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SENATE BILL 721

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO SUBDIVISIONS; MODIFYING THE REQUIREMENTS FOR APPROVAL OF FINAL PLATS THROUGH THE SUBDIVISION PROCESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 3-20-7 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-19-7) is amended to read:

"3-20-7. SUBDIVISION WITHIN THE PLATTING JURISDICTION OF A MUNICIPALITY-- APPROVAL OF THE PLANNING AUTHORITY-- PROCEDURE-- FILING FEE-- NOTICE OF HEARING. --

A. Before a plat of any subdivision within the jurisdiction of a municipality is filed in the office of the county clerk, the plat shall be submitted to the planning authority of the municipality having jurisdiction for approval.

B. The rules and regulations of the planning authority shall state:

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1 (1) the scale and manner in which the plat is
2 to be prepared;

3 (2) the number of copies of the plat which
4 shall accompany the original plat;

5 (3) what other information shall accompany the
6 plat; and

7 (4) the standards and regulations for
8 subdivisions to which the planning authority may require the
9 subdivider to conform.

10 C. The person submitting the plat shall pay the
11 necessary filing fee to the municipality, and the planning
12 authority, after approval and endorsement, shall file the plat
13 with the county clerk. If the plat is not approved, the planning
14 authority shall return the filing fee and the plat to the person
15 submitting the plat.

16 D. A plat submitted for approval by the planning
17 authority shall contain the name and address of the person to
18 whom a notice of hearing shall be sent. Notice of the time and
19 place of a hearing on a plat shall be sent by mail to the
20 address on the plat not less than five days before the day of
21 the hearing. No plat shall be acted upon without a public
22 hearing unless the requirement that a public hearing be held is
23 waived by the person seeking approval of the plat.

24 E. The planning authority of a municipality shall
25 approve or disapprove a plat within thirty-five days of the day

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1 of final submission of the plat. If the planning authority does
2 not act within thirty-five days, the plat is deemed to be
3 approved, and upon demand, the planning authority shall issue a
4 certificate approving the plat. The person seeking approval of
5 the plat may waive this requirement and agree to an extension of
6 this time period. The reason for disapproval of a plat shall be
7 entered upon the recordings of the planning authority.

8 F. No plat of territory within the planning and
9 platting jurisdiction of a municipality shall be filed and
10 recorded unless it has been approved by [(1) ~~the planning~~
11 ~~commission and endorsed by the chairman and secretary of the~~
12 ~~planning commission; or~~

13 ~~(2) the governing body and endorsed by the~~
14 ~~mayor and clerk of the municipality if the governing body has~~
15 ~~reserved this power in creating the planning commission or if~~
16 ~~there is no planning commission] the municipality pursuant to
17 regulations and procedures adopted by ordinance of the governing
18 body. "~~

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3 SB 721/a

4
5
6 March 4, 1999

7
8 Mr. President:

9
10 Your CONSERVATION COMMITTEE, to whom has been referred

11
12 SENATE BILL 721

13
14 has had it under consideration and reports same with

15 recommendation that it DO PASS, amended as follows:

16
17
18 1. On page 3, line 10, after "by" insert a colon.

19
20 2. On page 3, lines 10 through 16, remove the brackets and
21 line-through.

22
23 3. On page 3, line 12, strike "or".

24
25 4. On page 3, line 16, after "commission" insert "; or".

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FORTY- FOURTH LEGI SLATURE
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SCONC/SB 721

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5. On page 3, line 16, before "the" insert the paragraph
designati on "(3)". ,

and thence referred to the JUDI CIARY COMMI TTEE.

Respectfully submi tted,

Fernando R. Maci as, Chai rman

FORTY- FOURTH LEGISLATURE
FIRST SESSION, 1999

SCONC/SB 721

Page 6

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 4 Against

Yes: 6

No: None

Excused: Payne, Sanchez, Vernon, Rodarte

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FIRST SESSION, 1999

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Absent: None

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3 SB 721/a

4
5
6 March 13, 1999

7
8 Mr. President:

9
10 Your JUDICIARY COMMITTEE, to whom has been referred

11
12 SENATE BILL 721, as amended

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

- 16
17
- 18 1. Strike all Senate Conservation Committee amendments.
 - 19 2. On page 3, line 10, after "by" insert "the planning
20 commission or the governing body of".
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22
23 Respectfully submitted,

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Michael S. Sanchez, Chair man

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: None

Excused: Tsosie

Absent: None

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1 FORTY- FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 17, 1999
7

8 Mr. Speaker:
9

10 Your ENERGY AND NATURAL RESOURCES COMMITTEE, to
11 whom has been referred
12

13 SENATE BILL 721, as amended
14

15 has had it under consideration and reports same with
16 recommendation that it DO PASS, and thence referred to the
17 JUDICIARY COMMITTEE.

18 Respectfully submitted,
19
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22 _____
23 James Roger Madalena, Chair man
24
25

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 10 For 0 Against

Yes: 10

Excused: None

Absent: None

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Luna, Martinez, T. Taylor, Sanchez

Absent: None

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