



TOWN OF TAOS ORDINANCE 09-02

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF TAOS

This ordinance amends the Town of Taos Official Zoning Map with respect to property located within the Chamisa Verde Neighborhood Plan.

WHEREAS, the Town of Taos initiated a petition to change the zones within the 137+/- acre Chamisa Verde Neighborhood Plan from R-4, R-14, and HCPD to the transect zones of the Traditional Neighborhood Development District; and

WHEREAS, the proposed rezoning is appropriate, given the existing zones in the vicinity of subject property; and

WHEREAS, the Planning and Zoning Commission has been delegated the responsibility for review of all changes to the Zoning Map, which is approved as part of the Land Use Development Code, an Ordinance of the Town of Taos; and

WHEREAS, the Town of Taos Planning and Zoning Commission held a duly published, noticed, and posted meeting on the zone change on November 19, 2008; and

WHEREAS, the Town Council held a public hearing on March 10, 2009; and

WHEREAS, the Town Council finds that the proposed zone change meets the requirements set forth in LUDC § 3-6.2 in that

1. The amendment to the zoning map is consistent with the direction and intent of the existing Town of Taos Master Plan; and
2. The amendment is consistent with the purpose and intent of the Town of Taos zoning regulations; and
3. The amendment to the Code is consistent with the existing land use in the affected neighborhood; and
4. The benefit to the neighborhood will outweigh any potential adverse impact on the surrounding properties; and
5. The amendment to the Code will not create a danger to the public health, safety or welfare nor cause an extraordinary public expense; and

6. The amendment is justified by the fact that the original zoning was either in error or there was a change in conditions in the vicinity.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Town of Taos, meeting in Regular Session, this March 10, 2009, and after having held a public hearing on the matter, and after having reviewed the recommendation made by the Planning and Zoning Commission that the following Ordinance is hereby amended, adopted, approved and ratified:

Town of Taos ZONING MAP; Ordinance 99-05 is amended as follows:

ORDINANCE 09-02

A Zone Change from R-4, R-14, and HCPD to the T1, T3, T4, and T5b Transect Zones and Civic Space Zones of the Traditional Neighborhood Development District, more particularly described in Exhibit A. The property subject to this proposed Zone Change is located within the Chamisa Verde Neighborhood Plan as adopted by Town Council Resolution No. 08-39 in the Town of Taos, New Mexico, more particularly described in Exhibit B, consisting of 137 acres, more or less. Ordinance 09-02 is hereby adopted with the following conditions:

1. The tract of land known as the Plains Electric Easement parcel owned by the Town of Taos shall be rezoned to the Civic Space Designation of the Traditional Neighborhood Development District.
2. The four developed lots located at 522, 526, 530 and 534 Camino Cortez shall be rezoned to the T3 Transect.
3. The infrastructure manual for the Traditional Neighborhood Development District shall be approved by the Town Council of the Town of Taos prior to processing any subdivision action within the Chamisa Verde Neighborhood.
4. That Chamisa Verde Neighborhood Plan shall be amended to meet all of the requirements of a Traditional Neighborhood Plan as specified in Traditional Neighborhood Development District §4.21.3.1.C.
5. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a building permit or business license for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe, then the rezoning shall be subject to review by the Town Council and, after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or to take legislative action to cause the property to revert to its former zoning classification.

This amended ordinance shall become effective as provided by law.

ORDAINED, AMENDED, ADOPTED, APPROVED, AND RATIFIED this March 10, 2009 by the following vote:

Councilmember Rudy C. Abeyta	<u>yes</u>
Councilmember A. Eugene Sanchez	<u>yes</u>
Councilmember Amy J. Quintana	<u>yes</u>
Councilmember Michael A. Silva	<u>yes</u>

TOWN OF TAOS

Darren M. Cordova, Mayor

ATTEST:

APPROVED AS TO FORM:

Renee Lucero, Town Clerk

Allen Ferguson, Jr., Town Attorney