Planning and Zoning Board Meeting
City of Rio Rancho
AGENDA
June 24, 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=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09

Meeting ID: 851 8074 1871

Passcode: 026819

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

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

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

1. June 10, 2025 Planning and Zoning Board Meeting Minutes
2025-0610 PZB Minutes.docx

STAFF PRESENTATIONS, REPORTS AND COMMENTS

PUBLIC HEARINGS

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

2. **Master Plan Amendment.** The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of an amendment to the Quail Ranch Master Plan Addendum allowing for an expansion of the Renewable Energy Overlay District to the eastern portion of the Master Plan area. Staff contact is Ben Isaacs and staff recommends approval with findings and conditions.
Location & Zoning Map.pdf
Land Use Application
Letter of Authorization.pdf
Justification Letter.pdf
Quail Ranch Addendum FINAL REDLINE.pdf
Exhibit A: Proposed Quail Ranch Master Plan Addendum.pdf
Exhibit B: Map of Overlay Area
Reproduction of Notifications.pdf
Draft Resolution Quail Ranch Addendum.docx

3. **Zone Map Amendment.** The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment for the property legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D, to expand the existing Renewable Energy Overlay District. Staff contact is Ben Isaacs and staff recommends approval with findings and conditions.
Location & Zoning Map.pdf
Land Use Application
Letter of Authorization.pdf
Justification Letter.pdf
Exhibit B: Location of Proposed Overlay Zone
Reproduction of Notifications.pdf
Draft Ordinance 25-100-00006_BMB.docx

4. **Withdrawn - Master Plan.** The applicant, Cielo Bonito, LLC requests approval of the Cielo Bonito Master Plan at the location legally described as Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70. Concurrent with this request is a Zone Map Amendment request for approximately 50.442 acres from TZ Transitional Zoning to R-3, Mixed Residential. Staff contact is Tamarah Martinez and staff requests the application be withdrawn as requested by the applicant.
Request from applicant to withdraw item

5. **Zone Map Amendment**. The applicant, Cielo Bonito, LLC requests approval of a Zone Map Amendment for the property legally described as Unit 21, Block 22, Lots 7-26, 28-30, and 45-48; Block 23, Lots 3-5, 7-10, 14-18, 20-23, and 28-32; and Block 24, Lots 41-49, 55-56, 58-66, and 68-70. The request is to amend the zoning from TZ Transitional Zoning to R-3: Mixed Residential. Staff contact is Tamarah Martinez and staff recommends approval with findings and conditions.
Location Map
Cielo Bonito ZMA App-Letter-Authorizations.pdf
Cielo Bonito Conceptual Design.pdf
Reproduction of Notices.pdf
Staff Comments- Complete.pdf
Draft_Ordinance_BMB.docx
R-3 Zoning.pdf

6. **Master Plan Amendment.** The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning, requests approval of a Master Plan Amendment to the Paseo Gateway Master Plan. Staff

contact is Liz Ruiz Carlos and staff recommends the Planning & Zoning Board recommend approval of the Master Plan Amendment to the Governing Body, with findings and conditions.
Location and Zoning Map.pdf
Redlined Plan.pdf
Clean Plan.pdf
Reroduction of Notices.pdf
DRAFT_Resolution_MPA_BMB.doc

7. **Master Plan.** The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning, requests approval of the Cleveland Heights Master Plan. Staff contact is Liz Ruiz Carlos and staff recommends the Planning and Zoning Board recommend approval of the Master Plan to the Governing Body, with findings and conditions.
Location and Zoning Map .pdf
Redlined Plan.pdf
Cleveland Heights Master Plan
Reroduction of Notices.pdf
DRAFT_Resolution_.doc

8. **Zone Map Amendment.** The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for Paseo Gateway, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4. Staff contact is Liz Ruiz Carlos and staff recommends the Planning & Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, with findings and conditions.
Location, Zoning .pdf
Application.pdf
Authorization.pdf
Justification Letter.pdf
Reproduction of Notices.pdf
SSCAFCA Comments.pdf
Draft_Ordinance_BMB.doc

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
COVER PAGE

Legislation Item:

AGENDA DATE:
June 24, 2025

DEPARTMENT:
Development Services

SUBJECT:
June 10, 2025 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: 2025-0610 PZB Minutes.docx

Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

JUNE 10, 2025
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:	**STAFF PRESENT:**
Scottie Richardson, District 1, Vice-Chair (Virtual)	Amy Rincon, Development Services Director
Fred Radosevich, District 3, Chair	Brian Babyak, Planning & Zoning Manager
Robert Gabaldon, District 4 (Virtual)	Liz Ruiz Carlos, Planner II
Andrea Hankins, District 5 (Virtual)	Michelle Costilla, Planner II
Lisa Hardisty, District 6	Sharon Bitah, Administrative Assistant
Sal Tortorici, At-Large	
MEMBERS ABSENT:	
Kevin Kofchur, District 2	

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

1) May 27, 2025 Planning and Zoning Board Meeting Minutes

Sal Tortorici moved to approve the Consent Calendar. Seconded by Lisa Hardisty.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Fred Radosevich, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, Sal Tortorici
NO: (None)

STAFF PRESENTATIONS, REPORTS AND COMMENTS

2) Planning and Zoning Monthly Building Activity Report – May 2025

3) Planning and Zoning Board Monthly Summary Plat Report – May 2025

PUBLIC HEARINGS

4) The applicant, Michael McDermott, requested approval of a site plan for an expansion of the MAC Center, to include the addition of a turf field and fence over 8' tall, as well as to relocate parking. The property is located at 801 Loma Colorado Blvd NE and consists of 7.3264 acres.

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

Applicant, Michael McDermott spoke on the item after being administered the oath virtually.

Lisa Hardisty moved to approve Item #4. Seconded by Sal Tortorici.
The motion carried by a vote of **6 FOR** and **0 AGAINST**
YES: Scottie Richardson, Fred Radosevich, Robert Gabaldon, Andrea Hankins, Lisa Hardisty, Sal Tortorici
NO: (None)

DISCUSSION AND DELIBERATION

COMMENTS BY BOARD MEMBERS

PUBLIC FORUM

ADJOURNMENT

Sal Tortorici moved to adjourn the meeting. Seconded by Lisa Hardisty. Chairman Radosevich adjourned the meeting at 6:08 PM.

APPROVED THIS 24th DAY OF JUNE 2025.

_____

Fred Radosevich, Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-410-00004

AGENDA DATE:
June 24, 2025

DEPARTMENT:
Development Services

SUBJECT:
Master Plan Amendment. The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of an amendment to the Quail Ranch Master Plan Addendum allowing for an expansion of the Renewable Energy Overlay District to the eastern portion of the Master Plan area. Staff contact is Ben Isaacs and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of an amendment to the Quail Ranch Master Plan Addendum allowing for an expansion of the Renewable Energy Overlay District to the eastern portion of the Master Plan area. The Quail Ranch Master Plan was adopted June 25, 2003 under Resolution No. 40, Enactment No. 03-041 and amended under Resolution No. 28, Enactment No. 07-025, Resolution No. 61, Enactment No. 12-061 and Resolution No. 32, Enactment No. 22-032.

The latter addendum provided for the implementation of the first phase of the Renewable Energy Overlay District over the western portion of the Master Plan area, and was reviewed and evaluated by Partner Engineering and Science to industry best practices. Concurrent with this application is a request to allow for the expanded Renewable Energy Overlay District (case #25-100-00006).

The more significant proposed amendments to the addendum include: expanding the area covered by the addendum, providing for the possibility of on-site stand-alone water and wastewater, adding a provision for fence height flexibility with security walls, and removing the FAA approval. The increased fence height was included due to several requests and approved variances for height for safety purposes. The FAA approval was not applicable per letter received by the FAA for Phase 1. See attached "FINAL REDLINE" document for full red-line of the existing addendum.

No other parts of the Quail Ranch Master Plan are being amended. The request only includes the addendum, see attached. Future development of this eastern portion for renewable energy will require site plan review and approval by Governing Body.

REVIEW CRITERIA:
The City's Comprehensive Plan states that "The City will rely on the development of Specific Area Plans and Master Plans for identifying a specific land use at the parcel-level. Specific Area Plans and Master Plans are a part of the Land Use Element and are used as a statement of policy to guide land use decision making by the Governing Body."

The City's Comprehensive Plan further outlines the type of material expected to be included in a

Specific Area Plan or Master Plan. Staff has used the list as the guiding policy on whether the amendments fit with Master Plans in general. Staff finds that the proposed amendment fits into the goals and elements of the City Comprehensive Plan and the amendment for an addendum to the Master Plan to allow for the Overlay District does not negatively affect or go against the long term intent of the Quail Ranch Master Plan.

In their justification, the applicant states: "The 'Renewable Energy Overlay Zone' will be more advantageous to the community and is supported by the Rio Rancho Comprehensive Plan for the following reasons:
a. The request fulfills Goal. No 1 - "Infrastructure" by providing renewable energy that fosters a quality community and supports a strong economy that meets the needs of current and future residents.
b. The request will address Section 2.3.2 - "Conservation & the Natural Environment" by reserving a significant amount of land for the next 30+ years for a renewable energy use that requires no water infrastructure, will help improve air quality, and will directly impact long term water conservation efforts.
c. The request will address Section 4.2.3 - "Water Availability" by approving a land use that requires no water infrastructure until the City locates and secures additional long-term water sources for future residential development.
d. The request addresses one of the key issues in Section 4.2.13 - "Physical Environment" by providing for a renewable energy use that can meet the needs of the present without compromising the ability of future generations to meet their own needs.
e. As articulated in Section 8.2.8.1 - "Electricity and Natural Gas", the request fulfills the need for providing more alternative energy sources that are less expensive than conventional energy sources that have been decommissioned in the State of New Mexico like coal-fired power plants."

Staff recommends the Planning and Zoning Board finds that the proposed Master Plan Amendment for a Renewable Energy Overlay Addendum is consistent with the goals and elements of the Comprehensive Plan. Staff finds that the proposed amendment would enable an appropriate, interim use of the land that does not require the extension of utilities and services at this time and preserves the long term vision for build out according to the Master Plan.

SITE ANALYSIS:
The Quail Ranch Master Plan area is approximately 6,492 acres, annexed in 2003. The Master Plan, adopted in 2003, included Zoning and Land Use regulations. The proposed Renewable Energy Overlay District applies to the majority of the remaining portion of the Master Plan area east of the alignment for Paseo del Volcan that was not rezoned by the previous addendum. The site is currently vacant.

LAND USE:
The Quail Ranch Master Plan identifies a mix of existing land uses and zoning districts on the subject property, including: Low, Medium, and High Density Residential, Mixed-Use Activity Center, Commercial, and Parks & Open Space. The proposed Master Plan Addendum will not be changing the underlying land use or zoning, but adds the Renewable Energy Overlay District for the eastern portion of the Master Plan area. The addendum permits renewable energy development as an interim land use, while preserving the existing zoning and land use.

GRADING AND DRAINAGE:
A Drainage Plan will be required for site plan submittal with further Grading and Drainage Plans for Building Permit submittal. The Addendum states that clearing of natural vegetation will be limited and that the project will have minimal impervious surface impacts.

CIRCULATION:
Current access consists of small dirt roads servicing the property. Roads will run through the site to

provide access to the renewable energy equipment. An upgraded temporary construction access has been identified and approved as part of the previous site plan review process.

PHASING AND FINANCING:
If the site development under the addendum is to be phased, a phasing plan will be required for site development and is included as a condition.

DESIGN STANDARDS:
Specific design standards are listed in the Addendum. Design standards and regulations include, but are not limited to: signage, height restrictions, lighting, setbacks, development and design standards, decommissioning and removal.

NOTIFICATIONS:
Notice of the application was sent via certified mail, return receipt requested to the property owners within 100 ft of the subject property 15 days prior to the hearing date. A legal notification was published in the Albuquerque Journal on June 9, 2025. A notification sign was posted on the property at least one week prior to the hearing on June 17, 2025.

REVIEWER COMMENTS:

Reviewing Agency	**Comments**
DSD Engineering	No adverse comments.
Fire & Rescue	No comments received.
Parks, Recreation and Community Services	No adverse comments.
Police	No comments received.
MRCoG	No comments received.
Rio Rancho Public Schools	No comments received.
SSCAFCA	No comments received.

IMPACT:
Staff recommends the Planning and Zoning Board recommend approval of the Master Plan Amendment to the Governing Body, subject to the findings and conditions 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 applicant's request for an amendment to the Quail Ranch Master Plan.
2. The applicant has the authority to make an application to request an amendment to the Quail Ranch Master Plan.
3. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact and Conditions of Approval:
1. The proposed amendment to the Quail Ranch Master Plan Addendum does not adversely affect the community character of the Master Plan Area.
2. The proposed addendum is consistent with the goals and elements of the Comprehensive Plan.
3. The proposed addendum adds Renewable Energy as a use in the eastern portion of the Quail Ranch Master Plan Area.
4. Any proposed phasing of the project shall be indicated during Site Plan review.

ALTERNATIVES:
1. The Planning and Zoning Board may recommend approval of the request to the Governing Body;

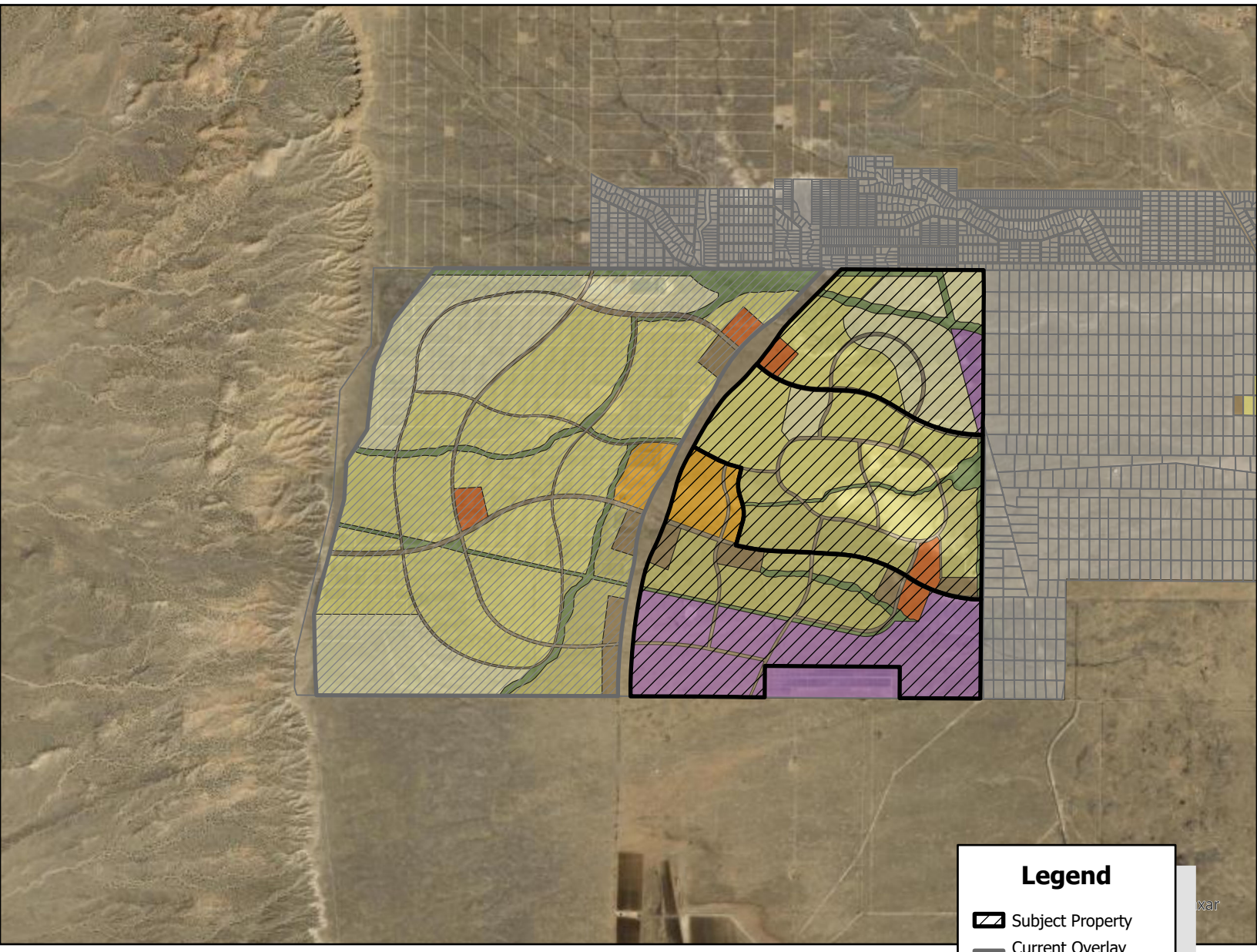
2. The Planning and Zoning Board may recommend denial of the request to the Governing Body;
3. The Planning and Zoning Board may modify the request and recommend the Governing Body approve such modifications;
4. The Planning and Zoning Board may continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends the Planning and Zoning Board recommend approval of the Master Plan Amendment request to the Governing Body.

ATTACHMENT: Location & Zoning Map.pdf
ATTACHMENT: Land Use Application
ATTACHMENT: Letter of Authorization.pdf
ATTACHMENT: Justification Letter.pdf
ATTACHMENT: Quail Ranch Addendum FINAL REDLINE.pdf
ATTACHMENT: Exhibit A: Proposed Quail Ranch Master Plan Addendum.pdf
ATTACHMENT: Exhibit B: Map of Overlay Area
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: Draft Resolution Quail Ranch Addendum.docx

QUAIL RANCH RENEWABLE ENERGY OVERLAY DISTRICT EXTENSION



Rio Rancho City of Vision

GIS Moving Spatial Data Forward

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

Map courtesy of Ben Isaacs, 5/16/2025

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

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Atrisco Solar II LLC, c/o Clēnera, LLC		Phone: 208-639-3232
Address: PO Box 2576		E-Mail:
City: Boise	State: ID	Zip: 83701
Proprietary Interest: Lessee	List Owners: Ranch Joint Venture	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	

Agent Name: Consensus Planning, Inc		Phone:505-764-9801
Address: 302 8th Street NW		E-Mail: cp@consensusplanning.com
City: Albuquerque	State: NM	ZIP Code: 87102

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

Quail Ranch Master Plan (Addendum) Amendment and Zone Map Amendment to extend the Renewable Energy Overlay Zone on leased land to the east of Paseo Del Volcan.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit :	Block(s):	Lot(s):
Existing Zoning: R-1, R-2, R-4, R-6, MU-A, M-1	Proposed Zoning: Renewable Energy Overlay (with preserved base zoning)	
No. of existing lots: 3	No. of proposed lots: none	Total area of site (acres) +/- 2, 836

ACKNOWLEDGEMENT

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

Print Name: James K. Strozier, FAICP	Applicant: Clēnera, LLC	Agent: Consensus Planning, Inc.
Signature:		Date: May 12, 2025

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Ranch Joint Venture
100 Crescent Ct Suite 450
Dallas, TX 75201

June 5, 2025

City of Rio Rancho
Development Services
3900 Southern Boulevard, Ste 103
Rio Rancho, NM 87124

Re: Atrisco II Solar Project

To Whom it May Concern:

Ranch Joint Venture, the owner of Quail Ranch, hereby authorizes Concensus Planning to act as an agent and provide entitlement services for the purposes of amending the Quail Ranch Master Plan to include the provisions for the installation of a solar generation, storage, and distribution system. The property is legally described as all of Tract 1-A, all of Tract 2-D, and all of Tract 2-C as shown on the official plat of Lands at Quail Ranch recorded March 1, 2019 as Instrument No. 2019016035, records of Bernalillo County, New Mexico.

Sincerely,
RANCH JOINT VENTURE

Signature: W. D. Rogers

Printed Name: W L Rogers

Title: Manager

CONSENSUS PLANNING

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

May 21, 2025

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

Re: Amendment to the Quail Ranch Master Plan Addendum and Zone Map Amendment

Dear Chairman Radosevich:

The purpose of this letter is to request approval of two related applications. First is an amendment to the Quail Ranch Master Plan Addendum to increase the size of the "Renewable Energy Overlay District" to encompass the entire Ranch Boundary. The original overlay only covered the western portion of Quail Ranch and was approved in 2022. Second, is a request for approval of a Zone Map Amendment to expand the Renewable Energy Overly District to add the eastern portion of the Master Plan, thereby allowing interim renewable energy projects in that area.

BACKGROUND

Quail Ranch is a 6,492-acre property located on the West Mesa in Bernalillo County as referenced in Exhibit B and is annexed within the City of Rio Rancho. If approved, this Zone Map Amendment will allow for an "Overlay District" that will cover the remainder of Quail Ranch, approximately 2,838 acres, and is legally described as:

> *All of Tract 1-A, all of Tract 2-D, and all of Tract 2-C, all as shown on the official plat of Lands at Quail Ranch recorded on March 1, 2019, as Instrument No. 2019016035 (Book 28, Page 74; Book 18, Page 100; and Book 15, Page 75A) records of Bernalillo County, New Mexico.*

The Quail Ranch Master Plan area totals approximately 6,492 acres and was annexed in 2003. The Master Plan, also adopted in 2003, included Zoning and Land Use regulations. The Quail Ranch Master Plan identifies a mix of existing land uses and zoning districts on the subject property, including Low, Medium, and High Density Residential, Mixed-Use Activity Center, Commercial, and Parks & Open Space. The proposed expansion of the Master Plan Addendum will not change the underlying land use or zoning, but adds renewable energy uses as an interim set of allowable uses.

The Quail Ranch Master Plan Addendum and the "Renewable Energy Overlay District" were approved in 2022. This amendment refines the provisions and the definitions to be more consistent with industry "best practices "and knowledge gained from the approval

PRINCIPALS

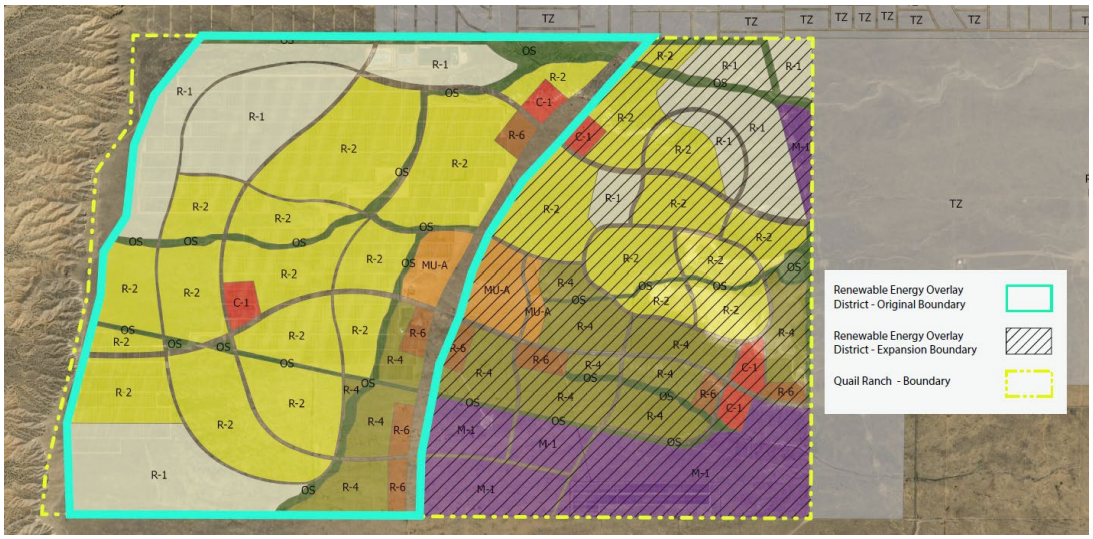
James K. Strozier, FAICP
Jacqueline Fishman, AICP

ASSOCIATES

Ken Romig, PLA, ASLA
Margaret Ambrosino, AICP

and construction of the first two phases of construction that included a small substation, battery storage, and a solar array.

This amendment to the Addendum is accompanied with the Zone Map Amendment and includes an exhibit that identifies the extent of the new overlay boundary. Prior to construction of additional renewable energy facilities, a site plan will be submitted for the installation of an approximate 400 kW renewable energy solar generation, storage, and distribution systems on the currently vacant, undeveloped land within the City of Rio Rancho without ceding the underlying entitlements.



Existing Overlay with the Expansion Area

NEW MEXICO ENERGY TRANSITION ACT

The New Mexico Energy Transition Act (ETA) sets a statewide renewable energy goal of 50 percent by 2030 for New Mexico investor-owned utilities and rural electric cooperatives and a goal of 80 percent by 2040, in addition to setting zero-carbon resources standards for investor-owned utilities by 2045 and rural electric cooperatives by 2050.

Providing more development opportunities for renewable energy investments that will help New Mexico reach the goals are outlined in the ETA. In addition, the ETA provides training for NM workers for the construction and development of jobs of renewable energy that are sustainable.

Solar panel innovation and efficiency has increased exponentially from 14% in 1960 to over 47% in 2020. The cost of solar panel installation has decreased over the past 12 years from $8.50 / watt to under $3.00 / watt making large-scale, commercial solar generation more economical.

Achieving the decarbonization goals of the ETA will require significant, but achievable acceleration of clean energy development projects.

REVIEW CRITERIA

In 2022, the City staff and the Planning and Zoning Board recommended approval of the Addendum and the Overlay zone based on the following:

1. The City's Comprehensive Plan states that "The City will rely on the development of Specific Area Plans and Master Plans for identifying a specific land use at the parcel-level. Specific Area Plans and Master Plans are a part of the Land Use Element and are used as a statement of policy to guide land use decision making by the Governing Body."

2. The City's Comprehensive Plan further outlines the type of material expected to be included in a Specific Area Plan or Master Plan. This list provides the guiding policy on whether the amendments fit with Master Plans in general. Staff and the Planning and Zoning Board found that the proposed amendment fits into the goals and elements of the City's Comprehensive Plan and the amendment for an addendum to the Master Plan to allow for the Overlay District does not negatively affect or go against the long-term intent of the Quail Ranch Master Plan.

3. The 'Renewable Energy Overlay Zone' will be more advantageous to the community and is supported by the 2015 Rio Rancho Comprehensive Plan for the following reasons:
    a. The request fulfills Goal No. 1 – Infrastructure by providing renewable energy that fosters a quality community and supports a strong economy that meets the needs of current and future residents.
    b. The request will address Section 2.3.2 – Conservation & the Natural Environment by reserving a significant amount of land for the next 30+ years for a renewable energy use that requires no water infrastructure, will help improve air quality, and will directly impact long term water conservation efforts.
    c. The request will address Section 4.2.3 – Water Availability by approving a land use that requires no water infrastructure and the necessary supporting water infrastructure until the City locates and secures additional long-term water sources or future residential development.
    d. The request addresses one of the key issues in Section 4.2.13 Physical Environment by providing for a renewable energy use that can meet the needs of the present without compromising the ability of future generations to meet their own needs. The Quail Ranch Addendum will help provide a balance of economic development and environmental stewardship in the CORR.
    e. As articulated in Section 8.2.8.1 Electricity and Natural Gas, the request fulfills the need for providing more alternative energy sources that are less expensive than conventional energy sources that have been decommissioned in the State of New Mexico like coal-fired power plants."

This proposed amendment/expansion to the Addendum and the Renewable Energy Overlay is also consistent with the goals and elements of the Comprehensive Plan as articulated above. The proposed amendment will enable an appropriate interim use of the land that does not require the extension of utilities and services at this time and preserves the long-term vision for build out according to the underlying Master Plan.

CONCLUSION

Based upon this letter, the previous Quail Ranch Master Plan Addendum (as amended), and exhibit indicating the proposed overlay, we respectfully request that the Rio Rancho Planning and Zoning Board recommend approval of this request for a Zone Map Amendment for the Renewable Energy Overlay District within the Quail Ranch Master Plan. Please feel free to contact me at (505) 764-9801 with any questions that you might have.

Sincerely,

James K. Strozier, FAICP
Principal

QUAIL RANCH
A natural way of life

QUAIL RANCH
MASTER PLAN ADDENDUM

Adopted by the City of Rio Rancho
Governing Body on June 9, 2022
Amendment adopted by the
Governing Body on May XX, 2025

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EXECUTIVE SUMMARY

In June 2003, the City of Rio Rancho annexed 6,492 acres known as the mixed-use development for Quail Ranch (Exhibit A). In addition to annexing the Quail Ranch, the City adopted the Quail Ranch Master Plan to include the applicable Zoning and Land Use regulations. This Addendum modifies the Master Plan by allowing for a ***Renewable Energy Overlay District*** on a portion of the Quail Ranch for solar power generation, storage, and distribution without modifying the original content and intent of the approved Master Plan and underlying zoning districts. In 2022, the CoRR adopted an addendum to the Quail Ranch Master Plan to allow a Renewable Energy Overlay District over the west side of the Quail Ranch, this document amends and restates the 2022 addendum to include the Renewable Energy Overlay District over the entirety of Quail Ranch. This Addendum creates a stand-alone document that provides for an additional land use, while allowing the underlying land use and zoning to remain intact. At all times, whether a Solar PV is present or later removed, the existing development entitlements remain in place.

SECTION 1 - APPROVAL HISTORY

The overall Quail Ranch Master Plan was approved by the City of Rio Rancho in 2003 (the "**Master Plan**"). The Master Plan describes and analyzes physical and environmental conditions, long term infrastructure needs, and access issues influencing the property. The Master Plan established zoning, transportation, and an open space network to provide a framework to guide development.

In 2005, the City of Rio Rancho approved the Quail Ranch Specific Area Plan (SAP) for Phase One of Quail Ranch that encompasses +/- 1,025 acres of the southeast corner of the Ranch ("**Phase One**"). Phase One provided a master-planned village for the initial phase of development, east of the proposed Paseo Del Volcan alignment, within the ranch.

Both the overall Master Plan and Phase One are approved planning documents that will allow for the future development of Quail Ranch within the City of Rio Rancho.

SECTION 2 - PURPOSE

The ~~2021~~ Quail Ranch Master Plan Addendum (this "**Addendum**") was initiated by the property owners, Ranch Joint Venture ("**RJV**"), as a supplemental document to the approved Master Plan to allow for short-term, land uses for the property north of the Double Eagle Airport and ~~to the east~~ west on both sides of the proposed Paseo Del Volcan alignment. The right-of-way has been acquired by NMDOT for this portion of Paseo Del Volcan. The area identified for this Addendum constitutes approximately +/- ~~3,100~~ 6,200 acres and is more particularly shown in Exhibit B (the "**Property**"). This ~~original~~ Addendum is the result of consultation with RJV, Atrisco Solar, LLC ("**Atrisco**"), Atrisco Solar II LLC ("**Atrisco II**") and the ~~City of Rio Rancho~~ CoRR staff. This Addendum defines the framework for new, renewable energy development.

This Addendum aims to allow for a utility-scale solar project and battery storage projects to be built, operated and maintained on the Property.

SECTION 3 – DESCRIPTION OF PROJECT

The Atrisco projects ~~is~~ are developing a ground-mounted utility-scale solar photovoltaic systems with a battery storage ~~facility~~ facilities of up to ~~400~~ 700 MW that will be connected to the PNM transmission system (the "**Projects**"). The property was selected because there are four PNM transmission lines that traverse or run adjacent to Quail Ranch. Interface with these existing lines shall be determined and approved through future negotiations with PNM or other interconnection utility.

Some highlights of the Project include:

The Projects will consist of photovoltaic solar panels ("**PV Panels**") on single-axis tracking racks. The PV Panels will convert sunlight into electricity. The singe-axis racking system will run in rows north to south and will slowly rotate east to west to follow the sun across the sky each day.

- The Projects will include the necessary wiring, inverters, transformers, and other equipment required to interconnect the Projects to the existing power lines at the sites.
- The Projects may include an operations and maintenance building as well as ~~a~~ storage ~~facility~~ facilities for spare parts.
- The Projects may ~~not~~ utilize ~~require~~ permanent on-site stand-alone serviced water or wastewater infrastructure to accommodate restroom facilities as needed.
- Any battery units installed on the Projects will be self-contained and located near ~~inverters~~ the substation.
- While major arterial roads are planned in the future, current access to the property consists of small dirt roads serving the cattle ranch and the utility easements in and around the Property.
- Gravel roads or dirt roads will run through the site to provide access to the equipment. An upgraded temporary construction access ~~will be~~ has been identified and approved as part of the site plan review process ~~that will likely include grading and improving existing cattle roads~~ for Atrsisco.
- Permanent access ~~will be~~ has been granted through a mutually agreed easement with RJV.\
- Additional improvements may be required at the time of building permits.
- The Projects may be installed in phases. ~~This~~ These Project ~~is~~ are intended to be ~~a~~ flagship projects that not only spurs renewable energy for New Mexico but also commercial and industrial development in the largely undeveloped area to the west of Albuquerque. The name Atrisco was chosen as an homage to New Mexico's cultural heritage and history.
- The Projects will (i) have minimal impervious surface impacts, (ii) will be designed with the intention to maintain as much of the natural / existing vegetation during and after construction, and (iii) be operated and maintained by ~~an off-site~~ on-site operations and maintenance crews.
- The Project sites ~~was~~ were previously included in a Class I Cultural Resource Report conducted in 1998 by Marron and Associates for the entire Quail Ranch area (previously known as "Black Ranch Subdivision").
- The vast majority of cultural resource sites identified in this report fall outside the project area to the west along the Rio Puerco escarpment within the tract owned by the City of Albuquerque Open Space Division. The report suggests that the interior portions of the study area are expected to have lower densities of sites and concentrations of cultural material than the landscapes around the exterior boundary of the Quail Ranch ("Black Ranch").
- The Projects ~~is~~ are within the Albuquerque Basin Level IV Ecoregion, which provides habitat for a variety of wildlife species. Except for the metropolitan areas, this ecoregion is sparsely populated and consists mainly of large expanses of grassland/shrubland devoted to grazing. SWCA's natural resources survey confirmed that the project area is primarily comprised of grazed habitats with the dominant vegetation consisting of prickly Russian thistle (Salsola tragus), tree cholla (Cylindropuntia imbricata), and James' galleta (Hilaria jamesii). The project area is beyond the known geographic and elevational range of any federally or state-listed species for Bernalillo County. However, several wildlife species may occur in the vicinity of the project area and would not be impeded by the development of

the solar facility and would be able to move throughout the general area surrounding the proposed solar facility . The project area does not contain vegetation, waterbodies, and/or landscape features known to support these species.

~~Subject to CFR Title 14 Part 77.9, the Project will require Atrisco to file a "Notice of Proposed Construction or Alteration" with the Federal Aviation Administration (FAA) prior to construction to ensure the project will not interfere with the safe and efficient use of navigable airspace(s).~~

SECTION 4 - DEFINITIONS

The definitions provided in this section shall only apply to the Property.

Array. Any number of solar photovoltaic panels connected to provide a single output.

~~**Battery Back-Up:** A battery system that stores electrical energy from a solar system, making the electricity available for future use.~~

Battery Energy Storage System. A system capable of utilizing batteries to store the electricity produced by the Solar Photovoltaic Array and release the electricity at a later time.

Gen-tie (Generation Interconnect): A transmission line that connects the original source of electric power (Generation) to the transmission system.

Ground-Mounted System. A solar energy system that is directly installed on specialized racking systems, which are attached to an anchor in the ground.

Inverter. A device that converts the direct current (DC) electricity produced by a solar photovoltaic system to usable alternating current (AC).

Kilowatt (kW). Equal to 1000 Watts.

Megawatt (MW). Equal to 1000 Kilowatts.

NERC. North American Electric Reliability Corporation (NERC). NERC defines the Bulk-Power System as the electricity power generation facilities combined with the high-voltage transmission system, which together create and transport electricity around North America. Electric Reliability Organization (ERO) refers to NERC's role as the independent entity that develops and enforces mandatory standards for the Reliable Operation and planning of the Bulk-Power System throughout North America, as called for in the Energy Policy Act of 2005. NERC was designated as the ERO by the Federal Energy Regulatory Commission on July 20, 2006.

Renewable Energy. Energy from sources that are not easily depleted such as moving water, biomass, geothermal, solar, wind, and energy from solid waste treatment plants.

Solar Access. The access of a solar energy system to direct sunlight.

Solar Energy. Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System. A solar energy system whose primary purpose is to harvest energy by transforming solar ~~energy~~ radiation into ~~another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means~~ electrical energy.

Solar Photovoltaic Array. Eolar systems consisting of photovoltaic cells, made with semi-conducting materials, that produce electricity in the form of Direct Current (DC), when they are exposed to sunlight. A typical photovoltaic system consists of photovoltaic panels that combine to form an array; other system components may include racks and hardware, wiring for electrical connections, power conditioning equipment, such as an transformers, inverters, and/or batteries.

Substation. Any electrical facility designed to convert electricity produced by a photovoltaic array to a voltage for interconnection with transmission lines.

Transmission Line. Power lines greater than 46 kV through which electricity is transmitted in a power system from a generating station or substation to the distribution points in the grid.

SECTION 5 - ZONING

This section proposes zoning regulations, which will apply to the ***Quail Ranch Renewable Energy Overlay District***. Where this Addendum is silent, the City of Rio Rancho Zoning Ordinances shall prevail.

QR-RE-OD (QUAIL RANCH RENEWABLE ENERGY OVERLAY DISTRICT)

(A) Purpose. This zoning district is suitable for property where the underlying zoning district needs to be maintained or for other reasons in which the appropriateness is partially or entirely dependent on the character of the site.

(1) A renewable energy overlay district is appropriately used:

(a) To not restrict uses otherwise permitted in an underlying zoning district;

(b) To establish requirements or conditions that are unique to renewable energy projects; and

(c) To establish requirements for height, setbacks, width, parking, landscaping, signage, or other provisions that are unique to this use of the Property.

(B) Allowable Uses. The following will be allowable uses for the Property:

(1) Solar Energy Systems and any other ancillary facilities in connection therewith;

(2) Public utilities (substations/switching stations/ generation), installations of PV Panels, and battery storage; and

(3) Incidental buildings and other supporting facilities needed for renewable utilities, storage, project operation, and maintenance.

(D) Signage

(1) Signs shall comply with NERC and any other national electric standards and at a minimum include the following. If there are conflicts between the City of Rio Rancho's codes, the national electric standards, or the NERC requirements, the more stringent shall apply:

(a) A visible "High Voltage" warning sign;

(b) Name(s) and phone number(s) for the electric utility provider;

(c) Name(s) and phone number(s) of the site operator; and

(d) Name(s) and phone number(s) in case of emergency.

(D) Height Restrictions

(1) No building structure shall exceed ~~26 feet~~ 30' in height from the finished grade as defined by the CoRR Zoning Code;

(2) No solar photovoltaic array structure shall exceed 30' in height from the finished grade; and

(3) Any applicable electric lines and poles shall comply with NERC requirements and any other national electric standards as required. If there are conflicts between the City of Rio Rancho's codes, the national electric standards, or the NERC requirements, the more stringent shall apply.

(E) Lighting

(1) Lighting shall be consistent with local, state, and federal law including any applicable NERC requirements. If there are conflicts between the City of Rio Rancho's codes and the NERC requirements, the more stringent shall apply; and

(2) Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded. Where feasible, lighting of the Solar Energy System shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

(F) Fencing.

(1) Perimeter fencing will be installed around the boundary of the solar photovoltaic array in accordance with NERC and other national electric standards as required. If there are conflicts between the City of Rio Rancho's codes, national electric standards, or the NERC requirements, the more stringent shall apply.

(2) Perimeter fencing may include higher security walls around portions of the solar and battery storage site.

(G) Setbacks

(1) From the Property boundary shall be 25 feet from the rear, front and side property lines, except for any interior property lines where no setback is required.

(2) From any right of way or easement shall be 25 feet.

(H) Site Plan Requirements. The Renewable Energy Zone District must have a site plan approved by the Governing Body. Approval of the site plan containing the following information must be obtained at the time of issuance of a building permit:

(1) Scale and north arrows;

(2) Lot boundaries and easements;

(3) Existing and proposed utilities;

(4) Existing and proposed rights-of-way;

(5) Proposed structures with uses, dimensions, and setbacks (prior to construction, the site plan may include conceptual building locations and sizes to be refined prior to building permit);

(6) Proposed ingress, egress, parking, and circulation;

(7) Landscaping and landscape buffers;

(8) Elevations;

(9) Adjacent property characteristics;

(10) Preliminary drainage plan;

(11) Identification of the proposed solar panel array areas;

(12) Identification of the proposed substation locations;

(13) ALTA/NSPS survey, signed and sealed by NM-licensed surveyor;

(14) Phasing plan;

(15) Submitted design documents should be signed and sealed by a NM licensed engineer;

(16) Buffer requirements, particularly those abutting residential uses, shall be further detailed, either through specification (typical screening scheme including plant materials, planting pattern, depth of buffer, and/or other screening options) or else by performance standard to be evaluated by the Board;

(17) ~~Proximity to the Double Eagle Airport will require FAA approval;~~

(18) (17)Location and type of backup generators;

(19) (18) Locations of temporary construction trailers, passenger and construction vehicle parking, material storage, fuel storage and containment, and required temporary fencing / security for same;

(20) (19) Visual rendering(s) representation(s) of proposed facility for evaluation;

(21) (20) Portions of the Overlay District indicate reserved commercial areas west of Paseo del Volcan and adjacent utility-scale solar development. These areas should be evaluated during development review to determine whether buffering may be required; and

(22) (21) To the maximum extent practical, the existing native vegetation will remain in its natural state. Areas running vegetation clearance will be reseeded per SWPPP requirements. No landscaping is proposed for the site at this time. Within six months of development of any residential properties in Rio Rancho abutting the subject site, a 10-foot landscaping buffer and a 6-foot high solid wall or fence shall be constructed / established along the boundary adjacent to the residential development meeting the standards and definitions of the City of Rio Rancho zoning ordinance.

(I) Development and Design Standards

(1) All solar photovoltaic arrays, accessory equipment, and facilities shall comply with NERC requirements and any other national electric standards. If there are conflicts

between the City of Rio Rancho's codes, national electric standards, or the NERC requirements, the more stringent shall apply.

(a) The solar photovoltaic system site plan shall be reviewed and approved by the Fire Marshal;

(b) Upon request of the Fire Marshal, the owner or operator shall provide an emergency response plan; and

(c) Emergency access to the site will be provided in accordance with the Fire Marshal.

(2) Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the solar photovoltaic arrays.

(J) Decommissioning and Removal

(1) Decommissioning must occur in accordance with an approved decommissioning plan between Atrisco, Atrisco II, and Ranch Joint Ventures, or the current property owner. A copy of the final approved decommissioning plans shall be filed with the City of Rio Rancho's Development Services Department.

(2) Decommissioning must occur if the Project does not produce power for a consecutive 12-month period, except in the instance of a force majeure event in which the Projects is are being repaired and/or restored.

(3) The decommissioning plan shall include provisions for removal and disconnecting disconnection of to the Solar Energy Systems from the electric grid and the restoration of the Property to as near as possible to its original condition prior to the installation of the Solar Energy System, and leave the Property in a good, clean condition.

(4) The disposal of all solid and hazardous waste shall be in accordance with local, state, and federal waste disposal regulations. Hazardous wastes may include wastes listed under the Environmental Protection Agency (EPA), F, K, P, U, or Characteristic Waste categories.

(K) Other

(1) The City of Rio Rancho may approve minor changes to an approved site plan if the change is consistent with the use and other written requirements and/or conditions of approval, if the buildings are of the same general configuration, if the total square footage is not greater than 10% of the approved plan, the site circulation is similar in its effect on adjacent property or streets, and the approving official finds that neither the City nor any person will be substantially aggrieved by the altered site plan. If requested, notice of the proposed change shall be mailed to owners of adjacent property and to associations entitled to notice of the change. Substantial changes to an approved site plan must be approved by the Governing Body that do not meet the requirements to be considered a "minor change" as defined above.

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO.32 **ENACTMENT NO.22-032**

RESOLUTION AMENDING THE QUAIL RANCH MASTER PLAN FOR AN ADDENDUM ALLOWING FOR A RENEWABLE ENERGY OVERLAY DISTRICT

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA, 1978; and

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

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

WHEREAS: the Governing Body adopted the Quail Ranch Master Plan June 25, 2003 under Resolution No. 40, Enactment No. 03-041 and amended under Resolution No. 28, Enactment No. 07-025, and Resolution No. 61, Enactment No. 12-061; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Quail Ranch Master Plan at their meeting held on May 10, 2022, and following public hearing recommends approval of those amendments and modifications; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed amendment (Case No. 22-410-00003) to the Quail Ranch Master Plan at their meeting held on June 9, 2022, and following public hearing and receipt of the Planning and Zoning Board's report and recommendation, has determined that the amended Plan is in conformance with the City of Rio Rancho Comprehensive Plan.

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

Section 1. The Governing Body hereby approves and adopts the Quail Ranch Master Plan Addendum to allow for a Renewable Energy Overlay District on the western portion of Quail Ranch, as shown as Exhibit A to this Resolution.

QUAIL RANCH
A natural way of life

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

ADOPTED THIS 9TH DAY OF JUNE, 2022.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk

(SEAL)

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO.11 **ENACTMENT NO.22-11**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO CREATING AN OVERLAY ZONE FOR THE PROPERTY LEGALLY DESCRIBED AS LANDS OF QUAIL RANCH, TRACT 2A, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject property has been submitted by The City of Rio Rancho, and assigned City Case No. 22-100-00006; and

WHEREAS: the Governing Body adopted the Quail Ranch Master Plan June 25, 2003 under Resolution No. 40, Enactment No. 03-041 and amended under Resolution No. 28, Enactment No. 07-025, and Resolution No. 61, Enactment No. 12-061; and

WHEREAS: the Governing Body approved the amendment to the Quail Ranch Master Plan for an Addendum to allow for a Renewable Energy Overlay, June 9, 2022, under Resolution No. 22, Enactment No.22-023; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on May 10, 2022, regarding the proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

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

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on June 9, 2022 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with

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

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

Section 1. Overlay Zone. The Overlay Zone authorized under R.O. 2003 Section 154.41 shall apply as an overlay zone for solar power generation, storage, and distribution, as further set forth in section 2 below, and shall be denoted on the official zoning map as "OZ" in conjunction with the notation of the underlying zoning district for the following property:

Lands of Quail Ranch, Tract 2-A, filed in the office of the County Clerk of Sandoval County, New Mexico on March 1, 2019, Book 28, Pages 72-74.

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

A. The following will be allowable uses for the Property:
   1. Renewable Energy System and any other ancillary facilities in connection therewith;
   2. Public Utilities (substations, switching stations, generation), installation of PV Panels, and battery storage;
   3. Incidental buildings and other supporting facilities needed for renewable utilities, storage, project operation, and maintenance.

B. The property identified in Section 1, above, is subject to the development standards and regulations as listed in Resolution No. R22, Quail Ranch Master Plan Addendum, approved on June 9, 2022, (PZB case No. 22-410-00003), and any additional requirements as identified by staff.

C. Site Plan. A site plan will be reviewed and approved by Governing Body prior to issuance of any and all building permits for new construction. Site plan shall include requirements as listed in the Quail Ranch Master Plan Addendum.

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

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

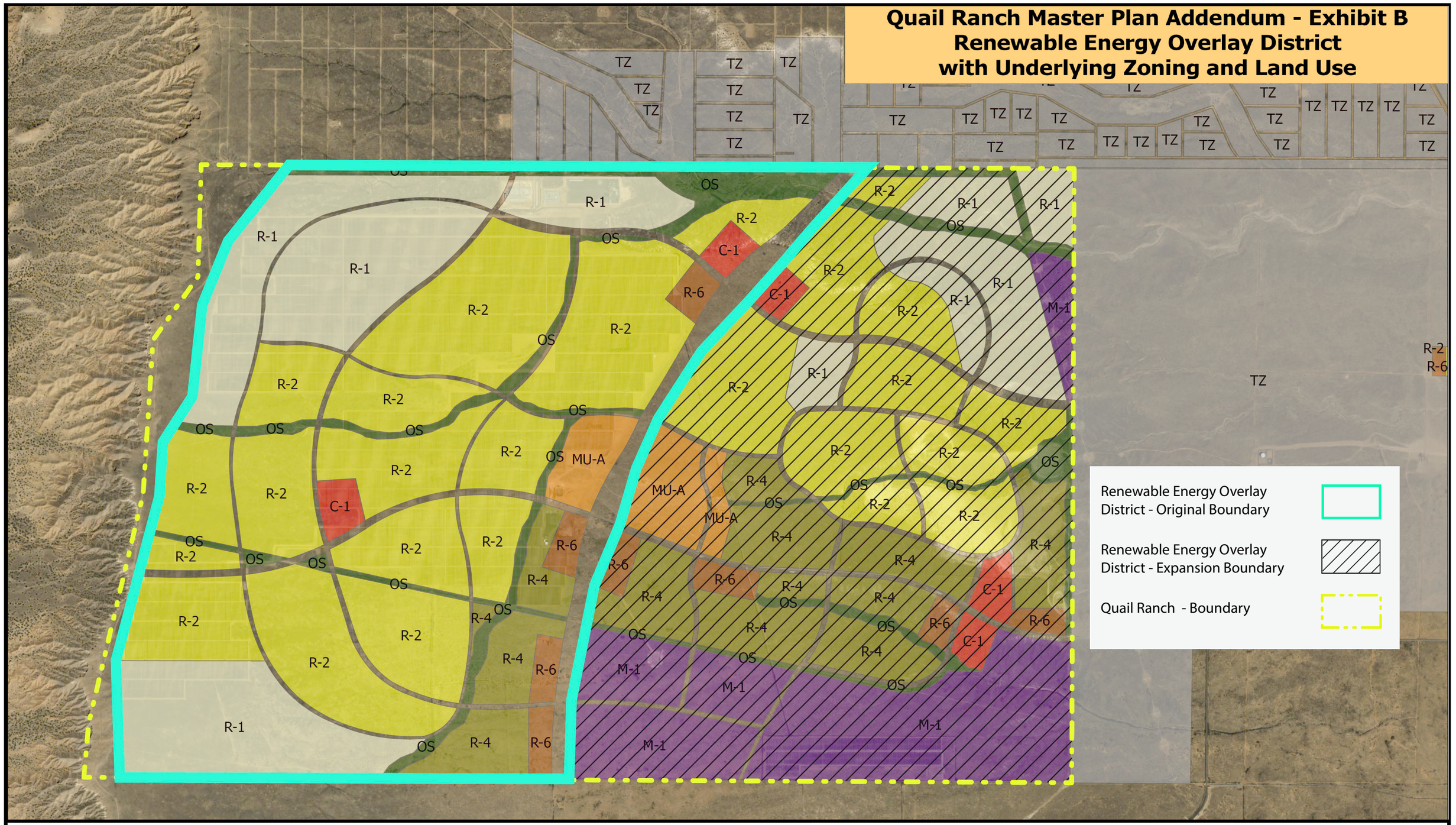
ADOPTED THIS 9th DAY OF JUNE, 2022.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk

Quail Ranch Master Plan Addendum - Exhibit B
Renewable Energy Overlay District
with Underlying Zoning and Land Use



CONSENSUS PLANNING

Quail Ranch Master Plan Addendum - Exhibit B
Renewable Energy Overlay District
with Underlying Zoning and Land Use

QUAIL RANCH
A natural way of life

QUAIL RANCH
A natural way of life

QUAIL RANCH
MASTER PLAN ADDENDUM

Amendment adopted by the
Governing Body on May XX, 2025

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Both the overall Master Plan and Phase One are approved planning documents that will allow for the future development of Quail Ranch within the City of Rio Rancho.

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The Quail Ranch Master Plan Addendum (this "**Addendum**") was initiated by the property owners, Ranch Joint Venture ("**RJV**"), as a supplemental document to the approved Master Plan to allow for short-term, land uses for the property north of the Double Eagle Airport and on both sides of the proposed Paseo Del Volcan alignment. The right-of-way has been acquired by NMDOT for this portion of Paseo Del Volcan. The area identified for this Addendum constitutes approximately +/- 6,200 acres and is more particularly shown in Exhibit B (the "**Property**"). This Addendum is the result of consultation with RJV, Atrisco Solar, LLC ("**Atrisco**"), Atrisco Solar II LLC ("Atrisco II") and the CoRR staff. This Addendum defines the framework for new, renewable energy development and aims to allow for a utility-scale solar project and battery storage projects to be built, operated, and maintained on the Property.

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- The Project may include an operations and maintenance building as well as storage facilities for spare parts ON Tract 1-A.
- The Projects may utilize permanent on-site stand-alone service water or wastewater infrastructure to accommodate restroom facilities as needed. No additional City infrastructure will be required.
- Any battery units installed on the Projects will be self-contained and located near the substation. The projects will follow best practices on energy storage setbacks to ensure batteries are operated safely.
- While major arterial roads are planned in the future, current access to the property consists of small dirt roads serving the cattle ranch and the utility easements in and around the Property.
- Gravel roads or dirt roads will run through the site to provide access to the equipment. An upgraded temporary construction access has been identified and approved as part of the site plan review process for Atrisco.
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- The Project sites were previously included in a Class I Cultural Resource Report conducted in 1998 by Marron and Associates for the entire Quail Ranch area (previously known as "Black Ranch Subdivision").
- The vast majority of cultural resource sites identified in this report fall outside the project area to the west along the Rio Puerco escarpment within the tract owned by the City of Albuquerque Open Space Division. The report suggests that the interior portions of the study area are expected to have lower densities of sites and concentrations of cultural material than the landscapes around the exterior boundary of the Quail Ranch ("Black Ranch").
- The Projects are within the Albuquerque Basin Level IV Eco-region, which provides habitat for a variety of wildlife species. Except for the metropolitan areas, this eco-region is sparsely populated and consists mainly of large expanses of grassland/shrub-land devoted to grazing. SWCA's natural resources survey confirmed that the project area is primarily comprised of grazed habitats with the dominant vegetation consisting of prickly Russian thistle (Salsola tragus), tree cholla (Cylindropuntia imbricata), and James' galleta (Hilaria jamesii). The project area is beyond the known geographic and elevational range of any federally or state-listed species for Bernalillo

County. However, several wildlife species may occur in the vicinity of the project area and would not be impeded by the development of the solar facility and would be able to move throughout the general area surrounding the proposed solar facility . The project area does not contain vegetation, water bodies, and/ or landscape features known to support these species.

Subject to CFR Title 14 Part 77.9, the Project will require Atrisco to file a "Notice of Proposed Construction or Alteration" with the Federal Aviation Administration (FAA) prior to construction to ensure the project will not interfere with the safe and efficient use of navigable airspace(s).

SECTION 4 - DEFINITIONS

The definitions provided in this section shall only apply to the Property.

Array. Any number of solar photovoltaic panels connected to provide a single output.

Battery Energy Storage System. A system capable of utilizing batteries to store the electricity produced by the Solar Photovoltaic Array and release the electricity at a later time.

Gen-tie: (Generation Interconnect). A transmission line that connects the original source of electric power (Generation) to the transmission system.

Ground-Mounted System. A solar energy system that is directly installed on specialized racking systems, which are attached to an anchor in the ground.

Inverter. A device that converts the direct current (DC) electricity produced by a solar photo-voltaic system to usable alternating current (AC).

Kilowatt (kW). Equal to 1000 Watts.

Megawatt (MW). Equal to 1000 Kilowatts.

NERC. North American Electric Reliability Corporation (NERC). NERC defines the Bulk-Power System as the electricity power generation facilities combined with the high-voltage transmission system, which together create and transport electricity around North America. Electric Reliability Organization (ERO) refers to NERC's role as the independent entity that develops and enforces mandatory standards for the Reliable Operation and planning of the Bulk-Power System throughout North America, as called for in the Energy Policy Act of 2005. NERC was designated as the ERO by the Federal Energy Regulatory Commission on July 20, 2006.

Renewable Energy. Energy from sources that are not easily depleted such as moving water, biomass, geothermal, solar, wind, and energy from solid waste treatment plants.

Solar Access. The access of a solar energy system to direct sunlight.

Solar Energy. Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System. A solar energy system whose primary purpose is to harvest energy by transforming solar radiation into electrical energy.

Solar Photo-voltaic Array. Solar systems consisting of photo-voltaic cells, made with semi-conducting materials, that produce electricity in the form of Direct Current (DC), when they are exposed to sunlight. A typical photo-voltaic system consists of photo-voltaic panels that combine to form an array; other system components may include racks and hardware, wiring for electrical connections, power conditioning equipment, such as an transformers, inverters, and/or batteries.

Substation. Any electrical facility designed to convert electricity produced by a photo-voltaic array to a voltage for interconnection with transmission lines.

Transmission Line. Power lines greater than 46 kV through which electricity is transmitted in a power

system from a generating station or substation to the distribution points in the grid.

SECTION 5 - ZONING

This section proposes zoning regulations, which will apply to the ***Quail Ranch Renewable Energy Overlay District***. Where this Addendum is silent, the City of Rio Rancho Zoning Ordinances shall prevail.

QR-RE-OD (QUAIL RANCH RENEWABLE ENERGY OVERLAY DISTRICT)

(A) Purpose. This zoning district is suitable for property where the underlying zoning district needs to be maintained or for other reasons in which the appropriateness is partially or entirely dependent on the character of the site.

(1) A renewable energy overlay district is appropriately used:

(a) To not restrict uses otherwise permitted in an underlying zoning district;

(b) To establish requirements or conditions that are unique to renewable energy projects; and

(c) To establish requirements for height, setbacks, width, parking, landscaping, signage, or other provisions that are unique to this use of the Property.

(B) Allowable Uses. The following will be allowable uses for the Property:

(1) Solar Energy Systems and any other ancillary facilities in connection therewith;

(2) Public utilities (substations/switching stations/ generation), installations of PV Panels, and battery storage; and

(3) Incidental buildings and other supporting facilities needed for renewable utilities, storage, project operation, and maintenance.

(D) Signage

(1) Signs shall comply with NERC and any other national electric standards and at a minimum include the following. If there are conflicts between the City of Rio Rancho's codes, the national electric standards, or the NERC requirements, the more stringent shall apply:

(a) A visible "High Voltage" warning sign;

(b) Name(s) and phone number(s) for the electric utility provider;

(c) Name(s) and phone number(s) of the site operator; and

(d) Name(s) and phone number(s) in case of emergency.

(D) Height Restrictions

(1) No building structure shall exceed 30 feet in height from the finished grade as defined by the CoRR Zoning Code;

(2) No solar photovoltaic array structure shall exceed 30' in height from the finished grade; and

(3) Any applicable electric lines and poles shall comply with NERC requirements and any other national electric standards as required. If there are conflicts between the City of Rio Rancho's codes, the national electric standards, or the NERC requirements, the more stringent shall apply.

(E) Lighting

(1) Lighting shall be consistent with local, state, and federal law including any applicable NERC requirements. If there are conflicts between the City of Rio Rancho's codes and the NERC requirements, the more stringent shall apply; and

(2) Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded. Where feasible, lighting of the Solar Energy System shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

(F) Fencing.

(1) Perimeter fencing will be installed around the boundary of the solar photovoltaic array in accordance with NERC and other national electric standards as required. If there are

conflicts between the City of Rio Rancho's codes, national electric standards, or the NERC requirements, the more stringent shall apply.

(2) Perimeter fencing may include higher security walls around portions of the solar and battery site.

(G) Setbacks

(1) From the Property boundary shall be 25 feet from the rear, front and side property lines, except for any interior property lines where no setback is required.

(2) From any right of way or easement shall be 25 feet.

(H) Site Plan Requirements. The Renewable Energy Zone District must have a site plan approved by the Governing Body. Approval of the site plan containing the following information must be obtained at the time of issuance of a building permit:

(1) Scale and north arrows;

(2) Lot boundaries and easements;

(3) Existing and proposed utilities;

(4) Existing and proposed rights-of-way;

(5) Proposed structures with uses, dimensions, and setbacks (prior to construction, the site plan may include conceptual building locations and sizes to be refined prior to building permit);

(6) Proposed ingress, egress, parking, and circulation;

(7) Landscaping and landscape buffers;

(8) Elevations;

(9) Adjacent property characteristics;

(10) Preliminary drainage plan;

(11) Identification of the proposed solar panel array ares;

(12) Identification of the proposed substation locations;

(13) ALTA/NSPS survey, signed and sealed by NM-licensed surveyor;

(14) Phasing plan;

(15) Submitted design documents should be signed and sealed by a NM licensed engineer;

(16) Buffer requirements, particularly those abutting residential uses, shall be further detailed, either through specification (typical screening scheme including plant materials, planting pattern, depth of buffer, and/or other screening options) or else by performance standard to be evaluated by the Board;

(17) Location and type of backup generators;

(18) Locations of temporary construction trailers, passenger and construction vehicle parking, material storage, fuel storage and containment, and required temporary fencing / security for same;

(19) Visual rendering(s) representation(s) of proposed facility for evaluation;

(20) Portions of the Overlay District indicate reserved commercial areas west of Paseo del Volcan and adjacent utility-scale solar development. These areas should be evaluated during development review to determine whether buffering may be required; and

(21) To the maximum extent practical, the existing native vegetation will remain in its natural state. Areas running vegetation clearance will be reseeded per SWPPP requirements. No landscaping is proposed for the site at this time. Within six months of development of any residential properties in Rio Rancho abutting the subject site, a 10-foot landscaping buffer and a 6-foot high solid wall or fence shall be constructed / established along the boundary adjacent to the residential development meeting the standards and definitions of the City of Rio Rancho zoning ordinance.

(I) Development and Design Standards

(1) All solar photovoltaic arrays, accessory equipment, and facilities shall comply with NERC requirements and any other national

electric standards. If there are conflicts between the City of Rio Rancho's codes, national electric standards, or the NERC requirements, the more stringent shall apply.

(a) The solar photovoltaic system site plan shall be reviewed and approved by the Fire Marshal;

(b) Upon request of the Fire Marshal, the owner or operator shall provide an emergency response plan; and

(c) Emergency access to the site will be provided in accordance with the Fire Marshal.

(2) Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the solar photovoltaic arrays.

(J) Decommissioning and Removal

(1) Decommissioning must occur in accordance with an approved decommissioning plan between Atrisco, Atrisco II, and Ranch Joint Ventures, or the current property owner. A copy of the final approved decommissioning plans shall be filed with the City of Rio Rancho's Development Services Department.

(2) Decommissioning must occur if the Project does not produce power for a consecutive 12-month period, except in the instance of a force majeure event in which the Projects are being repaired and/or restored.

(3) The decommissioning plan shall include provisions for removal and disconnection of the Solar Energy Systems from the electric grid and the restoration of the Property to as near as possible to its original condition prior to the installation of the Solar Energy System, and leave the Property in a good, clean condition.

(4) The disposal of all solid and hazardous waste shall be in accordance with local, state, and federal waste disposal regulations. Hazardous wastes may include wastes listed under the Environmental Protection Agency (EPA), F, K, P, U, or Characteristic Waste categories.

(K) Other

(1) The City of Rio Rancho may approve minor changes to an approved site plan if the change is consistent with the use and other written requirements and/or conditions of approval, if the buildings are of the same general configuration, if the total square footage is not greater than 10% of the approved plan, the site circulation is similar in its effect on adjacent property or streets, and the approving official finds that neither the City nor any person will be substantially aggrieved by the altered site plan. If requested, notice of the proposed change shall be mailed to owners of adjacent property and to associations entitled to notice of the change. Substantial changes to an approved site plan must be approved by the Governing Body that do not meet the requirements to be considered a "minor change" as defined above.

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EXHIBIT A: 2022 RESOLUTION & ORDINANCE

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO.32 **ENACTMENT NO.22-032**

RESOLUTION AMENDING THE QUAIL RANCH MASTER PLAN FOR AN ADDENDUM ALLOWING FOR A RENEWABLE ENERGY OVERLAY DISTRICT

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA, 1978; and

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

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

WHEREAS: the Governing Body adopted the Quail Ranch Master Plan June 25, 2003 under Resolution No. 40, Enactment No. 03-041 and amended under Resolution No. 28, Enactment No. 07-025, and Resolution No. 61, Enactment No. 12-061; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Quail Ranch Master Plan at their meeting held on May 10, 2022, and following public hearing recommends approval of those amendments and modifications; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed amendment (Case No. 22-410-00003) to the Quail Ranch Master Plan at their meeting held on June 9, 2022, and following public hearing and receipt of the Planning and Zoning Board's report and recommendation, has determined that the amended Plan is in conformance with the City of Rio Rancho Comprehensive Plan.

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

Section 1. The Governing Body hereby approves and adopts the Quail Ranch Master Plan Addendum to allow for a Renewable Energy Overlay District on the western portion of Quail Ranch, as shown as Exhibit A to this Resolution.

QUAIL RANCH
A natural way of life

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

ADOPTED THIS 9TH DAY OF JUNE, 2022.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk

(SEAL)

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO.11 **ENACTMENT NO.22-11**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO CREATING AN OVERLAY ZONE FOR THE PROPERTY LEGALLY DESCRIBED AS LANDS OF QUAIL RANCH, TRACT 2A, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject property has been submitted by The City of Rio Rancho, and assigned City Case No. 22-100-00006; and

WHEREAS: the Governing Body adopted the Quail Ranch Master Plan June 25, 2003 under Resolution No. 40, Enactment No. 03-041 and amended under Resolution No. 28, Enactment No. 07-025, and Resolution No. 61, Enactment No. 12-061; and

WHEREAS: the Governing Body approved the amendment to the Quail Ranch Master Plan for an Addendum to allow for a Renewable Energy Overlay, June 9, 2022, under Resolution No. 22, Enactment No.22-023; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on May 10, 2022, regarding the proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

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

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on June 9, 2022 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with

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

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

Section 1. Overlay Zone. The Overlay Zone authorized under R.O. 2003 Section 154.41 shall apply as an overlay zone for solar power generation, storage, and distribution, as further set forth in section 2 below, and shall be denoted on the official zoning map as "OZ" in conjunction with the notation of the underlying zoning district for the following property:

Lands of Quail Ranch, Tract 2-A, filed in the office of the County Clerk of Sandoval County, New Mexico on March 1, 2019, Book 28, Pages 72-74.

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

A. The following will be allowable uses for the Property:
   1. Renewable Energy System and any other ancillary facilities in connection therewith;
   2. Public Utilities (substations, switching stations, generation), installation of PV Panels, and battery storage;
   3. Incidental buildings and other supporting facilities needed for renewable utilities, storage, project operation, and maintenance.

B. The property identified in Section 1, above, is subject to the development standards and regulations as listed in Resolution No. R22, Quail Ranch Master Plan Addendum, approved on June 9, 2022, (PZB case No. 22-410-00003), and any additional requirements as identified by staff.

C. Site Plan. A site plan will be reviewed and approved by Governing Body prior to issuance of any and all building permits for new construction. Site plan shall include requirements as listed in the Quail Ranch Master Plan Addendum.

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

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

ADOPTED THIS 9th DAY OF JUNE, 2022.

Greggory D. Hull, Mayor

ATTEST:

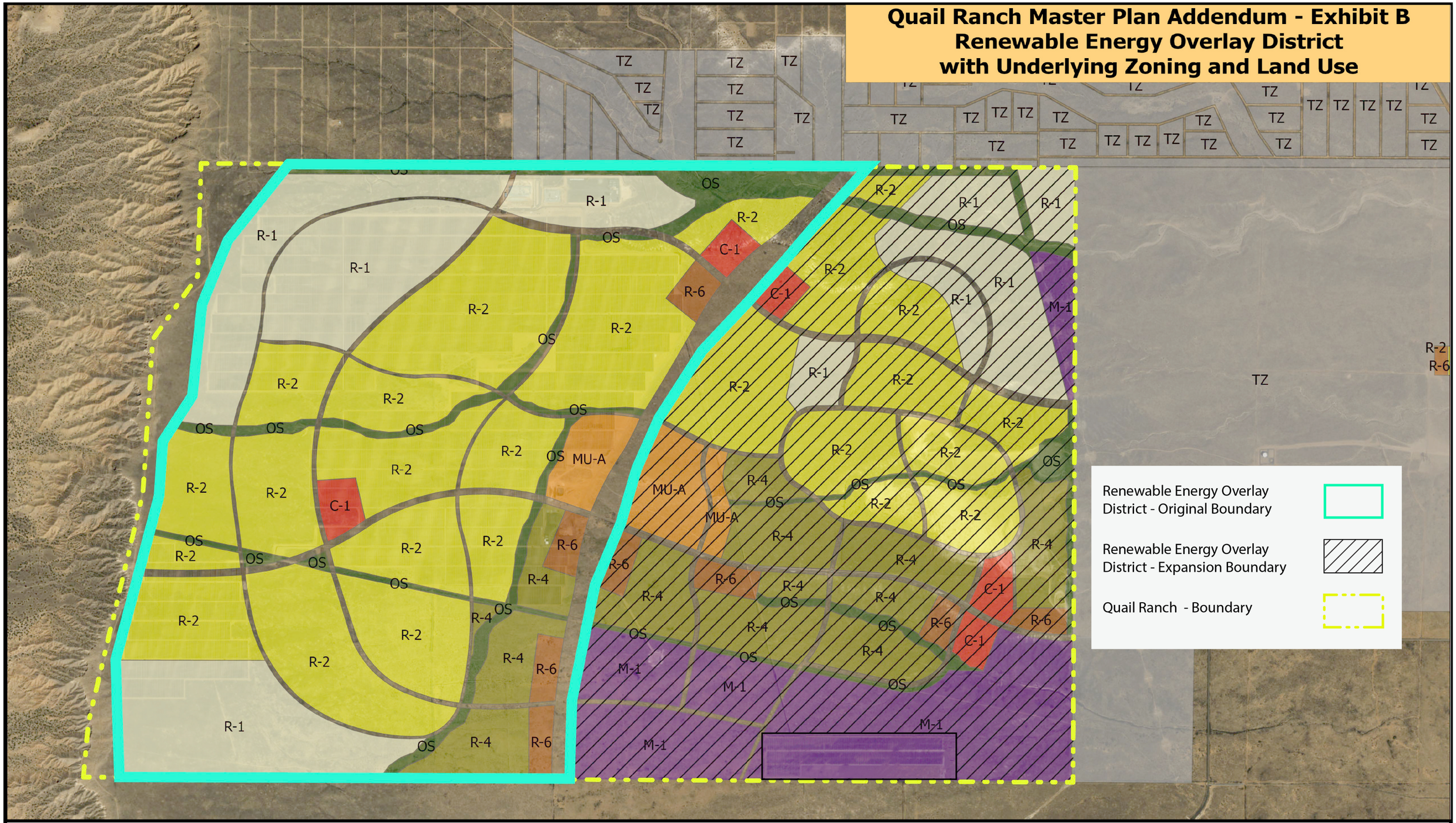
Rebecca A. Martinez, City Clerk

EXHIBIT B: RENEWABLE ENERGY OVERLAY DISTRICT & UNDERLYING ZONING

QUAIL RANCH
A natural way of life

INSERT Z-FOLD 11 X 17 MAP

Quail Ranch Master Plan Addendum - Exhibit B
Renewable Energy Overlay District
with Underlying Zoning and Land Use



CONSENSUS PLANNING

N

Quail Ranch Master Plan Addendum - Exhibit B
Renewable Energy Overlay District
with Underlying Zoning and Land Use

QUAIL RANCH
A natural way of life

The City of Rio Rancho

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

June 13, 2025

RE: Zone Map Amendment and Master Plan Amendment, Case No. 25-100-00006 & 25-410-00004
Quail Ranch – LQR, Tracts 1-A, 2-C and 2-D

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning & Zoning Board.

The applicant, Atrisco Solar II LLC, c/o Clēnera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment to extend the Renewable Energy Overlay Zone to the subject properties legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D. The subject properties comprise approximately 2,836 acres.

The applicant is also requesting approval of an amendment to the Quail Ranch Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject properties.

The **Planning & Zoning Board** will consider the request and decide their approval on **Tuesday, June 24, 2025** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**

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

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

For the **Planning & Zoning meeting**, to participate virtually: Join via computer: https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09.
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

Please contact me via e-mail me at bisaacs@rrnm.gov or call me at 505-891-5035, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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

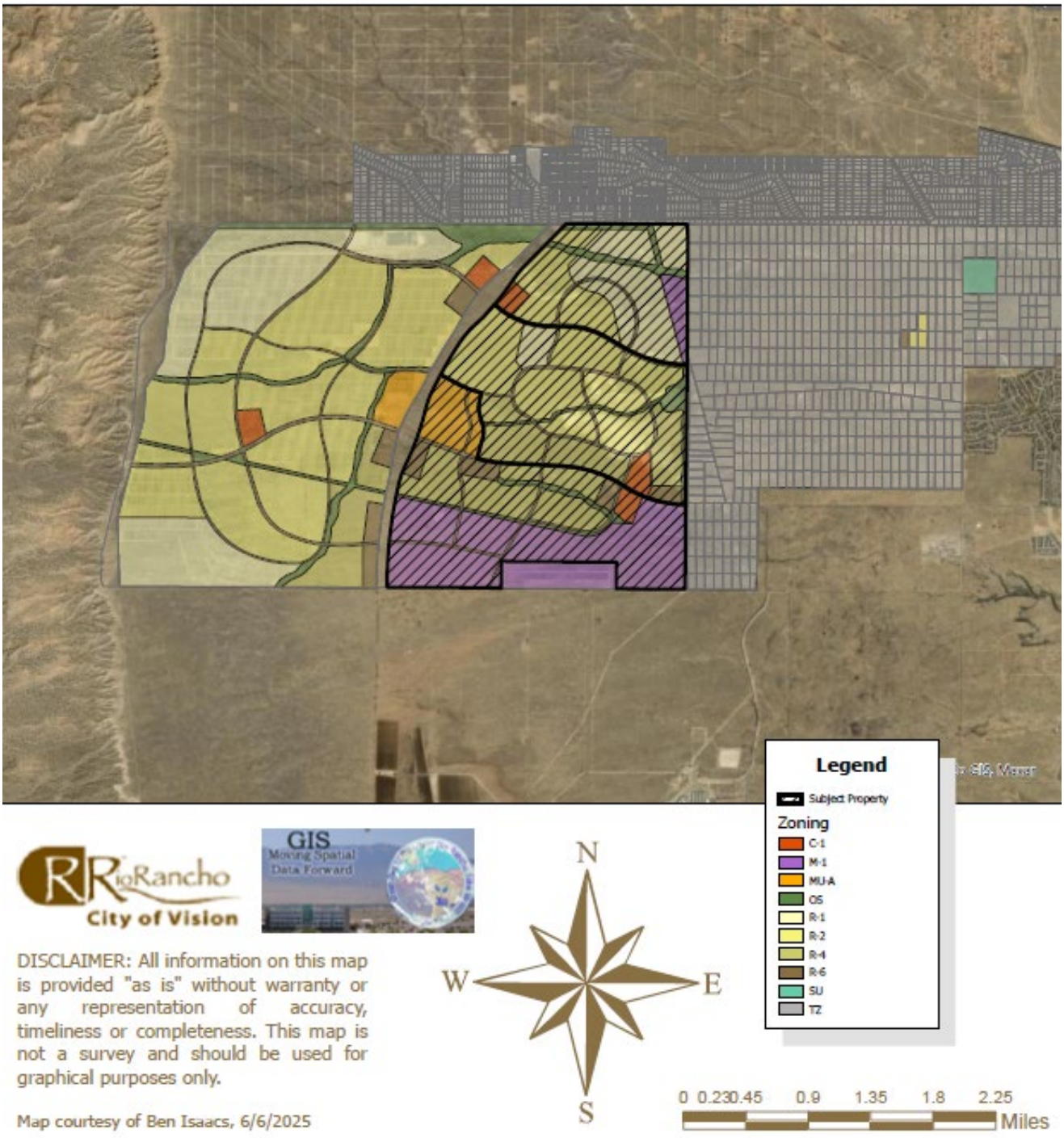
Respectfully,

Ben Isaacs
Municipal Planner I
Development Services Department
City of Rio Rancho

The City of Rio Rancho

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

QUAIL RANCH RENEWABLE ENERGY OVERLAY DISTRICT EXTENSION



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

Map courtesy of Ben Isaacs, 6/6/2025

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The Planning and Zoning Board of the City of Rio Rancho will consider the following matter at its regularly scheduled meeting at 6:00 p.m. on Tuesday, June 24, 2025:

Zone Map Amendment
Request #25-100-00006

The applicant, Atrisco Solar II LLC, c/o Clēnera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment to extend the Renewable Energy Overlay Zone to the subject properties legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D. The subject properties comprise approximately 2,836 acres.

Master Plan Amendment
Request #25-410-00004

The applicant, Atrisco Solar II LLC, c/o Clēnera, LLC, through their agent, Consensus Planning, Inc., is also requesting approval of an amendment to the Quail Ranch Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject properties.

The meetings are scheduled for 6 p.m. in the Council Chambers at City Hall, 3200 Civic Center Cir. NE, Rio Rancho, NM. The public is invited and advised to attend virtually. Materials related to these items are available for viewing in the Development Services Department at City Hall.

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AMENDING THE QUAIL RANCH MASTER PLAN ADDENDUM ALLOWING FOR A RENEWABLE ENERGY OVERLAY DISTRICT.

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA, 1978; and

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

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

WHEREAS: the Governing Body adopted the Quail Ranch Master Plan June 25, 2003 under Resolution No. 40, Enactment No. 03-041 and amended under Resolution No. 28, Enactment No. 07-025, Resolution No. 61, Enactment No. 12-061 and Resolution No. 32, Enactment No. 22-032; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Quail Ranch Master Plan at their meeting held on June 24, 2025, and following public hearing recommends approval of those amendments and modifications; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed amendment (Case No. 25-410-00004) to the Quail Ranch Master Plan at their meeting held on June 24, 2025, and following public hearing and receipt of the Planning and Zoning Board's report and recommendation, has determined that the amended Plan is in conformance with the City of Rio Rancho Comprehensive Plan.

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

Section 1. The Governing Body hereby approves and adopts the amendment to the Quail Ranch Master Plan Addendum to allow for a Renewable Energy Overlay District on a portion of Quail Ranch, as shown as Exhibit A to this Resolution.

Section 2. Effective Date:

This Resolution shall take effect immediately upon adoption.

ADOPTED THIS _____DAY OF _____, 2025.

_____

Greggory D. Hull, Mayor

ATTEST:

_____

Noel C. Davis, City Clerk

(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-100-00006

AGENDA DATE:
June 24, 2025

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment for the property legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D, to expand the existing Renewable Energy Overlay District. Staff contact is Ben Isaacs and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment for the property legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D, to expand the existing Renewable Energy Overlay District. The subject property consists of approximately 2,836 acres and is zoned with a mix of zoning districts.

The Quail Ranch Master Plan was adopted June 25, 2003 under Resolution No. 40, Enactment No. 03-041 and amended under Resolution No. 28, Enactment No. 07-025, Resolution No. 61, Enactment No. 12-061 and Resolution No. 32, Enactment No. 22-032. Concurrent with this application is a request for an addendum to the Quail Ranch Master Plan to allow for the expanded Renewable Energy Overlay District (case #25-410-00004).

The Renewable Energy Overlay District was originally implemented with the adoption of Resolution No. 32, Enactment No. 22-032 on June 9, 2022. This adoption pertained only to the subject property legally described as Lands of Quail Ranch, Tract 2-A, which constitutes approximately the western half of the Quail Ranch Master Plan area. The Overlay Zone was provided for in the form of a new addendum to the Master Plan. The present amendment request seeks to amend this addendum.

REVIEW CRITERIA:
Rio Rancho Code of Ordinances (R.O. 2003) § 150.07(A) states, "Proposed amendments shall be submitted to the Governing Body through the Planning and Zoning Board."

The Zone Map Amendment application was submitted to the Development Services Department and received on May 21, 2025, for review by the Governing Body through the Planning and Zoning Board.

Pursuant to criteria provided by R.O. 2003 § 150.07 (D) (1) through (4) and (E) through (G), a request for a change in zoning designation must address the following policies and criterion for a zone map change:

R.O. 2003 § 150.07(D)(1) states: “A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.”

The applicant states: "Providing more development opportunities for renewable energy investments... will help New Mexico reach the goals outlined in the New Mexico Energy Transition Act (ETA). In addition, the ETA provides training for NM workers for the construction and development of jobs of renewable energy that are sustainable. Solar panel innovation and efficiency has increased exponentially from 14% in 1960 to over 47% in 2020. The cost of solar panel installation has decreased over the past 12 years from $8.50/watt to under $3.00/watt, making large-scale, commercial solar generation more economical."

The applicant then states: "The proposed amendment will enable an appropriate interim use of the land that does not require the extension of utilities and services at this time and preserves the long-term vision for build out according to the underlying Master Plan."

Staff recommends the Planning and Zoning Board find that the proposed Zone Map Amendment for the Renewable Energy Overlay District is consistent with the health, safety, morals, and general welfare of the City by enabling an interim use of the land that does not require the extension of utilities and services at this time but preserves the long term vision for build out according to the Master Plan.

R.O. 2003 § 150.07(D)(2) states: "Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made."

As included from the applicant's statement above, the proposed zone change would allow for "...an appropriate interim use of the land that... preserves the long-term vision for build out according to the underlying Master Plan."

Staff recommends the Planning and Zoning Board find that the proposed Zone Map Amendment will not alter the underlying zoning, preserving the long term vision for the area as identified in the Master Plan.

R.O. 2003 § 150.07(D)(3) states: A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

In their justification, the applicant states: "The 'Renewable Energy Overlay Zone' will be more advantageous to the community and is supported by the Rio Rancho Comprehensive Plan for the following reasons:
a. The request fulfills Goal. No 1 - "Infrastructure" by providing renewable energy that fosters a quality community and supports a strong economy that meets the needs of current and future residents.
b. The request will address Section 2.3.2 - "Conservation & the Natural Environment" by reserving a significant amount of land for the next 30+ years for a renewable energy use that requires no water infrastructure, will help improve air quality, and will directly impact long term water conservation efforts.
c. The request will address Section 4.2.3 - "Water Availability" by approving a land use that requires no water infrastructure until the City locates and secures additional long-term water sources for future residential development.
d. The request addresses one of the key issues in Section 4.2.13 - "Physical Environment" by providing for a renewable energy use that can meet the needs of the present without compromising the ability of future generations to meet their own needs.

e. As articulated in Section 8.2.8.1 - "Electricity and Natural Gas", the request fulfills the need for providing more alternative energy sources that are less expensive than conventional energy sources that have been decommissioned in the State of New Mexico like coal-fired power plants."

Staff recommends the Planning and Zoning Board may find that the proposed Zoning Overlay District is consistent with the goals and elements of the Comprehensive Plan if the amendment is recommended for approval. Staff recommends the Board finds that the Overlay in allowing for a larger solar renewable energy area will accomplish goals and elements under Infrastructure, Conservation, and Public Facilities.

R.O. 2003 § 150.07(D)(4) states: The applicant must demonstrate that the existing zoning is inappropriate because:
(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of an R-1 or transitional zone on an antiquated plat filed before the City's incorporation and adoption of its own zoning code or on land annexed by the City; or
(b) Changed neighborhood or community conditions justify the change; or
(c) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (D)(1) or (2) does not apply. Applicant's reliance on this provision requires proof that (i) there is a public need for a change of the kind in question, and (ii) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

The applicant states in their justification letters that a renewable energy utility is a more advantageous use of land in the short term than developing per the plan.

Staff recommends the Planning and Zoning Board find that the proposed use of a renewable energy utility is a more advantageous use of land in the current time frame than developing per the Master Plan's residential build out in the eastern portion of the Master Plan area.

R.O. 2003 § 150.07(E) states: "The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone."

Staff recommends the Planning and Zoning Board find that the cost of land or other economic considerations were not the determining factor for this request.

R.O. 2003 § 150.07(F) states: "Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning."

Staff recommends the Planning and Zoning Board find that the location on the Paseo del Volcan right-of-way is not part of the justification and the right-of-way is not developed at this time.

R.O. 2003 § 150.07(G) states: "A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
(1) The change will clearly facilitate realization of the comprehensive plan and any applicable adopted sector development plan or area development plan; or
(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Staff recommends the Planning and Zoning Board find that the proposed zone change is not a spot

zone due to the scale of the proposed overlay.

NOTIFICATIONS:
Notice of the application was sent via certified mail, return receipt requested to the property owners within 100 ft of the subject property 15 days prior to the hearing date. A legal notification was published in the Albuquerque Journal on June 9, 2025. A notification sign was posted on the property at least one week prior to the hearing on June 17, 2025

IMPACT:
Staff recommends the Planning and Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, subject to the findings and conditions set forth below:

General Findings of Fact:
1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a zone map amendment.
2. Following procedures for a zone map amendment, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a zone map amendment.
4. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact and Conditions for Approval:
The applicant has submitted an application and narrative which demonstrates that the change in zoning designation meets the requirements of Rio Rancho Code of Ordinances (R.O. 2003) §150.07(D) Amendments, including:
1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by allowing for an interim land use that does not conflict with the underlying zoning.
2. The applicant has provided sound justification, in a narrative dated May 21, 2025, that the proposed zone map amendment would provide stability of zoning.
3. The proposed zone map amendment is consistent with the goals and elements of the City Comprehensive Plan. The renewable energy use is consistent with the Quail Ranch Master Plan, pending approval of the addendum, case #25-410-00004.
4. The cost of the land or other economic considerations does not appear to be the justification for the proposed zone map amendment.
6. The zone map amendment request is not based on the location of the subject property by a collector road.
7. The requested zone map amendment does not create a spot zone due to the large scale of the overlay and the underlying land use remaining in place.
8. On-site water and waste water will be evaluated and final approval will occur during the building permit phase.

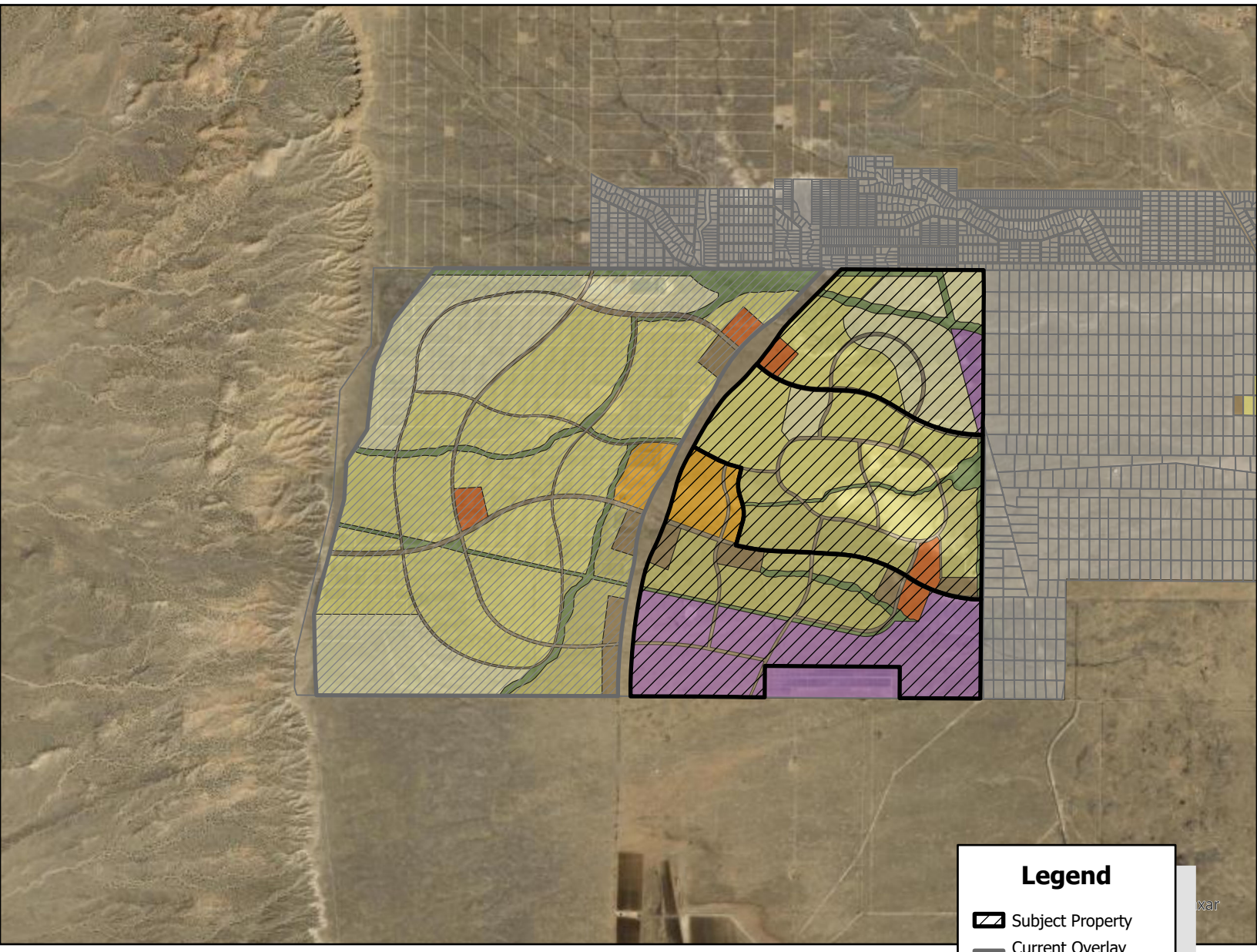
ALTERNATIVES:
1. The Planning and Zoning Board may recommend approval of the request to the Governing Body;
2. The Planning and Zoning Board may recommend denial of the request to the Governing Body;
3. The Planning and Zoning Board may modify the request and recommend the Governing Body approve such modifications;
4. The Planning and Zoning Board may continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends the Planning and Zoning Board recommend approval of the Zone Map Amendment request to the Governing Body.

ATTACHMENT: Location & Zoning Map.pdf
ATTACHMENT: Land Use Application
ATTACHMENT: Letter of Authorization.pdf
ATTACHMENT: Justification Letter.pdf
ATTACHMENT: Exhibit B: Location of Proposed Overlay Zone
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: Draft Ordinance 25-100-00006_BMB.docx

QUAIL RANCH RENEWABLE ENERGY OVERLAY DISTRICT EXTENSION



Rio Rancho City of Vision

GIS Moving Spatial Data Forward

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

Map courtesy of Ben Isaacs, 5/16/2025

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

PLANNING & ZONING LAND USE APPLICATION

Please check appropriate box

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Atrisco Solar II LLC, c/o Clēnera, LLC		Phone: 208-639-3232
Address: PO Box 2576		E-Mail:
City: Boise	State: ID	Zip: 83701
Proprietary Interest: Lessee	List Owners: Ranch Joint Venture	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	

Agent Name: Consensus Planning, Inc		Phone:505-764-9801
Address: 302 8th Street NW		E-Mail: cp@consensusplanning.com
City: Albuquerque	State: NM	ZIP Code: 87102

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

Quail Ranch Master Plan (Addendum) Amendment and Zone Map Amendment to extend the Renewable Energy Overlay Zone on leased land to the east of Paseo Del Volcan.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit :	Block(s):	Lot(s):
Existing Zoning: R-1, R-2, R-4, R-6, MU-A, M-1	Proposed Zoning: Renewable Energy Overlay (with preserved base zoning)	
No. of existing lots: 3	No. of proposed lots: none	Total area of site (acres) +/- 2, 836

ACKNOWLEDGEMENT

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

Print Name: James K. Strozier, FAICP	Applicant: Clēnera, LLC	Agent: Consensus Planning, Inc.
Signature:		Date: May 12, 2025

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Ranch Joint Venture
100 Crescent Ct Suite 450
Dallas, TX 75201

June 5, 2025

City of Rio Rancho
Development Services
3900 Southern Boulevard, Ste 103
Rio Rancho, NM 87124

Re: Atrisco II Solar Project

To Whom it May Concern:

Ranch Joint Venture, the owner of Quail Ranch, hereby authorizes Concensus Planning to act as an agent and provide entitlement services for the purposes of amending the Quail Ranch Master Plan to include the provisions for the installation of a solar generation, storage, and distribution system. The property is legally described as all of Tract 1-A, all of Tract 2-D, and all of Tract 2-C as shown on the official plat of Lands at Quail Ranch recorded March 1, 2019 as Instrument No. 2019016035, records of Bernalillo County, New Mexico.

Sincerely,
RANCH JOINT VENTURE

Signature: W. D. Rogers

Printed Name: W L Rogers

Title: Manager

CONSENSUS PLANNING

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

May 21, 2025

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

Re: Amendment to the Quail Ranch Master Plan Addendum and Zone Map Amendment

Dear Chairman Radosevich:

The purpose of this letter is to request approval of two related applications. First is an amendment to the Quail Ranch Master Plan Addendum to increase the size of the "Renewable Energy Overlay District" to encompass the entire Ranch Boundary. The original overlay only covered the western portion of Quail Ranch and was approved in 2022. Second, is a request for approval of a Zone Map Amendment to expand the Renewable Energy Overly District to add the eastern portion of the Master Plan, thereby allowing interim renewable energy projects in that area.

BACKGROUND

Quail Ranch is a 6,492-acre property located on the West Mesa in Bernalillo County as referenced in Exhibit B and is annexed within the City of Rio Rancho. If approved, this Zone Map Amendment will allow for an "Overlay District" that will cover the remainder of Quail Ranch, approximately 2,838 acres, and is legally described as:

> *All of Tract 1-A, all of Tract 2-D, and all of Tract 2-C, all as shown on the official plat of Lands at Quail Ranch recorded on March 1, 2019, as Instrument No. 2019016035 (Book 28, Page 74; Book 18, Page 100; and Book 15, Page 75A) records of Bernalillo County, New Mexico.*

The Quail Ranch Master Plan area totals approximately 6,492 acres and was annexed in 2003. The Master Plan, also adopted in 2003, included Zoning and Land Use regulations. The Quail Ranch Master Plan identifies a mix of existing land uses and zoning districts on the subject property, including Low, Medium, and High Density Residential, Mixed-Use Activity Center, Commercial, and Parks & Open Space. The proposed expansion of the Master Plan Addendum will not change the underlying land use or zoning, but adds renewable energy uses as an interim set of allowable uses.

The Quail Ranch Master Plan Addendum and the "Renewable Energy Overlay District" were approved in 2022. This amendment refines the provisions and the definitions to be more consistent with industry "best practices "and knowledge gained from the approval

PRINCIPALS

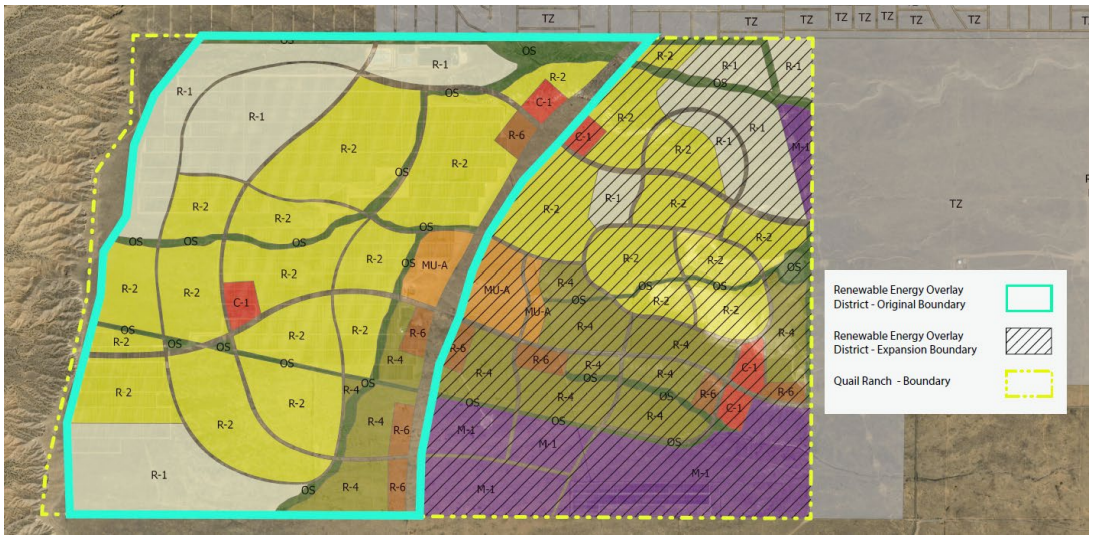
James K. Strozier, FAICP
Jacqueline Fishman, AICP

ASSOCIATES

Ken Romig, PLA, ASLA
Margaret Ambrosino, AICP

and construction of the first two phases of construction that included a small substation, battery storage, and a solar array.

This amendment to the Addendum is accompanied with the Zone Map Amendment and includes an exhibit that identifies the extent of the new overlay boundary. Prior to construction of additional renewable energy facilities, a site plan will be submitted for the installation of an approximate 400 kW renewable energy solar generation, storage, and distribution systems on the currently vacant, undeveloped land within the City of Rio Rancho without ceding the underlying entitlements.



Existing Overlay with the Expansion Area

NEW MEXICO ENERGY TRANSITION ACT

The New Mexico Energy Transition Act (ETA) sets a statewide renewable energy goal of 50 percent by 2030 for New Mexico investor-owned utilities and rural electric cooperatives and a goal of 80 percent by 2040, in addition to setting zero-carbon resources standards for investor-owned utilities by 2045 and rural electric cooperatives by 2050.

Providing more development opportunities for renewable energy investments that will help New Mexico reach the goals are outlined in the ETA. In addition, the ETA provides training for NM workers for the construction and development of jobs of renewable energy that are sustainable.

Solar panel innovation and efficiency has increased exponentially from 14% in 1960 to over 47% in 2020. The cost of solar panel installation has decreased over the past 12 years from $8.50 / watt to under $3.00 / watt making large-scale, commercial solar generation more economical.

Achieving the decarbonization goals of the ETA will require significant, but achievable acceleration of clean energy development projects.

REVIEW CRITERIA

In 2022, the City staff and the Planning and Zoning Board recommended approval of the Addendum and the Overlay zone based on the following:

1. The City's Comprehensive Plan states that "The City will rely on the development of Specific Area Plans and Master Plans for identifying a specific land use at the parcel-level. Specific Area Plans and Master Plans are a part of the Land Use Element and are used as a statement of policy to guide land use decision making by the Governing Body."

2. The City's Comprehensive Plan further outlines the type of material expected to be included in a Specific Area Plan or Master Plan. This list provides the guiding policy on whether the amendments fit with Master Plans in general. Staff and the Planning and Zoning Board found that the proposed amendment fits into the goals and elements of the City's Comprehensive Plan and the amendment for an addendum to the Master Plan to allow for the Overlay District does not negatively affect or go against the long-term intent of the Quail Ranch Master Plan.

3. The 'Renewable Energy Overlay Zone' will be more advantageous to the community and is supported by the 2015 Rio Rancho Comprehensive Plan for the following reasons:
    a. The request fulfills Goal No. 1 – Infrastructure by providing renewable energy that fosters a quality community and supports a strong economy that meets the needs of current and future residents.
    b. The request will address Section 2.3.2 – Conservation & the Natural Environment by reserving a significant amount of land for the next 30+ years for a renewable energy use that requires no water infrastructure, will help improve air quality, and will directly impact long term water conservation efforts.
    c. The request will address Section 4.2.3 – Water Availability by approving a land use that requires no water infrastructure and the necessary supporting water infrastructure until the City locates and secures additional long-term water sources or future residential development.
    d. The request addresses one of the key issues in Section 4.2.13 Physical Environment by providing for a renewable energy use that can meet the needs of the present without compromising the ability of future generations to meet their own needs. The Quail Ranch Addendum will help provide a balance of economic development and environmental stewardship in the CORR.
    e. As articulated in Section 8.2.8.1 Electricity and Natural Gas, the request fulfills the need for providing more alternative energy sources that are less expensive than conventional energy sources that have been decommissioned in the State of New Mexico like coal-fired power plants."

This proposed amendment/expansion to the Addendum and the Renewable Energy Overlay is also consistent with the goals and elements of the Comprehensive Plan as articulated above. The proposed amendment will enable an appropriate interim use of the land that does not require the extension of utilities and services at this time and preserves the long-term vision for build out according to the underlying Master Plan.

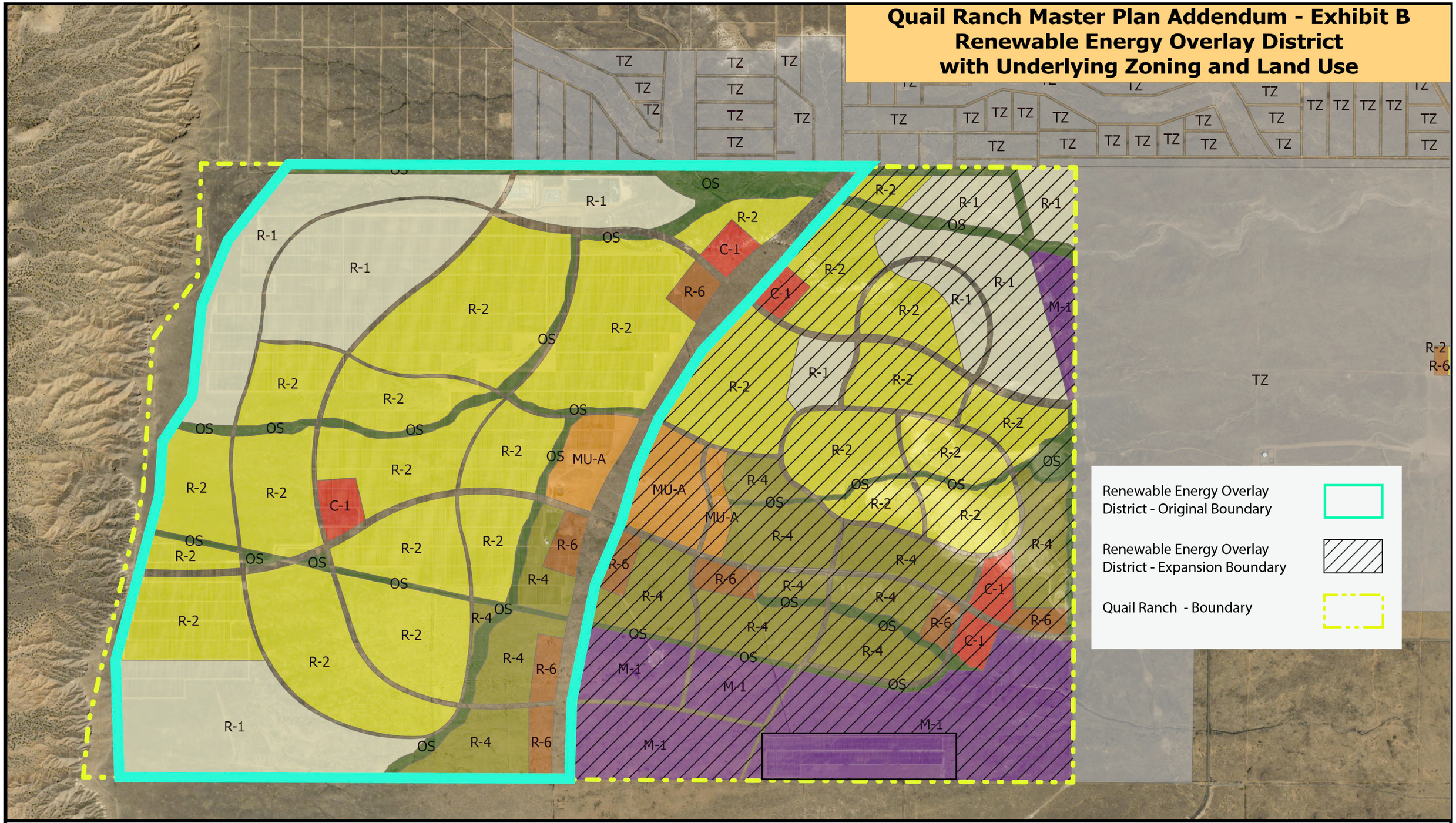
CONCLUSION

Based upon this letter, the previous Quail Ranch Master Plan Addendum (as amended), and exhibit indicating the proposed overlay, we respectfully request that the Rio Rancho Planning and Zoning Board recommend approval of this request for a Zone Map Amendment for the Renewable Energy Overlay District within the Quail Ranch Master Plan. Please feel free to contact me at (505) 764-9801 with any questions that you might have.

Sincerely,

James K. Strozier, FAICP
Principal

Quail Ranch Master Plan Addendum - Exhibit B
Renewable Energy Overlay District
with Underlying Zoning and Land Use



CONSENSUS PLANNING

N

Quail Ranch Master Plan Addendum - Exhibit B
Renewable Energy Overlay District
with Underlying Zoning and Land Use

QUAIL RANCH
A natural way of life

The City of Rio Rancho

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

June 13, 2025

RE: Zone Map Amendment and Master Plan Amendment, Case No. 25-100-00006 & 25-410-00004
Quail Ranch – LQR, Tracts 1-A, 2-C and 2-D

Dear Property Owner:

You are receiving this certified notice because your property is located within 100 ft of a site where a land development decision is required by the Planning & Zoning Board.

The applicant, Atrisco Solar II LLC, c/o Clēnera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment to extend the Renewable Energy Overlay Zone to the subject properties legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D. The subject properties comprise approximately 2,836 acres.

The applicant is also requesting approval of an amendment to the Quail Ranch Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject properties.

The **Planning & Zoning Board** will consider the request and decide their approval on **Tuesday, June 24, 2025** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**

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

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

For the **Planning & Zoning meeting**, to participate virtually: Join via computer: https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09.
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

Please contact me via e-mail me at bisaacs@rrnm.gov or call me at 505-891-5035, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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

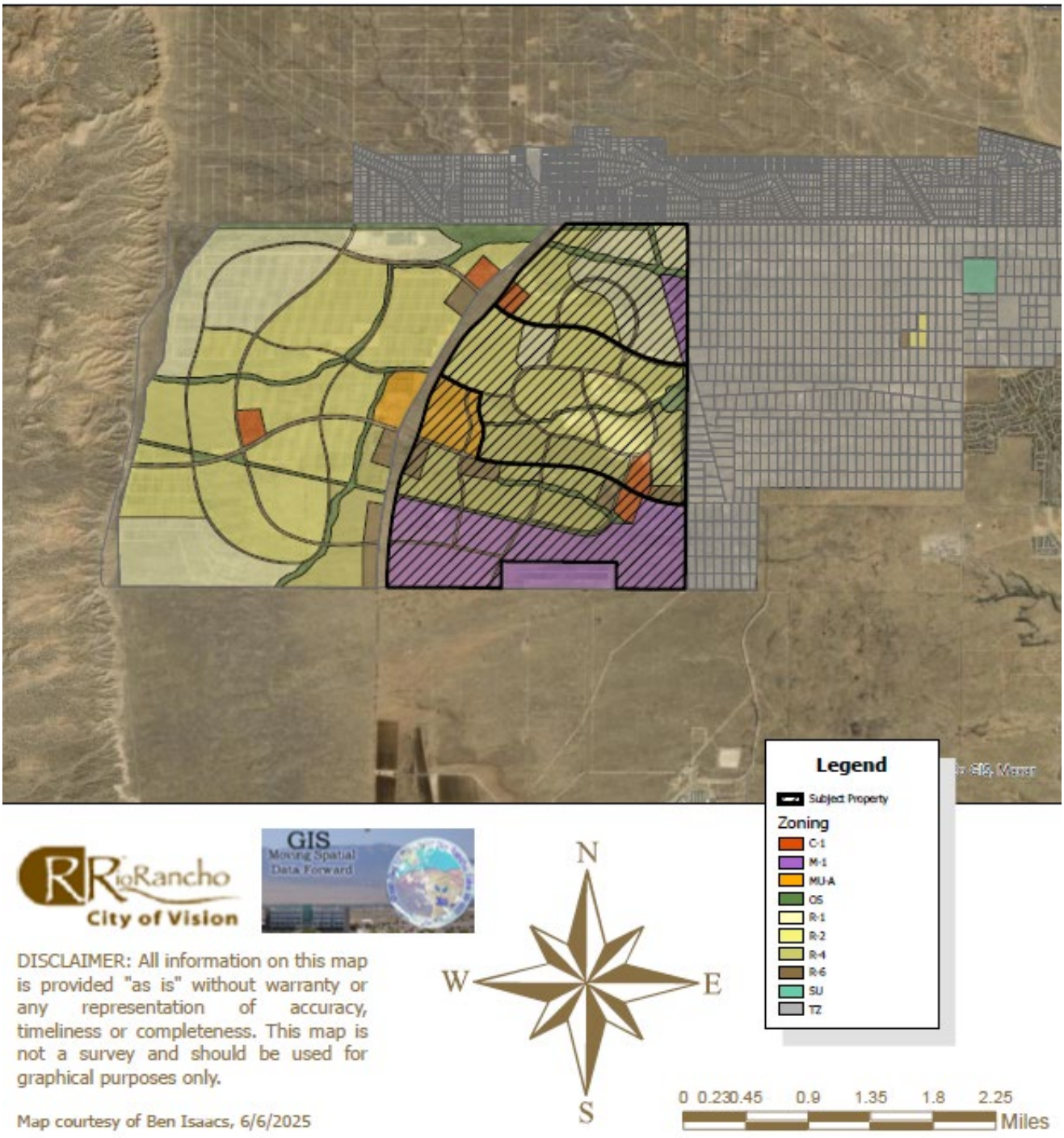
Respectfully,

Ben Isaacs
Municipal Planner I
Development Services Department
City of Rio Rancho

The City of Rio Rancho

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

QUAIL RANCH RENEWABLE ENERGY OVERLAY DISTRICT EXTENSION



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

Map courtesy of Ben Isaacs, 6/6/2025

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The Planning and Zoning Board of the City of Rio Rancho will consider the following matter at its regularly scheduled meeting at 6:00 p.m. on Tuesday, June 24, 2025:

Zone Map Amendment
Request #25-100-00006

The applicant, Atrisco Solar II LLC, c/o Clēnera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment to extend the Renewable Energy Overlay Zone to the subject properties legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D. The subject properties comprise approximately 2,836 acres.

Master Plan Amendment
Request #25-410-00004

The applicant, Atrisco Solar II LLC, c/o Clēnera, LLC, through their agent, Consensus Planning, Inc., is also requesting approval of an amendment to the Quail Ranch Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject properties.

The meetings are scheduled for 6 p.m. in the Council Chambers at City Hall, 3200 Civic Center Cir. NE, Rio Rancho, NM. The public is invited and advised to attend virtually. Materials related to these items are available for viewing in the Development Services Department at City Hall.

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO CREATING A ZONE MAP OVERLAY ZONE FOR THE PROPERTY LEGALLY DESCRIBED AS LANDS OF QUAIL RANCH, TRACTS 1-A, 2-C AND 2-D, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and,

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject property has been submitted by The City of Rio Rancho, and assigned City Case No. 25-100-00006; and

WHEREAS: the Governing Body adopted the Quail Ranch Master Plan June 25, 2003 under Resolution No. 40, Enactment No. 03-041 and amended under Resolution No. 28, Enactment No. 07-025, Resolution No. 61, Enactment No. 12-061 and Resolution No. 32, Enactment No. 22-032; and

WHEREAS: the Governing Body approved the amendment to the Quail Ranch Master Plan Addendum on July 24, 2025, under Resolution No. __, Enactment No.___; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on June 24, 2025, regarding the proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

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

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on July 24, 2025 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

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

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

Section 1. Overlay Zone. The Overlay Zone authorized under R.O. 2003 Section 154.41 shall apply as an overlay zone for solar power generation, storage, and distribution, as further set forth in section 2 below, and shall be denoted on the official zoning map as "OZ" in conjunction with the notation of the underlying zoning district for the following property:

Lands of Quail Ranch, Tract 1-A, 2-C and 2-D, as shown on the plat entitled "Bulk Land Subdivision Tracts 2-A, 2-B, 2-C, 2-D, and 1-A LANDS OF QUAIL RANCH (Being a Replat of Tract 1 and 2, Lands of Quail Ranch) within The Town of Alameda Grant in Projected Sections 1 Thru 5 and 8 Thru 17 Township 11 North, Range 1 East New Mexico Principal Meridian City of Rio Rancho Bernalillo County, New Mexico", filed in the office of the County Clerk of Bernalillo County, New Mexico on March 1, 2019, Book 28, Pages 72-74.

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

A. The following will be allowable uses for the Property:
    1. Solar Renewable Energy System and any other ancillary facilities in connection therewith;
    2. Public Utilities (substations, switching stations, generation), installation of PV Panels, and battery storage;
    3. Incidental buildings and other supporting facilities needed for renewable utilities, storage, project operation, and maintenance.

B. The property identified in Section 1, above, is subject to the development standards and regulations as listed in Resolution No. __, Quail Ranch Master Plan Addendum, approved on June 24, 2025, (PZB case No. 25-410-00004), and any additional requirements as identified by staff.

C. Site Plan. A site plan will be reviewed and approved by Governing Body prior to issuance of any and all building permits for new construction. Site plan shall include requirements as listed in the Quail Ranch Master Plan Addendum.

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

Ordinance or the regulation so challenged.

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

ADOPTED THIS _____DAY OF _____, 2025.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Noel C. Davis, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
June 24, 2025

DEPARTMENT:
Development Services

SUBJECT:
Withdrawn - Master Plan. The applicant, Cielo Bonito, LLC requests approval of the Cielo Bonito Master Plan at the location legally described as Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70. Concurrent with this request is a Zone Map Amendment request for approximately 50.442 acres from TZ Transitional Zoning to R-3, Mixed Residential. Staff contact is Tamarah Martinez and staff requests the application be withdrawn as requested by the applicant.

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Staff recommends the Planning and Zoning Board approve the request to withdraw the application from consideration.

ATTACHMENT: Request from applicant to withdraw item

From: Nicosha Schedlbauer
To: TAMARAH MARTINEZ
Cc: BRIAN BABYAK; AMY RINCON; Scooter Haynes; Julia Maccini
Subject: RE: ZMA & Master Plan Applications for DRC #24-250-00012
Date: Tuesday, June 10, 2025 6:44:33 PM
Attachments: image001.png
image002.png
image003.png
image004.png
Cielo Bonito Conceptual Design.pdf

Caution! This message was sent from outside your organization. Report

Good evening, Tamarah,

I would like to start this email with saying thank you to you, Amy and Brian for taking the time today to meet about our Cielo Bonito project. After the discussion today, we would like to formally request the following:

1. We are requesting to withdraw our application for the Cielo Bonito Master Plan, for PZB consideration.
2. We are providing (see attached), supplemental information for our zone map amendment application. We are submitting a conceptual design "plan" to support our zone map amendment request and requesting your support for recommendation of approval for the ZMA.

Please confirm receipt of these requests and we look forward to moving this project forward.

Regards,

Nicosha

Nicosha Schedlbauer
nicosha@scmpartners.com
(505) 898-6622 (Office)
(505) 898-2781 (Fax)
(505) 369-6930 (Cell)
P.O. Box 9043
Albuquerque, NM 87119
NMREC License # 20306

From: TAMARAH MARTINEZ <tamartinez@rrnm.gov>
Sent: Thursday, June 5, 2025 2:09 PM
To: Nicosha Schedlbauer <Nicosha@scmpartners.com>
Cc: Scooter Haynes <scooter@scmpartners.com>; Julia Maccini <julia@scmpartners.com>; BRIAN BABYAK <bbabyak@rrnm.gov>; AMY RINCON <arincon@rrnm.gov>
Subject: RE: ZMA & Master Plan Applications for DRC #24-250-00012

Hi Nicosha,

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-100-00005

AGENDA DATE:
June 24, 2025

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The applicant, Cielo Bonito, LLC requests approval of a Zone Map Amendment for the property legally described as Unit 21, Block 22, Lots 7-26, 28-30, and 45-48; Block 23, Lots 3-5, 7-10, 14-18, 20-23, and 28-32; and Block 24, Lots 41-49, 55-56, 58-66, and 68-70. The request is to amend the zoning from TZ Transitional Zoning to R-3: Mixed Residential. Staff contact is Tamarah Martinez and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The subject properties are located northwest of the intersection of Lookover Dr NE and Shiloh Rd NE (see attached map), legally described as Unit 21, Block 22, Lots 7-26, 28-30, and 45-48; Block 23, Lots 3-5, 7-10, 14-18, 20-23, and 28-32; and Block 24, Lots 41-49, 55-56, 58-66, and 68-70 covering approximately 50.442 acres. The request is to change the zoning from TZ: Transitional Zoning to R-3: Mixed Residential.

The subject property is currently zoned TZ and is located within the Paseo Gateway West Specific Area Plan. Adjacent properties to the north are zoned TZ and NC- Neighborhood Commercial, to the east TZ and O-1 Office, south are TZ, R-3 Mixed Residential, and NC- Neighborhood Commercial, while lots to the west are zoned TZ, R-4 Single Family Residential and SU: Special Use for the Northern Meadows neighborhood.

The applicant originally submitted a Master Plan for this area, but has since withdrawn the Cielo Bonito Master Plan application due to lack of 100% ownership or owner authorization. In an attempt to add clarity to the Director's flexibility with Master Plan ownership language 75% ownership language was included in the draft Development Process Manual update. That inclusion lead to comments about the percentage and feedback from the Mayor and other City staff questioning the appropriateness of changing Land Use on property not under ownership or ownership authorization. There has also been requests to lower that threshold which may lead to larger issues. The DPM update will take additional time for adoption and the 75% ownership may be removed to default to 100% ownership to avoid future requests by property owners to change Land Uses on neighboring properties.

Master Plans are Level 4 sub-area plans often prepared in the private sector for properties in single ownership or control and submitted to the City for approval. These plans generally address the components of the Comprehensive Plan, but are specific to a defined area within the City, at least 20 acres but usually more than 100 acres. The request is for an area comprising over 50 acres, and therefore staff strongly encourage submittal of a complete Master Plan. Since the ownership is not a 100%, letters from hold out land owners could be submitted, or a Master Plan that leaves out the hold out lots assuming there is a cohesive connection between the owned properties.

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

The application, presented as an attachment, meets the minimum submittal requirements for the proposed zoning request.

Pursuant to the criteria provided by R.O. 2003 Section 150.07 (D) (1) through (4), and (E) through (G), a request for change in zoning designation must address the following policies and criterion for a zone map change:

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

The applicant states: "As previously mentioned, this project is governed by the Paseo Gateway West Specific Area Plan which identifies this project area as best developed as medium-density residential. This zone map amendment request to change from TZ to R-3 is consistent with the health, safety, morals, and general welfare of the City."

Staff recommends the Planning and Zoning Board find the proposed R-3: Mixed Residential zoning may be consistent with the health, safety, morals, and general welfare of the City as it helps implement the Paseo Gateway West Specific Plan and the applicant has provided a potential lot layout and plans for a future subdivision in the attached "Cielo Bonito Conceptual Design" document. The Paseo Gateway West Specific Area Plan designates the subject property as "Medium Density Residential", which allows for R-3 zoning, and the provided supplemental document from the applicant may promote the potential for development that is consistent with the health, safety, morals and welfare of the City.

Staff finds that the supplemental "Conceptual Design" document is not an enforceable document and there is no guarantee that the future lot layout will be detached single family homes. There is a potential that the development may decide to have a different layout or pursue other permissible uses such attached townhomes or request a Conditional Use Permit for a hospital, or multi-family development. The "Conceptual Design" attachment may provide an option for what the design of a future subdivision could look like, but without a Master Plan adopted by resolution for guidance all the options of an R3 zoning are available.

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

The applicant states: "A zone change from TZ to R-3 is consistent with the area density as outlined in the Paseo Gateway West Area Plan as well as the existing land use for adjacent parcels. Additionally, Section 7.4 Land Consolidation, of the Paseo Gateway West Area Plan asserts, 'The City will encourage private developers to assemble parcels so they may be replatted to meet City standards with the construction of adequate infrastructure. Incentives may include a streamlined permitting process. Higher density residential rezoning will be delayed until assembly of at least 5 acres occurs.' Given all these factors, this project supports the stability of land use and zoning."

Staff recommends that the Planning & Zoning Board find that the applicant provided justification for stability of the land use and zoning as the request will enable stable and consistent R-3 mixed family residential across the subject properties. The applicant's supplemental "Conceptual Design" document displays one option for how the detached single family zoning option of the R3 would

have stability of land use and zoning.

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

The applicant states "This zoning designation request is consistent with the adopted elements of the Paseo Gateway West Area plan as well as the goals as outlined in the Comprehensive Plan. See question 4. for further elaboration."

Staff recommends that the Planning & Zoning Board find that the zone change may be consistent with adopted elements of the Comprehensive Plan. Staff recommends that the Planning & Zoning Board find that the proposed zone change promotes and furthers goals and policies of the Population and Housing Element of the City Comprehensive Plan, including those listed by the applicant, as well as Goal PH-3: Promote a variety of housing types to meet the needs of all members of the community.

Staff finds that the request does not meet Policy L-1: Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan. The applicant has included the "Conceptual Design" document to provide a vision for development of future subdivisions in this area, however, this document will not be formally adopted and the proposed request for re-zoning includes several out-parcels that may make it challenging for future development.

Staff recommends the Board find that the zone change also meets the Goals and Objectives of the Paseo Gateway West Specific Area Plan, in that it maintains the desired residential land-use for the subject properties. Furthermore, the zoning is complementary to that of existing development in the area (ie. the R-3 Cielo Azul Subdivision to the south)

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

The applicant states in their justification letter: "The parcels are designated as TZ, Transitional Zone on an antiquated plat. Given these attributes, the zoning designation should be corrected to align with the goals and policies of the Paseo Gateway West Area plan and the Rio Rancho Comprehensive Plan (RRCP). This change to R-3 zoning is not only supported, as previously mentioned by the Paseo Gateway West Area Plan but is also would support key elements of the Vision in the RRCP which includes 'As Rio Rancho grows, the development of higher intensity nodes with high-density residential land uses will be necessary to create transit opportunities, walkable neighborhoods, and complete streets (landscaped medians and sidewalk buffers, transit and bicycle lanes etc.). To the extent practical, community facilities such as schools and parks should be part of a development node and surrounded by residential neighborhoods.” Given the proximity to the Cielo Azul Elementary School, this zone change would contribute to the development node surrounding the school."

Staff recommends that the Planning & Zoning Board find that the proposed zoning may be found to be more advantageous for the community as it may facilitate residential development on lots that already in close proximity to an existing R-3 neighborhood. Staff recommend the Board finds that the potential residential development enabled by the re-zoning may be advantageous to the community, given the "Conceptual Design" document, however without the subdivisions' layout, utilities, and circulation formally adopted, staff cannot guarantee the re-zoning and subsequent development will be more advantageous.

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

The applicant states: "We attest that the cost of land or other economic considerations are a determining factor in the zone change request."

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

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

Per the applicant- Not applicable.

Staff recommends that the Planning and Zoning Board find that the criterion is not applicable

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

The applicant responded with "This zone change request is not a spot zone as it aligns with the land use in the Paseo Gateway West Area Plan and would be consistent with development that has already occurred in the area."

Staff recommends the Board finds that the request is not a spot zone, in that the zoning facilities the Paseo Gateway West Area Plan Land Use Map. Staff recommends the Board finds that without a concurrent or adopted Master Plan for development, that staff is unable to evaluate if development would be wholly concistent with development occuring in the area.

NOTIFICATIONS: In accordance with State Statute NMSA § 3-21-6, which stipulates notification procedures for this type of zoning action, all property owners within 100 feet of the subject property received a certified letter containing a notice of action and impending Planning and Zoning Board hearing, with return service requested. A notice sign was erected on the subject property on June 17, 2025 by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on June 9, 2025.

INTERDEPARTMENTAL/INTERAGENCY REVIEW: Reviewing Agency Received Application for

Review Comments

- DSD Planning and Zoning -Comments attached
- DSD Engineering- Comments attached
- Rio Rancho Public Schools - No comments provided
- Fire and Rescue - Comments attached.
- Police Department - No comments provided
- SSCAFCA - Comments attached
- MRCOG - Comments attached
- Parks, Recreation, and Community Services - Comments attached.

IMPACT:

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

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a zone map amendment.
2. Following procedures for a zone map amendment, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application to request a zone map amendment.
4. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present views was given.

SPECIFIC FINDINGS OF FACT: The applicant has submitted an application and narrative which demonstrates that the change in zoning designation meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) §150.07(D) Amendments, including:

1. The proposed zone change may be consistent with the health, safety, morals, and general welfare of the City by promoting implementation of the Paseo Gateway West Master Plan and the conceptual design and layout of the area may allow for development that is consistent with the health, safety, morals and welfare of the City.
2. The applicant may have provided sound justification, in a narrative dated April 21, 2025, for the proposed zone change, and the Zone Map Amendment may provide stability of zoning along with possible compatibility with surrounding zoning and future uses.
3. The proposed zone map amendment would be consistent with intent of the adopted elements of the Comprehensive Plan and Paseo Gateway West Specific Area Plan.
4. The applicant has demonstrated that the R-3 Mixed Residential zoning designation may be a more advantageous zoning for the site as opposed to the current TZ: Transitional zoning designation.
5. The cost of the land or other economic considerations does not appear to be a justification for the proposed zone map amendment.
6. The proposed zoning does not result in a spot zone.

If the Board determines the proposed zone map amendment is not justified, the following findings are recommended for denial:

SPECIFIC FINDINGS OF FACT FOR DENIAL: 1. The proposed zone map amendment does not meet the requirements of Rio Rancho Code of Ordinances (R.O. 2003) §150.07(D) Amendments.

ALTERNATIVES:

The Planning and Zoning Board may

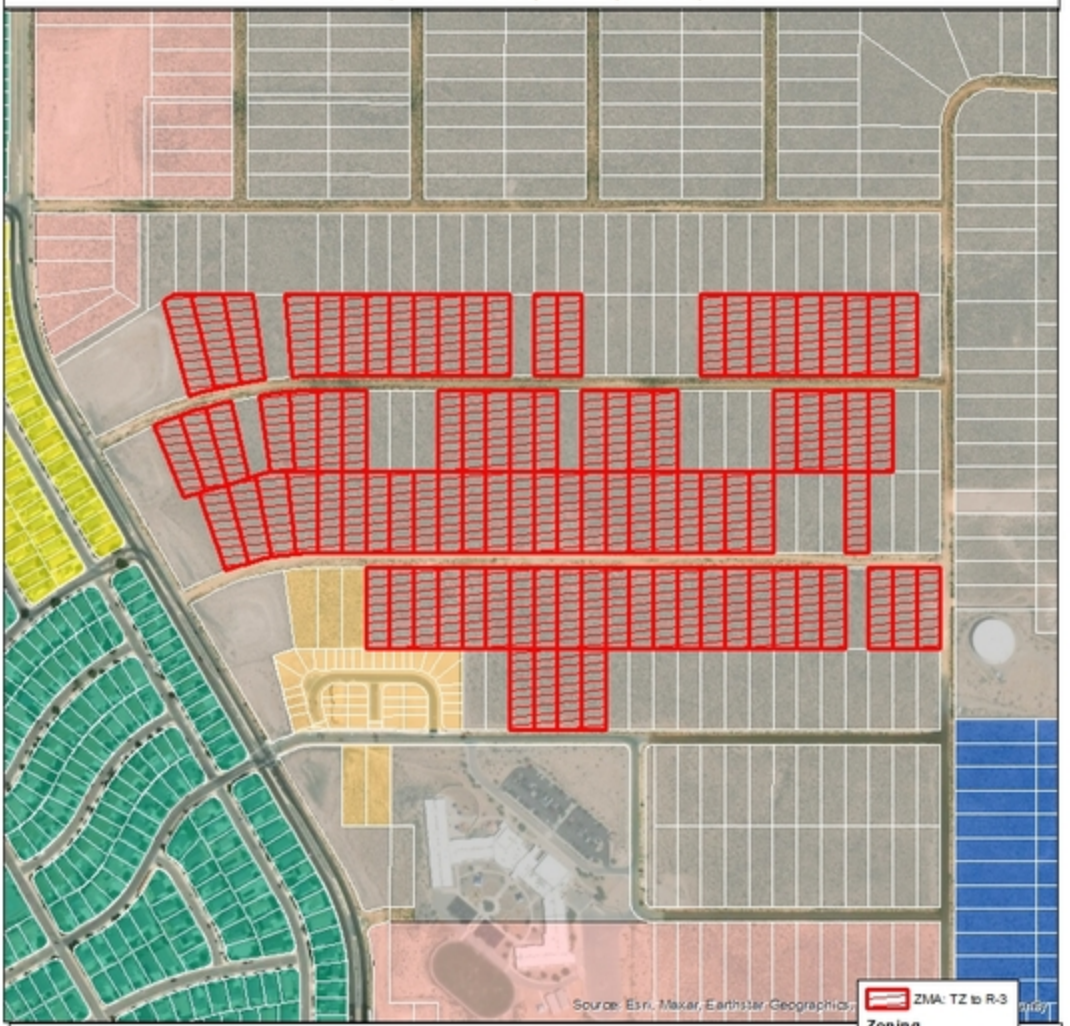
1. Recommend approval of the request to the Governing Body
2. Recommend denial of the request to the Governing Body
3. Modify the request and recommend the Governing Body approve such modifications
4. Continue the public hearing to request additional information or to consider testimony provided at the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

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: Location Map
ATTACHMENT: Cielo Bonito ZMA App-Letter-Authorizations.pdf
ATTACHMENT: Cielo Bonito Conceptual Design.pdf
ATTACHMENT: Reproduction of Notices.pdf
ATTACHMENT: Staff Comments- Complete.pdf
ATTACHMENT: Draft_Ordinance_BMB.docx
ATTACHMENT: R-3 Zoning.pdf

ZONE MAP AMENDMENT
TZ: TRANSITIONAL DISTRICT TO R-3: MIXED RESIDENTIAL DISTRICT
UNIT 21, BLOCK 22, LOTS 7-26, 28-30, AND 45-48;
BLOCK 23, LOTS 3-5, 7-10, 14-18, 20-23, AND 28-32;
AND BLOCK 24, LOTS 41-49, 55-56, 58-66, AND 68-70



Rio Rancho
City of Vision

0 140 280 560 840 1,120
Feet

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 Tamarah Martinez on 6/17/2025

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

PLANNING & ZONING LAND USE APPLICATION

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

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Cielo Bonito, LLC		Phone: 505.898.6622
Address: PO Box 9043		E-Mail:
City: Albuquerque	State: NM	Zip: 87119
Proprietary Interest: contract purchaser	List Owners: see exhibit A	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials) VS
Agent Name: Cielo Bonito, LLC		Phone: 505.898.6622
Address: PO Box 9043		E-Mail:
City: Albuquerque	State: NM	ZIP Code: 87119

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

Zone Map Amendment to change zoning code from TZ to R-3

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : See exhibit A	Block(s):	Lot(s):
Existing Zoning:	Proposed Zoning:	
No. of existing lots: 96	No. of proposed lots:	Total area of site (acres) 50

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: Nicosha Schedlbauer	Applicant:	Agent: Cielo Bonito, LLC
Signature:		Date:

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Via Emailed PDF to:

April 21, 2025

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

RE: Zone Map Amendment

To Whom It May Concern:

Cielo Bonito Development, LLC is developing a project which consists of 50.442+/- acres of vacant land, currently comprised of 95+/- platted parcels, with the intention of creating a residential subdivision, located with the City of Rio Rancho and Sandoval County, New Mexico. Please reference Exhibit "A" for the individual legal descriptions of the parcels included in this request for a Zone Map Amendment.

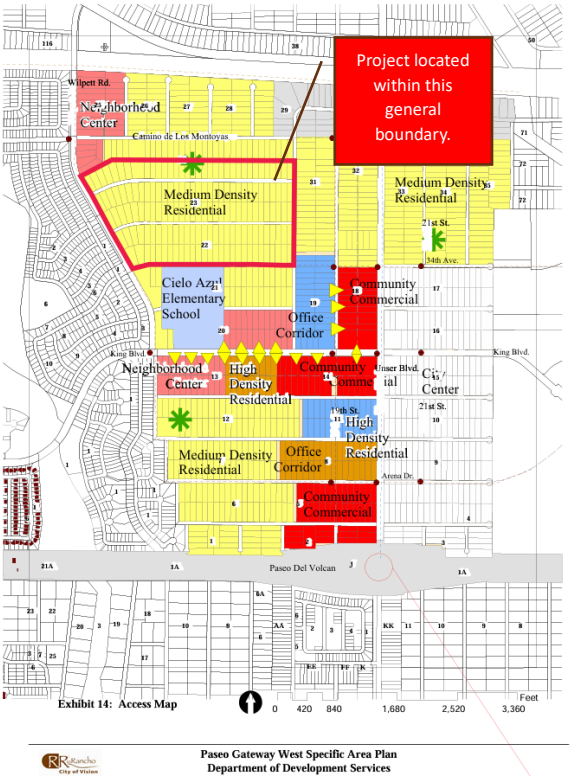
These parcels are a part of the Paseo Gateway West Specific Area Plan, approved December 2008, amended February 2010.

Cielo Bonito Development, LLC would like to request that these parcels have the zoning designation changed from TZ-Transitional Zoning to the R-3 zoning designation.

The City Zoning Ordinance Section 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning & Zoning Board when a change in zoning designation is sought. Pursuant to the criteria provided by the City Zoning Code Chapter 150, Ordinance #O-22, Enactment 09-23 (Sections D-G), a request for change in zoning designation must address the following policies for change:

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

   As previously mentioned, this project is governed by the Paseo Gateway West Specific Area Plan which identifies this project area as best developed as medium density residential. This zone map amendment request to change the current zoning designation from TZ to R-3 is consistent with the health, safety, morals, and general welfare of the City.



CIELO BONITO DEVELOPMENT, LLC
P.O. Box 9043 • Albuquerque, NM 87119
505.898.6622 • Fax 505.898.2781
e-mail | mail@scmpartners.com

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

A zone change from TZ to R-3 is consistent with the area density as outlined in the Paseo Gateway West Area Plan as well as the existing land use for adjacent parcels. Additionally, Section 7.4 Land Consolidation, of the Paseo Gateway West Area Plan asserts, "The City will encourage private developers to assemble parcels so they may be replatted to meet City standards with the construction of adequate infrastructure. Incentives may include a streamlined permitting process. Higher density residential rezoning will be delayed until assembly of at least 5 acres occurs." Given all these factors, this project supports the stability of land use and zoning.

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

This zoning designation request is consistent with the adopted elements of the Paseo Gateway West Area plan as well as the goals as outlined in the Comprehensive Plan. See question 4. for further elaboration.

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

The parcels are designated as TZ, Transitional Zone on an antiquated plat. Given these attributes, the zoning designation should be corrected to align with the goals and policies of the Paseo Gateway West Area plan and the Rio Rancho Comprehensive Plan (RRCP). This change to R-3 zoning is not only supported, as previously mentioned by the Paseo Gateway West Area Plan but is also would support key elements of the Vision in the RRCP which includes "As Rio Rancho grows, the development of higher intensity nodes with high-density residential land uses will be necessary to create transit opportunities, walkable neighborhoods, and complete streets (landscaped medians and sidewalk buffers, transit and bicycle lanes etc.)."We feel that this zone change corrects antiquated platting and supports a key element in the RRCP by creating a high intensity node which supports a walkable neighborhood and complete streets.

CIELO BONITO DEVELOPMENT, LLC
P.O. Box 9043 • Albuquerque, NM 87119
505.898.6622 • Fax 505.898.2781
e-mail | mail@scmpartners.com

The request to change the zoning from TZ to R-3 is also supported by RRCP, 1.2 Urban Design Criteria which states "Rio Rancho has been and continues to be a rural to suburban community. However, as the City continues to grow and as land becomes more valuable, it will be necessary to increase residential densities in order to provide efficient services and affordable housing. Additionally, increasing residential densities is necessary for transit services to become successful. The following design criteria came out of the Vision 2020 ICP workshops." 1.1.2 Medium Density Residential also states "To the extent practical, community facilities such as schools and parks should be part of a development node and surrounded by residential neighborhoods." Given the proximity to the Cielo Azul Elementary School, this zone change would contribute to the development node surrounding the school.

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

We attest that the cost of land or other economic considerations are a determining factor in the zone change request.

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

Not applicable.

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

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

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

This zone change request is not a spot zone as it aligns with the land use in the Paseo Gateway West Area Plan and would be consistent with development that has already occurred in the area.

CIELO BONITO DEVELOPMENT, LLC
P.O. Box 9043 • Albuquerque, NM 87119
505.898.6622 • Fax 505.898.2781
e-mail | mail@scmpartners.com

Exhibit “A”

Owner	Subdivision	Unit	Blk	Lots	Total Area (acres)
Red Roan	Rio Rancho Estates	21	22	9-23, 28, 30, 31, 45-48	22.042
	Rio Rancho Estates	21	23	42-47, 50-64	
GP Bungalow	Rio Rancho Estates	21	22	7-8	1
Higgins	Rio Rancho Estates	21	22	24-25	1
Little IRA & Nucito	Rio Rancho Estates	21	22	26, 29	6.38
	Rio Rancho Estates	21	23	9, 28-29, 38	
	Rio Rancho Estates	21	24	42-44, 55, 68, 70	
Creel	Rio Rancho Estates	21	23	48-49	1
Wiltshire	Rio Rancho Estates	21	23	3-5, 7-8, 10, 14-18, 20-23, 32	15.02
	Rio Rancho Estates	21	24	41, 45-46, 48, 56, 60-62, 65-66, 69	
Rahime	Rio Rancho Estates	21	23	30-31	1
Baldwin	Rio Rancho Estates	21	24	47	0.5
Lacey	Rio Rancho Estates	21	24	49	0.5
Holliday, G	Rio Rancho Estates	21	24	58	0.5
Casciotta	Rio Rancho Estates	21	24	59	0.5
Cottom	Rio Rancho Estates	21	24	63	0.5
Hunter	Rio Rancho Estates	21	24	64	0.5
				TOTAL	**50.442**

CIELO BONITO DEVELOPMENT, LLC
P.O. Box 9043 • Albuquerque, NM 87119
505.898.6622 • Fax 505.898.2781
e-mail | mail@scmpartners.com

June 3, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lots 4 through 6, inclusive, Lots 9 through 23, inclusive, Lot 28, Lots 45 through 48, inclusive of Block 22, Unit 21 and Lots 42 through 47, inclusive, Lots 50 through 64, inclusive of Block 23, Unit 21, and Lot 49, of Block 24, Unit 21, of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:
Red Roan Enterprises, LLC

_____ Date: 6/5/2024
David Torres

Millennium Trust Company, LLC Custodian FBO Peter C. Webb Roth IRA

DocuSigned by:
_____ Date: 6/10/2024
Agata Keijzik CE997EDF80584A4...

June 3, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lots 7 and 8, Block 22, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:
GP-Bungalows, LLC

Date: 6-5-2024

Patrick Pirraglio, Member
Phone: 801-718-1299
Email: gpBungalows@gmail.com
7927 South 2840 West
West Jordan, UT 84088

June 3, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lots 24 & 25, Block 22, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:
Robert J. Higgins

Brenda M. Thompson POA for Robert J. Higgins Date: 6/9/24
Brenda M Thompson, POA for Robert J. Higgins
Phone: 507-244-0248
Email: 1we4adventures@hotmail.com
2415 Islandview Dr.
Albert Lea, MN 56007

Authentisign ID: A3D35426-9A54-EF11-991A-002248270DCE

August 6, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lot 26, Block 22, Unit 21 and Lot 9, Block 23, Unit 21 and Lots 42, 43, 44, Block 24, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

This authorization shall expire 335 days after the date of execution herein.

Owner:

Little IRA, LLC

AuthentiSIGN
Clara Murphy, Manager 08/07/24

By: Clara Murphy
Manager

Date: August 7, 2024

Title: 3417 Stardust Ct NE
Albuquerque, NM 87110

Address: _____

Authentisign ID: 0F1AA491-9B54-EF11-991A-002248270DCE

August 6, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lot 29, Block 22, Unit 21 and Lots 28, 29, and 38, Block 23, Unit 21 and Lots 19, 20, 55, 68, 70, Block 24, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

This authorization shall expire 335 days after the date of execution herein.

Owner:
Nucito IRA, LLC

AuthentiSIGN
Bart Murphy, Manager 08/07/24

Date: August 7, 2024

Barton Murphy
505-363-2757
bartccim@gmail.com
3417 Stardust Court NE
Albuquerque, NM 87110

June 3, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lots 48 & 49, Block 23, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:
Creel Revocable Living Trust

Marvin L. Creel Date: 6/21/2024

Marvin L. Creel
916-801-8304
angecreel@outlook.com
1210 Sleepy Hollow Way
Roseville, CA 95661

January 15, 2025

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC, the contract purchaser for the property identified below, to apply on its own behalf for all required regulatory and permitting processes as it relates to the of development property, which is legally known as:

> Lots 3, 4, 5, 7, 8, 10, 14, 15, 16, 17, 18, 20, 21, 22, 23 and 32 of Block 23, Unit 21 and Lots 41, 45, 46, 48, 56, 60, 61, 62, 65, 66 and 69 of Block 24, Unit 21, of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include application to the relevant governing authorities for the purpose of rezoning the property, which includes a zone map amendment, the creation and adoption of a master plan, preliminary platting actions and removal of the restrictive covenants. Cielo Bonito Development, LLC shall not take any final zoning or platting or other land use actions including, but not limited to, removal of restrictive covenants, until after the sale of the property is complete other than securing the zoning map amendment which may occur and be effective before the sale of the property is complete.

Owner:
Wiltshire Consulting, LLC,
a Delaware limited liability company

_____ Date: 18 April, 2025

Warren McInteer
Wiltshire Consulting, LLC
81145 Old Highway
Islamorada, Florida 33036

Authentisign ID: 3587DE78-9C29-EF11-86D4-000D3A8B7EDD

June 3, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

Lots 30 & 31, Block 23, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:
Sultan M Rahime Living Trust

AuthentiSIGN
Basel Hana, Trustee for the Sultan Rahime Living Trust

Date: 06/13/24

Basel Hana, Trustee for the Sultan Rahime Living Trust
505.463.9530
basel.hana@yahoo.com
7000 Portulaca Dr NW
Albuquerque, NM 87120

September 9, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lot 47, Block 24, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner: George R Bryan III Date: SEPT. 10, 2024

Name: GEORGE R. BRYAN III
Phone: 505 379 4629
Email: Pdbryan57@gmail.com
Address: 812 Harrier Hawk Dr NE
Albuquerque, NM 87122

Authentisign ID: 2BA97F32-555E-EF11-991A-002248270DCE

August 15, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lot 49, Block 24, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:

Ricky Ray Lacey 08/19/24 Date: 08/19/24

Name: Ricky Ray Lacey
Phone: 316-217-0186
Email: rick.lacey94@gmail.com
Address:

September 14, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

Lot 58, Unit 24 of Rio Rancho Estates, within the City of Rio Rancho,
Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:

Gloria L. Holliday Date: 9/17/2024

Name: Gloria L. Holliday

Phone: 702 372 2230

Email: Glolholliday@gmail.com

Address: 11301 Jasper Grove Ave.
Las Vegas, NV 89138

June 3, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

> Lot 63, Block 24, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:
Larry and Judy Cottom

Larry Cottom Date: 6-13-24

Larry Cottom

Judy Cottom Date: 6-13-24

Judy Cottom

Phone:559-908-3358/559-908-3862
Email: lj8384@sbcglobal.net
2811 S. 3520 W.
Hurricane, Utah 84737

June 3, 2024

City of Rio Rancho
Development Services Department, Ste. 130
Rio Rancho, NM 87144

To Whom It May Concern:

The purpose of this letter is to provide authorization to Cielo Bonito Development, LLC to act as agent on behalf of the owners for all necessary steps related to the development process of the property, which is legally known as:

Lot 64, Block 24, Unit 21 of Rio Rancho Estates, within the City of Rio Rancho, Sandoval County, State of New Mexico.

This authorization shall include, but is not limited to, the regulatory and permitting process, subdivision of land, special use, zone map amendments, re-zoning, master plans, removal of restrictive covenants and variance requests.

Owner:
Jay D. Hunter

Jay D. Hunter

Date: 5 JUN 2024

Jay Hunter
Phone:801-791-8919
Email: jayhunter97@gmail.com
12 Park Place
Thompson Falls, MT 59873

Scanned with MOBILE SCANNER

Prepared By:
Cielo Bonito, LLC
PO Box 9043
Albuquerque, NM 87119

Engineering:
PCW Civil Solutions LLC
(435) 770-2382

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Implementation_____14

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Appendix A: Conceptual Layout
Appendix B: Conceptual Drainage Plan
Appendix C: Conceptual Circulation Plan
Appendix D: Conceptual Utility Plan

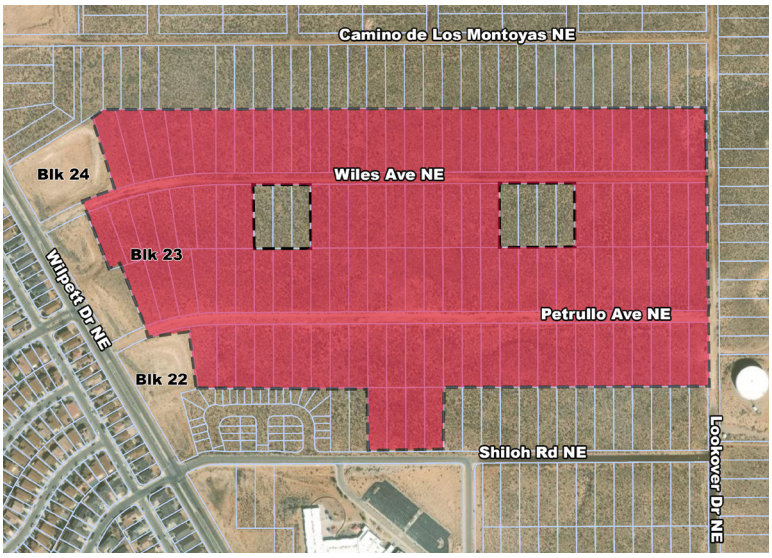
OVERVIEW

The Cielo Bonito planned community is located within the City of Rio Rancho, Sandoval County, New Mexico. The community is comprised of approximately 66.13+/- acres of land that is bordered by Shiloh Rd. to the south, Wilpett Dr. to the west, Lookover Dr. to the east and mid-block or 0.05 north of Wiles Ave. to the north. The land parcels included in this community are:

- Rio Rancho Estates, Unit 21, Block 22, Lots 4-31, 45-48

- Rio Rancho Estates, Unit 21, Block 23, Lots 3-10, 14-23, 28-64

- Rio Rancho Estates, Unit 21, Block 24, Lots 40-70



These land parcels are also located within the City of Rio Rancho Paseo Gateway Specific Area Plan.

The goals and objectives of this conceptual design include:

- Compliance with the future land use as identified in the Paseo Gateway Specific Area Plan
- Provide flexible design guidelines to allow for varied styles of single-family homes
- Establish a neighborhood park to further community connection
- Implementation of goals outlined in the Paseo Gateway Specific Area Plan

EXISTING CONDITIONS & SITE ANALYSIS

Demographics

The creation of the City or Rio Rancho was the result of AMREP Corporation purchasing 55,000 acres of land on the outskirts of Albuquerque in the early 1960's. By 1971, with the addition of another 35,000 acres, the land area, known as Rio Rancho Estates, was approximately 92,000 acres. In 1981 Rio Rancho was incorporated and as of the 2023 U.S. Census, the population is 110,660. Rio Rancho is the 3rd largest New Mexico city and is one of the fastest growing cities within the region.

Natural Environment

The Paseo Gateway West area is characterized by hilly terrain, sandy soils and rainfall of 8-10 inches per year. The highest hill is Loma Duran, which is 5,815 feet, and is located east of the community area and Overlook Rd. The natural habitat is characterized by the Upper Sonoran zone as an open mesa environment that contains many indigenous types of brush and grasses which include chamisa, sand sagebrush, winterfat, mormon tea, broom snakewood, cholla cacti, prickly pear cacti, fourwing saltbrush, yucca, buchwheat, tansy mustard, tumbleweed, fiddleneck, western ragweed, verbena, fleabane, desert senna, kochia, piñon, and oneseed juniper.

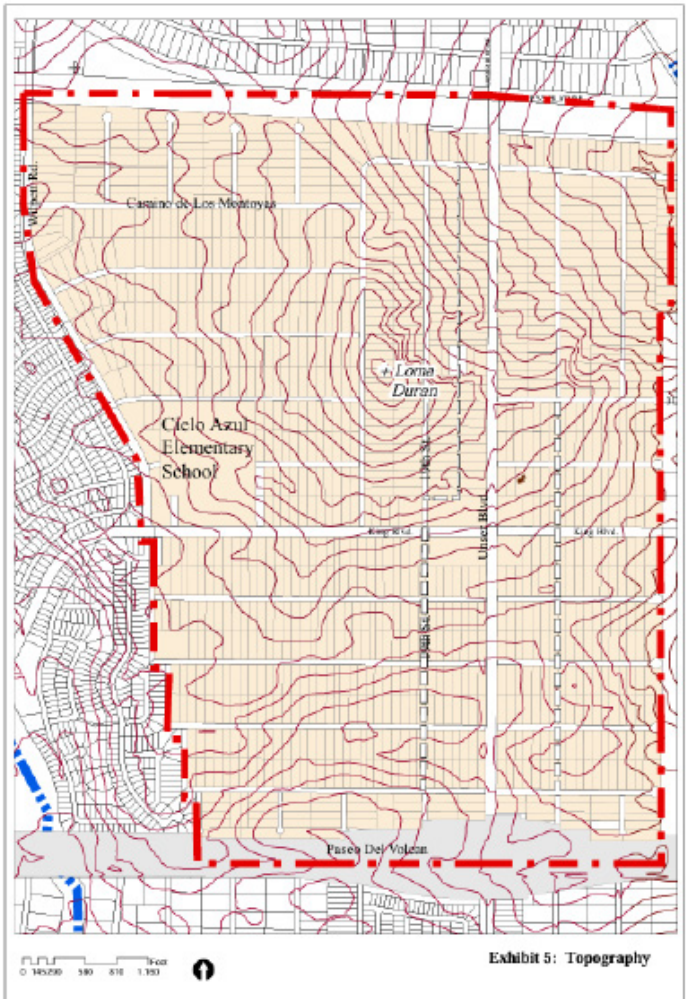


Figure from pg. 11 of Paseo Gateway West SAP

PROPOSED LAND USE, ZONING AND DENSITY

The land area within this community are vacant land parcels that are a part of the antiquated platting patterns that were rendered during the formation of Rio Rancho Estates.

These vacant land parcels are zoned TZ - Transitional Zoning. The Paseo Gateway West Specific Area Plan identifies that this area should be developed under Medium Density Residential which is inclusive of R-1, R-2, R-3 and R-4 zoning districts.

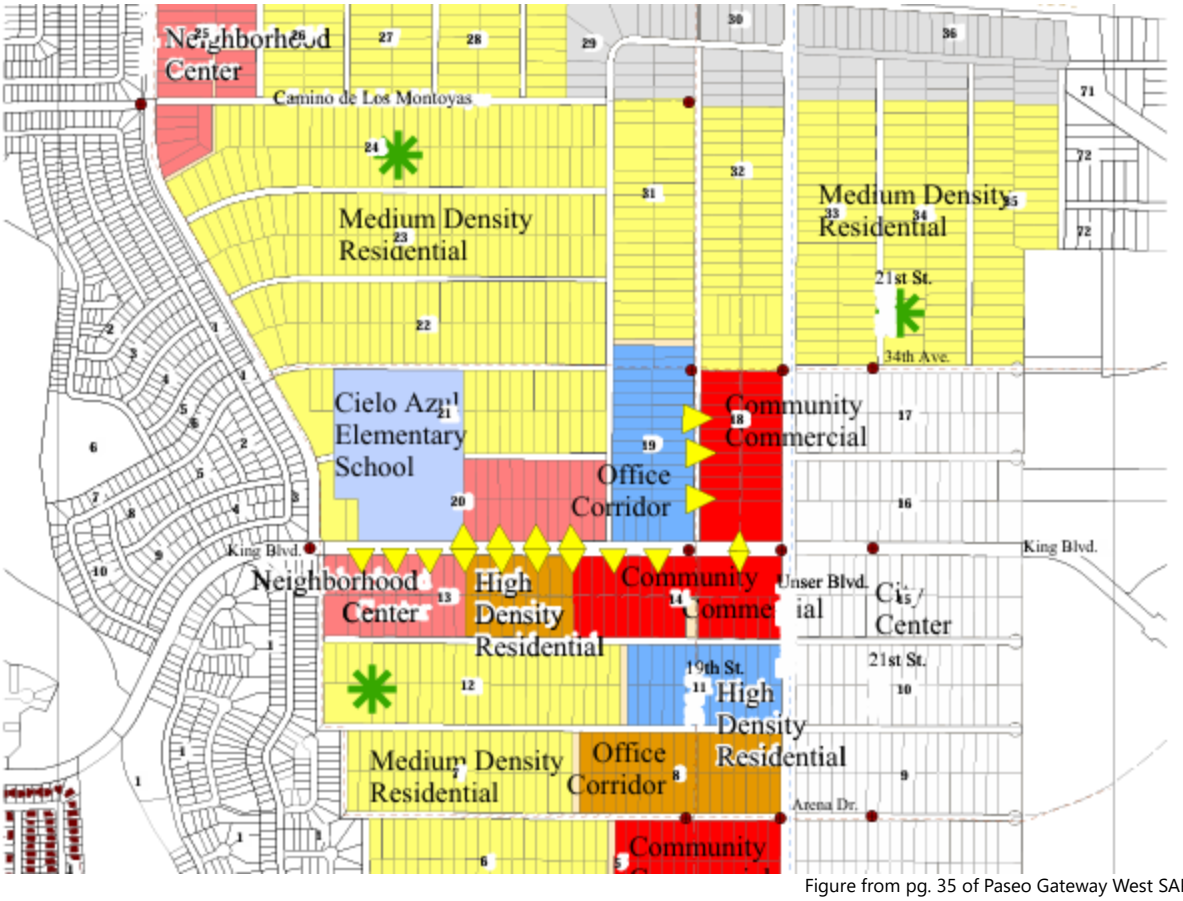


Figure from pg. 35 of Paseo Gateway West SAP

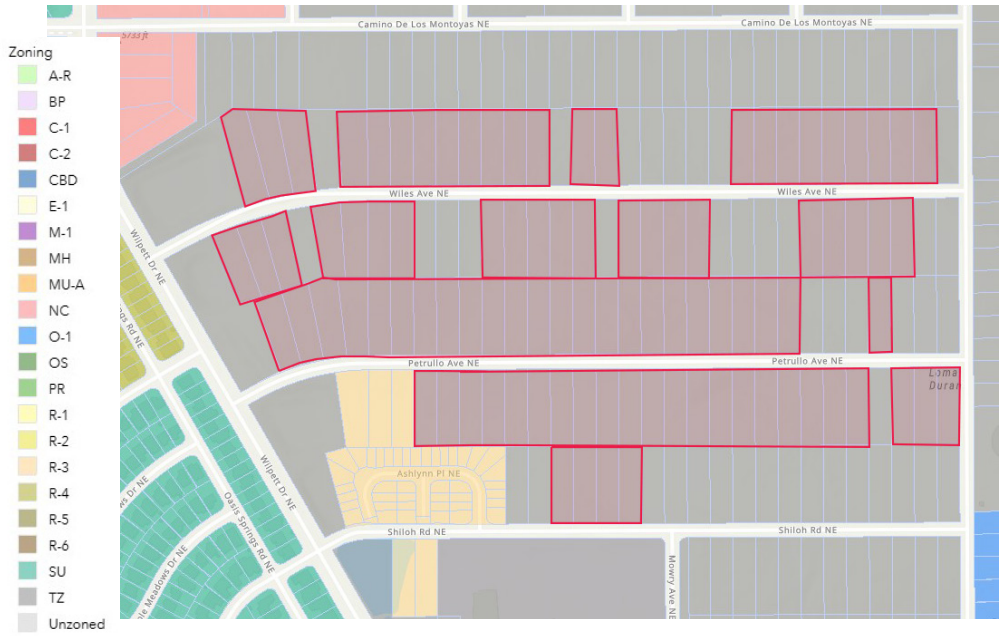
PROPOSED LAND USE, ZONING AND DENSITY CONT.

Since the Paseo Gateway West Specific Area Plan has identified the land use for this area to be Medium Density Residential, the R-3 zoning designation is one of the allowable uses under the Medium Density Residential district. R-3 zoning will permit for 10.89 DU/A with a minimum lot area of 3,000 square feet and a minimum lot width of 35 feet.

While the Cielo Bonito community encompasses a larger area, the only parcels that will be included in the zone map amendment, at the time of the creation of this conceptual design, are the following parcels:

- Rio Rancho Estates, Unit 21, Block 22, Lots 7-26, 28-30, 45-48
- Rio Rancho Estates, Unit 21, Block 23, Lots 3-5, 7-10, 14-18, 20-23, 28-32
- Rio Rancho Estates, Unit 21, Block 24, Lots 41-49, 55-56, 58-66, 68-70

The area map below shows the current zoning designation for the parcels which shall be included in the zone map amendment for this area to be rezoned from TZ to the R-3 zoning designation.

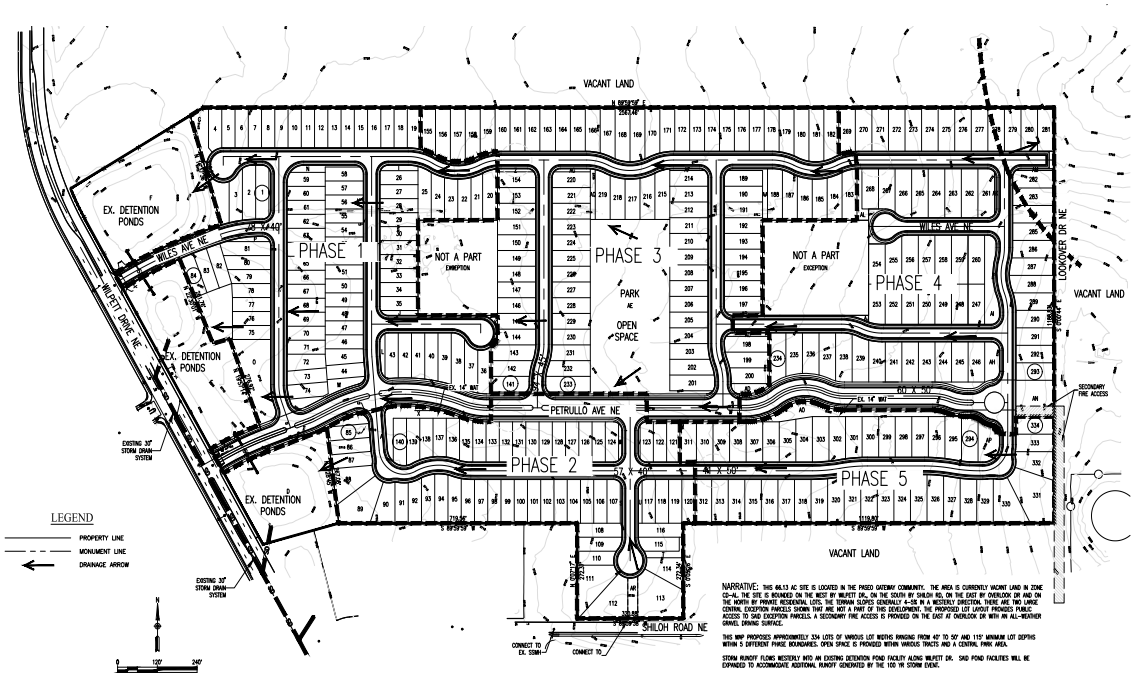


CONCEPTUAL DRAINAGE PLAN

The Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) has jurisdiction over all drainage channels in the Sandoval County portion of Rio Rancho. There are drainage facilities at the west portion of the community area that border Wilpett Rd. Subject to approval from SSCAFCA, the project will utilize these facilities for drainage. Storm water drainage and water quality discharge will meet the applicable standards per the Rio Rancho DPM and City of Rio Rancho Ordinances.

Storm runoff flows westerly into an existing detention pond facility along Wilpett Dr. Subject to SSCAFCA approval, the development will utilize these ponds for drainage and the ponds will be expanded to accommodate additional runoff generated by the 100 year storm event.

The following shows the conceptual drainage plan for the community.

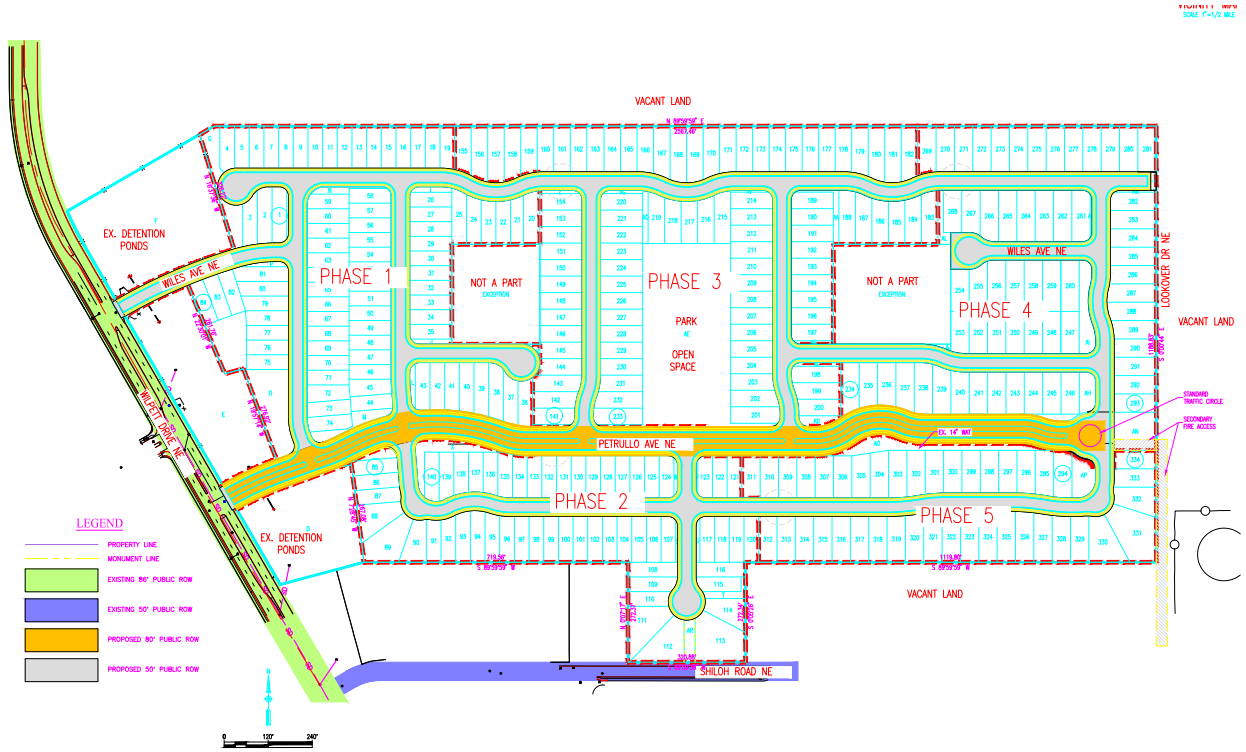


CIRCULATION & TRANSPORTATION

The Cielo Bonito community is bounded by local streets and two collector streets, Wilpett Rd. and Shiloh Rd. Traffic volumes are expected to increase as the area develops with the highest volumes being on Unser Blvd. and King Blvd.

The Paseo Gateway West Specific Area Plan identifies areas and streets that are to follow the access management plan. While the plan called for a T-intersection at 34th Ave. (Shiloh Rd.) with right-in, right-out turns at the west end of this street, the intersection of Wilpett Rd. and Shiloh Rd. is signaled with access to each direction of the intersection.

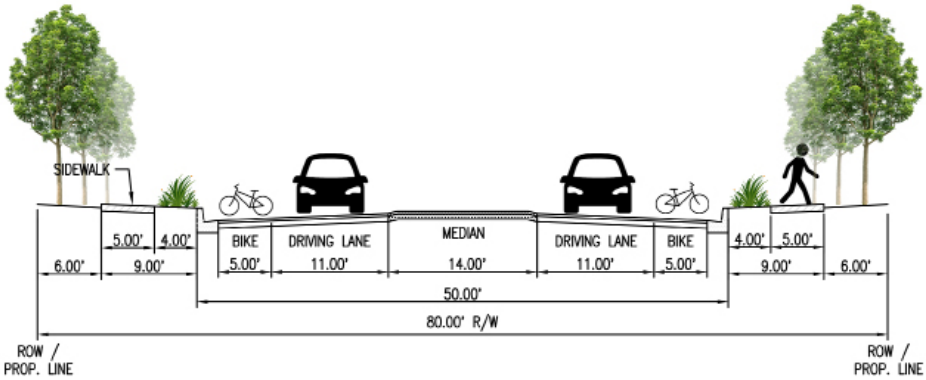
All roadways and access points shall be designed to meet the City of Rio Rancho design requirements per SAMM spacing, Rio Rancho DPM, City of Rio Rancho Ordinances, and the City Fire Marshal will need to approve the designs and secondary access fire points.

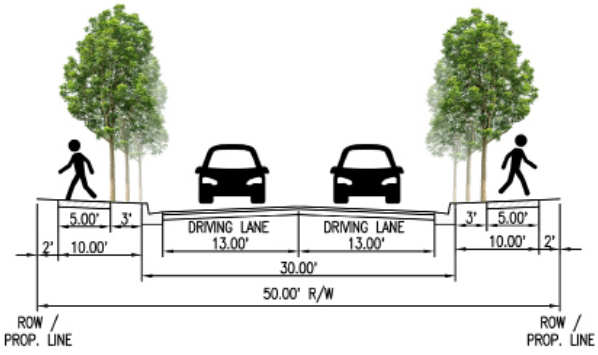


CIRCULATION & TRANSPORTATION CONT.

The Paseo Gateway West Specific Area Plan outlines a transportation goal of "Assure safe and convenient multi-modal roadways to well-connected residences, businesses, offices, schools, and other facilities."

The Cielo Bonito community will further this goal by providing pedestrian connectivity throughout the area and provide dedicated bicycle lanes on Petrullo Ave. so that the community will be connected to the central park area and any future trails funded through the City's ICIP process.



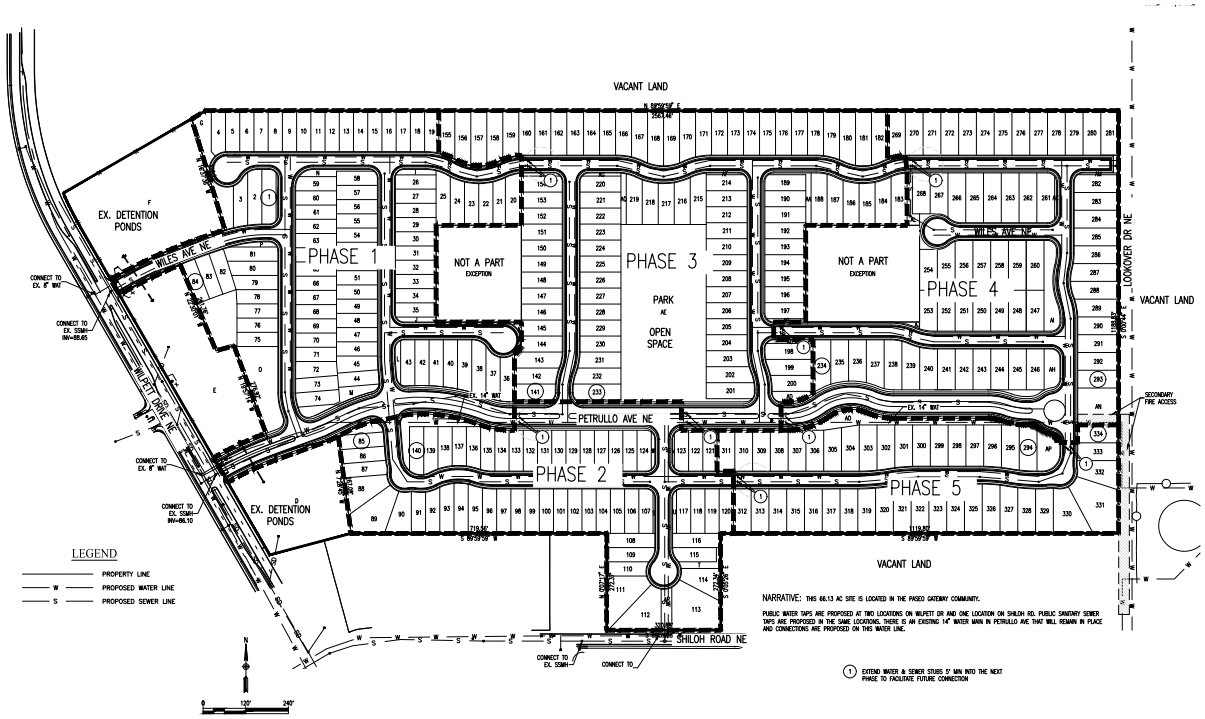


CONCEPTUAL UTILITY PLAN

Public water taps are proposed at two locations on Wilpett Dr. and one location on Shiloh Rd. Public sanitary sewer taps are proposed in the same locations. There is an existing 14" water main in Petrullo Ave. that will remain in place and connections are proposed on this water line.

There is a 4 million gallon water storage tank at Lookover Dr. between Shiloh Rd. and Petrullo Ave. The homes that will be served in elevation higher than 5736 feet will need to be on a closed loop pressure system for both static water pressure and emergency fire flow protection.

The following shows the conceptual utility plan for the commnuity.



DESIGN GUIDELINES

The developer of this subdivision is requesting R-3 zoning designation. R-3 zoning will permit for 10.89 DU/A with a minimum lot area of 3,000 square feet and a minimum lot width of 35 feet.

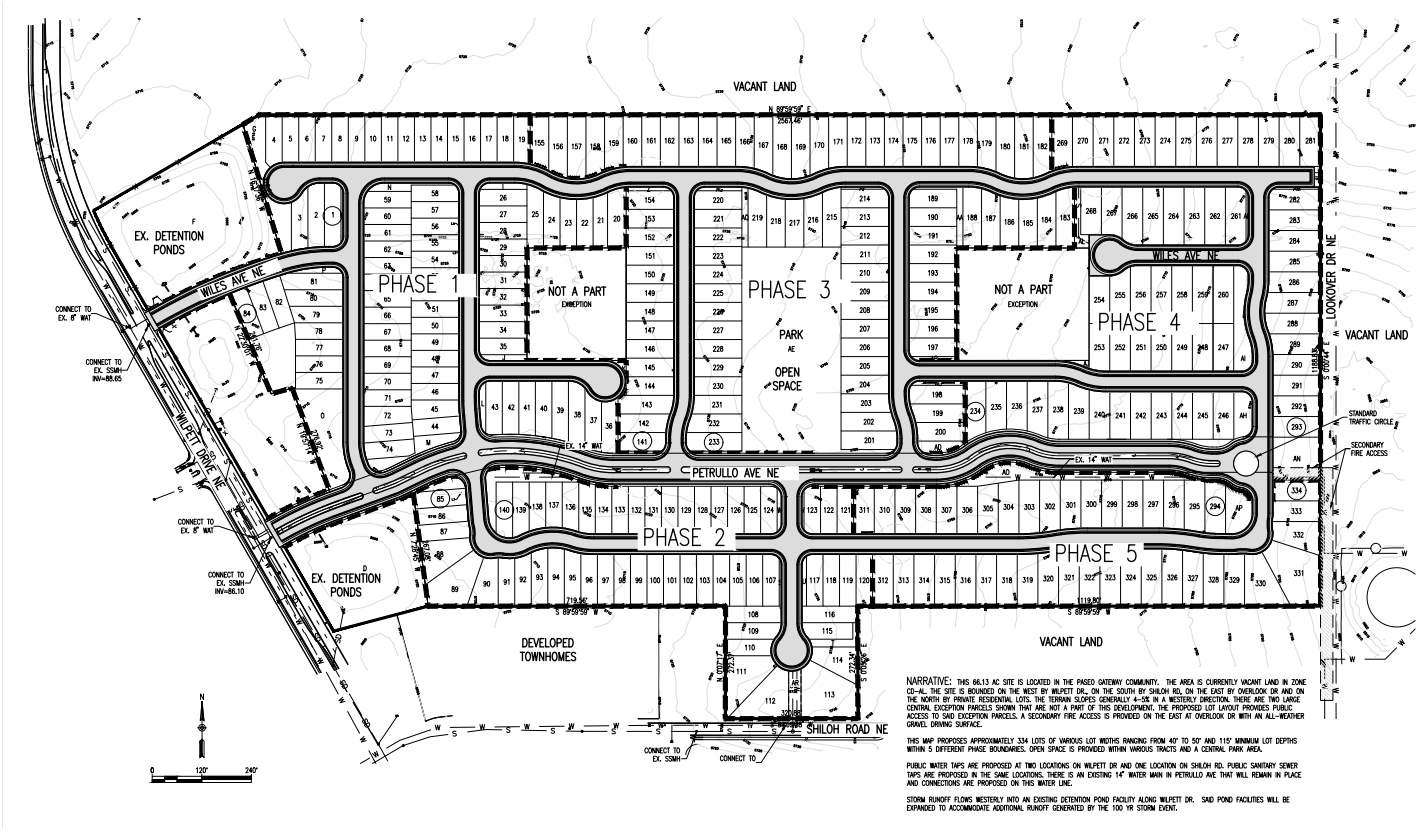
The Cielo Bonito community shall create a total of 334 single-family residential lots. There will be a variety of lot sizes, ranging from 40′ to 50′ and 115′ minimum lot depths that will meet the minimum area and width as required by the R-3 zoning designation. There will be a 2.8 acre, centrally located, small neighborhood park that will serve the immediate community and surrounding areas.

The development shall comply with the City of Rio Rancho Municipal Code and the Development Manual Volume II - Design Criteria, which includes walls and fences, signage, lighting, setbacks, landscape and park facilities.

Building design and neighborhood regulations shall be determined by the home builder and the Homeowner's Association (HOA) which shall be established during the development of the subdivision. The HOA shall be responsible for the maintenance of the park area and landscape elements.

See the conceptual sketch plan on page 13.

DESIGN GUIDELINES CONT.



IMPLEMENTATION

This community shall follow the processes and guidelines as outlined by the Rio Rancho Municipal Code and governing documents, which includes the Development Process Manual Volume I & II, Comprehensive Plan and the Paseo Gateway West Specific Area Plan.

Additionally, the developer shall initiate a zone map amendment for certain parcels located within this conceptual design to the Planning and Zoning Board and Governing Body.

This conceptual design shall help facilitate the following goals for the Paseo Gateway Specific Area Plan.

3.1 Land Use
Goal 2: Promote a variety of housing choices including low- and medium-density single family residential uses and high-density multi-family residential uses.

3.2 Accessibility
Goal: Consolidate lots and limit access to businesses to improve circulation and visually organize the roadway edge.

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

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

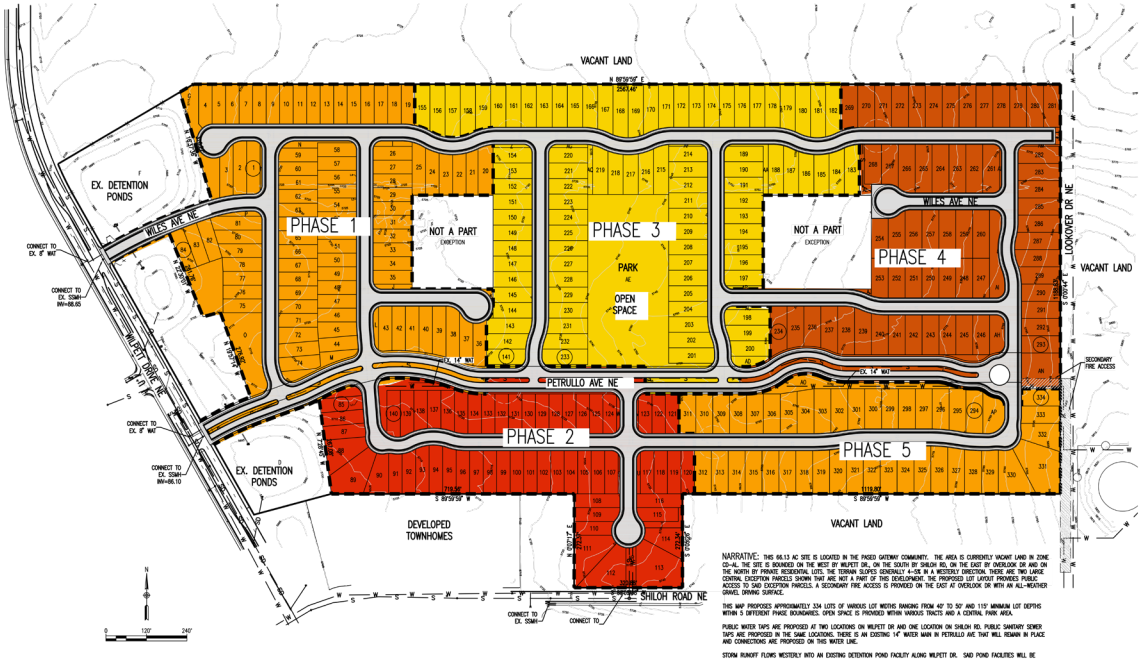
IMPLEMENTATION

The Cielo Bonito community has been designed in phased segments, as shown on the plan below.

- Phase 1 will establish the roadway connection to Wilpett Dr.
- Phase 2 will extend Petrullo Ave.
- Phase 3 will include the development of a 2.8-acre community park.
- Phase 4 will complete the eastern edge of the subdivision and connect it to Lookover Dr.
- Phase 5 will link Phase 2 and Phase 4.

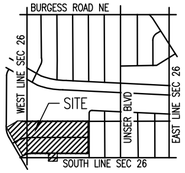
The plan anticipates each phase will be designed as fully self-sufficient with regards to utility and streets infrastructure. Dead-end water and sewer stubs will be installed 5' past the last phase boundary with appurtenant valves to facilitate utility extensions into the next phase.

As each phase is completed, the project will enhance connectivity to existing neighborhoods and walking paths, while also adding valuable park space for the community.

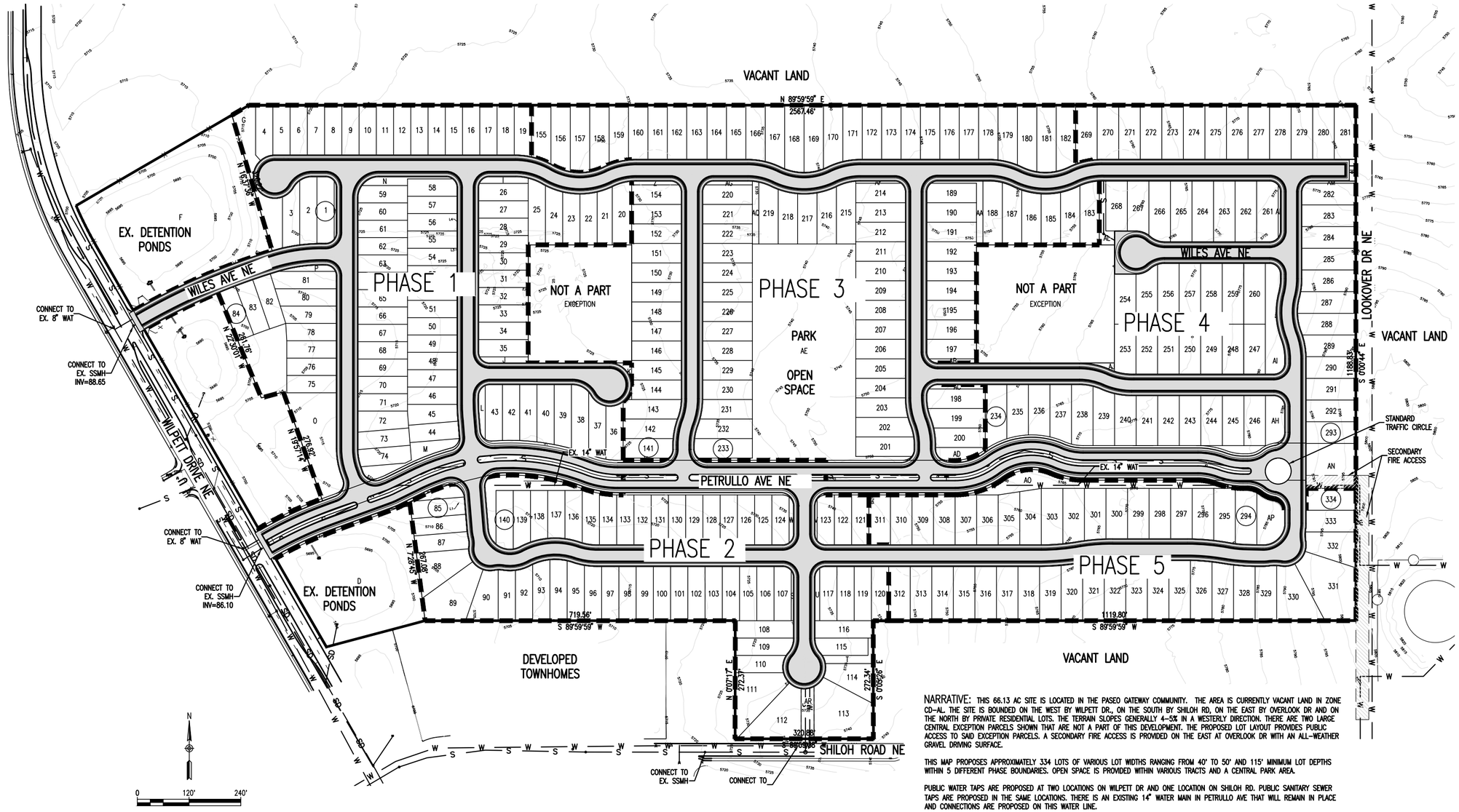


CIELO BONITO MASTER SKETCH PLAN

CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO



VICINITY MAP
SCALE 1"=1/2 MILE



NARRATIVE: THIS 66.13 AC SITE IS LOCATED IN THE PASEO GATEWAY COMMUNITY. THE AREA IS CURRENTLY VACANT LAND IN ZONE CD-AL. THE SITE IS BOUNDED ON THE WEST BY WILPETT DR., ON THE SOUTH BY SHILOH RD, ON THE EAST BY OVERLOOK DR AND ON THE NORTH BY PRIVATE RESIDENTIAL LOTS. THE TERRAIN SLOPES GENERALLY 4-5% IN A WESTERLY DIRECTION. THERE ARE TWO LARGE CENTRAL EXCEPTION PARCELS SHOWN THAT ARE NOT A PART OF THIS DEVELOPMENT. THE PROPOSED LOT LAYOUT PROVIDES PUBLIC ACCESS TO SAID EXCEPTION PARCELS. A SECONDARY FIRE ACCESS IS PROVIDED ON THE EAST AT OVERLOOK DR WITH AN ALL-WEATHER GRAVEL DRIVING SURFACE.

THIS MAP PROPOSES APPROXIMATELY 334 LOTS OF VARIOUS LOT WIDTHS RANGING FROM 40' TO 50' AND 115' MINIMUM LOT DEPTHS WITHIN 5 DIFFERENT PHASE BOUNDARIES. OPEN SPACE IS PROVIDED WITHIN VARIOUS TRACTS AND A CENTRAL PARK AREA.

PUBLIC WATER TAPS ARE PROPOSED AT TWO LOCATIONS ON WILPETT DR AND ONE LOCATION ON SHILOH RD. PUBLIC SANITARY SEWER TAPS ARE PROPOSED IN THE SAME LOCATIONS. THERE IS AN EXISTING 14" WATER MAIN IN PETRULLO AVE THAT WILL REMAIN IN PLACE AND CONNECTIONS ARE PROPOSED ON THIS WATER LINE.

STORM RUNOFF FLOWS WESTERLY INTO AN EXISTING DETENTION POND FACILITY ALONG WILPETT DR. SAID POND FACILITIES WILL BE EXPANDED TO ACCOMMODATE ADDITIONAL RUNOFF GENERATED BY THE 100 YR STORM EVENT.

City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
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7			

REVISIONS (OR CHANGE NOTICES)

PCW CIVIL SOLUTIONS LLC
(435) 770-2382

CIELO BONITO

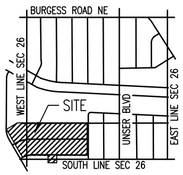
SKETCH PLAN

PROJECT NO.	M25021
DESIGNED BY:	TGH
DRAWN BY:	PKD
CHECKED BY:	PCW
DATE:	06-03-2025
DPI CHK:	

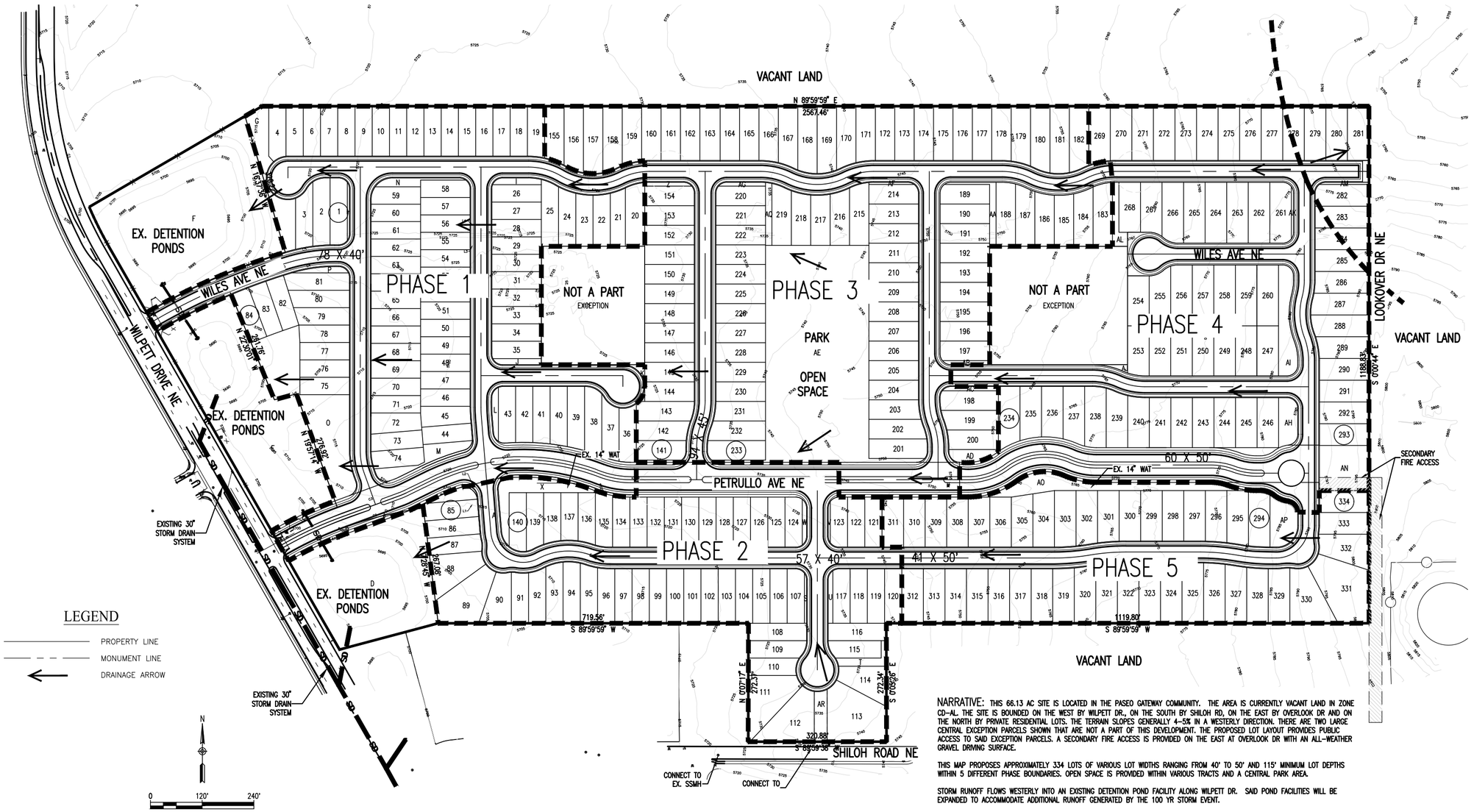
SHEET: 1 OF 4

CIELO BONITO DRAINAGE CONCEPT

CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO



VICINITY MAP
SCALE 1"=1/2 MILE



LEGEND

- PROPERTY LINE
- MONUMENT LINE
- DRAINAGE ARROW

NARRATIVE: THIS 66.13 AC SITE IS LOCATED IN THE PASEO GATEWAY COMMUNITY. THE AREA IS CURRENTLY VACANT LAND IN ZONE CD-AL. THE SITE IS BOUNDED ON THE WEST BY WILPETT DR., ON THE SOUTH BY SHILOH RD, ON THE EAST BY OVERLOOK DR AND ON THE NORTH BY PRIVATE RESIDENTIAL LOTS. THE TERRAIN SLOPES GENERALLY 4-5% IN A WESTERLY DIRECTION. THERE ARE TWO LARGE CENTRAL EXCEPTION PARCELS SHOWN THAT ARE NOT A PART OF THIS DEVELOPMENT. THE PROPOSED LOT LAYOUT PROVIDES PUBLIC ACCESS TO SAID EXCEPTION PARCELS. A SECONDARY FIRE ACCESS IS PROVIDED ON THE EAST AT OVERLOOK DR WITH AN ALL-WEATHER GRAVEL DRIVING SURFACE.

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City of Rio Rancho

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REVISIONS (OR CHANGE NOTICES)

PCW CIVIL SOLUTIONS LLC
(435) 770-2382

CIELO BONITO

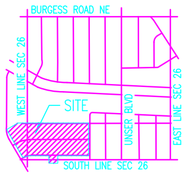
DRAINAGE CONCEPT

PROJECT NO.	M25021
DESIGNED BY:	TGH
DRAWN BY:	PKD
CHECKED BY:	PCW
DATE:	06-03-2025
DPI CHK:	

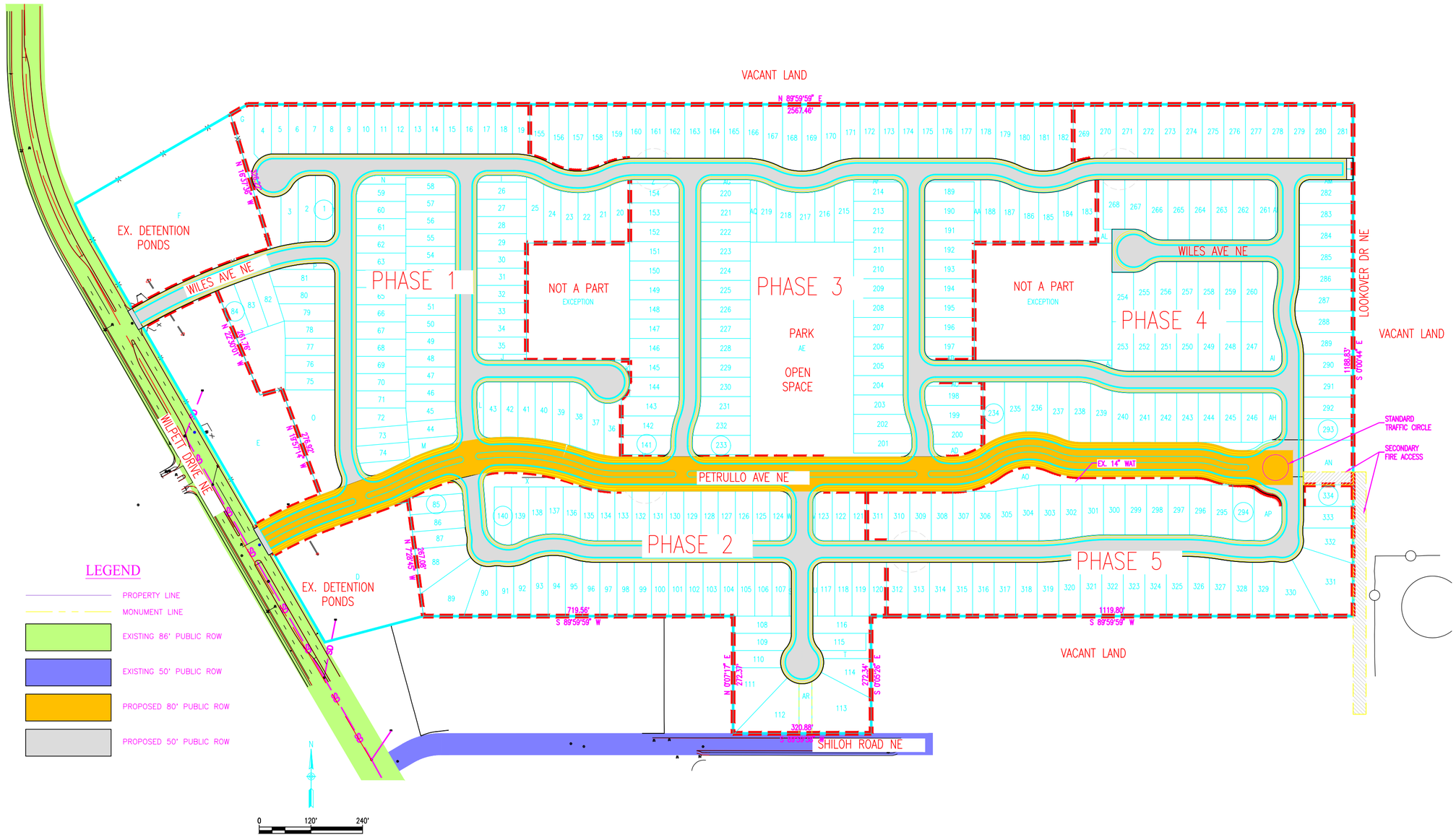
SHEET: 2 OF 4

CIELO BONITO STREET PLAN

CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO



VICINITY MAP
SCALE 1"=1/2 MILE



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REVISIONS (OR CHANGE NOTICES)

City of Rio Rancho

PCW CIVIL SOLUTIONS LLC
(435) 770-2382

CIELO BONITO

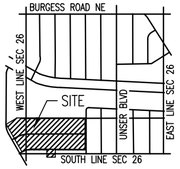
STREET PLAN

PROJECT NO. M25021
DESIGNED BY: TGH
DRAWN BY: PKD
CHECKED BY: PCW
DATE: 06-03-2025
DPI CHK:

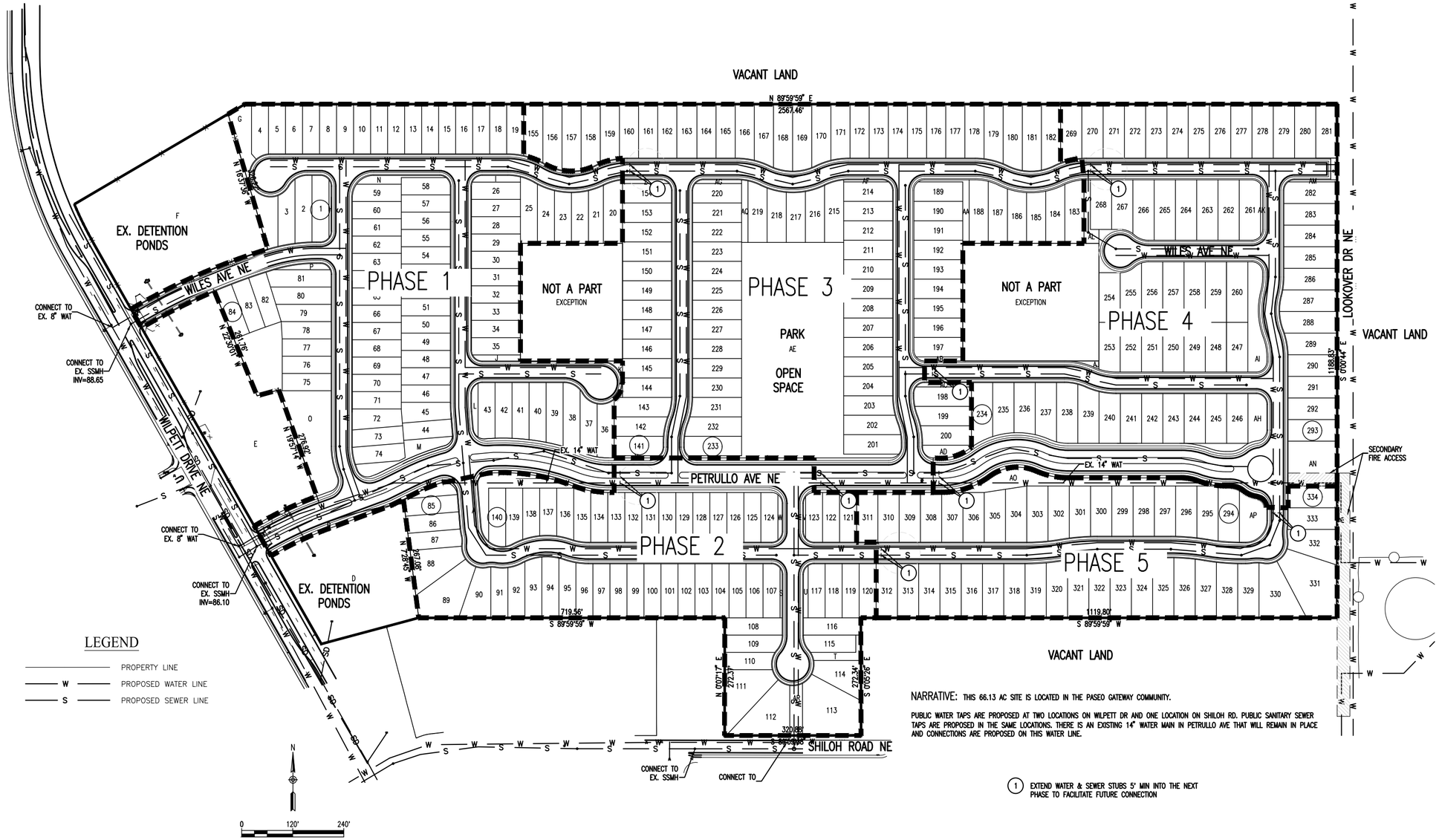
SHEET:
4 OF 4

CIELO BONITO UTILITY CONCEPT

CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO



VICINITY MAP
SCALE 1"=1/2 MILE



LEGEND

- PROPERTY LINE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE

NARRATIVE: THIS 66.13 AC SITE IS LOCATED IN THE PASEO GATEWAY COMMUNITY.

PUBLIC WATER TAPS ARE PROPOSED AT TWO LOCATIONS ON WILPETT DR AND ONE LOCATION ON SHILOH RD. PUBLIC SANITARY SEWER TAPS ARE PROPOSED IN THE SAME LOCATIONS. THERE IS AN EXISTING 14" WATER MAIN IN PETRULLO AVE THAT WILL REMAIN IN PLACE AND CONNECTIONS ARE PROPOSED ON THIS WATER LINE.

(1) EXTEND WATER & SEWER STUBS 5' MIN INTO THE NEXT PHASE TO FACILITATE FUTURE CONNECTION

City of Rio Rancho

NO.	DESCRIPTION	DATE	BY
1			
2			
3			
4			
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REVISIONS (OR CHANGE NOTICES)

PCW CIVIL SOLUTIONS LLC
(435) 770-2382

CIELO BONITO

UTILITY CONCEPT

PROJECT NO.	M25021
DESIGNED BY:	TGH
DRAWN BY:	PKD
CHECKED BY:	PCW
DATE:	06-03-2025
DPI CHK:	

SHEET: 3 OF 4

The City of Rio Rancho

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

June 5, 2025

RE: Master Plan, Zone Map Amendment
Case No. 25-400-00003, 25-100-00005
Cielo Bonito

Dear Property Owner:

You are receiving this certified notice because your property is within 100 feet a site where a land development decision is required by the Planning & Zoning Board.

The applicant, Cielo Bonito, LLC requests approval of the Cielo Bonito Master Plan at the location legally described as Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70. Concurrent with this request is a Zone Map Amendment request for approximately 50.442 acres from TZ Transitional Zoning to R-3, Mixed Residential.

The **Planning & Zoning Board** will consider the request and decide their approval on **Tuesday, June 24, 2025** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**
On the back of this letter is a location map of the project, with the subject property identified with hashed lines.

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

For the **Planning and Zoning Board meeting**, to participate virtually: Join via computer:
https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

Please contact me via e-mail me at tamartinez@rrnm.gov or call me at 505-896-8793, if you have any questions concerning this matter. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, the Friday before the hearing.

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

Respectfully,

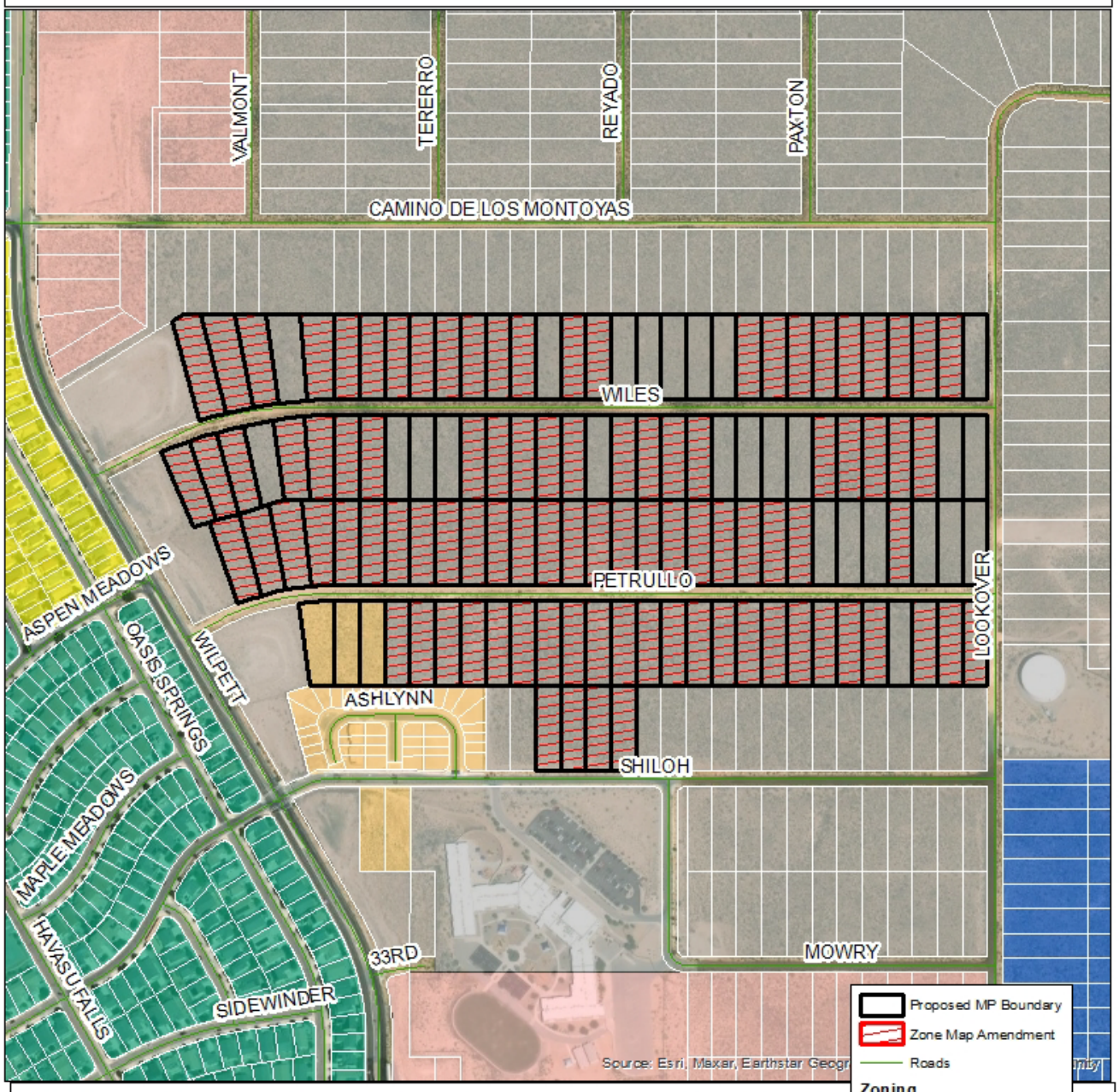
Tamarah Martinez

Tamarah Martinez
Municipal Planner I
Development Services Department
Planning Division
City of Rio Rancho

The City of Rio Rancho

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

CIELO BONITO
PROPOSED MASTER PLAN
ZONE MAP AMENDMENT: TZ: TRANSITIONAL DISTRICT TO R-3: MIXED RESIDENTIAL DISTRICT



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 Tamarah Martinez on 6/5/2025

City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, June 24, 2025:

Zone Map Amendment
Request #25-100-00006
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment to extend the Renewable Energy Overlay Zone to the subject properties legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D. The subject properties comprise approximately 2,836 acres.

Master Plan Amendment
Request #25-410-00004
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., is also requesting approval of an amendment to the Quail Ranch Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject properties.

Zone Map Amendment
Request #25-100-00001
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for PG, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4.
The subject property consists of 228 acres.

Master Plan
Request #25-410-00003
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of the Cleveland Heights Master Plan.

Master Plan Amendment
Request #25-400-00002
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Master Plan Amendment to the Paseo Gateway Master Plan, to remove the State Land Office parcels from the existing plan.

Zone Map Amendment
Request #25-100-00002
The applicant, Cielo Bonito, LLC requests approval of a Zone Map Amendment of approximately 50.442 acres from TZ: Transitional Zoning to R-3: Mixed Residential, for the property legally described as, Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70

Master Plan
Request #25-400-00001
The applicant, Cielo Bonito, LLC requests approval of the Cielo Bonito Master Plan at the location legally described as Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70. Concurrent with this request is a Zone Map Amendment request for approximately 50.442 acres from TZ Transitional Zoning to R-3, Mixed Residential.

The meeting is scheduled for 6 pm in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: June 9, 2025

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

May 14, 2025

TO: Cielo Bonito, LLC

RE: Zone Map Amendment/ Master Plan (25-100-00005/24-400-00004)
The following are the comments and feedback received in regards to the DRC application.

Planning and Zoning Division:

1. Please update the acreage on the park. Design Guidelines show the park at 2.8 acres and the Implementation shows 3.5 acres.
2. Please provide more information on Petrullo Ave, specifically it's functionality,and emergency/fire access onto Lookover Dr (may cite DPM and Appendix D of Fire Code as standards for this fire access). Information on Shiloh Rd is not as relevant to the Master Plan (as the Master Plan does not have access to Shiloh).
3. Please see Engineering Comments regarding access and Lookover Dr.
4. Subdivision variance may be required for stub streets in subdivision to meet City Code 155.41 (M)

Parks, Community & Recreation Services: No recommendation for or against approval of the ZMA. PRCS defers to DSD for any specific recommendations, requirements or approvals. PRCS observations and comments on the Master Plan are as follows: The 50 acre development has a proposed 334 residences with (2.83 residents/residence) 945 residents. The Subdivision Ordinance would therefore require (3 park acres/1,000 residents; 945.22 residents) 2.84 developed park acres to meet the needs of the development. The Master Plan proposes allocating 3.5 acres of HOA maintained park acres. This would meet the park needs of the development. The City will not accept parks less than 3 acres in size, so if the developer changes their plans and later wishes to seek impact fee credits for the 3.5 acres (0.5 acres more than the minimum public park unit) of park land, they would need to include their planned improvements in a Development Agreement and develop the park to meet City standards. If a private park is maintained in the plan, park impact fees may be required to meet any system level impacts the development may pose on park and open space needs.

Fire & Rescue Department: IFC 2021 shall be used for Fire Code requirements. Appendix D shall be used for Fire Apparatus Access Roads. Fire Hydrants shall be no more than 500 ft. apart in travel distance. Further requirements may be required upon development.
Comments from Fire Marshal Brian Johnson

Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA): Please ensure alignment with Paseo Gateway West Specific Area Plan.

Mid-Region Council of Governments (MRCOG):
MRMPO has no adverse comments. For informational purposes:

- Wilpett Dr is functionally classified as an existing Major Collector in the Long Range Roadway System (LRRS).
- A proposed bike lane is identified on Wilpett Dr in the Long Range Bikeway System (LRBS).

- The Rio Rancho City Center to the southeast of the project site is identified as an Opportunity Zone in the 2045 MTP. An Opportunity Zone is defined as “Growing center or one that is currently underutilized. Opportunity to become a regional mixed-use destination.”

Engineering: Please see attached.

Respectfully,

Tamarah Martinez
Municipal Planner I
Development Services Department
City of Rio Rancho
(505)-896-8793
tamartinez@rrnm.gov

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR APPROXIMATELY 50.442 ACRES OF THE PROPERTY LEGALLY DESCRIBED AS UNIT 21, BLOCK 22, LOTS 7-26, 28-30, AND 45-48; BLOCK 23, LOTS 3-5, 7-10, 14-18, 20-23, AND 28-32; AND BLOCK 24, LOTS 41-49, 55-56, 58-66, AND 68-70 FROM TZ: TRANSITIONAL ZONING TO R-3 MIXED RESIDENTIAL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS: The Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and,

WHEREAS: In accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject property has been submitted by The City of Rio Rancho, and assigned City Case No. 25-100-00005; and

WHEREAS: The Paseo Gateway West Specific Area Plan was adopted on December 10, 2008 under Resolution No. 104, Enactment No. 08-098, and amended on February 24, 2020 under Resolution No. 19, Enactment No. 10-020; and

WHEREAS: The City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on June 24, 2025, regarding the proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

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

WHEREAS: A public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on July 24, 2025 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

WHEREAS: The proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of

Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendments promote the health, safety, morals, and general welfare of the City;

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

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

A. The Official Zone Map is hereby amended by assigning a zoning designation on approximately 50.442 acres from TZ: Transitional Zoning to R-3: Mixed Residential on the property legally described as:

Unit 21, Block 22, Lots 7-26, 28-30, and 45-48; Block 23, Lots 3-5, 7-10, 14-18, 20-23, and 28-32; and Block 24, Lots 41-49, 55-56, 58-66, and 68-70, as shown on the plat entitled: "BLOCKS 1 THRU 36 COMMERCIAL TRACTS A,B,C, & D MULTIPLE TRACTS AA & BB UNIT TWENTY-ONE RIO RANCHO ESTATES SANDOVAL COUNTY NEW MEXICO SECTIONS 26,27,34, & 35 T 13 N, R 2 E, N.M.P.M." filed in the office of the County Clerk of Sandoval County, New Mexico on November 4, 1969 (RRE Book 2, Page 8).

Section 2. Land Use, Conditions, Development Standards/Regulations and use of PROPERTY: The property identified in Section 1, above, is subject to all requirements of the R-3: Mixed Residential Zoning District set forth in R.O. 2003 Section 154.24 (as of the effective date of this ordinance or as subsequently amended).

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

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

ADOPTED THIS _____DAY OF _____, 2025.

_____

Greggory D. Hull, Mayor

ATTEST:

_____

Noel Davis, City Clerk

(SEAL)

154.10 R-3: MIXED RESIDENTIAL DISTRICT.

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

(B) *Permissive uses.*

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

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

(3) Boarding and lodging houses;

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

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

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

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

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

(9) Home occupations;

(10) Construction trailers, as defined in Article III, Section 154.75(C);

(11) Temporary (emergency, construction, or repair) residences, as defined in Article III, Section 154.75(C);

(12) Family child care facility with a capacity of six or less;

(13) Second kitchen. A second kitchen is permitted and may be located within the primary residence or accessory dwelling unit, but not both;

(14) Model home or sales office, as defined in Article III, Section 154.75(A);

(15) Community residential care facility up to 10 persons, including any staff residents providing all city regulations are met as set forth in Chapter 120;

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

(17) Churches and other places of worship, Sunday school buildings, and parish houses;

(18) Amateur radio antenna;

(19) Accessory dwelling unit; as defined in Article I, Section 154.03 and Article III, Section 154.70(A).

(C) *Conditional uses (requiring use permit).*

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

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

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

(4) Senior transitional care facilities, senior living facility, and/or other similar facilities up to 35 dwelling units per acre and up to 50 feet in height;

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

(6) Multi-family dwellings, provided there are not more than 26 units per acre, with the site plan reviewed and approved by the Governing Body.

(Ord. 18-20; Am. Ord. 19-17; Am. Ord. 21-15)

154.50 ZONING TABLE/RESIDENTIAL. Revised 9/24

District	Minimum Lot Area (in square feet)	Minimum Lot Width (in feet)	Setbacks (in feet)							Maximum Building Height[1] (in feet)
			Front	Rear	Side	Corner	Garages			
							Front Loaded	Side Loaded	Alley Loaded	
E-1	21,780	no min	35	25	10[2]	10	35	35	0	32
M-H	5,000	50	20	15	5	10	20	15	0	22
R-1[4]	7,000	60	20	15	5[3]	10	20	15	0	32
R-2	5,000	50	15	15	5[3]	10	20	15	0	32
R-3 detached	3,000	35	15	5	5[3]	10	20	15	0	32
R-3 attached	1,200	28	20	0	0	10	20	NA	0	32
R-3 M-F	10,000	70	20	15	7.5	10	NA	NA	0	50
R-4	4,000	40	15	15	5[3]	10	20	15	10	32
R-5	2,500	35	10	15	5[3]	10	20	15	10	32
R-6	10,000	70	20	15	7.5	10	NA	NA	10	78 or 6 stories
R-6 detached	3,000	35	15	5	5[3]	10	20	15	0	32
R-6 attached	1,200	28	20	0	0	10	20	NA	0	32

1 No building or structure shall exceed 32 feet in height except as permitted herein.

2 In the case where the side setback requirement in total is greater than 20% of the lot frontage, the side setback may be reduced to five feet.

3 Zero lot line setbacks are allowed on one side with a 10-foot setback on the opposite side.

4 The minimum lot area assumes that the lot is serviced by community utilities. If on-site water and/or sewer were used, then lot sizes required by the New Mexico Environmental Improvement Division shall apply.

5 Setbacks for pools and sports courts, freestanding wind energy units and flagpoles, please see Section 154.60(B).

(Ord. 18-20; Am. Ord. 24-19)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-410-00003

AGENDA DATE:
June 24, 2025

DEPARTMENT:
Development Services

SUBJECT:
Master Plan Amendment. The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning, requests approval of a Master Plan Amendment to the Paseo Gateway Master Plan. Staff contact is Liz Ruiz Carlos and staff recommends the Planning & Zoning Board recommend approval of the Master Plan Amendment to the Governing Body, with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning, requests approval of a Master Plan Amendment to the Paseo Gateway Master Plan, to separate the tracts owned by the State Land Office and create a new Master Plan for said tracts, named the "Cleveland Heights Master Plan". The tracts being removed are legally described as: Paseo Gateway, Tracts 19, 20, 21 (open space), 22, 23, 24, 25, Parcel B (Open Space), 26, 27, and 28.

The original Paseo Gateway Master Plan was adopted in 2006. A concurrent Zone Map Amendment to rezone Paseo Gateway, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4, is being heard concurrently under case #25-100-00004. A concurrent request for the approval of the Cleveland Heights Master Plan, is also being heard under case #25-400-00002.

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

Staff has used the list as the guiding policy on whether the amendments fit with Master Plans in general.

Policy L-1 (5.6.3) of the Comprehensive Land Use Plan states: "Encourage master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan."

The current boundaries of the Master Plan will change to reflect the loss of the State Land Office parcels. The exhibits have been updated to reflect the new layout and boundaries.

In their justification, the applicant states: "the Cleveland Heights Master Plan will have sole ownership and management, which will allow more efficiency in the sale and development of the [State Land Office properties]. Modification of the tract boundaries within the Cleveland Heights Master Plan will provide uniform bulk plats, which are desirable to housing developers. The remaining parcels will make up the Paseo Gateway Master Plan. No zone changes or additional amendments are requested. The amended Paseo Gateway Master Plan reflects the separation of the State Land Office tracts. The updates to the Paseo Gateway Master Plan include updated acreage, and graphics including the Land Use and Zoning Map shown in Figure 3. "

Staff concurs and recommends the Planning and Zoning Board finds that the proposed amendments are solely to separate the State Land Office parcels from the existing Paseo Gateway Master Plan. The character of the remaining Paseo Gateway Master Plan remains unchanged. Additionally, the separation may facilitate more timely and efficient development of the affected parcels, given that they will be sectioned off into bulk plats.

Staff finds that the resulting separate Master Plan being heard concurrently will allow for two separate Master Plans, while still being compatible and allowing for cohesive development within each separately owned area. Staff recommends the Board finds that the amendment is in compliance with the Comprehensive Plan, as the general standards and regulations of the Paseo Gateway Master Plan will remain unchanged.

SITE ANALYSIS: The Paseo Gateway Master Plan currently comprises approximately 953 acres, and it is bounded by Paseo Del Volcan NE (a principal arterial) to the South, and undeveloped R-1: Single-Family Residential land to the north and west, as well as undeveloped TZ: Transitional Zoned district to the east.

The update acreage of the proposed Paseo Gateway Master Plan Area is 278.3 acres, with an updated boundary of Paseo Del Volcan NE (a principal arterial) to the South, and Iris Rd NE (a minor arterial road) and Cleveland Dr NE (a residential road) to the west.

LAND USE: There are no proposed changes in land use for the remaining Paseo Gateway Master Plan area.

GRADING & DRAINAGE: The remaining properties will still be subject to the approved 2009 Paseo Gateway State Land Office Drainage Management Plan, together with it's two subsequent amendments from 2010 and 2016.

CIRCULATION: There are no proposed changes in circulation for the remaining Paseo Gateway Master Plan area.

PHASING AND FINANCING: There are no proposed changes in phasing/financing for the remaining Paseo Gateway Master Plan area.

DESIGN STANDARDS: There are no proposed changes in design standards for the remaining Paseo Gateway Master Plan area.

NOTIFICATIONS: Notifications were sent to affected property owners in conjunction with the Master Plan and Zone Map Amendment requests. A legal advertisement was placed in the June 9, 2025 edition of the Albuquerque Journal. A sign was posted on the property one week prior to the hearing. All legal notification requirements have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW: See comments listed for Zone Map Amendment case #25-100-00004.

IMPACT:

Staff recommends the Planning and Zoning Board recommend approval of the Master Plan Amendment to the Governing Body, subject to the following findings below:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a Master Plan Amendment.
2. The applicant has the authority to apply for an amendment to the Stonegate Master Plan.
3. The applicant and adjacent property owners received due process.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The proposed Master Plan Amendment to the Paseo Gateway Master Plan does not adversely affect the intended character of the Master Plan area as the design guidelines, standards, and other regulations within Paseo Gateway are not being changed.
2. The proposed Master Plan Amendment is consistent with the goals and elements of the Comprehensive Plan.

ALTERNATIVES:

The Planning and Zoning Board may:

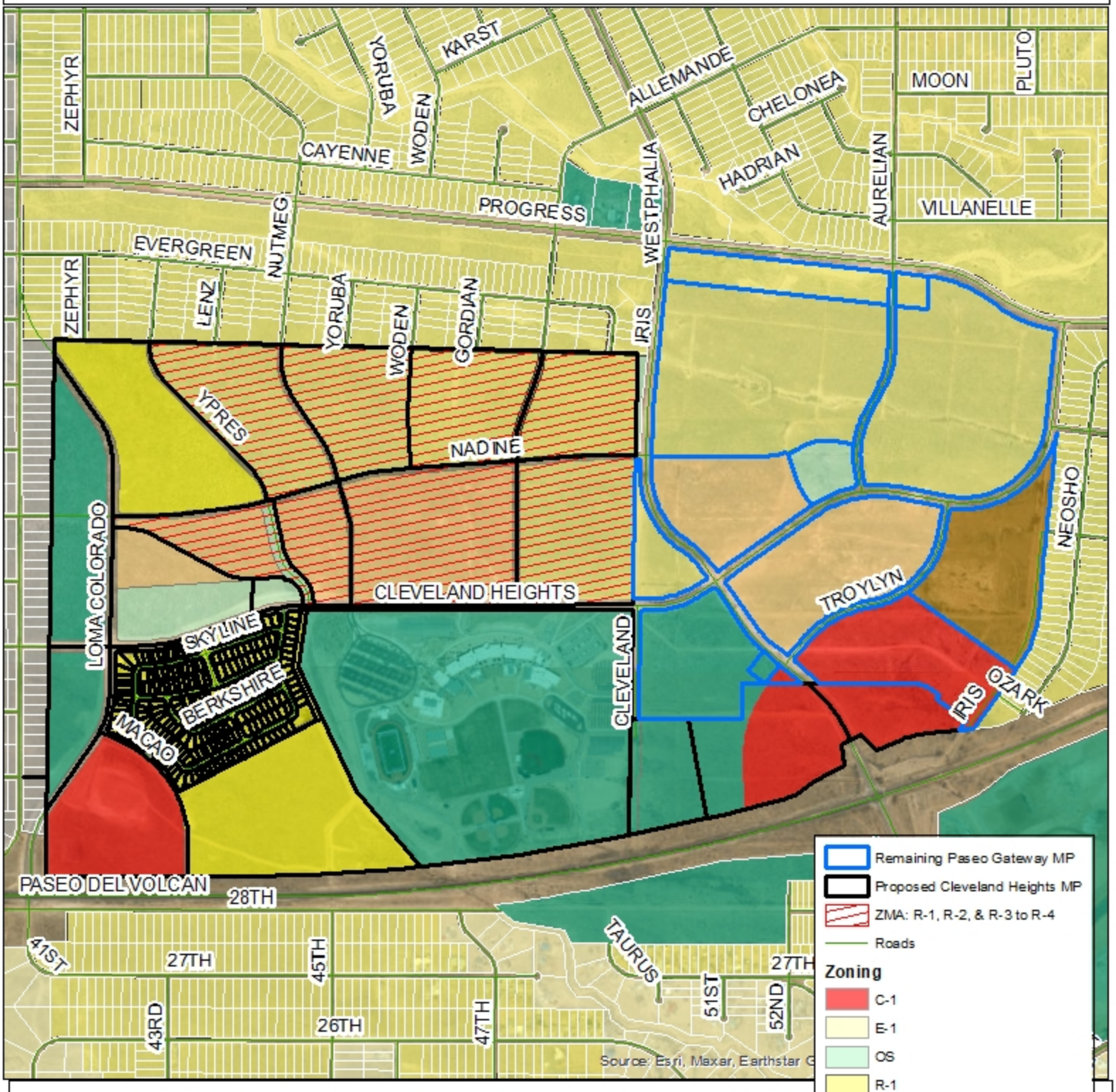
1. Recommend approval of the request to the Governing Body;
2. Recommend denial of the request to the Governing Body;
3. Modify the request and recommend the Governing Body approve such modifications;
4. Postpone the item and continue the public hearing in order to further review.

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: Location and Zoning Map.pdf
ATTACHMENT: Redlined Plan.pdf
ATTACHMENT: Clean Plan.pdf
ATTACHMENT: Reroduction of Notices.pdf
ATTACHMENT: DRAFT_Resolution_MPA_BMB.doc

PASEO GATEWAY (MASTER PLAN AMENDMENT)
CLEVELAND HEIGHTS (NEW MASTER PLAN)
ZONE MAP AMENDMENT: R-1, R-2, & R-3 RESIDENTIAL TO R-4: SINGLE-FAMILY RESIDENTIAL DISTRICT



Rio Rancho
City of Vision

0 395 790 1,580 2,370 3,160
Feet

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 Tamarah Martinez on 6/5/2025

CITY OF RIO RANCHO

Paseo Gateway Master Plan

AMENDED ~~MARCH 2019~~ 2025

REDLINE VERSION

Prepared by:
CONSENSUS PLANNING, INC.

Prepared for:
STATE LAND OFFICE
RIO RANCHO PUBLIC SCHOOLS
AMREP SOUTHWEST

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 17 **ENACTMENT NO. 19-016**

RESOLUTION AMENDING THE PASEO GATEWAY MASTER PLAN

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

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

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

WHEREAS: the Governing Body of the City of Rio Rancho approved the Paseo Gateway Master Plan in 2006; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed amendments to the Paseo Gateway Master Plan and determined that the amended Plan is in conformance with the City of Rio Rancho Comprehensive Plan.

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

Section 1. The Governing Body hereby approves and adopts amendments and modifications to the Paseo Gateway Master Plan and revised Land Use Map comprised of approximately 953 acres located north of Paseo del Volcan Boulevard (Pete V. Domenici Memorial Highway), west of V. Sue Cleveland High School and east of Loma Colorado Boulevard as follows:

A. The Paseo Gateway Master Plan (Exhibit A) is revised and updated to reflect current land use and zoning within the boundaries of the Master Plan.
B. The Paseo Gateway Master Plan is hereby adopted and accepted with the changes outlined in the redline copy of the Amended December 2018 Plan

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

ADOPTED THIS 27TH DAY OF FEBRUARY, 2019.

Greggory D. Hull, Mayor

ATTEST:

Yolanda Lucero, Acting City Clerk

(SEAL)

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 8 **ENACTMENT NO. 19-13**

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR PROPERTY DESCRIBED AS AN 18.6 ACRE PORTION OF PASEO GATEWAY, TRACT 17 FROM SU/MU: SPECIAL USE MIXED USE DISTRICT (11.1 AC); AND OS: OPEN SPACE (7.5 AC) TO R-4: SINGLE FAMILY RESIDENTIAL DISTRICT FOR THE ENTIRE 44.5 ACRES, VERIFYING THE GENERALIZED LAND USE MAP DESIGNATION FOR THE PROPERTY AS BEING "LOW/MEDIUM DENSITY RESIDENTIAL", IDENTIFYING CONDITIONS OF DEVELOPMENT; IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning designation on the subject property has been submitted by the City of Rio Rancho, and assigned City Case No. 18-100-00022; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on January 22, 2019, regarding the proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

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

WHEREAS: a public hearing occurred, in accordance with procedures set for the in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on February 27, 2019 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

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

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

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

A. The Official Zone Map is hereby amended by assigning a zoning designation on approximately 44.5 acres of property located north of Paseo del Volcan, east of Loma Colorado Boulevard, and west of V. Sue Cleveland High School from R-4: Single Family Residential District; SU/MU: Special Use Mixed Use District and OS: Open Space to R-4: Single Family Residential District on land legally described as:

Paseo Gateway, Tract 17, as shown on the plat entitled "PASEO GATEWAY, PARCEL A, TRACTS 1 THRU 9, 10A, 10B, 10C, 11 THRU 18, A AND B-1A, A REPLAT OF PORTIONS OF TRACT C IN THE TOWN OF ALAMEDA GRANT UNIT SEVENTEEN AND A REPLAT OF PARCEL A-1 AND B-1 IN PASEO GATE WAY AND THE REMAINING PORTION OF TRACT C IN UNIT TWENTY WITHIN SECTIONS 32 AND 33, TOWNSHIP 13 NORTH, RANGE 3 EAST, WITHIN SECTIONS 4 AND 5, TOWNSHIP 12 NORTH RANCHGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO" filed in the office of the County Clerk of Sandoval County on November 14, 2008 in Volume No. 3, Folio No. 2977-A (and in the Rio Rancho Estates Plat Book Number 21, Pages 121-124).

B. The City Comprehensive "Vision 2020" Plan, Generalized Land Use Map (GLUM), Map L-2, is hereby amended in the land described in Section 1A, above, as having a "Low/Medium Density Residential" GLUM designation.

Section 2. Land Use, Conditions, Development Standards/Regulations and use of PROPERTY:
The Property identified in Section 1, above is subject to all zoning regulations and requirements for development of the property in conformance with the R-4: Single Family Residential District as set forth in R.O. 2003 Section 154.11 (as of the effective date of this ordinance or as subsequently amended).

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

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

ADOPTED THIS 27th DAY OF FEBRUARY, 2019.

Greggory D. Hull, Mayor

ATTEST:

Yolanda Lucero, Acting City Clerk
(SEAL)

BEFORE THE GOVERNING BODY
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT
In the Matter of:
Zone Map Amendment # 18-100-00022

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR PROPERTY DESCRIBED AS AN 18.6 ACRE PORTION OF PASEO GATEWAY, TRACT 17 FROM SU/MU: SPECIAL USE MIXED USE DISTRICT (11.1 AC); AND OS: OPEN SPACE (7.5 AC) TO R-4: SINGLE FAMILY RESIDENTIAL DISTRICT FOR THE ENTIRE 44.5 ACRES, VERIFYING THE GENERALIZED LAND USE MAP DESIGNATION FOR THE PROPERTY AS BEING "LOW/MEDIUM DENSITY RESIDENTIAL", IDENTIFYING CONDITIONS OF DEVELOPMENT; IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Applicant: New Mexico State Land Office; Paseo Gateway, LLC

THIS MATTER having come before the Governing Body on this 27th day of February, 2019, the Governing Body having taken evidence and considered the merits;

THE GOVERNING BODY HEREBY FINDS:

GENERAL FINDINGS:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a master plan and zone map amendment
2. The applicant has the authority to apply for a master plan and zone map amendment
3. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present views was given.

SPECIFIC FINDINGS in support of the General Findings include:

1. The applicant has submitted an application and narrative that meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07 *Amendments*, including but not limited to:
   a. The applicant has provided sound justification for the change to R-4 for 44.5 acres of Paseo Gateway, Tract 17.
   b. The change is consistent with the amended Paseo Gateway Master Plan (PGMP) and the following adopted elements of the Comprehensive Plan:
      i. Goal PH-3: Promote a variety of housing types to meet the needs of all members of the community;
      ii. Goal PH-4: To ensure that single family and multifamily residential neighborhoods provide an attractive living environment;
      iii. Policy PH-5: Encourage mixed use and mixed income housing opportunities in designated growth nodes throughout the city
      iv. Policy PH-7: Support residential developments with appropriate amenities for families with children.
   c. The applicant has adequately demonstrated that the proposed zoning is more advantageous to the community by providing consistent zoning to one tract of land, by providing flexible housing options for households with a variety of incomes, and by adding density of housing to support commercial land uses Staff finds that the rezoning of Tract 17 provides consistency in zoning designation for the single tract of land which is more advantageous by providing diversity of housing options for the community located near the high school and employment centers. In addition, density of housing supports nearby commercial centers.
   d. The cost of land or other economic considerations pertaining to the applicant is not considered a determining factor in the decision to change the zoning designation on the property;
   e. Location on a collector or major street was not considered in the decision to change the zoning designation on the property; and,
   f. The zone change would not be considered a "spot zone" because the proposed R-4 zoning is consistent with the existing zoning designation of the northerly portion of Tract 17.

Conditions of Approval
Should the Governing Body approve of the zone change, the following condition shall apply: Development of the subject property shall occur in accordance with the Paseo Gateway Master Plan as amended, and shall conform to R.O. 2003 Chapter 154:11 R-4: Single Family Residential District.

THEREFORE: The Zone Map Ordinance is approved as being in conformance with the City of Rio Rancho Ordinances, and the Rio Rancho Comprehensive Plan, as evidenced by adoption of Resolution No. 17, Enactment No. 19-016 and Ordinance No. 08, Enactment No. 19-016 by the Governing Body of the City of Rio Rancho on February 27, 2019, subject to the conditions, restrictions and stipulations specified therein.

March 5, 2019
Date

Greggory D. Hull, Mayor

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1. INTRODUCTION

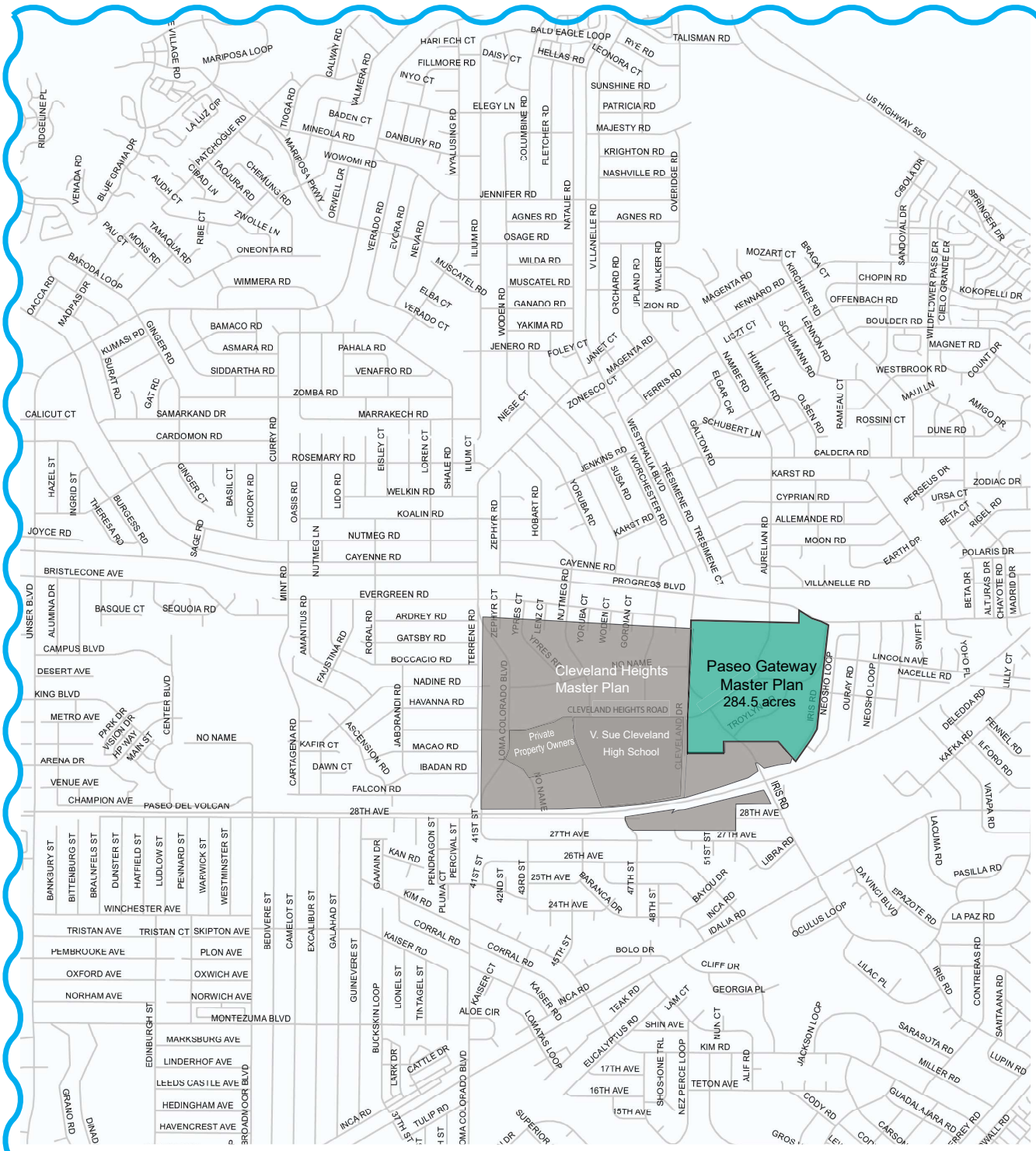
This document is prepared as a Master Plan for the area known as the Paseo Gateway, located in central Rio Rancho, in Sandoval County. The previous version of the Paseo Gateway Master Plan (2019) included approximately 953 acres and included land owned by the New Mexico State Land Office (NMSLO), Rio Rancho Public Schools, the existing Cleveland Heights Subdivision, and AMREP Southwest. ~~The Paseo Gateway Master Plan area is comprised of approximately 953 acres of lands owned by the New Mexico State Land Office ("State" or "NMSLO"), Rio Rancho Public Schools, and AMREP Southwest.~~ In 2025, the lands owned by the SLO, Rio Rancho Public Schools, and Cleveland Heights Subdivision were removed from the Paseo Gateway Master Plan and are now part of the Cleveland Heights Master Plan (2024). The amended Paseo Gateway Master Plan contains 284.5 acres of undeveloped land owned by AMREP (see map on page 4). The goal of this Master Plan is to identify land uses, zoning, and transportation corridors.~~The map located on page 4 illustrates the land ownership in the Plan Area.~~ The goal of this Master Plan is to identify land uses, zoning, and transportation corridors. The following are the objectives of the Master Plan:

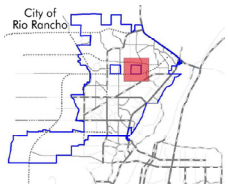
- To allow for flexibility and change on the property as more in-depth planning and infrastructure studies are conducted and as end users/developers are identified;
- To follow City guidelines for land use and zoning;
- To correspond to existing transportation corridors identified in the City's Transportation Policy;
- To complement the land uses and public facilities proposed for the City Center development to the west and the V. Sue Cleveland High School located in the plan area;
- To provide a balanced land use mix that accommodates high quality residential development of various density and high quality commercial development with convenient access to housing and the high school;
- To comply with the Rio Rancho Comprehensive Plan;
- To facilitate fulfillment of the New Mexico State Land Office obligation to optimize revenue to the trust created for the benefit of the public schools and other beneficiary institutions.

Master Planning Process

This Master Plan was accomplished in collaboration with City of Rio Rancho Development Services Department, the State Land Commissioner, AMREP Southwest, and Consensus Planning, Inc. Petitions for annexation and establishment of zoning, as well as a zone map amendment request were also included in conjunction with the original Master Plan approval, which occurred in 2006. Subsequent approvals of site plans and/or subdivision plats will be required to implement the specific portions of the Paseo Gateway plan area contained herein.

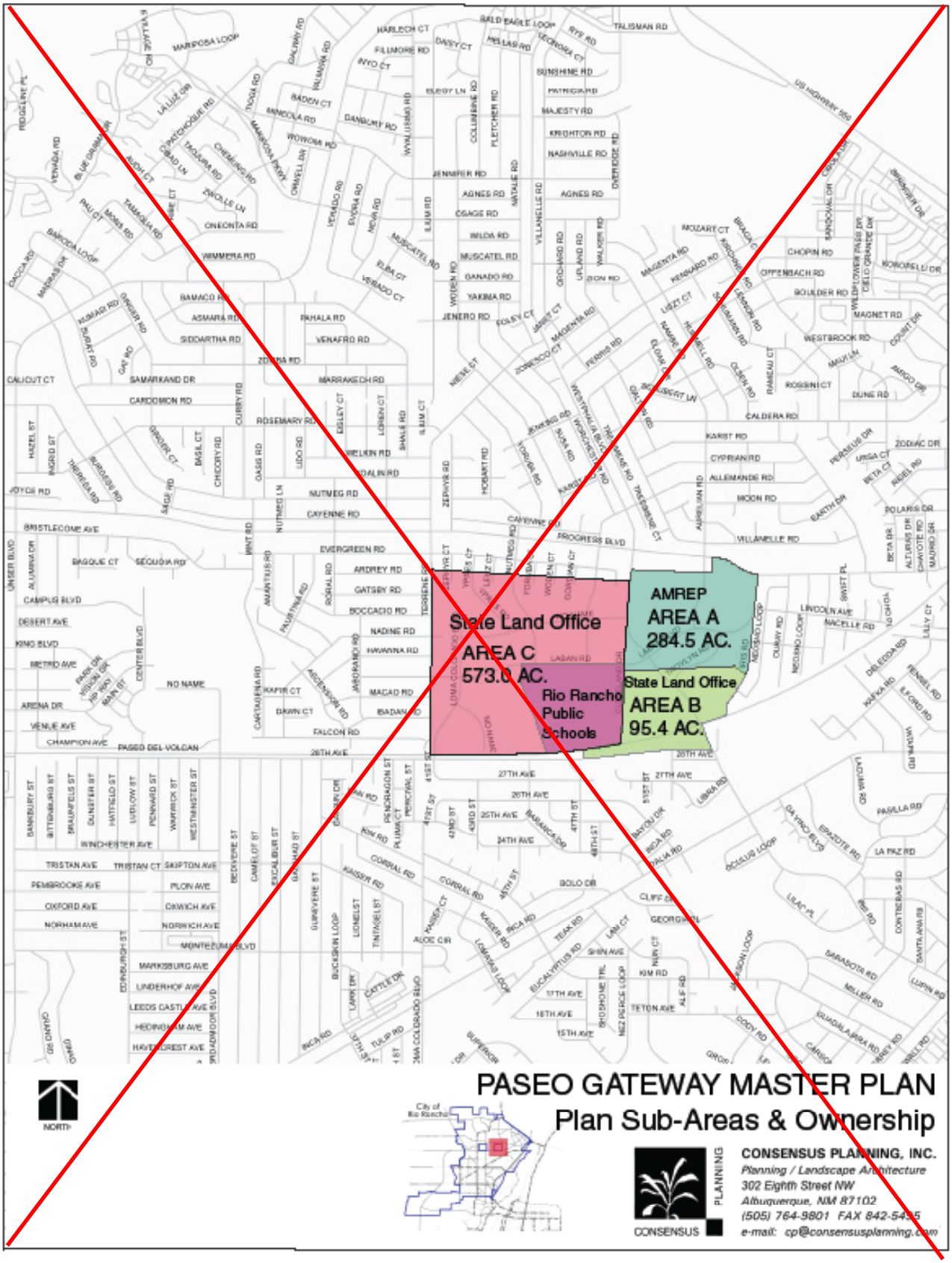
PASEO GATEWAY MASTER PLAN
PASEO GATEWAY MASTER PLAN
Site Vicinity
NORTH
City of Rio Rancho
CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 FAX 842-5495
e-mail: cp@consensusplanning.com
CONSENSUS PLANNING
UNM Campus
UNM Sandoval Regional Medical Center





PASEO GATEWAY MASTER PLAN
Vicinity Map

CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 FAX 842-5495
e-mail: cp@consensusplanning.com


State Land Office
AREA C
573.0 AC.
AMREP
AREA A
284.5 AC.
State Land Office
AREA B
95.4 AC.
Rio Rancho
Public
Schools
PASEO GATEWAY MASTER PLAN
Plan Sub-Areas & Ownership
NORTH
City of
Rio Rancho
CONSENSUS PLANNING, INC.
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2. EXISTING CONDITIONS

The existing conditions for the approximately 284.5 acre ~~953 acre~~ Master Plan Area consider the surrounding land use pattern, zoning, transportation, infrastructure, and other site issues that affect development. Analyzing the benefits and constraints of existing conditions helps to provide insight into the application of planning elements to the area as it relates to the general goals, objectives, and policies of the City of Rio Rancho's Comprehensive Plan. ~~The Master Plan Area consists of three subareas, with different ownership:~~

~~Area A - Owned by AMREP Southwest and consists of 284.5 acres.~~
~~Area B - Owned by the State Land Office and consists of 87.4 acres (commonly referred to as "the Trade Lands").~~
~~Area C - Owned by the State Land Office and Rio Rancho Public Schools and consists of 573.0 acres.~~

Ownership

The lands of Paseo Gateway are owned by AMREP Southwest, Inc. Paseo Gateway is located at the intersection of anticipated prime development for the City's benefit. The highest and best use for these lands is mixed use, commercial, and residential of various densities. ~~A unique aspect impacting the majority of this property is its ownership. The majority of Area C and all of Area B is held in trust as public land and managed by the Commissioner of Public Lands through the State Land Office. Due to its location in the geographic heart of the City, these 573 acres of State Land are prime for master planning for the City's benefit. The highest and best use for these lands is mixed use, with land dedicated to residential, commercial, and industrial uses. Approximately 136.4 acres have been transferred to the Rio Rancho Public Schools and developed as V. Sue Cleveland High School.~~

Land Use

Surrounding land uses impacting the property are minimal. Currently, the a majority of the planning area is vacant with the exception of V. Sue Cleveland High School located north of Paseo del Volcan and east of Loma Colorado Boulevard. There are a number of existing residences located south of Paseo del Volcan in the vicinity and the Cleveland Heights Subdivision located to the west of the the High School.~~The State Land Office parcels are subject to a State Land Office planning lease that is held by Paseo Gateway LLC.~~ Northern Meadows and North Hills to the west and southwest, respectively, are the closest residential land uses to the Master Plan Area. There are a small number of existing residences located south of Paseo del Volcan in the vicinity.

Transportation Corridors

The main transportation corridor serving this property is Paseo del Volcan, a limited access principal arterial that extends from US Highway 550 to Unser Boulevard and is planned to continue west. Paseo del Volcan will provide excellent access to Interstate 25 and 40, which will help this area to attract commercial services and employers helping to increase the job base in the City. Other existing transportation corridors include primary north-south corridors such as Unser Boulevard, Broadmoor Boulevard, Loma Colorado Boulevard, ~~Westphalia Boulevard,~~ and Iris Road. The property is primarily served by Loma Colorado Boulevard and Iris Road~~/Westphalia Boulevard~~ as the primary north/south arterials. Future street name changes shall be completed in conjunction with the City of Rio Rancho to facilitate the unique identity for the Paseo Gateway community.

3. LAND USE AND ZONING

Land use and zoning for the Paseo Gateway ~~Planning Area~~ is intended to allow for a mix of uses that will provide convenient access to services. With residential, commercial and employment areas clustered together, walkability is enhanced. With enhanced walkability, safety improves and traffic congestion lessens. Specific design standards for commercial uses will be determined through site plans. All commercial uses should further the conservation and natural environment element of the Comprehensive Plan.

The following pages include the land use and zoning plans for the Master Plan ~~as a whole and by subarea.~~ Table 1 below and the Land Use Map on page 5 ~~7~~show the acreage and zoning requested.

Table 1: Land Use and Zoning Acreage Distribution ~~and Zoning for Paseo Gateway Plan Area~~

Land Use/Zoning	Size (acres)	% of Total
Residential (R-2)	134.8	45.7%
Residential (R-3)	59.1	19.3%
Residential (R-6)	30.1	10.1%
Commercial (C-1)	28.6	7.8%
Mixed Use (SU)**	24.7	8.0%
Open Space (OS)	7.2	2.3%
Totals	**284.5**	**100.0%**

Land Use/ Zoning	Size (acres)	% of Total
Residential (R-1)	41.8	4.4%
Residential (R-2)	223.2	23.4%
Residential (R-3)	138.9	14.6%
Residential (R-4)	131.7	13.8%
Residential (R-6)	30.1	3.2%
Commercial (C-1)	89.1	9.3%
Light Industrial & Commercial (SU)*	41.3	4.3%
Education Center (SU)*	136.4	14.3%
Mixed Use (SU)*	90.5	9.5%
Open Space/Pond	30.0	3.1%
Totals	**953.0**	**100.0%**

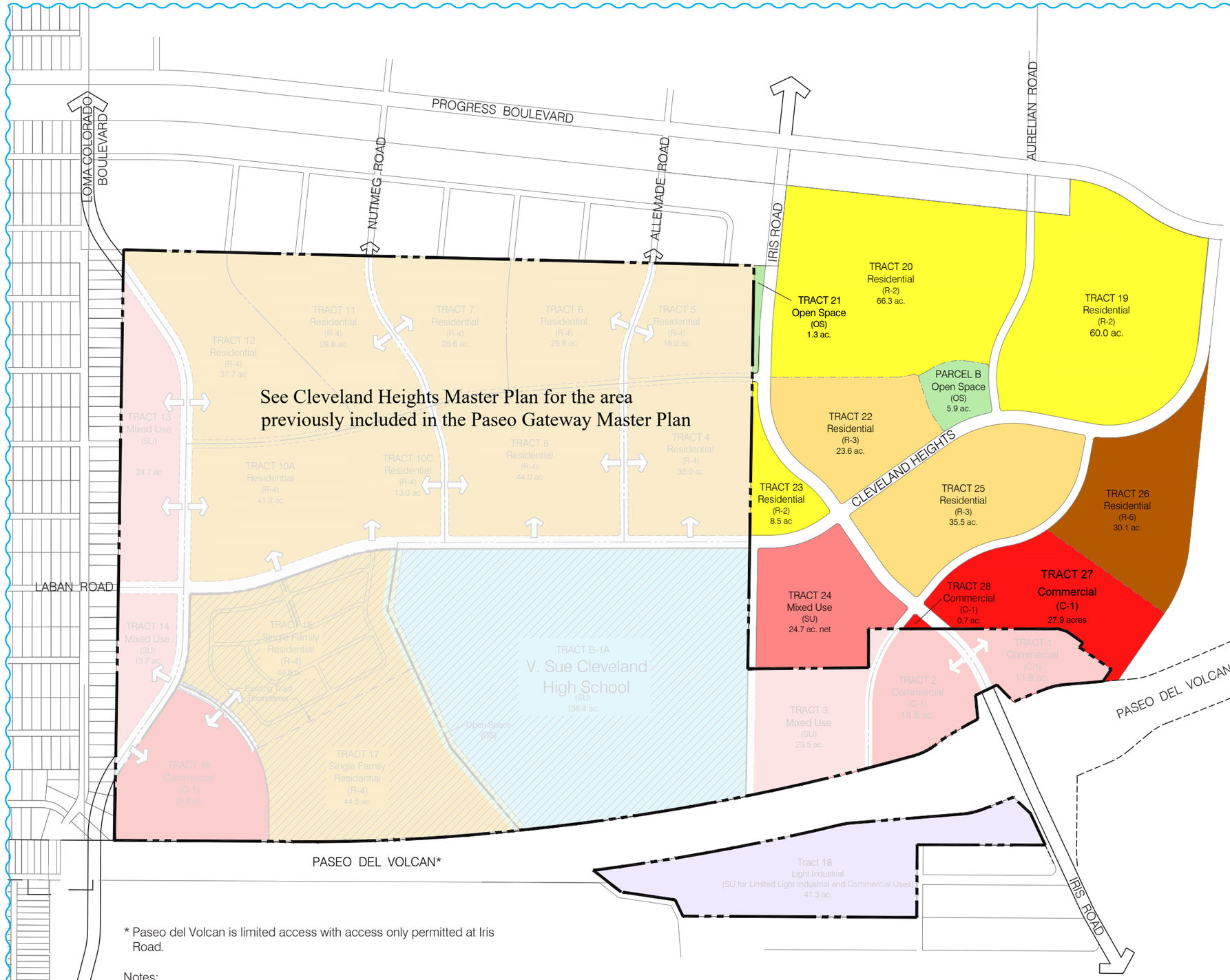
*SU/Special Uses require site plan approval by the Governing Body. Note: acreages were updated for SLO owned property based on 2008 plat. Original Master Plan acreages were approximate.

~~Area A - AMREP Southwest~~

~~Recommended land uses and zoning for Area A addresses the 284.5 acres of land owned by AMREP Southwest. The following zones are proposed for Area A.~~

~~Table 2: Land Use and Zoning Acreage Distribution for Area A~~

Land Use/Zoning	Size (acres)	% of Total
Residential (R-2)	134.8	45.7%
Residential (R-3)	59.1	19.3%
Residential (R-6)	30.1	10.1%



LAND USE / ZONING

- Residential (R-2)
- Residential (R-3)
- Residential (R-6)
- Mixed Used (SU)
- Commercial (C-1)
- Open Space/Drainage Pond (OS)

PASEO GATEWAY

LAND USE / ZONING

Prepared For:

Paseo Gateway, LLC

Prepared By:

Consensus Planning, Inc.
Huitt-Zollars, Inc.

* Paseo del Volcan is limited access with access only permitted at Iris Road.

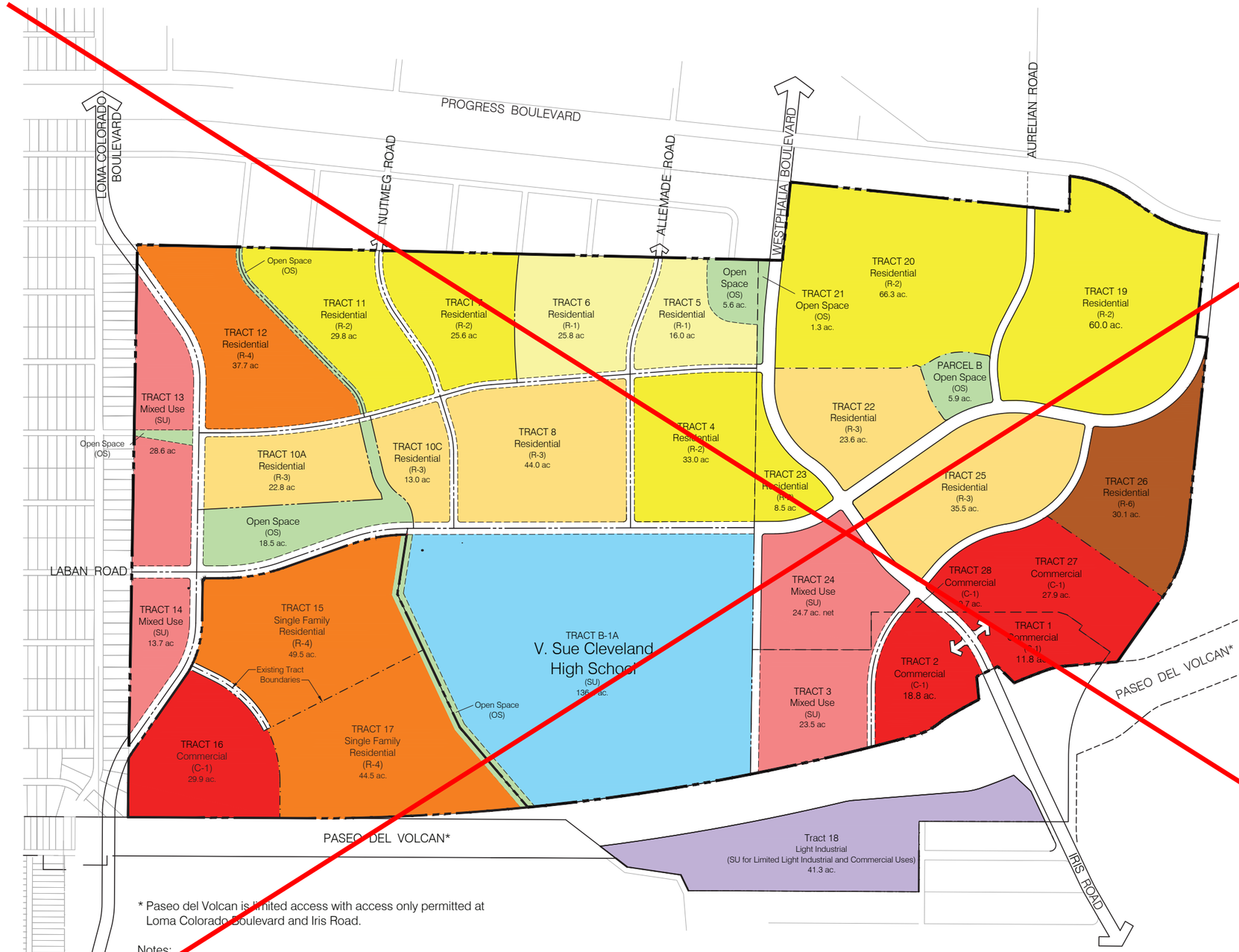
Notes:
1. All interior street locations and alignments are conceptual.

CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 Fax 842-5495
e-mail: cp@consensusplanning.com

Scale: 1" = 400'

NORTH 200 0 400 800

March, 2023



Residential (R-1)

Residential (R-2)

Residential (R-3)

Residential (R-4)

Residential (R-6)

Mixed Used (SU)

Commercial (C-1)

Light Industrial and Commercial (SU)

Education/V. Sue Cleveland High School (SU)

Open Space/Drainage Pond (OS)

* Paseo del Volcan is limited access with access only permitted at Loma Colorado Boulevard and Iris Road.

Notes:

1. All interior street locations and alignments are conceptual.
2. Drainage pond shall be developed consistent with the SSCAFCA 2010 Drainage Management Plan.

PASEO GATEWAY

LAND USE / ZONING

Prepared For:

Cleveland Heights, LLC
Rio Rancho Public Schools
New Mexico State Land Office
AMREP Southwest

Prepared By:

Consensus Planning, Inc.
Huitt-Zollars, Inc.

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Scale: 1" = 400'

NORTH 200 0 400 800

December, 2018

Land Use/Zoning	Size (acres)	% of Total
Commercial (C-1)	28.6	7.8%
Mixed Use (SU)**	24.7	8.0%
Open Space (OS)	7.2	2.3%
Totals	**284.5**	**100.0%**

**SU/Special Uses require site plan approval by the Governing Body.

R-2: Residential
There are 134.8 acres planned for R-2 within Area A.
R-3: Residential
There are 59.1 acres planned for R-3 within Area A.

R-6: Residential
There are 30.1 acres planned for R-6 within Area A.

C-1: Commercial
There are 28.6 acres planned for C-1.

Mixed Use (SU)
The Mixed Use designation is a Special Use zone that provides flexibility to provide a mix of higher density residential and commercial/office uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be integrated vertically or adjacent to each other with appropriate buffering. There are 24.7 acres dedicated to Mixed Use within the AMREP property.

OS: Open Space
The OS or Open Space zone shall allow for active and passive recreational amenities, natural open space areas for wildlife habitat and cultural and natural resource preservation. There are 7.2 acres of OS in Area A.

Area B - New Mexico State Land Office

Recommended land uses and zoning for Area B addresses 95.4 acres of land owned by the State Land Office. The following zones are proposed for Area B.

Table 3: Land Use and Zoning Acreage Distribution for Area B

Land Use/Zoning	Size (acres)	% of Total
Commercial (C-1)	30.6	32.1%
Mixed Use (SU)**	23.5	24.6%
Light Industrial & Commercial (SU)**	41.3	43.3%
Totals	**95.4**	**100.0%**

*Calculations based on net acreage
**SU/Special Uses require site plan approval by the Governing Body.

C-1: Commercial
There are 30.6 acres planned for C-1 in Area B. Due to the proximity of Area B to Paseo del Volcan, the C-1 lands provide a logical transition from a principal arterial north to medium and low density residential development.

Mixed Use (SU)
The Special Use Mixed Use designation provides flexibility to provide a mix of higher density residential and commercial uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be integrated vertically or adjacent to each other with appropriate buffering. There are 23.5 acres dedicated to Mixed Use within Area B.

Light Industrial (SU for Limited Light Industrial and Commercial Uses)
Office, light industrial, manufacturing, business park facilities, and commercial are appropriate uses in the Light Industrial Special Use zone. The intent of the employment zone is to provide alocation for employers to locate in an area served by principal arterials with excellent accessibility and existing infrastructure. Uses that create nuisances such as smoke, noise, vibration, and odor are not appropriate for the Light Industrial district in this area. Permissive uses are as stipulated in the adopted zoning Ordinance for this area. 41.3 acres has been designated for Light Industrial (SU) in Area B.

Area C - New Mexico State Land Office and Rio Rancho Public Schools

Recommended land uses and zoning for Area C addresses the 573.0 acres of land owned by the State and Rio Rancho Public Schools. The following zones are proposed for Area C.

Table 4: Land Use and Zoning Acreage Distribution for Area C

Land Use/Zoning	Size (acres)	% of Total
Residential (R-1)	41.8	7.3%
Residential (R-2)	88.4	15.4%
Residential (R-3)	79.7	13.9%
Residential (R-4)	131.7	23.0%
Commercial (C-1)	29.9	5.2%
Mixed Use (SU)**	42.3	7.4%
Education Center (SU)**	136.4	23.8%
Open Space (OS)/ROW, Drainage	22.8	4.0%
Totals	**573.0**	**100.0%**

*Calculations based on net acreage
*SU/Special Uses require site plan approval by the Governing Body.

R-1: Residential
There are 41.8 acres planned for R-1 within Area C.

R-2: Residential
There are 88.4 acres planned for R-2 within Area C.

R-3: Residential
There are 79.7 acres planned for R-3 within Area C.

R-4: Residential
There are 131.7 acres planned for R-4 within Area C.

C-1: Commercial
The C-1 lands provide easily accessible services for the nearby residential and business areas.

~~There are 29.9 acres planned for C-1 in Area C.~~

~~**Mixed Use (SU)**~~
~~The Mixed Use designation provides flexibility to provide a mix of higher density residential and commercial/office uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be integrated vertically or adjacent to each other with appropriate buffering. There are 42.3 acres dedicated to Mixed Use within the Area C.~~

~~**Educational Center (SU)**~~
~~Schools, recreational facilities, administrative offices, parks, and maintenance and storage facilities are permissive in the Educational Center district. Advanced education and elementary educational facilities are able to be located in this district to serve a localized or regional educational objective. The 136.4 acres designated for Educational Facilities is the site of V. Sue Cleveland High School.~~

~~**OS: Open Space**~~
~~The OS or Open Space zone shall allow for active and passive recreational amenities, natural open space areas for wildlife habitat and cultural and natural resource preservation. There are 22.8 acres of OS in Area C.~~

4. INFRASTRUCTURE

The following briefly describes the general infrastructure for the Master Plan area. Development engineering will be required for future planned development per the City of Rio Rancho Development Process Manual (DPM).

A. Water and Sewer
Water and sewer availability will be reviewed at subdivision plat.

~~A. Water~~
~~Water service will be provided per the existing agreement dated August 8, 2013 (included in this document as Appendix A) from lines existing in the area.~~

~~B. Sewer~~
~~Sewer service will be provided per the existing agreement dated August 8, 2013 (included in this document as Appendix A) from lines existing in the area.~~

~~C.~~ B. Drainage
A drainage study has been completed for the Paseo Gateway area and preliminary plans have been developed to limit drainage flows to historic rates beyond Paseo del Volcan. Detention ponds will be constructed as part of the overall development plan. Discharge will be provided via the Upper Venada Off-Channel Facility agreement with SSCAFCA executed in 2023.

~~D.~~ C. Roadways
Primary access to the area is provided from Paseo del Volcan at Loma Colorado Boulevard and Iris Road ~~and Westphalia Boulevard.~~

5. RIO RANCHO COMPREHENSIVE PLAN

The Paseo Gateway Master Plan adheres to the Rio Rancho Comprehensive Plan. The Comprehensive Plan is a policy document that lays out goals, policies, and actions to guide the growth and development of Rio Rancho. The Paseo Gateway Master Plan will help implement the nine elements of the Rio Rancho Comprehensive Plan, as explained below.

ANNEXATIONS, ANTIQUATED PLATTING & ADDRESSING

This element of the Comprehensive Plan is not applicable to the Paseo Gateway Master Plan The property has already been annexed and platted, and will continue to be platted and addressed according to City standards as development occurs within the Plan Area.

CONSERVATION AND THE NATURAL ENVIRONMENT

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

The Conservation and Natural Environment Section of the Comprehensive Plan include some of the following goals, policies, and actions for achieving these objectives:

- ◊ Preserve water resources
- ◊ Reuse and recycle materials, and reduce waste
- ◊ Implement the use of low impact development techniques and green building practices
- ◊ Limit the use of turf in landscape areas in residential and commercial developments

The Paseo Gateway Master Plan meets these objective through the provision of design guidelines that require the sensitive use of landscape materials in order to conserve water, the creation of open spaces that serve dual drainage and recreational functions, such as a trail in the north/south open space corridor. Builders at Paseo Gateway are encouraged to join green building programs and employ green building techniques.

The basic tenet of the conservation element is to maintain and improve natural resources in Rio Rancho for generations to come. Ways to achieve this include the support for recycling, water conservation, low-impact transportation alternatives, and the use of renewable resources.

Night sky compliant lighting shall be required within the Paseo Gateway Master Plan. Drought tolerant and native landscaping materials are encouraged.

Planning and design of infrastructure within the Paseo Gateway Master Plan shall minimize the alteration of natural flood plains, stream channels and natural protective barriers. Flooding, grading and development activities shall be managed to prevent flood or erosion damage.

LAND USE, POPULATION AND HOUSING

The goals, policies, and actions for land use, population, and housing in Rio Rancho include the following:

- ◊ Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space,

storm drainage, utilities, and building location and design in the master plan
- ◊ Promote and support development that incorporates walkability
- ◊ Encourage adequate pedestrian connections to future transit facilities in all residential site development
- ◊ Maintain the strength, vitality, and stability of all residential neighborhoods and types
- ◊ Promote quality, community-friendly multi-family development, through features such as enhanced open space and pedestrian connectivity

The intent of this element is to ensure a land use pattern that offers a diversity of housing, well designed residential development, provides park and open space amenities, and pedestrian connectivity. The land use concept for the Paseo Gateway Master Plan accomplishes the intent of the land use element by including a wide range of zoning densities, from R-1 to R-6. Master planning is one of the City's key action steps towards carrying out this element.

The Paseo Gateway Master Plan outlines the framework for development that meets the intent of the Comprehensive Plan by providing pedestrian trails and sidewalks that connect to the major streets bounding the Plan Area and through the provision of park and open space within the Plan Area.

Land uses include office, commercial, institutional, entertainment, residential, and industrial. Paseo Gateway is located east of the City Center. Residents living in the Paseo Gateway community will have convenient access to employment, education, and commercial services.

The Paseo Gateway Master Plan calls for a mix of land uses that can accommodate a diversity of housing options for residents. High-end and move-up housing will be available as well as attached and detached residential options, all in close proximity to commercial services.

The Paseo Gateway Master Plan will utilize existing City of Rio Rancho zoning categories and development will conform with the design standards contained in those zoning categories and this Master Plan. Design standards created for Paseo Gateway are designed to expand on the City's Zoning Ordinance and will provide unified streetscapes, unified signage design, perimeter wall and entry design, and open space areas. Landscaping requirements shall apply to streetscapes, detention ponds, perimeter areas adjacent to perimeter walls, and buffer areas.

TRANSPORTATION

The Transportation Section of the Comprehensive Plan contains the following goals, policies, and actions which are relevant to the Paseo Gateway Master Plan:

- ◊ A balanced transportation system that provides access to a variety of transportation options.

The transportation element hopes to establish a long-range transportation network to meet local and regional circulation needs. A multi-modal transportation system to move people and goods is encouraged. In addition, a coordinated pedestrian network is preferred throughout the Plan Area to help foster non-vehicular mobility and accessibility.

Prior to development, a Traffic Impact Analyses shall be provided to ensure that new residential development will not compromise the existing transportation network. Walkways and pedestrian corridors shall be provided both as sidewalks along the roadways and within Open Space corridors. Pedestrian and bicycle connections may be considered for arterial and collector roadways, or within trail corridors.

PUBLIC FACILITIES

The intent of the Public Facilities element of the Comprehensive Plan is to minimize the difficulties, due to antiquated platting, of providing infrastructure within the City. The applicable policy is listed below.

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

The Master Plan meets this intent and policy. The Master Plan is in an area of Rio Rancho where the project will be able to connect to existing infrastructure and is a logical location for expansion.

All residents should be assured proper access to police, fire and emergency services. Police, fire and emergency rescue services impacts should be considered in development plans. Coordination with the Department of Public Safety shall be a requirement for future Specific Area Plans to ensure federal standards are met for emergency response times.

PARKS AND RECREATION

The intent of the Parks and Recreation section of the Comprehensive Plan is to ensure that as the City of Rio Rancho develops, amenities such as parks and recreational facilities are provided for the growing population. The goals that are particularly applicable to the Master Plan are listed below:

- ◊ Be responsive to the recreational needs of the community
- ◊ Provide a variety of quality of life services to meet community needs, assuring that there are strong relationships with all sectors of the community and ample opportunities to foster human interaction

The Master Plan has designated land as open space with the intent that these areas will function as multi-use drainage, recreation, or trail corridors. The intent of the Master Plan is to provide the framework for the creation of a complete community that includes park and recreation areas.

URBAN DESIGN

The intent of the Urban Design element of the Comprehensive Plan is to ensure that development follows design standards that help to achieve the creation of community identity and aesthetic quality. Some of the relevant goals, policies, and actions within this element include:

- ◊ Create safe developments that discourage crime
- ◊ Support development that links neighborhoods and encourages the use of all modes of transportation
- ◊ Embrace the use of xeriscape landscaping

Design features within the Paseo Gateway Master Plan will highlight streetscapes, multi-use paths, perimeter walls, gateways, and pedestrian connections at the site planning stage. It is anticipated that a more detailed level of planning will be required for these properties to ensure adherence with the overall land use plans, transportation corridors and open space network. Future site plans and/or subdivisions shall include landscaping requirements for streetscapes, arroyos and retention/detention ponds, walls and screening patterns. Native and xeric plant species shall be encouraged and water harvesting and irrigation requirements shall be included in any future landscape plans.

ECONOMIC DEVELOPMENT

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

to support and attract existing and new businesses, while with respect to the State parcels, also benefiting the public schools of New Mexico by optimizing revenue to the trust administered by the Commissioner.

The land use plan for the Paseo Gateway area provides for an appropriate mix of residential, commercial, and employment uses. The intent of the land use plan is to provide ample space for a wide variety of potential employers and new industry to locate in Rio Rancho. With accessibility to Paseo del Volcan, NM State Road 528, US Highway 550, and Interstate 25, it is expected that this area will be desirable for future employers. The City may consider development incentives to attract employers and commercial services to Paseo Gateway by providing an expedited development.

6. Design Guidelines

A. Residential Design Guidelines for Area C

The design guidelines are intended to create a sense of cohesiveness and identity within ~~Area C of the~~ the Paseo Gateway Master Plan. These standards will help implement the Urban Design provisions of the City of Rio Rancho's Comprehensive Plan.

The standards are primarily intended as a generalized guide for end users/builders that will participate in the development of Paseo Gateway. Where these standards conflict with City of Rio Rancho ordinances or approved City standards, the more stringent shall apply.

SITE DESIGN
All individual neighborhoods should provide convenient pedestrian circulation through and between neighborhoods, to the external streets, and the proposed adjacent commercial development.

General

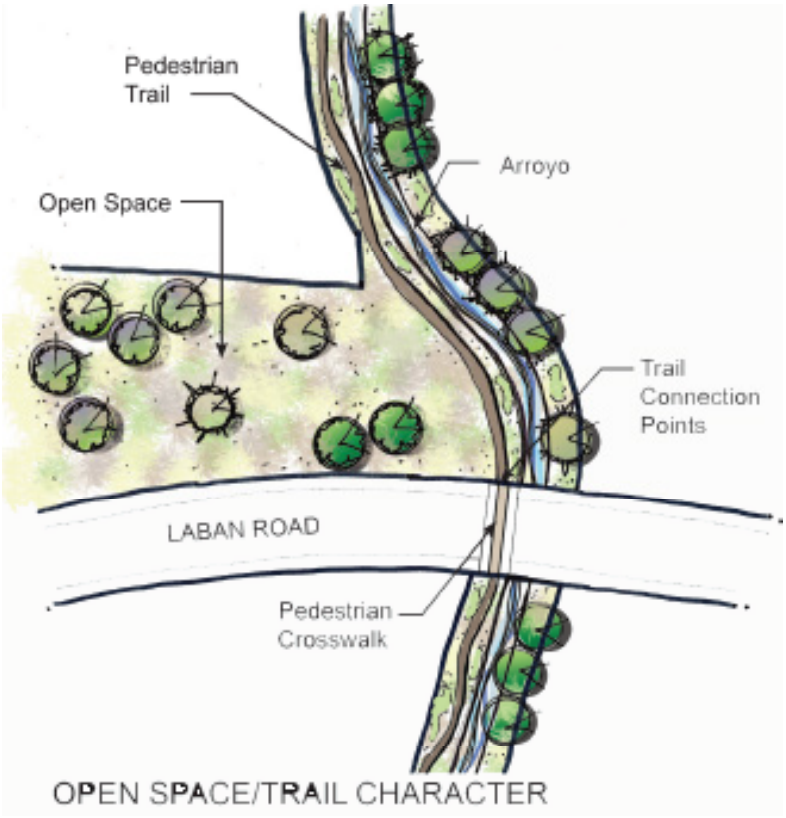
a. Sidewalk requirements shall be consistent with City of Rio Rancho standards.

b. Safe, convenient, and pleasant pedestrian circulation may be accomplished with sidewalks, trails, special pavings, and shade.

c. Pedestrian walkways shall be designed to be ADA accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design).

d. Concrete, asphalt, or compacted decomposed granite with stabilizer are acceptable materials for pedestrian walkways.

e. Clear sight distances shall be maintained at all driveway locations and intersections per AASHTO design standards.



OPEN SPACE/TRAIL CHARACTER

f. Unfinished gray block walls, barbed wire, chain link, concertina wire, and wood or plastic/vinyl fencing are prohibited.

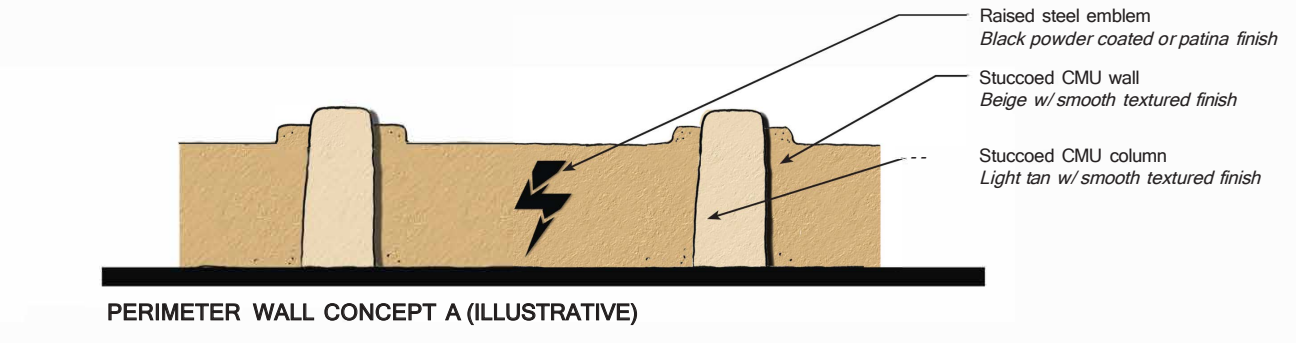
Single Family Residential

a. All development shall comply with the City of Rio Rancho Subdivision Ordinance.

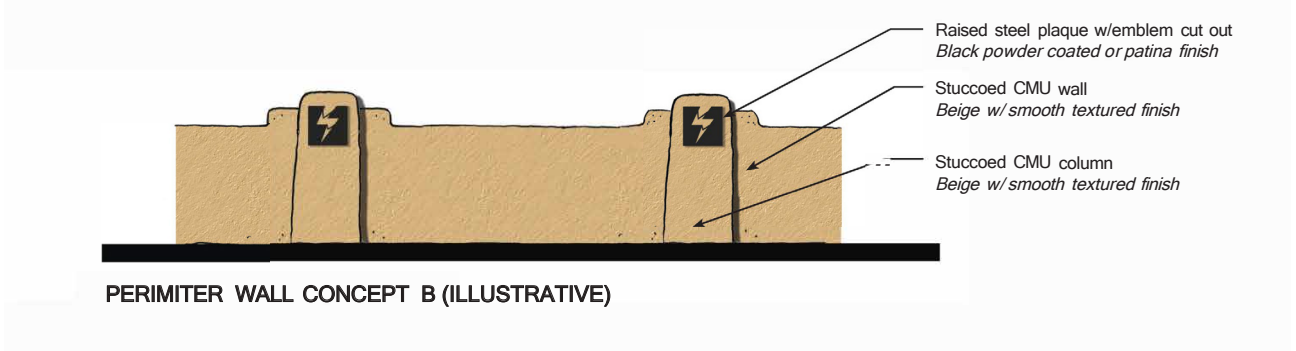
b. Single family units are prohibited from fronting or have driveway access to a collector or major local street.

c. Proposed driveway locations shall be consistent with curb cut requirements identified in the Rio Rancho City Code.

d. Lots that face streets at the front and rear shall be limited to one driveway at the front facing street. A solid wall shall be provided at the rear yard of the property to ensure limited access.



PERIMETER WALL CONCEPT A (ILLUSTRATIVE)



PERIMITER WALL CONCEPT B (ILLUSTRATIVE)

ARCHITECTURE

The architectural standards are intended to describe the general characteristics of the Master Plan. While the buildings will reflect these standards, it is not the intent of these design standards to prohibit a certain amount of individual expression and creativity.

Residential

a. Building height on houses with pitched roofs shall not exceed 32 feet to the highest point of the pitch. Building height on houses with flat roofs shall not exceed 26 feet.

b. The use of accent colors in entry portals, front door, window frames and trim, and other incidental elements is encouraged.

c. Front porches, entryways, and/or portals, if used, shall have a minimum 5 foot depth, and shall not be permitted within the front yard setback.

d. Antennae or solar collector equipment, if used, shall be installed so as to minimize its visibility

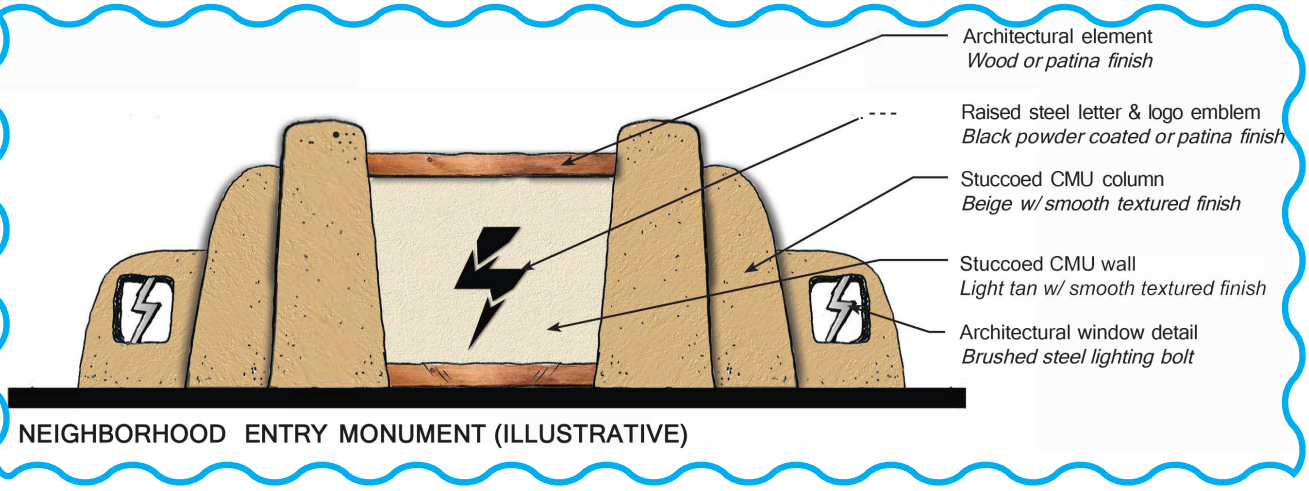
from any public street or adjacent lot.

SIGNAGE

Signage should enhance the overall character and identity of the community, as well as provide directional instruction.

Residential Neighborhoods

a. All neighborhood entries shall include the specific subdivision name (example is located below).



NEIGHBORHOOD ENTRY MONUMENT (ILLUSTRATIVE)

b. Freestanding neighborhood entry signs shall be monument style. The maximum height shall not exceed 8 feet.

c. The signage program at Paseo Gateway will include project identification graphics in key locations along the perimeter of the project.

LIGHTING

The objective of the lighting standards is to preserve the “dark sky” while providing lighting that enhances the safety, security, and visual aesthetics of the area. Careful attention to lighting detail will contribute to the sense of a cohesive community image. Additional restrictions on lighting may be imposed through privately enforced covenants, conditions, and restrictions (CC&Rs).

General

a. Light fixtures and standards are intended to conform to local safety illumination standards and existing City regulations.

b. Street lights shall be per Rio Rancho and Public Service Company of New Mexico standards, which require street lights at all intersections, cul-de-sacs, and curves in the roadway.

c. Site lighting should be shielded and oriented so as to eliminate glare or light trespass onto adjacent roadways and properties. All lighting shall be in compliance with the City of Rio Rancho Lighting Ordinance.

d. Lighting layout should be coordinated with proposed landscaping and trees to maximize light distribution and avoid conflicts.

e. Bollard lights should be used at pedestrian connections.

LANDSCAPE AND STREETSCAPE

Landscaping should be used to buffer attenuate noise or block undesirable views, to provide wind protection, shade, and relief from the heat and glare generated by development, to control soil erosion, and enhance pedestrian and vehicular traffic and safety. Street trees are intended to soften and break-up the streetscape to avoid a canyon-like appearance. Recognizing the importance of water conservation, these standards promote the use of native and naturalized plant species that perform well in an arid environment.

General

a. Landscape plans shall comply with the City's Water Conservation Ordinance and Zoning Code.

b. Landscaping in accordance with an approved plan should be installed in a timely manner in accordance with the CC&Rs.

c. Turf should not be used within the street R.O.W. or within the landscape area between the curb and sidewalk. These areas should be planted with shrubs and trees.

d. A clear sight triangle must be maintained in any landscape area per AASHTO sight distance standards.

e. A fully automated irrigation system should be provided for all landscaped areas. The system should be designed to avoid overspraying walks, buildings, fences, etc.

f. Undeveloped areas held in reserve for future building or pavement should be stabilized with an acceptable polymer based agent or seeded with a mixture of native grasses wildflowers.

g. Coverage of the common landscape areas with living vegetative material will be governed by existing City regulations.

h. Street trees shall follow City of Rio Rancho standards.

Residential

a. Street trees should be provided at a rate of 2 tree per residential lot frontage along roads throughout the Area C portion of the Paseo Gateway Plan Area.

b. Street trees should be provided at a rate of one tree per 30 linear feet along subdivision perimeter and where lots back up to roadways.

c. Homebuilders should provide front yard landscaping for each residential lot. This requirement is in addition to the street tree in front of the residence.

d. Irrigation and maintenance of front yard landscape and street trees along internal neighborhood streets should be the responsibility of the individual homeowner.

e. Gravel, colored rock, and similar materials are acceptable as a top dressing for landscape areas, however, they shall not be considered a focal landscape element.

B. Tract 18 - SU/Light Industrial & Commercial Guidelines
Tract 18, in the Paseo Gateway Master Plan is a Special Use zone. The Light Industrial/ Commercial Special Use zone within the Paseo Gateway Master Plan requires a Site Plan approved by the Governing Body, and are subject to the following restrictions to insure proper use and appropriate development. Specifically to:

(a) mitigate negative impacts to adjacent residential properties;

(b) protect each Owner against improper development and use of the property;

(c) prevent construction of buildings of substandard materials;

(d) provide standards that include signage, adequate setbacks, architecture, landscape, streetscape, lighting, access, and walls.

The purpose of these design standards is to provide a flexible framework for community design that encourages innovative and creative solutions, rather than setting a rigid set of requirements. The standards will help implement the Urban Design provisions of the City of Rio Rancho Comprehensive Plan.

LIMITS AND RESTRICTIONS
The SU Light Industrial/Commercial Zone within the Plan Area will provide for limited industrial and commercial uses as specified by City of Rio Rancho Ordinance. provided such uses are conducted in a compatible and harmonious manner.

Permissive Uses:
SU for Light Industrial and C-1/Retail Commercial uses, which includes the following land uses:

1. Light manufacturing and assembly per Code of Ordinances, conducted indoors;
2. Storage warehousing, warehouse distribution and wholesaling merchandising;
3. Self-storage facilities;
4. Laboratories, research, and experimental stations;
5. Printing, publishing, and related establishments;
6. Lot for new and used vehicle sales, parts and service per Rio Rancho Code of Ordinances
7. Office and office buildings;
8. Call Centers;
9. Stores for the sale of retail goods and products;
10. Repair shops for appliances and similar goods;
11. Bakeries and confectionaries where goods are sold
12. Restaurants, except free-standing bars and lounges;
13. Banks, and money lending;
14. Film Studios, Film Production, and related use;
15. Theatres;
16. Amusement centers and bowling alleys;
17. Photography studios, except adult photo studios
18. Dry cleaning, laundry, and tailor shops;
19. Beauty shop, barber shop, spa;
20. Hotel;
21. Health clubs and gymnasiums;
22. Hospitals and health care related uses;
23. Assisted living and similar institutions;
24. Nursery schools and daycare facilities;

25. Public and private schools;
26. Libraries and museums;
27. Churches and other places of worship, Sunday school buildings and parish houses
28. Public utilities
29. Parks, recreation parks, open space, and public facilities;
30. Construction trailers per Rio Rancho Code of Ordinances; and
31. Residential uses within the building for security purposes.

Building Height: Building height shall be per the C-1, Retail Commercial, District except that the maximum height of a hotel or office building shall be 50 feet if the structure is located, at minimum, 200 feet from the nearest residentially zoned property.

Setback: There shall be a 35-foot setback from the property boundary except adjacent to the Paseo del Volcan right-of-way.

Landscaping: Landscaping shall be per the C-1, Retail Commercial, District.

Buffering and Walls: Buffering shall be provided per the C-1, Retail Commercial, District with the following modifications:

1. The required buffer yard shall be 15 feet wide.
2. Plain grey CMU block shall not be used for the buffer wall unless painted or treated (e.g. stuccoed).
3. Chain-link (with or without slats), wood or plastic/vinyl fencing shall not be used for the buffer wall.
4. Barbed wire, concertina wire and similar materials are not permitted atop the buffer wall.
5. Buffering shall also be provided along the west boundary adjacent to the tributary of the La Barranca Arroyo.
6. All perimeter block walls facing rights-of-way shall be constructed of split-face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.

Off-street Parking: Off-street parking shall be provided per Code of Ordinances, Chapter 154.76~~22~~.

Bicycle Parking: Each occupied building shall include bicycle racks that accommodate 0.25 bicycles per 1,000 square feet gross floor area or 3 bicycles, whichever is greater.

Equipment, Refuse and Storage Screening:

1. Ground and roof-mounted mechanical equipment shall be screened from the view of adjoining properties by landscaping or parapets, respectively.
2. Outdoor storage shall be visually screened from all property lines by a solid wall, opaque fence (chain-link fencing with slats not enough to fully screen the stored materials.
3. Refuse collection shall comply with Code of Ordinances, Chapter 50.07(B). Chain-link fencing with slats shall not be permitted as a suitable enclosure for the refuse container.

Lighting: Lighting shall comply with all applicable City ordinances and should shall be further restricted by the following design standards:

1. Site lighting shall be shielded and oriented so as to eliminate glare or light trespass on to adjacent rights-of-way and properties.
2. All parking lot lighting shall be fully shielded.
3. Bollard lights shall be fitted with louvers, diffusers or shields, as necessary, to eliminate glare or light trespass on to adjacent rights of-way and properties.
4. Light fixtures shall conform to the architectural character of the buildings and other site elements.
5. Accent lighting is permitted; however, building surface lighting is limited to an average of 2 foot-candles measured 4 feet from the surface level of any point on the building surface being illuminated.
6. The average lighting level shall be limited to 2 foot-candles with maximum levels limited to 16 foot-candles as measured 4 feet from above the surface level of any point on Tract 18.

Signage: Signs shall comply with all applicable City ordinances and should be further restricted by the following design standards:

1. All free-standing signs shall be monument signs as defined by Code of Ordinances, Chapter 156.02 except those signs for the direction of vehicular traffic and signs advertising properties for sale or lease.
2. Blinking, moving, internally illuminated or animated signs, product advertising signs or hand painted signs shall not be permitted.
3. Building signs shall consist of individually mounted letters, shall be limited to identification of the respective building or tenant occupant and shall not be illuminated if facing residential properties.
4. Signs for business identification may be permitted in the buffer, but shall not exceed four feet in height.

5. Signs advertising properties for sale or lease and signs required for the regulation and direction of vehicular traffic shall be allowed in the buffer, but such signs shall not exceed six square feet in area nor be higher than four feet above grade.

Architecture:

1. Primary building materials shall be stucco, colored concrete or colored block. Stone, tile, metal or brick accents are also allowed.
2. Materials prohibited as the primary building material include the following:
   a. Exposed, untreated precision block or wood walls;
   b. Highly reflective surfaces; and
   c. Metal paneling.
3. Stucco colors shall be limited to shades of brown, tan, sage green, and sand. Bright colors as the dominant exterior color are prohibited.
4. Earth tone, white, green, red, blue, and brown hues shall be the accent colors used on entry portals, front doors, window frames and trim, fascias, southwestern architectural features, and other related elements.

Access:

1. Primary access to Tract 18 shall be from Iris Road. via 28th Avenue. Access to 27th Avenue and 52nd Street south of the property line shall be prohibited unless otherwise required for reasons of public health, safety, or welfare.

2. Direct access from Paseo del Volcan or Iris Rd. shall require approval by the New Mexico Department of Transportation and the City of Rio Rancho.

Site Plan: Site plan approval per Code of Ordinances, Chapter 154.~~17~~ 43 SU: Special use District, shall be granted by the Governing Body prior to development.

7. IMPLEMENTATION

The Implementation of the Paseo Gateway Master Plan shall occur as subplans, infrastructure planning and subdivisions are platted.

1. All land use decisions shall be in compliance with the adopted Paseo Gateway Master Plan, this includes zone map amendments, platting, and right-of-way acquisition in coordination with the Department of Development Services.

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

3. National standards for emergency response times shall be upheld; therefore DPS facility planning shall be coordinated as subdivisions occur.

4. Access to Paseo Del Volcan will be restricted to Loma Colorado Boulevard, and Iris Road ~~Westphalia Road~~.

5. All interior streets locations and alignment are conceptual. Final location and alignment of internal streets shall be determined at the time of subdivision.

6. All major streets shall be dedicated upon request by the City during the subdivision process.

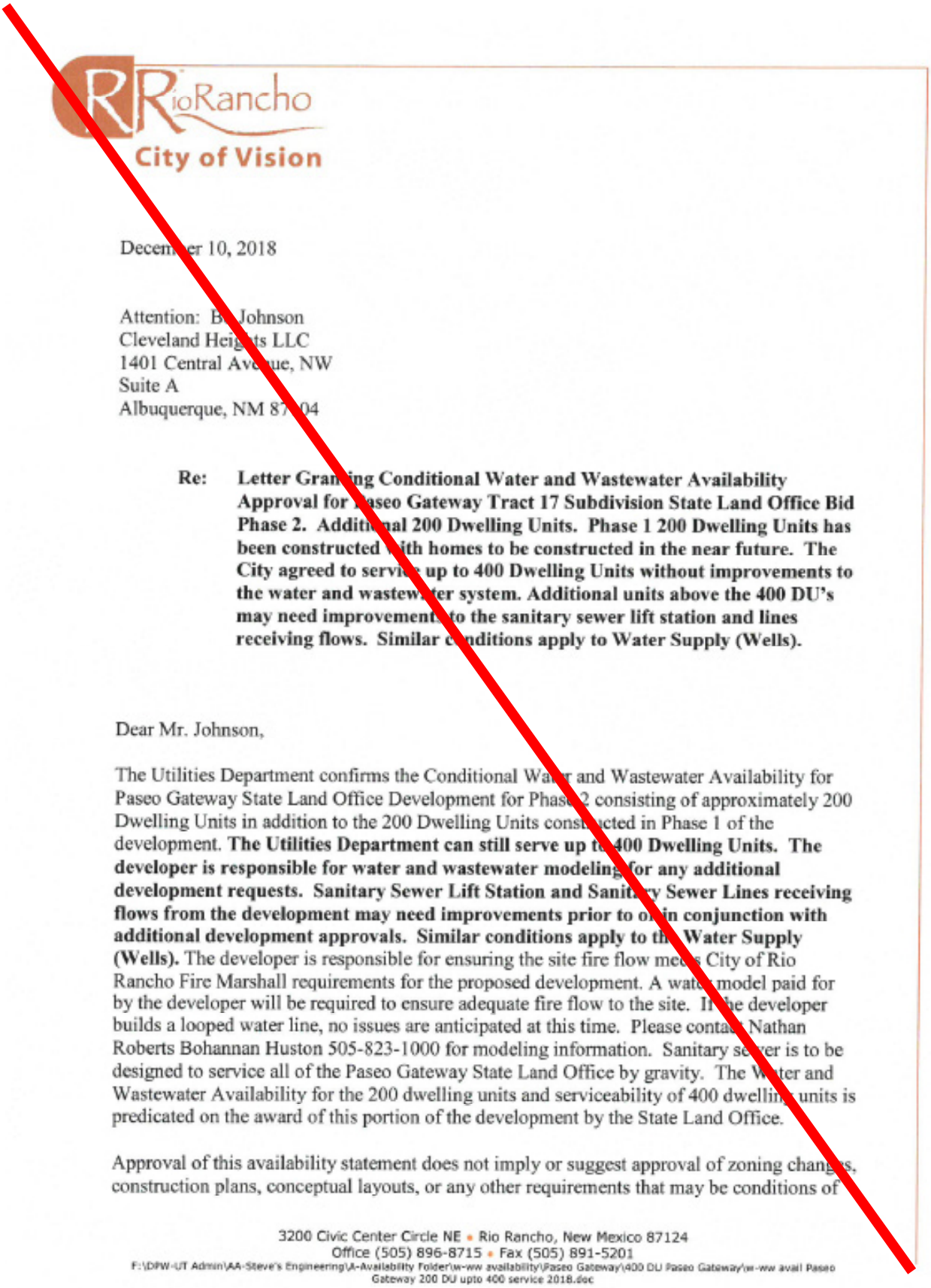
7. Designated open space, improved to meet City of Rio Rancho Park Design Standards in the Development Process Manual, may count towards the trail requirements established by the City of Rio Rancho.

8. A 25% rule is established for administrative amendments to the Paseo Gateway Master Plan. As residential projects get farther along in the design process, it is typical for minor readjustments to occur. Therefore we propose that any change that is less than 25% of the Master Plan area shall be processed administratively by the Planning Director. Changes that exceed 25% of the plan area will return to the Planning and Zoning Board and Governing Body for approval.

9. Future plans may be required to address specific issues such as design guidelines, coordination of infrastructure, transportation corridors.

10. It is anticipated that the property will be platted to correspond with development. In conjunction with platting actions, Development Agreement(s) may be prepared outlining infrastructure costs and requirements for the development.

APPENDIX A - WATER/SEWER AVAILABILITY



Rio Rancho
City of Vision

December 10, 2018

Attention: B Johnson
Cleveland Heights LLC
1401 Central Avenue, NW
Suite A
Albuquerque, NM 87 04

Re: Letter Granting Conditional Water and Wastewater Availability Approval for Paseo Gateway Tract 17 Subdivision State Land Office Bid Phase 2. Additional 200 Dwelling Units. Phase 1 200 Dwelling Units has been constructed with homes to be constructed in the near future. The City agreed to service up to 400 Dwelling Units without improvements to the water and wastewater system. Additional units above the 400 DU's may need improvements to the sanitary sewer lift station and lines receiving flows. Similar conditions apply to Water Supply (Wells).

Dear Mr. Johnson,

The Utilities Department confirms the Conditional Water and Wastewater Availability for Paseo Gateway State Land Office Development for Phase 2 consisting of approximately 200 Dwelling Units in addition to the 200 Dwelling Units constructed in Phase 1 of the development. **The Utilities Department can still serve up to 400 Dwelling Units. The developer is responsible for water and wastewater modeling for any additional development requests. Sanitary Sewer Lift Station and Sanitary Sewer Lines receiving flows from the development may need improvements prior to or in conjunction with additional development approvals. Similar conditions apply to the Water Supply (Wells).** The developer is responsible for ensuring the site fire flow meets City of Rio Rancho Fire Marshall requirements for the proposed development. A water model paid for by the developer will be required to ensure adequate fire flow to the site. If the developer builds a looped water line, no issues are anticipated at this time. Please contact Nathan Roberts Bohannan Huston 505-823-1000 for modeling information. Sanitary sewer is to be designed to service all of the Paseo Gateway State Land Office by gravity. The Water and Wastewater Availability for the 200 dwelling units and serviceability of 400 dwelling units is predicated on the award of this portion of the development by the State Land Office.

Approval of this availability statement does not imply or suggest approval of zoning changes, construction plans, conceptual layouts, or any other requirements that may be conditions of

3200 Civic Center Circle NE • Rio Rancho, New Mexico 87124
Office (505) 896-8715 • Fax (505) 891-5201
F:\DPW-UT Admin\AA-Steve's Engineering\A-Availability Folder\w-ww availability\Paseo Gateway\400 DU Paseo Gateway\w-ww avail Paseo Gateway 200 DU upto 400 service 2018.doc

approval for this development. This statement merely represents a commitment from the City that, if all other necessary approvals are obtained, and the completion of the proposed water system improvements, this development will be allowed to be served by the City's water and wastewater systems as described above.

If a fire flow test is performed for the site, results are to be turned into the Utilities Department and Fire Marshall or designee. The test is to be coordinated with the System Maintenance Crews at 896-8287. The System Maintenance Crews are the only personnel authorized to operate valves in the City of Rio Rancho. The developer is responsible for paying for a fire flow test from a certified tester.

Please refer to the City of Rio Rancho Web Site for additional water and sewer information. Design Criteria and Standard Details are located on the following web address: http://ci.rio-rancho.nm.us/index.asp?NID=482 Departments, Public Works, Design Criteria and Standards Details, Water and Wastewater.

Contacts for additional information and guidance: Development Services: 505-891-5005 Engineering Division: 505-891-5016 Environmental: **Backflow Prevention 505-896-8816 and Industrial Pollution Pretreatment Program (Commercial Wastewater Survey and Grease Interceptors) 505-891-5017.** Water pressure will need to be verified by the developer. If water pressure exceeds 80 psi individual pressure reducing valves will be needed on the homes or business at the cost and responsibility of the customers.

The Availability Statement will expire unless construction starts within 18 months of approval and is complete within 3 years of approval. If you have questions regarding this Availability Statement please contact me at 505-891-5046.

Sincerely,

Steve Gallegos

Steve Gallegos
Deputy Director
Utilities Department

3200 Civic Center Circle NE • Rio Rancho, New Mexico 87124
Office (505) 896-8715 • Fax (505) 891-5201
F:\DPW-UT Admin\AA-Steve's Engineering\A-Availability Folder\w-ww availability\Paseo Gateway\400 DU Paseo Gateway\w-ww avail Paseo Gateway 200 DU upto 400 service 2018.doc

FLOOD CONTROL COST SHARE AGREEMENT
Upper Venada Off-Channel Facility

THIS FLOOD CONTROL COST SHARE AGREEMENT ("AGREEMENT") is made this day August 18, 2023 ("EFFECTIVE DATE"), by and between the Southern Sandoval County Arroyo Flood Control Authority, New Mexico, a political subdivision of the State of New Mexico (hereinafter "SSCAFCA"), and AMREP Southwest Inc., a New Mexico corporation (hereinafter "DEVELOPER").

RECITALS

WHEREAS, SSCAFCA is empowered and directed to acquire, equip, maintain, and operate a flood control system for the benefit of the authority and the inhabitants thereof, pursuant to NMSA 1978, Sections 72-19-1 through 72-19-103, and

WHEREAS, DEVELOPER is developing certain lands within the City of Rio Rancho, New Mexico ("CITY") generally described as a portion of Paseo Gateway, and more specifically including:

> Tracts numbered 19, 20, 22, 23, 25, 26, 28, Parcel B, Lots numbered 1 through 11, inclusive, in Block numbered 204 and Lots numbered 1 through 11, inclusive, in Block numbered 205, as the same are shown and described on the plat entitled "PASEO GATEWAY TRACTS 19 TRU 28 AND PARCEL B, A REPLAT AND VACATION OF PORTIONS OF UNIT TWENTY, within Section 33, Township 13 North, Range 3 East, New Mexico Principal Meridian, City of Rio Rancho, Sandoval County, New Mexico" filed for record on December 3, 2008, in vol. 3, folio 2982-A (Rio Rancho Estates Plat Book No. 21, Pages 125-128, in Sandoval County, New Mexico.

(hereinafter "DEVELOPMENT"), and

WHEREAS, DEVELOPER and SSCAFCA have previously executed a Drainage Agreement dated July 16, 2020 ("DA") for construction of a flood control pond on SSCAFCA's property for the discharge of storm water from the DEVELOPMENT, paid for by DEVELOPER and operated by SSCAFCA, and

WHEREAS, all conditions by both parties have been met from the DA with the exception of the construction of the flood control facility and DEVELOPER and SSCAFCA desire to terminate the DA and replace it with this AGREEMENT, and

WHEREAS, SSCAFCA is planning to construct the Upper Venada Off-Channel Facility on Tract H in a manner consistent with the conceptual layout reflected in Conceptual Layout for Tract H Detention Ponds, attached hereto as Exhibit A ("PROJECT"), to address regional flood control and storm water drainage, including from the final DEVELOPMENT. "Tract H" means Tract H, as the same is shown and designated on the plat entitled "Blocks 119 Thru 134, Portions of Blocks 88 and 89, Reserved Tracts "H" & "I", Unit Twenty, Rio Rancho Estates, Sandoval County, New Mexico," recorded in the office of the County Clerk of Sandoval County, New Mexico on June 19, 1972 in Rio Rancho Estates Plat Book No. 2, Page 59. Final drainage volumes from the DEVELOPMENT to the PROJECT shall be based on the land treatments identified in Potential Impacts of the Proposed Paseo Gateway Development on Peak Discharge and Runoff Volume Contributions to the Venada Arroyo, attached hereto as Exhibit B. SSCAFCA is currently assembling financial resources needed for PROJECT design and construction, including a financial contribution from DEVELOPER.

NOW, THEREFORE, for good and adequate consideration, the receipt of which is hereby acknowledged, SSCAFCA and DEVELOPER agree as follows:

1. **Termination of DA.** The DA is hereby terminated as of the EFFECTIVE DATE and all provisions of the DA that do not by their terms survive such termination are no longer in effect. Notwithstanding the prior sentence, the DA may be reinstated (and all terms in the DA shall be in effect following such reinstatement) pursuant to Section 4(e) of this AGREEMENT.

2. **Financial Contribution.** Subject to the terms of this AGREEMENT, DEVELOPER agrees to contribute $623,000 to the ultimate construction cost incurred by SSCAFCA for construction of the PROJECT ("FINANCIAL CONTRIBUTION"). Other than the FINANCIAL CONTRIBUTION, SSCAFCA shall be solely responsible for all of the fees, costs and expenses of the PROJECT.

3. **Procedures and Project Compliance**.

    a. The FINANCIAL CONTRIBUTION shall be paid as follows:

        i. DEVELOPER will pay 25% of the FINANCIAL CONTRIBUTION to SSCAFCA within 30 days of SSCAFCA providing DEVELOPER with notice that SSCAFCA has issued a notice to proceed to the prime construction contractor responsible for the PROJECT.

        ii. DEVELOPER will pay an additional 25% of the FINANCIAL CONTRIBUTION to SSCAFCA when the construction contractor for the PROJECT reaches 50% completion (as determined by the date on which the prime construction contractor responsible for the PROJECT reaches 50% of such contractor's pay application under its contract with SSCAFCA) Such payment will be due within 30 days of SSCAFCA notifying DEVELOPER of the occurrence of the 50% completion benchmark and providing DEVELOPER with invoices from SSCAFCA's construction contractor for the services underlying such benchmark.

        iii. DEVELOPER will pay the remaining 50% of the FINANCIAL CONTRIBUTION within sixty (60) days after the date SSCAFCA issues DEVELOPER a Substantial Completion certificate and DEVELOPER verifies that all components of the PROJECT contained in such certificate are accurate.

    b. Without limiting any other provision of this AGREEMENT, SSCAFCA shall design, construct, operate and maintain the PROJECT in compliance with all applicable governmental laws, ordinances, rules or other requirements governing the PROJECT and in a capacity to accept drainage from the DEVELOPMENT in the minimum amount equivalent to a 100-year, 24-hour recurrence interval storm calculated using the assumptions and figures provided by SSCAFCA in Exhibit B attached hereto. Notwithstanding DEVELOPER's payment of any portion of the FINANCIAL CONTRIBUTION, SSCAFCA shall at all times remain solely liable for the design, construction, operation and maintenance of the PROJECT. Offsite drainage that would naturally flow through the DEVELOPMENT to the Venada Arroyo shall be diverted to the Venada Arroyo upstream of the PROJECT by the DEVELOPER. In addition to drainage from the DEVELOPMENT, the PROJECT is a regional flood control facility that will be designed to manage stormwater from the Venada watershed west of the PROJECT.

4. **Drainage Allowance:**
   a. In consideration for the FINANCIAL CONTRIBUTION, DEVELOPER will be allowed to divert and discharge storm water from the DEVELOPMENT to the PROJECT as soon as is reasonably practicable following payment of the FINANCIAL CONTRIBUTION and in the vicinity of the location marked with an "X" on Exhibit A hereto, unless DEVELOPER and SSCAFCA agree to a different location in writing.

   b. DEVELOPER shall design the drainage plan for the DEVELOPMENT to limit the drainage from the DEVELOPMENT to the PROJECT to a 100-year, 24-hour recurrence interval storm calculated using the assumptions and figures provided by SSCAFCA in Exhibit B attached hereto.

   c. SSCAFCA shall not be responsible for design and construction of any storm water infrastructure or energy dissipation required to discharge from the DEVELOPMENT to the PROJECT.

   d. If DEVELOPER, in its discretion, adds additional property to the DEVELOPMENT during the term of this AGREEMENT, the term "DEVELOPMENT" herein will refer to the DEVELOPMENT as increased by such property without the need to separately amend this AGREEMENT.

   e. Notwithstanding anything to the contrary in this Agreement:

      i. In the event that the PROJECT is not under contract for construction by August 31, 2025, the DA shall be reinstated between the parties, and this AGREEMENT shall automatically terminate; and

      ii. In the event that SSCAFCA does not complete the PROJECT in accordance with its contract for construction or if DEVELOPER is unable to connect to the PROJECT when it is complete for reasons directly related to SSCAFCA's design or construction of the PROJECT, SSCAFCA shall immediately return all portions of the FINANCIAL CONTRIBUTION paid to SSCAFCA, the DA shall be reinstated between the parties and this AGREEMENT shall automatically terminate.

5. **Assignment**. No party to this AGREEMENT shall assign this AGREEMENT, in whole or in part, without prior written consent of the other party. No assignment of this AGREEMENT shall relieve DEVELOPER of any of its obligations unless the assignee/successor in interest has demonstrated it is equally or more capable of performing the duties and obligations of DEVELOPER and it has the financial wherewithal to complete the obligations required of DEVELOPER in this AGREEMENT, as determined in SSCAFCA's sole discretion, at the time of such assignment. No such assignment shall be effective until all obligations under this AGREEMENT have been assumed by the assignee and the notice of such assignment, together with a copy of the assumption, have been received and approved by SSCAFCA. Notwithstanding anything to the contrary in this Agreement: (a) DEVELOPER may assign its rights and/or obligations under this AGREEMENT to a subsidiary or affiliate of DEVELOPER upon written notice to SSCAFCA, and SSCAFCA's consent will not be required for any such assignment; (b) DEVELOPER may assign its rights and/or obligations under Paragraph 4 hereof, in whole or in part, to any person or entity taking ownership of all or any portion of the DEVELOPMENT, and SSCAFCA's consent will not be required for any such assignment; and (c) any such assignment will not relieve DEVELOPER of its obligation to pay the FINANCIAL

CONTRIBUTION pursuant to the terms in Sections 2 and 3 of this AGREEMENT.

6. **Binding Effect.** The terms and provisions of this AGREEMENT, together with the documents referenced herein, share inure to the benefit of and be binding upon the successors and assigns of each of the parties hereto.

7. **Governing Law.** This AGREEMENT shall be governed by and construed in accordance with the laws of the State of New Mexico.

8. **Authority.** Each individual signing for each of the parties hereunder warrants and represents that he/she is an authorized agent of such party, on whose benefit he/she is executing this AGREEMENT and is authorized to execute the same.

9. **No Joint Venture.** Nothing in this AGREEMENT shall create any association, agency, partnership or joint venture between the parties hereto and neither shall have any authority to bind the other in any way.

10. **Construction and Severability.** If any part of this AGREEMENT is held invalid or unenforceable, the reminder of the AGREEMENT will remain valid and enforceable if the remainder is reasonably capable of completion.

11. **Attorney's Fees.** In the event that either party shall employ an attorney or attorneys to enforce any of the provisions hereof or to protect its interests in any manner arising under this AGREEMENT or to recover damages from the breach of any portion of this AGREEMENT, the non-prevailing party in any action pursued, to the extent allowed by law, agrees to pay the prevailing party all reasonable costs, damages and expenses, including, attorney's fees expended or incurred in connection therewith.

12. **Indemnity and Limitations on Liability**.

    DEVELOPER shall indemnify, defend and hold harmless SSCAFCA and each officer and employee of SSCAFCA from and against any and all liability, claims, damages, losses or expenses (including attorneys' fees and expenses) ("DAMAGES") incurred by or asserted against SSCAFCA or any officer or employees of SSCAFCA caused by, resulting from or in connection with DEVELOPER's failure to comply with Section 4(b) of this Agreement. The prior sentence shall survive the expiration or termination of this AGREEMENT, except to the extent that the terms of the DA are reinstated pursuant to Section 4(e) herein, then the prior sentence shall not survive termination of this AGREEMENT; provided, however, that DEVELOPER shall not be in any way responsible for any DAMAGES directly attributable to portions of the DEVELOPMENT sold or transferred to persons or entities other than DEVELOPER from and after the respective dates of any such sales or transfers.

    SSCAFCA, to the extent permitted by law, shall indemnify, defend and hold harmless DEVELOPER, any of its affiliates and each officer and employee of DEVELOPER or any of its affiliates from and against any and all DAMAGES incurred by or asserted against DEVELOPER, any of its affiliates or any officer or employees of DEVELOPER or any of its affiliates caused by, resulting from or in connection with SSCAFCA's failure to comply with Section 3(b) of this Agreement. The prior sentence shall survive the expiration or termination of this AGREEMENT, except to the extent that the terms of the DA are reinstated pursuant to

Section 4(e) herein, then the prior sentence shall not survive termination of this AGREEMENT.

The liability of the Parties shall be subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act §41-4-1 *et seq*. NMSA 1978 as amended. No provision of this Agreement establishes any waiver of immunity for alleged tortious conduct of any employee of any Party arising from the performance of this Agreement apart from that set forth in the New Mexico Tort Claims Act, NMSA 1978, §41-4-1, *et seq*.

13. **Notice**. All notices with respect to this AGREEMENT shall be in writing and shall be delivered via (i) receipted hand delivery; (ii) postage prepaid United States Mail, via certified mail, return receipt requested; or (iii) receipted overnight delivery, delivery fees prepaid, to the addresses set forth below or other such addresses as hereafter specified in writing by one party to the other:

SSCAFCA:
Executive Engineer
1041 Commercial Drive SE
Rio Rancho, NM 87124
dgatterman@ssafca.com

DEVELOPER:
AMREP Southwest Inc.
Attn: Vice President, Land Development
409 NM Highway 528 NE
Rio Rancho, NM 87124

With a required copy (which shall not constitute notice) to:
AMREP Corporation
Attn: President
850 West Chester Pike, Suite 205
Havertown, PA 19083

Any notice or communication given hereunder shall be deemed to have been given: (i) as of the date of delivery, if hand delivered; (ii) as of three (3) days following the date of delivery to the United States Postal Service, if sent by U.S. Mail; or (iii) as the day following the date of delivery to an overnight courier service, if sent by overnight delivery.

14. **Entire Agreement.** This AGREEMENT constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, and there are no warranties, representatives or other agreements among the parties in connection with the subject matter hereof except as specifically set forth herein. This AGREEMENT can be amended or terminated only by written agreement signed by all parties. This AGREEMENT may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this AGREEMENT delivered by facsimile, e-mail or other means of electronic transmission (to which a signed PDF copy is attached) shall be deemed to have the same legal effect as delivery of an original signed copy of this AGREEMENT. Either party may copy this completed AGREEMENT for electronic storage, at which time the paper form of this AGREEMENT may be destroyed. Each party agrees that following the electronic storage of this AGREEMENT, any hardcopy printout of that electronically stored information will constitute an original of this AGREEMENT.

[Signatures and acknowledgments on following pages]

IN WITNESS WHEREOF, DEVELOPER and SSCAFCA hereto have executed this AGREEMENT as of the EFFECTIVE DATE.

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY:

By: Ron Abramshe
Ron Abramshe, Chair

Date: Aug. 17, 2023

ATTEST:

David Gatterman, P. E., Executive Engineer

ACKNOWLEDGMENT

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

This instrument was acknowledged before me on August 17, 2023 by Ron Abramshe, Chair of Southern Sandoval County Arroyo Flood Control Authority, a political subdivision of the State of New Mexico, on behalf of said political subdivision.

My Commission Expires:

3/14/26
(SEAL)

Notary Public

CARLA SALAZAR
Notary Public - State of New Mexico
Commission # 1137598
My Comm. Expires Mar 14, 2026

DEVELOPER – AMREP SOUTHWEST INC.:

By: _____
Name: Jarrod Likar
Title: Vice President, Land Development

Date: 8/17/23

ACKNOWLEDGMENT

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

This instrument was acknowledged before me on 8/17, 2023 by Jarrod Likar, Vice President, Land Development of AMREP Southwest Inc., a New Mexico corporation, on behalf of said corporation.

My Commission Expires: 3/14/26

CARLA SALAZAR
Notary Public - State of New Mexico
Commission # 1137598
My Comm. Expires Mar 14, 2026

(SEAL)

_____
Notary Public

EXHIBIT A
PROJECT CONCEPTUAL LAYOUT

EXHIBIT "A"

May 15, 2023

Approximate connection point for stormdrain from Paseo Gateway development

1:15,122

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

Esri Community Maps Contributors, New Mexico State University, City of Rio Rancho, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph

EXHIBIT B
POTENTIAL IMPACTS OF THE PROPOSED PASEO GATEWAY DEVELOPMENT ON PEAK DISCHARGE AND RUNOFF VOLUME CONTRIBUTIONS TO THE VENADA ARROYO

Potential Impacts of the Proposed Paseo Gateway Development on Peak Discharge and Runoff Volume Contributions to the Venada Arroyo

March 7, 2023

The purpose of this analysis is to determine the cost contribution level for the developer (AMREP) to SSCAFCA's planned upper Venada stormwater detention facility. The analysis is not a substitute for a formal drainage submittal as required by the City of Rio Rancho. Any increase in runoff volume or flow rate identified in this document will be the responsibility of the development to manage. An overview map of the project location can be seen in Figure 1.

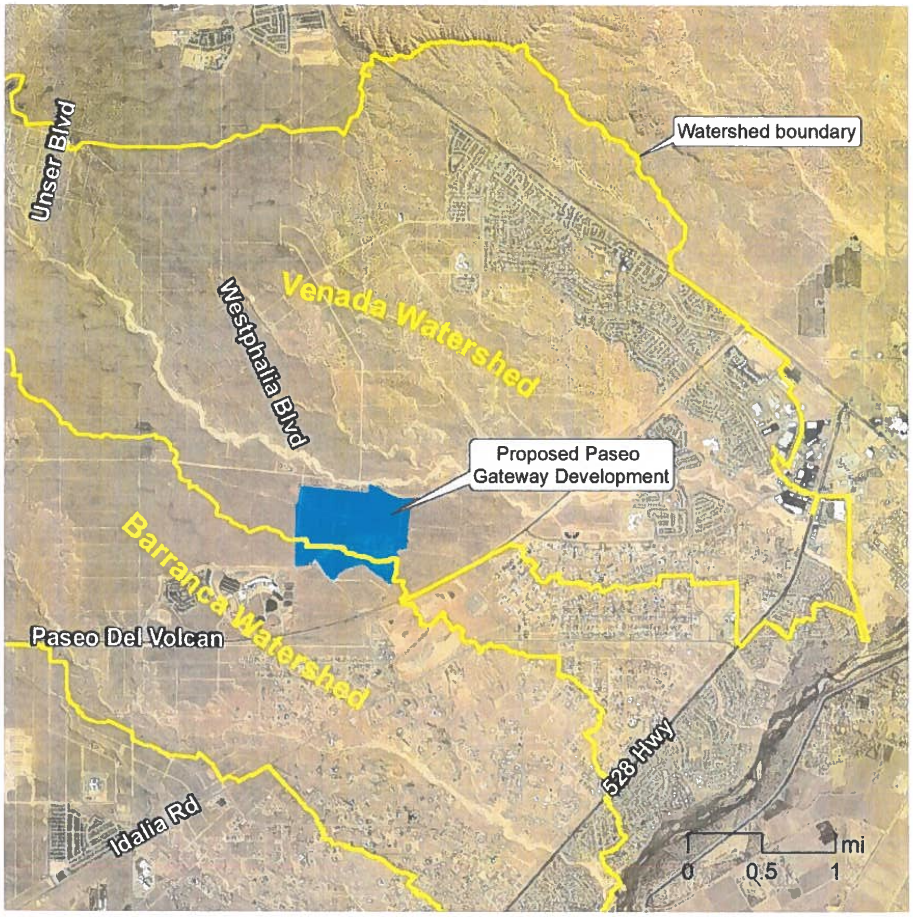


Figure 1: Overview map showing the location of the proposed Paseo Gateway development (shaded blue) within the Venada watershed (yellow outline).

1

The area in question encompasses approximately 0.41 square miles. Under current conditions, about 78% of the project area contributes flow to the Venada Arroyo; the remainder of the area is part of the Barranca watershed. The proposed development would therefore divert 0.09 square miles north to the Venada watershed. Potential impacts on peak flow and runoff volume contributions to the Venada Arroyo were assessed using HEC-HMS version 4.10 based on methods specified in SSCAFCA's Hydrology Manual v1.1.

Model assumptions are documented below.

Assumptions:

Existing Conditions

- The existing conditions scenario assumes that 0.32 square miles of the project area drain to the Venada Arroyo.
- The entire area is undeveloped (curve number = 74, no impervious surfaces).
- The area was modeled as a single basin.
- A sediment bulking factor of 1.18 was used.
- Lag time was estimated at 20 min.

Developed Conditions

- The developed conditions scenario assumes that 0.41 square miles of the project area drain to the Venada Arroyo.
- The area was modeled as a single basin.
- A sediment bulking factor of 1.06 was used.
- Lag time was estimated at 23 min.
- Land use densities for the project area are based on information obtained by SSCAFCA from the developer, AMREP Southwest, as shown in Figure 2.
- Land use categories and associated loss parameters are contained in Table 1. Values for directly connected impervious areas (DCIA) and curve numbers (CN) were based on analogous areas within the City of Rio Rancho (see Table 1 – justification for details).
- Based on the values shown in Table 1, 39% DCIA and a composite curve number of 85 were assumed for developed conditions.

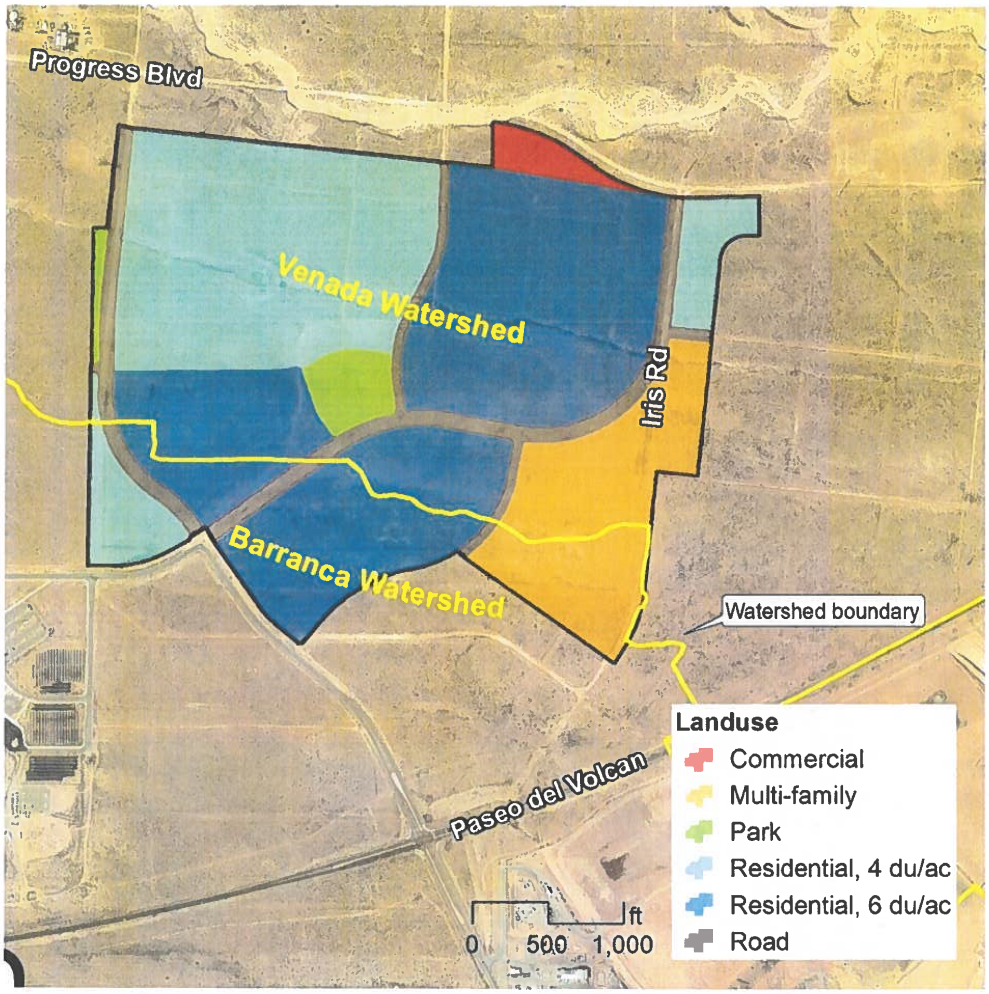


Figure 2: Land use densities used for the developed conditions scenario of the Paseo Gateway model.

Table 1: Land use categories and associated loss model parameters.

Land use	Area (ac)	% DCIA	CN	Justification
Commercial	4.2	85	77	Assumes 85% DCIA, remainder is natural desert landscaping (CN=77)
Multi-family	35.8	85	74	
Park	7.1	0	74	Equivalent to open space
Residential, 4 du/ac	81.7	21	84	Based on Northern Meadows subdivision; 22% disconnected impervious (CN=98), 10% road ROW (CN=92), 43% residential yard (CN=80), 25% open space (CN=74)
Residential, 6 du/ac	113.7	26	87	Based on High Range subdivision; 32% disconnected impervious (CN=98), 14% road ROW (CN=92), 46% residential yard (CN=80), 8% open space (CN=74)
Road	22.5	100		

Results

Table 2 lists runoff results based on the 100-year 24-hour design storm and the assumptions listed above. Estimated runoff values reported in this document are for regional planning purposes only. Loss model parameters (%DCIA, CN) were estimated based on areas with similar land use densities in the City of Rio Rancho. Substantial deviations from those assumptions will require re-analysis of the area, as will changes to the contributing area.

Table 2: Projected runoff volumes and peak flows from the Paseo Gateway area for existing and developed conditions.

Basin	Area (mi^2)	Peak discharge (cfs)	Runoff volume (ac-ft)
PG_exisiting	0.3231	163	13.4
PG_developed	0.4140	492	45.4

CITY OF RIO RANCHO

Paseo Gateway Master Plan

AMENDED 2025

Prepared by:
CONSENSUS PLANNING, INC.

Prepared for:
STATE LAND OFFICE
RIO RANCHO PUBLIC SCHOOLS
AMREP SOUTHWEST

NEW ORDINANCE

NEW RESOLUTION

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1. INTRODUCTION

This document is prepared as a Master Plan for the area known as the Paseo Gateway, located in central Rio Rancho, in Sandoval County. The previous version of the Paseo Gateway Master Plan (2019) included approximately 953 acres and included land owned by the New Mexico State Land Office (NMSLO), Rio Rancho Public Schools, the existing Cleveland Heights Subdivision, and AMREP. In 2025, the lands owned by the SLO, Rio Rancho Public Schools, and Cleveland Heights Subdivision were removed from the Paseo Gateway Master Plan and are now part of the Cleveland Heights Master Plan (2024). The amended Paseo Gateway Master Plan contains 284 acres of undeveloped land owned by AMREP (see map on page 4). The goal of this Master Plan is to identify land uses, zoning, and transportation corridors. The following are the objectives of the Master Plan:

- To allow for flexibility and change on the property as more in-depth planning and infrastructure studies are conducted and as end users/developers are identified;
- To follow City guidelines for land use and zoning;
- To correspond to existing transportation corridors identified in the City's Transportation Policy;
- To complement the land uses and public facilities proposed for the City Center development to the west, the V. Sue Cleveland High School, and the Cleveland Heights Master Plan area;
- To provide a balanced land use mix that accommodates high quality residential development of various density and high quality commercial development with convenient access to housing and the high school; and
- To comply with the Rio Rancho Comprehensive Plan.

Master Planning Process

This Master Plan was accomplished in collaboration with City of Rio Rancho Development Services Department, the State Land Commissioner, AMREP Southwest, and Consensus Planning, Inc. Petitions for annexation and establishment of zoning, as well as a zone map amendment request were also included in conjunction with the original Master Plan approval, which occurred in 2006. Subsequent approvals of site plans and/or subdivision plats will be required to implement the specific portions of the Paseo Gateway plan area contained herein.

2. EXISTING CONDITIONS

The existing conditions for the approximately 284.5 acre Paseo Gateway Master Plan Area consider the surrounding land use pattern, zoning, transportation, infrastructure, and other site issues that affect development. Analyzing the benefits and constraints of existing conditions helps to provide insight into the application of planning elements to the area as it relates to the general goals, objectives, and policies of the City of Rio Rancho's Comprehensive Plan.

Ownership

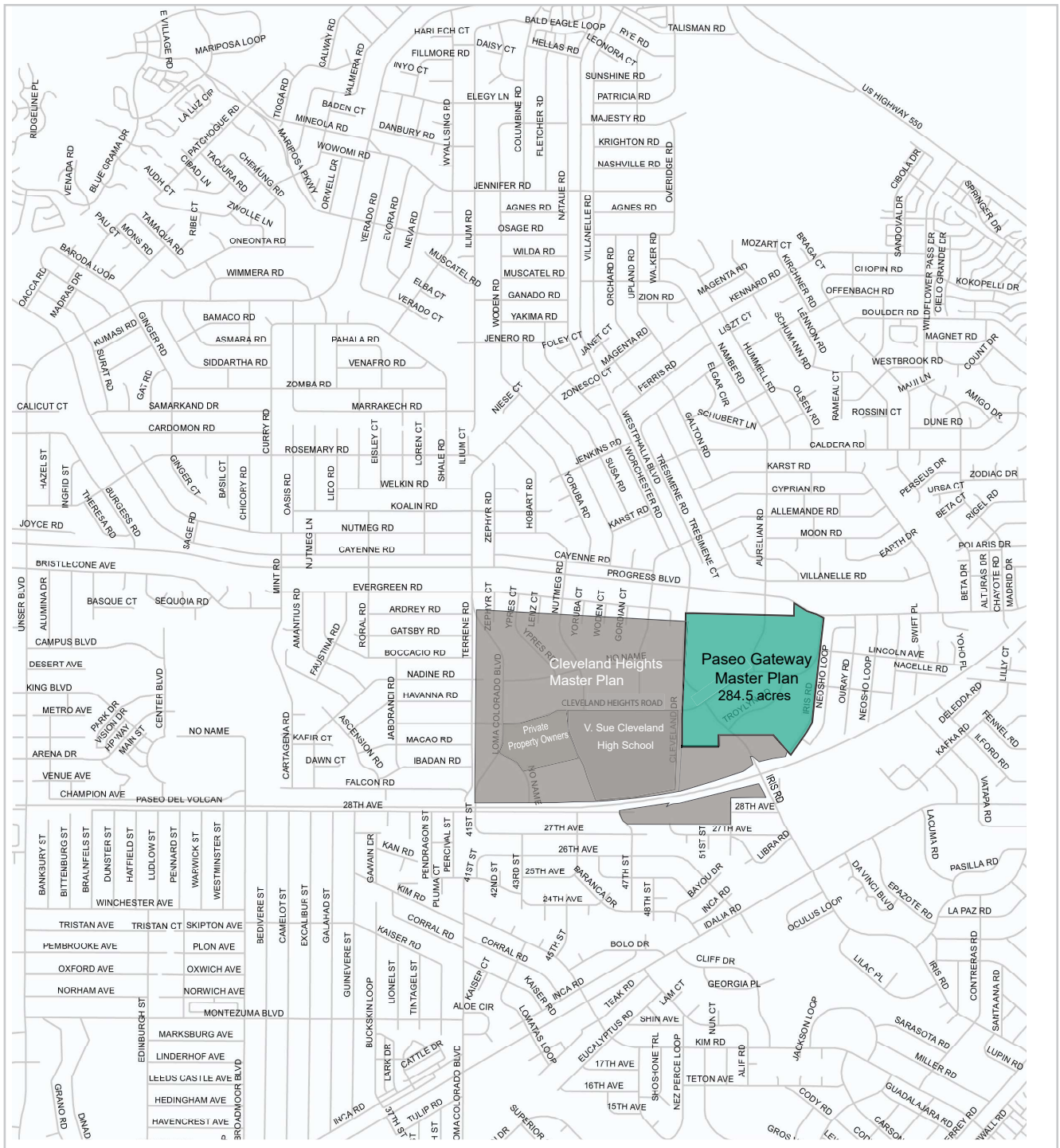
The lands of Paseo Gateway are owned by AMREP Southwest, Inc. Paseo Gateway is located at the intersection of anticipated prime development for the City's benefit. The highest and best use for these lands is mixed use, commercial, and residential of various densities.

Land Use

Surrounding land uses impacting the property are minimal. Currently, the a majority of the planning area is vacant with the exception of V. Sue Cleveland High School located north of Paseo del Volcan and east of Loma Colorado Boulevard. Northern Meadows and North Hills to the west and southwest, respectively, are the closest residential land uses to the Master Plan Area. There are a number of existing residences located south of Paseo del Volcan in the vicinity and the Cleveland Heights Subdivision located to the west of the the High School.

Transportation Corridors

The main transportation corridor serving this property is Paseo del Volcan, a limited access principal arterial that extends from US Highway 550 to Unser Boulevard and is planned to continue west. Paseo del Volcan will provide excellent access to Interstate 25 and 40, which will help this area to attract commercial services and employers helping to increase the job base in the City. Other existing transportation corridors include primary north-south corridors such as Unser Boulevard, Broadmoor Boulevard, Loma Colorado Boulevard, and Iris Road. The property is primarily served by Loma Colorado Boulevard and Iris Road as the primary north/south arterials. Future street name changes shall be completed in conjunction with the City of Rio Rancho to facilitate the unique identity for the Paseo Gateway community.



PASEO GATEWAY MASTER PLAN
Vicinity Map

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e-mail: cp@consensusplanning.com

3. LAND USE AND ZONING

Land use and zoning for the Paseo Gateway Area is intended to allow for a mix of uses that will provide convenient access to services. With residential, commercial and employment areas clustered together, walkability is enhanced. With enhanced walkability, safety improves and traffic congestion lessens. Specific design standards for commercial uses will be determined through site plans. All commercial uses should further the conservation and natural environment element of the Comprehensive Plan.

The following pages include the land use and zoning plans for the Master Plan. Table 1 below and the Land Use Map on page 5 show the acreage and zoning requested. Recommended land uses and zoning addresses the 284.5 acres of land of the Paseo Gateway Master Plan.

Table 1: Land Use and Zoning Acreage Distribution

Land Use/Zoning	Size (acres)	% of Total
Residential (R-2)	134.8	45.7%
Residential (R-3)	59.1	19.3%
Residential (R-6)	30.1	10.1%
Commercial (C-1)	28.6	7.8%
Mixed Use (SU)**	24.7	8.0%
Open Space (OS)	7.2	2.3%
Totals	**284.5**	**100.0%**

**SU/Special Uses require site plan approval by the Governing Body.

R-2: Residential
There are 134.8 acres planned for R-2 on Tracts 19, 20, and 23, located in the northern section of the master plan area.

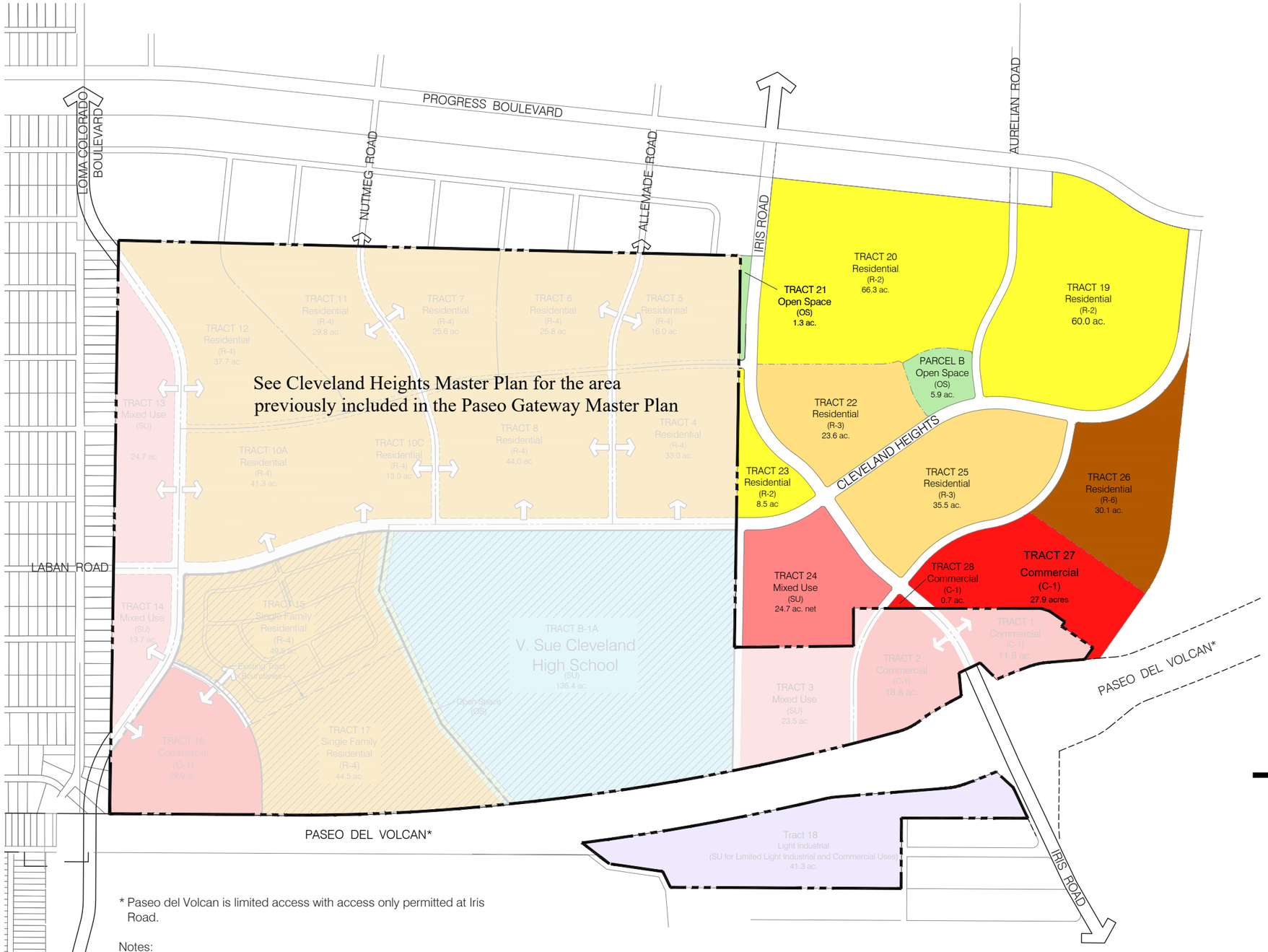
R-3: Residential
There are 59.1 acres planned for R-3 on Tracts 22 and 23, located at the center of the master plan area to the north and south of Cleveland Heights Road.

R-6: Residential
There are 30.1 acres planned for R-6 on Tract 26, located the eastern portion of the master plan area adjacent to commercially zoned property.

C-1: Commercial
There are 28.6 acres planned for C-1 on Tracts 28 and 27 at the southeast portion of the master plan area near Paseo del Volcan. The majority of Commercial is located on Tract 27 (27.9 acres).

Mixed Use (SU)
The Mixed Use designation is a Special Use zone that provides flexibility to provide a mix of higher density residential and commercial/office uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be integrated vertically or adjacent to each other with appropriate buffering. There are 24.7 acres dedicated to Mixed Use within the AMREP property located on Tract 24 at the southwestern portion of the master plan area.

OS: Open Space
The OS or Open Space zone shall allow for active and passive recreational amenities, natural open space areas for wildlife habitat and cultural and natural resource preservation. There are 7.2 acres of OS in the master plan area located on Parcel B and Tract 21.



LAND USE / ZONING

- Residential (R-2)
- Residential (R-3)
- Residential (R-6)
- Mixed Used (SU)
- Commercial (C-1)
- Open Space/Drainage Pond (OS)

PASEO GATEWAY

LAND USE / ZONING

Prepared For:

Paseo Gateway, LLC

Prepared By:

Consensus Planning, Inc.
Huitt-Zollars, Inc.

* Paseo del Volcan is limited access with access only permitted at Iris Road.

Notes:
1. All interior street locations and alignments are conceptual.

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Scale: 1" = 400'

NORTH 200 0 400 800

March, 2023

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4. INFRASTRUCTURE

The following briefly describes the general infrastructure for the Master Plan area. Development engineering will be required for future planned development per the City of Rio Rancho Development Process Manual (DPM).

A. Water and Sewer

Water and sewer availability will be reviewed at subdivision plat.

B. Drainage

A drainage study has been completed for the Paseo Gateway area and preliminary plans have been developed to limit drainage flows to historic rates beyond Paseo del Volcan. Detention ponds will be constructed as part of the overall development plan. Discharge will be provided via the Upper Venada Off-Channel Facility agreement with SSCAFCA executed in 2023.

C. Roadways

Primary access to the area is provided from Paseo del Volcan at Loma Colorado Boulevard, Iris Road, and Westphalia Boulevard.

5. RIO RANCHO COMPREHENSIVE PLAN

The Paseo Gateway Master Plan adheres to the Rio Rancho Comprehensive Plan. The Comprehensive Plan is a policy document that lays out goals, policies, and actions to guide the growth and development of Rio Rancho. The Paseo Gateway Master Plan will help implement the nine elements of the Rio Rancho Comprehensive Plan, as explained below.

ANNEXATIONS, ANTIQUATED PLATTING & ADDRESSING

This element of the Comprehensive Plan is not applicable to the Paseo Gateway Master Plan The property has already been annexed and platted, and will continue to be platted and addressed according to City standards as development occurs within the Plan Area.

CONSERVATION AND THE NATURAL ENVIRONMENT

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

The Conservation and Natural Environment Section of the Comprehensive Plan include some of the following goals, policies, and actions for achieving these objectives:

- ◊ Preserve water resources
- ◊ Reuse and recycle materials, and reduce waste
- ◊ Implement the use of low impact development techniques and green building practices
- ◊ Limit the use of turf in landscape areas in residential and commercial developments

The Paseo Gateway Master Plan meets these objective through the provision of design guidelines that require the sensitive use of landscape materials in order to conserve water, the creation of open spaces that serve dual drainage and recreational functions, such as a trail in the north/south open space corridor. Builders at Paseo Gateway are encouraged to join green building programs and employ green building techniques.

The basic tenet of the conservation element is to maintain and improve natural resources in Rio Rancho for generations to come. Ways to achieve this include the support for recycling, water conservation, low-impact transportation alternatives, and the use of renewable resources.

Night sky compliant lighting shall be required within the Paseo Gateway Master Plan. Drought tolerant and native landscaping materials are encouraged.

Planning and design of infrastructure within the Paseo Gateway Master Plan shall minimize the alteration of natural flood plains, stream channels and natural protective barriers. Flooding, grading and development activities shall be managed to prevent flood or erosion damage.

LAND USE, POPULATION AND HOUSING

The goals, policies, and actions for land use, population, and housing in Rio Rancho include the following:

- ◊ Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space,

storm drainage, utilities, and building location and design in the master plan
- ◊ Promote and support development that incorporates walkability
- ◊ Encourage adequate pedestrian connections to future transit facilities in all residential site development
- ◊ Maintain the strength, vitality, and stability of all residential neighborhoods and types
- ◊ Promote quality, community-friendly multi-family development, through features such as enhanced open space and pedestrian connectivity

The intent of this element is to ensure a land use pattern that offers a diversity of housing, well designed residential development, provides park and open space amenities, and pedestrian connectivity. The land use concept for the Paseo Gateway Master Plan accomplishes the intent of the land use element by including a wide range of zoning densities, from R-1 to R-6. Master planning is one of the City's key action steps towards carrying out this element.

The Paseo Gateway Master Plan outlines the framework for development that meets the intent of the Comprehensive Plan by providing pedestrian trails and sidewalks that connect to the major streets bounding the Plan Area and through the provision of park and open space within the Plan Area.

Land uses include office, commercial, institutional, entertainment, residential, and industrial. Paseo Gateway is located east of the City Center. Residents living in the Paseo Gateway community will have convenient access to employment, education, and commercial services.

The Paseo Gateway Master Plan calls for a mix of land uses that can accommodate a diversity of housing options for residents. High-end and move-up housing will be available as well as attached and detached residential options, all in close proximity to commercial services.

The Paseo Gateway Master Plan will utilize existing City of Rio Rancho zoning categories and development will conform with the design standards contained in those zoning categories and this Master Plan. Design standards created for Paseo Gateway are designed to expand on the City's Zoning Ordinance and will provide unified streetscapes, unified signage design, perimeter wall and entry design, and open space areas. Landscaping requirements shall apply to streetscapes, detention ponds, perimeter areas adjacent to perimeter walls, and buffer areas.

TRANSPORTATION

The Transportation Section of the Comprehensive Plan contains the following goals, policies, and actions which are relevant to the Paseo Gateway Master Plan:

- ◊ A balanced transportation system that provides access to a variety of transportation options.

The transportation element hopes to establish a long-range transportation network to meet local and regional circulation needs. A multi-modal transportation system to move people and goods is encouraged. In addition, a coordinated pedestrian network is preferred throughout the Plan Area to help foster non-vehicular mobility and accessibility.

Prior to development, a Traffic Impact Analyses shall be provided to ensure that new residential development will not compromise the existing transportation network. Walkways and pedestrian corridors shall be provided both as sidewalks along the roadways and within Open Space corridors. Pedestrian and bicycle connections may be considered for arterial and collector roadways, or within trail corridors.

PUBLIC FACILITIES

The intent of the Public Facilities element of the Comprehensive Plan is to minimize the difficulties, due to antiquated platting, of providing infrastructure within the City. The applicable policy is listed below.

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

The Master Plan meets this intent and policy. The Master Plan is in an area of Rio Rancho where the project will be able to connect to existing infrastructure and is a logical location for expansion.

All residents should be assured proper access to police, fire and emergency services. Police, fire and emergency rescue services impacts should be considered in development plans. Coordination with the Department of Public Safety shall be a requirement for future Specific Area Plans to ensure federal standards are met for emergency response times.

PARKS AND RECREATION

The intent of the Parks and Recreation section of the Comprehensive Plan is to ensure that as the City of Rio Rancho develops, amenities such as parks and recreational facilities are provided for the growing population. The goals that are particularly applicable to the Master Plan are listed below:

- ◊ Be responsive to the recreational needs of the community
- ◊ Provide a variety of quality of life services to meet community needs, assuring that there are strong relationships with all sectors of the community and ample opportunities to foster human interaction

The Master Plan has designated land as open space with the intent that these areas will function as multi-use drainage, recreation, or trail corridors. The intent of the Master Plan is to provide the framework for the creation of a complete community that includes park and recreation areas.

URBAN DESIGN

The intent of the Urban Design element of the Comprehensive Plan is to ensure that development follows design standards that help to achieve the creation of community identity and aesthetic quality. Some of the relevant goals, policies, and actions within this element include:

- ◊ Create safe developments that discourage crime
- ◊ Support development that links neighborhoods and encourages the use of all modes of transportation
- ◊ Embrace the use of xeriscape landscaping

Design features within the Paseo Gateway Master Plan will highlight streetscapes, multi-use paths, perimeter walls, gateways, and pedestrian connections at the site planning stage. It is anticipated that a more detailed level of planning will be required for these properties to ensure adherence with the overall land use plans, transportation corridors and open space network. Future site plans and/or subdivisions shall include landscaping requirements for streetscapes, arroyos and retention/detention ponds, walls and screening patterns. Native and xeric plant species shall be encouraged and water harvesting and irrigation requirements shall be included in any future landscape plans.

ECONOMIC DEVELOPMENT

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

to support and attract existing and new businesses, while with respect to the State parcels, also benefiting the public schools of New Mexico by optimizing revenue to the trust administered by the Commissioner.

The land use plan for the Paseo Gateway area provides for an appropriate mix of residential, commercial, and employment uses. The intent of the land use plan is to provide ample space for a wide variety of potential employers and new industry to locate in Rio Rancho. With accessibility to Paseo del Volcan, NM State Road 528, US Highway 550, and Interstate 25, it is expected that this area will be desirable for future employers. The City may consider development incentives to attract employers and commercial services to Paseo Gateway by providing an expedited development.

6. DESIGN GUIDELINES

A. Residential Design Guidelines

The design guidelines are intended to create a sense of cohesiveness and identity within the Paseo Gateway Master Plan. These standards will help implement the Urban Design provisions of the City of Rio Rancho's Comprehensive Plan.

The standards are primarily intended as a generalized guide for end users/builders that will participate in the development of Paseo Gateway. Where these standards conflict with City of Rio Rancho ordinances or approved City standards, the more stringent shall apply.

SITE DESIGN
All individual neighborhoods should provide convenient pedestrian circulation through and between neighborhoods, to the external streets, and the proposed adjacent commercial development.

General

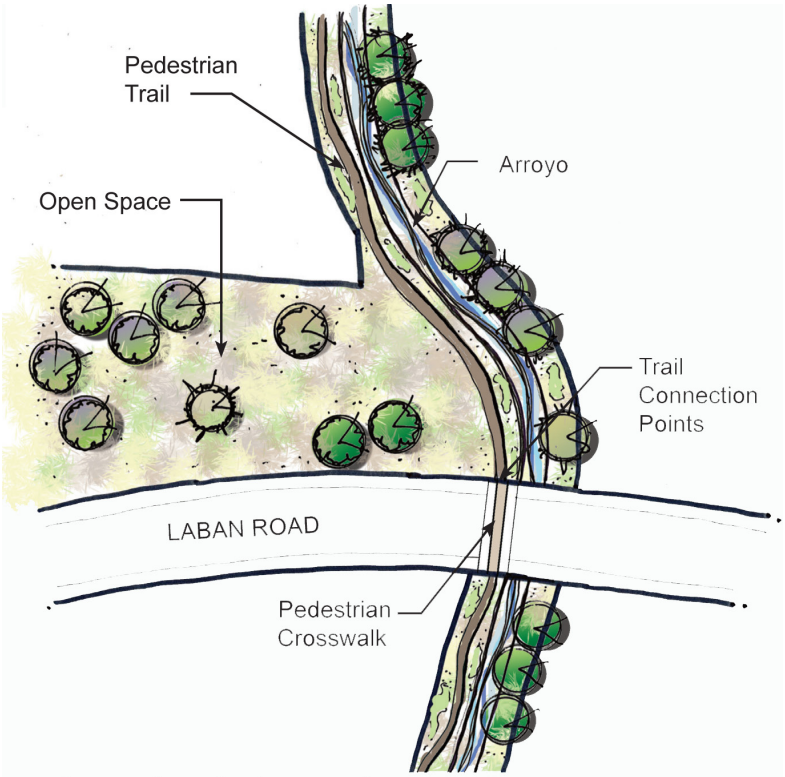
a. Sidewalk requirements shall be consistent with City of Rio Rancho standards.

b. Safe, convenient, and pleasant pedestrian circulation may be accomplished with sidewalks, trails, special pavings, and shade.

c. Pedestrian walkways shall be designed to be ADA accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design).

d. Concrete, asphalt, or compacted decomposed granite with stabilizer are acceptable materials for pedestrian walkways.

e. Clear sight distances shall be maintained at all driveway locations and intersections per AASHTO design standards.



OPEN SPACE/TRAIL CHARACTER

f. Unfinished gray block walls, barbed wire, chain link, concertina wire, and wood or plastic/ vinyl fencing are prohibited.

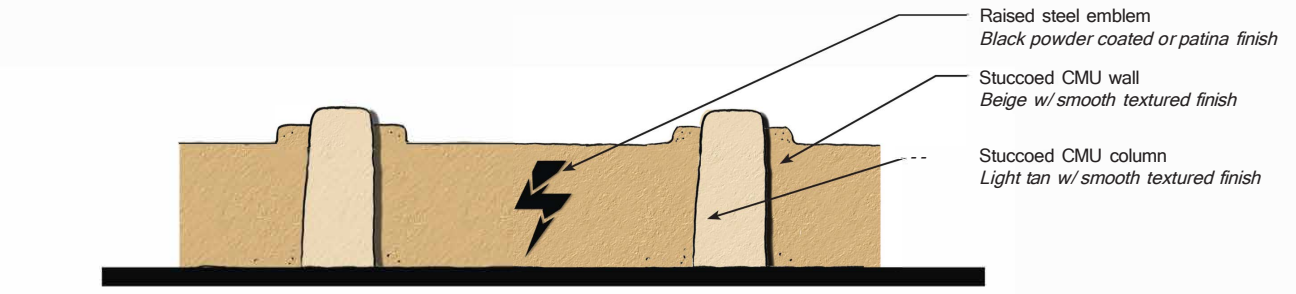
Single Family Residential

a. All development shall comply with the City of Rio Rancho Subdivision Ordinance.

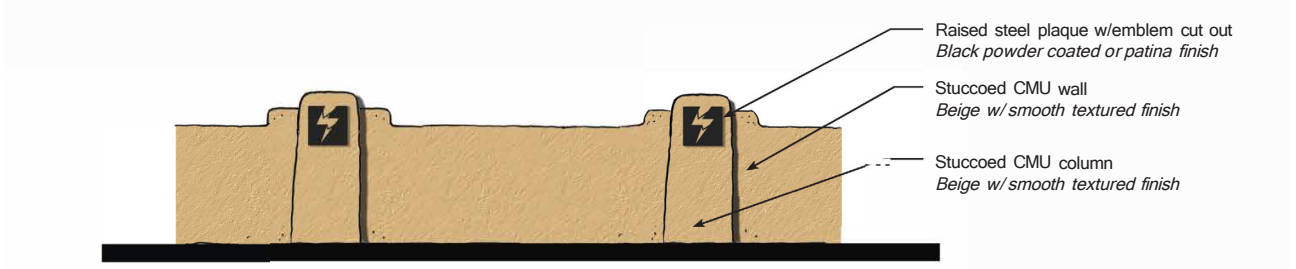
b. Single family units are prohibited from fronting or have driveway access to a collector or major local street.

c. Proposed driveway locations shall be consistent with curb cut requirements identified in the Rio Rancho City Code.

d. Lots that face streets at the front and rear shall be limited to one driveway at the front facing street. A solid wall shall be provided at the rear yard of the property to ensure limited access.



PERIMETER WALL CONCEPT A (ILLUSTRATIVE)



PERIMITER WALL CONCEPT B (ILLUSTRATIVE)

ARCHITECTURE

The architectural standards are intended to describe the general characteristics of the Master Plan. While the buildings will reflect these standards, it is not the intent of these design standards to prohibit a certain amount of individual expression and creativity.

Residential

a. Building height on houses with pitched roofs shall not exceed 32 feet to the highest point of the pitch. Building height on houses with flat roofs shall not exceed 26 feet.

b. The use of accent colors in entry portals, front door, window frames and trim, and other incidental elements is encouraged.

c. Front porches, entryways, and/or portals, if used, shall have a minimum 5 foot depth, and shall not be permitted within the front yard setback.

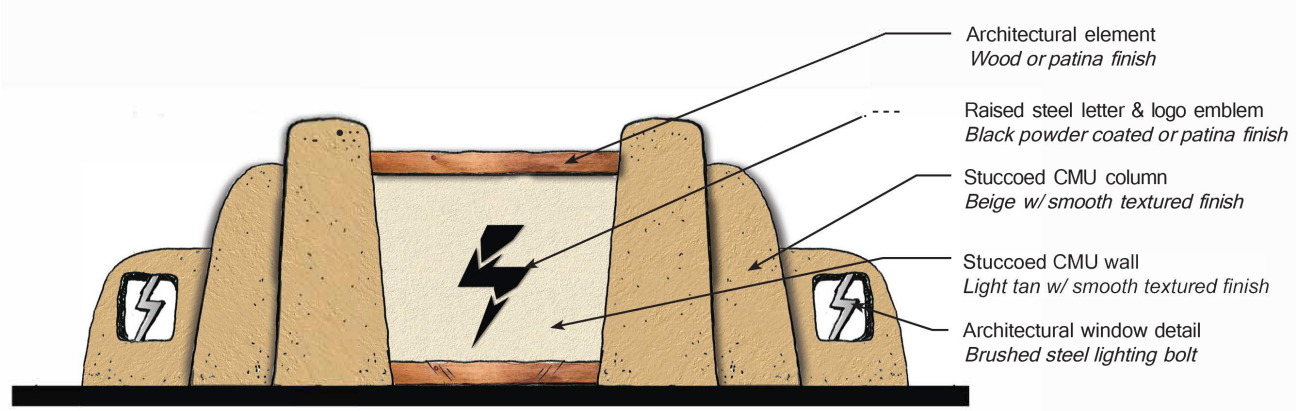
d. Antennae or solar collector equipment, if used, shall be installed so as to minimize its visibility from any public street or adjacent lot.

SIGNAGE

Signage should enhance the overall character and identity of the community, as well as provide directional instruction.

Residential Neighborhoods

a. All neighborhood entries shall include the specific subdivision name (example is located below).



NEIGHBORHOOD ENTRY MONUMENT (ILLUSTRATIVE)

b. Freestanding neighborhood entry signs shall be monument style. The maximum height shall not exceed 8 feet.

c. The signage program at Paseo Gateway will include project identification graphics in key locations along the perimeter of the project.

LIGHTING

The objective of the lighting standards is to preserve the “dark sky” while providing lighting that enhances the safety, security, and visual aesthetics of the area. Careful attention to lighting detail will contribute to the sense of a cohesive community image. Additional restrictions on lighting may be imposed through privately enforced covenants, conditions, and restrictions (CC&Rs).

General

a. Light fixtures and standards are intended to conform to local safety illumination standards and existing City regulations.

b. Street lights shall be per Rio Rancho and Public Service Company of New Mexico standards, which require street lights at all intersections, cul-de-sacs, and curves in the roadway.

c. Site lighting should be shielded and oriented so as to eliminate glare or light trespass onto adjacent roadways and properties. All lighting shall be in compliance with the City of Rio Rancho Lighting Ordinance.

d. Lighting layout should be coordinated with proposed landscaping and trees to maximize light distribution and avoid conflicts.

e. Bollard lights should be used at pedestrian connections.

LANDSCAPE AND STREETSCAPE

Landscaping should be used to buffer attenuate noise or block undesirable views, to provide wind protection, shade, and relief from the heat and glare generated by development, to control soil erosion, and enhance pedestrian and vehicular traffic and safety. Street trees are intended to soften and break-up the streetscape to avoid a canyon-like appearance. Recognizing the importance of water conservation, these standards promote the use of native and naturalized plant species that perform well in an arid environment.

General

a. Landscape plans shall comply with the City's Water Conservation Ordinance and Zoning Code.
b. Landscaping in accordance with an approved plan should be installed in a timely manner in accordance with the CC&Rs.
c. Turf should not be used within the street R.O.W. or within the landscape area between the curb and sidewalk. These areas should be planted with shrubs and trees.
d. A clear sight triangle must be maintained in any landscape area per AASHTO sight distance standards.
e. A fully automated irrigation system should be provided for all landscaped areas. The system should be designed to avoid overspraying walks, buildings, fences, etc.
f. Undeveloped areas held in reserve for future building or pavement should be stabilized with an acceptable polymer based agent or seeded with a mixture of native grasses wildflowers.
g. Coverage of the common landscape areas with living vegetative material will be governed by existing City regulations.
h. Street trees shall follow City of Rio Rancho standards.

Residential

a. Street trees should be provided at a rate of 2 tree per residential lot frontage along roads throughout the Area C portion of the Paseo Gateway Plan Area.
b. Street trees should be provided at a rate of one tree per 30 linear feet along subdivision perimeter and where lots back up to roadways.
c. Homebuilders should provide front yard landscaping for each residential lot. This requirement is in addition to the street tree in front of the residence.
d. Irrigation and maintenance of front yard landscape and street trees along internal neighborhood streets should be the responsibility of the individual homeowner.
e. Gravel, colored rock, and similar materials are acceptable as a top dressing for landscape areas, however, they shall not be considered a focal landscape element.

B. Tract 18 - SU/Light Industrial & Commercial Guidelines

Tract 18, in the Paseo Gateway Master Plan is a Special Use zone. The Light Industrial/ Commercial Special Use zone within the Paseo Gateway Master Plan requires a Site Plan approved by the Governing Body, and are subject to the following restrictions to insure proper use and appropriate development. Specifically to:

(a) mitigate negative impacts to adjacent residential properties;
(b) protect each Owner against improper development and use of the property;
(c) prevent construction of buildings of substandard materials;
(d) provide standards that include signage, adequate setbacks, architecture, landscape, streetscape, lighting, access, and walls.

The purpose of these design standards is to provide a flexible framework for community design that encourages innovative and creative solutions, rather than setting a rigid set of requirements. The standards will help implement the Urban Design provisions of the City of Rio Rancho Comprehensive Plan.

LIMITS AND RESTRICTIONS
The SU Light Industrial/Commercial Zone within the Plan Area will provide for limited industrial and commercial uses as specified by City of Rio Rancho Ordinance. provided such uses are conducted in a compatible and harmonious manner.

Permissive Uses:
SU for Light Industrial and C-1/Retail Commercial uses, which includes the following land uses:

1. Light manufacturing and assembly per Code of Ordinances, conducted indoors;
2. Storage warehousing, warehouse distribution and wholesaling merchandising;
3. Self-storage facilities;
4. Laboratories, research, and experimental stations;
5. Printing, publishing, and related establishments;
6. Lot for new and used vehicle sales, parts and service per Rio Rancho Code of
7. Office and office buildings;
8. Call Centers;
9. Stores for the sale of retail goods and products;
10. Repair shops for appliances and similar goods;
11. Bakeries and confectionaries where goods are sold
12. Restaurants, except free-standing bars and lounges;
13. Banks, and money lending;
14. Film Studios, Film Production, and related use;
15. Theatres;
16. Amusement centers and bowling alleys;
17. Photography studios, except adult photo studios
18. Dry cleaning, laundry, and tailor shops;
19. Beauty shop, barber shop, spa;
20. Hotel;
21. Health clubs and gymnasiums;
22. Hospitals and health care related uses;
23. Assisted living and similar institutions;
24. Nursery schools and daycare facilities;
25. Public and private schools;
26. Libraries and museums;
27. Churches and other places of worship, Sunday school buildings and parish houses
28. Public utilities
29. Parks, recreation parks, open space, and public facilities;
30. Construction trailers per Rio Rancho Code of Ordinances; and
31. Residential uses within the building for security purposes.

Building Height: Building height shall be per the C-1, Retail Commercial, District except that the maximum height of a hotel or office building shall be 50 feet if the structure is located, at minimum, 200 feet from the nearest residentially zoned property.

Setback: There shall be a 35-foot setback from the property boundary except adjacent to the Paseo del Volcan right-of-way.

Landscaping: Landscaping shall be per the C-1, Retail Commercial, District.

Buffering and Walls: Buffering shall be provided per the C-1, Retail Commercial, District with the following modifications:

1. The required buffer yard shall be 15 feet wide.
2. Plain grey CMU block shall not be used for the buffer wall unless painted or treated (e.g. stuccoed).
3. Chain-link (with or without slats), wood or plastic/vinyl fencing shall not be used for the buffer wall.
4. Barbed wire, concertina wire and similar materials are not permitted atop the buffer wall.
5. Buffering shall also be provided along the west boundary adjacent to the tributary of the La Barranca Arroyo.
6. All perimeter block walls facing rights-of-way shall be constructed of split-face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.

Off-street Parking: Off-street parking shall be provided per Code of Ordinances, Chapter 154.76.

Bicycle Parking: Each occupied building shall include bicycle racks that accommodate 0.25 bicycles per 1,000 square feet gross floor area or 3 bicycles, whichever is greater.

Equipment, Refuse and Storage Screening:

1. Ground and roof-mounted mechanical equipment shall be screened from the view of adjoining properties by landscaping or parapets, respectively.
2. Outdoor storage shall be visually screened from all property lines by a solid wall, opaque fence (chain-link fencing with slats not enough to fully screen the stored materials.
3. Refuse collection shall comply with Code of Ordinances, Chapter 50.07(B). Chain-link fencing with slats shall not be permitted as a suitable enclosure for the refuse container.

Lighting: Lighting shall comply with all applicable City ordinances and should shall be further restricted by the following design standards:

1. Site lighting shall be shielded and oriented so as to eliminate glare or light trespass on to adjacent rights-of-way and properties.
2. All parking lot lighting shall be fully shielded.
3. Bollard lights shall be fitted with louvers, diffusers or shields, as necessary, to eliminate glare or light trespass on to adjacent rights of-way and properties.
4. Light fixtures shall conform to the architectural character of the buildings and other site elements.
5. Accent lighting is permitted; however, building surface lighting is limited to an average of 2 foot-candles measured 4 feet from the surface level of any point on the building surface being illuminated.
6. The average lighting level shall be limited to 2 foot-candles with maximum levels limited to 16 foot-candles as measured 4 feet from above the surface level of any point on Tract 18.

Signage: Signs shall comply with all applicable City ordinances and should be further restricted by the following design standards:

1. All free-standing signs shall be monument signs as defined by Code of Ordinances, Chapter 156.02 except those signs for the direction of vehicular traffic and signs advertising properties for sale or lease.
2. Blinking, moving, internally illuminated or animated signs, product advertising signs or hand painted signs shall not be permitted.
3. Building signs shall consist of individually mounted letters, shall be limited to identification of the respective building or tenant occupant and shall not be illuminated if facing residential properties.
4. Signs for business identification may be permitted in the buffer, but shall not exceed four feet in height.
5. Signs advertising properties for sale or lease and signs required for the regulation and direction of vehicular traffic shall be allowed in the buffer, but such signs shall not exceed six square feet in area nor be higher than four feet above grade.

Architecture:

1. Primary building materials shall be stucco, colored concrete or colored block. Stone, tile, metal or brick accents are also allowed.
2. Materials prohibited as the primary building material include the following:
   a. Exposed, untreated precision block or wood walls;
   b. Highly reflective surfaces; and
   c. Metal paneling.
3. Stucco colors shall be limited to shades of brown, tan, sage green, and sand. Bright colors as the dominant exterior color are prohibited.
4. Earth tone, white, green, red, blue, and brown hues shall be the accent colors used on entry portals, front doors, window frames and trim, fascias, southwestern architectural features, and other related elements.

Access:

1. Primary access to Tract 18 shall be from Iris Road. via 28th Avenue. Access to 27th Avenue and 52nd Street south of the property line shall be prohibited unless otherwise required for reasons of public health, safety, or welfare.
2. Direct access from Paseo del Volcan or Iris Rd. shall require approval by the New Mexico Department of Transportation and the City of Rio Rancho.

Site Plan: Site plan approval per Code of Ordinances, Chapter 154.43 SU: Special use District, shall be granted by the Governing Body prior to development.

7. IMPLEMENTATION

The Implementation of the Paseo Gateway Master Plan shall occur as subplans, infrastructure planning and subdivisions are platted.

1. All land use decisions shall be in compliance with the adopted Paseo Gateway Master Plan, this includes zone map amendments, platting, and right-of-way acquisition in coordination with the Department of Development Services.

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

3. National standards for emergency response times shall be upheld; therefore DPS facility planning shall be coordinated as subdivisions occur.

4. Access to Paseo Del Volcan will be restricted to Loma Colorado Boulevard, and Iris Road.

5. All interior streets locations and alignment are conceptual. Final location and alignment of internal streets shall be determined at the time of subdivision.

6. All major streets shall be dedicated upon request by the City during the subdivision process.

7. Designated open space, improved to meet City of Rio Rancho Park Design Standards in the Development Process Manual, may count towards the trail requirements established by the City of Rio Rancho.

8. A 25% rule is established for administrative amendments to the Paseo Gateway Master Plan. As residential projects get farther along in the design process, it is typical for minor readjustments to occur. Therefore we propose that any change that is less than 25% of the Master Plan area shall be processed administratively by the Planning Director. Changes that exceed 25% of the plan area will return to the Planning and Zoning Board and Governing Body for approval.

9. Future plans may be required to address specific issues such as design guidelines, coordination of infrastructure, transportation corridors.

10. It is anticipated that the property will be platted to correspond with development. In conjunction with platting actions, Development Agreement(s) may be prepared outlining infrastructure costs and requirements for the development.

APPENDIX A - UPPER VENADA OFF-CHANNEL FACILITY AGREEMENT (2023)

FLOOD CONTROL COST SHARE AGREEMENT
Upper Venada Off-Channel Facility

THIS FLOOD CONTROL COST SHARE AGREEMENT ("AGREEMENT") is made this day August 18, 2023 ("EFFECTIVE DATE"), by and between the Southern Sandoval County Arroyo Flood Control Authority, New Mexico, a political subdivision of the State of New Mexico (hereinafter "SSCAFCA"), and AMREP Southwest Inc., a New Mexico corporation (hereinafter "DEVELOPER").

RECITALS

WHEREAS, SSCAFCA is empowered and directed to acquire, equip, maintain, and operate a flood control system for the benefit of the authority and the inhabitants thereof, pursuant to NMSA 1978, Sections 72-19-1 through 72-19-103, and

WHEREAS, DEVELOPER is developing certain lands within the City of Rio Rancho, New Mexico ("CITY") generally described as a portion of Paseo Gateway, and more specifically including:

> Tracts numbered 19, 20, 22, 23, 25, 26, 28, Parcel B, Lots numbered 1 through 11, inclusive, in Block numbered 204 and Lots numbered 1 through 11, inclusive, in Block numbered 205, as the same are shown and described on the plat entitled "PASEO GATEWAY TRACTS 19 TRU 28 AND PARCEL B, A REPLAT AND VACATION OF PORTIONS OF UNIT TWENTY, within Section 33, Township 13 North, Range 3 East, New Mexico Principal Meridian, City of Rio Rancho, Sandoval County, New Mexico" filed for record on December 3, 2008, in vol. 3, folio 2982-A (Rio Rancho Estates Plat Book No. 21, Pages 125-128, in Sandoval County, New Mexico.

(hereinafter "DEVELOPMENT"), and

WHEREAS, DEVELOPER and SSCAFCA have previously executed a Drainage Agreement dated July 16, 2020 ("DA") for construction of a flood control pond on SSCAFCA's property for the discharge of storm water from the DEVELOPMENT, paid for by DEVELOPER and operated by SSCAFCA, and

WHEREAS, all conditions by both parties have been met from the DA with the exception of the construction of the flood control facility and DEVELOPER and SSCAFCA desire to terminate the DA and replace it with this AGREEMENT, and

WHEREAS, SSCAFCA is planning to construct the Upper Venada Off-Channel Facility on Tract H in a manner consistent with the conceptual layout reflected in Conceptual Layout for Tract H Detention Ponds, attached hereto as Exhibit A ("PROJECT"), to address regional flood control and storm water drainage, including from the final DEVELOPMENT. "Tract H" means Tract H, as the same is shown and designated on the plat entitled "Blocks 119 Thru 134, Portions of Blocks 88 and 89, Reserved Tracts "H" & "I", Unit Twenty, Rio Rancho Estates, Sandoval County, New Mexico," recorded in the office of the County Clerk of Sandoval County, New Mexico on June 19, 1972 in Rio Rancho Estates Plat Book No. 2, Page 59. Final drainage volumes from the DEVELOPMENT to the PROJECT shall be based on the land treatments identified in Potential Impacts of the Proposed Paseo Gateway Development on Peak Discharge and Runoff Volume Contributions to the Venada Arroyo, attached hereto as Exhibit B. SSCAFCA is currently assembling financial resources needed for PROJECT design and construction, including a financial contribution from DEVELOPER.

NOW, THEREFORE, for good and adequate consideration, the receipt of which is hereby acknowledged, SSCAFCA and DEVELOPER agree as follows:

1. **Termination of DA.** The DA is hereby terminated as of the EFFECTIVE DATE and all provisions of the DA that do not by their terms survive such termination are no longer in effect. Notwithstanding the prior sentence, the DA may be reinstated (and all terms in the DA shall be in effect following such reinstatement) pursuant to Section 4(e) of this AGREEMENT.

2. **Financial Contribution.** Subject to the terms of this AGREEMENT, DEVELOPER agrees to contribute $623,000 to the ultimate construction cost incurred by SSCAFCA for construction of the PROJECT ("FINANCIAL CONTRIBUTION"). Other than the FINANCIAL CONTRIBUTION, SSCAFCA shall be solely responsible for all of the fees, costs and expenses of the PROJECT.

3. **Procedures and Project Compliance**.

    a. The FINANCIAL CONTRIBUTION shall be paid as follows:

        i. DEVELOPER will pay 25% of the FINANCIAL CONTRIBUTION to SSCAFCA within 30 days of SSCAFCA providing DEVELOPER with notice that SSCAFCA has issued a notice to proceed to the prime construction contractor responsible for the PROJECT.

        ii. DEVELOPER will pay an additional 25% of the FINANCIAL CONTRIBUTION to SSCAFCA when the construction contractor for the PROJECT reaches 50% completion (as determined by the date on which the prime construction contractor responsible for the PROJECT reaches 50% of such contractor's pay application under its contract with SSCAFCA) Such payment will be due within 30 days of SSCAFCA notifying DEVELOPER of the occurrence of the 50% completion benchmark and providing DEVELOPER with invoices from SSCAFCA's construction contractor for the services underlying such benchmark.

        iii. DEVELOPER will pay the remaining 50% of the FINANCIAL CONTRIBUTION within sixty (60) days after the date SSCAFCA issues DEVELOPER a Substantial Completion certificate and DEVELOPER verifies that all components of the PROJECT contained in such certificate are accurate.

    b. Without limiting any other provision of this AGREEMENT, SSCAFCA shall design, construct, operate and maintain the PROJECT in compliance with all applicable governmental laws, ordinances, rules or other requirements governing the PROJECT and in a capacity to accept drainage from the DEVELOPMENT in the minimum amount equivalent to a 100-year, 24-hour recurrence interval storm calculated using the assumptions and figures provided by SSCAFCA in Exhibit B attached hereto. Notwithstanding DEVELOPER's payment of any portion of the FINANCIAL CONTRIBUTION, SSCAFCA shall at all times remain solely liable for the design, construction, operation and maintenance of the PROJECT. Offsite drainage that would naturally flow through the DEVELOPMENT to the Venada Arroyo shall be diverted to the Venada Arroyo upstream of the PROJECT by the DEVELOPER. In addition to drainage from the DEVELOPMENT, the PROJECT is a regional flood control facility that will be designed to manage stormwater from the Venada watershed west of the PROJECT.

4. **Drainage Allowance:**
    a. In consideration for the FINANCIAL CONTRIBUTION, DEVELOPER will be allowed to divert and discharge storm water from the DEVELOPMENT to the PROJECT as soon as is reasonably practicable following payment of the FINANCIAL CONTRIBUTION and in the vicinity of the location marked with an "X" on Exhibit A hereto, unless DEVELOPER and SSCAFCA agree to a different location in writing.

    b. DEVELOPER shall design the drainage plan for the DEVELOPMENT to limit the drainage from the DEVELOPMENT to the PROJECT to a 100-year, 24-hour recurrence interval storm calculated using the assumptions and figures provided by SSCAFCA in Exhibit B attached hereto.

    c. SSCAFCA shall not be responsible for design and construction of any storm water infrastructure or energy dissipation required to discharge from the DEVELOPMENT to the PROJECT.

    d. If DEVELOPER, in its discretion, adds additional property to the DEVELOPMENT during the term of this AGREEMENT, the term "DEVELOPMENT" herein will refer to the DEVELOPMENT as increased by such property without the need to separately amend this AGREEMENT.

    e. Notwithstanding anything to the contrary in this Agreement:

        i. In the event that the PROJECT is not under contract for construction by August 31, 2025, the DA shall be reinstated between the parties, and this AGREEMENT shall automatically terminate; and

        ii. In the event that SSCAFCA does not complete the PROJECT in accordance with its contract for construction or if DEVELOPER is unable to connect to the PROJECT when it is complete for reasons directly related to SSCAFCA's design or construction of the PROJECT, SSCAFCA shall immediately return all portions of the FINANCIAL CONTRIBUTION paid to SSCAFCA, the DA shall be reinstated between the parties and this AGREEMENT shall automatically terminate.

5. **Assignment**. No party to this AGREEMENT shall assign this AGREEMENT, in whole or in part, without prior written consent of the other party. No assignment of this AGREEMENT shall relieve DEVELOPER of any of its obligations unless the assignee/successor in interest has demonstrated it is equally or more capable of performing the duties and obligations of DEVELOPER and it has the financial wherewithal to complete the obligations required of DEVELOPER in this AGREEMENT, as determined in SSCAFCA's sole discretion, at the time of such assignment. No such assignment shall be effective until all obligations under this AGREEMENT have been assumed by the assignee and the notice of such assignment, together with a copy of the assumption, have been received and approved by SSCAFCA. Notwithstanding anything to the contrary in this Agreement: (a) DEVELOPER may assign its rights and/or obligations under this AGREEMENT to a subsidiary or affiliate of DEVELOPER upon written notice to SSCAFCA, and SSCAFCA's consent will not be required for any such assignment; (b) DEVELOPER may assign its rights and/or obligations under Paragraph 4 hereof, in whole or in part, to any person or entity taking ownership of all or any portion of the DEVELOPMENT, and SSCAFCA's consent will not be required for any such assignment; and (c) any such assignment will not relieve DEVELOPER of its obligation to pay the FINANCIAL

CONTRIBUTION pursuant to the terms in Sections 2 and 3 of this AGREEMENT.

6. **Binding Effect.** The terms and provisions of this AGREEMENT, together with the documents referenced herein, share inure to the benefit of and be binding upon the successors and assigns of each of the parties hereto.

7. **Governing Law.** This AGREEMENT shall be governed by and construed in accordance with the laws of the State of New Mexico.

8. **Authority.** Each individual signing for each of the parties hereunder warrants and represents that he/she is an authorized agent of such party, on whose benefit he/she is executing this AGREEMENT and is authorized to execute the same.

9. **No Joint Venture.** Nothing in this AGREEMENT shall create any association, agency, partnership or joint venture between the parties hereto and neither shall have any authority to bind the other in any way.

10. **Construction and Severability.** If any part of this AGREEMENT is held invalid or unenforceable, the reminder of the AGREEMENT will remain valid and enforceable if the remainder is reasonably capable of completion.

11. **Attorney's Fees.** In the event that either party shall employ an attorney or attorneys to enforce any of the provisions hereof or to protect its interests in any manner arising under this AGREEMENT or to recover damages from the breach of any portion of this AGREEMENT, the non-prevailing party in any action pursued, to the extent allowed by law, agrees to pay the prevailing party all reasonable costs, damages and expenses, including, attorney's fees expended or incurred in connection therewith.

12. **Indemnity and Limitations on Liability**.

    DEVELOPER shall indemnify, defend and hold harmless SSCAFCA and each officer and employee of SSCAFCA from and against any and all liability, claims, damages, losses or expenses (including attorneys' fees and expenses) ("DAMAGES") incurred by or asserted against SSCAFCA or any officer or employees of SSCAFCA caused by, resulting from or in connection with DEVELOPER's failure to comply with Section 4(b) of this Agreement. The prior sentence shall survive the expiration or termination of this AGREEMENT, except to the extent that the terms of the DA are reinstated pursuant to Section 4(e) herein, then the prior sentence shall not survive termination of this AGREEMENT; provided, however, that DEVELOPER shall not be in any way responsible for any DAMAGES directly attributable to portions of the DEVELOPMENT sold or transferred to persons or entities other than DEVELOPER from and after the respective dates of any such sales or transfers.

    SSCAFCA, to the extent permitted by law, shall indemnify, defend and hold harmless DEVELOPER, any of its affiliates and each officer and employee of DEVELOPER or any of its affiliates from and against any and all DAMAGES incurred by or asserted against DEVELOPER, any of its affiliates or any officer or employees of DEVELOPER or any of its affiliates caused by, resulting from or in connection with SSCAFCA's failure to comply with Section 3(b) of this Agreement. The prior sentence shall survive the expiration or termination of this AGREEMENT, except to the extent that the terms of the DA are reinstated pursuant to

Section 4(e) herein, then the prior sentence shall not survive termination of this AGREEMENT.

The liability of the Parties shall be subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act §41-4-1 *et seq*. NMSA 1978 as amended. No provision of this Agreement establishes any waiver of immunity for alleged tortious conduct of any employee of any Party arising from the performance of this Agreement apart from that set forth in the New Mexico Tort Claims Act, NMSA 1978, §41-4-1, *et seq*.

13. **Notice**. All notices with respect to this AGREEMENT shall be in writing and shall be delivered via (i) receipted hand delivery; (ii) postage prepaid United States Mail, via certified mail, return receipt requested; or (iii) receipted overnight delivery, delivery fees prepaid, to the addresses set forth below or other such addresses as hereafter specified in writing by one party to the other:

SSCAFCA:
Executive Engineer
1041 Commercial Drive SE
Rio Rancho, NM 87124
dgatterman@ssafca.com

DEVELOPER:
AMREP Southwest Inc.
Attn: Vice President, Land Development
409 NM Highway 528 NE
Rio Rancho, NM 87124

With a required copy (which shall not constitute notice) to:
AMREP Corporation
Attn: President
850 West Chester Pike, Suite 205
Havertown, PA 19083

Any notice or communication given hereunder shall be deemed to have been given: (i) as of the date of delivery, if hand delivered; (ii) as of three (3) days following the date of delivery to the United States Postal Service, if sent by U.S. Mail; or (iii) as the day following the date of delivery to an overnight courier service, if sent by overnight delivery.

14. **Entire Agreement.** This AGREEMENT constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, and there are no warranties, representatives or other agreements among the parties in connection with the subject matter hereof except as specifically set forth herein. This AGREEMENT can be amended or terminated only by written agreement signed by all parties. This AGREEMENT may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this AGREEMENT delivered by facsimile, e-mail or other means of electronic transmission (to which a signed PDF copy is attached) shall be deemed to have the same legal effect as delivery of an original signed copy of this AGREEMENT. Either party may copy this completed AGREEMENT for electronic storage, at which time the paper form of this AGREEMENT may be destroyed. Each party agrees that following the electronic storage of this AGREEMENT, any hardcopy printout of that electronically stored information will constitute an original of this AGREEMENT.

[Signatures and acknowledgments on following pages]

IN WITNESS WHEREOF, DEVELOPER and SSCAFCA hereto have executed this AGREEMENT as of the EFFECTIVE DATE.

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY:

By: Ron Abramshe
Ron Abramshe, Chair

Date: Aug. 17, 2023

ATTEST:

David Gatterman, P. E., Executive Engineer

ACKNOWLEDGMENT

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

This instrument was acknowledged before me on August 17, 2023 by Ron Abramshe, Chair of Southern Sandoval County Arroyo Flood Control Authority, a political subdivision of the State of New Mexico, on behalf of said political subdivision.

My Commission Expires:

3/14/26
(SEAL)

Notary Public

CARLA SALAZAR
Notary Public - State of New Mexico
Commission # 1137598
My Comm. Expires Mar 14, 2026

DEVELOPER – AMREP SOUTHWEST INC.:

By: _____
Name: Jarrod Likar
Title: Vice President, Land Development

Date: 8/17/23

ACKNOWLEDGMENT

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

This instrument was acknowledged before me on 8/17, 2023 by Jarrod Likar, Vice President, Land Development of AMREP Southwest Inc., a New Mexico corporation, on behalf of said corporation.

My Commission Expires: 3/14/26

CARLA SALAZAR
Notary Public - State of New Mexico
Commission # 1137598
My Comm. Expires Mar 14, 2026

(SEAL)

_____
Notary Public

EXHIBIT A
PROJECT CONCEPTUAL LAYOUT

EXHIBIT "A"

May 15, 2023

Approximate connection point for stormdrain from Paseo Gateway development

1:15,122
0 0.1 0.2 0.4 mi
0 0.15 0.3 0.6 km

Esri Community Maps Contributors, New Mexico State University, City of Rio Rancho, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph

EXHIBIT B
POTENTIAL IMPACTS OF THE PROPOSED PASEO GATEWAY DEVELOPMENT ON PEAK DISCHARGE AND RUNOFF VOLUME CONTRIBUTIONS TO THE VENADA ARROYO

Potential Impacts of the Proposed Paseo Gateway Development on Peak Discharge and Runoff Volume Contributions to the Venada Arroyo

March 7, 2023

The purpose of this analysis is to determine the cost contribution level for the developer (AMREP) to SSCAFCA's planned upper Venada stormwater detention facility. The analysis is not a substitute for a formal drainage submittal as required by the City of Rio Rancho. Any increase in runoff volume or flow rate identified in this document will be the responsibility of the development to manage. An overview map of the project location can be seen in Figure 1.

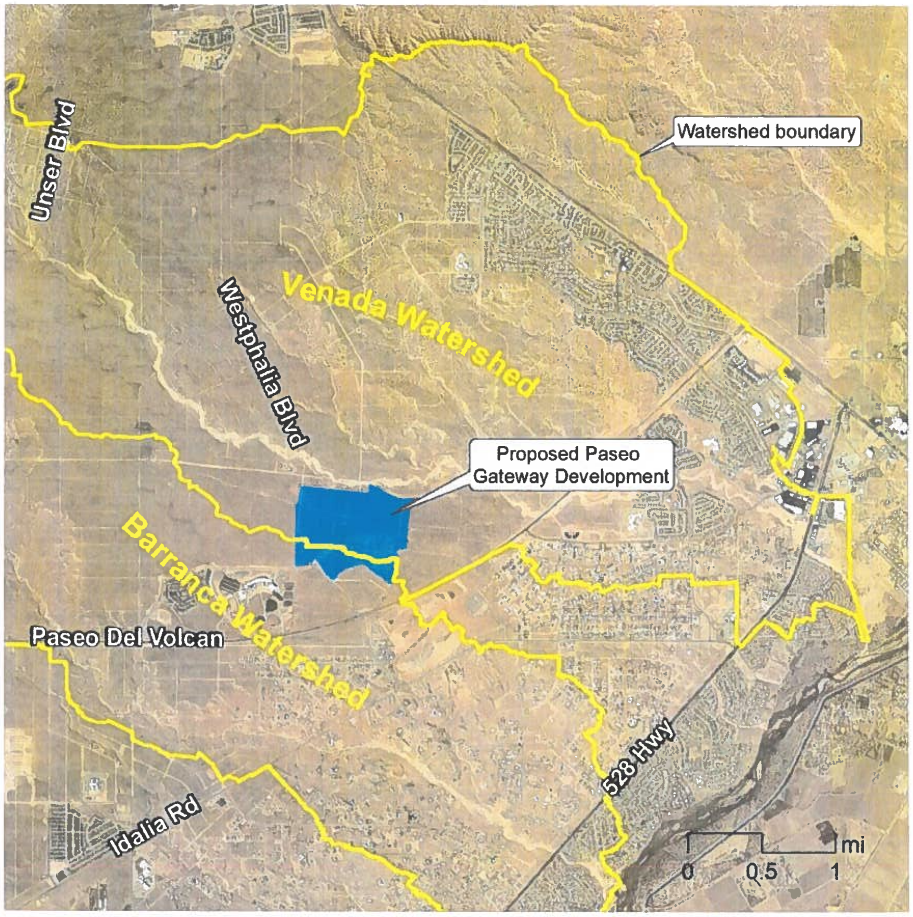


Figure 1: Overview map showing the location of the proposed Paseo Gateway development (shaded blue) within the Venada watershed (yellow outline).

1

The area in question encompasses approximately 0.41 square miles. Under current conditions, about 78% of the project area contributes flow to the Venada Arroyo; the remainder of the area is part of the Barranca watershed. The proposed development would therefore divert 0.09 square miles north to the Venada watershed. Potential impacts on peak flow and runoff volume contributions to the Venada Arroyo were assessed using HEC-HMS version 4.10 based on methods specified in SSCAFCA's Hydrology Manual v1.1.

Model assumptions are documented below.

Assumptions:

Existing Conditions

- The existing conditions scenario assumes that 0.32 square miles of the project area drain to the Venada Arroyo.
- The entire area is undeveloped (curve number = 74, no impervious surfaces).
- The area was modeled as a single basin.
- A sediment bulking factor of 1.18 was used.
- Lag time was estimated at 20 min.

Developed Conditions

- The developed conditions scenario assumes that 0.41 square miles of the project area drain to the Venada Arroyo.
- The area was modeled as a single basin.
- A sediment bulking factor of 1.06 was used.
- Lag time was estimated at 23 min.
- Land use densities for the project area are based on information obtained by SSCAFCA from the developer, AMREP Southwest, as shown in Figure 2.
- Land use categories and associated loss parameters are contained in Table 1. Values for directly connected impervious areas (DCIA) and curve numbers (CN) were based on analogous areas within the City of Rio Rancho (see Table 1 – justification for details).
- Based on the values shown in Table 1, 39% DCIA and a composite curve number of 85 were assumed for developed conditions.

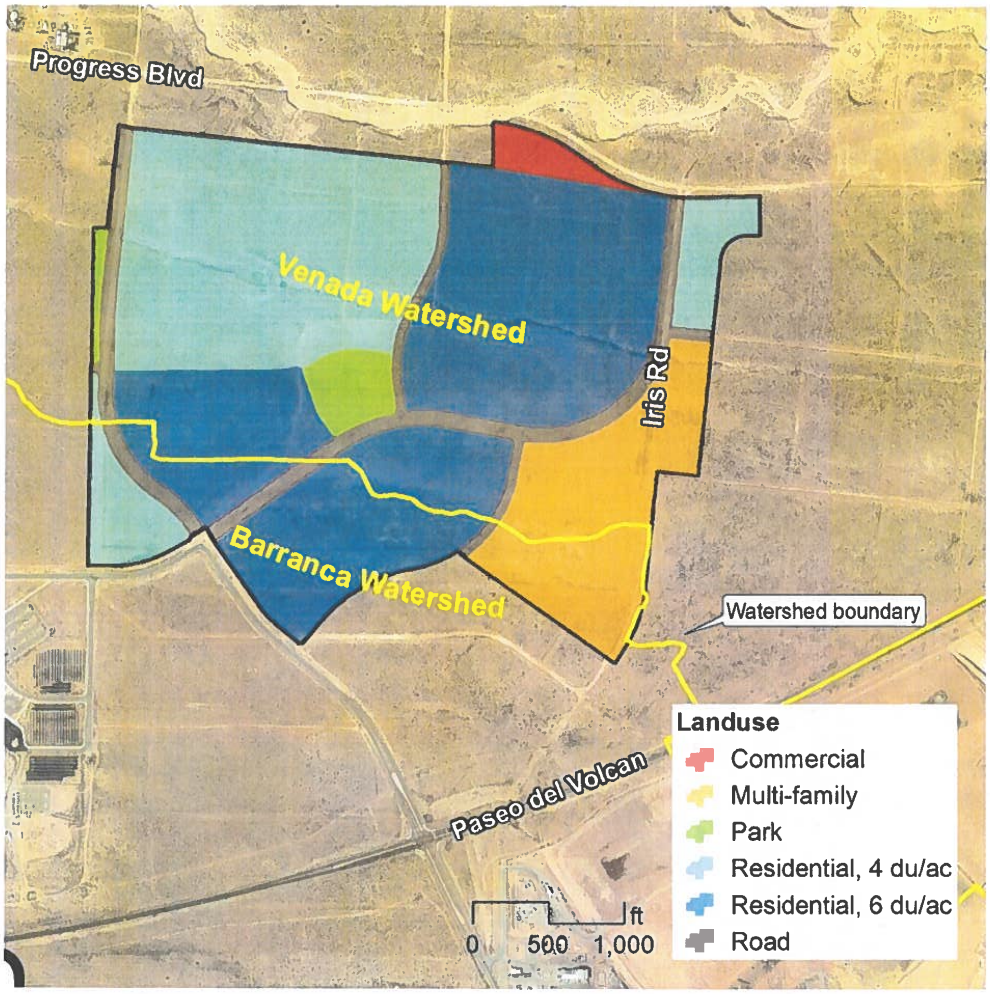


Figure 2: Land use densities used for the developed conditions scenario of the Paseo Gateway model.

Table 1: Land use categories and associated loss model parameters.

Land use	Area (ac)	% DCIA	CN	Justification
Commercial	4.2	85	77	Assumes 85% DCIA, remainder is natural desert landscaping (CN=77)
Multi-family	35.8	85	74	
Park	7.1	0	74	Equivalent to open space
Residential, 4 du/ac	81.7	21	84	Based on Northern Meadows subdivision; 22% disconnected impervious (CN=98), 10% road ROW (CN=92), 43% residential yard (CN=80), 25% open space (CN=74)
Residential, 6 du/ac	113.7	26	87	Based on High Range subdivision; 32% disconnected impervious (CN=98), 14% road ROW (CN=92), 46% residential yard (CN=80), 8% open space (CN=74)
Road	22.5	100		

Results

Table 2 lists runoff results based on the 100-year 24-hour design storm and the assumptions listed above. Estimated runoff values reported in this document are for regional planning purposes only. Loss model parameters (%DCIA, CN) were estimated based on areas with similar land use densities in the City of Rio Rancho. Substantial deviations from those assumptions will require re-analysis of the area, as will changes to the contributing area.

Table 2: Projected runoff volumes and peak flows from the Paseo Gateway area for existing and developed conditions.

Basin	Area (mi^2)	Peak discharge (cfs)	Runoff volume (ac-ft)
PG_exisiting	0.3231	163	13.4
PG_developed	0.4140	492	45.4

The City of Rio Rancho

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

June 6, 2025

RE: **Zone Map Amendment/Master Plan Amendment/Master Plan**
Case No. 25-100-00004/#25-410-00003/#25-400-00002
Paseo Gateway & Cleveland Heights

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, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment, a Master Plan Amendment to the Paseo Gateway Master Plan, and approval of the Cleveland Heights Master Plan. The Zone Map Amendment is for PG, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4. The amendment to the Paseo Gateway Master Plan is to remove the State Land Office parcels from the existing plan. The parcels will be reworked into the new Cleveland Heights Master Plan.

The **Planning and Zoning Board** will consider the request on **Tuesday, June 24, 2025** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**

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

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.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=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

Please do not hesitate to contact me via e-mail me at lruizcarlos@rrnm.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.rrnm.gov, the Friday before the hearing.

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

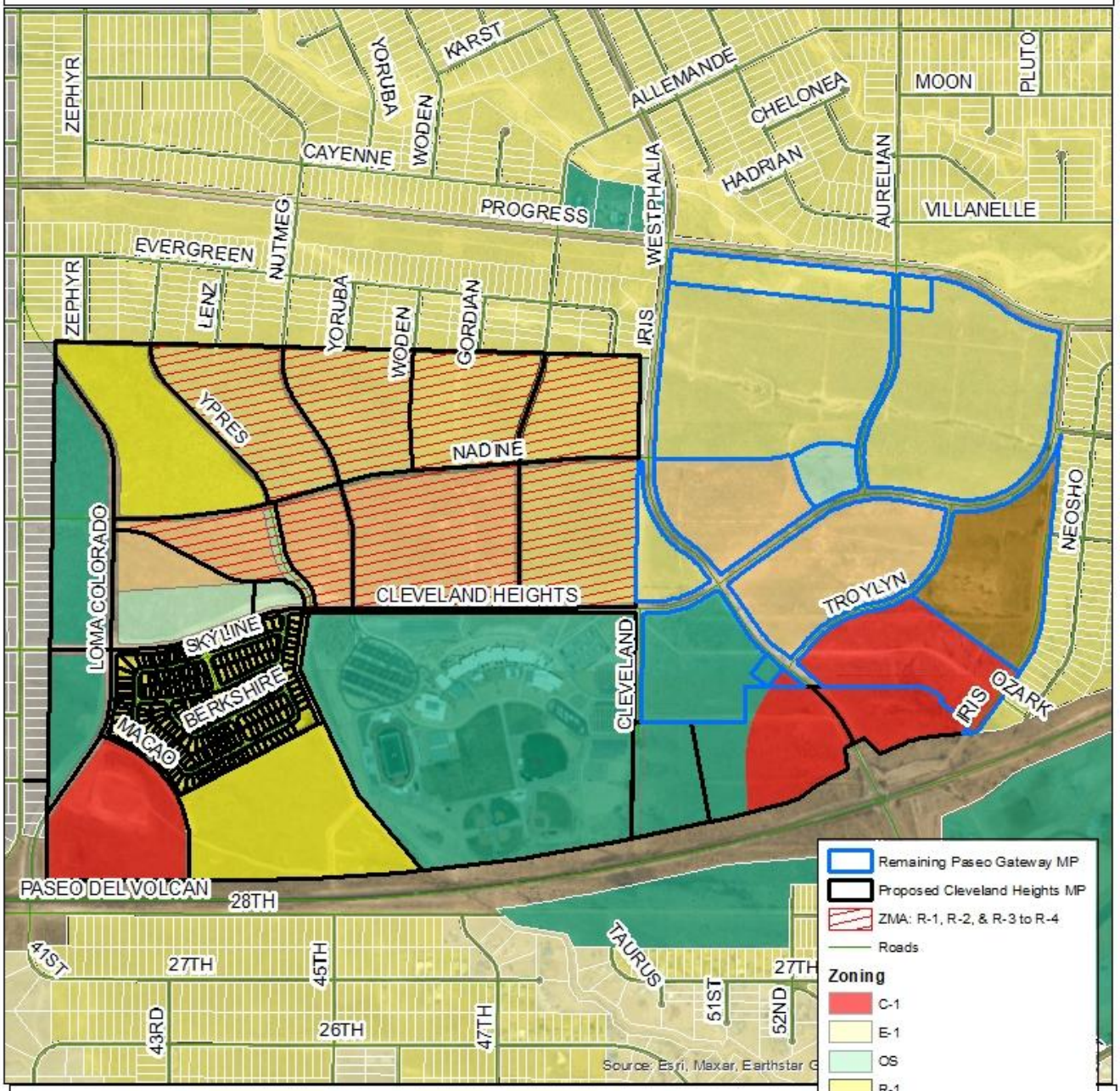
Respectfully,

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

The City of Rio Rancho

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

PASEO GATEWAY (MASTER PLAN AMENDMENT)
CLEVELAND HEIGHTS (NEW MASTER PLAN)
ZONE MAP AMENDMENT: R-1, R-2, & R-3 RESIDENTIAL TO R-4: SINGLE-FAMILY RESIDENTIAL DISTRICT



0 395 790 1,580 2,370 3,160 Feet

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 Tamarah Martinez on 6/6/2025

City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, June 24, 2025:

Zone Map Amendment
Request #25-100-00006
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment to extend the Renewable Energy Overlay Zone to the subject properties legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D. The subject properties comprise approximately 2,836 acres.

Master Plan Amendment
Request #25-410-00004
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., is also requesting approval of an amendment to the Quail Ranch Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject properties.

Zone Map Amendment
Request #25-100-00001
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for PG, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4.
The subject property consists of 228 acres.

Master Plan
Request #25-410-00003
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of the Cleveland Heights Master Plan.

Master Plan Amendment
Request #25-400-00002
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Master Plan Amendment to the Paseo Gateway Master Plan, to remove the State Land Office parcels from the existing plan.

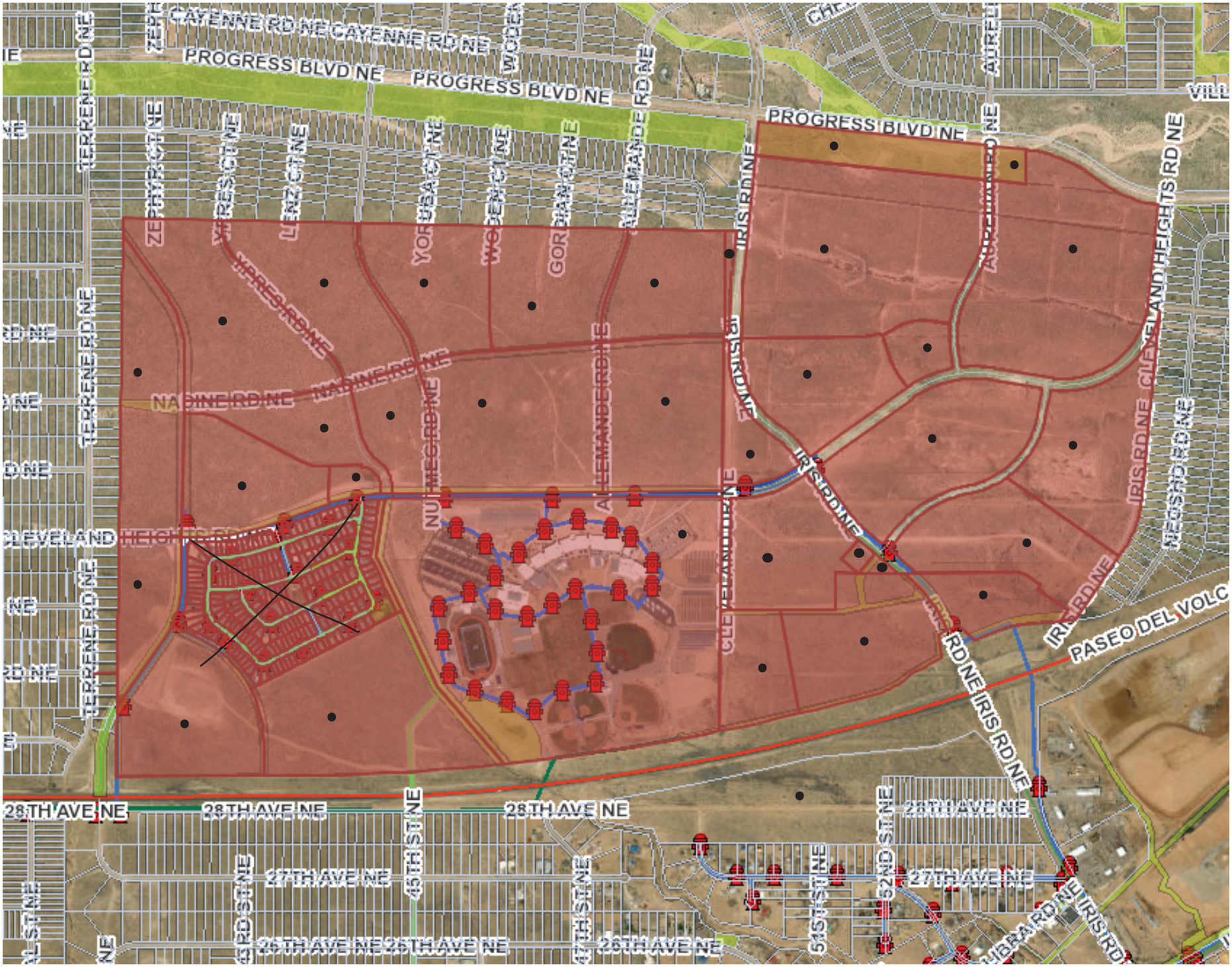
Zone Map Amendment
Request #25-100-00002
The applicant, Cielo Bonito, LLC requests approval of a Zone Map Amendment of approximately 50.442 acres from TZ: Transitional Zoning to R-3: Mixed Residential, for the property legally described as, Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70

Master Plan
Request #25-400-00001
The applicant, Cielo Bonito, LLC requests approval of the Cielo Bonito Master Plan at the location legally described as Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70. Concurrent with this request is a Zone Map Amendment request for approximately 50.442 acres from TZ Transitional Zoning to R-3, Mixed Residential.

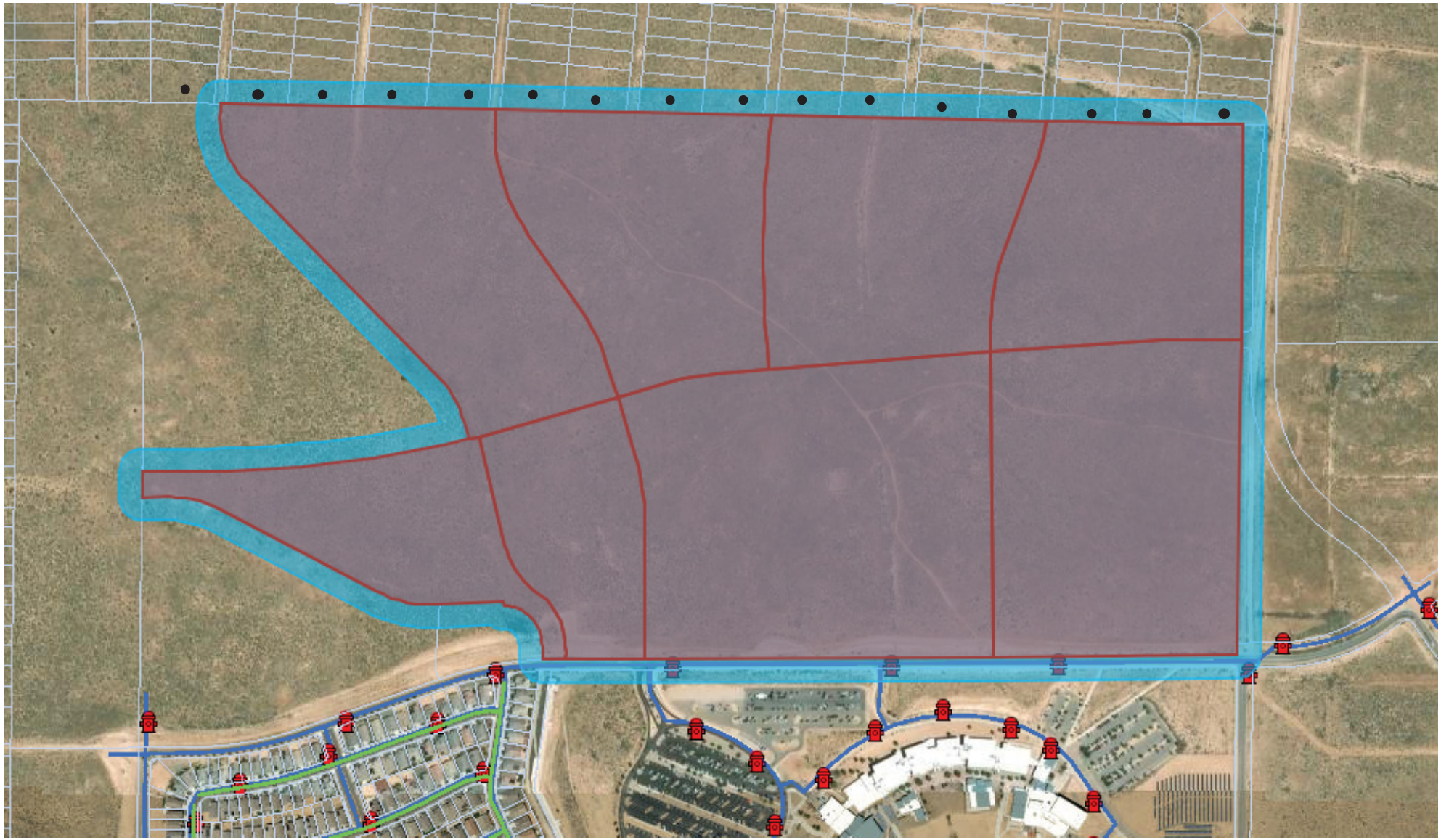
The meeting is scheduled for 6 pm in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: June 9, 2025



NOTICE MAP: × • - FIRST CLASS MAIL TO OWNERS



- ADDITIONAL MAILOUTS TO PROPERTIES WITHIN 100FT of ZMA

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

A RESOLUTION AMENDING THE PASEO GATEWAY MASTER PLAN

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction, and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA 1978; and

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

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

WHEREAS: the Governing Body of the City of Rio Rancho adopted the Paseo Gateway Master Plan on May 24, 2006, under Resolution No. 43, Enactment No. 06-45, and amended on October 8, 2008 under Resolution No. 87, Enactment No. 08-080, November 12, 2008 under Resolution No. 101, Enactment 08-096, April 28, 2010 under Resolution No. 36, Enactment No. 10-040, December 10, 2014 under Resolution No. 84, Enactment No. 14-080, and on February 27, 2019 under Resolution No. 17, Enactment No. 19-016; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Paseo Gateway Master Plan, at their meeting held on June 24, 2025, and following public hearing recommended approval of those amendments and modifications; and

WHEREAS: the Governing Body of the City of Rio Rancho has reviewed the proposed amendments (case no. 25-400-00002) to the Paseo Gateway Master Plan at their meeting held July 24, 2025, and following public hearing and receipt of the Planning and Zoning Board's report and recommendation, has determined that the amended Plan is in conformance with the City of Rio Rancho Comprehensive Plan.

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

Section 1. The Governing Body hereby approves and adopts the amendments and modifications to the Paseo Gateway Master Plan, per the attached exhibit.

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

ADOPTED THIS 24th DAY OF JULY, 2025.

Greggory D. Hull, Mayor

ATTEST:

Noel C. Davis, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-400-00002

AGENDA DATE:
June 24, 2025

DEPARTMENT:
Development Services

SUBJECT:
Master Plan. The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning, requests approval of the Cleveland Heights Master Plan. Staff contact is Liz Ruiz Carlos and staff recommends the Planning and Zoning Board recommend approval of the Master Plan to the Governing Body, with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning requests approval of the Cleveland Heights Master Plan. The properties within the Master Plan area total 674.7 acres and include the properties legally described as: Paseo Gateway, Tracts 19, 20, 21 (open space), 22, 23, 24, 25, Parcel B (Open Space), 26, 27, and 28.

The subject properties are presently part of the Paseo Gateway Master Plan area. The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning, are concurrently requesting approval of a Master Plan Amendment to the Paseo Gateway Master Plan (case #25-410-00003), to separate the tracts owned by the State Land Office and create this new Cleveland Heights Master Plan.

The original Paseo Gateway Master Plan was adopted in 2006 and has since been amended several times since, most recently in 2019. A concurrent Zone Map Amendment to rezone Paseo Gateway, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4, is being heard concurrently under case #25-100-00004.

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

The Cleveland Heights Master Plan identifies land uses, zoning, drainage, utilities, and transportation corridors for the area; with an overarching intention of facilitating residential development. It seeks to change the zoning of several subject parcels so that it is compatible with both the proposed residential development, and the existing surrounding development (ie. Cleveland Heights Subdivision). The subject properties comprise approximately 674.7 acres and are comprised of lands owned by Rio Rancho Public Schools and the State Land Office.

Staff recommends the Planning and Zoning Board find that the Cleveland Heights Master Plan would comply with and further the goals and policies of the Comprehensive Plan and integrate with the adjacent Paseo Gateway Master Plan. Policy L-1 of the Comprehensive Plan is to "encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan."

SITE ANALYSIS: The subject property is approximately 674.7 acres of land bounded by Paseo Del Volcan NE (a principal arterial) to the South, Iris Rd NE (a minor arterial road) and Cleveland Dr NE (a residential road) to the east. The lands to the north and west are undeveloped TZ: Transitional Zoned district and R-1: Single-Family Residential Zoned district.

LAND USE: The Cleveland Heights Master Plan area currently lies within the Paseo Gateway Master Plan, and encompasses a variety of land uses. Concurrently, the applicant is requesting an amendment to the Paseo Gateway Master Plan to remove the affected parcels from the existing Paseo Gateway Master Plan. Additionally, in a concurrent separate request, the applicant seeks a Zone Map Amendment to change the subject properties from R-3, R-2, and R-1, to R-4: Single-Family Residential District, in order to allow for the proposed residential development in the new Cleveland Heights Master Plan. The land use for the affected properties would be updated to "Low/Medium Density Residential" as part of that zone map amendment request.

The proposed Zone Change will result in a re-zoning of approximately 215.222 acres to R-4: Single Family Residential zoning from R-3: Mixed Residential, R-2: Single-Family and R-1: Single-Family Residential Zoning.

GRADING & DRAINAGE: The subject properties will still be subject to the approved 2009 Paseo Gateway State Land Office Drainage Management Plan, together with it's two subsequent amendments from 2010 and 2016.

CIRCULATION: The main transportation corridor serving the subject properties is Paseo del Volcan. Other existing transportation corridors include primary north-south corridors such as Unser Blvd, Broadmoor Blvd, Loma Colorado Blvd, and Iris Rd.

NOTIFICATIONS: Notifications were sent to affected property owners in conjunction with the Master Plan Amendment and Zone Map Amendment requests. A legal advertisement was placed in the June 9, 2025 edition of the Albuquerque Journal. A sign was posted on the property one week prior to the hearing. All legal notification requirements have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW: See comments listed for Zone Map Amendment case #25-100-00004.

IMPACT:

Staff recommends the Planning and Zoning Board recommend approval to the Governing Body of the Cleveland Heights Master Plan, subject to the following findings of fact and conditions of approval:

GENERAL FINDINGS OF FACT:

1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant’s request for a Master Plan.
2. The applicant has the authority to apply for a Master Plan on the subject properties.
3. The applicant and adjacent property owners received due process.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The Cleveland Heights Master Plan complies with the requirements of the Comprehensive Plan and adequately integrates with the adjacent Paseo Gateway Master Plan.
2.The applicant has submitted an application and narrative that meets the basic requirements of establishing a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design.

ALTERNATIVES:

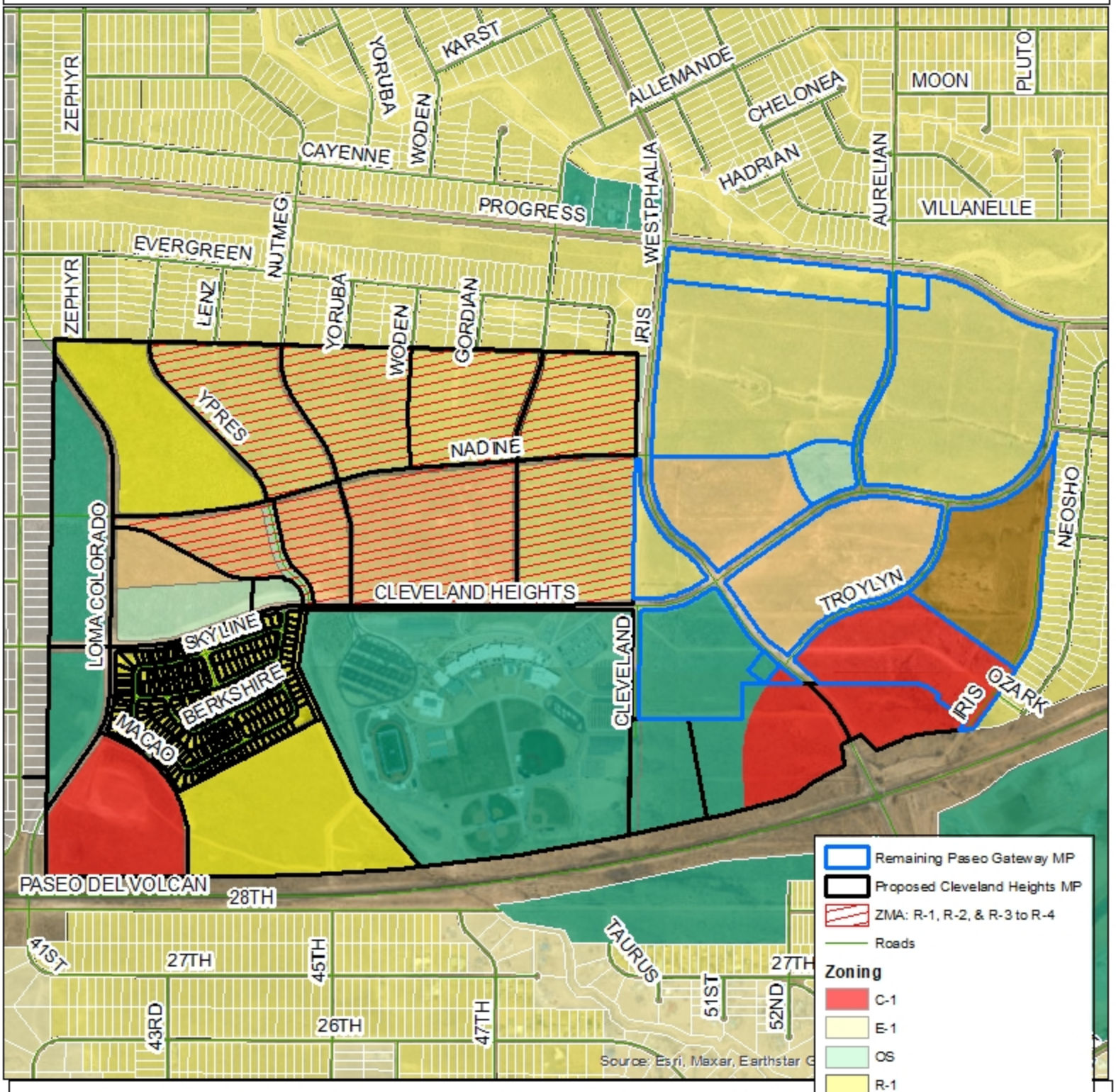
1. The Planning & Zoning Board may recommend approval of the request to the Governing Body.
2. The Planning & Zoning Board may recommend denial of the request to the Governing Body.
3. The Planning & Zoning Board may modify the request and recommend the Governing Body approve such modifications.
4. The Planning & Zoning Board may continue to 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 to the Governing Body, with findings and conditions.

ATTACHMENT: Location and Zoning Map .pdf
ATTACHMENT: Redlined Plan.pdf
ATTACHMENT: Cleveland Heights Master Plan
ATTACHMENT: Reroduction of Notices.pdf
ATTACHMENT: DRAFT_Resolution_.doc

PASEO GATEWAY (MASTER PLAN AMENDMENT)
CLEVELAND HEIGHTS (NEW MASTER PLAN)
ZONE MAP AMENDMENT: R-1, R-2, & R-3 RESIDENTIAL TO R-4: SINGLE-FAMILY RESIDENTIAL DISTRICT

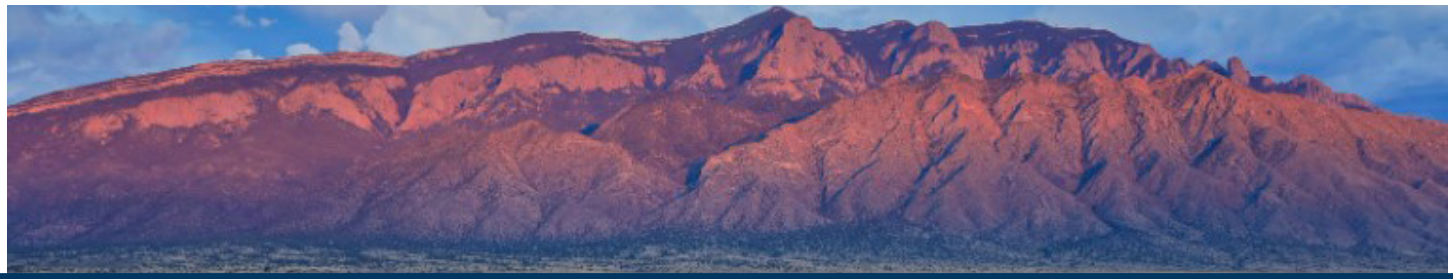


Rio Rancho
City of Vision

0 395 790 1,580 2,370 3,160
Feet

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 Tamarah Martinez on 6/5/2025



Cleveland Heights Master Plan REDLINE VERSION

Prepared for: New Mexico State Land Office

Prepared by: Consensus Planning, Inc.
Community Design Solutions (CDS)

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Resolution*

Resolution*

Ordinance*

Ordinance*

GB Approval*

GB Approval*

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5 - Rio Rancho Comprehensive Plan XX

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Appendix - Transportation Impact Study XX

Exhibits

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Master Plan Sub-Areas and Ownership x

Land Use and Zoning X

Tables

Land Use and Zoning for Cleveland Heights Master Plan Area X

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1. Introduction

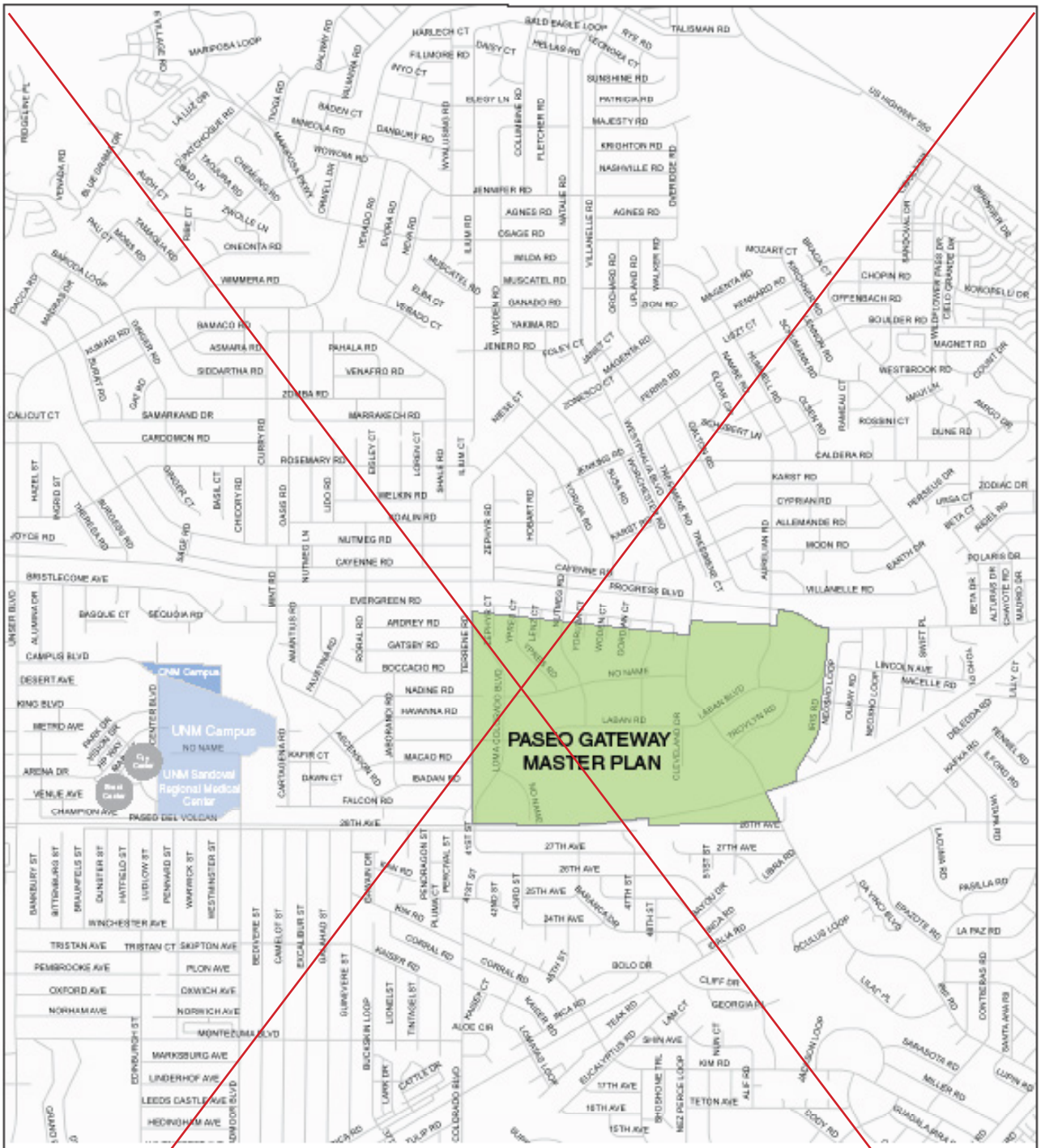
This document is prepared as a Master Plan for the area known as Cleveland Heights, orginally part of the Paseo Gateway Master Plan, located in central Rio Rancho, in Sandoval County. The Paseo Gateway Master Plan was comprised of 953 acres of lands owned by the New Mexico State Land Office ("State" or "NMSLO"), Rio Rancho Public Schools, and AMREP Southwest. ~~The map located on page 4 illustrates the land ownership in the Plan Area.~~ Cleveland Heights represents the lands owned by the Rio Rancho Public Schools and NMSLO, shown the Paseo Gateway Master Plan as Areas B and C, which comprise approximately 674.7 acres.

The objectives of the Cleveland Heights Master Plan are to identify land uses, zoning, drainage, utilities, and transportation corridors. The following are the objectives of the Master Plan:

- Change the land uses, streets, and boundary lines to comply with the current 2016 SSCAFCA Drainage Plan and the most recent Traffic Plan for the State Land Office owned parcels.
- To allow for flexibility and change on the property as more in-depth planning, subdivision platting, and infrastructure studies are conducted and as end users/developers are identified;
- To follow City guidelines for land use and zoning;
- Revise zoning from R-2, R-1, and R-3, to R-4;
- To correspond to existing transportation corridors identified in the City's Transportation Policy;
- To complement the land uses and public facilities proposed for the City Center development to the west and the V. Sue Cleveland High School located within the plan area;
- To provide a balanced land use mix that accommodates high quality residential development of various densities and high quality commercial development with convenient access to housing and the high school;
- To comply with and further the Rio Rancho Comprehensive Plan;
- Provide guidance and recommendations on drainage improvements; and
- To facilitate fulfillment of the New Mexico State Land Office obligation to optimize revenue to the trust created for the benefit of the public schools and other beneficiary institutions.

MASTER PLANNING PROCESS

This Master Plan was accomplished in collaboration with City of Rio Rancho Development Services Department, the State Land Commissioner, ~~AMREP Southwest~~,Consensus Planning, Inc., and Community Design Solutions. Petitions



NORTH

PASEO GATEWAY MASTER PLAN

Site Vicinity

CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 FAX 842-5495
e-mail: cp@consensusplanning.com

2. Existing Conditions

The existing conditions f~~or the approximately 953 acre Master Plan Area~~ analysis considers the surrounding land use pattern, zoning, transportation, infrastructure, and other site issues that affect development. Analyzing the benefits and constraints of existing conditions helps to provide insight into the application of planning elements to the area as it relates to the general goals, objectives, and policies of the City of Rio Rancho's Comprehensive Plan.

~~Area A - Owned by AMREP Southwest and consists of 284.5 acres.~~

~~Area B - Owned by the State Land Office and consists of 87.4 acres (commonly referred to as the Trade Lands").~~

~~Area C - Owned by the State Land Office and Rio Rancho Public Schools and consists of 573.0 acres.~~

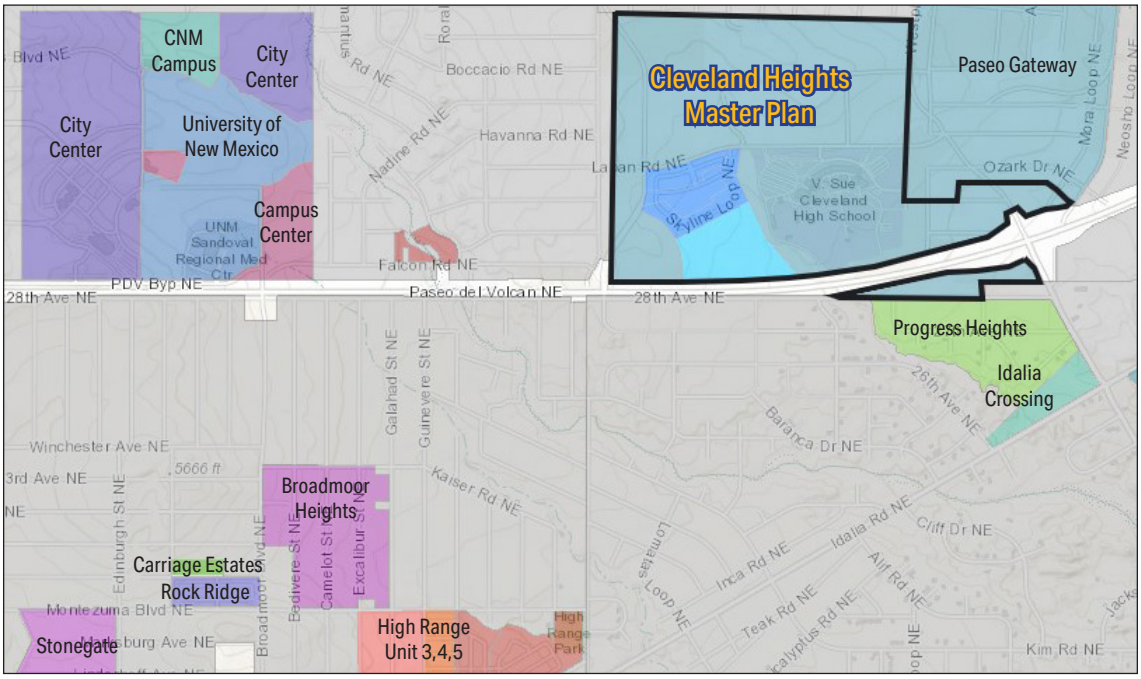
OWNERSHIP

~~A unique aspect impacting the majority of this property is its ownership.~~ The majority of ~~Area C~~ the Cleveland Heights Master Plan area is held in trust as public land and managed by the Commissioner of Public Lands through the State Land Office and includes 444.3 acres. Due to its location in the geographic heart of the City ~~this 573 acres of State land~~ is prime for master planning for the City's benefit. The highest and best use for these lands is residential, mixed-use, commercial, educational, and industrial uses. Tract 15 contains the Cleveland Heights Subdivision owned by individual property owners and Tract 17 will be developed as a single family subdivision by DR Horton. Tract 15 and 17 total 94.0 acres. V. Sue Cleveland High School is 136.4 acres and is owned by Rio Rancho Public Schools.

LAND USE

Surrounding land uses impacting the property are minimal. Currently, the majority of the planning area is vacant with the exception of V. Sue Cleveland High School located north of Paseo del Volcan and east of Loma Colorado Boulevard and the Cleveland Heights subdivision located on Tract 15. Tract 17 will be developed as a single-family subdivision in 2025. The State Land Office parcels are subject to a State Land Office planning lease that is held by Paseo Gateway, LLC. The area immediately surrounding the area is primary vacant. ~~Northern Meadows and North Hills to the west and southwest, respectively, are the closest residential land uses to the Master Plan Area.~~ There are a small number of existing residences located south of Paseo del Volcan in the vicinity. The nearest subdivisions to Cleveland Heights include:

- Paseo Gateway;
- Progress Heights;
- Rio Rancho Estates-Unit 21;
- Campus Center;
- City Center;
- University of New Mexico; and
- CNM Campus.



Vicinity Subdivisions

TRANSPORTATION CORRIDORS

The main transportation corridor serving this property is Paseo del Volcan, a limited access principal arterial that extends from US Highway 550 to Unser Boulevard and is planned to continue west. Paseo del Volcan will provide excellent access to Interstate 25 and 40, which will help this area to attract commercial services and employers helping to increase the job base in the City. Other existing transportation corridors include primary north-south corridors such as Unser Boulevard, Broadmoor Boulevard, Loma Colorado Boulevard, and ~~Westphaia Boulevard~~ Iris Road. The property is primarily served by Loma Colorado Boulevard and Iris Road (previously Westphalia Boulevard) as the primary north/south arterials. Future street name changes shall be completed in conjunction with the City of Rio Rancho to facilitate the unique identity for the Cleveland Heights community.

3. Land Use & Zoning

Land use and zoning for the Cleveland Heights area is intended for residential north of V. Sue Cleveland High School, mixed-use along Loma Colorado Boulevard, commercial at the corner of Loma Colorado and Paseo del Volcan, and Light Industrial and Commercial south of Paseo del Volcan.

The following pages include the land use and zoning plans for Cleveland Heights Master Plan as a whole and by subarea. Table 1 below and the Land Use Map on page 7 shows the acreage and zoning requested.

PROPOSED LAND USES and ZONING

Land use and zoning for the Planning Area is intended to allow for a mix of uses that will provide convenient access to services. With residential, commercial and employment areas clustered together, walkability is enhanced. With enhanced walkability, safety improves and traffic congestion lessens. Specific design standards for commercial uses will be determined through site plans. All commercial uses should further the conservation and natural environment element of the Comprehensive Plan.

The following table contains the recommended land uses and zoning for the acres within the Cleveland Heights Master Plan. Table 3 below corresponds to the Cleveland Heights Land Use and Zoning graphic on page 8.

Table 1: Land Use and Zoning Acreage Distribution

Land Use~~/Zoning~~	Zoning	Size (acres)	% of Total
~~Residential (R-4)~~		~~41.8 acres~~	~~4.4%~~
~~Residential (R-2)~~		~~223.2 acres~~	~~23.4%~~
~~Residential (R-3)~~		~~138.9 acres~~	~~14.6%~~
Residential ~~(R-4)~~	**R-4**: Single-family Residential	~~131.7~~ 365.5 acres	~~13.8%~~ 54.2%
Commercial ~~(C-1)~~	**C-1**: Retail Commercial	~~89.1~~ 70.1 acres	~~9.3%~~ 10.4%
Mixed Use ~~(SU)~~*	**SU**: Special Use	~~90.5~~ 56.5 acres	~~9.5%~~ 8.4%
Light Industrial & Commercial ~~(SU)~~**	**SU**: Special Use	~~41.3~~ 40.2 acres	~~4.3%~~ 5.9%
Educational ~~(SU)~~	**SU**: Special Use	136.4 acres	~~14.3%~~ 20.2%
Open Space~~/Pond~~**		6.1 acres	0.9%
Totals		**674.7 acres**	**100.0%**

Calculations based on net acreage

*SU/Special Uses require site plan approval by the Governing Body.

**Open Space/Pond acreages are included in Residential and Mixed-use tracts where applicable (see Land Use/Zoning Map) and correspond to the Paseo Gateway State Land Office Drainage Management Plan. Open Space shown in Table 3 includes the existing Open Space easement along Tract 15, 17, and B-1Z. Total Open Space equals 21.6 acres.

~~*SU/Special Uses require site plan approval by the Governing Body. Note: acreages were updated for SLO owned property based on 2008 plat. Original Master Plan acreages were approximate.~~

R-4: Residential

There are a total of 316.4 acres planned for Residential development zoned R-4. They include Tracts A, B, C, D, E, and F. Tract 17 zone change to R-4 was approved by the Governing Body in 2019 and is currently being developed as single-family.

C-1: Commercial

The C-1 lands provide easily accessible services for the nearby residential and business areas. There are 70.1 acres planned for C-1 in the Cleveland Heights Master Plan area.

Mixed Use (SU)

The Mixed Use designation provides flexibility to provide a mix of higher density residential and commercial/office uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be integrated vertically or adjacent to each other with appropriate buffering. There are 56.4 acres dedicated to Mixed Use.

Light Industrial (SU for Limited Light Industrial and Commercial Uses)

Office, light industrial, manufacturing, business park facilities, and commercial are appropriate uses in the Light Industrial Special Use zone. The intent of the employment zone is to provide a location for employers to locate in an area served by principal arterials with excellent accessibility and existing infrastructure. Uses that create nuisances such as smoke, noise, vibration, and odor are not appropriate for the Light Industrial district in this area. Permissive uses are as stipulated in the adopted zoning ordinance for this area. A total of 40.2 acres has been designated for Light Industrial (SU).

Parks

Locations and size of parks will be determined by the developers and the City at the time of development. Developed parkland will meet the requirements in Rio Rancho Municipal Code 155.46 Public Sites; Open Spaces. Table 2 contains the estimated total developed parkland for the R-4 tracts of the Cleveland Heights Master Plan.

Table 2: Assumed Park Acreage for R-4 Zoned Lots

Residential (R-4) DU/acre	4.4 DU
Residential (R-4) total acreage	271.4 acres
Total Units	1,192 units
Population (DU x 2.85 persons)	3,374 persons
Park Acreage	3.37 acres

DEVELOPED LAND USES and ZONING

R-4 Residential

Tract 15 contains the existing Cleveland Heights Subdivision, totaling 49.5 acres with 216 lots and 214 single-family homes. Lot widths range from approximately 45 to 60 feet. Tract 17 is being developed as a single-family subdivision and is 44.5 acres.

Educational Center (SU)

The Educational Center Special Use Zone contains the V. Sue Cleveland High School. The NMSLO transferred ownership of the 136.4 acres of Tract B-1A to Rio Rancho Public Schools in 2008.

~~Area A - AMREP Southwest~~

~~Recommended land uses and zoning for Area A addresses the 284.5 acres of land owned by AMREP Southwest. The following zones are proposed for Area A.~~

~~Table 2: Land Use and Zoning Acreage Distribution for Area A~~

~~Land Use/Zoning~~	~~Size (acres)~~	~~% of Total~~
~~Residential (R-2)~~	~~134.8~~	~~45.7%~~
~~Residential (R-3)~~	~~59.1~~	~~19.3%~~
~~Residential (R-6)~~	~~30.1~~	~~10.1%~~
~~Commercial (C-1)~~	~~28.6~~	~~7.8%~~
~~Mixed Use (SU)**~~	~~24.7~~	~~8.0%~~
~~Open Space (OS)~~	~~7.2~~	~~2.3%~~
~~Totals~~	~~284.5~~	~~100.0%~~

~~**SU/Special Uses require site plan approval by the Governing Body.~~

R-2: Residential
There are 134.8 acres planned for R-2 within Area A.

Area B - New Mexico State Land Office

Recommended land uses and zoning for Area B addresses 95.4 acres of land owned by the State Land Office. The following zones are proposed for Area B.

Table 3: Land Use and Zoning Acreage Distribution for Area B

Land Use/Zoning	Size (acres)	% of Total
Commercial (C-1)	30.6	32.1%
Mixed Use (SU)**	23.5	24.6%
Light Industrial & Commercial (SU)**	41.3	43.3%
Totals	95.4	100.0%

*Calculations based on net acreage

**SU/Special Uses require site plan approval by the Governing Body.

C-1: Commercial
There are 30.6 acres planned for C-1 in Area B. Due to the proximity of Area B to Paseo del Volcan, the C-1 lands provide a logical transition from a principal arterial north to medium and low density residential development.
Mixed Use (SU)
The Special Use Mixed Use designation provides flexibility to provide a mix of higher density residential and commercial uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be integrated vertically or adjacent to each other with appropriate buffering. There are 23.5 acres dedicated to Mixed Use within Area B.

Light Industrial (SU for Limited Light Industrial and Commercial Uses)
Office, light industrial, manufacturing, business park facilities, and commercial are appropriate uses in the Light Industrial Special Use zone. The intent of the employment zone is to provide a location for employers to locate in an area served by principal arterials with excellent accessibility and existing infrastructure. Uses that create nuisances such as smoke, noise, vibration, and odor are not appropriate for the Light Industrial district in this area. Permissive uses are as stipulated in the adopted zoning Ordinance for this area. 41.3 acres has been designated for Light Industrial (SU) in Area B.

Area C - New Mexico State Land Office and Rio Rancho Public Schools

Recommended land uses and zoning for Area C addresses the 573.0 acres of land owned by the State and Rio Rancho Public Schools. The following zones are proposed for Area C.

Table 4: Land Use and Zoning Acreage Distribution for Area C

Land Use/Zoning	Size (acres)	% of Total
Residential (R-1)	41.8	7.3%
Residential (R-2)	88.4	15.4%
Residential (R-3)	79.7	13.9%
Residential (R-4)	131.7	23.0%
Commercial (C-1)	29.9	5.2%
Mixed Use (SU)**	42.3	7.4%
Education Center (SU)**	121281288136.4	23.8%
Open Space (OS)/ROW, Drainage	22.8	4.0%

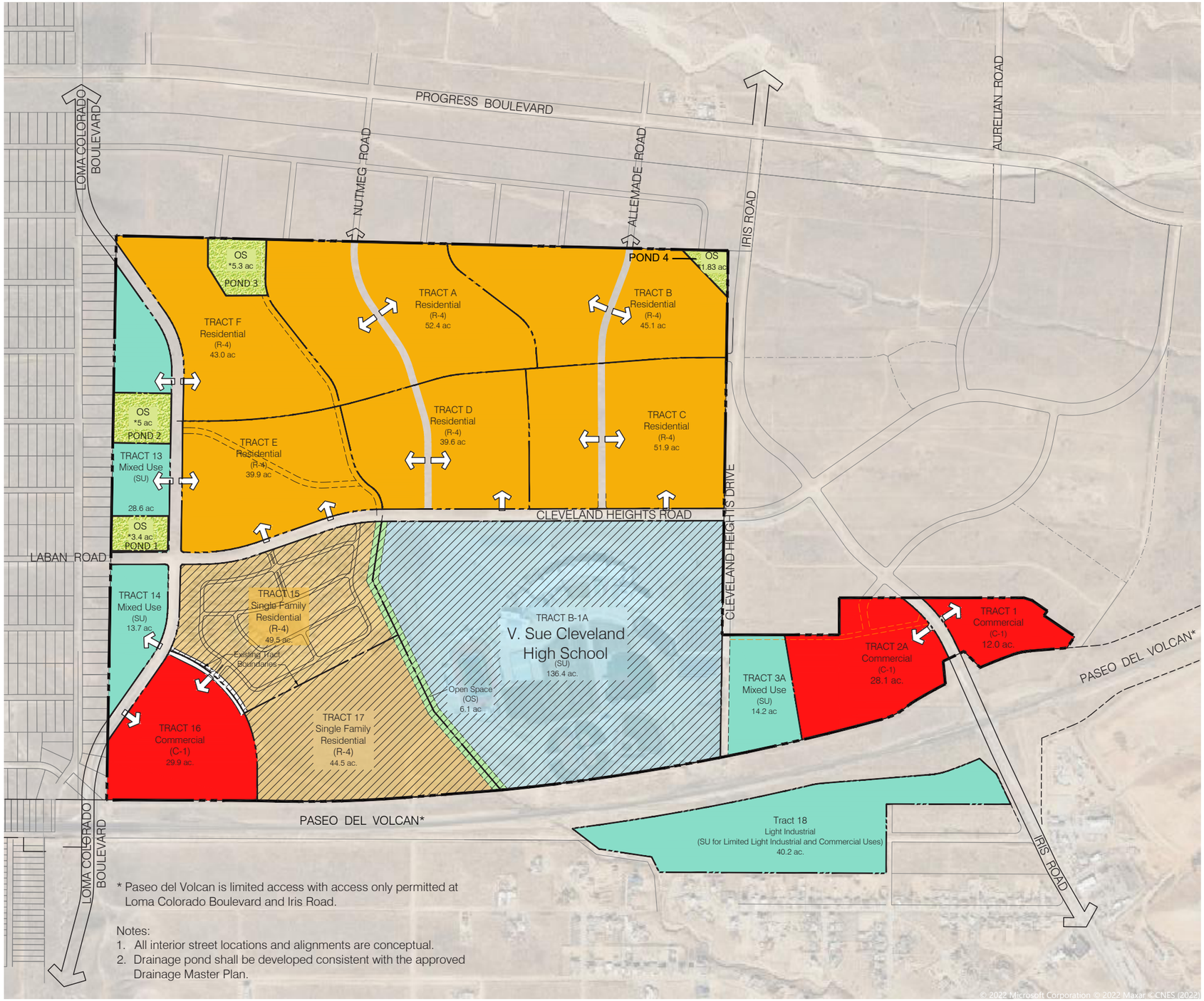
Land Use/Zoning	Size (acres)	% of Total
Totals	573.0	100.0%

*Calculations based on net acreage
*SU/Special Uses require site plan approval by the Governing Body.

R-1: Residential
There are 41.8 acres planned for R-1 within Area C.
R-2: Residential
There are 88.4 acres planned for R-2 within Area C.
R-3: Residential
There are 79.7 acres planned for R-3 within Area C
R-4: Residential
There are 131.7 acres planned for R-4 within Area C.
C-1: Commercial
The C-1 lands provide easily accessible services for the nearby residential and business areas. There are 29.9 acres planned for C-1 in Area C.
Mixed Use (SU)
The Mixed Use designation provides flexibility to provide a mix of higher density residential and commercial/office uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be integrated vertically or adjacent to each other with appropriate buffering. There are 42.3 acres dedicated to Mixed Use within the Area C.

Educational Center (SU)
Schools, recreational facilities, administrative offices, parks, and maintenance and storage facilities are permissive in the Educational Center district. Advanced education and elementary educational facilities are able to be located in this district to serve a localized or regional educational objective. The 136.4 acres designated for Educational Facilities is the site of V. Sue Cleveland High School.

OS: Open Space
The OS or Open Space zone shall allow for active and passive recreational amenities, natural open space areas for wildlife habitat and cultural and natural resource preservation. There are 22.8 acres of OS in Area C.
R-3: Residential
There are 59.1 acres planned for R-3 within Area A.
R-6: Residential There are 30.1 acres planned for R-6 within Area A.
C-1: Commercial There are 28.6 acres planned for C-1.
Mixed Use (SU)
The Mixed Use designation is a Special Use zone that provides flexibility to provide a mix of higher density residential and commercial/office uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be integrated vertically or adjacent to each other with appropriate buffering. There are 24.7 acres dedicated to Mixed Use within the AMREP property.
OS: Open Space
The OS or Open Space zone shall allow for active and passive recreational amenities, natural open space areas for wildlife habitat and cultural and natural resource preservation. There are 7.2 acres of OS in Area A.
4. INFRASTRUCTURE



* Paseo del Volcan is limited access with access only permitted at Loma Colorado Boulevard and Iris Road.

Notes:
1. All interior street locations and alignments are conceptual.
2. Drainage pond shall be developed consistent with the approved Drainage Master Plan.

LAND USE / ZONING

- Property Line
- Easement Line
- Pond Boundary Line
- Residential (R-4)
- Mixed Used (SU)
- Commercial (C-1)
- Light Industrial and Commercial (SU)
- Education/V. Sue Cleveland High School (SU)
- Developed Properties
- Potential Access Point
- Drainage Pond / Open Space Easement

* Tract acreage's are inclusive of Open Space numbers.

CLEVELAND HEIGHTS

LAND USE / ZONING

Prepared For:
Paseo Gateway LLC.

Prepared By:

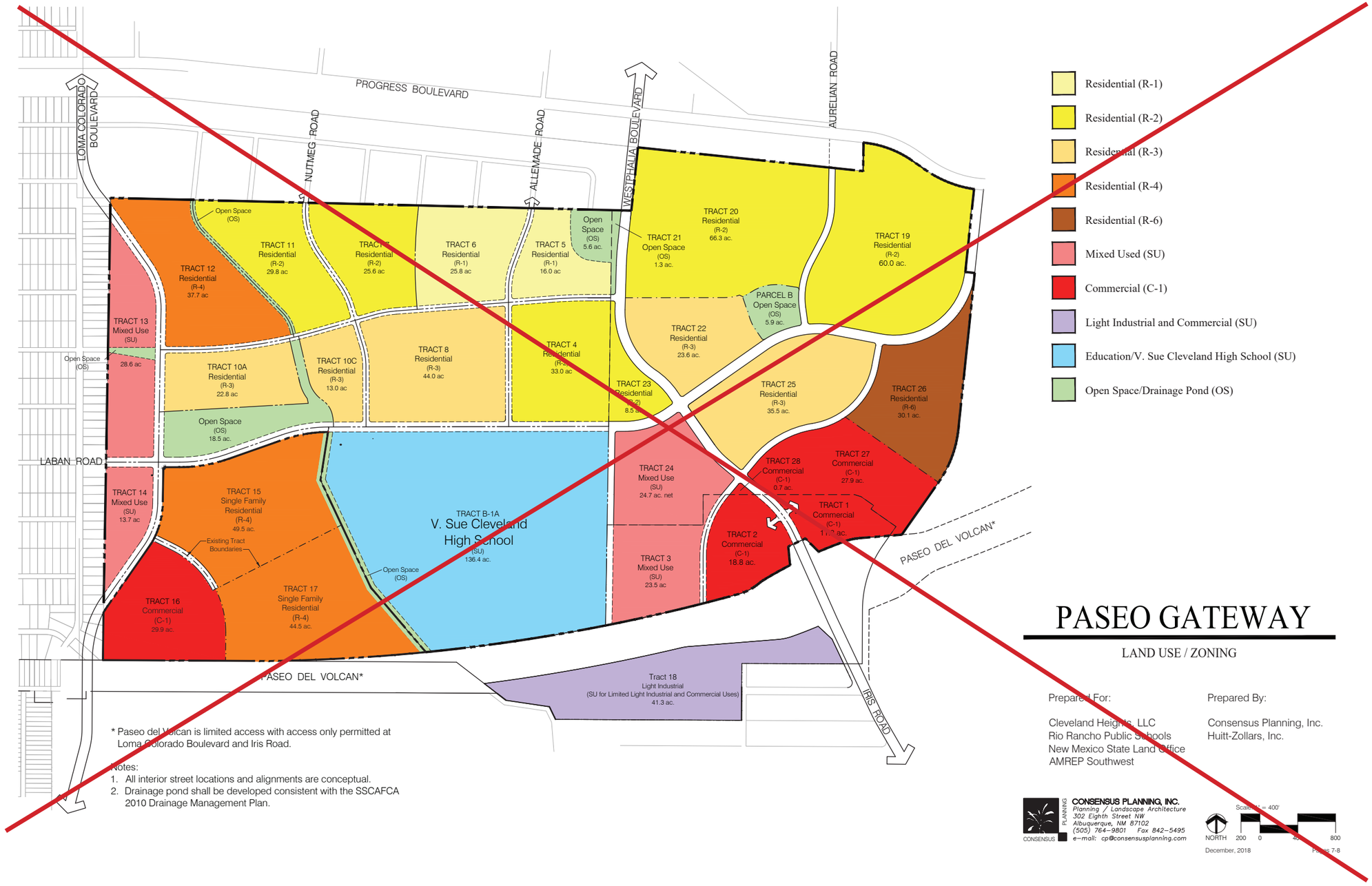
Consensus Planning, Inc.
Community Design Solutions, Inc.

CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 Fax 842-5495
e-mail: cp@consensusplanning.com

Scale: 1" = 400'

NORTH 200 0 400 800

January, 2023



* Paseo del Volcan is limited access with access only permitted at Loma Colorado Boulevard and Iris Road.

Notes:
1. All interior street locations and alignments are conceptual.
2. Drainage pond shall be developed consistent with the SSCAFCA 2010 Drainage Management Plan.

PASEO GATEWAY

LAND USE / ZONING

Prepared For:

Cleveland Heights, LLC
Rio Rancho Public Schools
New Mexico State Land Office
AMREP Southwest

Prepared By:

Consensus Planning, Inc.
Huitt-Zollars, Inc.

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Scale: 1" = 400'
NORTH 200 0 400 800

December, 2018

4. Conformance with the Rio Rancho Comprehensive Plan

The Cleveland Heights Master Plan adheres to the Rio Rancho Comprehensive Plan. The Comprehensive Plan is a policy document that lays out goals, policies, and actions to guide the growth and development of Rio Rancho. The Cleveland Heights Master Plan will help implement the nine elements of the Rio Rancho Comprehensive Plan, as explained below.

ANNEXATIONS, ANTIQUATED PLATTING AND ADDRESSING

This element of the Comprehensive Plan is not applicable to the Cleveland Heights ~~Paseo Gateway~~ Master Plan. The property has already been annexed and platted, and will continue to be platted and addressed according to City standards as development occurs within the Plan Area.

CONSERVATION AND THE NATURAL ENVIRONMENT

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

The Conservation and Natural Environment Section of the Comprehensive Plan include some of the following goals, policies, and actions for achieving these objectives:

- Preserve water resources;
- Reuse and recycle materials, and reduce waste;
- Implement the use of low impact development techniques and green building practices; and
- Limit the use of turf in landscape areas in residential and commercial developments except for active recreation and parks.

The Cleveland Heights Master Plan meets these objectives through the provision of design guidelines that require the sensitive use of landscape materials in order to conserve water, the creation of open spaces that serve dual drainage and recreational functions, such as a trail in the north/south open space corridor. Builders at Cleveland Heights ~~Paseo Gateway~~ are encouraged to join green building programs and employ green building techniques such as cool roofs, energy efficient windows, solar panels, permeable surfaces, rain harvesting, and gray-water systems.

Planning and design of infrastructure within the Cleveland Heights ~~Paseo Gateway~~ Master Plan shall minimize the alteration of natural flood plains, stream channels, and natural protective barriers. Flooding, grading and development activities shall be managed to prevent flood or erosion damage. Retention ponds shown on the Master Plan will provide flood mitigation and provide additional open space for ~~Paseo Gateway~~ Cleveland Heights residents.

Preservation of the natural environment in and outside of ~~Paseo Gateway~~ Cleveland Heights will be sustained through the use of drought tolerant and native landscaping materials. Night sky compliant lighting will ensure residents and surrounding communities will enjoy nighttime environments unobstructed.

LAND USE ~~POPULATION AND HOUSING~~

The goals, policies, and actions for land use ~~population and housing~~ in Rio Rancho include the following:

- Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan;

- Promote and support development that incorporates walkability; and
- Encourage adequate pedestrian connections to future transit facilities in all residential site development.

~~The intent of this element is to ensure a land use pattern that offers a diversity of housing, well designed residential development, provides park and open space amenities, and pedestrian connectivity. The land use concept for the Paseo Gateway Master Plan accomplishes the intent of the land use element by including a wide range of zoning densities, from R-1 to R-6. Master planning is one of the City's key action steps towards carrying out this element.~~

The ~~Paseo Gateway~~ Cleveland Heights Master Plan outlines the framework for development that meets the intent of the Comprehensive Plan by providing pedestrian trails and sidewalks that connect to the major streets bounding the Plan Area and through the provision of park and open space within the Plan Area.

The Master Plan further meets the intent of the Land Use Element of the Comprehensive Plan through the assembly platted, developable parcels. Increased property taxes derived from the homes developed within Cleveland Heights will help to support the Rio Rancho School District and contribute to the viability of commercial development.

Cleveland Heights is located east of the Rio Rancho City Center. Residents living in Cleveland Heights will have convenient access to the community amenities such as City Hall, the Rio Rancho Events Center, Broadmoor Senior Center, and Sky View Campus Park. Medical services include the UNM Sandoval Regional Medical Center. Educational facilities include the UNM Health Sciences Center and Central New Mexico Community College (CNM) Rio Rancho, V. Sue Cleveland High School, and Shining Stars Preschool.

~~Land uses include office, commercial, institutional, entertainment, residential, and industrial. Paseo Gateway is located east of the City Center. Residents living in the Paseo Gateway community will have convenient access to employment, education, and commercial services.~~

Land uses available in Cleveland Heights will include office, commercial, institutional, entertainment, residential, educational, medical, and industrial. The Cleveland Heights Master Plan calls for a mix of land uses that can accommodate a diversity of housing options for residents. Housing will be available to accommodate a several market rate and workforce housing options.

The ~~Paseo Gateway~~ Cleveland Heights Master Plan will utilize existing City of Rio Rancho zoning categories and development will conform with the design standards contained in those zoning categories and this Master Plan. Design standards created for ~~Paseo Gateway~~ Cleveland Heights are intended to expand on the City's Zoning Ordinance and will provide unified streetscapes, unified signage design, perimeter wall and entry design, and open space areas. Landscaping requirements shall apply to streetscapes, detention ponds, perimeter areas adjacent to perimeter walls, and buffer areas (see page 14-15 for more detail on walls and landscape).

POPULATION and HOUSING (MOVED FROM LAND USE SECTION)

The goals, policies, and actions for land use, population, and housing in Rio Rancho include the following:

- Maintain the strength, vitality, and stability of all residential neighborhoods and types; and
- Promote quality, community-friendly multi-family development, through features such as enhanced open space and pedestrian connectivity.

The intent of this principle is to ensure a land use pattern that offers a diversity of housing, well designed residential development, park, open space, and pedestrian connectivity throughout ~~Paseo Gateway~~ Cleveland Heights area and

to V. Sue Cleveland High School. Master Planning is the City's key action steps towards carrying out this principle. The Cleveland Heights Master Plan furthers this principle by providing residential densities classified by the R-4 designation, with a minimum size of 4,000 square feet and a minimum of 40 feet wide. Each tract within the Master Plan can support subdivisions with amenities and road connectivity, similar to the existing Cleveland Heights Subdivision.

The land use and zoning concept for the Cleveland Heights Master Plan furthers the Population and Housing element by providing a residential zone, R-4 that is provides the flexibility for a variety of single-family development densities. The mixed-use SU zoned tracts can support higher-density and multi-family development at strategic points along Iris Road and Loma Colorado Boulevard.

TRANSPORTATION

The Transportation Section of the Comprehensive Plan contains the following goals, policies, and actions which are relevant to the Cleveland Heights Master Plan:

- A balanced transportation system that provides access to a variety of transportation options.

The transportation element hopes to establish an accessible long-range transportation network to meet local and regional circulation needs. A multi-modal transportation system to move people and goods is encouraged. In addition, a coordinated pedestrian network is preferred throughout the Plan Area to help foster non-vehicular mobility and accessibility.

A Traffic Impact Analysis (TIA) was provided to the City of Rio Rancho to ensure that new residential development will not compromise the existing transportation network. Walkways and pedestrian corridors shall be provided both as sidewalks along the roadways and within open space corridors. Pedestrian and bicycle connections may be considered for arterial and collector roadways, or within trail corridors.

PUBLIC FACILITIES

The intent of the Public Facilities element of the Comprehensive Plan is to minimize the difficulties, due to antiquated platting, of providing infrastructure within the City. The applicable policy is listed below.

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

The Master Plan meets this intent and policy. The Master Plan is in an area of Rio Rancho where the project will be able to connect to existing infrastructure and is in an area near public facilities such as Rio Rancho City Center, Sky Room Campus Park, Rio Rancho Events Center, Broadmoor Senior Center, and V. Sue Cleveland High School. As this area is developed, more public facilities will be developed.

All residents should be assured proper access to police, fire and emergency services. Police, fire and emergency rescue services impacts should be considered in all development plans within Cleveland Heights. Coordination with the City's Public Safety shall be a requirement for future Specific Area Plans to ensure federal standards are met for emergency response times. Currently, the area is served by Rio Rancho Fire and Rescue Station 5, located on Santa Fe Hills Boulevard and the Rio Rancho Police Department facility located on Quantum Road. Rio Rancho Fire and Rescue response time in 2022 was approximately 9 minutes.

PARKS and RECREATION

The intent of the Parks and Recreation section of the Comprehensive Plan is to ensure that as the City of Rio Rancho develops, amenities such as parks and recreational facilities are provided for the growing population. The goals that are particularly applicable to the Master Plan are listed below:

- Be responsive to the recreational needs of the community; and
- Provide a variety of quality of life services to meet community needs, assuring that there are strong relationships with all sectors of the community and ample opportunities to foster human interaction.

The Master Plan has designated land as open space with the intent that these areas will function as multi-use drainage, recreation, or trail corridors. The intent of the Master Plan is to provide the framework for the creation of a complete community that includes both private (HOA) and public (City of Rio Rancho) park and recreation areas.

URBAN DESIGN

The intent of the Urban Design element of the Comprehensive Plan is to ensure that development follows design standards that help to achieve the creation of community identity and aesthetic quality. Some of the relevant goals, policies, and actions within this element include:

- Create safe developments that discourage crime;
- Support development that links neighborhoods and encourages the use of all modes of transportation; and
- Embrace the use of xeriscape landscaping.

Design features within the ~~Paseo Gateway~~ Cleveland Heights Master Plan will highlight streetscapes, multi-use paths, perimeter walls, gateways, and pedestrian connections at the site planning stage. It is anticipated that a more detailed level of planning will be required for these properties to ensure adherence with the overall land use plans, transportation corridors, and open space network. Future site plans and/or subdivisions shall include landscaping requirements for streetscapes, arroyos and retention/detention ponds, walls and screening patterns. Native and xeric plant species shall be encouraged and water harvesting and irrigation requirements shall be included in any future landscape and drainage plans.

ECONOMIC DEVELOPMENT

The primary goal of the economic development element is to expand employment opportunities, provide a mix of jobs, support existing retail and service needs as well as provide infrastructure to support and attract existing and new businesses, while with respect to the State parcels, also benefiting the public schools of New Mexico by optimizing revenue to the trust administered by the Commissioner.

The land use plan for the ~~Paseo Gateway~~ Cleveland Heights area provides for an appropriate mix of residential, commercial, mixed-use, and employment uses. The intent of the land use plan is to provide ample space for a wide variety of potential employers and new industry to locate in Rio Rancho. With accessibility to Paseo del Volcan, NM State Road 528, US Highway 550, and Interstate 25, it is expected that this area will be desirable for future employers. The City may consider development incentives to attract employers and commercial services to Cleveland Heights by providing an expedited development review process. In 2021, a Zone Map Amendment from SU to C-1 for Tracts 2 and 3 (replatted to Tract 2A and 3A) at the corner of Paseo del Volcan and Iris Road. The Zone Map Amendment and associated preliminary plat will facilitate commercial development on these sites. V. Sue Cleveland High School employs 144 teachers, 39 Instructional Support Staff, and 42 Non-Instructional Support Staff.

5. Design Guidelines

RESIDENTIAL DESIGN GUIDELINES ~~FOR AREA C~~

The design guidelines are intended to create a sense of cohesiveness and identity of the ~~Area C of the Paseo Gateway Master Plan~~ Cleveland Heights Master Plan. These standards will help implement the Urban Design provisions of the City of Rio Rancho's Comprehensive Plan.

The standards are primarily intended as a generalized guide for end users/builders that will participate in the development of Cleveland Heights. Where these standards conflict with City of Rio Rancho ordinances or approved City standards, the more stringent shall apply.

Site Design

All individual neighborhoods should provide convenient pedestrian circulation through and between neighborhoods, to the external streets, and the proposed adjacent commercial development.

General

a. Sidewalk requirements shall be consistent with standards within the City of Rio Rancho Development Process Manual (DPM).

b. Safe, convenient, and pleasant pedestrian circulation shall be accomplished with sidewalks, trails, special pavings, and shade.

c. Pedestrian walkways shall be designed to be ADA accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design).

d. Concrete, asphalt, or compacted decomposed granite with stabilizer are acceptable materials for pedestrian walkways as allowed by ADA standards.

e. Clear sight distances shall be maintained at all driveway locations and intersections per AASHTO design standards.

f. Unfinished gray block walls, barbed wire, chain link, concertina wire, and wood or plastic/vinyl fencing are prohibited.

Single Family Residential

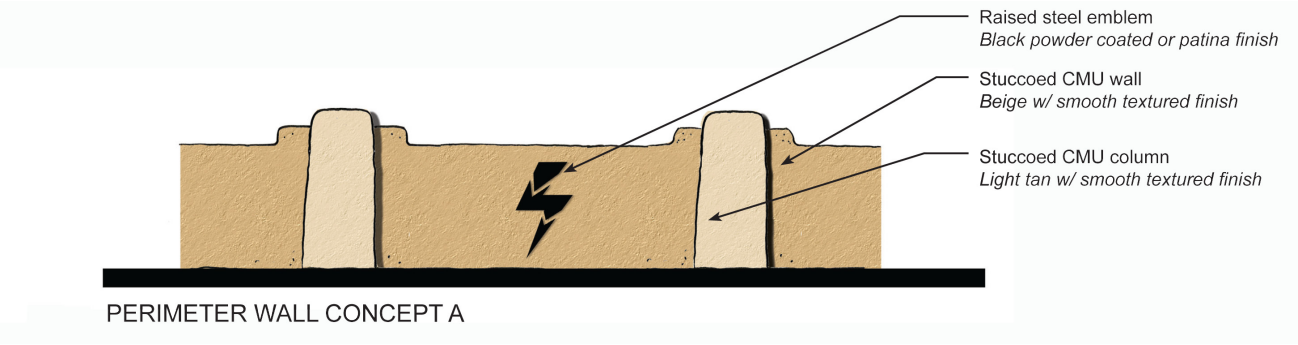
a. ~~All development shall comply with the City of Rio Rancho Subdivison Ordinance~~

a. All development shall comply with the City of Rio Rancho Subdivision Ordinance, Chapter 155.01 of the Rio Rancho Municipal Code.

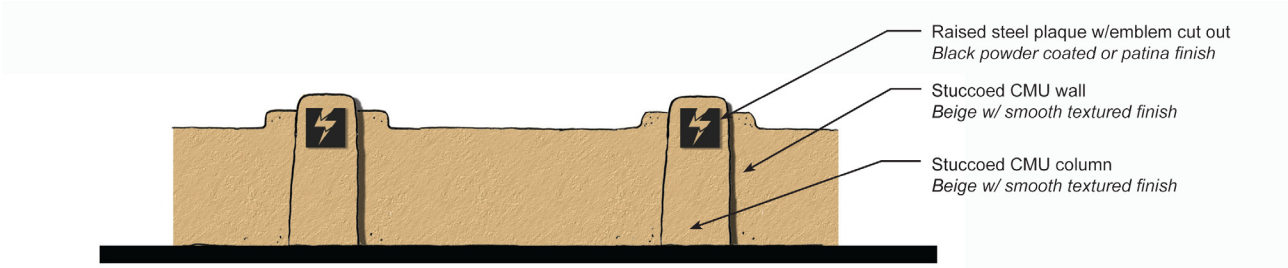
b. Single family units are prohibited from fronting or have driveway access to a collector or ~~major local street~~ arterial.

c. Proposed driveway locations shall be consistent with curb cut requirements identified in the Rio Rancho Development Process Manual (DPM).

d. Lots that face streets at the front and rear shall be limited to one driveway at the front facing street. A solid wall shall be provided at the rear yard of the property to ensure access is limited to a single street frontage.



PERIMETER WALL CONCEPT A



PERIMITER WALL CONCEPT B

Architecture

The architectural standards are intended to describe the general characteristics of the Master Plan. While the buildings will reflect these standards, it is not the intent of these design standards to prohibit a certain amount of individual expression and creativity.

Residential

a. Building height on houses with pitched roofs shall not exceed 32 feet to the highest point of the pitch. Building height on houses with flat roofs shall not exceed 26 feet.

b. The use of accent colors in entry portals, front door, window frames and trim, and other incidental elements is encouraged.

c. Front porches, entryways, and/or portals, if used, shall have a minimum 5 foot depth, and shall be permitted within the front yard setback.

d. Antennae or solar collector equipment, if used, shall be installed so as to minimize its visibility from any public street.

Signage

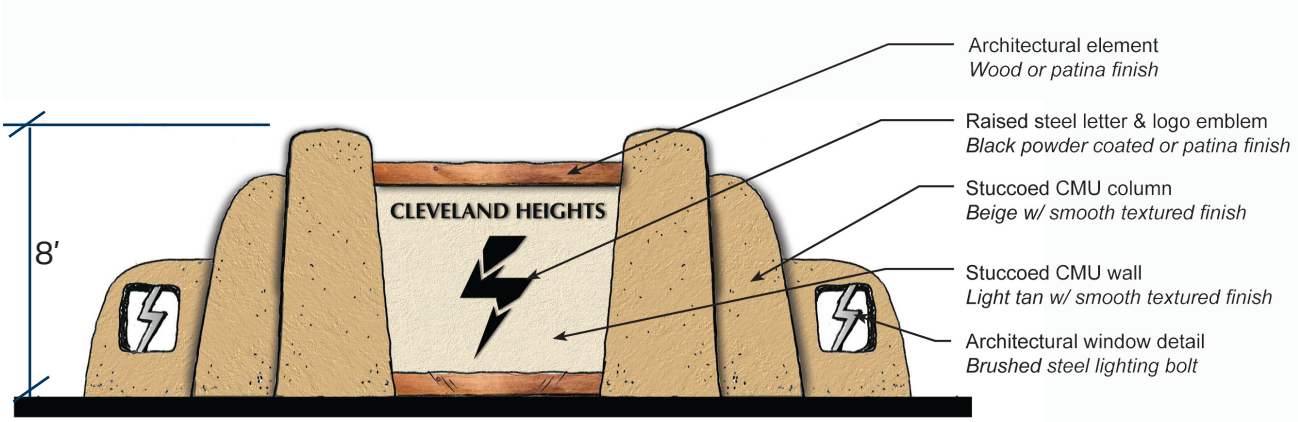
Signage should enhance the overall character and identity of the community, as well as provide directional instruction.

Residential Neighborhoods

a. All neighborhood entries shall include the specific subdivision name.

b. Freestanding neighborhood entry signs shall be monument style. The maximum height shall not exceed 8 feet.

c. The signage program for Cleveland Heights will include project identification graphics in key locations along the perimeter of the project (see Perimeter Wall concepts).



NEIGHBORHOOD ENTRY MONUMENT

Lighting

The objective of the lighting standards is to preserve the "dark sky" while providing lighting that enhances the safety, security, and visual aesthetics of the area. Careful attention to lighting detail will contribute to the sense of a cohesive community image. Additional restrictions on lighting may be imposed through privately enforced covenants, conditions, and restrictions (CC&Rs).

General

a. Light fixtures and standards are intended to conform to local safety illumination standards and existing City regulations as stated in the City of Rio Rancho Municipal Code Chapter 159, Outdoor Lighting Ordinance.

b. Street lights shall be per Rio Rancho DPM and Public Service Company of New Mexico standards, which require street lights at all intersections, cul-de-sacs, and curves in the roadway.

c. Site lighting should be shielded and oriented so as to eliminate glare or light trespass onto adjacent roadways and properties. All lighting shall be in compliance with the State of New Mexico Night Sky Act and the City of Rio Rancho Municipal Code Chapter 159, Outdoor Lighting Ordinance.

d. Lighting layout should be coordinated with proposed landscaping and trees to maximize light distribution and avoid conflicts.

e. Pedestrian scale bollard lights should be used at pedestrian connections.

Landscape and Streetscape

Landscaping should be used to buffer attenuate noise or block undesirable views, to provide wind protection, shade, and relief from the heat and glare generated by development, to control soil erosion, and enhance pedestrian and vehicular traffic and safety. Street trees are intended to soften and break-up the streetscape to avoid a canyon-like appearance. Recognizing the importance of water conservation, these standards promote the use of native and naturalized plant species that perform well in an arid environment.

General

a. Landscape plans shall comply with the Rio Rancho Municipal Code Chapter 52, Water Conservation Ordinance and the Chapter 154, Planning and Zoning.

b. Landscaping in accordance with an approved plan should be installed in a timely manner in accordance with the CC&Rs.

c. Turf should not be used within the street R.O.W. or within the landscape area between the curb and sidewalk. These areas should be planted with shrubs and trees.

d. A clear sight triangle must be maintained in any landscape area per AASHTO sight distance standards.

e. A fully automated irrigation system should be provided for all landscaped areas. The system should be designed to avoid overspraying walks, buildings, fences, etc.

f. Undeveloped graded areas held in reserve for future building or pavement should be stabilized with an acceptable polymer based agent or seeded with a mixture of native grasses wildflowers.

g. Coverage of the common landscape areas with living vegetative material will be governed by existing City regulations.

h. Street trees shall follow City of Rio Rancho Municipal Code, Chapter 154.60(E)(1)(a) Landscaping.

Residential

a. Street trees should be provided at a rate of 1 tree per residential lot frontage along roads throughout the Cleveland Heights Master Plan area.

b. Street trees should be provided at a rate of one tree per 30 linear feet along subdivision perimeter and where lots back up to roadways.

c. Homebuilders should provide front yard landscaping for each residential lot. This requirement is in addition to the street tree in front of the residence.

d. Irrigation and maintenance of front yard landscape and street trees along internal neighborhood streets should be the responsibility of the individual homeowner.

e. Gravel, colored rock, and similar materials are acceptable as a top dressing for landscape areas, however, they shall not be considered a focal landscape element.

Parks

The intent of the Cleveland Heights Master Plan is to allow developments to construct required park improvements as the subdivision plans are approved by the City. This approach allows each developer to determine acreage of developed parkland and design of parks for each unique development.

TRACT 18 - SU/LIGHT INDUSTRIAL & COMMERCIAL GUIDELINES

Tract 18, in the Cleveland Heights Master Plan is a Special Use zone. The Cleveland Heights Master Plan will comply with the Paseo Gateway Master Plan standards for the Light Industrial/Commercial Special Use zone. The zone requires a Site Plan approved by the Governing Body, and are subject to the following restrictions to insure proper use and appropriate development. Specifically to:

a. Mitigate negative impacts to adjacent residential properties;

b. Protect each Owner against improper development and use of the property;

c. Prevent construction of buildings of substandard materials; and

d. Provide standards that include signage, adequate setbacks, architecture, landscape, streetscape, lighting, access, and walls.

The purpose of these design standards is to provide a flexible framework for community design that encourages innovative and creative solutions, rather than setting a rigid set of requirements. The standards will help implement the Urban Design provisions of the City of Rio Rancho Comprehensive Plan.

Limits and Restrictions

The SU Light Industrial/Commercial Zone within the Plan Area will provide for limited industrial and commercial uses as specified by City of Rio Rancho Ordinance, provided such uses are conducted in a compatible and harmonious manner.

Permissive Uses

SU for Light Industrial and C-1/Retail Commercial uses, which includes the following land uses:

1. Light manufacturing and assembly per Code of Ordinances, conducted indoors;
2. Storage warehousing, warehouse distribution and wholesaling merchandising;
3. Self-storage facilities;
4. Laboratories, research, and experimental stations;
5. Printing, publishing, and related establishments;
6. Lot for new and used vehicle sales, parts and service per Rio Rancho Code of
7. Office and office buildings;
8. Call Centers;
9. Stores for the sale of retail goods and products;
10. Repair shops for appliances and similar goods;
11. Bakeries and confectioneries where goods are sold
12. Restaurants, except free-standing bars and lounges;
13. Banks, and money lending;

14. Film Studios, Film Production, and related use;
15. Theatres;
16. Amusement centers and bowling alleys;
17. Photography studios, except adult photo studios
18. Dry cleaning, laundry, and tailor shops;
19. Beauty shop, barber shop, spa;
20. Hotel;
21. Health clubs and gymnasiums;
22. Hospitals and health care related uses;
23. Assisted living and similar institutions;
24. Nursery schools and daycare facilities;
25. Public and private schools;
26. Libraries and museums;
27. Churches and other places of worship, Sunday school buildings and parish houses
28. Public utilities
29. Parks, recreation parks, open space, and public facilities;
30. Construction trailers per Rio Rancho Code of Ordinances; and
31. Residential uses within the building for security purposes.

Building Height: Building height shall be per the C-1, Retail Commercial, District except that the maximum height of a hotel or office building shall be 50 feet if the structure is located, at minimum, 100 feet from the nearest residentially zoned property.

Setback: There shall be a 35-foot setback from the property boundary except adjacent to the Paseo del Volcan right-of-way.

Landscaping: Landscaping shall be per the C-1, Retail Commercial, District.

Buffering and Walls: Buffering shall be provided per the C-1, Retail Commercial, District with the following modifications:

1. The required buffer yard shall be 15 feet wide.
2. Plain grey CMU block shall not be used for the buffer wall unless painted or treated (e.g. stuccoed).
3. Chain-link (with or without slats), wood or plastic/vinyl fencing shall not be used for the buffer wall.
4. Barbed wire, concertina wire and similar materials are not permitted atop the buffer wall.
5. Buffering shall also be provided along the west boundary adjacent to the tributary of the La Barranca Arroyo.
6. All perimeter block walls facing rights-of-way shall be constructed of split-face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.

Off-street Parking: Off-street parking shall be provided per Rio Rancho Municipal Code, Chapter 154.22.

Bicycle Parking: Each occupied building shall include bicycle racks that accommodate 0.25 bicycles per 1,000

square feet gross floor area or 3 bicycles, whichever is greater.

Equipment, Refuse and Storage Screening:

1. Ground and roof-mounted mechanical equipment shall be screened from the view of adjoining properties by landscaping or parapets, respectively.
2. Outdoor storage shall be visually screened from all property lines by a solid wall, opaque fence (does not include chain-link fencing.
3. Refuse collection shall comply with Code of Ordinances, Chapter 50.07(B). Chain-link fencing with slats shall not be permitted as a suitable enclosure for the refuse container.

Lighting: Lighting shall comply with all applicable City ordinances and should shall be further restricted by the following design standards:

1. Site lighting shall be shielded and oriented so as to eliminate glare or light trespass on to adjacent rights-of-way and properties.
2. All parking lot lighting shall be fully shielded.
3. Bollard lights shall be fitted with louvers, diffusers or shields, as necessary, to eliminate glare or light trespass on to adjacent rights of-way and properties.
4. Light fixtures shall conform to the architectural character of the buildings and other site elements.
5. Accent lighting is permitted; however, building surface lighting is limited to an average of 2 foot-candles measured 4 feet from the surface level of any point on the building surface being illuminated.
6. The average lighting level shall be limited to 2 foot-candles with maximum levels limited to 16 foot-candles as measured 4 feet from above the surface level of any point on Tract 18.

Signage: Signs shall comply with all applicable City ordinances and should be further restricted by the following design standards:

1. All free-standing signs shall be monument signs as defined by Code of Ordinances, Chapter 156.02 except those signs for the direction of vehicular traffic and signs advertising properties for sale or lease.
2. Blinking, moving, internally illuminated or animated signs, product advertising signs or hand painted signs shall not be permitted.
3. Building signs shall consist of individually mounted letters, shall be limited to identification of the respective building or tenant occupant and shall not be illuminated if facing residential properties.
4. Signs for business identification may be permitted in the buffer, but shall not exceed four feet in height.
5. Signs advertising properties for sale or lease and signs required for the regulation and direction of vehicular traffic shall be allowed in the buffer, but such signs shall not exceed six square feet in area nor be higher than four feet above grade.

Architecture:

1. Primary building materials shall be stucco, colored concrete or colored block. Stone, tile, metal or brick accents are also allowed.
2. Materials prohibited as the primary building material include the following:

a. Exposed, untreated precision block or wood walls;

b. Highly reflective surfaces; and

c. Metal paneling.

3. Stucco colors shall be limited to shades of brown, tan, sage green, and sand. Bright colors as the dominant exterior color are prohibited.

4. Earth tone, white, green, red, blue, and brown hues shall be the accent colors used on entry portals, front doors, window frames and trim, fascias, southwestern architectural features, and other related elements.

Access:

5. The intersection of Iris Road and Paseo del Volcan will provide access to the commercial Tract 1 and 2A.

6. Cleveland Heights Road will be the main east/west road through Cleveland Heights providing connections for Loma Colorado Boulevard, Nutmeg Road, Allemade Road, and Cleveland Heights Drive.

7. Loma Colorado provides the primary access on the west side of Cleveland Heights connecting to Paseo del Volcan and Progress Avenue.

8. Primary access to Tract 18 shall be from Iris Road. via 28th Avenue. Access to 27th Avenue and 52nd Street south of the property line shall be prohibited unless otherwise required for reasons of public health, safety, or welfare.

9. Direct access from Paseo del Volcan shall require approval by the New Mexico Department of Transportation and the City of Rio Rancho.

Site Plan: Site plan approval per Code of Ordinances, Chapter 154.43~~17~~ SU: Special use District, shall be granted by the Governing Body prior to development.

6. Infrastructure

WATER AND SANITARY SEWER

V. Sue Cleveland High School and Cleveland Heights Subdivision are currently served by water and sanitary sewer located within the master plan area. Some undeveloped parcels within the master plan area can also be served by this existing infrastructure. Other areas will require the extension of additional infrastructure to be served. The master plan area is large and will develop over the period of many years. Developers within this master plan will work with Rio Rancho staff to coordinate water and sewer needs as development progresses. Water and sewer availability will be required at the time of subdivision and will be dependent upon the City of Rio Rancho's ability to serve at the time of development of each parcel.

ROADWAYS

The master planned area is located adjacent to Paseo Del Volcan NE (PDV) and is generally accessed via Loma Colorado Boulevard NE and Iris Boulevard NE. Sue Cleveland High School and Cleveland Heights Subdivision are located adjacent to Cleveland Heights Road NE which provides east/west connectivity between Iris and Loma Colorado. The development has reserved easements for future roadways extending to connect to the existing roadway rights of way north, east and west of the site. These offsite roadway connections are not yet developed areas and the existing roadway network north, east and west of the site are not improved roadways at this time. The existing access to PDV does provide sufficient access for the proposed development.

An east/west roadway, Nadene Road NE, through the site has been eliminated from the master plan. The connectivity that this roadway established can be provided through each parcel of land as that land is developed, allowing flexibility within the planning of each parcel. East/west movement through the site is provided sufficiently by Cleveland Heights Road NE and the additional east/west roadway was determined to not be necessary and simply increases both cost of development and costs of maintenance for the City of Rio Rancho.

DRAINAGE

The Cleveland Heights Master Plan (formerly a portion of Paseo Gateway Master Plan) is subject to the approved 2009 Paseo Gateway State Land Office Drainage Management Plan (PGSLODMP) together with two subsequent amendments, 2010 and 2016 respectively.

The two amendments to the DMP have addressed the changes in intended land use through time, although these changes have not always been implemented due to intended development not proceeding for varied reasons. The 2016 amendment also reflects the change in strategy to relocate the "regional ponds" within the master plan area so that mitigation of "offsite" storm water runoff occurs at or near the west and north property boundary. This strategy reduces the infrastructure required to convey this "offsite" runoff through the properties to the previously planned location of the "regional" ponds.

The master plan area receives storm water runoff from a substantial "offsite" area resulting in runoff entering the site from the western and northern boundaries of the site. The original PGSLODMP developed a drainage management strategy that included "onsite ponds" for most of the developable area of the site together with "regional ponds" that accepted water from both the "onsite" and "offsite drainage areas". These ponds were designated as "ponds A, B and C" within the original PGSLODMP. The location of these ponds was planned such that the "offsite" flows entering the site would be intercepted by drainage infrastructure and conveyed through the site to the proposed pond locations.

The 2016 amendment revised the drainage mitigation concept to provide "regional" detention ponding of the offsite flows along the western and northern boundaries of site. This regional ponding at the boundary allows those flows to be reduced substantially by providing storage sufficient to allow the flow rate to reduced. The drainage infrastructure

required to convey the smaller flow rates is therefore reduced. The new regional ponds are shown on the Land Use and Zoning Map (page 7) as Pond 1, Pond 2, Pond 3, and Pond 4, which correspond to Ponds AP49A, AP49, and AP53 in the 2016 amendment to the PGSLODMP.

This change in drainage mitigation has necessitated revisions to the land plan so that "open space" areas allocated for the regional ponds could be relocated from the central and southern areas of the master plan to the new locations along the western and northern boundaries as reflected in the Land Use Plan.

7. Implementation

The Cleveland Heights ~~Paseo Gateway~~ Master Plan states that it shall occur as sub-plans, as infrastructure planning and subdivisions are platted. The Cleveland Heights Master Plan fills this requirement as a sub-plan of the Paseo Gateway Master Plan.

1. All land use decisions shall be in compliance with the adopted Paseo Gateway Master Plan, this includes zone map amendments, platting, and right-of-way acquisition in coordination with the Department of Development Services.
2. All infrastructure shall be planned and coordinated with City of Rio Rancho Department of Development Services, City of Rio Rancho Departments of Public Safety and Transportation, PNM, and any other established entities working with Sandoval County and the City of Rio Rancho.
3. National standards for emergency response times shall be upheld; therefore DPS facility planning shall be coordinated as subdivisions occur.
4. Access to Paseo Del Volcan will be restricted to Loma Colorado Boulevard and Iris Road.
5. All interior streets locations and alignment are conceptual. Final location and alignment of internal streets shall be determined at the time of subdivision.
6. All major streets shall be dedicated upon request by the City during the subdivision process.
7. Designated open space, improved to meet City of Rio Rancho Park Design Standards in the Development Process Manual, may count towards the trail requirements established by the City of Rio Rancho.
8. A 25% rule is established for administrative amendments to the Paseo Gateway Master Plan. As residential projects get farther along in the design process, it is typical for minor readjustments to occur. Therefore we propose that any change that is less than 25% of the Master Plan area shall be processed administratively by the Planning Director. Changes that exceed 25% of the plan area will return to the Planning and Zoning Board and Governing Body for approval.
9. Future plans may be required to address specific issues such as design guidelines, coordination of infrastructure, transportation corridors.
10. It is anticipated that the property will be platted to correspond with development. In conjunction with platting actions, Development Agreement(s) may be prepared outlining infrastructure costs and requirements for the development.
11. Water and sewer availability will be tied to future subdivision plats.
12. Detailed Transportation Impact Studies (TIS) will be required as needed based on thresholds, with future subdivision plats.

RioRancho
City of Vision

October 11, 2023

Sheldon Greer P.E.
7770 Jefferson NE, Suite 200
Albuquerque, NM 87109

Re: Letter Granting Conditional Water and Wastewater Availability Approval for Paseo Gateway LLC Subdivision State Land Office Phase 2 Additional 224 Dwelling Units.

Dear Mr. Greer,

The Utilities Department confirms the Conditional Water and Wastewater Availability for the State Land Office, Paseo Gateway LLC Development, Phase 2 consisting of approximately 224 Dwelling Units in addition to the 210 Dwelling Units constructed in Phase 1 of the development. The Utilities Department can still serve up to 434 Dwelling Units.

The developer is responsible for water and wastewater modeling for any additional development requests after Phase 2. Sanitary Sewer Lift Station and sanitary sewer lines receiving flows from the development may need improvements prior to or in conjunction with additional development approvals. Similar conditions apply to the Water Supply (Wells). The developer is responsible for ensuring the site fire flow meets City of Rio Rancho Fire Marshall requirements for the proposed development. A water model paid for by the developer will be required to ensure adequate fire flow to the site. If the developer builds a looped water line, no issues are anticipated at this time. Please contact Nathan Roberts Bohannan Huston 505-823-1000 for modeling information.

Condition: Sanitary sewer is to be designed to service all of the Paseo Gateway State Land Office by gravity. The Water and Wastewater Availability for the 224 dwelling units and a total availability for 434 dwelling units is predicated on the award of this portion of the development by the State Land Office (SLO). The availability is to the SLO chosen developer and is was predicated on the SLO and SLO Developer meeting any additional conditions set forth through the Development Services Department.

Approval of this availability statement does not imply or suggest approval of zoning changes, construction plans, conceptual layouts, or any other requirements that may be conditions of approval for this development. This statement merely represents a commitment from the City that, if all other necessary approvals are obtained, and the completion of the proposed

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Office (505) 896-8715 • Fax (505) 891-6201

water system improvements, this development will be allowed to be served by the City's water and wastewater systems as described above.

If a fire flow test is performed for the site, results are to be turned into the Utilities Department and Fire Marshall or designee. The test is to be coordinated with the System Maintenance Crews at 896-8287. The System Maintenance Crews are the only personnel authorized to operate valves in the City of Rio Rancho. The developer is responsible for paying for a fire flow test from a certified tester.

Please refer to the City of Rio Rancho Web Site for additional water and sewer information. Design Criteria and Standard Details are located on the following web address: http://ci.rio-rancho.nm.us/index.asp?NID=482 Departments, Public Works, Design Criteria and Standards Details, Water and Wastewater.

Contacts for additional information and guidance: Development Services: 505-891-5005 Engineering Division: 505-891-5016 Environmental: **Backflow Prevention 505-896-8816 and Industrial Pollution Pretreatment Program (Commercial Wastewater Survey and Grease Interceptors) 505-891-5017.** Water pressure will need to be verified by the developer. If water pressure exceeds 80 psi, individual pressure reducing valves will be needed on the homes or business at the cost and responsibility of the customers.

The Availability Statement will expire unless construction starts within 18 months of approval and is complete within 3 years of approval. If you have questions regarding this Availability Statement please contact me at 505-891-5046.

Sincerely,

Steve Gallegos

Steve Gallegos
Deputy Director
Utilities Department

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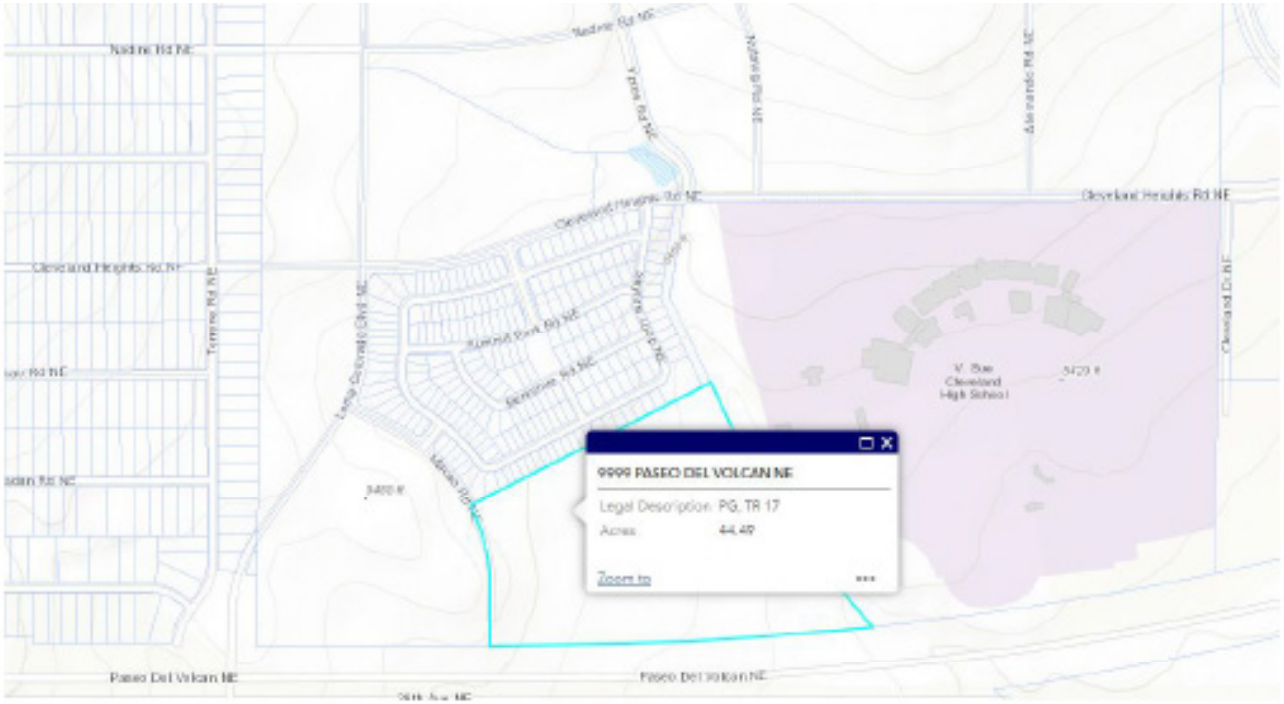

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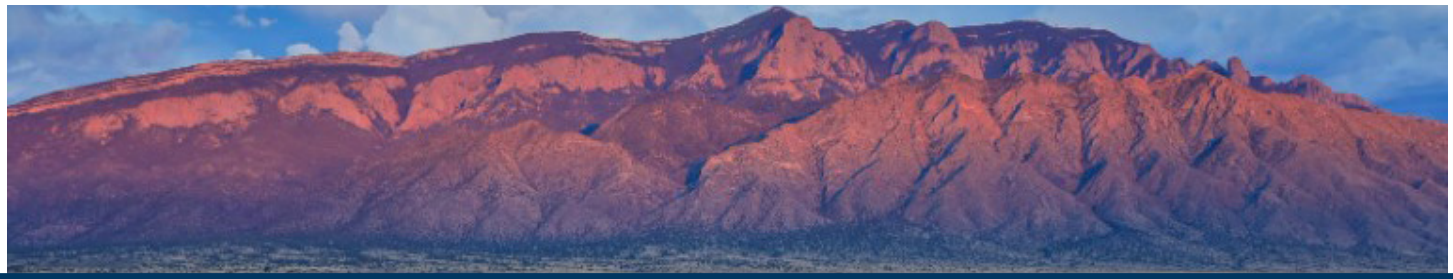

Cleveland Heights Master Plan

Prepared for: New Mexico State Land Office

Prepared by: Consensus Planning, Inc.
Community Design Solutions (CDS)

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Resolution*

Resolution*

Ordinance*

Ordinance*

GB Approval*

GB Approval*

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Master Plan Sub-Areas and Ownership x

Land Use and Zoning X

Tables

Land Use and Zoning for Cleveland Heights Master Plan Area X

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1. Introduction

This document is prepared as a Master Plan for the area known as Cleveland Heights, orginally part of the Paseo Gateway Master Plan, located in central Rio Rancho, in Sandoval County. The Paseo Gateway Master Plan was comprised of 953 acres of lands owned by the New Mexico State Land Office ("State" or "NMSLO"), Rio Rancho Public Schools, and AMREP Southwest. Cleveland Heights represents the lands owned by the Rio Rancho Public Schools, NMSLO, and private property owners shown the Paseo Gateway Master Plan as Areas B and C, which comprise approximately 674.7 acres.

The objectives of the Cleveland Heights Master Plan are to identify land uses, zoning, drainage, utilities, and transportation corridors. The following are the objectives of the Master Plan:

- Change the land uses, streets, and boundary lines to comply with the current 2016 SSCAFCA Drainage Plan and the most recent Traffic Plan for the State Land Office owned parcels.
- To allow for flexibility and change on the property as more in-depth planning, subdivision platting, and infrastructure studies are conducted and as end users/developers are identified;
- To follow City guidelines for land use and zoning;
- Revise zoning from R-2, R-1, and R-3, to R-4;
- To correspond to existing transportation corridors identified in the City's Transportation Policy;
- To complement the land uses and public facilities proposed for the City Center development to the west and the V. Sue Cleveland High School located within the plan area;
- To provide a balanced land use mix that accommodates high quality residential development of various densities and high quality commercial development with convenient access to housing and the high school;
- To comply with and further the Rio Rancho Comprehensive Plan;
- Provide guidance and recommendations on drainage improvements; and
- To facilitate fulfillment of the New Mexico State Land Office obligation to optimize revenue to the trust created for the benefit of the public schools and other beneficiary institutions.

MASTER PLANNING PROCESS

This Master Plan was accomplished in collaboration with City of Rio Rancho Development Services Department, the State Land Commissioner, Consensus Planning, Inc., and Community Design Solutions. Petitions for annexation and establishment of zoning, as well as a Zone Map Amendment request were also included in conjunction with the Master

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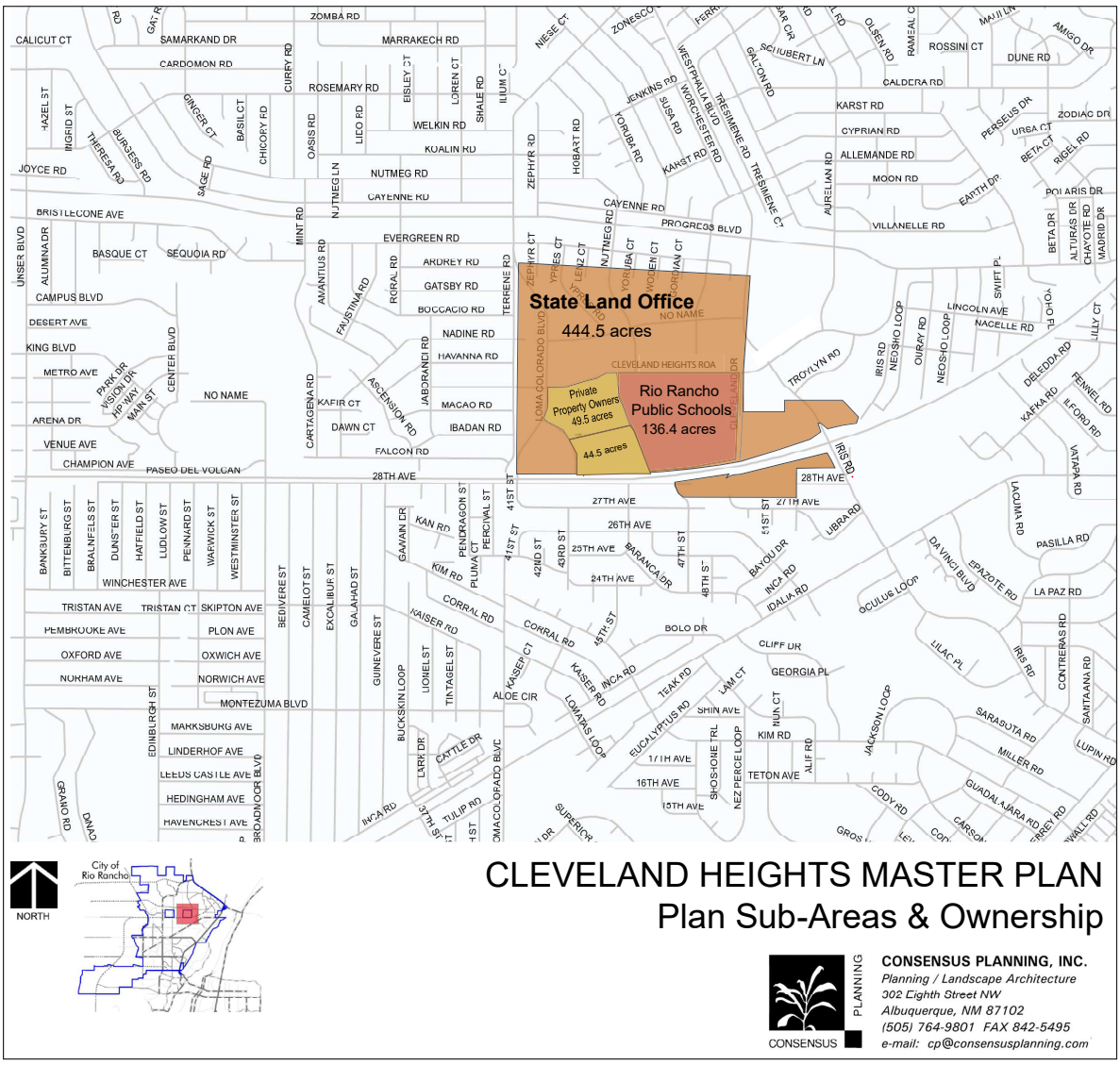
2. Existing Conditions

The existing Conditions analysis considers the surrounding land use pattern, zoning, transportation, infrastructure, and other site issues that affect development. Analyzing the benefits and constraints of existing conditions helps to provide insight into the application of planning elements to the area as it relates to the general goals, objectives, and policies of the City of Rio Rancho's Comprehensive Plan.

OWNERSHIP

The majority of the Cleveland Heights Master Plan area is held in trust as public land and managed by the Commissioner of Public Lands through the State Land Office and includes 444.3 acres. Due to its location in the geographic heart of the City this land is prime for master planning for the City's benefit. The highest and best use for these lands is residential, mixed-use, commercial, educational, and industrial uses. Tract 15 contains the Cleveland Heights Subdivision owned by individual property owners and Tract 17 will be developed as a single family subdivision by DR Horton. Tract 15 and 17 total 94.0 acres. V. Sue Cleveland High School is 136.4 acres and is owned by Rio Rancho Public Schools.



LAND USE

Surrounding land uses impacting the property are minimal. Currently, the majority of the planning area is vacant with the exception of V. Sue Cleveland High School located north of Paseo del Volcan and east of Loma Colorado Boulevard and the Cleveland Heights subdivision located on Tract 15. Tract 17 will be developed as a single-family subdivision in 2025. The State Land Office parcels are subject to a State Land Office planning lease that is held by Paseo Gateway, LLC. The area immediately surrounding the area is primary vacant. The nearest subdivisions to Cleveland Heights are those to the south and west. They include:

- Progress Heights;
- Rio Rancho Estates-Unit 21;
- Campus Center;
- City Center;
- University of New Mexico; and
- CNM Campus.

There are several subdivisions to the south and west of Cleveland Heights located between Unser Boulevard and Loma Colorado Boulevard.

Vicinity Subdivisions

TRANSPORTATION CORRIDORS

The main transportation corridor serving this property is Paseo del Volcan, a limited access principal arterial that extends from US Highway 550 to Unser Boulevard and is planned to continue west. Paseo del Volcan will provide excellent access to Interstate 25 and 40, which will help this area to attract commercial services and employers helping to increase the job base in the City. Other existing transportation corridors include primary north-south corridors such as Unser Boulevard, Broadmoor Boulevard, Loma Colorado Boulevard, and Iris Road. The property is primarily served by Loma Colorado Boulevard and Iris Road (previously Westphalia Boulevard) as the primary north/south arterials. Future street name changes shall be completed in conjunction with the City of Rio Rancho to facilitate the unique identity for the Cleveland Heights community.

3. Land Use & Zoning

Land use and zoning for the Cleveland Heights area is intended for residential north of V. Sue Cleveland High School, mixed-use along Loma Colorado Boulevard, commercial at the corner of Loma Colorado and Paseo del Volcan, and Light Industrial and Commercial south of Paseo del Volcan.

The following pages include the land use and zoning plans for Cleveland Heights Master Plan as a whole and by subarea. Table 1 below and the Land Use Map on page 7 shows the acreage and zoning requested.

PROPOSED LAND USES and ZONING

Land use and zoning for the Planning Area is intended to allow for a mix of uses that will provide convenient access to services. With residential, commercial and employment areas clustered together, walkability is enhanced. With enhanced walkability, safety improves and traffic congestion lessens. Specific design standards for commercial uses will be determined through site plans. All commercial uses should further the conservation and natural environment element of the Comprehensive Plan.

The following table contains the recommended land uses and zoning for the acres within the Cleveland Heights Master Plan. Table 3 below corresponds to the Cleveland Heights Land Use and Zoning graphic on page 8.

Table 3: Land Use and Zoning Acreage Distribution

Land Use	Zone	Size (acres)	% of Total
Moderate Density Residential	**R-4**: Single-family Residential	365.5 acres	54.2%
Commercial	**C-1**: Retail Commercial	70.1 acres	10.4%
Mixed Use	**SU**: Special Use	56.45acres	8.4%
Light Industrial & Commercial*	**SU**: Special Use	40.2 acres	5.9%
Developed Educational	**SU**: Special Use	136.4 acres	20.2%
Open Space**	-	6.1 acres	0.9%
Totals	**-**	**674.7 acres**	**100.0%**

*SU/Special Uses require site plan approval by the Governing Body.
**Open Space/Pond acreages are included in Residential and Mixed-use tracts where applicable (see Land Use/Zoning Map) and correspond to the Paseo Gateway State Land Office Drainage Management Plan. Open Space shown in Table 3 includes the existing Open Space easement along Tract 15, 17, and B-1Z. Total Open Space equals 21.6 acres.

R-4: Residential

There are a total of 316.4 acres planned for Residential development zoned R-4. They include Tracts A, B, C, D, E, and F. Tract 17 zone change to R-4 was approved by the Governing Body in 2019 and is currently being developed as single-family.

C-1: Commercial

The C-1 lands provide easily accessible services for the nearby residential and business areas. There are 70.1 acres planned for C-1 in the Cleveland Heights Master Plan area.

Mixed Use (SU)

The Mixed Use designation provides flexibility to provide a mix of higher density residential and commercial/office uses. The Mixed Use district supplies employment and housing opportunities for the community. The uses may be

integrated vertically or adjacent to each other with appropriate buffering. There are 56.4 acres dedicated to Mixed Use.

Light Industrial (SU for Limited Light Industrial and Commercial Uses)

Office, light industrial, manufacturing, business park facilities, and commercial are appropriate uses in the Light Industrial Special Use zone. The intent of the employment zone is to provide a location for employers to locate in an area served by principal arterials with excellent accessibility and existing infrastructure. Uses that create nuisances such as smoke, noise, vibration, and odor are not appropriate for the Light Industrial district in this area. Permissive uses are as stipulated in the adopted zoning ordinance for this area. A total of 40.2 acres has been designated for Light Industrial (SU).

Parks

Locations and size of parks will be determined by the developers and the City at the time of development. Developed parkland will meet the requirements in Rio Rancho Municipal Code 155.46 Public Sites; Open Spaces. Table 2 contains the estimated total developed parkland for the R-4 tracts of the Cleveland Heights Master Plan.

Table 2: Assumed Park Acreage for R-4 Zoned Lots

Residential (R-4) DU/acre	4.4 DU
Residential (R-4) total acreage	271.4 acres
Total Units	1,192 units
Population (DU x 2.85 persons)	3,374 persons
Park Acreage	3.37 acres

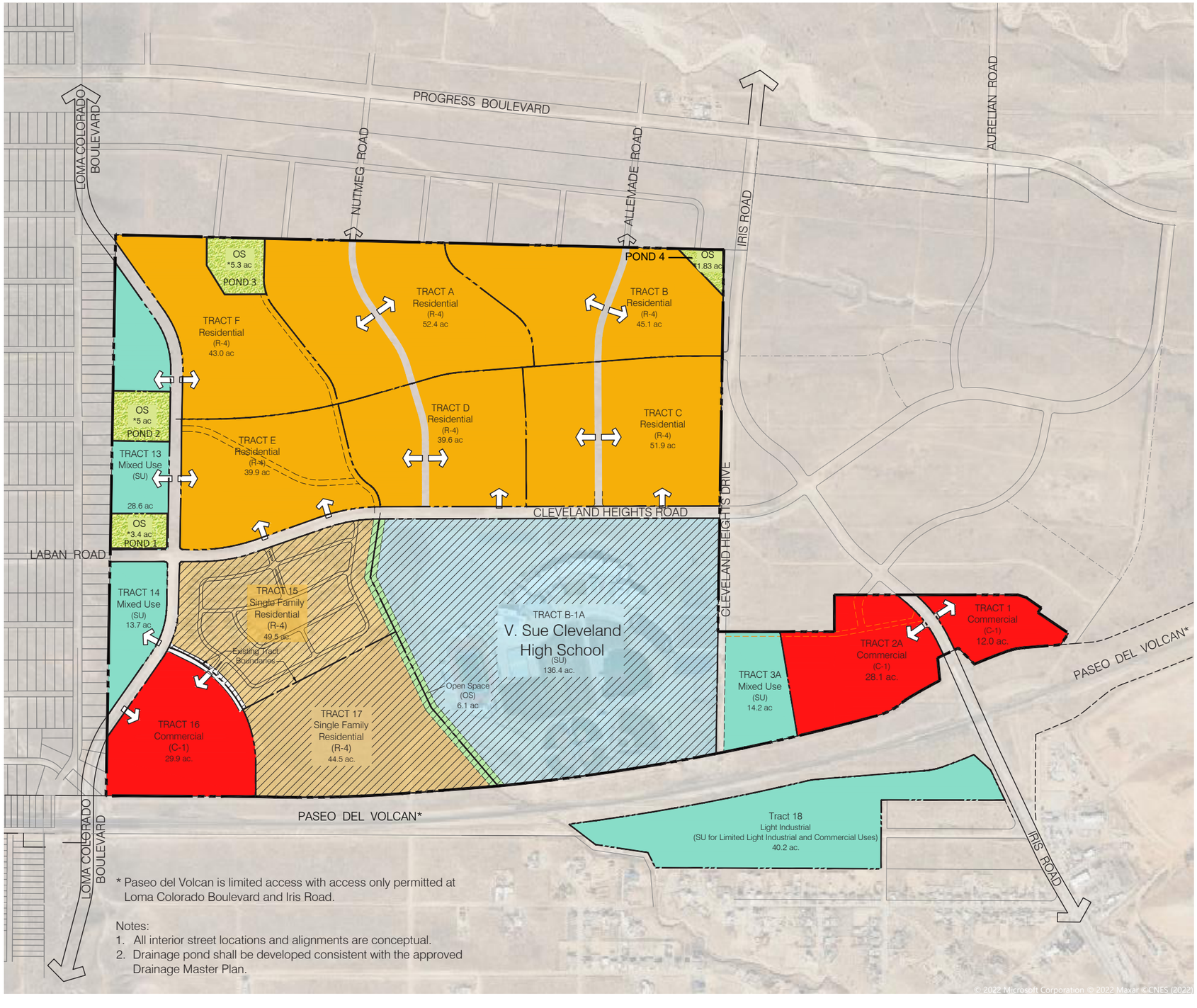
DEVELOPED LAND USES and ZONING

R-4 Residential

Tract 15 contains the existing Cleveland Heights Subdivision, totaling 49.5 acres with 216 lots and 214 single-family homes. Lot widths range from approximately 45 to 60 feet. Tract 17 is being developed as a single-family subdivision and is 44.5 acres.

Educational Center (SU)

The Educational Center Special Use Zone contains the V. Sue Cleveland High School. The NMSLO transferred ownership of the 136.4 acres of Tract B-1A to Rio Rancho Public Schools in 2008.



* Paseo del Volcan is limited access with access only permitted at Loma Colorado Boulevard and Iris Road.

Notes:
1. All interior street locations and alignments are conceptual.
2. Drainage pond shall be developed consistent with the approved Drainage Master Plan.

LAND USE / ZONING

- Property Line
- Easement Line
- Pond Boundary Line
- Residential (R-4)
- Mixed Used (SU)
- Commercial (C-1)
- Light Industrial and Commercial (SU)
- Education/V. Sue Cleveland High School (SU)
- Developed Properties
- Potential Access Point
- Drainage Pond / Open Space Easement

* Tract acreage's are inclusive of Open Space numbers.

CLEVELAND HEIGHTS

LAND USE / ZONING

Prepared For:
Paseo Gateway LLC.

Prepared By:

Consensus Planning, Inc.
Community Design Solutions, Inc.

CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 Fax 842-5495
e-mail: cp@consensusplanning.com

Scale: 1" = 400'

NORTH 200 0 400 800

January, 2023

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4. Conformance with the Rio Rancho Comprehensive Plan

The Cleveland Heights Master Plan adheres to the Rio Rancho Comprehensive Plan. The Comprehensive Plan is a policy document that lays out goals, policies, and actions to guide the growth and development of Rio Rancho. The Cleveland Heights Master Plan will help implement the nine elements of the Rio Rancho Comprehensive Plan, as explained below.

ANNEXATIONS, ANTIQUATED PLATTING AND ADDRESSING

This element of the Comprehensive Plan is not applicable to the Cleveland Heights Master Plan. The property has already been annexed and platted, and will continue to be platted and addressed according to City standards as development occurs within the Plan Area.

CONSERVATION AND THE NATURAL ENVIRONMENT

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

The Conservation and Natural Environment Section of the Comprehensive Plan include some of the following goals, policies, and actions for achieving these objectives:

- Preserve water resources;
- Reuse and recycle materials, and reduce waste;
- Implement the use of low impact development techniques and green building practices; and
- Limit the use of turf in landscape areas in residential and commercial developments except for active recreation and parks.

The Cleveland Heights Master Plan meets these objectives through the provision of design guidelines that require the sensitive use of landscape materials in order to conserve water, the creation of open spaces that serve dual drainage and recreational functions, such as a trail in the north/south open space corridor. Builders at Cleveland Heights are encouraged to join green building programs and employ green building techniques such as cool roofs, energy efficient windows, solar panels, permeable surfaces, rain harvesting, and gray-water systems.

Planning and design of infrastructure within the Cleveland Heights Master Plan shall minimize the alteration of natural flood plains, stream channels, and natural protective barriers. Flooding, grading and development activities shall be managed to prevent flood or erosion damage. Retention ponds shown on the Master Plan will provide flood mitigation and provide additional open space for Cleveland Heights residents.

Preservation of the natural environment in and outside of Cleveland Heights will be sustained through the use of drought tolerant and native landscaping materials. Night sky compliant lighting will ensure residents and surrounding communities will enjoy nighttime environments unobstructed.

LAND USE

The goals, policies, and actions for land use in Rio Rancho include the following:

- Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan;

- Promote and support development that incorporates walkability; and
- Encourage adequate pedestrian connections to future transit facilities in all residential site development.

The Cleveland Heights Master Plan outlines the framework for development that meets the intent of the Comprehensive Plan by providing pedestrian trails and sidewalks that connect to the major streets bounding the Plan Area and through the provision of park and open space within the Plan Area.

The Master Plan further meets the intent of the Land Use Element of the Comprehensive Plan through the assembly platted, developable parcels. Increased property taxes derived from the homes developed within Cleveland Heights will help to support the Rio Rancho School District and contribute to the viability of commercial development.

Cleveland Heights is located east of the Rio Rancho City Center. Residents living in Cleveland Heights will have convenient access to the community amenities such as City Hall, the Rio Rancho Events Center, Broadmoor Senior Center, and Sky View Campus Park. Medical services include the UNM Sandoval Regional Medical Center. Educational facilities include the UNM Health Sciences Center and Central New Mexico Community College (CNM) Rio Rancho, V. Sue Cleveland High School, and Shining Stars Preschool.

Land uses available in Cleveland Heights will include office, commercial, institutional, entertainment, residential, educational, medical, and industrial. The Cleveland Heights Master Plan calls for a mix of land uses that can accommodate a diversity of housing options for residents. Housing will be available to accommodate a several market rate and workforce housing options.

The Cleveland Heights Master Plan will utilize existing City of Rio Rancho zoning categories and development will conform with the design standards contained in those zoning categories and this Master Plan. Design standards created for Cleveland Heights are intended to expand on the City's Zoning Ordinance and will provide unified streetscapes, unified signage design, perimeter wall and entry design, and open space areas. Landscaping requirements shall apply to streetscapes, detention ponds, perimeter areas adjacent to perimeter walls, and buffer areas (see page 14-15 for more detail on walls and landscape).

POPULATION and HOUSING

The goals, policies, and actions for land use, population, and housing in Rio Rancho include the following:

- Maintain the strength, vitality, and stability of all residential neighborhoods and types; and
- Promote quality, community-friendly multi-family development, through features such as enhanced open space and pedestrian connectivity.

The intent of this principle is to ensure a land use pattern that offers a diversity of housing, well designed residential development, park, open space, and pedestrian connectivity throughout Cleveland Heights area and to V. Sue Cleveland High School. Master Planning is the City's key action steps towards carrying out this principle. The Cleveland Heights Master Plan furthers this principle by providing residential densities classified by the R-4 designation, with a minimum size of 4,000 square feet and a minimum of 40 feet wide. Each tract within the Master Plan can support subdivisions with amenities and road connectivity, similar to the existing Cleveland Heights Subdivision.

The land use and zoning concept for the Cleveland Heights Master Plan furthers the Population and Housing element by providing a residential zone, R-4 that is provides the flexibility for a variety of single-family development densities. The mixed-use SU zoned tracts can support higher-density and multi-family development at strategic points along Iris Road and Loma Colorado Boulevard.

TRANSPORTATION

The Transportation Section of the Comprehensive Plan contains the following goals, policies, and actions which are relevant to the Cleveland Heights Master Plan:

- A balanced transportation system that provides access to a variety of transportation options.

The transportation element hopes to establish an accessible long-range transportation network to meet local and regional circulation needs. A multi-modal transportation system to move people and goods is encouraged. In addition, a coordinated pedestrian network is preferred throughout the Plan Area to help foster non-vehicular mobility and accessibility.

A Traffic Impact Analysis (TIA) was provided to the City of Rio Rancho to ensure that new residential development will not compromise the existing transportation network. Walkways and pedestrian corridors shall be provided both as sidewalks along the roadways and within open space corridors. Pedestrian and bicycle connections may be considered for arterial and collector roadways, or within trail corridors.

PUBLIC FACILITIES

The intent of the Public Facilities element of the Comprehensive Plan is to minimize the difficulties, due to antiquated platting, of providing infrastructure within the City. The applicable policy is listed below.

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

The Master Plan meets this intent and policy. The Master Plan is in an area of Rio Rancho where the project will be able to connect to existing infrastructure and is in an area near public facilities such as Rio Rancho City Center, Sky Room Campus Park, Rio Rancho Events Center, Broadmoor Senior Center, and V. Sue Cleveland High School. As this area is developed, more public facilities will be developed.

All residents should be assured proper access to police, fire and emergency services. Police, fire and emergency rescue services impacts should be considered in all development plans within Cleveland Heights. Coordination with the City's Public Safety shall be a requirement for future Specific Area Plans to ensure federal standards are met for emergency response times. Currently, the area is served by Rio Rancho Fire and Rescue Station 5, located on Santa Fe Hills Boulevard and the Rio Rancho Police Department facility located on Quantum Road. Rio Rancho Fire and Rescue response time in 2022 was approximately 9 minutes.

PARKS and RECREATION

The intent of the Parks and Recreation section of the Comprehensive Plan is to ensure that as the City of Rio Rancho develops, amenities such as parks and recreational facilities are provided for the growing population. The goals that are particularly applicable to the Master Plan are listed below:

- Be responsive to the recreational needs of the community; and
- Provide a variety of quality of life services to meet community needs, assuring that there are strong relationships with all sectors of the community and ample opportunities to foster human interaction.

The Master Plan has designated land as open space with the intent that these areas will function as multi-use drainage, recreation, or trail corridors. The intent of the Master Plan is to provide the framework for the creation of a complete community that includes both private (HOA) and public (City of Rio Rancho) park and recreation areas.

URBAN DESIGN

The intent of the Urban Design element of the Comprehensive Plan is to ensure that development follows design standards that help to achieve the creation of community identity and aesthetic quality. Some of the relevant goals, policies, and actions within this element include:

- Create safe developments that discourage crime;
- Support development that links neighborhoods and encourages the use of all modes of transportation; and
- Embrace the use of xeriscape landscaping.

Design features within the Cleveland Heights Master Plan will highlight streetscapes, multi-use paths, perimeter walls, gateways, and pedestrian connections at the site planning stage. It is anticipated that a more detailed level of planning will be required for these properties to ensure adherence with the overall land use plans, transportation corridors, and open space network. Future site plans and/or subdivisions shall include landscaping requirements for streetscapes, arroyos and retention/detention ponds, walls and screening patterns. Native and xeric plant species shall be encouraged and water harvesting and irrigation requirements shall be included in any future landscape and drainage plans.

ECONOMIC DEVELOPMENT

The primary goal of the economic development element is to expand employment opportunities, provide a mix of jobs, support existing retail and service needs as well as provide infrastructure to support and attract existing and new businesses, while with respect to the State parcels, also benefiting the public schools of New Mexico by optimizing revenue to the trust administered by the Commissioner.

The land use plan for the Cleveland Heights area provides for an appropriate mix of residential, commercial, mixed-use, and employment uses. The intent of the land use plan is to provide ample space for a wide variety of potential employers and new industry to locate in Rio Rancho. With accessibility to Paseo del Volcan, NM State Road 528, US Highway 550, and Interstate 25, it is expected that this area will be desirable for future employers. The City may consider development incentives to attract employers and commercial services to Cleveland Heights by providing an expedited development review process. In 2021, a Zone Map Amendment from SU to C-1 for Tracts 2 and 3 (replatted to Tract 2A and 3A) at the corner of Paseo del Volcan and Iris Road. The Zone Map Amendment and associated preliminary plat will facilitate commercial development on these sites. V. Sue Cleveland High School employs 144 teachers, 39 Instructional Support Staff, and 42 Non-Instructional Support Staff.

5. Design Guidelines

RESIDENTIAL DESIGN GUIDELINES

The design guidelines are intended to create a sense of cohesiveness and identity of the Cleveland Heights Master Plan. These standards will help implement the Urban Design provisions of the City of Rio Rancho's Comprehensive Plan.

The standards are primarily intended as a generalized guide for end users/builders that will participate in the development of Cleveland Heights. Where these standards conflict with City of Rio Rancho ordinances or approved City standards, the more stringent shall apply.

Site Design

All individual neighborhoods should provide convenient pedestrian circulation through and between neighborhoods, to the external streets, and the proposed adjacent commercial development.

General

a. Sidewalk requirements shall be consistent with standards within the City of Rio Rancho Development Process Manual (DPM).

b. Safe, convenient, and pleasant pedestrian circulation shall be accomplished with sidewalks, trails, special pavings, and shade.

c. Pedestrian walkways shall be designed to be ADA accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design).

d. Concrete, asphalt, or compacted decomposed granite with stabilizer are acceptable materials for pedestrian walkways as allowed by ADA standards.

e. Clear sight distances shall be maintained at all driveway locations and intersections per AASHTO design standards.

f. Unfinished gray block walls, barbed wire, chain link, concertina wire, and wood or plastic/vinyl fencing are prohibited.

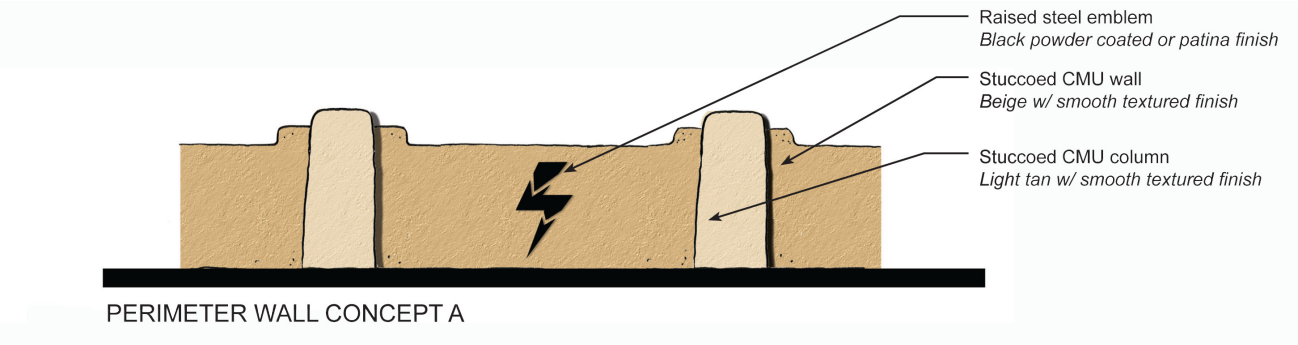
Single Family Residential

a. All development shall comply with the City of Rio Rancho Subdivision Ordinance, Chapter 155.01 of the Rio Rancho Municipal Code.

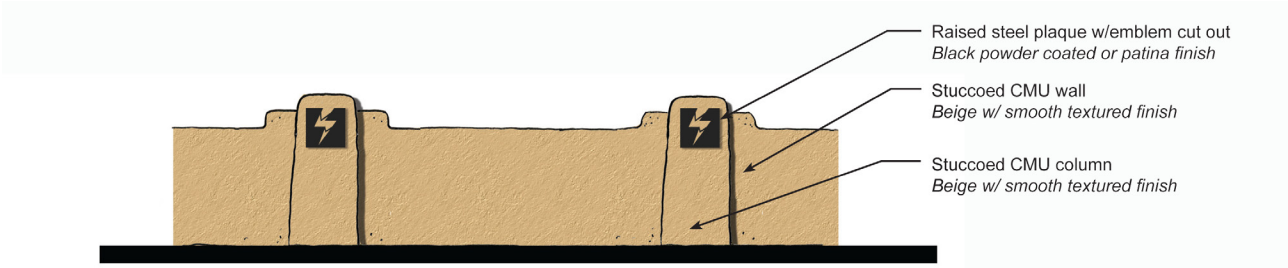
b. Single family units are prohibited from fronting or have driveway access to a collector or arterial.

c. Proposed driveway locations shall be consistent with curb cut requirements identified in the Rio Rancho Development Process Manual (DPM).

d. Lots that face streets at the front and rear shall be limited to one driveway at the front facing street. A solid wall shall be provided at the rear yard of the property to ensure access is limited to a single street frontage.



PERIMETER WALL CONCEPT A



PERIMITER WALL CONCEPT B

Architecture

The architectural standards are intended to describe the general characteristics of the Master Plan.

While the buildings will reflect these standards, it is not the intent of these design standards to prohibit a certain amount of individual expression and creativity.

Residential

a. Building height on houses with pitched roofs shall not exceed 32 feet to the highest point of the pitch. Building height on houses with flat roofs shall not exceed 26 feet.

b. The use of accent colors in entry portals, front door, window frames and trim, and other incidental elements is encouraged.

c. Front porches, entryways, and/or portals, if used, shall have a minimum 5 foot depth, and shall be permitted within the front yard setback.

d. Antennae or solar collector equipment, if used, shall be installed so as to minimize its visibility from any public street.

Signage

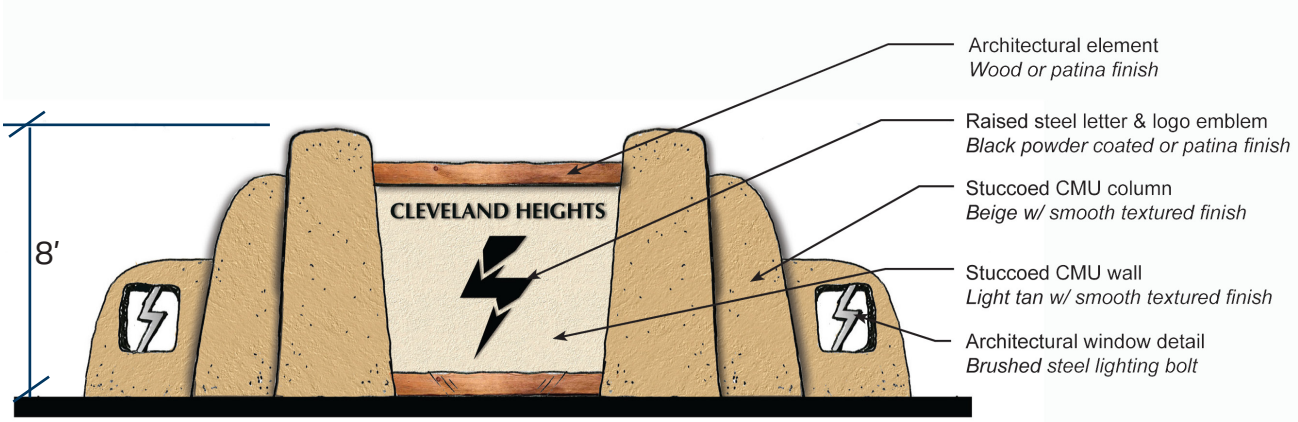
Signage should enhance the overall character and identity of the community, as well as provide directional instruction.

Residential Neighborhoods

a. All neighborhood entries shall include the specific subdivision name.

b. Freestanding neighborhood entry signs shall be monument style. The maximum height shall not exceed 8 feet.

c. The signage program for Cleveland Heights will include project identification graphics in key locations along the perimeter of the project (see Perimeter Wall concepts).



NEIGHBORHOOD ENTRY MONUMENT

Lighting

The objective of the lighting standards is to preserve the "dark sky" while providing lighting that enhances the safety, security, and visual aesthetics of the area. Careful attention to lighting detail will contribute to the sense of a cohesive community image. Additional restrictions on lighting may be imposed through privately enforced covenants, conditions, and restrictions (CC&Rs).

General

a. Light fixtures and standards are intended to conform to local safety illumination standards and existing City regulations as stated in the City of Rio Rancho Municipal Code Chapter 159, Outdoor Lighting Ordinance.

b. Street lights shall be per Rio Rancho DPM and Public Service Company of New Mexico standards, which require street lights at all intersections, cul-de-sacs, and curves in the roadway.

c. Site lighting should be shielded and oriented so as to eliminate glare or light trespass onto adjacent roadways and properties. All lighting shall be in compliance with the State of New Mexico Night Sky Act and the City of Rio Rancho Municipal Code Chapter 159, Outdoor Lighting Ordinance.

d. Lighting layout should be coordinated with proposed landscaping and trees to maximize light distribution and avoid conflicts.

e. Pedestrian scale bollard lights should be used at pedestrian connections.

Landscape and Streetscape

Landscaping should be used to buffer attenuate noise or block undesirable views, to provide wind protection, shade, and relief from the heat and glare generated by development, to control soil erosion, and enhance pedestrian and vehicular traffic and safety. Street trees are intended to soften and break-up the streetscape to avoid a canyon-like appearance. Recognizing the importance of water conservation, these standards promote the use of native and naturalized plant species that perform well in an arid environment.

General

a. Landscape plans shall comply with the Rio Rancho Municipal Code Chapter 52, Water Conservation Ordinance and the Chapter 154, Planning and Zoning.

b. Landscaping in accordance with an approved plan should be installed in a timely manner in accordance with the CC&Rs.

c. Turf should not be used within the street R.O.W. or within the landscape area between the curb and sidewalk. These areas should be planted with shrubs and trees.

d. A clear sight triangle must be maintained in any landscape area per AASHTO sight distance standards.

e. A fully automated irrigation system should be provided for all landscaped areas. The system should be designed to avoid overspraying walks, buildings, fences, etc.

f. Undeveloped graded areas held in reserve for future building or pavement should be stabilized with an acceptable polymer based agent or seeded with a mixture of native grasses wildflowers.

g. Coverage of the common landscape areas with living vegetative material will be governed by existing City regulations.

h. Street trees shall follow City of Rio Rancho Municipal Code, Chapter 154.60(E)(1)(a) Landscaping.

Residential

a. Street trees should be provided at a rate of 1 tree per residential lot frontage along roads throughout the Cleveland Heights Master Plan area.

b. Street trees should be provided at a rate of one tree per 30 linear feet along subdivision perimeter and where lots back up to roadways.

c. Homebuilders should provide front yard landscaping for each residential lot. This requirement is in addition to the street tree in front of the residence.

d. Irrigation and maintenance of front yard landscape and street trees along internal neighborhood streets should be the responsibility of the individual homeowner.

e. Gravel, colored rock, and similar materials are acceptable as a top dressing for landscape areas, however, they shall not be considered a focal landscape element.

Parks

The intent of the Cleveland Heights Master Plan is to allow developments to construct required park improvements as the subdivision plans are approved by the City. This approach allows each developer to determine acreage of developed parkland and design of parks for each unique subdivision.

TRACT 18 - SU/LIGHT INDUSTRIAL & COMMERCIAL GUIDELINES

Tract 18, in the Cleveland Heights Master Plan is a Special Use zone. The Cleveland Heights Master Plan will comply with the Master Plan standards for the Light Industrial/Commercial Special Use zone. The zone requires a Site Plan approved by the Governing Body, and are subject to the following restrictions to insure proper use and appropriate development. Specifically to:

a. Mitigate negative impacts to adjacent residential properties;

b. Protect each Owner against improper development and use of the property;

c. Prevent construction of buildings of substandard materials; and

d. Provide standards that include signage, adequate setbacks, architecture, landscape, streetscape, lighting, access, and walls.

The purpose of these design standards is to provide a flexible framework for community design that encourages innovative and creative solutions, rather than setting a rigid set of requirements. The standards will help implement the Urban Design provisions of the City of Rio Rancho Comprehensive Plan.

Limits and Restrictions

The SU Light Industrial/Commercial Zone within the Plan Area will provide for limited industrial and commercial uses as specified by City of Rio Rancho Ordinance, provided such uses are conducted in a compatible and harmonious manner.

Permissive Uses

SU for Light Industrial and C-1/Retail Commercial uses, which includes the following land uses:

1. Light manufacturing and assembly per Code of Ordinances, conducted indoors;
2. Storage warehousing, warehouse distribution and wholesaling merchandising;
3. Self-storage facilities;
4. Laboratories, research, and experimental stations;
5. Printing, publishing, and related establishments;
6. Lot for new and used vehicle sales, parts and service per Rio Rancho Code of
7. Office and office buildings;
8. Call Centers;
9. Stores for the sale of retail goods and products;
10. Repair shops for appliances and similar goods;
11. Bakeries and confectioneries where goods are sold
12. Restaurants, except free-standing bars and lounges;
13. Banks, and money lending;
14. Film Studios, Film Production, and related use;
15. Theatres;
16. Amusement centers and bowling alleys;
17. Photography studios, except adult photo studios

18. Dry cleaning, laundry, and tailor shops;
19. Beauty shop, barber shop, spa;
20. Hotel;
21. Health clubs and gymnasiums;
22. Hospitals and health care related uses;
23. Assisted living and similar institutions;
24. Nursery schools and daycare facilities;
25. Public and private schools;
26. Libraries and museums;
27. Churches and other places of worship, Sunday school buildings and parish houses
28. Public utilities
29. Parks, recreation parks, open space, and public facilities;
30. Construction trailers per Rio Rancho Code of Ordinances; and
31. Residential uses within the building for security purposes.

Building Height: Building height shall be per the C-1, Retail Commercial, District except that the maximum height of a hotel or office building shall be 50 feet if the structure is located, at minimum, 100 feet from the nearest residentially zoned property.

Setback: There shall be a 35-foot setback from the property boundary except adjacent to the Paseo del Volcan right-of-way.

Landscaping: Landscaping shall be per the C-1, Retail Commercial, District.

Buffering and Walls: Buffering shall be provided per the C-1, Retail Commercial, District with the following modifications:

1. The required buffer yard shall be 15 feet wide.
2. Plain grey CMU block shall not be used for the buffer wall unless painted or treated (e.g. stuccoed).
3. Chain-link (with or without slats), wood or plastic/vinyl fencing shall not be used for the buffer wall.
4. Barbed wire, concertina wire and similar materials are not permitted atop the buffer wall.
5. Buffering shall also be provided along the west boundary adjacent to the tributary of the La Barranca Arroyo.
6. All perimeter block walls facing rights-of-way shall be constructed of split-face concrete block and shall include a smooth, continuous 4-inch cap of a complementary color.

Off-street Parking: Off-street parking shall be provided per Rio Rancho Municipal Code, Chapter 154.22.

Bicycle Parking: Each occupied building shall include bicycle racks that accommodate 0.25 bicycles per 1,000 square feet gross floor area or 3 bicycles, whichever is greater.

Equipment, Refuse and Storage Screening:

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

2. Outdoor storage shall be visually screened from all property lines by a solid wall, opaque fence (does not include chain-link fencing.

3. Refuse collection shall comply with Code of Ordinances, Chapter 50.07(B). Chain-link fencing with slats shall not be permitted as a suitable enclosure for the refuse container.

Lighting: Lighting shall comply with all applicable City ordinances and should shall be further restricted by the following design standards:

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

2. All parking lot lighting shall be fully shielded.

3. Bollard lights shall be fitted with louvers, diffusers or shields, as necessary, to eliminate glare or light trespass on to adjacent rights of-way and properties.

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

5. Accent lighting is permitted; however, building surface lighting is limited to an average of 2 foot-candles measured 4 feet from the surface level of any point on the building surface being illuminated.

6. The average lighting level shall be limited to 2 foot-candles with maximum levels limited to 16 foot-candles as measured 4 feet from above the surface level of any point on Tract 18.

Signage: Signs shall comply with all applicable City ordinances and should be further restricted by the following design standards:

1. All free-standing signs shall be monument signs as defined by Code of Ordinances, Chapter 156.02 except those signs for the direction of vehicular traffic and signs advertising properties for sale or lease.

2. Blinking, moving, internally illuminated or animated signs, product advertising signs or hand painted signs shall not be permitted.

3. Building signs shall consist of individually mounted letters, shall be limited to identification of the respective building or tenant occupant and shall not be illuminated if facing residential properties.

4. Signs for business identification may be permitted in the buffer, but shall not exceed four feet in height.

5. Signs advertising properties for sale or lease and signs required for the regulation and direction of vehicular traffic shall be allowed in the buffer, but such signs shall not exceed six square feet in area nor be higher than four feet above grade.

Architecture:

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

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

    a. Exposed, untreated precision block or wood walls;

    b. Highly reflective surfaces; and

    c. Metal paneling.

3. Stucco colors shall be limited to shades of brown, tan, sage green, and sand. Bright colors as the dominant exterior color are prohibited.

4. Earth tone, white, green, red, blue, and brown hues shall be the accent colors used on entry portals, front doors, window frames and trim, fascias, southwestern architectural features, and other related elements.

Access:

5. The intersection of Iris Road and Paseo del Volcan will provide access to the commercial Tract 1 and 2A.

6. Cleveland Heights Road will be the main east/west road through Cleveland Heights providing connections for Loma Colorado Boulevard, Nutmeg Road, Allemade Road, and Cleveland Heights Drive.

7. Loma Colorado provides the primary access on the west side of Cleveland Heights connecting to Paseo del Volcan and Progress Avenue.

8. Primary access to Tract 18 shall be from Iris Road. via 28th Avenue. Access to 27th Avenue and 52nd Street south of the property line shall be prohibited unless otherwise required for reasons of public health, safety, or welfare.

9. Direct access from Paseo del Volcan shall require approval by the New Mexico Department of Transportation and the City of Rio Rancho.

Site Plan: Site plan approval per Code of Ordinances, Chapter 154.17 SU: Special use District, shall be granted by the Governing Body prior to development.

6. Infrastructure

WATER AND SANITARY SEWER

V. Sue Cleveland High School and Cleveland Heights Subdivision are currently served by water and sanitary sewer located within the master plan area. Some undeveloped parcels within the master plan area can also be served by this existing infrastructure. Other areas will require the extension of additional infrastructure to be served. The master plan area is large and will develop over the period of many years. Developers within this master plan will work with Rio Rancho staff to coordinate water and sewer needs as development progresses. Water and sewer availability will be required at the time of subdivision and will be dependent upon the City of Rio Rancho's ability to serve at the time of development of each parcel.

ROADWAYS

The master planned area is located adjacent to Paseo Del Volcan NE (PDV) and is generally accessed via Loma Colorado Boulevard NE and Iris Boulevard NE. Sue Cleveland High School and Cleveland Heights Subdivision are located adjacent to Cleveland Heights Road NE which provides east/west connectivity between Iris and Loma Colorado. The development has reserved easements for future roadways extending to connect to the existing roadway rights of way north, east and west of the site. These offsite roadway connections are not yet developed areas and the existing roadway network north, east and west of the site are not improved roadways at this time. The existing access to PDV does provide sufficient access for the proposed development.

An east/west roadway, Nadene Road NE, through the site has been eliminated from the master plan. The connectivity that this roadway established can be provided through each parcel of land as that land is developed, allowing flexibility within the planning of each parcel. East/west movement through the site is provided sufficiently by Cleveland Heights Road NE and the additional east/west roadway was determined to not be necessary and simply increases both cost of development and costs of maintenance for the City of Rio Rancho.

DRAINAGE

The Cleveland Heights Master Plan (formerly a portion of Paseo Gateway Master Plan) is subject to the approved 2009 Paseo Gateway State Land Office Drainage Management Plan (PGSLODMP) together with two subsequent amendments, 2010 and 2016 respectively.

The two amendments to the DMP have addressed the changes in intended land use through time, although these changes have not always been implemented due to intended development not proceeding for varied reasons. The 2016 amendment also reflects the change in strategy to relocate the "regional ponds" within the master plan area so that mitigation of "offsite" storm water runoff occurs at or near the west and north property boundary. This strategy reduces the infrastructure required to convey this "offsite" runoff through the properties to the previously planned location of the "regional" ponds.

The master plan area receives storm water runoff from a substantial "offsite" area resulting in runoff entering the site from the western and northern boundaries of the site. The original PGSLODMP developed a drainage management strategy that included "onsite ponds" for most of the developable area of the site together with "regional ponds" that accepted water from both the "onsite" and "offsite drainage areas". These ponds were designated as "ponds A, B and C" within the original PGSLODMP. The location of these ponds was planned such that the "offsite" flows entering the site would be intercepted by drainage infrastructure and conveyed through the site to the proposed pond locations.

The 2016 amendment revised the drainage mitigation concept to provide "regional" detention ponding of the offsite flows along the western and northern boundaries of site. This regional ponding at the boundary allows those flows to be reduced substantially by providing storage sufficient to allow the flow rate to reduced. The drainage infrastructure

required to convey the smaller flow rates is therefore reduced. The new regional ponds are shown on the Land Use and Zoning Map (page 7) as Pond 1, Pond 2, Pond 3, and Pond 4, which correspond to Ponds AP49A, AP49, and AP53 in the 2016 amendment to the PGSLODMP.

This change in drainage mitigation has necessitated revisions to the land plan so that "open space" areas allocated for the regional ponds could be relocated from the central and southern areas of the master plan to the new locations along the western and northern boundaries as reflected in the Land Use Plan.

7. Implementation

The Cleveland Heights Master Plan states that it shall occur as sub-plans, as infrastructure planning and subdivisions are platted. The Cleveland Heights Master Plan fills this requirement as a sub-plan of the Paseo Gateway Master Plan.

1. All land use decisions shall be in compliance with the adopted Cleveland Heights Master Plan, this includes zone map amendments, platting, and right-of-way acquisition in coordination with the Department of Development Services.
2. All infrastructure shall be planned and coordinated with City of Rio Rancho Department of Development Services, City of Rio Rancho Departments of Public Safety and Transportation, PNM, and any other established entities working with Sandoval County and the City of Rio Rancho.
3. National standards for emergency response times shall be upheld; therefore DPS facility planning shall be coordinated as subdivisions occur.
4. Access to Paseo Del Volcan will be restricted to Loma Colorado Boulevard and Iris Road.
5. All interior streets locations and alignment are conceptual. Final location and alignment of internal streets shall be determined at the time of subdivision.
6. All major streets shall be dedicated upon request by the City during the subdivision process.
7. Designated open space, improved to meet City of Rio Rancho Park Design Standards in the Development Process Manual, may count towards the trail requirements established by the City of Rio Rancho.
8. A 25% rule is established for administrative amendments to the Paseo Gateway Master Plan. As residential projects get farther along in the design process, it is typical for minor readjustments to occur. Therefore we propose that any change that is less than 25% of the Master Plan area shall be processed administratively by the Planning Director. Changes that exceed 25% of the plan area will return to the Planning and Zoning Board and Governing Body for approval.
9. Future plans may be required to address specific issues such as design guidelines, coordination of infrastructure, transportation corridors.
10. It is anticipated that the property will be platted to correspond with development. In conjunction with platting actions, Development Agreement(s) may be prepared outlining infrastructure costs and requirements for the development.
11. Water and sewer availability will be tied to future subdivision plats.
12. Detailed Transportation Impact Studies (TIS) will be required as needed based on thresholds, with future subdivision plats.

RioRancho
City of Vision

October 11, 2023

Sheldon Greer P.E.
7770 Jefferson NE, Suite 200
Albuquerque, NM 87109

Re: Letter Granting Conditional Water and Wastewater Availability Approval for Paseo Gateway LLC Subdivision State Land Office Phase 2 Additional 224 Dwelling Units.

Dear Mr. Greer,

The Utilities Department confirms the Conditional Water and Wastewater Availability for the State Land Office, Paseo Gateway LLC Development, Phase 2 consisting of approximately 224 Dwelling Units in addition to the 210 Dwelling Units constructed in Phase 1 of the development. The Utilities Department can still serve up to 434 Dwelling Units.

The developer is responsible for water and wastewater modeling for any additional development requests after Phase 2. Sanitary Sewer Lift Station and sanitary sewer lines receiving flows from the development may need improvements prior to or in conjunction with additional development approvals. Similar conditions apply to the Water Supply (Wells). The developer is responsible for ensuring the site fire flow meets City of Rio Rancho Fire Marshall requirements for the proposed development. A water model paid for by the developer will be required to ensure adequate fire flow to the site. If the developer builds a looped water line, no issues are anticipated at this time. Please contact Nathan Roberts Bohannan Huston 505-823-1000 for modeling information.

Condition: Sanitary sewer is to be designed to service all of the Paseo Gateway State Land Office by gravity. The Water and Wastewater Availability for the 224 dwelling units and a total availability for 434 dwelling units is predicated on the award of this portion of the development by the State Land Office (SLO). The availability is to the SLO chosen developer and is was predicated on the SLO and SLO Developer meeting any additional conditions set forth through the Development Services Department.

Approval of this availability statement does not imply or suggest approval of zoning changes, construction plans, conceptual layouts, or any other requirements that may be conditions of approval for this development. This statement merely represents a commitment from the City that, if all other necessary approvals are obtained, and the completion of the proposed

3200 Civic Center Circle NE • Rio Rancho, New Mexico 87124
Office (505) 896-8715 • Fax (505) 891-5201

water system improvements, this development will be allowed to be served by the City's water and wastewater systems as described above.

If a fire flow test is performed for the site, results are to be turned into the Utilities Department and Fire Marshall or designee. The test is to be coordinated with the System Maintenance Crews at 896-8287. The System Maintenance Crews are the only personnel authorized to operate valves in the City of Rio Rancho. The developer is responsible for paying for a fire flow test from a certified tester.

Please refer to the City of Rio Rancho Web Site for additional water and sewer information. Design Criteria and Standard Details are located on the following web address: http://ci.rio-rancho.nm.us/index.asp?NID=482 Departments, Public Works, Design Criteria and Standards Details, Water and Wastewater.

Contacts for additional information and guidance: Development Services: 505-891-5005 Engineering Division: 505-891-5016 Environmental: **Backflow Prevention 505-896-8816 and Industrial Pollution Pretreatment Program (Commercial Wastewater Survey and Grease Interceptors) 505-891-5017.** Water pressure will need to be verified by the developer. If water pressure exceeds 80 psi, individual pressure reducing valves will be needed on the homes or business at the cost and responsibility of the customers.

The Availability Statement will expire unless construction starts within 18 months of approval and is complete within 3 years of approval. If you have questions regarding this Availability Statement please contact me at 505-891-5046.

Sincerely,

Steve Gallegos

Steve Gallegos
Deputy Director
Utilities Department

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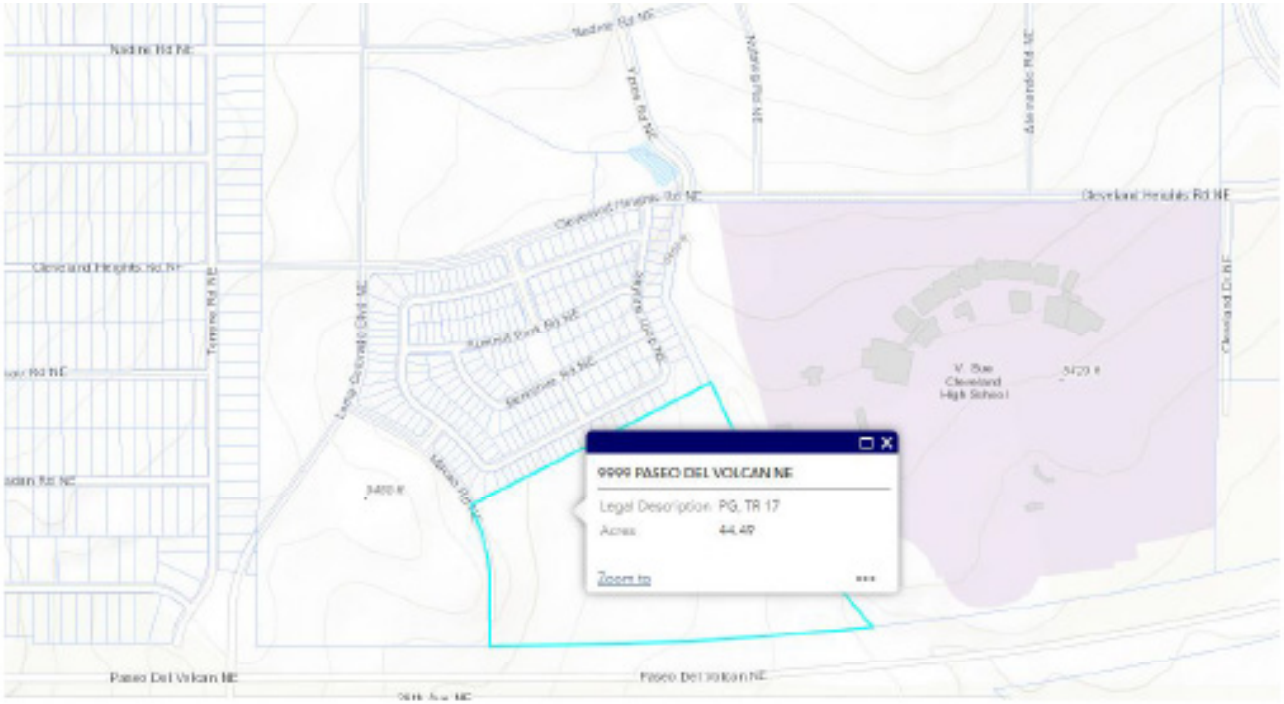

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The City of Rio Rancho

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

June 6, 2025

RE: **Zone Map Amendment/Master Plan Amendment/Master Plan**
Case No. 25-100-00004/#25-410-00003/#25-400-00002
Paseo Gateway & Cleveland Heights

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, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment, a Master Plan Amendment to the Paseo Gateway Master Plan, and approval of the Cleveland Heights Master Plan. The Zone Map Amendment is for PG, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4. The amendment to the Paseo Gateway Master Plan is to remove the State Land Office parcels from the existing plan. The parcels will be reworked into the new Cleveland Heights Master Plan.

The **Planning and Zoning Board** will consider the request on **Tuesday, June 24, 2025** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**

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

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.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=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

Please do not hesitate to contact me via e-mail me at lruizcarlos@rrnm.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.rrnm.gov, the Friday before the hearing.

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

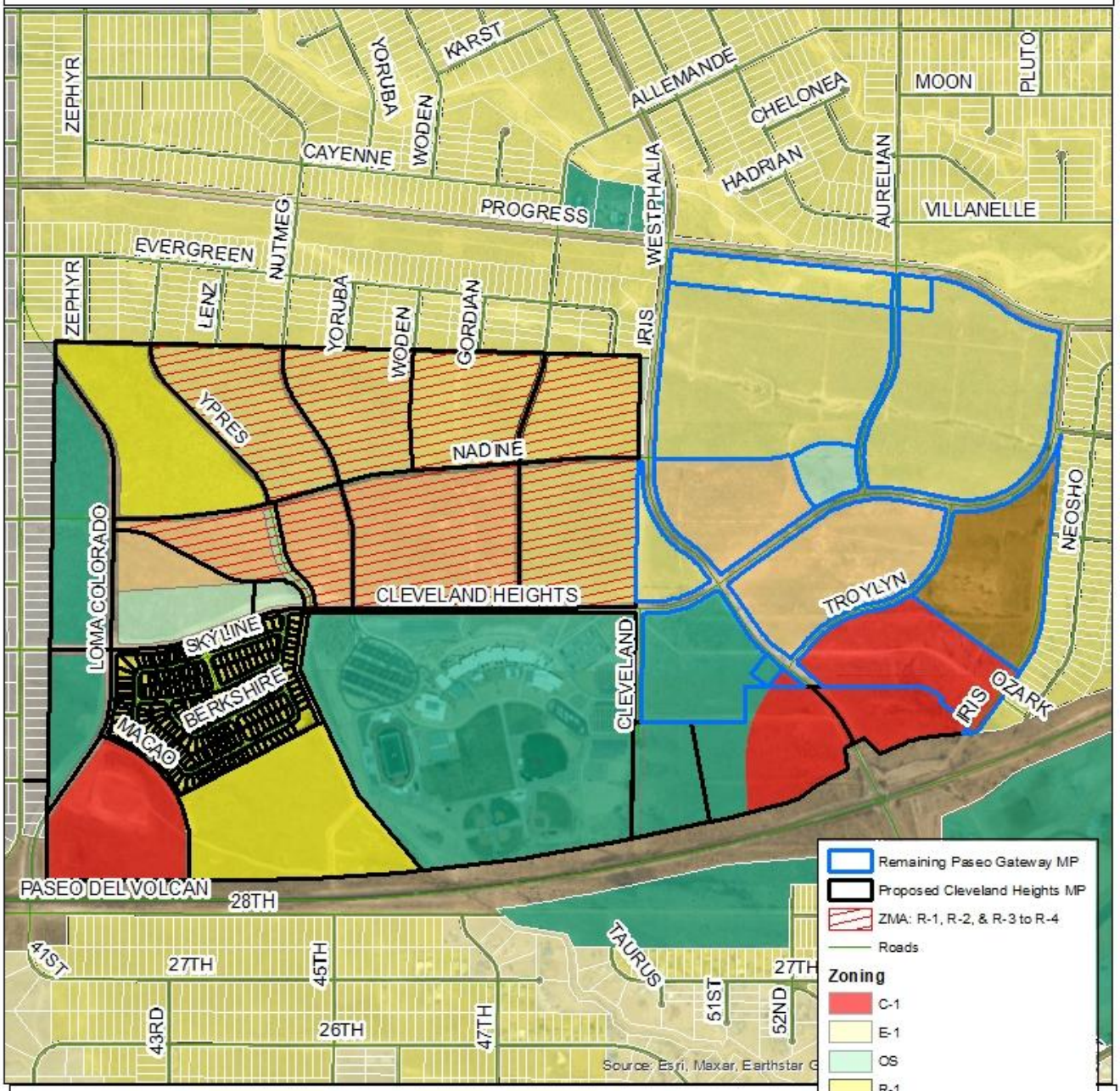
Respectfully,

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

The City of Rio Rancho

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

PASEO GATEWAY (MASTER PLAN AMENDMENT)
CLEVELAND HEIGHTS (NEW MASTER PLAN)
ZONE MAP AMENDMENT: R-1, R-2, & R-3 RESIDENTIAL TO R-4: SINGLE-FAMILY RESIDENTIAL DISTRICT



0 395 790 1,580 2,370 3,160 Feet

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 Tamarah Martinez on 6/6/2025

City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, June 24, 2025:

Zone Map Amendment
Request #25-100-00006
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment to extend the Renewable Energy Overlay Zone to the subject properties legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D. The subject properties comprise approximately 2,836 acres.

Master Plan Amendment
Request #25-410-00004
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., is also requesting approval of an amendment to the Quail Ranch Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject properties.

Zone Map Amendment
Request #25-100-00001
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for PG, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4.
The subject property consists of 228 acres.

Master Plan
Request #25-410-00003
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of the Cleveland Heights Master Plan.

Master Plan Amendment
Request #25-400-00002
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Master Plan Amendment to the Paseo Gateway Master Plan, to remove the State Land Office parcels from the existing plan.

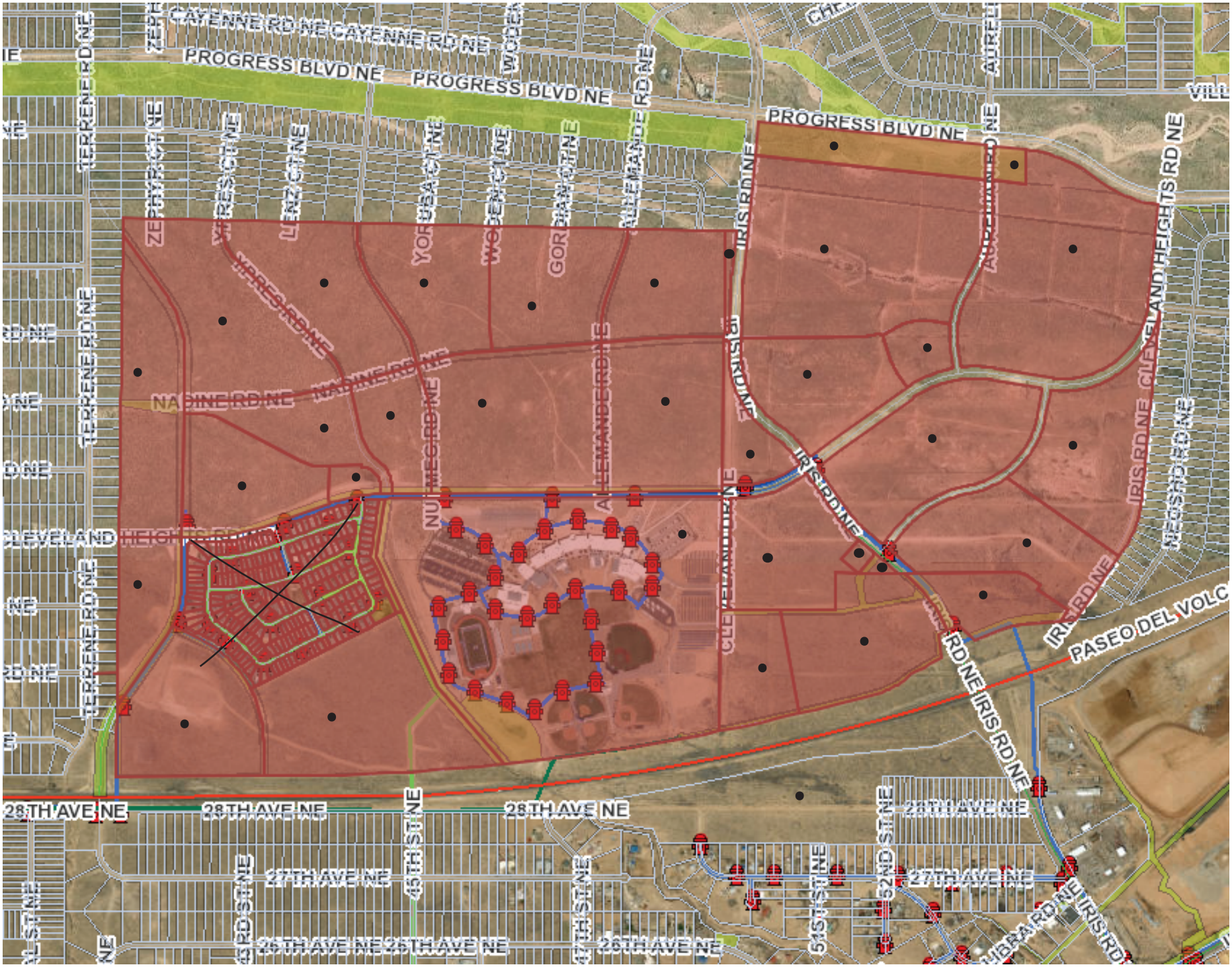
Zone Map Amendment
Request #25-100-00002
The applicant, Cielo Bonito, LLC requests approval of a Zone Map Amendment of approximately 50.442 acres from TZ: Transitional Zoning to R-3: Mixed Residential, for the property legally described as, Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70

Master Plan
Request #25-400-00001
The applicant, Cielo Bonito, LLC requests approval of the Cielo Bonito Master Plan at the location legally described as Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70. Concurrent with this request is a Zone Map Amendment request for approximately 50.442 acres from TZ Transitional Zoning to R-3, Mixed Residential.

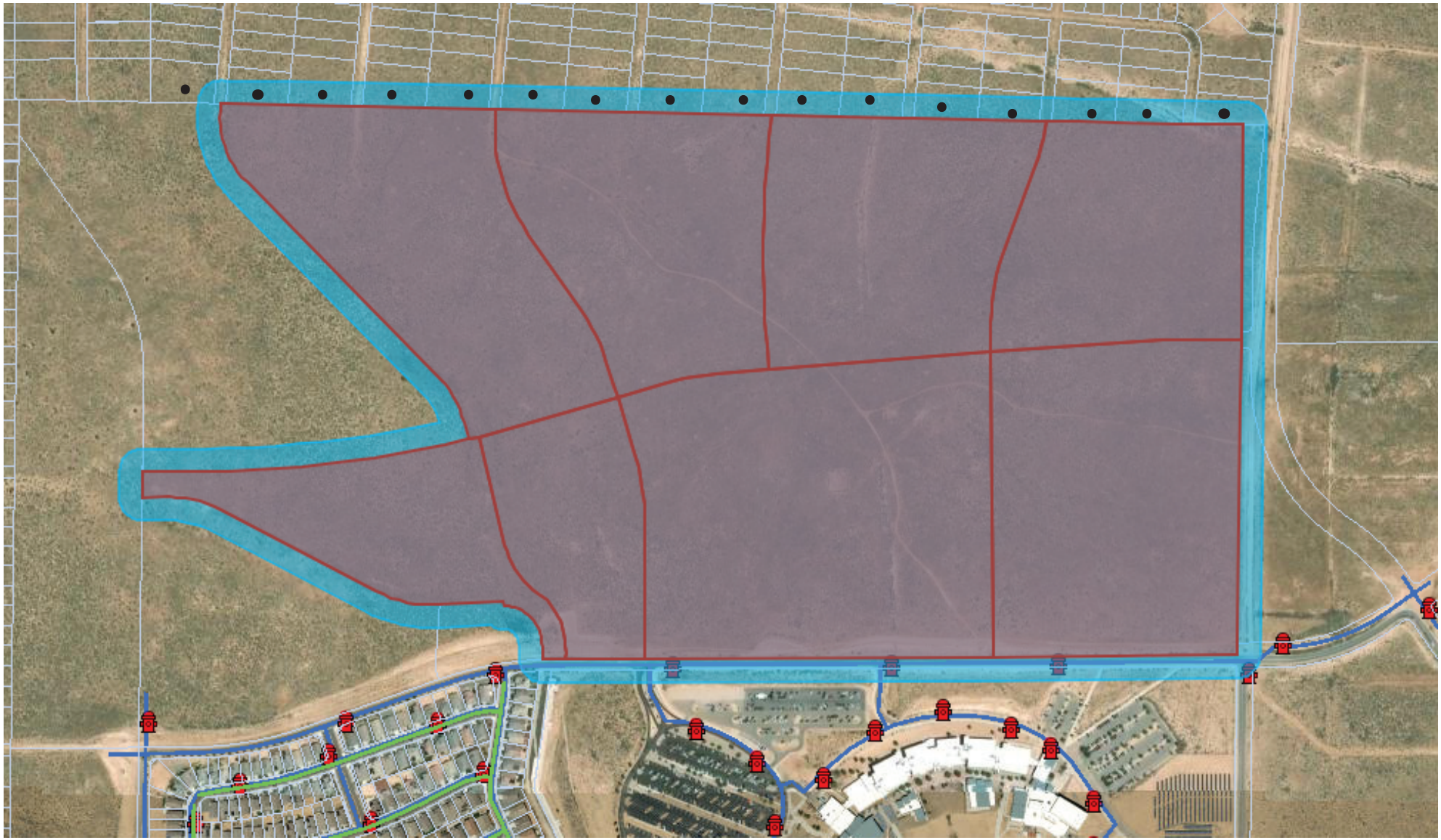
The meeting is scheduled for 6 pm in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: June 9, 2025



NOTICE MAP: × • - FIRST CLASS MAIL TO OWNERS



- ADDITIONAL MAILOUTS TO PROPERTIES WITHIN 100FT of ZMA

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION ADOPTING THE CLEVELAND HEIGHTS MASTER PLAN

WHEREAS: the State of New Mexico has granted the City of Rio Rancho the power, authority, jurisdiction, and duty to enforce and carry out the provisions of law relating to planning, platting, zoning, and the power to adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan, all pursuant to 3-19-1, NMSA 1978; and

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

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

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the proposed Cleveland Heights Master Plan (Case No. 25-400-00002) at their meeting held on June 24, 2025, and have made recommendation to the Governing Body on the adoption of the proposed Plan; and

WHEREAS: the Governing Body of the City of Rio Rancho, following a duly noticed public hearing on July 24, 2025, has reviewed the proposed Cleveland Heights Master Plan and determined that the Master Plan is in conformance with the City of Rio Rancho Comprehensive Plan

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

Section 1. The Governing Body hereby approves and adopts the proposed Cleveland Heights Master Plan (planning area comprising approximately 674.7 acres), attached hereto.

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

ADOPTED THIS 24th DAY OF JULY, 2025.

_____
Greggory D. Hull, Mayor

ATTEST:

_____

Noel C. Davis, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 24-100-0004

AGENDA DATE:
June 24, 2025

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for Paseo Gateway, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4. Staff contact is Liz Ruiz Carlos and staff recommends the Planning & Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment, for Paseo Gateway, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4.

The properties total 215.222 acres and the area is bounded by Cleveland High School to the south, and Iris Rd NE (a minor arterial road) to the east. The adopted Generalized Land Use Map (GLUM), Map L-2 of the City Comprehensive Plan identifies the subject properties as "Low/Medium Density Residential, High Density Residential, and Park, Open Space, Drainage" and will be amended to the "Low/Medium Density Residential" land uses for all tracts involved.

Concurrent to this Zone Map Amendment request, is an amendment to the Paseo Gateway Master Plan, under case #25-410-00002, as well as a request to create the Cleveland Heights Master Plan, under case #25-400-00002. The amendment to the Paseo Gateway Master Plan is to remove the State Land Office parcels from the existing Master Plan. The parcels removed from the Paseo Gateway Master Plan will create the new Cleveland Heights Master Plan.

CONFORMANCE WITH THE CITY ZONING ORDINANCE:
City of Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning & Zoning Board when a change in zoning designation is sought.

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

Pursuant to the criteria provided by R.O. 2003 Section 150.07 (D) through (G), a request for change in zoning designation must address the following policies and criterion for a zone map change: (D) The following policies for deciding zone map change applications pursuant to the City zoning code are hereby adopted:

(1) A proposed zone change must be found to be consistent with the health, safety, morals, and

general welfare of the City.

The applicant states: "This proposed zone change is consistent with the health, safety, morals, and general welfare of Rio Rancho as follows. The zone change furthers several Rio Rancho Comprehensive Plan goals and policies furthering residential development in Rio Rancho; the zone change will allow for medium-density residential development in an area that will support the future commercial development near Paseo del Volcan and Iris Road; the zone change to R-4 will provide the flexibility for desirable single-family development; development of these tracts will catalyze additional development on adjacent vacant sites, jumpstarting the overall development of both the Paseo Gateway Master Plan and the Cleveland Heights Master Plan areas."

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

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

The applicant states: "If granted, the Zone Map Amendment will provide a stable zoning and land use pattern for the Cleveland Heights Master Plan area. Currently, the area has mixed zoning with R-1, R-2, R-3, and R-4. The proposed zoning will enable single-family development complementary to the surrounding residential development to the south, also zoned R-4. The R-4 zone will reinforce the desired density of the area as expressed in the prior Paseo Gateway Master Plan, which has identified this area as residential and open space. Future residential development made possible by the change of zoning will provide customers for the future commercial development on Paseo del Volcan and Iris Road. Development in this area will also facilitate infrastructure improvements in this area including drainage, roadways, and water and sewer extensions."

Staff recommends the Planning and Zoning Board finds that the applicant has provided sound justification for stability of land use and zoning, as the request will enable stable and consistent R-4 single-family zoning across the subject properties. The zoning change may enable further residential development in this area, which will expand infrastructure that can serve future commercial development as well, given that the subject properties are within close proximity to undeveloped commercial properties.

Staff recommends the Board finds that the proposed zoning will still accomplish the original intent of this area, as far as allowing for residential development, but may also potentially encourage future commercial growth to fulfill the needs of the surrounding community, contributing to a stability in land use.

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

The applicant states: "The proposed Zone Map Amendment is consistent with the Rio Rancho Comprehensive Plan and the intent of Cleveland Heights Master Plan. The zone change furthers principles of the Rio Rancho Comprehensive Plan in the following ways:"

- Land Use Policy L-2: Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan; (the rezoning of this site furthers

this policy because it will serve as a catalyst to further develop the Cleveland Heights Master Plan to the north of the existing developments of V. Sue Cleveland High School and the Cleveland Heights Subdivision).

- Goal PH-4: To ensure that single-family and multi-family residential neighborhoods provide an attractive living environment.; (the zone change furthers this goal by providing a flexible zone that will support development).
- Goal PH-7: Support residential developments with appropriate amenities for families with children; (the rezoning of the parcels within the Cleveland Heights Master Plan supports the development of residential subdivisions that will include amenities such as neighborhood parks, playgrounds, and multi-use trails which will serve the generational needs of the community).
- Goal TR-1: Support transportation facilities designed and constructed in a manner to facilitate Rio Rancho's economic goals, enhance livability, and meet federal, state, and regional and local requirements; (the zone change will facilitate the construction or extension of roadways such as Loma Colorado, Cleveland Heights Road, Nutmeg Road, and Allemade Road as the subdivisions within Cleveland Heights are designed and developed).

The applicant goes on to state, "The Zone Map Amendment meets the intent of the Paseo Gateway Master Plan by providing complementary land uses for the V. Sue Cleveland High School and the City Center. The zoning will not change the primary land use intended for this area, which is residential. The Cleveland Heights Master Plan and Zone Map Amendment furthers the implementation of the Paseo Gateway Master Plan, which states that implementation of the Plan shall occur as sub-plans as infrastructure planning and subdivision platting occurs. The Cleveland Heights Master Plan will encourage future residential development, which will support the future commercial and mixed-use areas at the western and southern perimeters of the Master Plan area."

Staff recommends that the Planning & Zoning Board find that the zone change is consistent with adopted elements of the Comprehensive Plan. Staff recommends that the Planning & Zoning Board find that the proposed zone change promotes and furthers goals and policies of the Population and Housing Element of the City Comprehensive Plan, including those listed by the applicant, as well as Goal PH-3: Promote a variety of housing types to meet the needs of all members of the community.

Staff recommends the Board find that the zone change also meets the Goals and Objectives of the Paseo Gateway Master Plan and the now proposed Cleveland Heights Master Plan, in that it maintains the desired residential land-use for the subject properties. Furthermore, the zoning is complementary to that of existing development in the area (ie. the R-4 Cleveland Heights Subdivision to the south).

Staff recommends the Board finds that conformance and consistency with the existing Master Plans and Area Plans for the subject properties is contingent upon approval of the concurrent Paseo Gateway Master Plan Amendment and Cleveland Heights Master Plan requests (cases #25-410-02 and #24-400-02).

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

piece of property in question as compared with other available property.

In response to criteria C, the applicant states that: "criteria 'c' applies to this zone change request, as R-4 is a more advantageous zoning category than the existing zoning, and there is a public need for the residential development facilitated by the R-4 zone. The Paseo Gateway Master Plan zoning was developed in 2006. Since then, residential development has been limited to the Cleveland Heights single-family development west of V. Sue Cleveland High School, which is zoned R-4. Tracts 15, 16, and 17 were rezoned R-4 in 2019. The approval of the zone change for the tracts to the north will make future residential development consistent with this existing development and provide desirable single-family housing in an appropriate area of the City. The open space tracts are no longer needed for drainage per the 2016 Paseo Gateway State Land Office Drainage Study and are better utilized for residential uses."

Staff recommends that the Planning & Zoning Board find that the proposed zoning is more advantageous for the community as it facilitates residential development on lots that already in close proximity to an existing R-4 neighborhood. Additionally, the drainage open spaces are no longer necessary.

(E) The cost of land or other economic considerations pertaining to the applicant shall not be a determining factor for a change of zone.
The applicant states, "This zone change is not based on economic considerations, and they are not the determining factors for this request. The change of zone is based on allowing for consistent residential development and the removal of open space tracts that are no longer needed for drainage."

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

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

The applicant states, "this Criterion is not applicable, as the request is not for apartment, office, or commercial zoning."

Staff recommends that the Planning and Zoning Board find that the criterion is not applicable.

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

The applicant states, "The requested zone change request is not a “spot zone “. The zone change is for an area encompassing 288 acres of the old Paseo Gateway Master Plan area, now covered by the new Cleveland Heights Master Plan."

Staff recommends that the Planning and Zoning Board find that the requested zone map amendment is not a spot zone, as their already exists R-4 to the north east and south east of the

subject properties; one area of which has already been developed into the Cleveland Heights Subdivision.

Staff recommends that the Board finds that pending approval of these concurrent plan amendment requests, the proposed Zone Map Amendment would facilitate realization of these Master and Comprehensive Plans.

SURROUNDING LAND USE/ZONING: The surrounding properties to the north are zoned R-1: Single-Family Residential, the properties to the west are zoned OS: Open-Space and R-4: Single-Family Residential, the properties to the South are zoned SU (Cleveland Heights High School) and R-4: Single-Family Residential (Cleveland Heights Subdivision), and the properties to the east are zoned R-2: Single-Family Residential and R-3: Mixed-Residential.

NOTIFICATIONS: Notifications were sent to affected property owners in conjunction with the Master Plan Amendment and Master Plan requests. A legal advertisement was placed in the June 9, 2025 edition of the Albuquerque Journal. A sign was posted on the property one week prior to the hearing. All legal notification requirements have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:
DSD Planning and Zoning - Comments within document.
DSD Engineering - No adverse comments.
Rio Rancho Public Schools - No comments provided.
Fire and Rescue - Shall Follow IFC 2021, Appendix D for Fire Apparatus access roads, a Fire 1 Plan shall be submitted to the Fire Marshal bjohnson@rrnm.gov, Fire 1 Plan check list is located on the City of Rio Rancho Fire Marshals website. Fire Hydrants shall be no more than 500 ft apart. Further requirements may be required upon development.
Police Department - No comments provided.
SSCAFCA - See attached comments.
MRCOG - No adverse comments.
Parks, Recreation, and Community Services - No comments on the proposed ZMA. Per the PG Master Plan and Cleveland Hts Master Plan - The amended master plan/s remove any specific indications about where actual park land, required by ordinance, may be included in the proposed land uses in the master plan area. While open space and drainage areas are shown (which cannot be used for required, improved park land), and trail improvements are mentioned, the actual park requirements are not adequately discussed. If it is the intent of the applicant to have each developer purchasing developable sections of the plan area – to construct any required park improvements, it should be stated in the new plans. If the applicant intends park land to be developed in order to meet ordinance requirements overall, possible locations should be described and shown in the amended plans.

IMPACT:

Staff recommends the Planning and Zoning Board recommend approval of the Zone Map Amendment to the Governing Body, subject to the following findings below:

GENERAL FINDINGS OF FACT:
1. The Planning and Zoning Board may make a recommendation to the Governing Body on the applicant's request for a zone map amendment.
2. The applicant has the authority to apply for a zone map amendment on the subject property.
3. The applicant and adjacent property owners received due process.

SPECIFIC FINDINGS OF FACT:
The applicant has submitted an application and narrative which demonstrates that the change in zoning designation meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003)

§150.07(D) Amendments, including:

1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by furthering goals of the existing Paseo Gateway Master Plan, the proposed Cleveland Heights Master Plan, and the City's Comprehensive Plan.
2. The applicant has provided sound justification, in a narrative dated March 27, 2025, for the proposed zone change and that the Zone Map Amendment would provide for a more advantageous zoning designation.
3. The proposed Zone Map Amendment would be consistent with the intent of the adopted elements of the City's Comprehensive Plan and the Paseo Gateway Plan, and would be consistent with the proposed Cleveland Heights Master Plan
4. The applicant has demonstrated that the proposed R-4: Single-Family zoning designation would be a more advantageous zone for the subject properties, as it furthers goals of the Paseo Gateway Master Plan, the proposed Cleveland Heights Master Plan, and of the City's Comprehensive Plan.
5. The requested zone map amendment would not create a "spot zone."

If the Board determines the proposed zone map amendment is not justified, the following findings are recommended for denial:

SPECIFIC FINDINGS OF FACT FOR DENIAL:
1. The proposed zone map amendment does not meet the requirements of Rio Rancho Code of Ordinances (R.O. 2003) §150.07(D) Amendments.

ALTERNATIVES:

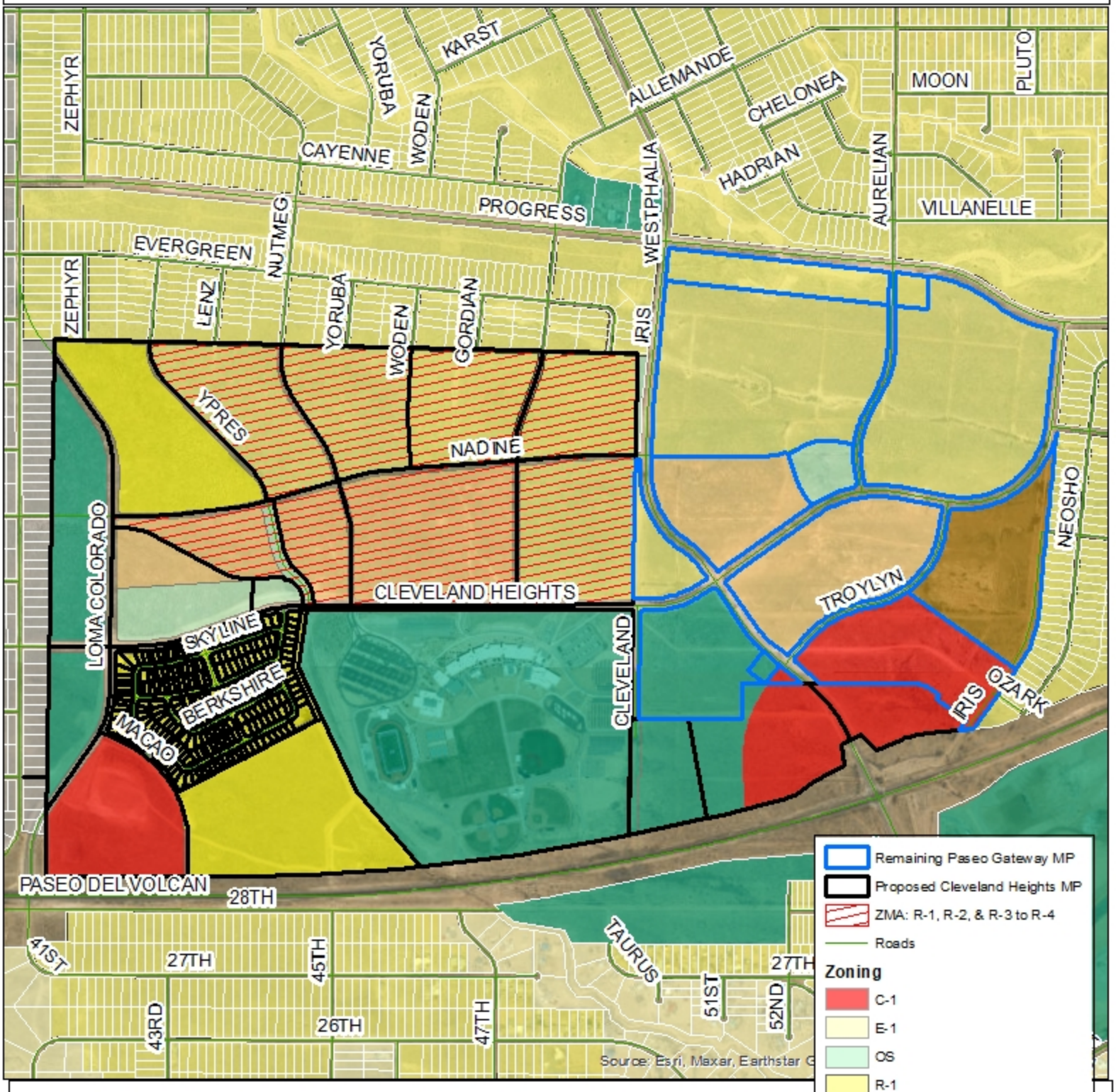
The Planning and Zoning Board may:
1. Recommend approval of the request to the Governing Body;
2. Recommend denial of the request to the Governing Body;
3. Modify the request and recommend the Governing Body approve such modifications;
4. Postpone the item and continue the public hearing in order to further review.

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: Location, Zoning .pdf
ATTACHMENT: Application.pdf
ATTACHMENT: Authorization.pdf
ATTACHMENT: Justification Letter.pdf
ATTACHMENT: Reproduction of Notices.pdf
ATTACHMENT: SSCAFCA Comments.pdf
ATTACHMENT: Draft_Ordinance_BMB.doc

PASEO GATEWAY (MASTER PLAN AMENDMENT)
CLEVELAND HEIGHTS (NEW MASTER PLAN)
ZONE MAP AMENDMENT: R-1, R-2, & R-3 RESIDENTIAL TO R-4: SINGLE-FAMILY RESIDENTIAL DISTRICT



Rio Rancho
City of Vision

0 395 790 1,580 2,370 3,160
Feet

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 Tamarah Martinez on 6/5/2025

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

PLANNING & ZONING LAND USE APPLICATION

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

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

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

APPLICANT/AGENT INFORMATION

Applicant Name: Paseo Gateway, LLC.		Phone: 505 573-2868
Address: 302 8th Street, NW		E-Mail: greg@westwoodnm.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest: Lesee	List Owners: New Mexico State Land Office	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials) CJ

Agent Name: Consensus Planning, Inc.		Phone: 505 764-9801
Address: 302 8th Street NW		E-Mail: johnson@consensusplanning.com
City: Albuquerque	State: NM	ZIP Code: 87102

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

Amendment to the existing Paseo Gateway Master Plan to remove the parcels owned by the State Land Office and create a new Cleveland Heights Master Plan. Zone Map Amendment to R-4 for SLO properties within Cleveland Heights Master Plan.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Paseo Gateway	Block(s):	Lot(s): See attached
Existing Zoning: R-1, R-2, R-3,	Proposed Zoning: R-4	
No. of existing lots: CHMP -13	No. of proposed lots: CH - 6	Total area of site (acres) PG - 284 /CH - 669

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: Charlene A. Johnson	Applicant: Cleveland Heights, LLC	Agent: Consensus Planning, Inc.
Signature:		Date: 3/27/2025

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Cleveland Heights Master Plan Lots:

PG, Tract 4
PG, Tract 5
PG, Tract 6
PG, Tract 7
PG, Tract 8
PG, Tract 10A
PG, Tract 10C
PG, Tract 11
PG, Tract 12
PG, Tract 13
PG, Tract 14
PG, Tract 16
PG, Tract 15
PG, Tract 17
PG, Tract B-1A
PG, Tract 3A
Tract 2A
PG, Tract 1
PG, Tract 18

Paseo Gateway Master Plan Amendment:

PG, Tract 20
PG, Tract 21
PG,Tract 22
PGTract 23
PG, Tract 24
PG, Tract 25
PG, Tract 28
PG, Tract 27
PG, Tract 26
PG,Tract 19
PG, Parcel B

Stephanie Garcia Richard
COMMISSIONER

State of New Mexico
Commissioner of Public Lands

310 OLD SANTA FE TRAIL
P.O. BOX 1148
SANTA FE, NEW MEXICO 87504-1148

COMMISSIONER'S OFFICE
Phone (505) 827-5760
Fax (505) 827-5766
www.nmstatelands.org

November 20, 2024

Mayor Greggory D. Hull
City of Rio Rancho Council Members
3200 Civic Plaza Circle NE
Rio Rancho, New Mexico 87144

Re: Amendment to Paseo Gateway Master Plan, Approval of Cleveland Heights Master Plan, and Zone Map Amendment (Planning and Development Lease, No. BL-1952)

Dear Mayor Hull and City Council Members,

As the owner of the properties outlined in the following request, the State Land Office hereby authorizes its lessee Paseo Gateway, LLC and Paseo Gateway, LLC's contractor Consensus Planning, Inc. to act as the agent for the following requests:

- Approval of the Cleveland Heights Master for Tracts 4, 5, 6, 7, 8, 10C, 10A, 12, 13, 14, 16, 18, and two open space tracts currently contained within the Paseo Gateway Master Plan.

- Approval of a Zone Map Amendment to R-4 from the existing zoning of R-3 (Tracts 10A, 10C, and Tract 8), R-2 (Tracts 11, 7, and 4) and R-1 (Tracts 6 and 5).

The State Land Office has approved the requested Cleveland Heights Master Plan and Zone Map Amendment, and with that approval the lease authorizes Paseo Gateway, LLC to seek the City's approval and make such additional amendments as the City may require.

Please call Consensus Planning at (505) 764-9801 with any questions or concerns.

Sincerely,

Michael Sage Digitally signed by Michael Sage
Date: 2024.11.21 08:25:36 -07'00'

Michael R. Sage
Assistant Commissioner, Commercial Resources Division
(505) 827-5708
msage@nmslo.gov

CONSENSUS PLANNING

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

March 27, 2025

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

Re: Request for approval of a Paseo Gateway Master Plan Amendment, Cleveland Heights Master Plan, and Zone Map Amendment

Dear Chairman, Radosevich:

The purpose of this letter is to request approval for an amendment to the Paseo Gateway Master Plan to separate the tracts owned by the State Land Office and create a new Master Plan named Cleveland Heights. In addition, as part of the Cleveland Heights Master Plan, a Zone Map Amendment (zone change) is requested for the eleven tracts in the northwest portion of the current Paseo Gateway Master Plan area. The Cleveland Heights area will be comprised of the tracts within Area B and C of the current Paseo Gateway Master Plan, which comprises approximately 689.9 acres of the total 953 acres of the total Paseo Gateway Master Plan area. The current iteration of the Master Plan was adopted in 2019 through *Ordinance 94-071; 06-07; 06-37; 08-83*. The legal description for the subject property is *PG, TR 3*.

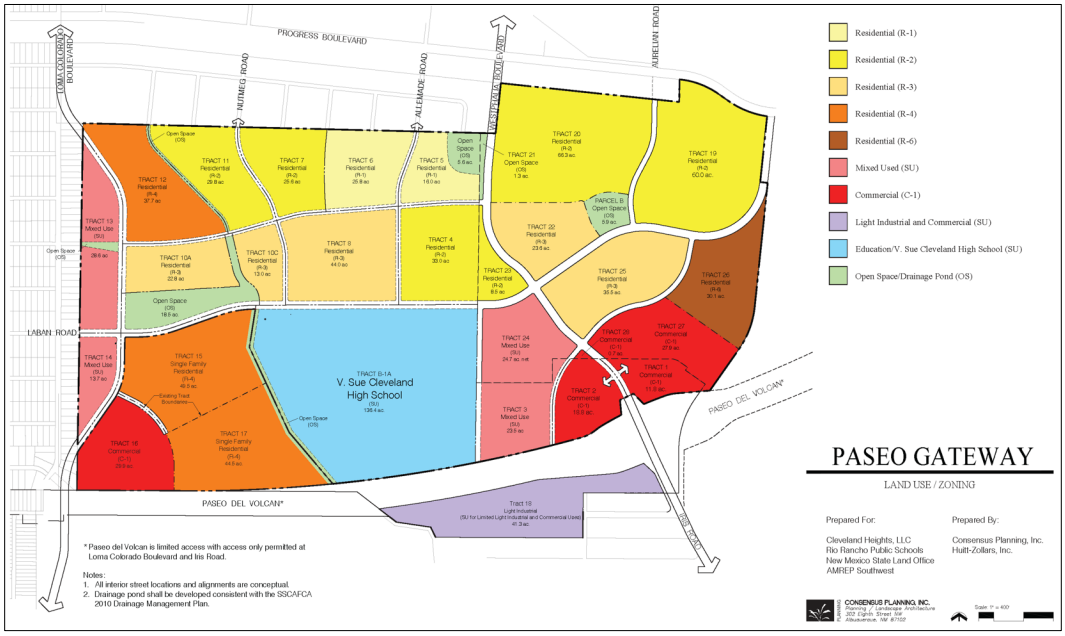


Figure 1: Current Paseo Gateway Land Use/Zoning Map, 2019.

PRINCIPALS

James K. Strozier, FAICP
Jacqueline Fishman, AICP

ASSOCIATES

Ken Romig, PLA, ASLA
Margaret Ambrosino, AICP

REQUESTS

The request to create the Cleveland Heights Master Plan contains three parts:

1. Amendment to the Paseo Gateway Master Plan to remove tracts: 19, 20, 21 (open space), 22, 23, 24, 25, Parcel B (Open Space), 26, 27, 28.
2. Approval of the Cleveland Heights Master Plan including the reconfiguration of Tracts 4, 5, 6, 7, 8, 10C, 10A, 11, 12, 13, 14, and two open space tracts. The tracts at the northern portion of the Master Plan area will be consolidated and reconfigured as bulk Tracts A, B, C, D, E, and F.
3. A Zone Map Amendment to R-4 from the existing zoning of R-3 (Tracts 8, 10A, and 10C), R-2 (Tracts 11, 7, and 4) and R-1 (Tracts 6 and 5).

The Applicant will submit a preliminary plat that consolidates the lots and removes the Open Space tracts no longer necessary for drainage considerations.

OWNERSHIP

The tracts for the Cleveland Heights Master Plan area are owned by the New Mexico State Land Office and Paseo Gateway, LLC. is the lessee. Tract B-1A contains V. Sue Cleveland High School and is owned by Rio Rancho Public Schools. The remainder of Paseo Gateway Tracts are owned by AMREP Southwest. Consensus Planning, Inc. is the authorized agent for this request.

CASE HISTORY

2006- Paseo Gateway Master Plan is adopted, land for the Paseo Gateway Area is annexed into the City of Rio Rancho, and zoning is established.

2014 – Resolution No. 84, Enactment No. 14-080 amended the Paseo Gateway Master Plan for the Green 2V project with minor text revisions and an update to the proposed land use and zoning for Tracts 15, 16, and 17. The amended plan included updates to the existing conditions section of the Plan, and updates to the Land Use and Zoning Map.

2014 – Ordinance No. 27, Enactment No. 14-21 amended the Paseo Gateway Zone Map for Tracts 15, 16, and 17 from M-1: Light industrial to R-4, C1, SU: Mixed Use, and OS: Open Space.

2019 – Ordinance No. 91, Enactment No. 08-83 amended the Paseo Gateway Zone Map for an 18.6-acre portion of Tract 17 from SU: Mixed Use and OS: Open Space to R-4: Single Family Residential District for the entire 44.5 acres.

2022 – Ordinance No. 1, Enactment No. 22-01 amended the Paseo Gateway Zone Map of Tract 3 from S-U: Special Use for Mixed Use to C-1: Retail Commercial District. A preliminary plat submitted concurrent to the Zone Map Amendment adjusting the lot line between Tract 3 and Tract 2.

MASTER PLAN and MASTER PLAN AMENDMENT REQUEST

The Applicant is proposing to create the new Cleveland Heights Master Plan as a separate plan with the remaining portion to remain as the Paseo Gateway Master Plan. The tracts that will comprise the Cleveland Heights Master Plan will be re-platted to consolidate lots and remove open space tracts. The Cleveland Heights Master Plan reflects the changes with the 2016 Paseo Gateway State Land Office Drainage Management Plan (*see Figure 2*).

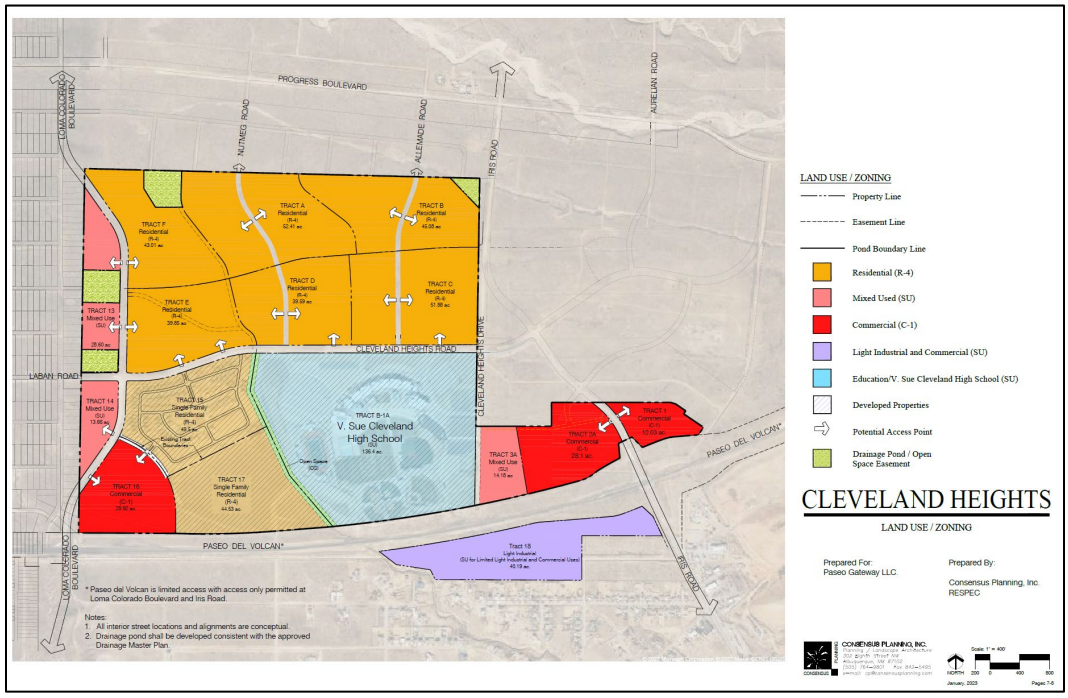


Figure 2: Proposed Cleveland Heights Master Plan Land Use and Zoning.

The Cleveland Heights Master Plan contains the following changes to the existing land use and zoning patterns:

- Modification of tract boundaries to create larger bulk parcels. The proposed boundaries are in alignment with the proposed drainage within the 2016 Paseo Gateway State Land Office Drainage Master Plan and the existing and proposed roadways in the area.
- Consolidation of the northern tracts 4-8, 10A, 10C, and 11-12 into tracts A, B, C, D, E, and F. The tract boundaries will be adjusted to align with existing development to the south and will be rezoned as R-4.
- Removal of the east west "Future Road" and easement from Iris Road to Loma Colorado.
- Removal of the following open space/drainage tracts:
    - 18.5-acre open space tract in the center of the property;
    - 5.6-acre open space tract on the eastern portion; and

- The open space corridor running from north to south along the eastern portion and the small open space on the western portion of the master plan area.

- Open space reconfigured to include four detention ponds on the northern, western, and eastern portions of the master plan area. These open space tracts are incorporated as part of the Paseo Gateway State Land Office Drainage Master Plan. Drainage easements will be incorporated into the proposed layout linking the ponds.

Cleveland Heights Master Plan will have sole ownership and management, which will allow more efficiency in the sale and development of the properties. Modification of the tract boundaries within the Cleveland Heights Master Plan will provide uniform bulk plats, which are desirable to housing developers.

The remaining parcels will make up the Paseo Gateway Master Plan. No zone changes or additional amendments are requested. The amended Paseo Gateway Master Plan reflects the separation of the State Land Office tracts. The updates to the Paseo Gateway Master Plan include updated acreage, and graphics including the Land Use and Zoning Map shown in Figure 3.

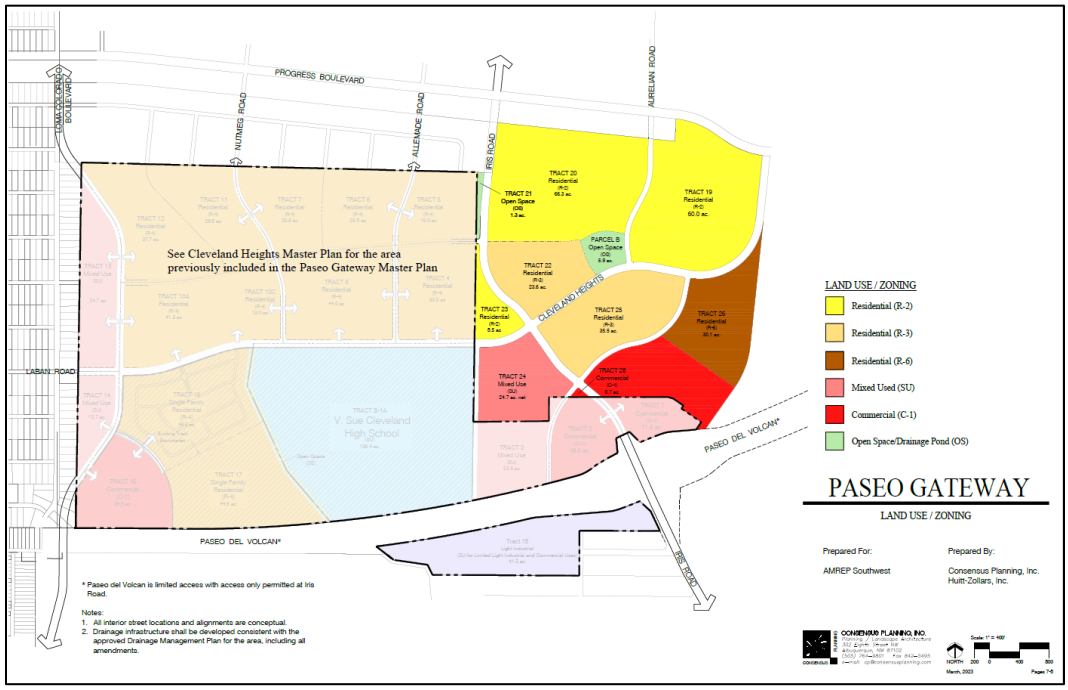


Figure 3: Amended Paseo Gateway Master Plan Land Use and Zoning Graphic.

ZONE MAP AMENDMENT POLICY COMPLIANCE

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

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

   Applicant Response**:** This proposed zone change is consistent with the health, safety, morals, and general welfare of Rio Rancho as follows:

   - The zone change furthers several Rio Rancho Comprehensive Plan goals and policies furthering residential development in Rio Rancho (*see also Criterion 3*).
   - The zone change will allow for medium-density residential development in an area that will support the future commercial development near Paseo del Volcan and Iris Road.
   - The zone change to R-4 will provide the flexibility for desirable single-family development.
   - Development of these tracts will catalyze additional development on adjacent vacant sites, jumpstarting the overall development of both the Paseo Gateway Master Plan and the Cleveland Heights Master Plan areas.

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

   Applicant Response**:** If granted, the Zone Map Amendment will provide a stable zoning and land use pattern for the Cleveland Heights Master Plan area. Currently, the area has mixed zoning with R-1, R-2, R-3, and R-4. The proposed zoning will enable single-family development complementary to the surrounding residential development to the south, also zoned R-4. The R-4 zone will reinforce the desired density of the area as expressed in the prior Paseo Gateway Master Plan, which has identified this area as residential and open space. Future residential development made possible by the change of zoning will provide customers for the future commercial development on Paseo del Volcan and Iris Road. Development in this area will also facilitate infrastructure improvements in this area including drainage, roadways, and water and sewer extensions.

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

Applicant Response: The proposed Zone Map Amendment is consistent with the Rio Rancho Comprehensive Plan and the intent of Cleveland Heights Master Plan.

The zone change furthers principles of the Rio Rancho Comprehensive Plan in the following ways:

Land Use Policy L-2: Encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan.

Applicant Response: The rezoning of this site furthers this policy because it will serve as a catalyst to further develop the Cleveland Heights Master Plan to the north of the existing developments of V. Sue Cleveland High School and the Cleveland Heights Subdivision. Future development of the area will provide public-right-of-way circulation that will connect to Loma Colorado Boulevard, Laban Road, and Paseo del Volcan. The Paseo Gateway State Land Office Drainage Plan was completed in 2016. It included an extensive drainage study and identified the most advantageous drainage system for the area. Drainage ponds will provide opportunities for open space areas in the north and western sections of Cleveland Heights. As this area is developed, utilities will be extended to this area that will comply with City of Rio Rancho standards.

Population and Housing Element Goal 4: To ensure that single-family and multi-family residential neighborhoods provide an attractive living environment.

Applicant Response: The zone change furthers this goal by providing a flexible zone that will support development. Future developers will be required to provide master plans for the individual subdivisions similar to the existing development on Tract 15, which contains 216 lots with 214 single family homes and includes a park, playground, sidewalks, adequate street circulation, and drainage facilities.

Population And Housing Element Policy 7: Support residential developments with appropriate amenities for families with children.

Applicant Response: The rezoning of the parcels within the Cleveland Heights Master Plan supports the development of residential subdivisions that will include amenities such as neighborhood parks, playgrounds, and multi-use trails which will serve the generational needs of the community. Development standards within the Master Plan provide the guidelines for development within Cleveland Heights and comply with standards within the R-4 zone.

Goal TR-1: Transportation facilities designed and constructed in a manner to facilitate Rio Rancho's economic goals, enhance livability, and meet federal, state, and regional and local requirements.

Applicant Response: The zone change will facilitate the construction or extension of roadways such as Loma Colorado, Cleveland Heights Road, Nutmeg Road, and Allemade Road as the subdivisions within Cleveland Heights are designed and developed. These roadways will enhance the livability of residents in the area by providing access to commercial located at the corner of Iris Road and Paseo del Volcan as well as areas developing around this area. Transportation studies will be required for subdivisions as they are designed to ensure they meet all federal, state, and local requirements.

Consistency with the Paseo Gateway Master Plan
The Zone Map Amendment meets the intent of the Paseo Gateway Master Plan by providing complementary land uses for the V. Sue Cleveland High School and the City Center. The zoning will not change the primary land use intended for this area, which is residential. The Cleveland Heights Master Plan and Zone Map Amendment furthers the implementation of the Paseo Gateway Master Plan, which states that implementation of the Plan shall occur as *sub-plans as infrastructure planning and subdivision platting occurs*. The Cleveland Heights Master Plan will encourage future residential development, which will support the future commercial and mixed-use areas at the western and southern perimeters of the Master Plan area.

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

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

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

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

by changing the classification of the particular piece of property in question as compared with other available property.

Applicant Response**:** Criteria "c" applies to this zone change request, as R-4 is a more advantageous zoning category than the existing zoning, and there is a public need for the residential development facilitated by the R-4 zone. The Paseo Gateway Master Plan zoning was developed in 2006. Since then, residential development has been limited to the Cleveland Heights single-family development west of V. Sue Cleveland High School, which is zoned R-4. Tracts 15, 16, and 17 were rezoned R-4 in 2019. The approval of the zone change for the tracts to the north will make future residential development consistent with this existing development and provide desirable single-family housing in an appropriate area of the City. The open space tracts are no longer needed for drainage per the 2016 Paseo Gateway State Land Office Drainage Study and are better utilized for residential uses.

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

   Applicant Response: This zone change is not based on economic considerations, and they are not the determining factors for this request. The change of zone is based on allowing for consistent residential development and the removal of open space tracts that are no longer needed for drainage.

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

   Applicant Response: This Criterion is not applicable, as the request is not for apartment, office, or commercial zoning.

7. ***A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone."***

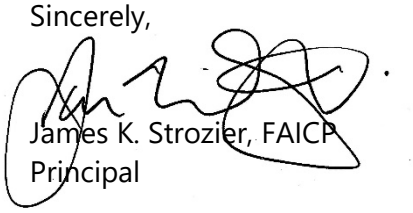
   Applicant Response: The requested zone change request is not a "spot zone ". The zone change is for an area encompassing 341 acres of the old Paseo Gateway Master Plan area, now covered by the new Cleveland Heights Master Plan.

Conclusion

The requested approval of the Cleveland Heights Master Plan, Paseo Gateway Master Plan Amendment, and the Zone Map Amendment to R-4 will further support the development of this area in Rio Rancho while meeting the intent of the Paseo Gateway Master Plan and Rio Rancho Comprehensive Plan. It will provide consistency of zoning and single ownership, which will expedite development of the parcels. The replat of the existing parcels is consistent with the 2016 Paseo Gateway State Land Office Drainage Master Plan and will provide

flexibility for future development. Based upon the justification provided, we respectfully request that the Rio Rancho Planning and Zoning Board recommend approval of this request. Please feel free to contact me at (505) 764-9801 with any questions that you might have.

Sincerely,



James K. Strozier, FAICP
Principal

The City of Rio Rancho

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

June 6, 2025

RE: **Zone Map Amendment/Master Plan Amendment/Master Plan**
Case No. 25-100-00004/#25-410-00003/#25-400-00002
Paseo Gateway & Cleveland Heights

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, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment, a Master Plan Amendment to the Paseo Gateway Master Plan, and approval of the Cleveland Heights Master Plan. The Zone Map Amendment is for PG, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4. The amendment to the Paseo Gateway Master Plan is to remove the State Land Office parcels from the existing plan. The parcels will be reworked into the new Cleveland Heights Master Plan.

The **Planning and Zoning Board** will consider the request on **Tuesday, June 24, 2025** at 6:00 pm in the **Council Chambers** and **Virtually** as a hybrid meeting, through the **Zoom link and number below.**

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

If you would like to comment on this application, you are encouraged to send in comments in writing, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.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=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

Please do not hesitate to contact me via e-mail me at lruizcarlos@rrnm.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.rrnm.gov, the Friday before the hearing.

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

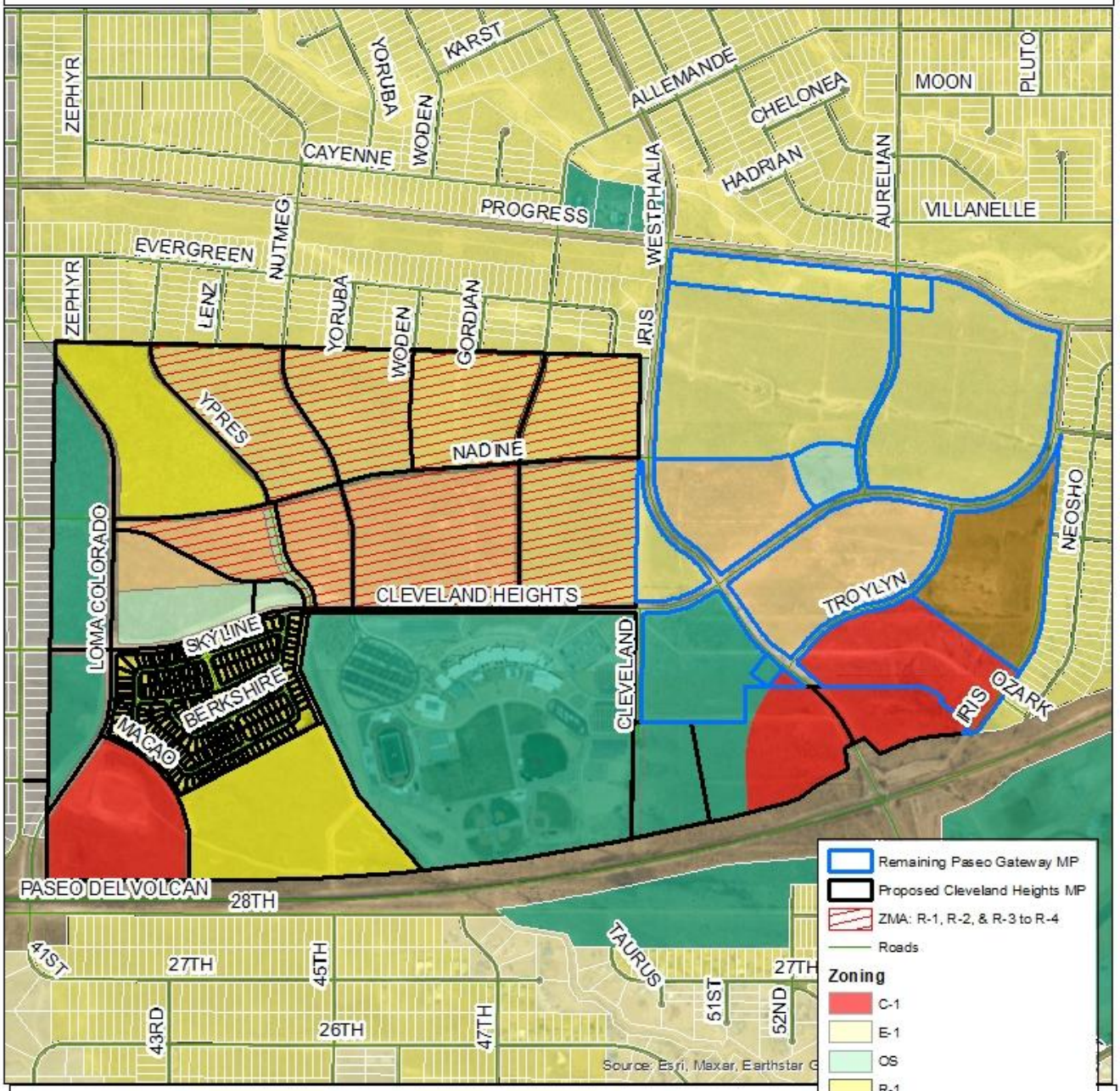
Respectfully,

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

The City of Rio Rancho

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

PASEO GATEWAY (MASTER PLAN AMENDMENT)
CLEVELAND HEIGHTS (NEW MASTER PLAN)
ZONE MAP AMENDMENT: R-1, R-2, & R-3 RESIDENTIAL TO R-4: SINGLE-FAMILY RESIDENTIAL DISTRICT



0 395 790 1,580 2,370 3,160 Feet

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 Tamarah Martinez on 6/6/2025

City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, June 24, 2025:

Zone Map Amendment
Request #25-100-00006
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., requests approval of a Zone Map Amendment to extend the Renewable Energy Overlay Zone to the subject properties legally described as Lands of Quail Ranch, Tracts 1-A, 2-C and 2-D. The subject properties comprise approximately 2,836 acres.

Master Plan Amendment
Request #25-410-00004
The applicant, Atrisco Solar II LLC, c/o Clenera, LLC, through their agent, Consensus Planning, Inc., is also requesting approval of an amendment to the Quail Ranch Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject properties.

Zone Map Amendment
Request #25-100-00001
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment for PG, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4.
The subject property consists of 228 acres.

Master Plan
Request #25-410-00003
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of the Cleveland Heights Master Plan.

Master Plan Amendment
Request #25-400-00002
The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Master Plan Amendment to the Paseo Gateway Master Plan, to remove the State Land Office parcels from the existing plan.

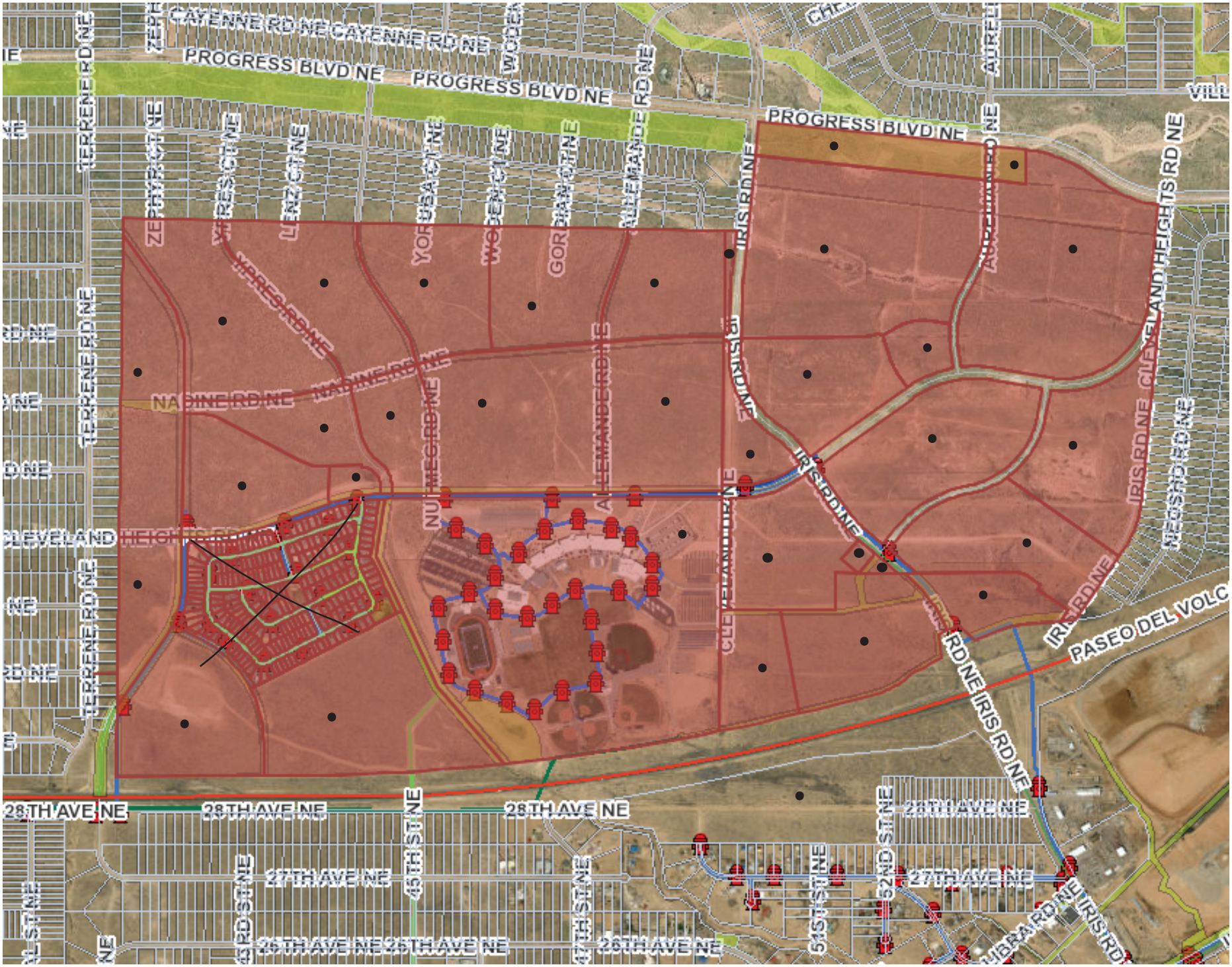
Zone Map Amendment
Request #25-100-00002
The applicant, Cielo Bonito, LLC requests approval of a Zone Map Amendment of approximately 50.442 acres from TZ: Transitional Zoning to R-3: Mixed Residential, for the property legally described as, Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70

Master Plan
Request #25-400-00001
The applicant, Cielo Bonito, LLC requests approval of the Cielo Bonito Master Plan at the location legally described as Unit 12, Block 22, Lots 7-31 and 45-48, Block 24, Lots 3-10, 14-18, Lots 20-23, 28-32, 38, 42-49 and 50-64 and Block 24, Lots 44-49, 55-56, 58-59, and 60-70. Concurrent with this request is a Zone Map Amendment request for approximately 50.442 acres from TZ Transitional Zoning to R-3, Mixed Residential.

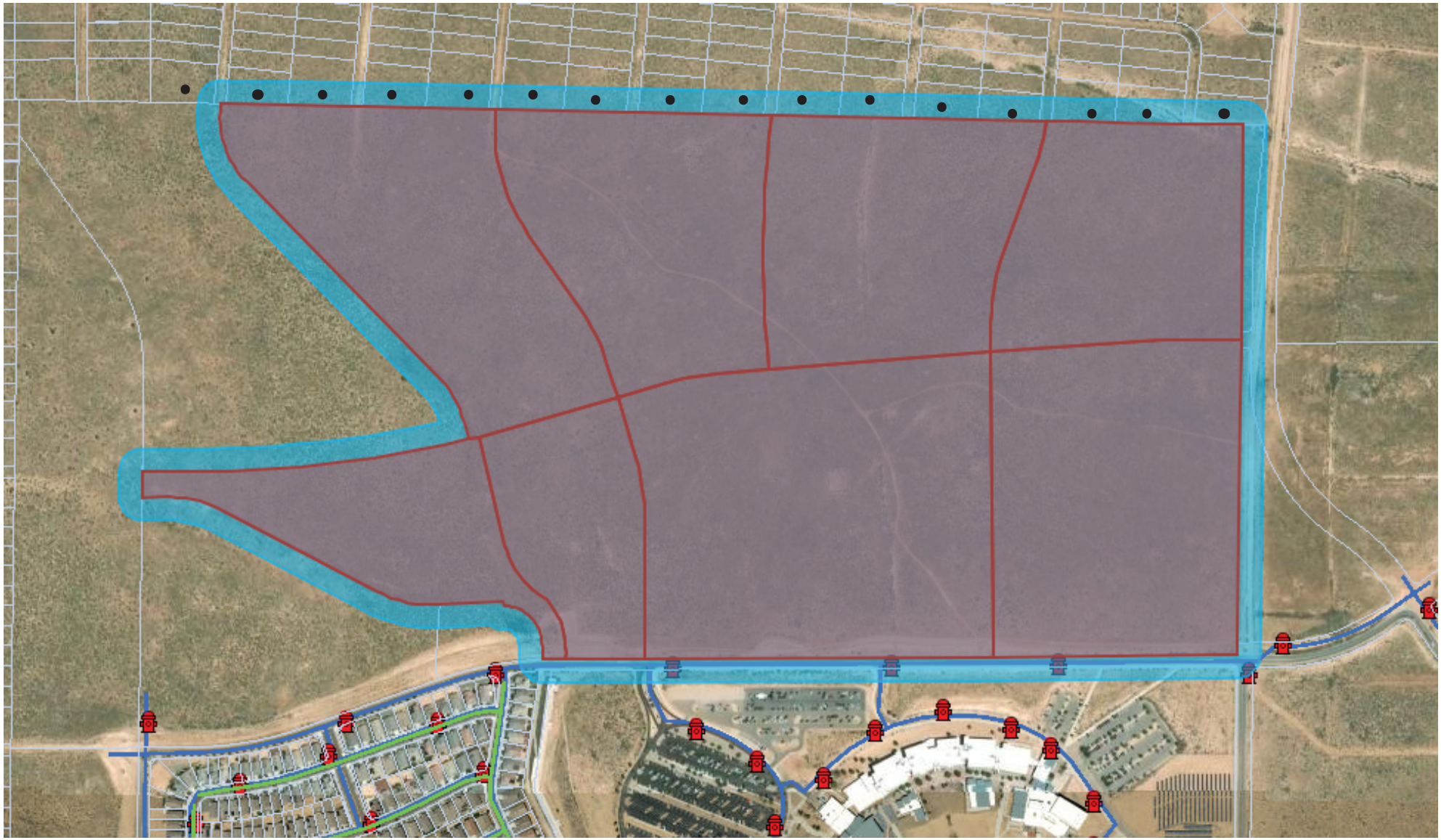
The meeting is scheduled for 6 pm in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

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

Journal: June 9, 2025



NOTICE MAP: × • - FIRST CLASS MAIL TO OWNERS



- ADDITIONAL MAILOUTS TO PROPERTIES WITHIN 100FT of ZMA

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: April 4, 2025

TO:
(X) Development Services –David Serrano, Amy Rincon, Peter Prukop
(X) Fire and Rescue – Brian Johnson
(X) Police - Justin Garcia
(X) SSCAFCA – Andy Edmondson, Sara Rassa
(X) Parks and Recreation - Dyane Sonier
(X) Rio Rancho Public Schools – Michael Baker
(X) MRCOG – Peach Anderson-Tauzer

FROM: **Development Services Department, Planning & Zoning Division**

RE: Zone Map Amendment/Master Plan Amendment/Master Plan: DSD #25-100-00004/#25-410-00003/#25-400-00002

The applicant, Paseo Gateway, LLC., through their agent, Consensus Planning Inc., requests approval of a Zone Map Amendment, a Master Plan Amendment to the Paseo Gateway Master Plan, and approval of the Cleveland Heights Master Plan. The Zone Map Amendment is for PG, Tracts 10A, 10C, and 8, from R-3 to R-4; Tracts 11, 7, and 4, from R-2 to R-4; and Tracts 5 and 6 from R-1 to R-4. The amendment to the Paseo Gateway Master Plan is to remove the State Land Office parcels from the existing plan. The parcels will be reworked into the new Cleveland Heights Master Plan.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Monday, April 14, 2025**. If redline comments are made on the application, please also provide me with a copy. Please contact Liz Ruiz Carlos at 505-896-8785 or e-mail lruizcarlos@rrnm.gov if you have any questions or would like to review a hard copy at my office.

This item has been reviewed and is hereby:
(_) RECOMMENDED FOR APPROVAL
( ) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
(_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

Please ensure all design and discharge assumptions align with the attached agreement for discharging into the SSCAFCA facility.

- Free discharge into the SSCAFCA facility is not permitted. Per the agreement with SSCAFCA, the allowable peak discharge and runoff volume for the Paseo Gateway Development are limited to 492 cfs and 45.4 acre-feet, respectively. Refer to Exhibit B.
- The agreement covers a total development area of 0.41 square miles (~262.4 acres). Please refer to Exhibit B – Figure 2 in the agreement for the extents of the development area.

Sara Rassa Digitally signed by Sara Rassa Contact Info: srassa@sscafca.com

Reviewer

4/10/25

Date

FLOOD CONTROL COST SHARE AGREEMENT
Upper Venada Off-Channel Facility

THIS FLOOD CONTROL COST SHARE AGREEMENT ("AGREEMENT") is made this day August 18, 2023 ("EFFECTIVE DATE"), by and between the Southern Sandoval County Arroyo Flood Control Authority, New Mexico, a political subdivision of the State of New Mexico (hereinafter "SSCAFCA"), and AMREP Southwest Inc., a New Mexico corporation (hereinafter "DEVELOPER").

RECITALS

WHEREAS, SSCAFCA is empowered and directed to acquire, equip, maintain, and operate a flood control system for the benefit of the authority and the inhabitants thereof, pursuant to NMSA 1978, Sections 72-19-1 through 72-19-103, and

WHEREAS, DEVELOPER is developing certain lands within the City of Rio Rancho, New Mexico ("CITY") generally described as a portion of Paseo Gateway, and more specifically including:

> Tracts numbered 19, 20, 22, 23, 25, 26, 28, Parcel B, Lots numbered 1 through 11, inclusive, in Block numbered 204 and Lots numbered 1 through 11, inclusive, in Block numbered 205, as the same are shown and described on the plat entitled "PASEO GATEWAY TRACTS 19 TRU 28 AND PARCEL B, A REPLAT AND VACATION OF PORTIONS OF UNIT TWENTY, within Section 33, Township 13 North, Range 3 East, New Mexico Principal Meridian, City of Rio Rancho, Sandoval County, New Mexico" filed for record on December 3, 2008, in vol. 3, folio 2982-A (Rio Rancho Estates Plat Book No. 21, Pages 125-128, in Sandoval County, New Mexico.

(hereinafter "DEVELOPMENT"), and

WHEREAS, DEVELOPER and SSCAFCA have previously executed a Drainage Agreement dated July 16, 2020 ("DA") for construction of a flood control pond on SSCAFCA's property for the discharge of storm water from the DEVELOPMENT, paid for by DEVELOPER and operated by SSCAFCA, and

WHEREAS, all conditions by both parties have been met from the DA with the exception of the construction of the flood control facility and DEVELOPER and SSCAFCA desire to terminate the DA and replace it with this AGREEMENT, and

WHEREAS, SSCAFCA is planning to construct the Upper Venada Off-Channel Facility on Tract H in a manner consistent with the conceptual layout reflected in Conceptual Layout for Tract H Detention Ponds, attached hereto as Exhibit A ("PROJECT"), to address regional flood control and storm water drainage, including from the final DEVELOPMENT. "Tract H" means Tract H, as the same is shown and designated on the plat entitled "Blocks 119 Thru 134, Portions of Blocks 88 and 89, Reserved Tracts "H" & "I", Unit Twenty, Rio Rancho Estates, Sandoval County, New Mexico," recorded in the office of the County Clerk of Sandoval County, New Mexico on June 19, 1972 in Rio Rancho Estates Plat Book No. 2, Page 59. Final drainage volumes from the DEVELOPMENT to the PROJECT shall be based on the land treatments identified in Potential Impacts of the Proposed Paseo Gateway Development on Peak Discharge and Runoff Volume Contributions to the Venada Arroyo, attached hereto as Exhibit B. SSCAFCA is currently assembling financial resources needed for PROJECT design and construction, including a financial contribution from DEVELOPER.

NOW, THEREFORE, for good and adequate consideration, the receipt of which is hereby acknowledged, SSCAFCA and DEVELOPER agree as follows:

1. **Termination of DA.** The DA is hereby terminated as of the EFFECTIVE DATE and all provisions of the DA that do not by their terms survive such termination are no longer in effect. Notwithstanding the prior sentence, the DA may be reinstated (and all terms in the DA shall be in effect following such reinstatement) pursuant to Section 4(e) of this AGREEMENT.

2. **Financial Contribution.** Subject to the terms of this AGREEMENT, DEVELOPER agrees to contribute $623,000 to the ultimate construction cost incurred by SSCAFCA for construction of the PROJECT ("FINANCIAL CONTRIBUTION"). Other than the FINANCIAL CONTRIBUTION, SSCAFCA shall be solely responsible for all of the fees, costs and expenses of the PROJECT.

3. **Procedures and Project Compliance**.

    a. The FINANCIAL CONTRIBUTION shall be paid as follows:

        i. DEVELOPER will pay 25% of the FINANCIAL CONTRIBUTION to SSCAFCA within 30 days of SSCAFCA providing DEVELOPER with notice that SSCAFCA has issued a notice to proceed to the prime construction contractor responsible for the PROJECT.

        ii. DEVELOPER will pay an additional 25% of the FINANCIAL CONTRIBUTION to SSCAFCA when the construction contractor for the PROJECT reaches 50% completion (as determined by the date on which the prime construction contractor responsible for the PROJECT reaches 50% of such contractor's pay application under its contract with SSCAFCA) Such payment will be due within 30 days of SSCAFCA notifying DEVELOPER of the occurrence of the 50% completion benchmark and providing DEVELOPER with invoices from SSCAFCA's construction contractor for the services underlying such benchmark.

        iii. DEVELOPER will pay the remaining 50% of the FINANCIAL CONTRIBUTION within sixty (60) days after the date SSCAFCA issues DEVELOPER a Substantial Completion certificate and DEVELOPER verifies that all components of the PROJECT contained in such certificate are accurate.

    b. Without limiting any other provision of this AGREEMENT, SSCAFCA shall design, construct, operate and maintain the PROJECT in compliance with all applicable governmental laws, ordinances, rules or other requirements governing the PROJECT and in a capacity to accept drainage from the DEVELOPMENT in the minimum amount equivalent to a 100-year, 24-hour recurrence interval storm calculated using the assumptions and figures provided by SSCAFCA in Exhibit B attached hereto. Notwithstanding DEVELOPER's payment of any portion of the FINANCIAL CONTRIBUTION, SSCAFCA shall at all times remain solely liable for the design, construction, operation and maintenance of the PROJECT. Offsite drainage that would naturally flow through the DEVELOPMENT to the Venada Arroyo shall be diverted to the Venada Arroyo upstream of the PROJECT by the DEVELOPER. In addition to drainage from the DEVELOPMENT, the PROJECT is a regional flood control facility that will be designed to manage stormwater from the Venada watershed west of the PROJECT.

4. **Drainage Allowance:**
    a. In consideration for the FINANCIAL CONTRIBUTION, DEVELOPER will be allowed to divert and discharge storm water from the DEVELOPMENT to the PROJECT as soon as is reasonably practicable following payment of the FINANCIAL CONTRIBUTION and in the vicinity of the location marked with an "X" on Exhibit A hereto, unless DEVELOPER and SSCAFCA agree to a different location in writing.

    b. DEVELOPER shall design the drainage plan for the DEVELOPMENT to limit the drainage from the DEVELOPMENT to the PROJECT to a 100-year, 24-hour recurrence interval storm calculated using the assumptions and figures provided by SSCAFCA in Exhibit B attached hereto.

    c. SSCAFCA shall not be responsible for design and construction of any storm water infrastructure or energy dissipation required to discharge from the DEVELOPMENT to the PROJECT.

    d. If DEVELOPER, in its discretion, adds additional property to the DEVELOPMENT during the term of this AGREEMENT, the term "DEVELOPMENT" herein will refer to the DEVELOPMENT as increased by such property without the need to separately amend this AGREEMENT.

    e. Notwithstanding anything to the contrary in this Agreement:

        i. In the event that the PROJECT is not under contract for construction by August 31, 2025, the DA shall be reinstated between the parties, and this AGREEMENT shall automatically terminate; and

        ii. In the event that SSCAFCA does not complete the PROJECT in accordance with its contract for construction or if DEVELOPER is unable to connect to the PROJECT when it is complete for reasons directly related to SSCAFCA's design or construction of the PROJECT, SSCAFCA shall immediately return all portions of the FINANCIAL CONTRIBUTION paid to SSCAFCA, the DA shall be reinstated between the parties and this AGREEMENT shall automatically terminate.

5. **Assignment**. No party to this AGREEMENT shall assign this AGREEMENT, in whole or in part, without prior written consent of the other party. No assignment of this AGREEMENT shall relieve DEVELOPER of any of its obligations unless the assignee/successor in interest has demonstrated it is equally or more capable of performing the duties and obligations of DEVELOPER and it has the financial wherewithal to complete the obligations required of DEVELOPER in this AGREEMENT, as determined in SSCAFCA's sole discretion, at the time of such assignment. No such assignment shall be effective until all obligations under this AGREEMENT have been assumed by the assignee and the notice of such assignment, together with a copy of the assumption, have been received and approved by SSCAFCA. Notwithstanding anything to the contrary in this Agreement: (a) DEVELOPER may assign its rights and/or obligations under this AGREEMENT to a subsidiary or affiliate of DEVELOPER upon written notice to SSCAFCA, and SSCAFCA's consent will not be required for any such assignment; (b) DEVELOPER may assign its rights and/or obligations under Paragraph 4 hereof, in whole or in part, to any person or entity taking ownership of all or any portion of the DEVELOPMENT, and SSCAFCA's consent will not be required for any such assignment; and (c) any such assignment will not relieve DEVELOPER of its obligation to pay the FINANCIAL

CONTRIBUTION pursuant to the terms in Sections 2 and 3 of this AGREEMENT.

6. **Binding Effect.** The terms and provisions of this AGREEMENT, together with the documents referenced herein, share inure to the benefit of and be binding upon the successors and assigns of each of the parties hereto.

7. **Governing Law.** This AGREEMENT shall be governed by and construed in accordance with the laws of the State of New Mexico.

8. **Authority.** Each individual signing for each of the parties hereunder warrants and represents that he/she is an authorized agent of such party, on whose benefit he/she is executing this AGREEMENT and is authorized to execute the same.

9. **No Joint Venture.** Nothing in this AGREEMENT shall create any association, agency, partnership or joint venture between the parties hereto and neither shall have any authority to bind the other in any way.

10. **Construction and Severability.** If any part of this AGREEMENT is held invalid or unenforceable, the reminder of the AGREEMENT will remain valid and enforceable if the remainder is reasonably capable of completion.

11. **Attorney's Fees.** In the event that either party shall employ an attorney or attorneys to enforce any of the provisions hereof or to protect its interests in any manner arising under this AGREEMENT or to recover damages from the breach of any portion of this AGREEMENT, the non-prevailing party in any action pursued, to the extent allowed by law, agrees to pay the prevailing party all reasonable costs, damages and expenses, including, attorney's fees expended or incurred in connection therewith.

12. **Indemnity and Limitations on Liability**.

    DEVELOPER shall indemnify, defend and hold harmless SSCAFCA and each officer and employee of SSCAFCA from and against any and all liability, claims, damages, losses or expenses (including attorneys' fees and expenses) ("DAMAGES") incurred by or asserted against SSCAFCA or any officer or employees of SSCAFCA caused by, resulting from or in connection with DEVELOPER's failure to comply with Section 4(b) of this Agreement. The prior sentence shall survive the expiration or termination of this AGREEMENT, except to the extent that the terms of the DA are reinstated pursuant to Section 4(e) herein, then the prior sentence shall not survive termination of this AGREEMENT; provided, however, that DEVELOPER shall not be in any way responsible for any DAMAGES directly attributable to portions of the DEVELOPMENT sold or transferred to persons or entities other than DEVELOPER from and after the respective dates of any such sales or transfers.

    SSCAFCA, to the extent permitted by law, shall indemnify, defend and hold harmless DEVELOPER, any of its affiliates and each officer and employee of DEVELOPER or any of its affiliates from and against any and all DAMAGES incurred by or asserted against DEVELOPER, any of its affiliates or any officer or employees of DEVELOPER or any of its affiliates caused by, resulting from or in connection with SSCAFCA's failure to comply with Section 3(b) of this Agreement. The prior sentence shall survive the expiration or termination of this AGREEMENT, except to the extent that the terms of the DA are reinstated pursuant to

Section 4(e) herein, then the prior sentence shall not survive termination of this AGREEMENT.

The liability of the Parties shall be subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act §41-4-1 *et seq*. NMSA 1978 as amended. No provision of this Agreement establishes any waiver of immunity for alleged tortious conduct of any employee of any Party arising from the performance of this Agreement apart from that set forth in the New Mexico Tort Claims Act, NMSA 1978, §41-4-1, *et seq*.

13. **Notice**. All notices with respect to this AGREEMENT shall be in writing and shall be delivered via (i) receipted hand delivery; (ii) postage prepaid United States Mail, via certified mail, return receipt requested; or (iii) receipted overnight delivery, delivery fees prepaid, to the addresses set forth below or other such addresses as hereafter specified in writing by one party to the other:

SSCAFCA:
Executive Engineer
1041 Commercial Drive SE
Rio Rancho, NM 87124
dgatterman@ssafca.com

DEVELOPER:
AMREP Southwest Inc.
Attn: Vice President, Land Development
409 NM Highway 528 NE
Rio Rancho, NM 87124

With a required copy (which shall not constitute notice) to:
AMREP Corporation
Attn: President
850 West Chester Pike, Suite 205
Havertown, PA 19083

Any notice or communication given hereunder shall be deemed to have been given: (i) as of the date of delivery, if hand delivered; (ii) as of three (3) days following the date of delivery to the United States Postal Service, if sent by U.S. Mail; or (iii) as the day following the date of delivery to an overnight courier service, if sent by overnight delivery.

14. **Entire Agreement.** This AGREEMENT constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, and there are no warranties, representatives or other agreements among the parties in connection with the subject matter hereof except as specifically set forth herein. This AGREEMENT can be amended or terminated only by written agreement signed by all parties. This AGREEMENT may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this AGREEMENT delivered by facsimile, e-mail or other means of electronic transmission (to which a signed PDF copy is attached) shall be deemed to have the same legal effect as delivery of an original signed copy of this AGREEMENT. Either party may copy this completed AGREEMENT for electronic storage, at which time the paper form of this AGREEMENT may be destroyed. Each party agrees that following the electronic storage of this AGREEMENT, any hardcopy printout of that electronically stored information will constitute an original of this AGREEMENT.

[Signatures and acknowledgments on following pages]

IN WITNESS WHEREOF, DEVELOPER and SSCAFCA hereto have executed this AGREEMENT as of the EFFECTIVE DATE.

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY:

By: Ron Abramshe
Ron Abramshe, Chair

Date: Aug. 17, 2023

ATTEST:

David Gatterman, P. E., Executive Engineer

ACKNOWLEDGMENT

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

This instrument was acknowledged before me on August 17, 2023 by Ron Abramshe, Chair of Southern Sandoval County Arroyo Flood Control Authority, a political subdivision of the State of New Mexico, on behalf of said political subdivision.

My Commission Expires:

3/14/26
(SEAL)

Notary Public

CARLA SALAZAR
Notary Public - State of New Mexico
Commission # 1137598
My Comm. Expires Mar 14, 2026

DEVELOPER – AMREP SOUTHWEST INC.:

By: _____
Name: Jarrod Likar
Title: Vice President, Land Development

Date: 8/17/23

ACKNOWLEDGMENT

STATE OF NEW MEXICO)
) SS
COUNTY OF SANDOVAL)

This instrument was acknowledged before me on 8/17, 2023 by Jarrod Likar, Vice President, Land Development of AMREP Southwest Inc., a New Mexico corporation, on behalf of said corporation.

My Commission Expires: 3/14/26

CARLA SALAZAR
Notary Public - State of New Mexico
Commission # 1137598
My Comm. Expires Mar 14, 2026

(SEAL)

_____
Notary Public

EXHIBIT A
PROJECT CONCEPTUAL LAYOUT

EXHIBIT "A"

May 15, 2023

Approximate connection point for stormdrain from Paseo Gateway development

1:15,122

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

Esri Community Maps Contributors, New Mexico State University, City of Rio Rancho, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph

EXHIBIT B

POTENTIAL IMPACTS OF THE PROPOSED PASEO GATEWAY DEVELOPMENT ON PEAK DISCHARGE AND RUNOFF VOLUME CONTRIBUTIONS TO THE VENADA ARROYO

Potential Impacts of the Proposed Paseo Gateway Development on Peak Discharge and Runoff Volume Contributions to the Venada Arroyo

March 7, 2023

The purpose of this analysis is to determine the cost contribution level for the developer (AMREP) to SSCAFCA's planned upper Venada stormwater detention facility. The analysis is not a substitute for a formal drainage submittal as required by the City of Rio Rancho. Any increase in runoff volume or flow rate identified in this document will be the responsibility of the development to manage. An overview map of the project location can be seen in Figure 1.

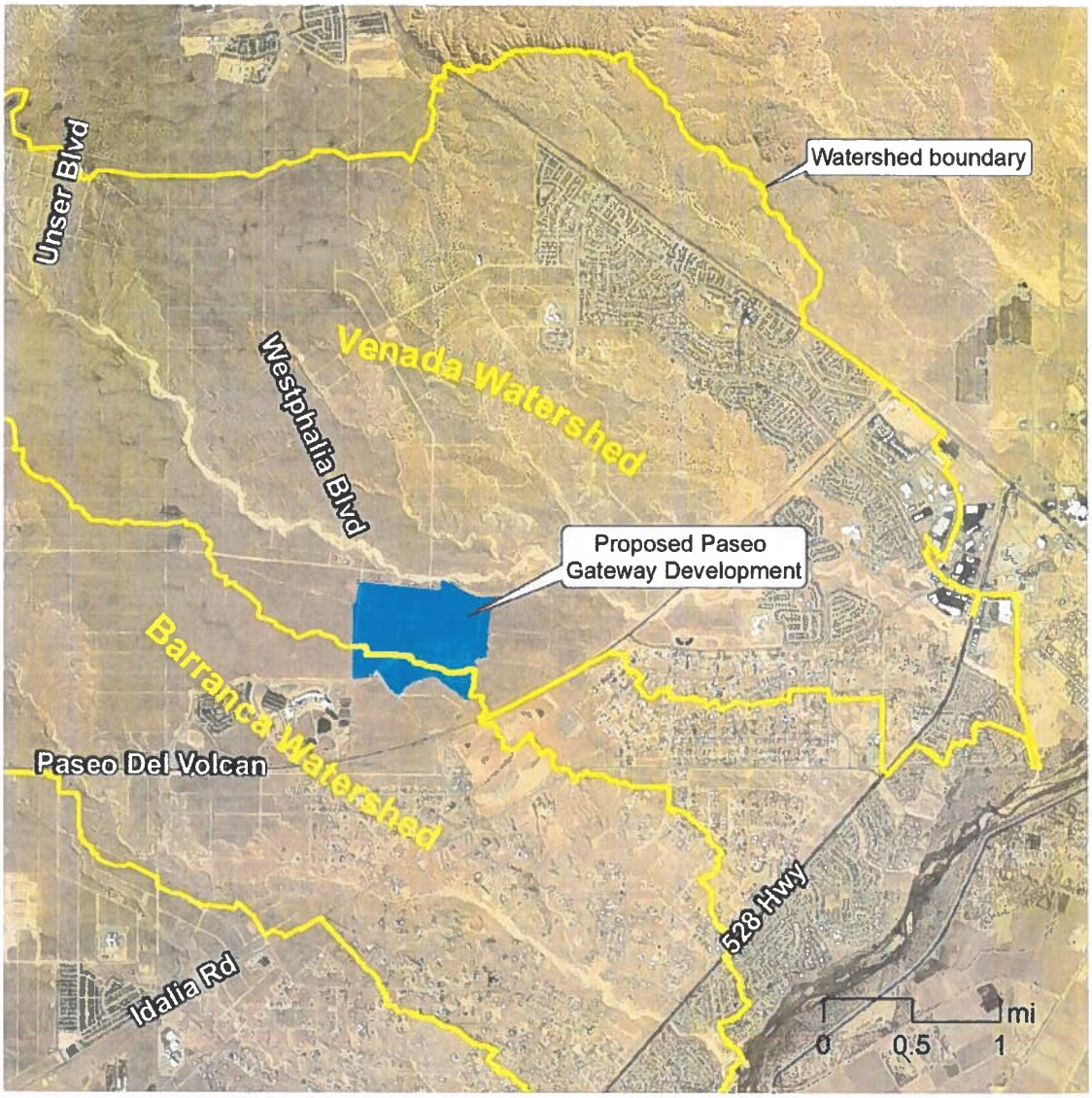


Figure 1: Overview map showing the location of the proposed Paseo Gateway development (shaded blue) within the Venada watershed (yellow outline).

The area in question encompasses approximately 0.41 square miles. Under current conditions, about 78% of the project area contributes flow to the Venada Arroyo; the remainder of the area is part of the Barranca watershed. The proposed development would therefore divert 0.09 square miles north to the Venada watershed. Potential impacts on peak flow and runoff volume contributions to the Venada Arroyo were assessed using HEC-HMS version 4.10 based on methods specified in SSCAFCA's Hydrology Manual v1.1.

Model assumptions are documented below.

Assumptions:

Existing Conditions

- The existing conditions scenario assumes that 0.32 square miles of the project area drain to the Venada Arroyo.
- The entire area is undeveloped (curve number = 74, no impervious surfaces).
- The area was modeled as a single basin.
- A sediment bulking factor of 1.18 was used.
- Lag time was estimated at 20 min.

Developed Conditions

- The developed conditions scenario assumes that 0.41 square miles of the project area drain to the Venada Arroyo.
- The area was modeled as a single basin.
- A sediment bulking factor of 1.06 was used.
- Lag time was estimated at 23 min.
- Land use densities for the project area are based on information obtained by SSCAFCA from the developer, AMREP Southwest, as shown in Figure 2.
- Land use categories and associated loss parameters are contained in Table 1. Values for directly connected impervious areas (DCIA) and curve numbers (CN) were based on analogous areas within the City of Rio Rancho (see Table 1 – justification for details).
- Based on the values shown in Table 1, 39% DCIA and a composite curve number of 85 were assumed for developed conditions.

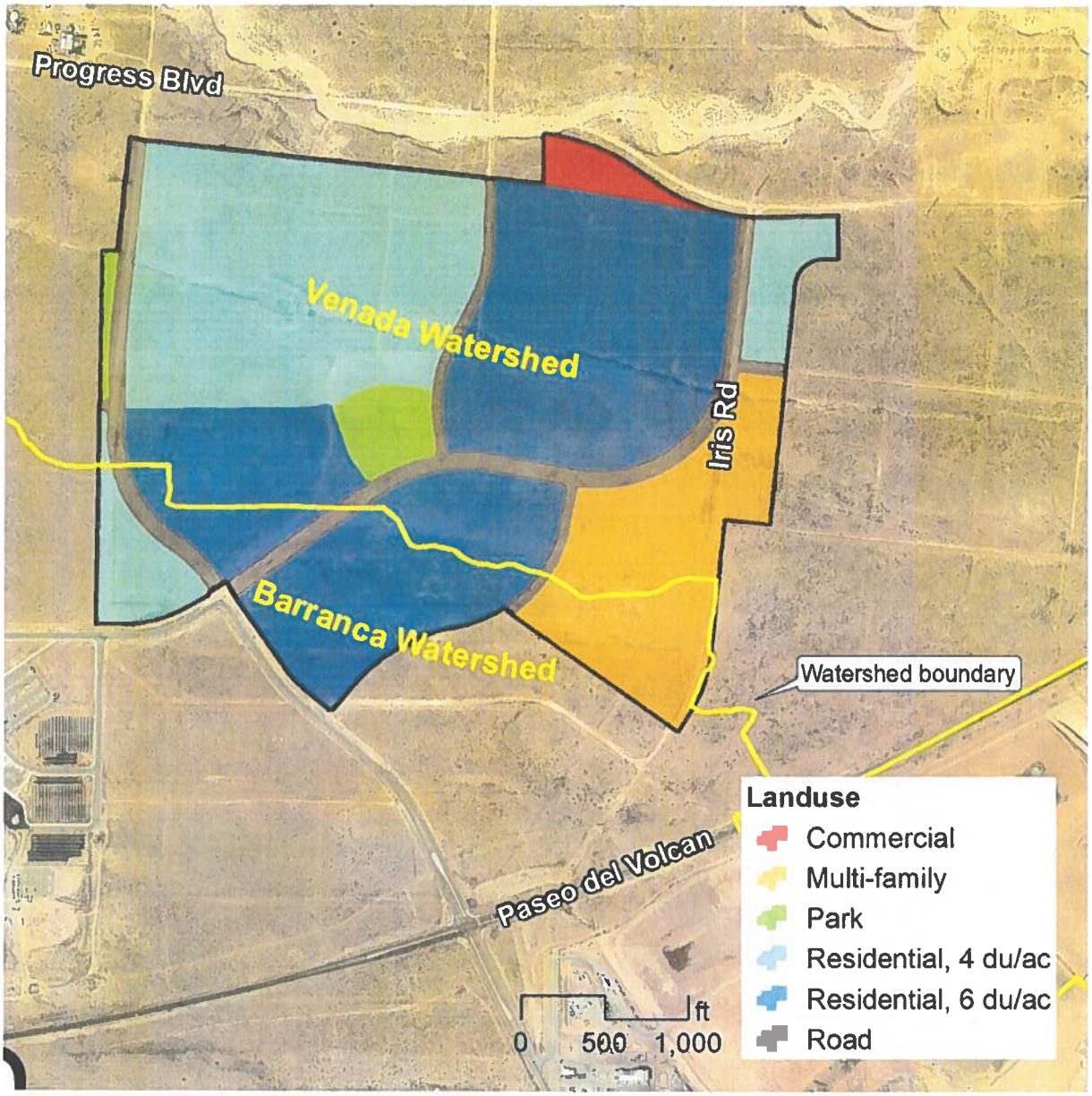


Figure 2: Land use densities used for the developed conditions scenario of the Paseo Gateway model.

Table 1: Land use categories and associated loss model parameters.

Land use	Area (ac)	% DCIA	CN	Justification
Commercial	4.2	85	77	Assumes 85% DCIA, remainder is natural desert landscaping (CN=77)
Multi-family	35.8	85	74	
Park	7.1	0	74	Equivalent to open space
Residential, 4 du/ac	81.7	21	84	Based on Northern Meadows subdivision; 22% disconnected impervious (CN=98), 10% road ROW (CN=92), 43% residential yard (CN=80), 25% open space (CN=74)
Residential, 6 du/ac	113.7	26	87	Based on High Range subdivision; 32% disconnected impervious (CN=98), 14% road ROW (CN=92), 46% residential yard (CN=80), 8% open space (CN=74)
Road	22.5	100		

Results

Table 2 lists runoff results based on the 100-year 24-hour design storm and the assumptions listed above. Estimated runoff values reported in this document are for regional planning purposes only. Loss model parameters (%DCIA, CN) were estimated based on areas with similar land use densities in the City of Rio Rancho. Substantial deviations from those assumptions will require re-analysis of the area, as will changes to the contributing area.

Table 2: Projected runoff volumes and peak flows from the Paseo Gateway area for existing and developed conditions.

Basin	Area (mi^2)	Peak discharge (cfs)	Runoff volume (ac-ft)
PG_exisiting	0.3231	163	13.4
PG_developed	0.4140	492	45.4

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

AN ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR THE PROPERTY LEGALLY DESCRIBED AS PASEO GATEWAY, TRACTS 10A, 10C, AND 8, FROM R-3: MIXED-RESIDENTIAL TO R-4: SINGLE-FAMILY RESIDENTIAL; TRACTS 11, 7, AND 4, FROM R-2: SINGLE-FAMILY RESIDENTIAL TO R-4: SINGLE-FAMILY RESIDENTIAL; AND TRACTS 5 AND 6, FROM R-1: SINGLE-FAMILY RESIDENTIAL, TO R-4: SINGLE-FAMILY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject properties has been submitted by the City of Rio Rancho, and assigned City Case No. 24-100-00004; and

WHEREAS: the Governing Body of the City of Rio Rancho adopted the Cleveland Heights Master Plan on July 24, 2025 under Resolution No. __, Enactment No. 25-__; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on June 26, 2025, regarding proposed changes to the Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

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

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of Rio Rancho on July 24, 2025 and the Governing Body heard interested parties and citizens for an against the proposed amendments; and

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings related to the subject property and

determining the proposed amendment is consistent with the policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendments promote the health, safety, morals, and general welfare of the City;

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

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

A. The Official Zone Ordinance is hereby amended by assigning a zoning designation on approximately 215.222 acres from R-3: Mixed-Residential District, R-2: Single-Family Residential, and R-1: Single-Family Residential, to R-4: Single-Family Residential, on the lands legally described as:

Paseo Gateway, Tracts 10A, 10C, 8, 7, 11, 4, 5, and 6, as shown on the plat entitled “PASEO GATEWAY, PARCEL A, TRACTS 1 THRU 9, 10A, 10B, 10C, 11 THRU 18, A AND B-1A, A REPLAT OF PORTIONS OF TRACT C IN THE TOWN OF ALAMEDA GRANT, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO” filed in the office of the County Clerk of Sandoval County, New Mexico on November 14, 2008 (RRE Book 21, Pages 121-124).

B. The City Comprehensive Plan, Generalized Land Use Map (GLUM), Map L-2 is hereby amended in the land described in Section 1A above, as a "Low/Medium Density Residential" land use.

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

A. The property identified in Section 1, above, is subject to all requirements of the R-4: Single-Family Residential District set forth in R.O. 2003 Section 154.11 (as of the effective date of the ordinance or as subsequently amended).
B. The property identified in Section 1, above, is subject to all requirements, regulations, and design standards of the Cleveland Heights Master Plan.

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

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

ADOPTED THIS _____DAY OF _____, 2025.

_____
Greggory D. Hull, Mayor

ATTEST:

_____

Noel C. Davis, City Clerk
(SEAL)