



VILLAGE OF CORRALES

ORDINANCE NO. 17-011

AN ORDINANCE RELATING TO PLANNING AND PLATTING; CLARIFYING THE REQUIREMENT THAT PLAT SUBMITTALS IN PAPER FORM MUST BE ACCOMPANIED BY AN ELECTRONIC COPY.

WHEREAS, the Code of Ordinances (the “Village Code”) of the Village of Corrales (the “Village”) at Section 18-79 requires that plat submittals in paper form be accompanied by an electronic copy of the plat and related materials in PDF format; and

WHEREAS, other sections of the Village Code list submittal requirements for sketch plans, preliminary plats, final plats, and summary plats without explicitly mentioning the requirement that such submittals include electronic copies of materials in PDF format; and

WHEREAS, the Village Council, the governing body of the Village, on the recommendation of the Village administration and the Planning and Zoning Commission, wishes to amend pertinent sections of the Village Code to ensure that they are fully compatible and that the requirement to submit materials in electronic form is not overlooked by applicants and Village staff.

NOW, THEREFORE, BE IT ORDAINED by the Village Council, the governing body of the Village of Corrales, that:

1. Section 18-79. General procedures of the Village Code is amended to read:

Section 18-79. General procedures.

(a) *Plat, when required.* It shall be unlawful for the owner, agent, or persons having control of any land within the corporate limits of the Village to subdivide or lay out such land into lots, blocks, streets, avenues, alleys, public ways and grounds unless by plat in accordance with the laws of the State and this article.

(b) *Public notification.* Legal notice shall be given for any hearing at which a request for summary plat approval, sketch plan review, preliminary plat approval or final plat approval will be heard. In addition to legal notice, the applicant shall obtain from the Administrator a notification sign which contains information that is pertinent to the application. This sign must be displayed by the applicant in a location visible and prominent to the general public on the property for which the subdivision is requested for at least fifteen (15) days prior to the date of the hearing.

(c) *Sketch plan submission and review.* Sketch plan submission and review may be required by the Planning and Zoning Administrator depending upon the complexity and impact of the proposed development. Before preparation of a preliminary plat, the subdivider must at the request of the Planning and Zoning Administrator or may at his option, submit a sketch plan for general review and comment by the Commission. The Commission shall review and advise the applicant concerning the appropriateness of the proposal under this article, current plans, policies, zoning classifications, infrastructure availability and geographic suitability for subdivision. The applicant shall complete and submit a sketch plan

application and fourteen (14) paper sets of all application materials which shall include a location/vicinity map, a sketch plan showing the general layout of the proposed subdivision, and written information, along with a thumb drive, DVD, or other easily computer-readable device containing PDF versions of all application materials. The paper sketch plan drawings shall be in an 11 inch by 17 inch format. Following the sketch plan review by the Commission, a copy of the applicant's sketch plan application shall be retained in the Village files with the Commission's comments attached. The applicant must address all concerns raised by the Commission at the sketch plan review or request a waiver of conditions pursuant to Section 18-90 when making the preliminary plat application.

- (1) *Location/vicinity map.* This map shall consist of data added to an existing base map such as a United States Coastal and Geodetic Survey, village or county base map, covering at least a one mile radius from the tract proposed for development and shall show the relationship of the proposed plat to the existing residential areas, community facilities, all streets, commercial areas, schools, and parks.
- (2) *Sketch plan.* Show in simple sketch form the following:
 - a. Title of proposed subdivision and names and addresses of subdivider, legal owners, land planner, engineer, and land surveyor.
 - b. North arrow, scale, and date of sketch plan submission.
 - c. The general proposed layout of blocks, lots and other features numbered for identification.
 - d. Existing streets and roads including those which abut or serve the proposed development.
 - e. Proposed layout of streets indicated as public or private and labeled for identification.
 - f. Existing easements.
 - g. 100-year floodplain from FEMA approved maps or superseding report.
 - h. Existing storm drainage ways and facilities both on the proposed development property as well as those on all adjoining properties.
 - i. Identification of any major street or corridor shown on the long range major street plan.
 - j. Existing water and sewer locations and well and septic field locations on-site and on lands adjacent to the land being subdivided.
 - k. Existing irrigation access and ditches.
 - l. Copy(ies) of the recorded plat(s) that created the parcel or parcels of land to be subdivided.
 - m. Other features which may include major natural or manmade geographic features.
- (3) *Written information.* Additional written information may include identification of how and when subdivider intends to construct infrastructure improvements, data on existing covenants, irrigation ditch easements, land characteristics and proposed utilities as well as any information which may be helpful in supplementing the sketch plat and describing the proposed development.

(d) *Preliminary plat submission and approval required.* Following the sketch plan review, the subdivider shall complete and submit a preliminary plat application and fourteen (14) sets of all application materials as required in Section 18-86 for review by the Planning and Zoning Administrator, the Village engineer, the Village attorney, and the Commission. Ten (10) paper copies of the preliminary plat drawings shall be in an 11 inch by 17 inch format, and four (4) paper copies of the preliminary plat drawings shall be full size for review by Village officials. A thumb drive, DVD, or other easily computer-readable device containing PDF versions of all application materials shall be submitted with the paper copies.

- (1) The applicant must address all of the preliminary plat application requirements or request a waiver of conditions pursuant to Section 18-90 at the time of the plat application and submittal. The preliminary plat application shall detail how and when the subdivider intends to construct all public and private infrastructure improvements.
- (2) The Commission shall hold a hearing at which the applicant shall present the proposed development as shown on the preliminary plat application and submittal. After the hearing, the findings of the Commission shall be made and the Commission shall note on the preliminary plat application whether the plat has been approved in whole, approved with conditions, denied, or whether the applicant shall be required to submit an amended preliminary plat application for the purpose of demonstrating that the applicant has complied with the orders of the Commission.
- (3) Within one (1) year following approval of the preliminary plat by the Commission, the applicant shall submit a final plat for consideration by the Commission as provided in Section 18-87. If a final plat is not timely submitted, approval of the preliminary plat shall be deemed to have expired as provided in Subsection 18-86(g).

(e) *Final plat approval and submission required.* Following preliminary plat approval and the presentation of proof by the subdivider that the subdivider has complied with all preliminary plat requirements including, but not limited to, the completion of infrastructure requirements which may have been a condition of preliminary plat approval, the subdivider shall complete and submit a final plat application and fourteen (14) sets of all application materials as required in Section 18-87 for review by the Planning and Zoning Administrator, the Village engineer, the Village attorney, and the Commission. Ten (10) paper copies of the final plat drawings shall be in an 11 inch by 17 inch format, and four (4) paper copies of the preliminary plat drawings shall be full size for review by Village officials. A thumb drive, DVD, or other easily computer-readable device containing PDF versions of all application materials shall be submitted with the paper copies.

- (1) The applicant must address all of the final plat requirements at the time of the final plat application and submittal. The final plat application shall include a plat of the proposed subdivision prepared by a surveyor licensed and registered in the State and shall comply with all requirements of Section 18-87.
- (2) The Commission shall hold a hearing at which the applicant shall present the proposed development as shown on the final plat application and submittal. After the hearing, the findings of the Commission shall be made and the Commission shall note on the final plat application whether the plat has been approved in whole, approved with conditions, denied, or whether the applicant shall be required to submit an amended final plat application for the purpose of demonstrating that the applicant has complied with the orders of the Commission.
- (3) *Recording of final plat.* Upon approval of the final plat by the Commission, a full-size mylar containing the signatures as required shall be submitted to the Administrator by the applicant.

- a. Submittal of the final plat for recording is the responsibility of the Village. Payment of all outstanding property taxes on the subdivided property prior to submittal of the plat for recording, including property taxes due for the current tax year, is the responsibility of the applicant or property owner.
- b. Within sixty (60) days following approval of the final plat by the Commission and endorsement of the final plat by the chairman and secretary of the Commission, the Mayor and the Village Clerk, the applicant shall submit payment of the filing fee for recordation of the plat along with documentation that all property taxes due on the property, including those for the current tax year, have been paid. The Village shall promptly record the plat in the office of the county clerk. The Village shall retain two (2) copies of the final plat as recorded and properly stamped and shall file them in the office of the Village Clerk.
- c. The final plat shall be effective only upon its recordation in the office of the county clerk. Approval of the final plat by the Village shall be null and void if the filing fee and a sufficient number of copies of the final plat are not presented to the Village for recordation, along with documentation that all property taxes due on the property have been paid, within sixty (60) days following endorsement of the final plat by all Village officials whose signatures are required thereon, unless an extension of time is granted by the Administrator for good cause shown. The total of all such extensions of time granted by the Administrator shall not exceed one hundred twenty (120) days.

2. Subsection 18-86(a)(1) of the Village Code, relating to preliminary plat submittals, is amended to read:

- (1) Any person or party proposing to subdivide land shall complete and submit a preliminary plat application, including fourteen (14) paper sets of all application materials and one electronic set in PDF format as required in Section 18-79(d), for review by the Planning and Zoning Administrator, the Village engineer, the Village attorney, and the Commission, and the required preliminary plat subdivision processing fees.

3. Subsection 18-87(b)(1) of the Village Code, relating to final plat submittals, is amended to read:

- (1) Following preliminary plat approval and the presentation of proof by the subdivider that he has complied with all preliminary plat requirements, the subdivider shall complete and submit a final plat application, including fourteen (14) paper sets of all application materials and one electronic set in PDF format as required in Section 18-79(e), for review by the Planning and Zoning Administrator, the Village engineer, the Village attorney, and the Commission.

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, 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.

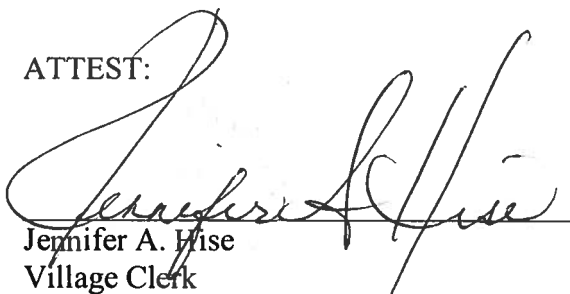
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 10th day of October, 2017.

APPROVED:

A handwritten signature in black ink, appearing to read 'Scott Kominiak', written over a horizontal line.

The Honorable Scott Kominiak
Mayor

ATTEST:

A handwritten signature in black ink, appearing to read 'Jennifer A. Wise', written over a horizontal line.

Jennifer A. Wise
Village Clerk

