

Changes to land code could open door to neighborhood zoning

By J.R. Logan

The Taos News, June 14, 2012

The Upper Las Colonias Neighborhood Association has hired attorney and former Taos County manager Adam Baker in an effort to push forward on the organization's proposed zoning plan without having to address a controversial overhaul to the current land use regulations.

The zoning plan for Las Colonias, along with the zoning maps for 10 other neighborhoods and about 100 pages of new land use regulations, were abandoned by commissioners following a tense meeting in January.

Baker addressed the county commission Tuesday (June 12) and brought proposed minor changes to the existing land use regulations that would allow Upper Las Colonias (and potentially other associations) to get their zoning in place without having to deal with a total overhaul of the code. "Our feeling as a neighborhood association is there's no need to throw the baby out with the bath water," Baker said.

Baker told the commission his suggested amendments included new definitions that could allow the county to seamlessly adopt neighborhood overlays.

County manager Jacob Caldwell told the commission Tuesday and at previous public meetings that he has some concerns about whether zoning maps — called "overlays" — designed to fit into the updated regulations could be adapted to fit the existing code. Caldwell said Baker's proposed changes could "potentially be quite handy for the purpose of considering future overlays."

Officials at the meeting repeatedly called the Upper Las Colonias neighborhood a possible "guinea pig" for other associations.

The Upper Las Colonias neighborhood includes the area north of the Old Blinking Light intersection, bordered by State Road 522, State Road 150 and Valencia Road.

The neighborhood board's push to keep the ball rolling on its own zoning has required uncommon effort from members and residents. Upper Las Colonias president David Winch told *The Taos News* the association had funded \$600 in mailings to residents by selling advertising space on the association website to board members. Winch said the board approached a few residents to reach into their own pockets for donations to pay for Baker's help.

"We've gone the extra mile," Winch said, adding he hoped other neighborhood associations wouldn't have to put in the same kind of time and money.

At Tuesday's meeting, Baker said Upper Las Colonias was careful not to ruffle the feathers of opponents of the entire code. "We're not trying to open a can of worms regarding the countywide regulations," Baker said. "We're just trying to fix what's happening in Las Colonias. Hopefully it will be a benefit to everyone else."

A mob of residents came to the hearing in January claiming they'd been left out of the planning process, and that the regulations ignored traditional agricultural uses. Proponents of the code said it struck a necessary balance between promoting economic development while protecting residential areas and sensitive green space. The commission voted abruptly to "drop" the code amid the uproar.

Commission chairman Joe Mike Durán has been hesitant to revisit the controversial regulations for fear that it will resurrect the turmoil. Durán said Tuesday he'd like to see the county wait until next January before revisiting the issue in order to give everyone time to study what's been proposed.

But commissioners Dan Barrone and Nicklos Jaramillo said Tuesday it was important to push ahead. "The time to move forward is now," Jaramillo said.

Commissioner Andrew Chávez has suggested the county break the land use code into manageable and understandable parts. Chávez says he'd like to avoid the confusion and chaos of the January meetings that derailed the code. He added that he agreed the county should find a way to bring in as many neighborhoods as it can.

"I'd like to get through as many of these [overlays] as possible before I leave this office," said Chávez, who lost his bid for a second term in the June 5 Primary.

In addressing the commission, Baker urged the commission to publish notice of his proposed changes to be heard in a public meeting as soon as July.

Caldwell called Baker's plan "aggressive." Caldwell said he would bring the commission a timeline at its June 26 meeting that would lay out exactly when the county could consider the changes and begin hearing from Upper Las Colonias and other neighborhood associations.