

SANTA FE COUNTY  
ORDINANCE NO. 2007- 5

AN ORDINANCE AMENDING ORDINANCE NOS. 1996-10 AND 1998-15, THE SANTA FE COUNTY LAND DEVELOPMENT CODE, ARTICLE III, SUBSECTION 2.3.9b AND ARTICLE III, SUBSECTION 8.3.8, RELATING TO THE UNDERGROUND PLACEMENT OF UTILITY LINES

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THAT ARTICLE III OF THE LAND DEVELOPMENT CODE (1996)(AS AMENDED), ORDINANCE NOS. 1996-10 AND 1998-15, SHALL BE AND HEREBY ARE AMENDED TO PROVIDE AS FOLLOWS:

**"ARTICLE III – ZONING REGULATIONS, SUBMITTALS AND REVIEWS**

"Subsection 2.3.9b. Installation of new and replacement utilities, including but not limited to natural gas lines, electric utility lines, water lines, telephone and television cables, shall meet the following standards:

"(1) Electric utility lines that transmit electricity at a voltage less than 46 kilovolts shall be placed underground. Electric utility lines that transmit electricity at a voltage greater than or equal to 46 kilovolts may be placed above ground unless public health and safety requires such lines to be placed underground.

"(2) Notwithstanding the previous paragraph, electric utility lines that transmit electricity at a voltage less than 46 kilovolts may be placed above ground to serve development in an area that is already served by an above-ground electric utility line.

"(3) Above-ground electric utility lines that are approved pursuant to this paragraph shall not be subject to height restrictions placed on other development described in Subsection 8.2 and 8.3.2 of the Land Development Code. Above-ground electric utility lines that transmit electricity at a voltage greater than or equal to 46 kilovolts shall be designed and constructed at the minimum height necessary for the proposed structure to function properly and for public health, safety and welfare, as demonstrated by the Applicant. Above-ground electric utility lines that transmit electricity at a voltage less than 46 kilovolts shall not exceed forty feet in height.

SFC CLERK RECORDED 03/15/2007

"(4) Natural gas lines, water lines, sewer lines, telephone and television cables, and all other utilities except for electric utility lines, shall be placed underground within designated utility corridors.

"(5) Utility trenches shall be placed within easements, in or adjacent to road or driveway easements or rights-of-way where possible, except where alternate locations are required for gravity flow of water or sewer or where a significant reduction in line length and terrain disturbance would be achieved by cross country easements and trenching.

"(6) All utility installations must meet the design standards for grading and removal of vegetation and re-vegetation of utility trenches found in Article VII, Section 3, "Terrain Management.

"(7) This Subsection shall not apply to routine maintenance of existing infrastructure, including but not limited to replacement of poles of the same height as those originally installed, and replacement of transformers.

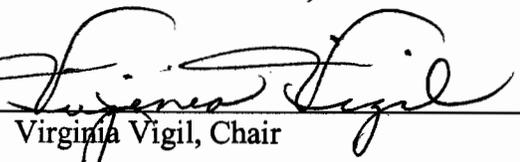
"(8) [Reserved.]"

\*\*\*

"Subsection 8.3.8. Persons aggrieved by the decision of the Code Administrator may appeal the Code Administrator's decision to the County Development Review Committee and to the Board of County Commissioners. An applicant who sought, but was denied, permission to install an electric utility line above ground prior to the effective date of this Ordinance, may apply to the Code Administrator for permission to install the electric utility line above ground."

**PASSED, APPROVED AND ADOPTED** this 13th day of March, 2007, by the Board of County Commissioners of Santa Fe County.

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

By:   
Virginia Vigil, Chair

**ATTEST:**

*Valerie Espinoza*  
\_\_\_\_\_  
Valerie Espinoza, County Clerk

**Approved as to form:**

*SR*  
\_\_\_\_\_  
Stephen C. Ross, County Attorney



SFC CLERK RECORDED 03/15/2007

**CERTIFICATE OF FILING**

I, Valerie Espinoza, County Clerk, do hereby certify that the foregoing Ordinance,  
designated as Ordinance No. 2007-5, was filed in my office on the \_\_\_ day of \_\_\_  
*Instr. #1474714*  
\_\_\_\_\_, 2006, in Book Number \_\_\_ at Page \_\_\_.

*Valerie Espinoza*  
Valerie Espinoza  
County Clerk



SFC CLERK RECORDED 03/15/2007

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss BCC ORDINANCE  
PAGES: 4  
I Hereby Certify That This Instrument Was Filed for  
Record On The 15TH Day Of March, A.D., 2007 at 10:21  
And Was Duly Recorded as Instrument # 1474714  
Of The Records Of Santa Fe County  
Deputy *Marell* Witness My Hand And Seal Of Office  
Valerie Espinoza  
County Clerk, Santa Fe, NM