



The Legislature
of the
State of New Mexico

51st Legislature, 1st Session

LAWS 2013

CHAPTER _____

SENATE BILL 315, as amended

POCKET VETOED

Introduced by

SENATOR BILL B. O'NEILL



1 AN ACT
2 RELATING TO PLANNING; ALLOWING FOR A MUNICIPAL OR COUNTY
3 COMPREHENSIVE PLAN; CLARIFYING THE ROLE OF A PLANNING
4 COMMISSION; AMENDING, REPEALING AND ENACTING SECTIONS OF THE
5 NMSA 1978.

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

8 SECTION 1. Section 3-19-1 NMSA 1978 (being Laws 1965,
9 Chapter 300, Section 14-18-1) is amended to read:

10 "3-19-1. CREATION OF PLANNING COMMISSION.--A
11 municipality is a planning authority and may:

12 A. by ordinance:

13 (1) establish a planning commission;

14 (2) delegate to the planning commission:

15 (a) the power, authority, jurisdiction
16 and duty to enforce and carry out the provisions of law
17 relating to planning, platting and zoning; and

18 (b) other power, authority,
19 jurisdiction and duty incidental and necessary to carry out
20 the purpose of Chapter 3, Article 19 NMSA 1978; and

21 (3) retain as much of this power, authority,
22 jurisdiction and duty as it desires; and

23 B. by resolution, adopt, amend, extend and carry
24 out a comprehensive plan."

25 SECTION 2. Section 3-19-4 NMSA 1978 (being Laws 1965,

1 Chapter 300, Section 14-18-4) is amended to read:

2 "3-19-4. POWERS OF COMMISSION.--

3 A. A planning commission shall have such powers as
4 are necessary to:

- 5 (1) fulfill and perform its functions;
- 6 (2) promote municipal planning; and
- 7 (3) carry out the purposes of Chapter 3,

8 Article 19 NMSA 1978.

9 B. A planning commission may:

10 (1) make reports and recommendations for the
11 planning and development of the municipality to:

- 12 (a) public officials and agencies;
- 13 (b) public utility companies;
- 14 (c) civic, educational, professional
15 and other organizations; and
- 16 (d) citizens; and

17 (2) recommend to the administrative and
18 governing officials of the municipality programs for public
19 improvements and their financing.

20 C. Members and employees of the planning
21 commission, in the performance of its function, may:

- 22 (1) enter upon any land;
- 23 (2) make examinations and surveys; and
- 24 (3) place and maintain necessary monuments
25 and markers upon the land.

1 D. Upon request, a public official shall furnish
2 within a reasonable time available information that the
3 planning commission requires for its work."

4 SECTION 3. Section 3-19-6 NMSA 1978 (being Laws 1965,
5 Chapter 300, Section 14-18-6, as amended) is amended to read:

6 "3-19-6. SUBDIVISION REGULATIONS.--

7 A. The planning authority of a municipality shall
8 adopt regulations governing the subdivision of land within
9 the planning and platting jurisdiction of the municipality.
10 The subdivision regulations shall be approved by the
11 governing body before they become effective. The subdivision
12 regulations may provide for:

13 (1) the harmonious development of the
14 municipality and its environs;

15 (2) the coordination of streets within the
16 subdivision with existing or planned streets or other
17 features of the comprehensive plan of the municipality;

18 (3) adequate open space for traffic,
19 recreation, drainage, light and air; and

20 (4) the distribution of population and
21 traffic that tends to create conditions favorable to the
22 health, safety, convenience, prosperity or general welfare of
23 the residents of the municipality.

24 B. Subdivision regulations may govern:

25 (1) the width of streets;

- 1 (2) the width, depth and arrangement of
2 lots;
- 3 (3) land use, including natural drainage;
- 4 (4) other matters necessary to carry out the
5 purposes of the Municipal Code; and
- 6 (5) the extent and manner in which:
- 7 (a) streets are graded and improved;
- 8 and
- 9 (b) water, sewer and other utility
10 facilities are installed as a condition precedent to the
11 approval of a plat.

12 C. The subdivision regulations or the practice of
13 the planning commission may allow preliminary approval of the
14 plat previous to the completion of improvements and the
15 installation of utility facilities, but such preliminary
16 approval shall not be entered on a plat. In lieu of the
17 completion of improvements and the installation of utility
18 facilities previous to the final approval of a plat, the
19 subdivision regulations may provide for:

20 (1) assessment or other methods whereby the
21 municipality makes the improvements and installations at the
22 cost of the owner of property within the subdivision;

23 (2) acceptance of a bond, in an amount and
24 with surety and conditions satisfactory to the planning
25 commission, securing to the municipality the actual

1 construction and installation of improvements and utility
2 facilities within a period of time specified by the planning
3 commission and expressed in the bond. A municipality may
4 enforce such a bond by all appropriate and legal remedies; or

5 (3) in lieu of a bond, an agreement between
6 the municipality and a person seeking approval of a
7 subdivision whereby the person seeking approval shall, within
8 two years following final approval of the plat, complete the
9 improvements and the installation of utility facilities
10 provided for in the person's application for subdivision
11 approval, except that the agreement set forth herein may
12 provide that the person seeking approval shall be permitted
13 by the municipality to sell or otherwise dispose of or
14 improve any lot within the subdivision to which improvements
15 and utility facilities have been provided by the person
16 seeking approval at any time within the two-year period. Any
17 such agreement shall be recorded with the county clerk at the
18 time of filing the plat.

19 D. The governing body or planning commission of
20 the municipality shall hold a public hearing on the adoption
21 of a subdivision regulation or an amendment to it. Notice of
22 the time and place of the public hearing shall be published
23 once at least fifteen days prior to the date of the public
24 hearing.

25 E. If the requirement or restriction does not

1 violate the zoning ordinance, the governing body or planning
2 commission of the municipality may agree with a person
3 seeking approval of a subdivision upon the use, height, area
4 or bulk requirement or restriction governing buildings and
5 premises within the subdivision. The requirement or
6 restriction shall:

7 (1) accompany the plat before it is approved
8 and recorded;

9 (2) have the force of law;

10 (3) be enforced; and

11 (4) be subject to amendment or repeal as the
12 provisions of the zoning ordinance and map are enforced,
13 amended or repealed."

14 SECTION 4. Section 3-19-11 NMSA 1978 (being Laws 1965,
15 Chapter 300, Section 14-18-11, as amended) is amended to
16 read:

17 "3-19-11. LEGAL STATUS OF A COMPREHENSIVE PLAN.--

18 A. After a comprehensive plan or any part thereof
19 has been approved and within the area of the comprehensive
20 plan or any part thereof so approved, the approval of the
21 planning commission or governing body is necessary to
22 construct, authorize, accept, widen, narrow, remove, extend,
23 relocate, vacate, abandon, acquire or change the use of any:

24 (1) park, street or other public way,
25 ground, place or space;

1 (2) public building or structure; or
2 (3) utility, whether publicly or privately
3 owned.

4 B. The failure of the planning commission to act
5 within sixty-five days after the submission of a proposal to
6 it constitutes approval of the proposal unless the proponent
7 agrees to an extension of time. If the planning commission
8 disapproves a proposal, it must state its reasons to the
9 governing body. The governing body may overrule the planning
10 commission and approve the proposal by a two-thirds', vote of
11 all its members.

12 C. None of the provisions of Chapter 3, Article 19
13 NMSA 1978 shall apply to any existing building, structure,
14 plant or other equipment owned or used by any public utility
15 or the right to its continued use or its reasonable repair or
16 alteration for the purpose for which it was used at the time
17 the comprehensive plan or any part thereof affecting the
18 property takes effect. After the adoption of the
19 comprehensive plan or any part thereof affecting the
20 property, all extensions, betterments or additions to
21 buildings, structures, plants or other equipment of any
22 public utility shall be made in conformity with the
23 comprehensive plan or any part thereof affecting the property
24 and upon the approval of the municipality. After a public
25 hearing, the public regulation commission or the regulatory

1 agency having jurisdiction or their successors having
2 jurisdiction, as the case may be, may order that the
3 extensions, betterments or additions to buildings,
4 structures, plants or other equipment are reasonable and that
5 the extensions, betterments or additions may be made even
6 though they conflict with the adopted comprehensive plan or
7 any part thereof affecting the property.

8 D. Any public agency or official that is not under
9 the jurisdiction of the governing body of the municipality
10 and that is authorizing or financing a public way, ground,
11 place, space, building, structure or utility shall submit the
12 proposal to the municipality. If the municipality
13 disapproves the proposal, the board of the public agency by a
14 two-thirds' vote of all its members or the official may
15 overrule the municipality and proceed with the proposal
16 subject to the provisions of Subsection C of this section."

17 SECTION 5. A new section of Chapter 3, Article 19 NMSA
18 1978 is enacted to read:

19 "COMPREHENSIVE PLAN--ELEMENTS--NOTICE--REVIEW.--

20 A. A comprehensive plan is a plan for the
21 development of land use, infrastructure, public facilities,
22 natural resources and economic development within the
23 jurisdiction of the municipality. A comprehensive plan is
24 developed through a public participation process and
25 establishes the basis for enacting policies, programs and

1 regulations pertaining to the long-term development of the
2 municipality. A comprehensive plan may include the following
3 elements:

4 (1) a community profile, including:

5 (a) physical characteristics and
6 regional setting;

7 (b) historical background and cultural
8 resources;

9 (c) population and employment data; and

10 (d) a summary of community input
11 received during the plan development process;

12 (2) land use and housing, including:

13 (a) inventory of land use;

14 (b) housing characteristics,
15 affordability and needs; and

16 (c) goals, objectives and policies for
17 land use and housing development;

18 (3) transportation, including:

19 (a) roadway and rail networks;

20 (b) aviation facilities;

21 (c) public transit systems;

22 (d) pedestrian walkways and trails;

23 (e) parking availability; and

24 (f) goals, objectives and policies for
25 transportation and circulation in the area;

- 1 (4) water resources, including:
2 (a) surface and ground water resources;
3 (b) water supply systems;
4 (c) wastewater treatment systems;
5 (d) drainage and stormwater management
6 systems;
7 (e) agricultural activities; and
8 (f) goals, objectives and policies for
9 sustainable water resources;
- 10 (5) natural resources, including:
11 (a) geology and geography of the area;
12 (b) park land and open space;
13 (c) local ecosystem sustainability and
14 biodiversity; and
15 (d) goals, objectives and policies to
16 protect and preserve natural resources in the area;
- 17 (6) economic development, including:
18 (a) assessment of the local economy;
19 (b) business and commercial development
20 districts;
21 (c) tourism programs;
22 (d) adult education and work force
23 training; and
24 (e) goals, objectives and policies for
25 promoting local economic development;

1 (7) public facilities and services,
2 including:
3 (a) government facilities;
4 (b) community services and programs;
5 (c) educational facilities;
6 (d) health care facilities;
7 (e) telecommunication and utility
8 systems;
9 (f) waste management systems;
10 (g) natural and man-made hazards to the
11 area;
12 (h) public safety and emergency
13 response; and
14 (i) goals, objectives and policies for
15 public facilities and services; and

16 (8) implementation, including:
17 (a) actions to achieve the goals,
18 objectives and policies stated in the comprehensive plan;
19 (b) priorities and timing of actions;
20 (c) estimated cost of actions; and
21 (d) conformance with related plans,
22 programs and regulations.

23 B. If a governing body of a municipality delegates
24 to a planning commission the authority to carry out the
25 provisions of Chapter 3, Article 19 NMSA 1978 relating to a

1 comprehensive plan, the planning commission shall submit a
2 recommendation on the comprehensive plan to the governing
3 body of the municipality. Before submission of the
4 comprehensive plan, the planning commission shall hold at
5 least one public hearing. Notice of the time and place of
6 the hearing shall be published at least fifteen days before
7 the planning commission submits the recommendation to the
8 governing body of the municipality. Prior to publication of
9 the notice, copies of the comprehensive plan or any part
10 thereof shall be made available to any citizen at the office
11 of the municipal clerk.

12 C. Before adoption of a comprehensive plan or any
13 part thereof, the governing body of a municipality shall hold
14 at least one public hearing. Notice of the time and place of
15 the hearing shall be published at least fifteen days before
16 the day of the hearing. Prior to the publication of the
17 notice, copies of the comprehensive plan or any part thereof
18 shall be made available to any citizen at the office of the
19 municipal clerk.

20 D. An adopted comprehensive plan provides guidance
21 for the following actions that may be undertaken by the
22 governing body:

23 (1) adopting or amending the zoning
24 ordinance, subdivision regulations, neighborhood or district
25 plans, and other land development regulations;

1 (2) establishing priorities and funding for
2 capital improvement programs and projects; and

3 (3) improving the delivery and efficiency of
4 local government services.

5 E. A comprehensive plan adopted by the
6 municipality shall be reviewed by the governing body of the
7 municipality at least once every five years. If necessary,
8 the comprehensive plan shall be updated to reflect changed
9 circumstances regarding the development of the subject area,
10 subject to the notice and hearing requirements pursuant to
11 Subsection C of this section."

12 SECTION 6. Section 3-40-1 NMSA 1978 (being Laws 1973,
13 Chapter 395, Section 4) is amended to read:

14 "3-40-1. CEMETERIES--AUTHORIZATION.--

15 A. Subject to the provisions of law relating to
16 the maintaining of cemeteries, a municipality may establish,
17 maintain and regulate a municipal cemetery and may acquire
18 within the planning and platting jurisdiction of the
19 municipality or condemn within the municipality in the manner
20 provided by law any property for cemetery purposes. Any
21 property acquired for cemetery purposes by condemnation shall
22 be acquired at a location that is in compliance with a
23 municipality's applicable comprehensive plan.

24 B. A municipality may abandon any street within a
25 municipal cemetery, provided that ownership is retained by

1 the municipality and the abandoned street is used for a
2 municipal purpose."

3 SECTION 7. Section 4-57-1 NMSA 1978 (being Laws 1967,
4 Chapter 150, Section 1) is amended to read:

5 "4-57-1. CREATION OF PLANNING COMMISSION.--

6 A. Any county may:

7 (1) by ordinance:

8 (a) establish a planning commission;

9 (b) delegate to the planning

10 commission: 1) the power, authority, jurisdiction and duty to
11 enforce and carry out the provisions of law relating to
12 planning, platting and zoning; and 2) any other power,
13 authority, jurisdiction and duty incidental and necessary to
14 carry out the provisions of Chapter 4, Article 57 NMSA 1978;
15 and

16 (c) retain as much of this power,
17 authority, jurisdiction and duty as it desires; and

18 (2) by resolution adopt, amend, extend and
19 carry out a comprehensive plan.

20 B. A county planning commission shall consist of
21 not less than five members who shall be appointed by the
22 board of county commissioners. Administrative officials of
23 the county may be appointed as ex-officio nonvoting members
24 of the planning commission."

25 SECTION 8. Section 4-57-2 NMSA 1978 (being Laws 1967,

1 Chapter 150, Section 2) is amended to read:

2 "4-57-2. POWERS AND DUTIES OF COMMISSION.--

3 A. A county planning commission shall have such
4 powers as are necessary and proper to fulfill and perform its
5 functions, carry out the purposes of Chapter 4, Article 57
6 NMSA 1978 and promote county planning. Such planning shall
7 be made with the general purpose of guiding and accomplishing
8 a coordinated, adjusted and harmonious development of the
9 county that will, in accordance with existing and future
10 needs, best promote health, safety, morals, order,
11 convenience, prosperity or the general welfare, as well as
12 efficiency and economy in the process of development.

13 B. A county planning commission may:

14 (1) make reports and recommendations for the
15 planning and development of the county to any other
16 individual, partnership, firm, public or private corporation,
17 association, trust, estate, political subdivision or agency
18 of the state or any other legal entity or their legal
19 representatives, agents or assigns;

20 (2) recommend to the administrative and
21 governing officials of the county programs for public
22 improvements and their financing; and

23 (3) prepare and recommend to the board of
24 county commissioners a comprehensive plan pursuant to Section
25 9 of this 2013 act."

1 SECTION 9. A new section of Chapter 4, Article 57 NMSA
2 1978 is enacted to read:

3 "COMPREHENSIVE PLAN--ELEMENTS--NOTICE--REVIEW.--

4 A. A comprehensive plan is a plan for the
5 development of land use, infrastructure, public facilities,
6 natural resources and economic development within the
7 jurisdiction of the county. A comprehensive plan is
8 developed through a public participation process and
9 establishes the basis for enacting policies, programs and
10 regulations pertaining to the long-term development of the
11 county. A comprehensive plan may include the following
12 elements:

13 (1) a community profile, including:

14 (a) physical characteristics and
15 regional setting;

16 (b) historical background and cultural
17 resources;

18 (c) population and employment data; and

19 (d) a summary of community input
20 received during the plan development process;

21 (2) land use and housing, including:

22 (a) inventory of land use;

23 (b) housing characteristics,
24 affordability and needs; and

25 (c) goals, objectives and policies for

1 land use and housing development;

2 (3) transportation, including:

3 (a) roadway and rail networks;

4 (b) aviation facilities;

5 (c) public transit systems;

6 (d) pedestrian walkways and trails;

7 (e) parking availability; and

8 (f) goals, objectives and policies for

9 transportation and circulation in the area;

10 (4) water resources, including:

11 (a) surface and ground water resources;

12 (b) water supply systems;

13 (c) wastewater treatment systems;

14 (d) drainage and stormwater management

15 systems;

16 (e) agricultural activities; and

17 (f) goals, objectives and policies for

18 sustainable water resources;

19 (5) natural resources, including:

20 (a) geology and geography of the area;

21 (b) park land and open space;

22 (c) local ecosystem sustainability and

23 biodiversity; and

24 (d) goals, objectives and policies to

25 protect and preserve natural resources in the area;

- 1 (6) economic development, including:
2 (a) assessment of the local economy;
3 (b) business and commercial development
4 districts;
5 (c) tourism programs;
6 (d) adult education and work force
7 training; and
8 (e) goals, objectives and policies for
9 promoting local economic development;
- 10 (7) public facilities and services,
11 including:
12 (a) government facilities;
13 (b) community services and programs;
14 (c) educational facilities;
15 (d) health care facilities;
16 (e) telecommunication and utility
17 systems;
18 (f) waste management systems;
19 (g) natural and man-made hazards to the
20 area;
21 (h) public safety and emergency
22 response; and
23 (i) goals, objectives and policies for
24 public facilities and services; and

25 (8) implementation, including:

1 (a) actions to achieve the goals,
2 objectives and policies stated in the comprehensive plan;
3 (b) priorities and timing of actions;
4 (c) estimated cost of actions; and
5 (d) conformance with related plans,
6 programs and regulations.

7 B. If a board of county commissioners delegates to
8 a planning commission the authority to carry out the
9 provisions of Chapter 4, Article 57 NMSA 1978 relating to a
10 comprehensive plan, the planning commission shall submit a
11 recommendation on the comprehensive plan to the board of the
12 county commissioners. Before submission of the comprehensive
13 plan, the planning commission shall hold at least one public
14 hearing. Notice of the time and place of the hearing shall
15 be published at least fifteen days before the planning
16 commission submits the recommendation to the board of county
17 commissioners. Prior to publication of the notice, copies of
18 the comprehensive plan or any part thereof shall be made
19 available to any citizen at the office of the county clerk.

20 C. Before adoption of a comprehensive plan or any
21 part thereof, the board of county commissioners shall hold at
22 least one public hearing. Notice of the time and place of
23 the hearing shall be published at least fifteen days before
24 the day of the hearing. Prior to the publication of the
25 notice, copies of the comprehensive plan or any part thereof

1 shall be made available to any citizen at the office of the
2 county clerk.

3 D. An adopted comprehensive plan provides guidance
4 for the following actions that may be undertaken by the
5 governing body:

6 (1) adopting or amending the zoning
7 ordinance, subdivision regulations, neighborhood or district
8 plans, and other land development regulations;

9 (2) establishing priorities and funding for
10 capital improvement programs and projects; and

11 (3) improving the delivery and efficiency of
12 local government services.

13 E. A comprehensive plan adopted by the county
14 shall be reviewed by the board of county commissioners at
15 least once every five years. If necessary, the comprehensive
16 plan shall be updated to reflect changed circumstances
17 regarding the development of the subject area, subject to the
18 notice and hearing requirements pursuant to Subsection C of
19 this section."

20 SECTION 10. Section 5-17-1 NMSA 1978 (being Laws 2009,
21 Chapter 136, Section 1) is amended to read:

22 "5-17-1. SHORT TITLE.--Chapter 5, Article 17 NMSA 1978
23 may be cited as the "Infrastructure Development Zone Act"."

24 SECTION 11. Section 5-17-7 NMSA 1978 (being Laws 2009,
25 Chapter 136, Section 7) is amended to read:

1 "5-17-7. ACTION ON PETITION AND SERVICE PLAN--
2 CRITERIA.--

3 A. Within sixty days of a hearing held pursuant to
4 Section 5-17-4 NMSA 1978, the governing body shall disapprove
5 the service plan, approve the service plan as submitted or
6 conditionally approve the service plan subject to the
7 submission of additional information relating to or modifying
8 the proposed service plan.

9 B. The governing body shall disapprove the service
10 plan unless evidence, satisfactory to the governing body, is
11 presented that:

12 (1) the required number of taxpaying
13 electors of the proposed infrastructure development zone have
14 signed the petition;

15 (2) there is sufficient existing or
16 projected need for organized service in the area to be
17 serviced by the proposed infrastructure development zone;

18 (3) the existing service in the area to be
19 served by the proposed infrastructure development zone is
20 inadequate for present or projected needs;

21 (4) the proposed infrastructure development
22 zone will be capable of providing economical and sufficient
23 service to the area within its proposed boundaries;

24 (5) the area to be included in the proposed
25 infrastructure development zone has, or will have, the

1 financial ability to discharge the proposed indebtedness on a
2 reasonable basis; and

3 (6) the proposed infrastructure development
4 within the infrastructure development zone is in compliance
5 with any applicable comprehensive plan adopted pursuant to
6 Chapter 3, Article 19 or Chapter 4, Article 57 NMSA 1978.

7 C. The governing body may disapprove the service
8 plan if evidence, satisfactory to the governing body, and at
9 the discretion of the governing body, is not presented that:

10 (1) adequate service is not, or will not be,
11 available to the area through the municipality, county or
12 other existing political subdivisions, including existing
13 infrastructure development zones, within a reasonable time
14 and on a comparable basis;

15 (2) the facility and service standards of
16 the proposed infrastructure development zone are compatible
17 with the facility and service standards of each county or
18 municipality within which the proposed infrastructure
19 development zone is to be located;

20 (3) the proposal is in compliance with any
21 existing municipal, county, regional or state long-range
22 water quality management plan for the area; or

23 (4) the creation of the proposed
24 infrastructure development zone will be in the best interests
25 of the area proposed to be served.

1 D. The governing body may conditionally approve
2 the service plan of a proposed infrastructure development
3 zone upon satisfactory evidence that it does not comply with
4 one or more of the criteria enumerated in Subsection C of
5 this section. Final approval shall be contingent upon
6 modification of the service plan to include such changes or
7 additional information as shall be specifically stated in the
8 findings of the governing body.

9 E. The findings of the governing body shall be
10 based solely upon the service plan and evidence presented at
11 the hearing by the petitioners and any interested party."

12 SECTION 12. Section 58-18-10 NMSA 1978 (being Laws
13 1975, Chapter 303, Section 10, as amended) is amended to
14 read:

15 "58-18-10. PLANNING, ZONING AND BUILDING LAWS.--

16 A. All multiple-family dwelling projects and
17 transitional or congregate housing facilities shall be
18 subject to any applicable comprehensive plan, official map,
19 zoning regulation, building code, housing ordinance and other
20 laws and regulations governing land use or planning or
21 construction of the municipality in which the project is or
22 is to be located.

23 B. The authority shall provide a description of
24 any multiple-family dwelling project or transitional or
25 congregate housing facility for which it proposes to finance

1 a project mortgage loan to the local governing body of the
2 municipality in which the multiple-family dwelling project or
3 transitional or congregate housing facility is or is to be
4 located. The description shall include the proposed number
5 and type of dwelling units and the location of the project.
6 Unless the local governing body, by majority vote,
7 disapproves the multiple-family dwelling project or
8 transitional or congregate housing facility within thirty
9 days after receipt of the description, the authority may
10 finance a project mortgage loan on the project."

11 SECTION 13. Section 58-24-1 NMSA 1978 (being Laws 1983,
12 Chapter 300, Section 1) is amended to read:

13 "58-24-1. SHORT TITLE.--Chapter 58, Article 24 NMSA
14 1978 may be cited as the "Industrial and Agricultural Finance
15 Authority Act"."

16 SECTION 14. Section 58-24-10 NMSA 1978 (being Laws
17 1983, Chapter 300, Section 10) is amended to read:

18 "58-24-10. PLANNING, ZONING AND BUILDING LAWS.--All
19 projects and facilities shall be subject to any applicable
20 comprehensive plan, official map, zoning regulation, building
21 code, ordinance and other laws and regulations governing land
22 use or planning or construction of the municipality or county
23 in which the project or facility is or is to be located."

24 SECTION 15. REPEAL.--Sections 3-19-7, 3-19-9, 3-19-10
25 and 3-19-12 NMSA 1978 (being Laws 1965, Chapter 300, Sections

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14-18-7, 14-18-9, 14-18-10 and 14-18-12, as amended) are repealed.

SECTION 16. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2013.

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OFFICE OF THE COMPTROLLER
JANUARY 22 2013
TELEPHONE

s/John A. Sanchez
John A. Sanchez, President
Senate

s/Lenore M. Naranjo
Lenore M. Naranjo, Chief Clerk
Senate

s/W. Ken Martinez
W. Ken Martinez, Speaker
House of Representatives

s/Stephen R. Arias
Stephen R. Arias, Chief Clerk
House of Representatives

Approved by me this _____ day of _____, 2013

s/Governor Susana Martinez
Governor Susana Martinez
State of New Mexico