

22.12 Drainage Right-of-Way and Easements

22.12.1 Rights-of-Way

Whenever no beneficial use can be derived by an owner from continued retention of that land necessary for permanent drainage, flood control or erosion control facilities or when the facilities involve a major arroyo, the land required for the operation and maintenance of the facilities must be dedicated to AMAFCA or the City. Maintenance responsibility of the facilities must be clearly defined.

22.12.2 Easements

Easements for drainage, flood control and erosion control facilities are acceptable (except where prohibited in Subsection 22.12.1 above) as long as a clear agreement exists as to other acceptable uses and that no other permanent facilities (e.g. non-drainage facilities) are constructed within them (including masonry fences and retaining walls but excluding pavement) without an agreement between the owner and the City, governing the permitted uses. Maintenance responsibility of the facilities must be clearly defined. Easements can be shown on a plat or be provided by a paper easement. Paper easements are processed through the Design Review and Construction Services section.

22.12.3 Configuration

Rights-of-way and permanent easements required for drainage, flood control and erosion control facilities will conform to the following criteria:

1. Surface Facilities:

The dedicated area should contain the entire facility including any slopes, maintenance roads, turn arounds or other necessary appurtenances, and be a minimum 10 feet wide.

2. Underground Facilities:

Dedicated areas for underground facilities may not be narrower than 20 feet for any facility, be exclusive for the drainage facility, and must conform to the following formula, unless otherwise approved by the City Engineer:

$$W = 2 \times D_s + \text{pipe diameter or box culvert width} + 4 \text{ feet}$$

where: W = dedicated width in feet

D_s = depth to bottom of the structure (invert + thickness of the structure)

Outside dimensions must be used for pipe diameter and box culvert width.

22.12.4 Drainage Right-of-Way and Public Drainage Easement Access

All newly constructed surface drainage facilities within a public right-of-way or Public Drainage Easement must be blocked off at both ends to prevent unauthorized vehicular access with City Standard Tube Gate or removable bollards.

22.12.5 Private Storm Drain Improvements Within City Right-of-Way and/or Easements

Frequently, a drainage plan developed for a particular property involves either discharge directly into a public facility or across a portion of a public right-of-way to a public facility.

Examples include connections to the back of an existing storm inlet, construction of sidewalk culverts or a connection to a storm drain manhole or a channel. When such solutions are employed the construction of private storm drain improvements within the City Right-of-Way must comply with the following requirements:

1. The proposed improvement must be incorporated on the grading and drainage plan. This plan must include the design or City standards to be used and the location of the proposed construction in the City Right-of-Way.
2. An excavation/construction permit will be required before beginning any work within the City's Right-of-Way. An approved copy of the grading and drainage plan must accompany the excavation/construction permit request.
3. All work to be performed within the public Right-of-Way or easement shall be constructed in accordance with City of Albuquerque Standard Specifications for Public Works Construction.
4. Prior to construction, the contractor shall excavate and verify the horizontal and vertical locations of all constructions to identify a conflict. Should a conflict exist, the contractor shall notify the engineer so that the conflict can be resolved with a minimum of delay.
5. Backfill compaction shall be according to City of Albuquerque Standard Specifications for Public Works Construction.
6. The facility is to be inspected and accepted by the City prior to obtaining a Permanent Certificate of Occupancy.
7. Maintenance of these facilities shall be the responsibility of the owner of the property served.
8. Notes 1 through 7 listed above are to be placed on the grading and drainage plan for approval by the Hydrology section.