PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

OFFICIAL NOTICE OF DECISION
November 4, 2026

Louise Martell
13700 Pino Ridge PL
Albuquerque, NM 87111

Project# PR-2026-000171
Application#
DHOWVR-2026-00019 DHO WAIVER

LEGAL DESCRIPTION:
For all or a portion of: **Lots/Tracts 44, 45, 49, 50, MOUNTAIN HIGHLANDS AT HIGH DESERT UNIT 2** zoned **R-1** located at **13700 PINO RIDGE PL NE** containing approximately **0.718872** acres. **(E-24)**

On November 4, 2026, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request based on the following Findings:

1. This is a request for a waiver to the sidewalk requirements for the property located at 13700 Pino Ridge PL NE.

2. The subject property is a residential zoned low-density area located within a masterplan community with no existing sidewalks in the area.

3. The subject property is zoned R-1 and it is not located within any noted city centers. The subject property is shown as being wholly located within an Area of Consistency.

4. This project was previously reviewed by DFT staff for Pre-Application Review at a DFT Meeting on 9/23/2026. The applicants team received feedback on the project in the form of memos from DFT staff.

5. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.

6. Per Table 6-4-3 of the IDO, a Sidewalk Waiver expires within 1-year if not platted and expires with associated Site Plan if approved by the DHO.

7. Per 6-6(P)(2)(d) Any Waivers granted that are associated with a subdivision shall be placed on the final plat and on a separately recorded document.

8. Transportation finds the applicant has adequately justified the DHO sidewalk waiver request based on the applicable criteria except for 10b, but also finds there is currently sufficient existing ROW but the neighborhood this is located in is within the foothills and historically waivers have been granted in this area due to the general slopes in the area make it where sidewalks would not meet ADA overall for the neighborhood.

9. The Applicant justified the Waiver per 6-6(P)(3) of the IDO per the following:
6-6(P)(3)(a) General - An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

    1. Any of the following criteria applies.

        a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.

            The property lies near the end of a cul-de-sac with no surrounding side-walks.

        b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.

            There is no previous historical or archeological significance found on site.

        c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.

            The established neighborhood's landscaping currently exhibits no sidewalks. This is much below the 30% found in IDO 14-16-5-3(D)(1)(A).

        d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

Existing design matches existing subdivision.

2. The Waiver will not be materially contrary to the public safety, health, or welfare.

   Existing access to the lot and surrounding area has been sufficient for homeowners.

3. The Waiver does not cause significant material adverse impacts on surrounding properties.

   Waivers would allow for lot to match existing surrounding properties.

4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

   All future developments nearby will have the ability to submit a similar waiver.

5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.

   This Waiver does not conflict with any adopted plan, and it supports the areas character and culture.

6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

   Drainage Plan has been prepared in conjunction with this Waiver.

7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

   This Waiver does not undermine any intent or purpose of the IDO, zoning or overlays and it supports the stability and consistency of the area.

8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards are within the thresholds established by Subsection 14-16-6-4(P) (Deviations) and is granted by the DHO as part of this approval.

   This waiver does not allow such development.

9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

   This Waiver complies.

10. Any request for a Waiver to IDO sidewalk requirements shall comply with all of the following requirements.

    a. The area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

       This area is low intensity use and there are no existing sidewalks in the vicinity, the master-planned development provides full pedestrian amenities.

    b. The City's right-of-way is insufficient in width to allow the construction of a sidewalk of standard dimension and placement, but there is sufficient right-of-way to meet minimum ADA or PROWAG guidance.

       Placement will not be able to match existing with no existing on adjacent properties. Roadway is not right of way, but public access easement.

    c. The adjoining sidewalks are non-standard as to width and/or location, and the Waiver would enable the new and existing sidewalks to match in width and/or location, or could create a smooth transition between areas of different width and/or character.

       There are no adjoining sidewalks, as such the property would match adjacent properties.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **NOVEMBER 23, 2026.** The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section § 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted electronically to ABQ-PLAN (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). A Non-Refundable filing fee will be calculated by staff in the Development Review Services Division of the City of Albuquerque Planning Department and will be payable online at ABQ-PLAN (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*).

The appeal fee must be paid in full no later than 48 hours after the appeal deadline, or the appeal will be rejected as untimely. You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,

Robert L. Lucero, Jr.
Robert L. Lucero, Jr. (Nov 15, 2026 16:38:47 PST)
Robert L. Lucero Jr.
Development Hearing Officer

RLL/jb/jr

Rio Grande Engineering, 9171 Glendale Ave. NE, Albuquerque, NM 87122

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ayuda, puede solicitar servicios de interpretación en cualquier mostrador de servicio de nuestro Departamento, ubicado en el edificio Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

Saad Hadahwiis'a O'oolkaah bee dah na'astsooz. Nihi bik'inaasdzil t'aadoo baahilinigoo 'ata' hashne' tse'esgizii ach'i' dzaadi! Dzaadi! Danihi dahootahgoo bee nihi-. Daa' danihi bidin nishli dzaadi! Dzaadi! Danihi bineesh'a yinishkeed 'ata' hashne' -di t'aa biholniihgoo tse'esgizii ket'aaz -di nihihigii dah diikaah, -k'eh -di tsin Plaza Del Sol Kiniit'aagoo, 600 2nd Kiniit'aa NW, Albuquerque, NM 87102.

Thông báo v? cách Ti?p c?n Ngôn ng?. Chúng tôi cung c?p các d?ch v? thông d?ch mi?n phí d? giúp quý v? giao ti?p v?i chúng tôi. N?u quý v? c?n giúp d?, quý v? có th? yêu c?u thông d?ch t?i b?t c? qu?y d?ch v? nào trong S? c?a chúng tôi, t?a l?c t?i tòa nhà Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

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PR-2026-000171_November_04_2026_Notice_of_Decision_DHO_waiver

Final Audit Report 2026-11-16

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Signer Robert Lucero (robert@lucerolawpc.com) entered name at signing as Robert L. Lucero, Jr.
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Document e-signed by Robert L. Lucero, Jr. (robert@lucerolawpc.com)
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