

RESOLUTION NO. 2017-12

A RESOLUTION AUTHORIZING A NINETY (90) DAY MORATORIUM ON MINOR SUBDIVISIONS WITHIN EDGEWOOD, NEW MEXICO

WHEREAS, the current Minor Subdivision in the Subdivision Ordinance 2014-03 of the Town of Edgewood has no basis in law; and

WHEREAS, applicants using the Minor Subdivision do not gain vested rights since they are not required to meet Preliminary Plat requirements for approval purposes; and

WHEREAS, the Minor Subdivision contradicts itself regarding the requirement to submit a Sketch Plat (Section 7. A. Application Review) and then no Sketch Plat need be prepared (Section 8. A. 1.); and

WHEREAS, the Minor Subdivision contradicts itself again regarding infrastructure, (Definitions, Section 5. B. Minor Subdivisions) "Any Subdivision resulting in no more than three (3) Lots on any single Lot which formerly existed, provided such single Lot was in existence in its current form a minimum of 365 days prior to the date of the application, has no infrastructure needs, and all resulting lots must be accessible from existing roadways/streets. Only those Lots which meet all of the conditions set forth herein are eligible to be subdivided as a Minor Subdivision." Then in Section 8.C.6. Minor Subdivisions, Disclosures the ordinance then requires that a Disclosure Statement be placed onto the Minor Subdivision Plat stating "This plat was approved in conformance with the requirements of the Town of Edgewood Ordinance 201-03 as it pertains to Minor Subdivisions. The Town does not evaluate minor subdivisions with regard to the availability of water, the availability of off-site sewer services, conditions of the road(s) serving the subdivision, grading and drainage requirements, or suitability of the land for building purposes or construction of onsite water treatment."

NOW THEREFORE, BE IT RESOLVED THAT, the Town of Edgewood declares a moratorium on minor subdivisions for the period of ninety (90) days from the date this resolution was passed, approved, and adopted.

PASSED, APPROVED, and ADOPTED this 21st day of June 2017.


John Bassett, Mayor

ATTEST:



Juan Torres, Clerk-Treasurer

