

**SANTA FE COUNTY
ORDINANCE NO. 2001-2**

1875875

AN ORDINANCE RELATING TO COMMUNICATIONS TOWERS; DECLARING A
MORATORIUM ON THE SUBMISSION, CONSIDERATION OR APPROVAL OF
APPLICATIONS FOR COMMUNICATIONS TOWER FACILITIES IN SANTA FE
COUNTY, NEW MEXICO; DECLARING AN EMERGENCY

WHEREAS, the Board of County Commissioners has directed county staff to draft an ordinance regulating wireless communications facilities in the county; and

WHEREAS, the proposed ordinance will facilitate the placement of wireless communications facilities in the county; and

WHEREAS, the proposed ordinance will protect the county's unique and beautiful viewshed; and

WHEREAS, the Board of County Commissioners is concerned that new applications, which would otherwise require action before a comprehensive ordinance can be passed, may not conform with the proposed ordinance and would cause irreparable injury to the viewshed in the county; and

WHEREAS, the Board of County Commissioners hereby finds that this is a matter that presents an immediate danger to the public health, safety and welfare due in part to the proliferation in the county of communications towers, potential impacts to neighborhoods,

the lack of an applicable facility growth and development management plan, the lack of appropriate provisions in the current land development code, and concerns over compliance with the 1996 Telecommunications Act.

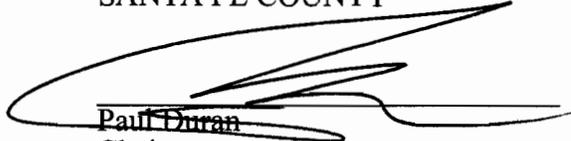
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

1. PROHIBITION. For a period of four (4) months following the effective date of this ordinance, or until the county has adopted an ordinance regulating wireless communications facilities, whichever comes first, no application for communications towers shall be accepted, acted on or considered for approval. This ordinance shall not apply to applications for wireless communications facilities pending on the effective date of this ordinance that meet the following criteria: the application does not request or require any variance, modification or waiver of any provision of the Santa Fe County Land Development Code (Santa Fe County Ordinance 1996-10), and otherwise complies with the height limitations and all other applicable provisions of the Santa Fe County Land Development Code. In addition, this ordinance does not apply to applications to place antennae or satellite dishes on existing towers or structures, provided that the antennae or satellite dish does not exceed the height of the structure and otherwise complies with all other requirements set forth in the Santa Fe County Land Development Code.
2. EFFECTIVE DATE. This ordinance shall become effective immediately upon its adoption and filing in the office of the Clerk.

1875877

PASSED, APPROVED AND ADOPTED this 13th day of March, 2001, in open session in Santa Fe, New Mexico.

BOARD OF COUNTY COMMISSIONERS,
SANTA FE COUNTY

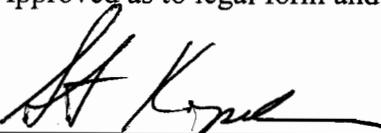

Paul Duran
Chairman



Attest.


Rebecca Bustamante
County Clerk

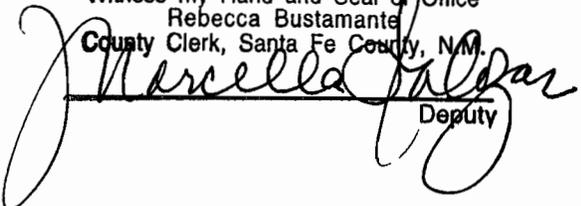
Approved as to legal form and sufficiency:


Steven Kopelman
County Attorney



1149330
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) SS
I hereby certify that this instrument was filed
for record on the 21 day of Mar A.D.
20 01 at 1:10 o'clock P m.
and was duly recorded in book 1875
page 875-826 of the records of

Santa Fe County
Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.


Deputy