



Village of Corrales

Planning & Zoning Department
4324 Corrales Road, Corrales, New Mexico 87048
Phone: (505) 897-0502 / Fax: (505) 897-7217

PLANNING AND ZONING COMMISSION

Date of Meeting: Wednesday, March 20, 2024, 6:30 PM

Location of Meeting: Council Chambers in-person, or via zoom teleconference

DRAFT MEETING AGENDA

The Meeting will be held in-person at the Council Chambers, 4324 Corrales Road, or via zoom: To access via zoom meeting go to Zoom.com and click "Join a Meeting". Meeting ID: 818 4976 6710, Passcode: 693218
*Please join the meeting a few minutes before 6:30 pm. To call: 1-408-638-0968.

PLEASE NOTE: The deadline to submit *written* comments you wish to have included in Commissioner Packets regarding an agenda item, is 1pm on Wednesday, March 13.

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
Feb. 21, 2024 Meeting Minutes
- V. CORRALEÑOS PUBLIC FORUM (Comment on items not otherwise on Agenda – 3- Minute limit)
- VI. PUBLIC HEARING ITEMS

STR 24-02. (Short-Term Rental) Applicant and property owner **Jon Epperson**, of 3375 Lorraine Rd, Larkspur, CO is requesting a short-term rental permit for a 4-bedroom residence at **183 El Camino Campo**. Two bedrooms of the house already have Village STR approval and permit from 2022, and he wishes to add the final two for a total occupancy of 8 persons in four bedrooms. This 2.62-acre property is zoned *A-2 Agricultural and Rural Residential*.

ZOC 24-04. (Home Occupation) Applicant **Morgann Balkcom** of 147 Via Oreda is requesting **Home Occupation** permit approval to use 800 square feet of a 4,000 square foot home for mental health coaching and therapy. **"EM2 Clinic"** will have up to 20 clients per

46 week Mon-Fri 9 to 5 and Sat-Sun 9 to 4. This 1.55-acre property is zoned *A-2 Agricultural and*
47 *Rural Residential*.

48
49 **SDP 24-01. (Site Development Plan)** Applicant **Modulus Design**, 912 Broadway Blvd NE,
50 ABQ, 87102, on behalf of property owners **Carol Rising and Dana Brabson (Brabson Rising,**
51 **LLC**, of 712 Trujillo Lane in Corrales) requests **Site Development Plan** approval for **3923**
52 **Corrales Road**. This 1.4-acre property is zoned *C – Neighborhood Commercial* and is located
53 at the southwest corner of Corrales Road and Coronado Road. Owners wish to ultimately have
54 two buildings on the site containing two restaurant spaces and various retail.

55
56 **VII. OTHER BUSINESS**

57 **Commission discussion regarding potential recommendations to Council within *Article V.***
58 ***Terrains and Stormwater Management.***

59
60 **VII. PZA REPORT**

61
62 **X. COMMISSIONERS FORUM**

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64 **XI. NEXT MEETING: April 17, 2024 at 6:30pm**

65
66 **ADJOURNMENT**

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68
69 The above requests will be heard in in the Courthouse/Chambers at 4324 Corrales Road (or via zoom) on Wednesday, March 20, 2024, at 6:30 p.m.
70 before the Planning and Zoning Commission. If anyone wishes to comment on these requests but cannot attend the meeting, written comments may
71 be sent to Planning and Zoning Administrator Laurie Stout at LStout@corrales-nm.org no later than 1:00 P.M. on Wednesday, March 13, 2024.
72 Those communications will be distributed to the Commission and the applicant by the Planning and Zoning Department. No written
73 documents shall be distributed to the Commission except through the Planning and Zoning Department. Written communication received fewer
74 than five (5) working days prior to the public hearing must be read into the record by the writer of the communication, under oath. Please note that
75 written communication **must be received by 1 P.M. on March 13**, to be included in the Commission hearing packets. Citizens are invited and
76 encouraged to attend the meeting and may choose to comment on agenda items in-person.

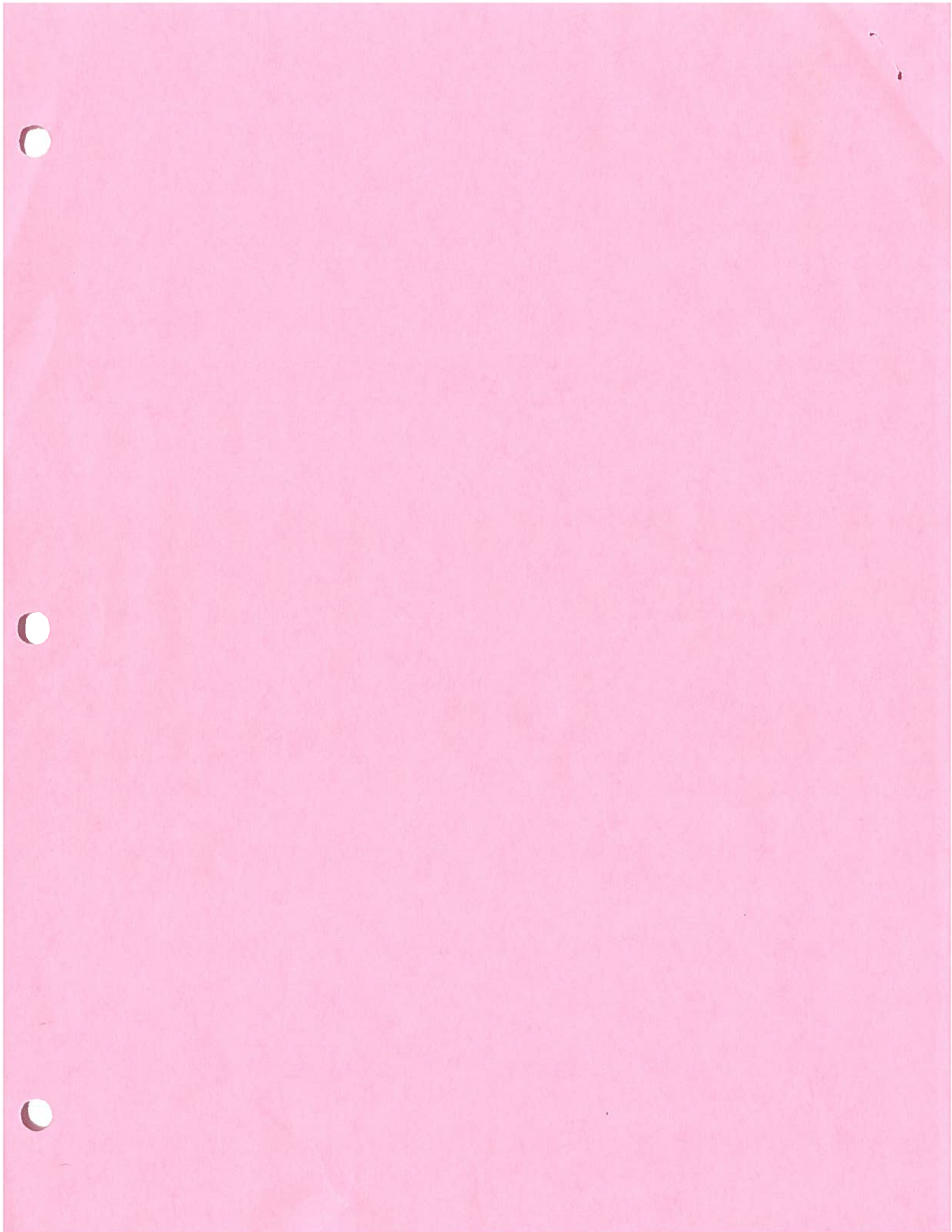
77
78 If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service
79 to attend or participate in the meeting, please contact the Village Clerk at the Village Offices located at 4324 Corrales Road, at least five (5) days
80 prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.
81 Please contact the Village Clerk at 897-0502, or by email at: MRomero@corrales-nm.org if a summary or other type accessible format is needed.

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92 Laurie Stout, Planning & Zoning Administrator

3-13-24

93 Date





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PLANNING AND ZONING COMMISSION

Date of Meeting: Wednesday, Feb. 21, 2024, 6:30 PM

Location of Meeting: Council Chambers in-person, or via zoom teleconference

DRAFT MEETING MINUTES

I. CALL TO ORDER

II. ROLL CALL

Present: Mary Chappelle, Mick Harper, Melissa Morris, Jerry Stermer, Rob Black, Elizabeth Marshall, Heather Balas. (A quorum was present)

III. APPROVAL OF AGENDA

Move to approve: Heather Balas, Second: Jerry Stermer. Vote, Yes: Mary Chappelle, Mick Harper, Melissa Morris, Jerry Stermer, Rob Black, Elizabeth Marshall, Heather Balas. (unanimous)

IV. APPROVAL OF MINUTES

Jan. 17, 2024 Meeting Minutes

Move to approve: Melissa Morris, Second: Elizabeth Marshall. Vote, Yes: Mary Chappelle, Mick Harper, Melissa Morris, Jerry Stermer, Rob Black, Elizabeth Marshall, Heather Balas. (unanimous)

V. CORRALEÑOS PUBLIC FORUM (Comment on items not otherwise on Agenda – 3- Minute limit) None

VI. PUBLIC HEARING ITEMS

Chair Black: Outlined presentation procedure.

Request for an extension of time to submit a Final Plat. Preliminary Plat SUB 23-03 was approved by the Commission in February of 2023. This will ultimately create **Lots 1-6 of Novo Farms Subdivision.** (An existing home on the property has a site address of 340 Pueblito Road.) A condition of approval was that the private roadway be constructed prior to submittal of Final Plat. Preliminary Plats normally expire after one year. Applicants **Community Sciences Corporation** are requesting a 12-month extension to submit Final Plat per **Village Code Section 18-86 (g) (1-4).**

Planning and Zoning Administrator Stout (PZA): This is a request to extend the time period to submit a Final Plat by another 12 months. (Explained the applicants need more time to construct the road, and that the extension is allowed by Corrales Code. Explained the requirements for the Commission to grant an extension. Requested a condition that the private roadway be completed, with certified as-built

47 provided to the Village, before the extension expires, if extension is granted. All should be done 40 days
48 before the February 19, 2025 Planning and Zoning Commission.)

49 **Tom Patrick Community Sciences Corporation, 4481 Corrales Road (applicant's agent, sworn):**

50 We're here to ask for a one-year extension. (Explained there have been delays in construction. Wanted to
51 reassure the Commissioners that the construction plans are in place, along with a signed contract for
52 construction with Custom Grading by the applicants Gamma Development and Beta Investments.)

53 Custom Grading expects to begin construction within several weeks, and Community Sciences is ready to
54 do the construction staking.

55 **Chair Black:** Any public comment on this item? Seeing none, we'll close public comment.

56 **Commissioner Stermer:** There's no public harm that we can anticipate happening which would be
57 consistent with approval. I would move that we approve the request to extend the time period for SUB 23-
58 03, the Noble Farm subdivision preliminary plat, that extension of time would provide the applicant
59 opportunity to construct this private roadway and provide a certified as-built as was requested a year ago.

60 **Chair Black:** Could I ask for a date of January 9th as the date for all items to be completed? That gives as
61 recommended by staff the 40-day window.

62 **Commissioner Stermer:** (agreed to amendment of his motion.)

63

64 **Move to approve extension of time for SUB 23-03, finding request compliant with Code Section 18-**
65 **86 (g) (1-4):** Jerry Stermer, **Second:** Mary Chappelle. (as amended by Chair Black to provide a date
66 certain of January 9th, 2025 for all items (road w/certified as-built/Final Plat submittal.) **Vote, Yes:**
67 Mary Chappelle, Mick Harper, Melissa Morris, Jerry Stermer, Rob Black, Elizabeth Marshall, Heather
68 Balas. **(unanimous)**

69

70 **ZMA 24-01. (Zone Map Amendment)** Applicant **Joan Lewis, 5093 Corrales Rd** requests **Zone Map**
71 **Amendment** approval for **5093 Corrales Road** (Lands of Adela W. C de Baca subdivision, Tract 2A). This
72 property is located within the Corrales Road Commercial Area, and she is requesting it be rezoned
73 **Commercial**. This 1.027-acre property is currently zoned *A-1 Agricultural and Rural Residential* and
74 contains a residence. While future plans include short-term rentals, restaurant, and a residence, those uses
75 will **not** be approved at this hearing. This approval, if granted, would only be for zoning change from
76 residential to commercial. (Also requires subsequent approval by Village Council.)

77

78 **PZA Stout:** Ms. Lewis owns 5093 Corrales Road which is located on the southwest corner of Old Church
79 Road and Corrales Rd. That lot is the northernmost lot eligible for commercial zoning west of Corrales
80 Road. She also owns the lot to the immediate south (of the subject lot) that is already zoned commercial
81 and is approved for 4 professional offices. (Explained relevant sections of the Comprehensive Plan as it
82 relates to commercial uses and the zone change. Noted this application is only a zone change request (a
83 Site Development Plan is not included). Asked applicant to provide an aerial photo showing potential
84 future uses for property to be addressed with site development plan submittal. Noted if the Commission
85 approves the zone change it will be forwarded to Council for approval. No *uses* will change now.)

86 **Joan Lewis, 5093 Corrales Rd (applicant, sworn):** We are currently looking at just changing it from
87 residential to commercial. At some point we'll have to determine based on expert opinion from the
88 architect who we've recently acquired (to determine) what is the best use of the lot. We don't have
89 anything definite right now in mind. We're just trying to get the commercial zoning so that we can then
90 proceed. And that will be a later Site Development Plan.

91 **Chair Black:** Any questions from the Commission at this point? Moving to public comment.

92 **Paul Matthew, 5094 Corrales Rd. (public commenter, sworn):** (Concerned that while commercial
93 zoning was good planning in the past it may not be today. Stated a lot of surrounding neighbors are
94 concerned about property to the south of the subject property as it does not meet ADA, commercial
95 building codes, or fire codes. Would like neighbors to understand what is going to happen with both
96 properties prior to approval of commercial zoning.)

97 **Chair Black:** Any other public comments? Seeing none, we'll close public comment.

98 **Commissioner Stermer:** I'm confused a reference we heard to a previous property.
99 **PZA Stout:** The approval for the adjacent property to the south (5065 Corrales Rd.) was for a 4-office
100 complex and it was approved with conditions. Those were to show (on the site plan) all setbacks from the
101 structure, show employee parking in the rear with parking and driveway dimensions and surface
102 treatment, and remove a reference to "City of" Corrales regulations. I went on to state in a letter to the
103 applicant back then, that "the Village is now in possession of this revised drawing sent by your architect
104 today. The conditions stated by the Commission have been met and you are free to pursue construction
105 permits for the project." Subsequently, a deck was built over the top of the ADA parking, blocking the
106 space, and I have spoken to the applicants and their new architect about that. Those issues will have to be
107 addressed on the adjacent property before any new uses are approved there.
108 **Chair Black:** Do you have a timeline on that application?
109 **PZA Stout:** Approved by this Commission on August 21st, 2019 for a 4-office complex, first floor.
110 **Commissioner Stermer:** So, this is 5065 Corrales Road you're talking about, what the gentleman was
111 referring to with his comments.
112 **PZA Stout:** Yes. The property you're looking at tonight only contains a three-bedroom residence. If the
113 zone change occurs tonight with this Commission, and is subsequently approved by Council, before
114 anything else could happen on subject lot, you would have to see a site development plan.
115 **Commissioner Stermer:** 5065 is now commercially zoned, but not used as a business?
116 **PZA Stout:** I would have the applicant answer that. I've seen "for lease" signs, but I have not seen cars
117 parked there.
118 **Trish Dawson, 1 Dona Marta Ct. (applicant, sworn):** I'm her attorney. When she originally purchased
119 the property, the zoning was such that she could have used the 350 feet in front for commercial and the
120 back for residential. After she purchased the property, the zoning laws changed in Corrales, she was no
121 longer able to build a separate (home) in the back. The front building's an office. She opened a clinic
122 there, she's a doctor, and what happened was it was the month of all the COVID restrictions. So right
123 now, there is one tenant in the building and we hope to have more. But with all the things that have
124 happened, we have had to go with whatever's happening in the world.
125 **Chair Black:** Just to clarify, you're talking about 5065 Corrales Rd.?
126 **Dawson:** Right.
127 **Commissioner Stermer:** And just so I'm clear on this. The is the (site) where the driveway doesn't
128 provide enough width for turnaround and fire access.
129 **Dawson:** Well, actually the fire department did approve a turn around and did approve us using it to get
130 our commercial there. What we would like to know, if it's in accordance with NMDOT and the Village,
131 what we'd like to do because she bought the second property—the first property is only 70 feet wide.
132 What we'd like to do if it meets standards, is put a large ingress/egress 24 feet wide between the two
133 properties, so we don't even have that issue.
134 **Commissioner Stermer:** Now both properties are owned by the same person?
135 **Dawson:** They are both owned by Dr. Lewis.
136 **Commissioner Stermer:** If they were both commercial, some other proposal would come before us?
137 **Dawson:** Yes, we would like to do something commercial with this lot and 5093.
138 **Commissioner Stermer:** And likely with (wider) access.
139 **Dawson:** Yes, so we only have one (entrance/exit) off Corrales Road as opposed to two now.
140 **Commissioner Harper:** I don't really understand the reference to Village of Corrales ordinances that
141 have changed. Because my recollection is the site development plan presented for 5065 showed a
142 driveway on the north side of between the building on 5065 and the north property line. And the width of
143 that driveway was inadequate to provide (access) but the ordinances have been in place for a long time,
144 requiring that this driveway be a minimum of 20 feet wide. That's so two cars can pass one another, one
145 as large as an emergency vehicle, and nothing would prevent anyone from using a commercially zoned
146 property for residential uses. Am I correct about that?
147 **Dawson:** Right.

148 **Commissioner Harper:** OK, so there's been no changes in the ordinances that prevent further
149 development of 5065. It's merely a decision not to trim down the size of the building to provide adequate
150 driveway width. Now I see where you're going, about having these two adjacent properties and maybe
151 even combining the two properties into a single one down the road.

152 **Dawson:** Correct.

153 **Commissioner Harper:** These shaded areas on the color photograph are proposed future uses, right?

154 **Dawson:** Proposed.

155 **Commissioner Harper:** (Asked if short-term living units existed yet.)

156 **Dawson:** No.

157 **Commissioner Harper:** (Expressed concern that the drawing did not show adjoining properties and the
158 structures on them.)

159 **PZA Stout:** (Stated future site development plan(s) will require showing any adjacent properties).

160 **Commissioner Stermer, PZA Stout, Commissioner Marshall:** (discussion about which properties
161 surround the subject site are commercial or residential. PZA Stout noted that the subject property is the
162 last property on the west side of Corrales Road that is in the Corrales Road commercial district. PZA
163 Stout noted some commercial properties were in existence in the area prior to Village incorporation.)

164 **Commissioner Stermer:** 5093 is not currently commercial?

165 **PZA Stout:** (Explained that properties in the commercial district were not automatically made
166 commercial, they had to apply for it, and default is residential.)

167 **Chair Black:** (to applicant) I would caution you to think about (your plans) going forward. I don't know
168 how the vote will go today, but you have a lot of really intense uses that you've described. Restaurants,
169 stores—those sorts of commercial uses in a very limited space would have to get approval from this
170 Commission and the Village. I caution you to think about that if there is an approval today. The
171 Commission would look very carefully as to what those uses are. And that's because there is such a
172 concern about the impact on a small space and the access in and out of Corrales Road.

173 **Commissioner Morris:** (The summary states) the access for 5093 is on Corrales Road. The summary
174 also says there's no driveway access off old Church Road.

175 **Chair Black, Commissioner Morris:** (discussed access to subject property and property to the south.)

176 **Commissioner Morris:** They both currently each have access off Corrales Road.

177 **Chair Black:** That is my understanding. That is testimony.

178 **Commissioner Balas:** Given that the Commission will have the authority to review a Site Development
179 Plan, and that we have stated our intention to review that site plan with care and our desire for the
180 applicant to be cautious in their future application to us in terms of egress and need for fire lane, and that
181 it is within the Village-approved commercial area and thus eligible for rezone, I move approval of the
182 rezoning application ZMA 24-01.

183 Public commenter (on zoom testified after motion to approve), Manuel C de Baca interrupted proceedings
184 to ask to make comments. It was decided to let him comment as the motion and second had been made.
185 The motion was tabled and the public commenter was allowed to speak.

186 **Manuel C de Baca, 1186 Old Church Rd. (public commenter, sworn):** (Concerned that 5065 Corrales
187 Rd.) on the state record indicates the property is residential. Stated that along the southern part of 5093,
188 there's a ditch 10-foot ditch easement that runs all along that property dividing the two lots.)

189 **Commissioner Balas:** (asked for confirmation that 5065 Corrales Rd. was zoned commercial.)

190 **PZA Stout:** (Confirmed commercial zoning. Had recently found minutes from 2004 where rezoning had
191 been approved there.)

192 **Chair Black, Commissioner Morris, Commissioner Harper:** (Discussion about commercial versus
193 residential properties south of subject site.)

194

195 **Move to approve ZMA 24-01, finding it compliant with Code Section 18-48 (b) (1-8):** Heather Balas,
196 **Second:** Melissa Morris. **Vote, Yes:** Mary Chappelle, Mick Harper, Melissa Morris, Jerry Stermer, Rob
197 Black, Elizabeth Marshall, Heather Balas. (unanimous)

198 **Chair Black:** You have approval; it can be appealed in the next 20 days.

199
200 **ZOC 24-02. (Home Occupation).** Applicant **John Young** of 411 Mockingbird Lane, Corrales, is requesting
201 **Home Occupation** permit approval to operate a supper club on land located at **4569 Corrales Road** and
202 occupied by Mary/Pat Young. His business is called “**Sandia Mountain Sauce Company**”. He would like to
203 host up to 20 customers in an existing structure on site, one day a week, between 7pm – 9pm, April through
204 October. A portion of this property is zoned *C – Commercial* and a greater portion *A-1 Agricultural and*
205 *Rural Residential*. Most of the business activity will take place on the residentially zoned area.
206 **PZA Stout:** This is an application for a home occupation for a supper club on property owned by the
207 applicant’s mother. (Asked applicant if that was correct.)
208 **John Young, 411 Mockingbird Ln. (applicant, sworn):** Yes.
209 **PZA Stout:** She has given permission in writing. (PZA explained the uses proposed on the lot. Stated that
210 the driveway and up to just past the west end of the driveway are zoned Commercial but the area where
211 the use will take place is zoned A-1, hence the home occupation application. Noted that the parking for
212 the business use will occur on the portion of the lot with commercial zoning. Only a small office space in
213 the home is going to be used for this home occupation. The area where customers will dine is noted as a
214 300 square foot accessory structure next to the greenhouse. (She noted that that structure is going to need
215 a building permit.) Food will be prepared in the yellow food truck that is shown in a photo provided by
216 the applicant. The food truck is stored at a separate location. The applicant attests there are no plans for
217 live or loud music in association with the Supper Club. There is a porta potty on site but under Village
218 Code can't be the business restroom. The applicant has stated via e-mail that guests would be allowed into
219 his mother's home for restroom facilities. He's noting the number of expected customers as between 11
220 and 20, the dinners will take place one day a week from 7pm to 9pm April through October.) I did go to
221 the site, there appears to be ample parking. This application as presented is substantially compliant with
222 Village Code section 18-45 (c) which governs home occupations approved by this Commission.
223 **Chair Black:** As I look at the red outlined map and then the applicants map, where they are marked with
224 crosshairs is where the location of where dining would take place? Does that building exist?
225 **PZA Stout:** It's partially built and it's going to need a building permit to be completed, but it's just north
226 of the greenhouse on site.
227 **Young:** (Stated the goal was a farm to table operation.) It will be served directly out of a certified food
228 truck that is licensed and insured. There is insurance on the property as well. (Noted guests would not be
229 on the property more than once a week, but there are likely to be several weeks during the season when
230 nothing happens due to other business commitments. Stated customers are contacted through Facebook
231 with a menu and a limited number of people are allowed to sign up for the events. Noted the activity
232 would be similar to catering an event at a private house in Corrales, except the location would not change.
233 Applicant stated that he is also trying to create a commissary kitchen in the Village for local agriculture,
234 canning, and food production.)
235 **Commissioner Harper:** It seems like quite a distance from the parking to the dining area here. Do you
236 aim to meet your diners with a golf cart or something and run them back there? Or do you make a stroll
237 through the farm part of the experience?
238 **Young:** It's an all-inclusive experience, the parking is up front. I make everybody aware that this is a
239 farm, there's a clear pathway to get back to the dining area. But you have to walk.
240 **Commissioner Chappelle:** So, you've already actually started doing this?
241 **Young:** I've done a few of them, experimental, yes.
242 **Commissioner Chappelle:** And there's a picture with what looks like, say, a temporary enclosure.
243 **Young:** Yes. That is a tent.
244 **Commissioner Chappelle:** But you're going to change that to a permanent building?
245 **Young:** It just depends on what the building permit is going to require. If we need to stick to a tent we
246 will. The temporary structure I had started doing is pallet walls on a frame and then a tarp would go on
247 top of that. But if that's not going to work, we'll just go back to a tent. I just like being able to have the
248 weight on there. We get wind.

249 **Commissioner Chappelle:** When you did (dinners) before, did you receive any complaints from
250 neighbors?

251 **Young:** No, ma'am. Nobody even knew we were doing it.

252 **Commissioner Morris:** (Had a question about the location of the residence.)

253 **Young:** (Showed location on drawing.) The red outlined property is the one in question. Where it gets
254 really skinny, that's on the Corrales Road side, the driveway, then it widens out. The first building on that
255 property is my mother's residence. The second building plainly there is the greenhouse. (Explained
256 location of buildings and uses on surrounding properties, many commercial.)

257 **Commissioner Morris:** Staff, there's no requirement that the (dining area) have its own bathroom?

258 **PZA Stout:** That's probably up to the Department of Health. I think they're going to want some type of
259 hand washing and restroom facilities. I've owned restaurants and they had bathrooms inside them. I don't
260 know in this situation what the health department would ask for.

261 **Chair Black, Commissioner Morris and applicant:** (Discussion about where the dining will take place
262 and where the restroom is.)

263 **John Young:** There's a bathroom at the back side of the residence separate from her restroom.

264 **Commissioner Morris:** (Questioned if there were any Village ordinances related to restrooms in
265 restaurants.)

266 **Commissioner Harper:** Not that we enforce.

267 **Young:** If we were doing a farm dinner at Wagner's farm, they would have to walk somewhere too.

268 **Commissioner Harper:** If we approve this home occupation application—the use of this property for this
269 purpose will not commence until you have what, exactly?

270 **PZA Stout:** Our in-house building official will issue a certificate of occupancy at the end of the building
271 permitting process. Fire inspection, then the business license.

272 **Commissioner Harper:** So, if we formulate a motion, we should make it a conditional motion
273 referencing the future approval.

274 **Commissioner Marshall:** What hours are you planning on operating?

275 **Young:** 7 till 9 (pm), I think is what I put on the letter, no later than 9pm.

276 **Chair Black:** Is there someone online who would like to provide public comment? I see a hand raised.

277 **Kathy Newman, 4543 Corrales Rd. (public commenter, sworn):** (Asked where the food truck would
278 be parked and how it would get there.)

279 **Chair Black:** So, ma'am, during public comment, we don't have a back and forth.

280 **Newman:** OK. The other comment I have is if the people coming to the supper club enter from Corrales
281 Road and not from the ditch. That's our concern.

282 **Chair Black:** Any questions that the Commissioners would like to ask or discuss? If the applicant could
283 please come up, I do want to follow up. I think the public comment raised a couple of interesting issues.

284 **Young:** All customers will come in from Corrales Road only, and I can work with my neighbors so they
285 are assured that our back gate at that property can be locked at the time. The food truck will enter from
286 Corrales Road. I don't know if you can see on that map specifically, but there is a way that I can enter
287 from Corrales Road, drive alongside the residence, get all the way back to the area where the dining will
288 occur. And then whenever the dining experience is done, it will leave.

289 **Chair Black:** Where would the truck be parked?

290 **Young:** On the east side of that greenhouse is where I will be parking.

291 **Chair Black:** So kind of between the greenhouse and that other structure.

292 **Young:** Yes.

293 **Commissioner Stermer:** I'm going to recuse myself. (has attended one of the dinners.)

294 **Commissioner Chappelle:** I'd like to note it's my understanding that vehicles are not allowed on the
295 ditch anyway by MRGCD. So unless that's your only ingress and egress to the property, your customers
296 shouldn't be on there.

297 **Young:** Explained he believes the neighbor is concerned about pedestrians and bicycles.

298 **Commissioner Morris:** I move that we approve ZOC 24-02, it appears that the use of the dwelling unit
299 for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. Not

300 more than 25% of the floor area and not more than 2000 square feet in an accessory building shall be
301 used. That no more than one person other than residents of the premises, shall be engaged in all home
302 occupations at any one time on the premises in A-1 zoned lots. No equipment or process should be used
303 which creates noise, vibration, glare, fumes, noxious odors, or other nuisances. And that there are no
304 plans for music or any for live or loud music.
305

306 **Move to approve:** Melissa Morris, **Second:** Heather Balas. **Vote, Yes:** Mary Chappelle, Mick Harper,
307 Melissa Morris, Rob Black, Elizabeth Marshall, Heather Balas. (unanimous) (Jerry Stermer recused.)
308

309 **Chair Black:** All right, Sir. You have your approval. It can be appealed within 20 days. Laurie will
310 follow up with you with next steps.

311 **Commissioner Morris:** (Made a suggestion that applicants put compass directions on their maps.)
312

313 VIII. OTHER BUSINESS

314 Commission discussion regarding potential recommendations to Council related to Code 315 Section 18-166, *Terrains and Stormwater Management*. 316 317

318 **PZA Stout:** (Introduced the subject and read portions of the text below and discussed proposed revision.
319 The goal of the amendment is to clarify the variance allowances, and what specifically can be applied for.
320 The revisions do not change policy, merely clarify the interpretation. **Section 18-164 (c) (2) (c).**)

321 **Note:** The Following is the Section of Code under consideration. (numbers in paragraph in italics and
322 parentheses are not part of code but supplied for purposes of clarity) and subject sentences underlined.
323

324 c. Natural slopes greater than fifteen percent (15%) shall remain undisturbed. *(1) A variance may be*
325 *granted, upon application, for isolated occurrences such as arroyo crossings and other limited areas with a*
326 *natural slope greater than fifteen percent (15%), where the disturbance does not exceed one thousand*
327 *(1,000) square feet in total. (2) If the applicant demonstrates to the satisfaction of the Village that strict*
328 *enforcement of this provision would prohibit access to the lot or placement of utilities, the Commission*
329 *may grant a variance from the terms of this Subsection 18-164 (c) (2) (c).* The Commission may seek the
330 advice of the Village Engineer in considering a request for variance under this subsection but shall not be
331 bound or limited by such advice. *(3) This variance provision shall apply solely to the construction of*
332 *streets, roadways, driveways, drainage ways, and utility placement and is not intended to permit*
333 *development on natural slopes exceeding fifteen percent (15%).*
334

335 **PZA Stout:** It now appears an applicant can ask for *any* amount of slope over 15% rather than the limit of
336 1,000 square feet that was intended. This was challenged a few years ago, by someone who was
337 requesting more than 14-thousand square feet of slope over 15%. By rearranging the sentences, it fixes
338 the problem.
339

340 c. Natural slopes greater than 15% shall remain undisturbed.

341 (Then new section):

342 d. *(1) If the applicant demonstrates to the satisfaction of the Village that the strict enforcement of this*
343 *provision would prohibit access to the lot or placement of utilities, the Commission may grant a variance*
344 *from the terms of this subsection 18-164 (2) (c).*

345 *(2) A variance may be granted, upon application, for isolated occurrences such as arroyo crossings, and*
346 *other limited areas with a natural slope greater than 15% where the disturbance does not exceed 1,000*
347 *square feet in total. The Commission may seek the advice of the Village Engineer in considering a*
348 *request for variance under this subsection, but shall not be bound or limited by such advice. (3) This*
349 *variance provision shall apply solely to the construction of streets, roadways, driveways, drainage ways,*

350 and utility placement and is not intended to permit development on natural slopes exceeding fifteen
351 percent (15%).

352 Remainder of the amended section would be renumbered.

353

354 **Commissioner Chappelle:** My concern is when you say isolated occurrences, is that what the term was?

355 **PZA Stout:** That's in Code now.

356 **Commissioner Chappelle:** So isolated occurrences are specifically defined then by arroyo etc. I'm
357 wondering if the isolated occurrence is per person, per property.

358 **PZA Stout:** Per lot. (Noted the variance cannot be used to create a building pad site.)

359 **Commissioner Chappelle:** Concerned that term could be used to ask for multiple variances on one
360 property as each request could be considered an isolated occurrence.

361 **PZA Stout:** We've always only allowed one per lot. I don't know if anyone's ever tried.

362 **Commissioner Chappelle:** But somewhere in the Code, it should say for one lot.

363 **Chair Black:** If you added that after 1000 square feet in total per lot.

364 **Commissioner Harper:** Ordinance needs to state no variance under this (section) shall exceed 1000
365 square feet in the second sentence.

366 **Chair Black:** You had mentioned that there was a legal opinion on this.

367 **PZA Stout:** (Stated an applicant had argued if they demonstrate to the Commission a Variance is
368 necessary, they can go as large as needed to build. PZA researched previous variances, and none
369 exceeded 1,000 square feet. Spoke with Village attorney at the time, and he agreed swapping the two
370 sentences should eliminate the argument that the 1,000 square feet can be exceeded.)

371 **Commissioner Morris:** Stated existing language for variance was limiting, but saw where “to permit
372 development” is vague.

373 **PZA Stout:** Yes, I have something in here about that. An explanation of what “development” means in
374 this particular instance.

375 **Commissioner Morris:** You suggest “not intended to create a house/accessory structure pad site”, right?

376 **PZA Stout:** I put that out there for your consideration because the word development can mean a lot of
377 different things. In this case, the intent is only for a driveway, or retaining wall—not in lieu of the
378 minimum 2,000 square feet, under 15% slope, that already should exist for a future house.

379 **Commissioner Morris:** But it doesn't say that. Recommended language that the variance provision is not
380 intended to create a house, accessory structure (area).

381 **Chair Black:** For or allow. (to replace word intended)

382 **Commissioner Stermer:** I like the very specific words, house, accessory structure, pad site.

383 **PZA Stout:** Elsewhere in Village code it states very clearly that any given lot must have a 2,000 square
384 foot area (pad site for a home). It must already exist.

385 **Commissioner Stermer:** The variance should not allow those things, and we should say so.

386 **Chair Black:** On your first issue. The final sentence of the paragraph, the variance provision shall apply
387 solely to the construction of streets, roadways, driveways, drainage ways and utility placements. That's
388 limiting how we can give a variance. Not intended to allow a house, accessory structure, (or) pad site on
389 natural slopes exceeding 15%. Add the language “and does not exceed 1,000 square feet in total”.

390 **Commissioner Balas:** (Asked for clarification of the 1,000 square feet for variance.)

391 **PZA Stout:** I do like, that the sentence that says the applicant will demonstrate to the satisfaction of the
392 Village that strict enforcement of the “don't touch over 15%” provision would prohibit access to the lot or
393 placement of utilities. Otherwise, any number of reasons could be requested.

394 **Chair Black:** Restated his understanding of the requested change.

395 **Commissioner Chappelle:** (Prefers when code reads you can get this variance if you meet A, B, C.) We
396 have it in the home occupation application. I think if this was laid out that way it would be clearer.

397 **PZA Stout:** Separate items. Instead of just one big paragraph. The submission requires that the applicant
398 provide an engineer stamped drawing of what they are disturbing and total square feet above 15%.

399 **Commissioner Chappelle:** There's nothing now that also addresses—you get to disturb this 15%. How is
400 that going to affect your downhill neighbors with water?

401 **PZA Stout:** (Noted in prior requests that issue had been addressed by the engineer in design.) We do
402 think about those things at every site. (Also spoke about another variance where the slope treatment
403 reduced the slope and water velocity, improving both the subject and adjacent sites.)
404 **Commissioner Marshall:** Wants statement that the applicants need designed and stamped approval of
405 their personal engineer for the request.
406 **PZA Stout:** They always do, then we have our engineer review the request. (PZA Note: Grading and
407 drainage plans identify all areas above 15% slope, and that is the base document for the variance to slope
408 request, when needed. Applicants MUST use a New Mexico licensed engineer who stamps and signs their
409 drawing.)
410 **Commissioner Harper:** Feels the new section needs to reference that the variance is limited to 1,000
411 square feet to prevent wiggle room.
412 **PZA Stout:** Summarized discussion and suggestions to that point.
413 **Chair Black:** (Would like to be more specific to what the term development means in this context.
414 Volunteered to review changes before they are placed on the next Commission meeting. Asked to have
415 text on numbered lines to make it easier to refer to the topic of discussion.)
416 **Commissioner Balas:** I have a draft, so I'm not going to read it out loud. But with the permission of the
417 Chair and staff, I'll just e-mail it over
418 **Commissioner Morris: Attorney Strife, PZA Stout, Chair Black:** (Discussion about language and
419 placement of the variance restriction language in the revision.)
420 **Commissioner Marshall:** Note section under discussion is not just Section 18-166 Terrains and
421 Stormwater, as listed on the agenda.
422 **Chair Black:** We won't take any action on that because we wouldn't want to misrepresent to the broader
423 public what code section we're discussing, but I think that is a very fair articulation. I suggest that we
424 review that at a subsequent meeting, for recommendations to the Council.
425

426 **IX. PZA REPORT**

427
428 **PZA Stout:** (Summarized her report, the Building Officials Report and the Code Enforcement Officers
429 Report. Was asked by Commissioner Stermer to have the Code Enforcement Officer label photos more
430 clearly with "before and after" and addresses of sites.)
431

432 **X. COMMISSIONERS FORUM**

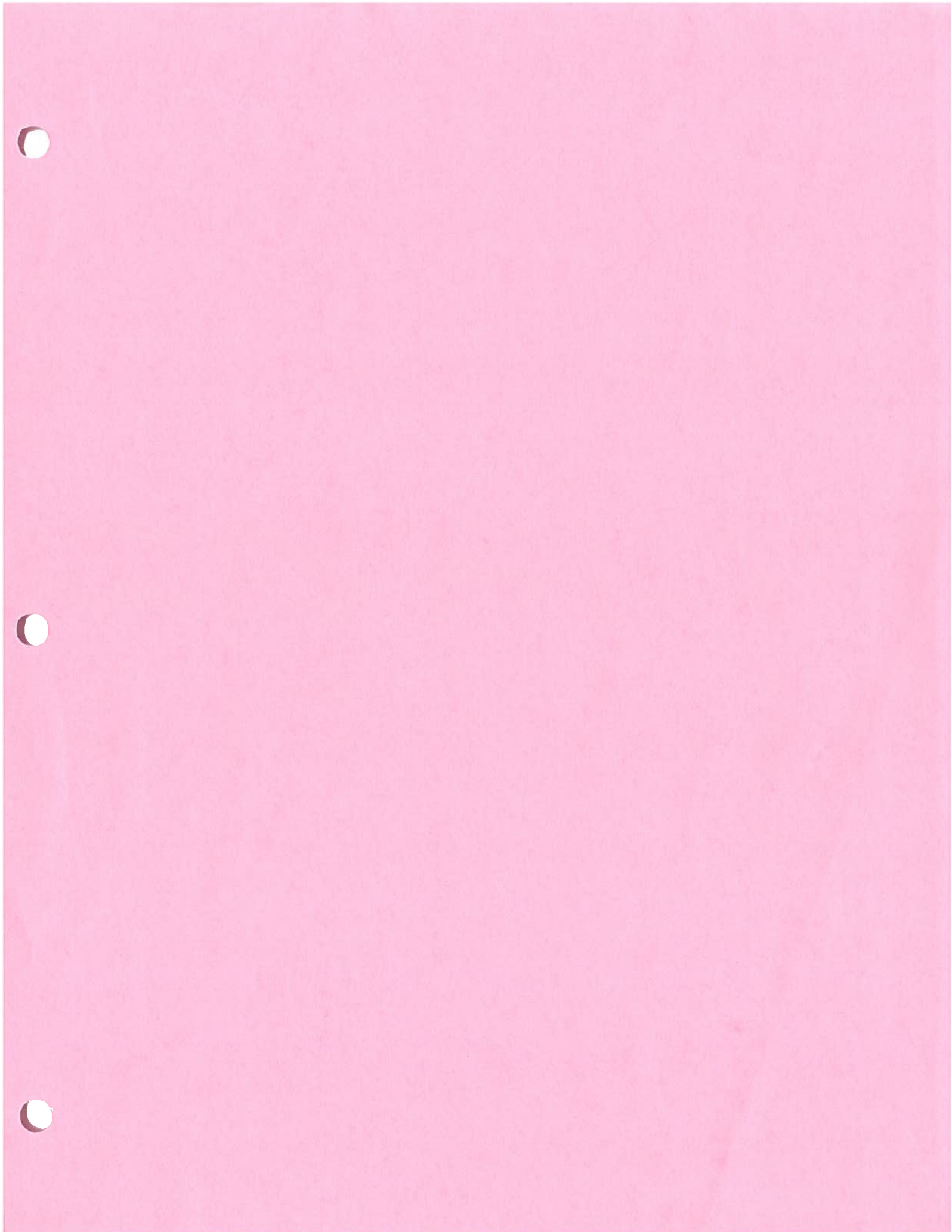
433
434 **XI. NEXT MEETING: March 20, 2024 at 6:30pm**

435
436 **XII. ADJOURNMENT**
437
438
439
440
441
442

443 *Laurie Stout*
444
445
446

Laurie Stout, Planning & Zoning Administrator

3-11-24
Date



STR 24-02, Short-Term Rental, 183 El Camino Campo, Staff Summary (Currently two bedrooms are permitted, request is to add two more for a total of four bedrooms)

Applicant and property owner **Jon Epperson**, of 3375 Lorraine Rd, Larkspur, CO is requesting a permit for a four-bedroom residential **Short-Term Rental** at **183 El Camino Campo**. This 2.62-acre property is zoned *A-2 Agricultural and Rural Residential*.

(Two of the bedrooms in the 4-bedroom house were already approved for a Short-term rental by the Planning and Zoning Commission on August 17, 2022. At the time, applicants expressed interest in coming back in front of the Commission in the future to request all four bedrooms be included in the permit, if the rentals went well.)

I met with Mr. Epperson and his daughter and explained the changes to STR ordinance that have occurred since the first time. Primarily, the maximum occupancy now is 2 persons per rental bedroom, with a maximum of four bedrooms allowed for a residential short-term rental. They allowed us to tour the home and view the four bedrooms. There are two kitchen areas, all within the home.

Residential short-term rentals in the Village are governed by Code **Section 18-45 (f) Short-term rentals, approval and permit required**.

(2) *Applications must show, at a minimum:*

a. *The maximum number of occupants and vehicles that the dwelling unit can accommodate.*

On page 2 of the application, Mr. Epperson notes all four bedrooms will be utilized, with up to 8 total person occupancy.

(i) *In commercial zones, there can be no more than six guest rooms on a short-term rental property and no more than two total occupants per bedroom being used as a short-term rental.*

(ii) *In the A-1 and A-2 zones, there can be no more than four guest rooms on a short-term rental property and no more than two occupants per bedroom being used as a short-term rental.*

b. *A Google map or similar map showing the entire property, all roads which abut the property and at least 25 feet of adjacent properties, showing on-site parking, areas subject to the short-term rental business, and the location of the septic tank.*

A Google Earth map is provided showing the access road (El Camino Campo), adjoining lots and ample parking in several spots. On that map, light colored circles represent the two septic tanks on the property.

c. *Floorplan showing all bedrooms within the dwelling unit on the property.* Provided; there are 4 bedrooms in this house.

d. *Off-street parking required, with at least one parking space per bedroom on the property.* Shown; when we visited the site we noticed ample off-street parking.

e. *A valid septic permit for the property, showing the number of bedrooms permitted by the State to the septic system on the property.* There are two septic tanks on the property, with more than enough capacity for the four bedrooms.

f. *The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the owner of the property for which the permit will be issued.* Included. Mr. Epperson is the owner of the property. He lives in Colorado, so has hired a property manager (below) who has been and will continue to manage the short-term rentals.

g. *The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the operator and the local contact person for the owner of the rental.* Included; Billy Rigo of Rigo Properties in Albuquerque will operate the STR. His email and 24-hour emergency contact phone are listed.

h. *A valid New Mexico gross receipts tax number for the operator.* (Submitted.)

i. *Short-term rental permit application fee.* (Paid)

(5) *Commission approval. The Planning and Zoning Commission may approve a short-term rental permit if the Commission finds that the applicant has met the requirements of [Section 18-45\(f\)\(2\)\(a\)](#) through (i). The Commission may add such additional conditions or limitations upon the permit which may be appropriate to minimize any potential adverse impacts upon surrounding properties.*

(6) *Conditions of issuance of short-term rental permit.* (Events are not permitted in residential zones. STRs allow overnight accommodation only. A Village business license, including a fire inspection, is required. Lodger's taxes must be paid to the Village. Applicants acknowledge all of these when filling out and signing their application form.)

I observed the "notice" sign placed in front of the property, facing El Camino Campo on March 6, 2024.

Recommendation: This application to rent 4 total bedrooms (there are four bedrooms in the house), allowing up to 8 occupants, is compliant with Code **Section 18-45 (f) Short-term rentals, approval and permit required**. There have been no Corrales PD calls or Code Enforcement complaints for this address. The existing STR business is compliant, with up-to-date fire inspection, business license, and payment of Lodger's tax.

Laurie Stout, Planning & Zoning Administrator

Date



STR
24-02

4324 CORRALES ROAD
CORRALES, NEW MEXICO 87048
PHONE (505) 897-0502
FAX (505) 897-7217

VILLAGE OF CORRALES

EMAIL: Planning@corrales-nm.org
WEBSITE: www.corrales-nm.org

Application for Short Term Rental Permit

Everyone who operates or plans to operate a short term rental at any location within the A-1, A-2, or H zones of the Village of Corrales must obtain a Short Term Rental Permit (STR) issued by the Village. (Ch.18 Sec. 18-45(f), Codified Ordinances of the Village of Corrales.). To obtain an STR you must follow these procedures:

Instructions:

* If you have any questions about filling out the form or about the process, please phone, email or make an appointment with a Planning and Zoning staff member. We are here to help.

1. Fully and accurately complete the application and attach ALL the following:
 - (a) The **maximum number of occupants and vehicles** that the dwelling unit can accommodate. There can be **no more than four total guest rooms** on a residential short-term rental property and **no more than two occupants per bedroom** being used as a short-term rental.
 - (b) A **map (google or other aerial view)** showing the **entire property, all roads** which abut the property and at least **25 feet of adjacent properties**, indicating the **on-site parking** and areas subject to the short-term rental business, and location of the **Septic Tank**.
 - (c) **Floorplan** showing **all bedrooms** (not just rentals) within the dwelling unit on the property.
 - (d) Off-street parking required, with **at least one parking space per bedroom** on the property (a regular parking space is 9'x20').
 - (e) A **valid septic permit** for the property, showing the number of bedrooms permitted by the State to the septic system on the property.
 - (f) **The name, mailing address, email address, and contact phone numbers** (including 24- hour emergency contact numbers) of the **owner of the property** for which the permit will be issued.
 - (g) **The name, mailing address, email address, and contact phone numbers** (including 24- hour emergency contact numbers) of the **operator** and the **local contact person** for the owner of the residential rental.
 - (h) Short-term rental permit application fee.
 - (i) A copy of your valid **New Mexico CRS ID** certificate
2. Submit the application, **\$150.00 fee and nine (9) copies of all required materials**, to Planning & Zoning. If the application is complete, the administrator will schedule a hearing by the Planning and Zoning Commission within 40 days of a **100% complete application**. If the application is not complete, it will be returned and will not be set for hearing until resubmitted in a complete form.
3. You will **post an easy-to-see notice (yellow sign)**, which you must obtain from the village, for fifteen (15) days prior to the meeting when your application will be heard.
4. **Attend the hearing** and be prepared to answer questions.
5. Obtain a village **business registration** (\$35 fee annually), if your Short Term Rental Permit is approved by the Commission.

*An application without all the required attachments is incomplete. If the application is not complete, it will be returned and will NOT be set for hearing until resubmitted in a complete form.

GENERAL INFORMATION

Address of Short-Term Rental: 183 El Camino Camp.

Name of Property Owner: JON EPPERSON Date: 1/30/2024

Email: epper37@aol.com Phone: 719 460 2353

Physical Address: 3375 LURRAINE RD LARKSPUR CO 80118
Number Street

Mailing Address Same
Number Street

24-hour Emergency Contact Phone: 719 460 2353

Name of Operator: BILLY RIGO LLC Date 1/30/2024

Email: rigoproperties@gmail.com Phone: 505 730 7382

Physical Address: 10300 Cottonwood Park NM Albuquerque, NM 87114
Number Street

Mailing Address Same
Number Street

24-hour Emergency Contact Phone: 505 730 7382

STR Property Legal Description: 3B Casino del Pais Map No.: _____
Lot or tract Block Subdivision

Acreage: 2.6216 Zoning: A-1

Does the owner reside on the property? Yes _____ No X
If the operator is not the property owner, they MUST attach a letter signed by the owner granting approval for the proposed short term rental use.

Total Square Footage of Home: 5662
(Exclude Garage unless part of STR) Square Feet

How many square feet of the home will you use for the STR? 5662

What is the name of your business? EL CAMINO Campo LLC

How many guest bedrooms will be rented on the property? 4 8 persons
(You must provide a valid septic permit issued by NMED showing the number of bedrooms permitted on this property.)

Will there be any employees who are not residents of the property? Yes X No _____

The statements below track the requirements of the Village Code section governing Short Term Rental Permits. Chapter 18-45(f). By initialing these items, you certify that you meet these criteria and will abide by them if your Short Term Rental Permit is approved. Violating these requirements may result in revocation of your Short Term Rental Permit, fines, and/or other penalties.

INITIAL EACH APPLICABLE ITEM. (Do not use "X" or a check mark.)

- JOE a. There can be no more than four guest rooms on a residential short-term rental property.
- JOE b. All parking must be on the property (off street.) There must be at least one parking space per bedroom on the property.
- JOE c. Short Term Rental Permits are designed to allow overnight accommodations, with or without breakfast service, to registered overnight guests. No property for which a Short Term Rental Permit has been issued shall be used as an event center for parties, weddings or other gatherings. This is a condition of the issuance of a Short Rental Permit which the permit holder accepts upon issuance of the permit by the Village. In addition to other penalties under the Village Code, a violation of this condition may result in the revocation of the Short Term Rental Permit.
- JOE d. A business license is required for anyone conducting business within the Village of Corrales.
- JOE e. A fire inspection will be required, and the property must be compliant with the Fire Code.
- JOE f. A lodger's tax registration number for the property will be required and lodger's tax must be paid.
- JOE g. Operation of the short term rental should not create nuisances detectable from adjacent properties.

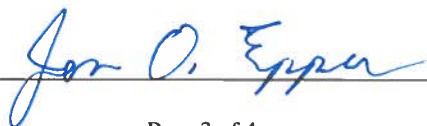
Commission approval: ~~The Planning and Zoning Commission may approve a Short Term Rental Permit if the Commission finds that the applicant has met the requirements of Section 18-45(f). The Commission may add such additional conditions or limitations upon the permit which may be appropriate to minimize any potential adverse impacts upon surrounding properties.~~

Appeal Process: An applicant or person who is aggrieved by the decision of the Planning and Zoning Commission may appeal the decision to the Governing Body by written notice to the Clerk of such appeal, to be made within twenty (20) days of the date of the decision by the Planning and Zoning Commission. The matter shall be referred to the Governing Body for hearing at a regular or special meeting in the usual course of business. The decision of the Governing Body made thereof shall be expressed in writing; and the action shall be deemed final.

Penalties for violation of requirements of subsection (f) of Section 18-45.

I certify that I meet the above requirements and will abide by them. I understand that I may lose my Short Term Rental Permit and Business License if I violate any of these requirements. I also understand and agree that any representation made by me in connection with this application, whether orally or in writing, is deemed to be a condition of the Short Term Rental Permit, and violation of such condition may result in loss of Short Term Rental Permit and Business License.

Signature of Applicant: _____



Date: _____

1/30/2024

PLANNING & ZONING OFFICE USE ONLY

Received By: _____ Date Received: 1-30-24 File No.: STR 24-02
ZOC-

Amount Paid: 150⁰⁰ Cash Check No.: _____ Receipt No.: _____

Credit Card No. ✓ _____

Application Reviewed and certified complete by: LS Date: 1-30-24

Planning and Zoning Commission Approval/Denial:

APPROVED with the following conditions, if any:

Village Approval: _____ Date: _____
Administrator (hearing date, if applicable)

Ninety Day Business License Application Deadline: _____

DENIED with the following findings:

Denial: _____ Date: _____
Administrator (hearing date, if applicable)

To: Village of Corrales Planning and Zoning Commission
Re: Short Term Rental Permit for 183 El Camino Campo, Corrales, NM 87048

30 Jan 2024

With this letter and my signature, I grant approval for my whole house located at 183 El Camino Campo in Corrales to be used as a short-term rental property.

We are actively renovating the north side and periphery of the house and continue with this work every month or so onsite, work that we could not do if we had long term renters in the house.

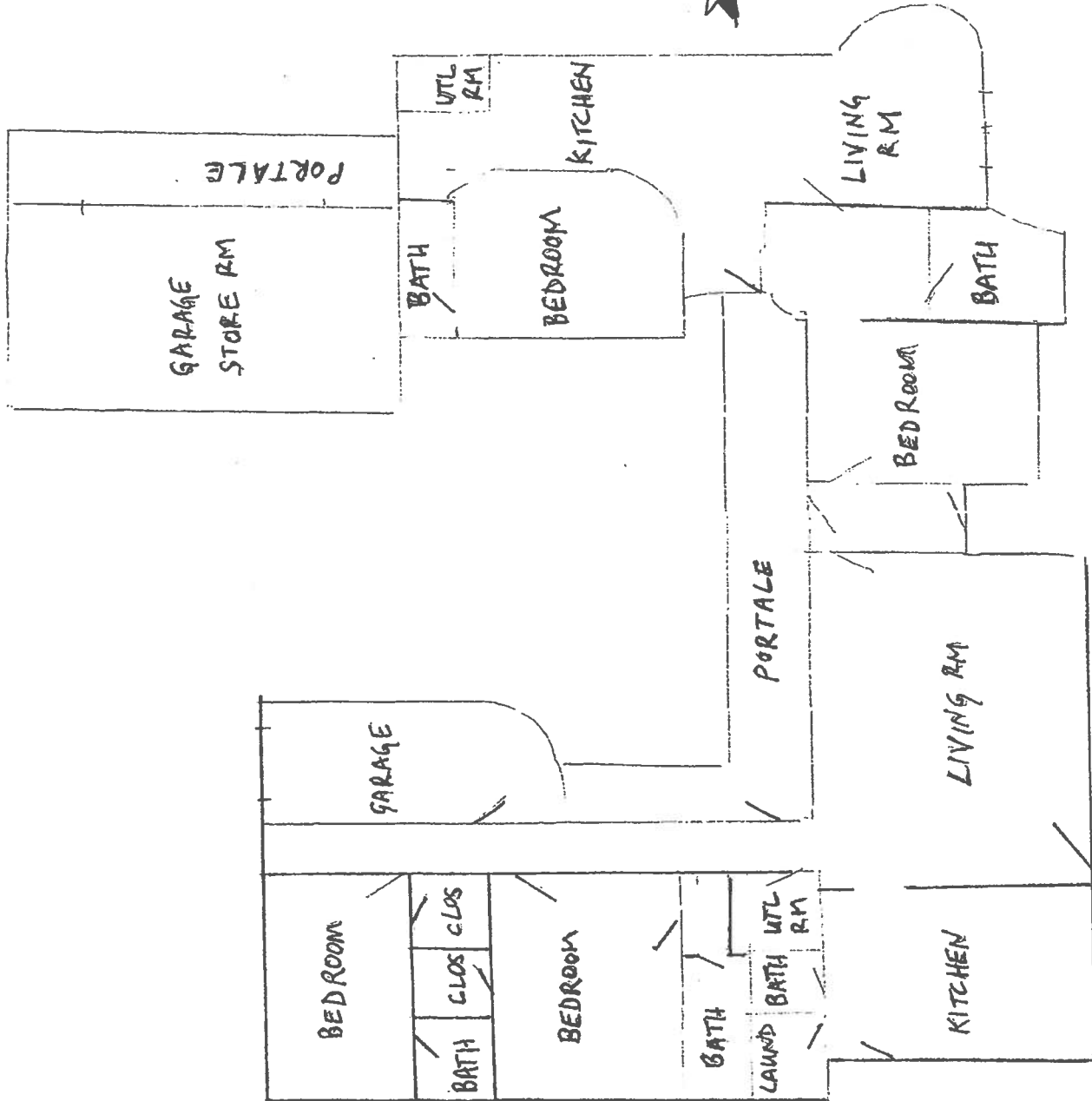
Our intention is to move forward with two separate listings: **one** is the current listing with two bedrooms (one group occupying two bedrooms), and **the other** will include the rest of the house for a total of all four bedrooms (one group occupying all four bedrooms.) Currently the whole house is only available for long term rental. We will not be renting out individual bedrooms.

Thank you for your consideration.

 Jon O. Epperson 1/30/2024
Jon O. Epperson, owner

Jon Epperson
3375 Lorraine Rd.
Larkspur, CO 80118
719 460 2353

EPPERSON HOME
183 El Camino Campo
Cornales NM



Using Google Earth ruler, we measure 45 feet from the house to the garden wall (thin yellow line on left insert photo.) The yellow ovals in the lower photo indicate driveway/parking areas that are approximately 40X70 feet each. We estimate that this is ample parking for 4-8 cars. Light colored circles represent septic tanks.



EL CAMINO CAMPO
183 EL CAMINO CAMPO
CORRALES, NM 87048-7518

June 30, 2022
NM Business Tax ID:
03-592238-00-9
Letter ID: L0714792880

**STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT
REGISTRATION CERTIFICATE**

Date ID Issued 30-Jun-2022	IDENTIFICATION NUMBER 03592238009-GRT	Business Start Date 30-Jun-2022
Business Location 183 EL CAMINO CAMPO		Business End Date
City and State CORRALES, NM		Zip Code 87048-7518
Taxpayer Name EL CAMINO CAMPO LLC		Taxpayer Type LLC
Firm Name EL CAMINO CAMPO		Filing Frequency Semiannual
Mailing Address 183 EL CAMINO CAMPO		
City and State CORRALES, NM		Zip Code 87048-7518

This Registration Certificate is issued pursuant to Section 7-1-12 NMSA 1978 for Gross Receipts, County Gross Receipts, and Municipal Gross Receipts Taxes. This copy must be displayed conspicuously in the place of business. Any purchaser of the registrants business is subject to certain requirements under Section 7-1-61 NMSA 1978.

Cabinet Secretary

By 

Any inquiries concerning your Identification Number should be addressed to the Audit & Compliance Division, P.O. Box 630, Santa Fe, New Mexico 87504-0630

Form Revised 02/2003

THIS CERTIFICATE IS NOT TRANSFERABLE

**STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT
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By 

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Form Revised 02/2003

THIS CERTIFICATE IS NOT TRANSFERABLE

PAID

New Mexico Environment
Environmental Health
Liquid Waste Program



Application for Liquid Waste Permit or
Registration

- Conventional
- Modify Treatment Unit
- Modify Disposal Field
- ATS/ADS
- Variance
- Commercial
- Register
- Amendment

Section 1 General Information (Incomplete applications will be returned without action)

Name (Property Legal owner, Inc., LLC, partnership, DBA, full legal name): **Epperson, Jon Ohman / Susan S**

E-mail address(es): **epper37@aol.com** Phone: **719-460-2353** Facility Commercial or Institutional Name:

System Location: Physical Address, - (if needed, attach directions) **183 El Camino Campo (North Tank)** Mailing Address (Invoices, permits, official correspondence): **3375 Lorraine Rd**

City: **Corrales** State: **NM** Zip Code: **87048** City: **Larkspur** State: **CO** Zip Code: **80118**

Uniform Property Code: **1014066347310** Date of Record: **February 13, 1955** Lot Size (0.01 acres): **2.622** Total No. LW Systems on Property: **2** Total Design Flow on Property: **815**

Subdivision: **Casino Del Pais** Subdivision Plat Date: **February 13, 1955** Unit/Phase: Block Lot/Tract Township Range Section
3B 3B 11N 3E 5

Water Supply Source: Onsite Private Offsite Public Storage Shared

No. Connections: **1** OSE Well Permit No. (505)827-6120 <https://www.ose.state.nm.us/WRABIndex.php> Private Water Well Location (long., lat. or physical address, city, state): **183 El Camino Campo, Corrales, NM 87048**

Public Water System Name: Irrigation well, flood irrigation area on lot? YES NO Enter all LW permit numbers for this lot: **BE930242** Will a petition for variance be submitted with this application? YES NO

Section 2 Installer Information (NME D verifies all licensing information with CID and company registration with the Secretary of State's Office)

Qualifying Party Name: **Otto Buron** Phone: **505-344-7667** Licensed Company Name: (as on file with CID) **American Service Industries DBA: American Pumping Service**

Mailing Address (street / PO Box, City, State, Zip): **PO Box 10595** E-mail address: **otto@asiabq.com**

CID License Classification: MM-1 MM-98 MS-1 MS-3 Homeowner CID Company License No.: **#350852**

I am the qualifying party for a licensed company by the State of New Mexico Regulation Licensing Department, Construction Industries Division (CID). I will either personally install the work myself or authorize company employee(s), **David Frequez, Leeroy Vigil, Octavio Manriquez, Octavio Manriquez jr.** (named here) to provide the services and labor for this permit application under my direct supervision.

Section 3 Authentication / Verification

By signing below, I attest that the information in this application is correct and true to the best of my knowledge. I understand the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal and Treatment Regulations. Obtaining this permit does not relieve me from the responsibility of obtaining any permit required by state, city or county regulation or ordinance or other requirements of state or federal law.

Page 2 must be attached for each proposed system on lot Qualifying Party Authorized Rep. Homeowner Printed Name: **Otto Buron** Signature: *[Signature]* Date Signed: **5/13/22**

NMED PERMIT TO CONSTRUCT

Granted Granted with conditions Denied Cancelled

Conditions or Reasons for Denial:

NMED Permit to Construct No. **028265**

NMED Inspector Name Printed: **MICHAEL POWELL** NMED Inspector Signature: *[Signature]* Date: **5-20-22**

NMED LIQUID WASTE FEES (permits to construct and operate are valid only upon all fees are being paid). (Amendments no fee required)

Conventional-1000gpd \$225 1001-2000gpd \$325 2001-5000gpd \$425 Holding Tank Annual Renewal (\$30) Variance small system \$100

ATS/ADS -1000gpd \$450 1001-2000gpd \$550 2001-5000gpd \$650 ATS/ADS Annual Renewal (\$50) Variance large system \$400

Total Fee Paid **\$2250.00** Date Paid **JUN 02 2022** Payment Received By **R. BENAVIDES**

FINAL INSPECTION OF LW SYSTEM (only an approved final inspection report is valid for 180 days as a property transfer evaluation)

Final Inspection Conducted by NMED Final Inspection Date: **6-14-22** NMED Inspector Name Printed: **RW ANGROSSA**

Contractor photo inspection authorized. Photo inspection date: Date photos and Completed Form Received by NMED: Installation Approved Installation Approved with Conditions (see inspection form for conditions) Installation Not Approved

NMED PERMIT TO OPERATE (permits to operate holding tanks and ATS/ADS are only valid for one-year, annual renewals applications required)

A permit for operation of the Liquid Waste system described herein is hereby: Granted Granted with conditions Denied Cancelled

Conditions or Reasons for Denial:

NMED Permit to Operate No. **028265**

NMED Inspector Name Printed: **RW ANGROSSA** NMED Inspector Signature: *[Signature]* Date: **6-14-22**



If your lot has more than one LW system, you must fill out a separate application for each system. The site plan drawing must show all liquid waste systems located on your lot. Existing permitted systems must be identified with their LW Permit #. New, modified or unpermitted systems must be clearly labeled on the site plan. NMED agents are not authorized to amend or complete any portion of this application.

Liquid Waste Processing Number: Amendment **028265**

Treatment & Disposal System Design Section 1 Design Flow, Hydrology, and Soil Description

A. Wastewater Sources & Design Flow Calculations B. Hydrology Data (depth to limiting layers) C. Soil Description: Includes facility details, flow calculations, hydrology data, and soil type descriptions.

Section 2 Treatment Unit and Pump Design: (Note: 2020 E & F tank modification or registration requires pumping and be within one tank size)

A. CONVE. Primary Treatment Unit B. PUMP C. ALTERNATIVE Disinfection Includes details on treatment units, pumps, and disinfection methods.

Section 3 Disposal System Design, Components and Calculations: (Note: 2020 A-E, disposal field modification requires tank pumping, addition of filter and risers, 1/0 baffle or 1/1 checked)

A. Minimum Required absorption area, calculated B. Design Components C. SANITATION Includes calculations for absorption area and details on disposal components.

Section 4 Alternative Disposal System (ADS) Design, Components and Calculations

For all ADS's - calculation sheets & site plan drawings (plan view with cross-section views) must be submitted with this permit application.

ALTERNATIVE DISPOSAL Includes options for various alternative disposal systems like mounds, ET beds, and lagoons.

Section 5 Setbacks, Site Plans & Attachments (Note: 3000-3001-3002) Includes questions about setbacks and required documents.



New Mexico Environmental Department
Environmental Health Bureau

On-site Liquid Waste System

Permit to Operate

Owner Name: Jon Ohman & Susan S. Epperson

Installer Name: American Service Indust. dba Amer. Pumping Service

System Location: 183 El Camino Campo, North Tank, Corrales, NM 87048

System Type: Conventional - Modification

Permit Number: 028265

*The New Mexico Environmental Department may cancel this permit for failure to meet any of the following:
failure to complete the system within one year, for providing inaccurate or incomplete information, or
failure to notify NMED to schedule an inspection within a minimum of 2 working days prior to the inspection.*

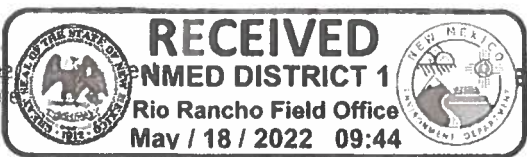
Date Issued: July 06, 2022



Authorizing Official
NMED

PALD

New Mexico Environment
Environmental Health Bureau
Liquid Waste Program



W

Conventional Modify Treatment Unit Modify Disposal Field ATS/ADS Variance Commercial Register Amendment

Section 1 General Information (Incomplete applications will be returned without action)

Liquid Waste Processing Number: **028264**

Name (Property Legal owner, Inc., LLC, partnership, DBA, full legal name): **Epperson, Jon Ohman / Susan S**

E-mail address(es): **epper37@aol.com** Phone: **719-460-2353** Facility Commercial or Institutional Name:

System Location (Physical Address - (if needed, attach directions)): **183 El Camino Campo (South Tank)** Mailing Address (Invoices, permits, official correspondence): **3375 Lorraine Rd**

City: **Corrales** State: **NM** Zip Code: **87048** City: **Larkspur** State: **CO** Zip Code: **80118**

Uniform Property Code: **1014066347310** Date of Record: **February 13, 1955** Lot Size (0.01 acres): **2.622** Total No. LW Systems on Property: **2** Total Design Flow on Property: **815**

Subdivision: **Casino Del Pais** Subdivision Plat Date: **February 13, 1955** Unit/Phase: **Block** Lot/Tract: **3B** Township: **11N** Range: **3E** Section: **5**

Water Supply Source: Onsite Private Offsite Public Storage Shared

No. Connections: **1** OSE Well Permit No. (505)827-6120 <https://www.ose.state.nm.us/WRAI/index.php> Private Water Well Location (long., lat. or physical address, city, state): **183 El Camino Campo, Corrales, NM 87048**

Public Water System Name: Irrigation well, flood irrigation area on lot? YES NO Enter all LW permit numbers for this lot: **BE930242** Will a petition for variance be submitted with this application? YES NO

Section 2 Installer Information (NMED verifies all licensure information with CID and company registration with the Secretary of State's Office)

Qualifying Party Name: **Otto Buron** Phone: **505-344-7667** Licensed Company Name: (as on file with CID) **American Service Industries DBA: American Pumping Service**

Mailing Address (street / PO Box, City, State, Zip): **PO Box 10595** E-mail address: **otto@aslabq.com**

CID License Classification: MM-1 MM-98 MS-1 MS-3 Homeowner CID Company License No.: **#350852**

I am the qualifying party for a licensed company by the State of New Mexico Regulation Licensing Department, Construction Industries Division (CID). I will either personally install the work myself or authorize company employee(s) **David Fraquez, Leeroy Vigil, Octavio Manriquez, Octavio Manriquez jr.** (named here) to provide the services and labor for this permit application under my direct supervision.

Section 3 Authentication / Verification

By signing below, I attest that the information in this application is correct and true to the best of my knowledge. I understand the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal and Treatment Regulations. Obtaining this permit does not relieve me from the responsibility of obtaining any permit required by state, city or county regulation or ordinance or other requirements of state or federal law.

Page 2 must be attached for each proposed system on lot Qualifying Party Authorized Rep. Homeowner Printed Name: **Otto Buron** Signature: *[Signature]* Date Signed: **5/13/22**

NMED PERMIT TO CONSTRUCT

Granted Granted with conditions Denied Cancelled

Conditions or Reasons for Denial:

NMED Permit to Construct No. **028264**

NMED Inspector Name Printed: **MICHAEL ROUNCH** NMED Inspector Signature: *[Signature]* Date: **5-20-22**

NMED LIQUID WASTE FEES (permits to construct and operate are valid only upon all fees are being paid. Amendments no fee required)

Conventional-1000gpd \$225 1001-2000gpd \$325 2001-5000gpd \$425 Holding Tank Annual Renewal (\$30) Variance small system \$100

ATS/ADS -1000gpd \$450 1001-2000gpd \$550 2001-5000gpd \$650 ATS/ADS Annual Renewal (\$50) Variance large system \$400

Total Fee Paid **3074152407** Date Paid **JUN 02 2022** Payment Received By **R. BENAVIDES**

FINAL INSPECTION OF LW SYSTEM (final inspection report is valid for 180 days as a property transfer evaluation)

Final Inspection Conducted by NMED Final Inspection Date: **6-14-22** NMED Inspector Name Printed: **Ron A. West** Installation Approved

Contractor photo inspection authorized Photo inspection date: Date photos and Completed Form Received by NMED: Installation Approved with Conditions (see inspection form for conditions) Installation Not Approved

NMED PERMIT TO OPERATE (permits to operate holding tanks and ATS/ADS are only valid for one year, annual renewals applications required)

A permit for operation of the Liquid Waste system described herein is hereby: Granted Granted with conditions Denied Cancelled

Conditions or Reasons for Denial:

NMED Permit to Operate No.:

NMED Inspector Name Printed: **Ron A. West** NMED Inspector Signature: *[Signature]* Date: **6-14-22**

ENTERED

If your lot has more than one LW system, you must fill out a separate application for each system. The site plan drawing must show all liquid waste systems located on your lot. Existing permitted systems must be identified with their LW Permit #. New, modified or unpermitted systems must be clearly labeled on the site plan. NMED agents are not authorized to amend or complete any portion of this application.

Liquid Waste Processing Number: Amendment

028264

Treatment & Disposal System Design
Section 1 Design, Flow, Hydrology, and Soil Description

A. Wastewater Sources & Design Flow Calculations
B. Hydrology Data (depth to limiting layers)
C. Soil Description:
Facility, Units, (Q) Flow, Depth from ground surface to, Feet, Type, AR=

Section 2 Treatment Unit and Pump Design: (Note: 2024E, disposal field modification requires tank pumping, addition of filter, and risers, #Q basin or T's checked)

A. PRIMARY TREATMENT UNIT
B. PUMP
C. ALTERNATIVE TREATMENT
No. Septic Tank(s), Manufacturer, Series / Model / Certification No., Capacity (gallons), Cover Depth, Tank Bedded In, Tank Back Fill, Disinfection, UV, Ozone, Chlorine

Section 3 Disposal System Design, Components and Calculations: (Note: 2024E, disposal field modification requires tank pumping, addition of filter, and risers, #Q basin or T's checked)

A. Minimum Required absorption area calculated
B. Design Components:
C. CONVENTIONAL DISPOSAL
Q 375 X AR 2 = Min. Sq. Ft. Required: 750 Existing Sq. Ft. utilized: 0 Proposed Sq. Ft.: 756 Total Disposal Area Sq. Ft.: 756

Section 4 Alternative Disposal System (ADS) Design, Components and Calculations

For all ADS's - calculation sheets & site plan drawings (plan view with cross section views) must be submitted with this permit application.

ALTERNATIVE DISPOSAL
Wisconsin Mound, Unlined ET Bed, Effluent Irrigation Re-use, Sand-Lined Trench, Bottomless Sand Filters, LPD, LPP, Wetland, Graywater, Drip Irrigation, Lined ET Bed, Lined Lagoon

Section 5 Setbacks, Site Plan & Attachments (print name that apply)

- 1. Does proposed system meet all setbacks required per Table 302.1?
2. Site plan attached which shows all structures, LW systems, and wells / waters within 200', with all setbacks clearly shown?
3. If ATS or ADS, all requirements under section 403 are submitted, including calculations and drawings?

Supporting Documents Included: Survey OR Plat Floorplan Warranty Deed OR Tax Bill Other:



New Mexico Environmental Department
Environmental Health Bureau

On-site Liquid Waste System

Permit to Operate

Owner Name: Jon Ohman & Susan S. Epperson
Installer Name: American Service Indust. dba Amer Pumping Service
System Location: 183 El Camino Campo, South Tank, Corrales, NM 87048
System Type: Conventional - Modification
Permit Number: 028264

The New Mexico Environmental Department may cancel this permit for failure to meet any of the following:
*failure to complete the system within one year, for providing inaccurate or incomplete information, or
failure to notify NMED to schedule an inspection within a minimum of 2 working days prior to the inspection.*

Date Issued: July 06, 2022



Authorizing Official
NMED



VILLAGE OF CORRALES

Business Registration Certificate

El Camino Campo, LLC
183 El Camino Campo
Corrales, NM 87048

2022-107

Expires: December 15th, 2024

Pursuant to Chapter 10 of the Village of Corrales Code of Ordinances

Melanie L. Romero, Village Clerk

James F. Fahey, Jr MD
Mayor

POST IN A CONSPICUOUS PLACE



Village of Corrales

Fire Department



Certificate of Fire inspection

Business: El Camino Campo STR Address: 183 Camino Campo

Date issued: 12/4/23 Expiration date: 12/4/24

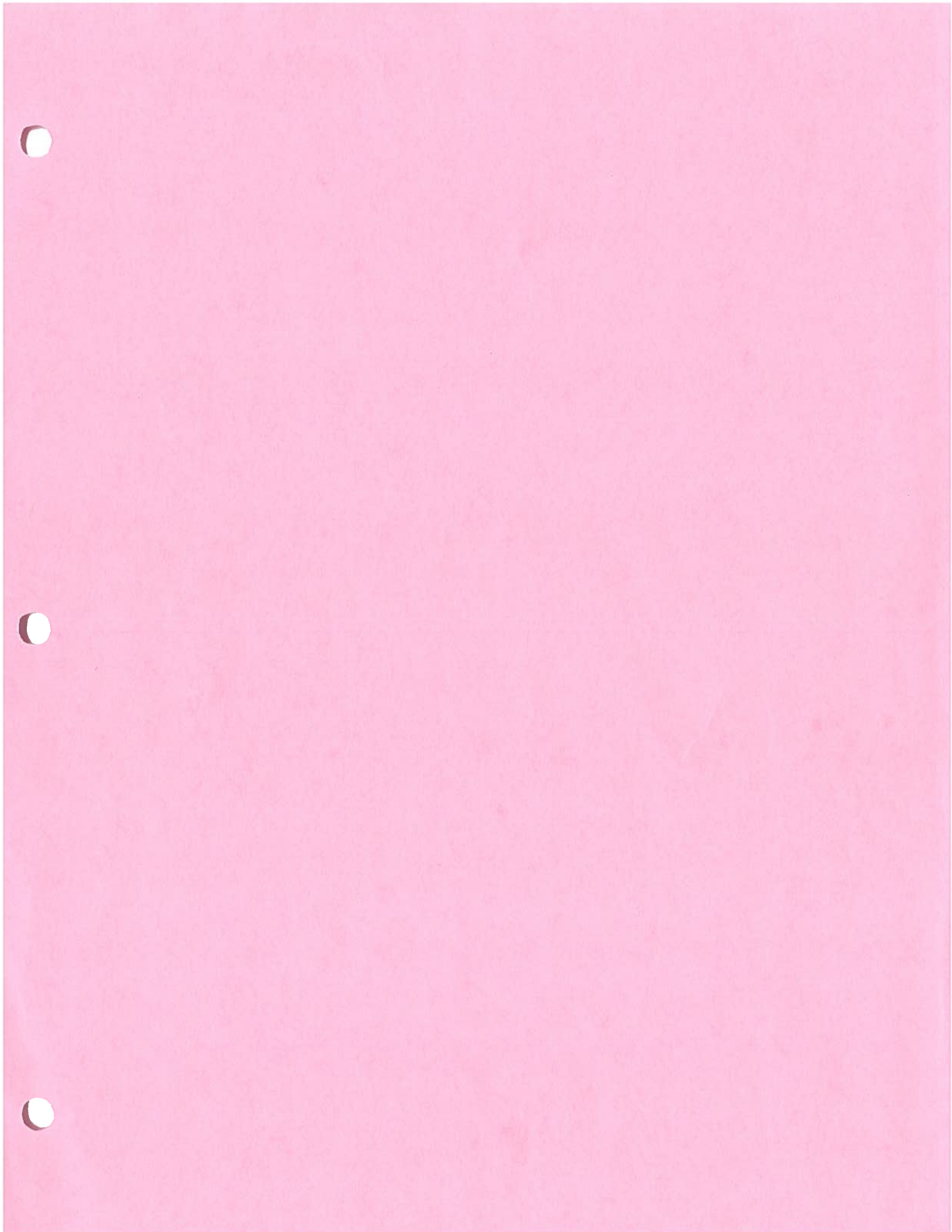
IFC Code used: IFC 2009 Type of inspection: Annual

Inspected by: J Pata

Certificate Number: 23124-183

This business has satisfactorily passed a Fire and Life Safety Inspection in accordance with International Fire Code 2009 and The Authority Having Jurisdiction.

Post in a conspicuous location



ZOC 24-04



4324 CORRALES ROAD
CORRALES, NEW MEXICO 87048
PHONE (505) 897-0502
FAX (505) 897-7217

VILLAGE OF CORRALES

EMAIL: Planning@corrales-nm.org
WEBSITE: www.corrales-nm.org

Application for Home Occupation Permit

Everyone who operates or plans to operate a business at any location within the A-1, A-2, or H zones of the Village of Corrales must obtain a Home Occupation Permit (ZOC) issued by the Village. (Ch.18 Sec. 18-45(c)(1), Codified Ordinances of the Village of Corrales.). In order to obtain a Home Occupation Permit, you must follow these procedures:

Instructions:

* If you have any questions about filling out the form or about the process, please phone, email or make an appointment with a Planning and Zoning staff member. We are here to help.

1. Fully and accurately complete the Home Occupation Permit application and attach ALL of the following:
 - a) **One or more photographs** of the home from the road, showing access;
 - b) **A map or sketch** clearly showing the location of the proposed business activity on the property;
 - c) **A site plan** (google map or other aerial view) **showing all structures, the road** that serves the property with view of **25 feet of adjacent properties**, and **on-site parking** provisions to meet any parking needs of the business (a regular parking space is 9'x20');
 - d) A copy of your valid **New Mexico CRS ID** certificate.
2. Submit the application, **\$35.00 fee and nine (9) copies of all required materials**, to Planning & Zoning. If the application is complete, the administrator will in some cases be able to provide review and permit approval, or otherwise will schedule a hearing by the Planning and Zoning Commission within 60 days of a 100% complete application.
3. If Planning & Zoning Commission approval is necessary, you will **post an easy-to-see notice (yellow sign)**, which you must obtain from the Village, for fifteen (15) days prior to the meeting when your application will be heard.
4. **Attend the hearing** and be prepared to answer questions.
5. Obtain a Village **business registration** (\$35 fee annually) within 90 days, if your Home Occupation is approved by the Commission or Administrator.

*An application without all the required attachments is incomplete. If the application is not complete, it will be returned and will NOT be set for hearing until resubmitted in a complete form.

General Information

Name of Applicant: Morgann Balkcom _____ Date _____

Phone: 505-660-8811 _____ Email: morgann@em2clinic.com _____

Physical Address: 147 Via Oreada, Corrales NM 87048 _____
Number Street

Mailing Address: 5330 Heritage Way NE Apt A, Albuquerque NM 87109 _____
(if different from physical) Number Street

Legal Description: N/A _____ 41A3 _____ Map No. 21 _____
Subdivision Lot/Tract

Acreage: 1.55 _____ Zoning: Residential A-2

Are you the property owner? Yes ___ No X . Do you reside here? Yes X No ___ . If you are not the property owner, you MUST attach a letter signed by the owner granting approval for the proposed business use.

Are there other home occupations on the property? Yes _____ No X (Cannot exceed 4 at any one time) If YES, you must attach copies of the approvals for existing home occupations to the application.

Total square footage of home: 4,000 Square Feet
(Exclude garage unless part of home occupation) Square Feet

How many square feet of the home will you use for your home business? 800 Square Feet
(Cannot exceed 25% of total, or 45% in Neighborhood Community & Office District NCOD) Square feet

Will you use accessory structures in your home occupation? Yes _____ No _____ X

If yes, how many square feet of accessory structures will you use for your home business?
_____ (Cannot exceed 2,000 square ft., or 4,000 in NCOD)

What is the name of your business? EM2 Clinic

Briefly describe your business and its functions Mental Health Coaching and Therapy

What days/hours will your business operate? Monday - Friday, 9am-5pm, Saturday/Sunday 9am -4pm

Will clients/customers be coming to your home? Yes X No _____

If yes, please circle how many persons/vehicles will come to your home for business purposes:

Per Day: 1-5; 6-10; >10 ;

Per Week: 1-5; 6-10; 11-20; >20.

How many *additional* motor vehicle trips in and out of the property will be generated by your business (deliveries, your own business-related trips, and any other business-related trips)

Per Week? 2

Will the business be conducted strictly by mail and/or electronic communications? Yes ___ No X

Will there be any materials storage? Yes _____ No X

If yes, please explain what the materials are and how and where they will be stored.

Will there be any employees who are not residents of the property? Yes _____ No X

PLANNING & ZONING OFFICE USE ONLY

Received By: Robert Date Received: 2/9/24 File No.: ZOC- 24-04

Amount Paid: 435 Cash Check No.: _____ Receipt No.: _____

Credit Card No. _____

Application Reviewed and certified complete by: _____ Date: _____

Planning and Zoning Commission Approval/Denial:

APPROVED with the following conditions, if any:

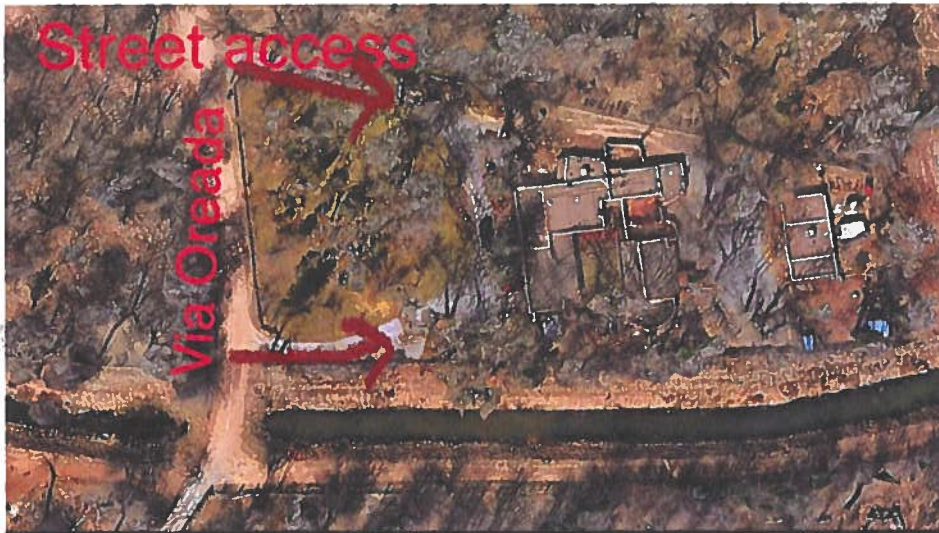
Village Approval: _____ Date: _____
Village Administrator (hearing date, if applicable)

Ninety Day Business License Application Deadline: _____

DENIED with the following findings:

Denial: _____ Date: _____
Village Administrator (hearing date, if applicable)

A.)



B.)



C.)



D.)



Audit & Compliance Division
Albuquerque District

Michelle Lujan Grisham
Governor
Stephanie Schardin Clarke
Cabinet Secretary

(EM)2 CLINIC
5330 HERITAGE WAY NE APT A
ALBUQUERQUE, NM 87109-3227

June 21, 2022
NM Business Tax ID:
03-591313-00-4
Letter ID: L1398431664

STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT
REGISTRATION CERTIFICATE

Date Issued 01-May-2022	IDENTIFICATION NUMBER 03591310004-004	Business Start Date 01-May-2022
Business Location 4436 CORRALES RD STE 1	Business End Date	
City and State CORRALES, NM	Zip Code 87046-8608	
Taxpayer Name (EM)2 CLINIC	Business Type LLC	
First Name (EM)2 CLINIC	Reporting Frequency Semiannual	
Mailing Address 5330 HERITAGE WAY NE APT A		
City and State ALBUQUERQUE, NM	Zip Code 87109-3227	

This Registration Certificate is issued pursuant to Section 7-1-12 NMSA 1978 for Gross Receipts, County Gross Receipts, and Municipal Gross Receipts Taxes. This copy must be displayed conspicuously in the place of business. Any purchaser of the registrant's business is subject to certain requirements under Section 7-1-61 NMSA 1978.

Cabinet Secretary

By

Any inquiries concerning your Identification Number should be addressed to the Audit & Compliance Division, P.O. Box 630, Santa Fe, New Mexico 87504-0630

THIS CERTIFICATE IS NOT TRANSFERABLE

STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT
REGISTRATION CERTIFICATE

Date Issued 01-May-2022	IDENTIFICATION NUMBER 03591310004-004	Business Start Date 01-May-2022
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City and State ALBUQUERQUE, NM	Zip Code 87109-3227	

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Cabinet Secretary

By

Any inquiries concerning your Identification Number should be addressed to the Audit & Compliance Division, P.O. Box 630, Santa Fe, New Mexico 87504-0630

THIS CERTIFICATE IS NOT TRANSFERABLE

m1.04 4-00

01-0001-000013

Lease demonstrating landlord approval
for home occupation:

15. SPECIAL TERMS AND CONDITIONS:

The Landlord and Tenant agree to the following extra services, charges and/or special terms
Aside from any reasonable and normal wear and tear, Tenant agrees to maintain and return the property, structures and furnishings to landlord in the same condition as initially let. Property is being leased partially furnished. Tenant is fully responsible for any damage and/or loss to any and all of the included furnishings, even if such damage and/or loss is caused by others. Tenant understands that certain artworks on the property and included in the furnishings are for sale and may be removed during the tenancy with prior notice. Landlord may also remove, with notice, any of the other furniture currently on the property. Tenants also understand that Landlord has regular access to the rear house currently used as a storage building and artist studio and small goat farm (such building and outdoor spaces are not included in this lease and not to be entered nor used by Tenant in any manner.

Lease renewal: The lease may be renewed each year for a new 12 month period if both the Tenant and Landlord agree in writing to such extension prior to 60 days before the lease or that 12 month extension period ends (on by December 15 each year). Each new renewable/extension will come with a \$100 increase in the monthly rent.

Tenant may apply to the Village of Corrales for a home based business permit. Tenant will carry at all times the appropriate insurance for such business and at all times will hold the Landlord harmless against any claims made against the business, the Tenants, or the property.

Two of the Tenants are minors. Tenant accepts full responsibility for child-proofing any portions of the property or furnishings that could possibly cause harm to a child. Landlord is not responsible for any injuries to the two minor tenants.

16. RULES AND REGULATIONS:

- A. Late fees are strictly enforced and any unpaid fees will not be waived.
- B. Absolutely no smoking is permitted in the Leased Premises or within 20 feet of any building or under any portal.
- C. The Tenants may not interfere with the peaceful enjoyment of the neighbors.
- D. The Tenant will be responsible for any fine and/or violation that is imposed on the Landlord due to the Tenant's negligence.
- E. The Tenant shall abide by all Federal, State, and Local laws.
- F. The Tenant shall notify the police and Landlord of any illegal activity that is witnessed in or around the Leased Premises.
- G. The Tenant agrees not to use the Leased Premises for any unlawful purpose including but not limited to the sale, use or possession of illegal drugs on or around the Leased Premises.
- H. The Tenant must report any malfunction with smoke detector(s) immediately to Landlord. The Tenant agrees not to remove, dismantle or take any action to interfere with the operation of any smoke detector(s) installed on the Leased Premises.
- I. Absolutely no hazardous materials are permitted to be in or around the Leased Premises at any time.



Landlord: Benjamin Rodefer
Tenant: Rhonda Smith, Morgann Balkcom (signing also for Millie Balkcom and Addie Halkeom)
Leased Premises: 147 Via Orezda, Corrales, NM 87048

This LEASE ADDENDUM is incorporated into and made part of the Lease executed by the Landlord and the Tenant referring to and incorporating the Leased Premises.

The Landlord has zero tolerance for criminal activity in or around the Leased Premises.

This policy applies to all Tenants, occupants, guests, and any visitors in or around the Leased Premises. The Landlord will immediately report any evidence of criminal activity to the proper authorities, and the Tenant's engagement in any criminal activity is a default of the Lease.

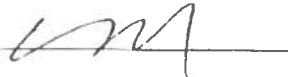
The Tenant understands his/her responsibility to call the police/emergency services and report any suspicious activity observed, and then notify the Landlord.

The Tenant understands that disturbances of the peace not only infringe on the neighbors' peaceful enjoyment of their property, but are also a default of the Lease.

In the event of any criminal activity in which the Tenant is directly or indirectly involved, the Landlord will take the legal measures necessary to evict the Tenant(s) from the Leased Premises. This includes but is not limited to illegal drug activity, gang involvement, organized crime and disturbances of the peace.

The Tenant understands that violation of this addendum is a default of the Lease and will result in the Landlord taking the necessary steps towards eviction of the Tenant. The Tenant may then be responsible for the rent remaining due for the balance of the Lease term, court costs, attorney fees, and other charges in accordance with all applicable New Mexico, local laws and regulations.

Tenant's Signature: _____



Date: _____

1-30-24

Tenant's Signature: _____

Date: _____

1A7 Via Oreada



Public Comment

Laurie Stout

From: David Alexander <dave@safenetwest.com>
Sent: Sunday, March 10, 2024 11:09 AM
To: Laurie Stout
Subject: ZOC 24-04

Commissioners,

We have resided at 96 Via Oreada in Corrales for over eight years and have become accustomed to the sounds of horses and local residents traveling along our secluded, tree-lined road on their way to enjoy the Bosque. There are several persons with animals traveling up and down our unpaved street per day. Dog walkers, horseback riders, locals exercising/walking are the daily inhabitants of this peaceful community. Residents of this pathway are often seen pulling off to the side of the road to allow the animals a right of way.

The posted speed limit of this dirt road is fifteen miles per hour. As Via Oreada is an unimproved roadway, dust becomes a factor at even slow speeds. Our unimproved road gets a regrading annually and residents have been seen making small repairs after rain storms. Occasionally non-residents will partake of our scenic pathway, and most are cognizant of the speed limit and are friendly towards local residents. However, by inviting several more cars per day who do not understand the Corrales ways of life, onto this rural byway, which is constantly frequented by large animals and humans immersed in the beauty of the area, we are mixing two different factors. One is humans and animals whose attention is wandering between the lovely surroundings and their destination, and individuals whose concentration is now on meeting their appointment schedule.

This new business requesting rezoning is not being advanced by a landowner, but by a renter. A renter that is more interested in pursuing material gains than partaking the beauty of this designated "horse Crossing" entrance into the world of beauty wonder. Please let it be known that we are in opposition to a home occupancy business at 147 Via Oreada.

David and Kacy Alexander

96 Via Oreada

Corrales, NM 87048

(505) 890-1185

Public Comment

March 11, 2024

Dear Planning and Zoning Commission,

We are writing to express our strong opposition to the recent request for a Home Occupation permit by Morgann Balkcom of 147 Via Oreada to operate the EM2 Clinic out of their residence. As long-standing residents of Corrales, we feel compelled to outline our concerns regarding this proposal and why it is not suitable for our neighborhood. Additionally, from our understanding, this is a renter who has only been living in Corrales for approximately, 1-2 months.

The specific request reads as such:

ZOC 24-04 (Home Occupation) Applicant Morgann Balkcom of 147 Via Oreada is requesting Home Occupation permit approval for use 800 square feet of a 4,000 square foot home for mental health coaching and therapy. "EM2 Clinic" will have up to 20 clients per week Mon-Fri 9 to 5 and Sat-Sun 9 to 4. This 1.55-acre property is zoned A-1 Agricultural and Rural Residential.

EM2 Clinic generally encompasses the following:

Specializes in frequency based technology and next-generation, noninvasive modalities to help you manage stress, push back on aging, and thrive in our modern world. We offer state of the art relaxation therapy which employs a combination of vibration, light, and sound in a manner that resonates with the human body, inducing a profound sense of relaxation. Our beauty and wellness services are designed to support and encourage the body's ability to balance and regenerate. We offer integrative coaching and a wide range of esthetic treatments including facials, cryotherapy, waxing, and lash extensions.

First and foremost, our neighborhood, including Cadillo Lane and Via Oreada, has been zoned for agricultural and rural residential purposes for over 40 years. This zoning designation has been instrumental in preserving the peaceful and family-oriented character of our community. Introducing a commercial enterprise such as the EM2 Clinic into this residential area is not only inappropriate but also potentially disruptive to the tranquility we cherish.

We have several concerns regarding the proposed business:

1. **Nature of Business:** The EM2 Clinic offers services that are more akin to those found in commercial areas, such as beauty and wellness treatments, which are not suitable for a residential setting.
2. **Traffic and Safety:** The proposed operation would significantly increase traffic in our neighborhood, posing safety risks to residents, especially children (we have two at home, one as young as 10 years old, and a third away at college) and elderly individuals. Additionally, increased traffic could disturb the natural habitat and wildlife in the nearby Bosque nature preserve.
3. **Impact on Property Values:** Having a commercial business operating nearby could diminish property values in our neighborhood, as potential buyers may be deterred by the presence of commercial activity.

4. **Noise and Disruption:** The potential noise and disruption from clients visiting the EM2 Clinic, especially during weekends, would disrupt the peace and quiet we enjoy in our residential area.
5. **Violation of Zoning Regulations:** Allowing a commercial business to operate in a residential zone would be a violation of zoning regulations put in place to protect the character of our neighborhood.
6. **Concerns for Vulnerable Residents:** We have elderly neighbors and residents with mobility issues who would be particularly affected by the increased traffic and potential disturbances caused by the proposed business.
7. **Safety Concerns for Equestrians:** Our neighborhood is not only home to families but also to equestrians who frequently ride their horses along Cadillo Lane and Via Oreada, particularly towards the Bosque nature preserve. The introduction of unfamiliar traffic associated with the EM2 Clinic poses a significant safety risk to both riders and horses. Increased vehicular activity, especially if drivers are not accustomed to sharing the road with equestrians, could result in accidents and potentially life-threatening situations. This lack of awareness about horses among visitors to the proposed commercial business further underscores the inappropriateness of locating such an enterprise in a residential and equestrian-friendly neighborhood and highlighting the importance of preserving the peaceful and equestrian-friendly nature of our community.

We urge the Planning and Zoning Commission to carefully consider the concerns raised by residents and to deny the Home Occupation permit for the EM2 Clinic. Our neighborhood's residential and agricultural character must be preserved, and allowing commercial activities, such as this, to encroach upon it would set a dangerous precedent.

Thank you for your attention to this matter.

Sincerely,

Marcos and Tonna Burgos
132 Cadillo Lane
Corrales, NM 87048

ZOC 24-04

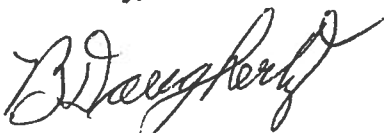
To Istout@corrales-nm.org <Istout@corrales-nm.org>

Our family has lived at 41 Via Oreada for 44 years and have not had a need to contact the Village Government until this issue regarding Morgann Balkcom's request for a Home Occupation Permit allowing her to establish a business at 147 Via Oreada. It is our understanding that Ms. Balkcom is renting this property from Ben Rodefur and that her intent is to establish a mental health coaching and therapy business on site. We are opposed to this request. Our road has always been a quiet, rural road that is somewhat unique in that it is the only residential road in the south part of Corrales that provides access to the bosque. As such, there is a good amount of horseback and hiking activity on our road and we have always really enjoyed that.

While the application indicates that the business will generate about 20 extra cars using the road per week, it is very likely that there will be far more than that as soon as the sign goes up (in front of our house) as Corrales is a favorite place "in the country" for people from Albuquerque and other areas to drive around in just to see what's there. People will be using our street, especially on the weekends, for recreation. Horses and cars sharing a road is not a good mix and will cause an unsafe environment that doesn't need to exist.

Please deny this request that will cause irreparable changes to the quiet, rural lifestyle we have enjoyed so much.

Sincerely,



Bill and Billie Daugherty
41 Via Oreada

Public Comment

Dear Planning and Zoning Commission:

I am writing to express our strong opposition to the recent request for a Home Occupation permit by Morgann Balkcom of 147 Via Oreada to operate the EM2 Clinic out of their residence. As long-standing residents of Corrales, we feel compelled to outline our concerns regarding this proposal and why it is not suitable for our neighborhood.

The specific request reads as such:

ZOC 24-04 (Home Occupation) Applicant Morgann Balkcom of 147 Via Oreada is requesting Home Occupation permit approval for use 800 square feet of a 4,000 square foot home for mental health coaching and therapy. "EM2 Clinic" will have up to 20 clients per week Mon-Fri 9 to 5 and Sat-Sun 9 to 4. This 1.55-acre property is zoned A-1 Agricultural and Rural Residential.

EM2 Clinic generally encompasses the following:

Specializes in frequency based technology and next-generation, noninvasive modalities to help you manage stress, push back on again, and thrive in our modern world. We offer state of the art relaxation therapy which employs a combination of vibration, light, and sound in a manner that resonates with the human body, inducing a profound sense of relaxation. Our beauty and wellness services are designed to support and encourage the body's ability to balance and regenerate. We offer integrative coaching and a wide range of esthetic treatments including facials, cryotherapy, waxing, and lash extensions.

First and foremost, our neighborhood, including Cadillo Lane and Via Oreada, has been zoned for agricultural and rural residential purposes for over 40 years. This zoning designation has been instrumental in preserving the peaceful and family-oriented character of our community. Introducing a commercial enterprise such as the EM2 Clinic into this residential area is not only inappropriate but also potentially disruptive to the tranquility we cherish.

We have several concerns regarding the proposed business:

1. **Nature of Business:** The EM2 Clinic offers services that are more akin to those found in commercial areas, such as beauty and wellness treatments, which are not suitable for a residential setting.
2. **Traffic and Safety:** The proposed operation would significantly increase traffic in our neighborhood, posing safety risks to livestock and residents, especially children and elderly individuals. Also, Via Oreada is a very common traffic route for equestrians. Additionally, increased traffic could disturb the natural habitat and wildlife in the nearby Bosque nature preserve.
3. **Impact on Property Values:** Having a commercial business operating nearby could diminish property values in our neighborhood, as potential buyers may be deterred by the presence of commercial activity.

4. **Noise and Disruption:** The potential noise and disruption from clients visiting the EM2 Clinic, especially during weekends, would disrupt the peace and quiet we enjoy in our residential area.
5. **Violation of Zoning Regulations:** Allowing a commercial business to operate in a residential zone would be a violation of zoning regulations put in place to protect the character of our neighborhood.
6. **Concerns for Vulnerable Residents:** We have elderly neighbors and residents with mobility issues who would be particularly affected by the increased traffic and potential disturbances caused by the proposed business.

We urge the Planning and Zoning Commission to carefully consider the concerns raised by residents and to deny the Home Occupation permit for the EM2 Clinic. Our neighborhood's residential and agricultural character must be preserved, and allowing commercial activities to encroach upon it would set a dangerous precedent.

Thank you for your attention to this matter.

Sincerely,

Dennis J. McSweeney
M. Jean McSweeney

[Your Name]

[Your Address]

46 Cadillac Lane
Coates, N.M. 87048

Public Comment

Laurie Stout

From: Jennifer Verhoog <jjverhoog@yahoo.com>
Sent: Wednesday, March 13, 2024 9:49 AM
To: Laurie Stout
Subject: Opposition to Home Occupancy request

This response is in consideration of the Home Occupancy request by the tenants at 147 Via Oreada. With only a few homes on Via Oreada the traffic that uses the road is limited. Our neighborhood has a sense of security because we watch out for each other and are aware when non-residents drive down our street. Having visitor traffic seven days a week will eliminate our neighborhood watch to identify "cruisers" and diminish our sense of security. In addition adding business traffic will open up our quiet street to much more car traffic than we currently experience. As we are adjacent to the Bosque preserve our road is used heavily by horses and pedestrians- including the elders in our neighborhood. Via Oreada holds up to the current flow, barely, and I would hate to see asphalt put down as the solution.

As this business does not belong to the home owner it seems incongruent with our small community neighborhood. Having a renter move into our neighborhood and establish a business will change the character of our neighborhood. I have lived in my property for over 45 years. I'm in opposition to a home occupancy business due to the reasons stated above. Thank you,
Marcia Saunders

Sent from my iPhone

March 12, 2024

Public Comment

Attention Laurie Stout, P&Z Administrator

Please include this letter for the Planning & Zoning Commission Members

Dear Planning & Zoning Commissioners:


I am David Stinchcomb, I moved in to my home at 122 Via Oreada in 1972, fifty two years ago. I am 86 years old and this is the only home I have ever owned and I love my rural road. Via Oreada is not a through road, it is a short dirt road ending at Nichols Drain, with mature cottonwood trees on both sides I consider it as living in the Bosque. There are only seven homes on our road and all existing neighbors know one another. We have enjoyed horses slowly strolling along our road, dog walkers or just someone taking a leisurely walk.

Unfortunately I live directly across the road from the home at 147 Via Oreada that will increase traffic by **twenty cars a week 9 to 5 seven days a week!** My understanding of a Home Occupation should be a minimal intrusion to a location; this application is a major commercial service intrudes on a quite rural neighborhood. This application represents, in my opinion, someone who does not understand rural Corrales.

This application presents an inappropriate use in our neighborhood for the purpose of financial gain, and if successful it could result in additional vehicles. Should you choose to approve this application, it will result in a dangerous precedent to our neighborhood and every neighborhood in Corrales.

Please deny this application and direct the applicant to the commercial zone where this business belongs.

Respectfully



David Stinchcomb
P, O, Box 2278, Corrales, NM 87048

Public Comment

Laurie Stout

From: Patrick McClernon <pmap@flash.net>
Sent: Wednesday, March 13, 2024 10:54 AM
To: Laurie Stout
Subject: ZOC-24-04

Laurie Stout, PZA

Please enclose our comments in the Commissioners packet:

ZOC 24-04 (Home Occupation)
147 Via Oreada, Corrales
March 13, 2024

Commissioners:

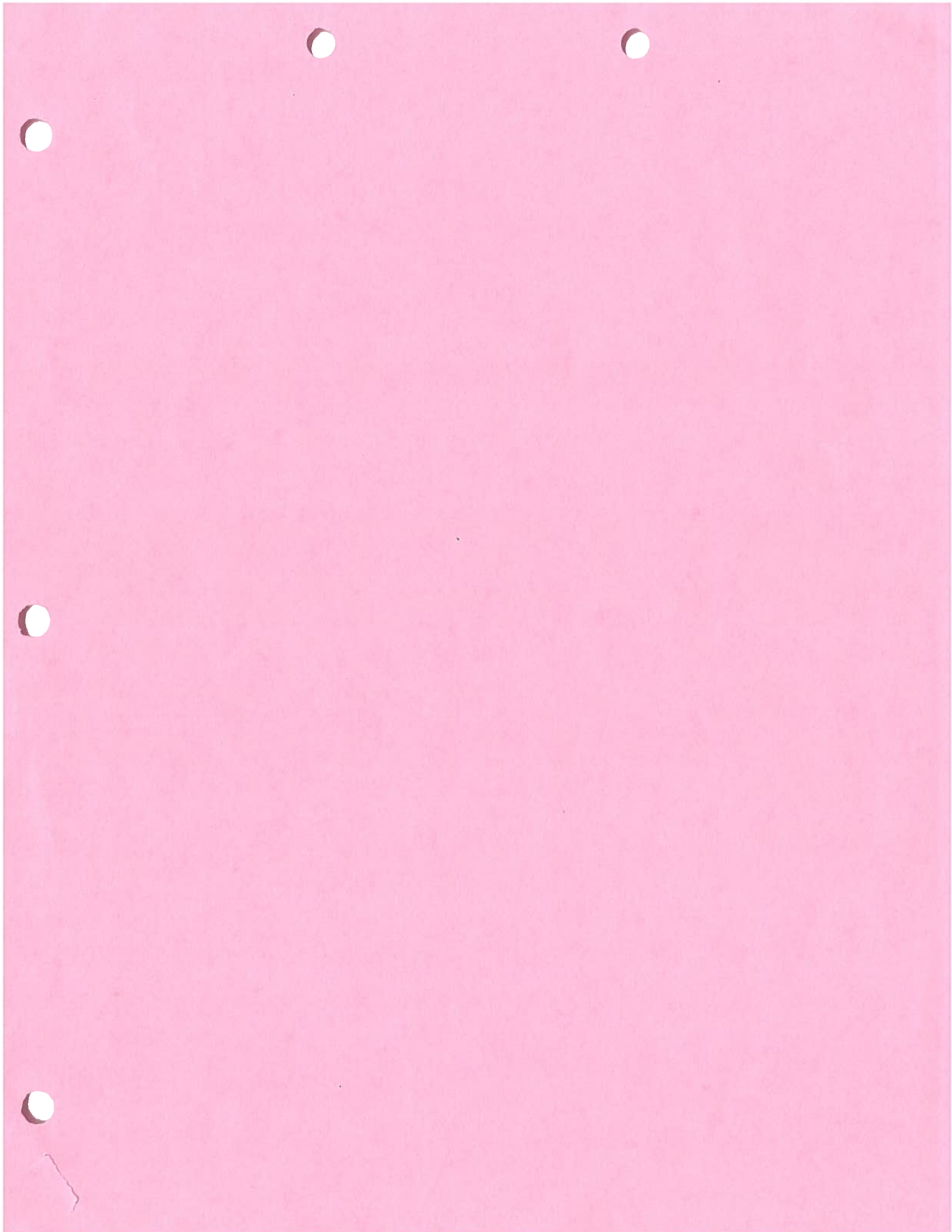
We are writing in opposition to this request. The Village notice shows this request zoned as A-1 property. This is not factual as it has been zoned A-2 since annexation into the Village almost fifty years ago. This property adjoins ours on our southerly border although we do not share the access road.. This request is at the end of a 700 foot long rural tree lined road providing access to only six other residences. The non-residential trip generations poses a higher burden on this short street than most requests that come before you. The increased impact will be a negative factor for this small, quiet neighborhood. The access road has been designated a trail by the Village of Corrales Trails Master Plan and one of only six east/west trails with a crosswalk at Corrales Rd. Bosque access makes this a heavily used pedestrian and equestrian pathway that would be compromised by this use with the added automobile traffic.

This business currently operates within the commercial designated zone (as described by online search - 4436 Corrales Rd, ste 4) and that is where it should remain. Introducing commercial services adversely affects this neighborhood. Home occupation permits were intended to have little or no impact on neighbors, this request generating 20 cars per week is disproportional to the neighbors use and should be denied. Changing the character of one neighborhood at a time will profoundly change Corrales.

Thanks for your consideration.

Cherie and Patrick McClernon
2968 Corrales Road
Corrales, NM

pmap@flash.net



SDP 24-01, Site Development Plan, 3923 Corrales Road, Staff Summary

Applicant **Modulus Design**, 912 Broadway Blvd NE, ABQ, 87102, on behalf of property owners **Carol Rising** and **Dana Brabson (Brabson Rising, LLC)**, of 712 Trujillo Lane in Corrales) requests **Site Development Plan** approval for **3923 Corrales Road**. This 1.4-acre property is zoned **C – Neighborhood Commercial** and is located at the southwest corner of Corrales Road and Coronado Road intersection.

This Site Development Plan will consist of several phases of development. The first page shows existing conditions on the site. There is currently a 4,825 square foot structure on the site that houses Corrales Coffee and Tea and a hair salon. Owners have determined that rehab of this existing building is economically infeasible. For Phase I, they wish to construct a new 6,265 square foot single-level building and move the existing two tenants there along with the former quilt shop (which is leasing outside the Village, currently).

At the conclusion of Phase I, the existing building will be demolished. Phase II will be the construction of a new 4,715 square foot building in its place.

Per the **Phase II drawings** showing final dispensation at the property, there will be two buildings offering assorted retail and a restaurant space in each. **Please see Project Narrative** provided by Modulus Design for more detail.

Site Development Plans are governed by Village Code **Section 18-45 (b) Site development plan approval**, which must satisfy at least the following minimum requirements:

- a. *Show proposed new structure(s) and any existing buildings or structures, total lot coverage, all property lines with dimensions, all roads/streets, easements and setbacks.*

At the conclusion of Phase II, there will be two commercial buildings on site. Total lot coverage once both are constructed, along with any paved areas such as ADA parking, will be 29.9% (under the 35% maximum allowed by Village Code.) Property lines, Corrales Road w/access, Coronado Road w/access and setbacks are shown.

- b. *Show all locations on-site for water, septic, sewer, refuse, electrical points of connections, proposed service routes and existing utilities on the site.*

The Key Notes section on Phase 2 page shows well (16). The proposed septic tank location (34) (that must be tied into the Village wastewater line in the future), is shown on the southwest side of "New Building 1". Electrical transformer, utility power and overhead are Key Notes (2-4).

- c. *Show all required parking, drainage and grading information (see Section 18-39, Off-street parking requirements).*

The architect has broken down required parking per Village Code. Café, restaurant at 1 space per 4 seats and general retail/services at 1 space per 300 heated square feet. Total parking requirement is 56 spaces, and 56 are shown. Drainage is addressed in item (e) below.

- d. *Show required landscaping information (see Section 18-40).*

Section 18-40 (f) Buffer landscaping states that there must be a 6' fence or wall where commercial properties abut residential ones. A residentially zoned lot (vacant except for two accessory structures used for agricultural) lies along the entire south border of the subject property. The owner of that property has recently discussed possibly rezoning it to commercial but has not done so as of this date. His home is on a separate lot that does not adjoin this property.

Applicants are showing what would be a new 6' block wall with stucco finish on the north side, from the west property line eastward to the Coronado Road driveway. (Note 15). Then, past that driveway headed eastward, a new 6' steel pipe and latilla fence up to the commercially zoned lot on that north side. (Note 14). No other buffer fence/wall is shown.

- e. *Indicate drainage inflow and outflow locations and specify areas required to be maintained for drainage purposes.*

(On the Phase II sheet, under "Stormwater Management" there are a total of four retention ponds planned. They are under Key Notes (9-12) Drainage from the two buildings will fall into the pond between them, as well as a pond running along the south end of property.)

- f. *Include a topographic survey if requested by the Administrator.*

(Not requested; site is relatively flat and does not drain onto Corrales or Coronado Roads.)

- g. *Show all structures on adjacent properties located within 25 feet of the site.*

(There is an unpermitted residence to the west, shown.)

- h. *Identify the zone designations of adjacent properties.*

Across Corrales Road (east) is primarily residential with a corner of Cottonwood Montessori on the south. A small piece of commercial is to the north, with residential west of that. Residential to the west and south.

- i. *Additional information necessary to demonstrate compliance with the requirements for this article as determined by the Administrator.*

The site has two existing ingress/egress points that will remain, the primary access off Corrales Road and an entrance off Coronado Road. The plan has been inspected by the Fire Chief, who approves of the emergency access provided.

The property must connect to the Village wastewater system, which will be a condition of building permit.

- j. *Show north arrow and scale on all drawings, unless clearly unnecessary for the specific drawing in question. (Located on the right edge of all drawings.)*

Certified letters were sent timely; I observed the "notice" sign properly placed along Corrales Road on March 6, 2024.

Recommendation: Applicants have met Village Code requirements for submittal of a Site Development Plan application per **Section 18-45 (b)**. There are currently business uses taking place on the property; this new proposal expands those uses by about double. The 1.4-acre property provides space for Code-required parking and a fire lane. If approved by the Commission, the next step will be submittal of building plans and a contract with Public Works showing plans for attaching to the Village wastewater line.

 3-13-24

Laurie Stout, Planning & Zoning Administrator

Date



SUP
24-01

4324 CORRALES ROAD
CORRALES, NEW MEXICO 87048
PHONE (505) 897-0502
FAX (505) 897-7217

VILLAGE OF CORRALES

EMAIL: Planning@corrales-nm.org
WEBSITE: www.corrales-nm.org

Application for Site Development Plan Permit

APPLICANT INFORMATION

*Please include a brief narrative summary of existing uses and proposed new uses of structures with hours and days of business operation.

Applicant Name: VINCENT ARAGON (MODULUS DESIGN)

Telephone: 505-842-0354 Email: VINCENT@MODULUSDESIGN.COM

Mailing Address: 912 BROADWAY BLVD NE, ALBUQUERQUE, NM 87102

Property Owner: CAROL RISING & DANA BRABSON (Brabson Rising LLC)
(if different from applicant)

Mailing Address: 712 TRUJILLO LANE, CORRALES, NM 87048
(if different from applicant)

Descriptive Information: Tract 131B2
Lot Number/ Tract Number Block

18
MRGCD Map Number Name of Subdivision

C- NEIGHBORHOOD COMMERCIAL 1.4182
Zone Designation Flood Map Designation Acreage

Address for Site: 3923 CORRALES ROAD, CORRALES, NM 87048

Additional Comments: _____

Will there be any undue negative impact on the community? If yes please explain: **NO**

Is Buffering Required? Yes No If Yes: 700 56
Linear Feet of Fence Number of Parking Spaces

Name and Address of Architect/Engineer:
CHRIS BELLONE - ARCHITECT
712 BROADWAY BLVD NE, ABQ, NM 87102

Signature of Applicant: Vincent Aragon Date: 2/9/2024

OFFICE USE ONLY

Date Received: 2-13-24 Received By: Brigitte File No.: SDP 24-01

Amount Paid: 500⁰⁰ Cash Credit Credit Card Number: _____

Check Check #: _____ Receipt Number: _____

Completed Application Acceptance Date: 2-13-24 Date of Hearing: March 20

Developer Invoiced for Legal Notice: Paid: \$ _____

Approved: _____ Date: _____

Approved with Conditions:

Denied: _____
Date

Findings of Facts and Conclusions of Law:

Amended Drawings Required: _____
Date

Findings of Facts and Conclusions of Law:

Amended Drawings Submitted: _____
Date

GENERAL INFORMATION

1. Corrales Codified Ordinances Chapter 18 Section 18-45(b)
 2. The Administrator shall determine if the proposed site development plan satisfies the requirements of Section 18-45(b) before submitting to the P&Z Commission for a public hearing. The Administrator shall schedule a hearing before the Commission no later than sixty (60) calendar days following the submittal of a completed application as determined by the Administrator.
 3. Any change in use which would require additional parking and/or any alteration or addition to the site of any structure upon the site shall require a resubmitted application and approval.
 4. **Fees:** 1.5% of the valuation of construction up to \$5 million plus 0.1% of the valuation of construction in excess of \$5 million, as a condition of approval or a minimum fee payable at the time of application, and any additional fees owed payable prior to issuance of a development permit; plus costs of legal notification for commission hearing (certified mail, signature required). See Resolution 16-06.
 5. **Requirements:** Four (4) copies shall be 24" by 36"; upon statement from the Administrator that application is complete, ten (10) copies shall be 11" by 17" format and an **electronic copy (PDF) will be required with EACH submittal**
-
-

SITE DEVELOPMENT PLAN PERMIT APPLICATION

* If you have any questions about filling out the form or about the process, please phone, email or make an appointment with a Planning and Zoning staff member. We are here to help.

Section 18-45. Permits, certificates and plan approval.

(b) Site development plan approval.

1. **Approval required:** No building, structure, or land in any zone may be occupied by a use designated as requiring site development plan approval without the approval of a site development plan by the planning and zoning commission.
2. **Applications:** Anyone requesting a use of a building, structure or land requiring site development plan approval must obtain and submit a completed application for a site development plan review. The application shall be returned to the Administrator accompanied by the appropriate application fee and fourteen (14) sets of required drawings. **All site plans or site development plans must satisfy at least the following minimum requirements:**
 - a) Show proposed new structure(s) and any existing buildings or structures, total lot coverage, all property lines with dimensions, all roads/streets, easements and setbacks.
 - b) Show all locations on-site for water, septic, sewer, refuse, electrical points of connections, proposed service routes and existing utilities on the site.
 - c) Show all required parking, drainage and grading information (see section 18-39).
 - d) Show required landscaping information (see section 18-40).
 - e) Indicated drainage inflow and outflow locations and specify areas required to be maintained for drainage purposes.
 - f) Include a topographic survey if requested by the Administrator.
 - g) Show all structures on adjacent properties located within 25 feet of the site.
 - h) Identify the zone designations of adjacent properties.
 - i) Additional information necessary to demonstrate compliance with the requirements for the article as determined by the Administrator.

- j) Show north arrow and scale on all drawings, unless clearly unnecessary for the specific drawing in question.
3. **Review Process:** The administrator shall schedule a hearing before the Commission no later than 60 days following the submittal of a completed application as determined by the administrator.
 4. **Meeting with P&Z Administrator:** Prior to submitting an application, the applicant shall first schedule a meeting with the administrator. Review and comments shall be given to the applicant at this time, concerning the relationship of the proposed development to the Comprehensive Plan, applicable zoning ordinances, along with copies of the pertinent sections of this article, applications, and other submittal requirements.
 5. **Guidelines:** The P&Z Commission shall not approve any site development plan unless all the requirements are met. The Commission may, in its discretion, grant conditional approval of a proposed site development plan subject to satisfactory completion of certain specified requirements prior to a date certain, and may delegate to the Administrator, the chairman of the Commission, or other specifically designated individual the authority to determine whether such requirements have been satisfactorily completed. In addition, no site development plan shall be approved unless satisfactory provisions have been made concerning the following, where applicable:
 - a) Accessibility to property and proposed structures thereon, with reference to automobile and pedestrian safety, traffic control, 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 the refuse and services areas (Sec. 18-37(10)).
 - c) Show all on-site locations for water, septic, sewer and liquid waste facilities, with reference to soil limitations, locations, and public health.
 - d) On-site drainage and storm water runoff.
 - e) The noise, glare, or odor effects of the proposed use on adjoining properties.
 - f) General compatibility with existing adjacent properties.
 - g) The overall health and safety of the community.
 - h) The goals and objectives of the Village of Corrales Comprehensive Plan.
 6. **Additional Requirements:** Any change in use which would require additional parking and/or any alteration or addition to the site of any structure upon the site shall require the resubmittal of an application and approval as required by this section.
 7. **Completeness of Plan:** No site development plan shall be approved unless the submitted plan as presented is complete, or any deficiencies have been fully corrected to the satisfaction of the commission, or other appropriate authority specifically designated by the commission.
 8. **Expiration:** Any site development plan approval will automatically expire on the date that is 24 months after the date of commission approval or conditional approval if development is not complete. The commission, in its discretion, may extend this time in cases in which the project is in litigation or for any other reason that excuses the failure to complete development, provided the extension is not contrary to the public interest. Any decision by the Commission to extend, or not extend, construction time for a site development plan may be appealed to the Governing Body.

***An application without all the required attachments is incomplete. If the application is not complete, it will be returned and will NOT be set for hearing until resubmitted in a complete form.**

Village of Corrales
Planning and Zoning Commission
4324 Corrales Rd
Corrales, New Mexico 87048



3923 Corrales Rd – Project Narrative

Corrales Planning and Zoning Board,

Modulus Design is acting as the agent for Brabson Rising LLC, owning party of property at 3923 Corrales Rd (S.R. 448), Corrales, New Mexico, 87048.

3923 Corrales Rd., an existing commercial development with (2) existing tenants, is located on a 1.42-acre lot along the west side of Corrales Rd (NM 448) with an existing building comprising approximately 4,825 SF of GFA. The site measures 159' along its north / south axis and roughly 400' along its east / west axis. Site access is comprised of an existing 25' wide opening from Corrales Rd. and an existing access along Coronado Rd. These entry points access the site parking and are used primarily by customers. The site contains internal vehicular circulation paths toward the western (rear) extents of the property.

The existing building formerly had three tenants: A Quilt Shop (2,260 SF), a Tea & Chocolate Shop (1,140 SF), and a Hair Salon (1,150 SF). The Quilt Shop relocated as the existing space no longer met their needs and space requirements. The Tea & Chocolate Shop, which has combined retail and dining facilities, took over that space and now occupies 3,400 SF. The Hair Salon remained the same size after the Quilt Shop's departure. The operating hours of the existing tenants are 10am – 5pm.

The current structure does not meet the owner and tenants' needs and rehabilitation of the existing structure has been determined economically infeasible. The plan is to maintain the existing tenant base and to have the Quilt Shop return. To do this, a phased approach has been proposed for relocating the existing tenants and allowing for these businesses to continuously remain in operation. Phase 1 is proposed to be the construction of a new 6,265 SF single level building with (3) tenant spaces for the relocation of the original three tenants. The Tea & Chocolate Shop and Hair Salon will occupy spaces slightly larger than their original spaces. The Quilt Shop is proposed to take over the anchor tenant space comprising roughly 2,880 SF. At the conclusion of the Phase 1 construction, the existing building is to be demolished prior to the commencement of Phase 2. The second construction phase will consist of the construction of an additional 4,715 SF commercial building providing additional leasable area for the building owner. Final site improvements and landscaping conclude the proposed scope of Phase 2 and the redevelopment project in general.

The owners are currently working with Corrales MainStreet to help secure future tenants for the Phase 2/New Building 2 tenant spaces.

Sincerely,

Modulus Design - *Designer + General Contractor*
Vince Aragon – *Designer + Project Lead*
Christian Harper – *General Contractor*

Public Comment

Laurie Stout

From: Lisa A Flores <lisaannflores@me.com>
Sent: Monday, March 11, 2024 1:05 PM
To: Laurie Stout
Cc: Rich Schorr
Subject: SDP 24-01: Site Development Plan

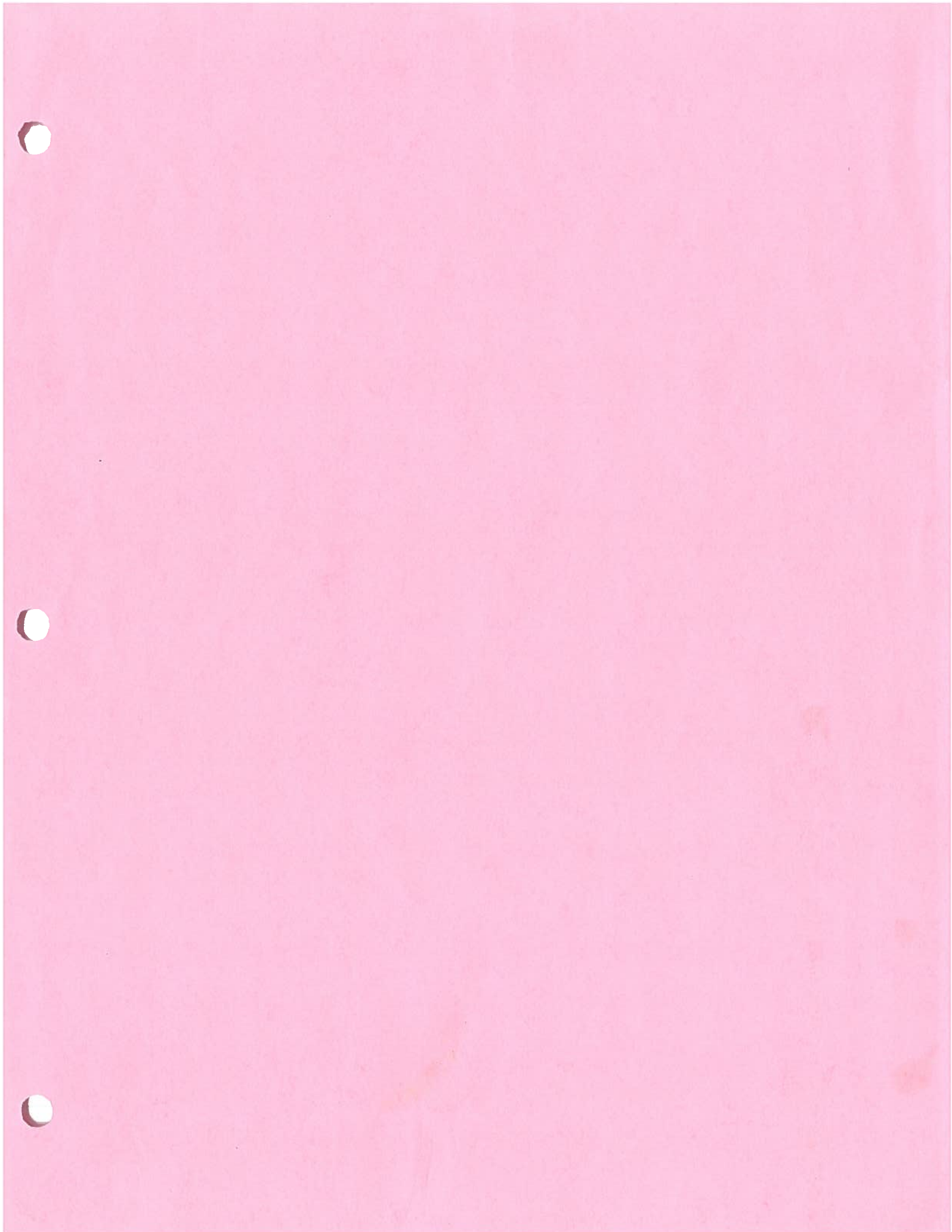
We are writing to communicate our concerns regarding the site development plan at 3923 Corrales Rd. We live at 91 Coronado Rd & can view the property from our home. Our concerns are:

1. Being on a well, a commercial establishment (especially with two restaurants) will increase the load on our aquifer which provides us with drinking water. It will also increase the septic load on the aquifer, potentially increasing contamination.
2. We are concerned about placing 2 buildings where one currently exists. Have plans been drawn and are they available for comment?
3. With two buildings, are there plans to pave a parking lot, which will prevent water reclamation? I assume additional parking comes with additional lightening.
4. A two story building will block our view of the Sandías. What are the plans for exterior lighting? The current building has incandescent which already projects light pollution directly into our property. We are concerned that the new building will have additional exterior lighting more powerful than the current, worsening the conditions.
5. There is already excessive traffic & speeding on Coronado Rd because it links Corrales Rd to Loma Larga. I have concerns that additional buildings with two restaurants may increase alcohol consumption, traffic and speed; and, I ride my horses along Coronado Rd to access trails.

We respectfully request that you take our concerns into consideration given our proximity to the proposed building additions. We moved to Corrales for its horse friendliness & rural atmosphere & hope that the Village continues to embrace that lifestyle.

Sincerely,

Lisa Flores and Richard Schorr
Sent from my iPad



1

2 **Village Code Section 18-164 – Grading Permits, (c) Minimum**
3 **Standards, (2) Grading, (c)**

4

5 **(c) as currently written in Code:**

6 *Natural slopes greater than fifteen percent (15%) shall remain undisturbed. A variance may*
7 *be granted, upon application, for isolated occurrences such as arroyo crossings and other*
8 *limited areas with a natural slope greater than fifteen percent (15%), where the disturbance*
9 *does not exceed one thousand (1,000) square feet in total. If the applicant demonstrates to*
10 *the satisfaction of the Village that strict enforcement of this provision would prohibit access*
11 *to the lot or placement of utilities, the Commission may grant a variance from the terms of*
12 *this subsection 18-164 (c)(2)(c). The Commission may seek the advice of the Village*
13 *Engineer in considering a request for variance under this subsection, but shall not be*
14 *bound or limited by such advice. This variance provision shall apply solely to the*
15 *construction of streets, roadways, driveways, drainage ways, and utility placement and is*
16 *not intended to permit development on natural slopes exceeding fifteen percent (15%).*

17

18 **New proposed language:**

19 *(c) Natural slopes greater than fifteen percent (15%) shall remain undisturbed. The*
20 *Commission may grant a variance from this subsection 18-164 (c) (2) (c) if all of the*
21 *following requirements are met:*

- 22 *i. The disturbance does not exceed 1,000 square feet in total, and*
- 23 *ii. The applicant demonstrates to the satisfaction of the Village that strict enforcement of*
24 *this provision would prohibit access to the lot or placement of utilities, and;*
- 25 *iii. The variance does not apply to a dwelling unit or accessory structure pad site, but only*
26 *for the purpose of construction of streets, roadways, driveways, drainage ways or utility*
27 *placement.*

28 *The Commission may seek the advice of the Village Engineer in considering a request for*
29 *variance under this subsection but shall not be bound or limited by such advice.*

30 *(Personally, I always ask our engineer to review the calculations provided by the applicant's*
31 *engineer. He and I go to the site and inspect the actual conditions there as well. If there are*
32 *any discrepancies, I ask that they be cleared up before the Commission sees the Variance*
33 *application.)*

34

35 **(Items d through f of this subsection as currently written):**

36 (d) *The Administrator, in the Administrator's discretion, may require specific phasing for*
37 *grading and clearing on any site where construction will not begin immediately after*
38 *clearing and grading, or where initial construction will occupy only a portion of the site to be*
39 *cleared and graded.*

40 (e) *No grading permit for driveway construction shall be issued unless the Administrator*
41 *has first determined that a buildable site as defined in Section 18-162 exists on the lot.*

42 (How this works: part of any grading and drainage plan is having the applicant's engineer
43 place the proposed house, showing square footage plus any concrete porch, etc. outlines
44 over the topographical survey. That area MUST be under 15% grade. If a corner of the
45 house, for instance, is within the 15%+ area, they must redesign or reconfigure the house
46 as it sits on the site.)

47 (f) All grading completed on the site shall be in conformance to the approved grading plan.

48

LAB

ARTICLE V. - TERRAINS AND STORM WATER MANAGEMENT**Section 18-160. - Purpose.**

The purpose of this article is to protect, maintain and enhance the health, safety, and general welfare of the citizens and natural environment of the Village. The following goals and objectives shall be considered during the design and planning process for all proposed developments subject to these regulations:

- (a) Ensure sound and orderly development of the natural terrain;
- (b) Protect life and property from the dangers of flooding and the hazard of improper cuts and fills;
- (c) Minimize erosion and sedimentation;
- (d) Minimize destruction of the natural landscape;
- (e) Protect the scenic character of the Village of Corrales from the visual blight of indiscriminate cuts and fills and vegetation removal resulting from extensive grading and utility scars;
- (f) Treat storm water runoff as a valuable natural resource in the Village of Corrales, a community that is prone to drought, by encouraging water collection and infiltration on site;
- (g) Control the adverse impacts associated with accelerated storm water runoff on natural drainage ways, hillsides, and all structures due to increased development and impervious surfaces;
- (h) Minimize erosion and degradation of arroyo channels and improve the condition of the channel where possible;
 - (i) Respect, protect, maintain, and restore natural drainage ways, wetlands, bosques, floodplains, steep slopes, riparian vegetation, and wildlife habitat areas;
 - (j) Prevent storm water runoff from damaging acequias or other irrigation facilities; and,
 - (k) Provide aesthetically pleasing solutions to storm water management and erosion control measures by integrating measures into the overall landscape and site design.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Section 18-161. - Applicability.

- (a) The requirements of this article shall apply to all lands within the Village that are located west of the Corrales Main Canal. The requirements of this article shall also apply to new development and redevelopment projects that disturb greater than or equal to one acre, including projects

disturbing less than one acre that are part of a larger common plan of development that in total will disturb an area greater than or equal to one acre, regardless of location in the Village. The provisions of Section 18-172 apply throughout the Village.

(b) Minimum standards and submittal requirements for terrain and storm water management are based on the type of project, as follows:

(1) Grading permit applications, when required by this article or any other provision of the Village Land Use Ordinances, shall meet the minimum standards and submittal requirements in Section 18-164.

(2) The approved final terrain and storm water plans, when required, shall be submitted with the application for building permit.

(3) All construction projects shall comply with the objectives, intent, and minimum standards of this section including, without limitation:

a. New construction;

b. Reconstruction;

c. Demolition; and

d. Construction of roadways and drainage as approved in the subdivision process following approved grading and drainage plans.

(c) Exemptions. New construction, remodeling, additions, or other alterations to existing structures and development identified in Section 18-164(a)(2) are exempt from the requirements of this section provided that they meet all of the following conditions:

(1) Less than one thousand (1,000) square feet of total land area is disturbed;

(2) No slopes greater than eight (8) percent are disturbed;

(3) Existing drainage patterns on the property are not changed in a way that would increase the amount of storm water runoff leaving the property;

(4) No cut slopes or fill exceeding 3 to 1 grade (3 horizontal to 1 vertical) are created, unless retained in accordance with a design certified by a professional engineer and approved by the Village Engineer; and

(5) The applicant, by applying for this exemption, has not exceeded the thirty-five percent (35%) lot coverage limitation of the property.

(d) Alternative compliance. Applicants may propose alternatives to standard storm water management techniques, so long as these alternatives allow the project to meet the minimum standards and general requirements of this section. Alternative techniques may be proposed that achieve improved environmental performance, including reduced storm water runoff, increased infiltration, reduced sedimentation and erosion, and for aesthetic purposes. Proposals for alternative compliance to standard storm water management techniques shall

be subject to review and recommendation by the Village Engineer in writing to the Planning and Zoning Commission. Applicants shall bear costs of engineering review whether the proposal for alternative compliance is approved or rejected.

(e) Fees. All applications and permits required by this article shall not be processed without payment of an administrative fee to the Village by the applicant at the time of application. All fees are nonrefundable. A current fee schedule shall be maintained by the Administrator.

(1) All costs incurred for publication and certified mailings related to notice of a hearing shall be paid by the applicants.

(2) Any additional resubmittals shall be accompanied by the required application fees.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09; Ord. No. 11-009, adopted 5-10-11; Ord. No. 15-06, adopted 2-24-15.

Section 18-162. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Words, terms, or phrases not defined in this section shall be interpreted to give them the meaning they have in most common usage and to give this article its most reasonable application.

Active water harvesting means the containment of precipitation or run-off in a storage tank and distribution with a mechanical system, by means of gravity or a pump.

Administrator means the Planning and Zoning Administrator of the Village.

Application means all the documents and fees required of the applicant for a permit or approval.

Arroyo means a normally dry water course.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Best management practices means practices used to reduce erosion and sediment transport during the construction process.

Bioengineering techniques means erosion control methods which use plants, sometimes in conjunction with mechanical methods, to build living structures on steep slopes, stream banks, and at the interface between soil and water.

Build means to construct, erect, convert, enlarge, reconstruct or structurally alter a structure.

Buildable site means a contiguous area of land located within a single lot on which a structure can be developed in compliance with all requirements of this section, all requirements of the underlying zone, and all applicable performance standards, including, but not limited to, the terrain management regulations set forth in this article.

Channel means a portion of a drainage way that has naturally or artificially developed bed or banks to confine and conduct continuously or periodically a flow of water.

Channel depth means the vertical distance between the lowest point of a channel and the highest adjacent top of bank on either side of the channel.

Check dam means a small dam built within a drainage channel to decrease flow velocity and reduce erosion (by reducing the channel gradient), minimize scour, and promote deposition of sediment.

Cistern means an artificial reservoir for storing water, often underground.

Commission means the Planning and Zoning Commission of the Village.

Cul-de-sac means a minor street with only one inlet and a turnaround or dead end at the other terminus.

Cut means the removal of earth material from a slope.

Detention means the temporary storage of storm water to prevent excessive or excessively rapid runoff. A detention basin is designed to empty within a specified period of time after filling and will not normally contain water.

Development means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Drainage easement means the use of land primarily for the movement of storm water through a drainage way, a floodplain or land susceptible to flooding and for the maintenance of drainage structures. This right of use by a person, private entity, the Village, or other public agency over the property of another may be reserved by plat, by easement agreement, or otherwise acquired.

Drainage right-of-way means land dedicated by the owner and accepted by the Village or other public agency primarily for the movement of storm water through a drainage way, a floodplain or land susceptible to flooding and for the maintenance of drainage structures. Such ownership in fee simple may be conveyed by plat, by deed, or by other instrument, or otherwise acquired.

Drainage way means a natural or artificial land surface depression with or without perceptibly defined bed and banks, to which or through which surface runoff gravitates, collects, impounds or is channeled for disposition.

Earth material means any rock, natural soil or fill and any combination thereof.

Erosion means the wearing away of ground surfaces as a result of the movement of wind, water and ice.

Erosion control structures means structures of any type that are designed or intended to reduce or minimize erosion, and includes but is not limited to check dams, detention basins, and wire-enclosed rip-rap.

Excavation means the mechanical removal of earth material.

FEMA means the United States Federal Emergency Management Agency.

Fill means a deposit of earth material by artificial means.

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood fringe means a portion of the floodplain lying on either side of the floodway, as determined by FEMA.

Floodplain means the area inundated by the 100-year flood, which contains the floodway and flood fringe.

Floodway means the stream channel and that portion of the adjacent floodplain which must remain open to permit passage of base flood, as defined by FEMA.

Footprint means the configuration of the area of ground covered by a structure including all its parts.

French drain means an artificial in-ground trench or other volume of rock that infiltrates and distributes water.

Grade means:

- (1) The elevation at a defined point; or
- (2) Slope: an inclined ground surface.

Grading means any excavating or filling or combination thereof.

Impervious surface means built or paved areas that will not absorb storm water. Graveled surfaces are not impervious surfaces.

Infiltration basin means a facility for the storage of storm water or other runoff that empties solely by water moving into the soil or through evaporation.

Infrastructure means facilities needed to sustain development activities and includes water, sewer, electric, gas, telephone service, storm drainage systems, and streets.

Inspector means the Village of Corrales Planning and Zoning Administrator or designee.

Landscaping means the planned introduction of living plants such as trees, shrubs, ground cover, or grass and non-living materials such as rocks, gravel, mulch, fences, walls, or paving materials, but does not include the growing of crops, fruit trees, vegetables or nursery stock, whether for commercial purposes or

personal consumption.

Lot means a parcel or tract of land platted and recorded with the County Clerk in accordance with appropriate laws and ordinances.

Minor lot development means small scale land development that takes place on a single lot, disturbs less than one-thousand (1,000) square feet of land, disturbs no slope greater than eight percent (8%), creates no more than one-thousand (1,000) square feet of new impervious surface, and does not exceed the thirty-five percent (35%) lot coverage limitation.

Mulch means material applied to the surface of the soil to decrease moisture loss and control the growth of weeds. Organic mulches include bark and wood chips, straw, grass, hay, compost, and seed shells. Inorganic mulches include rock and gravel.

Natural grade means the elevation of the ground surface before any grading, excavation or filling by the applicant.

New construction means structures for which the start of construction commenced on or after the effective date of this article.

One hundred (100)-year flood or one hundred (100)-year frequency flood means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

One hundred (100)-year frequency/twenty-four (24) hour precipitation event means a storm event that within twenty-four (24) hours, produces a quantity of precipitation so great that it has a 1 percent (1%) chance of happening in any given year.

Passive water harvesting means precipitation and/or runoff collected and/or stored by surface or in ground structures with no means of mechanical distribution.

Peak flow rate means the maximum rate of storm water run-off resulting from a 100-year frequency, 24-hour precipitation event.

Percent of slope means the relation of vertical rise from or to the contour line at horizontal intervals of not more than fifty (50) feet and calculated as follows: $(H - L) \div D \times 100$; where H equals the highest elevation of the portion of the tract measured; L equals the lowest elevation on the portion of the tract measured; and D equals the horizontal distance between H and L.

Permit means a document issued by the Village allowing a person to begin an activity provided for in this article.

Plat means a map, chart, survey, plan or replat certified by a licensed, registered land surveyor which contains a description of the subdivided land with ties to permanent monuments.

Professional architect means an architect registered by the State of New Mexico.

Professional engineer means an engineer registered by the State of New Mexico, qualified in the specific engineering discipline(s) required to provide the necessary engineering service(s).

Professional landscape architect means a landscape architect registered by the State of New Mexico.

Professional surveyor means a surveyor registered by the State of New Mexico.

Project means any activity regulated by this article.

Property means a parcel or parcels of land commonly owned and contiguous, excluding streets and rights-of-way.

Public right-of-way means land owned by the Village or another public agency primarily for the use of the public for the movement of people, goods and vehicles and for the installation and maintenance of public utilities or drainage ways.

Retention means storage of storm water or other runoff in a facility that empties solely by infiltration or evaporation and does not have an engineered outlet structure.

Roadway means that portion of a street which is primarily devoted to vehicular traffic.

Runoff means the water from natural precipitation that flows over the surface of the land and does not percolate into the soil.

Scale means the relationship between the distances on a plat or on a map, and the corresponding actual distances.

Significant tree means a deciduous tree six (6) inches in caliber or greater or a conifer tree eight (8) feet in height or greater, except for Siberian or Chinese Elm, Russian Olives or Tamarisk (salt cedar).

Slope means an inclined ground surface.

Soil means the layer of earth material found near the surface and naturally occurring in the Village.

Soils engineering report means a report prepared by a professional engineer indicating the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures when necessary, along with opinions and recommendations covering adequacy of sites to be developed by the proposed grading.

Special flood hazard area means the base floodplain displayed on FEMA maps

Storm drainage system includes but is not limited to drainage courses, constructed channel underground storm sewers, streets, drop inlets, detention basins and other drainage improvements.

Storm water management measures means controlling the water on site so as not to impact adjoining property.

Street means a way, right-of-way or easement, whether on public or private land, used or intended to be used by the general public and open to the general public for passage or travel by motor vehicle, but does not include a driveway or similar way designed or created for access to a single property or a limited number of properties, merely by virtue of providing access to such properties for the general public.

Structure means any construction or any production or piece of work consisting of a combination of materials to form an edifice or building of any kind, or a construction for occupancy, use or ornamentation that is installed on, above, or below the surface of the land.

Subdivide means to legally divide or redivide land into two or more parts for the purpose, whether immediate or future, of sale, lease, offer, or development, whether by deed, metes and bounds description, lease, map, plat or other instrument, including all changes in street or lot lines, but does not include the following actions:

- (1) The lease of land for grazing or farming activities;
- (2) The lease of apartments, offices, stores or similar space within a building;
- (3) The lease of a building within a commercial or office development; or,
- (4) The division of land in which only gas, oil, mineral, or water rights are severed from the surface ownership of the land.

Subdivider means any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as defined in this section, and includes any agent of the subdivider.

Subdivision means the act of subdividing or the parcel of land subdivided.

Swale means a shallow excavation constructed perpendicular to overland flow direction to detain storm water runoff, keeping it onsite and allowing it to infiltrate.

Ten (10)-year flood or *ten (10)-year frequency flood* means the flood having a ten percent (10%) chance of being equaled or exceeded in any given year.

Top of bank means, for an arroyo, stream or watercourse, the outer limit of the convex surface where the bank slope diverges from the land surface external to the channel.

Topsoil means the uppermost part of a soil, generally ranging in depth from three (3) to six (6) inches, provided such part of the soil can sustain vegetation and is free of caliches, trash, or toxic materials.

Variance means an approved, limited relaxation from the strict application of this article applicable to a designated parcel or parcels of land. Water harvesting means, the capture and use of precipitation for plant irrigation, soil recharge, or collected and stored for future use. Precipitation may be collected from surfaces including roofs, roads, parking lots, and landscapes. Water harvesting may be active or passive.

Watershed means a land surface area that drains into a single stream, watercourse, arroyo, pond, or similar water body, whether perennial or intermittent. The term "watershed" is commonly used interchangeably with "drainage basin."

Xeriscape means, landscaping in a manner that reduces or minimizes the need for water. Xeriscaping may include but is not limited to the use of native and drought-tolerant plants and the use of efficient systems of irrigation.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09; Ord. No. 15-06, adopted 2-24-15.

Section 18-163. - Procedures and general requirements

- (a) All proposed development shall be so designed as to meet the goals and objectives listed in Section 18-160.
- (b) The Village Engineer, at the discretion of the Mayor upon the recommendation of the Administrator, and at the expense of the applicant, may be requested to review and evaluate the following:
 - (1) The completeness of all required terrain and storm water management submittals;
 - (2) Compliance with all minimum standards;
 - (3) The acceptability of all proposed erosion control and storm water management methods; and
 - (4) The need for additional information or written approval in order to determine compliance with the purposes, intent, and minimum standards of this section.
- (c) The preparation of submittals required under this article shall be as follows:
 - (1) *Grading permits*. Submittals shall be prepared and certified by a professional engineer or professional architect.
 - (2) *Topographic Plans*. Submittals shall be prepared and certified by a professional surveyor or professional engineer.
 - (3) *Site restoration*. Submittals shall be prepared and certified by a professional engineer, professional architect or professional landscape architect.
- (d) Detention ponds.
 - (1) Detention ponds over eighteen (18) inches in depth will require fencing unless side slopes are 3:1 or flatter.
 - (2) All detention ponds must be designed to evacuate from a full condition within twenty-four (24) hours or less, unless discharge is limited by downstream constraints, in which case the evacuation period shall be no greater than ninety-six (96) hours. Ponds that take more than six (6) hours to drain will be designed for a design storm equal to or exceeding the evacuation

time. No percolation credit for volume reduction will be given.

(e) Retention ponds.

- (1) Retention ponds over eighteen (18) inches in depth will require fencing unless side slopes are 3:1 or flatter.
- (2) All retention ponds must empty from a full condition within twenty-four (24) hours through percolation into the subsurface.

(f) No certificate of occupancy or any type of final construction approval shall be issued by the Village unless a parcel is in full compliance with the requirements of this section, all required inspections have been conducted and final construction drawings have been submitted as described in Section 18-168.

(g) Activities permitted by this section may also require notification or permitting by other agencies, including but not limited to approval from the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) or other official watercourse related organization, the Federal Environmental Protection Agency, the United States Army Corps of Engineers, the Federal Emergency Management Agency (FEMA) and the New Mexico Environment Department. It is the responsibility of each applicant to determine whether additional notification or permitting is required and to provide for such notification or permitting.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Section 18-164. - Grading permits.

(a) *Applicability.*

- (1) No person shall do any clearing, grubbing or grading of land within the boundaries of the Village, except as provided in Subsection 18-164(a)(3), without first receiving a grading permit. Prior to the issuance of a grading permit, all projects shall comply with all applicable State and federal regulations. Application and review process, minimum standards and submittal requirements for grading permits are provided in Section 18-163.
- (2) Except as provided in Subsection 18-164(a)(3), a grading permit shall be required for:
 - a. All development that is subject to the requirements of Section 18-165, Section 18-166, or Section 18-167;
 - b. Work within an arroyo or drainage way which is intended to create or may create changes in flow characteristics, including but not limited to earthwork, construction of drainage devices or erosion control devices, removal of significant trees, and modifications of arroyo or drainage way banks or bottom, in addition to State or federal permits that may be required;

- c. Grading for new driveways, streets or roadways;
- d. Paving for all driveways, streets or roadways;
- e. Utility trenching for all commercial and public projects; and,
- f. Any of the following individual activities:
 - 1. Removal of more than twenty-five percent (25%) of significant trees, grass coverage, or natural vegetation on a lot; or,
 - 2. Ground disturbance of one thousand (1,000) square feet or more.

(3) A grading permit is not required for:

- a. Development that satisfies each of the conditions of Subsection 18-161(c) and is issued an exemption by the Administrator;
- b. Lands east of the Corrales Main Canal;
- c. Grading, for maintenance purposes, of existing driveways, private streets or roadways, and private drainage ponds on individual lots;
- d. Cemetery graves;
- e. Excavation for wells; and,
- f. Exploratory excavations under the direction of archaeologists, soil engineers or engineering geologists.

(b) *Application and review process.*

- (1) Anyone requesting a grading permit or anyone requesting an exemption from the grading permit requirements must obtain and submit a completed application for grading permit review. The application shall be returned to the Administrator accompanied by the appropriate application fee and the appropriate number of sets of required submittal materials.
- (2) Request for Exemption. The Administrator shall determine if the proposed development satisfies each of the conditions of Subsection 18-161(c).
 - a. If approved, the Administrator shall indicate such approval on the application and issue the appropriate exemption.
 - b. If denied, the Administrator shall indicate such denial on the application, state the reasons for the denial, and inform the applicant of the subsequent procedures as required by this article.
- (3) Request for Grading Permit. The Administrator shall determine if the proposed development complies with the minimum standards (Subsection 18-164(c)) and determine if the application includes the required submittal materials (Subsection 18-164(d)).
 - a.

If approved, the Administrator shall indicate such approval on the application and issue the appropriate permit.

b. If denied, the Administrator shall indicate such denial on the application and state the reasons for the denial.

(c) *Minimum standards.* When a grading permit is required by this article, applications for the permit shall include a grading plan prepared by a licensed professional engineer or architect showing compliance with the following minimum standards:

(1) *Cut and fill slopes.*

- a. Cut slopes on a site shall not exceed ten (10) feet in height;
- b. Fill slopes on a site shall not exceed fifteen (15) feet in height. Retaining walls for fill slopes shall be no greater than ten (10) feet in height. Concrete or cement coated retaining walls shall be a matching earth tone color or constructed of natural materials. Unstabilized fill slopes shall be no steeper than 3 to 1 (3 horizontal to 1 vertical) unless a structural alternative such as a retaining wall or some other measure acceptable to the Village Engineer is provided;
- c. Cut or fill slopes for roads and driveways shall not exceed fifteen (15) feet in height; and,
- d. All cut slopes that are not stabilized by a retaining wall or some other measure acceptable to the Village Engineer, shall be no steeper than 3 to 1 (3 horizontal to 1 vertical), unless a structural alternative approved by the Village is provided or the applicant demonstrates to the satisfaction of the Village that existing soils will naturally accommodate a steeper slope and acceptable revegetation or other erosion control can be achieved.

(2) *Grading.*

- a. Grading on building sites is limited to fifteen (15) feet beyond the outer edge of the building foundation, patio, wall, driveway, roadway, parking area, or other constructed facility on all sites and for all construction projects, including both new construction and reconstruction, except:
 1. As necessary for the construction of storm water runoff management measures in compliance with this section; or,
 2. As necessary to accommodate required horizontal to vertical measurements for cut and fill slopes; or,
 3. As necessary to accommodate water and waste water systems.
- b. Private driveways shall not exceed a grade of eight percent (8%) nor shall the inside-turning radius of any private driveway be less than fifteen (15) feet.
- c.

Natural slopes greater than fifteen percent (15%) shall remain undisturbed. A variance may be granted, upon application, for isolated occurrences such as arroyo crossings and other limited areas with a natural slope greater than fifteen percent (15%), where the disturbance does not exceed one thousand (1,000) square feet in total. If the applicant demonstrates to the satisfaction of the Village that strict enforcement of this provision would prohibit access to the lot or placement of utilities, the Commission may grant a variance from the terms of this Subsection 18-164(c)(2)c. The Commission may seek the advice of the Village Engineer in considering a request for variance under this subsection, but shall not be bound or limited by such advice. This variance provision shall apply solely to the construction of streets, roadways, driveways, drainage ways, and utility placement and is not intended to permit development on natural slopes exceeding fifteen percent (15%).

- d. The Administrator, in the Administrator's discretion, may require specific phasing for grading and clearing on any site where construction will not begin immediately after clearing and grading, or where initial construction will occupy only a portion of the site to be cleared and graded.
 - e. No grading permit for driveway construction shall be issued unless the Administrator has first determined that a buildable site as defined in Section 18-162 exists on the lot.
 - f. All grading completed on the site shall be in conformance to the approved grading plan.
- (3) *Site restoration.* All development subject to a grading permit shall be required to meet the requirements of Subsection 18-166(c)(5) as appropriate for the project.
- (4) *Best management practices.* The following best management practices shall be used before and during the construction process:
- a. Disturbed areas shall be protected from erosion during construction by diversion of storm water around the disturbed area, energy dissipation of storm water adequate to prevent erosion, retention of sediment on the disturbed area, and/or other means adequate to retain soil on site; provided, however, that any diversion of storm water shall not increase the runoff of water or sediment onto any other property.
 - b. Except as necessary to install temporary erosion and sediment control devices, land shall not be graded or cleared of vegetation until all such temporary devices have been properly installed and inspected. Temporary erosion and sediment control devices may include silt fencing, swales, straw bales, berms, geotextiles sediment basins or traps, or fencing. Control devices shall be kept in place and used until the disturbed area is permanently stabilized.
 - c. Significant trees, areas with, existing vegetation and drainage ways that are to remain undisturbed shall be fenced off prior to the use of any heavy machinery on-site and shall remain fenced during the entire construction process. Fencing material may include snow

fencing, plastic mesh or other similar fencing material. To protect the root zone of significant trees, fencing shall be placed five (5) feet to the outside of the drip line of significant trees.

- d. To prevent soil from leaving a site, soil stockpiles shall be protected from wind and water erosion throughout the construction process by using appropriate erosion control techniques. Staging and soil stockpile areas shall be clearly designated on the site. All topsoil shall be kept on site, within the disturbance zone of a construction site, and then reintroduced into planting areas to the extent possible. Stockpiled soil shall not be allowed to enter arroyos or other drainage ways.
 - e. Techniques to prevent the blowing of dust or sediment from the site, such as watering down exposed areas, are required for projects which disturb greater than five thousand (5,000) square feet.
- (d) *Submittals.* Applications for grading permits shall include:
- (1) A topographic survey and grading plan with elevation contours shown at not more than one (1) foot intervals on slopes up to eight percent (8%), not more than two (2) foot intervals on slopes between eight percent (8%) and fifteen percent (15%), and not more than five (5) foot intervals on slopes of fifteen percent (15%) or greater, which shows:
 - a. All areas with slopes greater than eight percent (8%) must be differentiated through shading, tone, color, or line weight; and all areas with slopes fifteen percent (15%) or greater must be differentiated through shading, tone, color, or line weight;
 - b. All areas to be graded on the site and the final contours to be achieved by the grading;
 - c. All finished floor or grade elevations;
 - d. Spot elevations, as needed;
 - e. The location of temporary erosion control structures and methods used, including staging and stockpile areas;
 - f. All significant trees and areas with substantial grass coverage to be removed;
 - g. A construction schedule when the project will be developed in phases;
 - h. The location of fencing around the areas to be protected;
 - i. The ratio of horizontal to vertical measurement for cut and fill slopes;
 - j. The total volume, in cubic yards, of earth to be moved;
 - k. All existing disturbed areas; and
 - l. FEMA flood hazard areas.
 - (2) For all roadways or other excavations where the volume of earth to be moved exceeds three hundred (300) cubic yards, cross-sections or contour maps showing the height of cuts and fills at a maximum of one hundred (100) foot intervals and at any major breaks in the terrain may

be required by the Administrator or the Village Engineer.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Section 18-165. - Building permits for minor lot development.

- (a) Minor lot development includes the construction of any structure, including but not limited to single-family residences, additions, sheds, garages, driveways, or pavement, that meets all of the following criteria:
- (1) All development takes place on a single lot.
 - (2) Development disturbs less than one thousand (1,000) square feet of land, or covers less than one thousand (1,000) square feet in area;
 - (3) Development disturbs no slope greater than eight percent (8%);
 - (4) No more than one thousand (1,000) square feet of new impervious surface is created; and,
 - (5) Total development does not exceed the thirty-five percent (35%) lot coverage limitation on the lot.
- (b) Minimum standards. Minor lot development shall comply with each of the following minimum standards:
- (1) All water generated on the lot must be contained on site.
 - (2) The minimum volume of water to be contained or infiltrated on site shall be determined by multiplying the total area of new impervious surface, in square feet, by 2.90 inches (0.242 feet) to arrive at a value expressed in cubic feet, (i.e., 242 cubic feet of water containment is required per 1,000 square feet of impervious surface). Compliance may be achieved by:
 - a. The use of active or passive water harvesting techniques such as cisterns, swales, berms, and check dams;
 - b. The construction of a detention or retention basin; or,
 - c. A combination of a. and b.
 - (3) All water containment structures that have water open to the air shall empty within twenty-four (24) hours either through percolation into the subsurface or through outlet structures designed to ensure a controlled release of water that will not cause flooding or erosion.
 - (4) Waters specific to minor lot development including the construction of any structure including but not limited to single family residences, additions, sheds, garages, driveways, or pavement must be contained on the individual lot.
 - (5) To protect against erosion, all land disturbed during construction shall be revegetated with drought tolerant vegetation. Trees and shrubs shall be irrigated until established. The use of naturally degrading erosion control blankets or other erosion control materials is encouraged

to ensure that grasses become established. Stones or treated landscape timber may be used to stabilize disturbed areas in lieu of re-vegetation as long as it does not increase runoff to adjoining properties.

(c) Submittals. Building permit applications for minor development shall include:

- (1) A brief narrative description of the proposed project;
- (2) A topographic map of the property to scale, including United States geological survey quadrangle maps adequate to show elevation contours, natural drainage ways, existing and proposed improvements;
- (3) A brief verbal description and/or representative photographs of the type (such as, sage brush and annual weeds, grass cover, bare ground, and so on) and approximate coverage of existing vegetation at the site, and a plan for vegetation removal at the site;
- (4) A description of all proposed grading or ground disturbance;
- (5) Calculations and a plan drawing showing:
 - a. The size and location of all proposed runoff containment structures or methods and how water will be directed to the structures or methods;
 - b. Percolation test results demonstrating that stormwater retention ponds, if any, will empty within twenty-four (24) hours;
 - c. A roof run-off drainage plan; and,
 - d. A planting plan for revegetation showing proposed plant materials and a description of the proposed irrigation method or other methods used to establish vegetation and prevent erosion until vegetation becomes established;
- (6) Copies of all percolation test results relied upon in connection with the application; and
- (7) Compliance with requirements of all other applicable ordinances.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09; Ord. No. 16-11, adopted 10-11-16.

Section 18-166. - Building permits for all other development.

- (a) *All other development.* All development that requires a building permit and does not meet the criteria for a minor lot development under Subsection 18-165(a) shall meet the following minimum standards and submittal requirements:
- (b) *Minimum standards.*
 - (1) All projects shall meet the minimum standards for grading permit approval in Section 18-164.
 - (2) Topography.
 - a.

Each lot shall have a designated buildable site of not less than two thousand (2,000) square feet, which shall be developed in accordance with the terrain and storm water management standards and minimum performance standards;

- b. The area designated as suitable for building and designated for the building footprint shall have a natural slope of fifteen percent (15%) or less. The remainder of the lot area may have a natural slope over fifteen percent (15%) but may not be disturbed;
- c. For a structure built on a natural slope over eight percent (8%), the finished floor elevation at any point shall not exceed five (5) vertical feet above the natural grade at that point;
- d. No structure may be built on a natural slope of over fifteen percent (15%); and,
- e. The development does not exceed the thirty-five percent (35%) lot coverage limitation on the lot.

(c) *Storm water management plan.*

(1) *General standards.*

- a. Storm water management measures shall be selected to best accommodate the specific geologic, hydrologic, and topographic features of the land to be developed.
- b. Storm water management measures shall be designed as both a comprehensive and integral part of the development.
- c. Storm water management measures shall be designed to directly address additional flows from the proposed development. Compliance with these standards shall not be achieved solely by alterations to flows upstream of a proposed development.
- d. Storm water management plans may be designed to incorporate measures that are shared by two (2) or more developments provided that the measures comply with the minimum standard of this section.

(2) *Discharge standards.*

- a. The storm water runoff peak flow rate discharged from a site shall not exceed pre-development conditions for any frequency storm event up to the 100-year, 24-hour storm event at each discharge point. Calculation of the runoff peak flow rate may approximate the event from available data based on using 2.90 inches (0.242 feet) of precipitation, or a volume of 242 cubic feet of water per 1,000 square foot of impervious surface.
- b. Runoff control measures may include, but are not limited to, the use of detention or retention basins and active and passive water harvesting techniques including swales, berms, cisterns, check dams, vegetative ground cover, and other techniques appropriate for retaining and infiltrating water on-site.
- c.

No storm water shall be discharged into any watercourse or drainage channel without adequate reduction of flow velocity. This shall be accomplished by erosion control techniques that may include the routing or energy dissipation of storm water runoff to a vegetated swale, vegetated basin, or stone-protected area. The techniques used shall be sufficient to diminish runoff velocity and spread runoff flow adequately to avoid erosion upon entering the watercourse. No storm water runoff shall be routed into irrigation ditches, canals, acequias or watercourses related to an acequia system.

- d. No existing acequia, watercourse or other natural or constructed drainage system whether on-site or off-site, shall be disturbed by any on-site building development or construction activity unless specifically permitted by the Village.

(3) *Basin standards.*

- a. Storm water detention and retention basins and overflow structures shall be sized and designed to adequately accommodate flows from 100-year, 24-hour storm events.
- b. Infiltration, detention, and retention basins shall provide a means of controlling and removing sediment. Methods may include sedimentation settling ponds, sediment traps, filters on drop inlets, or other methods. Except as otherwise specifically provided in this article, all basins shall be designed to empty within no more than twenty-four (24) hours after a 100-year, 24-hour storm event.
- c. No french drain, infiltration basin or other similar structure intended for the percolation of water into the soil shall be constructed so that its depth is greater than its widest horizontal dimension unless a notice of intent for the construction is filed with the New Mexico Environment Department and provided to the Village in advance of construction.
- d. Nothing in this section shall be construed as prohibiting construction of tanks, cisterns or surface off-ponds for the purpose of harvesting water, provided that overflow provisions meet the standards of this section.

(4) *Arroyo, stream and watercourse standards.*

- a. Except as otherwise specifically provided in this Subsection 18-166(c)(4), no structure, paved road, driveway, or parking lot shall be located (i) less than twenty-five (25) feet laterally from the nearest top of bank of any arroyo, stream or watercourse less than one (1) foot in depth, or (ii) less than a distance laterally of twenty-five (25) feet plus the channel depth from the nearest top of bank of any arroyo, stream or watercourse having a channel depth of one (1) foot or more. This setback provision does not apply to storm water management structures or public access trails.
- b. Except for construction, repair or maintenance of erosion control measures, storm water management measures, public access trails, the placement of underground utilities, or necessary public works projects, no grading shall occur within the setback area.

- c. Where practical, erosion control and channel stability in arroyos, streams, or watercourses shall be achieved using techniques that reduce storm water velocity, preserve active floodplains, provide adequate room for floodwaters to spread safely, and utilize native vegetation. Arroyo and watercourse banks shall not be armored with concrete, gabion baskets, sheet piling, rip-rap, or similar hardened material unless no reasonable alternative exists to protect public infrastructure or pre-existing structures.
- d. Fences, walls, and similar structures may not be constructed in or across any arroyo, stream, or watercourse.

(5) *Site restoration.*

- a. Soil stabilization and erosion control measures for all land disturbed by construction shall be completed within twenty-one (21) calendar days after completion of construction or other activities on site that would interfere with such soil stabilization measures. If the time of year is not conducive to planting, then upon application to and approval by the Administrator, planting may be delayed until the next appropriate planting season provided that all appropriate temporary erosion control measures are maintained until permanent erosion control measures are implemented. A request for planting delay must be filed within twenty-one (21) calendar days after completion of construction with the Administrator. All requests for planting delays must include the grading permit number, reason for delay, a description including location of all temporary erosion control measures, and date by which planting will be completed.
- b. If stabilization and erosion control measures are required one or more of the following shall be used:
 - 1. Revegetation with appropriate drought-tolerant plant materials, including grasses or other ground cover;
 - 2. Restoration with bioengineering techniques such as live staking, brush layering, and brush mattress, or other appropriate techniques approved by the Administrator; or,
 - 3. Stabilization with stones, terracing, or similar techniques.
- c. All trees and shrubs shall be maintained until established. It is recommended that grass seed either be: 1) hydro seeded; or, 2) covered with biodegradable material or synthetic soil erosion control blankets or matting and irrigated until established.
- d. All vegetation and revegetation must comply with applicable Village ordinances regarding xeriscaping.

(6) *Enhanced standards in certain situations.*

- a.

The Administrator may require implementation of further storm water management measures, in addition to the minimum storm water standards stated in this article, if arroyos or watercourses on site or immediately downstream of a site show evidence of increased flooding, channel erosion or sedimentation, as a direct result of conditions on the site. Required additional storm water management measures may include, but will not necessarily be limited to:

1. Erosion control measures extended to a broader area of the site than the development area;
 2. Revegetation of highly eroded areas;
 3. Arroyo restoration or other erosion control measures within highly eroded channels;
or,
 4. A combination of the above measures.
- (d) Submittals. Submittals for building permit applications for development under this Section 18-166 shall include:
- (1) The submittals for grading listed in Section 18-164(d).
 - (2) Topography plan, based on a topographic map of the site, which shall include as a minimum:
 - a. All sloped areas over eight percent (8%) shall be clearly marked and differentiated by shade, tone, or color at the same scale required for preliminary subdivision plat, and all slopes fifteen percent (15%) or greater shall be clearly marked and differentiated by shade, tone, or color at the same scale required for preliminary subdivision plat;
 - b. Ground elevations, referenced to a specifically cited National Geodetic Survey datum [the datum, either National Geodetic Vertical Datum of 1929 (NGVD 29) or North American Vertical Datum of 1988 (NAVD 88), shall be specified], showing elevation contours at not more than one (1) foot intervals on slopes up to eight percent (8%), not more than two (2) foot intervals on slopes between eight percent (8%) and fifteen percent (15%), and not more than five (5) foot intervals on slopes of fifteen percent (15%) or greater;
 - c. The designated buildable site; and
 - d. Date, method of survey, and certification from a professional land surveyor that the topographic map is in compliance with national map accuracy standards.
 - (3) Storm water management plan, prepared and certified by a professional engineer, which includes:
 - a. A vicinity map;
 - b. Existing and proposed contours, all watercourses, arroyos, drainage ways, impoundments, and wetlands on or adjacent to the site or into which storm water from the site flows;
 - c.

Location of all existing and proposed improvements including buildings, structures, impervious surface, storm water management measures, roads, and utilities;

- d. Location of all easements and rights-of-way;
- e. The delineation, if applicable, of the 100-year floodplain, including the flood fringe and floodway, if available, and any on-site or adjacent wetlands;
- f. Description of all soils, including general soil characteristics and areas of solid rock;
- g. Percolation test results for all areas with retention ponds or other facilities designed for infiltration and a description of techniques to be used to prevent the clogging of soil pores by fine sediment;
- h. A description of the approximate area and drainage characteristics of the watershed above the site, including the vegetative coverage and impervious surfaces;
- i. The total peak flow rate of storm water that would be discharged from the site for pre-development and post development runoff conditions in the two (2), ten (10), fifty (50), and one hundred (100)-year, 24-hour storm events and type of calculation method used;
- j. Sizing, volume, and peak flow rate calculations in cubic feet per second for storm water management facilities;
- k. Structural and construction details for all components of the proposed drainage system;
- l. Data for total site area, disturbed area, new impervious area, and total impervious area; and,
- m. A plant schedule of materials to be used as landscape treatment for storm water management measures.

(4) Site restoration plan which includes the location of all permanent erosion control methods, including location, type and amount of plant and seed material to be used, proposed irrigation, any soil stabilization needed prior to plant establishment, time schedule for installation, and maintenance schedule for one year beyond the planting date.

(5) Demonstrated compliance with requirements of all applicable ordinances.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09; Ord. No. 16-11, adopted 10-11-16.

Section 18-167. - Preliminary and final subdivision plats.

- (a) Minimum standards. Preliminary and Final subdivision plats shall meet the minimum standards described in Section 18-166.
- (b) Projects shall meet the minimum standards of Section 18-166.
- (c) Submittals. Submittals for preliminary and final subdivision plats shall include, in addition to all materials required by any other applicable ordinance, statute, regulation or provision:

- (1) All submittals required in Subsection 18-166(d);
- (2) A topography plan as outlined in Subsection 18-166(d);
- (3) A brief description of the watershed directly upstream and downstream of the parcel, including the size, terrain, type and extent of vegetation cover, and degree of development for all areas draining to the project site;
- (4) A water availability and conservation plan shall be submitted for all new subdivisions which are sited, in whole or in part, on natural sloped areas greater than fifteen percent (15%); and
- (5) A long-term maintenance schedule for the life of the storm water management measures including the time frame for completion and the responsible party who shall perform the maintenance.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Section 18-168. - Inspections during construction process.

(a) Inspections.

- (1) For all non-residential projects and all residential projects that do not qualify as minor development, an applicant shall notify the Village to set up a Village inspection at each of the following times:
 - a. When the temporary best management practices are completed;
 - b. When final storm water management measures are completed; and
 - c. When the final site restoration measures are completed, however, if final site restoration measures are being delayed due to the season, the applicant shall notify the Village when temporary erosion control measures, for use until site restoration is complete, are in place and ready for inspection.
- (2) Further construction or issuance of any permits shall not occur until written approval has been granted by the inspector after each inspection that the best management practices and storm water management control methods have been completed in accordance with approved plans.
- (3) Upon completion of all construction, the applicant shall submit to the Village two (2) complete sets of "as built" construction drawings, showing all water management structures, and a final grading survey showing actual site topography and water flow pathways upon completion of construction, prepared and certified by a professional engineer, professional surveyor, professional architect, or professional landscape architect.

(b)

The Code Enforcement Officer or Village Building Inspector may enter upon any property subject to this section at reasonable times to conduct inspections of grading, erosion and storm water management measures to determine compliance with Village policies and procedures and to carry out duties in the enforcement of this section.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Section 18-169. - Long term maintenance responsibilities and inspections.

(a) *Responsibilities.*

- (1) All storm water management measures and facilities shall be maintained by the owner of the property or a homeowners association, unless a dedication of the storm water management system has been required or accepted by the Village, in which case, the Village shall be responsible for maintenance.
 - (2) For new subdivisions, a performance bond shall be posted by the developer or subdivider, and shall remain in effect for at least five (5) years following a letter of infrastructure construction completion from the Village Engineer.
 - a. The bond must be in an amount sufficient to defray all anticipated maintenance and repair costs during the five (5)-year period, as determined by the Village Engineer.
 - b. In the event that any responsible developer, subdivider, homeowner, homeowners association, or other property owner does not perform necessary maintenance and repair in a timely manner as determined by the Village, the Village may perform all necessary work to place the facility in proper working condition. The responsible party shall be assessed the associated costs of the work. The Village may utilize all or a portion of the performance bond for the purpose of defraying such assessed costs.
 - (3) The storm water management system shall be maintained in good condition and promptly repaired by the developer or other responsible party or parties.
 - (4) Maintenance shall include the repair and restoration as needed of all grade surfaces, walls, swales, drains, dams, ponds, basins, site restoration measures, associated vegetation, and any other storm water measure constructed on site.
 - (5) Such maintenance shall be in accordance with approved storm water management plans.
- (b) *Village inspections.* The Village or its authorized agent may enter upon any property which is subject to this section, at reasonable times to access the storm water management system to ensure that the system is maintained in proper working condition to meet the approved storm water management plans and the objectives and minimum standards of this section.

(c)

Maintenance violations. If after notice by the Village to correct a violation requiring maintenance work under this section 18-169, satisfactory corrections are not made by the owner(s) or responsible party within thirty (30) days the Village may:

- (1) Perform or cause to be performed the maintenance and repairs and recover its costs from any bond provided;
- (2) Assess against the owner(s) or responsible party a penalty of up to \$500.00 per day for each day that the violation remains in effect; and
- (3) Pursue any other legal remedy available to, and in the sole discretion, of the Village.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Section 18-170. - Variance.

- (a) *Application for variance.* Anyone requesting a variance from any provision of this article shall submit a completed variance application. The application shall be returned to the Administrator accompanied by the appropriate application fee and the appropriate number of sets of required submittal materials.
- (b) *Meeting with Administrator.* Prior to submitting an application for a variance, the applicant shall first schedule a meeting with the Administrator. Review and comment can be obtained at this time concerning the relationship of the variance request to the Village Comprehensive Plan and the Land Use Ordinances. Copies of the pertinent sections of this article, the application, and submittal requirements shall be provided to the applicant upon request.
- (c) *Processing of application.* The Administrator shall schedule a hearing on the application before the Commission no later than sixty (60) days following the submittal of a completed application.
- (d) *Conditions for variance.* Where the Commission finds that the strict application of the requirements of this article would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building, the Commission may grant a variance provided that all of the following conditions are met:
 - (1) The variance will not be contrary to the public interest;
 - (2) The variance will not adversely affect adjacent property owners or residents;
 - (3) The variance is due to unique characteristics of the property that were in existence prior to the adoption of this article or that have come into existence since that time through no action of the owner.
- (e) *Factors to consider.* In evaluating the provisions of this Section 18-170, the Commission shall consider the following:
 - (1)

Accessibility to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, all streets, roadways, and emergency access in case of fire, flood or catastrophe;

- (2) All locations on-site for water, septic, sewer, and liquid waste facilities, with reference to soil limitations, locations, and public health;
 - (3) On-site and off-site topography, drainage, and storm water runoff;
 - (4) General compatibility with adjacent properties;
 - (5) The overall health and safety of the community; and,
 - (6) The goals and objectives of the comprehensive plan.
- (f) *Imposing conditions.* In considering a request for approval of a variance, the Planning and Zoning Commission may impose any conditions that are deemed to be in the best interest of the Village or reasonably necessary for the protection of other properties.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Section 18-171. - Appeal.

- (a) *Right of appeal.* Any party aggrieved by a decision of the Administrator or Planning and Zoning Commission in carrying out the provisions of this article may appeal to the Governing Body. Such appeal must set forth specifically wherein it is claimed there was an error or an abuse of discretion, or where the decision was not supported by evidence in the matter.
- (b) *Application.* Any appeal following a decision of the Administrator or Planning and Zoning Commission shall be made in writing to the Governing Body, together with payment of the applicable filing fee. Any appeal not submitted within twenty (20) days after the decision which is the subject of the appeal shall not be considered by the Governing Body. The day of determination is not included in the twenty (20)-day period for filing of appeal, and if the twentieth (20th) day falls on a Saturday, Sunday, or national holiday, the next working day is considered the deadline for filing the appeal.
- (c) *Public hearing.* The decision of an appeal shall be made by the Governing Body following a public hearing. The hearing at which an appeal will be heard must receive legal notice.
- (d) *Stay of proceedings.* A proper appeal by an aggrieved party shall stay all proceedings in the action unless the Administrator or Planning and Zoning Commission determines that a stay will cause imminent peril to life or property. Upon such certification, the proceedings shall not be stayed except by order of a court of competent jurisdiction.
- (e)

Decision. An appeal shall be decided within sixty (60) days of the date of application of the appeal. A majority vote of the members of the Governing Body is required to reverse, change or affirm a decision made by the Administrator or Planning and Zoning Commission.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Section 18-172. - Obstruction of water conveyance or storage structures prohibited.

- (a) *Water conveyance channels and water control structures to be kept clear of obstructions.* No person or entity shall erect or cause to be erected or place or cause to be placed any fence, wall, building, structure, stand or object, nor shall any person or entity deposit or cause to be deposited any trees, timber, gravel, rock, leaves, weeds, sod, brush, waste, rubbish, construction materials or other material within any water conveyance channel or water storage structure located on any public land within the Village, nor within any water conveyance or water storage structure on private land that is required to be constructed, installed, preserved or maintained pursuant to any ordinance, rule or regulation of the Village or any other governmental body. All such water conveyance channels and water storage structures shall at all times be kept free of mud, sediment, detritus, debris, vegetation or any other material of any sort that could interfere with the flow or storage of water in such structure during regular use or after any precipitation event. For purposes of this section, the term "water conveyance channel" shall include any natural or constructed water channel or arroyo that conveys flood waters during a 10-year flood.
- (b) *Landowner responsibility.* Where a water conveyance channel or water storage structure on private land is required to be installed, constructed or maintained pursuant to a Village ordinance, rule, regulation or permit, including but not limited to a development review permit, site development plan, special use permit, subdivision approval, or any other land use permit or approval of the Village, the landowner or other responsible party shall maintain the structure free of encroachments, mud, sediment, detritus, debris or vegetation, and shall remove or cause the removal of any mud, sediment, detritus or debris that may have accumulated in the structure within fifteen (15) calendar days following the accumulation thereof.
- (c) *Penalties and correction of violations.*
 - (1) *Penalty for violation.* Any person who violates any provision of this Section 18-172 shall be subject to punishment in accordance with Section 1-6. Each day that a violation continues after notification by the Village requiring correction thereof shall constitute a separate offense.
 - (2) *Village correction of violation; recovery of costs.* In the event that a landowner after notification by the Village fails to correct any violation under this Section 18-172, or if the immediate correction of any such violation is necessary to protect the public health, safety or

welfare or to avoid an imminent threat of injury or damage to persons or property, the Village in its sole discretion may undertake to correct or cause the correction of the violation on either public or private property, with or without the permission of the owner thereof. In any such case, the Village may require that the property owner or owners responsible for the violation reimburse and make the Village whole for the costs incurred by the Village to correct the violation.

- (3) *Option to seek injunctive or other relief.* In addition or as an alternative to any penalty or requirement of reimbursement imposed or required under Section 18-172(c)(1) or 18-172(c)(2), the Village may maintain an action or proceeding in a court of competent jurisdiction to compel compliance with, or to enjoin the violation of, any provision of this Section 18-172, and in such action may seek further to recover the Village's costs, including costs of litigation and attorney fees, incurred as a result of the need to maintain such action or proceeding.

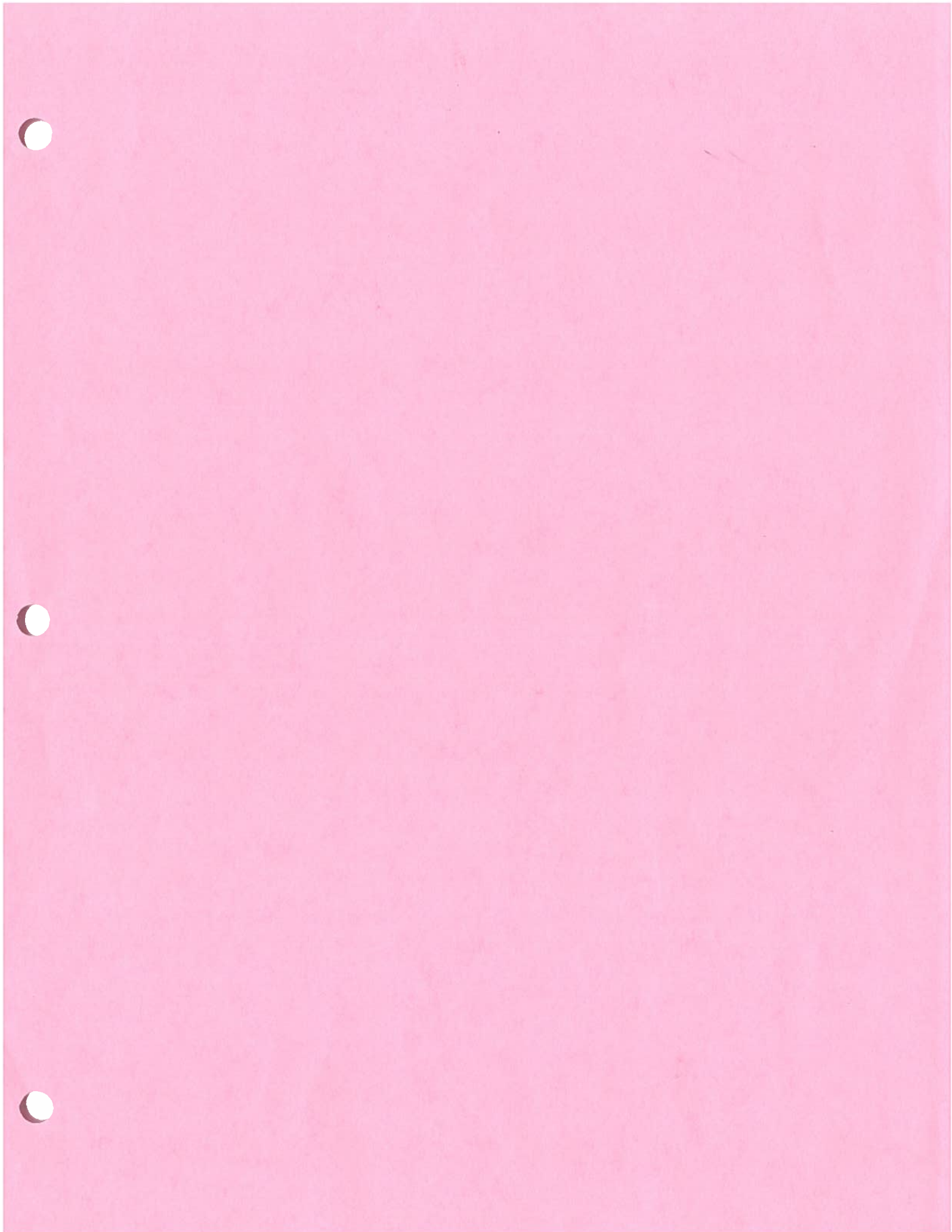
History: Ord. No. 15-06, adopted 2-24-15.

Section 18-173. - Violations.

Any violation of this article shall be punishable in accordance with Section 1-6. Each day that a construction project remains in violation of this article, whether or not the owner, builder, or other responsible party has been notified of such violation, shall be deemed a separate offense subject to the penalties provided in Section 1-6.

History: Ord. No. 06-03 § 1, adopted 10-24-06; Ord. No. 09-004, adopted 5-19-09; Ord. No. 09-017, adopted 12-1-09.

Sections 18-174 to 18-200. - Reserved.



Planning and Zoning Department Report for March 20, 2024 Meeting

The following Home Occupation application was eligible to be administratively approved per Village Code Section 18-45 (c) (5) (a):

ZOC 24-05. Applicant **Viengkeo “Kay” Bounkeua** will operate “**Ma Der Collaborations**” at **727 Perfecto Lopez Road**, utilizing a total of 281 square feet for an office within a 3,037 square foot home. She provides consulting services for individuals and organizations relating to non-profit management, program development and leadership support. There will be no client visits to her home. The property is zoned *A-1 Agricultural and Rural Residential*.

On March 12th, Village Council gave approval to the requested zone change (A-1 to Commercial) for 5093 Corrales Road, which had been approved and forwarded by the Commission after the February 21, 2024 meeting.

Work is ongoing to have the currently operating but non-permitted short-term rentals complete the application process and get in front of the Commission. The Host Compliance software the Village purchased for 2024 identifies not only those properties, but also shows documented stays, duration of stays, and sometimes nightly rate. The goal is to get everyone permitted, with a fire inspection and business license, and paying Lodger’s Tax.

March 7-8 was the Land and Water Summit which not only provides your PZA with needed continuing Ed credits for Floodplain Manager purposes but is also simply an amazing two days, every year. Scientists and other professionals from all over the State report on their work with water conservation, repair of watersheds after burns and flash flooding, and general stormwater management techniques. My staff and I can then use some of those ideas on a smaller scale within the Village, when individuals have issues on their own properties.

Building permitting is seeing the usual spring uptick. As far as zoning applications, it seems to be mostly Site Development Plans and Short-term Rentals for now. However, many plats are in the pipeline for future P&Z consideration.





Laurie Stout, Planning & Zoning Administrator

Date

February 2024



Planning and Zoning Department

Brian Gresham, CBO
Village Building Official
Building and Safety Division Report

The Monthly report from the Planning and Zoning Department includes information regarding activity related to construction permits, interagency assistance, and various administrative duties on behalf of the citizens of the Village of Corrales.

Type of Construction	Number of Permits	Building Permit Fees	Improvement Valuation
New Single Family Dwelling	4	\$21,214.28	\$2,261,871.71
Residential Remodel, Additions	5	\$5,476.36	\$381,460.00
Residential Accessory Structures	4	\$2,710.88	\$107,363.80
Residential Solar	5	\$1,155.00	\$64,998.22
Residential Reroof	7	\$805.00	\$138,552.38
Residential Pools and Spas	3	\$4,145.05	\$207,375.00
Residential Fence/Wall	0	\$0.00	\$0.00
Demolitions	0	\$0.00	\$0.00
Commercial Remodel, Additions	1	\$2,965.06	\$220,000.00
Commercial Accessory Structure	0	\$0.00	\$0.00
Commercial Solar	0	\$0.00	\$0.00
Commercial Reroof	0	\$0.00	\$0.00
Total for the Month	29	\$38,471.63	\$3,381,621.11



Planning & Zoning Department Village of Corrales

4324 Corrales Road, Corrales, New Mexico 87048
Phone: (505) 897-0502 Ext. 241 / cell (505) 273-0143
Email: srice@corrales-nm.org

March 1, 2024

Village of Corrales council members.

Continuing proactive patrols. Working on Short Term Rental identification and registration.

Pictures attached for 60 Via Oreada, 8 large dead trees along Corrales rd. Have been removed what a difference.

Numbers for the month of February 2024

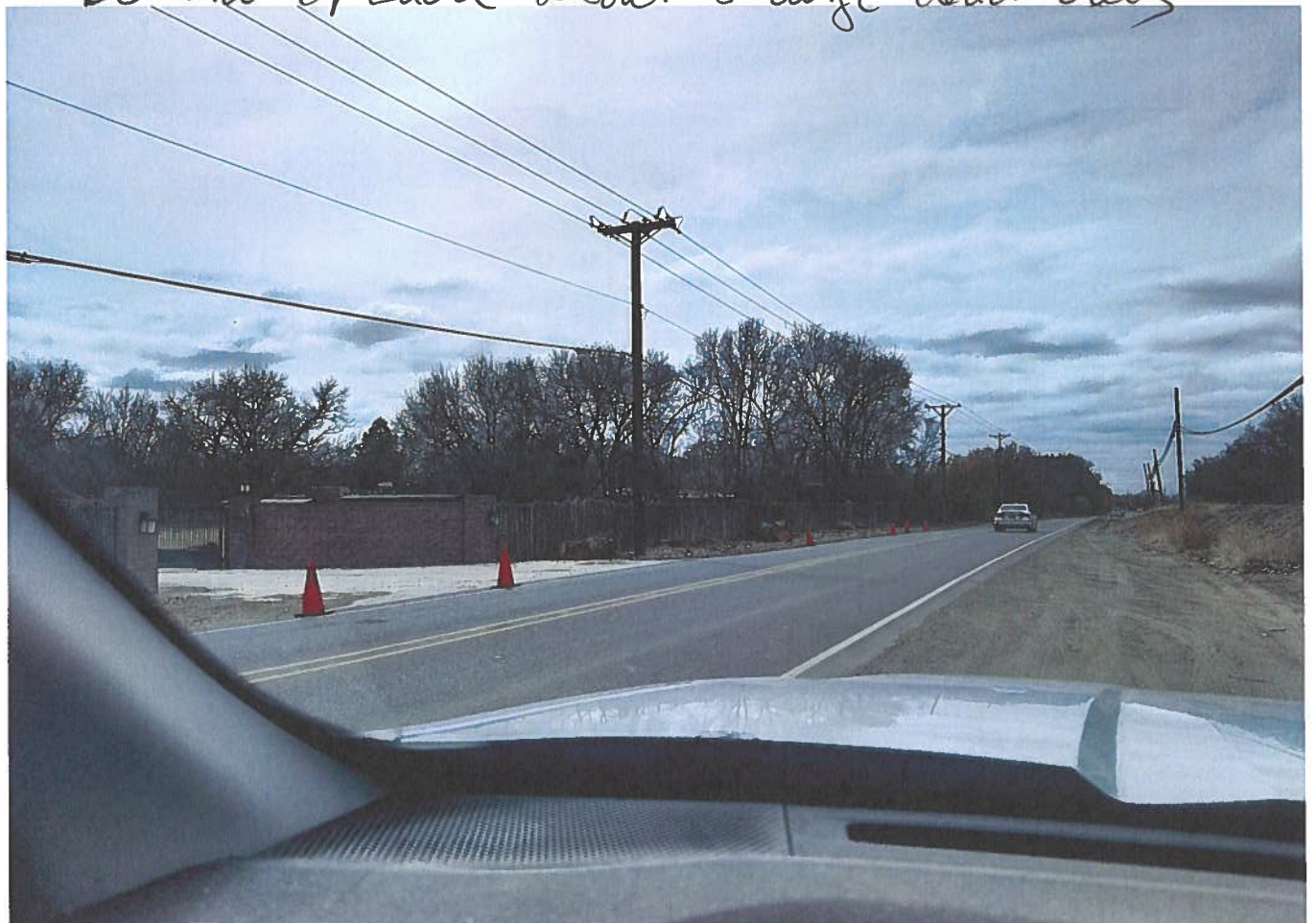
46 First notice
8 2nd notice
36 Resolved
0 Citation

Respectfully,

Sherrie Rice
Code Enforcement



60 Via Orzada about 8 large dead trees





Trees all gone!!!
to Via Oreada