



CITY OF RIO RANCHO
DEPARTMENT OF DEVELOPMENT SERVICES
ENGINEERING DIVISION

Request for Approval of Curb Cut Location
Ordinance Number 96.04.(B)

Property Owner: _____

Address of Property Request is for: _____

Phone Number: _____ E-Mail: _____

CONTRACTOR INFORMATION

Name: _____

Address: _____

Phone: _____

License Number: _____

PLANS ATTACHED: _____ - must show accurately the extent and character of crossing proposed to be constructed.

I have read and understand the Curb Cut Ordinance Number 96.04.(B)

Signed: _____ Date: _____



OFFICE USE ONLY

Application Approved By: _____ Date: _____

This approval does not constitute a permit to perform the work. Obtain a ROW use permit per ordinance 96.0 prior to starting work.

Denied for the following: _____

See attachment for approval instructions.

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STEPS FOR OBTAINING CURB CUT APPROVAL

1. Fill out City of Rio Rancho Request for Approval of Curb Cut Location.
2. Submit City of Rio Rancho Request for Approval of Curb Cut Location to the Department of Development Services Engineering Division located at 3200 Civic Center Circle NE – Suite 130.
3. Engineering will review the application for compliance with current ordinances. Upon approval or denial, the applicant will be notified.
4. The contractor that is going to perform the work shall submit Request for Right-of-Way Use and attach approved Request for Approval of Curb Cut Location. Permits and procedures are online at www.ci.rio-rancho.nm.us under Development Services Department, Engineering Division.
5. A typical permit to install curb cut will cost \$62.00

(Any contractor that performs work within City Right-of-Way shall be licensed, insured, and bonded with the City of Rio Rancho.)

(H) Work hours shall be 9:00 a.m. to 3:00 p.m. on arterial classified roads and 7:00 a.m. to 5:00 p.m. on residential or collector classified roads, inclusive of setup and teardown of traffic control devices.

(1) The city may authorize alternative work hours, if the scope of the work is such that the right-of-way cannot be reopened safely.

(2) The applicant shall request the city's determination on alternative work hours with the initial submission of the permit.

(3) The city may require alternate hours, including nights or weekends, for operations that unduly disrupt traffic flows or represent potential safety hazards.

(I) As city practice, roads less than five years old shall not be cut, except for the repair of leaking wet utilities buried under the roadway. A list of roads which cannot be cut may be obtained from the City Engineer. The City Manager may provide a variance to this practice.

(J) The permittee shall maintain the work site in a clean and orderly manner. All debris, rubbish and excess material shall be removed from the right-of-way at the completion of each workday.

(K) The permittee shall notify the city immediately upon completion of the work.

(L) The city will provide any necessary inspections, during normal business hours, at no cost to the permittee. Should the permittee request inspections outside normal business hours, or should the city determine that such inspections are necessary to ensure public safety, the permittee will be responsible for paying the inspection cost, including overtime costs.

(M) Except as otherwise expressly provided herein, all costs of complying with this chapter shall be borne by the applicant/permittee.

(Ord. 10-21; Am. Ord. 14-04)

96.04 SPECIFIC CIRCUMSTANCES.

Without limiting the generality of the foregoing, the following special circumstances require right-of-way use permits. The absence of mention in this section does not exempt an activity from the requirement to obtain a right-of-way use permit.

(A) *Right-of-way crossing.*

(1) Crossings shall not unreasonably interfere with or unduly impair the proper and safe use of the right-of-way or adjacent properties.

(2) If a crossing is being proposed in conjunction with the construction of a new building or the remodel or renovation of an existing building, approval for the crossing shall be obtained prior to the city's issuance of the building permit. The right-of-way permit must be obtained prior to starting construction of the crossing.

(B) *Curb cuts.* If the proposed crossing includes a curb cut, the following shall apply:

(1) *Residential areas.*

(a) The minimum width of curb cuts shall be 12 feet and the maximum width shall be 36 feet.

(b) A minimum of 22 feet of standing curb must remain between any two curb cuts on the same lot or single parcel of land or if more than one lot or parcel of land is being put to a single land use, then the requirement shall apply to the land use.

(c) No double or circle drives shall be installed or maintained unless the property shall have a minimum of 60 feet frontage on the street affected thereby.

(d) No curb cuts shall be closer than two and one-half feet from side property lines.

(e) Corner property curb cuts shall be no closer to the intersecting street than either:

(i) Twenty-five feet from the curb face of the intersecting street or extension thereof; or

(ii) Ten feet from the property line of the intersecting street.

(f) No dual frontage access (access to more than one street from a residential lot) shall be allowed.

(g) No curb cuts shall be allowed as a secondary access from arterial roadways and will need approval by the city for collector roadways.

(2) In all light traffic commercial areas, which shall include all office building or other commercial buildings not more than two stories in height, the gutter line width of curb cuts shall be a minimum of 12 feet and a maximum of 36 feet not including radii. All other requirements shall be the same as in residential areas.

(3) In all heavy traffic commercial areas which include, but are not limited to, all drive-in type establishments, the gutter line width of curb cuts shall be a minimum of 20 feet and a maximum of 40 feet in width, not including radii, as justified after a complete study of traffic volume, pedestrian volume, one-way streets, and type of business making request. All other requirements shall be the same as in residential areas.

(4) When conformance to the standards as set forth in this subsection would cause harm to the community or exceptional and undue hardship to any person, the city may vary design standards to the extent that substantial justice may be done. However, the relief may not be granted if it is detrimental to the public good or impairs the intent and purpose of this chapter or the desirable general development of the community. Any modification thus granted shall be entered in the records of the Development Services Department setting forth the reasons which justified the modification.

(C) *Emergency repair work.* If the applicant calls New Mexico One-Call between 8:00 a.m. and 5:00 p.m., Monday through Friday (except city holidays), the right-of-way use permit application and associated traffic control plan must be submitted to the city prior to the start of work. For emergency repairs that require notification to New Mexico One-Call at any other time, the right-of-way permit application is due to the city by noon the following business day.

(D) Persons who use the right-of-way for short duration operations, including but not limited to: landscaping/landscape maintenance, lifting with crane or boom truck, concrete delivery, concrete cutting, asphalt repair, utility repair, and utility locators using destructive methods, must obtain right-of-way use permits. The level of complexity required for traffic control will be commensurate with the duration of work and location of work as defined in the MUTCD.

(E) Builders shall obtain right-of-way use permits for placement of construction dumpsters/drop boxes in the right-of-way.

(F) Heavy haulers, persons proposing to drive non-street-legal construction equipment, and persons proposing to haul spoils, rock, debris, fill dirt or the like to or from an excavation or construction site shall obtain a right-of-way use permit. The city may dictate the haul route and the hours of operation for the haul.

(1) All costs associated with the haul, including moving and reinstalling existing structures and infrastructure shall be borne by the applicant.

(2) Water wagons and scrapers are prohibited from being driven on paved roads.

(G) Persons requesting special event permits pursuant to Section [154.27](#), R.O. 2003, must also obtain right-of-way use permits if their events affect the right-of-way. Satisfying the insurance and bonding requirements for the special event permit shall not relieve the applicant from meeting the requirements of this chapter.