

## VILLAGE OF CORRALES STATE OF NEW MEXICO

### ORDINANCE NO. 07-02

**An Ordinance amending Ordinance 06-02 enacted May 23, 2006. Chapter 18, Article II, Zoning, of the Land Use Regulations, to specify conditions for the Village of Corrales when requesting a zone change to M (municipal, public and quasipublic zone)**

**Whereas**, the Village of Corrales is the owner of numerous tracts and parcels of land within its boundaries, most of which is currently zoned as A-1 Agricultural and Rural Residential Zone, or A-2 Agricultural and Rural Residential Zone; and,

**Whereas**, Chapter 18, Article II, Zoning, in Section 18-38 provides for a M — Municipal, Public and Quasipublic Zone, with enumerated permissive uses, and other regulatory requirements; and,

**Whereas**, Chapter 18, Article II, Zoning, in Section 18-48 (f) describes the review process for zone change and directs the Planning and Zoning Commission and the Governing Body to consider eight matters in weighing approvals of zone change; and

**Whereas**, “the overall health and safety of the community” is among the eight matters to be considered by the Planning and Zoning Commission and the Governing Body in approving zone change requests; and

**Whereas**, providing for the health and safety of the community is the paramount responsibility of the Governing Body and the Village of Corrales,

**NOW THEREFORE BE IT ORDAINED** that the Governing Body of the Village of Corrales amends 18-48(f) of Chapter 18, Article II, Zoning, of the Land Use Regulations, Code of Ordinances, of the Village of Corrales as follows:

#### **Sec. 18-48. Amendment Zone change, and variance procedures.**

##### **(f) Conditions for Zone Change.**

- (1) Village-owned property; requested change to M (municipal, public and quasipublic) zone.** In considering a request by the Village for approval of a zone change to M (municipal, public and quasipublic), the Commission and the Governing Body shall consider the overall health and safety of the community.
- (2) Other zone change requests.** In considering a request for approval of a zone change, other than Village-owned property to M zone, the Commission and the Governing Body shall consider the following, and may impose any condition deemed to be in the best interests of the Village:
  - (a) Accessibility to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, adjoining streets/roads, and**

- emergency access in case of fire, flood or catastrophe;
- (b) Off-street parking and loading areas where required, with particular attention to refuse and service areas;
  - (c) Show all locations on site for water, septic, sewer and liquid waste facilities, with reference to soil limitations, locations, and public health;
  - (d) The noise, glare, or odor effects of the proposed use on adjoining properties;
  - (e) On-site drainage and storm water runoff;
  - (f) Compatibility with adjacent properties;
  - (g) The overall health and safety of the community; and
  - (h) The goals and objectives of the Comprehensive Plan.

**SEVERABILITY CLAUSE:** Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

**EFFECTIVE DATE AND PUBLICATION:** This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.


**PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Corrales, New Mexico, this 24 day of APRIL, 2007.

**APPROVED:**

**VILLAGE OF CORRALES**

  
Philip Gasteyer, Mayor

**ATTEST:**

  
Juan Reyes, Village Clerk  
(seal)