



## VILLAGE OF CORRALES

### ORDINANCE NO. 15-05

**AN ORDINANCE AMENDING SECTION 18-30 OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES; PROVIDING FOR DRIVEWAY ACCESS TO PRIVATE PROPERTY FROM VILLAGE RIGHTS OF WAY; REQUIRING A PERMIT FOR NEW DRIVEWAY CONNECTIONS; REQUIRING ADEQUATE PROVISION FOR DRAINAGE AND SAFETY.**

**WHEREAS**, the Governing Body finds that excessive numbers of driveway entrances to some properties, including in particular unauthorized driveway entrances which create traffic hazards, impede authorized easements or at which inadequate provision is made for the passage of water during storm events, have contributed to problems with flooding and damage to properties during recent storm events; and

**WHEREAS**, the Governing Body further finds that some driveway entrances have been constructed on public lands of the Village without adequate provision for the passage of storm water, or for the passage of irrigation water in irrigated areas of the Village; and

**WHEREAS**, it is in the public interest to reasonably limit the number of driveway entrances from public roads and streets onto private properties and to ensure that such driveway entrances where permitted are designed so as not to impede the flow of traffic, irrigation water and storm water.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Village of Corrales, New Mexico, that Section 18-30 of the Code of Ordinances of the Village of Corrales, being a part of Ordinance No. 220 adopted on October 9, 1989, as subsequently amended, is amended by addition of the following Section 18-30(m):

- (m) *Standards for driveway access to private properties.*
- (1) *Permit required.* After February 28, 2015, every person seeking to make a driveway connection, paved or unpaved, for access to private property from any street owned or maintained by the Village shall do so only in accordance with a permit issued by the Building Inspector with the approval of the public works department.
  - (2) *Application and supporting documents.* Every person seeking to make a driveway connection for access to private property from a street owned or maintained by the Village shall submit an application in the form prescribed by the Village, with the required application fee and with a sketch or design

drawing sufficient to show that the proposed driveway connection will not obstruct or otherwise impair any drainage or irrigation structures; any trail, sidewalk or pathway; any utility or other permitted use of the right of way; or any vision clearance triangle or other public safety requirement of the roadway as designed and constructed. Where the proposed driveway connection will cross any ditch, swale, channel, lateral or other drainage or irrigation structure in the right of way, the Village may require that the proposed design be supported by a design and calculations, prepared by an engineer licensed in New Mexico, to show that the driveway connection as designed will not impede the flow of water required to be carried by such ditch, swale, channel, lateral or other drainage or irrigation structure in a 100-year flood event, and upon completion a certification by the engineer that the driveway connection as constructed meets the design specifications.

- (3) *Driveway width.* No driveway connection to residential or agricultural property in the A-1, A-2 or H zone shall be more than twenty-four (24) feet in width.
- (4) *Existing driveway connections.* Driveway connections existing prior to February 28, 2015, shall be allowed to remain in place provided that they do not impede the flow of water in any ditch, swale, channel, lateral, or other water conveyance facility and do not constitute a hazard or impediment to traffic or otherwise constitute a hazard to human health, safety or welfare. No such driveway connection shall be modified, reconstructed, rebuilt or repaired except in accordance with a permit issued by the Village under this Section.

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: 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.

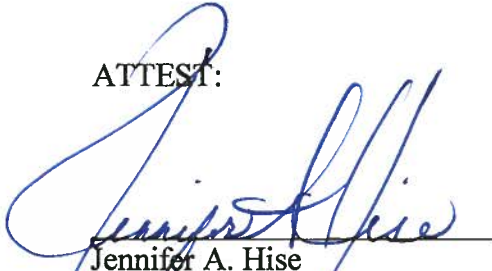
**PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Corrales, New Mexico, this 24th day of February, 2014.

APPROVED:



The Honorable Scott Kominiak  
Mayor, Village of Corrales

ATTEST:



Jennifer A. Hise  
Village Clerk