



VILLAGE OF CORRALES ORDINANCE NO. 08-007

AN ORDINANCE AMENDING SECTION 18-29, "DEFINITIONS" AND SECTION 18-38, "M - MUNICIPAL, PUBLIC AND QUASI-PUBLIC ZONE" OF CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, ADOPTING DEFINITIONS OF THE TERMS "AGRICULTURAL PRODUCTS" AND "GROWERS' MARKET" AND AMENDING PROVISIONS RELATED TO THE OPERATION OF GROWERS' MARKETS.

WHEREAS, Section 18-38(2)(g) of the Code of Ordinances of the Village of Corrales (the "Village") provides that growers' markets, are a permissive use in the M (Municipal, Public and Quasi-Public) Zone of the Village; and

WHEREAS, the Village Council, the governing body of the Village (the "Governing Body"), finds that it is in the best interest of the Village and its residents that the Village should support local producers of agricultural products by providing for the operation of a growers' market in the Village, subject to reasonable regulation; and

WHEREAS, the Governing Body further finds that it is in the best interest of the Village and its residents that the Village should support agricultural activities and the producers of agricultural products in Corrales and in other parts of New Mexico; and

WHEREAS, the Governing Body finds that providing for the regular operation of a growers' market in the Village will benefit by Village, its residents and its visitors by providing a secure food resource available to the Village, its residents and its visitors; and

WHEREAS, for clarification of the scope of permissive uses in the M Zone and guidance to owners of properties located in the M Zone, the Governing Body, finds that definitions the terms "agricultural products" and "growers' market" should be provided and that other provisions regarding the operation of growers' markets should be amended and restated as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that:

1. Section 18-29 of the Code of Ordinances of the Village of Corrales (the "Code"), being Section 8-1-5 of Ordinance No. 192, as amended by Ordinance No. 220, adopted October 9, 1989, and as then re-adopted with amendments November 13, 1989; and as amended by Ordinance No. 372, adopted October 28, 2003, by Ordinance No. 06-02, adopted May 23, 2006, and by Section 1 of Ordinance No. 07-08, adopted June 26, 2007, is amended by the addition in appropriate alphabetic position of the following definitions:

Agricultural products means products that are the direct result of agricultural activities and includes added value products made for direct sale by their creators from the products of the creators' own agricultural activities.

Growers' market means a direct marketing facility governed and operated by its vendors and by residents of the Village providing a location where New Mexico agricultural products, including food products, are offered for direct sale by their producers to the general public.

2. Section 18-38(2) of the Code, being a part of Section 8-1-14 of Ordinance No. 192, as re-adopted with amendments November 13, 1989, and as subsequently amended by Ordinance No. 270, adopted November 8, 1994, by Ordinance No. 372, adopted February 24, 2004, and by Ordinance No. 06-02, adopted May 23, 2006, is amended to read as follows:

(2) *Permissive uses*: The following permissive uses shall be allowed in this zone upon the approval of a site development plan and issuance of a development review permit by the Commission, except that submittal or approval of a site development plan and issuance of a development review permit shall not be required for a growers' market. item 7, which requires the issuance of a growers' market license by the planning and zoning administrator to the market participants. Participation in the growers' market may be limited due to lack of space and facilities.

- a. Parks and playgrounds, public or private.
- b. Schools, public and private.
- c. Governmental buildings.
- d. Libraries.
- e. Churches and church related structures.
- f. Community utility and service installations.
- g. Growers' markets, provided that the organizers and operators of the growers' market shall annually submit an application to the administrator describing the location of the proposed growers' market and its days and hours of operation, with such other information as the administrator may reasonably require, and shall receive from the administrator a permit authorizing the conduct of the growers' market in accordance with the application, unless there appears good cause why the application should not be approved. Sales of agricultural products which are grown and/or prepared by the applicant on their property for human use and human or animal consumption.
- h. Incidental retail sales, residential uses, and other activities associated with permissive uses listed in a. through g f.

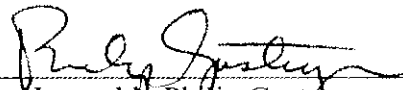
SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing 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.

COMPILING CLAUSE: The amendment made by this Ordinance shall be incorporated in and compiled as a part of the Code of Ordinances of the Village of Corrales.

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.

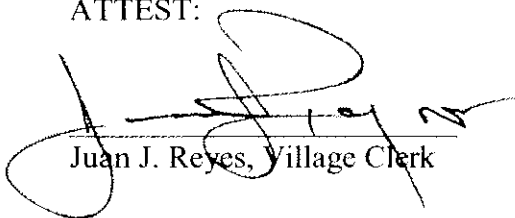
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 26th day of August, 2008.

APPROVED:



The Honorable Philip Gasteyer
Mayor, Village of Corrales

ATTEST:



Juan J. Reyes, Village Clerk