



VILLAGE OF CORRALES

ORDINANCE NO. 10-004

An Ordinance amending Chapter 18, Article II (Zoning), of the Code of Ordinances of the Village of Corrales, being Ordinance No. 192, adopted November 13, 1989, as amended and supplemented; defining and amending the definitions of “family” and “group home”; limiting to eight the number of resident patients in group homes in the C zone

Whereas, the Planning and Zoning Commission (“the Commission”) of the Village of Corrales reviews from time to time the content of Chapter 18, Article II (Zoning) of the Code; and

Whereas, in connection with its review, the Commission has recommended to the Village Council, the governing body of the Village (“Governing Body”) that the Governing Body consider the adoption of certain amendments, as provided herein; and

Whereas, upon the recommendation of the Commission, the Governing Body determines that the definition of “Family” in Section 18-29 contains surplus verbiage not related to the use of the word family as it appears elsewhere in the Zoning Ordinance; and

Whereas, upon the recommendation of the Commission, the Governing Body determines that the definition of “Group home” in Section 18-29 omits mention of housing for the elderly and, in other respects, should be reworded to improve understanding; and

Whereas, upon the recommendation of the Commission, the Governing Body determines that in Section 18-37 C-Neighborhood and commercial zone, group homes should be permitted to accommodate no more than eight (8) patients on their premises.

NOW, THEREFORE, BE IT ORDAINED by the Governing body of the Village of Corrales, New Mexico, that Chapter 18, Article II of the Code of Ordinances of the Village of Corrales shall be, and hereby is, amended to read as follows:

Section 18-29. Definitions.

Family means one or more persons occupying a single dwelling unit, all of whom are related to each other by blood, marriage or legal adoption, or no more than five (5) persons occupying a single dwelling unit if they are not all related to each other by blood, marriage or legal adoption.

Group home means a dwelling unit that is licensed or operated by the State as a community residence providing housing, care, and counseling or therapy for elderly residents or residents who are mentally ill, handicapped, or developmentally or physically disabled.

Section 18-37. C-Neighborhood commercial zone.

(4) *Uses by review.* The following uses are allowed in the C zone district only upon the approval of a site development plan by the commission:

- a. Group homes having a maximum capacity and occupancy of no more than eight (8) patients residing on the premises.

(b. and c. to remain unchanged)

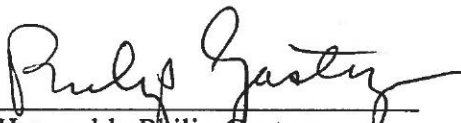
SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of the Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any the remaining provisions of this Ordinance. The Governing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

COMPILING CLAUSE: The amended sections of the Village Code adopted pursuant to this Ordinance shall be compiled as Chapter 18, Article II of the Code of Ordinances of the Village of Corrales, as provided herein.

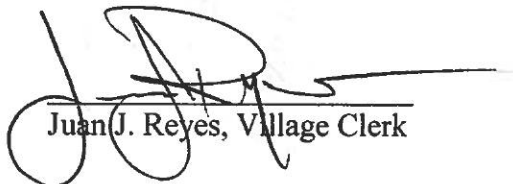
EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, the 22th day of June, 2010.

APPROVED:


The Honorable Philip Gasteyer
Mayor

ATTEST:


Juan J. Reyes, Village Clerk