



## LAND DEVELOPMENT CODE REFERENCE

### CERTIFICATE OF COMPLIANCE (SECTION 14-3.7(A)(7) SFCC)

What is a Legal Lot of Record (LLR)?

A lot shown or described on a plat or other written instrument that adequately describes the lot and that has been recorded with the Santa Fe County Clerk. To qualify as a LLR the lot must have been created through one of the following four methods:

- i. Part of a City approved subdivision plat;
- ii. Established before December 5, 1962 (Pre-Code);
- iii. Established by court order entered under Chapter 42 of the NMSA 1978; or
- iv. Described in a certificate of compliance issued by the land use director or the Planning Commission.

Certificate of Compliance

If a lot is not shown on an approved subdivision plat, but rather is verified through other documentation including deeds, unrecorded plats or public notice plats, the Land Use Director may approve a certificate of compliance to establish the lot as a legal lot of record. The certificate of compliance describes the lot, the circumstances of its creation and the documentation and applicable regulations upon which the determination of compliance is based.

If a lot was created in violation of the procedural requirements of SFCC 1987 Section 14-3.7 Subdivisions of Land, the Planning Commission has the authority to approve a certificate of compliance for a LLR. The Commission must determine that the lot, or contiguous lots, comply with all other applicable standards of Chapter 14 or impose conditions of approval necessary to ensure such compliance. Upon meeting any conditions of approval and recordation of the certificate of compliance, the lot becomes a legal lot of record.

Methods to prove a legal lot of record;

- v. Plat of survey with City signatures of approval;
- vi. A Pre-Code Plat of survey that shows the lot in question;
- vii. A Pre-Code warranty deed(s) that describes the property in question in its current boundary configuration.
- viii. For items vi and vii above, the plat and deed will not likely contain a City signature block but only the County Clerk recording stamp and Seal, and only if it was recorded and made part of the County Clerk records.
- ix. Provide documentation listed above for all adjoining properties identifying the lot as legal by exclusion.

Instruments that do not establish legal lot of record:

- x. Public Notice Plats or Surveys
- xi. Improvement Location Reports (ILRs) or Improvement Location Certificates
- xii. Prior Building Permits or Certificates of Occupancy
- xiii. Unrecorded instruments such as , quit claim deeds, deeds or wills.
- xiv. Quiet Title lawsuit

Pre-Code Lots

The City of Santa Fe adopted its first Land Development Code or Zoning Ordinance on December 5, 1962. Any lot created prior to December 5, 1962 (Pre-Code) is considered a legal lot and if the plat or written instrument is recorded in the office of the County Clerk, it is considered a legal lot of record. Any lot created after December 5, 1962 must have obtained City approval and be recorded in the Office of the County Clerk to qualify as a LLR.

A Pre-Code lot may not comply with all current Code standards, such as minimum lot area. This type of lot is considered "legally non-conforming" per Section 14-10.4. A legal non-conforming lot enjoys the benefits of development similar to its "legally conforming" counterpart, however any new development on legal non-conforming lots may be constrained due to lot configuration, size, shape, topography or existing conditions that relate to land or structures. New development on legal-nonconforming lots must meet current code standards and cannot increase or expand any existing non-conformities.

To research records visit the Santa Fe County Clerk's Office: <https://www.santafecountynm.gov/clerk/divisions/public-records-access>



PROJECT INFORMATION

Project Name:		
Address:		Parcel Size:
Zoning:	Current Land Use:	Future Land Use:
Pre-application Conference Date:		

SUBMITAL CHECKLIST

Submittal requirements may vary based on the individual application and method of compliance. The City reserves the right to request additional information during the review process. Documents considered in the certificate of compliance process must meet legal lot of record requirements. City of Santa Fe Staff can plot warranty deed legal descriptions for an additional fee.

Please submit items as separate PDF files saved with unique and descriptive file names:

- |                                   |   |
|-----------------------------------|---|
| Letter of Intent                  | North, West, South and East Adjoiner Plats or Deeds |
| Lot shown on the 1957 Scanlon Map | Additional Plat(s) as needed to convey LLOR status  |
| Warranty Deed(s)                  | King's Map  |
| Pre-Code Deed(s)                  | Site Plan with vicinity map and plotted adjoiners   |

PROPERTY OWNER INFORMATION

Name (First, Last):		
Address:		
Street Address		Suite/Unit #
City	State	ZIP Code
Phone:	E-mail Address:	

APPLICANT/AGENT INFORMATION (IF DIFFERENT FROM OWNER)

Name (First, Last):		
Address:		
Street Address		Suite/Unit #
City	State	ZIP Code
Phone:	E-mail Address:	

AGENT AUTHORIZATION (IF APPLICABLE)

I am/We are the owner(s) and record title holder(s) of the property located at:	
I/we authorize _____ to act as my/our agent to execute this application.	
Signed:	Date:
Signed:	Date: