

Court hearing Jan. 8 in airport lawsuit

By J. R. Logan

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A hearing related to the expansion of the Taos Regional Airport has been scheduled Thursday (Jan. 8) at 10 a.m.

The hearing before Judge Jeff McElroy is meant to consider a motion for preliminary injunction sought by a group of Taos residents, including noted local author John Nichols.

The group filed suit last year to halt the airport project until what they consider proper zoning requirements are met. The expansion — in the works for nearly 30 years — primarily includes the construction of a second runway.

In their complaint, attorneys for the plaintiffs contend the two local governments have excluded the public from the planning process by bypassing parts of the county's land use code. The attorneys have also said additional zoning restrictions around the airport are needed to ensure public safety and to protect property owners.

Attorneys for the town and county have said in court filings the town has taken all necessary steps to get approval for the project. They have also said the county is under no obligation to adopt additional zoning before construction can begin.

The county planning and zoning department approved a permit for the project in late December, giving the town the green light to proceed. In approving the permit, the county pointed to a provision in the land use code that allows the planning director to make a decision on an application without requiring public hearings if the project is a "public facility."

The substance of Thursday's hearing will be whether the judge should halt the project until additional planning and/ or zoning is completed.

— *J.R. Logan*