

SANTA FE COUNTY

Ordinance No. 1995-6

**AN ORDINANCE AMENDING THE SANTA FE COUNTY
LAND DEVELOPMENT CODE, ORDINANCE NO. 1992-1,
REGARDING SUBMITTAL REQUIREMENTS AND
PERFORMANCE STANDARDS FOR LAND
DIVISIONS AND PLATS**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY:**

Section 1. Article III, Section 2.4.2 is hereby amended.

2.4.2 Division of a Parcel of Land and Other Plat Reviews

- a. Types of Plats - All plats are to be prepared by a licensed surveyor unless otherwise noted.
1. Division of Land Plat is the graphic representation and legal description of the separation, splitting, or dividing of a lot, parcel, or tract of land into two (2), three (3), or four (4) lots, parcels, or tracts of land.
 2. Boundary Plat is the graphic representation and legal description of property ownership of a parcel, lot, or tract of land.
 3. Lot line adjustment is the graphic representation and legal description of an adjustment, alignment, or movement of a parcel, lot, or tract boundary, which does not constitute a subdivision or division of land.
 4. Consolidation Plat is the graphic representation and legal description of a merger, incorporation or consolidation of two or more parcels, lots, or tracts of land(s).

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5. Easement Plat is the graphic representation and legal description of a public/private easement, but does not constitute a boundary plat.
 6. Plat Amendment is a minor change or correction to a plat, prepared by a licensed surveyor or engineer, which does not constitute a division of land, lot line adjustment, family transfer, or consolidation.
 7. Inheritance and Family Transfer - refer to Article II, Section 4.3 for more information.
- b. The following submittals and review shall apply when an application for a development permit involves the following types of plats: boundary, lot line adjustment, consolidation, inheritance and family transfer, easement, amendment, and division of land, if the division is not a subdivision and does not involve the construction, alteration or repair of a dwelling or other structure.
1. Submittals
 - (a) Proof that the parcel is a legal lot of record;
 - (b) The application shall be accompanied by three (3) copies of a plat, which shall:
 - (1) include a vicinity map;
 - (2) be drawn at a scale of one inch equals one hundred feet (1" = 100'), or larger, or other appropriate scales approved by the Code Administrator;
 - (3) refer to permanent monuments (tied to a section or quarter corner when within a section and notation describing all monuments found or set);
 - (4) Indicate the lots to be created or changed, accurately describe each lot, number each lot in progression, give its dimensions and the area of each lot or tract to the nearest one-hundredth of an acre, and the dimensions and acreage of all land dedicated for public use or for the use of the owners of lots fronting or adjacent to the parcel; if the lot size is one (1) acre or less, the net acreage without easements shall also be shown;
 - (5) show the locations of permanent improvements with reference to the boundaries, including but not limited to, the location of liquid waste disposal systems, wells, buildings and roads; a description and location of any evidence of occupation found

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along a boundary line, including fences, walls, buildings or monuments;

- (6) bear the date of field survey, and the name, signature, seal, certificate number, and address of the surveyor responsible for the survey; the plat shall be certified as meeting the minimum standards for surveying in New Mexico by a professional surveyor, licensed in accordance with the Laws of the State of New Mexico;
- (7) contain a certification of title showing that the applicant is the owner of the land, and that the lot(s), parcel(s), or tract(s) represented by the plat are created or changed with the free consent and in accordance with the desires of the owner, and do further grant public and/or private easements signed on the plat by the owner of the property and notarized;
- (8) indicate its title. A title shall include the appropriate township(s), range(s) and section(s), conservancy district, grant (project the section number), subdivision - designations which describes the general location of the property and statement of jurisdiction, scale (equivalent and graphic), true and magnetic north arrows, and date;
- (9) provide a permit number line, date line, and a signature line for approval by the Code Administrator;
- (10) indicate required dimensions to the nearest one hundredth of a foot (.01') and angles to the nearest second;
- (11) show the basis of bearing;
- (12) reference all documents used to determine the boundary of the land surveyed including the recording information for documents of record;
- (13) state any discrepancy exceeding the requirements of these standards between the survey and the record description, and the source of all information used in making the survey. When an inconsistency is found, including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location of the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the plat;

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- (14) indicate the horizontal length (ground) and direction (bearing of azimuth) of each line as specified in the legal description and as determined in the actual survey process;
- (15) show at least three elements of all curves, the delta, radius, arc and chord bearing, and distance;
- (16) indicate and tie to property corners the natural drainage flow and hundred year flood hazard zones as identified in the "Flood Insurance Study for Santa Fe County, New Mexico" dated October 5, 1987, as updated, with the accompanying Flood Insurance Rate Maps and Flood Boundary - Floodway Maps, together with a notation of the Base Flood Elevation, in compliance with Santa Fe County Ordinance 1988-1, as incorporated by reference herein, and where applicable, floodway areas designated as drainage easements;
- (17) indicate lot, block, and tract numbers or other designations including adjoining lots and tracts if the survey is within a recorded subdivision or conservancy district tract;
- (18) graphically show all public and private rights-of-way or easements which are recorded or apparent and crossing or adjoining the land surveyed;
- (19) graphically show the extent of any visible encroachments onto adjoining property or abutting streets;
- (20) include all information called for in the property description on the deed and referenced on the plat, the point of beginning, course bearings, distances, etc.;
- (21) indicate the latest available recorded property owner and book and page number of all adjacent properties;
- (22) include a box labeled "Indexing Information for the County Clerk" located near the lower right hand corner of the plat;
- (23) provide signature lines for utilities, where applicable; and
- (24) for surveys of parcels within a tract of land, show the relationship to at least one established identifiable property corner of the tract.

2. Performance Standards and Reviews - A development permit for a division of

land and other plats may be approved only if the applicable standards in the following sections are met.

- (a) Lot Requirement Review - The Code Administrator shall review the application for compliance with the density regulations in Article III, Section 10 of the Code.
- (b) Roads and Access - All lots created under this section shall be provided with adequate access for ingress and egress, utility service, fire protection, and emergency services whether by public access and utility easement or direct access to a public right-of way. The minimum width of any easement created for access purposes shall be no less than twenty (20) feet for access to two (2) lots and no less than thirty-eight (38) feet for access to three (3) or more lots. All roadways and access shall be subject to the provisions of Section 10.207 of the Uniform Fire Code and to the policy established by the County Fire Marshal regarding fire apparatus access roads under Section 10.207. Provision of easements may also be accomplished by contiguous access easements along the property line of adjacent parcels or lots which, when added together, provide the total required width.

The maximum grade of built roads shall be ten percent (10%) unless the lot is served by fire hydrants, in which case, the maximum grade shall be fifteen percent (15%). Installation of culverts, where applicable, shall be required at intersections of driveways with County roads.

Road Construction and/or Road Cut Permits must be obtained if road or driveway construction is to precede any other development on any lot.

- (c) Special District Review - The Code Administrator shall review the location of the lots indicated on the plat and, if a lot is located in a Special Review District, will inform the applicant of any additional submittals or reviews required and make the applicable review.
 - (d) Environmental Review - the Code Administrator shall inform the applicant of any additional submittals and make the reviews required under Article VII, Environmental Requirements.
3. Off-Site Improvements - If the Code Administrator determines that it is necessary for health, safety, or welfare reasons, the applicant may be required to construct improvements to existing off-site facilities or to construct planned facilities or portions of planned facilities which can provide relief to existing

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facilities. The purpose of requiring such improvements is to assure that such facilities which may be negatively impacted, either individually or cumulatively, by the addition of new development, will function efficiently. For the purposes of this section, off-site facilities are defined as roads, water systems, and sewer systems. Roads, as referred to in this paragraph, do not include roads that have been dedicated to and accepted by the County.

Off-site improvement requirements do not apply to lots created by inheritance or family transfer, provided that the family does not sell or transfer such lots for three years from the time the inheritance or family transfer plat is recorded. Lots sold or transferred prior to such three year period by the family will be required to meet the off-site improvement requirements of this Code at the time of sale.

4. Approval - After a decision approving an application under this section has become final, the Code Administrator shall sign and copy the plat submitted under this section, and the applicant shall record the plat in the records of the County Clerk and return a copy with recording information to the Code Administrator.

Section 2. Severability Clause

If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Effective Date

Upon due adoption of this Ordinance, it shall be recorded in the book of ordinances of the governmental unit kept for that purpose, authenticated by the signatures of the chairperson of the governing body and governmental unit clerk, and the title and general summary of the subject matter contained in this Ordinance shall be published in a newspaper which maintains an office and is of general circulation in the governmental unit, or posted in accordance with law, and said Ordinance shall be in full force and effect thereafter, in accordance with law.

APPROVED, ADOPTED AND PASSED this 8th day of August, 1995.

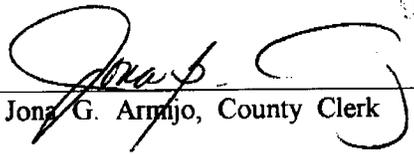
BOARD OF COUNTY COMMISSIONERS

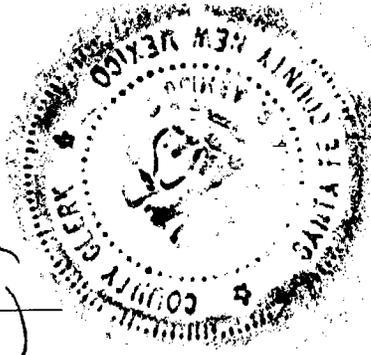


Betty Platts, Chairperson

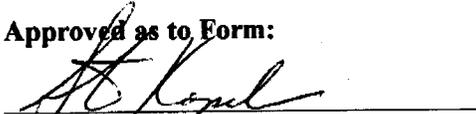
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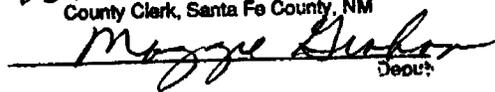
ATTEST:


Jona G. Armijo, County Clerk



Approved as to Form:


Steven Kopelman, County Attorney

COUNTY OF SANTA FE
STATE OF NEW MEXICO 917,532
I hereby certify that this instrument was filed for
record on the 1 day of 2011 A.D.
19 95 at 2:12 o'clock P.m. and
was duly recorded in book 1196 P page
251 of the records of Santa Fe County.
Witness my Hand and Seal of Office
257 Jona G. Armijo
County Clerk, Santa Fe County, NM

Deputy

