



ORDINANCE 21-08

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR A 3.741 ACRE PROPERTY, PARCEL NUMBER 1073147342409, OWNER NUMBER 80684 LOCATED ON CAMINO DE LA MERCED FOR A SEVENTEEN (17) LOT RESIDENTIAL MOBILE HOME PARK SUBDIVISION WITH A PLANNED UNIT DEVELOPMENT OVERLAY ZONE IN THE R-4 “RESIDENTIAL” ZONE.

WHEREAS, the property owner filed a petition to request a Planned Unit Development Overlay zone on a parcel which is zoned R-4 Residential Zone; and

WHEREAS, the property owner obtained a Zone Change from the Town Council at their Regular Meeting on September 8, 2020 from R-2 Single-Family Residential Zone to R-4 Residential Zone; and

WHEREAS, Town of Taos Utilities and other utility services are available to the property; and

WHEREAS, Re-zoning the property to create a Planned Unit development Overlay Zone which is to be overlaid on the current R-4 Residential Zone is appropriate, given the existing zones in the vicinity of the subject property; and

WHEREAS, the Town of Taos Planning and Zoning Commission held a duly published, noticed, and posted meeting on the Preliminary Plat Planned Unit Development Overlay Zone request on March 3, 2021 and the Final Plat Subdivision with a Planned Unit Development Overlay Zone was approved by the Town of Taos Town Council on September 14, 2021 that such amendment to the Zoning Map be approved by the Town Council; and

WHEREAS, according to the Land Use Development Code of the Town of Taos (Ordinance 99-05) a final public hearing before the Town of Taos Town Council on a proposed Planned Unit Development Overlay Zone change may be held; and

WHEREAS, the Town Council Held a public hearing on October 12, 2021; and

WHEREAS, the Town Council finds that the proposed zone change meets the requirements set forth in the Land Use Development Code § 16.12.060.2 in that

1. The amendment 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 town of Taos zoning regulations;
3. The amendment to this title is consistent with the existing land use in the affected neighborhood; and
4. The benefit to the neighborhood will outweigh any potential adverse impact upon the surrounding properties; and
5. The amendment to this title will not create a danger to the public health, safety, or welfare, nor cause an extraordinary public expense, or create a nuisance; and
6. The amendment is justified by the fact that the original zoning was in error, by change in condition in the vicinity, or by change in the town of Taos overall development policy.

WHEREAS, the Town of Taos Town Council finds that the proposed Planned Unit Development Overlay Zone change meets the requirements set forth in the Land Use Development Code § 16.16.190 in that

- A. Creativity in the grouping of buildings and structures through clustering for the maximization and preservation of open space, consolidation of infrastructure and providing a sense of community; and
- B. Variety and mixture of housing types to accommodate households of all ages, sizes and incomes; and
- C. Creative combinations of compatible residential, commercial, industrial, civic, and open space uses either in close proximity to one another or within a single structure; and
- D. Flexibility in the location, preservation, and use of usable open space, natural resource areas and agricultural lands; and
- E. Preservation of the natural topography; and
- F. Architectural and landscape design that is compatible with adjacent lands and traditional styles; and
- G. Integrated circulation system that provides safe and efficient mobility for motorists, mass transit, bicyclists and pedestrians; and
- H. Community and/or shared infrastructure systems; and
- I. Land use that is consistent with the policies of the town of Taos.

NOW, THEREFORE, BE IT ORDAINED by the Town of Taos Council, the Governing Body of the Town of Taos, meeting in Regular Session, this 12th day of October 2021, and after having held a public hearing on the matter, that the following Ordinance is hereby adopted, approved and ratified.

Planned Unit Development Overlay Zone of the following parcel as follows:

1. **UPC: 1073147342409, approximately 3.741 acres located on Camino de la Merced within the R-4 Residential Zone.**

This ordinance shall become effective as provided by law.

ORDAINED, ADOPTED, AND APPROVED this 12th day of October 2021 by the following vote:

Mayor Pro Tem Nathaniel Evans _____
Councilmember George “Fritz” Hahn _____
Councilmember Darien Fernandez _____
Councilmember Pascualito M. Maestas _____

TOWN OF TAOS

Daniel R. Barrone, Mayor

ATTEST:

APPROVED AS TO FORM:

Francella Garcia, Town Clerk

Stephen C. Ross, Town Attorney