



VILLAGE OF CORRALES
STATE OF NEW MEXICO

ORDINANCE NO. 21-06

AN ORDINANCE AMENDING SECTION 18-32 THROUGH 18-45, SECTION 24-23 AND SECTION 24-26 OF THE VILLAGE CODE TO PROVIDE ZONING AND PERMITTING REGULATION FOR THE PRODUCTION AND USE OF RECREATIONAL CANNABIS PURSUANT TO THE CANNABIS REGULATION ACT OF 2021.

WHEREAS, the Village of Corrales Comprehensive Land Use Plan (2009) currently addresses the growth of cannabis pursuant to medical marijuana grown under the Lynn and Erin Compassionate Use Act, and;

WHEREAS, the State of New Mexico passed the Cannabis Regulation Act (CRA) in April of 2021, providing for the legal use of cannabis and cannabis products by all individuals over the age of 21, and;

WHEREAS, the Village of Corrales anticipates an increased volume of cannabis related activity within village limits pursuant to the CRA, and;

WHEREAS, the Village Code provides criminal and civil penalties for cannabis production and use which conflict with the new State Statute and must be repealed, and;

WHEREAS, New Mexico State Statute under §26-2C-12 directs that local jurisdictions may “adopt time, place and manner rules that do not conflict with the Cannabis Regulation Act or the Dee Johnson Clean Indoor Air Act [Chapter 24, Article 16 NMSA 1978], including rules that reasonably limit density of licenses and operating times consistent with neighborhood uses,” and;

WHEREAS, the Village finds it necessary to promulgate regulations which reasonably limit the outdoor production of cannabis and the manufacture of cannabis products to prevent nuisances such as noxious odors, and;

WHEREAS, the Village finds that high-yield crop raising, often referred to as “intensive agriculture,” is a common practice with cannabis production and has potential adverse impacts, such as increased discharge of pollutants and light or odiferous nuisances, on the Village if not properly regulated; and,

WHEREAS, as per Village Code Section 18-28 (a) “any use not classified as a permissive use or a use by review within a particular zone is hereby prohibited from that zone”.

NOW THEREFORE BE IT ORDAINED THAT, the following amendments to the zoning ordinance shall be adopted to provide regulations for the growth, manufacture, and sale of cannabis and cannabis products pursuant to the New Mexico Cannabis Regulation Act of the Village of Corrales Comprehensive Plan and the zoning ordinances, shall be amended and revised as follows:

Section 14-116. Environmental Nuisances. *Added a new Section to the Nuisance Ordinance*

A. Any owner or occupant planting or allowing to grow weeds and noxious vegetable growth on the owner's or occupant's lot or parcel of ground, or on the sidewalks and lawn-strips or land areas abutting such lot or parcel of ground. This shall not include any activity reasonably related to a permissive agricultural use as established in 18-33 through 18-38. Agricultural uses when reasonably conducted in accordance with common agricultural practices shall not constitute a Nuisance. An agricultural use negligently or illegally performed may constitute a Nuisance.

B. All unnecessary or unauthorized noises and annoying vibrations, including animal noise, excepting those reasonably related to permissive uses under 18-33 through 18-38.

C. All disagreeable or obnoxious odors and stench, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stench, except those reasonably related to permissive uses under 18-33 through 18-38.

D. The intentional application or unintentional drifting of pesticides, herbicides, other biocides, fertilizers, or other chemicals onto neighboring property.

Section 14-51. Smoking in public buildings. *Amended as follows:*

(a) Restriction. There will be no smoking in any public buildings in the Village except in those areas designated by the Governing Body, which will be marked with a sign stating that smoking is allowed in that area.

(b) Signs; enforcement. The Mayor shall designate a person responsible to provide that signs using the words "no smoking" or the international no smoking symbol or both are conspicuously posted either on all public entrances or in a position where the sign is clearly visible on entry into the public building. The Mayor shall ensure that procedures are established for the enforcement of Subsection (a) of this section.

(c) Governing Body and board meetings. No smoking will be allowed in any meetings of the Governing Body or in any meetings of any Village boards and commissions.

(d) Cannabis. The smoking of cannabis or cannabis products is prohibited in all public areas, including those marked with "smoking allowed" signage as indicated in Subsection (a) of this section.

(e) Penalty. Any person who violates this section shall be fined not less than \$10.00 or more than \$25.00 for each violation.

Section 18-29. Definitions. *Amended as follows:*

Cannabis shall have the same definition as set forth in Section 26-2C-2(B) of the Cannabis Regulation Act, and shall not include hemp.

Cannabis consumption area means an area where cannabis products may be served and consumed.

Cannabis establishment shall have the same definition as set forth in Section 26-2C-2(E) of the Cannabis Regulation Act.

Cannabis manufacturer shall have the same definition as set forth in Section 26-2C-2(H) of the Cannabis Regulation Act.

Cannabis producer shall have the same definition as set forth in Section 26-2C-2(I) of the Cannabis Regulation Act.

Cannabis product shall have the same definition as set forth in Section 26-2C-2(K) of the Cannabis Regulation Act, and shall not include hemp.

Cannabis retailer shall have the same definition as set forth in Section 26-2C-2(M) of the Cannabis Regulation Act.

Commercial cannabis activity shall have the same definition as set forth in Section 26-2C-2(R) of the Cannabis Regulation Act.

Greenhouse means a completely enclosed structure whose structural members are made of pre-formed, rigid construction materials. *Greenhouse* also means an accessory structure, with transparent or translucent roof and/or wall panels intended for the raising of plants or crops.

Integrated cannabis microbusiness shall have the same definition as set forth in Section 26-2C-2(GG) of the Cannabis Regulation Act.

Intensive agriculture means any agricultural activities conducted in greenhouses, which involve raising crops on a land intensive basis and includes activities which require heightened utilization of pesticides, concentrated fertilizers and water usage for irrigation.

Section 18-33. - A-1 - Agricultural and rural residential zone.

The following regulations shall apply to the A-1 - Agricultural and rural residential zone:

(1) *Purpose and intent.* The purpose of this zone is to maintain a rural and open space character of lands within the Village with low density residential and agricultural development.

(2) *Permissive uses.* Any of the following permissive uses are allowed in the A-1 zone:

- a. One single-family dwelling unit per lot (permit required, see [Section 18-45\(a\)](#)).
- b. One single-family manufactured house per lot (permit required, see [Section 18-45\(a\)](#)).
- c. One single-family mobile home dwelling unit per lot (permit required, see [Section 18-45\(a\)](#)).
- d. Agricultural uses, including the planting, growing and harvesting of crops for consumption, provided that any cannabis related agriculture is conducted in compliance with the Cannabis Regulation Act and other applicable state law, and:
 1. Any diseased, dead, or dying agricultural products be disposed of promptly and appropriately,
 2. Agricultural activities reasonably conducted in accordance with common agricultural practices on the property do not create a nuisance as set forth in Sections 14-71 through 14-116.
 3. Any greenhouses on the property greater than 120 square feet require evidence of the State engineer's approval of the well and water usage for the quantity and type of crop(s) to be raised.
 4. Drainage of agricultural wastewater shall be controlled to avoid pollution of irrigation ditches, ground water, and surrounding property.
- e. Raising and management of livestock and fowl, provided that all areas devoted to livestock and fowl shall be maintained in such a manner that:

1. it discourages the concentration and breeding of insects and rodents which are detrimental to human habitation.
2. Livestock or fowl excrement shall be properly disposed of, and shall not be allowed to accumulate in amounts that cause unreasonable noxious odors.
3. Drainage of livestock waste shall be contained on-site and controlled to avoid pollution of irrigation ditches, ground water, and drains and surrounding property.
- f. Accessory uses and structures.
- g. Sale of livestock and/or crops raised on the premises, but not including the sale or distribution of cannabis or cannabis products. A cannabis permit must be approved by the Corrales Planning & Zoning Commission as required in 18-45(h) for the purpose of selling or distributing cannabis or cannabis products.
- h. Storage of accessory vehicles (e.g. agricultural equipment, trailers, boats, and recreational vehicles) owned by the on-site resident for personal use.
- i. Home occupations (permit application and business registration required, see [Section 18-45\(c\)](#)).
- j. Parking incidental to the above uses.

(3) *Density*. The maximum density shall be limited to one dwelling unit per net acre.

(4) *Lot area*. The minimum area of each lot shall be 43,560 square feet.

(5) *Lot dimensions*. Each lot shall have a lot width standard of seventy-five (75) feet.

However, any lot two acres or more in size, with a minimum average standard width of less than seventy-five (75) feet as of the date of the adoption of this article, may be subdivided into lots having the same width as the lot being subdivided, provided that this authority shall not be construed to permit violation of other Village minimum size restrictions.

(6) *Lot coverage*. Lot coverage shall not exceed thirty-five (35) percent.

(7) *Setback requirements*. Front setbacks shall be no less than twenty-five (25) feet. Other setbacks shall be no less than ten (10) feet, except in the case of intensive agriculture, in which all setbacks shall be no less than twenty-five (25) feet.

(8) *Landscaping requirements*. (no amendments to this section hereafter)

Section 18-34. - A-2 - Agricultural and rural residential zone.

The following regulations shall apply to the A-2 - Agricultural and rural residential zone.

(1) *Purpose and intent*. The purpose of the A-2 zone district is to maintain a rural and open space character of lands within the Village with low density residential development on larger lots.

(2) *Permissive uses*. Any of the following permissive uses are allowed in the A-2 zone:

a. One single-family dwelling unit per lot (permit required, see [Section 18-45\(a\)](#)).

b. One single-family manufactured house per lot (permit required, see [Section 18-45\(a\)](#)).

c. A temporary mobile home for use as a primary dwelling unit and/or a temporary storage building related to a construction project on the premises, for a period of time not to exceed one year from the date the permit is issued.

d. Agricultural uses, including the planting, growing and harvesting of crops for consumption, provided that any cannabis related agriculture is conducted in compliance with the Cannabis Regulation Act and other applicable state law, and:

1. Any diseased, dead, or dying agricultural products be disposed of promptly and appropriately,

2. Agricultural activities reasonably conducted in accordance with common agricultural practices on the property do not create a nuisance as set forth in Sections 14-71 through 14-116.

3. Any greenhouses on the property greater than 120 square feet require evidence of the State engineer's approval of the well and water usage for the quantity and type of crop(s) to be raised.

4. Drainage of agricultural wastewater shall be controlled to avoid pollution of irrigation ditches, ground water, and surrounding property.
 - e. Raising and management of livestock and fowl, provided that all areas devoted to livestock and fowl shall be maintained in such a manner that:
 1. it discourages the concentration and breeding of insects and rodents which are detrimental to human habitation.
 2. Livestock or fowl excrement shall be properly disposed of and, shall not be allowed to accumulate in amounts that cause unreasonable noxious odors.
 3. Drainage of livestock waste shall be contained on-site and controlled to avoid pollution of irrigation ditches, ground water, and drains and surrounding property.
 - f. Accessory uses and structures.
 - g. Sale of livestock and/or crops raised on the premises, but not including the sale or distribution of cannabis or cannabis products. A cannabis permit must be approved by the Corrales Planning & Zoning Commission as required in 18-45(h) for the purpose of selling or distributing cannabis or cannabis products.
 - h. Storage of accessory vehicles (e.g. agricultural equipment, trailers, boats, and recreational vehicles) owned by the on-site resident for personal use.
 - i. Home occupations (permit application and business registration required, see [Section 18-45\(c\)](#)).
 - j. Parking incidental to the above uses.
- (4) *Density*. The maximum density shall be limited to one dwelling unit per net two acres.
- (5) *Lot area*. The minimum area of each lot shall be 87,120 square feet.
- (6) *Lot dimensions*. Each lot shall have a lot width standard of one-hundred fifty (150) feet in width.
- (7) *Lot coverage*. Lot coverage shall not exceed thirty-five (35) percent.
- (8) *Setback requirements*. Front setbacks shall be no less than twenty-five (25) feet. Other setbacks shall be no less than ten (10) feet, except in the case of intensive agriculture, in which all setbacks shall be no less than twenty-five (25) feet.
(no amendments to this section hereafter)

Section 18-35. H - Historical area zone.

The following regulations shall apply to the H - Historical area zone:

- (1) *Purpose and intent*. The H zone preserves and promotes the educational, cultural and general welfare of the public through preservation and protection of the traditional architectural character of historic Corrales.
- (2) *Permissive uses*. Any of the following permissive uses are allowed in the H zone:
 - a. One single-family dwelling unit per lot (permit required, see [Section 18-45\(a\)](#)).
 - b. Agricultural uses; intensive agricultural uses including the cultivation, intentional growth, manufacture and distribution of cannabis and cannabis products, except for the personal production of cannabis as permitted by the Cannabis Regulation Act, is prohibited in the H zone.
 - c. A temporary mobile home for use as a primary dwelling unit and/or a temporary storage building related to a construction project on the premises, for a period of time not to exceed one year from the date the permit is issued.
 - d. Raising and management of livestock and fowl, provided that all areas devoted to livestock and fowl shall be maintained in such a manner that:
 1. it discourages the concentration and breeding of insects and rodents which are detrimental to human habitation.
 2. Livestock or fowl excrement shall be properly disposed of and, shall not be allowed to accumulate in amounts that cause unreasonable noxious odors.
 3. Drainage of livestock waste shall be contained on-site and controlled to avoid pollution of irrigation ditches, ground water, and drains and surrounding property.
 - e. Accessory uses and structures.

- f. Sale of livestock and/or crops raised on the premises; but not including the sale or distribution of cannabis or cannabis products.
- g. Storage of accessory vehicles (e.g. agricultural equipment, trailers, boats, and recreational vehicles) owned by the on-site resident for personal use.
- h. Home occupations (permit application and business registration required, see [Section 18-45\(c\)](#)).
- i. Parking incidental to the above uses.

Section 18-36. - O - Professional office zone.

- *No changes made.*

Section 18-37. - C - Neighborhood commercial zone.

The following regulations shall apply in the C - Neighborhood commercial zone:

(1) *Purpose and intent.* To provide for the development of local business, commercial and personal service activities within the Village, two areas exist:

- a. The Corrales Road Commercial Area (CRCA) and
- b. The Neighborhood Commercial and Office District (NCOD).

All proposed development shall be integrated with existing, adjoining land uses and shall be compatible with the existing character of the surrounding area.

(2) *Lot dimensions and location.*

a. For the CRCA:

- 1. All lots shall be contiguous to Corrales Road having frontage on Corrales Road;
- 2. All lots shall be located on the east side of Corrales Road between East Meadowlark Lane on the south and Wagner Lane on the north, and on the west side of Corrales Road between West Meadowlark Lane on the south and Old Church Road on the north; and shall also include the lots south of and immediately adjacent to Meadowlark Lane on each side of Corrales Road
- 3. The depth of commercial zoning shall be limited to 350 feet from Corrales Road on each side, measured perpendicular to the right-of-way. No variance shall be allowed from this provision;
- 4. For any lot or portion of a lot zoned commercial prior to the date of the enactment of the ordinance from which this article derives, the maximum depth east and west of Corrales Road shall be the limits of the existing commercially zoned boundaries of the lot.

b. For the NCOD, all lots shall be totally within the Neighborhood Commercial and Office District as defined in the Far Northwest Sector Plan Addendum to the Northwest Sector Plan, Ordinance No. 342, dated February 12, 2002, as amended.

c. For other properties with C zoning designation granted prior to adoption of this ordinance, the maximum lot dimension shall be the limits of the existing commercially zoned boundaries of the lot.

(3) *Permissive uses.* The following permissive uses shall be allowed in this zone upon the approval of a site development plan by the Commission:

- a. One single-family dwelling unit per lot (permit required, see [Section 18-45\(a\)](#)).
- b. One single-family manufactured house per lot (permit required, see [Section 18-45\(a\)](#)).
- c. One single-family mobile home dwelling unit per lot (permit required, see [Section 18-45\(a\)](#)).

d. Agricultural uses, including the planting, growing and harvesting of crops for consumption, provided that any cannabis related agriculture is conducted in compliance with the Cannabis Regulation Act and other applicable state law, and:

1. Any diseased, dead, or dying agricultural products be disposed of promptly and appropriately,

2. Agricultural activities reasonably conducted in accordance with common agricultural practices on the property do not create a nuisance as set forth in Sections 14-71 through 14-116.

3. Any greenhouses on the property greater than 120 square feet require evidence of the State engineer's approval of the well and water usage for the quantity and type of crop(s) to be raised.

4. Drainage of agricultural wastewater shall be controlled to avoid pollution of irrigation ditches, ground water, and surrounding property.

e. Raising and management of livestock and fowl, provided that all areas devoted to livestock and fowl shall be maintained in such a manner that:

1. it discourages the concentration and breeding of insects and rodents which are detrimental to human habitation.

2. Livestock or fowl excrement shall be properly disposed of and, shall not be allowed to accumulate in amounts that cause unreasonable noxious odors.

3. Drainage of livestock waste shall be contained on-site and controlled to avoid pollution of irrigation ditches, ground water, and drains and surrounding property.

f. Accessory uses and structures.

g. Sale of livestock and/or crops raised on the premises. A cannabis permit must be approved by the Corrales Planning & Zoning Commission as required in 18-45(h) for the purpose of selling or distributing cannabis or cannabis products.

h. Storage of a trailer, boat and recreational vehicle owned by the on-site resident for personal use.

i. Home occupations (permit application and business registration required, see [Section 18-45\(c\)](#)).

j. Parking incidental to the above uses a. through i.,

k. Accounting, finance and insurance.

l. Architecture and landscape architecture.

m. Dentistry.

n. Engineering.

o. Land planning and surveying.

p. Law.

q. Medicine, acupuncture, chiropractic.

r. Real estate and title companies.

s. Veterinary medicine.

t. Art galleries and artist studios.

u. Auto parts and supplies.

v. Auto service stations.

w. Bakeries (retail).

x. Banks, credit unions and savings institutions.

y. Bars.

z. Beauty shops and barbershops.

aa. Short-term rental lodging establishments with no more than six (6) guest rooms.

bb. Cabinet shops.

cc. Child care services.

dd. Computer services, applications, and training.

ee. Convenience stores

ff. Craft shops.

- gg. Delicatessens.
- hh. Dog grooming and pet shops.
- ii. Event center
- jj. Store selling legal pharmaceuticals.
- kk. General and professional offices.
- ll. Grocery stores.
- mm. Greenhouses.
- nn. Hardware stores.
- oo. Health spas and indoor recreational facilities.
- pp. Liquor stores.
- qq. Municipal offices and services.
- rr. Museums.
- ss. Reception and meeting facilities.
- tt. Restaurants.
- uu. Retail stores such as but not limited to:
 - 1. Antiques.
 - 2. Bicycle shops.
 - 3. Books.
 - 4. Cannabis retailers.
 - 5. Clothing.
 - 6. Flowers and plants.
 - 7. Furniture.
 - 8. Gifts.
 - 9. Jewelry.
 - 10. Livestock feed, tack and accessories.
 - 11. Pet shops.
 - 12. Rugs.
 - 13. Sporting goods stores.
- vv. Video rentals
- ww. Wineries.
- xx. Breweries.
- yy. Distilleries of beverages.
- zz. Cannabis establishments serving one or more function pursuant to their License type(s) under the Cannabis Regulation Act.

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

- a. Group homes having a maximum capacity and occupancy of no more than eight (8) patients or residents residing on the premises.
- b. The applicant must provide a traffic engineering analysis showing to the satisfaction of the Village Engineer that the operation as proposed will not adversely affect the public safety either because of increased traffic or on street parking.
- c. Supervised outpatient treatment facility:
 - 1. A supervised outpatient treatment facility shall provide counseling and rehabilitative therapies for patients who do not reside on the premises.
 - 2. At the time of application for approval as a Use by Review, the owner must demonstrate compliance with all State of New Mexico licensures for the counseling and/or therapies to be provided on the premises of the supervised outpatient treatment facility.
 - 3. A supervised outpatient treatment facility may not be located closer than 300 feet to an educational or recreational use (nearest lot boundary) primarily serving children.

d. Cannabis manufacturing or cannabis product manufacturing. Applicant must provide all requirements as set forth in Subsection 18-45(d) pursuant to Special Use Permits within the Village of Corrales.

e. Cannabis consumption areas. Applicant must provide all requirements as set forth in Subsection 18-45(d) pursuant to Special Use Permits within the Village and be located on the same premises as a licensed cannabis retailer in a standalone building, unless otherwise permitted in accordance with the Cannabis Regulation Act. No smoking shall be permitted outdoors in public areas within the Village limits.

(5) *Lot area.* The minimum area of each lot shall be 43,560 square feet. Any lot platted within the CRCA as set forth in Subsection [18-37\(2\)](#) above which was substandard prior to November 21, 1989 shall be exempted.

(6) *Lot coverage.* Lot coverage shall not exceed thirty-five (35) percent.

(7) *Setback requirements.* No new structure shall be permitted to be constructed or placed closer than twenty-five (25) feet to any existing residential structure on any abutting lot. Otherwise, if there are no existing residential structures, front setbacks shall be no less than twenty-five (25) feet and rear and other setbacks shall be no less than ten (10) feet, except in the case of intensive agriculture, in which all setbacks shall be no less than twenty-five (25) feet.

(8) *Landscaping requirements and pedestrian access.* A minimum of ten (10) percent of the lot shall be landscaped area, except that on corner lots or double fronted lots a minimum of fifteen (15) percent of the lot shall be landscaped area. Landscaping or natural vegetation shall be required in accordance with the landscaping requirements as specified in [Section 18-40](#). In the CRCA, pedestrian pathways shall be required connecting the front door or other main access of the building to the parking area, to Corrales Road, and to adjacent properties fronting Corrales Road on either side. Required pedestrian pathways shall be considered part of the landscaped area. If the area of required pedestrian pathways results in a landscaped area in excess of the minimum requirements, the excess landscaped area may replace off-street parking that would otherwise be required pursuant to [Section 18-39](#).

(9) *Architectural requirements.* In order to emulate existing Village architecture and construction tradition, compliance with the following architectural standards is required for all new construction and whenever the exterior appearance of buildings or structures is altered:

a. *Material.* Stucco, adobe, slump block and stone are allowed. Materials such as aluminum siding, metal panels, mirrored glass and unstuccoed masonry units or cement are not allowed. Metal roof materials are allowed.

b. *Façades.* Building façades two stories in height shall include projecting or recessed portals, setbacks or other similar design elements at ground level and a balcony at the level of the floor of the second story. All ground level façades subject to public view and providing an entrance to a building shall be varied by inserts or projecting portals.

c. *Building massing.* Premises with a lot coverage of over 5,000 square feet shall be designed to appear more as an aggregation of smaller "building blocks" rather than a single large box or block.

d. *Roof-mounted equipment.* Roof-mounted mechanical, electrical, telephone or solar equipment shall be architecturally screened with opaque materials, for example, by raising the parapet, and shall be of a low profile to minimize the screening problems.

e. *Walls and fences.* No solid fence exceeding three (3) feet in height shall be erected on the front lot line or within the front setback area of any lot or within the vision clearance area abutting a driveway. Walls and fences shall be built of brick, adobe, rock, decorative concrete block, masonry, wood, wood and metal wire, pipe, wrought iron or similar materials. Walls of unstuccoed concrete block, unstuccoed concrete, or similar materials are prohibited.

(10) *Placement of parking.* (no other changes made in this section)

Section 18-38. - M - Municipal, public and quasi-public zone.
(no changes made to this section)

Section 18-45 *shall be amended to create a new subsection, (h), providing for permit procedures pursuant to cannabis related activity.*

(h) *Cannabis related activities, approval and permit required.*

For purpose of this section, all measurements for the purpose of determining the location of a cannabis retail establishment, cannabis consumption area, or cannabis courier in relation to schools or daycare centers shall be the shortest direct line measurement between the actual limits of the real property of the school or daycare center and the actual limits of the real property of the proposed cannabis establishment, cannabis consumption area, or cannabis courier.

(1) No person(s) or entity shall engage in the production, manufacture, or sale of cannabis or cannabis products in any zones without a current business registration and a valid Cannabis permit issued by the Village of Corrales, permitting the specific cannabis-related activity or activities sought to be permitted on the premises. Cannabis permits are issued to the applicant(s) and are not assignable or transferable. Compliance with this section does not alleviate the applicant(s) from requiring approval from the Planning Administrator for all other applicable sections of 18-45.

(2) Application and fee. Anyone wishing to conduct cannabis-related activity must submit a completed application. The application shall be returned to the Administrator accompanied by the appropriate application fee for the use(s) to be permitted, and must show, at a minimum:

(a) The complete documentation to be provided to the Regulation and Licensing Department

(b) the cannabis retailer, cannabis consumption area, or cannabis courier facility to be permitted may not be located within 300 feet of a school or daycare center in existence at the time a permit was sought.

(c) the cannabis retailer and cannabis consumption area seeking a permit may not be located within 200 feet of another cannabis retailer or cannabis consumption area in existence at the time a permit was sought.

(d) a site plan, including all greenhouse(s) proposed for the growth of cannabis and any accessory structure(s) located on the premises.

(e) valid proof of identity of the person(s) seeking the permit, indicating they are at least 21 years of age.

(f) proof of ownership or legal occupancy of the premises to be permitted, including an affidavit from the owner of the property that the applicant has permission to conduct cannabis-related activity on the premises if the property is not owned by the applicant.

(g) a valid New Mexico gross receipts tax number

(h) 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.

(i) The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the applicant, if different than the owner of the property.

(j) all other legal requirements as provided for according to the regulations set forth by the Regulation and Licensing Division pertaining to cannabis and cannabis related activity

(k) The Zoning Permit approval shall be granted contingent upon the licensee providing a valid license upon approval from RLD

(3) Compliance with 18-45(a) through 18-45(c) required. Any cannabis establishment seeking to construct or occupy a building or structure requiring a site development plan pursuant to 18-45(a)-(c) of the Village Code must provide documentation of Site Plan approval at the time of permit application.

(a) Greenhouses or other structures incidental to the production of cannabis or cannabis products shall be equipped with an activated carbon HVAC filtration system sized to effectively abate odor emissions.

(i) Activated carbon filtration systems shall be maintained regularly such that odor abatement remains effective.

(ii) Cannabis producers shall keep a maintenance record for their filtration system(s) which shall include, at a minimum: the filter(s) changed, date the filter change was conducted, and due date for next filter change.

(b) Greenhouses, manufacturing facilities, or other structures incidental to the production of cannabis or cannabis products shall be equipped with noise buffering panels sufficient to reduce sound emissions below 85 decibels as measured from the property line.

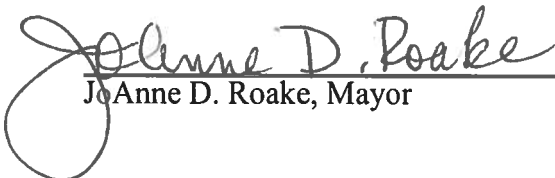
(c) Applicants must provide a valid permit from the Office of the State Engineer at the time of application certifying access to water rights sufficient to conduct the activity or activities for which the Village permit is sought.

Section 24-23 shall be repealed in its entirety.


Severability. Should any provision of this Ordinance be found to be invalid or unenforceable by any court, such determination shall have no effect upon the validity or enforceability of any other portion of this Ordinance, and all such other portions shall continue in full force and effect.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 17th day of August, 2021.

VILLAGE OF CORRALES


JoAnne D. Roake, Mayor

ATTEST:


Aaron Gjullin, Village Clerk
(SEAL)