

**SANDOVAL COUNTY, NEW MEXICO
RESOLUTION NO. _____**

AN INTERIM RESOLUTION PLACING A MORATORIUM ON LAND
SUBDIVISIONS AND ZONE MAP AMENDMENTS IN THE PLACITAS AREA AND
DECLARING AN EMERGENCY

WHEREAS, the New Mexico State Legislature has enabled the regulation of land subdivision by counties via NMSA 1978, Section 47-6-1 et. seq. and the establishment and enforcement of zoning by counties via NMSA 1978, Section 3-21-1 et. seq.; and

WHEREAS, the Sandoval County Board of County Commissioners has, under that authority, adopted regulations governing land subdivision as well as zoning regulations; and

WHEREAS, the Placitas area has been identified by the County as an area subject to unique circumstances and conditions that require further study and review to safeguard the health, safety, and welfare of the residents and property owners within that area; and

WHEREAS, the Sandoval County Board of County Commissioners and the Planning & Zoning Commission have agreed to undertake the development of a Land Use Plan and Water Assessment for the area in question; and

WHEREAS, that Plan and/or Water Assessment may result in the revision of the County's Land Subdivision or zoning regulations as they apply to the area in question; and

WHEREAS, the County needs time to complete the development of the Land Use Plan and Water Assessment in question in order to address the needs of the Placitas area.

**NOW, THEREFORE, BE IT RESOLVED BY THE SANDOVAL COUNTY
BOARD OF COUNTY COMMISSIONERS:**

Section 1:

That Sandoval County shall not accept any applications for approval of Subdivisions of land under Articles 4-9 of the Sandoval County Subdivision Regulations or for Zone Map Amendments under Section 19 of the Sandoval County Comprehensive Zoning Ordinance. This interim restriction shall apply to all lands under the jurisdiction of Sandoval County and within the area identified as the "Plan Area Boundary" on the map attached hereto as Exhibit "A." This moratorium shall be in effect until close of business March 27, 2009. Any complete applications identified in this Section that are received prior to the adoption of this Resolution will be accepted by the County.

Section 2:

This Resolution is hereby declared to be an emergency enactment on the grounds of urgent public need, and it is therefore to become effective immediately upon its passage.

Section 3:

Any party seeking relief from the requirements of this Resolution may appeal to the Board of County Commissioners pursuant to the applicable sections the Sandoval County Subdivision Regulations or Sandoval County Comprehensive Zoning Ordinance. No relief shall be granted unless the applicant can prove that the requirements of this Ordinance will cause an extraordinary hardship that will deprive the owner of the reasonable use of his/her property. The alleged hardship cannot be self-imposed or self-created. The fact that an affected property might have a greater value from the granting of relief under this section may not in itself be a justification for a claim of hardship.

PASSED AND APPROVED THIS _____ DAY OF _____, 20____,

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SANDOVAL COUNTY

Sally Padilla, County Clerk

Joshua Madalena, Chairman

David Bency, Vice-Chairman

APPROVED AS TO FORM:

Orlando Lucero, Member

County Attorney

Donald Leonard, Member

Jack Thomas, Member