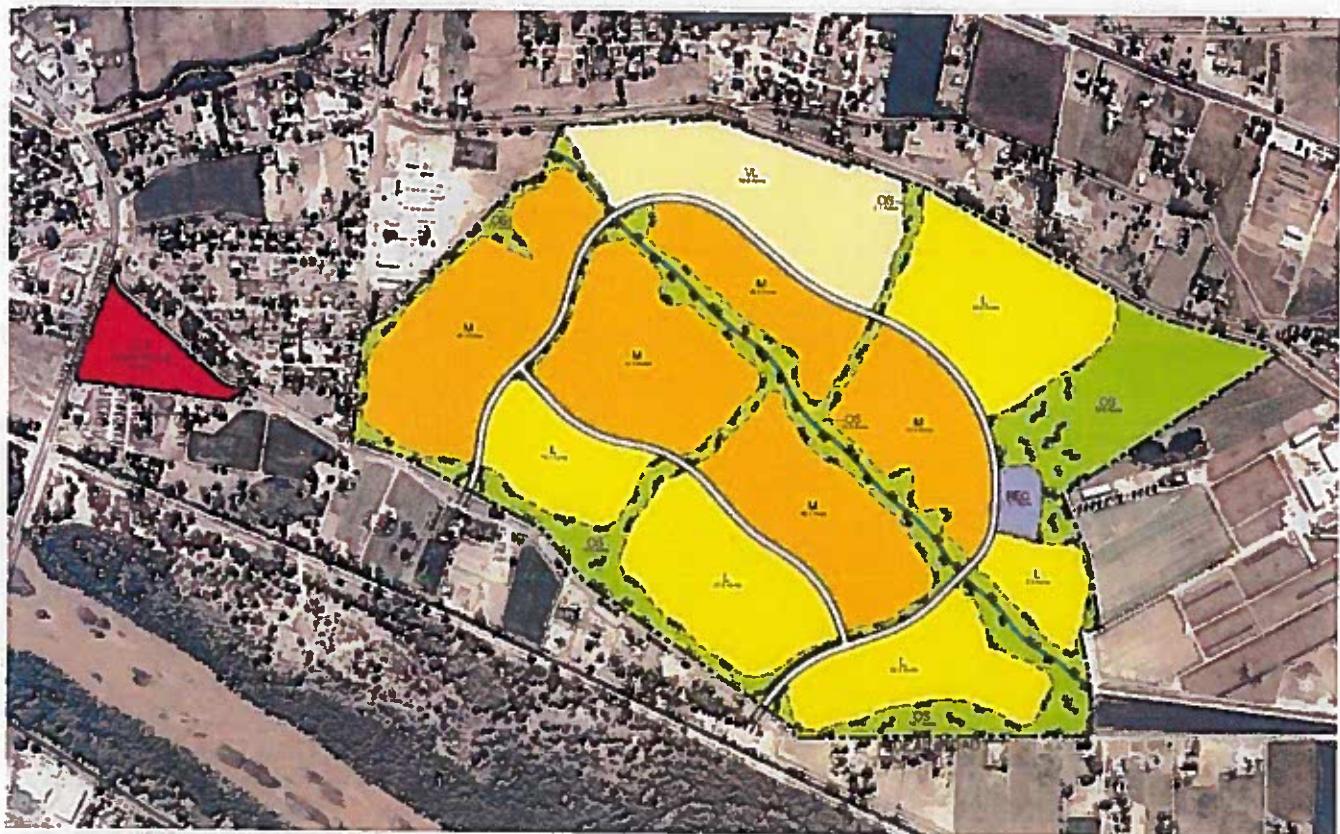


# Village of Los Lunas

## Rio Abajo Area Plan



December 19, 2005



# RIO ABAJO AREA PLAN

## A PLANNED UNIT DEVELOPMENT

### LOS LUNAS, NEW MEXICO

#### A. INTRODUCTION & PROCESS

This request seeks to revise the approved Rio Abajo Area Plan, consisting of 410 acres within the Village of Los Lunas. It also requests a zoning change from the existing A-R, R-1, and R-3 zoning to Planned Unit Development. As part of the original approval, approximately 10 acres of the original request, located at the intersection of Main Street and Edeal Road, was approved for commercial uses. Zoning and land uses on this 10 acres will remain unchanged. This request covers only the approximately 400 acres of property just south of Sun Valley Road in Los Lunas, and along the east side of Edeal Road (residential component only). Originally, the Rio Abajo Area Plan was approved with approximately 798 dwelling units. The proposed amendments will reduce the density significantly by allowing a total of 610 units.

This justification contains information on the project and demonstrates compliance with Village of Los Lunas goals and policies. This document has been prepared to comply with the Village requirements for Area Plan zoning. It includes:

- An Area Plan graphic that illustrates the land uses; and
- An Application for zone change for PUD and attached legal description addendum sheet.

The Los Lunas Council approved the project in the summer of 2003. Since that time, a new development team has become involved with a different vision for the property. The spirit of the original approval remains. This project is intended to allow for the development of quality high-end homes at lower densities than the previous approval. As a result, this project will further help to diversify the overall housing stock of the Village of Los Lunas and contribute positively to the both gross receipts and property taxes.

A neighborhood workshop was held on December 14, 2005 to discuss the proposed changes with the neighborhood prior to public hearings on the request. The neighbors did not indicate that they had any issues with the request.

#### B. SITE CHARACTERISTICS

The site covered by this request consists of two separate pieces of property. The northernmost piece is located at the intersection of Main Street and Edeal Road and consists of approximately 10 acres. The southernmost piece represents the balance of the acreage identified above, and is located along Edeal Road, with a portion located at the southeast corner of the Edeal Road/Sun Valley Road intersection.

#### C. DEVELOPMENT CONCEPTS

In its entirety, Rio Abajo represents a mixed-use development consisting of commercial and residential uses at varying densities. Commercial development is envisioned for the 10-acre piece at the intersection of Edeal Road and Main Street. The C-2 zoning remains in place for this piece. This site is envisioned to develop with several commercial and office uses, with plaza spaces and pedestrian connections. The existing cottonwood trees at the NW corner of the site will be preserved as a pocket park that will also serve as a landscaped entry to the site. Uses such as restaurants, shops, offices, banks, or health club facilities would be developed at this site. No changes are proposed to the commercial portion of the project.

The amendment to the approved Area Plan pertains only to the residential component of Rio Abajo. Three lot sizes are proposed by these amendments. These include:

- Two-Acre Lots (Very Low Density, VL);
- One-Acre Lots (Low Density, L); and
- $\frac{1}{4}$  Acre Lots (Medium Density, M).

These lot sizes correspond to those that were originally approved, which included lot sizes of  $\frac{1}{4}$  acre lots, 1-2 acre lots, and areas for 5 acre lots. Zoning for the site was approved as A-R, R-1, and R-3. The R-3 zoning allows for high-density single-family homes. These proposed amendments eliminate the straight zoning for the site in favor of the PUD. It also eliminates the opportunity for high-density single-family units. Overall the project remains low density.

The following table breaks down the anticipated lot breakdown:

Proposed Lot Size	Proposed Number of Lots
2-Acre	18
1-Acre	109
1/4 Acre	483

The commercial site will be linked through Edeal Road to the balance of the property, which is envisioned for residential development within a Planned Unit Development district. The proposed revision would zone the entire residential portion of the site as Planned Unit Development, which would allow the applicant flexibility in design and density, while not exceeding the maximum number of dwelling units proposed. The residential component of Rio Abajo will contain a mix of lot sizes, cluster subdivisions, and an open space network that provides a connection throughout the development (described in greater detail below).

A network of open space is also included as part of the development concept. A unique feature of this open space area is an existing cottonwood tree grove, which will be kept largely intact in that open space area. A park and open space trail network will be developed internal to the site linking all of the housing areas to a trail system. Approximately 22% of the site is being preserved as open space, providing buffers from adjacent land uses, a rural feel to the area, and providing recreational opportunities to the residents.

The following table provides an overview of the proposed land uses within the development.

Land Use	Acres	% of Total	# of Dwelling Units	Requested Zoning
Residential	285.5	69.6%	610	PUD
Retail/Office	10	2.4%	-	C-2
Open Space	92.1	22.4%	-	PUD
Recreation	3.7	0.9%	-	PUD

Land Use	Acres	% of Total	# of Dwelling Units	Requested Zoning
Roadways	18.7	4.5%	-	-
<b>TOTAL</b>	<b>410</b>		<b>610</b>	

The proposed revision would result in a residential density of approximately 1 1/2 dwelling units per acre. The PUD zoning would allow clustering of units to create areas of higher density counterbalanced by areas of density lower than the overall average. The PUD designation also allows for greater flexibility for minor lot line adjustments without subsequent zoning actions. The low overall densities proposed with this development along with the network of open space will complement the rural character of the river valley and provide some housing amenities in this desirable area of the community.

Development that takes place on the subject site would conform to existing development standards as set forth in the Village of Los Lunas zoning ordinance and subdivision regulations as well as within this Area Plan. It is also acknowledges that the Village would require infrastructure to be built by the developer to adequately service the development. The infrastructure for the project would be constructed at the time of development and would be built to Village standards after the approval of the Village Engineer.

A traffic impact study will be completed prior to development. Because the proposed revision results in a significantly lower number of dwelling units than previously approved, the resultant traffic impacts will be less than the currently approved project. It has also been proposed that the Sun Valley access be eliminated from the plan so that all new residential traffic will access Edeal Road. It is anticipated that improvements to Edeal Road will be required to mitigate impacts identified in the traffic study. These improvements will be required at the time of development.

## D. ADJACENT LAND USE AND ZONING

The table below shows the zoning and land uses for contiguous properties to the subject site.

Direction	Land Use
North	Residential/School
East	Residential
South	Dairy
West	Residential

## E. AREA PLAN AMENDMENT AND ZONE CHANGE JUSTIFICATION – APPLICABLE PLANS AND POLICIES

The following section demonstrates the consistency of this request with applicable land use plans and policies.

### Los Lunas Comprehensive Plan

This request is consistent with the goals and objectives from the Los Lunas Comprehensive Plan:

Goal 1.7: Achieve a range of housing densities that will ensure efficient use of land within the Village limits and extraterritorial planning area.

- Establish residential densities that reflect the housing needs of the residents of Los Lunas

This request will help to implement this goal and objective. The Planned Unit Development zone will allow the developer flexibility in distributing density within the project site to achieve a variety of densities that are integrated within the site and with the surrounding area. This flexibility will provide a range of housing types, styles, and costs. There are very few large lot areas suitable for high-end custom homes available in the Village, so Rio Abajo can help to achieve the range of densities anticipated for the Village.

Goal 1.9: Encourage and preserve the residential character of the Village.

- Encourage Cluster development where it will yield open space that can remain active in agriculture.

The average overall density of approximately 1 1/2 dwellings per acre is consistent with the sur-

rounding area. The PUD request allows flexibility to arrange homes and lots in an efficient manner throughout the property. As submitted, this residential development provides a variety of lot sizes integrated with a vast network of open space. The larger lot sizes within this PUD help to retain the residential character of the Village.

## F. ASSUMED FISCAL IMPACTS

The purpose of this section is to provide a general fiscal impact assessment of the proposed Rio Abajo development to the Village of Los Lunas. Although some of the data used to form some of the conclusions are based upon assumptions, the calculations made follow the economic and fiscal analyses that have been performed by economists for other similar projects.

Based upon the total number of dwelling units (610 dwelling units) multiplied by the average household size of the Village (2.82 persons per dwelling), the estimated population of the development would be 1,720 persons at total build out. This additional population will create an incremental demand for commercial goods and services, thereby increasing sales tax revenue to the village.

### Potential Property Taxes

The potential property taxes that would accrue to the Village are based upon one-third of the assessed value of the home multiplied by the Village's share of total property tax monies collected. Currently the Village of Los Lunas' share of property taxes collected is approximately \$0.24/\$1.00 for residential and \$0.20/\$1.00 for non-residential development. The following table provides a summary of the potential property tax monies that would accrue from the Rio Abajo project.

Land Use	Value (Improvements & Land)	Estimated Annual Property Tax to Village
Residential	\$385,000 (estimated average/dwelling)	\$704,244 (\$1,154 per dwelling)
Commercial	\$10,884,000	\$38,741
<b>TOTAL/YEAR</b>		<b>\$742,985</b>

The potential property taxes that can accrue to the Village was calculated by taking the assessed value of the property, including improvements, and multiplying it by 0.0029987 for residential and 0.0035594 for non-residential properties, which represents the Village share of property tax monies. The figure arrived at after multiplying the assessed value by the Village share is then multiplied by the total number of units for each housing product to arrive at the potential property taxes for the Village. It is estimated that the Village could potentially collect \$742,985 per year in property taxes from the Rio Abajo development.

Village staff has previously noted that the home values included in this study may be overly optimistic when compared to existing median prices in the Village. However, this is a very unique site that offers proximity to the river, wooded park areas, irrigation ditches and trails, and estate-sized lots, making it a new product type for the Village. Based upon comparable products in other areas within the region, these home values are realistic, even though they are higher than the typical subdivision found in Los Lunas.

**Potential Gross Receipts from Construction**  
 Another potential revenue source resulting from development of the Rio Abajo project are gross receipts resulting from construction. The gross receipts tax rate for the Village is 7.125%, however, portions of that figure are earmarked to other sources like health facilities, Valencia County, and State of New Mexico. Construction gross receipts taxes for the Rio Abajo development are estimated at 2.7875% times the estimated construction value of single family and multi-family homes. The construction gross receipts tax base is based upon project assumptions about the number of housing units, the construction cost per housing unit minus the cost of land. The following table provides a summary of projected gross receipts from construction.

Land Use	Value of Improvements (excludes land value)	Estimated Gross Receipts
Residential	\$288,750 (estimated average/dwelling)	\$4,909,833
Commercial	\$8,163,000	\$227,544
<b>TOTAL</b>		<b>\$5,137,377</b>

The table shows that the Village would collect \$5,137,377 in construction related gross receipts.

#### Potential Monies from Impact Fees

The Village of Los Lunas charges impact fees for water extensions, sewer extensions, and parks. The following table breaks down the potential revenues from development at Rio Abajo.

Impact Fee Type	Impact Fee Charge	Estimated Revenue from Rio Abajo Development
Water (based on 3/4" meter size for residential)	\$898	\$547,780
Sewer (based on 3/4" meter size for residential)	\$1,479	\$902,190
Water (based on 1" meter size for commercial development)	\$1,607	\$175,002
Sewer (based on 1" meter size for commercial development)	\$2,640	\$287,496
Parks	\$850	\$518,500
<b>TOTAL</b>		<b>\$2,430,968</b>

\*Based upon assumed commercial square footage of 108,900 square feet

The table indicates that the Village stands to accrue approximately \$2,430,968 from impact fees based on development at Rio Abajo. It is important to note that the water impact fee does not include the purchase of water rights. Also, an approximate 200% increase in park fees is being contemplated by the Village to be phased in over time. These higher fees were not used in this fiscal study since they have not been adopted. However, if put into place, the expected revenues from impact fees will increase.

#### Summary of Fiscal Impacts

In summary, it is clear that the Rio Abajo development will generate significant revenues for the Village of Los Lunas. In addition to the revenues that have been identified, the Village can also expect to generate additional sales tax from the residents living at Rio Abajo. Gross receipts would also be generated from the commercial portions of the project, in terms of impact fees and spending that occurs at the commercial businesses. The following table summarizes the potential revenue stream from development of the Rio Abajo project.

Recurring Revenue Source	Estimated Revenue/Cost
Property Taxes	\$742,985

One Time Revenue Source	Estimated Revenue
Gross Receipts from Construction	\$5,137,377
Impact Fees	\$2,430,968
<i>Total One Time Revenue from Rio Abajo Development</i>	<i>\$7,731,541</i>

As can be seen above, the Village can expect approximately \$742,985 annually from property taxes when the property is completed. In addition, impact fees and gross receipts from construction provide one-time revenue to the Village in the total estimated amount of \$7,731,541. Therefore, overall the development will have a positive fiscal impact on the village.

#### G. CONCLUSIONS

- This request is for revision of the area plan and a request for Planned Unit Development zoning for the establishment of residential and commercial development for approximately 410 acres located at the intersection of Main Street and Edeal Road and along the east side of Edeal Road in Los Lunas.
- The subject site covered by this request consists of two separate pieces of property. One piece is located at the intersection of Main Street and Edeal Road. This piece is 10 acres and is zoned C-2 for commercial uses. No changes to this portion of the project are requested.
- The second piece consists of 400 acres and is located along Edeal Road. The vision for this piece of the subject site is that it would develop with 610 dwelling units in a Planned Unit Development zone district.
- The residential portion of the subject site would be integrated into an open space network throughout the property. This network includes a trail system to provide the development with outdoor recreational opportunities.
- Approximately 92 acres will be kept in open space. This represents approximately 22% of the project's total acreage.
- This request helps implement several goals and policies of the Los Lunas Comprehensive Plan. It is consistent with the surrounding area, it promotes a variety of housing choices, increases the amount of sales tax and property tax monies collected by the Village, and it would help to preserve some agricultural land in the area.
- The overall average density for the project is 1 1/2 dwelling units per acre, making the residential portion of the subject site a relatively low-density development.
- It is estimated that \$742,985 in revenues annually from property taxes and \$7,731,541 in one time fees would accrue to the Village of Los Lunas from development at Rio Abajo as proposed.

Given the information listed above, we respectfully request approval of this request for revision of the area plan and Planned Unit Development zoning for the residential portion of the Rio Abajo project for construction of a maximum of 610 dwelling units.

## DESIGN GUIDELINES

### DEVELOPMENT PHILOSOPHY

The Village of Los Lunas occupies a special place within the Middle Rio Grande region. It contains areas that are crucial to the historical, cultural, and social fabric of the region. By virtue of its proximity to the Albuquerque Metropolitan Area, and its young growing population, it is positioned to be a high growth area. The Rio Abajo development can help meet the future development needs of the Village. The Rio Abajo development offers opportunities for the Village to:

- expand its property tax and gross receipts tax base;
- expand customer base for local businesses and services;
- increase the diversity of residential product types;
- provide attractive neighborhoods to accommodate Village growth.

The developers seek the continuing approval and support of the Village and its residents. An explicit goal for the Rio Abajo development is that it not be a distant, satellite community of Los Lunas or Albuquerque. Rather, integration with, acceptance by, and involvement of the Village of Los Lunas is a desired outcome.

### Open Space and Recreation

Rio Abajo will be designed and oriented with an open space and trail network that encourages active and passive recreation. This open space and trail network includes approximately 92 acres of open space.

### Residential Neighborhood Character

The residential neighborhood will contain a mix of larger lot sizes. The lot sizes will fall into three categories: Medium Density Residential (1/4 acre lots); Low Density Residential (1 acre lots); and Very Low Density Residential (2 acre lots). Each lot

category will have unique development standards. The larger lots will provide opportunities for high-end custom homes, a product type not commonly found in the Village.

### Review and Approvals

An internal Rio Abajo Design Review Committee (RADRC) will review and approve architectural elements of all residential development in Rio Abajo. The Village of Los Lunas will also review and approve subdivisions and site plans to ensure that proposals conform to the development standards as outlined in this Planned Unit Development package and other Village regulations.

## DEVELOPMENT STANDARDS

The following Development Standards are hereby established to regulate the development of Rio Abajo. The provisions of this document are part of the SU for PUD zoning granted by the Village of Los Lunas. Provisions not covered by this document, will be covered by the Village of Los Lunas Zoning Ordinance and Subdivision Regulations. Additional design requirements will be imposed by the developer and privately enforced through covenants, conditions, and restrictions (CC&Rs) by the Rio Abajo Design Review Committee (RADRC). The Village of Los Lunas will not be responsible for enforcing the CC&Rs, and they are not included in this Area Plan.

## DEVELOPMENT DISTRICTS

Each development district, or land use category, establishes an average density. The density of dwelling units may be higher or lower than the average density, provided that the average density is not exceeded for the average of all areas with that district designation. Areas of higher local density will generally be in cluster development that provides additional public or private open space to compensate for the higher density. No lot may be smaller than the minimum lot size or have dimensions less than prescribed by these development standards. An amendment to this ordinance would be required to increase the average density of dwelling units provided for in this PUD.

- I. **Very Low Density Residential Development District:** The intent of the VL (Very Low

Density) residential development district is to allow only conventional on-site constructed single-family dwelling units on estate sized lots. Within Rio Abajo there are 36 acres of land planned for VL and the average density is 0.5 dwelling units per acre.

1. Permitted Uses.

- A. One (1) single-family dwelling unit per lot;
- B. Cluster Subdivisions, provided the average density, including compensating open space, of the VL development district is not exceeded;
- C. Accessory uses and structures, such as detached garages, workshops, tool sheds, and greenhouses, not to exceed four hundred (400) square feet.
- D. Except as provided otherwise within CC&Rs, no mobile home, motor home, recreational vehicle, campers, trailers, boat, or similar facility, structure or recreational equipment shall be kept, placed, or maintained within the Subdivision at any time, unless enclosed within a standard size garage or within the side or rear yard so as not to be visible from any street, or the ground floor of neighboring homes.
- E. Residential type satellite dishes, television or receiving antenna; not exceeding an eighteen (18) inch dish mounted at the side of the house, no closer than ten (10) feet from front of garage;
- F. Signage is limited to provisions defined in CC&Rs.
- G. Home Occupations as per Section 17.44.170 of the Los Lunas Zoning Ordinance;
- H. Guest/Maid's Quarters (not for rental use) If detached, must be incorporated into lot layout and constructed of similar materials as the dwelling unit.

2. Conditional Uses. These uses require approval of the Planning and Zoning Commission as outlined in Section 17.16.010-17.16.060. of the Los Lunas Zoning Ordinance.

- A. Public buildings and utility structures, provided they are fenced and appropriately landscaped;
- B. Parks;
- C. Churches and related facilities, on a minimum of three (3) acres;
- D. Accessory structures over four hundred (400) square feet.

3. District Standards. The following standards apply to all land uses within the VL residential development district:

- A. Dimensional Requirements are as follows:
  - 1. a. Average Density: one (1) dwelling unit per 2 acres.
  - b. Cluster Development Maximum Density: one (1) dwelling unit per acre.
- 2. a. Minimum Conventional Lot Area: two (2) gross acres.
- b. Minimum Cluster Subdivision Lot Area: twenty thousand (20,000) square feet.
- 3. a. Conventional Lot Width: one hundred-fifty (150) feet.
- b. Cluster Lot Width - one hundred (100) feet.
- 4. a. Conventional Lot setbacks: front – fifty (50) feet, side – twenty (20) feet, rear – twenty (20) feet.
- b. Cluster Subdivision Lot setbacks: front – twenty (20) feet, side – five (5) feet, rear – fifteen (15) feet.
- c. Corner lots - Secondary side – twenty (20) feet, except where a rear yard abuts a front yard, the side yard setback shall be the same as a front yard setback.
- d. Side yard setbacks shall be measured from the outside edge of the eave overhang.
- 5. a. Maximum Building Height: twenty-six (26) feet.
- b. Single-family residential structures shall not exceed two (2) stories above-ground and are limited to a

maximum height of twenty-six (26) feet. The height shall be measured from the established grade three (3) feet from the structure to the highest point of the parapet on a flat roof, the highest point on a pitched roof, or to the average height between the plane and the ridge of a gable, hip, or gambrel roof.

6. Accessory structures shall be limited to three (3) per lot, in addition to a detached garage. Accessory structures are limited to the rear or side of the principal dwelling. A detached garage may be allowed in the front if part of initial construction of principal dwelling and incorporated into the design of home with similar styles and materials. Accessory structures shall be setback at least one-half of the required setback from the rear and side property lines.

#### B. Fences and Walls.

1. Fence and wall heights and materials are limited by provisions in the CC&Rs;
2. All retaining walls that are four (4) feet in height or greater shall be required to be properly designed and engineered by an Architect or Engineer registered in the State of New Mexico;
3. All outdoor swimming pools, jacuzzis, and hot tubs shall be completely enclosed by a wall or fence at least six (6) feet in height with self-closing devices on all access gates. Jacuzzis and hot tubs may utilize locking covers in lieu of the fence;
4. Tennis courts may have chain link fences a maximum height of twelve (12) feet, provided they shall be located in the side or rear yard and shall be seven (7) feet from the property line;
5. Dog runs may be fenced in chain link to a maximum height of six (6) feet, and must be located within the rear or side yard.
6. Wall and fence height will be measured from ground level; if there is a difference in grade due to a stem or retaining

wall, then the height shall be measured from the high ground side;

7. No wall or fence will be permitted in a public right-of-way;
8. The use of barbed wire, concertina wire, razor ribbon, or other barbed tape obstacles is prohibited; and
9. Except as otherwise allowed by these standards, the use of chain link fencing is prohibited within the front yard setback area and is prohibited around the perimeter of the lot.

#### C. Off Street Parking Requirements.

1. Each single-family residence shall provide a minimum of two (2) enclosed off street parking spaces;
2. Each parking space shall measure a minimum of ten (10) feet by twenty (20) feet; and
3. The parking of recreational vehicles, boats, trailers, and other oversized vehicles shall be prohibited on the streets of the subdivision.

#### D. Lighting.

1. All exterior lighting shall be shielded source so as to direct all illumination down to the ground. Up-lighting is prohibited.
2. Only low-pressure sodium lamps are permitted for street lighting.
3. Light poles and standards used to support outdoor light fixtures shall be anodized or otherwise coated to minimize glare from the light source.
4. The use of high-pressure sodium, metal halide, or quartz lamps is prohibited for use outdoors.
5. Lighted sports courts are prohibited.

#### E. Building Materials and Finishes.

1. All surfaces shall be finished with adobe, stucco, stone, wood, or a combination of any of these in earth tone colors that blend naturally with the environment, as approved by the RADRC.
2. Structures shall be designed with flat or peaked roof and finished with earth

tone colors, non-reflective materials. Reflective materials are strictly prohibited.

3. All of the glazing surfaces shall be non-reflective, non-glare materials and shall be recessed behind the exterior wall.

F. Landscaping. A landscaping plan must be approved by the RADRC.

G. Garages and Carports. No garage doors or carports should face adjacent rights-of-way.

**II. Low Density Residential Development District:** The intent of the L (Low Density) residential development district is to allow only conventional on-site constructed single-family dwelling units on large lots. Within Rio Abajo there are approximately 108 acres planned for Low Density Residential Development with an average density of one (1) dwelling unit per acre.

1. Permitted Uses.

- A. One (1) single-family dwelling unit per lot;
- B. Cluster Subdivisions, provided the average density, including compensating open space, of the L development district is not exceeded;
- C. Up to two (2) accessory uses and structures, such as square detached garages, workshops, tool sheds, and greenhouses, not to exceed 400 square feet in size;
- D. Except as provided otherwise within CC&Rs, no mobile home, motor home, recreational vehicle, motorcycles, campers, trailers, boat, or similar facility, structure or recreational equipment shall be kept, placed, or maintained within the Subdivision at any time, unless enclosed within a standard size garage or within the side or rear yard so as not to be visible from any street, or the ground floor of neighboring homes;
- E. Residential type satellite dishes, television or receiving antenna; roof mounted, and not exceeding an eighteen (18)

inch dish mounted at the side of the house, no closer than ten (10) feet from front of garage;

F. Signage is limited to provisions defined in CC&Rs;

G. Home Occupations as per Section 17.44.170 of the Los Lunas Zoning Ordinance;

H. Guest/Maid's Quarters (not for rental use, if detached, must be incorporated into lot layout and constructed of similar materials as the dwelling unit).

2. Conditional Uses. These uses require approval of the Planning and Zoning Commission as outlined in Section 17.16.010-17.16.060 of the Los Lunas Zoning Ordinance.

- A. Public buildings and utility structures, provided they are decoratively fenced and appropriately landscaped;
- B. Churches and related facilities, on a minimum of three (3) acres;
- C. Schools, on a minimum of five (5) acres;
- D. Parks;
- E. Temporary Real Estate Offices, when used in conjunction with a residential subdivision, provided such use is discontinued upon the completion of the development or within three (3) years from the date the first building permit is issued, whichever is sooner. Two (2) extensions of one (1) year may be considered by the Planning and Zoning Commission, and one Master Plan Marketing Center to serve the entire community, provided such use is discontinued upon completion of development or within ten (10) years from date of the issuance of the first residential building permit, whichever is sooner. Two extensions of five (5) years may be considered by the Planning and Zoning Commission; and
- F. Accessory structures over four hundred (400) square feet.

3. District Standards. The following standards apply to all land uses within the L residential development district:

A. Dimensional Requirements are as follows:

1. a. Average Density: one (1) dwellings unit per acre.  
b. Cluster Development Maximum Density: two (2) dwellings unit per acre.
2. a. Minimum Conventional Lot Area: thirty thousand (30,000) square feet.  
b. Minimum Cluster Subdivision Lot Area: ten thousand (10,000) square feet.
3. a. Minimum Conventional Lot Width: eighty (80) feet.  
b. Minimum Cluster Lot Width: sixty (60) feet.
4. a. Minimum Conventional setbacks: front – thirty-five (35) feet, side – fifteen (15) feet, rear – twenty (20) feet.  
b. Minimum Cluster Subdivision setbacks: front – twenty (20) feet, side – ten (10) feet, rear – twenty (20) feet.  
c. Cluster Subdivisions may be developed using the zero lot line concept.  
d. All corner lots - Secondary side – twenty (20) feet, except where a rear yard abuts a front yard, the side yard setback shall be the same as a front yard setback  
e. Side yard setbacks shall be measured from the outside edge of the eave overhang.
5. a. Maximum Building Height: twenty-six (26) feet.  
b. Single-family residential structures shall not exceed two (2) stories above-ground and are limited to a maximum height of twenty-six (26) feet. The height shall be measured from the established grade three (3)

feet from the structure to the highest point of the parapet on a flat roof, the highest point on a pitched roof, or to the average height between the plane and the ridge of a gable, hip, or gambrel roof.

6. Accessory structures shall be limited to two (2) per lot, in addition to a detached garage. Accessory structures are limited to the rear or side of the principal dwelling; except that detached garage may be allowed in the front, if part of initial construction of the principal dwelling and constructed of similar materials. Accessory structures shall be setback ten (10) feet from the rear and side property lines.

B. Fences and Walls.

1. Fence and wall heights and materials are limited by provisions in the CC&Rs.
2. All retaining walls that are four (4) feet in height or greater shall be required to be properly designed and engineered by an Architect or Engineer registered in the State of New Mexico;
3. All outdoor swimming pools, jacuzzis, and hot tubs shall be completely enclosed by a wall or fence at least six (6) feet in height with self-closing devices on all access gates. Jacuzzis and hot tubs may utilize locking covers in lieu of the fence.
4. Tennis courts may have chain link fences a maximum of twelve (12) feet in height, provided they shall be located in the side or rear yard and shall be seven (7) feet from the property line;
5. Dog runs may be fenced in chain link to a maximum height of six (6) feet, and must be located within the rear or side yard.
6. Wall and fence height will be measured from ground level; if there is

a difference in grade due to a stem or retaining wall, then the height shall be measured from the high ground side;

7. No wall or fence will be permitted in a public right-of-way;
8. The use of barbed wire, concertina wire, razors ribbon, or other barbed tape obstacles is prohibited; and
9. Except as otherwise allowed by these standards, the use of chain link fencing is prohibited within the front yard setback area and is prohibited around the perimeter of the lot.

**D. Off Street Parking Requirements.**

1. Each single-family residence shall provide a minimum of two (2) enclosed off-street parking spaces;
2. Each parking space shall measure a minimum of ten (10) feet by twenty (20) feet; and
3. The parking of recreational vehicles, boats, trailers, and other oversized vehicles shall be prohibited on the streets of the subdivision except for loading and unloading periods not to exceed forty-eight (48) hours, or for temporary visitors not to exceed seven (7) days.

**E. Lighting.**

1. All exterior lighting shall be shielded source so as to direct all illumination down to the ground. Up-lighting is prohibited.
2. Only low-pressure sodium lamps are permitted for street lighting.
3. Light poles and standards used to support outdoor light fixtures shall be anodized or otherwise coated to minimize glare from the light source.
4. The use of high-pressure sodium, metal halide, or quartz lamps is prohibited for use outdoors.
5. Lighted sports courts are prohibited.

F. **Landscaping.** A landscaping plan must be approved by the RADRC.

G. **Garages and Carports.** No garage doors or carports should face adjacent rights-of-way.

**III. Medium Density Residential Development District:**

**District:** The intent of the M (Medium Density) residential development district is to allow only conventional on-site constructed single-family dwelling units and those uses which maintain the predominantly residential nature of the district. There are approximately 140 acres of land within Rio Abajo planned Medium Density Residential development. The average density cap is 4 dwelling units per acre within this development district.

1. **Permitted Uses.**
  - A. One (1) single-family dwelling unit per lot;
  - B. Zero Lot Line subdivisions, provided the average density, including compensating open space, of the M development district is not exceeded;
  - C. Cluster Subdivisions, provided the average density, including compensating open space, of the M development district is not exceeded;
  - D. Accessory uses and structures, such as workshops, tool sheds, and greenhouses shall not exceed one hundred twenty (120) square feet in size;
  - E. Except as provided otherwise within CC&Rs, no mobile home, motor home, recreational vehicle, motorcycles, campers, trailers, boat, or similar facility, structure or recreational equipment shall be kept, placed, or maintained within the Subdivision at any time, unless enclosed within a standard size garage or within the side or rear yard so as not to be visible from any street, or the ground floor of neighboring homes;
  - F. Residential type satellite dishes, television or receiving antenna; not exceeding an eighteen (18) inch dish mounted at the side of the house, no closer than ten (10) feet from front of garage;

- G. Signage is limited to provisions defined in Section 17.08.550 of the Los Lunas Zoning Ordinance;
- H. Home Occupations as per Section 17.44.170 of the Los Lunas Zoning Ordinance;
- I. Rio Abajo Project Office / Marketing Office / Sales promotion events, Homeowners Association Office; and
- J. Guest Quarters. (not for rental use, if detached, must be incorporated into lot layout and constructed of similar materials as the dwelling unit).

2. **Conditional Uses.** These uses require approval of the Planning and Zoning Commission as outlined in Section 17.16.010-17.16.060 of the Los Lunas Zoning Ordinance.

- A. Public buildings and utility structures, provided they are fenced and appropriately landscaped;
- B. Churches and related facilities, on a minimum of three (3) acres;
- C. Schools, on a minimum of five (5) acres;
- D. Parks;
- E. Temporary Real Estate Offices, when used in conjunction with a residential subdivision, provided such use is discontinued upon the completion of the development or within three (3) years from the date the first building permit is issued, whichever is sooner. Two (2) extensions of one (1) year may be considered by the Planning and Zoning Commission, and one Master Plan Marketing Center to serve the entire community, provided such use is discontinued upon completion of development or within ten (10) years from date of the issuance of the first residential building permit, whichever is sooner. Two extensions of five (5) years may be considered by the Planning and Zoning Commission; and
- F. Accessory structures over one hundred (100) square feet.

3. **District Standards.** The following standards apply to all land uses within the M residential development district:

A. Dimensional Requirements are as follows:

- 1. a. Average Density: four (4) dwelling units per acre.
- b. Maximum Density: six (6) dwelling units per acre.
- 2. a. Minimum Conventional Lot Area: eight thousand (8,000) square feet.
- b. Minimum Cluster Subdivision Lot Area: four thousand (4,000) square feet.
- 3. a. Conventional Lot Width: sixty (60) feet.
- b. Cluster Lot Width - forty (40) feet.
- 4. a. Conventional setbacks: front – twenty-five (25) feet, side – five (5) feet, rear – twenty (20) feet.
- b. Cluster Subdivision setbacks: front – twenty (20) feet – five (5) feet, rear – fifteen (15) feet.
- c. Cluster Subdivisions may be developed using the zero lot line concept.
- d. All corner lots – The street side yard shall be a minimum of 15 feet.
- e. A maximum of four (4) lots per residential street block are permitted to have the front yard setback(s) identified above. All other lots on the same residential block must increase their set back by an additional two (2) feet. In no case shall three (3) adjacent lots have the same setback measurement.
- f. Side yard setbacks shall be measured from the outside edge of the eave overhang.

5. a. Maximum Building Height – twenty-six (26) feet.
- b. Single family residential structures shall not exceed two (2) stories above-ground and are limited to a maximum height of twenty-six (26) feet. The height shall be measured from the established grade three (3) feet from the structure to the highest point of the parapet on a flat roof, the highest point on a pitched roof, or to the average height between the plane and the ridge of a gable, hip, or gambrel roof.
6. a. Accessory structures shall be limited to one (1) per lot, in addition to a detached garage. Accessory structures are limited to the rear or side of the principal dwelling; except that detached garage may be allowed in the front, if part of initial construction of principal dwelling.
- b. Except for garages, detached accessory structures are not permitted on any lot of less than four thousand (5,000) square feet.
- c. Accessory structures shall be setback five (5) feet from the rear and side property lines.

#### B. Fences and Walls.

1. Fence and wall heights and materials are limited by provisions in the CC&Rs;
2. All retaining walls that are four (4) feet in height or greater shall be required to be properly designed and engineered by an Architect or Engineer registered in the State of New Mexico;
3. All outdoor swimming pools, jacuzzis, and hot tubs shall be completely enclosed by a wall or fence at least six (6) feet in height with self-closing devices on all access gates. Jacuzzis and hot tubs

- may utilize locking covers in lieu of the fence.
4. Dog runs may be fenced in chain link to a maximum height of six (6) feet, and must be located within the rear or side yard.
5. Wall and fence height will be measured from ground level; if there is a difference in grade due to a stem or retaining wall, then the height shall be measured from the high ground side;
6. No wall or fence will be permitted in a public right-of-way;
7. The use of barbed wire, concertina wire, razor ribbon, or other barbed tape obstacles is prohibited; and
8. Except as otherwise allowed by these standards, the use of chain link fencing is prohibited within the front yard setback area and is prohibited around the perimeter of the lot.

#### C. Off Street Parking Requirements.

1. Each single-family residence shall provide a minimum of two (2) enclosed off-street parking spaces. Interior garage and car port spaces may be included in this count;
2. Each parking space shall measure a minimum of ten (10) feet by twenty (20) feet; and
3. The parking of recreational vehicles, boats, trailers, and other oversized vehicles shall be prohibited on the streets of the subdivision except for loading and unloading periods not to exceed forty-eight (48) hours, or for temporary visitors not to exceed seven (7) days.

#### D. Lighting.

1. All exterior lighting shall be shielded source so as to direct all illumination down to the ground. Up-lighting is prohibited.
2. Only low-pressure sodium lamps are permitted for street lighting.

- 3. Light poles and standards used to support outdoor light fixtures shall be anodized or otherwise coated to minimize glare from the light source.
- 4. The use of high-pressure sodium, metal halide, or quartz lamps is prohibited for use outdoors.
- E. Landscaping. A landscaping plan must be approved by the RADRC.
- F. Garages and Carports. Where possible, garage doors or carports should not face adjacent rights-of-way.

**IV. Commercial Development District:** The intent of the C (Commercial) development district is to allow for the development of neighborhood scale commercial development.

- 1. **Permitted Uses.**
  - A. Any of the following business and commercial establishments:
    - 1. Commercial retail and services;
    - 2. General and professional offices;
    - 3. Banking and financial services;
    - 4. Business and personal services;
    - 5. Eating and drinking establishments;
    - 6. Day care; and
  - B. Accessory uses and structures.
- 2. **Conditional Uses.** These uses require approval of the Planning and Zoning Commission as outlined in Section 17.16.010-17.16.060 of the Los Lunas Zoning Ordinance.
  - A. Medical offices and clinics;
  - B. Health Clubs;
  - C. Churches and related facilities;
  - D. Governmental Offices and facilities;
  - E. Private Schools, excluding pre-kindergarten care; and
  - F. Public utility distribution structures.
- 3. **District Standards.**
  - A. Dimensional Requirements are as follows:

- 1. **Minimum Lot Area:** five thousand (5,000) square feet.
- 2. **Minimum Lot Width:** twenty-five (25) feet.
- 3. a. **Minimum Setbacks:** front – fifteen (15) feet, side - 0 feet, if attached, ten (10) feet if detached, rear – ten (10) feet.
  - b. All corner lots; primary side: fifteen (15) feet, secondary side: ten (10) feet.
  - c. Where businesses are constructed adjacent to existing single family dwellings, the Village of Los Lunas bulk and density requirements for setbacks shall apply.
- 4. a. **Maximum Building Height** - fifty (35) feet.
  - b. The height shall be measured from the established grade three (3) feet from the structure to the highest point of the parapet on a flat roof, the highest point on a pitched roof, or to the average height between the plane and the ridge of a gable, hip, or gambrel roof.
- B. **Fences and Walls.**
  - 1. Fence and wall heights and materials are limited by the provisions in the CC&Rs.
  - 2. All retaining walls that are four (4) feet in height or greater shall be required to be properly designed and engineered by an Architect or Engineer registered in the State of New Mexico.
  - 3. Wall and fence height will be measured from ground level; if there is a difference in grade due to a stem or retaining wall, then the height shall be measured from the high ground side;
  - 4. No wall or fence will be permitted in a public right-of-way;

5. The use of barbed wire, concertina wire, razor ribbon, or other barbed tape obstacles is prohibited;
6. The use of chain link fencing is prohibited.

C. Off Street Parking Requirements.

1. Within the commercial area, the provisions listed in Chapter 17.60 of the Los Lunas Zoning Ordinance apply.

D. Lighting.

1. All exterior lighting shall be shielded source so as to direct all illumination down to the ground. Up-lighting is prohibited.
2. Only low-pressure sodium lamps are permitted for street lighting.
3. Light poles and standards used to support outdoor light fixtures shall be anodized or otherwise coated to minimize glare from the light source.
4. The use of high-pressure sodium, metal halide, or quartz lamps is prohibited for use outdoors.

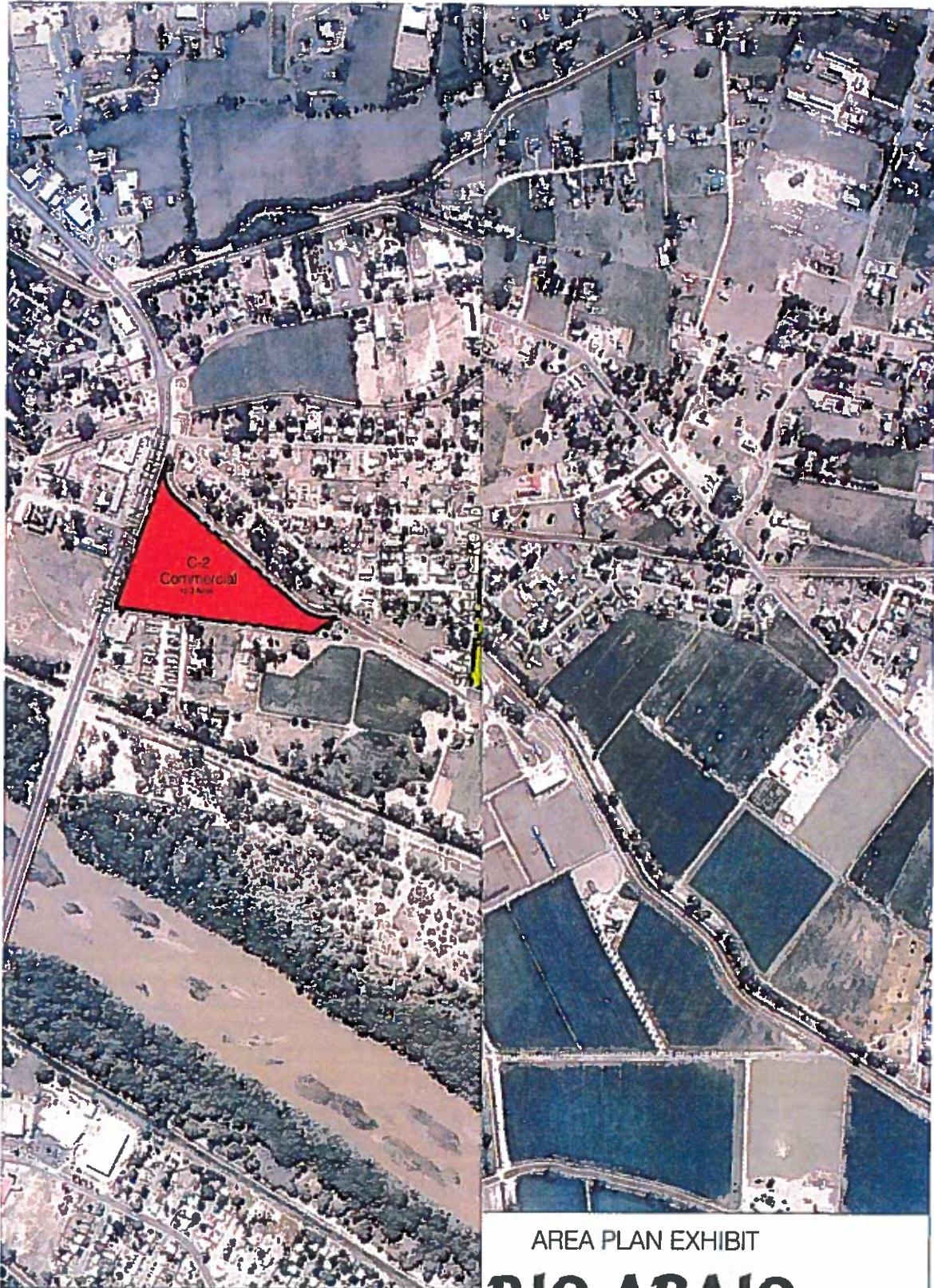
E. Pedestrian access to adjacent residential and commercial parcels, and to the nearby trail system (if applicable) must be provided and shown on the site plan.

**V. Subdivision Development Standards:**

All of the requirements and standards of the Village of Los Lunas Subdivision Regulations shall apply to Rio Abajo Planned Unit Development with the following optional exception:

Within the residential districts the minimum street width of local streets will typically be thirty-two (32) feet, but may be reduced to twenty-four (24) feet from face of curb to face of curb within a forty-four (44) feet ROW provided that:

- A. Temporary parking will be allowed on only one side of the street and designated by appropriate signage.
- B. All utilities will be installed within the street ROW.
- C. The use of estate type, mountable curbs, or ribbon curbs with swales shall be permitted provided all drainage concerns are addressed.



### AREA PLAN EXHIBIT

# RIO ABAJO

Los Lunas, New Mexico

#### SITE DATA

##### Residential

Lot Size	Acres	Units
M-1/4 Ac.	140.2	483
L-1 Ac.	108.7	109
VL-2 Ac.	36.6	18
Total Units		610

##### Recreation

Commercial	10.0
Open Space	92.1 (22%)
Roadways	18.7
Total	410.0

- VLDR Very Low Density Residential
- LDR Low Density Residential
- MDR Medium Density Residential
- OR Open Space
- REC Recreational

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