



Taos SmartCode Parking Lot

The following is a list of issues and questions that have been asked in the process of developing and approving the Taos SmartCode ("TND District"). The list is a "work in progress" and is not a comprehensive list of all the questions related to the TND District. New items will be added as they arise.

- "it will ruin Taos"

The TND District is a set of development regulations that are intended to fight suburban sprawl and bring back the character of development that is unique to Taos. The regulations of the TND District are based on the best neighborhoods in Taos. The TND District will enhance the livability of Taos because it requires planning for each neighborhood where the TND District will apply; it regulates development to provide for access to civic spaces, walkable streets, diversity of housing, and to disperse traffic.

- "it will not work in the older parts of Taos"

The TND District requires new subdivisions to create a connected network of streets according to the recommendations of the Neighborhood Plan. Many of the older parts of Taos already have connected streets. The TND District will work very well in the older parts of Town. The older parts of Taos represent the "Taos character." The regulations of the TND District are based on the character of development found in the older parts of Taos. Infill developments will match the existing character and are appropriate for the neighborhood.

- "the rear setback in T3 should be bigger"

The T3 is a sub-urban zone intended for single family residential development. The rear setback in the T3 is 12 feet. Twelve feet is a very appropriate rear setback for a sub-urban zone.

- "it allows only mom and pop shops"

The TND District does not (and cannot regulate) the ownership of a business. It does regulate the size of a lot and the lot coverage for each development. The TND District will be added to the LUDC, where there is a restriction of 30,000 square feet for the size of a single commercial building. The regulations of the TND District will prevail if there is a conflict between the LUDC and the TND District.

- “it allows too much density”

The Vision 2020 Master Plan includes a map showing areas of Taos where higher density is preferred. The TND District allows higher densities than what exist in the LUDC to encourage infill in areas of Town where infrastructure already exists. The TND District regulations for density are based on the density in the Taos Plaza (T5b), Paseo del Pueblo Norte (T5a), Ledoux Street (T4), Birch Street (T3), and Peralta Lane (T3).

Higher density is necessary to fight suburban sprawl and create a livable and diverse neighborhood that makes walking a viable alternative to driving. Increased density, smaller lots, and larger lot coverage will provide for the more efficient use of land resources in Taos. All land within the Town will eventually be developed, creating higher prices for land and higher costs for development for redevelopment projects.

Unlike the Rio Pueblo and Rio Lucero “green belt” where there are many acequias, sensitive surface and ground water resources, and historic landscapes, the Chamisa Verde neighborhood is located in an area of Town where higher density should be allowed.

Many studies and public surveys have shown that people do not oppose higher density as long as the development is properly designed, creates a sense of “identity” to the development, includes public amenities, and encourages pedestrian activity. The TND District is a form-based code that requires that developments replicate the character that is cherished in Taos. This character is modeled after the developments in historic neighborhoods in Taos.

- “the parking requirements are too low”

The proposed parking requirements are appropriate for the allowed uses and densities of each transect zone. The TND district allows a developer to reduce the number of parking spaces for a mixed use project because the demand for parking is different for different times of day. The TND District also allows on-street parking; the on-street parking is counted towards the parking requirements of a development.

- “it allows three story buildings”

An older version of the “Taos SmartCode” allowed a three story building only in the T5 transect zone and only at a corner lot. The recommendation for the three story building is because the La Fonda Hotel is a three storey building and the regulations of the T5 transect zone of the TND District are based on what is found on the Taos Plaza.

- “the roadways are too narrow and prohibit fire truck access”

The width of a roadway in the TND District depends on the transect. Narrower roadways are allowed in more urban transects because narrower roadways tend to reduce traffic speeds. Traffic should be reduced in more

urban areas where there are likely to be more pedestrians and bicycle traffic. Conversely, wider roadways are allowed in more rural transects.

The TND District requires greater roadway connectivity, allowing access to a fire from more than one road.

- “the definitions should be the same as the Land Use Development Code”

The purpose for using different vocabulary in the TND District is to distinguish it from the LUDC. The TND District will be made a part of the LUDC and will share many of the definitions and procedures included in the LUDC.

- “the SmartCode was developed with a top down approach”

The Town hosted numerous meetings since April 2007 to educate the public, land owners, businesses, neighborhood associations, community organizations, and government agencies about the SmartCode. The Town created a web page that was updated throughout the entire “charrette” in September 2007. Numerous radio interviews, newspaper advertisements, and email messages were created to invite the community to participate in the planning process.

- “the Town needs a master plan for infrastructure to provide for the higher density in the SmartCode”

A master plan to identify the future needs for infrastructure is very important to manage growth and development in the Town. Members of the Town of Taos Public Works Department, Public Utilities Department, Police Department, and Fire Departments have commented on potential impacts to infrastructure related to the Chamisa Verde neighborhood plan.

The TND District is only being considered for the Chamisa Verde neighborhood. The Public Utilities Department concluded that the Town has adequate water and sewer capacity to service the proposed development. The Public Works Department has expressed concerns regarding possible traffic congestion. The Town is preparing a traffic impact study to assess the impact of the proposed transect zones to existing intersections and to recommend roadway improvements, if any, to accommodate the increased density in the neighborhood. The Fire Department has expressed concerns over fire access to lots in the event of a structure fire. The Town will be preparing a “Traditional Neighborhood Development District Infrastructure and utilities Standards Manual” document that establishes the specific requirements for all infrastructure, including roadways, to allow adequate fire access. Some of the specific requirements that will be included in the Manual are the locations of fire hydrants, locations for roll-over curbs at intersections, restriction to on-street parking, sprinkling of buildings, design of mid-block fire fighting stations, and other specific engineering requirements to provide for fully functioning infrastructure and utility systems within the neighborhood.

The TND District requires all development applications to be reviewed by the Consolidated Review Committee (CRC). The role of the CRC is to review all applications for development to ensure that it meets all the requirements of the ordinance and that the proposed infrastructure is adequate to service the development. This process will include a rigorous analysis of the specific detail of each development application that ensure adequate fire protection, water and sewer service, and design of the proposed roadways.

- "people have no idea what could appear in their neighborhood since the SmartCode allows mixed use"

Mixed use developments can take two forms. First, a "mixed use" development can include two different uses on the same lot but in different buildings. For example, a developer might want to build a retail store on the front of the lot and have a rental apartment in the back of the lot. A second type of "mixed use" is to have two types of uses within the same building. For example, there could be an office building on the first floor of the same building that has a studio apartment on the second floor.

The TND District regulates the specific land use and mixture of uses according to the transect zone. T2 and T3 allow "restricted" mixed uses; T4 allows "limited" mixed uses; T5 allows "open" mixed use. Tables 8 and 10 of the TND District outline the allowable uses (and mixture of uses) for each transect. Table 8 includes the mixed uses and Table 10 outlines the single uses that are allowed by right or by Conditional Use Permit in each transect. Mixed use development are regulated further by the required parking for each use; however, as stated above, the number of parking spaces required for a mixed use development are lowered because the demand for parking is lowered as a result of mixed use.

Mixed use development is allowed in the TND District to the degree that each use is compatible with each other. Manufacturing uses are not allowed in the same building or lot as residential, for example, but retail is allowed to be mixed with professional office.

- "the street names are wrong"

The consultants have recommended a series of street types and recommended Spanish names (e.g. - camino, calle, paseo, etc.). The Town does not have specific standards for naming roads.

Branding the streets is not necessary. Street types can be removed provided that the design standards remain the same.

- "you have street patterns that don't match up to street patterns that already exist to the north [of Chamisa Verde]"

The Chamisa Verde Neighborhood Plan recommends several roadways that connect to existing roads such as Cruz Alta, Adobe, and NM 585. The existing street pattern requires all traffic to enter and exit the neighborhood on NM

585. The proposed street pattern will give residents and visitors many alternatives to get in and out of the neighborhood, thereby reducing traffic congestion along NM 585.

The Town is preparing a traffic study to analyze the traffic impacts of the proposed changes from the existing zones to the transect zones of the TND District.

- “you should show people what the streets are really going to look like”

Table 2C of the TND District includes several “Thoroughfare Assemblies.” Each thoroughfare type includes details about the roadway, including the right of way, lane widths, pedestrian facilities, design speed, etc. The TND District is very flexible where each thoroughfare can be “assembled” according to the transect. This process allows the developer or the Town to design the roadway that is best suited for the existing right of way and anticipated traffic along the transect zone. The design process allows for adequate capacity of the roadway plus the pedestrian amenities (sidewalks and landscaping) that are necessary for the anticipated pedestrian traffic along the roadway.

- “instead of using T2, T3, etc., you should use the same zoning categories as are in the LUDC, such as R-2, R-4, C-1, etc.”

Each transect zones allows a degree of mixed use where the zones of the LUDC prohibit mixed use unless the owner applies for a Planned Unit Development; therefore, the zones are not compatible and should keep the transect names.

- “someone is going to make a lot of money off the higher density”

Developers take financial risks when developing land and should be compensated for the risk and investment; however, as stated above, the Town needs to encourage higher density in the center of Taos where there is existing infrastructure and developable land.

Higher density for residential development makes affordable housing attainable, reducing the development costs per unit and therefore the price to the consumer.

- “how did the Las Haciendas subdivision get included into the Chamisa Verde neighborhood?”

The TND District proscribes the minimum and maximum size of a neighborhood. The size of the neighborhood is between 40 and 160 acres. Additionally, a neighborhood is bordered by significant thoroughfares such as NM 585 as well as natural features, existing development such as the Taos Middle School, and municipal borders. NM 585, Cruz Alta, the Taos Middle School, and the Las Haciendas subdivision are obvious borders for the Chamisa Verde neighborhood. The name of “Chamisa Verde” was selected

because of the Town's affordable housing development also called "Chamisa Verde."

The Las Haciendas subdivision is located immediately north of the Chamisa Verde neighborhood. Eight existing lots on the south side of Camino Cortez were included in the neighborhood plan to allow access to the Youth and Family Center and other recreation (e.g. – parks, playgrounds, and a new plaza) as well as the anticipated commercial developments within the neighborhood. These lots may have been subdivided as a part of the Las Haciendas subdivision in name only. The naming of the subdivision and the timing of the subdivision does not preclude neighborhood planning.

Neighborhoods should not be severed from the "fabric" of the surrounding community. Neighborhoods should be connected to each other through roadway connections which provide vehicle and pedestrian access to recreation, commercial developments, and community services.

- "are any of the buildings based on solar power?"

The TND District is a new zone classification, not a building code, and does not regulate construction or requirements for solar power. However, the Town is considering an ordinance that requires energy efficiency and water conservation for town buildings and new construction.

- "existing buildings and existing zoning should be considered in the neighborhood plan"

The TND District includes a list of items that must be included in the Traditional Neighborhood Plan. The list includes the consideration of "existing conditions" when proposing the transect zones. Existing buildings and existing zoning are included as existing conditions, particularly when planning new thoroughfares and in consideration of up-zoning and down-zoning so that the proposed transect is consistent with the character of the existing neighborhood.

- "are easements in place for the new roads?"

No. The Chamisa Verde Neighborhood Plan was adopted by a resolution of the Town Council. It is not the law. The Chamisa Verde Neighborhood Plan and the Illustrative Plan recommend new thoroughfares to provide roadway connectivity and walkability throughout the neighborhood. The intent of both plans is to provide recommendations to the Town and to developers as development occurs. The plans do not mandate that the thoroughfares be built as identified on the plans; however, the TND District does have regulations for the maximum size of a block and for thoroughfare types. These regulations provide for the roadway connectivity in the neighborhood for the capacity and character of the new thoroughfares. The precise easements and design of the roadways will be determined at a later date when the Consolidated Review Committee reviews an application for new development.

- “you are allowing great density on dirt roads”

The proposed transect zones in the Neighborhood Plan are based on existing zones, the required allocation of transects within the neighborhood, and the overall policy to avoid down-zoning. (The TND District provides for diversity of housing, recreation, and commercial activity; it accomplished this diversity by requiring each plan to include a minimum and maximum of each transect zone. Down zoning is when the local government changes the existing zoning to a lower density or use. For example, changing the zoning from commercial to residential uses or from residential use to agricultural use, or from high density residential to low density residential. Down zoning is legal but not always politically acceptable).

The existing zoning map identifies R-14 zoning for the large lots immediately south of Camino Cortez. Camino Cortez is a dirt road. These lots are recommended for T4 transect zone. The T4 transect allows 14 residential units per acre. The T4 allows the same residential density as the R-14 zone. The TND District requires the development of thoroughfares with the development of land. The design and development of each thoroughfare is consistent with the allowed density and desired character for each transect (e.g. – sidewalks, landscaping, etc.).

Both the Town of Taos Land Use Development Code and the TND District require infrastructure improvements when land is developed, but neither code specifies who must pay for the infrastructure improvements. The Town and developers would benefit from an ordinance that specifies when the infrastructure would be developed and who is required to pay for the improvements.