



## **VILLAGE OF CORRALES**

### **ORDINANCE NO. 18-008**

AN ORDINANCE MAKING REVISIONS TO A CERTAIN SECTION OF THE VILLAGE CODE TO MAKE CONSISTENT THE DENSITY STANDARD FOR ZONING FOR A-1, AGRICULTURAL AND RURAL RESIDENTIAL ZONE, AND A-2, RURAL AGRICULTURAL ZONE APPLICABLE TO SUBDIVISIONS LOCATED IN THE VILLAGE OF CORRALES, IN SANDOVAL COUNTY, NEW MEXICO.

**WHEREAS**, Chapter 18 – Land Use, Article II of the Village Code governs all real property located within the incorporated limits of the Village and provides the applicable standards for development within defined zoned areas within the Village, including density standards for Zone A-1, Agricultural and Rural Residential Zone, and Zone A-2, Rural Agricultural Zone; and

**WHEREAS**, Chapter 18 – Land Use, Article III of the Village Code provides the land subdivision regulations for the Village and provides applicable standards for subdivision regulations within the incorporated limits of the Village and within three (3) miles of the corporate limits of the Village; and

**WHEREAS**, Article II, Section 18-33.A-1(3) provides that “The maximum density shall be limited to one dwelling unit per net acre;” and

**WHEREAS**, Article II, Section 18-34.A-2(4) provides that “The maximum density shall be limited to one dwelling unit per two net acres;” and

**WHEREAS**, Article III, Section 18-82(a) specifies the minimum size for lots created by subdivision in both the Zone A-1 and Zone A-2 areas of the Village and requires that “Every lot created shall have a minimum of one or two acre lot size consistent with the minimum lot size and dimensions as provided for in the Comprehensive Zoning Ordinance for the applicable zone where the lot is proposed;” and

**WHEREAS**, Article III, Section 18-82(b) separates subdivisions into separate classifications and specifies that “Major subdivisions . . . shall not have a greater density than one single-family dwelling unit per net one acre in the A-1 zoned areas, or one single-family dwelling unit per net two acres in the A-2 zoned areas.” Section 18-82(b) also states “Net acreage is defined as any amount of acreage remaining after required dedications;” and

**WHEREAS**, Article III, Section 18-82(b) also specifies that “Intermediate subdivisions” are any subdivisions that consist of land subdivided, platted or created prior to the date of enactment of Ordinance No. 293 on July 9, 1996, and (2) do not contain more than ten (10) acres of land. Section 18-82(b) then provides that “The Planning and Zoning Commission will review and approve intermediate subdivisions, if all applicable ordinances and regulations are complied

with, using gross acreage instead of net acreage. 'Gross acre' is defined as the amount of acreage to include required dedications;" and

**WHEREAS**, the use of the two different standards for "net acre" versus "gross acre" has created confusion and delay in the review of certain development permit applications before the Zoning and Planning Commission; and

**WHEREAS**, Section 18-82 was initially enacted for the purpose of spurring development west of Loma Larga in the Village by allowing a "smaller acre" to be created and sold by developers; and the Village's west side has been mostly platted and built since that time and the "gross acre" standard has served its purpose and development did occur; and

**WHEREAS**, The "gross acre" language in Section 18-82(b) now only causes confusion around the possibility of creating unbuildable lots in certain subdivisions and is inconsistent with the intent of the Village Comprehensive Plan; and

**WHEREAS**, the Village Council, the governing body of the Village ("Governing Body") finds that the harmonious development of the Village and agricultural heritage of the Village is best served by eliminating the confusion surrounding the language in Section 18-82(b) for the development of subdivisions.

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Village of Corrales, New Mexico, that:

1. Chapter 18, Article III, Section 18-82(b) of the Village Code be revised to remove the confusion in the density requirements for subdivisions within the incorporated limits of the Village and within three (3) miles of the corporate limits of the Village.

2. Chapter 18, Article III, Section 18-82(b) of the Village Code be specifically revised to state as follows:

(b) Density. Subdivisions shall not have a greater density than one single-family dwelling unit per net one acre in the A-1 zoned areas, or one single-family dwelling unit per net two acres in the A-2 zoned areas. "Net acreage" is defined as any amount of acreage remaining after required dedications.

A "single-family dwelling unit" shall be defined as a unit that houses persons related by blood or marriage or which consists of not more than five unrelated persons. This provision in no way prohibits the use of cluster housing in the A-1 zone as long as the subdivision is in compliance with the subdivision requirements as herein provided. Cluster housing will not be permitted in the A-2 zone.

**SEVERABILITY CLAUSE**: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable or any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would

have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

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

**PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Corrales, New Mexico, this 8th day of August, 2018.

**VILLAGE OF CORRALES**

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The Honorable Jo Anne Roake  
Mayor

**ATTEST:**

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Shannon Fresquez, Village Clerk  
(SEAL)

