



# FACT SHEET: 10127 Guadalupe Trail NW Zoning Dispute

## Property Overview

- **Address:** 10127 Guadalupe Trail NW, Albuquerque, NM 87114
- **Current Owner:** 10127 Guadalupe Trail NW LLC (Owned by Haven Health Management, FL)
- **Current Zoning:** A-1 (Agricultural) with a Special Use Permit (SUP) for "Shelter Care."

## The "Zoning Gap"

- **Historical Use:** The 1970s/1975 permit was issued for a retired Priests' residence (non-profit).
- **Proposed Use:** Haven Health Management intends to operate a for-profit Mental Health/Substance Abuse facility.
- **Legal Conflict:** County Planning confirms that "Mental Health Facilities" (diagnosing/treating sick/injured) are **not** allowed under the existing "Nursing or Rest Home" or "Shelter Care" categories.

## Regulatory Barriers

- **The "New Application" Rule:** Because the use is changing, Haven cannot use an "Administrative Amendment." They must file a **brand-new application**, which triggers public hearings.
- **The State "Zoning Gate":** New Mexico Healthcare Authority (HCA) regulations for Adult Accredited Residential Treatment Centers (AARTC) **require** written local zoning approval before a state license is issued.
- **The 20% Rule:** If 20% of neighbors within 100ft sign a formal protest, a simple majority vote by the County is no longer enough to approve the change; it requires a higher legal threshold.

## Neighborhood Impact

- **Infrastructure:** Guadalupe Trail is a narrow, residential road with high pedestrian, bicycle, and equestrian use.
- **Safety:** The facility proposes 24/7 inpatient care for acute psychiatric symptoms and detox, which is incompatible with the immediate residential surroundings