

RESOLUTION NO. 1089-26

A RESOLUTION ESTABLISHING AN ANNUAL SCHEDULE OF GOVERNING BODY MEETINGS AND DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS OF THE VILLAGE OF BOSQUE FARMS

WHEREAS Subsection B of Section 10-15-1, NMSA 1978 requires all meetings of a quorum of members of any board, council, commission, administrative, adjudicatory body, or other policy making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times except as otherwise provided in the Constitution or the provisions of the Open Meetings Act; and

WHEREAS any meeting subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS the Village of Bosque Farms being a local public body subject to the Open Meetings Act, in accordance with Subsection D of Section 10-15-, NMSA 1978, shall determine annually what constitutes reasonable notice for its public meetings, as well as the public meetings of the boards, commissions and committees it has created; and

WHEREAS the Governing Body must also establish an annual schedule of its regular meetings at the first meeting of each year.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Village of Bosque Farms, New Mexico that:

1. Notice shall be given at least at least seventy-two (72) hours in advance of any regular meeting of a quorum of the members of the governing body or any board, commission, committee, agency, authority or other policy-making body held for the purpose of discussion public business or taking any formal action within in the authority of such body.
2. The regularly scheduled meetings of the governing body will be held at 6:00 P.M. on the third Wednesday of each month in the council chambers located at 1455 W. Bosque Loop in Bosque Farms, New Mexico. If the regular meeting date falls on a legal holiday, the governing body shall designate an alternate meeting date and/or time to be published as provided in this Resolution. If a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be published as provided in this resolution.
3. Notice shall be given at least three (3) days in advance of any special meeting of a quorum of the members of the governing body, board commission, committee, agency, authority or other policy-making body held for the purpose of discussing

public business or taking any formal action within in the authority of such body.

4. The notice requirements of Section One (1), Two (2) and Three (3) of this Resolution are complied with if notice of date, time, place and subject matter of any regular or special meeting are published. Additionally, the notice will contain information on how the public may obtain a copy of the meeting agenda. The stated agenda is to be available at least seventy-two (72) hours prior to the meeting. "Publish" means printing in a newspaper which maintains an office in the municipality and is of general circulation within the municipality. If such newspaper is a non-daily paper which will not be circulated to the public in time to meet publication requirements, or If no such paper exists, "Publish" shall mean posting in six (6) public places within the municipality, and one of the public places where posting shall be made is the office of the municipal clerk, who shall maintain posting for public inspection within the time limits specified. The Village shall post notice in the following seven (7) public places:

- Village Hall Lobby
- Village of Bosque Farms Community Center
- Sopa's Restaurant
- Southwest Grill
- Peralta Post Office
- Benny's Restaurant
- Tractor Supply

The Clerk/Administrator may, in addition to posting, publish one or more times in a newspaper of general circulation within the municipality, even though it does not maintain an office within the municipality which have provided a written request for such notice.

5. Notwithstanding any other provisions of sections one (1) through four (4) of this Resolution, the governing body may establish such additional notice requirements may be deemed properly and advisable to comply with the provision of the Open Meetings Act.
6. The Governing Body of the Village of Bosque Farms may close a meeting to the public only pursuant to exclusions contained in Section 10-15-1, Subsection H, NMSA1978. If a meeting is closed during an open meeting, such disclosure shall be approved by a majority vote taken during the opening meeting. The authority for the closed meeting and subjects to be discussed shall be stated with reasonable specificity in the motion to close and vote of each individual member on the motion to close shall be recorded in minutes. Only those subjects specified in the motion may be discussed in the closed meeting. If a closed meeting is called when the governing body of the Village of Bosque Farms is not in open meeting, and subjects to be discussed with reasonable specificity, is given to the remembers and the general public. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure. Except as

provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by a vote of the governing body of the Village of Bosque Farms in an open meeting.

7. Notwithstanding any other provision of sections One (1) through Seven (7) of this resolution, the governing body of the Village of Bosque Farms may call emergency meetings of the governing body, any board commission, committee or other policy-making body of the municipality. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of the citizens or to protect the municipality from substantial financial loss. The Village of Bosque Farms will avoid emergency meetings whenever possible. Emergency meetings may be called upon twenty-four (24) hours' notice, unless threats of personal injury or property damage require less notice. The notice for all emergency meetings should include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

PASSED, ADOPTED AND APPROVED this 31st day of March 2026

Chris Gillespie, Mayor

ATTEST:

Erica A. Martinez, Clerk Administrator

Section 6-3. Fees

[HISTORY: Adopted by the Mayor and Council of the Village of Bosque Farms 8-20-2009 by Ord. No. 01-09. Amendments noted where applicable.]

§ 6-3-1. Judicial education fee.

The Municipal Court shall impose a judicial education fee in the amount of \$3 on anyone convicted in the Municipal Court of violating any ordinance relating to the operation of a motor vehicle or any ordinance that may be enforced by the imposition of a term of imprisonment.

**AMENDMENTS TO
ORDINANCE NO. 12-12-1.2**

AN ORDINANCE RELATING TO THE NEW MEXICO UNIFORM TRAFFIC ORDINANCE ADOPTED BY THE VILLAGE OF BOSQUE FARMS; AMENDING THE PENALTY ASSESSMENT PROGRAM; DEFINING PENALTY ASSESSMENT MISDEMEANORS; ESTABLISHING LISTED SCHEDULE OF PENALTY ASSESSMENTS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREOF.

12-12-1.2 PENALTY ASSESSMENT PROGRAM

SECTION 1. PENALTY ASSESSMENT PROGRAM

A. The Village of Bosque Farms hereby adopts the penalty assessment schedule set forth in this ordinance as penalties to be imposed for enforcement of this Ordinance and the Uniform Traffic Code. "Penalty assessment misdemeanor" means violation of the following listed sections of the New Mexico Uniform Traffic Ordinance for which the listed penalty assessment is established.

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
<u>Drivers License:</u>		
Operator to be licensed (None)	12-6-12.5	\$100.00
Unlawful use/Lending to Others	12-6-12.6(2)	\$100.00
Unlawful use/Using license of another	12-6-12.6(3)	\$100.00
Unlawful use/permitting use	12-6-12.6(5)	\$100.00
Permitting child to drive	12-6-12.23a	\$120.00
Permitting unlicensed to drive	12-6-12.23b	\$120.00
MC endorsement	12-6-12.5 (a)	\$100.00

Registration/Insurance:

Failure to provide proof of insurance	12-10-6	\$180.00
No Insurance	12-10-6	\$180.00
Evidence of Registration to be signed and Exhibited on Demand	12-10-5	\$100.00
No signature on registration	12-10-5	\$100.00
Display of expired license plate	12-10-4	\$100.00

Improper use of reg/plate	12-10-4	\$100.00
Illegible license plate	12-10-4	\$100.00

Equipment:

MC eye protection	12-7-5	\$100.00
Helmet (<18 required)	12-7-6	\$100.00
Brake light not working	12-10-1.9	\$100.00
Turn signal Required	12-10-1.9	\$100.00
Stop Lamps, Signal Lamps & Signal Devices	12-10-1.9	\$100.00
Headlights Required	12-10-1.3	\$100.00
Two Headlights Required	12-10-1.5	\$100.00
Dimming of lights	12-10-1.6	\$100.00
Horn required	12-10-1.17	\$100.00
Mirror-rearview mirror required	12-10-1.18	\$100.00
Mufflers-Prev of Noise-Jake Brakes	12-10-1.10	\$100.00
Muffler-noise	12-10-1.10	\$100.00
Muffler-excessive smoke	12-10-1.10	\$100.00
No Tail Lights	12-10-1.7	\$100.00
License plate lamp	12-10-1.7	\$100.00
Two Taillights Required	12-10-1.7	\$100.00
Taillight glaring	12-10-1.7	\$100.00
Windshield Violation	12-10-1.12	\$100.00
Sunscreening Material on Windows	12-10-1.12A	\$100.00
Windshields Must be Unobstructed	12-10-1.12	\$100.00
Unsafe Vehicle	12-10-1.2	CRT

Moving Violations:

Animal on lap	12-6-12.18	\$100.00
Driving interferes with others	12-6-12.18	\$100.00
Prohibited Activities While Driving	12-6-12.18	\$100.00
Avoiding traffic signals	12-6-5	\$100.00
Backing: Limitations on	12-6-12.9	\$100.00
Backing: From driveways	12-6-12.9	\$100.00
Unlawful backing	12-6-12.9	\$100.00
Careless driving	12-6-12.4	\$180.00
Child restraint	12-6-13.12	\$175.00
Destructive or Injurious Material on Roadway	12-6-13.5	\$180.00
Drag racing	12-6-12.19	\$150.00
Drivers to Exercise Due Care	12-6-14.8	\$100.00

Driving on Divided Highways	12-6-2.14	\$100.00
Failure to maintain a lane	12-6-2.12	\$100.00
Flashing Signals	12-5-8	\$100.00
Fleeing/cluding police	12-6-12.7	\$180.00
Following too close	12-6-2.13	\$100.00
Approaching/entering intersection	12-6-4.1	\$100.00
Left turn at intersection	12-6-4.2	\$100.00
Red light violation	12-5-6	\$100.00
Overtaking a Vehicle on the Left	12-6-2.3	\$100.00
Limitations on Overtaking on the Left	12-6-2.4	\$100.00
Lamp or Flag on Projecting Load	12-10-1.11	\$100.00
Limitations on Turning Around	12-6-5.5	\$100.00
U-turn in business district	12-6-5.5	\$100.00
Littering	12-6-13.15	\$450.00
Parking in Designated Disabled Parking Spaces	12-9-9	\$307.00
Parties to an unlawful act	12-6-12.24	\$100.00
Passing/No passing zone	12-6-2.7	\$150.00
Passing/School zones	12-6-2.7	\$150.00
Passing/Pedestrian crosswalk	12-6-2.7	\$150.00
Pedestrian Violation	12-6-14	\$100.00
Seatbelt - Mandatory use	12-6-13.13	\$110.00
Starting a Parked Vehicle	12-6-5.7	\$100.00
Stop sign	12-6-4.3	\$100.00
Stopping, Standing and Parking Outside Of Business or Residential Districts	12-6-6.14	\$100.00
Stop sign/intersection	12-6-4.3	\$100.00
Yield sign	12-6-4.3	\$100.00
Yield intersection	12-6-4.3	\$100.00
Stop for School Bus	12-6-7.3	\$180.00
Turn signal - no use	12-6-5.8	\$100.00
Unlawful display of lights	12-10-1.14	\$100.00
Unlawful riding	12-6-13.2	\$100.00
Use of Hand-Held Cellular Phone While Driving a Vehicle	12-3-3	\$150.00
Prohibited Conduct	12-3-3	\$150.00
Yield from driveway/business	12-6-7.1	\$100.00
Emerging from Alley, Bldg, Dr, Priv Rd	12-6-7.1	\$100.00
Yield to emergency equipment	12-6-7.4	\$130.00
Possession or Consumption of Alcoholic Beverages in Open Containers-		
Open/broken seal First Offense	12-6-13.14	\$130.00

Door-to-Door sales	7-3-10	CRT
Possession of Marijuana	7-1-23	CRT
Possession of Paraphernalia	7-1-26	CRT
Parking	12-6-6.12	CRT

Speeding:

1 - 10	12-6-1.2a	\$100.00
11 - 15	12-6-1.2b	\$120.00
16 - 20	12-6-1.2c	\$160.00
21 - 25	12-6-1.2d	\$200.00
26 - 30	12-6-1.2e	\$230.00
31 - 35	12-6-1.2f	\$270.00
36 and over	12-6-1.2g	\$350.00
Failure to Obey Established Zone	12-6-1.3	\$250.00

B. As used in the Off-Highway Motor Vehicle Act, "penalty assessment misdemeanor" means violation of any provision of the Off-Highway Motor Vehicle Act for which a violator may be subject to the following:

CLASS 1 VIOLATIONS	SECTION VIOLATED	PENALTY ASSESSMENT
Failure to possess a registration Certificate or non-resident permit	12-7-9.1	\$73.00
Violations involving headlights or taillights failure to possess an off-highway motor vehicle safety permit	12-7-9.8	\$73.00
Selling a vehicle that produces noise in excess of ninety-six decibels	12-7-9.9E	\$73.00
Any violation of the Off-Highway Motor Vehicle Act not otherwise specifically defined elsewhere in this section	12-7	\$73.00
CLASS 2 VIOLATIONS	SECTION VIOLATED	PENALTY ASSESSMENT
Failure to complete a required off-highway motor vehicle safety training course	12-7-9.8	\$127.00

Operating a vehicle in excess of ten miles per hour within two hundred feet of a business, animal shelter, horseback rider, bicyclist, pedestrian, livestock or occupied dwelling

12-7-9.9

\$127.00

A person under the age of eighteen but at least fifteen years of age who operates an off-highway motor vehicle in violation of the supervision requirements of the Off-Highway Motor Vehicle Act

12-7-9.9C

\$127.00

Operating an off-highway motor vehicle that produces noise that exceeds ninety-six decibels

12-7-9.9

\$127.00

Unauthorized installation, removal, destruction or defacing of a motor vehicle sign

12-7-9.2E

\$127.00

CLASS 3 VIOLATIONS

SECTION VIOLATED

PENALTY ASSESSMENT

Operating a vehicle that is not equipped with an approved spark arrester

12-7-9.9

\$193.00

Operating an off-highway motor vehicle while in pursuit of and with intent to hunt or take a species of animal or bird protected by law, unless otherwise authorized by the state game commission

12-7-9.9

\$193.00

Operating an off-highway motor vehicle in pursuit of or harassment of livestock in any manner that negatively

affects the livestock's condition	12-7-9.9	\$193.00
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Operating an off-highway motor vehicle on or within an earthen tank or other structure meant to water livestock or wildlife	12-7-9.9	\$193.00
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Operating a motor vehicle in a manner that has a direct negative effect on or interferes with persons engaged in agricultural practices	12-7-9.9	\$193.00
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A person under the age of eighteen operating an off-highway motor vehicle without wearing eye protection and a safety helmet	12-7-9.9B	\$193.00
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A person under the age of eighteen operating an off-highway motor vehicle while carrying a passenger	12-7-9.9B	\$193.00
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A person under the age of fifteen but at least ten years of age who operates an off-highway vehicle in violation of the supervision requirements of the Off-Highway Motor Vehicle Act	12-7-9.9C	\$193.00
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A person under the age of ten operating an all-terrain vehicle or recreational off-highway motor vehicle that is not an age appropriate size-fit or who operates an off-highway motor vehicle in violation of the supervision requirements of this section	12-7-9.9D	\$193.00
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CLASS 4 VIOLATIONS	SECTION VIOLATED	PENALTY ASSESSMENT
Operating an off-highway motor vehicle in a careless, reckless or negligent manner so as to endanger the person or property of another	12-7-9.9	\$326.00
Operating an off-highway motor vehicle on any road or area closed to off-highway motor vehicle traffic under local, state or federal regulations	12-7-9.2	\$326.00
Operating an off-highway motor vehicle on a limited-access highway or freeway	12-7-9.2	\$326.00

C. The penalty for second, third and subsequent violations within a three-year period shall be increased as follows:

1. a second violation in a Class 1 penalty category involving failure to possess a registration certificate or nonresident permit shall be increased to a Class 2 penalty category;

2. any Class 2 or Class 3 violation for a second or greater infraction within a three-year period shall be increased to the next-highest penalty assessment category; and

3. each subsequent violation in a Class 4 penalty category will result in an additional penalty of two hundred dollars (\$200).

D. Multiple violations for the same incident shall be treated as a single event and shall not result in graduated penalties.

E. The term "penalty assessment misdemeanor" does not include any violation which has caused or contributed to the cause of an accident resulting in injury or death to any person.

F. When an alleged violator of a penalty assessment misdemeanor elects to accept a notice to appear in lieu of a notice of penalty assessment, no fine imposed upon later conviction shall exceed the penalty assessment established for the particular penalty assessment misdemeanor and no probation imposed upon a suspended or deferred sentence shall exceed ninety days.

G. The penalty assessment for speeding in violation of Section 12-6-1.2 (4) of the Uniform Traffic Ordinance is twice the penalty assessment established in Subsection A of Section 2 of this ordinance for the equivalent miles per hour over the speed limit.

H. In addition to this penalty assessment established for each penalty assessment misdemeanor pursuant to this section, there shall be assessed the following fees for each penalty assessment misdemeanor a twenty dollar (\$20) Corrections Fee; a six dollar (\$6) Court Automation Fee; and a three dollar (\$3) Judicial Education Fee. These fees are included in the penalty assessment.

I. In addition to the penalties and fees established in this ordinance, the first twenty five dollars (\$25.00) of every penalty assessment collected will be dedicated to the Village Traffic Safety Fund.

SECTION 2. PENALTY ASSESSMENT MISDEMEANORS; OPTION; EFFECT

A. Unless a warning notice is given, at the time of making an arrest for any penalty assessment misdemeanor, the arresting officer shall offer the alleged violator the option of accepting a penalty assessment. The violator's signature on the penalty assessment notice constitutes and acknowledgement of guilt of the offense stated in the notice, and payment of the prescribed penalty assessment is a complete satisfaction of the violation.

B. Payment of any penalty assessment can either be paid in person to the Municipal Court Clerk or by mail to the Municipal Court in the Village of Bosque Farms, New Mexico within thirty (30) days from the date of arrest. Payments of penalty assessments are timely if postmarked within the time limits set from the date of arrest.

C. No record of any penalty assessment payment is admissible as evidence in any court in any civil action.

SECTION 3. FAILURE TO PAY PENALTY ASSESSMENT

A. If a penalty assessment is not paid within thirty (30) days from the date of arrest, the violator shall be cited into Municipal Court for failure to pay.

B. In addition to the prosecution provided for in Section 4A of the Uniform Traffic Ordinance, it is a misdemeanor for any person who has elected to pay a penalty assessment to fail to do so within thirty (30) days from the date of arrest.

C. The Office of the Municipal Court shall notify the Motor Vehicle Division of the State of New Mexico when a person fails to pay a penalty assessment within the required period of time. The Motor Vehicle Division shall report the notice upon the driver's record and shall not renew the person's license to drive until the Municipal Court notifies the Motor Vehicle Division that the penalty assessment, or its equivalent, as well as any additional penalties

imposed are properly disposed of.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase or any portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. REPEALER

All ordinances or resolutions or parts thereof inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution or part thereof previously repealed.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED AND ADOPTED THIS 19TH DAY OF JANUARY 2023.


Russell Walkup, Mayor

(SEAL)

ATTEST:


Melissa R. Velasquez, Clerk/Administrator

VILLAGE OF BOSQUE FARMS

1455 West Bosque Loop
Bosque Farms, NM 87068
(505) 869-2358 - Phone

PO Box 660
Peralta, NM 87042
(505) 869-3342 - Fax

Instructions: Submit this form with the applicable administrative fee along with any additional information to the Village Clerk/Administrator. Appeals must be submitted within thirty (30) days after the interpretation, decision or action.

Appeal is from the decision of: ☐ Planning & Zoning Administrator/Officer

☒ Planning & Zoning Commission

Applicant

Address

Telephone

Agent/Representative

Address

Telephone

ANICITA ENGINEERING LLC Agent for Steve Davis

575 BOSQUE FARMS BLVD.

Day 505-362-1530 Evening _____

MARTIN J. GARCIA

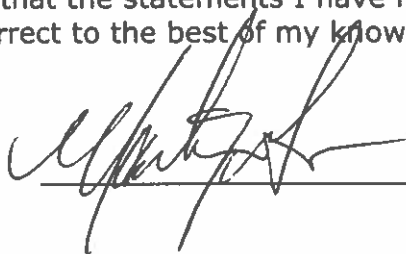
Day _____ Evening _____

Appeal Statement

See attached letter

I DO HEREBY CERTIFY that the statements I have made on this Application for an Appeal are true and correct to the best of my knowledge.

Applicant(s)' Signature



Date 3/21/26

SUBSCRIBED AND SWORN TO before me _____

My Commission Expires _____

Notary Public

For Village Office Use Only

Date Application Received

3/27/26

Received By

Robert Pierson

Administrative Fee Paid

\$225

Receipt #

Public Hearing By



Planning & Zoning Commission



Governing Body

Date of Public Hearing

Date of Publication

Decision

Mayor (if applicable)

Chairman, Planning & Zoning Commission
(if applicable)



March 26, 2026

Appeal to Village of Bosque Farms Governing Body regarding Planning and Zoning Commission recommendation: Proposed Zone Change from A-R to R-1 for 555 Country Lane legally described as Tract 15 Bosque Farms Unit 15 MRGCD Property Map 63 Sec. 2 T7N, R2E, N.M.P.M.

Dear Madam Clerk/Administrator, Mayor, and Governing Body,

Anchor Engineering LLC as Agent for Mr. Steve Davis, Owner of said property hereby appeals the recommendation from the Planning and Zoning Commission in accordance with Bosque Farms Ordinance 10-1-22 (1) and (2) for said case based on the following:

Reason For Appeal:

The applicant believes there was an error or abuse of discretion where the interpretation, decision, or action taken was not supported by evidence in the matter.

Background:

The application made for the zone change from A-R to R-1 was made in consultation with the Village Planning and Zoning Coordinator and in accordance with Village of Bosque Farms Ordinance 10-1-15. As part of the application, it was noted that the zone change was being requested in anticipation of submission of a subdivision request.

The 8-acre property currently zoned A-R has historically been occupied by two residences and outbuildings, and approximately 6-acres has been farmed for Alfalfa. The properties surrounding the property to the north and south are currently zoned R-1 and are 1/2-acre on the North side and 2/3-acre on the South side.

This application appeared before the Planning and Zoning Commission on March 2, 2026.

During the Planning and Zoning Commission meeting statements were made from members of the commission that did not align with the recommendations from the Village of Bosque Farms Comprehensive Plan, Bosque Farms Ordinance 10-1-5, 10-1-8 and Ordinance 10-1-9, and 10-1-15 specifically:

Ordinance 10-1-5 (B) clearly states that Agricultural activities are permitted in A-R, R-1 and R-1A zone districts only. Ordinance 10-1-8 A-R Agricultural/Residential zone states that its intent is to maintain agricultural and related activities and to provide for low-density residential uses that are conducive to the rural atmosphere. Similarly, Ordinance 10-1-9 R-1 Conventional Single Family Residential Zone also states that its intent is to **“provide for the**

development of rural residential neighborhoods which is compatible with the rural residential character of the area”.

Ordinance 10-1-15 A states: “Intent. The major focus of any recommendation for change or endorsement of plans as presented **shall** be to promote the educational, cultural, and economic welfare of Village by preserving and protecting neighborhoods and a rural lifestyle and to strengthen the economy of the Village by stabilizing and improving the property values to help property owners avoid any action which might tend to decrease property values”.

The fact of the matter is that A-R zoning and R-1 Zoning are nearly one and the same with the primary difference being the lot size allowed. These points are being made because, the application submitted before the planning commission, aligned with these ordinances and strictly follows their intent.

In the opening statements from the Planning and Zoning Commission and several times thereafter, there were references made that were biased against the applicant as can be seen by reading the minutes but even more so by listening to the tape recording of the Public Hearing. Statements and questions made to the extent that it raises question whether proper due process was given to the applicant.

It raises question whether an impartial Public Hearing was held. The application submitted before the Planning and Zoning Commission, and now Bosque Farms Village Council, merits a fair evaluation.

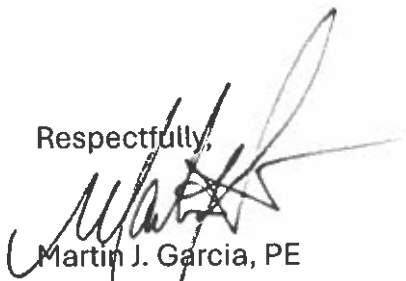
The facts: Ordinance 10-1-15 encourages the development as it aligns with 10-1-15 (a). Ordinance 10-1-5, permits agricultural activities and 10-1-5 J (1) requires that 60% of the land be preserved as permeable open space (Agricultural).

Ordinance 10-1-15 B (5) discourages “spot zoning”. When the Village was zoned in 1976, a spot zone was created on this property as it is surrounded on the north and south by R-1 Zoning. This application removes the spot zone and aligns the zoning with adjacent properties.

The change from A-R to R-1 zone will result in two (2) additional residence in the area and will align with the intent of 10-1-15 (A) by providing for affordable properties, maintaining the agricultural intent of the area, and helping the applicant avoid any action that might decrease property values.

In conclusion, many statement were made by the Planning and Zoning Commission during the public hearing that were either not related to the zone change request, were not backed by ordinance, or were misleading to other commissioners. As can be seen by the minutes of the meeting and listening to the tape recording, there was a lot of discussion that was not relevant to the zone change.

Respectfully,

A handwritten signature in black ink, appearing to read 'Martin J. Garcia', with a large, sweeping flourish extending to the right.

Martin J. Garcia, PE
President/Managing Member
Anchor Engineering LLC
Agent for Steve Davis

26-003

VILLAGE OF BOSQUE FARMS

Post Office Box 660
Peralta, NM 87042

1455 West Bosque Loop
Bosque Farms, NM 87068

Phone: (505) 991-6611
Fax: (505) 505-869-3342
Email: pzadmin@bosquefarmsnm.gov



Sharon Eastman, Chair

Commission:

Dan Garrison

Joe J Hale

Michael Baber

William Richardson

DRAFT MINUTES MARCH 2, 2026

THE PLANNING & ZONING COMMISSION OF THE VILLAGE OF BOSQUE FARMS
HELD ITS REGULAR MEETING ON MONDAY, MARCH 2, 2026 IN THE COUNCIL
CHAMBERS, 1455 WEST BOSQUE LOOP, BOSQUE FARMS, NM AT 6:30PM.

1. CALL TO ORDER & ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. PUBLIC COMMENT FOR NON-AGENDA ITEMS

(Comments are limited to 3 Minutes, time cannot be distributed to peers in attendance)

5. REVIEW & TAKE ACTION ON FEBRUARY 2, 2026 MINUTES

6. CONDITIONAL USE:

- a. Gabriel Vazquez agent for Ezequiel Rojas requests a Conditional Use for Auto Vehicle service and/or commercial garages at 2820 Bosque Farms Blvd. Legally described as Tract: 6E1B S: 12 T: 7N R: 2E

7. VARIANCE REQUEST:

- a. Anchor Engineering agent for Justin Archibeque requests a variance to the allowed height of 4 feet solid wall in a front yard setback to allow a 6-foot-high solid wall at 925 Bosque Farms Blvd. Legally described as Lands Of Tabet Investments Company Tract: A2A

8. ZONE CHANGE REQUEST:

“PRESERVING RURAL AMERICA”

- 32 a. **Anchor Engineering agent for Steven Davis is requesting a Zone Change**
33 **from A-R to R-1 at 555 Country Ln, legally described as Tract: 15 THE SW**
34 **8.00 AC S: 2 T: 7N R: 2E 8.00 Acres Map 63 Bosque Farms Unit #15**

35 **Motion to open Public Hearing: Commissioner Baber Second: Commissioner Hale Vote to**
36 **approve: Unanimous**

37 Speakers Sworn in.

38 Steve Davis, 555 country lane.

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215 Commissioner Richardson **Vote to approve:** Garrison, Baber, Richardson, Eastman **Vote**

216 **against:** Commissioner Hale.

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- 225 a. **Review and amendment or approval of RES 992-22 Planning Commission**
226 **Meeting Policy and Guidelines**
227

228 **11. DEPARTMENTAL REPORTS**

229
230 **12. CHAIR & COMMISSION REPORTS**

231
232 **13. ADJOURNMENT**
233

234 **TIME AND PLACE OF NEXT MEETING**

235 THE NEXT MEETING OF THE VILLAGE OF BOSQUE FARMS PLANNING & ZONING
236 COMMISSION WILL BE HELD ON MONDAY, APRIL 6, 2026.
237

238 **PLEASE NOTE:** *The Planning & Zoning Commission may revise the order of the agenda items*
239 *considered at this Open Meeting. If you are an individual with a disability who needs a reader,*
240 *qualified sign language interpreter, or any other form of auxiliary aid or service to attend or*
241 *participate in the hearing or meeting, please contact the office of the Village Clerk at (505) 991-*
242 *6611 at least three (3) calendar days prior to the meeting. Public documents including the*
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245 *identity, sexual orientation, sex, national origin, age, disability, or political affiliation in any*
246 *program, activity, or service sponsored by the Village. Contact the office of the Village*
247 *Clerk/administrator for more information*
248

249
250
251

Planning and Zoning Administrator

555 Country Ln Zone Change

555 Country Ln Zone Change Draft Minutes

VILLAGE OF BOSQUE FARMS

Post Office Box 660
Peralta, NM 87042

1455 West Bosque Loop
Bosque Farms, NM 87068

Phone: (505) 991-6611
Fax: (505) 505-869-3342
Email: pzadmin@bosquefarmsnm.gov



Sharon Eastman, Chair

Commission:
Dan Garrison
Joe J Hale

Michael Baber
William Richardson

DRAFT MINUTES MARCH 2, 2026

THE PLANNING & ZONING COMMISSION OF THE VILLAGE OF BOSQUE FARMS
HELD ITS REGULAR MEETING ON MONDAY, MARCH 2, 2026 IN THE COUNCIL
CHAMBERS, 1455 WEST BOSQUE LOOP, BOSQUE FARMS, NM AT 6:30PM.

1. CALL TO ORDER & ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. PUBLIC COMMENT FOR NON-AGENDA ITEMS

(Comments are limited to 3 Minutes, time cannot be distributed to peers in attendance)

5. REVIEW & TAKE ACTION ON FEBRUARY 2, 2026 MINUTES

6. CONDITIONAL USE:

- a. Gabriel Vazquez agent for Ezequiel Rojas requests a Conditional Use for Auto Vehicle service and/or commercial garages at 2820 Bosque Farms Blvd. Legally described as Tract: 6E1B S: 12 T: 7N R: 2E

7. VARIANCE REQUEST:

- a. Anchor Engineering agent for Justin Archibeque requests a variance to the allowed height of 4 feet solid wall in a front yard setback to allow a 6-foot-high solid wall at 925 Bosque Farms Blvd. Legally described as Lands Of Tabet Investments Company Tract: A2A

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240 *qualified sign language interpreter, or any other form of auxiliary aid or service to attend or*
241 *participate in the hearing or meeting, please contact the office of the Village Clerk at (505) 991-*
242 *6611 at least three (3) calendar days prior to the meeting. Public documents including the*
243 *agenda and minutes can be provided in digital or hardcopy format. The Village of Bosque Farms*
244 *strictly prohibits any form of unlawful discrimination based on race, color, religion, gender*
245 *identity, sexual orientation, sex, national origin, age, disability, or political affiliation in any*
246 *program, activity, or service sponsored by the Village. Contact the office of the Village*
247 *Clerk/administrator for more information*
248
249
250

251 Planning and Zoning Administrator

**555 Country Ln Zone Change
Original Application and Staff
Summary**

Case 3

Proposed Zone Change 555 Country Ln

The applicant is requesting Zone Change and must comply with the following: (the ordinance has been abbreviated to remove steps required to be done by Village Staff or related to application fees)

Map amendment procedures.

- (1) Amendment. Application for amendment to the Zone Map may be made by any landowner or his agent or by the Village of Bosque Farms or any official or body thereof.
- (2) Application. Each application for an amendment to the Zone Map shall be accompanied by an accurate site plan, building plan, sketch, evidence of interest in property, and other related information as required by this Section 10-1, the Commission or the governing body. Submission of inaccurate information with an application is grounds for denial.
- (3) Preliminary public meeting. The Commission shall hold a public meeting to evaluate proposed zone changes or amendments to this Section 10-1 and shall submit its recommendation in writing to the governing body.
- (4) Posting. Applicants requesting a zone change shall post a copy of the prescribed form on the property at the applicant's expense. Posting shall be in the form of a sign structure at least three feet high and large enough to receive the form. The sign shall be placed, at least 15 days prior to preliminary public meeting, in such a location that it can readily be viewed from the nearest roadway.
- (5) Spot zoning. Any request for a change of zoning for a relatively small area which would establish a zone district that is inconsistent or incompatible with the surrounding area, and which might bring about a detriment to the surrounding area, shall be considered an inappropriate zone change and shall be given a negative recommendation from the Commission to the governing body, unless it is demonstrated that the public welfare will be served.
- (6) Commission recommendation. All applications for an amendment to this Section 10-1 shall first be reviewed by the Commission, which shall submit a written recommendation concerning the application to the governing body.
- (7) Final public hearing. The governing body shall conduct a public hearing at which all parties in interest and citizens shall have an opportunity to be heard. Notification of the time and place of the public hearing shall be in accordance with the Open Meetings Act (NMSA 1978, §§ 10-15-1 to 10-15-4) at least 15 days prior to the hearing. The notice of public meeting published 15 days before the Commission meeting shall be considered sufficient notice if it also has included the time and place of the public hearing to be held

by the governing body. Whenever a change in a zoning district boundary is proposed, notice of the public hearing shall be mailed by certified mail, return receipt requested, to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulation.

(8) Decision. If the owners of 20% or more of the area of the lots and of land included in the area proposed to be changed by a zoning regulation or within 100 feet, excluding public right-of-way, of the area proposed to be changed by a zoning regulation protest in writing to the proposed change in the zoning regulation, the proposed change in zoning shall not become effective unless the change is approved by a majority vote of all the members of the governing body.

Summary

The applicant has indicated that changed conditions exist, including the loss of farming land on adjacent properties which has made the continuation of farming difficult on this property, due to the use of pesticides spraying, dust from heavy equipment, having a negative effect on the surrounding properties. Drought and limited irrigation water have also negatively affected the farming activities.

The applicant noted the property has smaller lots located to the north, west and south (which are zoned R-1).

Review

The zone change would be consistent with the abutting R-1 Zoning to the south, west and north of the subject property. The request does not create a spot zone as a result of the abutting R-1 Zoning.

Findings for Approval:

1. The request for a Zone Change is Consistent with the Zoning Code requirements for a Zone Change.
2. The application is consistent with Zoning Code Section 10-1-2 Purpose.
3. The application is consistent with abutting R-1 Zoning and does not create a spot zone.

Findings for Denial:

1. The request is inconsistent with the Zoning Code and would be injurious to the surrounding properties.

2. The request is inconsistent with the surrounding area and is a detriment to the surrounding area.



Village of Bosque Farms
1455 West Bosque Loop/ PO Box 660
Bosque Farms, NM 87068/ Peralta, NM 87042
(505) 869-2358
(505) 869-3342 Fax

10-1-15 Zone Change Application

Instructions: Submit this form with the applicable administrative fee along with any additional information to the Village Planning & Zoning Administrator/Officer at least twenty (20) days prior to the scheduled Planning & Zoning meeting.

Applicant: STEVEN DAVIS
If applicant is not the property owner, a notarized statement from the property owner must accompany this application.

Mailing Address 555 COUNTRY LANE BOSQUE FARMS NM 87068

Zone Change Address SAME AS ABOVE

Phone # 505-948-0025
Day Evening

Agent/Representative: ANCHOR ENGINEERING LLC - MARTIN J. GARCIA, PE
(If applicable)

Address 575 BOSQUE FARMS BOULEVARD, BOSQUE FARMS NM 87068

Phone # 505-362-1530
Day Evening

Directions to Property FROM NORTH BOSQUE LOOP TRAVEL NORTH ON COUNTRY LANE, PROPERTY IS JUST PAST THE SECOND CURVE ON THE WEST SIDE OF COUNTRY LANE.

Purpose of Zone Change SEE ATTACHED LETTER

I DO BY HEREBY CERTIFY that the statements I have made on this application are true and correct to the best of my knowledge.

Steven M. Davis 01/30/2024
Signature of Applicant Date

SUBSCRIBED AND SWORN TO ME JANUARY 30, 2024



January 29, 2026

Mr. Robert Pierson, P& Z Administrator
Village of Bosque Farms Planning and Zoning Commission
1455 West Bosque Loop
Bosque Farms, NM 87068

RE: Zone Change Request for Tract 15 Bosque Farms Unit 15 MRGCD Property
Map 63 Sec. 2, T7N, R2E NMPM

Mr. Pierson, Members of the Planning and Zoning Commission,

Mr. Steve Davis, Owner of Tract 15 Bosque Farms Unit 15 MRGCD Property Map 63 has retained Anchor Engineering LLC to represent him in requesting a Zone Change on this parcel from A-R (Agricultural/Residential) to R-1 (Conventional Single-Family Residential as per Ordinance 10-1-15.

Background:

This 8-Acre Parcel located at 555 Country Lane is currently occupied with two residences, and a series of out buildings used for an agricultural operation. Approximately 6 of the 8-acres is farmland. Adjacent properties to the north and the southwest of this property are developed with Single Family Dwellings, and a parcel adjacent to the southeast corner of the property is still being used for agricultural purposes.

Justification:

This primary use of this property historically has been for production of hay and alfalfa. Over the past several years, it has become very difficult to continue with the production of hay due to drought, adjacent lot development and limitation of use of pesticides and herbicides, and fertilizers normally used in hay production due to the proximity of adjacent residences, and concerns of health and safety. In addition, at least the past 10 years have been under severe drought conditions with limited ability to irrigate and produce adequate amounts of hay to sustain the agricultural business. The owner would now like to rezone the property to be used as a Residential subdivision. We feel it appropriate to rezone from A-R to R-1 with 1-acre minimum lot sizes (although the zoning ordinance 10-1-9E allows as low as $\frac{3}{4}$ acre lots sizes).

The 1-Acre minimum lot size is compatible with the zoning of the adjacent neighborhood as the lots to the north of the property are currently $\frac{1}{2}$ acre lots, and the parcels on the southwest side of the property that access Toy Lane are either $\frac{1}{2}$ acre or $\frac{3}{4}$ acre.

Rezoning the property to R-1 will not be harmful to the village, will be in alignment with adjacent property and will ensure all the property will be properly developed with single family homes.

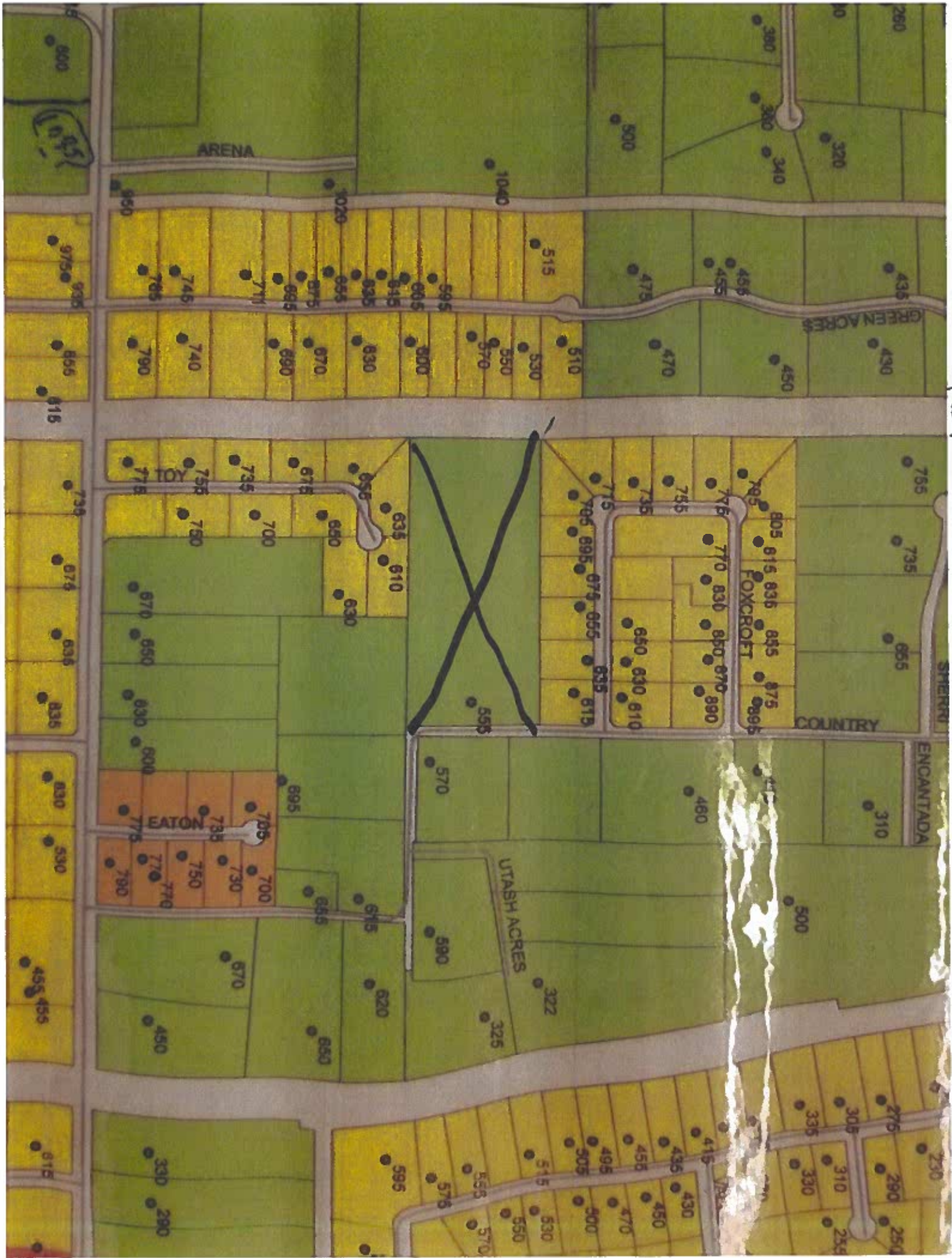
Please place us on the first available Planning and Zoning Meeting. I am available to answer any questions you may have. I can be reached by e-mail at martin@anchoreng.net or by phone at 505-362-1530.

Sincerely,

A handwritten signature in black ink, appearing to read 'Martin J. Garcia', with a stylized flourish at the end.

Martin J. Garcia, PE
Anchor Engineering LLC
Agent for Steve Davis, Owner

26-003



Steve Davis

555 Country Ln
Bosque Farms, NM 87068

Date: February 7, 2026

To:

Robert Pierson
Village of Bosque Farms
Planning & Zoning Department

Subject: Authorization of Agent – Anchor Engineering LLC

To Whom It May Concern,

I, **Steve Davis**, Owner of the property better described as Section-02, Township-07N, Range-02E, 8 acres, a portion of Unit #15 of the Bosque Farms Project hereby authorize **Anchor Engineering LLC**, including its representative **Martin J. Garcia**, to act as my agent in all matters related to the **Subdivision Application and Re-zoning Application** submitted for consideration of the property at **555 Country Ln, Bosque Farms, NM 87068**.

This authorization includes, but is not limited to:

- Signing and submitting applications or forms
- Communicating with the Village of Bosque Farms on our behalf
- Providing or receiving required documentation
- Representing Steve Davis in concert and singular before Planning & Zoning as needed

If any additional information or verification is required, please contact me at

(505) 948-0025 or **ESD1972@Outlook.com**.

Please call with questions or concerns.

Thank you and

Best Regards,
Steve Davis

OTERO DRAIN

LOT 12
FOURDOT ACRES
PLAT BK. A PG. 122
6/28/1963

LOT 11
FOURDOT ACRES
PLAT BK. A PG. 122
6/28/1963

LOT 14
FOURDOT ACRES
PLAT BK. A PG. 122
6/28/1963

LOT 15
FOURDOT ACRES
PLAT BK. A PG. 122
6/28/1963

LOT 14
FOURDOT ACRES
PLAT BK. A PG. 122
6/28/1963

LOT 17
FOURDOT ACRES
PLAT BK. A PG. 122
6/28/1963

TRACT 15
MARGCD MAP 63
PLAT BK. PG. 35
1986

820.99

LOT 6
TWO ACRES 2
PLAT BK. PG. 17
6/18/1966

LOT 7
TWO ACRES 2
PLAT BK. PG. 17
6/18/1966

TRACT A
LAND OF THE ROBERT E. BLAKE
PLAT BK. PG. 31
1986

21.33

119.41
49.00

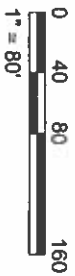
225.63

3.68

COUNTRY LANE

SITE PLAN - 555 COUNTRY LANE

SCALE: 1" = 80'



915 Bosque Farms Wall Height Variance

915 Bosque Farms Draft Minutes

VILLAGE OF BOSQUE FARMS

Post Office Box 660
Peralta, NM 87042

1455 West Bosque Loop
Bosque Farms, NM 87068

Phone: (505) 991-6611
Fax: (505) 505-869-3342
Email: pzadmin@bosquefarmsnm.gov



Sharon Eastman, Chair

Commission:
Dan Garrison
Joe J Hale
Michael Baber
William Richardson

DRAFT MINUTES MARCH 2, 2026

THE PLANNING & ZONING COMMISSION OF THE VILLAGE OF BOSQUE FARMS
HELD ITS REGULAR MEETING ON MONDAY, MARCH 2, 2026 IN THE COUNCIL
CHAMBERS, 1455 WEST BOSQUE LOOP, BOSQUE FARMS, NM AT 6:30PM.

1. CALL TO ORDER & ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. PUBLIC COMMENT FOR NON-AGENDA ITEMS

(Comments are limited to 3 Minutes, time cannot be distributed to peers in attendance)

5. REVIEW & TAKE ACTION ON FEBRUARY 2, 2026 MINUTES

6. CONDITIONAL USE:

- a. Gabriel Vazquez agent for Ezequiel Rojas requests a Conditional Use for Auto Vehicle service and/or commercial garages at 2820 Bosque Farms Blvd. Legally described as Tract: 6E1B S: 12 T: 7N R: 2E

7. VARIANCE REQUEST:

- a. Anchor Engineering agent for Justin Archibeque requests a variance to the allowed height of 4 feet solid wall in a front yard setback to allow a 6-foot-high solid wall at 925 Bosque Farms Blvd. Legally described as Lands Of Tabet Investments Company Tract: A2A

Chair Eastman: They've had some vandalism and vagrant and they would like to wall in property a little bit better than it is now.

"PRESERVING RURAL AMERICA"

33 **Martin Garcia:** Southwest Linemans has recently purchased that one acre of property that
34 wasn't part of their original development. This area is next to (south of) McDonalds. The school
35 has been very successful, and they have run out of pole space and they want to expand their pole
36 farm to that lot. All the other walls around the property are 6-foot walls. The ordinance says that
37 we're limited to a four-foot tall (solid) wall. The reason the wall variance is being requested is
38 we regularly seeing people coming over the walls. And they vandalized vehicles for the students
39 that are going to the school. They have slept in the back of pickup trucks and they're becoming a
40 nuisance. And so they'd like to minimize that activity by having a taller wall.

41 **Chair Eastman:** You said they've been climbing over the walls that exist?

42 **Martin Garcia:** There's a short section of wall that's currently by that building that they're
43 coming through. There was consideration for a four-foot block wall with wrought iron on it, but
44 the owner believed it wasn't going to be very successful because it gave someone the bars to
45 hang on to jump over the fence. Noted the wall would match the rest of the perimeter walls.

46 **Chair Eastman:** Have you considered having the four-foot block with chain link at the top?

47 **Martin Garcia:** They spent almost \$60 million on that facility. They want to keep it attractive,
48 and we don't believe chain-link is attractive.

49 **Chair Eastman:** The reason that we have front 4-foot wall is so police officers driving by can
50 see what's going on back in there. Now we've not had this issue at all in the commercial zone.
51 But we do understand what your issue is.

52 **Martin Garcia:** If this is approved, then that interior wall that you see from the Boulevard,
53 currently that's going to be taken down.

54 **Commissioner Richardson:** Is it going to block any vision from McDonald's driveway?
55 Because it's just right close to the sidewalk?

56 **Martin Garcia:** It will be coming up to the property corner. We're proposing to build it on the
57 (front) property line. There has not been a site distance triangle done for it, but that corner is still
58 12 to 14 feet off of the driving lane.

59 **Chair Eastman:** Commissioner Richardson should there be a site triangle (shown on the site
60 plan)?

61 **Commissioner Richardson:** I would request that yes.

62 **Martin Garcia:** I don't think the owner would be opposed to angling that wall to make sure that
63 the clear site triangles are met.

64 **Commissioner Richardson:** You've got a (driveway) there also for a future (entrance).

65 **Martin Garcia:** There is an unpermitted driveway (through the NMDOT), but only as an
66 emergency egress. We are going to put a gate at the driveway.

67

68 **Commissioner Baber:** Noted that the McDonalds has a bush that blocks the clear site triangle
69 on the south side of their driveway and that is probably more dangerous than the wall. Also
70 confirmed the existing wall facing Bosque Farms Blvd. between McDonalds and the SWLCAT
71 office would be removed.

72 **Martin Garcia:** That's correct.

73 **Chair Eastman:** How tall is the wall separating the lineman school from the residential area
74 behind it?

75 **Martin Garcia:** All the existing walls were permitted at six foot. We just didn't ask for this
76 because they thought we were going to put a little coffee shop or something in there and it it's
77 more advantageous to keep it as part of the school than trying to develop it some other way.
78 **APZM:** Madam Chair, commissioners, just a quick observation to consider. Theoretically, if
79 you're coming out of the McDonald's, that is a right turn only lane. So, your line of vision is
80 really to the North, not to the South, just some to consider as you're formulating your conditions.
81 **Chair Eastman:** I would suggest that once that wall is up, maybe the lineman school could hire
82 watchman.
83 **Martin Garcia:** Noted they do high resolution cameras, but the biggest risk is not the trespass
84 but the trespassers climbing one of the poles and falling.
85 **Commissioner Baber:** Is there any kind of code or anything that how far that clear sight
86 triangle? How wide do you see?
87 **Martin Garcia:** That is normally a 25-foot triangle, 25 on each leg to come across to be able to
88 see for that, for that speed limit that's approaching. Madam Chair, we will. In advance of this
89 item, going before the Council, I will make sure in the next couple of days that we get an exhibit
90 demonstrating that and we'll get it in Mr. Pierson, so it can be included.
91 **APZM:** Madam Chair, because that evidence is being submitted after the application, that
92 should be accepted by a motion by the Commission, so you should make a motion to accept that
93 clear sight triangle information for the Council's packet.

94
95 **Motion to accept clear site triangle exhibit as evidence: Commissioner Baber Second**
96 **Commissioner Richardson Vote to Approve: Unanimous**
97 **Motion to recommend to Village Council Approval of the Variance: Commissioner Garrison**
98 **Second Commissioner Hale Vote to Approve: Unanimous**
99

100 **8. ZONE CHANGE REQUEST:**

- 101 a. **Anchor Engineering agent for Steven Davis is requesting a Zone Change**
102 **from A-R to R-1 at 555 Country Ln, legally described as Tract: 15 THE SW**
103 **8.00 AC S: 2 T: 7N R: 2E 8.00 Acres Map 63 Bosque Farms Unit #15**

104 **9. SUBDIVISION REQUEST:**

- 105 a. **Anchor Engineering agent for Steven Davis is requesting a Major**
106 **Subdivision at 555 COUNTRY LN, legally described as Tract: 15 THE SW**
107 **8.00 AC S: 2 T: 7N R: 2E 8.00 ACRES MAP 63 BOSQUE FARMS UNIT #15**
108

109
110 **10. OTHER BUSINESS:**

- 111 a. **Review and amendment or approval of RES 992-22 Planning Commission**
112 **Meeting Policy and Guidelines**
113

114 **11. DEPARTMENTAL REPORTS**

115
116 **12. CHAIR & COMMISSION REPORTS**
117

118 **13. ADJOURNMENT**

119
120 **TIME AND PLACE OF NEXT MEETING**

121 THE NEXT MEETING OF THE VILLAGE OF BOSQUE FARMS PLANNING & ZONING
122 COMMISSION WILL BE HELD ON MONDAY, APRIL 6, 2026.
123

124 **PLEASE NOTE:** *The Planning & Zoning Commission may revise the order of the agenda items*
125 *considered at this Open Meeting. If you are an individual with a disability who needs a reader,*
126 *qualified sign language interpreter, or any other form of auxiliary aid or service to attend or*
127 *participate in the hearing or meeting, please contact the office of the Village Clerk at (505) 991-*
128 *6611 at least three (3) calendar days prior to the meeting. Public documents including the*
129 *agenda and minutes can be provided in digital or hardcopy format. The Village of Bosque Farms*
130 *strictly prohibits any form of unlawful discrimination based on race, color, religion, gender*
131 *identity, sexual orientation, sex, national origin, age, disability, or political affiliation in any*
132 *program, activity, or service sponsored by the Village. Contact the office of the Village*
133 *Clerk/administrator for more information*
134

135
136
137

Planning and Zoning Administrator

915 Bosque Farms Original Application and Staff Summary

Case 2

Proposed Wall Height Variance 915 Bosque Farms Blvd

The applicant is requesting Height Variance and must comply with the following:

Definition. The Village governing body may grant a variance from the strict application of area, height, dimension, distance, parking, loading, or setback requirements of this Section 10-1 in the case of exceptional physical conditions where the strict application of the requirements of this Section 10-1 would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of land or building only.

Financial gain or loss shall not be a major determining factor in deciding a variance.

Considerations. A variance shall be considered if:

- (1) The applicant complies strictly with the provisions of this Section 10-1, he can make no reasonable use of his property;
- (2) The hardship relates to the applicant's land, rather than personal circumstances;
- (3) The hardship is unique, rather than one shared by many surrounding properties;
- (4) The hardship is not the result of the applicant's own actions; and
- (5) The variance will not impact surrounding properties in a negative way.

Requirements. The governing body shall impose any necessary requirements or conditions in approving a variance in order to assure that the requested variance:

- (1) Will cause no significant hazard, annoyance, or inconvenience to the owners or occupants of nearby property;
- (2) Will not significantly change the character of the neighborhood or reduce the value of nearby property;
- (3) Will not impose any significant cost burden upon the Village; and
- (4) Will be in harmony with the general purpose and intent of this Section 10-1.

Review:

The agent for the property owner argues that criminals are causing damage to the owner's and their student's equipment/property.

Analysis:

While this argument does not directly address the requirements for a variance, as the variance is related to land and development on it, the use of the land and protection of the

development on it has become a reality for homeowners and businesses owners alike. This issue does appear to be a hardship although not the one envisioned by the Zoning Code.

Findings for approval:

1. The application is consistent with the Zoning Code Purpose “to promote health and the general welfare of the residents”.
2. The application is consistent with the Zoning Code Purpose “conserve the value of buildings and land”
3. The application is consistent with the Zoning Code C-1 zone as it further “The purpose of this zone district is to promote and enhance existing and new commercial development, including retailing, financial, and personal services.” The request would enhance existing commercial development by providing the tenant and their student’s additional security on the property.

Findings for Denial:

1. The application is not consistent with the Zoning Code and would be injurious to surrounding properties.
2. The application is not consistent with the Zoning Code as the “applicant did not demonstrate the hardship was unique”
3. The application does not relate to the land use rather the actions of criminals effects on the property.

VILLAGE OF BOSQUE FARMS

1455 West Bosque Loop
Bosque Farms, NM 87068
(505) 869-2358 - Phone

PO Box 660
Peralta, NM 87042
(505) 869-3342 - Fax

VARIANCE APPLICATION

As Per Ordinance 10-1-16

Instructions: Submit this form with the applicable administrative fee along with any additional information to the Village Planning & Zoning Administrator/Officer at least twenty (20) days prior to the scheduled Planning & Zoning meeting.

Applicant JUSTIN ARCHIBEQUE - EXECUTIVE DIRECTOR - SOUTHERN LINE CO
If applicant is not the property owner, a notarized statement from the property owner must accompany this application.

Mailing Address 915 BOSQUE FARMS BLVD
Address of the BOSQUE FARMS NM 87068
Proposed Variance 87068
Telephone Day 505-304-2439 Evening _____
Agent/Representative ANCHOR ENGINEERING LLC - MARION J. GIBICH
(if applicable) 575 BOSQUE FARMS NM 87068
Address 575 BOSQUE FARMS NM 87068
Telephone Day 505-362-1530 Evening _____
Zoning of Property C-1
Directions to APPROXIMATELY 500 FT SOUTH OF NORTH BOSQUE LANE ON BF BLVD
Property REQUST VARIANCE IN WALL HEIGHT TO ALLOW A CAFE
Reason for the HIGH SOLID WALL ALONG BF BLVD FOR SECURITY OF THE SITE
Proposed Variance (be specific)

I DO HEREBY CERTIFY that the statements I have made on this Application are true and correct to the best of my knowledge.

Applicant(s)' Signature _____ Date _____

SUBSCRIBED AND SWORN TO before me _____

My Commission Expires _____

Notary Public

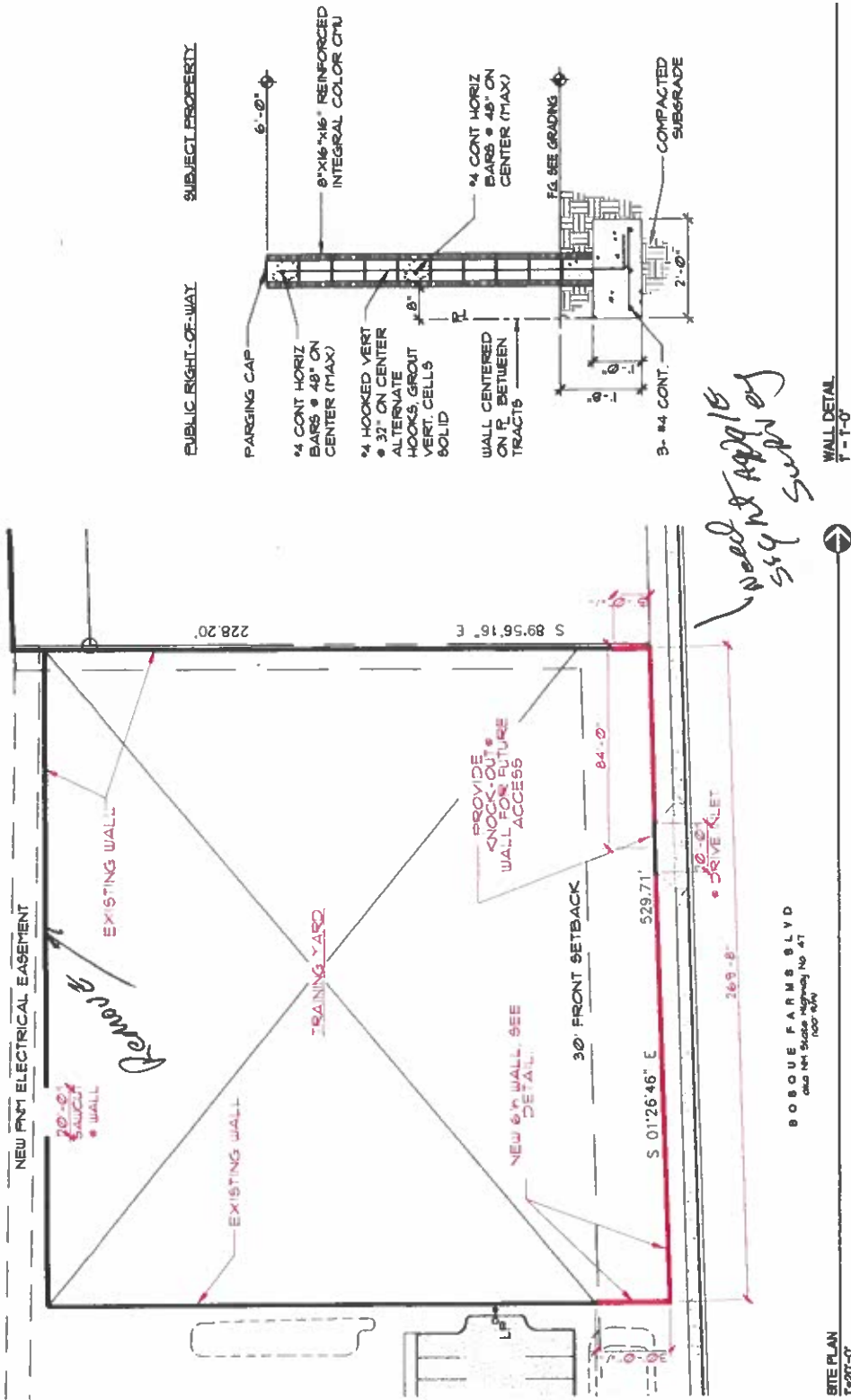
_____ Chairman, Planning & Zoning Commission

Date of Governing Body Public Hearing _____

Governing Body Decision _____

Restrictions (if applicable) _____

_____ Mayor, Village of Bosque Farms





January 29, 2026

Mr. Robert Pierson, P& Z Administrator
Village of Bosque Farms Planning and Zoning Commission
1455 West Bosque Loop
Bosque Farms, NM 87068

RE: Wall Height Variance Request at Southwestern Line Constructors site along
Bosque Farms Boulevard at 915 Bosque Farms Boulevard

Mr. Pierson, Members of the Planning and Zoning Commission,

Mr. Justin Archibeque, Executive Director of Southwestern Line Constructors requests a variance in wall height from 4 ft to 6 ft along NM 47 and along the northern boundary of the SWLCT building as shown on the attached exhibit.

Background:

This parcel currently serves as the Training Site for Southwestern Line Constructors. The construction was completed in mid 2025. The site contains 6 ft tall perimeter walls on all sides except along Bosque Farms Boulevard.

Justification:

Since the startup of the SWLCT site, there have been several occasions where vandalism has occurred to trainee vehicles, SWLCT vehicles or a confrontation with the trainees. This is not conducive to a safe climate for the trainees. Along with the vandalism, the site is experiencing frequent vagrants sleeping on the grounds or in truck beds. Approval of the variance of the wall height from 4 ft. to 6 ft will help SWLCT eliminate that activity.

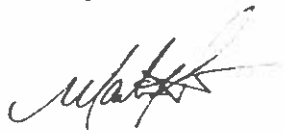
Ordinance 10-1-16 identifies 5 points that need to be addressed with this application:

1. The applicant complies strictly with the provisions of section 10-1, he can make no reasonable use of his property. This does not apply as the property is in use. The application is trying to eliminate criminal trespass by vagrants.
2. The hardship relates to the applicant's land, rather than personal circumstances. This is correct, the trespass and vandalism is to the applicant's and trainees property.
3. The hardship is unique, rather than one shared by many surrounding properties. The applicant is not aware whether the surrounding residential neighborhood or businesses are experiencing the same problems.
4. The hardship is not the result of the applicant's own actions. No the applicant is doing the best to properly secure the site.

5. The variance will not impact surrounding properties in a negative way. No. The applicant has already installed 6 ft walls around the perimeter of the site with approval from the Village of Bosque Farms.

Please place us on the first available Planning and Zoning Meeting. I am available to answer any questions you may have. I can be reached by e-mail at martin@anchoreng.net or by phone at 505-362-1530.

Sincerely,

A handwritten signature in black ink, appearing to read 'Martin J. Garcia', with a stylized flourish at the end.

Martin J. Garcia, PE
Anchor Engineering LLC
Southwestern Line Constructors

23-047

Southwestern Line Constructors (SWLCAT)

915 Bosque Farms Blvd
Bosque Farms, NM 87068

Date: January 31, 2026

To:

Robert Pearson
Village of Bosque Farms
Planning & Zoning Department

Subject: Authorization of Agent – Anchor Engineering LLC

To Whom It May Concern,

I, **Justin Archibeque**, Executive Director of the **Southwestern Line Constructors Apprenticeship & Training (SWLCAT)**, hereby authorize **Anchor Engineering LLC**, including its representative **Martin J. Garcia**, to act as our agent in all matters related to the **Variance Application** submitted for the wall located at **915 Bosque Farms Blvd, Bosque Farms, NM 87068**.

This authorization includes, but is not limited to:

- Signing and submitting applications or forms
- Communicating with the Village of Bosque Farms on our behalf
- Providing or receiving required documentation
- Representing SWLCAT before Planning & Zoning as needed

If any additional information or verification is required, please contact me at **505-804-2439** or **justin@swlcat.org**.

Thank you.

Sincerely,

Justin Archibeque

Executive Director

SWLCAT

justin@swlcat.org

505-804-2439

SITE DISTANCE EXHIBIT - NIM47

SCALE 1" = 50'

