



**Taos County  
Planning Department**

Application No. \_\_\_\_\_

PERMIT FEE: \$500.00

**COMMERCIAL/ADMINISTRATIVE/SPECIAL USE APPLICATION**

**FOR OFFICIAL USE ONLY**

**SELECT THE USE TYPE OF COMMERCIAL ZONING CLEARANCE FOR REVIEW**

- Those Non-residential allowed uses designated as an Allowed Use under any Community, Neighborhood Zones and Planned Unit Development Zones.
- Non-conforming use that are consistent with a previous use.

**SELECT THE USE TYPE OF ADMINISTRATIVE ZONING CLEARANCE FOR REVIEW**

- Public parks and recreation.
- Public facilities including but not limited to airports, helipads, firehouses, schools, libraries, churches and cemeteries.
- Development on a slope of 20% or more as determined by the Planning Department not within a High Risk WUI area

**SELECT THE USE TYPE OF SPECIAL USE ZONING PERMIT FOR REVIEW**

- Those uses designated as Special Use under any Community Zones, Neighborhood Zones or Planned Unit Development Zones.
- Multi-family residential uses that contain 4 units or more unless designated as permitted under any Community Zones, Neighborhood Zones or Planned Unit Development Zones.
- Any development within wetlands as defined by ordinance.
- Any commercial development within wetlands as defined by ordinance.
- Any commercial development within the WUI Map as published by the Planning Department.
- Development on slopes of 20% or more that are within a High Impact WUI area
- Any expansion of a previously approved Special Use permit,.
- Any expansion in excess of 25% of an existing non-conforming use as defined in this ordinance other than a single family residence or accessory structure.
- Condominium development uses that contain 4 units or more. Except those permitted under any Community Zones, Neighborhood Zones or Planned Unit Development Zones or meeting the definition of single-family residence
- Wireless communication facilities or equipment installation
- Commercial wind power generation.
- Commercial solar power generation. Only require Special Use permit review.
- Commercial, Industrial or Manufacturing operations.
- Commercial, Industrial or Manufacturing operations as defined in this ordinance that is not a Major Development.
- Any commercial mining operation including, but not limited to, the extraction and sale of gravel products such as pit run and any other commonly sold sand and gravel product.
- Public facilities Structures including but not limited to group homes or commercial assisted living.

# APPLICATION

1. Name of Applicant: \_\_\_\_\_  
(if other than owner)

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone No. \_\_\_\_\_  
(HOME) (WORK) (OTHER)

2. Property Interest of Applicant: (check one)  
OWNER   
CONTRACT PURCHASER   
LESSEE

3. Property Owner: \_\_\_\_\_  
(if other than applicant)

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone No. \_\_\_\_\_  
(HOME) (WORK) (OTHER)

4. Name of Agent: \_\_\_\_\_  
(if other than applicant)

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone No. \_\_\_\_\_  
(HOME) (WORK) (OTHER)

5. Please list the name of the project (if applicable) \_\_\_\_\_

6. Attach Copy of Legal Description of Property. (i.e. deed)

7. Please List the Present Use and Character of Property: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Please describe your proposal: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Property Code Number: \_\_\_\_\_

(May be obtained from County Assessor's Records)

10. List names and addresses of all property owners that are located within **the area of notice**. Also include property code numbers for each of these properties. Property code numbers can be obtained from records at the county assessor's office.

1. \_\_\_\_\_ 2. \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Property Code Number)

3. \_\_\_\_\_ 4. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

5. \_\_\_\_\_ 6. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

7. \_\_\_\_\_ 8. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

9. \_\_\_\_\_ 10. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

If more space is needed, please provide information on a separate 8 1/2" x 11" sheet of paper.

11. Attach a parcel map (copies can be obtained at the county assessor's office) that shows the subject property and all adjacent property owners within **the area of notice**.

12. Applicant must provide an area map or a vicinity map that shows the location of the proposed project, the area of notice, major roads, natural features and the boundaries of the neighborhood association.

13. **AFFIDAVIT REQUIRED BY APPLICANT If NOT THE OWNER OF PROPERTY**

IF THE APPLICANT IS OTHER THAN THE PROPERTY OWNER, AN AFFIDAVIT IS REQUIRED BY THE PROPERTY OWNER TO ALLOW THE APPLICANT TO ACT ON HIS/HER BEHALF. AFFIDAVIT IS ATTACHED TO THIS APPLICATION FORM.

14. **AFFIDAVIT REQUIRED BY APPLICANT**

THE APPLICANT IS REQUIRED TO SUBMIT AN AFFIDAVIT ATTESTING TO THE INFORMATION PROVIDED IN THIS SPECIAL USE PERMIT APPLICATION

15. See attached Affidavit

**AFFIDAVIT**

STATE OF NEW MEXICO) )  
 ) ) SS:  
 ) )  
COUNTY OF TAOS ) )

(I, WE) THE UNDERSIGNED, BEING DULY SWORN UPON OATH, DEPOSE AND STATE THAT THE \_\_\_\_\_  
\_\_\_\_\_ IS ALLOWED TO PURSUE A PERMIT APPLICATION ON MY BEHALF.  
(NAME OF APPLICANT, PLEASE PRINT)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

SUBSCRIBED AND SWORN TO before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by

\_\_\_\_\_  
PRINT NAME OF PROPERTY OWNER

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

Seal

**AFFIDAVIT**

COUNTY OF TAOS        )  
                                  )  
                                  )        SS:

I \_\_\_\_\_, BEING FIRST DULY SWORN UPON OATH, DEPOSE AND  
STATE THAT THE INFORMATION PROVIDED IN THIS PERMIT APPLICATION IS TRUE AND FACTUAL TO THE  
BEST OF MY KNOWLEDGE.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

SUBSCRIBED AND SWORN TO before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by

\_\_\_\_\_  
PRINT NAME OF APPLICANT

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

Seal

**Section 4.4.2 Commercial Zoning Clearance, Administrative Zoning Clearance and Special Use Zoning permit Application Submittal Requirements:** The following are the minimum requirements for a Commercial Zoning Clearance permit, an Administrative Zoning Clearance permit and a Special Use Zoning permit application. For certain types of a Commercial Zoning Clearance permit, an Administrative Zoning Clearance permit or Special Use Zoning permit applications, there are additional application submittal requirements and procedures in Section 4.9 through Section 4.16. The Planning Director will determine the number of copies of the materials that will be required. The Planning Director may waive or alter any of these minimum requirements if they are determined to be inappropriate or unnecessary to determine whether the application satisfies applicable standards. The applicant shall provide a written explanation and an analysis of application requirements and performance standards identified in this section, or a written substantiation as to why they do not apply. The following information and data are required:

- A. **Application Form.** Application forms for special use permits shall be obtained from the Planning Department. Applications submitted shall include all information identified by the Planning Department on the application, and as may be required for the proposal. Completed application forms and accompanying materials shall be submitted to the attention of the Planning Director by the owner of the property for which the permit is being requested or the owner's authorized agent.
- B. **Deeds.** The applicant shall submit a complete copy of the deed, deed restrictions, and conditions, covenants and restrictions (CC&Rs) for the subject property, if any. Deed restrictions and CC&R's are required to evaluate the project's compliance with the Development Compatibility Standards of Section 4.6, not to enforce deed restrictions and CC&R's. Taos County does not enforce private deed restrictions and CC&R's.
- C. **Affidavit of Compliance.** An Affidavit of Compliance is required for all applications located within a County approved subdivision stating that either there are no deed restrictions and/or CC&Rs, or the application is in full compliance with existing deed restrictions and/or CC&Rs. The Affidavit of Compliance is required to evaluate the project's compliance with the Development Compatibility Standards of section 4.6, not to enforce deed restrictions and CC&R's.
- D. **Applicant Is Not The Owner.** If the applicant is not the owner of the land, the applicant shall submit a notarized letter signed by the owner consenting to the submission of the application.
- E. **Applicant Is Not The Sole Owner.** If the applicant is not the sole owner of the land, the applicant shall submit a notarized letter signed by the other owner(s) or an authorized representative of the owners consenting to or joining in the application for a special use permit.
- F. **Notification and Approvals.** The applicant shall, with his or her application, obtain, submit, and provide evidence to the Planning Department of notifications to and approvals required from other entities such as pueblos, sovereign nations, state, federal, local government agencies, neighborhood associations and acequia associations, as applicable.
- G. **Elevation drawings** created by a NM licensed architect, if deemed necessary by Planning Department showing existing grade, finished grade, and height of the proposed structure above undisturbed existing grade. The location and dimensions of all windows must also be included on each of the elevations.
- H. **Storm and Drainage plan for Commercial Zoning Clearance permits or Administrative Zoning Clearance permits shall be** created by a licensed NM engineer or architect. Engineer must design plan to utilize Green Infrastructure and Low Impact Development techniques to control pollution from storm water during high velocity flows.
- I. **Terrain Management.** For Special Use Zoning Permit applications and Major Development Zoning permit applications refer to Appendix 3 Terrain Management Plan.
- J. **Buildable Lot.** Verification that the site is a buildable lot under the International Building Code, all other County Ordinances, these regulations, state regulations, federal regulations and that adequate legal access from a public road has been obtained from the required state, county, or federal agency, and/or private owner(s).

- K. **Agreement to Assure Completion of Infrastructure**, which demonstrates that the project is adequately funded and scheduled to reach operational status.
- L. **Taos County Taxes, Fees and Penalties.** The applicant must submit a receipt(s) demonstrating that all taxes, fees, and penalties to Taos County associated both with the property and the property owner, e.g., property taxes, solid waste fees, and code violation penalties, are paid and current.
- M. **Additional information** that may be requested by the Planning Director.
- N. **Cultural Properties.** The Planning Department shall contact the State Historic Preservation Office (SHPO) to determine whether property entered into the State Register of Cultural Properties is within the boundary of the proposed development. The Planning Department communication with SHPO shall be by email with return receipt requested. If there is no response from SHPO within 45 days of receipt of the Planning Department email, it shall be presumed that there are no cultural properties within the proposed development boundaries; and
1. If there is no such property, a copy of the letter to that effect from SHPO or a memorandum by the Planning Department of no SHPO response shall be provided in the application packet for approval; or
  2. If any such property exists within the boundaries of the proposed development, a copy of the letter to that effect from SHPO shall be provided in the application packet for approval. Taos County will consult with SHPO pursuant to the Cultural Properties Act, NMSA 1978, §§ 18-6-1 through 18-6-17; and
  3. A cultural resource survey shall be prepared by a professional archeologist holding a current New Mexico Archeological Survey license to determine if significant archeological sites are identifiable prior to commencement of construction. If significant archeological sites are identified in the cultural resources survey, the requirements in Appendix 5 shall be met by the applicant.
- O. **Area of Notice Map.** The applicant shall use the maps, maintained by the Taos County Assessor, to identify the subject properties and all property owners as per Section 6.1.5.
- P. **Vicinity Map.** An 8 ½" x 11" vicinity map locating the parcel in the county shall be included with all applications. The vicinity map shall clearly show the location of the subject property, the area within a one-mile radius of the subject property, and the following:
1. Major traffic arteries;
  2. Major public facilities;
  3. Location of existing municipal boundary lines (if applicable); and
  4. Existing open space.
- Q. **Maximum Height.** Maximum height is twenty-seven feet (27') measured consistent with its definition herein. See schematics in Appendix 6. Except as defined in zoned areas.
- R. **Site Plan.** A site plan prepared by a New Mexico licensed engineer or architect at a scale acceptable to the Planning Director, which best conveys the conceptual aspects of the plan. The site plan must have the following elements:
1. The name, address and telephone number of the property owner, the applicant (if not the owner), and the person(s) who prepared the submittal.
  2. Date of preparation, revision box, written scale, graphic scale, and north arrow (designated as true north).
  3. A complete legal description and physical address of the property, including the total size of the parcel.
  4. Clearly identified boundary lines, corner pins, dimensions of the subject property, and distance of structures from property lines.
  5. The proposed layout of the project with dimensions and other relevant site information.
  6. Description of existing and proposed buildings on the site, and the use of the property with locations and dimensions of all structures, existing and proposed.
  7. Written description of land uses in the area of notice.
  8. Existing and proposed parking areas, driveways, emergency turn-outs and emergency turn-around, sidewalks and paths, with locations and dimensions.

9. Existing and proposed roads, railroad tracks, irrigation ditches, fences, existing and proposed utility lines, and easements and rights-of-ways on or adjacent to the parcel, shown by location and dimension; and accessibility of site to roads and utilities, including easements.
10. Significant on-site features including: natural and artificial drainage ways, wetland areas, acequias, hydrologic features (with flooding limits based on information available through the County) and aquatic habitat; geologic features and hazards, including slopes, alluvial fans, areas of subsidence, rock outcrops and, rock fall areas, soil types and landslide areas; vegetative cover; dams, reservoirs, excavations, and mines; and off-site features that influence the development.
11. Additional information that may be requested by the Planning Director.

#### **SECTION 4.6**

#### **Commercial Zoning Clearance, Administrative Zoning Clearance, Special Use Zoning Permits and Major Development Zoning Permits Compatibility Standards**

**Section 4.6.1 Development Compatibility Standards:** The following requirements shall be applied to all land uses requiring Commercial Zoning Permits, Administrative Zoning permits, Special Use Zoning permits or Major Development Zoning Permits under these regulations.

1. **Use.** The development shall be sensitive to and consistent with the existing traditional and historic uses in the neighborhood, or the applicant shall be able to demonstrate that the development would provide a substantial benefit to, or support to, or would not have a substantial impact on the immediate neighborhood. Commercial Zoning Clearance Permits are exempt from this provision.
2. **Visual Impact.** The development shall be sensitive to and consistent with the architectural design, scale, density, bulk, building height, historical character, and orientation of the existing properties in the neighborhood, or the applicant shall be able to demonstrate that the alternative being proposed is suitable to the land and the neighborhood character.

#### **SECTION 4.7**

#### **Commercial Zoning Clearance, Administrative Zoning Clearance, Special Use Zoning Permits and Major Development Zoning Permits Performance Standards**

**Section 4.7.1 Commercial Zoning Clearance, Administrative Zoning Clearance, Special Use and Major Development Performance Standards:** The following performance standards shall be considered for all applications for Administrative zoning permits, Special Use permits or Major Development permits. In the case of Administrative Review the Planning Director shall have the discretion to determine the applicability of the following performance standards based upon the nature of a particular project and its impact on the surrounding area. The Planning Department shall submit a written report to the Planning Commission and/or Board of County Commissioners outlying the application's compliance with these standards as the basis for rendering any decision to approve, approve with condition(s), or disapprove the applications of a special use or major development. The applicant shall provide engineered drawings, a written explanation and an analysis of all of the Performance Standards identified in this section; or a written substantiation as to why they do not apply.

- A. **Roads.** The development shall be served by roads constructed to County standards with adequate capacities for the proposed development. The development shall be designed to minimize any adverse impact that additional traffic would have on the surrounding land uses. A traffic impact study may be required and prepared by a licensed New Mexico engineer, including a written analysis of the traffic and congestion impact with mitigation procedures approved by the New Mexico Department of Transportation and/or the Taos County Public Works Department. Where determined by the Planning Department to be necessary due to the direct impact of the proposal, the existing road network serving the project area shall be augmented or extended to accommodate the development. Refer to Appendix 1: Road Standards.
- B. **Utilities.** All water, sewage, electric, phone lines, cable and natural gas shall be underground. The development shall be served by utilities with adequate capacities for the proposed development. Where applicable, utilities shall be augmented or extended to accommodate the development. The applicant shall supply proof of availability and/or commitment from all public utilities.
- C. **Water Supply and Quality.** Applicants for development or construction on lots within four hundred (400) feet of a public water supply system shall provide a letter of approval from the associated water authority and shall be connected to that public system, providing easements are available or can be negotiated. The design of the connection shall be approved by both the connecting water authority and/or

the New Mexico State Engineer. If no hook-up to the municipal or public authority is available, then the applicant shall supply an approved permit from the New Mexico State Engineer. The applicant shall meet all current requirements of the New Mexico State Engineer (OSE) and the New Mexico Environment Department (NMED). Major Development applicants must also meet the Water Supply Requirements set forth in Appendix 2. If the water supply is from the aquifer a hydrological study may be required. All applicants shall be required to submit a conservation plan.

- D. **Liquid Waste Disposal.** The applicant shall meet all current requirements of the New Mexico Environment Department (NMED).
- E. **Legal Access.** The applicant shall identify adequate legal access for ingress, egress, and installation and maintenance of utilities, unless the project's utility needs are self-provided. For uses fronting public roads, standards developed by the New Mexico State Highway and Transportation Department and the Taos County Public Works Department shall be followed. Refer to Appendix 1.
- F. **Storm Water Control.** No development shall cause erosion. Applicant shall contain all storm water run-offs, on the property. If a violation occurs prior to or during construction, the applicant will be issued a stop order until the run-off or drainage is in compliance and approved by the Planning Department. For development that plans on disturbing (clearing, grading, and excavating activities) more than 1 acre, including the cumulative area of disturbance from smaller sites in a larger common plan of development or sale, the applicant shall provide documentation of coverage under a legally required federal Clean Water Act NPDES storm water construction permit. When the Planning Department deems it necessary, Applicant shall provide scaled, engineered drawings with a written description of the proposed storm drainage system, which shall be developed, signed, and sealed by a New Mexico licensed civil engineer. Refer to Appendix 3: Terrain Management.
- G. **Fire Prevention Plan.** Applicant shall submit for review a written description of a proposed fire prevention plan that has been prepared by a New Mexico licensed engineer in accordance with International Fire Code (IFC) standards. In areas designated as High Risk or greater the fire prevention plan shall address defensible space, vegetation management, water supply access, building ignition, fire resistance factors, and fire protection systems and equipment. The fire prevention plan will describe ways to minimize and mitigate the fire problems created by the project or development, with the purpose of reducing impact on the community's fire protection delivery system. Refer to Appendix 4: Fire Protection.
- H. **Environmental Impact Study.** When determined by the Planning Director and upon written notice to the applicant of the basis of the need for the study, the applicant shall complete an environmental impact study created by an environmental professional.
- I. **Geologically Unstable Areas.** Applications for proposed project sites containing areas of natural or geological hazards (e.g., unstable or potentially unstable slopes, faulting, landslides, rock falls, flooding, etc.) or soil conditions unfavorable to development shall include documentation, prepared by a civil engineer registered in the State of New Mexico, identifying all such hazardous areas and describing detailed mitigation measures for the identified hazardous areas. Refer to Appendix 3: Terrain Management.
- J. **Wildlife Areas.** Applications for proposed project sites containing areas identified as wildlife habitat, natural food sources, migratory bird corridors, nesting areas, wintering areas, wildlife watering sources, wetlands, etc., shall include documentation identifying all such areas and describing detailed preservation measures for the identified areas. Applicant shall refer to the New Mexico Department of Wildlife for assistance.
- K. **Agricultural Areas.** Applications for proposed projects located on land currently used for or designated as agricultural by the County Assessor's office shall make every effort to preserve a significant portion of the proposed project site for agricultural use.
- L. **Site Improvement.** Buildings, fences, driveways, walkways, sidewalks, retention ponds, parking areas and other site development elements and systems shall be designed and located on the site so as not to detract from the established neighborhood character.
- M. **Exterior Lighting.** All artificial light sources shall, at a minimum, be in accordance with the State of New Mexico Night Sky Protection Act, NMSA 1978, §§ 4-12-1, et seq., and the current Taos County Dark Skies Protection Ordinance, Ordinance No. 2006-9, as amended.

- N. **Maximum Height.** Maximum height is twenty-seven feet (27') measured consistent with its definition herein. See schematics in Appendix 6. Except as defined in Zoned areas.
- O. **Grade.** No access road or driveway shall exceed a grade greater than 12%. If an applicant cannot achieve a grade of less than 12%, the applicant shall install a water collection system or install sprinkler systems within the structures on the property.
- P. **Acequias.** No acequia, whether on-site or off-site, shall be disturbed in any way by building development or construction activity unless approved or deemed approved by the acequia commission. See Summary of Limits Table CC and the following:
1. All applications for development on a parcel containing an acequia, or a parcel within 20 feet of the nearest bank of an acequia, shall be submitted by the applicant for review by the applicable acequia commission. The acequia commission has 30 calendar days upon receipt of the application to respond. Failure of the acequia commission to respond within 30 calendar days shall be deemed approved.
  2. An acequia shall remain open and uncovered, absent express permission to the contrary by the acequia commission, be readily accessible for use and maintenance, be unobstructed from fences, culverts or other impediments, and acequia easements recognized by New Mexico law shall be honored.
- Q. **Wetlands.** Any proposed Non Residential development that impacts a wetland, must obtain a special use zoning permit or major development zoning permit from the county, will require a delineation of the wetlands by a licensed professional, and shall adhere to all applicable federal, state, and all applicable governmental and acequia regulations or requirements. No proposed development may disturb the natural collection of water in wetlands, or the wetland's source waters, or contribute any contamination or man-made run-off as a result of construction or development.
- R. **Americans with Disabilities Act (ADA).** ADA standards must be met by the applicant as required by federal statute, and provisions for compliance must be clearly indicated on plans. All handicapped parking must be identified by a vertical sign, as well as marked on the pavement, if pavement exists.
- S. **Landscaping.** A landscaping plan (Xeriscaping encouraged), addressing aesthetics, water conservation, erosion controls, and any buffering requirements, prepared by a licensed landscape professional shall be submitted. Any required setback which is not paved or graveled shall be landscaped and maintained. Refer to Appendix 3: Terrain Management.
- T. **Street and Parking Design.** The street, road, access and parking systems shall be designed and located on the proposed site in a safe, efficient, convenient and attractive manner that considers all modes of transportation (e.g., cars, trucks, buses, bicycles, equestrians and pedestrians), as well as emergency vehicles.
- U. **Solid Waste Disposal.** An area for solid waste storage and disposal shall be designated. The size and type of containers, and disposal area, shall be sufficient to accommodate the scale and type of operations proposed. Containers shall be covered and securable. The area shall be easily accessible to waste removal services. Waste containers shall be screened in a manner so as not to be visible from adjacent streets or properties.
- V. **Flood Plain and Elevation Certificate.** Applications for a Special Use permit or Major Development permit shall include a determination as to whether any property identified in the application is located within a Federal Emergency Management Act (FEMA) designated flood plain. If it is determined that the property does lie within the flood plain, the boundaries of the flood plain must be delineated on the project site plan map. If a Special Use permit or Major Development permit is approved by the county, applicants should be aware that construction within the FEMA flood plain may not be started until the applicant has completed and received an approved flood plain permit from the Planning Department. The applicant must comply with the provisions of the permit and the Taos County Flood Plain Regulations, Taos County Ordinance No. 2009-09, as amended.
- W. **Wildland Urban Interface (WUI) Impact Areas. Wildland Urban Interface (WUI) areas.** If the property has Community At Risk Rating of high or very high as described within the Taos County Community Wildfire Protection Plan the applicant shall present a defensible space fire risk management plan and the property shall be evaluated for a fire risk assessment. Refer to Appendix 4 Fire Protection.

X. **Loading.** Should be located off-street and shall be not located within the front yard setback.

Y. **Slope.** See Limits Table V

Z. **Archeological Sites.** The applicant shall not encroach upon registered or known archeological sites. Refer to Appendix 5 in accordance with New Mexico State Statutes.

**AA. Minimum Off-Street Parking Requirements.**

1. Hotels, Motels, and Bed & Breakfasts: one space per room, plus one space for each two employees, and adequate spaces for each accessory use.
2. Shopping Centers: one space per two hundred (200) square feet of gross floor area.
3. Office, professional, retail businesses, food establishments and public buildings: one space per three hundred (300) square feet of gross floor area.
4. Industrial, manufacturing, and wholesale establishments: one space per three hundred (300) square feet of gross floor area.
5. Multi-family/Condominium residential buildings:
  - a. Efficiency apartments: 1 space per unit.
  - b. 1 or 2 bedroom apartments: 2 spaces per unit.
  - c. 3 bedroom or larger: 3 spaces per unit.
  - d. 30% additional of total parking area shall be set aside as guest parking.
  - e. Other uses requiring a special use or major development designation shall meet parking requirements as determined by the Planning Department based upon similar uses and requirements in similar jurisdictions.

**BB. Additional Performance Standards.** Certain applications may require additional performance standards. There may also be relevant county ordinances additional to or passed since these regulations that apply to all or portions of the project. The applicant should review all sections of these regulations and consult with Planning Department staff as to what requirements may be applicable to the specific proposal. The most current edition of the Taos County and State of New Mexico building codes and construction regulations are applicable to all new construction.

**CC. Fences.** Fences not over 6 feet high are exempt from land use permit requirements and building permit requirements. Fences in excess of six feet but not greater than ten feet shall require a Taos County approved building permit. All fencing, whether or not requiring a land use or building permit, shall comply with Appendix 6 – Site Triangle Area

**DD. Developmental Standards Limits Table. Next Page**

**Limits Table. The Following Development standards are required on all permits except as defined in zoned areas**

<b>LIMITS: Residential, Commercial, Administrative Zoning Clearances, Special Use and Major Development</b>	<b>Less than 2ac.</b>	<b>2 ac. or more</b>	<b>COMMENTS</b>
Maximum Lot Coverage	80% for commercial, 60% for residential, or as approved in the development site plan and plat	75% for commercial, 60% for residential, or as approved in the development site plan and plat	Includes buildings, patios and decks. Excludes parking lots, roadways, driveways, courtyards, walkways, utilities and landscaping.
Minimum Commercial Setbacks: <sup>1</sup> Front Side Rear	20 ft. 20 ft. 20 ft.	30 ft. 30 ft. 30 ft.	
Minimum Residential Setbacks: <sup>1</sup> Front Side Rear	20 ft. 10 ft. 10 ft.	20 ft. 10 ft. 10 ft.	
Minimum setback from acequias, and legal lateral (venitas) acequias <sup>2</sup>	20ft.	50 ft. commercial 20ft. residential	Measured from the nearest bank of acequias.
Minimum setback from water sources, streams, wetlands, springs etc.	85ft. commercial 40ft. residential	150ft. commercial 40ft. residential	Measured from the nearest bank of streams, springs, or from wetlands
Maximum developable slope	20%	20%	If > 20% see Section 4.14

(1) Setbacks do not apply to fences, except fences on driveways that abut access easements shall comply site triangle area requirements. Refer to Appendix 6.  
 (2) More or less if established in acequia bylaws

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**FOR OFFICIAL USE ONLY**

DATE OF PRE-APPLICATION CONFERENCE: \_\_\_\_\_

DID APPLICANT PURCHASE A COPY OF THE LAND USE REGULATIONS?      (check one)  
YES       NO

IF APPLICANT PURCHASED A COPY OF THE REGULATIONS, A COPY OF THE RECEIPT MUST BE ATTACHED TO THIS FILE.

DATE APPLICATION WAS ISSUED: \_\_\_\_\_

DATE APPLICATION AND FEE WAS SUBMITTED: \_\_\_\_\_

DATE OF PUBLICATION FOR A PUBLIC HEARING: \_\_\_\_\_

NAME OF NEWSPAPER HANDLING THE PUBLICATION: \_\_\_\_\_

DATE NOTICES WERE SENT TO ADJACENT PROPERTY OWNERS IN THE AREA OF NOTICE: \_\_\_\_\_

DATE NOTICE WAS SENT TO NEIGHBORHOOD ASSOCIATION: \_\_\_\_\_

DATE OF HEARING: \_\_\_\_\_

SIGNATURE OF PLANNING DEPARTMENT STAFF PERSON THAT REVIEWED THE APPLICATION AND DEEMED IT COMPLETE: \_\_\_\_\_

(SIGNATURE AND DATE)

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