or unnecessary hardship cannot be found for the requested variance.

NOTIFICATIONS:

Neighboring property owners within 100 feet of the subject property were notified of the Planning and Zoning Board hearing by a certified mailed letter and property owners between 100-300 feet were notified by postcard. A notice sign was erected on the subject property on January 7, 2025 by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on December 30, 2024. All notification requirements for this hearing have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	Provided within this document
DSD Engineering	X	No comments provided
Rio Rancho Public Schools	X	No comments provided
Fire and Rescue	X	No adverse comments
Police Department	X	No comments provided
SSCAFCA	X	No adverse comments
MRCOG	X	No comments provided
Parks, Recreation and Community Services	X	No comments provided

IMPACT:

The Development Services Department recommends that the Planning and Zoning Board deny the variance request for the rear setback requirement, based upon the lack of exceptionally irregular, narrow, shallow, steep or any other exceptional physical condition of the lot that would keep the applicant from meeting the rear setback requirements, as well as financial loss not being a valid claim of hardship, subject to findings and conditions set forth below:

GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction

over approval of variance requests.

2. Following procedures for a variance, proper notice of hearing on this matter was given.

3. The applicant has the authority to make an application to request a variance to the rear setback requirement.

4. Due process was provided to the applicant and adjacent property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF DENIAL:

1. The application has not adequately met the necessary criteria for granting a variance as set forth in R.O. 2003 §150.06.

2. A variance to R.O. 2003 §154.50 R-1 which states that any structure must be a minimum of 15 feet away from the rear property line is denied.

If the Planning & Zoning Board determines that due to practical difficulty or unnecessary hardship beyond financial gain or loss that the applicant adequately meets the criteria for granting a variance, then the following specific findings and conditions are recommended:

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The applicant has adequately addressed the criteria for granting a variance to allow for a 10 ft encroachment into the rear setback as set forth in R.O. 2003 §150.06.

2. The subject variance will not adversely affect the public or surrounding properties.

3. A variance to R.O. 2003 §154.50 R-1 which states that any structure must be a minimum of 15 feet away from the rear property line to allow a 10 foot encroachment into the rear setback for only the accessory structure identified in Building Permit application #25-52 is approved.

4. The accessory structure, as identified in the included building permit application #25-52, shall conform to all applicable building and engineering codes; approval of this variance does not constitute approval of the subject building permit.

5. The accessory structure shall comply with all accessory structure requirements under R.O 2003 154.70 (A)

ALTERNATIVES:

The Planning and Zoning Board may:

1. Approve the request, in whole or in part;

2. Deny the request, in whole or in part;

3. Modify the request and approve such modifications;

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

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board deny the requested variance.

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

ATTACHMENT: [Justification.pdf](#)

ATTACHMENT: [Site Plan.pdf](#)

ATTACHMENT: [Corner of Property.jpg](#)

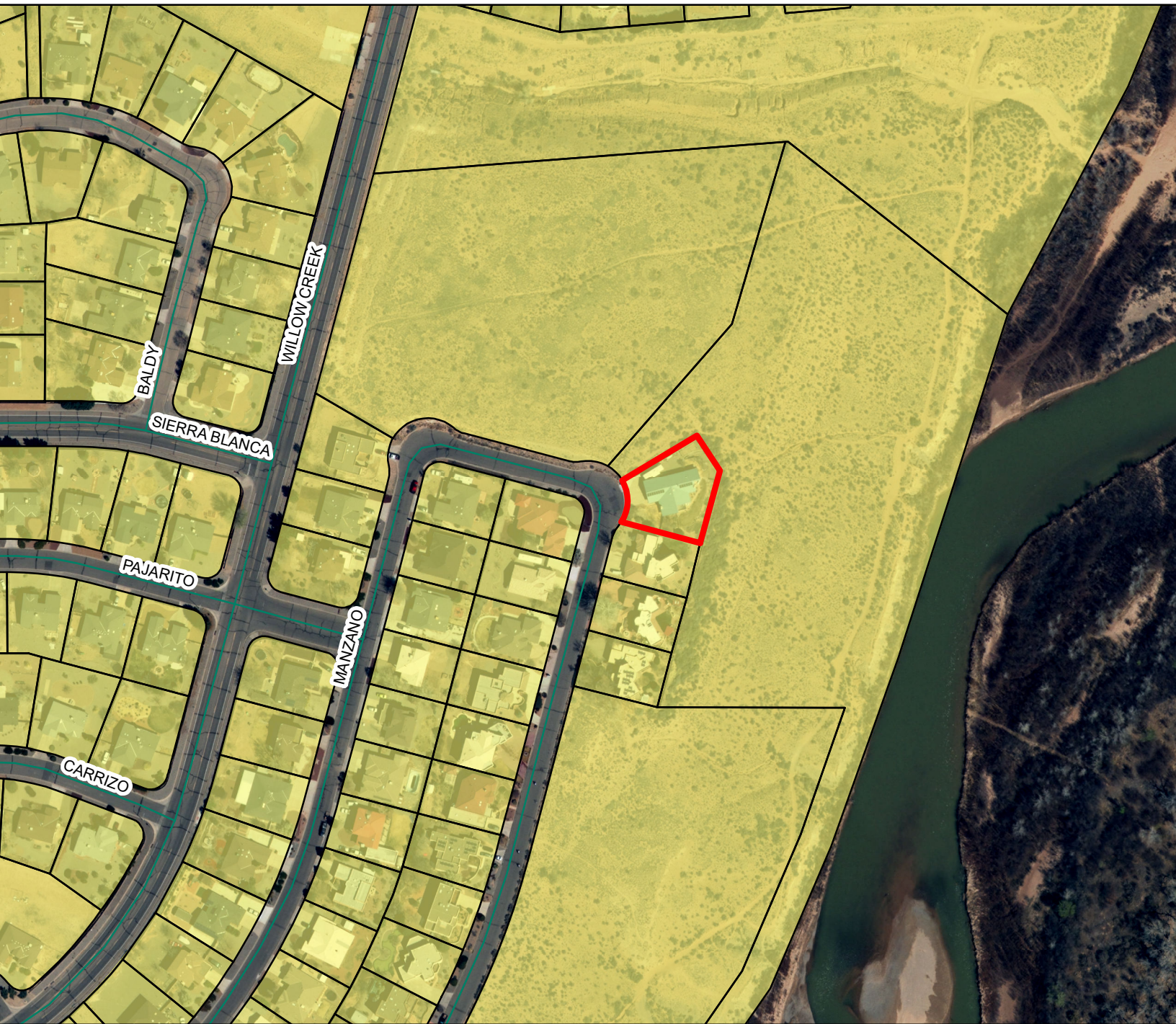
ATTACHMENT: [Corner of Property 2.jpg](#)


ATTACHMENT: [Tiering.jpg](#)

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


ATTACHMENT: [Findings_of_Fact_BMB.docx](#)

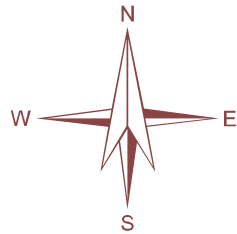
CORRALES NORTH-UNIT 3, BLOCK 24, LOT 4



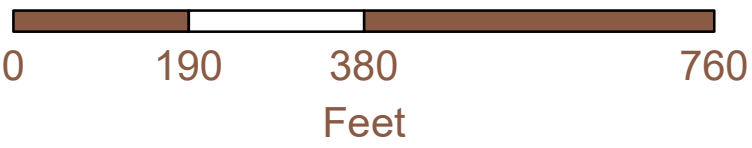
 Subject Property

Zoning

 R-1



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



City of Rio Rancho Development Services

I am asking for a variance from 15 feet on the back wall to 5 feet

1. The lot slopes down toward the river and is tiered. At the back of the lot only so much room exists on the bottom level. This level also provides placement that does not obstruct anyone else's view.
2. This land sloped toward the river when we bought it.
3. There is Open Space behind our wall where no one will build.
4. As you can see from the enclosed satellite view (blue roof) no one will be detrimentally affected.

Parking will be in the 3rd door of my garage. I have my 2 vehicles on the other side and the 3rd space is empty. This is a residential loop st and traffic is minimal. Dumpster sits behind gate on wall of garage.

SANDIA LAND SURVEYING

6705 GISELE, N.E.
ALBUQUERQUE, N.M. 87109
(505) 828-0858

SURVEYOR'S INSPECTION REPORT

LOT 4, BLOCK 24,
CORRALES NORTH UNIT 3
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO

JOB NO: 214-99 DATE: 5-6-99 SCALE: 1"=30'

NOTE: THIS IS NOT A SURVEY FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE.

THIS IS TO CERTIFY: TO TITLE COMPANY, RIO RANCHO TITLE, INC TO UNDERWRITER, _____

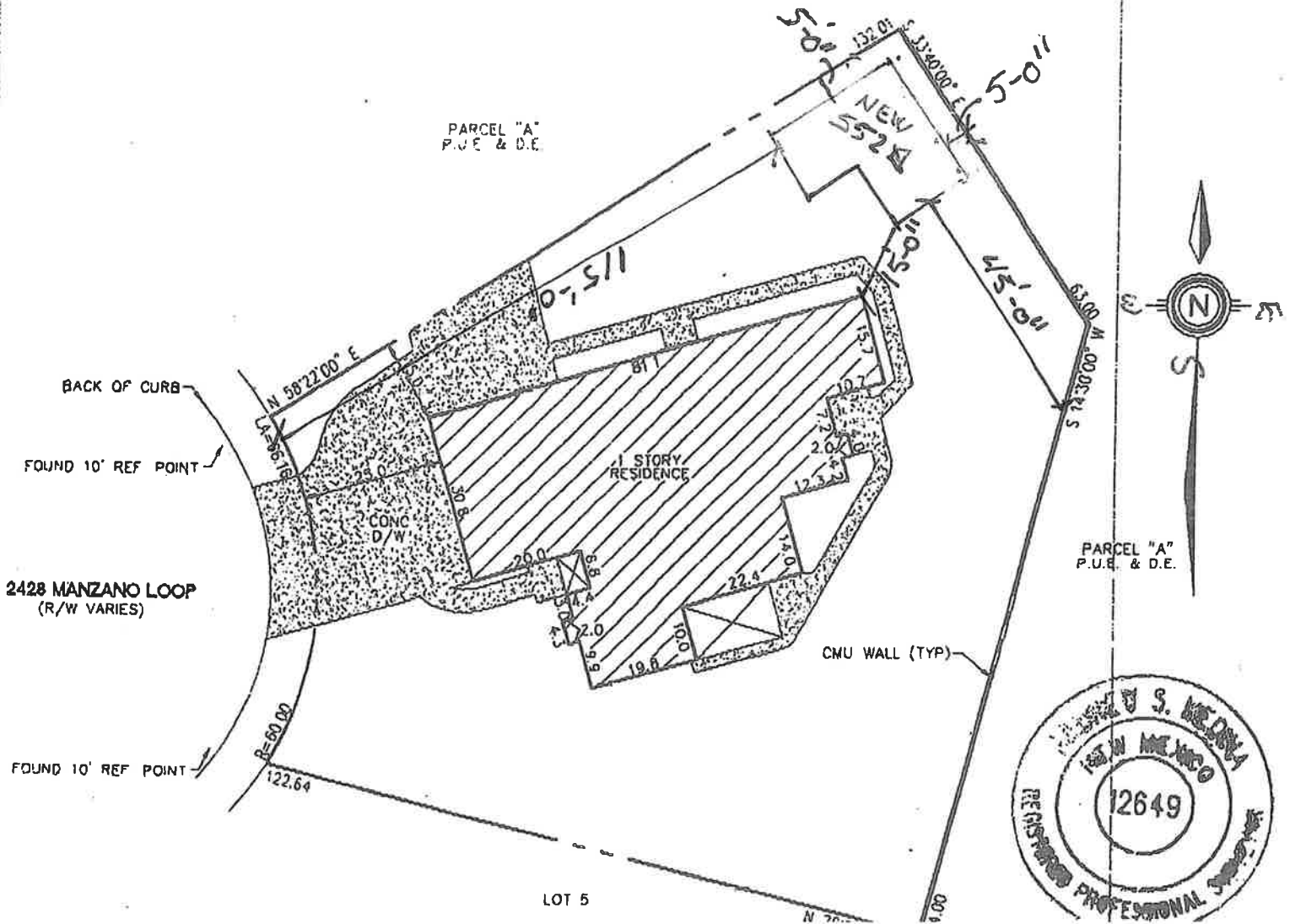
TO LENDER: NATIONS BANK that on MAY 6TH, 19 99, I, A.S. MEDINA, N.M.P.S. No. 12649, made an inspection of the premises situated at LOT 4, BLOCK 24, CORRALES NORTH UNIT 3, RIO RANCHO SANDOVAL County, New Mexico briefly described as (Address if applicable) 2428 MANZANO LOOP

PLAT REFERENCE: Bearings, distances and/or curve data are taken from the following plat (include filing information if plat is filed); _____
SEE LEGAL DESCRIPTION

NOTE: The error of closure is less than one foot of error for every 20,000 feet along the perimeter of the legal description provided. Easements shown hereon are as listed in the Title Commitment No. SDV-16528 provided by the Title Company. Improvement location is based on previous property surveys. No monuments were set. This tract is subject to all easements, restrictions and reservations of record which pertain. This report is not to be relied on for the establishment of fences, buildings or other future improvements.

LEGAL DESCRIPTION

LOT NUMBERED FOUR (4) IN BLOCK NUMBERED TWENTY-FOUR (24), CORRALES NORTH UNIT 3, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED, "CORRALES NORTH UNIT 3, A SUBDIVISION IN THE CITY OF RIO RANCHO ESTATES, TOWN OF ALAMEDA GRANT, SANDOVAL COUNTY, NEW MEXICO", FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON JULY 18, 1990 IN RIO RANCHO ESTATES PLAT BOOK NUMBER 5, PAGE 124-131











The City of Rio Rancho

Development Services
Planning Division

3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 • Fax (505) 896-8994

RE: Variance Request, Case No. 24-110-00049
Corrales North Unit 3, Block 24, Lot 4

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, Ann Bagley, is requesting approval of a Variance request to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table to allow for a 5 ft rear setback of a proposed accessory building on the subject property legally described as Corrales North Unit 3, Block 24, Lot 4, and addressed as 2428 Manzano Lp NE.

The **Planning and Zoning Board** will consider this request at a public hearing on **Tuesday, January 14, 2025** at 6:00 pm in the **Council Chambers** and **Virtually** through the **zoom link and number below**.

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

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

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

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

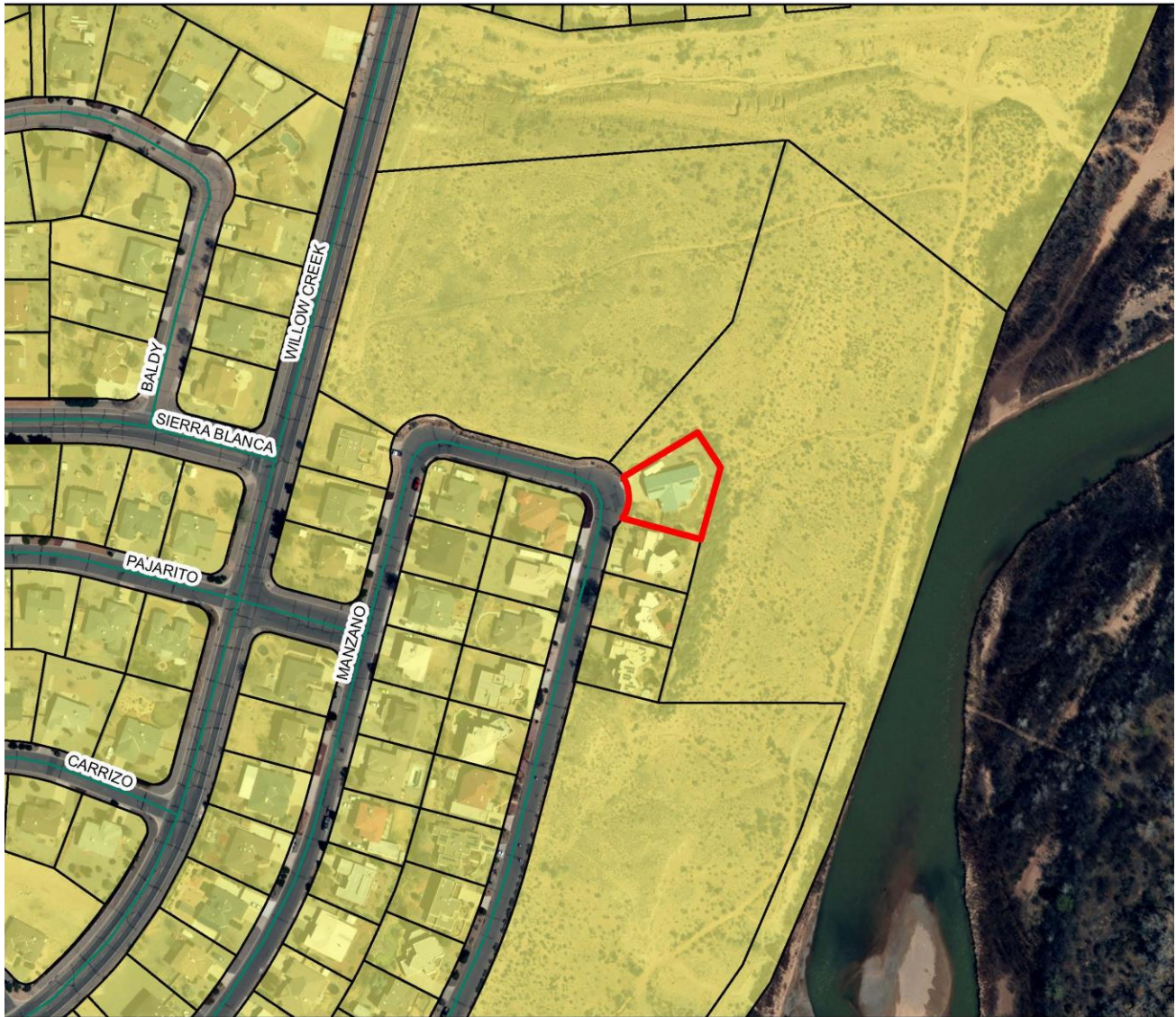
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Please contact the City Clerk if a summary or other type of accessible format is needed.

Respectfully,

A handwritten signature in blue ink that reads 'Michelle Costilla'.

Michelle Costilla
Municipal Planner II
Development Services Department
City of Rio Rancho

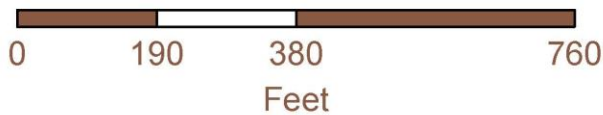
CORRALES NORTH-UNIT 3, BLOCK 24, LOT 4



 Subject Property
Zoning
 R-1



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

NOTICE OF PUBLIC HEARING

Meeting: Planning & Zoning Board
Location: City Council Chambers & Virtual (Zoom)
Date: **January 14, 2025**
Time: 6:00PM
Staff Contact: Michelle Costilla (505) 896-8362
mcostilla@rrnm.gov



Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
Fax: (505) 896-8994

NOTICE OF PUBLIC HEARING

Meeting: Planning & Zoning Board
Location: City Council Chambers & Virtual (Zoom)
Date: **January 14, 2025**
Time: 6:00PM
Staff Contact: Michelle Costilla (505) 896-8362
mcostilla@rrnm.gov

Application Information

You are receiving this notice because your property is near a site where a land development decision is required by the Planning and Zoning Board. The applicant, Ann Bagley, is requesting approval of a Variance request to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table to allow for a 5 ft rear setback of a proposed accessory building on the subject property legally described as Corrales North Unit 3, Block 24, Lot 4, and addressed as 2428 Manzano Lp NE

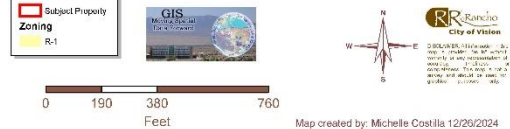
Join via computer:

<https://us06web.zoom.us/j/85180741871?pwd=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>

Meeting ID: 851 8074 1871 Passcode: 026819

Join via phone: 1-253-215-8782 US

CORRALES NORTH-UNIT 3, BLOCK 24, LOT 4



Application Information

You are receiving this notice because your property is near a site where a land development decision is required by the Planning and Zoning Board. The applicant, Ann Bagley, is requesting approval of a Variance request to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table to allow for a 5 ft rear setback of a proposed accessory building on the subject property legally described as Corrales North Unit 3, Block 24, Lot 4, and addressed as 2428 Manzano Lp NE

Join via computer:

<https://us06web.zoom.us/j/85180741871?pwd=T3BISHVpWkp6d3dDRmlHd3k2VzYvUT09>

Meeting ID: 851 8074 1871 Passcode: 026819

Join via phone: 1-253-215-8782 US

CORRALES NORTH-UNIT 3, BLOCK 24, LOT 4





**CITY OF RIO RANCHO
PUBLIC HEARING NOTICE**

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, January 14, 2025:

**Amended Preliminary Plat Extension
Case #22-210-00010**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of an Amended Preliminary Plat Extension for the Lomas Encantadas 1E Phase 2 subdivision, legally described as LE, Tract 13-A-1.

**Preliminary Plat Extension
Case #22-210-00004**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary Plat Extension for the Lomas Encantadas 1D Phases 1A, 1B & 2 subdivisions, legally described as LE1G, Tract 12-A-1-A and RRE Unit 20, Block 155, Lots 34-41 and Lot Arroyo.

**Variance
Case #24-110-00048**

The applicant, Mario Riso, requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE, legally described as RRE Unit 11, Block 5, Lot 80.

**Text Amendment
Case #24-105-00004**

The applicant, the City of Rio Rancho, is requesting approval of a Text Amendment to Chapter 154 Planning and Zoning, Sections 154.10, 154.13, 154.19 and 154.43. The requested amendment is to remove "BOARDING HOUSE (BOARDING, LODGING HOUSE, OR BED AND BREAKFAST)" from the list of permissive uses in the R-3: Mixed-Residential and R-6: Multi-Family Residential Zoning districts, and the corresponding Residential Land Use Table; and add the use to the Special Use District 154.43 (S).

**Variance
Case #23-110-00006**

The applicant, Ann Bagley, is requesting approval of a variance to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build an accessory dwelling unit. The property is located at 2428 Manzano Lp NE, is legally described as Corrales North Unit 3, Block 24, Lot 4, and is zoned R-1: Single Family Residential.

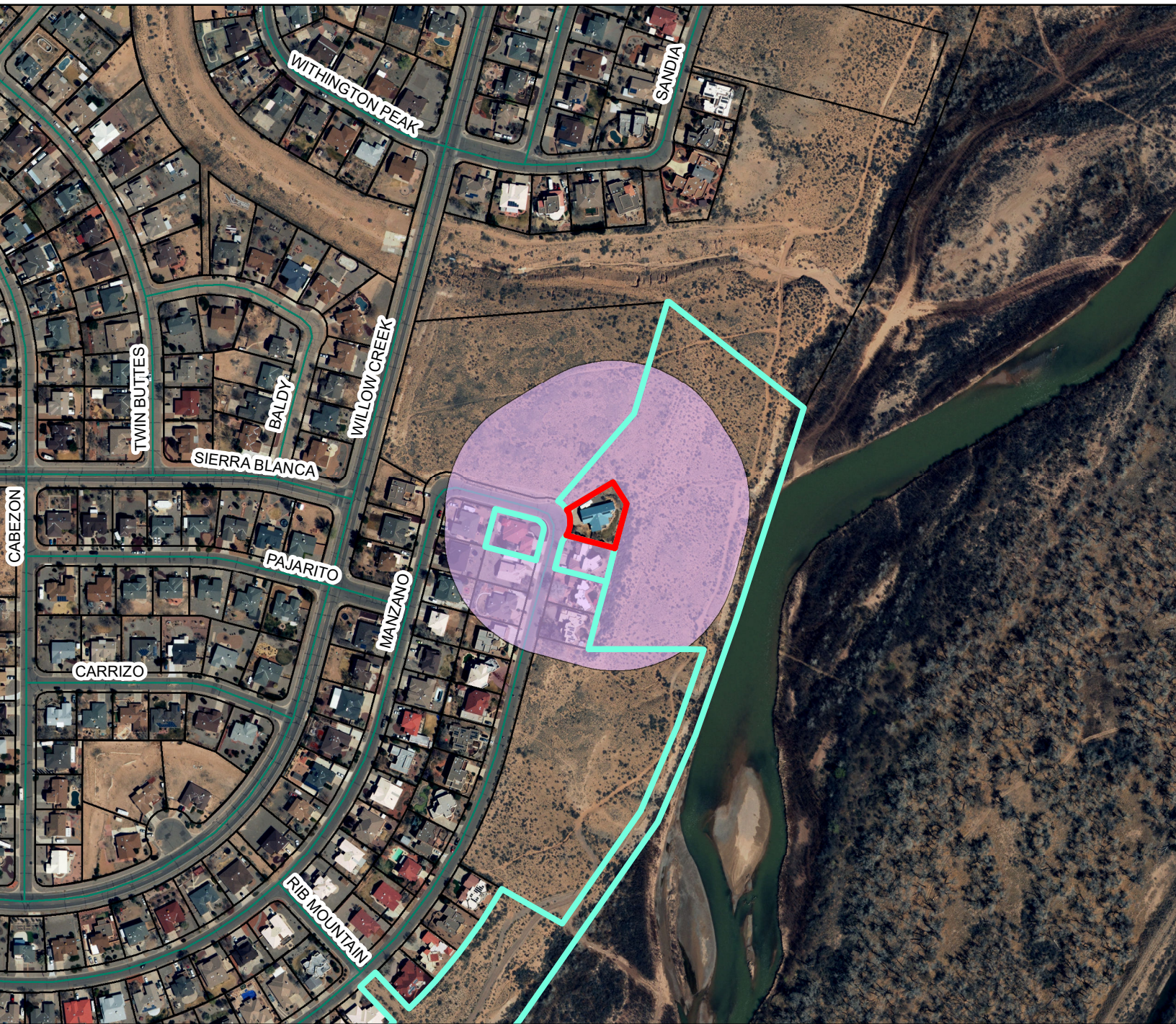
The meeting is scheduled in the Overflow Room at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or




virtually at www.rmm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

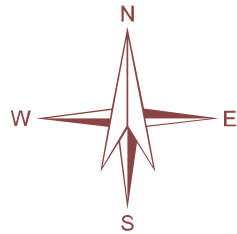
If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rmm.gov. Written comments will be inserted into the public record.

Journal: December 30, 2024

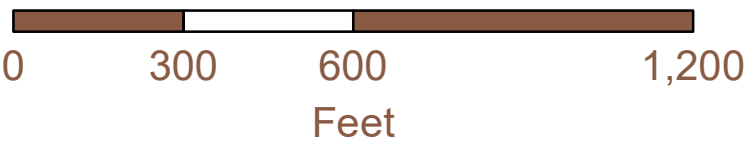
CORRALES NORTH-UNIT 3, BLOCK 24, LOT 4



-  Subject Property
-  Abutting Properties
-  300 ft.



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.





BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 24-110-00049

REQUEST FOR VARIANCE TO §154.50 R-1 15 FOOT REAR SETBACK
REQUIREMENT FOR THE PROPERTY LOCATED AT 2428 MANZANO LP NE.
(CORRALES NORTH UNIT 3, BLOCK 24, LOT 4)

Applicant(s): Ann Bagley

THIS MATTER, having come before the Planning & Zoning Board of the City
of Rio Rancho, New Mexico on the 14th day of January, 2025, the
Planning & Zoning Board having taken evidence and considered the
merits, has determined and found:

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF DENIAL:

1. The applicant has not adequately addressed the criteria for granting a variance as set forth in R.O. 2003 Section 150.06.
2. The lot is not irregular in shape, narrow, shallow, or steep and does not have an exceptional physical condition that is preventing the applicant from complying with the zoning code.

GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of a variance request.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has authority to make application to request a variance to rear setback requirements.
4. Due process was provided to the applicant and adjacent property owners.

THEREFORE, the application for a variance to the rear setback requirement for the property located at 2428 Manzano Lp NE, is DENIED by the Planning and Zoning Board of the City of Rio Rancho on January 14, 2025, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Board Chairman



BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 24-110-00049

REQUEST FOR VARIANCE TO §154.50 R-1 15 FOOT REAR SETBACK REQUIREMENT FOR THE PROPERTY LOCATED AT 2428 MANZANO LP NE. (CORRALES NORTH UNIT 3, BLOCK 24, LOT 4)

Applicant(s): Ann Bagley

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 14th day of January, 2025, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The applicant has adequately addressed the criteria for granting a variance to allow for a 10 ft encroachment into the rear setback as set forth in R.O. 2003 §150.06.
2. The subject variance will not adversely affect the public or surrounding properties.
3. A variance to R.O. 2003 §154.50 R-1 which states that any structure must be a minimum of 15 feet away from the rear property line to allow a 10 foot encroachment into the rear setback for only the accessory structure identified in Building Permit application #25-52 is approved.
4. The accessory structure, as identified in the included building permit application #25-52, shall conform to all applicable building and engineering codes; approval of this variance does not constitute approval of the subject building permit.
5. The accessory structure shall comply with all accessory structure requirements under R.O 2003 154.70 (A)

GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of a variance request.
2. Following procedures for a variance, proper notice of hearing on this matter was given.
3. The applicant has authority to make application to request a variance to setback requirements.
4. Due process was provided to the applicant and adjacent propertyowners.

THEREFORE, the application for a variance to the rear setback requirement for the property located at 2428 Manzano Lp NE, is APPROVED by the Planning and Zoning Board of the City of Rio Rancho on January 14, 2024, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Board Chairman



CITY OF RIO RANCHO COVER PAGE

**Legislation Item: 24-105-
00004**

AGENDA DATE:
January 14, 2025

DEPARTMENT:
Development Services

SUBJECT:
Text Amendment. The applicant, the City of Rio Rancho requests an amendment to the Rio Rancho Municipal Code, Title XV Land Usage, Chapter 154 Planning and Zoning, Sections 154.10, 154.13, 154.19, and 154.43. Staff contact is Brian Babyak and staff recommends the Planning and Zoning Board recommend approval to the Governing Body.

BACKGROUND AND ANALYSIS:

The applicant, the City of Rio Rancho requests an amendment to the Rio Rancho Municipal Code, Title XV Land Usage, Chapter 154 Planning and Zoning, Sections 154.10, 154.13, 154.19, and 154.43. The requested amendment removes "Boarding and Lodging Houses" from the R-3: Mixed-Residential and R-6: Multi-Family Residential Districts and adds "Boarding House (Boarding, Lodging House, or Bed and Breakfast)" to the SU: Special Use District.

The Governing Body has adopted regulations and standards for Short-Term Rentals by creating Chapter 123 "Regulations For Short-Term Rentals" on October 10, 2024 under Ordinance No. 22, Enactment No. 24-22. The Governing also adopted Ordinance No. 24, Enactment No. 24-24 on November 14, 2024, which added "Short-Term Rentals" as a permissive use in single-family residential zoning districts. Both adopted Ordinances are included in the attachments.

Staff recommends the Board finds that short-term lodging uses in residential zoning districts are now resulted under Chapter 123 and permitted in residential zoning districts in Chapter 154 under the "Short-Term Rental" listed permissive use.

Chapter 154, Section 154.03 Definitions, lists "Boarding, Lodging House or Bed and Breakfast" as a singular use under Boarding House. These listed use types may be confusing as Boarding Houses, Lodging Houses, and Bed and Breakfast are three different types of lodging - both in duration and in services that may be provided. Due to this confusion with the listed use in Code and the potential commercial nature of this overarching use, staff recommends the Board finds that it is best suited in a SU: Special Use District zoned property.

IMPACT:

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

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board may review and make a recommendation to the Governing Body

on the request for text amendments to the Rio Rancho Municipal Code.

2. The City has the authority to make an application to request an amendment to the Rio Rancho Municipal Code.
3. The applicant and citizens of Rio Rancho have received due process, as proper notice of hearing was given.

SPECIFIC FINDINGS OF FACT:

1. The proposed Text Amendment meets the requirements of Rio Rancho Code of Ordinances (R.O. 2003) § 150.07 (D) Amendments.
2. The proposed amendment is consistent with the goals of promoting health, safety, morals, and general welfare of the City of Rio Rancho by allowing Boarding House (Boarding, Lodging House, or Bed and Breakfast) as a permissive use in the SU: Special Use District.
3. The proposed amendment eliminates confusion in regards to the use and permissibility of Boarding Houses, Lodging Houses, and Bed and Breakfasts.
4. Short-term lodging is now regulated under Chapter 123 and Short-Term Rentals are now a permissive use in single-family residential zoned properties.

If the Planning and Zoning Board recommends denial to the Governing body the text amendment is subject to the following Findings of Fact:

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

ALTERNATIVES:

The Planning and Zoning Board may:

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

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: [BoardingLodgingHouses_Ordinance_1.6.24.docx](#)

ATTACHMENT: [O22_-_Signed \(Ch 123 STRs\).pdf](#)

ATTACHMENT: [O24_-_Signed \(Ch 154 Permissive Use STRs\).pdf](#)

ATTACHMENT: [PZB Legal Ad Proof.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 154 PLANNING AND ZONING, SECTIONS 154.10, 154.13, 154.19, AND 154.43 TO REMOVE BOARDING AND LODGING HOUSES FROM THE R-3: MIXED-RESIDENTIAL AND R-6: MULTI-FAMILY RESIDENTIAL DISTRICTS AND ADD TO THE SPECIAL USE DISTRICT, AND 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 regulations and standards for Short Term Rentals by creating Chapter 123, adopted October 10, 2024 under Ordinance No. 22, Enactment No. 24-22; and

WHEREAS: the Governing Body of the City of Rio Rancho has added Short-Term Rentals as a permissive use in Residential Zoning Districts on November 14, 2024 under Ordinance No. 24, Enactment No. 24-24; and

WHEREAS: the Governing Body of the City of Rio Rancho finds that short-term lodging uses in residential zoning districts are now regulated under Chapter 123 "Regulations For Short-Term Rentals" and permitted in residential zoning districts in Chapter 154 under the "Short-Term Rental" listed permissive use; and

WHEREAS: Chapter 154, Section 154.03 Definitions, lists "Boarding, Lodging House, or Bed and Breakfast" as a singular use under Boarding House, and these uses as commercial lodging uses are best permitted as a Special Use; and

WHEREAS: the Governing Body finds the need to amend sections 154.10, 154.13, 154.19, and 154.43 to remove Boarding and Lodging Houses as a permissive use in the R-3: Mixed-Residential and R-6: Multi-Family Residential Districts, and add Boarding House (Boarding, Lodging House, or Bed and Breakfast) to the SU: Special Use District; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 33.15 (C) (2) (f), on January 14, 2025, the City of Rio Rancho Planning and Zoning Board reviewed the proposed amendments in a duly noticed public hearing regarding the proposed changes, and made these recommendations to the Governing Body regarding adoption to the changes; and

WHEREAS: the Governing Body received a recommendation from the Planning and Zoning Board, and such recommendation indicates the Planning and

1 Zoning Board has studied and considered the proposed changes; and

2
3 **WHEREAS:** a first reading occurred, in accordance with procedures set forth in R.O.
4 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed
5 zoning regulation changes hereinafter described were duly advertised and
6 held by the Governing Body of the City of Rio Rancho on January 23rd,
7 2024 and the Governing Body heard interested parties and citizens for
8 and against the proposed amendments; and

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

17
18 **NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF**
19 **RIO RANCHO:**

20
21 **Section 1.** Chapter 154, Section 154.10 R-3: MIXED RESIDENTIAL DISTRICT is
22 hereby amended as the following:

23
24 (A) Purpose. This district permits a moderate density of population in which the principal
25 use is single-family attached or detached townhome or patio home dwelling units or for
26 small-scale multi-family units.

27
28 (B) Permissive uses.

29
30 (1) One single-family dwelling unit per lot; provided such dwelling unit meets the design
31 standards of Article III, Section 154.60;

32
33 (2) Single-family attached or detached dwelling units; provided such dwelling unit(s)
34 meets the design standards of Article III, Section 154.60;

35
36 ~~(3) Boarding and lodging houses;~~

37
38 (4) Townhome, patio home, or similar development provided all city regulations are met;

39
40 (5) Accessory buildings or structures, as defined in Article III, Section 154.70(A);

41
42 (6) Accessory living space as defined in Article I, Section 154.03 and Article III, Section
43 154.70(A);

44
45 (7) Noncommercial gardens, swimming pools, tennis courts, and greenhouses;

46
47 (8) Parks, open spaces, recreational parks, and public facilities;

48
49 (9) Home occupations;

- 1 (10) Construction trailers, as defined in Article III, Section 154.75(C);
- 2
- 3 (11) Temporary (emergency, construction, or repair) residences, as defined in Article III,
- 4 Section 154.75(C);
- 5
- 6 (12) Family child care facility with a capacity of six or less;
- 7
- 8 (13) Second kitchen. A second kitchen is permitted and may be located within the primary
- 9 residence or accessory dwelling unit, but not both;
- 10
- 11 (14) Model home or sales office, as defined in Article III, Section 154.75(A);
- 12
- 13 (15) Community residential care facility up to 10 persons, including any staff residents
- 14 providing all city regulations are met as set forth in Chapter 120;
- 15
- 16 (16) Public utilities; including electric facilities including, but not limited to, substations,
- 17 switching stations and generation;
- 18
- 19 (17) Churches and other places of worship, Sunday school buildings, and parish houses;
- 20
- 21 (18) Amateur radio antenna;
- 22
- 23 (19) Accessory dwelling unit; as defined in Article I, Section 154.03 and Article III, Section
- 24 154.70(A).

25
26 (C) Conditional uses (requiring use permit).

- 27
- 28 (1) Hospital and private institutions of an educational nature;
- 29
- 30 (2) Family child care facility with a capacity of seven or more;
- 31
- 32 (3) Community residential care facility up to 18 persons, including any staff residents,
- 33 providing all city regulations are met;
- 34
- 35 (4) Senior transitional care facilities, senior living facility, and/or other similar facilities up
- 36 to 35 dwelling units per acre and up to 50 feet in height;
- 37
- 38 (5) Hobby breeders or animal foster care providers as regulated by Chapters 90 and 116;
- 39 provided the lot has an area appropriate to the type and size of the animals being bred;
- 40
- 41 (6) Multi-family dwellings, provided there are not more than 26 units per acre, with the site
- 42 plan reviewed and approved by the Governing Body.

43
44 **Section 2.** Chapter 154, Section 154.13 R-6: MULTI-FAMILY RESIDENTIAL
45 DISTRICT is hereby amended as the following:

- 46
- 47 (A) Purpose. This district permits a high density of population in which the principal use
- 48 is multi-family dwelling units.
- 49
- 50 (B) Permissive uses.

- 1
- 2 (1) One single-family dwelling unit per lot; provided such dwelling unit meets the design
- 3 standards of Article III, Section 154.60;
- 4
- 5 (2) Single-family attached or detached dwelling units; provided such dwelling units meet
- 6 the design standards of Article III, Section 154.60;
- 7
- 8 (3) Multiple-family dwelling units for sale or rent that are attached are allowed up to a
- 9 density of 50 dwelling units/acre;
- 10
- 11 (4) Senior transitional care or living facilities allowed up to a density of 50 dwelling
- 12 units/acre;
- 13
- 14 ~~(5) Boarding and lodging houses;~~
- 15
- 16 (6) Townhome, patio home, or similar development provided all city regulations are met;
- 17
- 18 (7) Accessory buildings or structures, as defined in Article III, Section 154.70(A);
- 19
- 20 (8) Accessory living space; as defined in Article I, Section 154.03 and Article III, Section
- 21 154.70(A);
- 22
- 23 (9) Noncommercial gardens, swimming pools, tennis courts, and greenhouses;
- 24
- 25 (10) Parks, open spaces, recreational parks, and public facilities;
- 26
- 27 (11) Home occupations;
- 28
- 29 (12) Construction trailers, as defined in Article III, Section 154.75(C);
- 30
- 31 (13) Temporary (emergency, construction, and repair) residences, as defined in Article
- 32 III, Section 154.75(C);
- 33
- 34 (14) Family child care facility with a capacity of six or less;
- 35
- 36 (15) Second kitchen;
- 37
- 38 (16) Model home or sales office, as defined in Article III, Section 154.75(A);
- 39
- 40 (17) Community residential care facility up to 10 persons, including any staff residents,
- 41 providing all city regulations are met as set forth in Chapter 120;
- 42
- 43 (18) Churches and other places of worship, Sunday school buildings, and parish houses;
- 44
- 45 (19) Amateur radio antenna;
- 46
- 47 (20) Public utilities, electric facilities including, but not limited to, substations, switching
- 48 stations and generation;
- 49
- 50 (21) Accessory dwelling unit; as defined in Article I, Section 154.03 and Article III, Section

1 154.70(A).

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(C) Conditional uses (requiring use permit).

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

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

(3) Hobby breeders or animal foster care providers as regulated by Chapters 90 and 116;

(4) Community residential care facility up to 18 persons, including any staff residents, providing all city regulations are met.

Section 3. Chapter 154, Section 154.19 RESIDENTIAL LAND USE TABLE is hereby amended as the following:

There may be uses not listed in the table that can be permitted under the SU District.

There may be additional conditions not listed in the table. Please refer to the specific zoning district for details relating to the land uses listed below.

LAND USES	E-1	R-1	R-2	R-3	R-4	R-5	R-6	M-H
Accessory dwelling unit	P	P	P	P	P	P	P	
Accessory structure	P	P	P	P	P	P	P	P
Accessory living space	P	P	P	P	P	P	P	
Amateur radio antenna	P	P	P	P	P	P	P	
Boarding and lodging house				P			P	
Churches, other places of worship, Sunday school and parish house	P	P	P	P	P	P	P	P
Commercial horse boarding	CU							
Community residential care facilities, 10 or less	P	P	P	P	P	P	P	
Community residential care facilities, up to 18				CU			CU	
Construction trailers	P	P	P	P	P	P	P	
Family child care facility, with a capacity of 6 or less	P	P	P	P	P	P	P	
Family child care facility, with a capacity of 7 or more	CU	CU	CU	CU	CU	CU	CU	CU
Hobby breeders or animal foster care providers	P	CU	CU	CU	CU	CU	CU	CU
Home occupations	P	P	P	P	P	P	P	
Hospitals and private institutions of an educational nature		CU	CU	CU	CU	CU	CU	CU
Mobile home								P
Model home or sales office	P	P	P	P	P	P	P	
Multi-family dwelling unit				CU			P	

LAND USES	E-1	R-1	R-2	R-3	R-4	R-5	R-6	M-H
Noncommercial gardens, swimming pools, tennis courts	P	P	P	P	P	P	P	P
Parks, open spaces, recreational parks, and public facilities (civic)	P	P	P	P	P	P	P	P
Public utilities, including electric facilities	P	P	P	P	P	P	P	
Second kitchen	P	P	P	P	P	P	P	
Senior transitional care facilities, senior living facility				CU				
Single-family dwelling unit	P	P	P	P	P	P	P	
Temporary, emergency, construction, and repair residences	P	P	P	P	P	P	P	
Transfer of horse stable rights	CU							

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Section 4. Chapter 154, Section 154.43 SU: SPECIAL USE DISTRICT is hereby amended as the following:

(A) Purpose. This zoning district is suitable for property which is special because of its potential effect on surrounding property, or for other reasons in which the appropriateness is partially or entirely dependent on the character of the site.

(1) A special use zoning designation is also appropriately used to:

- (a) To restrict uses otherwise permitted in an underlying zoning district;
- (b) To allow a combination of uses not otherwise permitted in an underlying district;
- (c) To establish a singular land use;
- (d) To establish requirements or conditions that are unique to the property;
- (e) To establish requirements for height, setbacks, width, parking, landscaping, signage or other provisions that are unique to the property.

(2) An application for a change to SU zoning must state the proposed land use(s).

(3) All SU zoned property must have a site plan approved by the Governing Body. The site plan may accompany the application for a change in zoning designation or may be submitted for approval at a later date. Approval of the site plan must be obtained prior to any development of the property. The site plan at a minimum shall contain the following information:

- (a) Scale and north arrow;
- (b) Lot boundaries and easements;

- 1
- 2 (c) Existing and proposed utilities;
- 3
- 4 (d) Existing and proposed rights-of-way;
- 5
- 6 (e) Proposed structures with uses, dimensions, and setbacks;
- 7
- 8 (f) Proposed ingress, egress, parking and circulation;
- 9
- 10 (g) Landscaping and landscape buffers;
- 11
- 12 (h) Elevations;
- 13
- 14 (i) Adjacent property characteristics;
- 15
- 16 (j) Preliminary drainage plan.
- 17

18 (4) The Director of Development Services may approve minor changes to an approved
19 site plan if the change is consistent with the use and other written requirements and/or
20 conditions of approval, if the buildings are of the same general configuration, if the total
21 square footage is not greater than 10% than the approved plan, the site circulation is
22 similar in its effect on adjacent property or streets, and the approving official finds that
23 neither the city nor any person will be substantially aggrieved by the altered site plan.

24
25 (B) Special uses include but are not limited to the following:

- 26
- 27 (1) Airport;
- 28
- 29 (2) Amusement park of a permanent character;
- 30
- 31 (3) Cemetery, including columbarium, mausoleum, or crematory;
- 32
- 33 (4) Resorts, spas;
- 34
- 35 (5) Racetrack;
- 36
- 37 (6) Stadium;
- 38
- 39 (7) Indoor shooting range;
- 40
- 41 (8) Manufactured home/mobile home park;
- 42
- 43 (9) Recreational vehicle/travel trailer park or campground;
- 44
- 45 (10) Concrete batching plant;
- 46
- 47 (11) Outdoor theater;
- 48
- 49 (12) Community residential care facility provided all city regulations are met in addition to
50 any conditions set forth via the SU/special use zoning hearing process;

1
2 (13) Landfill;

3
4 (14) Mining;

5
6 (15) Planned residential developments.

7
8 (a) Permitted uses include single-family homes, townhouses, and apartments, and
9 associated accessory structures as regulated by an underlying zoning district or an
10 approved site plan. Permissive commercial uses may be allowed, up to 25% of the gross
11 floor area of the development.

12
13 (b) A site plan for a P.R.D. shall include information as to the maximum number of dwelling
14 units and/or density; maximum and minimum lot sizes; maximum building height;
15 minimum building setbacks; architectural design standards including but not limited to
16 exterior wall materials and colors, roof materials and colors; preliminary grading and
17 drainage plan; landscape design standards, parking, site lighting; design of walls and
18 fences visible from public rights-of-way; and pedestrian amenities;

19
20 (16) Public utilities, electric facilities including, but not limited to, substations, switching
21 stations and generation;

22
23 (17) Boarding House (Boarding, Lodging House, or Bed and Breakfast):

24
25 ~~(17)~~ (18) Any use or combination of uses not otherwise permitted under a specific zoning
26 district.

27
28 **Section 5. Severability Clause.** If any section, paragraph, clause, or provision of
29 this Ordinance, or any section, paragraph, clause, or provision of any regulation
30 promulgated hereunder shall for any reason be held to be invalid, unlawful, or
31 enforceable, the invalidity, illegality, or unenforceability of such section, paragraph,
32 clause, or provision shall not affect the validity of the remaining portions of this
33 Ordinance or the regulation so challenged.

34
35 **Section 6. Compiling Clause.** This Ordinance shall be incorporated in and compiled
36 as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

37
38 **Section 7. Effective Date.** This Ordinance has an immediate effective date of July
39 1st, 2025.

40
41
42 ADOPTED THIS _____ DAY OF _____, 2025.

43
44
45
46 _____
47 Gregory D. Hull, Mayor

48
49 ATTEST:

1 _____
2 Noel C. Davis, City Clerk
3 (SEAL)



**CITY OF RIO RANCHO
ORDINANCE**

ORDINANCE NO. 22

ENACTMENT NO. 24-22

**ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF RIO RANCHO;
ADDING A CHAPTER ESTABLISHING REGULATIONS FOR
SHORT-TERM RENTALS**

WHEREAS: the proliferation of private dwelling units in residentially zoned districts being offered for rent for short periods ("short-term rentals) presents unique challenges to the public health, safety and well-being of City residents; and

WHEREAS: the City of Rio Rancho (the "City") has the ability and desire to enact regulations to protect the public health, safety and well-being of its residents; and

WHEREAS: the regulations adopted by this Ordinance ensure that the operation of short-term rental units does not disrupt the character of the City's residential neighborhoods, increase public safety risks and public nuisances associated with short-term rental units, or permit speculators to purchasing multiple homes for the purpose of operating multiple short-term rental units, thereby reducing the availability of long-term housing; and

WHEREAS: private property owners have the opportunity to generate supplemental income by utilizing their homes and accessory dwelling units as short-term rental units; and

WHEREAS: short-term rentals increase the available lodging in the City that can be utilized by tourists and contract employees; and

WHEREAS: the City is permitted to collect lodger's tax on short-term rental stays pursuant to the Lodger's Tax Act 3-38-13 NMSA 1978; and

WHEREAS: the City desires to provide clarity and uniformity to short-term rental operators and renters.

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

Section 1. Title XI, Business Regulations, is hereby amended by adding Chapter 123, Regulations for Short-Term Rentals, to read as follows:

123.01 Title.

This chapter shall be known as "Regulations for Short-term Rentals in the City of Rio Rancho" and is referred to elsewhere herein as "these regulations." The City of Rio Rancho shall hereafter be referred to as "the city."

1
2 **123.02 Purpose.**

3 These regulations establish standards and procedures for the issuance of a permit to
4 operate Short-term Rental Units within the city.

5
6 **123.03 Definitions**

7 For the purpose of these regulations, the following definitions shall apply unless the
8 context clearly indicates or requires a different meaning.

9
10 **NATURAL PERSON.** An individual human being, distinguished from the broader
11 category of “person” used elsewhere in this Title that additionally includes estate, trust,
12 receiver, cooperative association, club, corporation, company, firm, partnership, joint
13 venture, syndicate or other entity engaging in a business, profession, occupation, trade,
14 pursuit or commercial activity.

15
16 **SHORT-TERM RENTAL OPERATOR.** The owner or party otherwise responsible for a
17 Short-term Rental Unit.

18
19 **SHORT-TERM RENTAL UNIT.** All or portion of a “dwelling unit,” as defined in Section
20 154.03, providing accommodation which is offered for rent to a number of guests for a
21 period of less than thirty (30) days.

22
23 **123.04 General Provisions**

24
25 (A) Short-term rentals will be permitted in single-family residential zoning districts E-1,
26 R-1, R-2, R-3, R-4, and R-5 as described in Chapter 154.

27
28 (B) Unless otherwise stated, the following general provisions apply to all Short-term
29 Rental Units:

30
31 (1) The Short-term Rental Operator shall maintain a valid business registration, as
32 described in Chapter 110, for the purpose of operating a Short-term Rental Unit
33 within the city.

34
35 (2) The Short-term Rental Operator shall pay all applicable local, state, and federal
36 taxes, including lodgers' tax, gross receipts tax, and income tax associated with
37 the operation of each Short-term Rental Unit.

38
39 (3) A Short-term Rental Unit shall meet all building, fire, and safety codes for the
40 applicable zoning of the property.

41
42 (4) The Short-term Rental Operator shall maintain short term rental insurance
43 coverage for each Short-term Rental Unit in the minimum amount of \$250,000
44 per Short-term Rental Unit.

45
46 (5) A Short-term Rental Unit shall have a local Short-term Rental Operator that is
47 available twenty-four (24) hours per day, seven (7) days per week, to respond to
48 complaints regarding the operation or occupancy of the Short-term Rental Unit.
49 The Short-term Rental Operator must be accessible by telephone and able to be

1 physically present at the Short-term Rental Unit within one (1) hour of being
2 contacted.

3
4 (6) The Short-term Rental Operator shall notify all guests in writing of relevant city
5 ordinances. All guests shall comply with all relevant city ordinances.

6
7 (7) The maximum overnight occupancy of a Short-term Rental Unit is limited to two
8 people per bedroom plus an additional two people per unit. For the purposes of
9 calculating occupancy, children under the age of two are excluded.

10
11 (8) Gatherings of persons in excess of the maximum overnight occupancy
12 prescribed above, shall not exceed two times the maximum overnight occupancy.

13
14 (9) The Short-term Rental Operator shall provide off-street parking onsite as follows:

15
16 (a) one (1) parking space for a Short-term Rental Unit with zero (0) to two (2)
17 bedrooms available for rent;

18
19 (b) two (2) parking spaces for a Short-term Rental Unit with three (3) to four
20 (4) bedrooms available for rent; and

21
22 (c) three (3) parking spaces for a Short-term Rental Unit with five (5) or more
23 bedrooms available to rent.

24
25 (10) A Short-term Rental Unit shall not be rented more than once within a seven (7)-
26 day period.

27
28 **123.05 Short-term Rental Permit**

29
30 (A) *Permit Required.* No Short-term Rental Operator shall operate, rent, offer to rent or
31 advertise any Short-term Rental Unit within the City of Rio Rancho without a valid
32 short-term rental permit issued by the Department of Development Services.

33
34 (B) *Display of Permit.* The Short-term Rental Operator shall clearly display inside each
35 Short-term Rental Unit a copy of the applicable short-term rental permit issued
36 pursuant to this chapter. The Short-term Rental Operator shall include the permit
37 number issued by the city on all marketing materials for each Short-term Rental Unit
38 they operate, including listings on a host platform.

39
40 (C) *Natural Person Required.* The Department of Development Services shall issue
41 short-term rental permits to natural persons only and each natural person may
42 possess a maximum of two (2) permits. If the subject property is owned by a legal or
43 business entity, the permit must be held in the name of a person with legal authority
44 to act on behalf of that entity. The fact that a permit must be issued to a natural
45 person does not mean that the property cannot be titled in such entities as a
46 revocable trust, an LLC, or a corporation.

47

1 (D) *Permit Limit*. The total number of short-term rental permits issued by the Department
2 of Development Services shall not exceed one percent (1%) of the “total housing
3 units” in Rio Rancho as listed in “Comparative Housing Characteristics” table of the
4 most recent U.S. Census Bureau’s American Community Survey as January 1st of
5 each year.

6
7 (E) *Permit Not Transferrable*. A short-term rental permit is not transferable to another
8 person or property. Upon the transfer of ownership of a Short-term Rental Unit, the
9 permit shall terminate.

10
11 (F) *Permit Renewals*: Unless revoked pursuant to Section 123.09, an owner may renew
12 a short-term rental permit annually.

13
14 (1) An application for renewal of a short-term rental permit shall include the records
15 required by Section 123.06 for the previous one (1) year.

16
17 (2) A Short-term Rental Operator must renew a short-term rental permit and the
18 associated business registration by expiration date of the pervious short-term
19 rental permit.

20
21 (3) If a short-term rental permit is not renewed by the date the previous short-term
22 rental permit expires, the owner may pay a late fee of fifty dollars (\$50.00) to
23 extend the time for filing by thirty (30) days.

24
25 (4) If a permit is not renewed by its expiration date, including any thirty (30) day
26 extension, then the permit will revert to the Department of Development Services
27 and will become available to the next eligible applicant.

28
29 **123.06 Application for a Short-term Rental Permit**

30
31 Applicants for a short-term rental permit under this chapter must file with the
32 Department of Development Services, a sworn application in writing or electronically as
33 prescribed by the Uniform Electronic Transactions Act, Section 14-16-1, NMSA 1978,
34 on a form to be furnished by Department of Development Services, which shall include,
35 but is not limited to, the following information:

36
37 (A) The name and phone number of the local Short-term Rental Operator to be available
38 to respond to the property within one (1) hour, twenty-four (24) hours per day while
39 the property is rented.

40
41 (B) Address of Short-Term Rental Unit.

42
43 (C) Business registration number.

44
45 (D) Proof of short-term rental insurance.

46
47 (E) Site plan to include:

- 1
- 2 (1) Dwelling floor plan showing number of bedrooms.
- 3
- 4 (2) Designation of which rooms will be used as short-term rentals.
- 5
- 6 (3) Location and size of bedroom windows.
- 7
- 8 (4) Clear opening per emergency escape.
- 9
- 10 (5) Location and size of means of egress doors.
- 11
- 12 (6) Bathroom locations.
- 13
- 14 (7) Pools or Spas including covers and fencing.
- 15
- 16 (8) Parking spaces as detailed in Section 123.04(B)(9).
- 17

18 (F) Completed inspection.

19
20 **123.07 Inspections**

- 21
- 22 (A) The Department of Development Services Director or their representative has the
- 23 authority to enter all buildings and premises for the purpose of inspection as
- 24 necessary to perform assigned duties.
- 25
- 26 (B) To obtain a short-term rental permit, a dwelling unit must be inspected and meet the
- 27 following requirements:
- 28
- 29 (1) Fire evacuation plan with emergency contact information and address
- 30 conspicuously posted.
- 31
- 32 (2) Carbon monoxide detection.
- 33
- 34 (3) Smoke alarms in all bedrooms.
- 35
- 36 (4) Fire extinguishers on each floor.
- 37
- 38 (5) No storage of combustible materials in mechanical, boiler, or electrical rooms.
- 39
- 40 (6) Fireplace or wood stove with non-combustible ash receptacle outside the
- 41 dwelling unit.
- 42
- 43 (7) Fences and covers on all pools and spas.
- 44
- 45 (8) Address numerals at least four (4) inches tall, with one-half inch stroke width, in
- 46 contrasting color, visible from the street.
- 47
- 48 (9) Available parking spots as detailed in Section 123.04(B)(9).

1
2 (C) Short-term Rental Units that fail to meet the requirements set forth in Section
3 123.07(B) may schedule a re-inspection after any noted issues are addressed and
4 the requirements are met. Failure to pass the short-term rental inspection after two
5 re-inspections will result in denial of the application.

6
7 (D) Failure to schedule an inspection within thirty (30) days of the submission of a
8 completed application may result in denial of the application and will require re-
9 application.

10
11 **123.08 Fees**

12
13 The following fees shall be used to administer, manage, and enforce this chapter:

14
15 (A) *Application Fee.* An application for a new short-term rental permit shall be
16 accompanied by a one-time non-refundable application, processing, and inspection
17 fee of one hundred dollars (\$100.00).

18
19 (1) The Application Fee shall be due upon submission of the application for a short-
20 term rental permit.

21
22 (2) The Application Fee includes an initial inspection only. A re-inspection fee of fifty
23 dollars (\$50.00) will be required anytime a re-inspection is scheduled.

24
25 (3) Where a Short-term Rental Operator is seeking to renew a short-term rental
26 permit, a late fee of fifty dollars (\$50.00) is required to extend the time for filing by
27 thirty (30) days.

28
29 (B) *Permit Fee.* A Short-term Rental Unit is subject to an annual permit fee of three
30 hundred dollars (\$300.00).

31
32 **123.09 Administrative Enforcement and Fines**

33
34 (A) Except as otherwise provided in this chapter, the Director of the Department of
35 Development Services, or their designee shall enforce this chapter, including the
36 inspection of premises, the issuance of notice of violations and the revocation of short-
37 term rental permits.

38
39 (B) The Department of Development Services may revoke any short-term rental permit
40 or fine any Short-Term Rental Operator for non-compliance with any requirement
41 contained within these regulations.

42
43 (C) Any fine issued by the Department of Development Services for a violation of the
44 short-term rental permit requirements shall not exceed five hundred dollars (\$500.00)
45 per violation. Each day a violation occurs shall be considered a separate violation.

46
47 (D) Failure to pay any fine imposed by the Department of Development Services within
48 fifteen (15) days shall result in the automatic revocation of the short-term rental permit.

1 **123.10 Criminal Violation and Penalty**

2
3 (A) It is unlawful to operate, rent, offer to rent or advertise any Short-term Rental Unit
4 within the city of Rio Rancho without a valid permit issued by the Development Services
5 Department.

6
7 (B) It is unlawful to operate any Short-term Rental Unit within the City of Rio Rancho in
8 violation of any of the provisions contained within Section 123.04.

9
10 (C) Any person violating Section A or B of this subsection shall be subject to the
11 penalties prescribed in Section 10.99.

12
13 **Section 2. Severability Clause.** If any section, paragraph, clause, or provision of
14 this Ordinance, or any section, paragraph, clause, or provision of any regulation
15 promulgated hereunder shall for any reason be held to be invalid, unlawful, or
16 enforceable, the invalidity, illegality, or unenforceability of such section, paragraph,
17 clause, or provision shall not affect the validity of the remaining portions of this
18 Ordinance or the regulation so challenged.

19
20 **Section 3. Compiling Clause.** This Ordinance shall be incorporated in and compiled
21 as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

22
23 **Section 4. Effective Date.** This Ordinance shall become effective July 1, 2025.

24
25
26 ADOPTED THIS 10th DAY OF OCTOBER, 2024

27
28
29 
30 _____
Greggory D. Hull, Mayor

31
32
33 ATTEST:

34 
35 _____
36 Noel C. Davis, City Clerk
37 (SEAL)





**CITY OF RIO RANCHO
ORDINANCE**

ORDINANCE NO. 24

ENACTMENT NO. 24-24

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE RIO RANCHO CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 154 PLANNING AND ZONING, SECTIONS 154.05, 154.08, 154.09, 154.10, 154.11, 154.12, 154.19, TO ADD SHORT-TERM RENTALS AND 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 regulations and standards for Short-Term Rentals by creating Chapter 123, adopted October 10, 2024 under Ordinance No. 22, Enactment No. 24-22; and

WHEREAS: the Governing Body finds the need to amend sections 154.05, 154.08, 154.09, 154.10, 154.11, 154.12; 154.19 to add Short-Term Rentals as a permissive use; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 33.15 (C) (2) (f), on October 8, 2024, the City of Rio Rancho Planning and Zoning Board reviewed the proposed amendments in a duly noticed public hearing regarding the proposed changes, and made these recommendations to the Governing Body regarding adoption to the changes; and

WHEREAS: the Governing Body received a recommendation from the Planning and Zoning Board, and such recommendation indicates the Planning and Zoning Board has studied and considered the proposed changes; and

WHEREAS: a first reading 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 regulation changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on October 24, 2024 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 amendments is consistent with the policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendments promote health, safety, morals and general welfare of the City.

1
2 **NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF**
3 **RIO RANCHO:**

4
5 **Section 1.** Chapter 154, Section 154.05(B)(19) is hereby amended to add the
6 following:

7
8 (19) Short Term rental unit; as defined and regulated in Chapter 123
9

10
11 **Section 2.** Chapter 154, Section 154.08(B)(17) is hereby amended to add the
12 following:

13
14 (17) Short Term rental unit; as defined and regulated in Chapter 123
15

16 **Section 3.** Chapter 154, Section 154.09(B)(17) is hereby amended to add the
17 following:

18
19 (17) Short Term rental unit; as defined and regulated in Chapter 123
20

21 **Section 4.** Chapter 154, Section 154.10(B)(20) is hereby amended to add the
22 following:

23
24 (20) Short Term rental unit; as defined and regulated in Chapter 123
25

26 **Section 5.** Chapter 154, Section 154.11(B)(17) is hereby amended to add the
27 following:

28
29 (17) Short Term rental unit; as defined and regulated in Chapter 123
30

31 **Section 6.** Chapter 154, Section 154.12(B)(17) is hereby amended to add the
32 following:

33
34 (17) Short Term rental unit; as defined and regulated in Chapter 123
35

36 **Section 7.** Chapter 154, Section 154.19 is hereby amended to add the following
37 below Senior transitional care facilities, senior living facility:
38
39

Short-Term Rentals	P	P	P	P	P	P		
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40
41
42 **Section 8. Severability Clause.** If any section, paragraph, clause, or provision of
43 this Ordinance, or any section, paragraph, clause, or provision of any regulation
44 promulgated hereunder shall for any reason be held to be invalid, unlawful, or
45 enforceable, the invalidity, illegality, or unenforceability of such section, paragraph,
46 clause, or provision shall not affect the validity of the remaining portions of this
47 Ordinance or the regulation so challenged.
48

49 **Section 9. Compiling Clause.** This Ordinance shall be incorporated in and compiled


1 as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

2
3 **Section 10. Effective Date.** This Ordinance has an immediate effective date of July 1,
4 2025.

5
6
7 ADOPTED THIS 14th DAY OF NOVEMBER, 2024.

8
9
10 
11 _____
12 Gregory D. Hull, Mayor

13
14 ATTEST:

15 
16 _____
17 Noel C. Davis, City Clerk
18 (SEAL)



**CITY OF RIO RANCHO
PUBLIC HEARING NOTICE**

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, January 14, 2025:

**Amended Preliminary Plat Extension
Case #22-210-00010**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of an Amended Preliminary Plat Extension for the Lomas Encantadas 1E Phase 2 subdivision, legally described as LE, Tract 13-A-1.

**Preliminary Plat Extension
Case #22-210-00004**

The applicant, Lomas Encantadas Development Company, through their agent, Huitt-Zollars, Inc., requests approval of a Preliminary Plat Extension for the Lomas Encantadas 1D Phases 1A, 1B & 2 subdivisions, legally described as LE1G, Tract 12-A-1-A and RRE Unit 20, Block 155, Lots 34-41 and Lot Arroyo.

**Variance
Case #24-110-00048**

The applicant, Mario Riso, requests approval of a variance to the maximum wall height within the R-1: Single-Family Residential District front setback on the subject property of 401 5th St NE, legally described as RRE Unit 11, Block 5, Lot 80.

**Text Amendment
Case #24-105-00004**

The applicant, the City of Rio Rancho, is requesting approval of a Text Amendment to Chapter 154 Planning and Zoning, Sections 154.10, 154.13, 154.19 and 154.43. The requested amendment is to remove "BOARDING HOUSE (BOARDING, LODGING HOUSE, OR BED AND BREAKFAST)" from the list of permissive uses in the R-3: Mixed-Residential and R-6: Multi-Family Residential Zoning districts, and the corresponding Residential Land Use Table; and add the use to the Special Use District 154.43 (B).

**Variance
Case #23-110-00006**

The applicant, Ann Bagley, is requesting approval of a variance to the R-1 District 15 ft. rear setback requirement as outlined by Rio Rancho Municipal Code Chapter 154 Planning and Zoning section 154.50 Zoning Table in order to build an accessory dwelling unit. The property is located at 2428 Manzano Lp NE, is legally described as Corrales North Unit 3, Block 24, Lot 4, and is zoned R-1: Single Family Residential.

The meeting is scheduled in the Overflow Room at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or

virtually at www.rmm.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@rmm.gov. Written comments will be inserted into the public record.

Journal: December 30, 2024