

PLANNING AND ZONING COMMISSION
PLANNING REPORT

Village of Los Ranchos • 6718 Rio Grande Blvd. NW • (505) 344-6582 Fax 344-8978

DATE ISSUED: July 7, 2026

File: TA-26-02

ISSUED BY: Planning and Zoning Department

SUBJECT: Request to amend zoning code related to acequia setbacks

APPLICANT: Village of Los Ranchos

AGENT: Shanna Schultz, Planning and Zoning Director

LOCATION AND LEGAL: N/A

SURROUNDING LAND USES: N/A

SUMMARY OF CHANGES:

This text amendment proposes to remove the mandatory twenty-five-foot setback from acequias, irrigation ditches, and drains from each applicable zone district. The proposed amendment would delete the special ditch/drain setback language from the A-1, A-2, A-3, R-2, R-3, C-1, Gateway District, Village Center, A-C, and Core Commercial zone standards.

The amendment does not remove ordinary zoning setbacks. Properties would remain subject to the applicable front, side, and rear setbacks of the underlying zone district, which would continue to regulate building placement and provide separation between structures and property lines.

Staff has reviewed the request for consistency with the two primary zoning standards applicable to legislative zoning amendments: conformance with the Village Master Plan and advancement of the public health, safety, morals, and general welfare.

In this matter, the Planning and Zoning Commission is a recommending body to the Board of Trustees.

Criterion 1: Conformance with the Village Master Plan

The proposed text amendment is consistent with the Village Master Plan because it preserves the Village's recognition of acequias, ditches, agricultural history, historic lot patterns, and semi-rural character while removing a rigid dimensional standard that is not necessary in every zoning context. The amendment does not diminish the importance of acequias or irrigation ditches; rather, it recognizes that the Master Plan speaks more broadly to preservation, maintenance, access, privacy, safety, and the historic role ditches have played in shaping land development and lot patterns.

The amendment is also consistent with the Master Plan's Village Form goals because it allows the base zone district setbacks to continue governing building placement in a manner that better reflects the variety of lot sizes, lot shapes, development patterns, and existing built conditions found throughout the Village. A uniform twenty-five-foot ditch setback may conflict with the Master Plan's direction to recognize distinct character areas and traditional development patterns, particularly on narrow, irregular, historic, or already-developed lots. Removing the special ditch setback allows the

underlying zone standards to regulate development while still preserving the broader Village values associated with ditches, acequias, and semi-rural character.

Criterion 2: Public Health, Safety, Morals, and General Welfare

The proposed text amendment promotes the public health, safety, and general welfare by clarifying and simplifying the Zoning Code and removing an additional setback standard that may be unnecessary, difficult to administer uniformly, or in conflict with existing development patterns. The amendment does not eliminate all development controls near ditches or drains. Properties will remain subject to the base setbacks of the applicable zone district, and other applicable requirements related to access, drainage, utilities, easements, floodplain, building code, and other agency regulations would continue to apply as relevant.

The amendment also supports fair and predictable administration of the Zoning Code. A uniform twenty-five-foot setback from acequias, irrigation ditches, and drains may create disproportionate impacts on small, narrow, irregular, or historically developed lots, while providing limited additional public benefit where other setbacks and regulatory tools already apply. Removing the special ditch setback reduces unnecessary regulatory conflict while continuing to protect neighborhood character, separation between structures, and public welfare through the underlying zone district standards. For these reasons, staff finds that the proposed amendment can be recommended for approval because it is consistent with the Village Master Plan and advances the public health, safety, and general welfare by making the Zoning Code clearer, more consistent, and better aligned with the varied lot patterns and development conditions within the Village.

Action

Staff recommends the Planning and Zoning Commission recommend **Approval** of TA-26-02 to the Board of Trustees subject to the following findings:

Findings:

1. The proposed amendment would remove the mandatory twenty-five-foot setback from acequias, irrigation ditches, and drains from applicable zone districts, including A-1, A-2, A-3, R-2, R-3, C-1, Gateway District, Village Center, A-C, and Core Commercial.
2. Properties will remain subject to the applicable front, side, and rear setbacks of the underlying zone district, which will continue to regulate building placement and provide separation between structures and property lines.
3. amendments may be considered upon receipt of a completed application or upon request of the Planning Director, Planning and Zoning Commission, or a member of the Board of Trustees.
4. Final action on zoning code changes is reserved to the Board of Trustees. The Planning and Zoning Commission's role is to hold a public hearing and make a recommendation to the Board of Trustees.
5. The proposed amendment is consistent with the purpose and intent of the Comprehensive Zoning Code. The Zoning Code is intended to implement the goals and objectives of the adopted Master Plan and to require development and redevelopment in a manner that retains and enhances the Village's economic, historical, architectural, civic, cultural, aesthetic, and quality-of-life values.
6. The proposed amendment is consistent with the Village Master Plan. The amendment preserves the Village's recognition of acequias, irrigation ditches, agriculture, historic lot patterns, and semi-rural character while removing a uniform dimensional standard that is not necessary in every zoning context. The amendment does not diminish the importance of acequias or ditches, but instead relies on underlying zone district setbacks and other applicable regulations to address building placement.
7. The proposed amendment supports the Master Plan's Village Form goals. Removing the special twenty-five-foot ditch setback allows base zone district setbacks to govern building placement in a

manner that better reflects the Village's variety of lot sizes, lot shapes, development patterns, and existing built conditions, particularly on narrow, irregular, historic, or already-developed lots.

8. The proposed amendment supports the public health, safety, and general welfare. The amendment simplifies and clarifies the Zoning Code, reduces unnecessary regulatory conflict, and maintains existing development controls through underlying zone district setbacks and other applicable requirements related to drainage, access, utilities, easements, floodplain, building code, and other agency regulations.
9. The proposed amendment will not create a regulatory gap. Development near acequias, irrigation ditches, and drains may remain subject to other applicable local, state, federal, private easement, drainage, floodplain, utility, access, and irrigation authority requirements, as applicable.
10. The proposed amendment promotes fair and consistent administration of the Zoning Code. A uniform twenty-five-foot setback from acequias, irrigation ditches, and drains may disproportionately affect small, narrow, irregular, historic, or already-developed lots. Removing the special setback allows the Village to apply the ordinary dimensional standards of each zone district more consistently.



Shanna Schultz, Planning & Zoning Dept. Director

Date: July 7, 2026

Village of Los Ranchos de Albuquerque
 6718 Rio Grande Boulevard NW
 Los Ranchos de Albuquerque, NM 87107
 Phone: (505) 344-6582

FOR OFFICIAL USE	
TA # <u>26-02</u>	Date: <u>June 4, 2026</u>
RECEIVED	
JUN 04 2026	
BY: <u>MSH</u>	

TEXT AMENDMENT TO ZONING CODE APPLICATION

APPLICANT

Name: Shanna Schultz

Mailing address: 6718 Rio Grande Blvd Los Ranchos 87107
Street City Zip

Telephone: 505-344-6582 Email: Real applicant name and address

REQUIRED DOCUMENTS

* Must be submitted with application form.

- ✓ **Justification Letter.** Submit a written justification letter describing the purpose and need for the proposed text amendment. The letter must explain the specific issue, inconsistency, or policy objective the amendment is intended to address; summarize the proposed change; and identify the sections of the zoning code affected. The letter must also explain how the proposed amendment is consistent with the Village Master Plan.

The application will generate public notice fees for postings in the newspaper, a posted sign (if applicable), and mailings sent to all neighbors within a 300-400 foot area from the subject property (if applicable). Fees generated by this application are the applicant's responsibility, due and payable upon notification of fees by the Village.

The Village of Los Ranchos de Albuquerque does not take responsibility for information on or enforcement of restrictive covenants on the subject property.

By submitting this application, I certify that all statements herein are true and correct to the best of my knowledge.

Shanna Schultz 6/4/2026
 Signature of Applicant Date

**FOR OFFICIAL USE**

Planning & Zoning Commission Application Hearing Date: July 14, 2026

Commission Recommendation: ☐ Approved ☐ Denied ☐ Withdrawn on _____
Date

Comments:

Attest: _____
Planning and Zoning Director Date

Letter with special conditions of recommendation for approval or basis for recommendation for denial specified in letter (notice of decision) mailed on _____
Date

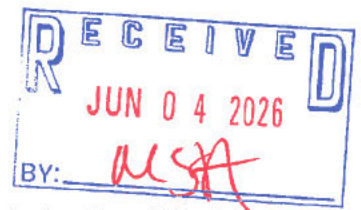
Board of Trustees Application Hearing Date: _____

Disposition: ☐ Approved ☐ Denied ☐ Withdrawn on _____
Date

Conditions:

Attest: _____
Planning and Zoning Director Date

Letter with special conditions of approval or basis for denial specified in letter (notice of decision) mailed on _____
Date



Proposed Text Amendment: Removal of Twenty-Five-Foot Acequia, Irrigation Ditch, and Drain Setback

This text amendment proposes a change to Article 2, Zoning and Zone Map, of the Village Code to remove the mandatory twenty-five-foot setback from acequias, irrigation ditches, and drains from each applicable zone district.

Amend the Zoning Code as follows:

Section 1. Amendment to § 9.2.7, A-1 Agricultural/Residential Zone.

Section 9.2.7(E)(2)(a)(4) is deleted in its entirety.

Section 2. Amendment to § 9.2.8, A-2 Agricultural/Residential Zone.

Section 9.2.8(E)(2)(a) is amended to delete the following sentence:

“For any property bounded by an irrigation ditch or drain, the minimum setback along the ditch or drain shall be twenty-five (25) feet.”

Section 3. Amendment to § 9.2.9, A-3 Agricultural/Residential Zone.

Section 9.2.9(E)(2)(a) is amended to delete the following sentence:

“For any property bounded by an irrigation ditch or drain, the minimum setback along the ditch or drain shall be twenty-five (25) feet.”

Section 4. Amendment to § 9.2.10, R-2 Residential Zone.

Section 9.2.10(E)(2)(a) is amended to delete the following sentence:

“For any property bounded by an irrigation ditch or drain, the minimum setback along the ditch or drain shall be twenty-five (25) feet.”

Section 5. Amendment to § 9.2.11, R-3 Residential Zone.

Section 9.2.11(E)(2)(a) is amended to delete the following sentence:

“For any property bounded by an irrigation ditch or drain, the minimum setback along the ditch or drain shall be twenty-five (25) feet.”

Section 6. Amendment to § 9.2.12, C-1 Retail Commercial Zone.

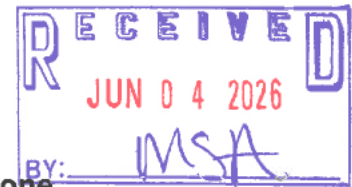
Section 9.2.12(D)(2)(c) is deleted in its entirety.

Section 7. Amendment to § 9.2.13, GD Gateway District Zone.

Section 9.2.13(F)(3)(a)(4) is deleted in its entirety.

Section 8. Amendment to § 9.2.14, VC Village Center Zone.

Section 9.2.14(D)(3)(c) is deleted in its entirety.



Section 9. Amendment to § 9.2.15, A-C Agricultural-Commercial Zone.

Section 9.2.15(l) is amended to delete the following sentence:

“For any property bounded by an irrigation ditch or drain, the minimum setback along the ditch or drain shall be twenty-five (25) feet.”

Section 10. Amendment to § 9.2.28, Core Commercial Zone.

Section 9.2.28(F)(4)(d) is deleted in its entirety.

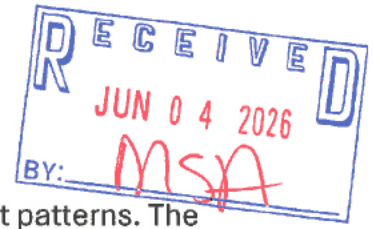
Justification and Master Plan Consistency

The proposed text amendment removes the additional twenty-five-foot setback from acequias, irrigation ditches, and drains in the Village’s zone district standards. The amendment does not remove setback requirements generally. Properties will remain subject to the applicable base setbacks of the underlying zone district, including front, side, and rear setbacks. Those base setbacks will continue to regulate building placement and provide adequate separation between structures and property lines.

The amendment is consistent with the 2035 Village Master Plan. The Master Plan calls for the Village to reflect and preserve a semi-rural identity and character with agriculture, Village history, open space, vistas, canopy, and ditches at its core. It also identifies traditional land use patterns and familiar vernacular characteristics, including tripas and acequias, as important elements of Village identity. The proposed amendment does not diminish the importance of acequias or ditches; rather, it removes a rigid setback standard that is not necessary to implement those broader Master Plan values.

The Master Plan’s Village **Form Goal** is to preserve and enhance the historic and “valley” character of the Village while recognizing the distinct character areas of the Village. Village Form Policy B calls for maintaining unique corridor characteristics and traditional land development patterns, including building placement, setback requirements, and lot patterns. A uniform twenty-five-foot ditch setback can conflict with this policy direction when applied across all zone districts and property types, particularly on narrow, irregular, historic, or already-developed lots. Removing the special ditch setback allows the base zone district setbacks to govern and better reflects the variety of lot patterns and development conditions found in the Village.

The amendment is also consistent with the Master Plan’s **Ditches Goal**, which is to preserve and enhance the ditch irrigation system. That goal recognizes the importance of ditches for irrigation, recreation, greenery, rural character, vegetation, wildlife habitat, and historic land development patterns. The Master Plan does not require a uniform twenty-five-foot zoning setback from acequias, irrigation ditches, or drains. Instead, it speaks more broadly to preservation, maintenance, safety, privacy, appropriate access, and recognition



of the role ditches have played in shaping land development and lot patterns. The proposed amendment remains consistent with those policies while removing an additional dimensional requirement that is not necessary in every zoning context.

The amendment is further supported by comparison to similar jurisdictions. Other comparable jurisdictions do not universally impose a special twenty-five-foot zoning setback from acequias, irrigation ditches, or drains in addition to ordinary zone district setbacks. This indicates that the Village can preserve ditch-related values without requiring a uniform twenty-five-foot zoning setback.

For these reasons, the proposed amendment is consistent with the Master Plan because it preserves the Village's recognition of ditches, acequias, agriculture, historic lot patterns, and semi-rural character while relying on the base setbacks of each zone district as the appropriate and adequate zoning standard for building placement.