

THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

ORDINANCE NO. 2008-17

AN ORDINANCE  
CREATING A NEW ARTICLE II, SECTION 1.4 OF THE SANTA FE COUNTY LAND  
DEVELOPMENT CODE (1996, AS AMENDED) ESTABLISHING THE SANTA FE  
EXTRATERRITORIAL LAND USE AUTHORITY (ELUA) AND THE SANTA FE  
EXTRATERRITORIAL LAND USE COMMISSION (ELUC)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE  
COUNTY, NEW MEXICO:

Section 1. A new Section 1.4 of Article II of the Santa Fe County Land Development  
Code (1996)(as amended) shall be and hereby is created to read:

"ARTICLE II - ADMINISTRATION

"1.4 The Extraterritorial Land Use Authority and the Extraterritorial Land Use  
Commission

"1.4.1 The Santa Fe Extraterritorial Land Use Authority Creation;  
Membership.

"1.4.1a There is created the Extraterritorial Land Use Authority  
(ELUA) as provided in NMSA 1978, § 3-21-3.2 (2003) and pursuant to the Santa Fe County and  
City Extraterritorial Land Use Joint Powers Agreement (2008). The Extraterritorial Land Use  
Authority shall consist of four County Commissioners appointed by the Board of County  
Commissioners and three City Councilors or two City Councilors and the Mayor appointed by  
the Mayor with the approval of the City Council. The remaining member of the board of county  
commissioners shall be appointed as an alternate to the Extraterritorial Land Use Authority, and  
the Mayor shall appoint alternates with the approval of the City Council from among the

remaining City Councilors. The alternates shall be notified prior to a meeting of the Extraterritorial Land Use Authority if an appointed member cannot attend. When replacing a member, an alternate shall have the same duties, privileges and powers as other appointed members. The term of each member appointed by the City shall be for two years.

"1.4.1b The Extraterritorial Land Use Authority shall have the jurisdiction and powers of an extraterritorial zoning authority and shall carry out its duties related to planning and platting jurisdiction, extraterritorial zoning, subdivision approval and annexation approval or disapproval as provided in the Municipal Code, NMSA 1978, §3-1-1 *et seq.* and as set forth in the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008). The Extraterritorial Land Use Authority shall approve or disapprove annexation petitions brought pursuant to NMSA 1978, § 3-7-17.1 (2003) upon review and recommendation of the Extraterritorial Land Use Commission (ELUC).

"1.4.2 The Santa Fe Extraterritorial Land Use Commission

"1.4.2a There is created the Extraterritorial Land Use Commission (ELUC) as provided in NMSA 1978, 3 -21-3.2 (2003) and pursuant to the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008). The Extraterritorial Land Use Commission shall consist of five members of the County Development Review Committee/Planning Commission appointed by the Board of County Commissioners and five members of the City Planning Commission appointed by the Mayor with approval of the City Council. Alternates to the Extraterritorial Land Use Commission shall be appointed by the Board of County Commissioners from the remaining members of the County Development Review Committee/Planning Commission and by the Mayor with approval of the City Council from the remaining members of the City Planning Commission, who shall be notified prior to a meeting of

the Extraterritorial Land Use Commission if an appointed member cannot attend. When replacing a member, the alternate shall have the same duties, privileges and powers as other appointed members. The term of each member appointed by the City shall be for two years.

"1.4.2b The Extraterritorial Land Use Commission shall have the authority to carry out duties and make recommendations related to planning and platting jurisdiction, subdivisions, zoning, and annexations as provided for in NMSA 1978, §§ 3-7-3, 3-7-3.2 and 3-7-4 (2003) and as set forth in the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008)."

Adopted by the Board of County Commissioners of Santa Fe County, this 18th day of November, 2008.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO

By *Paul Campos*  
Paul Campos, Chair

Attest:

*Valerie Espinoza*  
Valerie Espinoza, County Clerk

Approved As To Form:

*Stephen C. Ross*  
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE ) BCC ORDINANCE  
STATE OF NEW MEXICO ) ss PAGES: 3

I Hereby Certify That This Instrument Was Filed for Record On The 25TH Day Of November, 2008 at 10:31:51 AM And Was Duly Recorded as Instrument # 1545010 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
*Manuela Rojas* Valerie Espinoza  
Deputy County Clerk, Santa Fe, NM