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**PLANNING & ZONING
COMMISSION:**

Thomas P. Wittman, Chair
Henry Caldwell
Richard Duffy
Neal King
Susan Nichols
J. Christopher Stagg
Jim Woodard

VILLAGE ADMINISTRATOR:
Mark G. Fratrack

**DIRECTOR OF PLANNING &
COMMUNITY DEVELOPMENT:**
Patrick Nicholson

VILLAGE CLERK:
Ann Marie Wooldridge

**PLANNING & ZONING COMMISSION
REGULAR MEETING AGENDA**

MONDAY, NOVEMBER 5, 2018 1:00 P.M.
EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO

AGENDA

- I. CALL TO ORDER & ROLL CALL**
- II. APPROVAL OF THE AGENDA**
- III. APPROVAL OF THE MINUTES OF THE AUGUST 23, 2018 and the
OCTOBER 1, 2018 P&Z COMMISSION MEETINGS**
- IV. NEW BUSINESS**
A. PUBLIC HEARING: Consideration to Approve Application for
Conditional Use for Wireless Communication Tower Installation
near the Fraser Mine Outcropping on the Northside at Taos Ski
Valley Property in the Village of Taos Ski Valley, by Pattison Trust,
LLC
- V. OLD BUSINESS**
- VI. MISCELLANEOUS**
- VII. ANNOUNCEMENT OF THE DATE, TIME, AND PLACE OF THE NEXT
MEETING**
- VIII. ADJOURNMENT**



Village of Taos Ski Valley
 PO Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525
 (575) 776-8220 (575) 776-1145 Fax
 E-mail: vtsv@vtsv.org Website: www.vtsv.org
Mayor: Christof Brownell
Council: Jeff Kern, Roger C. Pattison,
 J. Christopher Stagg, Thomas Wittman
Administrator: Mark G. Fratrack,
Clerk: Ann M. Wooldridge, CMC
Finance Director: Nancy Grabowski

NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN of the following meetings of the Village of Taos Ski Valley, New Mexico and the dates, times and locations of the meetings:

| MEETING | DATE & TIME | LOCATION |
|---|--|-----------------------------------|
| KACHINA MASTER PLAN COMMITTEE | CANCELLED | |
| PUBLIC SAFETY COMMITTEE | Monday, November 5, 2018 10:00 a.m. | Martini Tree TSV Resort Center |
| FIREWISE COMMUNITY BOARD | Monday, November 5, 2018 11:00 a.m. | Martini Tree TSV Resort Center |
| PLANNING & ZONING REGULAR MEETING <i>PUBLIC HEARING: Consideration to Approve Application for Conditional Use for Wireless Communication Tower Installation near the Fraser Mine Outcropping on the Northside Property in the Village of Taos Ski Valley, by Pattison Trust, LLC</i> | Monday November 5, 2018 1:00 p.m. | Edelweiss Lodge Club Room |
| VILLAGE COUNCIL SPECIAL MEETING <i>Utility Rates Discussion</i> | Tuesday November 6, 2018 9:30 a.m. | Edelweiss Lodge Club Room |
| VILLAGE COUNCIL REGULAR MEETING <i>PUBLIC HEARING FOR CONSIDERATION TO JOIN THE NORTH CENTRAL REGIONAL TRANSPORTATION DISTRICT AND TO ADOPT RESOLUTION NO. 2019-371 A RESOLUTION TO JOIN THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT AS A VOTING MEMBER OF THE DISTRICT AND PARTICIPATE IN THE AFFAIRS OF THE DISTRICT</i> | Tuesday November 13, 2018 2:00 p.m. | Edelweiss Lodge Club Room |
| TIDD BOARD REGULAR MEETING | Wednesday, November 14, 2018 1:00 p.m. | Edelweiss Lodge Club Room |
| PARKS & RECREATION COMMITTEE | Thursday November 29, 2018 3:00 p.m. | Edelweiss Lodge |
| LODGER'S TAX COMMITTEE | TBA | Snakedance Condominiums |

These meetings will be public meetings to consider various items of business. A copy of the agenda for each meeting will be available for inspection 72 hours prior to the meeting. Persons wishing to comment on items listed on the proposed agendas may submit written comments to the Village offices on or before 5:00 p.m. on the day prior to the meeting. Persons with disabilities may request accommodations no later than 5:00 P.M. on the day prior to the meeting. This notice shall be posted at the Village Office, Box Canyon, Village Message Board in the TSV Chamber of Commerce and three other public places within the municipality as provided by Section 3-1-2 NMSA 1978. /s/ Ann M. Wooldridge, Village Clerk, posted October 15, 2018, amended October 30, 2018.



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

TENDERFOOT KATIE'S, TSV RESORT CENTER,
TAOS SKI VALLEY, NEW MEXICO

THURSDAY, AUGUST 23, 2018 1:00 P.M.

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:00 p.m. Roll call was taken and a quorum was established. Commission members present: Henry Caldwell, Richard Duffy, Neal King, Susan Nichols, Chris Stagg, and Tom Wittman. Commission Members absent: Jim Woodard. Staff members present: Village Administrator Mark Fratrack, Planning Director Patrick Nicholson, Village Clerk Ann Wooldridge, Public Works Director Ray Keen, Public Works Superintendent Olaf Mingo, Public Works Administrative Assistant Christina Wilder, Building Official Rich Willson, and Attorney Dennis Romero.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Commissioner King

Second: Commissioner Nichols

Passed: 6-0

III. APPROVAL OF THE MINUTES OF THE JULY 2, 2018 P&Z COMMISSION MEETING

MOTION: To approve the minutes as presented

Motion: Commissioner Stagg

Second: Commissioner King

Passed: 6-0

Note: a quorum of the Village Council was in attendance at this meeting.

IV. NEW BUSINESS

A. PUBLIC HEARING: Consideration to Approve Application for Variances to the Retaining Wall Height and to the Driveway Width at Block 7, Lots 5 and 6A, Amizette Subdivision, New Village Hall Property 1346 State Road 150, in the Village of Taos Ski Valley, by the Village of Taos Ski Valley. The Village of Taos Ski Valley, the applicant, acquired property at 1346 State Road 150 and is renovating and adding to an existing building to construct a new Village Hall building. The property also includes ten existing apartment units. The on-going site work requires retaining walls, sections of which exceed the ten foot maximum height requirement of the Village Zoning Ordinance No. 17-30.

Building Official Willson explained that the highest point of the wall would only be visible from midway up the driveway entrance. The wall will not be visible from the property to the right. The parking lot and wall would extend to the property line on the left. The wall would be made of smooth masonry stones in a nutmeg color.

The variance for the driveway width was no longer necessary as NM DOT had approved a revised narrower driveway width that is within Village regulations.

PUBLIC HEARING: Commission Chair Wittman opened the Public Hearing. Speaking in favor of the variance request were staff members Nicholson and Willson. Also speaking in favor was adjacent property owner Al Johnson, who said that he supports the changes because the community needs a new Village Hall as well as the apartments. He noted that he hoped that if he needed a variance in the future, that he would be supported. No one spoke against. The Public Hearing was closed.

MOTION: To Approve the Application for Variance to the Retaining Wall Height at Block 7, Lots 5 and 6A, Amizette Subdivision, New Village Hall Property 1346 State Road 150, in the Village of Taos Ski Valley, by the Village of Taos Ski Valley

Motion: Commissioner Duffy

Second: Commissioner King

Commission Chair Wittman thanked Building Inspector Willson for all of his hard work on the new Village Hall. The other Commissioners also thanked him. Building Inspector Willson had drawn all of the plans for the grading and driveways by hand.

Commission Chair Wittman called for a vote.

Passed: 6-0

B. PUBLIC HEARING: Consideration to Approve Application for Variances to the Building Height and to the Riparian Setback at Parcel D (Block H, Lots 2 and 3, O.E. Pattison Subdivision) 8 and 10 Thunderbird Road, in the Village of Taos Ski Valley, by TSV Inc.

As a follow-up to their recently approved Conditional Use Permit on Parcel D located within the Core Village Zone, TSV, Inc. is requesting a variance to the riparian setback requirements of the Village Zoning Ordinance No.17-30. A variance for the building height is no longer necessary as the building fits within building height limits.

Carl Pearson, with Hart & Howerton Architects, presented the history of the Parcel D project. The conditional use permit granted in 2014 was for two buildings on one lot. The new plan has the two buildings on two lots. One building will now be on the old Thunderbird Lodge and Terry Sports properties, across the street.

Building A, on Parcel D, has been situated further away from Alpine Village Suites. The variance request is to extend the building 9'10" into the riparian setback, leaving 10'2" of riparian setback. 97.5% of the riparian area was previously preserved, while now 98.2% of the riparian area will now be preserved. Mr. Pearson noted that the tree conservation area has increased.

Mr. Pearson explained that the building site allows for a plaza and a pedestrian passage for skiers to access a bridge to cross the river to the ski lifts. There will be one level of underground parking, one level of mixed-use development, and three levels of residences. The turning radius required in the garage has created a need to extend the building. Mr. Pearson said that the combination of moving the building, increasing the tree area, and increasing the public space for the ice rink and the market building combined to require that the building extend in one corner, into the setback.

Audience members asked if an environmental study had been completed, however this was not a requirement. TSVI's B Corporation status is not impacted in any way by this variance request. The acreage of Parcel D is one and a half acres.

PUBLIC HEARING: Commission Chair Wittman opened the Public Hearing. Speaking in favor of the variance request was Peter Talty with TSVI, saying that the variance request had been approved two years previously. Now, the variance is less than it had been, he noted. Mr. Talty said that the overall programming of the new plan is much more desirable. Peter Johnson, with TSVI, also spoke in favor. Homeowner Al Johnson spoke in favor, saying that the project is good for the community and that as a citizen of Taos Ski Valley, he is in favor. Building Official Willson spoke in favor, saying that the project would be a positive improvement for the Village.

Speaking against were Rachel Conn, with Amigos Bravos, who said that her organization has been concerned with this stretch of the river for many years, even when the Blake family owned TSVI. There is concern with activity on the banks of the river, as well as with the lack of riparian landscaping and vegetation growth, she said. Ms. Conn said that they had been pleased to see the removal of the road in what was formerly known as Siberia. She said that Taos County regulations require an 80 foot setback for commercial properties, and a 40 foot setback for residential properties, on a parcel of less than two acres. Ms. Conn said that several studies show that the bigger the setback, the better it is for the river. She stated that just because it was approved previously was not a reason to approve the variance request another time. She said that she is also against allowing a walking path along the river, in the setback. Ms. Conn said that she thought that the building programming should have been changed, and she urged the Commission to not approve the variance request.

Also speaking against was homeowner Christof Brownell, who is also the Mayor, who said that he is in favor of the new design, but didn't think that Village ordinances were being upheld if variances to the ordinance were allowed. He said that he thought that the building could have been re-designed to prevent an encroachment into the setback. Mayor Brownell said that he is also concerned with the river setback on the opposite side of the river.

Property owner Roger Pattison, who is also a Councilor, said that he shares Mayor Brownell's concerns. He said that he didn't think that previously the P&Z Commission would not have considered granting a variance to the riparian setback.

Asia Golden, an employee of the Edelweiss Lodge, said that she is an environmentalist and against the request and thought that the building should have been re-designed.

The Public Hearing was closed.

MOTION: To approve the Application for Variance to the Riparian Setback at Parcel D (Block H, Lots 2 and 3, O.E. Pattison Subdivision) 8 and 10 Thunderbird Road, in the Village of Taos Ski Valley, by TSV Inc.

Motion: Commissioner King

Second: Commissioner Duffy

Discussion followed. It was explained that the setback appears different in 2018 from the 2014 version because the stream restoration that has occurred has changed the center line of the stream. Mr. Talty explained that situating the building with a corner in the setback allows for better pedestrian access. He said that even with the encroachment, there is still difficulty in meeting the handicapped-accessible requirements. The required garage space has influenced the design of the building, he said.

Mr. Talty also explained that there would be a storm water pollution protection plan in place to protect the river during construction of the building and that TSVI is meeting State and Village requirements for the project. A geoscience company is on hand weekly to monitor all of TSVI's projects vis-à-vis the river. Mr. Talty said that re-planting would occur in the riparian area, and pointed out that the Sutton Place river area was well planted after work was completed.

Commission Chair Wittman called for a vote.

Passed: 6-0

Staff noted that all adjacent property owners had been notified of the variance request and the public hearing and that there had been no response to Staff from letters or otherwise.

V. OLD BUSINESS

A. Consideration to Recommend Approval of the 2020-2024 Village of Taos Ski Valley Infrastructure Capital Improvement Plan (ICIP)

Planning Director Nicholson presented the 2020-2024 ICIP, which had been discussed in the previous P&Z meeting as a draft. He said that Village Staff had weighed in on the various projects and their priorities.

Director Nicholson explained that the ICIP goes to the State of New Mexico Local Government Division. It prioritizes the Village's action plan and holds staff accountable. However, it should also be realistic. He said that although Public Safety projects are always important, there is not always the funding to move ahead with lots of Public Safety projects. The list of TIDD projects should also be accounted for in looking at Village infrastructure projects. The list presented also encompassed current Village projects underway and funded, such as the Kachina Water Tank, the Wastewater Treatment Plant, the renovation of the new Village Hall, and the Gunsite Springs study.

Director Nicholson discussed the list of projects, which began with roadway improvements, hiker parking lot bathrooms, water line improvements, and the designation of a Kachina area wetland park. He noted that all projects would go to the Village Council for approval and for funding. The Shopoff group has contributed funds towards the Gunsite Spring study, he said. Cost estimates are always estimates. Commissioner King noted that one list of project priorities gets submitted to the State, but the Village can also keep an internal list of projects. The top four or five items are the central ones that are considered by the State.

Homeowner Kathy Bennett asked about items 22.2 and 23.1, which are the design and engineering for Block N water and sewer lines, and the construction of same. She said that there is currently no fire suppression in Block N because the water lines do not extend to that area. She thought that these were more important than items higher on the list, such as a Kachina Wetlands Park, improvements to the Kachina Vista Park, and hiking trails to Amizette. Homeowner Jeff Kern, who is also a Councilor, said that life safety items should always be at the top of the list.

MOTION: To Recommend Approval by the Council of the 2020-2024 Village of Taos Ski Valley Infrastructure Capital Improvement Plan (ICIP)

Motion: Commissioner Stagg

Second: Commissioner King

Discussion took place. Homeowner Ben Cook said that it would be a positive move to conduct a Kachina Road study as the traffic to the Kachina area has increased greatly in the past few years. He asked that he Village run a water truck on the weekends in the future. Mr. Cook said that the dust is detrimental to tourism and that people won't visit Taos Ski Valley because of the dusty roads.

Commission Chair Wittman called for a vote. Passed: 6-0

VI. MISCELLANEOUS

A. Planning Director Nicholson announced that new, larger signs had been ordered by the Village for use for public notices, such as for variance applications and conditional use applications.

B. Planning Director Nicholson asked the Commissioners whether providing paper copies of the P&Z packets was important, or if electronic versions were adequate. Some Commissioners said that electronic versions were fine, and others noted that paper versions, especially of drawings and diagrams, were useful.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting of the Planning & Zoning Commission will take place on Monday, October 1, 2018 at 1:00 p.m. at Tenderfoot Katie's in the TSV Resort Center. The Kachina Maser Plan Open House will take place on Saturday, September 22, 2018 at 1:00 p.m. This was held at Tenderfoot Katie's in the TSV Resort Center.

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Commissioner Stagg

Second: Commissioner Duffy

Passed: 6-0

The meeting adjourned at 3:00 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

TENDERFOOT KATIE'S, TSV RESORT CENTER,
TAOS SKI VALLEY, NEW MEXICO

MONDAY, OCTOBER 1, 2018 1:00 P.M.

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:00 p.m. Roll call was taken and a quorum was established. Commission members present: Richard Duffy, Neal King, Susan Nichols, Chris Stagg, Tom Wittman, and Jim Woodard. Commission Members absent: Henry Caldwell. Staff members present: Village Administrator Mark Fratrack, Planning Director Patrick Nicholson, Village Clerk Ann Wooldridge, Police Chief Sam Trujillo, Building Inspector Jalmar Bowden, Public Works Director Ray Keen, Public Works Administrative Assistant Christina Wilder, and Attorney Dennis Romero.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Commissioner Stagg

Second: Commissioner King

Passed: 6-0

III. APPROVAL OF THE MINUTES OF THE JULY 27, 2018 P&Z COMMISSION MEETING

MOTION: To approve the minutes as presented

Motion: Commissioner Stagg

Second: Commissioner Duffy

Passed: 6-0

IV. NEW BUSINESS

A. PUBLIC HEARING: Consideration to Approve an Application for a Conditional Use Permit to Install and Operate a Ropes Course Adventure Tour on Tract L around the Pioneer Glade Ski Run Area in the Village of Taos Ski Valley, by TSV Inc.

TSV, Inc.(TSVI) is requesting approval of a Conditional Use Permit to install and operate a ropes course adventure tour on Tract L near and around the Pioneer Glade Ski Run area. The Taos Adventure Course is intended to supplement recreational options and visitor amenities during the summer and winter seasons. This is a new proposal.

Representatives of TSVI presented the ropes course plan, which will be a family-focused activity for use by people of all ages, and which will be a year-round activity. Named Taos Adventure, the course will include several zip lines and challenge towers, as well as six rope bridges. Each challenge tower would have multiple activities, with "blue" and "green" level of difficulty posted. In the canopy of trees near the Pioneer Glade lift, the ropes course would be 35 feet in the air. TSVI would staff the entrance, as well as the start of each zip line, but the remainder of the course would be self-directed. TSVI is planning for installation of the course in mid-April 2019, in order to open at the end of July or early August 2019. The cost would be around \$40 to \$60. For safety measures, an EMT would be available in winter, and the summer bike patrol safety staff would monitor the course in summer.

No variances are being requested only a conditional use permit for recreational use, which is required in the Core Village Zone.

PUBLIC HEARING: Commission Chair Wittman opened the Public Hearing. Speaking in favor of the conditional use request was TSVI's Peter Talty, who said that TSVI was continuing its effort to increase the guest experience, that this was a great activity for kids and at the après-ski time of day, and that TSVI is working towards providing more activities as the bed base increases in the Village. Others speaking in favor were Shopoff representative Mark Rogers, and property owner Kelly Grosstette. Henry Hornberger,

with TSVI, spoke in favor and said that this ropes course would give visitors more reasons to stay and plan a day or more in Taos Ski Valley. TSVI President David Norden said that they had received many requests for diversification and for more activities. He said that in the ski industry, there was a 20-year trend towards providing four-season activities. TSVI has been behind, and so is working to catch up. No one spoke against. The Public Hearing was closed.

MOTION: To Approve the Application for a Conditional Use Permit to Install and Operate a Ropes Course Adventure Tour on Tract L around the Pioneer Glade Ski Run Area in the Village of Taos Ski Valley, by TSV Inc., with the five conditions outlined by Village Staff

Motion: Commissioner King

Second: Commissioner Duffy

Patrons will be made aware that parking is to occur in the main TSVI parking lot, and not on O.E. Pattison Loop or in Pioneer's Glade. Building Inspector Bowden explained that the State has oversight on such a project, as it is a special use and comes under the building code rules for amusement park rides. Applicable inspections are completed by the insurance companies for such activities. A building permit is therefore not required.

Commission Chair Wittman called for a vote.

Passed: 6-0

B. INFORMATIONAL PRESENTATION: Presentation of a Subdivision Sketch Plat for Lots 1 & 2 of Block 2 and Block 4 of the Kachina Village Subdivision in the Village of Taos Ski Valley, by The Resort at Taos Ski Valley, LLC

Brain Rupp with Shopoff Realty Investments presented the plan for a development named The Resort at Taos Ski Valley, to be situated on Lots 1 and 2 of Block 2 in the Kachina Subdivision, and on the formerly proposed Block 4 of the Kachina Subdivision. The parcels total 74.30 acres and have approximately 3,100 feet of frontage along Kachina Road. The project plan includes two boutique luxury and approximately 60 villas with resort access. The hotels will incorporate retail, food and beverage, and pool/spa amenities. The finishes in the buildings will be natural, using dark wood and natural stone. Shopoff is working with the founder of Aman Resorts on the development. Mr. Rupp explained that many high-level professionals, who have worked with Aman, will be associated with the project. They have built two other resorts at 10,000 feet or above.

Mr. Rupp said that the overall goal is to provide a sensitive development that unifies natural resource protection, trail access and recreation, while maintaining 76% of the forested land as permanent open space. Trails will be private and public. He said that Shopoff specializes in planning development on hillsides, and that they are used to master planning and writing codes. Their developments always use the features of the land and retain the distinct and delicate features of the terrain.

The next steps are for Shopoff to present a preliminary plat for approval, then a final plat approval, then to apply for conditional use for the hotel. The presentation today was to get information out about the proposed project, and to get feedback from the community. Homeowner Ben Cook said that it looked like an excellent proposal.

V. OLD BUSINESS

VI. MISCELLANEOUS

A. Planning Director Nicholson reported that he had administratively approved an Amizette lot line adjustment for Block 6 Lot 1, which had previously been discussed at a P&Z meeting.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting of the Planning & Zoning Commission will take place on Monday, November 5, 2018 at 1:00 p.m. at the Edelweiss Lodge Club Room.

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Commissioner Duffy

Second: Commissioner Stagg

Passed: 6-0

The meeting adjourned at 3:00 p.m.

Tom Wittman, Chairperson

ATTEST:

Ann M. Wooldridge, Village Clerk



Planning & Zoning Commission

Thomas P. Wittman, Chair
Henry Caldwell
Richard Duffy
Neal King
Susan Nichols
J. Christopher Stagg
Jim Woodard

Staff Report:

Conditional Use Permit Northside at Taos Ski Valley

1. Case Summary

Date of Hearing: November 5, 2018
Application Received: September 26, 2018
Date of Posting: October 22, 2018
Plan Review Fees: \$1,500 - Commercial, Conditional Use Permit
Project Description: Pattison Trust LLC is requesting approval of a Conditional Use Permit to install a wireless communication tower near the Fraser Mine Outcropping on the Northside properties. The seventy five (75) foot tower would be designed to blend into the surrounding landscape and minimize visual impact.

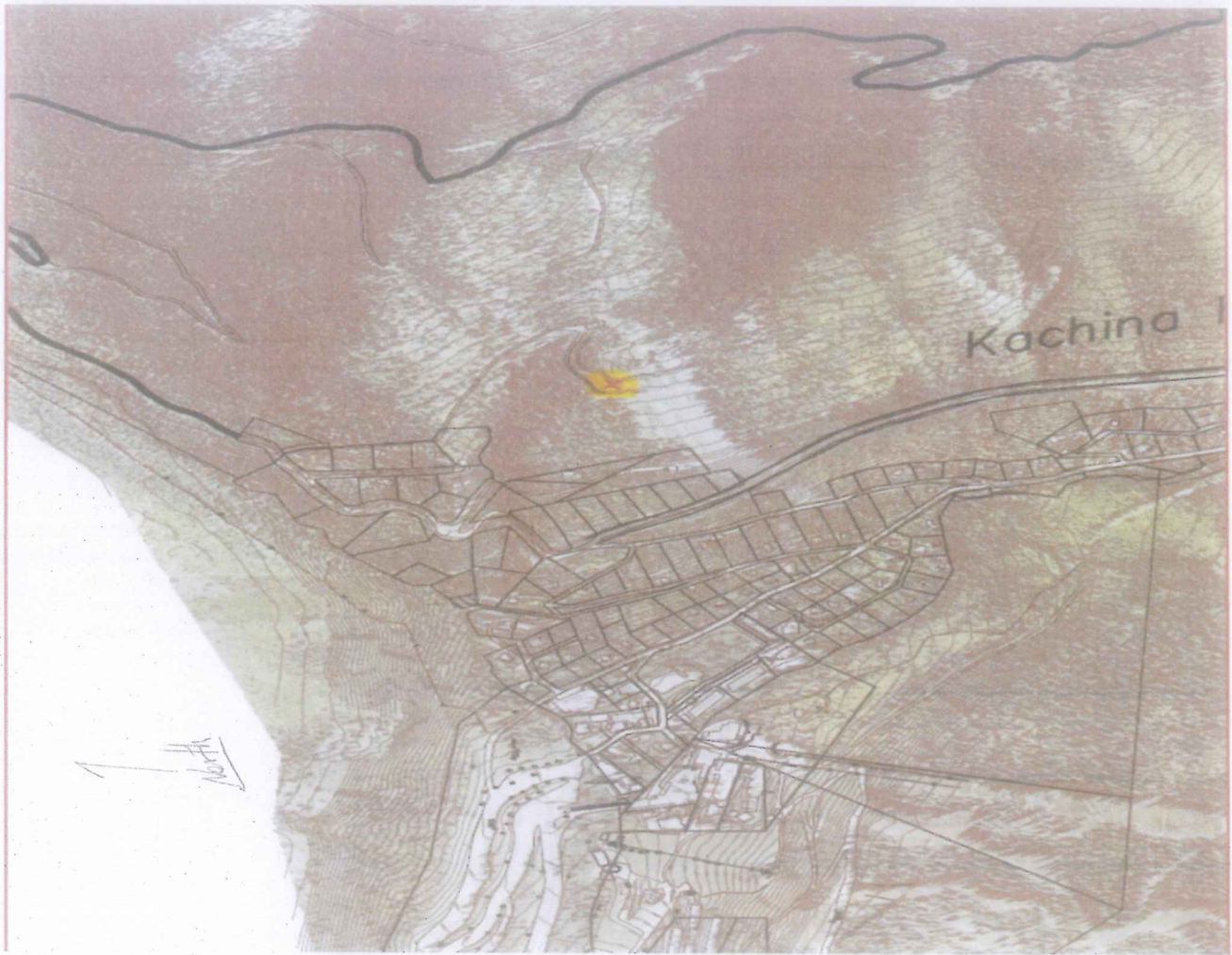
The applicant's project narrative, zoning compliance, and site information are attached.

Prior Actions/Approvals: The Planning & Zoning Commission (Commission) approved the Wireless Communication Master Plan on July 6, 2015 and the Village Council adopted the same on July 16, 2015.

The Commission considered a nearly identical application during the Fall of 2016. Prior to a determination, the application was withdrawn by the applicant.

2. Context Maps

Overview of the Project Site:



3. Adherence to the Wireless Communication Master Plan

The proposed wireless communication tower complies with the intent, goals, and policy objectives expressed in the recently adopted Village Wireless Communication Master Plan. Furthermore, the project location is in the vicinity of one of the three recommended areas for cell tower placement.

4. Zoning Analysis:

Section 19 – Wireless Communication Towers & Antennas of the Village Zoning Ordinance directly addresses an array of issues and stipulates the conditions which must be met in the granting of a Conditional Use Permit for cell tower installation. The applicant has directly responded to each item in the General Requirements and more specifically, has

provided information to determine compliance with Village requirements for the granting of a Conditional Use Permit for tower installation in Section 19.6.

The proposal meets the criteria and requirements of the Village Zoning Ordinance.

5. Recommendation: Staff recommends a motion to **Approve** the Conditional Use Permit **Subject to the Conditions** outlined below. If approved, the Planning Officer will proceed to consideration of a Certificate of Compatibility.

6. Proposed Conditions:

1. The wireless communication tower shall meet or exceed the design, landscape, and aesthetic requirements of Section 19 of the Village Zoning Ordinance.
2. The Village must issue a Building Permit and all applicable permits prior to commencement of any construction or site alteration. All installation documents must be signed and certified by a licensed professional engineer.
3. The Conditional Use Permit (CUP) shall be granted for a period of two years. If a Certificate of Completion is issued by the Village and copies of telecommunication service provider agreements which show activation dates prior to the two year CUP expiration date are provided to the Village Planning Officer, then upon receipt, the CUP would be made permanent.
4. A performance bond is required to ensure the proper and timely removal of the tower and any and all associated facilities. The amount of the performance bond will be established administratively by Village staff.
5. Applicant shall improve the roadway to the site sufficiently for emergency vehicles access and acceptable to the Village Public Works Director or Village Engineer.
6. A provision to allow a chain link fence sufficiently colored or stained to blend into the surrounding landscape.
7. A signed notarized statement as provided in the applicant submittal packet, which complies with Section 19.6.2.a.8 of the Village Zoning Ordinance.
8. Any substantial changes to the application must be approved by the Planning and Zoning Commission; all other changes must be approved administratively by the Planning Officer and as required by the Zoning Regulations.

7. Public Notice & Public Comments

The notice of public hearing was mailed to all adjacent property owners. Two public notice signs were placed on or near the property on October 22, 2018.

The application and Staff Report were made available at the Village Office for public review. The following written comments were received from the public:

None received.

8. Staff Endorsements

Submitted By:

Patrick Nicholson, Director & Planning Officer
Community Development Department

9. Attachments

Applicant site and vicinity maps, site plan, representative photo of cell tower design and camouflage, and project narrative and zoning compliance.



Planning and Zoning Commission

Resolution 16-285

APPROVING THE WIRELESS COMMUNICATIONS MASTER PLAN

WHEREAS, the Planning and Zoning Commission adopted the Village of Taos Ski Valley Master Plan in November 8, 2010 by Resolution 11-198; and

WHEREAS, Section 3-19-10 of the New Mexico state statutes allow the Planning and Zoning Commission to adopt "a part of the master plan as work progresses on the master plan; provided the part corresponds with one of the functional subdivisions of the subject matter of the plan;" and

WHEREAS, the Planning and Zoning Commission finds it necessary to adopt the Wireless Communications Master Plan to reflect the most current goals, policies, and objectives for the provisions of safe and reliable wireless communications throughout the Village in order to better serve the safety and overall economy of the Village; and

WHEREAS, the goal, policies, and objectives of the Master Plan are based on careful and comprehensive studies of existing conditions, probable future growth of the Village, and citizen input from Village residents, businesses, and property owners; and

WHEREAS, the Planning and Zoning Commission has reviewed the Wireless Communications Master Plan, together with the accompanying maps, charts, descriptive and explanatory matter; and

Now, be it resolved, that the Planning and Zoning Commission approves the Wireless Communications Master Plan and encourages the Village Council to adopt the Master Plan.

Approved by the Planning and Zoning Commission this 6th day of July, 2015.



Planning and Zoning Commission

Tom Wittman
Tom Wittman, Chair

ATTEST:

Ann M. Worldridge
Village Clerk

Vote: For 5 Against 0 Abstain 0



**Village Council
Resolution 16-290**

ADOPTING THE WIRELESS COMMUNICATIONS MASTER PLAN

WHEREAS, the Planning and Zoning Commission approved Resolution 15-286 – Approving the Wireless Communications Master Plan; and

WHEREAS, Resolution 15-286 encourages the Village Council to adopt the Wireless Communications Master Plan; and

WHEREAS, Section 3-19-10 of the New Mexico state statutes allow the Village to adopt “a part of the master plan as work progresses on the master plan; provided the part corresponds with one of the functional subdivisions of the subject matter of the plan;” and

WHEREAS, the Village Council finds it necessary to adopt the Wireless Communications Master Plan to reflect the most current goal, policies, and objectives for the provisions of safe and reliable wireless communications throughout the Village in order to better serve the safety and overall economy of the Village; and

WHEREAS, the goal, policies, and objectives of the Master Plan are based on careful and comprehensive studies of existing conditions, probable future growth of the Village, and citizen input from Village residents, businesses, and property owners; and

WHEREAS, the Village Council has reviewed the Wireless Communications Master Plan, together with the accompanying maps, charts, descriptive and explanatory matter; and

Now, be it resolved, that the Village Council adopts the Wireless Communications Master Plan.

PASSED, ADOPTED AND APPROVED this 14th day of July,
2015.

THE VILLAGE OF TAOS SKI VALLEY

Neal King
Mayor

Attest:

Ann M. Worldridge
Village Clerk

Vote: For 4 Against 0





Wireless Communications Master Plan

2015

PURPOSES OF THE PLAN

The Village Planning and Zoning Commission and the Village Council have determined that there is a need to enhance wireless communications services in order to increase the safety of Village residents, employees, and visitors and to improve the economic development opportunities in the community. The Planning and Zoning Commission and the Village Council believe that the visual impacts of wireless communications towers must also be minimized in order to preserve the natural beauty of the Village.

The purposes of the Wireless Communications Master Plan is to provide the community and developers with criteria necessary to determine the most suitable locations for wireless communications towers and to define the role of the Village in developing and regulating wireless communications services within the Village boundaries.

EXISTING CONDITIONS

Presently, telephone and internet wireless communication is unreliable and inconsistent within the Village. Although many residents, employees, and visitors have expressed the need for improved services, the Village does not yet regulate the siting and construction of wireless communications towers or antennas. However, the Village Planning and Zoning Commission is considering an amendment to the Zoning Regulations (Ordinance 14-30) to include regulations and approval procedures for constructing a wireless communications tower.

Wireless communications (phone and internet) services are currently provided by Verizon, AT+T, Comnet, and T-Mobile. Taosnet provides internet through a "point to point" wireless system.

Taos Ski Valley, Inc. is working with the Village, Kit Carson Electric Cooperative, and New Mexico Gas Company in digging a utility trench along the entire length of NM 150 to provide broadband internet and to bury the overhead power lines along the highway. This work is estimated to cost approximately \$9 million and is expected to be

completed by the end of 2018. The Tax Increment Development District (TIDD), Kit Carson Electric Cooperative, NM Gas Company, and the Village are sharing the costs for the trenching project.

SITE SELECTION CRITERIA

The siting of a tower will be determined by forthcoming zoning regulations. These regulations will include the following criteria for determining the specific location of a wireless tower:

1. **COVERAGE** – The location must provide adequate coverage to prevent the construction of additional towers, thereby protecting the aesthetics of the Village and minimizing the impact to property values. Locations(s) should provide maximum service to all constituents, including residents, visitors, and business.
2. **CAPACITY** – The location of the tower should maximize the amount of data transmittable by the tower. The higher the capacity of the tower, the fewer towers necessary.
3. **CONTINUITY** – The location of the tower should provide uninterrupted service without sacrificing the continuity and integrity of the landscape and natural resources.

GOAL, POLICIES & OBJECTIVES

The Planning and Zoning Commission and the Village Council will utilize the following goal, policies and objectives in order to make informed decisions regarding the siting and construction of wireless communications towers.

GOAL

The Village receives reliable and affordable wireless communications services while protecting the environmental integrity and aesthetic beauty of the Village's landscapes and natural resources.
