

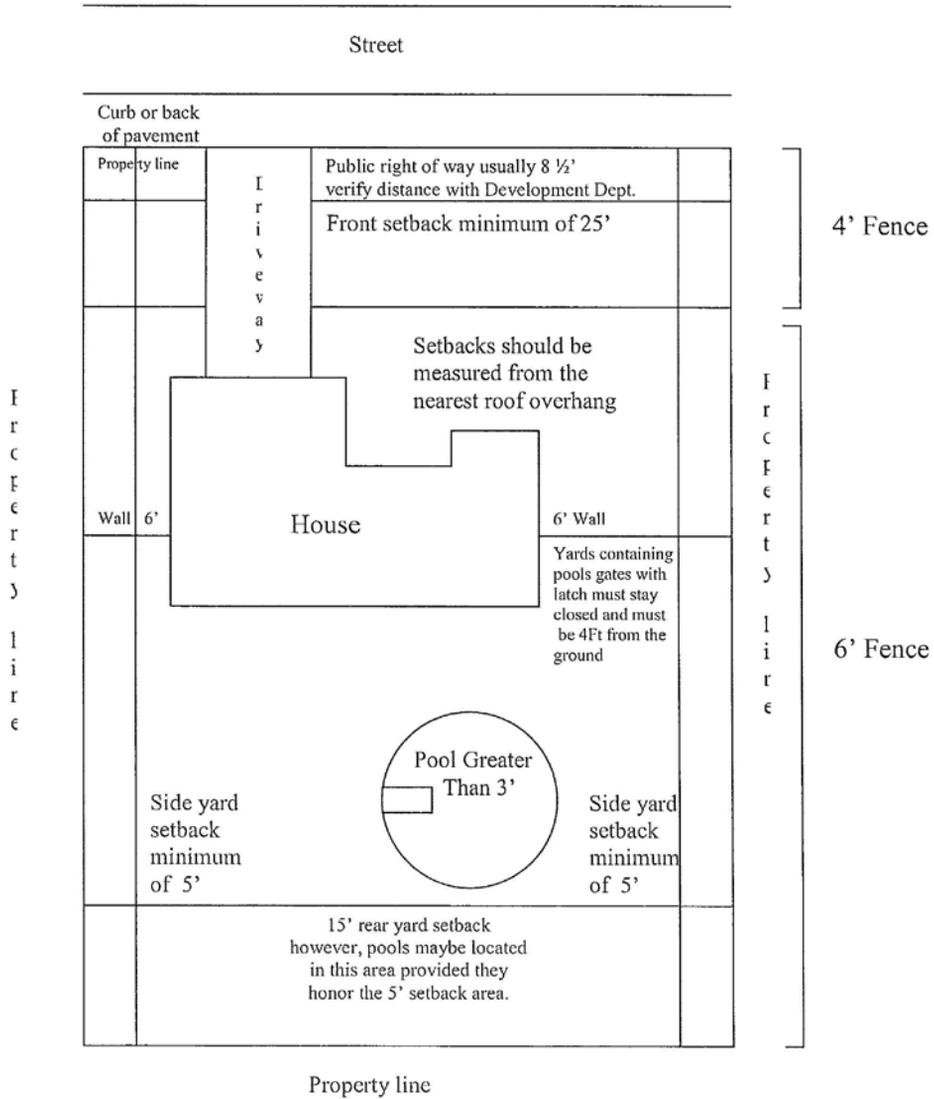
RETAINING WALL

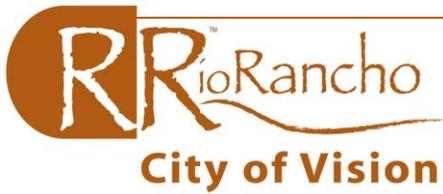
1. SITE PLAN
2. PLAN REVIEW APPLICATION
3. BUILDING PERMIT APPLICATION
4. ADJOINING PERMISSION LETTER
(IS IT ON THE PROPERTY LINE?)
5. HEIGHT OF STRUCTURE
6. SET BACKS
7. ASSESSMENT FEES FOR BOTH FENCE
& RETAINING WALL.

****MUST HAVE ENGINEERING IF
34' OR HIGHER*****

Sample Site Plan

4' fence height max allowed in the front setback area, 6' allowed in the remaining yard area. Corner lot fencing may not exceed 3' in height if located in clear sight triangle.





Residential Building Permit & Plan Review Application

City of Rio Rancho Development Services
3200 Civic Center Circle NE, 1st Floor
Rio Rancho, NM 87144
(505) 891-5006 Fax: (505) 896-8994
permits@rrnm.gov

Permit # _____

Model # _____

Fees (non-refundable)

Application fee is 65% of Building Permit Fee

Total Fees Collected: _____

[] Yes, I would like to contribute \$75.00 to the Rio Rancho Economic Development Corporation.

Property Information

Acreage of property: _____ Height of Primary: _____

Width of Front Yard Setback: _____ SQ. Ft. of Primary: _____

Physical Address

Address: _____

City: _____ State: _____ Zip: _____

Legal Description

Subdivision/Unit: _____ Block: _____ Lot: _____

Tract/Parcel: _____ Zoning: _____

Description of Work

- Checkboxes for: New Construction, Fence, Shed, Addition, Demolition, Interior Renovation, Residential Alteration/Repair, Swimming Pool/In-Ground, Well #, Septic #

Dimensions - Set Back(s)

Front: _____ Rear: _____

Sides: Left _____ Right: _____

Proposed use of property: _____

Valuation: _____ Gross floor area: _____

Height of structure: _____ No. of Stories: _____ (Pool Only) Gallons: _____

Homeowner/Agent Information

Name (Print): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Contractor Information

Name (Print): _____ License# _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

I, the undersigned, understand the above application procedure and agree to comply with conditions of same.

Name (printed) _____ Date _____

Signature _____



New Mexico Regulation and Licensing Department

CONSTRUCTION INDUSTRIES DIVISION

2250 Cerrillos Road • Santa Fe, NM 87505 • (505) 476-4700 • Fax (505) 476-4685

5200 Oakland Ave. NE • Albuquerque, NM 87113 • (505) 222-9800 Fax (505) 765-5670

505 S. Main St., Suite 150 • Las Cruces, NM 88004 • (505) 524-6320 Fax (505) 524-6319

www.rld.state.nm.us/cid

HOMEOWNER'S RESPONSIBILITIES FOR ANY TYPE OF ALTERATION OR CONSTRUCTION MADE TO A RESIDENTIAL BUILDING

A Homeowner's Permit carries serious responsibilities and is not appropriate for everyone. Please read each of the following statements. If you agree with a statement and your answer to it is "yes", then place a check mark in the appropriate box. If you do not answer, "yes" to every statement, you should **seriously reconsider** applying for a Homeowner's Permit.

After marking each item and signing this form in the presence of a Notary Public, you are required to submit this checklist with your Building Permit application package. This signed checklist will be kept on record with the permit application as proof of your assumption of the risks and liabilities associated with a Homeowner's Permit. Call or visit your State or local office as to other required submittals.

Check the appropriate box:

- I plan to build a single-family home that will be owned and occupied by myself.
- I plan to alter, repair or make improvements to a home owned and occupied by me.
- I plan to build or improve a free-standing storage building 200 sq ft or more located on my residential property

<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand I must apply for my Homeowner's Permit by myself and cannot delegate this task to anyone.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I am familiar with the construction process and know enough about building to be my own homeowner-builder.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I am familiar with the New Mexico Building Code, the Construction Industries Licensing Act, the Construction Industries Division Rules and Regulations, and the building requirements of the jurisdiction in which I plan to build my home or in which my home is located.
<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Yes <input type="checkbox"/> No	I will comply with all applicable building codes and requirements.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I will call for inspections at appropriate times and will make my premises accessible to the inspector.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that a re-inspection and a re-inspection fee will be required if any work does not meet code and/or I call for an inspection when work is not ready and/or the work to be inspected is not accessible to the inspector.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that, by taking out a Homeowner's Permit, I am acting as my own homeowner-builder.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that, as the homeowner-builder, I can hire subcontractor(s) to perform all or any portion of the work.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that before I hire any subcontractor, I must verify with the Construction Industries Division that he is duly licensed in New Mexico to perform the type of work for which I intend to hire him.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that, as the homeowner-builder, I may physically do the work myself and/or hire employees.
<input type="checkbox"/> Yes <input type="checkbox"/> No	If I hire anyone (besides a licensed subcontractor) to assist me in building, altering or repairing, I understand that person will be my employee and under my direction.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I will pay hourly wages to my employee(s) and will offer no other form of compensation.
<input type="checkbox"/> Yes <input type="checkbox"/> No	If I hire any employee(s), I understand I must have, or must secure, my own State and federal employer tax numbers.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I will make my State and federal employer tax numbers available to the Construction Industries Division upon request.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I will withhold all required State and federal taxes, Social Security, etc. from the wages I pay to my employee(s).
<input type="checkbox"/> Yes <input type="checkbox"/> No	I will make my payroll records available to my inspector upon his request.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that I must carry Workers' Compensation insurance if I employ a total of three or more persons (not including subcontractors)
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that if I have less than three employees, I may carry Workers' Compensation insurance but am not required to do so.

Construction Industries Division
HOMEOWNER'S RESPONSIBILITIES FOR ANY TYPE OF ALTERATION OR
CONSTRUCTION MADE TO A RESIDENTIAL BUILDING

<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that if I do not carry Workers' Compensation insurance, I may be financially responsible if any of my employees are injured while working on my premises. This financial liability will include employee(s) for whom I was not required to carry Workers' Compensation insurance.
<input type="checkbox"/> Yes <input type="checkbox"/> No	If I hire a subcontractor and he does not carry Workers' Compensation, I understand I may be financially responsible if any of his workers are injured while working on my premises.
<input type="checkbox"/> Yes <input type="checkbox"/> No	If I hire a "construction manager" or "superintendent" or "foreman" to oversee my work, I understand such person will be my employee, and I will pay him hourly wages and no other form of compensation.
<input type="checkbox"/> Yes <input type="checkbox"/> No	If I hire a "construction manager" or "superintendent" or "foreman" to oversee my work, I understand that, as the homeowner-builder, I am still the responsible party for compliance with all building codes and construction requirements and for the quality and completion of all contracting work performed under my Homeowner's Permit by my subcontractor(s), employee(s), and me.
<input type="checkbox"/> Yes <input type="checkbox"/> No	If I hire a GB-2 or GB-98 licensed contractor to supervise my work, I must void my Homeowner's Permit. The licensed contractor must permit the project under his own license.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that if I do not want to be responsible for the quality and completion of all work on my home and for compliance with all building codes and construction requirements, I should not obtain a Homeowner's Permit. Rather, I should hire a licensed general contractor to take over those responsibilities.
<input type="checkbox"/> Yes <input type="checkbox"/> No	If I am building my own home and during the process of building, I decide not to own and/or occupy the home when it is completed, I understand I am no longer eligible for a Homeowner's Permit. At that time, I will immediately cancel my Homeowner's Permit and hire a licensed general contractor to complete the work.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand my Homeowner's Permit is only for general construction building. Any electrical, mechanical or plumbing work must be permitted separately.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand electrical and/or a properly licensed contractor must perform plumbing work unless I have demonstrated my ability to do such work by passing a homeowner's examination administered by the electrical or plumbing inspector for the jurisdiction in which I am building my home. This includes: (1) Having my submitted plans approved and (2) obtaining all required permits and calling for all required inspections.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that, under no circumstances, can I perform HVAC or natural gas work under my Homeowner's Permit, and I must hire an appropriately licensed subcontractor who will obtain his own permit for performing such work.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that if I hire a subcontractor to do the electrical and/or plumbing work, that subcontractor must obtain his own permit for his portion of the work.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that if I do not cure any cited code violation within ninety (90) days, the Construction Industries Commission may assess a penalty of up to Two Hundred Dollars (\$200.00) against me.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that if I fail to call for a final inspection, the Construction Industries Commission may assess a penalty of up to Five Hundred Dollars (\$500.00) against me.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that I must call for and pass all required inspections, including a final Inspection, in order to obtain a Certificate of Occupancy.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand the law requires I may not occupy my home (or addition to my home) until a Certificate of Occupancy has been issued; by my general construction inspector.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that if I disregard the law and occupy my home (or addition) prior to final inspection, no Certificate of Occupancy will be issued to me after final inspection or at any time in the future.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that I may have difficulty in closing on a construction loan, refinancing my home or selling my home in the future if I do not follow all laws and procedures and obtain a Certificate of Occupancy.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand the Certificate of Occupancy will clearly state my home (or addition) was built under a Homeowner's Permit.
<input type="checkbox"/> Yes <input type="checkbox"/> No	I understand that I will have limited remedies available to me through the Construction Industries Division and/or the Construction Industries Commission because I have assumed the responsibilities for this project that would have normally been assumed by a licensed general contractor.

New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES DIVISION

Construction Industries Division
HOMEOWNER'S RESPONSIBILITIES FOR ANY TYPE OF ALTERATION OR

I _____ certify that I have read the above statements and understand the requirements and responsibilities that accompany a Homeowner's Permit, and I agree to be bound by all applicable codes, law, rules, regulations, requirements and responsibilities. I understand I cannot perform any electrical, mechanical or plumbing work under this permit, If I hire a licensed contractor to do any portion of this project; the contractor will apply for his own permit for this portion of the work. I understand I am required to substantiate my construction knowledge to the satisfaction of the Division.

X

Homeowner Signature (must be signed before a notary witness)

NOTARY

Sworn to before me this _____ of

_____, 20

Notary witness signature

My Commission Expires: _____

CONSTRUCTION MADE TO A RESIDENTIAL BUILDING

NOTE: This signed copy is to be attached to the Homeowner's Permit application. A photocopy is to be given to the homeowner named above.

The following form
must be completed if
you are building on
the common property
line. It must be filled
out by any adjoining
neighbor that it
affects.



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

Fence Permission Letter

Date: _____

I reside at _____ and I am
the adjoining property owner. I am granting written permission
to my neighbor, _____ of
(written name)

(written address)

For the sole purpose of raising the common fence between our
properties. I have no objection to raising this common fence and I
understand that I will not be financially responsible for this
activity.

Printed Name

Signature

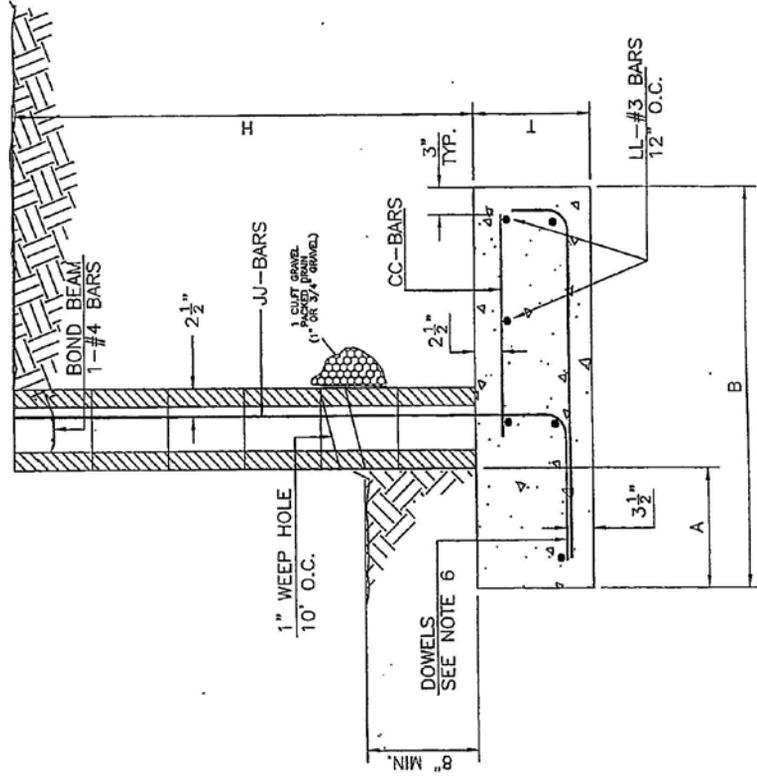
Example

Engineer Stamp Required
When Retaining 4' of dirt or
more.

From Grade (Ground Level)

If your wall is higher than
30' - you need an Engineer
Stamp

Footing Detail



RETAINING WALL DETAIL

NOT TO SCALE

Planning and Zoning 143

(2) Loading and unloading areas shall be located and designed so that the vehicles intended to use them can maneuver safely without obstructing or interfering with any public right-of-way, parking space, or parking lot aisle.

(3) No area allocated to loading and unloading facilities may be used to satisfy the parking area requirements of the development or vice versa.

(H) Recognizing that the parking requirements set forth in this section cannot cover every possible situation, the Department of City Development is authorized to determine the parking requirements using this section as a guide.

(1) Whenever the department allows or requires a deviation from the parking requirements set forth herein, it shall record the parking requirement that it imposes and the reasons for allowing the deviation.

(2) If the department concludes, based upon information it receives in consideration of a specific development proposal, that the requirements for a particular use classification is in error, the department shall initiate a request for an amendment to the table of parking requirements as set forth herein.
(Ord. 02-004, § 9-1-20)

§ 154.21 FENCE REQUIREMENTS.

(A) For the purpose of administering and enforcing this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMON FENCE. A fence that straddles a property line. For the purposes of this section, it is assumed that common fences are jointly owned in their entirety by each property owner and that initial construction of and any modifications that require city approval beyond typical maintenance requires the written permission of each property owner.

ELECTRICAL FENCING. A fence consisting of wires charged with electricity serving to confine domestic animals or livestock.

FENCE. A vertical structure taller than 1 foot, not more than 20 inches wide, which forms a barrier built for the purpose of protection, decoration, confinement, enhancement of privacy, and in some cases, built for safety.

RETAINING WALL. Any structure *that* is intended to retain more than 18 inches of soil or similar material.

SWIMMING POOL FENCE. A fence that is six feet in height that serves to limit access for safety purposes.

(B) Construction materials for fences include common construction materials such as wood, masonry, adobe, chain link, wire mesh, or other materials approved by the Department of City Development. Barbed wire, concertina wire, or similar material is only appropriate in the E-1/Estate Residential District where it may be used to confine horses or in M-1 and C-2 zones. Broken glass in/on fences is strictly prohibited.

(C) Fences may be placed anywhere within a lot, parcel, or tract of land within the city as specified herein. Fences may not be placed beyond property lines. Fences in the public right-of-way are strictly prohibited. Placement of a fence within an easement requires written permission of the grantee to which the easement is assigned. Fences on nonresidential properties may not be placed in the front setback area without an approved conditional use permit.

(D) Maximum fence height varies with the location of the fence on the property.

(1) Fences allowed in the front setback area can reach a maximum height of 4 feet, except that fence height on corner lots must conform to the specifications under clear sight triangle, as defined in § 154.03.

(2) Fences built within the side yard setback, behind the front setback to the rear setback can be a maximum of six feet.

(3) Fences built outside the setback area within the buildable area of a lot, parcel, or tract may reach a maximum height of eight feet.

(a) The maximum fence height on nonresidential property is six feet where it abuts residential property, along the rear or side property line. Fences may be built to a height of eight feet in this situation with an approved conditional use permit.

(E) (1) Fence height is measured from grade where the fence is located. It is considered a subterfuge of the ordinance to pile or berm dirt or other materials and attempt to measure a fence from the top-of the berm or from the top of a "pseudo" retaining wall. It is however, allowed to fill in large areas of a lot, parcel, tract in order to achieve an overall or consistent grade, and then measure fence heights from that grade. A change in grade requires approval by the City Engineer.

(2) Fences may be placed on top of retaining walls and height will be measured from the grade level of the retained material behind the retaining wall or in other words, from the highest soil or similar material point.

(F) Special fences.

(1) Swimming pool. Fences are required around any swimming pool which is greater than 3 feet in depth or which exceeds 5,000 gallons. The pool must be enclosed on all sides by a fence or other barrier that provides an impediment of a least 6 feet thereby limiting access. In the event of a grade separation or the erection of an above ground swimming pool, the 6-foot minimum height is measured from outside the fence, while the pool is on the inside. Gates on pool fences are required to be 6 feet in height with a self-closing latch at least 4½ feet (54 inches) off the ground. In the case where a common fence cannot be used for a swimming pool fence, the swimming pool fence must be a minimum of 5 feet from the common property line fences.

(2) Corner lots. Fences in the clear sight triangle as defined in § 154.03 may not be greater than 30% solid when viewed along a line of sight which is parallel to the hypotenuse of the clear sight triangle.

(3) Residential fences that abut high intensity nonresidential or multi-family uses may be erected as follows: where a residential lot, parcel or tract abuts an arterial or collector street as defined in the comprehensive plan, multi-family or nonresidential zoned property, a fence may be a maximum of eight feet in height along the abutting side or rear property line, behind the front house line.

(4) Buffer walls. Fences that are required with multi-family or nonresidential development must be erected and continuously maintained so that a six-foot opaque fence exists along the property lines that abut the residentially zoned property.

(5) Electrical fencing may be placed only on the inside of a fence so that it is not accessible to adjacent property and requires a conditional use permit.

(G) Approval process. All fences require a zoning plan review. If the fence is a part of a larger submittal, for example new home construction, the fencing plan review will occur at that time and is inclusive in the plan review fee. If the fence is an improvement to a developed site, a fencing plan review is required.

(1) Fencing plan review submittal should include the following:

- (a) Application;
- (b) Lot dimensions (sketch);
- (c) Location of existing structures, including retaining walls;
- (d) Location of proposed fence, proposed height, and construction materials (cross-

(H) Exemptions. This section does not apply to fences in existence before the effective date of Ordinance 93-006, except that on sale or transfer of the property on which a non-conforming fence is located, or except when the fence is declared a nuisance or hazard as determined by the Department of City Development or the Traffic Safety Advisory Committee, such fence may be made to conform with the requirements of this chapter, or removed within 30 days of the closing or transfer or declaration of the fence as a nuisance or hazard.

(Ord. 02-004, § 9-1-21)

§ 154.22 NONCONFORMING USES.

(A) When, within the various districts established by this chapter or amendments that may be later adopted, there exist lots, structures, and uses that were lawful before this chapter was passed or amended but which would be prohibited under the terms of this chapter or future amendment, it is the intent of this chapter to:

- (1) Allow these nonconforming uses to continue until they are removed;
- (2) Not encourage their survival or perpetuation;
- (3) Insure that the nonconformities shall not be enlarged upon, expanded, or extended;

(4) Not permit the nonconformities to be used as a grounds for adding other structures or uses prohibited elsewhere in the same district;

(5) Not permit the attachment of additional signs to the building or the placement of additional signs or display devices on the land outside the building or permit the addition of other uses if such additions are of a nature that would be prohibited generally in the district involved.

(B) To avoid undue hardship, nothing in this chapter shall be deemed to require a change in plans, construction, or designated use of any building in which actual and lawful construction had begun prior to the effective date or adoption or amendment of this chapter and upon which construction has been diligently carried on.

(C) Existing buildings that are in violation of lot area requirements may be remodeled or repaired but may not be reconstructed or structurally altered unless made to conform to these requirements.

(D) If a nonconforming use is damaged or destroyed by any means to an extent of more than 50% of its replacement cost at the time of destruction, then restoration must be for a permitted use.



August 23, 2006

Dear Builders and Developers,

On July 26, 2006 the Rio Rancho City Council approved the following changes to the existing Residential and Commercial Collection Ordinance Chapter 50, Section 7, to reduce windblown and misplaced waste from construction sites in Rio Rancho.

Commercial Collection:

Subsection B, 1(d): The contractor shall collect all solid waste except special or hazardous wastes, which is contained inside the approved receptacle with lid or approved covering to be serviced for that premises. The solid waste shall not exceed the receptacle capacity and the container's lid or covering must be closed and secured when not in use. The owner shall not place any solid waste in any area other than the solid waste container.

Construction Debris:

Subsection C, 2(a): All construction sites shall have a method of containment, with a covering or lid that will be secured when not in use, for construction debris to prevent the debris from blowing or scattering upon the site or adjacent property and streets. The method of containment shall meet with the approval of the Sanitation Officer.

The existing ordinance required developers, builders and their agents to ensure that building sites have an approved container with lid for collecting and storing all construction site wastes as they are generated, for disposal . In order to ensure builders and their agents are better able to comply with this ordinance, these changes expand the requirement of a lid on all containers to include "approved coverings" such as tarps and other durable materials that will cover and completely contain construction site waste while the container is not actively being used.

In order to avoid citations at your building sites, please make sure that this information is passed on to all of your staff and agents, including subcontractors and laborers, at your current and future sites. Thank you for your compliance.

Sincerely,
Dyane N. Sonier
Keep Rio Rancho Beautiful Coordinator

