

SANTA FE COUNTY ORDINANCE #1992-10

SANTA FE COUNTY HARD ROCK MINING MORATORIUM ORDINANCE

AN INTERIM ZONING ORDINANCE PLACING A MORATORIUM ON THE ACCEPTANCE OF NEW APPLICATIONS FOR DEVELOPMENT PERMITS FOR MINERAL EXPLORATION AND/ OR EXTRACTION FOR HARD ROCK MINERALS, PURSUANT TO ARTICLE III SECTION 5 OF SANTA FE COUNTY ORDINANCE 1992-1; AND PROVIDING AN EXPIRATION DATE.

The Board of County Commissioners of Santa Fe County finds:

1. Economic conditions in the mineral extraction industry are such that rapid expansion of that industry in Santa Fe County is probable in the near future; and
2. The existing Article III Section 5 of Santa Fe County Land Development Code Ordinance 1992-1 was enacted to provide protection to quality of life for the citizens of Santa Fe County against possible environmental abuses by mining operators, including, but not limited to, pollution of water resources, destruction of flood controlling watershed, creation of toxic and noxious waste, deforestation, and other similar damage; and
3. Mineral estate owners should be afforded an Ordinance which sets forth the conditions and requirements necessary to obtain mining extraction and exploration permits, so they can determine whether they can profitably develop their interests; and
4. It is in the best interests of the citizens of Santa Fe County that Article III, Section 5 of the Santa Fe County Land Use Code Ordinance 1992-1 be reviewed, and possibly

amended to add additional financial warranty protections to citizens of Santa Fe County, to better define and enact provisions regarding existing mining uses, to add regulations regarding chemical mining processes, and to perform other clean-up amendments to this part of Ordinance 1992-1, and

5. There are no pending applications for mineral exploration and/or extraction permits, pursuant to Article III, Section 5 of Santa Fe County Ordinance 1992-1.

WHEREFORE, as of the effective date of this Ordinance, no applications for new or expanded mineral exploration or extraction uses will be accepted by the Land Use Administrator, and no applicant for any exploration or extraction permit, who has pending submittals before the County to be considered as an application for an exploration or extraction permit shall be allowed to amend or add to such submittals until the moratorium expires, and then such submittals, when in the form of an application, will be considered pursuant to any amendments to the Land Use Code, in order to permit Board of County Commissioners to review and amend Article III Section 5 of Santa Fe County Ordinance 1992-1, for a period of six (6) months from the enactment of this Ordinance, or until amendments are adopted and become effective, consistent with this Ordinance, whichever occurs first.

This moratorium shall in no way apply or affect applications for sand and gravel mining uses, pursuant to Article XI of Santa Fe County Ordinance 1992-1.

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The effective date of this Ordinance shall be the earliest date allowed by law following passage and publication.

PASSED, APPROVED AND ADOPTED, THIS 8th DAY OF December, 1992.

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS

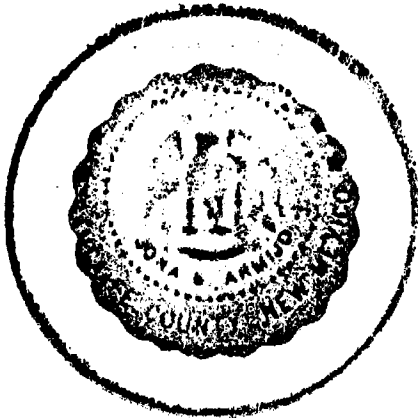
Betty Platts
BETTY PLATTS, CHAIRWOMAN

ATTEST:

Jona G. Armijo
JONA G. ARMIJO, COUNTY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
TERRENCE P. BRENNAN,

Terrence P. Brennan
SANTA FE COUNTY ATTORNEY



797534
COUNTY OF SANTA FE 188
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 15 day of Dec A.D.
19 92, at 11:36 o'clock A m.
and was duly recorded in book 880
page 424-426 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk Santa Fe County, N.M.

Christina Garcia
Deputy

