



**ZONE CHANGE**

Application Packet  
Town of Taos  
Planning and Zoning Department

Ordinance 99-05  
Land Use Development Code

PLANNING  & ZONING



**APPLICATION FOR ZONE CHANGE**

**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):  
\_\_\_\_\_

**EXISTING ZONING:** \_\_\_\_\_

**PROPOSED ZONING:** \_\_\_\_\_

**ACREAGE OF SUBJECT PROPERTY:** \_\_\_\_\_

*\*Attach a legal description of property and a copy of registered deed.*

**SUBMITTAL CERTIFICATION**

I hereby certify that the 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 Zone Change 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.

\_\_\_\_\_  
Property Owner's Signature      Date

\_\_\_\_\_  
Agent's Signature                      Date

**ZONE CHANGE**  
**APPLICATION SUBMITTAL CHECKLIST**

The following submittals are required in order to be placed on Planning and Zoning Commission agenda for their next regularly scheduled monthly meeting. Please complete and submit sixteen (16) copies on 8 1/2 x 11 paper of the requested information (except where otherwise indicated). Information will be due as seen fit by the Site Development Review Staff of the Town of Taos Planning and Zoning Department. Incomplete, inadequate or late submittals will result in delay or rejection of the request for a Zone Change. Please contact staff with questions regarding the submittals required herein.

- \_\_\_\_\_ Completed Zone Change application.
- \_\_\_\_\_ Copy of existing zoning map for subject area.
- \_\_\_\_\_ Copy of zoning map with proposed amendments.
- \_\_\_\_\_ Summary of all existing uses in proposed affected area.
- \_\_\_\_\_ Summary of all existing uses on adjacent properties.
- \_\_\_\_\_ Documentation of benefits to neighborhood if amendment was to be approved.
- \_\_\_\_\_ Documentation on adverse affect to neighborhood if amendment was to be approved.
- \_\_\_\_\_ Documentation showing that the zone change is justified (1) Because the original zoning was in error, (2) Because a change has occurred in the condition of the vicinity, or (3) Because a change has occurred in the Town of Taos' overall development policy.
- \_\_\_\_\_ Site plan and survey plat (minimum size for each 17" by 22") (minimum scale: 1" = 20'). Site plan shall depict all existing and proposed structures, setbacks, parking area and other applicable strict/standard requirements. Please see "Site Development Plan" in Section 5-8 of the Town of Taos Land Use Development Code.
- \_\_\_\_\_ 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
- \_\_\_\_\_ Documentation or narrative showing that the proposed zone change is consistent with the direction and intent of the existing Town of Taos Master Plan (Vision 2020).

\_\_\_\_\_ Documentation or narrative showing that the proposed zone change is consistent with the purpose and intent of the Town of Taos zoning regulations.

\_\_\_\_\_ Documentation or narrative showing that the proposed zone change is consistent with the existing land use in the affected neighborhood.

\_\_\_\_\_ Documentation or narrative establishing that the proposed zone change will not create a danger to the public health, safety or welfare, nor cause an extraordinary public expense or create a nuisance.

## REGULATIONS AND CRITERA FOR A ZONE CHANGE

### 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.

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The Town Council shall approve, approve with conditions or modifications, or deny, applications for Annexation. 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 Zone Change.