

**City of Aztec**  
**ORDINANCE 2022-523**  
**Amending Chapter 2, Article V,**  
**Division 4, Planning and Zoning Board**

**WHEREAS**, the Planning and Zoning Board is created by the Aztec City Commission; and

**WHEREAS**, NMSA 3-19-1 grants a municipality planning authority and by ordinance, allows for the establishment of a planning commission; and

**WHEREAS**, the Planning and Zoning Board is responsible to the Aztec City Commission and shall function in an advisory capacity to the City Commission; and

**WHEREAS**, the Planning and Zoning Board shall have the authority, with the advice and consent of the City Commission to adopt rules and regulations governing its proceedings, including the time and place of the meetings and the call of special meetings; and

**WHEREAS**, the Planning and Zoning Board consists of not less than five (5) members, approved by the City Commission; and

**WHEREAS**, the initial organizational meeting shall be held within 60 days after adoption and an organizational meeting shall be held on or before January 31<sup>st</sup> of each year at which time a chairperson and other necessary officers shall be selected; and

**WHEREAS**, hold at least one regular meeting each month; and

**WHEREAS**, a majority of the members of the board shall constitute a quorum at any meeting; and

**WHEREAS**, nothing in this ordinance shall empower the board to deal directly in the affairs of management, but it shall confine its action to recommendations of policy to the City Commission; and

**WHEREAS**, any person in interest dissatisfied with an order or determination of the planning commission, after review of the order or determination by the governing body of the municipality, may commence an appeal in the district court pursuant to the provisions of Section 39-3-1.1 NMSA 1978.

**NOW THEREFORE BE IT ORDAINED** by the Governing Body of the City of Aztec, New Mexico that Chapter 2, Article V Advisory Boards, Division 4. Establishing A Planning and Zoning Board as attached.

**PASSED, APPROVED, SIGNED AND ADOPTED** this 26<sup>th</sup> day of April 2022, by the Aztec City Commission, City of Aztec, New Mexico.

\_\_\_\_\_  
Mayor Michael A. Padilla Sr.

ATTEST:

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Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

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City Attorney

Advertised Date of Final Adoption:

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Effective Date of Ordinance:

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## ARTICLE V. ADVISORY BOARDS AND COMMITTEES

### DIVISION 4 ~~RESERVED~~ PLANNING AND ZONING BOARD

#### Sec. 2-411. Terms for Planning Board Members

There is established for the City of Aztec a Planning Board, composed of not less than five (5) members of whom shall be appointed by a majority of the members of the City Commission of the City of Aztec. The term of the five appointed members of the Board shall be two (2) years; provided, however, that the terms of the members appointed shall be as follows: three (3) members shall be appointed for a term of one (1) year, thereafter appointment of each member shall be for a term of two (2) years. Election of the Chair and Co-Chair positions will be conducted on the last meeting of each year. The number of consecutive terms as Chair and Co-Chair is unrestricted.

#### Sec. 2-412. Duties of the Board.

It shall be a function and duty of the Planning Board to hold meetings at least once per month if matters are scheduled for discussion, to keep minutes of its meetings as public record, to elect a chairperson annually, create and fill other offices, adopt rules for transaction of its business, and to recommend and advise the City Commission on the following matters:

1. Promotion of municipal planning and land development;
2. Planning of land within the corporate limits of the City of Aztec and land lying within three miles thereof in accordance with the adopted Land Subdivision Regulations;
3. Hold publicly advertised public hearings relating to any changes requested in the Official Land Development Ordinance and the Official District Map, and to make appropriate recommendations to the City Commission regarding such changes;
4. Matters necessary to carry out the purpose of the Municipal Code (Chapter of the New Mexico Statutes Annotated, 1978 compilation as amended);
5. Adoption and changes to the major street or thoroughfare plan of Aztec and its environs lying within three miles of the corporate limits as well as to recommend establishment of future street lines in said area;
6. Recommend adoption of a comprehensive master plan for the City of Aztec and the three-mile area of extraterritorial planning and platting jurisdiction;
7. Construction, authorization, acceptance, widening, narrowing, removal, extension, vacating, abandonment, acquisition or change in the use of any park, street, or other public way, ground place or space; public building or structure; or utility, whether privately or publicly owned;
8. Recommendations on planning and developing of the city to the city commission, public utility companies, civic, educational, professional and other organizations and citizens;
9. Programs for public improvements and their financing.

**Sec. 2-413. Removal of Board Members.**

Removal of a member of the Planning Board can occur in the following manner:

1. The City Commission, through a public meeting and by a majority vote of commission members, can remove any member of the Planning Board.
2. If a member of the Planning Board misses two (2) consecutive regular meetings without a valid excuse, the member's seat may be declared open by the Chairman of the Board.

**Sec. 2-414 to 2-420. Reserved.**