Planning and Zoning Board Meeting
City of Rio Rancho
AGENDA
August 26, 2025
6:00 PM
City Hall

BOARD MEMBERS

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

MEETING INFORMATION

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

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

Meeting ID: 851 8074 1871

Passcode: 026819

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

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

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

1. August 12, 2025 Planning and Zoning Board Meeting Minutes
2025-0812 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, Affordable Solar Group, LLC, through their agent, Select ROW, requests approval of an Addendum to the Loma Barbon Master Plan allowing for the implementation of a Renewable Energy Overlay District to an 80 acre portion of the Master Plan area. Staff contact is Ben Isaacs and staff recommends approval with findings and conditions.
Zoning & Location Map.pdf
Land Use Application.pdf
Letters of Authorization.pdf
Justification Letter.pdf
Loma Barbon Master Plan Addendum.pdf
Exhibit A: Area Map.pdf
Exhibit B: Site Location.pdf
Reproduction of Notifications.pdf
Draft_Resolution_25-410-00005_BMB.docx

3. **Zone Map Amendment.** The applicant, Affordable Solar Group, LLC, through their agent, Select ROW, requests approval of a Zone Map Amendment for 80 acres of the property legally described as Loma Barbon, Tract B, to implement a Renewable Energy Overlay District. Staff contact is Ben Isaacs and staff recommends approval with findings and conditions.
Zoning & Location Map.pdf
Land Use Application.pdf
Letters of Authorization.pdf
Justification Letter.pdf
Loma Barbon Master Plan Addendum.pdf
Exhibit A: Area Map.pdf
Exhibit B: Site Location.pdf
Reproduction of Notifications.pdf
Draft_Ordinance_25-100-00007_BMB.docx

4. **Subdivision Variance.** The applicant, Southwest Elegant Homes LLC, through their agent CSI-Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements, in order to subdivide a lot at the subject property of 5601 Iris Road NE, legally described as Unit 17, Blk 81, Lot 20. Staff contact is Tamarah Martinez and staff recommends denial.
5601 Iris Rd NE Map.pdf
Application
Justification Letter
Letter of Determination for 5601 Iris Road NE Lot 20-a.pdf
Letter of Determination for 5601 Iris Road NE Lot 20-b.pdf
WarrantyDeed.pdf
Reproduction of Notices.pdf
Findings_of_Fact_BMB_TMupdate.docx

5. **Preliminary/Final Plat.** The applicant, Southwest Elegant Homes LLC, through their agent CSI-Cartesian Surveys, Inc, is requesting approval of a Preliminary/Final Plat to subdivide the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20 into two lots. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres. Staff contact is Tamarah Martinez and staff recommends denial.
Location Map
Application
Authorization

Proposed Plat
Reproduction of Notices.pdf

6. **Variance.** The Applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second permanent sign for Defined Pickleball, located at 1640 NM 528 SE, legally described as Hilltop Plaza, Tract B. The subject property is zoned SU: Special Use for C-1 Commercial Uses and comprises approximately 7.96 acres. Staff contact is Tim Dvorak, and staff recommends approval with findings and conditions.
Zoning, Location Map
Application & Sign Renderings
Authorization
Justification
Building Permit #25-3409
12-29 O-29
Reproduction of Notices, Legal Ad
Findings_of_Fact_.docx

7. **Zone Map Amendment.** The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. Staff contact is Tim Dvorak, and staff recommends the Planning & Zoning Board recommend denial of the Zone Map Amendment to the Governing Body, with findings.
Zoning, Location Map
Application & Justification
Proof of Ownership: U22, Block 89, Tract E
Reproduction of Notices, Legal Ad
Reviewer Comments
Draft_Ordinance_.docx

8. **Postponement.** The applicant, City of Rio Rancho Public Works, through their agent Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat for the subject properties legally described as Unit 21, Block 13, Lots 1 and 2, and Unit 21, Block 20, Parcel D and Lot 48. The plat combines the four existing properties into two lots, dedicates a portion of Right of Way (ROW), and relocates PUE's. Staff contact is Liz Ruiz Carlos and staff recommends the Planning and Zoning Board postpone the application to the meeting date certain of September 9, 2025, to allow for re-noticing.

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:
August 26, 2025

DEPARTMENT:
Development Services

SUBJECT:
August 12, 2025 Planning and Zoning Board Meeting Minutes

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Approval

ATTACHMENT: 2025-0812 PZB Minutes.docx

Planning and Zoning Board
of the
City of Rio Rancho

MINUTES

AUGUST 12, 2025
6:00 PM
Council Chambers, City Hall

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

1) July 22, 2025 Planning and Zoning Board Meeting Minutes

Lisa Hardisty moved to approve the Consent Calendar. Seconded by Andrea Hankins.
The motion carried by a vote of **5 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Robert Gabaldon, Andrea Hankins, Lisa Hardisty
NO: (None)

STAFF PRESENTATIONS, REPORTS AND COMMENTS

2) Update on the progress of the proposed Text Amendments to Chapter 155 Subdivisions, Sections: General Provisions, Platting Procedure, Design Standards, and Administration and Enforcement; and the Development Process Manual update.

Development Services Director, Amy Rincon provided a brief update on the development of the manual and pending meetings.

Planning and Zoning Manager, Brian Babyak provided information on upcoming New Mexico Municipal League trainings for the commissioners.

3) Planning and Zoning Monthly Building Activity Report – July 2025

4) Planning and Zoning Monthly Summary Plat Report – July 2025

PUBLIC HEARINGS

5) The applicants, Joseph and Teresa Damush, through their agent, Fusion Concepts LLC, requested approval of a Variance to the R-2: Single-Family Residential 15 ft. rear setback requirement for the construction of a pergola at the property located at 2956 Tierra del Luna Ave NE, legally described as Tierra Del Norte, Block 4, Lot 7.

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

Applicant Joseph Damush and agent, Marche Karger spoke on the item and stood for questions.

Lisa Hardisty moved to approve Item #5. Seconded by Kevin Kofchur.

Commissioner Kofchur expressed his appreciation to the applicant in gathering support for his variance. Applicant, Joseph Damush and staff member, Michelle Costilla answered questions from Commissioner Hankins and Vice-chair Gabaldon regarding consent from immediate neighbors and the HOA. Chairman Richardson's query on the responses were answered by Ms. Costilla and the applicants, Joseph and Theresa Damush.

The motion carried by a vote of **4 FOR** and **1 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Andrea Hankins, Lisa Hardisty
NO: Robert Gabaldon

6) The applicants, Ryan and Reoyne Cook, requested approval of a Variance to allow for a six-foot-high fence in the front setback at the property located at 3117 Cascades Tr SE, legally described as Cascades at High Resort, Block 1, Lot 19.

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

Applicant, Ryan Cook spoke on the item.

Kevin Kofchur moved to approve Item #6. Seconded by Lisa Hardisty.

Applicant, Ryan Cook read a letter of support into the record.
Commissioner Kofchur, Chairman Richardson and Commissioner Hardisty's questions were answered by the applicant, Ryan Cook.

The motion carried by a vote of **5 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Robert Gabaldon, Andrea Hankins, Lisa Hardisty
NO: (None)

7) The applicant, Michael A. Omlor, through their agent Silva Permits, requested approval of a Variance to Rio Rancho Code of Ordinances, Section 154.60 (A)(3)(a), for a roof pitch not meeting the requirement of a minimum slope of two and one-half inches in every 12 inches for the property located at 317 Northern Blvd NE.

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

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

Agent, Emmanuel Silva spoke on the item after being administered the oath virtually.

Robert Gabaldon moved to approve Item #7. Seconded by Andrea Hankins.

Development Services Director, Amy Rincon answered Commissioner Hardisty's question on whether there are plans for code changes addressing increased variances regarding these types of requests.

The motion carried by a vote of **5 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Robert Gabaldon, Andrea Hankins, Lisa Hardisty
NO: (None)

8) The applicant, Los Diamantes, LLC., through their agent, Isaacson & Arfman, Inc., requested approval of a Preliminary Plat Extension for the Los Diamantes Phase III Subdivision.

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

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

Lisa Hardisty moved to approve Item #8. Seconded by Andrea Hankins.

Agent, Justin Simonson answered Commissioner Hankins' question on the timeline.

The motion carried by a vote of **5 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Robert Gabaldon, Andrea Hankins, Lisa Hardisty
NO: (None)

9) The applicant, DR Horton, through their agent, Cartesian Surveys, requested approval of a Final Plat for the Cleveland Estates, Phase 1 Final Plat, on the property legally described as Paseo Gateway, Tract 17.

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

Agent, Amber Palmer stood for questions after being administered the oath virtually.

Kevin Kofchur moved to approve Item #9. Seconded by Lisa Hardisty.
The motion carried by a vote of **5 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Robert Gabaldon, Andrea Hankins, Lisa Hardisty
NO: (None)

10) The applicant, Cielo Bonito, LLC requested 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, 14-23, and 28-32; and Block 24, Lots 41-49, 51-56, 58-66, and 68-70. The request is to amend the zoning from TZ Transitional Zoning to R-3: Mixed Residential.

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

Agent, Nicosha Schedlbauer spoke on the item and stood for questions.

Member of the public, Louise Romero spoke on notifications and Development Services Director, Amy Rincon clarified the errors and subsequent corrections on those legal notifications.

After being administered the oath virtually, Jonathan Margate's lot was verified as not being part of the zone map amendment request.

Kevin Kofchur moved to approve Item #10. Seconded by Andrea Hankins.

Commissioner Hardisty expressed her concerns regarding checkerboard zoning to which agent Nicosha Schedlbauer provided feedback.

The motion carried by a vote of **4 FOR** and **1 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Robert Gabaldon, Andrea Hankins
NO: Lisa Hardisty

11) The applicant, Emil Landeros, through their agent, Scott Anderson, requested approval of a Site Plan for a 156-unit apartment complex at 1017 Rosarito Dr SE. The lot is legally described as Unit 16, Block 87, Lot 10-A, is zoned SU: Special Use, and consists of 5.99 acres.

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

Agent, Scott Anderson spoke on the item and stood for questions.

Lisa Hardisty moved to approve Item #11. Seconded by Andrea Hankins.

Vice-chair Gabaldon expressed his appreciation for the location of the project.

The motion carried by a vote of **5 FOR** and **0 AGAINST**
YES: Scottie Richardson, Kevin Kofchur, Robert Gabaldon, Andrea Hankins, Lisa Hardisty
NO: (None)

DISCUSSION AND DELIBERATION

COMMENTS BY BOARD MEMBERS

PUBLIC FORUM

ADJOURNMENT

Lisa Hardisty moved to adjourn the meeting. Seconded by Andrea Hankins.
Chairman Richardson adjourned the meeting at 7:18 PM.

APPROVED THIS 26th DAY OF AUGUST 2025.

_____
Scottie Richardson, Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-410-00005

AGENDA DATE:
August 26, 2025

DEPARTMENT:
Development Services

SUBJECT:
Master Plan Amendment. The applicant, Affordable Solar Group, LLC, through their agent, Select ROW, requests approval of an Addendum to the Loma Barbon Master Plan allowing for the implementation of a Renewable Energy Overlay District to an 80 acre portion of the Master Plan area. Staff contact is Ben Isaacs and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of an Addendum to the Loma Barbon Master Plan allowing for the implementation of a Renewable Energy Overlay District to an 80 acre portion of the Master Plan area. The Loma Barbon Master Plan was adopted on September 11, 2002 under Resolution No. 64, Enactment No. 02-063. Concurrent with this application is a request to allow for the Renewable Energy Overlay District (case #25-100-00007).

The request only includes the Addendum to allow for solar energy, see attached. No other parts of the Loma Barbon Master Plan are being amended. Future development of the subject property for renewable energy will require site plan review and approval by Governing Body.

The area proposed for the addendum and concurrent Overlay District consists of a mix of zoning districts: MU-A: Mixed Use Activity Center, C-1: Retail Commercial, PR: Parks and Recreation, OS: Open Space, and M-1: Industrial and Business Park District.

Approximately 35 acres of the proposed Overlay area is currently zoned M-1, which allows for the proposed solar renewable energy use. This M-1 area is located in the northwest most corner of Loma Barbon, adjacent to the southern boundary of the Mountain Hawk Master Plan Area (Mountain Hawk Unit 40).

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 Loma Barbon Master Plan.

In their justification, the applicant states: "The 'Renewable Energy Overlay District' Loma Barbon Plan Amendment and zone map request is beneficial to the community and is supported by a review of the Rio Rancho Comprehensive Plan for the following analyses:

A. *Goal No. 1 - Infrastructure* The amendment and zone map change allow for the ability to provide renewable energy that fosters a quality community and supports a strong economy, and meets the needs of current and future residents.
B. *Section 2.3.2 - Conservation & the Natural Environment* The City of Rio Rancho's desire to maintain or improve its air quality and water quality will be met and improved by solar electric generation that does not pollute the air or use water for generation.
C. *Section 4.2.3 - Water Availability* This request for land use planning does not require water uses. This development delays the need for water for the next 20+ years or longer, preserving water resources.
D. *Section 4.2.13 Physical Environment* The Loma Barbon Master Plan Addendum provides for the opportunity to meet a key desire by providing a renewable resources to power homes, businesses and industry.
E. *4.3.3 Policy Con-4* Promote growth management strategies that protect air, water, land and energy resources are met by the development of solar energy generation.
F. *Section 8.2.8.1 Electricity and Natural Gas* The development of Community Solar Generation by the amendment and zone change provides another alternative energy source that is replacing the decommissioned coal-fired power plants. It provides solar opportunities to those who are unable to have solar on their own property."

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 Loma Barbon Master Plan area is approximately 605 acres. The Master Plan, adopted in 2002, included Zoning and Land Use regulations. The proposed Renewable Energy Overlay District applies to an 80 acre portion in the northwest of the Master Plan area. The site is currently vacant and about 35 acres of the proposed Overlay District is currently zoned M-1: Industrial and Business Park District, which allows for the proposed solar development currently.

LAND USE:
The Loma Barbon Master Plan identifies a mix of existing land uses and zoning districts on the subject property, including: Mixed Use, Retail, Residential, Special Uses, School, Park, Right of Way and 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 northwestern 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. The proposed use would be permissive currently in about 35 acres of the proposed 80 acre site.

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.

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.

A condition of approval has been included to provide for enhanced and detailed buffers adjacent to the R-3: Mixed-Residential Zoned Mountain Hawk Subdivision to the north.

NOTIFICATIONS:
Notice of the application was sent via first class mail 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 August 11, 2025. A notification sign was posted on the property at least one week prior to the hearing on August 19, 2025.

REVIEWER COMMENTS:

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

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 Loma Barbon Master Plan.
2. The applicant has the authority to make an application to request an amendment to the Loma Barbon 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 Loma Barbon 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 northwestern portion of the Loma Barbon Master Plan Area.
4. Any proposed phasing of the project shall be indicated during Site Plan review.
5. A buffer along the north side of the property shall be constructed and greater detail on its landscaping and expected maintenance shall be entailed as a condition of approval for Site Plan submission.

ALTERNATIVES:

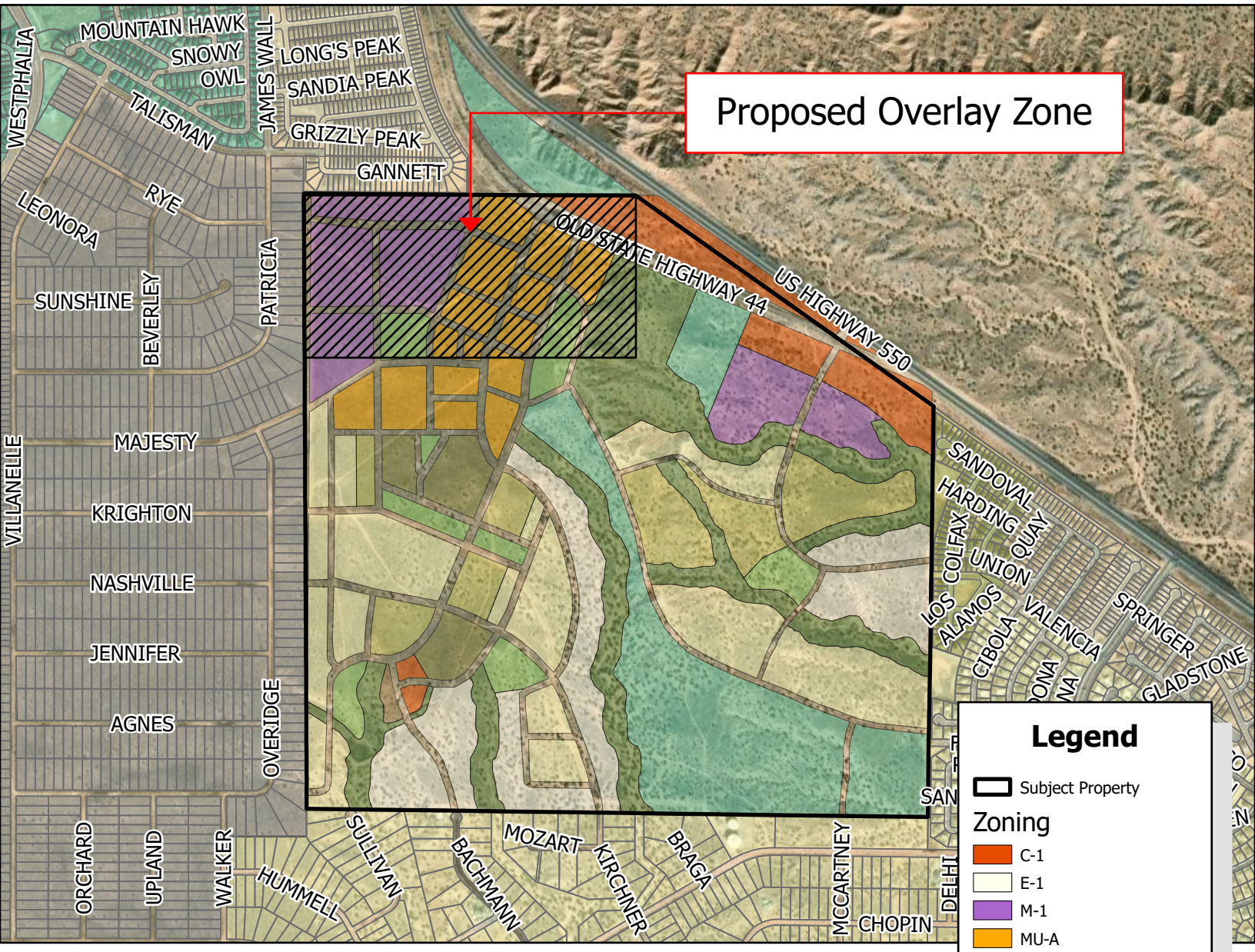
1. The Planning and Zoning Board may recommend approval of the request to the Governing Body;
2. The Planning and Zoning Board may recommend denial of the request to the Governing Body;
3. The Planning and Zoning Board may modify the request and recommend the Governing Body approve such modifications;
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: Zoning & Location Map.pdf
ATTACHMENT: Land Use Application.pdf
ATTACHMENT: Letters of Authorization.pdf
ATTACHMENT: Justification Letter.pdf
ATTACHMENT: Loma Barbon Master Plan Addendum.pdf
ATTACHMENT: Exhibit A: Area Map.pdf
ATTACHMENT: Exhibit B: Site Location.pdf
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: Draft_Resolution_25-410-00005_BMB.docx

LOMA BARBON RENEWABLE ENERGY OVERLAY DISTRICT







0 0.05 0.1 0.2 0.3 0.4 0.5 Miles

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, 8/7/2025

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

PLANNING & ZONING LAND USE APPLICATION

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: Affordable Solar Group, LLC		Phone: 505-926-1764
Address: 4840 Pan American East Fwy NE		E-Mail: dylan.connelly@affordable-solar.com
City: Albuquerque	State: NM	Zip Code: 87109
Proprietary Interest: Lessee	List Owners: New Mexico State Land Office	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	
Agent Name: SelectROW – Laurie Moye		Phone: 505-259-0724
Address: P.O. Box 688		E-Mail: Laurie.Moye@SelectROW.com
City: Celina	State: TX	ZIP Code: 75009

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)
Loma Barbon Master Plan Amendment and Zone Map Amendment for the Renewable Energy Overlay District

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)		
Subdivision/Unit Section 16, Township 13 North, Range 3 East, N.M.P.M.	Block(s):	Lot(s):1
Existing Zoning: A variety of mixed uses listed in Master Plan	Proposed Zoning: Renewable Energy Overlay (with preserved base zoning)	
No. of existing lots: 1	No. of proposed lots: NONE	Total area of site (acres) 605 total /80 Overlay

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: Laurie Moye	Applicant: Affordable Solar Group, LLC	Agent: SelectROW
Signature:		Date: 7/8/2025

FOR OFFICIAL USE ONLY		
H.T.E. PROJECT #	**FEE**	**RECEIPT #**

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

Please check appropriate box

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

From: "Sage, Michael R." <msage@nmslo.gov>
Date: July 10, 2025 at 4:37:50 PM MST
To: laurie.moye@selectrow.com
Cc: "Barrens, Grady" <gbarrens@nmslo.gov>, "Stewart, Sunalei" <sstewart@nmslo.gov>, "Biernoff, Ari" <abiernoff@nmslo.gov>
Subject: Renewable Energy Overlay Amendment - NMSLO Approval

SelectROW / Laurie Moye:

Let this email serve as official notification to indicate the NM State Land Office, as land owner, is in agreement with the proposed Renewable Energy Overlay Amendment for the Loma Barbon Master Plan.

The NM State Land Office has successfully sited several Community Solar projects on State Trust Land across the state and this master plan amendment will go a long way to ensuring this project becomes a reality in Sandoval County. In addition, the master plan amendment supports long range land use planning undertaken by the NM State Land Office for Loma Barbon which will ensure opportunities for additional future development.

If you require further assistance, please do not hesitate to reach out to Grady and the Office of Renewable Energy. We look forward to the continued collaboration.

Sincerely,

Michael Sage, CEcD

Assistant.Commissioner

Commercial.Resources.Division

505.670.3244

New Mexico State Land Office

310 Old Santa Fe Trail

P.O. Box 1148

Santa Fe, NM 87504-1148

msage@nmslo.gov

nmstatelands.org

City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

RE: Affordable Solar Group, LLC – Loma Barbon Master Plan Addendum

To Whom It May Concern:

I am the authorized agent of Affordable Solar Group, LLC ("ASG"), the Lessee of the real property described as follows:

Township	Range	Section	Aliquot	Acreage	County
13 North	03 East	16	NWNW	40.0	Sandoval
13 North	03 East	16	NENW	40.0	Sandoval
			Total Acreage:	80.0	

On behalf of ASG, I hereby authorize Select Properties, Inc., d/b/a SelectROW, Marble Enterprises, LLC and its agents, to make such filings and submittals to the City of Rio Rancho, and such other governmental departments and agencies as necessary to obtain the approvals for the intended use of the Property, including but not limited to, any re-zoning, vacations, replats of the Property.

If you have any questions or concerns please contact me at dylan.connelly@affordable-solar.com 505-926-1764

Sincerely,

Dylan Connelly

Affordable Solar Group, LLC

By:_____

Its: Director of Commercial Solar Development

Date: 5/20/25

July 14, 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 Loma Barbon Master Plan 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 Loma Barbon Master Plan to add a "Renewable Energy Overlay District" to encompass 80 aces of the original 606 acres of the master plan. The second application is a request for approval of a Zone Map Amendment to allow for the development within the "Renewable Energy Overlay District" of a Community Solar and Battery Storage facility in the master plan.

Loma Barbon Master Plan was the result of a Joint Planning Agreement between the Commissioner of Public Lands for the State of New Mexico (NMSLO) and the City of Rio Rancho that was signed to develop the Loma Barbon Master Plan ("Master Plan"). In September of 2002, the City of Rio Rancho annexed approximately 605 un-platted vacant acres owned by the State of New Mexico (See Exhibit A) and the Master Plan for Loma Barbon was adopted by the City of Rio Rancho. The Master Plan included applicable zoning and land use regulations. The Master Plan is legally described as NW/4 NW/4 and ptn NE/4 NW/4 of S 16, T 13N, R 3E, NMPM This Amendment modifies the Master Plan by allowing for a "*Renewable Energy Overlay District"* on a portion of the Master Plan for solar power generation, storage, and distribution without modifying the original content and intent of the approved Master Plan (See Exhibit B). This Amendment creates a stand-alone document that provides for additional land use, while allowing the underlaying land use and zoning to remain intact. At all times, whether a Solar Energy System is present or later removed, the existing development entitlements remain in place.

The 2025 Loma Barbon Master Plan Amendment was initiated by the NMSLO and Affordable Solar Group, LLC, as a supplemental document to the approved Master Plan to allow for land uses in the northwest corner of the property for a 5 Mega Watt (MW) community solar project. The area identified for the Amendment constitutes approximately 80 acres and is more particularly shown in Exhibit B. This Amendment is the result of consultation with NMSLO, Affordable Solar Group, LLC, its successor and assigns, and the City of Rio Rancho staff. This Amendment defines the framework for Renewable Energy System on property. This Amendment will allow for the proposed project to be built, operated and maintained on the property.

The Master Plan consists of a mix of uses defined as Employment, Mixed Use, Retail, Residential, Special Uses, School, Park, Right of Way and Open Space. The proposed Master Plan Amendment will not change the underlying land uses or zoning, but adds renewable energy uses as an interim set of allowable uses. This Amendment defines the framework for a Renewable Solar Energy System on the property. If approved, the subsequent development of the site will follow the specific site plan requirements.

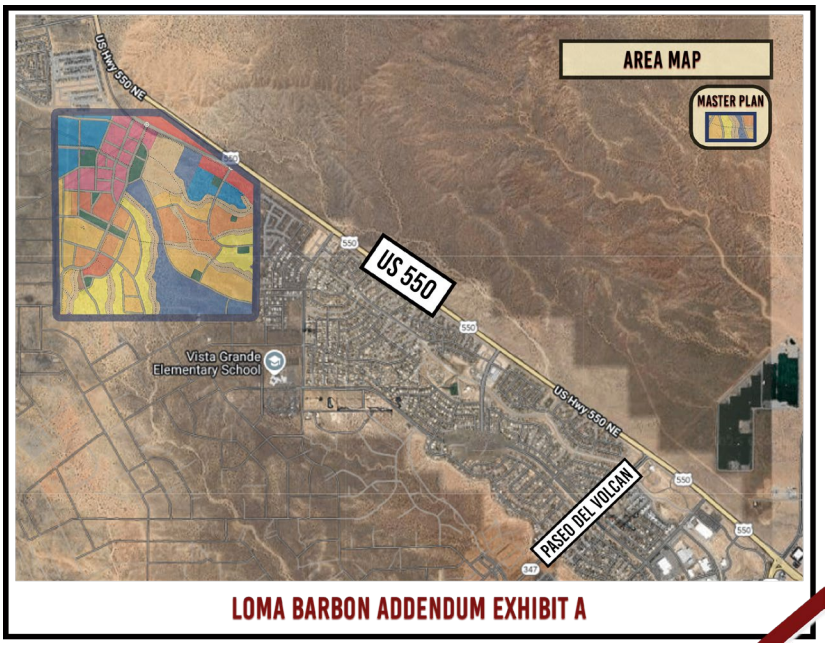


Exhibit A: 2002 Adopted Loma Barbon Land Use Plan

Ownership
The proposed addendum has been reviewed and approved by the property owner NMSLO who will be leasing the property to the renewable energy system developer, Affordable Solar, LLC.

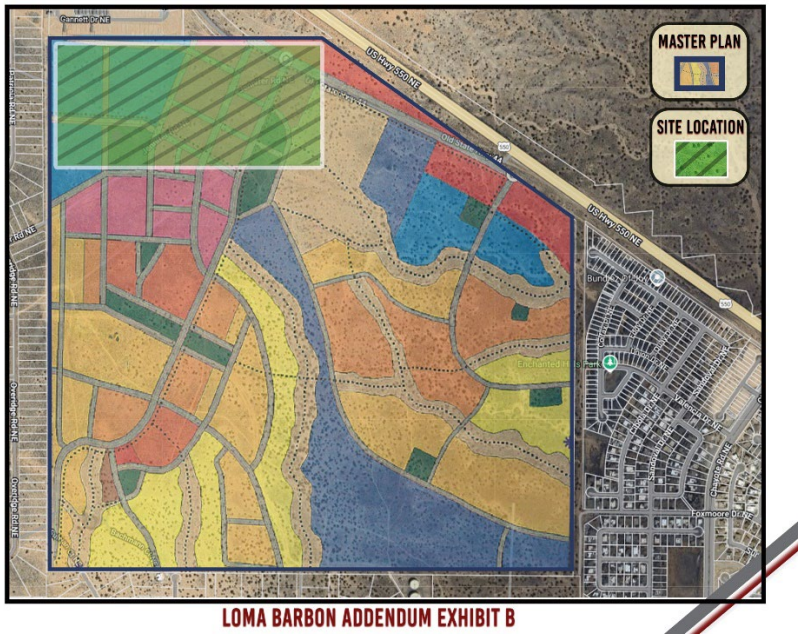


Exhibit B: Proposed Area in the Loma Barbon Master Plan for "Renewable Energy Overlay District"

Community Solar Act
Affordable Solar, LLC is a New Mexico well known solar and storage developer is seeking approval for Renewable Energy Overlay on the property. Affordable Solar has installed over 400 MWs of solar since being founded in 1998. The proposed Renewable Energy Overlay district is for Community Solar facility which is a 5 mega-watt solar electric generating station. The generating station is part of the Community Solar Act SB 84 that was approved by the New Mexico State Legislature and signed by the Governor in 2021. The Project is part of a New Mexico Legislature and New Mexico Public Regulation Commission (NMPRC) efforts to provide

solar opportunities to those, for whatever reason, are unable to have solar on their own property. By subscribing to this program, the subscriber receives credit on their electric utility bill for the electric power produced from their portion of the solar facility and therefore reduces their electric bill. The NMPRC issued a request for proposals and Affordable Solar was selected to construct seven community solar facilities. The first 6 projects will be completed by the end of 2025. The Loma Barbon Renewable Energy Overlay District is the seventh project.

The Project will use the electric distribution grid in the local and regional area for the greater public good and for the health, safety and welfare of residents of the City of Rio Rancho and will provide the community with a source of clean, renewable energy to support growth and economic development in the area.

The Project will provide PNM customers in the City of Rio Rancho with clean, renewable energy through the local distribution grid.

Rio Rancho Comprehensive Plan Policy

The "Renewable Energy Overlay District" Loma Barbon Plan Amendment and zone map request is beneficial to the community and is supported by a review of the 2015 Rio Rancho Comprehensive Plan for the following analyses:

A. *Goal No. 1 -Infrastructure* The amendment and zone map change allows for the ability to provide renewable energy that fosters a quality community,and supports a strong economy, and meets the needs of current and future residents.
B. *Section 2.3.2 – Conservation & the Natural Environment* The City of Rio Rancho's desire to maintain or improve its air quality and water quality will be met and improved by solar electric generation that does not pollute the air or use water for generation.
C. *Section 4.2.3 -Water Availability* this request for land use planning does not require water uses. This development delays the need for water for the next 20+ years or longer preserving water resources *4.3.2 Goals Con -1.*
D. *Section 4.2.13 Physical Environment* The Loma Barbon Master Plan Addendum provides for the opportunity to meet a key desire by providing a renewable resource to power homes, businesses, and industry. Community Solar Program allows for the need of all citizens to meet their own needs and allowing for future generations to meet their own needs.
E. *4.3.3 Policy Con-4* Promote growth management strategies that protect air, water, land and energy resources are met by the development of solar energy generation.
F. *Section 8.2.8.1 Electricity and Natural Gas,* the development of a Community Solar generation by this Amendment and zone change is providing another alternative energy source that is replacing the decommissioned coal-fired power plants. It provides solar opportunities for those Public Service Company of New Mexico customers by providing solar opportunities to those, for whatever reason, are unable to have solar on their own property.

The proposed amendment to the Master Plan and allowing a Renewable Energy Overlay is consistent with the goals and elements of the Comprehensive Plan as seen above. The proposed amendment will enable the preservation of land by an appropriate interim use that does not require extension of utilities and services at this time and preserves the vision and goals of the underlying Loma Barbon Master Plan.

It is the desire of the New Mexico State legislature and the New Mexico Public Regulation Commission through their regulations to provide solar energy to provide solar opportunities with the Community Solar Act and program.

We respectfully request that the Rio Rancho Planning and Zoning Board recommend approval of this request for an amendment and zone map change to the Loma Barbon Master plan based on the justification above.

Please contact me at (505) 259-0724 with any questions that may arise from this request.

Sincerely,



Laurie Moye, Agent

Land Use Consultant

SelectROW

Enclosures:

Land Use Application
Loma Barbon Master Plan Amendment
Agent Letter
Owner Acknowledgement

LOMA BARBON MASTER PLAN ADDENDUM











ADOPTED BY THE CITY OF RIO RANCHO GOVERNING BODY –

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LOMA BARBON MASTER PLAN ADDENDUM

This Amendment to the Loma Barbon Master Plan (Resolution No. 64, Enactment 02-063), is made in accordance with Section 150.07 of the City of Rio Rancho municipal code.

In December of 2000, a Joint Planning Agreement between the Commissioner of Public Lands for the State of New Mexico and the City of Rio Rancho was signed to develop the Loma Barbon Master Plan ("Master Plan"). In September of 2002, the City of Rio Rancho annexed approximately 605 unplatted acres owned by the State of New Mexico ("Land") (Exhibit A) and the Master Plan for Loma Barbon was adopted by the City of Rio Rancho. The Master Plan includes applicable zoning and land use regulations. This Amendment modifies the Master Plan by allowing for a Renewable.Energy.Overlay.District.on a portion of the Master Plan for solar power generation, storage, and distribution without modifying the original content and intent of the approved Master Plan. This Amendment creates a stand-alone document that provides for additional land use, while allowing the underlaying land use and zoning to remain intact. At all times, whether a Solar Energy System is present or later removed, the existing development entitlements remain in place.

SECTION 1 APPROVAL HISTORY

The Master Plan was the first time the New Mexico State Land Office ("NMSLO") had collaborated with a municipal government to create a plan for State Trust Land. In December 2000, the City of Rio Rancho and the NMSLO signed a Joint Planning Agreement to guide the planning of the Land. The Loma Barbon Master Plan was approved by the City of Rio Rancho in September 2002. The Master Plan applies to and is approximately 605 acres of state trust land. The NMSLO primary mission is to optimize revenues for its beneficiaries which are New Mexico's public schools and universities. This Master Plan is a blueprint for development for future generations of New Mexicans whose use will generate revenues for the trust.

The Master Plan describes and analyzes physical and environmental conditions, long term infrastructure needs, and development vision of the Plan.

Due to the mixed-use nature of the Master Plan and the fact that the NMSLO will not be the developer of the property it was stated in the Master Plan that there is not a phasing plan proposed strategy at the time of adoption. The NMSLO uses a competitive bid process to develop an agreement between the developer and the State Land Office.

SECTION 2 PURPOSE

The 2025 Loma Barbon Master Plan Amendment (this "Amendment") was initiated by the NMSLO, as a supplemental document to the approved Master Plan to allow for land uses in the northwest corner of the property for a community solar project ("Project"). The area identified for the Amendment constitutes approximately 80 acres and is more particularly shown in Exhibit B ("Property"). This Amendment is the result of consultation with NMSLO, Affordable Solar Group, LLC, its successor and assigns ("Solar Developer"), and the City of Rio Rancho staff. This Amendment defines the framework for a Solar Energy System on the Property.

This Amendment is to allow for the Project to be built, operated and maintained on the Property.

SECTION 3 DESCRIPTION of the PROJECT

The Project is a ground mounted community solar photovoltaic system capable of producing up to 5 MWac of electricity that will be connected to the Public Service Company of New Mexico ("PNM") distribution system. The Project was awarded capacity by the New Mexico Public Regulatory Commission in the state approved New Mexico community solar program. The Property was selected because there is an existing distribution line adjacent to the Property with adequate capacity to meet the Project's needs. Interface with existing lines shall be determined and approved through future negotiations with PNM.

The Project will include, but is not limited to:

- The Project consist of a Solar Photovoltaic Array of on single axis tracking racks ground mounted. The Solar Photovoltaic Array converts Solar Energy into electricity. The single axis racking system will run in rows and will slowly rotate to follow the sun across the sky each day.
- The Project will include the necessary wiring, inverters, transformers, and other equipment and infrastructure required to interconnect the Project to the existing electric lines at the site and produce electricity.
- The Project may include a storage container for spare parts, equipment, and other related materials.
- The Project will not require permanent on-site water or wastewater infrastructure.
- Access to the Project will be from old US Highway 44 and gravel or dirt roads will go around the Project site to provide access to the equipment. No paved roads are planned internally to the site.
- Project may be developed in phases.
- The Project will (i) be designed with the intention to maintain as much of the natural/existing vegetation during and after construction as reasonably and commercially possible, and (ii) be operated and maintained by an off-site operations and maintenance crew.
- An archaeology survey has recently been conducted on the Property.

The project site at coordinates 35.363052, -106.631037 is located in juniper woodlands, primarily consisting of common one-seed juniper (Juniperus monosperma) and native grasses like blue grama (Bouteloua gracilis) and galleta only (Pleuraphis jamesii). The area also supports wildlife such as pinyon jays, mule deer, and coyotes. While the site will be mowed where required within the affected area of the solar installation, reasonable steps will be taken to minimize disturbance when possible.

SECTION 4 DEFINITIONS

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

- **Alternating Current (AC):** Is a type of electricity where the flow of electrons regularly switches direction or cycles, at constant intervals. The type of electricity used in homes and businesses.
- **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 Storage System:** A system capable of utilizing batteries to store the electricity produced by the Solar Photovoltaic Array and release the electricity later.

- **Community Solar Project:** Projects that are a part of the New Mexico Legislature and the New Mexico Public Regulation Commission (NMPRC)) efforts to provide solar opportunities to those, for whatever reason, are unable to have solar on their property. Subscriptions to the Project allow for a credit in the subscriber electric bill. Greater than 50 percent of the energy produced will be allocated to qualified low-income subscribers.
- **Direct Current (DC):** Electric current flowing in a constant direction.
- **Electric Distribution System:** An electric system operating at 12.47kV providing electricity to homes and businesses.
- **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).
- **Kilovolt (kV):** Equal to 1,000Volts
- **Kilowatt (kW):** Equal to 1000 Watts.
- **MWac:** Megawatt Alternating current is a unit of power used to express the capacity of a solar power plant or system.
- **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 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 into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.
- **Solar Photovoltaic Array**: Solar system consisting of any number of solar photovoltaic panels made of photovoltaic cells with semi-conducting materials, that produce electricity in the form of Direct Current (DC), when they are exposed to sunlight and connected to provide a single output. 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 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.



This section sets forth zoning regulations, which will apply to the Loma Barbon Renewable Energy Overlay District ("LB-RE-OD"). Where this Amendment is silent, the national electric standards, or the NERC requirements, or the City of Rio Rancho Zoning Ordinances shall prevail.

(A) Purpose. LB-RE-OD zoning district is suitable for uses where the underlying zoning district needs to be maintained or for other reasons which are partially or entirely dependent on the character of the site and proposed use.

(1) A LB-RE-OD overlay district is appropriately used;

(a) To allow uses otherwise permitted in the 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 System and any other ancillary facilities in connection therewith;

(2) Public utility development/Substations/switching stations/Renewable Energy generation, installations of Solar Photovoltaic Array, Battery Storage System; and

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

(C) Signage

(1) Signs shall comply with NERC and any other national electric standards and at a minimum include the following. requirements:

(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.

(2) 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.

(D) Height Restrictions

(1) No building structure shall exceed 26 feet in height from the finished grade;

and

(2) 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 Project, 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. 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. As required for safety of the public and safety of the equipment the facility will be enclosed with a 7-foot-high fence, consisting of a 6 foot chain-link with 1-foot-high barbed wire on top will be placed around the facility.

(G) Setbacks

(1) From the Property boundary, the Solar Photovoltaic Array shall be 25 feet from the rear, front and side property lines, except for any interior property lines where no setback is required. This restriction shall not apply to roads that may

encircle the Project. An interior perimeter road is allowed in the setback areas. Setbacks are measured from the property line to the structures.

(H) Site Plan Requirements. The LB-RE-OD zone district must have a site plan approved by the City of Rio Rancho Governing Body, as defined in the City of Rio Rancho municipal code ("Governing Body"). Approval of the site plan containing the following information (if applicable) must be obtained prior to the 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 using native vegetation;

(8) Elevations;

(9) Adjacent property characteristics;

(10) Preliminary drainage plan;

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

(12) Identification of the proposed Substation location;

(13) Survey, signed by New Mexico licensed surveyor;

(14) Phasing plan;

(15) Submitted design documents should be signed by a New Mexico licensed engineer;

(16) Location and type of backup generators;

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

(18) Visual rendering(s) of proposed facility for evaluation;

(19) Portions of the Overlay District indicate retail, mixed use areas west of US Hwy 550 and east and west Old Hwy 44. These areas should be evaluated during development review to determine whether buffering may be required; and

(20) To the maximum extent practical, the existing native vegetation will remain in its natural state. No landscaping is proposed for the Project at this time. Any landscaping, if required, will be native vegetation.

(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 Array site plan shall be reviewed and approved by the City of Rio Rancho 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 Array and the associated infrastructure needed to produce and transport Renewable Energy.

(J) Decommissioning and Removal

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

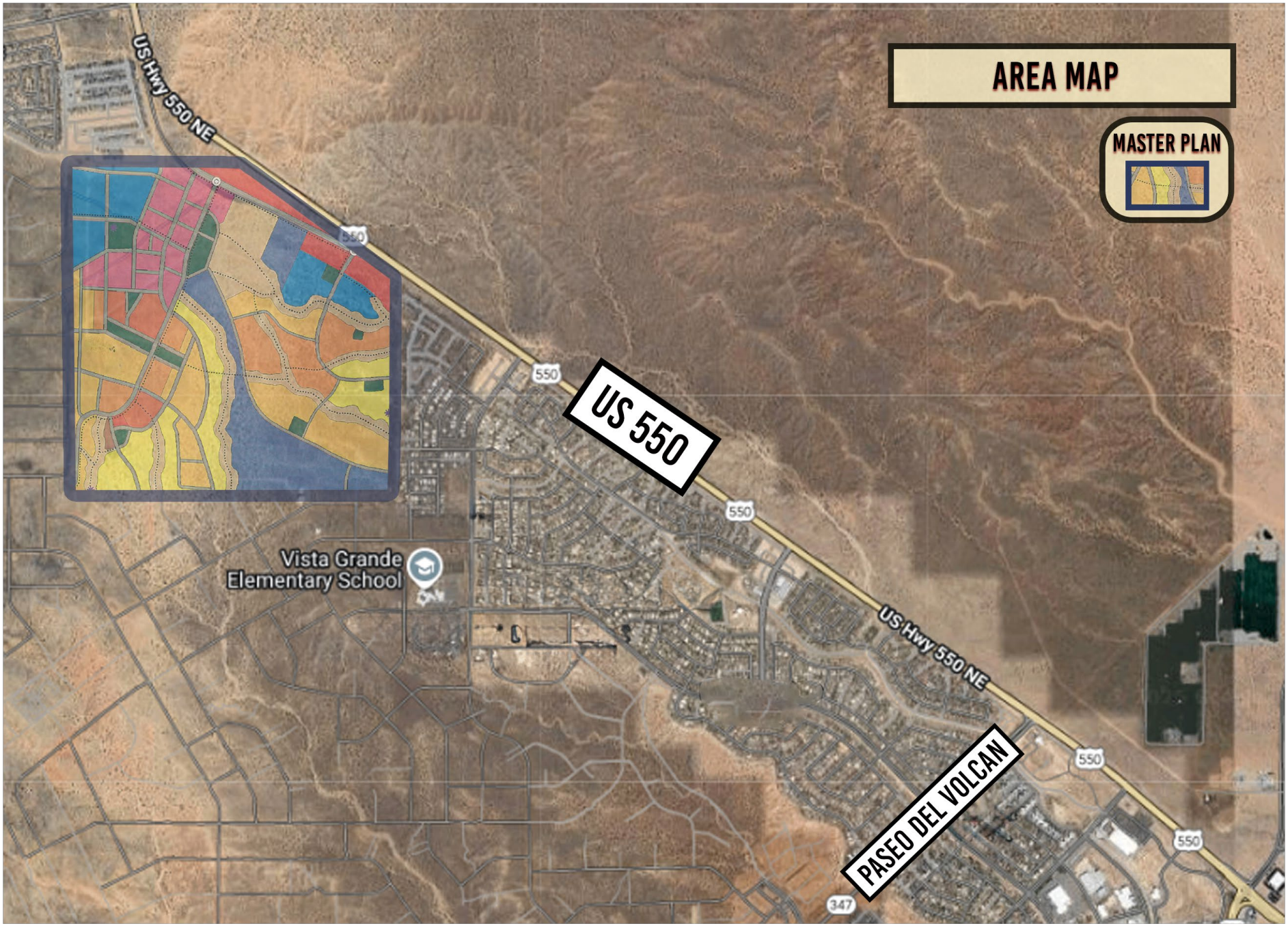
(2) Decommissioning must occur if the Project does not produce power for a consecutive 12-month period after the Project has been full constructed and is operational and capable of transmitting energy to the larger power grid, except in the instance of a force majeure event in which the Project is being repaired and/or restored or the Project's failure to produce power is due to government regulations or order or some other event outside the control of Solar Developer.

(3) The decommissioning plan shall include provisions for removal and disconnecting from the Solar Energy System and the restoration of the Property and leave the Property in a reasonably good and clean condition.

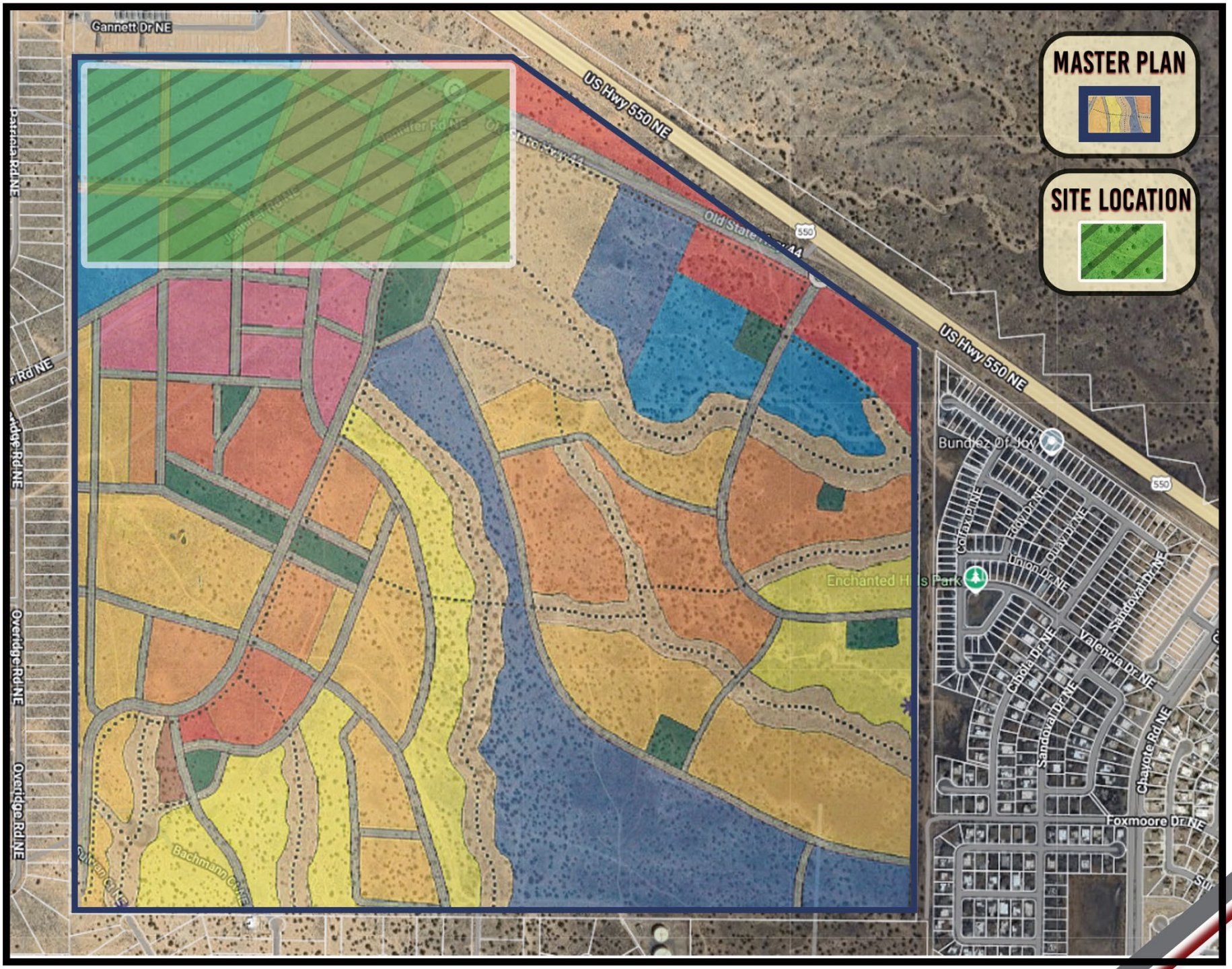
(4) The disposal of all solid and hazardous waste shall be in accordance with local, state, and federal waste disposal regulations. Hazardous waste may include waste listed under the Environmental Protection Agency (EPA), F, K, P, U, or Characteristic Waste categories.

(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 20% of the approved plan, the site access is similar in its effect on adjacent property or streets, and the City of Rio Rancho Planning and Zoning Manager finds that neither the City of Rio Rancho nor any person will be substantially and materially 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.



LOMA BARBON ADDENDUM EXHIBIT A



LOMA BARBON ADDENDUM EXHIBIT B

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

August 11, 2025

RE: Zone Map Amendment and Master Plan Amendment, Case No. 25-100-00007 & 25-410-00005
Loma Barbon – Tract B

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, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment to implement a Renewable Energy Overlay Zone on 80 acres of the subject property legally described as Loma Barbon, Tract B. The subject property comprises approximately 650 acres.

The applicant is also requesting approval of an amendment to the Loma Barbon 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 requests and decide their approval on **Tuesday, August 26, 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.

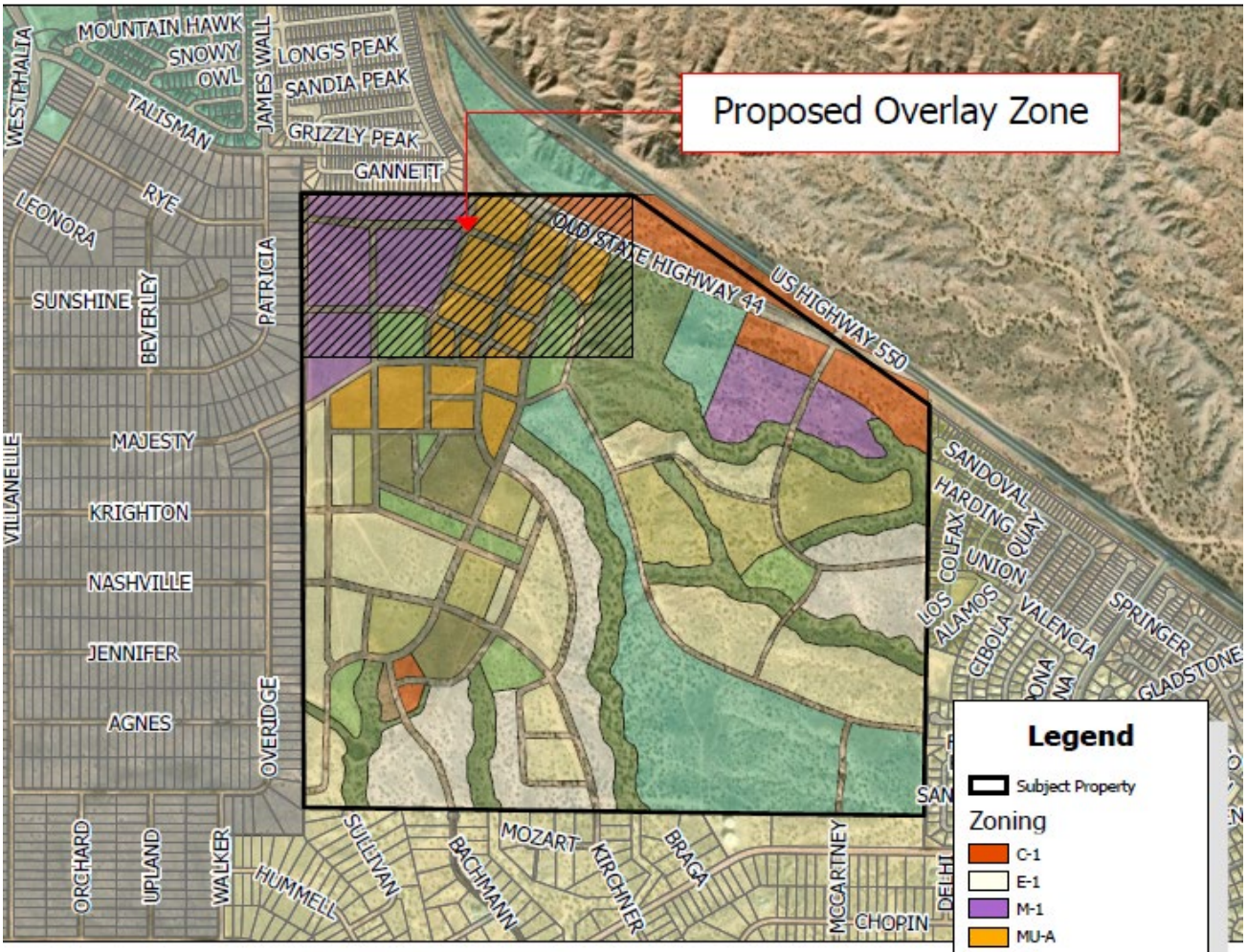
Respectfully,

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

LOMA BARBON RENEWABLE ENERGY OVERLAY DISTRICT



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, 8/7/2025

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, August 26, 2025:

Zone Map Amendment
Case #25-100-00007
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment to implement a Renewable Energy Overlay Zone on 80 acres of the subject property legally described as
Loma Barbon, Tract B. The subject property comprises approximately 650 acres.

Master Plan Amendment
Case #25-410-00005
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, also requests approval of an amendment to the Loma Barbon Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject property.

Preliminary/Final Plat
Case #25-220-00006
The applicant, City of Rio Rancho Public Works, through their agent Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat for the subject properties legally described as Unit 21, Block 13, Lots 1 and 2, and Unit 21, Block 20, Parcel D and Lot 48. The plat combines the four existing properties into two lots, dedicates a portion of Right of Way (ROW), and relocates PUE's.

Subdivision Variance
Case #25-280-0004
The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres

Preliminary, Final Plat
Case #25-210-00004
The applicant, Southwest Elegant Homes LLC, through their agent, CSI-Cartesian Surveys, Inc., is requesting approval of a Preliminary, Final Plat to split a lot 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres.

Variance
Case #25-110-00016
The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second wall sign for the Defined Pickleball location at 1640 NM 528 SE, legally described as HILL, Tract B.

Zone Map Amendment
Case #25-100-00008
The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approx. 2.65 acres.

The meeting is scheduled for 6 p.m. 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. 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: August 11, 2025

CITY OF RIO RANCHO DEVELOPMENT SVCS DEPT
ATTN: ACCOUNTS PAYABLE
3200 CIVIC CENTER CIR NE
RIO RANCHO NM 87144
(505)891-5005
sbitah@rrnm.gov

Account: 1010956
Ad Number: 273380

Sales Rep: Default Salesperson
Words: 527
Lines: 203

Cost of Ad	*Payments*	*Total Due*
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Class: 3000 LEGAL ADS | *SubClass:* 3001 GOVERNMENT LEGALS

Albuquerque Journal Aug 11

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AMENDING THE LOMA BARBON 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 Loma Barbon Master Plan September 11, 2002 under Resolution No. 64, Enactment No. 02-063; and

WHEREAS: the Planning and Zoning Board of the City of Rio Rancho reviewed the amendments to the Loma Barbon Master Plan at their meeting held on August 26, 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. 25-410-00005) to the Loma Barbon Master Plan at their meeting held on September 25, 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 Loma Barbon Master Plan Addendum to allow for a Renewable Energy Overlay District on a portion of Loma Barbon, as shown as attached 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: 25-100-00007

AGENDA DATE:
August 26, 2025

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The applicant, Affordable Solar Group, LLC, through their agent, Select ROW, requests approval of a Zone Map Amendment for 80 acres of the property legally described as Loma Barbon, Tract B, to implement a Renewable Energy Overlay District. Staff contact is Ben Isaacs and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment for 80 acres of the property legally described as Loma Barbon, Tract B, to implement a Renewable Energy Overlay District. The subject property consists of approximately 650 acres and consists of a mix of zoning districts.

The Loma Barbon Master Plan was adopted on September 11, 2002 under Resolution No. 64, Enactment No. 02-063. Concurrent with this application is a request for an addendum to the Loma Barbon Master Plan to allow for the implementation of the Renewable Energy Overlay District (case #25-410-00005).

The area proposed for the Overlay District consists of a mix of zoning districts: MU-A: Mixed Use Activity Center, C-1: Retail Commercial, PR: Parks and Recreation, OS: Open Space, and M-1: Industrial and Business Park District.

Approximately 35 acres of the proposed Overlay area is currently zoned M-1, which allows for the proposed solar renewable energy use. This M-1 area is located in the northwest most corner of Loma Barbon, adjacent to the southern boundary of the Mountain Hawk Master Plan Area (Mountain Hawk Unit 40).

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 July 14, 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, "The Project will use the electric distribution grid in the local and regional area for the greater public good and for the health, safety and welfare of residents in the City of Rio Rancho and will provide the community with a source of clean, renewable energy to support growth and economic development in the area."

The applicant also states, "The proposed amendment will enable the preservation of land by an appropriate interim use that does not require extension of utilities and services at this time and preserves the vision and goals of the underlying Loma Barbon Master Plan."

Staff recommend that 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 buildout 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 "will enable the preservation of land by an appropriate interim use that does not require extension of utilities and services at this time and preserves the vision and goals of the underlying Loma Barbon 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. The proposed use of the property as a solar renewable energy development is currently permissive on about 35 of the 80 acres proposed for the site as well, and will not destabilize the land use.

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 District' Loma Barbon Plan Amendment and zone map request is beneficial to the community and is supported by a review of the Rio Rancho Comprehensive Plan for the following analyses:
A. *Goal No. 1 - Infrastructure* The amendment and zone map change allow for the ability to provide renewable energy that fosters a quality community and supports a strong economy, and meets the needs of current and future residents.
B. *Section 2.3.2 - Conservation & the Natural Environment* The City of Rio Rancho's desire to maintain or improve its air quality and water quality will be met and improved by solar electric generation that does not pollute the air or use water for generation.
C. *Section 4.2.3 - Water Availability* This request for land use planning does not require water uses. This development delays the need for water for the next 20+ years or longer, preserving water resources.
D. *Section 4.2.13 Physical Environment* The Loma Barbon Master Plan Addendum provides for the opportunity to meet a key desire by providing a renewable resources to power homes, businesses and industry.
E. *4.3.3 Policy Con-4* Promote growth management strategies that protect air, water, land and energy resources are met by the development of solar energy generation.

F. *Section 8.2.8.1 Electricity and Natural Gas* The development of Community Solar Generation by the amendment and zone change provides another alternative energy source that is replacing the decommissioned coal-fired power plants. It provides solar opportunities to those who are unable to have solar on their own property."

Staff recommend the Planning & Zoning Board find that the proposed Zoning Overlay District is consistent with the goals and elements of the Comprehensive Plan if the Loma Barbon Master Plan amendment is recommended for approval.

Staff recommend the Board find 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 that a renewable energy utility is a more advantageous use of the land in the short term than developing per the plan.

Staff recommend that the Planning and Zoning Board find that the proposed use of a renewable energy utility is a more advantageous use of the land in the interim than it remaining vacant prior to development per the Master Plan. The proposed use is currently permissive in 35 acres of the site zoned M-1, and will not change the land use long-term.

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 near NM Highway 550 is not part of the justification.

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 and that it is an interim use.

NOTIFICATIONS:
Notice of the application was sent via first class mail 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 August 11, 2025. A notification sign was posted on the property at least one week prior to the hearing on August 19, 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 July 14, 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 Loma Barbon Master Plan, pending approval of the addendum, case #25-410-00005.
4. The cost of the land or other economic considerations does not appear to be the justification for the proposed zone map amendment.
5. The zone map amendment request is not based on the location of the subject property by a collector road.
6. 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.

ALTERNATIVES:

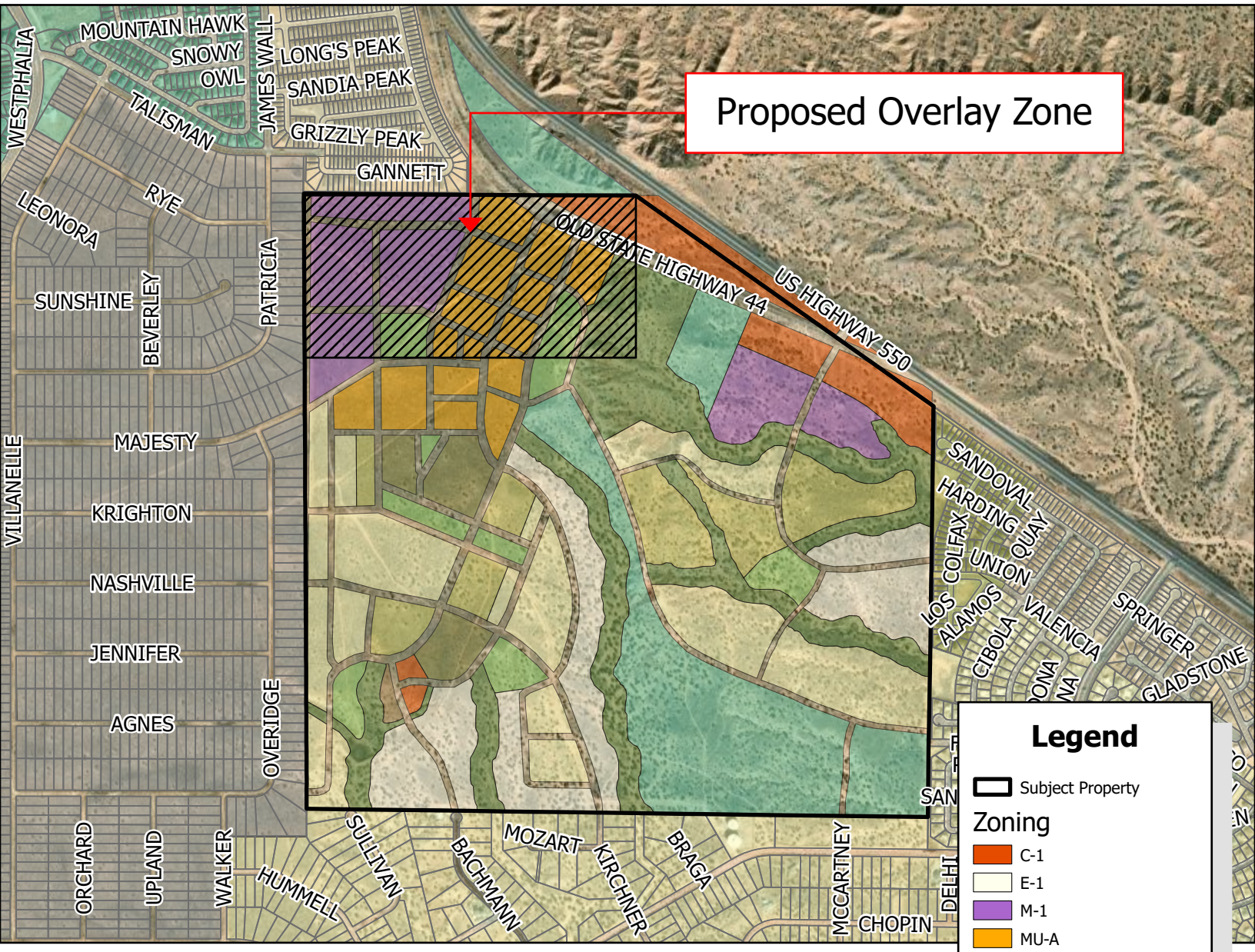
1. The Planning and Zoning Board may recommend approval of the request to the Governing Body;
2. The Planning and Zoning Board may recommend denial of the request to the Governing Body;
3. The Planning and Zoning Board may modify the request and recommend the Governing Body approve such modifications;
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: Zoning & Location Map.pdf
ATTACHMENT: Land Use Application.pdf
ATTACHMENT: Letters of Authorization.pdf
ATTACHMENT: Justification Letter.pdf
ATTACHMENT: Loma Barbon Master Plan Addendum.pdf
ATTACHMENT: Exhibit A: Area Map.pdf
ATTACHMENT: Exhibit B: Site Location.pdf
ATTACHMENT: Reproduction of Notifications.pdf
ATTACHMENT: Draft_Ordinance_25-100-00007_BMB.docx

LOMA BARBON RENEWABLE ENERGY OVERLAY DISTRICT







0 0.05 0.1 0.2 0.3 0.4 0.5 Miles

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, 8/7/2025

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

PLANNING & ZONING LAND USE APPLICATION

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: Affordable Solar Group, LLC		Phone: 505-926-1764
Address: 4840 Pan American East Fwy NE		E-Mail: dylan.connelly@affordable-solar.com
City: Albuquerque	State: NM	Zip Code: 87109
Proprietary Interest: Lessee	List Owners: New Mexico State Land Office	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	
Agent Name: SelectROW – Laurie Moye		Phone: 505-259-0724
Address: P.O. Box 688		E-Mail: Laurie.Moye@SelectROW.com
City: Celina	State: TX	ZIP Code: 75009

DESCRIPTION OF REQUEST: (PLEASE ADD ADDITIONAL SHEET(S) IF NECESSARY)
Loma Barbon Master Plan Amendment and Zone Map Amendment for the Renewable Energy Overlay District

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)		
Subdivision/Unit Section 16, Township 13 North, Range 3 East, N.M.P.M.	Block(s):	Lot(s):1
Existing Zoning: A variety of mixed uses listed in Master Plan	Proposed Zoning: Renewable Energy Overlay (with preserved base zoning)	
No. of existing lots: 1	No. of proposed lots: NONE	Total area of site (acres) 605 total /80 Overlay

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: Laurie Moye	Applicant: Affordable Solar Group, LLC	Agent: SelectROW
Signature:		Date: 7/8/2025

FOR OFFICIAL USE ONLY		
H.T.E. PROJECT #	**FEE**	**RECEIPT #**

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

Please check appropriate box

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

From: "Sage, Michael R." <msage@nmslo.gov>
Date: July 10, 2025 at 4:37:50 PM MST
To: laurie.moye@selectrow.com
Cc: "Barrens, Grady" <gbarrens@nmslo.gov>, "Stewart, Sunalei" <sstewart@nmslo.gov>, "Biernoff, Ari" <abiernoff@nmslo.gov>
Subject: Renewable Energy Overlay Amendment - NMSLO Approval

SelectROW / Laurie Moye:

Let this email serve as official notification to indicate the NM State Land Office, as land owner, is in agreement with the proposed Renewable Energy Overlay Amendment for the Loma Barbon Master Plan.

The NM State Land Office has successfully sited several Community Solar projects on State Trust Land across the state and this master plan amendment will go a long way to ensuring this project becomes a reality in Sandoval County. In addition, the master plan amendment supports long range land use planning undertaken by the NM State Land Office for Loma Barbon which will ensure opportunities for additional future development.

If you require further assistance, please do not hesitate to reach out to Grady and the Office of Renewable Energy. We look forward to the continued collaboration.

Sincerely,

Michael Sage, CEcD

Assistant.Commissioner

Commercial.Resources.Division

505.670.3244

New Mexico State Land Office

310 Old Santa Fe Trail

P.O. Box 1148

Santa Fe, NM 87504-1148

msage@nmslo.gov

nmstatelands.org

City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

RE: Affordable Solar Group, LLC – Loma Barbon Master Plan Addendum

To Whom It May Concern:

I am the authorized agent of Affordable Solar Group, LLC ("ASG"), the Lessee of the real property described as follows:

Township	Range	Section	Aliquot	Acreage	County
13 North	03 East	16	NWNW	40.0	Sandoval
13 North	03 East	16	NENW	40.0	Sandoval
			Total Acreage:	80.0	

On behalf of ASG, I hereby authorize Select Properties, Inc., d/b/a SelectROW, Marble Enterprises, LLC and its agents, to make such filings and submittals to the City of Rio Rancho, and such other governmental departments and agencies as necessary to obtain the approvals for the intended use of the Property, including but not limited to, any re-zoning, vacations, replats of the Property.

If you have any questions or concerns please contact me at dylan.connelly@affordable-solar.com 505-926-1764

Sincerely,

Dylan Connelly

Affordable Solar Group, LLC

By:_____

Its: Director of Commercial Solar Development

Date: 5/20/25

July 14, 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 Loma Barbon Master Plan 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 Loma Barbon Master Plan to add a "Renewable Energy Overlay District" to encompass 80 aces of the original 606 acres of the master plan. The second application is a request for approval of a Zone Map Amendment to allow for the development within the "Renewable Energy Overlay District" of a Community Solar and Battery Storage facility in the master plan.

Loma Barbon Master Plan was the result of a Joint Planning Agreement between the Commissioner of Public Lands for the State of New Mexico (NMSLO) and the City of Rio Rancho that was signed to develop the Loma Barbon Master Plan ("Master Plan"). In September of 2002, the City of Rio Rancho annexed approximately 605 un-platted vacant acres owned by the State of New Mexico (See Exhibit A) and the Master Plan for Loma Barbon was adopted by the City of Rio Rancho. The Master Plan included applicable zoning and land use regulations. The Master Plan is legally described as NW/4 NW/4 and ptn NE/4 NW/4 of S 16, T 13N, R 3E, NMPM This Amendment modifies the Master Plan by allowing for a "*Renewable Energy Overlay District"* on a portion of the Master Plan for solar power generation, storage, and distribution without modifying the original content and intent of the approved Master Plan (See Exhibit B). This Amendment creates a stand-alone document that provides for additional land use, while allowing the underlaying land use and zoning to remain intact. At all times, whether a Solar Energy System is present or later removed, the existing development entitlements remain in place.

The 2025 Loma Barbon Master Plan Amendment was initiated by the NMSLO and Affordable Solar Group, LLC, as a supplemental document to the approved Master Plan to allow for land uses in the northwest corner of the property for a 5 Mega Watt (MW) community solar project. The area identified for the Amendment constitutes approximately 80 acres and is more particularly shown in Exhibit B. This Amendment is the result of consultation with NMSLO, Affordable Solar Group, LLC, its successor and assigns, and the City of Rio Rancho staff. This Amendment defines the framework for Renewable Energy System on property. This Amendment will allow for the proposed project to be built, operated and maintained on the property.

The Master Plan consists of a mix of uses defined as Employment, Mixed Use, Retail, Residential, Special Uses, School, Park, Right of Way and Open Space. The proposed Master Plan Amendment will not change the underlying land uses or zoning, but adds renewable energy uses as an interim set of allowable uses. This Amendment defines the framework for a Renewable Solar Energy System on the property. If approved, the subsequent development of the site will follow the specific site plan requirements.

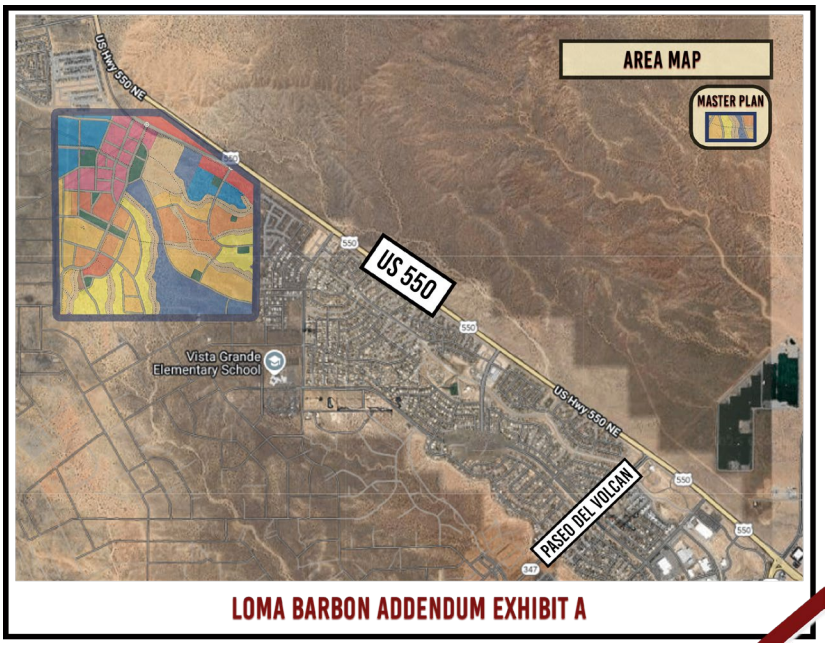


Exhibit A: 2002 Adopted Loma Barbon Land Use Plan

Ownership
The proposed addendum has been reviewed and approved by the property owner NMSLO who will be leasing the property to the renewable energy system developer, Affordable Solar, LLC.

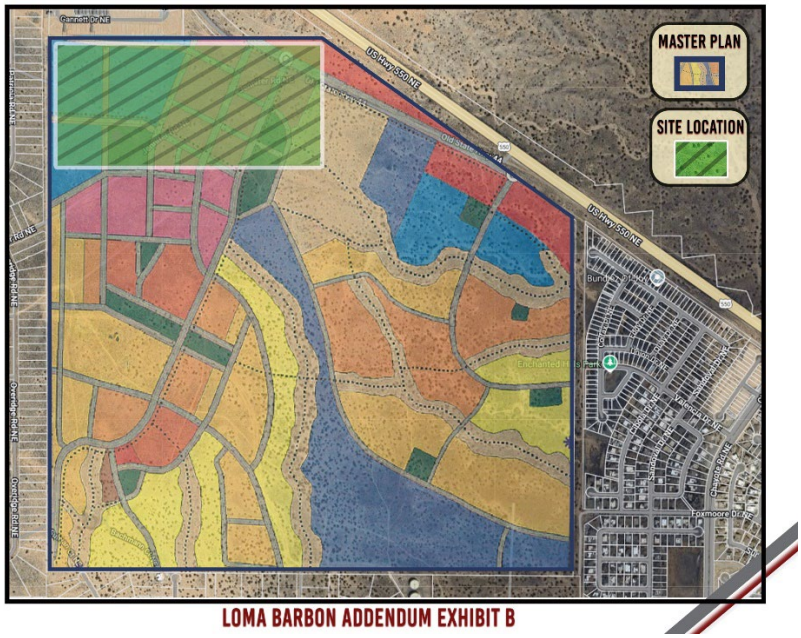


Exhibit B: Proposed Area in the Loma Barbon Master Plan for "Renewable Energy Overlay District"

Community Solar Act
Affordable Solar, LLC is a New Mexico well known solar and storage developer is seeking approval for Renewable Energy Overlay on the property. Affordable Solar has installed over 400 MWs of solar since being founded in 1998. The proposed Renewable Energy Overlay district is for Community Solar facility which is a 5 mega-watt solar electric generating station. The generating station is part of the Community Solar Act SB 84 that was approved by the New Mexico State Legislature and signed by the Governor in 2021. The Project is part of a New Mexico Legislature and New Mexico Public Regulation Commission (NMPRC) efforts to provide

solar opportunities to those, for whatever reason, are unable to have solar on their own property. By subscribing to this program, the subscriber receives credit on their electric utility bill for the electric power produced from their portion of the solar facility and therefore reduces their electric bill. The NMPRC issued a request for proposals and Affordable Solar was selected to construct seven community solar facilities. The first 6 projects will be completed by the end of 2025. The Loma Barbon Renewable Energy Overlay District is the seventh project.

The Project will use the electric distribution grid in the local and regional area for the greater public good and for the health, safety and welfare of residents of the City of Rio Rancho and will provide the community with a source of clean, renewable energy to support growth and economic development in the area.

The Project will provide PNM customers in the City of Rio Rancho with clean, renewable energy through the local distribution grid.

Rio Rancho Comprehensive Plan Policy

The "Renewable Energy Overlay District" Loma Barbon Plan Amendment and zone map request is beneficial to the community and is supported by a review of the 2015 Rio Rancho Comprehensive Plan for the following analyses:

A. *Goal No. 1 -Infrastructure* The amendment and zone map change allows for the ability to provide renewable energy that fosters a quality community,and supports a strong economy, and meets the needs of current and future residents.
B. *Section 2.3.2 – Conservation & the Natural Environment* The City of Rio Rancho's desire to maintain or improve its air quality and water quality will be met and improved by solar electric generation that does not pollute the air or use water for generation.
C. *Section 4.2.3 -Water Availability* this request for land use planning does not require water uses. This development delays the need for water for the next 20+ years or longer preserving water resources *4.3.2 Goals Con -1.*
D. *Section 4.2.13 Physical Environment* The Loma Barbon Master Plan Addendum provides for the opportunity to meet a key desire by providing a renewable resource to power homes, businesses, and industry. Community Solar Program allows for the need of all citizens to meet their own needs and allowing for future generations to meet their own needs.
E. *4.3.3 Policy Con-4* Promote growth management strategies that protect air, water, land and energy resources are met by the development of solar energy generation.
F. *Section 8.2.8.1 Electricity and Natural Gas,* the development of a Community Solar generation by this Amendment and zone change is providing another alternative energy source that is replacing the decommissioned coal-fired power plants. It provides solar opportunities for those Public Service Company of New Mexico customers by providing solar opportunities to those, for whatever reason, are unable to have solar on their own property.

The proposed amendment to the Master Plan and allowing a Renewable Energy Overlay is consistent with the goals and elements of the Comprehensive Plan as seen above. The proposed amendment will enable the preservation of land by an appropriate interim use that does not require extension of utilities and services at this time and preserves the vision and goals of the underlying Loma Barbon Master Plan.

It is the desire of the New Mexico State legislature and the New Mexico Public Regulation Commission through their regulations to provide solar energy to provide solar opportunities with the Community Solar Act and program.

We respectfully request that the Rio Rancho Planning and Zoning Board recommend approval of this request for an amendment and zone map change to the Loma Barbon Master plan based on the justification above.

Please contact me at (505) 259-0724 with any questions that may arise from this request.

Sincerely,



Laurie Moye, Agent

Land Use Consultant

SelectROW

Enclosures:

Land Use Application
Loma Barbon Master Plan Amendment
Agent Letter
Owner Acknowledgement

LOMA BARBON MASTER PLAN ADDENDUM











ADOPTED BY THE CITY OF RIO RANCHO GOVERNING BODY –

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LOMA BARBON MASTER PLAN ADDENDUM

This Amendment to the Loma Barbon Master Plan (Resolution No. 64, Enactment 02-063), is made in accordance with Section 150.07 of the City of Rio Rancho municipal code.

In December of 2000, a Joint Planning Agreement between the Commissioner of Public Lands for the State of New Mexico and the City of Rio Rancho was signed to develop the Loma Barbon Master Plan ("Master Plan"). In September of 2002, the City of Rio Rancho annexed approximately 605 unplatted acres owned by the State of New Mexico ("Land") (Exhibit A) and the Master Plan for Loma Barbon was adopted by the City of Rio Rancho. The Master Plan includes applicable zoning and land use regulations. This Amendment modifies the Master Plan by allowing for a Renewable.Energy.Overlay.District.on a portion of the Master Plan for solar power generation, storage, and distribution without modifying the original content and intent of the approved Master Plan. This Amendment creates a stand-alone document that provides for additional land use, while allowing the underlaying land use and zoning to remain intact. At all times, whether a Solar Energy System is present or later removed, the existing development entitlements remain in place.

SECTION 1 APPROVAL HISTORY

The Master Plan was the first time the New Mexico State Land Office ("NMSLO") had collaborated with a municipal government to create a plan for State Trust Land. In December 2000, the City of Rio Rancho and the NMSLO signed a Joint Planning Agreement to guide the planning of the Land. The Loma Barbon Master Plan was approved by the City of Rio Rancho in September 2002. The Master Plan applies to and is approximately 605 acres of state trust land. The NMSLO primary mission is to optimize revenues for its beneficiaries which are New Mexico's public schools and universities. This Master Plan is a blueprint for development for future generations of New Mexicans whose use will generate revenues for the trust.

The Master Plan describes and analyzes physical and environmental conditions, long term infrastructure needs, and development vision of the Plan.

Due to the mixed-use nature of the Master Plan and the fact that the NMSLO will not be the developer of the property it was stated in the Master Plan that there is not a phasing plan proposed strategy at the time of adoption. The NMSLO uses a competitive bid process to develop an agreement between the developer and the State Land Office.

SECTION 2 PURPOSE

The 2025 Loma Barbon Master Plan Amendment (this "Amendment") was initiated by the NMSLO, as a supplemental document to the approved Master Plan to allow for land uses in the northwest corner of the property for a community solar project ("Project"). The area identified for the Amendment constitutes approximately 80 acres and is more particularly shown in Exhibit B ("Property"). This Amendment is the result of consultation with NMSLO, Affordable Solar Group, LLC, its successor and assigns ("Solar Developer"), and the City of Rio Rancho staff. This Amendment defines the framework for a Solar Energy System on the Property.

This Amendment is to allow for the Project to be built, operated and maintained on the Property.

SECTION 3 DESCRIPTION of the PROJECT

The Project is a ground mounted community solar photovoltaic system capable of producing up to 5 MWac of electricity that will be connected to the Public Service Company of New Mexico ("PNM") distribution system. The Project was awarded capacity by the New Mexico Public Regulatory Commission in the state approved New Mexico community solar program. The Property was selected because there is an existing distribution line adjacent to the Property with adequate capacity to meet the Project's needs. Interface with existing lines shall be determined and approved through future negotiations with PNM.

The Project will include, but is not limited to:

- The Project consist of a Solar Photovoltaic Array of on single axis tracking racks ground mounted. The Solar Photovoltaic Array converts Solar Energy into electricity. The single axis racking system will run in rows and will slowly rotate to follow the sun across the sky each day.
- The Project will include the necessary wiring, inverters, transformers, and other equipment and infrastructure required to interconnect the Project to the existing electric lines at the site and produce electricity.
- The Project may include a storage container for spare parts, equipment, and other related materials.
- The Project will not require permanent on-site water or wastewater infrastructure.
- Access to the Project will be from old US Highway 44 and gravel or dirt roads will go around the Project site to provide access to the equipment. No paved roads are planned internally to the site.
- Project may be developed in phases.
- The Project will (i) be designed with the intention to maintain as much of the natural/existing vegetation during and after construction as reasonably and commercially possible, and (ii) be operated and maintained by an off-site operations and maintenance crew.
- An archaeology survey has recently been conducted on the Property.

The project site at coordinates 35.363052, -106.631037 is located in juniper woodlands, primarily consisting of common one-seed juniper (Juniperus monosperma) and native grasses like blue grama (Bouteloua gracilis) and galleta only (Pleuraphis jamesii). The area also supports wildlife such as pinyon jays, mule deer, and coyotes. While the site will be mowed where required within the affected area of the solar installation, reasonable steps will be taken to minimize disturbance when possible.

SECTION 4 DEFINITIONS

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

- **Alternating Current (AC):** Is a type of electricity where the flow of electrons regularly switches direction or cycles, at constant intervals. The type of electricity used in homes and businesses.
- **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 Storage System:** A system capable of utilizing batteries to store the electricity produced by the Solar Photovoltaic Array and release the electricity later.

- **Community Solar Project:** Projects that are a part of the New Mexico Legislature and the New Mexico Public Regulation Commission (NMPRC)) efforts to provide solar opportunities to those, for whatever reason, are unable to have solar on their property. Subscriptions to the Project allow for a credit in the subscriber electric bill. Greater than 50 percent of the energy produced will be allocated to qualified low-income subscribers.
- **Direct Current (DC):** Electric current flowing in a constant direction.
- **Electric Distribution System:** An electric system operating at 12.47kV providing electricity to homes and businesses.
- **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).
- **Kilovolt (kV):** Equal to 1,000Volts
- **Kilowatt (kW):** Equal to 1000 Watts.
- **MWac:** Megawatt Alternating current is a unit of power used to express the capacity of a solar power plant or system.
- **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 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 into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.
- **Solar Photovoltaic Array**: Solar system consisting of any number of solar photovoltaic panels made of photovoltaic cells with semi-conducting materials, that produce electricity in the form of Direct Current (DC), when they are exposed to sunlight and connected to provide a single output. 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 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.



This section sets forth zoning regulations, which will apply to the Loma Barbon Renewable Energy Overlay District ("LB-RE-OD"). Where this Amendment is silent, the national electric standards, or the NERC requirements, or the City of Rio Rancho Zoning Ordinances shall prevail.

(A) Purpose. LB-RE-OD zoning district is suitable for uses where the underlying zoning district needs to be maintained or for other reasons which are partially or entirely dependent on the character of the site and proposed use.

(1) A LB-RE-OD overlay district is appropriately used;

(a) To allow uses otherwise permitted in the 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 System and any other ancillary facilities in connection therewith;

(2) Public utility development/Substations/switching stations/Renewable Energy generation, installations of Solar Photovoltaic Array, Battery Storage System; and

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

(C) Signage

(1) Signs shall comply with NERC and any other national electric standards and at a minimum include the following. requirements:

(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.

(2) 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.

(D) Height Restrictions

(1) No building structure shall exceed 26 feet in height from the finished grade;

and

(2) 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 Project, 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. 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. As required for safety of the public and safety of the equipment the facility will be enclosed with a 7-foot-high fence, consisting of a 6 foot chain-link with 1-foot-high barbed wire on top will be placed around the facility.

(G) Setbacks

(1) From the Property boundary, the Solar Photovoltaic Array shall be 25 feet from the rear, front and side property lines, except for any interior property lines where no setback is required. This restriction shall not apply to roads that may

encircle the Project. An interior perimeter road is allowed in the setback areas. Setbacks are measured from the property line to the structures.

(H) Site Plan Requirements. The LB-RE-OD zone district must have a site plan approved by the City of Rio Rancho Governing Body, as defined in the City of Rio Rancho municipal code ("Governing Body"). Approval of the site plan containing the following information (if applicable) must be obtained prior to the 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 using native vegetation;

(8) Elevations;

(9) Adjacent property characteristics;

(10) Preliminary drainage plan;

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

(12) Identification of the proposed Substation location;

(13) Survey, signed by New Mexico licensed surveyor;

(14) Phasing plan;

(15) Submitted design documents should be signed by a New Mexico licensed engineer;

(16) Location and type of backup generators;

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

(18) Visual rendering(s) of proposed facility for evaluation;

(19) Portions of the Overlay District indicate retail, mixed use areas west of US Hwy 550 and east and west Old Hwy 44. These areas should be evaluated during development review to determine whether buffering may be required; and

(20) To the maximum extent practical, the existing native vegetation will remain in its natural state. No landscaping is proposed for the Project at this time. Any landscaping, if required, will be native vegetation.

(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 Array site plan shall be reviewed and approved by the City of Rio Rancho 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 Array and the associated infrastructure needed to produce and transport Renewable Energy.

(J) Decommissioning and Removal

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

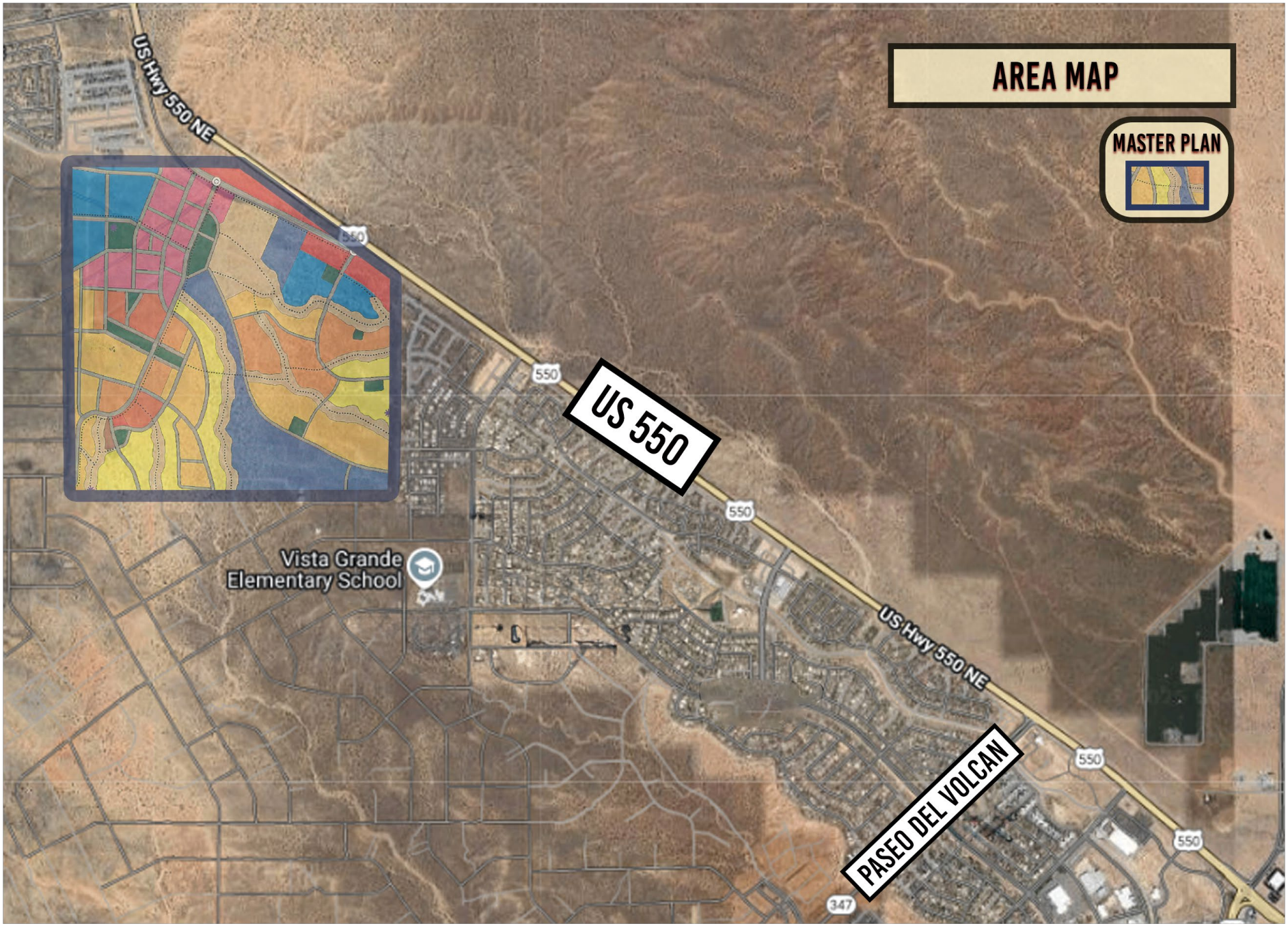
(2) Decommissioning must occur if the Project does not produce power for a consecutive 12-month period after the Project has been full constructed and is operational and capable of transmitting energy to the larger power grid, except in the instance of a force majeure event in which the Project is being repaired and/or restored or the Project's failure to produce power is due to government regulations or order or some other event outside the control of Solar Developer.

(3) The decommissioning plan shall include provisions for removal and disconnecting from the Solar Energy System and the restoration of the Property and leave the Property in a reasonably good and clean condition.

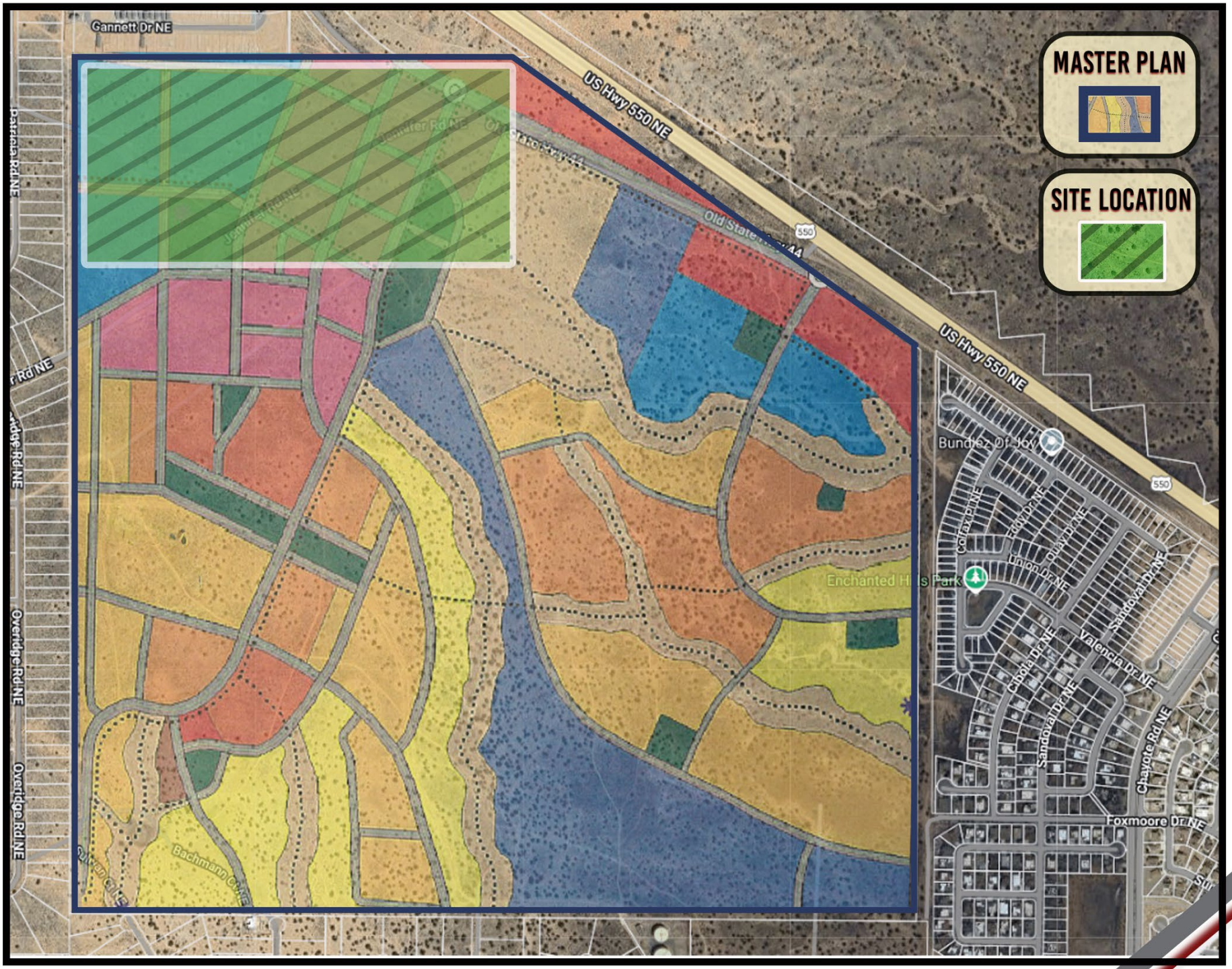
(4) The disposal of all solid and hazardous waste shall be in accordance with local, state, and federal waste disposal regulations. Hazardous waste may include waste listed under the Environmental Protection Agency (EPA), F, K, P, U, or Characteristic Waste categories.

(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 20% of the approved plan, the site access is similar in its effect on adjacent property or streets, and the City of Rio Rancho Planning and Zoning Manager finds that neither the City of Rio Rancho nor any person will be substantially and materially 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.



LOMA BARBON ADDENDUM EXHIBIT A



LOMA BARBON ADDENDUM EXHIBIT B

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

August 11, 2025

RE: Zone Map Amendment and Master Plan Amendment, Case No. 25-100-00007 & 25-410-00005
Loma Barbon – Tract B

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, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment to implement a Renewable Energy Overlay Zone on 80 acres of the subject property legally described as Loma Barbon, Tract B. The subject property comprises approximately 650 acres.

The applicant is also requesting approval of an amendment to the Loma Barbon 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 requests and decide their approval on **Tuesday, August 26, 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.

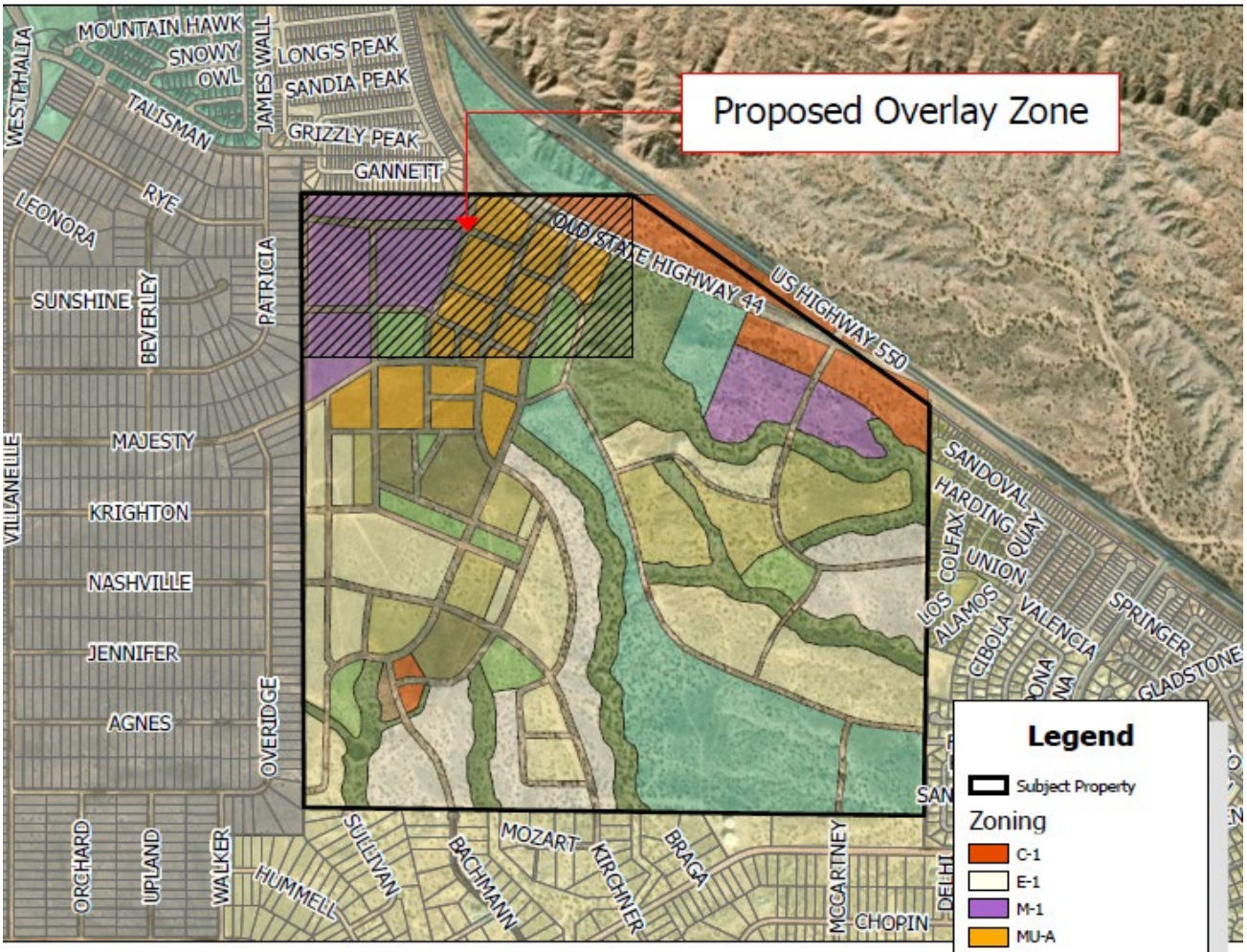
Respectfully,

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

LOMA BARBON RENEWABLE ENERGY OVERLAY DISTRICT



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, 8/7/2025

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, August 26, 2025:

Zone Map Amendment
Case #25-100-00007
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment to implement a Renewable Energy Overlay Zone on 80 acres of the subject property legally described as
Loma Barbon, Tract B. The subject property comprises approximately 650 acres.

Master Plan Amendment
Case #25-410-00005
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, also requests approval of an amendment to the Loma Barbon Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject property.

Preliminary/Final Plat
Case #25-220-00006
The applicant, City of Rio Rancho Public Works, through their agent Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat for the subject properties legally described as Unit 21, Block 13, Lots 1 and 2, and Unit 21, Block 20, Parcel D and Lot 48. The plat combines the four existing properties into two lots, dedicates a portion of Right of Way (ROW), and relocates PUE's.

Subdivision Variance
Case #25-280-0004
The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres

Preliminary, Final Plat
Case #25-210-00004
The applicant, Southwest Elegant Homes LLC, through their agent, CSI-Cartesian Surveys, Inc., is requesting approval of a Preliminary, Final Plat to split a lot 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres.

Variance
Case #25-110-00016
The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second wall sign for the Defined Pickleball location at 1640 NM 528 SE, legally described as HILL, Tract B.

Zone Map Amendment
Case #25-100-00008
The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approx. 2.65 acres.

The meeting is scheduled for 6 p.m. 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. 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: August 11, 2025

CITY OF RIO RANCHO DEVELOPMENT SVCS DEPT
ATTN: ACCOUNTS PAYABLE
3200 CIVIC CENTER CIR NE
RIO RANCHO NM 87144
(505)891-5005
sbitah@rrnm.gov

Account: 1010956
Ad Number: 273380

Sales Rep: Default Salesperson
Words: 527
Lines: 203

Cost of Ad	*Payments*	*Total Due*
164.11	0.00	164.11

Class: 3000 LEGAL ADS | *SubClass:* 3001 GOVERNMENT LEGALS

Albuquerque Journal Aug 11

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 AN 80 ACRE PORTION OF THE PROPERTY LEGALLY DESCRIBED AS LOMA BARBON, TRACT B, 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. 25-100-00007; and

WHEREAS: the Governing Body adopted the Loma Barbon Master Plan on September 11, 2002 under Resolution No. 64, Enactment No. 02-063; and

WHEREAS: the Governing Body approved the amendment to the Loma Barbon Master Plan Addendum on September 25, 2025, under Resolution No. __, Enactment No.___; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on August 26, 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 September 25, 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.

A. 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 approximately 80 acres of the following property:

Loma Barbon, Tract B, as shown on the plat entitled "ANNEXATION PLAT Tract B LOMA BARBON Being a Portion of Section 16 Township 13 North, Range 3 East, N.M.P.M. City of Rio Rancho, Sandoval County, New Mexico" filed in the office of the County Clerk of Sandoval County, New Mexico on May 9, 2003, Book 15, Page 33.

B. The Overlay Zone District shall be the area identified in the attached Exhibit B, located in the northwest corner of the Loma Barbon Master Plan.

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. __, Enactment No.___, Loma Barbon Master Plan Addendum, approved on September 25, 2025, (PZB case No. 25-410-00005), 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 Loma Barbon Master Plan Addendum and any conditions of approval of the 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: 25-280-00004

AGENDA DATE:
August 26, 2025

DEPARTMENT:
Development Services

SUBJECT:
Subdivision Variance. The applicant, Southwest Elegant Homes LLC, through their agent CSI-Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements, in order to subdivide a lot at the subject property of 5601 Iris Road NE, legally described as Unit 17, Blk 81, Lot 20. Staff contact is Tamarah Martinez and staff recommends denial.

BACKGROUND AND ANALYSIS:
The applicant, Southwest Elegant Homes LLC, through their agent CSI-Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivisions, section 155.27 Required Improvements for the installation of sidewalks and water and sewer mains. The request is for the proposed lot split at the subject property of 5601 Iris Road NE, legally described as Unit 17, Block 81, Lot 20, without improvements. The preliminary/final plat for the lot split of Unit 17, Block 81, Lot 21 into two lots will be heard concurrently under case number 25-210-0004. All the attachments will be included in this case.

The subject property is located at 5601 Iris Road NE, east of the intersection of Idalia Road NE and Iris Road NE, both minor arterial roads. The property is zoned E-1: Estate Residential District per Ordinance No. 32 Enactment No. 94-034, comprises approximately 2.5 acres and is located within the La Barranca Specific Area Plan. The subject property is not in a Special Assessment District, does not have City utilities (water and sewer), nor does it have sidewalks.

The applicant requests a subdivision variance to Rio Rancho Code of Ordinances (R.O. 2003) §155.27 *Required Improvements*, which states:"(A) Authorization. Receipt of the signed copy of the preliminary plat is authorization for the subdivider to proceed with the minimum improvements required by these regulations. Prior to the construction of any improvements or to the submission of any bond, the subdivider shall furnish the Planning Board with all plans and data necessary for the construction of the improvements. These plans shall be examined by the Planning Board and will be approved if in accordance with the following requirements. Following the approval, construction can be started or the amount of bond determined. ...

(C) Installation of improvements. The subdivider may prepare and secure approval of the preliminary plat and then install improvements in the area covered by the preliminary plat. Improvements must be installed only in that part of the area for which a final plat will be submitted for approval and filing. The improvements to be installed shall include the following"...

(3) Sidewalks.(a) Provision. Sidewalks shall be provided by the developer and shall be constructed under the supervision of the City Engineer and subject to his approval in accordance with the design standards of the city.(b) Warrants. Sidewalks shall be required on both sides of arterial and collector streets when abutting land zoned R-3, C-1, C-2, M-1 or SU, and when abutting church and school grounds. Sidewalks shall be required on both sides of all local streets in a logical manner to facilitate pedestrian access.

(4) Water and sewer mains. The subdivider shall make necessary arrangements to serve each lot from water and sewer mains of the central systems serving the city, where feasible and in conformity to Governing Body policy. Where, for any reason, municipal services cannot be provided, the subdivider shall present evidence that adequate water and sewer service to each lot will be provided in compliance with the requirements of the New Mexico Environmental Improvement Division and in conformity to the standard specifications of the city construction of all water and sewer lines shall be under the supervision and approval of the City Engineer....

(6) Street lighting. (a) Street lighting shall be provided by the developer and shall be constructed under the supervision of the City Engineer and subject to his approval in accordance with the design standards provided herein."

REVIEW CRITERIA:

R.O. 2003 § 155.60 (A) addresses variances, stating “Variance from the strict application of design standards may be allowed in cases where unusual conditions exist, or a variance would provide an improved design. Financial gain, loss or monetary savings cannot be considered solely as a basis for a variance request."

The applicant has provided a justification narrative in support of this variance request (included as an Attachment) and it states: " I wanted to explain why I'd like to divide this 2.5 ac lot to 2 equal lots, one lot will have 1.3 ac and the other 1.2 ac. I think over an acre is a lot of land per house and more than most people would or need. I'd like to build 2 affordable homes on these 2 lots." This narrative also includes that the lots are over two hundred feet from City Utilities, and a Letter of Determination provided by the New Mexico Environmental Department.

Staff finds that, surrounding properties do not have sidewalks or street lighting and a variance request to these requirement is not unreasonable. Staff also finds that splitting the large lot into two smaller lots will impact the total number of horses that would be allowed on the lot, housing horses on an E-1 property is one of the few differences in the residential districts. Currently the property could house four horses, splitting the property would limit each property to one horse. The proposed lot configuration fails to provide an improved design and does not meet the requirements of R.O. 2003 § 155.60(A). The applicant has not provided adequate justification for the request. As the property is a buildable lot, denial of this subdivision does not restrict the applicant from the reasonable use of their land.

Policy A-2 of the City’s Comprehensive Plan (Chapter 3, Annexations, Antiquated Platting & Addressing) is to, “Require appropriate development standards for infrastructure and environmental improvements for both newly platted lots and antiquated lots.” Allowing for the subdivision of a lot that does not have access to the necessary infrastructure furthers the proliferation of substandard antiquated platted lots which diminishes the overall aesthetic of the City.

The requirements of R.O. 2003 § 155.28(B) (2) read in part “…relief may not be granted if it is detrimental to the public good or impairs the intent and purpose of these regulations or the desirable developments of the community in accordance with plans and policies of the Governing Body.”

Staff recommends the Planning and Zoning Board find that the subdivision variance request does not meet the criteria for a variance provided in R.O. 2003 § 155.60(A) as no unusual conditions exist, and a variance would not provide an improved design for the neighborhood and City.

NOTIFICATIONS:

Neighboring property owners within 100 feet of the subject property were sent a certified mailed letter 15 days prior to the hearing date of the Planning and Zoning Board, and property owners between 100-300 feet were sent a postcard 15 days in advance of the hearing. A notice sign was erected on the subject property on August 19, 2025 by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on August 11, 2025. All notification requirements for this hearing have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:
Reviewing Agency Received Application for Review Comments

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

IMPACT:

The Development Services Department recommends denial of the subdivision variance request subject to the findings set forth below:

GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 § 155.60, the Planning and Zoning Board has jurisdiction over approval of the applicant's request for a subdivision variance to the required improvements of a subdivision.
2. Following procedures for approval of a subdivision variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application for a subdivision variance.
4. Due process was provided to the applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT FOR DENIAL:

1. The applicant has not provided adequate justification for a Subdivision Variance, in accordance with the criteria set forth in R.O. 2003 § 155.60.
2. The applicant has not provided adequate justification for a modification or exception to the subdivision requirements as required by R.O. 2003 §155.28(B).
3. The proposed subdivision does not provide an improved design.

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

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

1. The applicant has adequately addressed the criteria for granting a subdivision variance as set forth in R.O. 2003 §155.60.
2. A variance to R.O. 2003 §155.27 Required Improvements is approved.
3. The proposed subdivision provides an improved design.

ALTERNATIVES:

The Planning and Zoning Board may:

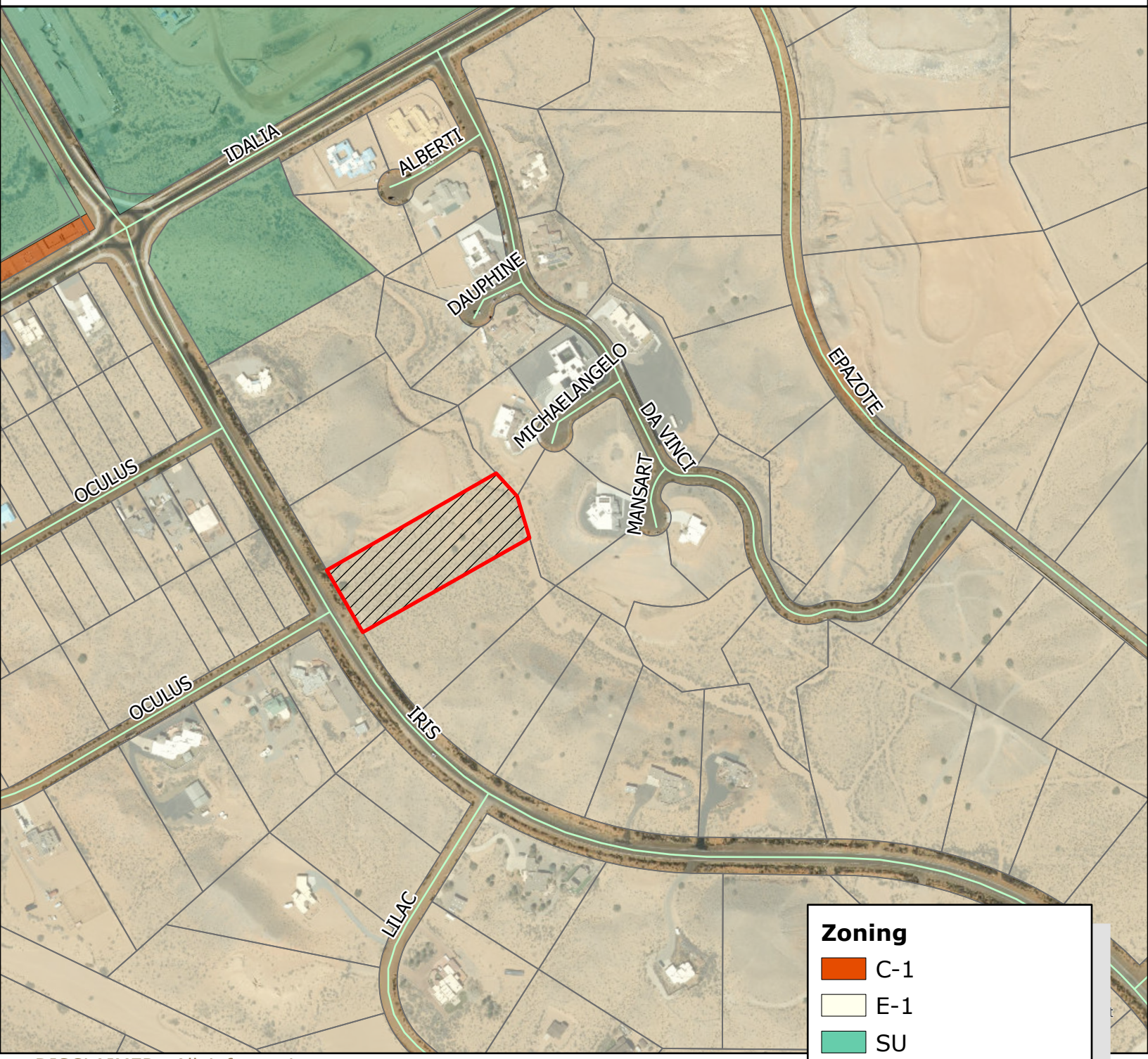
1. Approve the subdivision variance with findings.
2. Approve the subdivision variance with amendments to the findings.
3. Deny the subdivision variance.
4. Postpone action on the subdivision variance to allow for further review and information.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board deny the requested variance, subject to findings and conditions.

ATTACHMENT: 5601 Iris Rd NE Map.pdf
ATTACHMENT: Application
ATTACHMENT: Justification Letter
ATTACHMENT: Letter of Determination for 5601 Iris Road NE Lot 20-a.pdf
ATTACHMENT: Letter of Determination for 5601 Iris Road NE Lot 20-b.pdf
ATTACHMENT: WarrantyDeed.pdf
ATTACHMENT: Reproduction of Notices.pdf
ATTACHMENT: Findings_of_Fact_BMB_TMupdate.docx

5601 IRIS ROAD NE
UNIT 17, BLOCK 81, LOT 20



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 courtesy of Tamarah Martinez 8.6.25

Authentisign ID: 3E576B24-F363-F011-8DCA-00224822F75A

Rio Rancho
City of Vision

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: Mia Huynh		Phone: 5054404632
Address: 5616 Addis ave se		E-Mail: swehomellc@gmail.com
City: albuquerque	State: nm	Zip: 87106
Proprietary Interest:	List Owners: Southwest Elegant Homes, llc	
Deed or Ownership Verification Provided: (Initials) MH		Letter of Authorization Provided: (Initials)
Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

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

This lot doesn't have any city water or sewer. We are asking for a variance to allow us to be able to install a well and septics for the 2 lots that we are subdividing

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : 17	Block(s): 81	Lot(s): 20
Existing Zoning: E1	Proposed Zoning: R1	
No. of existing lots: 1	No. of proposed lots: 2	Total area of site (acres) 2.5

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: Mia Huynh	Applicant: Mia Huynh	Agent:
Signature: Mia Huynh		Date: 07/18/25

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Form revised June 2014

Justification Letter for 5601 Iris Rd Ne

Hi Brad,
I'm not so sure I know what a Justification letter is about.

I wanted to explain why I'd like to divide this 2.5 ac lot to 2 equal lots, one lot will have 1.3 ac and the other 1.2 ac. I think over an acre is a lot of land per house and more than most people would or need. I'd like to build 2 affordable homes on these 2 lots.

These lots are over 200 feet from city water and sewer according to Robert Lujan, Rio Rancho water engineer, he emailed you and I to confirm this.
The letter of Determination from Helene states that we can have a well for each lot or a shared well and a septic tank for each lot.

Thank you for taking the time to help me with this process.

Sincerely,
Mia Huynh
505-440-4632

July 15, 2025

Southwest Elegant Homes LLC
Attn: Mia Huynh
5616 Addis Ave SE
Albuquerque, New Mexico 87106

Re: Letter of Determination for Lot 20-a, 5601 Iris Road NE, Rio Rancho

Dear Mia Huynh,

Pursuant to Liquid Waste Disposal and Treatment Regulation 20.7.3.201.M, NMAC, you have requested a Letter of Determination as to the minimum requirements for liquid waste disposal for Lot 20-a located at Rio Rancho Estates, Unit 17, Block 81, Lot 20-a.

With a conventional treatment unit and a conventional disposal field, the lot sized at 1.11 acres can receive no more than 555 gallons per day of domestic wastewater disposal. Any flow higher than 555 gallons per day shall be subject to a nitrogen reduction treatment system or a non-discharging system.

All liquid waste disposal on this lot must comply with the requirements of 20.7.3, NMAC including, but not limited to, minimum lot size, suitable soil, setback/clearance requirements, and adequate disposal field sizing. These determinations are made on a case-by-case basis at the time that an application for a Liquid Waste Permit is submitted.

This determination shall be valid for one year from the date of this letter.

Sincerely,

Helene Sickler

Environmental Scientist & Specialist III

New Mexico Environment Department

Environmental Health Bureau

4359 Jager Drive NE, Suite B

Rio Rancho, NM 87144

C: (505) 362-8860

July 15, 2025

Southwest Elegant Homes LLC
Attn: Mia Huynh
5616 Addis Ave SE
Albuquerque, New Mexico 87106

Re: Letter of Determination for Lot 20-b, 5601 Iris Road NE, Rio Rancho

Dear Mia Huynh,

Pursuant to Liquid Waste Disposal and Treatment Regulation 20.7.3.201.M, NMAC, you have requested a Letter of Determination as to the minimum requirements for liquid waste disposal for Lot 20-b located at Rio Rancho Estates, Unit 17, Block 81, Lot 20-b.

With a conventional treatment unit and a conventional disposal field, the lot sized at 1.38 acres can receive no more than 690 gallons per day of domestic wastewater disposal. Any flow higher than 690 gallons per day shall be subject to a nitrogen reduction treatment system or a non-discharging system.

All liquid waste disposal on this lot must comply with the requirements of 20.7.3, NMAC including, but not limited to, minimum lot size, suitable soil, setback/clearance requirements, and adequate disposal field sizing. These determinations are made on a case-by-case basis at the time that an application for a Liquid Waste Permit is submitted.

This determination shall be valid for one year from the date of this letter.

Sincerely,

Helene Sickler

Environmental Scientist & Specialist III

New Mexico Environment Department

Environmental Health Bureau

4359 Jager Drive NE, Suite B

Rio Rancho, NM 87144

C: (505) 362-8860

2023020556 B: 426 P: 20556 WD
10/13/2023 01:07:41 PM Page 1 of 1
Anne Brady-Romero, County Clerk-Sandoval County, NM

Old Republic National Title Insurance Company
Order Number: 2304073 MD

WARRANTY DEED

Charles Whitener and Reiko Whitener, husband and wife

for consideration paid, grant(s) to Southwest Elegant Homes, LLC, a New Mexico limited liability company

whose address is: 5616 Addis Ave SE, Albuquerque, NM 87106, the following described real estate in Sandoval County, New Mexico,

Lot numbered Twenty (20) in Block numbered Eighty-one (81) of Unit Seventeen (17), Rio Rancho Estates, Town of Alameda Grant, Sandoval County, New Mexico, as the same is shown and designated on the Plat filed in the office of the County Clerk of Sandoval County, New Mexico, on March 6, 1969, in Rio Rancho Estates Plat Book No. 1, Page 83.

SUBJECT TO all patent and mineral reservations, restrictive covenants, restrictions and reservations of easements and rights-of-way of record, and all applicable zoning regulations, restrictions and requirements and all other matters of record and to taxes for the year 2024 and subsequent years;

with warranty covenants.

Dated: October 11, 2023

Charles Whitener
Charles Whitener

Reiko Whitener

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF FORT BEND

This instrument was acknowledged before me on October 11th, 2023 by **Charles Whitener and Reiko Whitener**

TERRI S JONES
Notary ID #130255677
My Commission Expires
June 10, 2027

Notary Public, State of Texas
My Commission Expires: 6/10/2027

This Notarization was conducted using audio/video technology provided by eNotaryLog, LLC

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

August 6, 2025

RE: **Preliminary/Final Plat & Subdivision Variance: Case No. 25-280-00004 and 25-210-00004, Unit 17, Block 81, Lot 20 (5601 Iris Road NE)**

Dear Property Owner:

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

The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of **5601 Iris Road Ne**, legally described as **Unit 17, Blk 81, Lot 20.** The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, August 26, 2025** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to planning@rrm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

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

Please do not hesitate to contact me at 505-896-8796 or e-mail me at tamartinez@rrnm.gov if you have any questions about the application or accessing the meeting. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, approximately one week before the hearing.

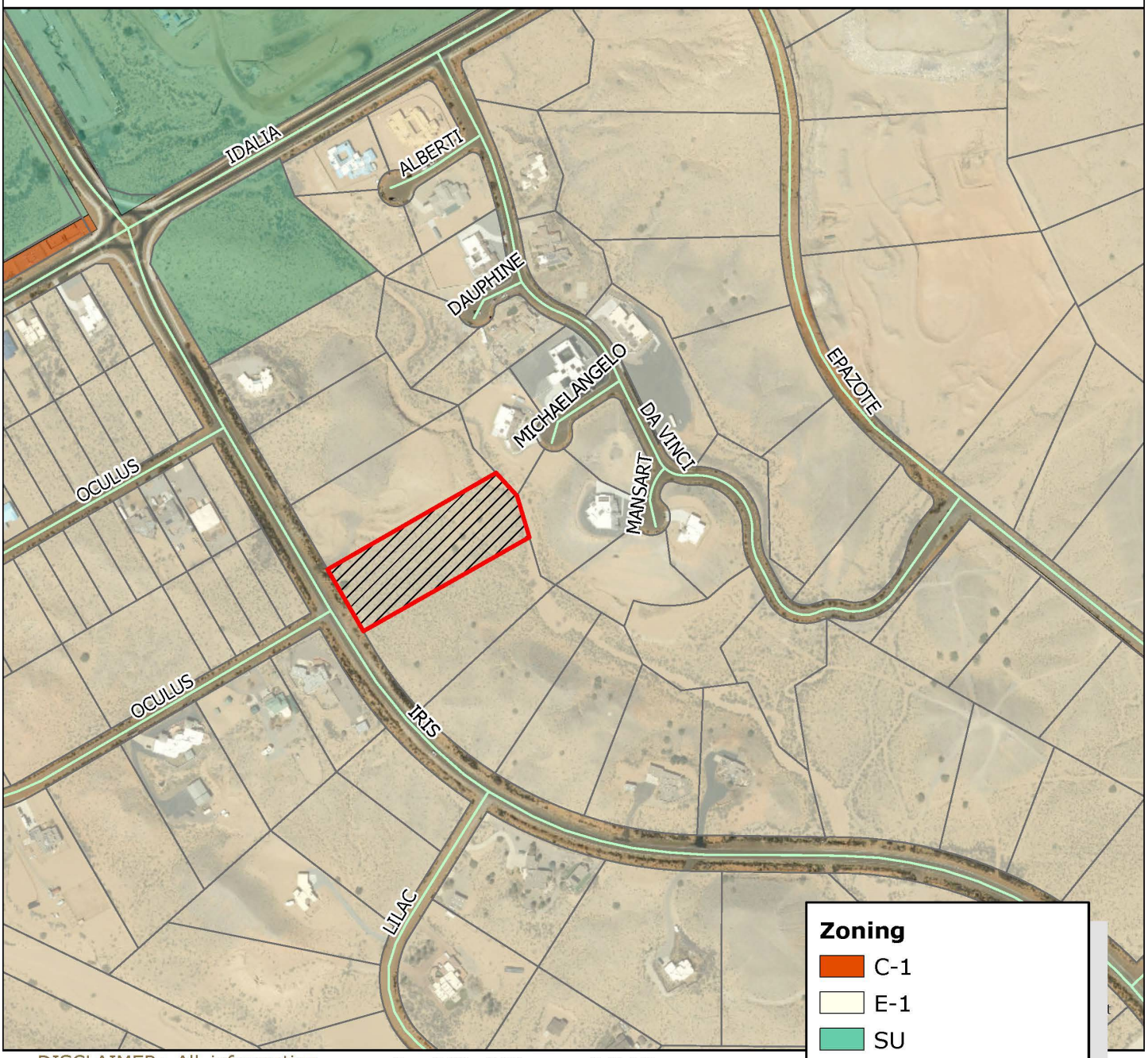
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public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

Respectfully,

Tamarah Martinez

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

5601 IRIS ROAD NE
UNIT 17, BLOCK 81, LOT 20



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 courtesy of Tamarah Martinez 8.6.25

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

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**August 26, 2025**
Time:	6:00PM
Staff Contact:	Tamarah Martinez (505)896-8793 tamartinez@rrnm.gov

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

NOTICE OF PUBLIC HEARING

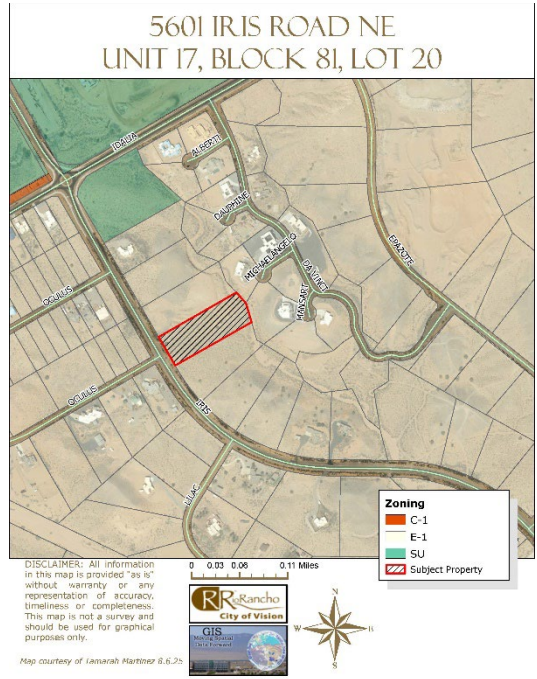
Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**August 26, 2025**
Time:	6:00PM
Staff Contact:	Tamarah Martinez (505)896-8793 tamartinez@rrnm.gov

Application Information

You are receiving this notice because your property abuts a site where a land development decision is required by the Planning and Zoning Board. The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The PZB will hear the request on August 26, 2025.

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

https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US

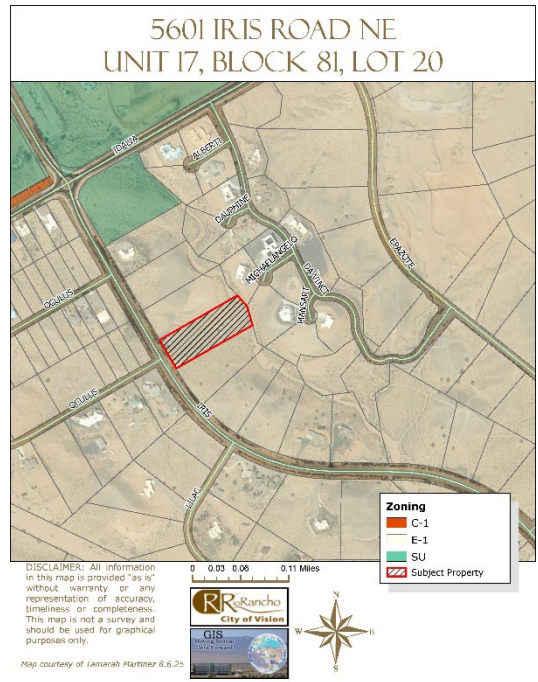


Application Information

You are receiving this notice because your property abuts a site where a land development decision is required by the Planning and Zoning Board. The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The PZB will hear the request on August 26, 2025.

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

https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US



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, August 26, 2025:

Zone Map Amendment
Case #25-100-00007
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment to implement a Renewable Energy Overlay Zone on 80 acres of the subject property legally described as
Loma Barbon, Tract B. The subject property comprises approximately 650 acres.

Master Plan Amendment
Case #25-410-00005
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, also requests approval of an amendment to the Loma Barbon Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject property.

Preliminary/Final Plat
Case #25-220-00006
The applicant, City of Rio Rancho Public Works, through their agent Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat for the subject properties legally described as Unit 21, Block 13, Lots 1 and 2, and Unit 21, Block 20, Parcel D and Lot 48. The plat combines the four existing properties into two lots, dedicates a portion of Right of Way (ROW), and relocates PUE's.

Subdivision Variance
Case #25-280-0004
The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres

Preliminary, Final Plat
Case #25-210-00004
The applicant, Southwest Elegant Homes LLC, through their agent, CSI-Cartesian Surveys, Inc., is requesting approval of a Preliminary, Final Plat to split a lot 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres.

Variance
Case #25-110-00016
The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second wall sign for the Defined Pickleball location at 1640 NM 528 SE, legally described as HILL, Tract B.

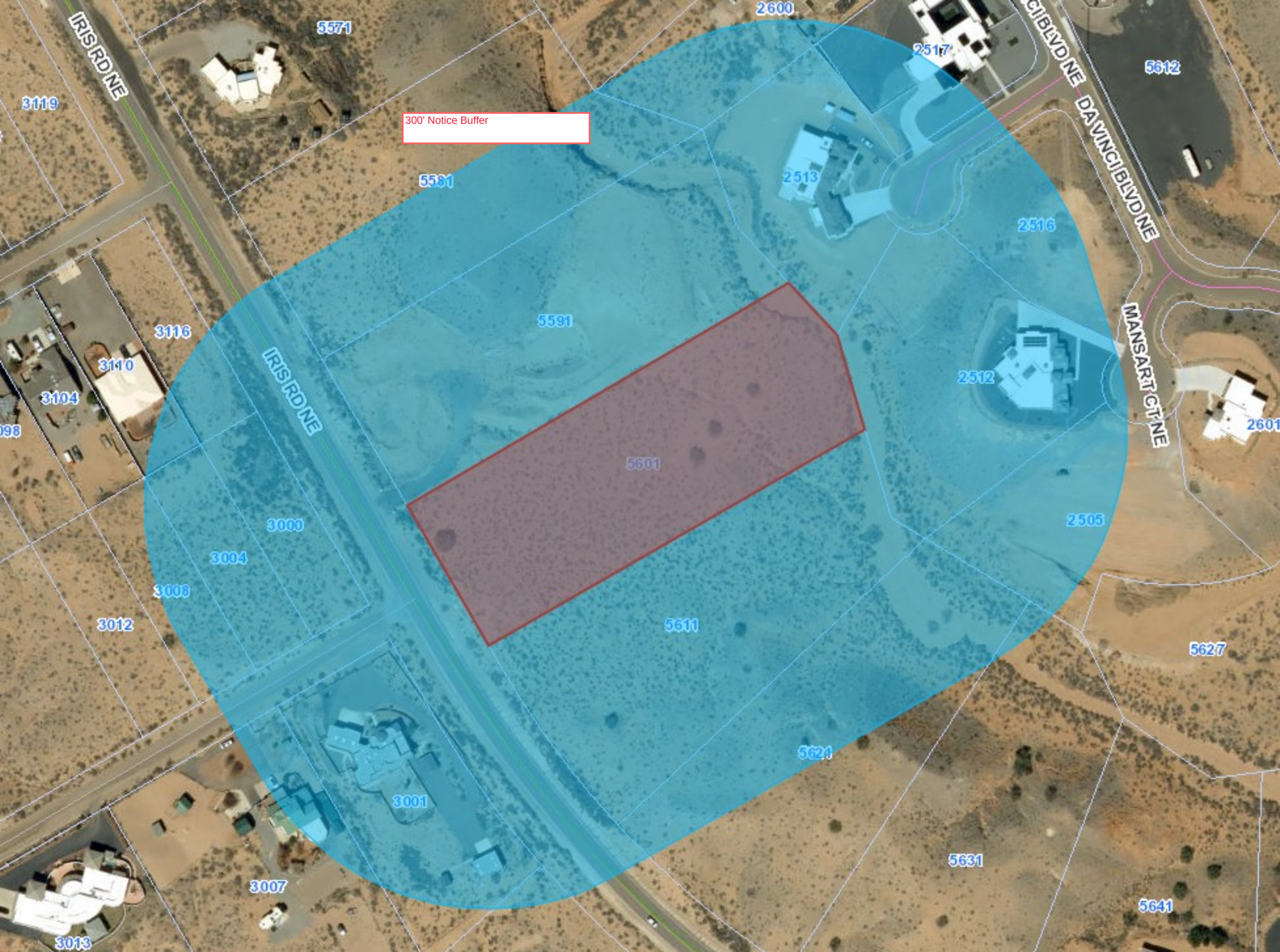
Zone Map Amendment
Case #25-100-00008
The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approx. 2.65 acres.

The meeting is scheduled for 6 p.m. 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. 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: August 11, 2025


100' Notice Buffer
5581
2513
MICHAELANGELO
DA VINCI BLVD NE
2516
5591
3116
IRIS RD NE
2512
MANSART CT NE
5601
3000
2505
3004
3008
5611
5621
3001
5631


300' Notice Buffer
IRIS RD NE
DA VINCI BLVD NE
MANSART CT NE
5571
2600
2517
5612
3119
5591
2513
2516
3116
3110
3104
5601
2512
2601
3000
3004
3008
3012
2505
5611
5627
5624
3001
5631
3007
5641
3013

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 25-280-00004

REQUEST FOR VARIANCE TO RIO RANCHO CODE OF ORDINANCES CHAPTER 155.27 REQUIRED IMPROVEMENTS, FOR THE INSTALLATION OF SIDEWALKS AND WATER/SEWER MAINS FOR THE PROPOSED SUBDIVISION OF THE PROPERTY LEGALLY DESCRIBED AS UNIT 17, BLOCK 81, LOT 20.

Applicants: Southwest Elegant Homes LLC

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 26th day of August, 2025, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:
1. In accordance with R.O. 2003 § 155.60, the Planning and Zoning Board has jurisdiction over approval of the applicant's request for a subdivision variance to the required improvements of a subdivision.
2. Following procedures for approval of a subdivision variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application for a subdivision variance.
4. Due process was provided to the applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT:
1. The applicant has not provided adequate justification for a Subdivision Variance, in accordance with the criteria set forth in R.O. 2003 § 155.60.
2. The applicant has not provided adequate justification for a modification or exception to the subdivision requirements as required by R.O. 2003 §155.28(B).
3. The proposed subdivision does not provide an improved design.

THEREFORE, the application for a subdivision variance to the requirement improvements of a subdivision, is **DENIED** by the Planning & Zoning Board of the City of Rio Rancho on August 26, 2025, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Board Chairman

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 25-280-00004

REQUEST FOR VARIANCE TO RIO RANCHO CODE OF ORDINANCES CHAPTER 155.27 REQUIRED IMPROVEMENTS, FOR THE INSTALLATION OF SIDEWALKS AND WATER/SEWER MAINS FOR THE PROPOSED SUBDIVISION OF THE PROPERTY LEGALLY DESCRIBED AS UNIT 17, BLOCK 81, LOT 20.

Applicants: Southwest Elegant Homes LLC

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 26th day of August, 2025, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:
1. In accordance with R.O. 2003 § 155.60, the Planning and Zoning Board has jurisdiction over approval of the applicant's request for a subdivision variance to the required improvements of a subdivision.
2. Following procedures for approval of a subdivision variance, proper notice of hearing on this matter was given.
3. The applicant has the authority to make an application for a subdivision variance.
4. Due process was provided to the applicant and surrounding property owners.

SPECIFIC FINDINGS OF FACT AND CONDITIONS OF APPROVAL :
1. The applicant has adequately addressed the criteria for granting a subdivision variance as set forth in R.O. 2003 §155.60.
2. A variance to R.O. 2003 §155.27 Required Improvements is approved for the subdivision of the property legally described as Unit 17, Block 81, Lot 20.
3. The proposed subdivision provides an improved design.

THEREFORE, the application for a subdivision variance to the requirement of requirement improvements of a subdivision, is **APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on August 26, 2025, subject to the conditions, restrictions and stipulations specified above.

Date

Planning & Zoning Board Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-210-00004

AGENDA DATE:
August 26, 2025

DEPARTMENT:
Development Services

SUBJECT:
Preliminary/Final Plat. The applicant, Southwest Elegant Homes LLC, through their agent CSI-Cartesian Surveys, Inc, is requesting approval of a Preliminary/Final Plat to subdivide the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20 into two lots. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres. Staff contact is Tamarah Martinez and staff recommends denial.

BACKGROUND AND ANALYSIS:
The applicant, Southwest Elegant Homes LLC, through their agent CSI-Cartesian Surveys, Inc, is requesting approval of a preliminary/final plat, which would create two E-1: Estate Residential zoned lots from the property legally described as Unit 17, Block 81, Lot 20. The subject property is located at 5601 Iris Road NE, east of the intersection of Idalia Road NE and Iris Road NE, both minor arterial roads.

The property is zoned E-1: Estate Residential District per Ordinance No. 32 Enactment No. 94-034, comprises approximately 2.50 acres and is located within the La Barranca Specific Area Plan. The subject property is not in a Special Assessment District, does not have City utilities (water and sewer), nor does it have sidewalks.

A lot split to create two lots from one lot can typically be administratively approved. The administrative approval pursuant to Rio Rancho Code of Ordinances (R.O. 2003) §155.26, requires that the Development Services director “may approve a subdivision as a combined preliminary and final plat in any case where no public purpose would be served by separate steps”.

Subdivision plats require access to City water, sewer and paved road under City Code Section 155.27 "Required Improvements". This lot does not have access to City water and sewer and therefore the subdivision cannot be administratively approved. The split into smaller lots also necessitates a separate process to allow neighboring properties a chance to be informed of the change. There is a concurrent subdivision variance application for the subdivision improvement requirements under case 25-280-00004.

GENERAL INFORMATION:
1. Layout: Currently 1 lot. This request would allow for two separate parcels.
2. Acreage: Approximately 2.50 acres.
3. Access: The subject Subdivision will be accessed from Iris Road NE through Idalia Road NE (to the north of the subject property), both minor arterials.
4. Zoning: The subject property is zoned as E-1: Estate Residential per Ordinance No. 32 Enactment 94-034.

5. Dry Utilities/Gas: The applicant is responsible for coordinating the installation of all dry utilities with Sparklight, Comcast, Ezee Fiber, Centurylink, PNM, and Gas Company of New Mexico.
6. Water and Wastewater Availability: The property owner will have to work with the New Mexico Environmental Department on approval on a septic system and the Office of the State Engineer on the approval of a well. The applicant has provided a letter from the NMED that will allow a for either a one well per lot or a shared well between the proposed lots as well as a septic tank on each lot. The City cannot guarantee either approvals and without these approvals development will not be guaranteed.
7. Drainage: Drainage plans will need to be submitted and approved before construction can take place.
8. Roads and Sidewalks: The applicant has submitted a variance request to not be required to put in sidewalks on these lots. The surrounding properties do not have sidewalks.
9. Recreation Facilities/Open Space: None
10. Easements: There is an existing 5 foot public utility easement surrounding the property and there will be an additional 10 foot public utility easement at the center of the lot split (5 ft on each side of the shared property line). A 10 foot public utility easement will be needed along the parcel line that fronts Iris Road.
11. Public Site Dedications: None
12. Variances: Concurrent with this application, the applicant is requesting a Subdivision Variance (25-280-00004) to the subdivision code (R.O. 2003 Chapter 155 Subdivisions) requirements: Chapter 155.27 Required Improvements (C) Installation of improvements. The improvements to be installed shall be the following: (3) Sidewalks, (4) Water and sewer mains, and (6) Street lighting. The subdivider shall make necessary arrangements to serve each lot from water and sewer mains of the central systems serving the city, where feasible and in conformity to Governing Body policy. Where, for any reason, municipal services cannot be provided, the subdivider shall present evidence that adequate water and sewer service to each lot will be provided in compliance with the requirements of the New Mexico Environmental Improvement Division and in conformity to the standard specifications of the city construction of all water and sewer lines shall be under the supervision and approval of the City Engineer.

CONFORMANCE WITH THE SUBDIVISION CHAPTER OF THE CITY:

The preliminary/final plat will need to be reviewed under the subdivision chapter of the City (Rio Rancho Code of Ordinances, Chapter 155). Staff recommends the Board finds that the proposed subdivision does not conform, as it does not have access to the required improvements under Section 155.27, and plans have not been submitted for the required improvements.

Staff recommends the Planning and Zoning Board find that the applicant's concurrent Subdivision Variance request to this requirement will need to be approved in order to conform to this requirement. May conform with approval of Subdivision Variance, Case #25-280-04.

CONFORMANCE WITH THE ZONING ORDINANCE:

The property is zoned E-1: Estate Residential which allows for a minimum lot area of 21,780 square feet, and no minimum lot width, assuming there is a connection to City water and sewer. Staff finds that the proposed lots meet the E-1, minimum lot size requirements and may conform if appropriate septic and well permits are obtained. The proposed lot sizes will diminish the amount of horses that can be kept on the future properties.

CONFORMANCE WITH THE CITY COMPREHENSIVE PLAN:

In Chapter 5, Land Use Element, a policy is to “encourage the master planning of developments that establish a community character that considers circulation, landscaping, open space, storm

drainage, utilities, and building location and design in the master plan", (5.6.3, Policy L-1). Staff finds that the City's Comprehensive Plan (Section 3.3) notes the problem with antiquated subdivision of lots, citing inadequacy of improvements being contrary to the proper development of the City.

Staff recommends the Planning and Zoning Board finds that the splitting of the lot without access to City water and wastewater would cause proliferation of the number of lots without appropriate City infrastructure, i.e. "expanding" antiquated platted lots. Does not conform.

NOTIFICATIONS:

Neighboring property owners within 100 feet of the subject property were sent a certified mailed letter and property owners between 100-300 feet were sent a postcard 15 days in advance of the Planning and Zoning Board hearing. A notice sign was erected on the subject property on August 19, 2025 by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on August 11, 2025. All notification requirements for this hearing have been met.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:
Reviewing Agency Received Application for Review Comments

DSD Planning and Zoning	Provided within this document
DSD Planning and Zoning	No Comments Provided
Rio Rancho Public Schools	No comments provided
Fire and Rescue	No adverse comments
Police Department	No comments provided
SSCAFCA	No comments provided
MRCOG	No comments provided
Parks, Recreation and Community Services	No adverse comments

IMPACT:

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

GENERAL FINDINGS:

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

SPECIFIC FINDINGS OF DENIAL:

1. The subdivision of an antiquated subdivision lot is contrary to the R.O. 2003 Chapter 155 Subdivisions, in that the present lot is a buildable lot and that City water and sewer is not available to service the proposed two lots, and the proposed lots do not have sidewalk abutting them.
2. The subdivision of an antiquated lot not in compliance with R.O. 2003 Chapter 155 Subdivisions, is contrary to and not consistent with the City's Comprehensive Plan, including but not limited to, Section 3.3 and 5.6.3, Policy L-1.
3. The applicant has failed to adequately address and provide the necessary evidence to justify

subdivision variances.

If the Planning and Zoning Board chooses to approve the preliminary/final plat, staff recommends such approval be with the following conditions and findings:

SPECIFIC FINDINGS AND CONDITIONS OF APPROVAL:

1. The applicant has met the criteria for a subdivision variance.
2. The plat shall conform to E-1: Estate Residential District zoning requirements.
3. Prior to issuance of building permits, the New Mexico Environment Department shall approve of advanced septic systems for both created lots.
4. Prior to issuance of building permits, the applicant must receive approval for potable water well installation to serve both newly created lots, and the New Mexico Environment Department shall be added as a signee on the plat.
5. Grading and Drainage plan will required with future development of each lot.
6. Signature Block for Planning and Zoning Board approval with Chair signature line shall be added
7. Plat shall remove Director signature block and revise language in City Clerk signature block from ".. the plat shown hereon was approved administratively by the City of Rio Rancho Development Services Department..." to "the plat shown hereon was approved by the City of Rio Rancho Planning and Zoning Board at their hearing held on..."
8. Plat shall be renamed "Final Plat" and not "Summary Plat".
9. Prior to final approval by the Planning and Zoning Board Chair and recording, the plat shall be reviewed and approved by the Development Services Department Engineering and Planning Divisions to ensure compliance with requirements to include, but not limited to Chapter 155 Subdivisions.

ALTERNATIVES:

The Planning and Zoning Board May:

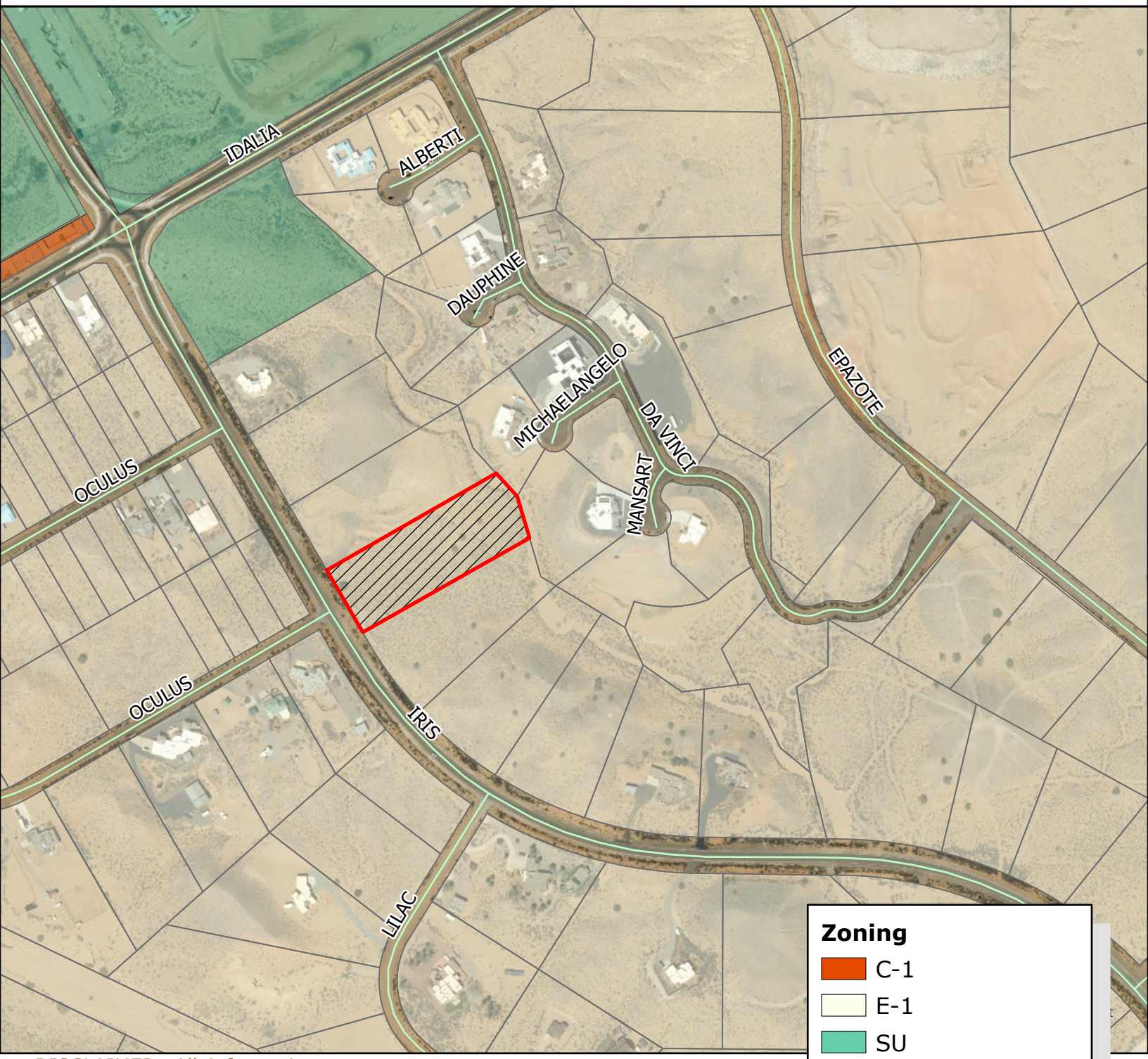
1. Approve the preliminary/final plat with staff findings.
2. Approve the preliminary/final plat with amendments to findings.
3. Deny the preliminary/final plat.
4. Postpone the item and continue the public hearing for the preliminary plat in order to further review.

DEPARTMENT RECOMMENDATION:

The Development Services Department recommends denial with findings.

ATTACHMENT: Location Map
ATTACHMENT: Application
ATTACHMENT: Authorization
ATTACHMENT: Proposed Plat
ATTACHMENT: Reproduction of Notices.pdf

5601 IRIS ROAD NE
UNIT 17, BLOCK 81, LOT 20



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 courtesy of Tamarah Martinez 8.6.25

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:	Southwest Elegant Homes, LLC		Phone:
Address:	5616 Addis Avenue SE		E-Mail: swehomellc@gmail.com
City:	Rio Rancho	State: NM	Zip: 87106
Proprietary Interest:		List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)	

Agent Name:	CSI - Cartesian Surveys, Inc.		Phone: 505-896-3050
Address:	PO Box 44414		E-Mail: cartesianryan@gmail.com
City:	Rio Rancho	State: NM	ZIP Code: 87124

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

Request summary plat review to subdivide an existing lot into two new lots. Plat grants an additional 5 foot public utiltiy easement along the Iris Road frontage and on each side of the proposed subdividing lot line.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit :	Rio Rancho Estates Unit 17	Block(s):	81	Lot(s):	Lot 20
Existing Zoning:	R-1	Proposed Zoning:			
No. of existing lots:	1	No. of proposed lots:	2	Total area of site (acres)	2.4995 acres

ACKNOWLEDGEMENT

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

Print Name:	Ryan J. Mulhall	Applicant:	Agent: x
Signature:			Date: July 1, 2025

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Mia Huynh
Southwest Elegant Homes, LLC
5616 Addis Ave SE
Albuquerque, NM 87106

City of Rio Rancho Planning Department
3200 Civic Center Circle NE
Rio Rancho NM 87144

RE: Letter of Authorization

To Whom it may concern,

I, Mia Huynh, Manager, Southwest Elegant Homes, LLC, the owner in fee simple of the below described property, do hereby give CSI - Cartesian Surveys, Inc. authorization to represent us as agent for the summary plat and any platting related actions, to subdivide an existing lot into two new lots, granting and vacating easements where necessary. This property is described as:

Lot numbered Twenty (20), in Block numbered Eighty-One (81), of Unit 17 of Rio Rancho Estates, a vacant lot located at 5616 Iris Road NE, northeast of its intersection with Oculus Loop NE, in the City of Rio Rancho, Sandoval County.

Thank You,

mia huynh

06/23/25

Mia Huynh, Manager — Date
Southwest Elegant Homes, LLC

Summary Plat for
Lots 20-A and 20-B, Block 81
Rio Rancho Estates Unit 17
Being Comprised of
Lot 20, Block 81
Rio Rancho Estates Unit 17
City of Rio Rancho
Sandoval County, New Mexico
July 2025



Vicinity Map

N.T.S.

Notes

1. FIELD SURVEY PERFORMED IN JUNE 2025.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE PARCELS SHOWN HEREON ARE LOCATED IN PROJECTED SECTION 4, TOWNSHIP 12 NORTH, RANGE 3 EAST, NMPM, WITHIN THE TOWN OF ALAMEDA GRANT.
4. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83–CENTRAL ZONE).
5. SUBDIVISION DATA

NUMBER OF LOTS REPLATTED:	1
NUMBER OF LOTS CREATED:	2
MILES OF ROAD CREATED:	0
ACREAGE IN ROADS:	0
ACREAGE DEDICATED BY THIS PLAT	0
TOTAL PLATTED ACREAGE:	2.4995 ACRES

6. THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83–GROUND–CENTRAL ZONE), USING A GROUND TO GRID FACTOR OF 0.999666453, WITH AN ORIGIN OF (0,0).

Free Consent and Dedication

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

_____
MIA HUYNH, MANAGER DATE
SOUTHWEST ELEGANT HOMES, LLC

STATE OF NEW MEXICO }
} SS
COUNTY OF }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20__
BY: MIA HUYNH, MANAGER, SOUTHWEST ELEGANT HOMES, LLC

By: _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Indexing Information

Section 4, Township 12 North, Range 3 East, N.M.P.M. as Projected into the Town of Alameda Grant
Subdivision: Rio Rancho Estates, Unit 17
Owner: Southwest Elegant Homes, LLC
UPC #: 1015072443329

Purpose of Plat

1. SUBDIVIDE EXISTING LOT INTO TWO NEW LOTS AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.

Legal Description

LOT NUMBERED TWENTY (20) IN BLOCK NUMBERED EIGHTY–ONE (81), OF UNIT SEVENTEEN (17), RIO RANCHO ESTATES, TOWN OF ALAMEDA GRANT, SANDOVAL COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON MARCH 6, 1969, IN RIO RANCHO ESTATES PLAT BOOK NO. 1, PAGE 83.

Documents

1. PLAT OF RECORD FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON MARCH 6, 1969, IN RIO RANCHO ESTATES PLAT BOOK NO. 1, PAGE 83.
2. WARRANTY DEED FOR LOT 20, BLOCK 81, RRE UNIT 17, FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE ON OCTOBER 13, 2023, AS DOC. NO. 2023020556.

Flood Notes

BASED UPON SCALING, THIS PROPERTY LIES WITHIN FLOOD ZONE "X" WHICH IS DEFINED AS AN AREA OF MINIMAL FLOOD HAZARD AS DETERMINED BY F.E.M.A. AND SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 35043C1911D, DATED MARCH 18, 2008.

Public Approvals

DEVELOPMENT SERVICES DEPARTMENT

APPROVED THE _____ DAY OF _____ , 20__.

BY: _____
AMY RINCON, DIRECTOR

CITY CLERK'S CERTIFICATE:

I, NOEL C. DAVIS, CITY CLERK OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS APPROVED ADMINISTRATIVELY BY THE CITY OF RIO RANCHO DEVELOPMENT SERVICES DEPARTMENT ON THE _____ DAY OF _____, 20__.

BY: _____
NOEL C. DAVIS, CITY CLERK

TREASURER'S CERTIFICATE:

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

_____
SANDOVAL COUNTY TREASURER DATE

Filing Information

STATE OF NEW MEXICO }
} SS
COUNTY OF SANDOVAL }

THIS INSTRUMENT WAS FILED FOR RECORD ON

___:___ AM/PM, _____, 20___

RECORDED IN VOLUME _____, OF RECORDS OF SAID

COUNTY, FOLIO _____

BY: _____,
DEPUTY

Plat Approvals

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

_____
CITY OF RIO RANCHO

_____
QWEST CORPORATION D/B/A CENTURYLINK QC

_____
PNM ELECTRIC

_____
NEW MEXICO GAS COMPANY

_____
SPARKLIGHT

_____
COMCAST

_____
EZEE FIBER

Jurisdiction Certification

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

_____
BRIAN J. MARTINEZ DATE
N.M.R.P.S. No. 18374

BRIAN J. MARTINEZ NEW MEXICO No. 18374 REGISTERED PROFESSIONAL SURVEYOR

Surveyor's Certificate

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

_____
BRIAN J. MARTINEZ DATE
N.M.R.P.S. No. 18374

BRIAN J. MARTINEZ NEW MEXICO No. 18374 REGISTERED PROFESSIONAL SURVEYOR

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896 - 3050 Fax (505) 891 - 0244
cartesianbrian@gmail.com

Summary Plat for
Lots 20-A and 20-B, Block 81
Rio Rancho Estates Unit 17
Being Comprised of
Lot 20, Block 81
Rio Rancho Estates Unit 17
City of Rio Rancho
Sandoval County, New Mexico
July 2025

Easement Notes

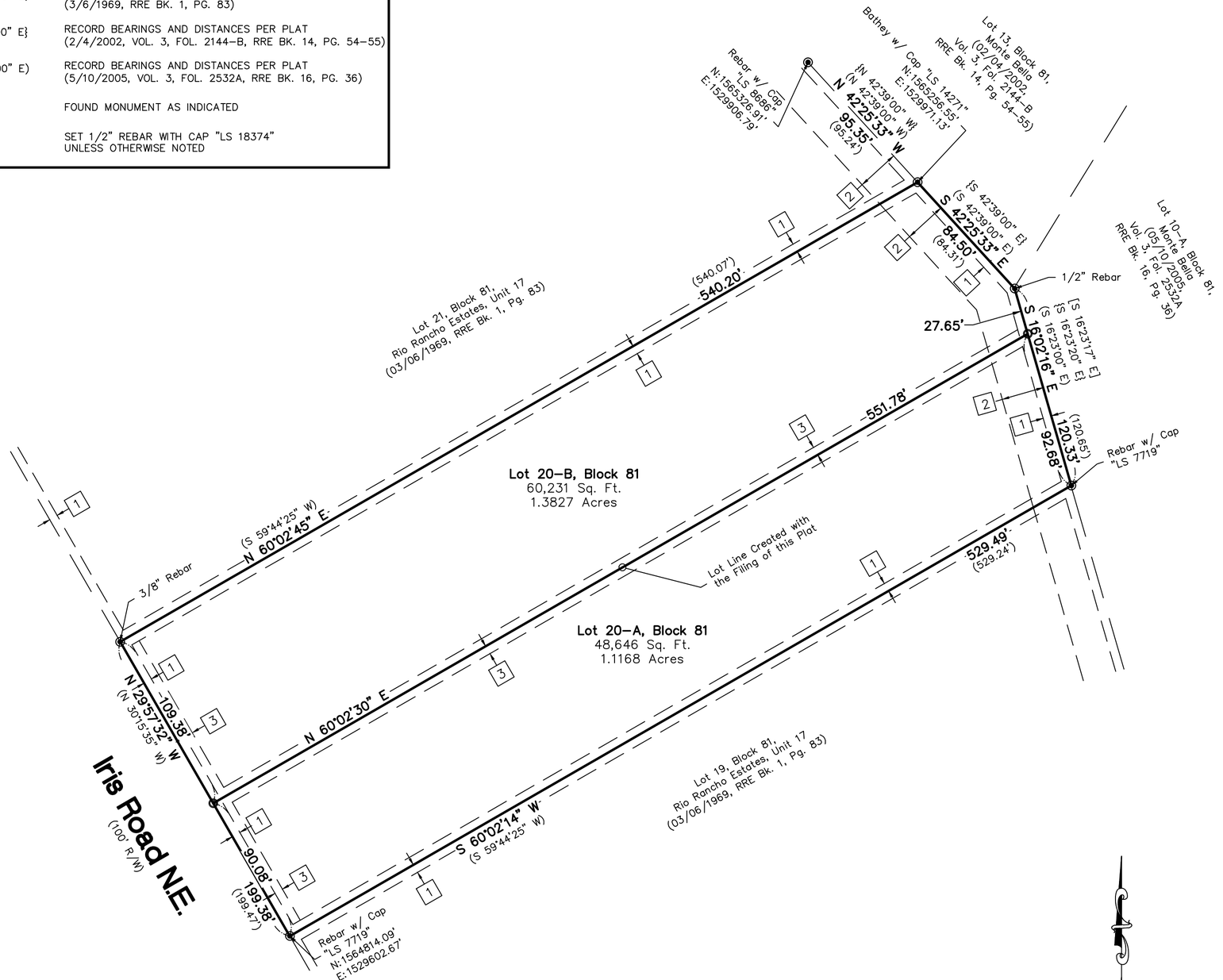
1 EXISTING 5' P.U.E. (03/06/1969, RRE BK. 1, PG. 83)

2 EXISTING 25' DRAINAGE EASEMENT (03/06/1969, RRE BK. 1, PG. 83)

3 ADDITIONAL 5' PUBLIC UTILITY EASEMENT GRANTED WITH THE FILING OF THIS PLAT

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (3/6/1969, RRE BK. 1, PG. 83)
{N 90°00'00" E}	RECORD BEARINGS AND DISTANCES PER PLAT (2/4/2002, VOL. 3, FOL. 2144–B, RRE BK. 14, PG. 54–55)
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (5/10/2005, VOL. 3, FOL. 2532A, RRE BK. 16, PG. 36)
◉	FOUND MONUMENT AS INDICATED
o	SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED



BAR SCALE

0 50' 100'

SCALE: 1" = 50'

Public Utility Easements

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

A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.

B. New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.

C. Qwest Corporation d/b/a CenturyLink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.

D. Sparklight for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

E. Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

F. City of Rio Rancho Utilities (water and sanitary sewer) for installation, maintenance, and services of lines and other equipment and facilities reasonably necessary to provide services.

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

Disclaimer

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

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896 - 3050 Fax (505) 891 - 0244
cartesianbrian@gmail.com

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

August 6, 2025

RE: **Preliminary/Final Plat & Subdivision Variance: Case No. 25-280-00004 and 25-210-00004, Unit 17, Block 81, Lot 20 (5601 Iris Road NE)**

Dear Property Owner:

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

The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of **5601 Iris Road Ne**, legally described as **Unit 17, Blk 81, Lot 20.** The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, August 26, 2025** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to planning@rrm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

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

Please do not hesitate to contact me at 505-896-8796 or e-mail me at tamartinez@rrnm.gov if you have any questions about the application or accessing the meeting. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, approximately one week before the hearing.

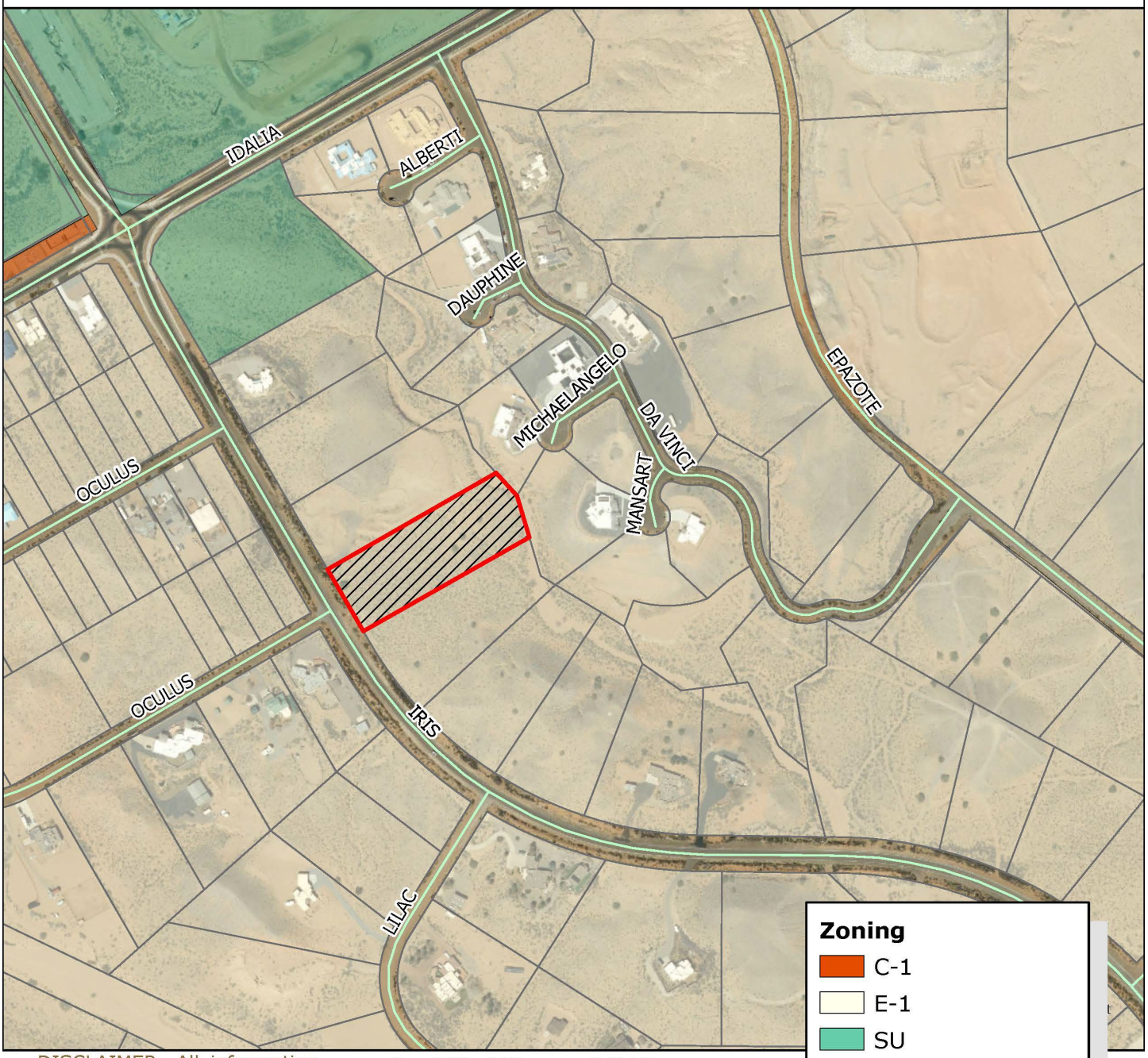
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public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

Respectfully,

Tamarah Martinez

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

5601 IRIS ROAD NE
UNIT 17, BLOCK 81, LOT 20



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 courtesy of Tamarah Martinez 8.6.25

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

NOTICE OF PUBLIC HEARING

Meeting: Planning & Zoning Board

Location: Virtual (Zoom)/City Hall

Date: **August 26, 2025**

Time: 6:00PM

Staff Contact: Tamarah Martinez (505)896-8793
tamartinez@rrnm.gov

Rio Rancho
City of Vision
Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
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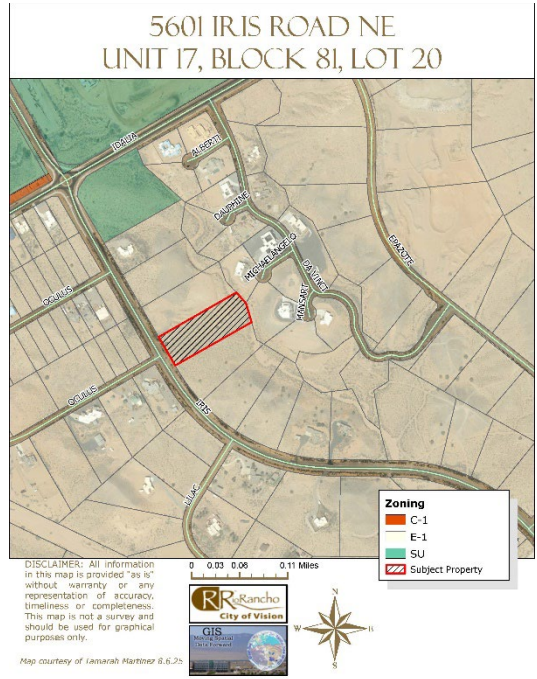
Staff Contact: Tamarah Martinez (505)896-8793
tamartinez@rrnm.gov

Application Information

You are receiving this notice because your property abuts a site where a land development decision is required by the Planning and Zoning Board. The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The PZB will hear the request on August 26, 2025.

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

https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US

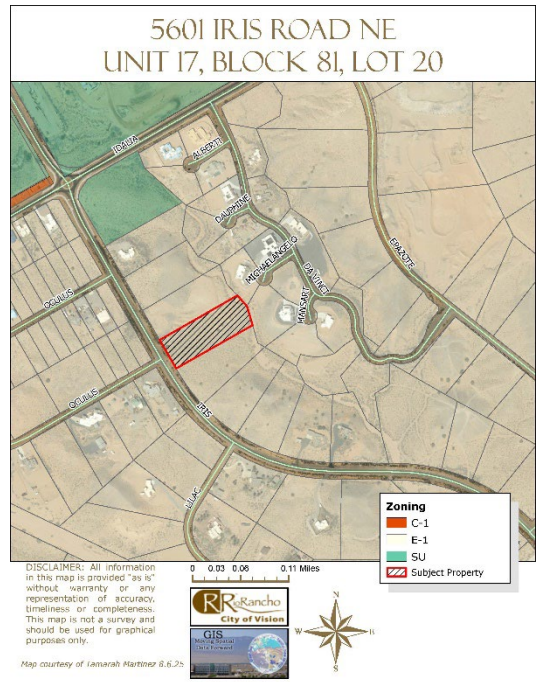


Application Information

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Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US



RioRancho
City of Vision

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO will consider the following matters at its regularly scheduled meeting at 6:00 p.m. on Tuesday, August 26, 2025:

Zone Map Amendment
Case #25-100-00007
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment to implement a Renewable Energy Overlay Zone on 80 acres of the subject property legally described as
Loma Barbon, Tract B. The subject property comprises approximately 650 acres.

Master Plan Amendment
Case #25-410-00005
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, also requests approval of an amendment to the Loma Barbon Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject property.

Preliminary/Final Plat
Case #25-220-00006
The applicant, City of Rio Rancho Public Works, through their agent Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat for the subject properties legally described as Unit 21, Block 13, Lots 1 and 2, and Unit 21, Block 20, Parcel D and Lot 48. The plat combines the four existing properties into two lots, dedicates a portion of Right of Way (ROW), and relocates PUE's.

Subdivision Variance
Case #25-280-0004
The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres

Preliminary, Final Plat
Case #25-210-00004
The applicant, Southwest Elegant Homes LLC, through their agent, CSI-Cartesian Surveys, Inc., is requesting approval of a Preliminary, Final Plat to split a lot 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres.

Variance
Case #25-110-00016
The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second wall sign for the Defined Pickleball location at 1640 NM 528 SE, legally described as HILL, Tract B.

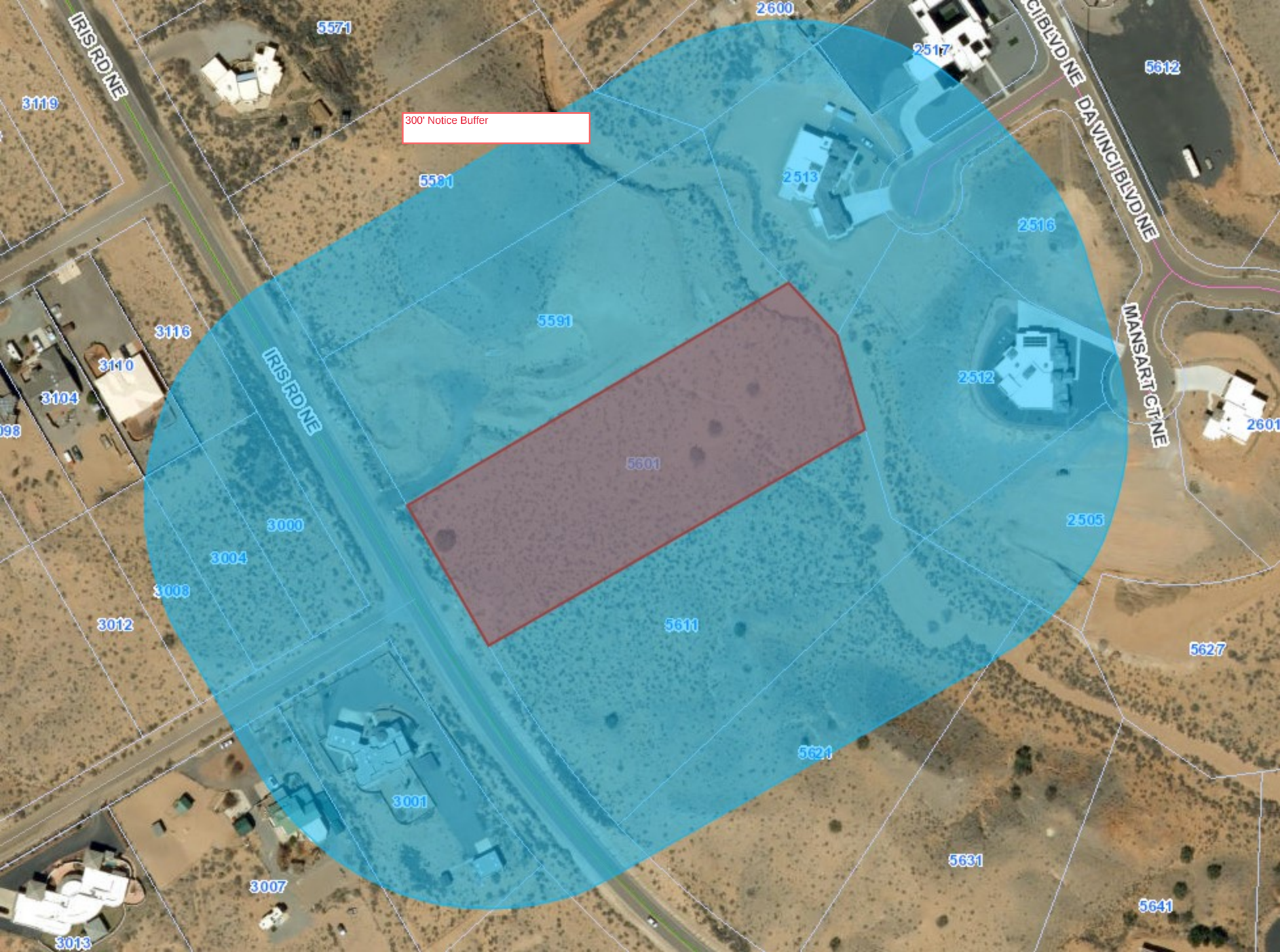
Zone Map Amendment
Case #25-100-00008
The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approx. 2.65 acres.

The meeting is scheduled for 6 p.m. 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. 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: August 11, 2025


100' Notice Buffer
5581
2513
MICHAELANGELO
DA VINCI BLVD NE
2516
5591
3116
IRIS RD NE
2512
MANSART CT NE
5601
3000
2505
3004
3008
5611
5621
3001
5631


300' Notice Buffer
IRIS RD NE
DA VINCI BLVD NE
MANSART CT NE
5571
2600
2517
5612
3119
5591
2513
2516
3116
3110
3104
5601
2512
2601
3000
3004
3008
3012
2505
5611
5627
5624
3001
5631
3007
5641
3013

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-110-00016

AGENDA DATE:
August 26, 2025

DEPARTMENT:
Development Services

SUBJECT:
Variance. The Applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second permanent sign for Defined Pickleball, located at 1640 NM 528 SE, legally described as Hilltop Plaza, Tract B. The subject property is zoned SU: Special Use for C-1 Commercial Uses and comprises approximately 7.96 acres. Staff contact is Tim Dvorak, and staff recommends approval with findings and conditions.

BACKGROUND AND ANALYSIS:
The Applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second permanent sign for Defined Pickleball, located at 1640 NM 528 SE, legally described as Hilltop Plaza, Tract B (HILL, Tract B). The subject property is zoned SU: Special Use for C-1 Commercial Uses and comprises approximately 7.9637 acres.

The subject property is within the Hilltop Plaza Shopping Center, accessed via the main entrance from NM 528 SE, a principal arterial, via Hilltop Plaza SE, a private road. The property can additionally be accessed via Sara Rd SE, a minor arterial, to the south.

The subject property is zoned SU: Special Use District for C-1: Retail Commercial via Ordinance No. 89-008, dated February, 8, 1989. Under this Ordinance, two freestanding signs (One, 100 square foot sign on NM 528 SE and one, 60 square foot sign on Sara Rd SE), with one wall sign of 40 square feet or three percent (3%) of the facade was allowed per business.

This Ordinance was subsequently amended to update signage standards by Ordinance No. 91, Enactment No. 91-002, dated January 9, 1991. This Ordinance allowed for an additional freestanding sign each on both NM 528 SE and Sara Rd SE, for a total of four freestanding signs. Wall signage regulations were changed to cumulative signage up to 50 square feet or five percent (5%) of the facade per business.

Ordinance No. 29, Enactment No. 12-29, dated October 10, 2012 allowed one additional freestanding sign along NM 528 SE (for a total of five freestanding signs) and wall signage was updated to be restricted to one wall sign per business.

The subject property is surrounded by SU: Special Use for Commercial to the north and south, R-3: Mixed Residential to the west, and C-1 Commercial in all directions. As outlined in Ordinance No. 29, Enactment 12-29, § 1(9)B. "One wall sign per business per current City Sign Ordinance, Chapter 156" is allowed.

The Applicant applied for two permanent illuminated signs for Defined Pickleball on March 26, 2025

under Building Permit No. 25-3409. Sign 1, the proposed wall sign, was approved by the Zoning Department on April 16, 2025. The wall sign comprises approximately 134 square feet.

The Applicant additionally applied for a second sign under the same building permit, comprising approximately 64.1 square feet. While staff determined that Sign 2 could be categorized as a structural canopy sign, the provisions outlined in Ordinance No. 29, Enactment 12-29, § 1(9)B limiting signage to one wall sign per business still apply.

While a structural canopy sign is not precisely a wall sign, it is still categorized under R.O. 2003 § Chapter 156.08(B)(5)(b) under *Building-Mounted Signs*. Wall signs are additionally under the signage category type of Building-Mounted Signs under R.O. 2003 § Chapter 156.08(B)(6). As Ordinance No. 29, Enactment No. 12-29 limits signage to the stipulated provisions within the subject document, a Variance for the second sign is still required.

A Special Sign Exception to Ordinance No. 29, Enactment No. 12-29 was approved by the Planning and Zoning Board under Case No. 22-110-00022 on January 10, 2023, allowing for three (3) additional wall signs at the Defined Fitness Location at the same subject property of 1640 NM 528 SE. This approval was categorized as a Special Sign Exception instead of a Variance, as this approval was subject to the August 10, 2011 version of Chapter 156 (Ordinance No. 11-14, subsequently amended by Ordinance No. 28, Enactment No.12-28 on September 26, 2012).

The complete square footage of the approved signage for Defined Fitness (January 10, 2023) totaled approximately 325.9 square feet. Both signs for Defined Pickleball comprise a total of approximately 198.1 square feet. The approximate building frontage for both Defined Fitness and Defined Pickleball is 371', per Building Permit submission #25-3409. The Applicant calls out the Defined Pickleball linear frontage as approximately 207'. Special Sign Exception Case No. 22-110-00022 previously identified the total frontage of Defined Fitness as 210'; however, Defined Fitness further expanded into the existing building to accommodate the new pickleball use, and the frontage applicable to the pickleball space now comprises approximately 207' of frontage.

As such, per the current Chapter 156.08(B)(1)(b), Single-tenant structures are permitted a maximum building-mounted sign area of two square feet per one linear foot of building length or 50 square feet, whichever is greater. Multi-tenant structures are permitted a maximum building-mounted sign area of two square feet per one linear foot of frontage per ground-floor tenant, or 50 square feet per ground-floor tenant, whichever is greater.

Given the provisions above, there would be approximately 742 square feet available to utilize within the Defined Fitness and Defined Pickleball frontage area for building-mounted signage.

Additionally, per the current Chapter 156.08(B)(1)(c), Building-mounted signs may be used in any quantity or combination, so long as the total permitted square footage is not exceeded and all individual signs conform to the specific provisions per sign type established in subsections (B)(2) through (B)(8) of this section.

REVIEW CRITERIA R.O. 2003 Section 150.06 Variance states, "(A) Variance from the strict application of area, height, dimension, distance, parking or setback requirements of this title may be allowed in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical condition where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building. Practical difficulty or unnecessary hardship cannot be found when financial gain, loss or monetary savings, or mere inconvenience upon the property owner, or difficulty caused to one’s personal comfort is the basis for the claim of hardship."

The Applicant states in their justification letter, "We are requesting a[n] additional sign to the

property and asking permission for the sign to be above the parapet with the exception [Variance] to the ordinance and the sign code process."

The Applicant continues in their letter, "We understand the required linear feet of the building which pickleball is using is 207'. The additional sign requested is 64.1 square feet which will comply with the linear foot requirement [as outlined in Chapter 156]. The square footage of the two signs adds up to ~~195~~ [198.1] square feet on the same elevation, which would still be lower than the linear feet (207') of the building frontage pickleball is using."

The Applicant concludes, "Our request to add one additional sign to the front entrance of the Defined Pickleball would still comply and fall under the linear feet of 207' total of usage for 1 business."

Staff recommends the Planning and Zoning Board find that the proposed signage in the subject request would otherwise be permissive via Chapter 156, if it were not for the further restrictions outlined in Special Use Ordinance No. 29, Enactment No. 12-29. While staff has determined that the proposed additional sign would be categorized as a structural canopy sign as opposed to a wall sign, the subject Ordinance provides no flexibilities to signage outside of the outlined criteria.

As such, a Variance for the structural canopy sign is still required. Staff finds that the proposed sign is not likely to adversely affect the health, safety, welfare, and morals of the community, or the character of the existing Hilltop Plaza Shopping Center; Criteria is satisfied.

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

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

NOTIFICATIONS: Neighboring property owners within 100 feet of the subject property were notified via certified mail of the public hearing. Additionally, neighboring property owners within 100-300 feet of the subject property were sent informational postcards via first class mail for the public hearing. A legal ad was placed in the August 11, 2025 edition of the Albuquerque Journal. A public notice sign was placed on the property as per ordinance. All legal notifications have been met.

IMPACT:

DEPARTMENT RECOMMENDATION: The Development Services Department recommends the Planning and Zoning Board approve Variance Request No. 25-110-00016, subject to the following findings and conditions:

General Findings of Fact:

1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of a Variance request to Special Use Ordinance No. 29, Enactment No. 12-29 Section 1(9)B to allow for a second permanent sign for an existing business within the Hilltop Plaza Shopping Center.
2. The Applicant has the authority to make an application to request a Variance to Special Use

Ordinance No. 29, Enactment No. 12-29 Section 1(9)B to allow for a second permanent sign for an existing business within the Hilltop Plaza Shopping Center.

Specific Findings of Fact:

1. The Applicant has adequately addressed the criteria for granting a Variance as set forth in R.O. 2003 Section 150.06.
2. The proposed signage conforms to all regulations pursuant to R.O. 2003 Chapter 156 Sign Regulations.
3. A Variance to Special Use Ordinance No. 29, Enactment No. 12-29 Section 1(9)B allowing for a second 64.1 square foot permanent sign for Defined Pickleball at the property legally described as Hilltop Plaza, Tract B, is approved and shall be consistent with all previously submitted materials contained in Building Permit #25-3409.
4. The subject sign will not adversely affect the public or the surrounding properties.

If the Planning and Zoning Board finds the Variance Request is not justified, staff recommends the following findings:

Findings of Fact for Denial:

1. The Applicant has not adequately addressed the criteria for granting a Variance as set forth in R.O. 2003 Section 150.06.

ALTERNATIVES:

The Planning and Zoning Board may:

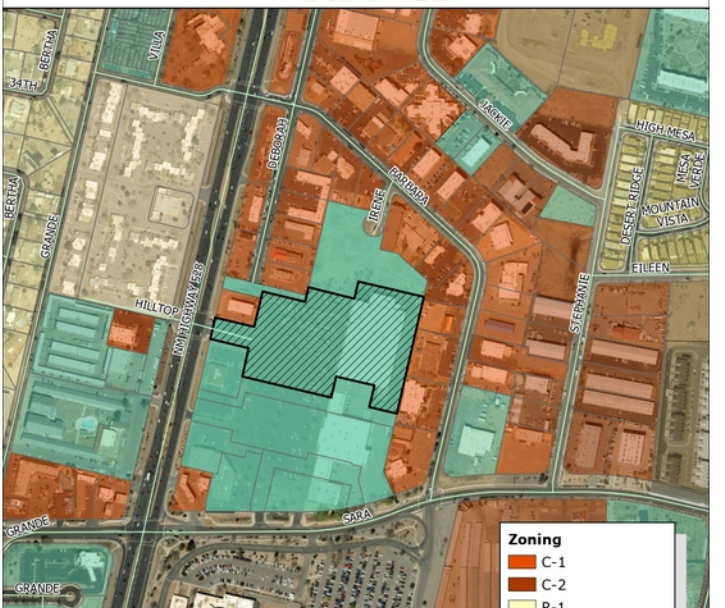
1. Approve the Variance request with staff recommendations and conditions.
2. Approve the Variance request with amendments to recommendations and/or conditions.
3. Deny the Variance request.
4. Postpone the item and continue the public hearing for the Variance request for further review.

DEPARTMENT RECOMMENDATION:

Staff recommends the Planning and Zoning Board approve the Variance request with findings and conditions.

ATTACHMENT: Zoning, Location Map
ATTACHMENT: Application & Sign Renderings
ATTACHMENT: Authorization
ATTACHMENT: Justification
ATTACHMENT: Building Permit #25-3409
ATTACHMENT: 12-29 O-29
ATTACHMENT: Reproduction of Notices, Legal Ad
ATTACHMENT: Findings_of_Fact_.docx

1640 NM HIGHWAY 528 SE
HILL, TR B
VARIANCE



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.

ReRancho City of Vision

GIS Moving Spatial Data Forward

Map courtesy of Tim Dvorak on 8/7/2025

Rio Rancho
City of Vision

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: Define Pickleball		Phone:
Address: 1640 NM Hwy 528 SE		E-Mail:
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)	Letter of Authorization Provided: (Initials)	

Agent Name: EPNM Inc. / Zeon Signs		Phone: 505-314-2122
Address: 2024 5th St NW		permitting dept@zeonsignsnm.com
City: ABQ.	State: NM	ZIP Code: 87102

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

Approval for a additional sign an Exception to the ordinance.

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

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

ACKNOWLEDGEMENT

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

Print Name: Mauricio Gonzalez	Applicant:	Agent:
Signature: Mauricio Gonzalez		Date: 7/16/25

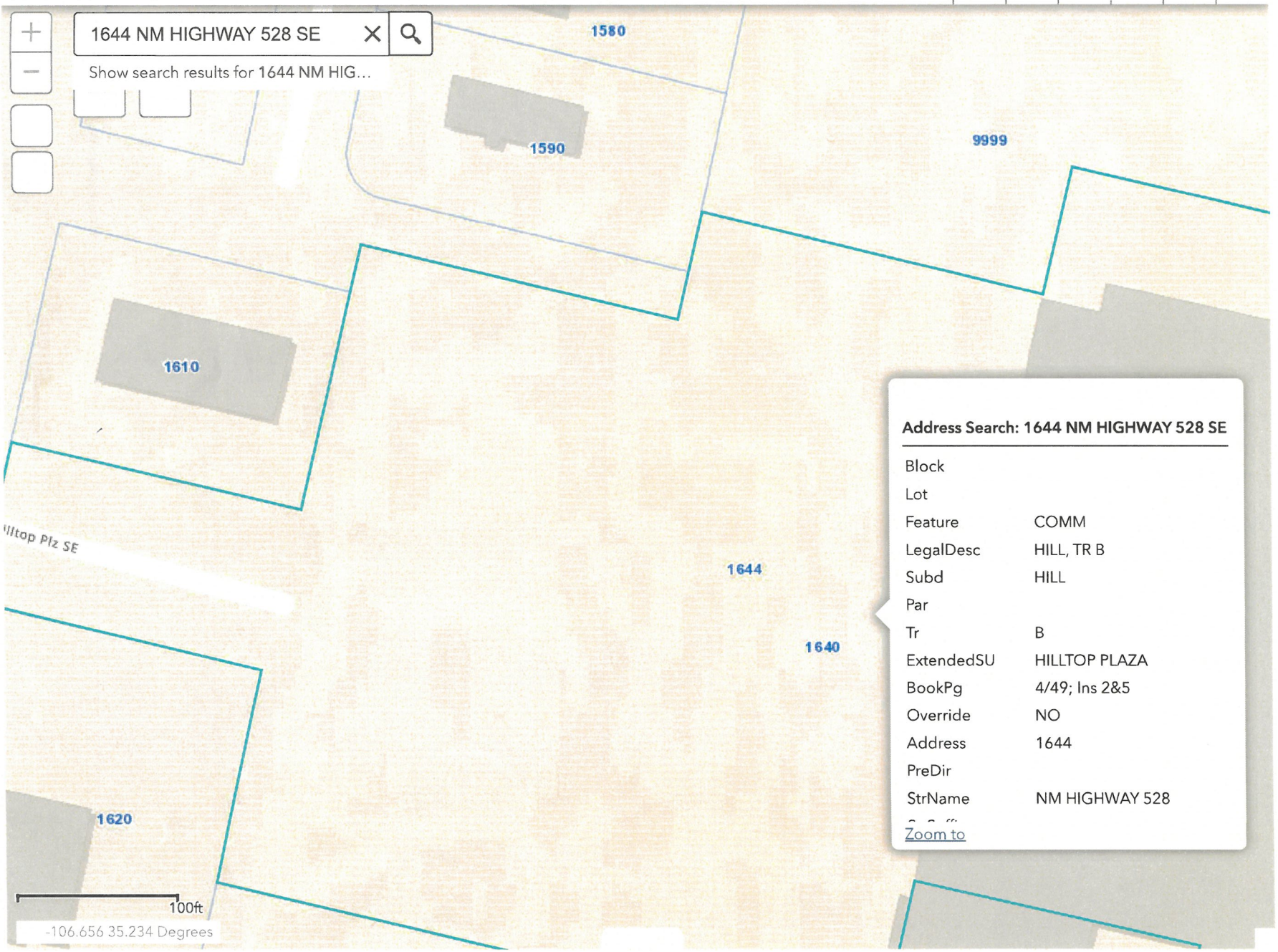
FOR OFFICIAL USE ONLY

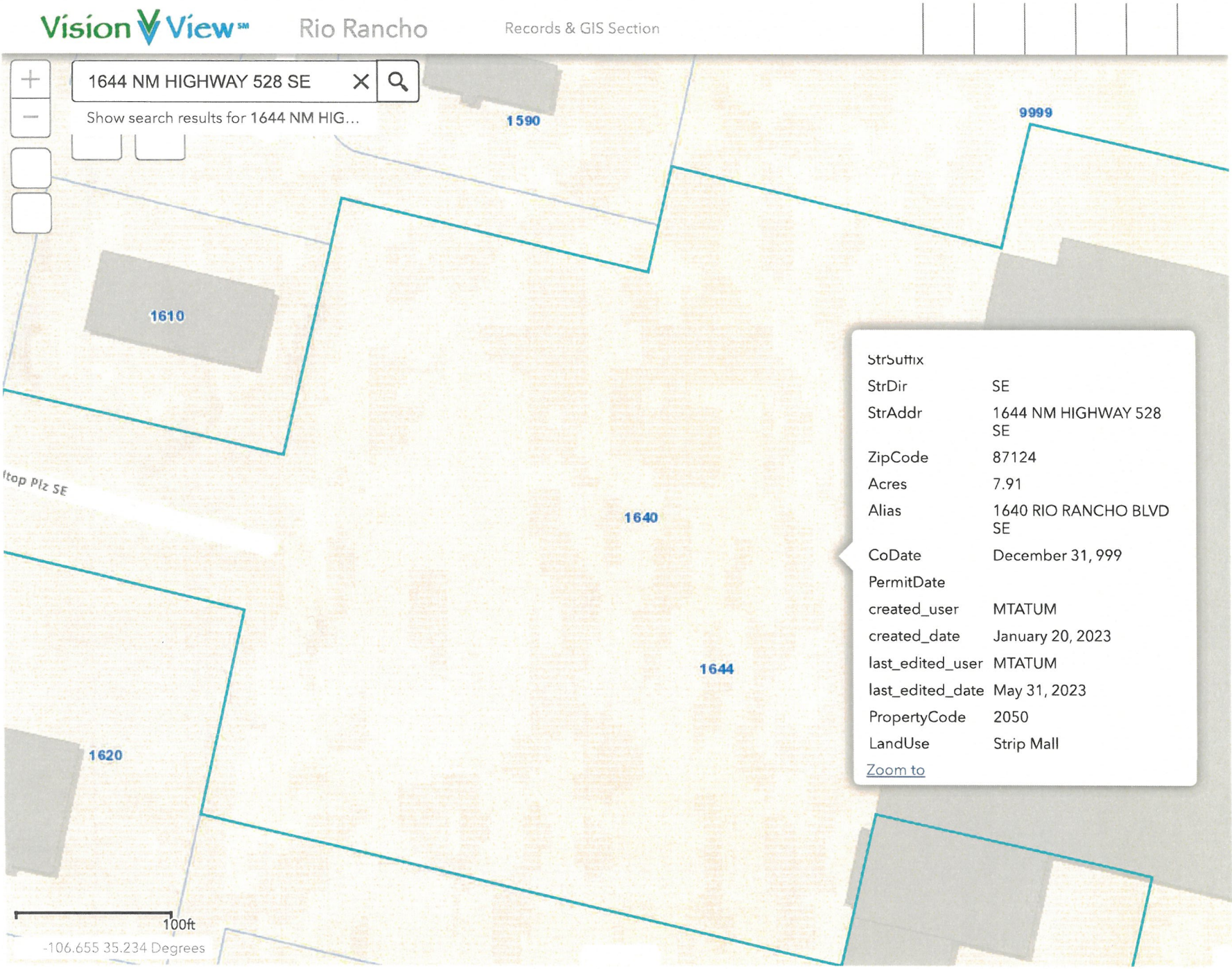
H.T.E. PROJECT #	FEE	RECEIPT #

APPLICATION ACCEPTED BY: _____ **DATE:**

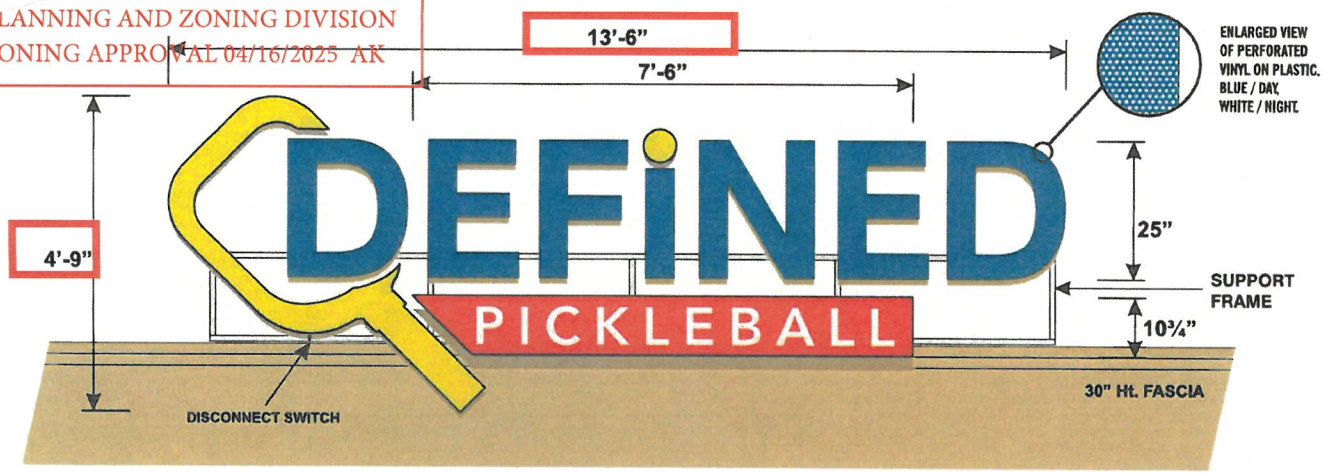
Form revised June 2014

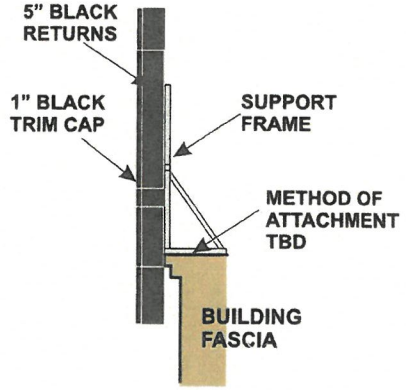
Vision View℠ Rio Rancho Records & GIS Section




Vision View SM
Rio Rancho
Records & GIS Section
1644 NM HIGHWAY 528 SE
Show search results for 1644 NM HIG...
1590
9999
1610
1640
1644
1620
StrSuffix
StrDir SE
StrAddr 1644 NM HIGHWAY 528 SE
ZipCode 87124
Acres 7.91
Alias 1640 RIO RANCHO BLVD SE
CoDate December 31, 999
PermitDate
created_user MTATUM
created_date January 20, 2023
last_edited_user MTATUM
last_edited_date May 31, 2023
PropertyCode 2050
LandUse Strip Mall
Zoom to
100ft
-106.655 35.234 Degrees

RIO RANCHO
PLANNING AND ZONING DIVISION
ZONING APPROVAL 04/16/2025 AK





END VIEW

BUILDING FRONTAGE IS 103 LF. SIGN COMPLYS WITH CODE

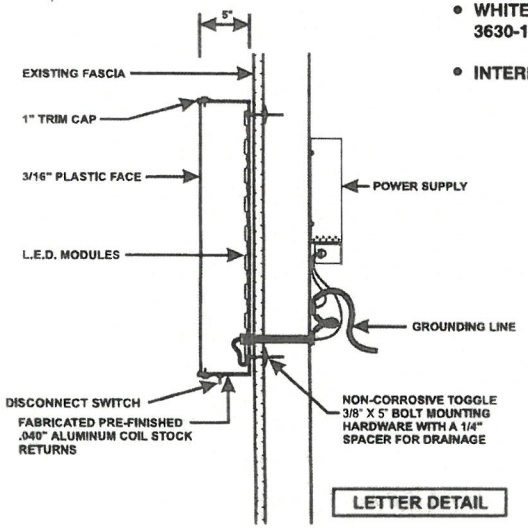
64.1 SQ. FT.

ILLUMINATED CHANNEL LETTERS DISPLAY

- BLACK ALUMINUM BACKS WITH 5" BLACK ALUMINUM RETURNS.
- WHITE PLEX FACES OVERLAID WITH 3630-167 PERFORATED BRIGHT BLUE, 3630-115 LIGHT LEMON YELLOW AND 3630-33 RED 3M VINYL ,1" BLACK TRIM CAP.
- INTERNALLY ILLUMINATED WITH WHITE LEDs.



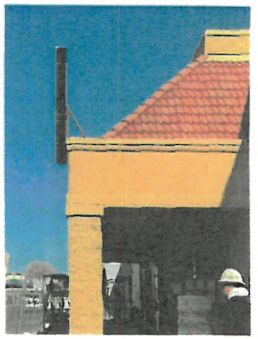
NIGHT VIEW



LETTER DETAIL



LOCATION ELEVATION



ZEON signs
AL-
EPNM, INC.
ELECTRICAL PRODUCTS COMPANY
2024 5th St. NW Albuquerque, NM 87102
(505) 243-5773 Toll Free: 800-444-7407
Fax: (505) 243-3575

THIS DESIGN IS THE EXCLUSIVE PROPERTY OF EPNM, INC. AND CANNOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT THEIR WRITTEN CONSENT.

PIPE SIZE(S) AND/OR SPLICES MAY CHANGE THE ARTIST CONCEPT DEPENDING ON ENGINEERING CALCULATIONS FOR FINAL INSTALLATION

ACTUAL SIZE OF SIGN AND COPY FROM SCALED DRAWING MAY VARY 1" ±
COLOR ON THIS PRESENTATION DOES NOT REPRESENT THE EXACT MATERIAL COLOR SPECIFIED. SEE CHART(S) FOR EXACT APPEARANCE OF COLORS SPECIFIED

TITLE: DEFINED PICKLEBALL		
SCALE: 3/8" = 1'- 0"	DRWG NO: 1224 - 634	APPROVED FOR PRODUCTION:
SALES: STEVE TAFOYA		CUSTOMER APPROVAL:
DESIGN BY: H. ANG		

REVISED	
1-7-25	
1-16-25	
1-22-25	
1-27-25	


onstruction
American Legion
Barbara Loop SE
Covenant Schools of Rio Rancho
Old School of Driving in Rio Rancho
Oasis Smoke Shop Rio Rancho
Vaporizer store
Big Lots
Discount store
371 LF
207 LF
PICKLE BALL
Defined Fitness Hilltop Club
GYM
SIGN
SIGN
1650

DEFINED PICKLEBALL LLC

1644 Rio Rancho Blvd. SE
Rio Rancho, NM 87124

July 1, 2025

Planning Department
City of Rio Rancho

To Whom It May Concern,

Defined Pickleball LLC gives EPNM, Inc. (Zeon Signs) the authority to act on our behalf in regard to obtaining permits and exception to the existing ordinance variance for signage at Defined Pickleball 1644/1640 NM Hwy 528, Rio Rancho NM 87124.

Sincerely,

Reta Jones
505.702.2841 (Zeon)

E.P.N.M. Inc,
Electrical Poducts Co.

Steve Tafoya

Vice President, EPNM Inc/Zeon Signs

2024 5th St NW, Albuquerque NM 87102

505-238-7098

steve@zeonsignsnm.com

7/15/25

City of Rio Rancho Planning & Zoning Board

3200 Civic Center Cir NE, Rio Rancho NM 87144

Dear board members,
I am requesting a sign variance on behalf of the new Defined Pickleball located at 1640 NM Hwy 528 SE.

We are requesting a additional sign to the property and asking permission for the sign to be above the parapet with the exception to the ordinance and the sign code process.

We understand the required linear feet of the building which pickleball is using is 207'. The additional sign requested is 64.1 sq ft which will comply with the linear foot requirement. The square footage of the two signs adds up to (195 sq ft) on the same elevation which would still be lower than the linear feet (207) of the building frontage pickleball is using.

Under Ordinance NO. 29 – B: indicates one wall sign per business per current City Sign Ordinance Chapter 156 and Ordinance 156.06 prohibited signs (D) Roof signs (our sign is not on the roof it's slightly above the first parapet)

Our request to add one additional sign to the front entrance of the Defined Pickleball would still comply and fall under the linear feet of 207 total of usage for 1 business. However, we also ask for the ordinance sign code process to allow for the sign to be placed slightly above the parapet wall due to the structure of the building and the wall being slanted with visibility being hindered. Our signage plans would show how the sign would be placed firmly on the parapet of the Entrance not on roof of the building.

We thank you and appreciate your time to review our request.
Defined Pickleball would also like to extend their gratitude for allowing us to submit for the variance and representing them in this request.

Sincerely,
Steve Tafoya

ZEON signs®

Mailing Address: P.O. Box 6465, Albuquerque, New Mexico 87197
Office: 2024 Fifth Street NW, Albuquerque, New Mexico 87102
(505) 243-3771 / Fax (505) 243-3575

CITY OF RIO RANCHO PLANNING & ZONING DIVISION
ZONING APPROVAL ONLY FOR THE 134 SQ FT SIGN. THE 64.1 SQ FT SIGN IS DENIED PURSUANT TO RRO 12-29. 04/16/2025 AK

Rio Rancho
City of Vision

DEVELOPMENT SERVICES
3200 Civic Center Circle NE – Suite #130 • Rio Rancho, NM 87144

PERMANENT SIGN PERMIT APPLICATION

Once ready to apply, submit all application materials via Click2Gov

For full sign code regulations, access R.O. 2003 §156 HERE

This application is for permanent signs ONLY. For temporary signs, please use the Temporary Sign Permit Application.

ZONING PERMIT # 25-3833 BUILDING PERMIT# 25-3409

APPLICANT INFORMATION:

Applicant's Full Name: EPNM, Inc / Zeon Sign.

Applicant's Full Address: 2024 5th st. NW ABQ, NM 87102

Applicant's Email Address: permittingdept@zeonsignsnm.com Phone #: 505-314-2122

SIGN INFORMATION:

Site address where sign(s) will be located (ex. 3200 Civic Center Cir NE, Rio Rancho, NM 87144):
1610 NM Hwy 528 SE Rio Rancho, NM 87124

Quantity of signs included in this submittal: (2)

SIGN 1. Type: Sign Type Channel Letters **Sign Area:** West - **Sign Height:** 7'2½"

Vertical Clearance: **Sign Depth:** ~~147 sq ft~~ Rbld. **Length of Building Frontage:** ~~134~~ 207

134 SQ FT

Illuminated: [X] Yes [ ] No

SIGN 2. Type: Sign Type Channel LETTERS **Sign Area:** West **Sign Height:** 4'9"

Vertical Clearance: **Sign Depth:** 64.1 sq ft **Length of Building Frontage:** ~~103~~ 207

Illuminated: [X] Yes [ ] No

DENIED- ONLY ONE SIGN ALLOWED. VARIANCE REQUIRED

SIGN 3. Type: Sign Type **Sign Area:** **Sign Height:**

Vertical Clearance: **Sign Depth:** **Length of Building Frontage:**

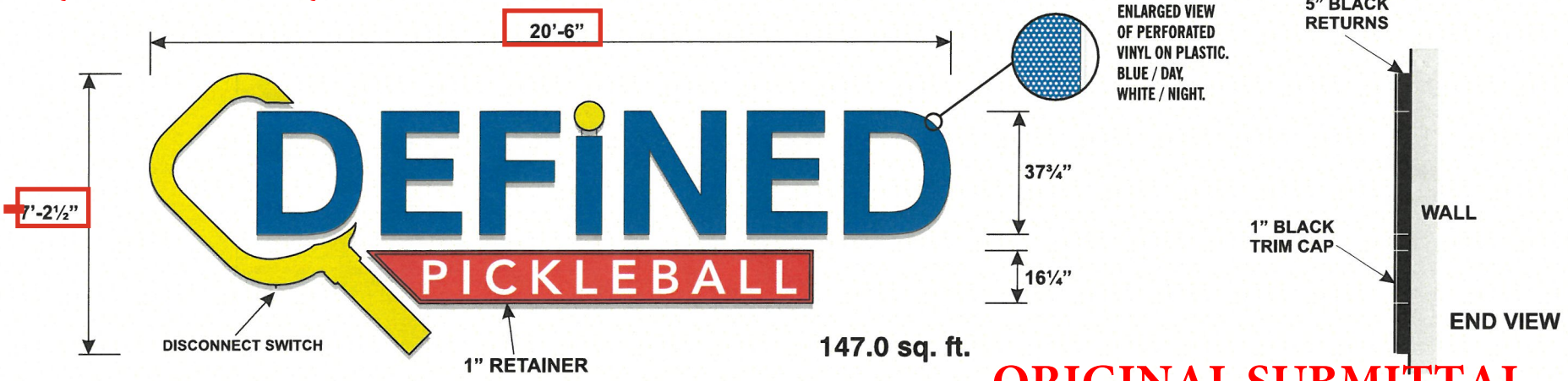
Illuminated: [ ] Yes [ ] No

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.

Signature: [signature] **Date:** 3/26/25

ZONING REVIEW- DENIED- EXCEEDS SQUARE FOOTAGE ALLOWED. BUILDING FRONTAGE IS 134 LF. SIGN CANNOT EXCEED 134 SQ FT. REVISIONS REQUIRED. AK

NOTE: ERROR IN THE LINEAR FEET. IT IS 207 NOT 134 AS NOTED IN THE SUBMITTAL.



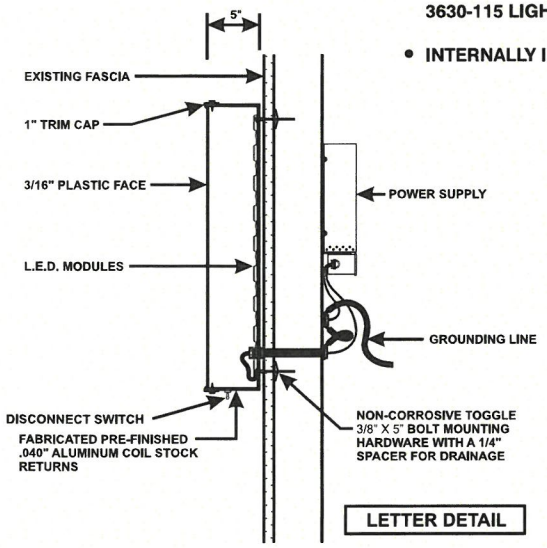
147.0 sq. ft.

ORIGINAL SUBMITTAL

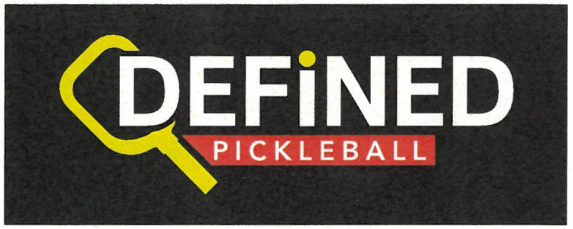
DENIED AS PROPOSED

ILLUMINATED CHANNEL LETTERS DISPLAY

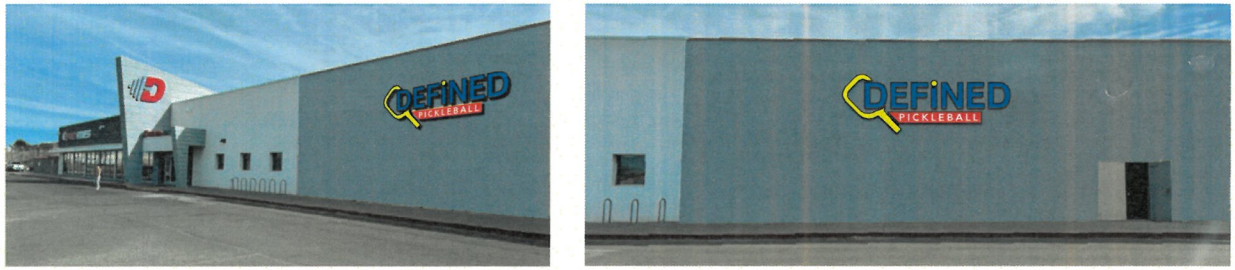
- BLACK ALUMINUM BACKS WITH 5" BLACK ALUMINUM RETURNS.
- WHITE PLEX FACES OVERLAID WITH 3630-167 PERFORATED BRIGHT BLUE, 3630-115 LIGHT LEMON YELLOW AND 3630-33 RED 3M VINYL ,1" BLACK TRIM CAP.
- INTERNALLY ILLUMINATED WITH WHITE LEDs.



LETTER DETAIL



NIGHT VIEW



WEST ELEVATION

THIS DESIGN IS THE EXCLUSIVE PROPERTY OF EPNM, INC. AND CANNOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT THEIR WRITTEN CONSENT.

ZEON signs EPNM, INC.
AL-
EPNM, INC.
ELECTRICAL PRODUCTS COMPANY
2024 5th St. NW Albuquerque, NM 87102
(505) 243-5771 Toll Free: 800-444-7407
Fax: (505) 243-3575

PIPE SIZES(S) AND/OR SPLICES MAY CHANGE THE ARTIST CONCEPT DEPENDING ON ENGINEERING CALCULATIONS FOR FINAL INSTALLATION.

ACTUAL SIZE OF SIGN AND COPY FROM SCALED DRAWING MAY VARY 1"±

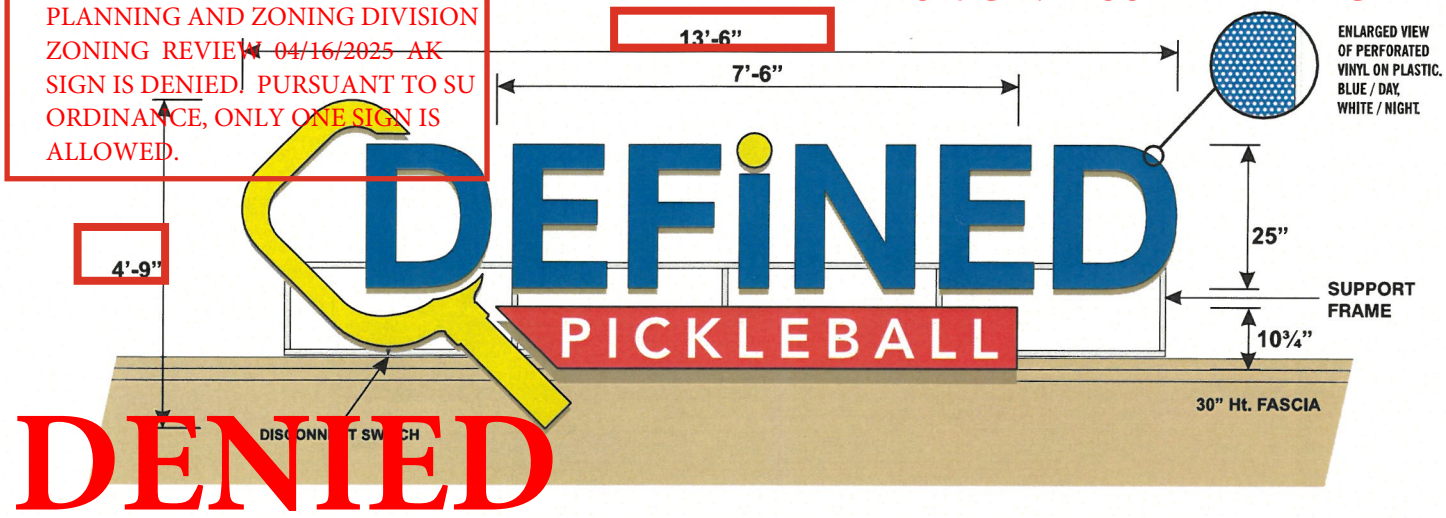
COLOR ON THIS PRESENTATION DOES NOT REPRESENT THE EXACT MATERIAL COLOR SPECIFIED. SEE CHART(S) FOR EXACT APPEARANCE OF COLORS SPECIFIED.

TITLE: DEFINED PICKLEBALL		
SCALE: 1/4" = 1'- 0"	DRWG NO: 1224 - 634	APPROVED FOR PRODUCTION:
SALES: STEVE TAFOYA	CUSTOMER APPROVAL:	
DESIGN BY: H. ANG		

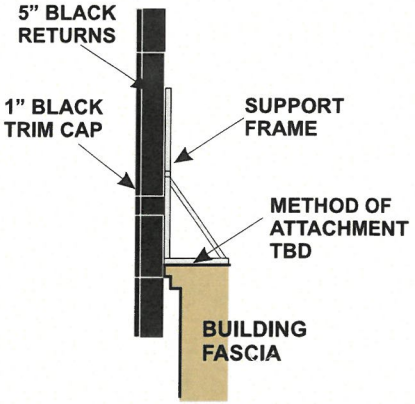
REVISED	
12/19/24	
12/30/24	
1/16/25	

CITY OF RI O RANCHO
PLANNING AND ZONING DIVISION
ZONING REVIEW ~~04/16/2025 AK~~
SIGN IS DENIED. PURSUANT TO SU
ORDINANCE, ONLY ONE SIGN IS
ALLOWED.

ORIGINAL SUBMITTAL PG 2



DENIED



END VIEW

64.1 SQ. FT.

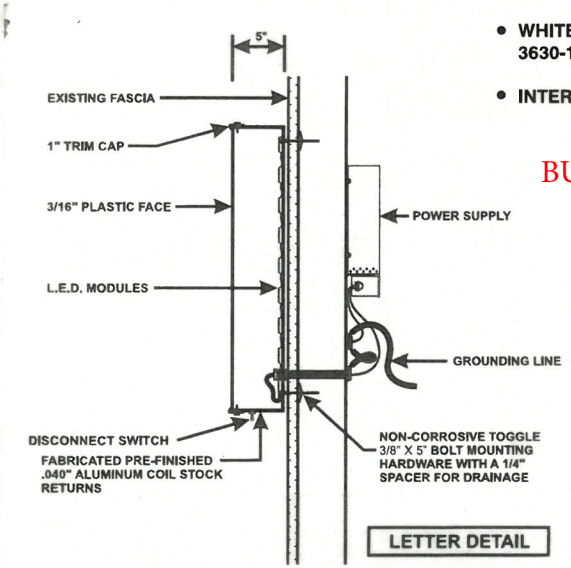
VARIANCE REQUIRED TO EXCEED
THE NUMBER OF SIGNS ALLOWED.

ILLUMINATED CHANNEL LETTERS DISPLAY

- BLACK ALUMINUM BACKS WITH 5" BLACK ALUMINUM RETURNS.
- WHITE PLEX FACES OVERLAID WITH 3630-167 PERFORATED BRIGHT BLUE, 3630-115 LIGHT LEMON YELLOW AND 3630-33 RED 3M VINYL ,1" BLACK TRIM CAP.
- INTERNALLY ILLUMINATED WITH WHITE LEDs.



NIGHT VIEW



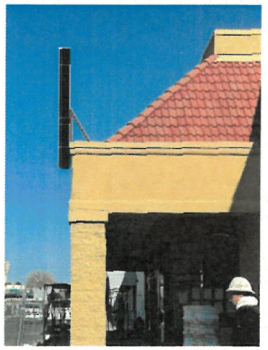
LETTER DETAIL

BUILDING FRONTAGE IS 207 LF.

ROOF SIGN NOT ALLOWED



LOCATION ELEVATION



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AL-
EPNM, INC.
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(505) 243-3771 Toll Free: 800-444-7407
Fax: (505) 243-3575

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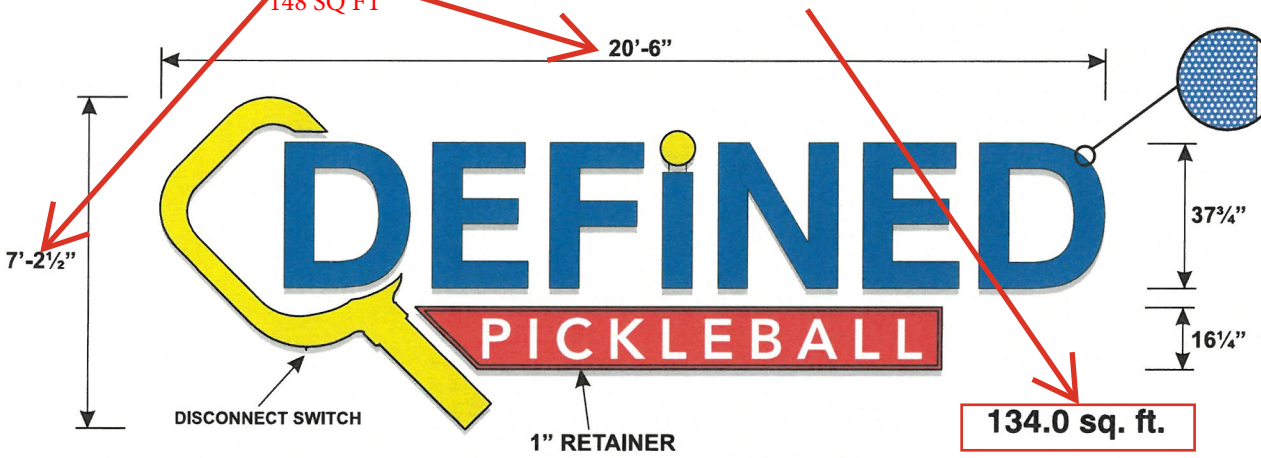
TITLE: DEFINED PICKLEBALL		REVISED	1-7-25
SCALE: 3/8" = 1'- 0"	DRWG NO: 1224 - 634 APPROVED FOR PRODUCTION:		1-16-25
SALES: STEVE TAFOYA	CUSTOMER APPROVAL:		1-22-25
DESIGN BY: H. ANG			1-27-25

PLEASE REVISE THE DEMINISIONS TO MATCH TOTAL SQ. FT. NOTED.

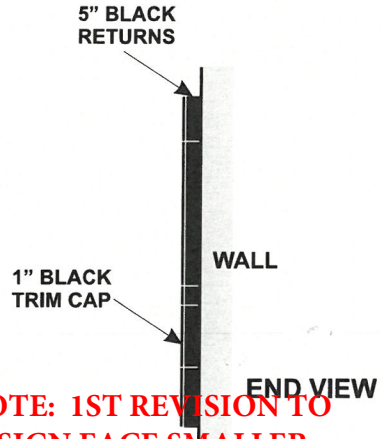
1ST REVISION 04/11/2025

1640 NM HWY 528

148 SQ FT



ENLARGED VIEW OF PERFORATED VINYL ON PLASTIC. BLUE / DAY, WHITE / NIGHT.

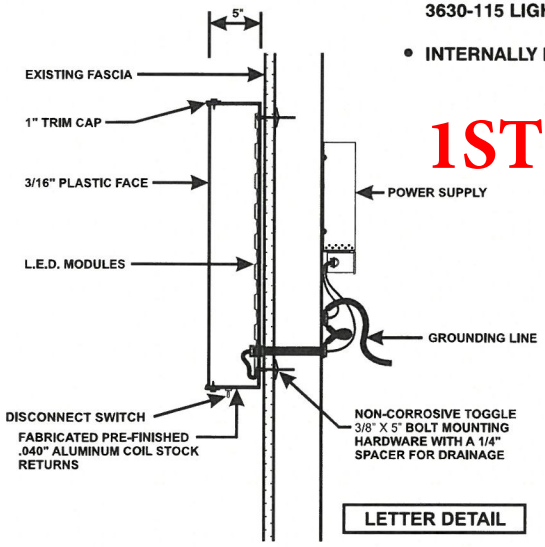


ZONING NOTE: 1ST REVISION TO MAKE THE SIGN FACE SMALLER . DIMENSIONS DOEN'T MATCH TOTAL SQ FT. 2ND REVISION REQUIRED

HILL TOP PLAZA SU ORDINANCE APPLIES
SIGNAGE LIMITED TO ONE ONLY

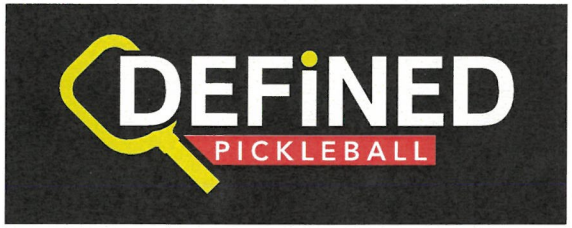
ILLUMINATED CHANNEL LETTERS DISPLAY

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- INTERNALLY ILLUMINATED WITH WHITE LEDs.



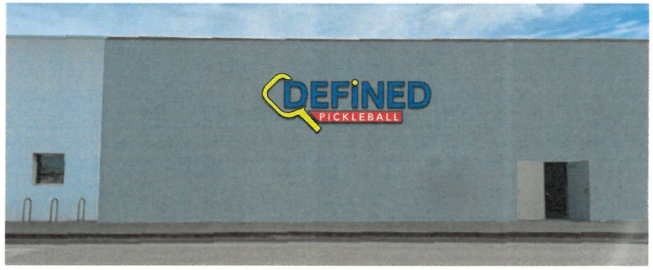
LETTER DETAIL

1ST REVISION



NIGHT VIEW





WEST ELEVATION

ZEON signs EPNM, INC.
AL-EPNM, INC.
ELECTRICAL PRODUCTS COMPANY
2024 5th St. NW Albuquerque, NM 87102
(505) 243-3771 Toll Free: 800-444-7407
Fax: (505) 243-3575

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PIPE SIZES(S) AND/OR SPLICES MAY CHANGE THE ARTIST CONCEPT DEPENDING ON ENGINEERING CALCULATIONS FOR FINAL INSTALLATION.

ACTUAL SIZE OF SIGN AND COPY FROM SCALED DRAWING MAY VARY 1"±

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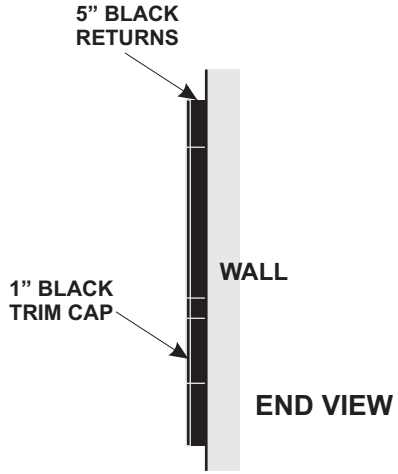
TITLE: DEFINED PICKLEBALL		
SCALE: 1/4" = 1'- 0"	DRWG NO: 1224 - 634	APPROVED FOR PRODUCTION:
SALES: STEVE TAFOYA	CUSTOMER APPROVAL:	
DESIGN BY: H. ANG		

REVISED	
12/19/24	
12/30/24	
1/16/25	

2ND REVISION TO FIX 1ST
REVISION FOR DEMINSIONS THAT
DID NOT MATCH 134 SQ FT

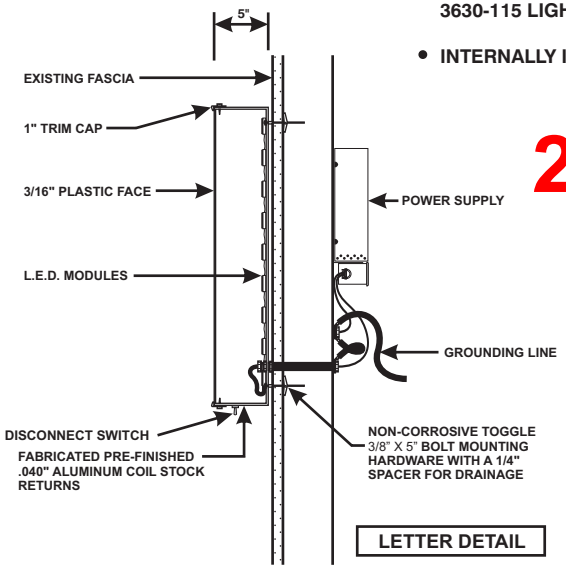
ZONING NOTE: DIMENSIONS STILL DO NOT MATCH TOTAL SQ. FT.





ILLUMINATED CHANNEL LETTERS DISPLAY

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LETTER DETAIL

2ND REVISION



NIGHT VIEW





WEST ELEVATION

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AL-
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ELECTRICAL PRODUCTS COMPANY
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SALES: STEVE TAFOYA	CUSTOMER APPROVAL:	
DESIGN BY: H. ANG		

REVISED				
12/19/24				
12/30/24				
1/16/25				

INCORRECT

19'-6"

119.56

6'-10.2"

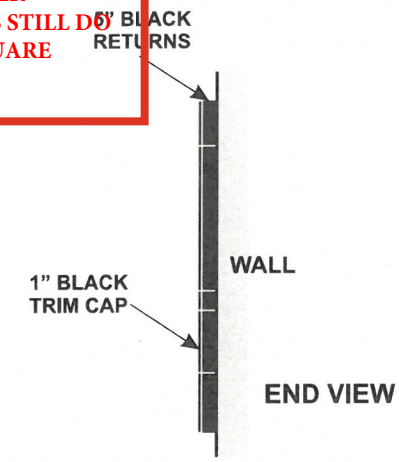


37¾"

16¼"

133.3 sq. ft.

ZONING REVIEW 05/15/2025 AK
RETURNED FOR ANOTHER
REVISION. DIMENSIONS STILL DO
NOT MATCH TOTAL SQUARE
FOOTAGE NOTED.

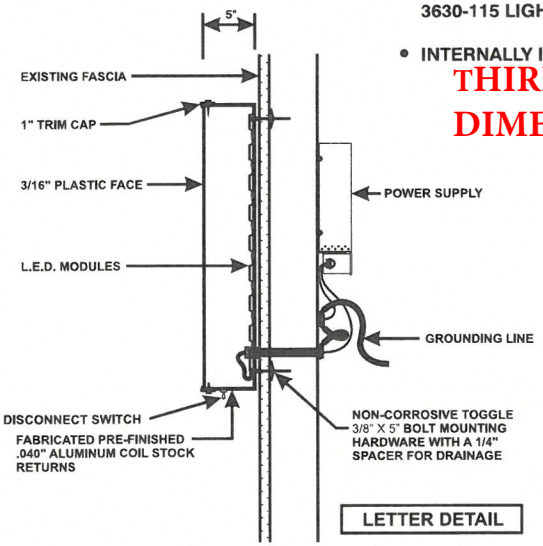


END VIEW

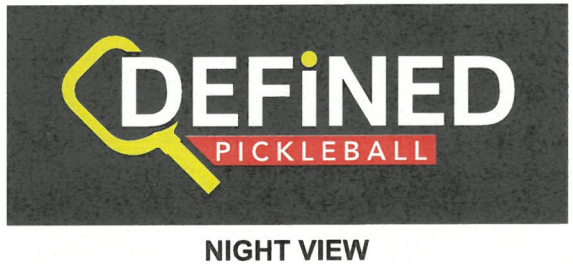
ILLUMINATED CHANNEL LETTERS DISPLAY

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- INTERNALLY ILLUMINATED WITH WHITE LEDs.

THIRD REVISION TO CORRECT
DIMENSIONS TO MATCH 133.3 SQ FT.



LETTER DETAIL



NIGHT VIEW



WEST ELEVATION

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ZEON signs EPNM, INC.
AL-
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ELECTRICAL PRODUCTS COMPANY
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(505) 243-3771 Toll Free: 800-444-7407
Fax: (505) 243-3575

PIPE SIZES(S) AND/OR SPLICES MAY CHANGE THE ARTIST CONCEPT DEPENDING ON ENGINEERING CALCULATIONS FOR FINAL INSTALLATION.

ACTUAL SIZE OF SIGN AND COPY FROM SCALED DRAWING MAY VARY 1"±
COLOR ON THIS PRESENTATION DOES NOT REPRESENT THE EXACT MATERIAL COLOR SPECIFIED. SEE CHART(S) FOR EXACT APPEARANCE OF COLORS SPECIFIED.

TITLE: DEFINED PICKLEBALL		
SCALE: 1/4" = 1'- 0"	DRWG NO: 1224 - 634	APPROVED FOR PRODUCTION:
SALES: STEVE TAFOYA	CUSTOMER APPROVAL:	
DESIGN BY: H. ANG		

REVISED	
12/19/24	
12/30/24	
1/16/25	
4/17/25	

REVISION #4 SUBMITTED 05/15/2025 TO CORRECT REVISION #3 SUBMITTED 05/14/2025

WEST ELEVATION BUILDING FRONTAGE LINEAR FEET = 207

~~19' 6"~~

~~6' 10.5"~~

DEFINED PICKLEBALL

5" BLACK RETURNS

CITY OF RIO RANCHO PLANNING AND ZONING DIVISION
ZONING APPROVAL 05/15/2025
AK

~~27¾"~~

APPROVED AT 133.965 SQ FT

1" BLACK TRIM CAP

WALL

~~16¼"~~

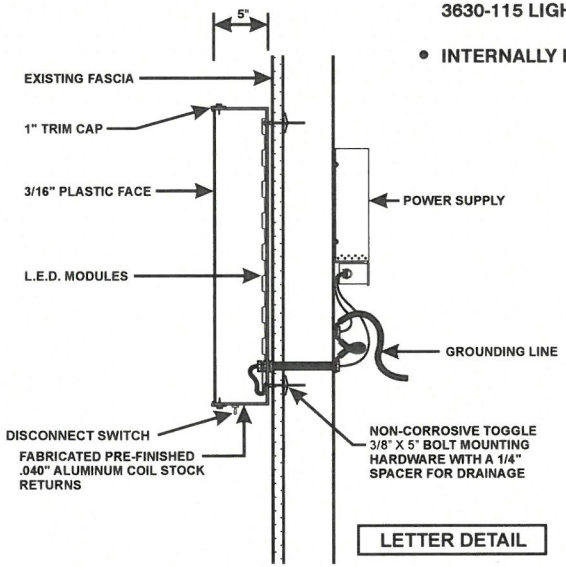
END VIEW

133.965 sq. ft.

REVISION 4 TO CORRECT DIMENSIONS .

ILLUMINATED CHANNEL LETTERS DISPLAY

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- INTERNALLY ILLUMINATED WITH WHITE LEDs.



LETTER DETAIL



NIGHT VIEW



WEST ELEVATION

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ACTUAL SIZE OF SIGN AND COPY FROM SCALED DRAWING MAY VARY 1" ± COLOR ON THIS PRESENTATION DOES NOT REPRESENT THE EXACT MATERIAL COLOR SPECIFIED. SEE CHART(S) FOR EXACT APPEARANCE OF COLORS SPECIFIED.

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SALES: STEVE TAFOYA		CUSTOMER APPROVAL:
DESIGN BY: H. ANG		

REVISED	
	12/19/24
	12/30/24
	1/16/25
	4/17/25


onstruction
American Legion
Barbara Loop SE
Covenant Schools of Rio Rancho
Old School of Driving in Rio Rancho
Oasis Smoke Shop Rio Rancho
Vaporizer store
Big Lots
Discount store
Defined Fitness Hilltop Club
Kmart
1650
LITTLE SIGN.
PICKLE BALL SIGN
61 SQ FT
134 SQ FT
BIG SIGN


onstruction
American Legion
Barbara Loop SE
Covenant Schools of Rio Rancho
Old School of Driving in Rio Rancho
Oasis Smoke Shop Rio Rancho
Vaporizer store
Big Lots
Discount store
371 LF
207 LF
PICKLE BALL
SIGN
SIGN
Defined Fitness Hilltop Club
GYM
1650

CITY OF RIO RANCHO
BUILDING INSPECTION DIVISION
BUILDING DF
ELECTRICAL
MECHANICAL
PLUMBING
Review and approval of these plans does not authorize the violation of any City, State, or Federal law. The owner/agent hereby agrees to comply with all applicable requirements of the City of Rio Rancho Building Code and Zoning Ordinance.
Plans Approved By:
Date:
PERMIT SHALL BE POSTED BEFORE ANY INSPECTIONS WILL BE PERFORMED.

4/3/2025

PARKING CALCULATION:

REQUIRED PARKING:

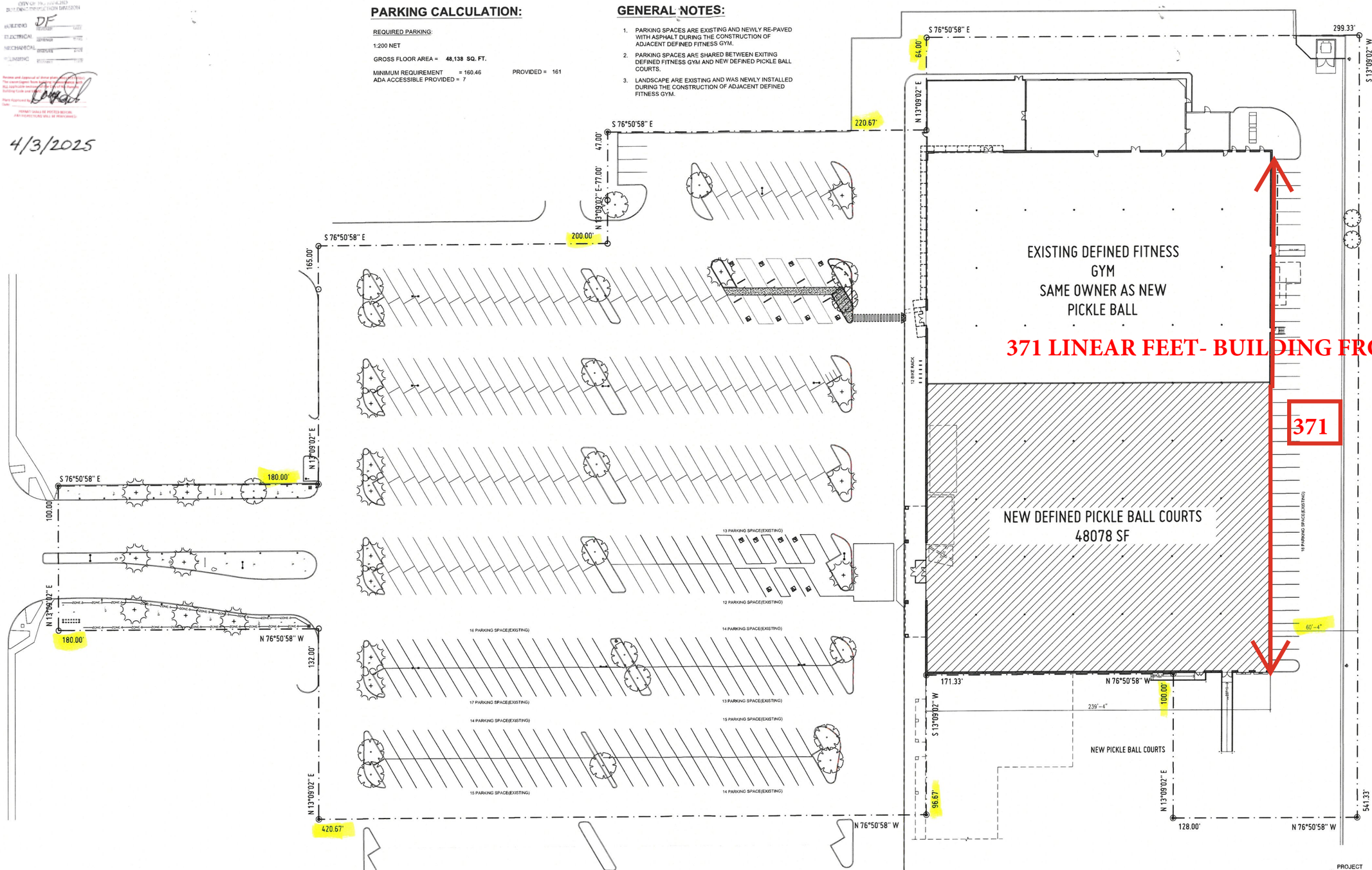
1:200 NET

GROSS FLOOR AREA = **48,138 SQ. FT.**

MINIMUM REQUIREMENT = 160.46 PROVIDED = 161
ADA ACCESSIBLE PROVIDED = 7

GENERAL NOTES:

1. PARKING SPACES ARE EXISTING AND NEWLY RE-PAVED WITH ASPHALT DURING THE CONSTRUCTION OF ADJACENT DEFINED FITNESS GYM.
2. PARKING SPACES ARE SHARED BETWEEN EXITING DEFINED FITNESS GYM AND NEW DEFINED PICKLE BALL COURTS.
3. LANDSCAPE ARE EXISTING AND WAS NEWLY INSTALLED DURING THE CONSTRUCTION OF ADJACENT DEFINED FITNESS GYM.



A1 SITE PLAN

1" = 30'

PLOT DATE: Tuesday, June 25, 2024, 11:13 AM
FILENAME: x:\2023-16 blanchard pickle ball court\CAD\04_architectural_SHEET\2023-16_A001.dwg

Lloyd & Associates
ARCHITECTS
LLOYD & ASSOCIATES ARCHITECTS
321 W SAN FRANCISCO ST. SUITE A
SANTA FE, NM 87501

STATE OF NEW MEXICO
LLOYD
No. 1936
REGISTERED ARCHITECT
4.8.25

PICKLE BALL COURTS
1644 Rio Rancho Blvd SE,
Rio Rancho, NM 87124

Current Status:
PERMIT SET

REVISIONS

-	-	-
-	-	-
-	-	-
-	-	-

Drawn by: RL
Checked by: TC
Date: 05-31-2024
Sheet Title:
SITE PLAN

Job Number: 2023-16
Sheet No.
A001

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 29 **ENACTMENT NO. 12-29**

ZONE MAP AMENDMENT, AMENDING ORDINANCE 91-002 AND ORDINANCE 89-008 AS IT PERTAINS TO SIGNAGE: HILLTOP PLAZA SHOPPING CENTER, ALL TRACTS. THE PROPERTIES ARE LOCATED EAST OF NM528/PAT D'ARCO HIGHWAY AND NORTH OF SARA ROAD SE.

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

Section 1. Regulations

9. SIGNAGE FOR HILLTOP PLAZA SHALL BE LIMITED TO THE FOLLOWING:

A. Five freestanding signs, three along NM528/Pat D'Arco Highway and two along Sara Road;
- Two existing signs located on NM528/Pat D'Arco Highway. Maximum 100 square feet, maximum height of 15.6 feet.
- Two existing signs located on Sara Road. Maximum 60 square feet, maximum height 15.6 feet.
- One new sign to be located on NM528/Pat D'Arco Highway, Tract C-2, Hilltop Plaza per current City Sign Ordinance, Chapter 156. Maximum 150 square feet, maximum height of 24 feet.

VARIANCE REQUIRED FOR THE 2ND SIGN PROPOSED.

B. One wall sign per business per current City Sign Ordinance, Chapter 156.

Section 2. Severability Clause
If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or 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 3. Effective Date
This Ordinance shall take effect in ten (10) days after adoption.

ADOPTED THIS 10th DAY OF OCTOBER, 2012.

Thomas E. Swisstack, Mayor

ATTEST:

Stephen Ruger, City Clerk
(S E A L)

CITY OF RIO RANCHO
DEVELOPMENT SERVICES DEPT: BUILDING INSPECTION DIVISION
3200 CIVIC CENTER CR NE; ROOM 130
RIO RANCHO, NM 87144
PHONE: (505) 891-5006 FAX: (505) 896-8994

Application Number . . . . . 25-00003833 Date 6/06/25
Application pin number . . . 636051
Property Address . . . . . 1640 NM HIGHWAY 528 SE
Legal Description . . . . . HILL B
Application type description PERMANENT SIGNS - P&Z
Subdivision Name . . . . . HILLTOP PLAZA
Property Use . . . . . COMMERCIAL RETAIL COMPLEX
Property Zoning . . . . . SPECIAL USE (CHECK ORD)
Application valuation 0

Application desc
ONE SIGN @ 134 SQ FT.2ND SIGN DENIED (VARIANCE REQ

Owner	Contractor
Defined Pickleball	EPNM INC. DBA ELECTRICAL PRODU
1640 NM HIGHWAY 528	PO BOX 6465
RIO RANCHO NM 87124	ALBUQUERQUE NM 87197
	(505) 243-3771

Other struct info		
	NUMBER OF SIGNS REQUESTED	2.00
	SIGN AREA (IN SQ FEET)	1.00
	SIGN DEPTH (IN FEET)	1.00
	BUILDING FRONTAGE (FT)	1.00
	SIGN HEIGHT (IN FEET)	1.00
	ILLUMINATED- Y/N	Y
	SIGN TYPE	WALL
	VERTICAL CLEARANCE IN FT	1.00

Permit . . . . . PERMANENT SIGN P&Z
Additional desc . . ONE WALL SIGN @ 134 SQ FT.
Permit pin number . 3036209
Permit Fee . . . . 335.00 Plan Check Fee . . .00
Issue Date . . . . 6/03/25 Valuation 0
Expiration Date . . 11/30/25

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	335.00	335.00	.00	.00
Plan Check Total	.00	.00	.00	.00
Grand Total	335.00	335.00	.00	.00

FAILURE TO OBTAIN A CERTIFICATE OF OCCUPANCY PRIOR TO
OCCUPYING THE STRUCTURE VIOLATES CITY CODE & BUILDING CODE.
VIOLATERS MAY BE CITED INTO MUNICIPAL COURT.

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 29 **ENACTMENT NO. 12-29**

ZONE MAP AMENDMENT, AMENDING ORDINANCE 91-002 AND ORDINANCE 89-008 AS IT PERTAINS TO SIGNAGE: HILLTOP PLAZA SHOPPING CENTER, ALL TRACTS. THE PROPERTIES ARE LOCATED EAST OF NM528/PAT D'ARCO HIGHWAY AND NORTH OF SARA ROAD SE.

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

Section 1. Regulations

9. SIGNAGE FOR HILLTOP PLAZA SHALL BE LIMITED TO THE FOLLOWING:

A. Five freestanding signs, three along NM528/Pat D'Arco Highway and two along Sara Road;
   - Two existing signs located on NM528/Pat D'Arco Highway. Maximum 100 square feet, maximum height of 15.6 feet.
   - Two existing signs located on Sara Road. Maximum 60 square feet, maximum height 15.6 feet.
   - One new sign to be located on NM528/Pat D'Arco Highway, Tract C-2, Hilltop Plaza per current City Sign Ordinance, Chapter 156. Maximum 150 square feet, maximum height of 24 feet.

B. One wall sign per business per current City Sign Ordinance, Chapter 156.

Section 2. Severability Clause
If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or 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 3. Effective Date
This Ordinance shall take effect in ten (10) days after adoption.

ADOPTED THIS 10th DAY OF OCTOBER, 2012.

Thomas E. Swisstack, Mayor

ATTEST:

Stephen Ruger, City Clerk
(S E A L)

BEFORE THE GOVERNING BODY
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT
In the Matter of:
Zone Map Amendment # 12-100-00013

ZONE MAP AMENDMENT, AMENDING ORDINANCE 91-002 AND ORDINANCE 89-008 AS IT PERTAINS TO SIGNAGE: HILLTOP PLAZA SHOPPING CENTER, ALL TRACTS. THE PROPERTIES ARE LOCATED EAST OF NM528/PAT D'ARCO HIGHWAY AND NORTH OF SARA ROAD SE.

Applicants: Hilltop Assoc. LLC, and Peterson Properties

THIS MATTER having come before the Governing Body on this 10th day of October, 2012, the Governing Body having taken evidence and considered the merits;

THE GOVERNING BODY HEREBY FINDS:

GENERAL FINDINGS:

1. The Governing Body has jurisdiction over the applicant's request for a zone map amendment and proper notice of the hearing of this matter was given.
2. The property owner has authority to make application to rezone the property.
3. The applicant and adjacent property owners received due process, as proper notice and a full opportunity to present views were given.

SPECIFIC FINDINGS:

1. The property is currently zoned SU/Special Use for C-1/Retail Commercial.
2. The proposed zone map amendment will not change the current zoning designation SU/Special Use for Limited C-1/Retail Commercial.
3. The proposed zone map ordinance will amend Ordinance 91-002 to allow a total of five freestanding signs. Three freestanding signs along NM528/Pat D'Arco Highway and two freestanding signs along Sara Road.
4. The proposed zone map ordinance will allow signage on Tract C-2, Hilltop Plaza to conform to the maximum size (150 square feet) and height (24 feet) allowed per the current City Sign Ordinance, Chapter 156.
5. The proposed zone map ordinance will allow for one wall sign per business to conform to the maximum allowed per the current City Sign Ordinance, Chapter 156.
6. Substantial evidence has been submitted which demonstrates that the zone map amendment meets the requirements of City Ordinance as set forth in Section 150.07 RRO 2003; Requirements for amendments to the Zone Map.

THEREFORE: The application for a Zone Map Ordinance is approved as generally being in conformance with the City of Rio Rancho Ordinances, and the Rio Rancho Comprehensive Plan, as evidenced by adoption of Ordinance No. O29, Enactment No. 12- by the Governing Body of the City of Rio Rancho on October 10, 2012, subject to the conditions, restrictions and stipulations specified therein.

10/15/12
Date

Mayor, Thomas E. Swisstack

RioRancho
City of Vision

CITY OF RIO RANCHO
GOVERNING BODY
AGENDA BRIEFING MEMORANDUM

REFERENCE NO: O-29

HEARING DATE: October 10, 2012

DEPARTMENT: Development Services

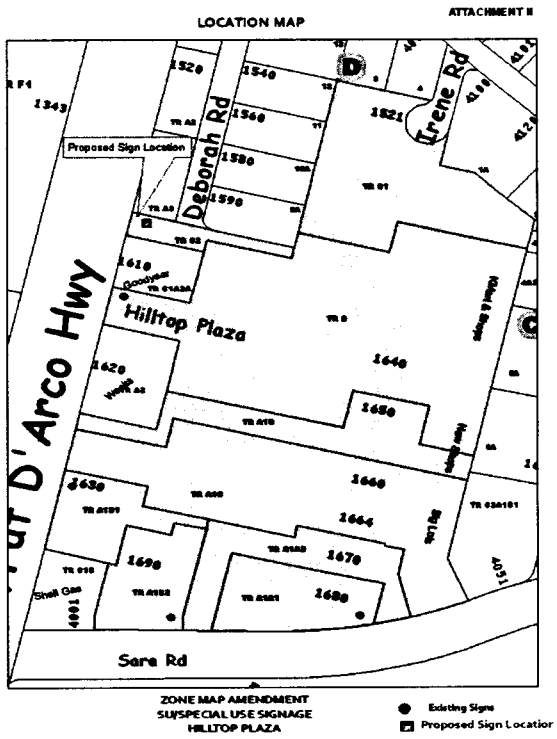
SUBJECT: Zone Map Amendment

PROPERTY: Hilltop Plaza, All Tracts

PURPOSE: To amend Ordinances 91-002 and 89-008 regulating Hilltop Shopping Plaza SU/Signage

APPLICANTS: Hilltop Assoc. LLC, and Peterson Properties

AGENT: Electrical Products Co.



PZB and DEPT. RECOMMENDATION: APPROVAL with Findings

SYNOPSIS:

On September 11, 2012, the Planning and Zoning Board voted to recommend approval of the applicant's request for an amendment to Ordinances 91-002 and 89-008 for the purpose of:

- increasing the number of signs at Hilltop Plaza from (4) freestanding signs to (5) freestanding signs, three along Pat D'Arco Highway (new sign location on Tract C-2), and two along Sara Road; and
- increasing the new sign area to 150 square feet and height to 24 feet per Appendix B, Chapter 156 of the Sign Ordinance; and
- allowing one wall sign per business per current Sign Ordinance, per Appendix B, Chapter 156.

BACKGROUND:

On February 8, 1989, Ordinance No. 89-008 rezoned a 24.82 acre site, now known as Hilltop Plaza. The ordinance addressed land uses, and development requirements and restrictions applicable to the site which included signage. Per Ordinance No. 89-008, the maximum signage allowed was one 100 square foot freestanding sign on NM528 and one 60 square foot freestanding sign on Sara Road; maximum height allowed was 15.6 feet. Additionally, the ordinance allowed one wall sign per business at 40 square feet or 3% of the façade.

On January 9, 1991, the Governing Body adopted Ordinance No. 91-002 as an amendment to Ordinance No. 89-008, to allow additional signage to the site. Per Ordinance No. 91-002, the

maximum signage currently allowed is two 100 square foot freestanding signs on NM528 and two 60 square foot freestanding signs along Sara Road; maximum height allowed remains at 15.6 feet. The ordinance also amended the allowable wall signage to 50 square feet or 5% of the façade.

ANALYSIS:

The applicants, Hilltop Associates, LLC and Peterson Properties, are requesting a recommendation for approval of a zone map amendment to amend Ordinance No. 91-002. The need for additional signage is due to the construction of a new multi-tenant building. The new building does not have adequate site visibility from NM528.

The purpose of this amendment is to allow the maximum square footage (150 square feet area and 24 foot height) allowed for highway commercial freestanding signage and wall signage that is comparable to what is allowed by standard. Ordinance No. 91-002 does not allow the maximum signage per the City's current sign ordinance. The existing signage at Hilltop Plaza's frontage is full, and will not allow for additional exposure along NM528 for new businesses. Should the request be approved, the additional signage allowed on Tract C-2, Hilltop Plaza will be of an adequate size to accommodate the new businesses recently constructed in Hilltop Plaza and future construction on Tract C-1, and the signage will comply with the current ordinance.

ZONING/LAND USE:

The subject property is bound on the north, south, east and west by C-1/Retail Commercial or SU/Commercial enterprises. Tracts C-1 and C-2, Hilltop Plaza and Lot 4A2, Block C-1, Corrales South are currently vacant, all other surrounding lots are developed.

FINDINGS OF CONFORMANCE WITH CITY PLANS, POLICIES AND REGULATIONS

CONFORMANCE WITH CITY OF RIO RANCHO COMPREHENSIVE PLAN

The ***City of Rio Rancho Comprehensive Plan*** (CCP) implementation considers that all master plan proposals be evaluated based on its level of conformance with the CCP's *Goals, Policies, and Actions.*

Applicable Goals and Policies include:

Economic Development

- Goal EDP-1: Create jobs.
- Goal EDP-2: Retail jobs.
- Goal EDR-1: Expand the economic base of Rio Rancho.
- Goal EDR-2: Reduce sales leakage to other New Mexico cities.

FINDING: This application fulfills the requirements set forth in the Comprehensive Plan with regard to economic development.

CONFORMANCE WITH THE CITY ZONING ORDINANCE

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.

FINDING: This application conforms.

Pursuant to the criteria provided by 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:

(D) The following policies for deciding zone map change applications pursuant to the City Zoning Code are:
The applicants' response to the policies is shown in italics.

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

The proposed zone change does not jeopardize the health, safety, morals, and general welfare of the City. The change will allow signage necessary for commercial enterprise and sales.

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 area is zoned SU/Special Use Commercial and signage is necessary to attract the community to new commercial development.

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

The proposed zone map amendment is consistent with the policies and goals of the City's Comprehensive Plan.

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.

In this request, both the "changed conditions' and the "more advantageous" reasons apply to the amendment. The changed conditions are a result of new development within the Hilltop Plaza and lack of necessary signage to promote sales for the business.

(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 cost of the land is not a determining factor for the zone map amendment. There are currently other commercial businesses within the Hilltop Plaza.

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

The property is currently zoned SU/Special Use Commercial; therefore additional justification regarding zoning designation is not relevant.

(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 proposed zone change does not create a spot zone. The property is currently zoned SU/Special Use Commercial.

FINDING: The proposed zone map amendment addresses restrictions to the existing SU/Special Use designation. No change in zoning designation is requested; however an amendment is requested to amend the restrictions pertaining to signage. Staff finds the amendment to the zone map appropriate and reasonable. The signage requested is comparable to what is currently allowed in the Sign Ordinance.

NOTIFICATIONS:

On September 19, 2012, certified notices were sent to neighboring property owners within 100 feet of the subject property to provide notice of the Governing Body hearing to be held on October 10, 2012. All notification requirements for this meeting have been met.

DEPARTMENT RECOMMENDATION: The Department recommends **APPROVAL** of the proposed zone map amendment per the proposed amending ordinance (Attached as Exhibit 1). Staff further recommends the following Findings of Fact.

General Findings of Fact:

1. The Governing Body has jurisdiction over the applicant's request for a zone map amendment and proper notice of the hearing of this matter was given.
2. The property owner has authority to make application for a zone map amendment.
3. The applicant and adjacent property owners received due process, as proper notice and a full opportunity to present views were given.

Specific Findings of Fact:

1. The property is currently zoned SU/Special Use for C-1/Retail Commercial.
2. The proposed zone map amendment will not change the current zoning designation SU/Special Use for Limited C-1/Retail Commercial.
3. The proposed zone map ordinance will amend Ordinance 91-002 to allow a total of five freestanding signs. Three freestanding signs along NM528/Pat D'Arco Highway and two freestanding signs along Sara Road.
4. The proposed zone map ordinance will allow signage on Tract C-2, Hilltop Plaza to conform to the maximum size (150 square feet) and height (24 feet) allowed per the current City Sign Ordinance, Chapter 156.
5. The proposed zone map ordinance will allow for one wall sign per business to conform to the maximum allowed per the current City Sign Ordinance, Chapter 156.
6. Substantial evidence has been submitted which demonstrates that the zone map amendment meets the requirements of City Ordinance as set forth in Section 150.07 RRO 2003; Requirements for amendments to the Zone Map.

ALTERNATIVES

The Governing Body has three alternatives on the disposition of this request.

The Governing Body may:

1. Approve the zone map amendment;
2. Deny the zone map amendment, or
3. Postpone its decision to allow for additional review and consideration.

PREPARED BY: _____ **DATE:** 10-1-12

DEPARTMENT DIRECTOR: _____ **DATE:** 10-1-12

ACTING CITY MANAGER: _____ **DATE:** 10/2/12

ATTACHMENT(S)

Attachment I: Proposed Zone Map Ordinance
Exhibit A: Ordinance No. 91-002
Exhibit B: Ordinance No. 89-008, Page 5

Attachment II: Location Map

Attachment III: Planning and Zoning Board Minutes of September 11, 2012

ATTACHMENT I

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. _____ ENACTMENT NO. _____

ZONE MAP AMENDMENT, AMENDING ORDINANCE 91-002 AND ORDINANCE 89-008 AS IT PERTAINS TO SIGNAGE: HILLTOP PLAZA SHOPPING CENTER, ALL TRACTS. THE PROPERTIES ARE LOCATED EAST OF NM528/PAT D'ARCO HIGHWAY AND NORTH OF SARA ROAD SE.

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

Section 1. Regulations

9. SIGNAGE FOR HILLTOP PLAZA SHALL BE LIMITED TO THE FOLLOWING:

A. Five freestanding signs, three along NM528/Pat D'Arco Highway and two along Sara Road;
   - Two existing signs located on NM528/Pat D'Arco Highway. Maximum 100 square feet, maximum height of 15.6 feet.
   - Two existing signs located on Sara Road. Maximum 60 square feet, maximum height 15.6 feet.
   - One new sign to be located on NM528/Pat D'Arco Highway, Tract C-2, Hilltop Plaza per current City Sign Ordinance, Chapter 156. Maximum 150 square feet, maximum height of 24 feet.

B. One wall sign per business per current City Sign Ordinance, Chapter 156.

Section 2. Severability Clause

If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or 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 3. Effective Date

This Ordinance shall take effect in ten (10) days after adoption.

ADOPTED THIS _____ **DAY OF** _____ **2012.**

_____
Mayor

_____
Date

ATTEST:

_____
Stephen Ruger, City Clerk
(S E A L)

EXHIBIT A

CITY OF RIO RANCHO

ORDINANCE NO. 2 **ENACTMENT NO. 91-002**

ORDINANCE

ZONE MAP AMENDMENT; AMENDING APPENDIX G OF CITY CODE; HILLTOP PLAZA SHOPPING CENTER.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO, NEW MEXICO, THAT THE FOLLOWING SHALL AMEND ORDINANCE 89-008, APPENDIX G (ZONE MAP AMENDMENT):

. . .

9. Signage at the development shall be limited to the following:

a. Four freestanding signs, two 100 square feet signs to be located on NMSR 528 and two freestanding signs of 60 square feet to be located on Sara Road. Maximum height of the signs shall be 15' 6". The clear sight triangle shall be maintained.

b. Wall signage per business is as follows: Cumulative signage up to 50 square feet or 5% of the facade.

c. Private traffic directional signs of 4 square feet will be allowed on private property.

APPROVED THIS 9TH DAY OF JANUARY, 1991.

Pat D'Arco, Mayor

Jan 10th 1991

Date

ATTEST:

Tina Gonzales

Tina Gonzales, City Clerk

(SEAL)

CODIFIED

5/91

9. Signage at the development shall be limited to the following:

   a. Two freestanding signs, one 100 square feet sign to be located on NMSR 528 and 60 square feet sign to be located on Sara Road. Maximum height of the signs shall be 15' 6". The clear sight triangle shall be maintained.

   b. One wall sign per business of 40 square feet or 3% of the facade. Wall signage may not be cumulative.

   c. Private traffic directional signs of 4 square feet will be allowed on private property.

10. The applicant must receive written approval from the State of New Mexico Highway Department in respect to access, signalization, acceleration/deceleration lanes, etc. prior to any City Development Department plan approval. Approval is subject to New Mexico Department approval, and City Engineer approval.

11. The above requirements (except for #6) shall be met in compliance with the following schedule:

    With the buildout of Phase I, K-Mart development:

    - NMSR 528 frontage improvements

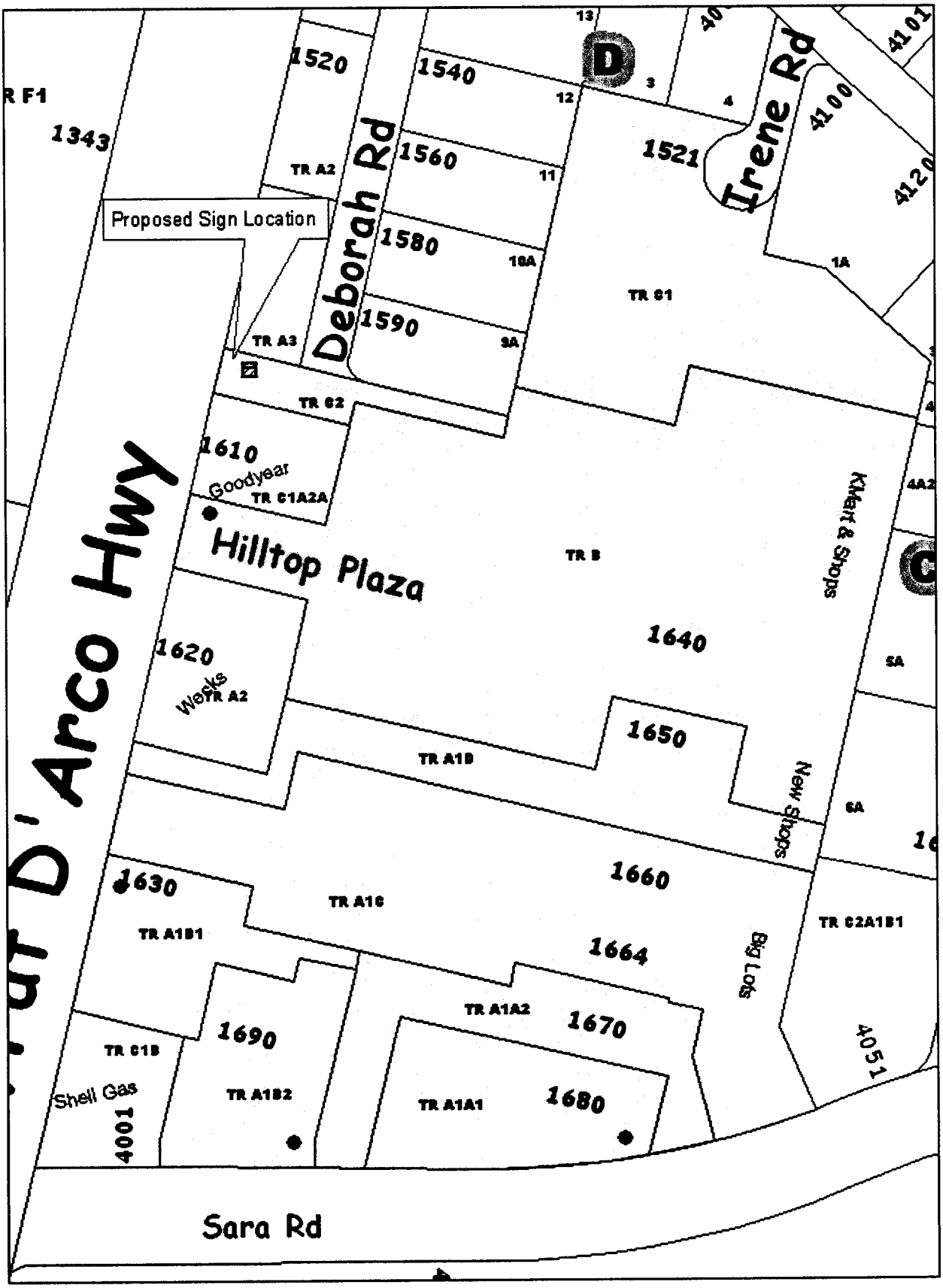
    With the buildout of Phase II, the rest of the development:

    -Sara Road improvements

    -The remainder of NMSR 528 Improvements

ATTACHMENT II

LOCATION MAP



ZONE MAP AMENDMENT
SU/SPECIAL USE SIGNAGE
HILLTOP PLAZA

● Existing Signs
▨ Proposed Sign Location

Planning and Zoning Hearings
of the
City of Rio Rancho

MINUTES

September 11, 2012

Council Chambers, City Hall

David Heil, District 1, Vice Chairman; Patrick McFarlin, District 2; Vacant, District 3; Paul Barabe, District 4; Henry Pacelli, District 5; Ray Johnson, District 6; John Long, At Large

MEMBERS PRESENT:

David Heil, District 1
Patrick McFarlin, District 2
Vacant, District 3
Paul Barabe, District 4
Henry Pacelli, District 5
Ray Johnson, District 6
John Long, At Large

STAFF PRESENT:

John Castillo, Director, Development Services Department
Dolores Wood, Deputy Director, Development Services Department
Joyce Jordan, Staff
Nancy McKinney, Staff

ITEM 1: CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

ITEM 2:

A. APPROVAL OF AGENDA:

Ray Johnson, District 6 moved to **Approve the Agenda**. Seconded by Patrick McFarlin, District 2

The motion carried by a vote of 6 FOR and 0 AGAINST.

YES: David Heil, Patrick McFarlin, Paul Barabe, Henry Pacelli, Ray Johnson, and John Long.

NO: (none)

B. APPROVAL OF MINUTES: August 14, 2012

MINUTES 8-14-12

ITEM 4: DISCUSSION & DELIBERATION:

B. ZONE MAP AMENDMENT: The applicant requests approval of a zone map amendment to amend Ordinance 91-002 and Ordinance 89-008 as it pertains to signage for Hilltop Plaza Shopping Center, All Tracts. The properties are located east of NM528/Pat D'Arco Highway and north of Sara Road SE.
Case No.: 12-100-00013
Applicant: Hilltop Associates, LLC and Peterson Properties, LLC
Agent: Electrical Products Company
Staff Contact: Joyce Jordan
Staff Recommendation: Approval with Findings

12-100-00013

Joyce Jordan, Development Services staff, presented the request for a zone map amendment to amend Ordinance 91-002 and Ordinance 089-088 as it pertains to signage. The amendment would allow an additional 150 square foot sign, 24' in height, along NM Hwy 528/Pat D'Arco Highway. The amendment will require wall signage to comply with the current Sign Ordinance Ms. Jordan stated that staff recommends approval of the Zone Map Amendment with findings of fact. Katharine Kelly, Hilltop Plaza Property Manager, agreed with staff's recommendation.

Commissioner Paul Barabe asked whether this request would affect existing signage at the location. Staff affirmed it would not affect existing signage. Commissioner Barabe asked staff whether this request would also appear before the Governing Body. Staff affirmed the request would need to go before the Governing Body. Commissioner Patrick McFarlin asked staff is less than the maximum currently allowed and whether an increase in signage size would be required to appear before the Planning and Zoning Board. Staff explained the existing signage is less than currently allowed and if there was a request to increase the signage, it would be required to appear before the Planning and Zoning Board. Commissioner Ray Johnson asked staff if this application before the Board was to allow for a third sign along NM Hwy 528/Pat D'Arco Highway. Staff affirmed that to be correct.

Ray Johnson, District 6 moved to **recommend Approval of a zone map amendment to amend Ordinance 91-002 and Ordinance 89-008 as it pertains to signage for Hilltop Plaza Shopping Center, All Tracts.**.
Seconded by Paul Barabe, District 4

The motion carried by a vote of 6 FOR and 0 AGAINST.

YES: David Heil, Patrick McFarlin, Paul Barabe, Henry Pacelli, Ray Johnson, and John Long.

NO: (none)

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

August 8, 2025

RE: **Variance Request for Second Sign (Case # 25-110-00016) Defined Pickleball – 1640 NM 528 SE, Rio Rancho, NM 87124**

Dear Property Owner:

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

The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second sign for Defined Pickleball, located at 1640 NM 528 SE, legally described as Hilltop Plaza Shopping Center, Tract B (HILL, Tract B). Please see the map on the reverse side of this notice for the location of the subject property.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, August 26, 2025** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

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

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

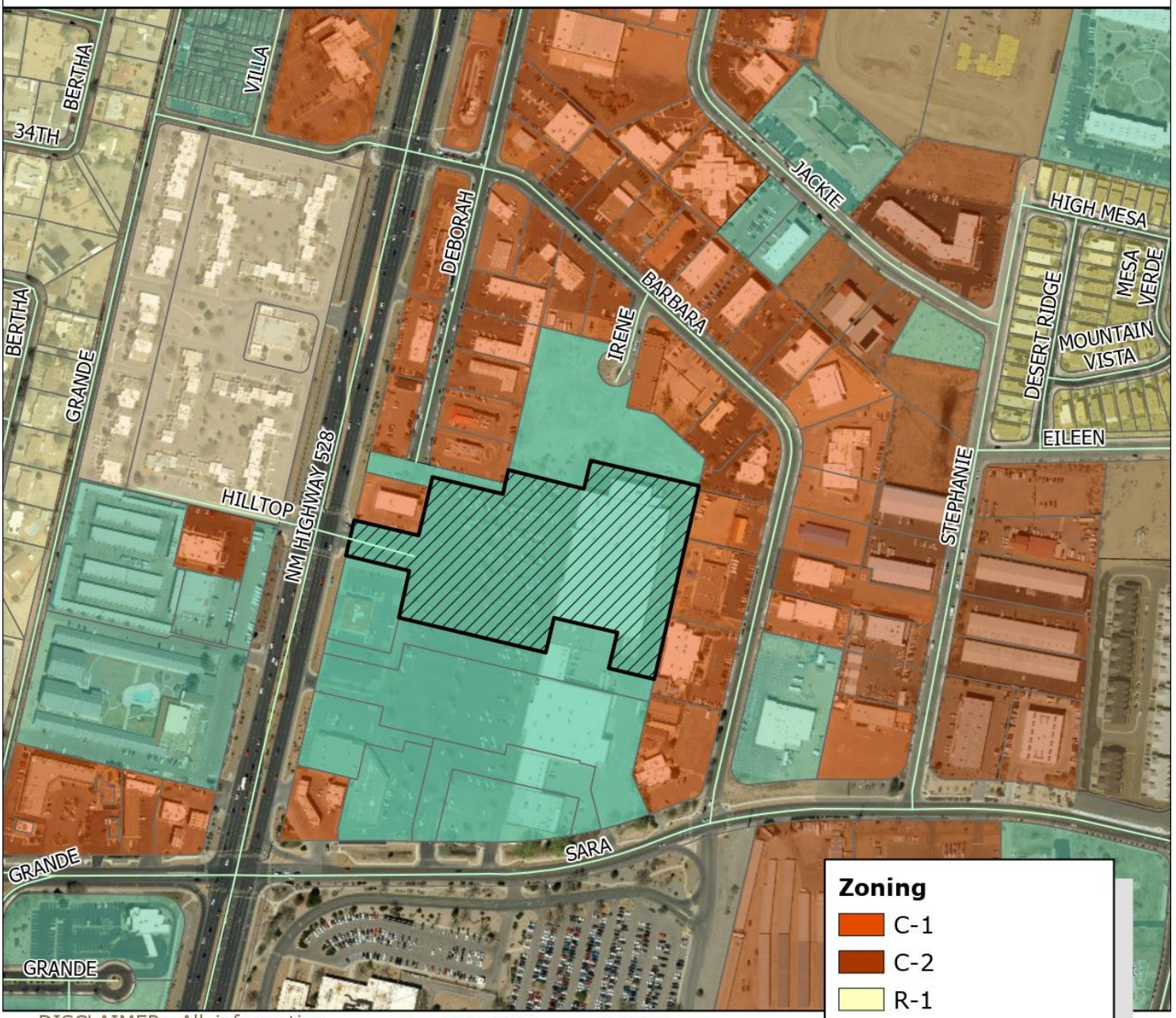
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public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

Respectfully,

Tim Dvorak

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

1640 NM HIGHWAY 528 SE
HILL, TR B
VARIANCE



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 courtesy of Tim Dvorak on 8/7/2025

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

NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**August 26, 2025**
Time:	6:00PM
Staff Contact:	Tim Dvorak (505) 896-8361 tdvorak@rrnm.gov

Development Services Department
3200 Civic Center Circle NE, Suite 130
Rio Rancho NM, 87144
Phone: (505) 891-5005
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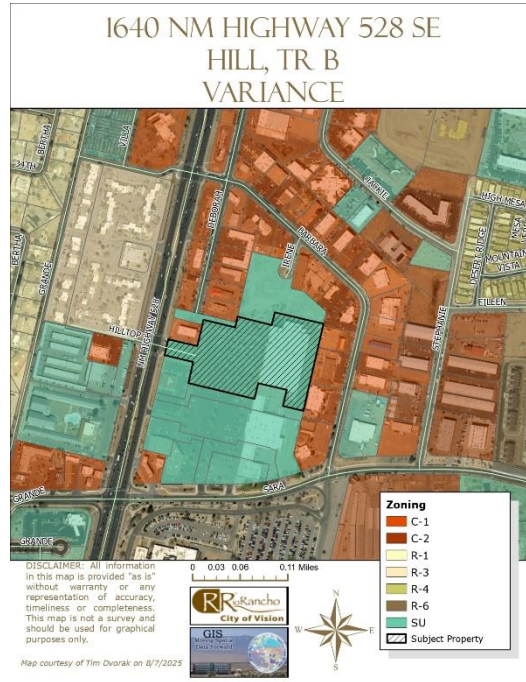
NOTICE OF PUBLIC HEARING

Meeting:	Planning & Zoning Board
Location:	Virtual (Zoom)/City Hall
Date:	**August 26, 2025**
Time:	6:00PM
Staff Contact:	Tim Dvorak (505) 896-8361 tdvorak@rrnm.gov

Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second sign for Defined Pickleball, located at 1640 NM 528 SE, legally described HILL, Tract B. The PZB will hear the request on August 26, 2025.

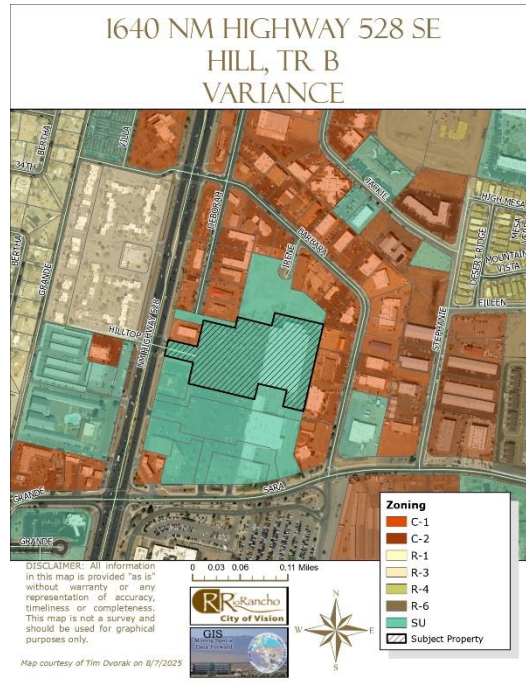
We are promoting social distancing and running Planning and Zoning Board Meetings as a hybrid virtual and in person. If you'd like to present comments on the case while the meeting is occurring, please join the meeting from your computer, tablet or smartphone:
https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US



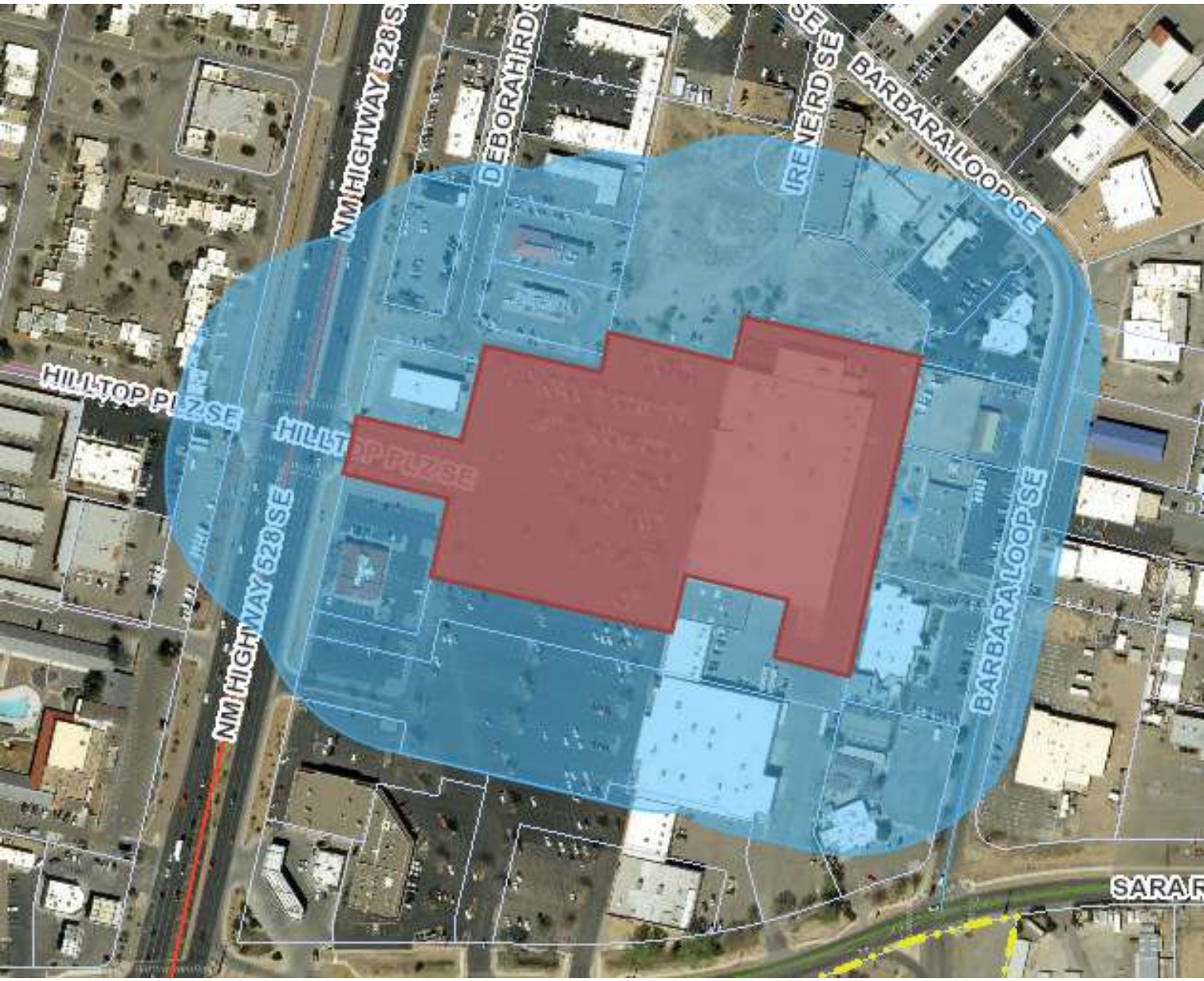
Application Information

You are receiving this notice because your property is within 300 feet of a site where a land development decision is required by the Planning and Zoning Board. The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second sign for Defined Pickleball, located at 1640 NM 528 SE, legally described HILL, Tract B. The PZB will hear the request on August 26, 2025.

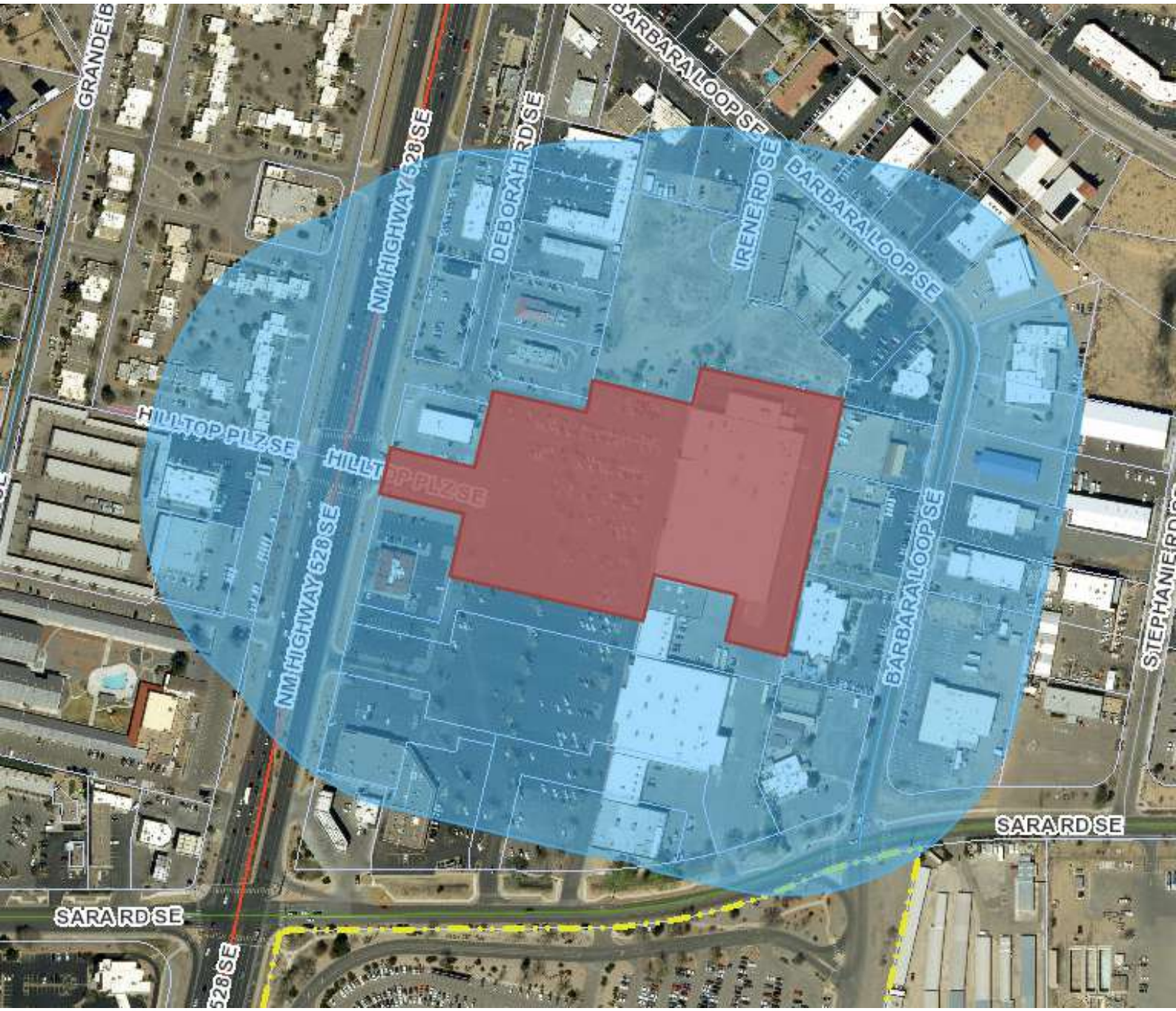
We are promoting social distancing and running Planning and Zoning Board Meetings as a hybrid virtual and in person. If you'd like to present comments on the case while the meeting is occurring, please join the meeting from your computer, tablet or smartphone:
https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: 026819 Join via phone: 1-253-215-8782 US



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



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



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, August 26, 2025:

Zone Map Amendment
Case #25-100-00007
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment to implement a Renewable Energy Overlay Zone on 80 acres of the subject property legally described as
Loma Barbon, Tract B. The subject property comprises approximately 650 acres.

Master Plan Amendment
Case #25-410-00005
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, also requests approval of an amendment to the Loma Barbon Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject property.

Preliminary/Final Plat
Case #25-220-00006
The applicant, City of Rio Rancho Public Works, through their agent Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat for the subject properties legally described as Unit 21, Block 13, Lots 1 and 2, and Unit 21, Block 20, Parcel D and Lot 48. The plat combines the four existing properties into two lots, dedicates a portion of Right of Way (ROW), and relocates PUE's.

Subdivision Variance
Case #25-280-0004
The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres

Preliminary, Final Plat
Case #25-210-00004
The applicant, Southwest Elegant Homes LLC, through their agent, CSI-Cartesian Surveys, Inc., is requesting approval of a Preliminary, Final Plat to split a lot 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres.

Variance
Case #25-110-00016
The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second wall sign for the Defined Pickleball location at 1640 NM 528 SE, legally described as HILL, Tract B.

Zone Map Amendment
Case #25-100-00008
The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approx. 2.65 acres.

The meeting is scheduled for 6 p.m. 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. 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: August 11, 2025

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR APPROVAL
Case No. 25-110-00016

REQUEST FOR A VARIANCE TO SPECIAL USE ORDINANCE NO. 29, ENACTMENT NO. 12-29 SECTION 1(9)B TO ALLOW FOR A SECOND PERMANENT SIGN FOR AN EXISTING BUSINESS ON THE SUBJECT PROPERTY OF HILL, TRACT B.

Applicant: Defined Pickleball

THIS MATTER, having come before the Planning & Zoning Board of the City of Rio Rancho, New Mexico on the 26th day of August 2025, the Planning & Zoning Board having taken evidence and considered the merits, has determined and found:

GENERAL FINDINGS OF FACT:

1. In accordance with R.O. 2003 Section 150.06, the Planning and Zoning Board has jurisdiction over approval of a Variance request to Special Use Ordinance No. 29, Enactment No. 12-29 Section 1(9)B to allow for a second permanent sign for an existing business within the Hilltop Plaza Shopping Center.
2. The Applicant has the authority to make an application to request a Variance Special Use Ordinance No. 29, Enactment No. 12-29 Section 1(9)B to allow for a second permanent sign for an existing business within the Hilltop Plaza Shopping Center.

SPECIFIC FINDINGS OF FACT:

1. The Applicant has adequately addressed the criteria for granting a Variance as set forth in R.O. 2003 Section 150.06.
2. The proposed signage conforms to all regulations pursuant to R.O. 2003 Chapter 156 Sign Regulations.
3. A Variance to Special Use Ordinance No. 29, Enactment No. 12-29 Section 1(9)B allowing for a second 64.1 square foot permanent sign for Defined Pickleball at the property legally described as Hilltop Plaza, Tract B, is approved and shall be consistent with all previously submitted materials contained in Building Permit #25-3409.
4. The subject sign will not adversely affect the public or the surrounding properties.

THEREFORE, the application for a second permanent sign for an existing business within the Hilltop Plaza Shopping Center, **is APPROVED** by the Planning & Zoning Board of the City of Rio Rancho on August 26, 2025, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

BEFORE THE PLANNING and ZONING BOARD
OF THE
CITY OF RIO RANCHO, NEW MEXICO
FINDINGS OF FACT FOR DENIAL
Case No. 25-110-00016

REQUEST FOR A VARIANCE TO SPECIAL USE ORDINANCE NO. 29, ENACTMENT NO. 12-29 SECTION 1(9)B TO ALLOW FOR A SECOND PERMANENT SIGN FOR AN EXISTING BUSINESS ON THE SUBJECT PROPERTY OF HILL, TRACT B.

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2. The Applicant has the authority to make an application to request a Variance to Special Use Ordinance No. 29, Enactment No. 12-29 Section 1(9)B to allow for a second permanent sign for an existing business within the Hilltop Plaza Shopping Center.

SPECIFIC FINDINGS OF FACT:

1. The applicant has not adequately addressed the criteria for granting a Variance as set forth in R.O. 2003 Section 150.06.

THEREFORE, the application for a second permanent sign for an existing business within the Hilltop Plaza Shopping Center, **is DENIED** by the Planning & Zoning Board of the City of Rio Rancho on August 26, 2025, subject to the conditions, restrictions and stipulations specified above.

_____ _____

Date Planning & Zoning Chairman

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: 25-100-00008

AGENDA DATE:
August 26, 2025

DEPARTMENT:
Development Services

SUBJECT:
Zone Map Amendment. The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. Staff contact is Tim Dvorak, and staff recommends the Planning & Zoning Board recommend denial of the Zone Map Amendment to the Governing Body, with findings.

BACKGROUND AND ANALYSIS:
The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approximately 2.64 acres.

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

- Rio Rancho Estates Unit 22, Block 89, Tract E (10 King Blvd NW): TZ: Transitional District via Ordinance No. 24, Enactment No. 98-025 adopted by the Governing Body November 4, 1998. (Approx. 1.38 acres)
- Rio Rancho Estates Unit 22, Block AA, Tract A (3621 Rainbow Blvd NW): Unzoned District. (Approx. 1.26 acres).

Neither of the subject properties are within an active area plan and are both designated under the Generalized Land Use Map as Future Planning. The properties are located on the northwest and southwest corners of the intersection of Rainbow Blvd NE and King Blvd NE, both minor arterials. Currently, Rainbow Blvd NE measures approximately 90'-95' in width; however, the MRCOG 2040 roadmap identifies Rainbow Blvd NE as a future regional principal arterial, which would require a right-of-way at least 156’ in width when the roadway expands in the future. Should the Zone Map Amendment ultimately be approved, this future right-of-way will need to be taken into account. As development of Mariposa West is being planned Rainbow's popularity as a north/south connection will increase.

The subject properties are abutted by the following zoning districts:
- North: TZ: Transitional District, SU: Special Use District for Residential
- South: Unzoned District, SU: Special Use District for Residential
- East: R-3: Mixed Residential District, SU: Special Use District for Residential
- West: Sandoval County

CONFORMANCE WITH THE CITY ZONING ORDINANCE: City of Rio Rancho Code of Ordinances (R.O. 2003) § 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning and Zoning Board when a change in zoning designation is sought. Staff recommends the Planning and Zoning Board find that the application meets the submittal requirements for the proposed zoning request, as City staff is the applicant. Pursuant to criteria provided by R.O. 2003 § 150.07 (D) (1) through (4) and (E) through (G), a request for a change in zoning designation must address the following policies and criterion for a zone map change: (1) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

The Applicant states in their justification, "The proposed Zone Map Amendment is consistent with the health, safety, morals, and general welfare of the City. The proposed ZMA provides the opportunity to further the health and welfare of the City by creating the zoning conditions necessary to construct high quality residential homes that will meet the needs of Rio Rancho residents. Additionally, the zone change will allow the properties to be developed consistent with and will complement the existing and surrounding residential areas to the east."

Staff recommends the Planning and Zoning Board find that the proximity of R-3: Mixed Residential District to the east of the subject properties does not in itself justify a Zone Map Amendment. As the subject properties are located at the intersection of Rainbow Blvd NE and King Blvd NE, there is also future right-of-way and property access to consider. The Applicant has not addressed how the proposed zoning would work on the subject properties with future right-of-way taken into account. This would also reduce the developable area of both subject lots. The Applicant has not demonstrated that the proposed R-3: Mixed Residential Zoning would still work for development, after having taken into account access and future right-of-way requirements; Criteria is not satisfied.

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

The Applicant states, "The proposed zoning will not destabilize the land use and zoning in the area, but will strengthen it by aligning it with the surrounding area. The requested zone change will allow the property to be developed in a manner compatible with surrounding uses and consistent with current development possibilities. For this reason, there is sound justification for the requested zone change."

Staff recommends the Planning and Zoning Board find that the Applicant is relying on established R-3: Mixed Residential Zoning to the east to justify continuity of zoning. While there is developing R-3 zoning directly east of the subject properties within the Northern Meadows J-1 Subdivision, this subdivision has been duly platted and recorded. The Northern Meadows J-1 Subdivision is located on the northeast corner of King Blvd NE and Rainbow Blvd NE; as such, this subdivision has already established lots which directly abut Rainbow Blvd NE. Additionally, Northern Meadows Units 3, 5, and 11 have developed as residential subdivisions directly abutting the east side of Rainbow Blvd NE. This means that when future right-of-way expansion for Rainbow Blvd NE needs to occur, this land will have to be acquired from the west side of Rainbow Blvd NE, which contains the subject properties. Because the Applicant has not addressed future right-of-way, staff cannot adequately determine whether the proposed R-3: Mixed Residential zoning would destabilize the area; Criteria is not satisfied.

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

The Applicant states, "The proposed ZMA does not change, but rather furthers the Rio Rancho Comprehensive Plan's intent. The Rio Rancho Comprehensive Plan outlines the Northern Meadows Master Plan area as an activity center and development node. The Comprehensive Plan has a goal to provide housing near gateways and transportation corridors due to an increasing population. In addition, the Comprehensive Plan provides a variety of housing types and mixed-used residential developments to meet the needs of all members of the community. The requested ZMA is consistent
with the goals and policies outlined by the Rio Rancho Comprehensive plan."

Staff recommends the Planning and Zoning Board find that while the Northern Meadows area may be an activity center and development node, the Applicant again has not demonstrated how the proposed zoning will work with the developed conditions of the area. As such, staff cannot adequately assess the efficacy of additional R-3 zoning; Criteria is not satisfied.

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

The Applicant states, "The proposed ZMA is more advantageous to the community, as articulated in the Comprehensive Plan as demonstrated in section one, two, and three above. The applicant is requesting an amendment to the zoning to match the subdivision east of Rainbow Blvd [Northern Meadows J-1]."

Staff recommends the Planning and Zoning Board again find that the Applicant has not demonstrated how the proposed zoning will work with the surrounding intersection and established communities. As such, staff cannot assess whether R-3 would be more advantageous to the community; Criteria is not satisfied.

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

The Applicant states, "The proposed ZMA is more advantageous to the community, as there is no zoning designation currently assigned to one of these tracts. The other tract is zoned TZ and this was established as a temporary assignment which requires the land to be rezoned prior to any development occurring."

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

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

The Applicant states, "Location on a major street is not the sole justification for this request. The request is to provide these existing "Unzoned" and TZ-Zoned tracts with a current residential zoning designation."

Staff recommends the Planning and Zoning Board find that while the street location does not appear to be the sole justification for the subject request, the proposal is located at a significant future intersection, where traffic circulation and future right-of-way will need to be taken into account; Criteria is satisfied.

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

The Applicant states, "The requested zone change will not create a spot zone. The request is to bring the zoning in alignment of these tracts with subdivision on the east side of Rainbow Blvd. The requested change will also accomplish the Vision of Growth in Section 1 and the goals set forth in Section 6 of the Comprehensive Plan."

Staff recommends the Planning and Zoning Board find that the proposal would not directly create a spot zone, though questions remain from staff how the proposed zoning would function with the intersection of King Blvd NE and Rainbow Blvd NE and how this proposed zoning would work with future right-of-way acquisitions needed along the west side of Rainbow Blvd NE.

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

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

NOTIFICATIONS: In accordance with State Statute NMSA 3-21-6, which stipulates notification procedures for this type of zoning action, all property owners within 100 feet of the subject properties received a certified letter, return receipt, containing a notice of action and impending Planning and Zoning Board hearing. Notice signs were placed on the subject properties as required by ordinance. A legal notice was published in the August 11, 2025 edition of the Albuquerque Journal. All legal notice requirements have been met.

IMPACT:

Staff recommends the Planning and Zoning Board recommend denial of Zone Map Amendment Case No. 25-100-00008 to the Governing Body, subject to the following findings:

General Findings of Fact:

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

2. The Applicant has the authority to make an application to request a Zone Map Amendment.

Specific Findings of Fact for Denial:

1. The Applicant has submitted an application and narrative which does not demonstrate that the proposed change in zoning designation meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) § 150.07(D) Amendments.

However, if the Planning and Zoning Board finds that the proposed Zone Map Amendment is consistent with City standards, staff recommends the specific findings of fact and conditions for approval below:

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

1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by bringing the subject property into conformance with City land use regulations and is compatible with surrounding zoning.
2. The Applicant has provided sound justification for the proposed zone change and the Zone Map Amendment would provide for stability of zoning.
3. The proposed Zone Map Amendment would be consistent with the intent of the adopted elements of the Comprehensive Plan.
4. The cost of the land or other economic considerations does not appear to be a justification for the proposed Zone Map Amendment.
5. The Applicant has provided sufficient justification that the Zone Map Amendment request is not based on the properties' location.
6. The requested Zone Map Amendment would not create a "spot zone" in that it maintains continuity with the existing R-3: Mixed Residential zoning of the adjacent Northern Meadows J-1 Subdivision.

ALTERNATIVES:

The Planning and Zoning Board may:

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

DEPARTMENT RECOMMENDATION:

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

ATTACHMENT: Zoning, Location Map
ATTACHMENT: Application & Justification
ATTACHMENT: Proof of Ownership: U22, Block 89, Tract E
ATTACHMENT: Reproduction of Notices, Legal Ad
ATTACHMENT: Reviewer Comments
ATTACHMENT: Draft_Ordinance_.docx

ZONE MAP AMENDMENT
UNIT 22 BLOCK 89 TRACT E &
UNIT 22 BLOCK AA TRACT A
TZ: TRANSITIONAL ZONING & UNZONED
TO R-3: MIXED RESIDENTIAL



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.

0 0.01 0.02 0.04 Miles

ReRancho City of Vision

GIS Moving Spatial Data Forward

N W E S

Map courtesy of Tim Dvorak on 8/7/2025

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	☐ 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: Outer Rim Investments Inc		Phone: 505-892-9200
Address: 409 NM Hwy 528, NE		E-Mail: bryana@aswinc.com
City: Rio Rancho	State: NM	Zip: 87124
Proprietary Interest:	List Owners:	
Deed or Ownership Verification Provided: (Initials)		Letter of Authorization Provided: (Initials)

Agent Name:		Phone:
Address:		E-Mail:
City:	State:	ZIP Code:

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

SITE INFORMATION: (PLEASE PROVIDE ACCURATE LEGAL DESCRIPTION)

Subdivision/Unit : Unit 22	Block(s): 89 & AA	Lot(s): Tracts E & A
Existing Zoning: TZ & "Unzoned"	Proposed Zoning: R-3	
No. of existing lots: 2	No. of proposed lots: 2	Total area of site (acres) 1.65

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: Bryan Aragon	Applicant:	Agent:
Signature: Bryan Aragon		Date: July 25, 2025

FOR OFFICIAL USE ONLY

H.T.E. PROJECT #	FEE	RECEIPT #

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

Form revised January 26, 2017

Outer Rim Investments Inc 409 NM HWY 528 NE, Rio Rancho, NM 87124

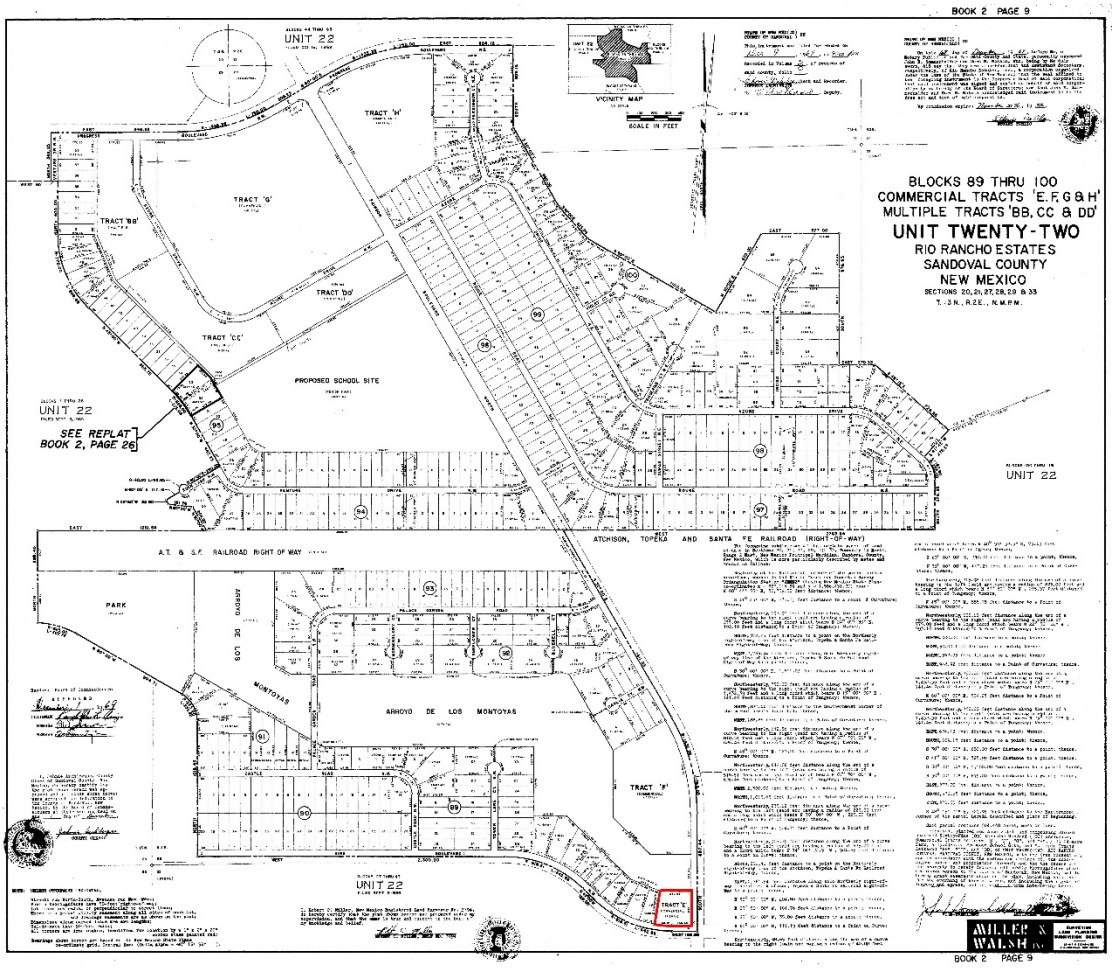
July 25, 2025

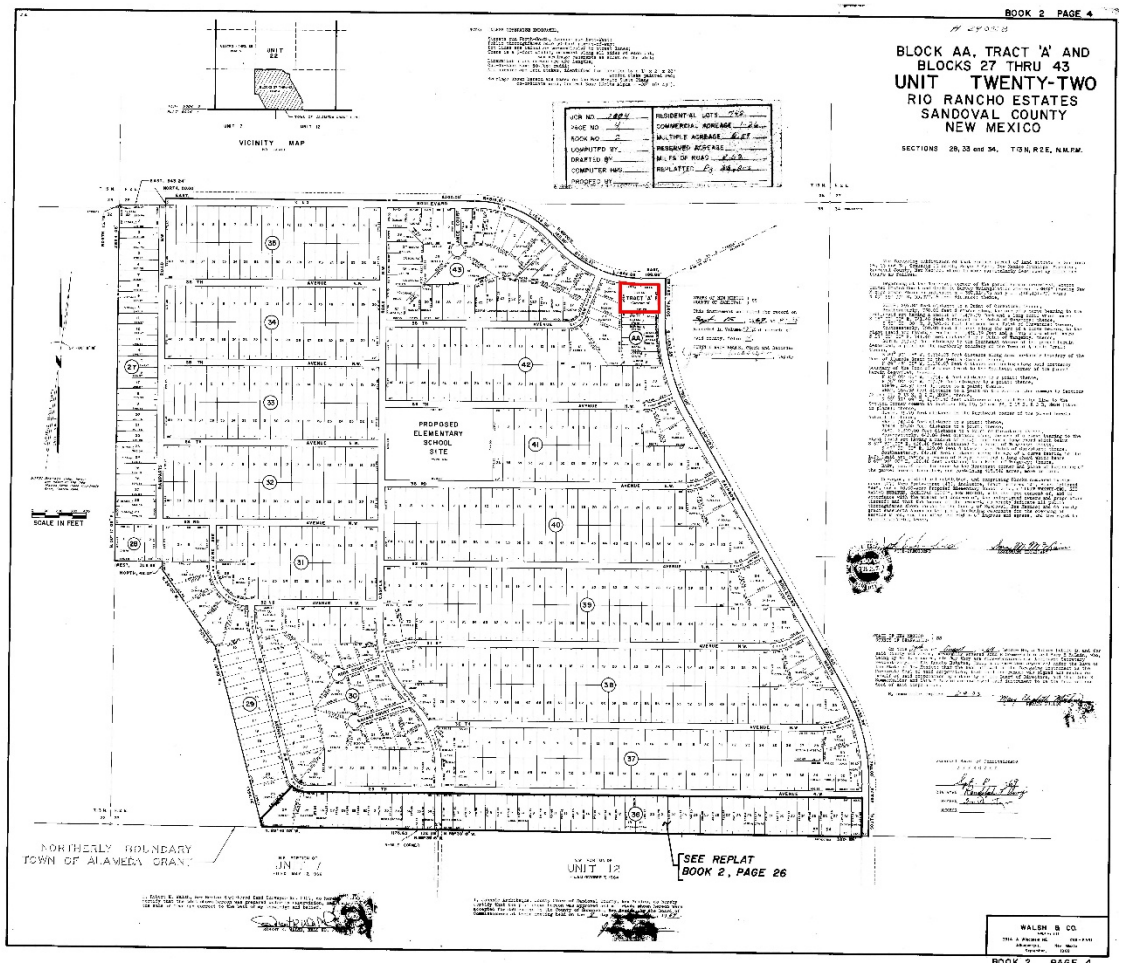
Ms. Amy Rincon
Director of Development Services
City of Rio Rancho
3200 Civic Center Circle NE
Rio Rancho, NM 87144

Re: Request for a Zone Map Amendment

Dear Ms. Rincon:

Outer Rim Investments Inc (the "Applicant") is the owner of these real properties (the "subject property") involved in this zone map amendment request. This is a request for a Zone Map Amendment("ZMA") for approximately 2.65 acres, more particularly identified as Unit 22, Block 89, Tract E and Unit 22, Block AA, Tract A of the Rio Rancho Estates, (the "Subject Property"). The Subject Properties are located west of the intersection of King Blvd and Rainbow Blvd NW (see below).





The applicant is requesting that Unit 22, Block 89, Tract E be rezoned from TZ to R-3 and Unit 22, Block AA, Tract A be rezoned from "unzoned" to R-3.

SITE CONTEXT/ZONE MAP AMENDMENT

The subject properties are situated adjacent to the Northern Meadows master plan area to the east and the City limits to the west. These two tracts split King Blvd. Tract E is located on the north side of King Blvd and west of Rainbow Blvd. Tract E is currently zoned TZ, Transitional Zoning. Tract A is located on the south side of King Blvd and west of Rainbow Blvd. Tract A is currently "unzoned".



The property north and west of Tract E is zoned TZ, to the east is an R-3 Zoned subdivision.

The City limit's border Tract A on the west, to the south the land is unzone and on the east side of Rainbow Blvd is King Meadows Park.

SECTION 150.07 JUSTIFICATION

This section of the request addresses the criteria for a zone map amendment. A justification per Section 150.07 (D-G), Policies for Deciding Zone Map Amendments, is provided below.

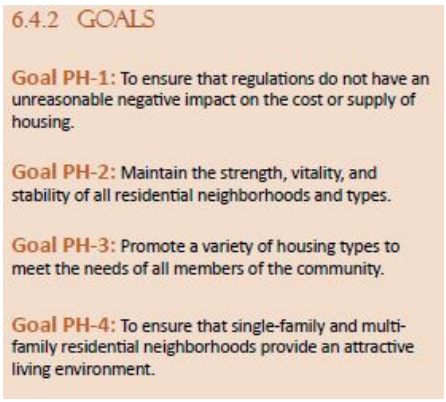
(D) The following policies for deciding zone map change applications pursuant to the City Zoning Code are:

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

Applicant response: The proposed Zone Map Amendment is consistent with the health, safety, morals, and general welfare of the City. The proposed ZMA provides the opportunity to further the health and welfare of the City by creating the zoning conditions necessary to construct high quality residential homes that will meet the needs of Rio Rancho residents. Additionally, the zone change will allow the properties to be developed consistent with and will complement the existing and surrounding residential areas to the east.

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: This zone change request will allow for stability of land use and zoning as well as improve it. The zone map amendment will allow the property to be developed in a manner that is compatible with the surrounding Rio Rancho neighborhoods. The requested amendment will allow for development that is consistent with the Rio Rancho Comprehensive plan goals to provide access to housing in undeveloped areas, due to an increasing population. Additionally, the Comprehensive Plan has identified goals under Section 6: Population and Housing (depicted below) to provide a variety of housing types that meet the needs of current and future populations within the city.



6.4.2 GOALS

Goal PH-1: To ensure that regulations do not have an unreasonable negative impact on the cost or supply of housing.

Goal PH-2: Maintain the strength, vitality, and stability of all residential neighborhoods and types.

Goal PH-3: Promote a variety of housing types to meet the needs of all members of the community.

Goal PH-4: To ensure that single-family and multi-family residential neighborhoods provide an attractive living environment.

The proposed zoning will not destabilize the land use and zoning in the area, but will strengthen it by aligning it with the surrounding area. The requested zone change will allow the property to be developed in a manner compatible with surrounding uses and consistent with current development possibilities. For this reason, there is sound justification for the requested zone change.

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 ZMA does not change, but rather furthers the Rio Rancho Comprehensive Plan's intent. The Rio Rancho Comprehensive Plan outlines the Northern Meadows Master Plan area as an activity center and development node. The Comprehensive Plan has a goal to provide housing near gateways and transportation corridors due to an increasing population. In addition, the Comprehensive Plan provides a variety of housing types and mixed-used residential developments to meet the needs of all members of the community. The requested ZMA is consistent with the goals and policies outlined by the Rio Rancho Comprehensive plan.

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

a) The existing zoning is inappropriate because there was a judgment mistake in the original zoning.

c) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan.

Applicant response: The proposed ZMA is more advantageous to the community, as articulated in the Comprehensive Plan as demonstrated in section one, two and three above. The applicant is requesting an amendment to the zoning to match the subdivision east of Rainbow Blvd.

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

Applicant response: The proposed ZMA is more advantageous to the community, as there is no zoning designation currently assigned to one of these tracts. The other tract is zoned TZ and this was established as a temporary assignment which requires the land to be rezoned prior to any development occurring. The applicant is requesting an amendment to the zoning to match the existing zoning located to the east of Rainbow Blvd.

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

Applicant response: Location on a major street is not the sole justification for this request. The request is to provide these existing "Unzoned" and TZ zoned tracts with a current residential zoning designation.

(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 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.

Applicant response: The requested zone change will not create a spot zone. The request is to bring the zoning in alignment of these tracts with subdivision on the east side of Rainbow Blvd. The requested change will also accomplish the Vision of Growth in Section 1 and the goals set forth in Section 6 of the Comprehensive Plan.

We respectfully request that the Rio Rancho Planning and Zoning Board and Governing Body approve this request for a zone map amendment.

Sincerely,

Bryan Aragon, PE
Land Development Coordinator

SANDOVAL COUNTY
200514883
Book- 408 Page- 14883
1 of 308
04/28/2005 10:39:51 AM

QUITCLAIM DEED

AMREP SOUTHWEST, INC., a New Mexico corporation formerly known as Rio Rancho Estates, Inc., for consideration paid, hereby quitclaims to **OUTER RIM INVESTMENTS, INC.**, a New Mexico corporation, whose address is 333 Rio Rancho Drive, Rio Rancho, New Mexico, that certain real estate in Sandoval County, New Mexico, more particularly described on Exhibit A attached hereto and incorporated herein by reference.

WITNESS my hand this 26th day of April, 2005.

AMREP SOUTHWEST, INC.,
A New Mexico corporation,

By: _____
James Wall, President

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANDOVAL)

This instrument was acknowledged before me on April 26, 2005, by James Wall, President of Amrep Southwest, Inc., a New Mexico corporation, on behalf of said corporation.

_____
NOTARY PUBLIC

My Commission Expires:
2/25/07

OFFICIAL SEAL
Penny L. Kuchta
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 2/25/07

22	60	1
22	60	2
22	60	3
22	60	6
22	60	7
22	60	8
22	60	9
22	60	12
22	60	14
22	60	15
22	60	16
22	60	18
22	61	1
22	61	6
22	61	9
22	61	10
22	61	11
22	61	14
22	61	15
22	61	21
22	62	1
22	62	2
22	62	5
22	62	9
22	62	10
22	62	17
22	62	29
22	62	32
22	62	34
22	62	36
22	63	1
22	63	2
22	63	3
22	63	4
22	63	5
22	63	6
22	63	10
22	63	School Site

SANDOVAL COUNTY
200514883
Book- 408 Page- 14883
144 of 308
04/28/2005 10:39:51 AM

AND

The following lots in the Rio Rancho Subdivision in Sandoval County, New Mexico, as said lots are shown and described on the plat therof filed in the office of the County Clerk of Sandoval County, New Mexico on November 14, 1969, in Book 2, Page 07:

22	D	0000 ✓
22	64	1
22	64	2
22	65	2
22	65	14
22	66	1
22	66	2
22	66	3
22	66	4
22	66	5
22	66	6

Land Records Corp. FT ALB12682 SA 2005014883.144

22	72	67
22	72	69
22	72	72
22	73	3
22	73	7
22	73	8
22	73	11
22	73	12
22	73	27
22	73	28
22	73	33
22	73	34
22	74	2
22	74	3
22	74	4
22	74	9
22	74	10
22	74	11
22	74	12
22	74	28
22	74	29
22	74	33
22	74	34
22	74	35
22	75	1
22	75	6
22	75	7
22	75	21
22	75	22
22	75	23
22	75	45
22	76	1
22	76	11
22	76	14
22	76	18
22	76	19
22	76	20
22	76	22
22	76	25
22	76	26
22	76	27
22	76	29
22	76	30
22	76	31
22	76	38
22	76	39
22	76	42
22	76	49
22	77	1
22	77	2
22	77	3
22	77	4
22	77	5
22	77	6
22	77	7

SANDOVAL COUNTY
200514883
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04/28/2005 10:39:51 AM

Land Records Corp. FT ALB12682 SA 2005014883.146

22	87	12
22	87	13
22	87	18
22	87	30
22	87	31
22	87	41
22	87	50
22	87	57
22	88	10
22	88	20
22	88	21
22	88	22
22	88	24
22	88	26
22	88	28
22	88	29
22	88	42
22	88	43
22	88	47
22	88	48
22	88	49
22	88	50

SANDOVAL COUNTY
200514883
Book- 408 Page- 14883
149 of 308
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AND

The following lots in the Rio Rancho Subdivision in Sandoval County, New Mexico, as said lots are shown and described on the plat therof filed in the office of the County Clerk of Sandoval County, New Mexico on December 9, 1969, in Book 2, Page 09:

22	E	0000
22	F	0000
22	G	0000
22	H	0000
22	89	1
22	89	4
22	89	5
22	89	6
22	89	15
22	89	16
22	89	21
22	89	26
22	89	28
22	89	36
22	89	37
22	90	17
22	90	22
22	90	25
22	90	39
22	91	7
22	91	9
22	91	10
22	91	PARK
22	92	4
22	92	14
22	92	19
22	92	20

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

August 8, 2025

RE: **Zone Map Amendment (Case # 25-100-00008) Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A – TZ: Transitional District & Unzoned District to R-3: Mixed Residential District.**

Dear Property Owner:

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

The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approximately 2.65 acres. Please see the map on the reverse side of this notice for the location of the subject properties.

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, August 26, 2025** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

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

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

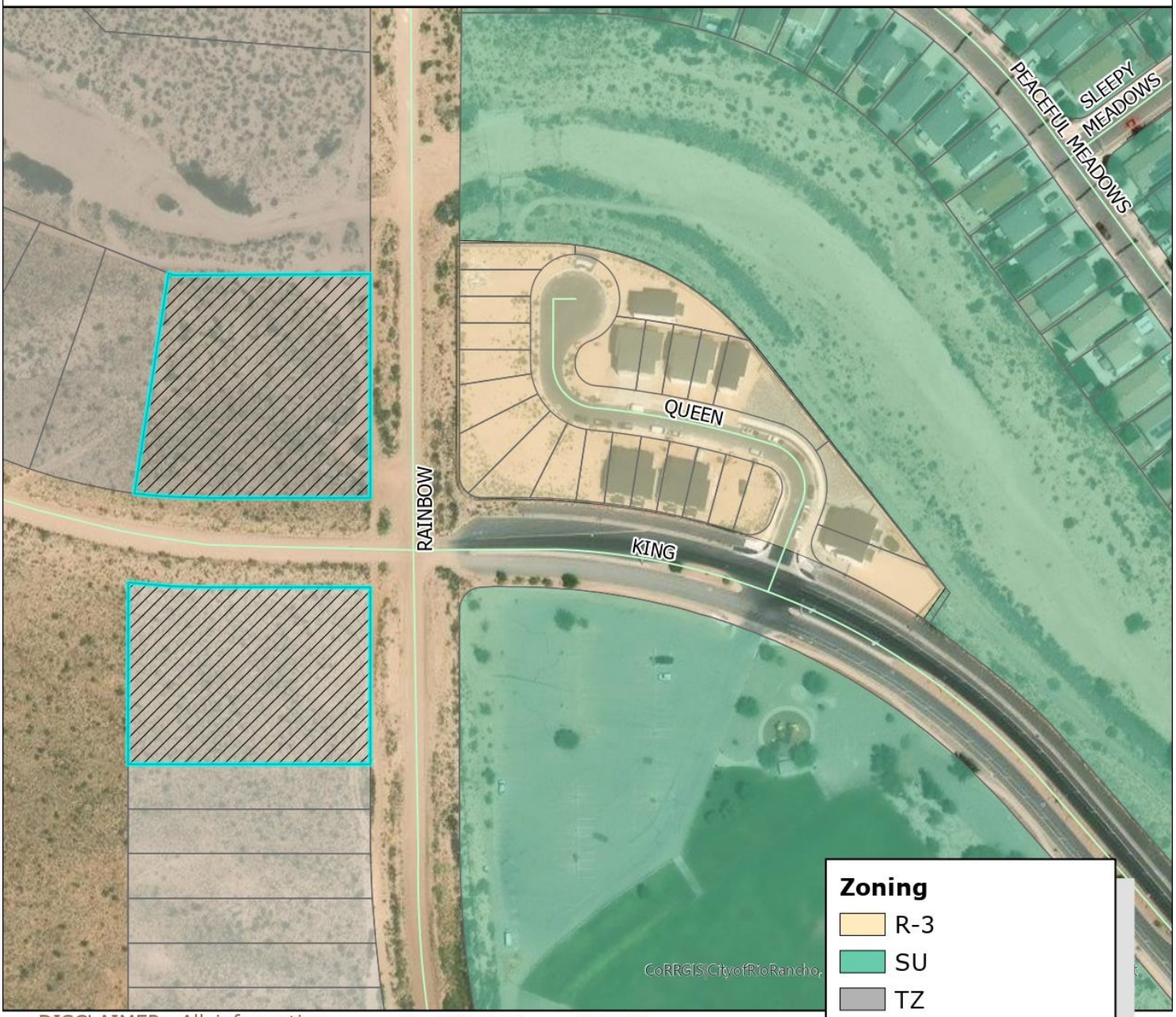
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public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

Respectfully,

Tim Dvorak

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

ZONE MAP AMENDMENT
UNIT 22 BLOCK 89 TRACT E &
UNIT 22 BLOCK AA TRACT A
TZ: TRANSITIONAL ZONING & UNZONED
TO R-3: MIXED RESIDENTIAL

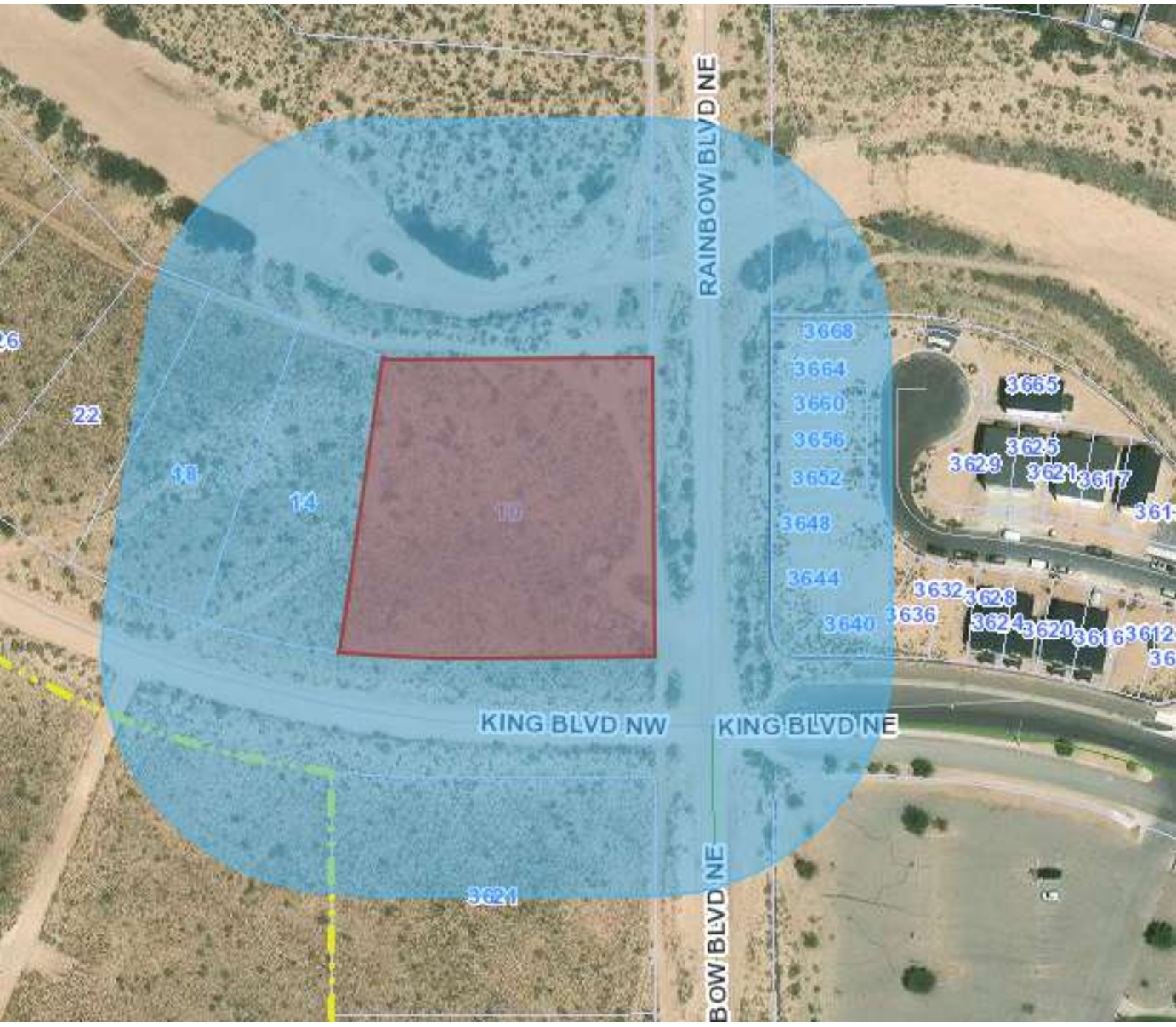


DISCLAIMER: All information in this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map courtesy of Tim Dvorak on 8/7/2025

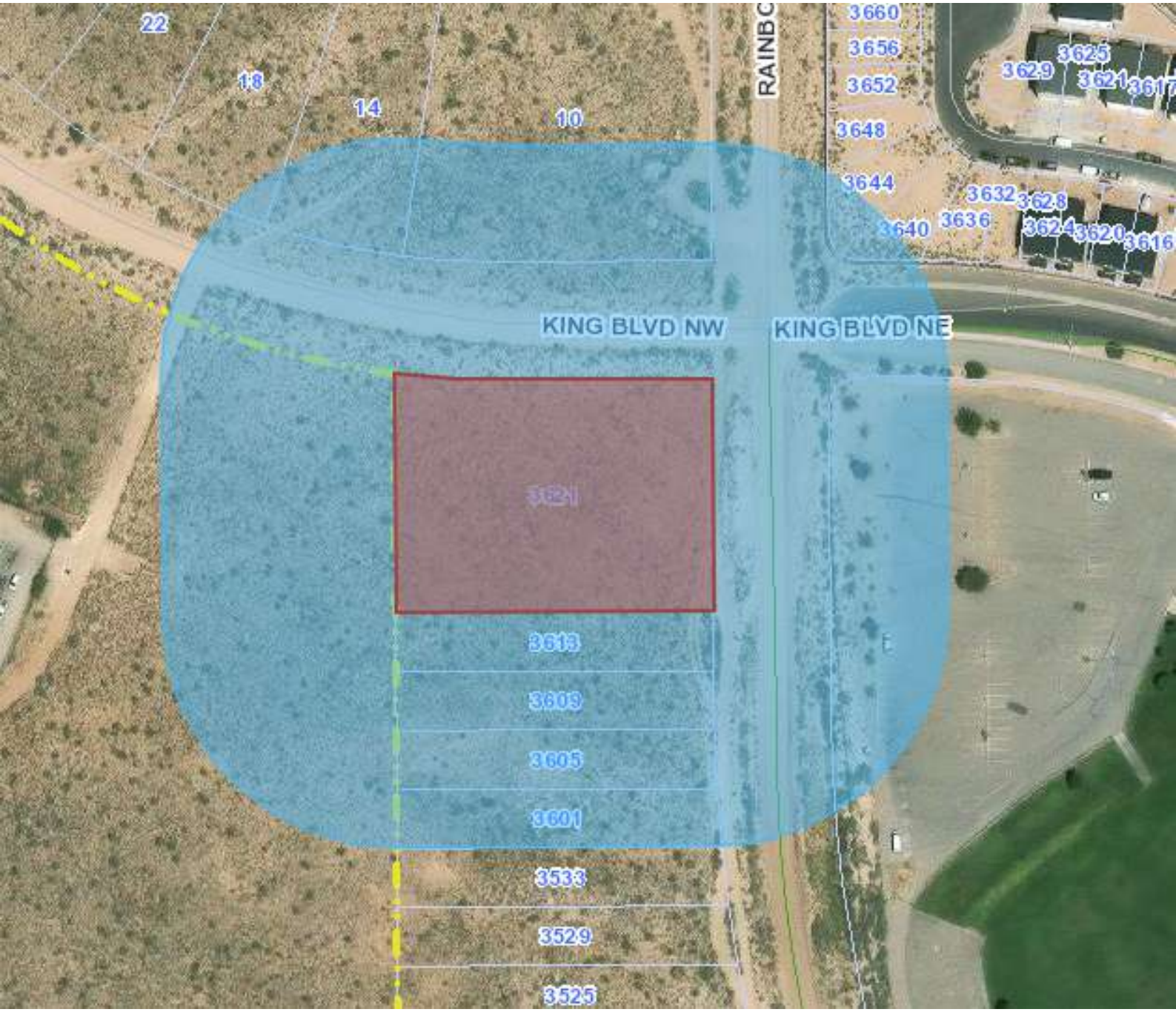
10 King Blvd NW

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



3621 Rainbow Blvd NW

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



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, August 26, 2025:

Zone Map Amendment
Case #25-100-00007
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, requests approval of a Zone Map Amendment to implement a Renewable Energy Overlay Zone on 80 acres of the subject property legally described as
Loma Barbon, Tract B. The subject property comprises approximately 650 acres.

Master Plan Amendment
Case #25-410-00005
The applicant, Affordable Solar Group, LLC, through their agent, SelectROW, also requests approval of an amendment to the Loma Barbon Master Plan. The proposed amendment is to include provisions for the installation of a solar generation, storage and distribution system on the subject property.

Preliminary/Final Plat
Case #25-220-00006
The applicant, City of Rio Rancho Public Works, through their agent Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat for the subject properties legally described as Unit 21, Block 13, Lots 1 and 2, and Unit 21, Block 20, Parcel D and Lot 48. The plat combines the four existing properties into two lots, dedicates a portion of Right of Way (ROW), and relocates PUE's.

Subdivision Variance
Case #25-280-0004
The applicant, Southwest Elegant Homes LLC, through their agent CSI- Cartesian Surveys, Inc, is requesting approval of a Variance to the required improvements of a subdivision, as outlined by Rio Rancho Municipal Code Chapter 155 Subdivsions, Section 155.27 Required Improvements, in order to split a lot at the subject property of 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres

Preliminary, Final Plat
Case #25-210-00004
The applicant, Southwest Elegant Homes LLC, through their agent, CSI-Cartesian Surveys, Inc., is requesting approval of a Preliminary, Final Plat to split a lot 5601 Iris Road Ne, legally described as Unit 17, Blk 81, Lot 20. The property is zoned E-1: Estate Residential District and comprises approximately 2.5 acres.

Variance
Case #25-110-00016
The applicant, Defined Pickleball, through their agent, EPNM, Inc., requests approval of a Variance request to allow for a second wall sign for the Defined Pickleball location at 1640 NM 528 SE, legally described as HILL, Tract B.

Zone Map Amendment
Case #25-100-00008
The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approx. 2.65 acres.

The meeting is scheduled for 6 p.m. 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. 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: August 11, 2025

RioRancho
City of Vision

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: July 31, 2025

TO:
(X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Brian Babyak, Patrick Kingsbury
(X) Fire and Rescue – Brian Johnson, Gerard Bauer
(X) Police – Scott Pope
(X) SSCAFCA – Andy Edmondson, Sara Rassa
(X) Parks and Recreation - Dyane Sonier
(X) Rio Rancho Public Schools – Michael Baker
(X) MRCOG – Aaron Hill

FROM: Development Services Department, Planning & Zoning Division

RE: DSD #25-100-00008 / Zone Map Amendment / TZ & Unzoned to R-3: Residential
Unit 22, Block 89, Tract E (TZ to R-3) / 10 King Blvd NW
Unit 22, Block AA, Tract A (Unzoned to R-3) / 3621 Rainbow Blvd NW

The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approximately 2.65 acres

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Monday, August 11, 2025**. If redline comments are made on the plan, please also provide me with a copy. Please contact Tim Dvorak at 505-896-8361 or e-mail tdvorak@rrnm.gov if you have any questions or would like to review a hard copy at my office.

This item has been reviewed and is hereby:
( ) RECOMMENDED FOR APPROVAL
( ) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
( ) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

Please note that north portion of Tract E is within arroyo's LEE line.

Sara Rassa Digitally signed by Sara Rassa — 8/5/25

Reviewer — Date

RioRancho
City of Vision

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: July 31, 2025

TO:
- (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Brian Babyak, Patrick Kingsbury
- (X) Fire and Rescue – Brian Johnson, Gerard Bauer
- (X) Police – Scott Pope
- (X) SSCAFCA – Andy Edmondson, Sara Rassa
- (X) Parks and Recreation - Dyane Sonier
- (X) Rio Rancho Public Schools – Michael Baker
- (X) MRCOG – Aaron Hill

FROM: Development Services Department, Planning & Zoning Division

RE: DSD #25-100-00008 / Zone Map Amendment / TZ & Unzoned to R-3: Residential
Unit 22, Block 89, Tract E (TZ to R-3) / 10 King Blvd NW
Unit 22, Block AA, Tract A (Unzoned to R-3) / 3621 Rainbow Blvd NW

The applicant, Outer Rim Investments, Inc., requests approval of a Zone Map Amendment for the properties legally described as Rio Rancho Estates Unit 22, Block 89, Tract E and Rio Rancho Estates Unit 22, Block AA, Tract A from TZ: Transitional District and Unzoned District respectively to R-3: Mixed Residential District. The subject properties comprise approximately 2.65 acres

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Monday, August 11, 2025**. If redline comments are made on the plan, please also provide me with a copy. Please contact Tim Dvorak at 505-896-8361 or e-mail tdvorak@rrnm.gov if you have any questions or would like to review a hard copy at my office.

This item has been reviewed and is hereby:
- (x) RECOMMENDED FOR APPROVAL
- (_) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
- (_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

No adverse comments

Future submittals will require:

1. A Water / Waste Water Availability statement from the Utility Division is required. Contact Robert Lujan (891-5061) or Steve Gallegos (896-8715) for additional information. Waterline easements or adjustment may be required for public waterlines.
2. A Trip Generation Report is required. A Traffic Study is required based on the thresholds specified in the City of Rio Rancho's Design Process Manual (DPM), Volume II, Chapter II.3, as outlined in the Traffic Study Threshold Level of Effort table in Volume II, Chapter II.3-13. The Developer will be required to construct full roadway improvements adjacent to and surrounding the project's boundaries per CoRR DPM 3.8.1. Compliance with the specific area plan and overlay zone ordinance is required.
3. A grading and drainage plan/ report and an erosion control plan are required with future development, and must conform to any currently approved master drainage plan for this area. Storm water drainage and water quality discharge will need to be addressed per the City of Rio Rancho, Design Process Manual (DPM) Vol II Chapter II.2. and City ordinance Chapter 153 EROSION CONTROL; STORM DRAINAGE AND STORMWATER QUALITY. The BMPs and structural treatment control BMPs must include an evaluation by the applicant of the GI/LID practices and a determination and inclusion of the viable BMPs that will be implemented.
4. Engineering drawings are required for development of public and private infrastructure. Work performed in the right-of-way will require a City of Rio Rancho, Right-of-Way Permit and a Traffic Control Plan. Contractors must be licensed and bonded to work in the City of Rio Rancho.
5. Form Center • Rio Rancho • CivicEngage (rrnm.gov) "https://www.rrnm.gov/FormCenter/Public-Works-Forms-11/GIS-Data-Request-61" is the link to request as-builts from GIS to review existing construction.

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 PROPERTIES LEGALLY DESCRIBED AS RIO RANCHO ESTATES UNIT 22, BLOCK 89, TRACT E; AND RIO RANCHO ESTATES UNIT 22, BLOCK AA, TRACT A FROM TZ: TRANSITIONAL DISTRICT AND UNZONED DISTRICT TO R-3: MIXED RESIDENTIAL DISTRICT, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

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

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject properties has been submitted by the City of Rio Rancho, and assigned City Case No. 25-100-00008; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on August 26, 2025, regarding the proposed changes to the Zoning Classification and Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

WHEREAS: the Governing Body received 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 September 25, 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 amendment promotes the health, safety, morals, and general

welfare of the City;

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

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

The Official Zone Map is hereby amended by assigning a zoning designation on approximately 2.64 acres from TZ: Transitional District and Unzoned District to R-3: Mixed Residential District on the lands legally described as:

> Tract E, Block 89, Rio Rancho Estates Unit 22, filed in the office of the County Clerk of Sandoval County New Mexico, Blocks 89 Thru 100, Commercial Tracts E, F, G, & H, Multiple Tracts BB, CC, & DD, Unit 22, Rio Rancho Estates, Sandoval County, New Mexico, Sections 20, 21, 27, 28, 29, & 33, Township 13 North, Range 2 East, New Mexico Principal Meridian.
>
> Tract A, Block AA, Rio Rancho Estates Unit 22, filed in the office of the County Clerk of Sandoval County New Mexico, Block AA, Tract A and Blocks 27 Thru 43, Unit 22, Rio Rancho Estates, Sandoval County, New Mexico, Sections 28, 33, & 34, Township 13 North, Range 2 East, New Mexico Principal Meridian.

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

The properties identified in Section 1, above, are subject to all requirements of the R-3: Mixed Residential Zoning District set forth in R.O. 2003 Section 154.10 (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 C. Davis, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
August 26, 2025

DEPARTMENT:
Development Services

SUBJECT:
Postponement. The applicant, City of Rio Rancho Public Works, through their agent Huitt-Zollars, Inc., requests approval of a Preliminary/Final Plat for the subject properties legally described as Unit 21, Block 13, Lots 1 and 2, and Unit 21, Block 20, Parcel D and Lot 48. The plat combines the four existing properties into two lots, dedicates a portion of Right of Way (ROW), and relocates PUE's. Staff contact is Liz Ruiz Carlos and staff recommends the Planning and Zoning Board postpone the application to the meeting date certain of September 9, 2025, to allow for re-noticing.

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
Staff recommends postponement of the request, to the date certain of September 9, 2025 to allow for proper notifications.