



## **Taos County may revisit land use code**

**By J.R. Logan**

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Taos County Commissioners say they would like to re-examine the county's proposed land use code as soon as mid-June.

The commission chose to "drop" the code by a 3-2 vote in January after a volatile and racially charged hearing that capped seven days of public debate over land use and zoning. At a meeting April 17, Commissioner Andrew Chávez said that hearing, and the days leading up to it, "brought out the worst in our community."

Addressing the commissioners, county manager Jacob Caldwell said he continued to receive phone calls and emails from residents wondering what was going on with the regulations and he said he'd like to be able to give them a "tangible" response.

The vote to "drop" the code did not include any timeline for when the county would take the code up again.

Chávez, who is running for re-election, explained that he voted to abandon the regulations because of the growing hostility at the January meeting.

"When these people came in here as a mob, we were unable to really to control what was happening," Chávez said. "That's why I thought that we should stop right there, but it doesn't mean that I'm against these land use regulations, we just need to take a smarter approach to how we're dealing with this."

The county has proposed sweeping changes to the existing land use code, which was adopted in the mid-1990s but has undergone several small amendments. County officials say new generic regulations that apply countywide would streamline the administrative process while tightening vague definitions that have put the county in awkward legal positions on several occasions.

Commissioner Nicklos Jaramillo said the proposed generic regulations were a vast improvement over what is now in place.

"If you look at those 109 pages versus the 56 pages that we have currently now, it's a total disaster," Jaramillo said. "I don't know how many of us want to live with the past, with what was created in 1970."

The new code also includes 11 “zoning overlays,” which specified minimum lot size, maximum building size in specific areas of the county. Zoning is intended to define areas of agricultural, residential, commercial and industrial use, giving property owners a better idea of how they can use their land. The overlays were drafted by individual neighborhood associations, some of which have been working for more than a decade.

Chávez suggested that the county forget about the administrative changes to the code, and instead bring in one neighborhood association at a time to approve each overlay map. Once the overlays have been adopted, then the county could change its generic regulations, Chávez said.

“What I learned from the last process is that everything is confused when you try to do it all at once,” Chávez said.

Commission chairman Joe Mike Durán suggested that the county abandon the entire code for a year.

“You start bringing people back and neighborhoods, you got chaos,” Durán said.

A primary gripe voiced by angry constituents at the January hearing was that they were being left out of the process and not given notice of the changes. The county spent tens of thousands of dollars advertising the proposed code and held dozens of meetings across the county leading up to the vote.

Durán said waiting a year would give residents a chance to review the proposed regulations and offer suggestions or concerns.

“This way there ain’t no excuse that people didn’t have time to look at it,” Durán said.

But Jaramillo suggested few people had requested a copy of the proposed code and were currently reviewing it.

“What they did is they walked out and says, ‘We stopped the county again on the tracks. They’re not doing anything.’ And that’s a mistake,” Jaramillo said.

Commissioner Daniel Barrone instead said he would like to see neighborhood associations come before the commission one and at a time to have their overlays approved. He said he’d like the first association to appear sometime in June.

Because the overlays partially rely on language in the proposed generic code, county staff said some changes would likely have to be made in order to graft them to the existing regulations. In an email to *The Taos News*, Caldwell said county staff was trying to find a way to merge the current regulations with the neighborhood overlay zones. He said the goal was to put forward a prospective plan in June or July.

Representatives of the Upper Las Colonias, Las Colonias West Mesa and Arroyo Seco/Valdéz neighborhood associations all encouraged the commission at its April 17 meeting to move forward approving individual overlays or the whole code.

