



ANNEXATION

Application Packet
Town of Taos
Planning and Zoning Department

Ordinance 99-05
Land Use Development Code

PLANNING  & ZONING

APPLICATION FOR ANNEXATION

**Town of Taos
Planning and Zoning Department
400 Camino de la Placita
Taos, New Mexico 87571
Phone: (505) 751-2016 Fax: (505) 751-2026**

Date: _____ Case Number: _____

Property Owner: _____

Address: _____

(mailing address)

(subject property address)

Phone Number(s): _____

Agent: _____

Address: _____

Phone Number(s): _____

LEGAL DESCRIPTION OF PROPERTY:

Lot/s: _____

Block: _____

Plat: _____

LOCATION OF THE PROPERTY BY STREETS:

On: _____

Between _____ and _____

House Number, if any: _____

The Town of Taos cannot be held responsible for an incorrect legal description or address.

REASON FOR ANNEXATION REQUEST:

ACREAGE OF SUBJECT PROPERTY: _____

SUBMITTAL CERTIFICATION

I hereby certify that I have read the entire packet for annexation and that I understand the process and criteria for approval. I certify that all documentation submitted for review and consideration by the Town of Taos Planning and Zoning Commission has been prepared in accordance with the Town of Taos Land Use Development Code and the annexation application submittal checklist and that failure to include the minimum submittals may result in the delay or rejection of my application. I also certify that the signature(s) affixed to this application are those of the property owner and authorized agent.

I/We the undersigned owner(s) of the indicated parcel(s) of the above described property, hereby petition the Town of Taos, New Mexico to annex and make part of the Town of Taos the land herein described.

Property Owner's Signature Date

Agent's Signature Date

**If you have special needs (ADA) or require an interpreter, please contact the Town of Taos Planning and Zoning Department at 505-751-2016.*

ANNEXATION
APPLICATION SUBMITTAL CHECKLIST

PROCESS

A request for annexation by the Town of Taos is a three (3) month process, requiring:

1. All required submittals due the Monday of the week before the preliminary presentation, on _____.
2. A preliminary presentation to the Town of Taos Planning and Zoning Commission on _____ at 5:30 p.m. in the Town of Taos Council Chambers. At the preliminary presentation, you will informally explain your application to the Commission, and the Commission will decide if to schedule you for Public Hearing.
3. A public hearing before the Town of Taos Planning and Zoning Commission on _____ at 5:30 p.m. in the Town of Taos Council Chambers. At the public hearing, the Planning and Zoning Commission will vote to recommend approval to the Town Council with or without conditions, or to deny the application. The application will be scheduled for final public hearing with the Town Council if the Commission recommends approval.
4. A final public hearing before the Town of Taos Council on _____ at 6:30 p.m. in the Town of Taos Council Chambers. At the public hearing, the Town Council will vote to approve, approve with conditions or modifications, or deny the application.

**The applicant must provide public notice per Section 3-4.5 of the Town of Taos Land Use Development Code for each public hearing.*

REQUIRED SUBMITTALS

The following submittals are required in order to evaluate your application for annexation. Please complete and submit **twenty (20) copies** on 8 1/2 x 11 paper of the requested information. Incomplete, inadequate or late submittals may result in delay or rejection of the request for annexation. The Town of Taos may require additional submittals. Please contact staff at 751-2016 with questions regarding the submittals required herein.

- _____ Completed annexation application
- _____ Site plan or survey plat showing the location of the parcel proposed for annexation.
- _____ Legal description of property and a copy of registered deed.
- _____ Property Owner information on file with the County Assessor as follows
 - A) Copy of the tax map (including map number) depicting subject property and adjacent property
 - B) List of owners of record listed on file for adjacent properties

REGULATIONS AND CRITERA FOR ANNEXATION

SECTION 3-6. AMENDMENTS TO THE CODE

3-6.1. Rules and Procedures

- A. No provision of this Code may be amended except by action of the Town Council.
- B. Amendments to this Code may be initiated by:
- (1) The verified application of the owners of property to be changed, reclassified or otherwise affected by the proposed amendment;
 - (2) A request for approval of a Planned Unit Development which requires a zone change;
 - (3) Resolution of the Town Council; or
 - (4) Resolution of the Commission.
- C. In the event that an amendment to this Code is initiated pursuant to subparagraphs 3 or 4 of Paragraph B of Section 3-6.1 of this Code, then the Code Administrator shall perform all duties and meet all requirements of the applicant unless otherwise directed by the Town Council or Commission.
- D. No matter how an amendment to this Code is initiated, no amendment to the Code shall be enacted by the Town Council until the written recommendations of the Commission either supporting or opposing the proposed amendment, with or without qualifications, are presented to the Town Council.
- E. The provisions of Sections 3-4.5 through 3-4.11 of this Code shall apply to a proposed amendment to this Code. The Hearing Officer, if any, shall summarize the evidence received and issue a recommendation regarding the proposed Code amendment to the Commission.
- F. The Commission shall issue its recommendation to the Town Council within ten (10) days of the Public Hearing or receipt of a recommendation by the Hearing Officer, if any, whichever is later in time.
- G. The Town Council may, in its discretion, hold additional Public Hearings regarding the proposed Code amendment. If additional Public Hearings are called, then notice for Public Hearings shall be given and proof of notice filed as provided in Section 3-4.5 (G-K) of this Code.
- H. The Town Council may remand the application to the Commission for further hearings and recommendations before the Town Council takes final action on the proposed amendment.
- I. If the Town Council conducts one or more additional Public Hearings, then the provisions of Section 3-4.7 of this Code shall be applicable to each Public Hearing with the Town Council performing the functions assigned to the Commission and the Mayor performing the functions assigned to the Chairperson.

J. The Town Council may accept all, some, or none of the recommendations of the Commission or Hearing Officer, if any.

K. The Town Council may issue written findings of fact and conclusions of law if such would be appropriate, given the type of Code amendment being considered.

3-6.2. Criteria for Approval of an Amendment to the Code

A. The following criteria will be used by the Commission for the review and approval of an amendment to the Code for recommendation to the Town Council:

- (1) The amendment is consistent with the direction and intent of the existing Town of Taos Master Plan;
- (2) The amendment is consistent with the purpose and intent of Town of Taos zoning regulations;
- (3) The amendment to the Code is consistent with the existing land use in the affected neighborhood;
- (4) The benefit to the neighborhood will outweigh any potential adverse impact upon the surrounding properties;
- (5) The amendment to the Code 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's overall development policy.

The Town Council shall approve, approve with conditions or modifications, or deny, applications for Annexations. The Town Council may require or impose such conditions on the decision as will, in its judgement, be reasonably necessary to meet and secure the requirements and factors enumerated in this Code, and to secure substantially the objectives of this Code. The Town Council, may, for cause, and upon either the request of the Commission or of its own motion, revoke, amend, modify or continue an approved Annexation.