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**PLANNING & ZONING  
COMMISSION:**

Thomas P. Wittman, Chair  
Henry Caldwell  
Richard Duffy  
Yvette Klinkmann  
Susan Nichols  
J. Christopher Staggs  
Jim Woodard

**VILLAGE ADMINISTRATOR:**  
John Avila

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

**VILLAGE CLERK:**  
Ann Marie Wooldridge

**PLANNING & ZONING COMMISSION  
REGULAR MEETING AGENDA**

Monday, July 11, 2022 1:00 P.M.

Via Zoom TeleConference

See [www.vtsv.org](http://www.vtsv.org) for information to attend the meeting  
TAOS SKI VALLEY, NEW MEXICO

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**AGENDA**

- I. **CALL TO ORDER & ROLL CALL**
- II. **APPROVAL OF THE AGENDA**
- III. **APPROVAL OF THE MINUTES OF THE APRIL 4, 2022 P&Z COMMISSION MEETING**
- IV. **OLD BUSINESS**
- V. **NEW BUSINESS**
  - A. **PUBLIC HEARING:** Consideration to Approve a Conditional Use Permit for a Multi-Family Unit in a Single-Family Zone at 3 Coyote Lane. Public Comments shall not exceed five (5) minutes.
  - B. **DISCUSSION:** Consideration to Recommend Adoption of the 2024-2028 Village of Taos Ski Valley Infrastructure & Capital Improvement Plan (ICIP) to the Village Council.
- VI. **MISCELLANEOUS**
  - Avalanche Hazard Assessment with Zoning Map Update
- VII. **ANNOUNCEMENT OF THE DATE, TIME, AND PLACE OF THE NEXT MEETING**
- VIII. **ADJOURNMENT**



## Planning & Zoning Commission

Thomas P. Wittman, Chair  
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### Staff Report

#### **Conditional Use Permit: Multi-Family in Single Family Zone 3 Coyote Lane**

#### **1. Case Summary**

Date of Hearing: July 11, 2022  
Application Received: June 14, 2022  
Date of Posting: June 24, 2022  
Plan Review Fees: \$1,500 - CUP

Project Description: The applicant, TSV, Inc., requests a Conditional Use Permit (CUP) to formally change the use of an existing two-story residence into a multi-family residence. A multi-family dwelling is a permitted conditional use within the Residential Zone, upon Planning Commission approval.

The proposal asks to reconstruct and modify the structure, which was struck and significantly damaged by an avalanche in February 2019, into a two-unit residence. Avalanche mitigation measures will be installed prior to issuance of a new Certificate of Occupancy.

Prior Actions/Approvals: None.

#### **2. Zoning Analysis:**

**A.** The subject property is located at 3 Coyote Lane and is zoned Residential (R).

The intent of this zone district is to provide for the development of single-family homes of mixed construction including conventional housing, modular or prefabricated Dwelling Units. Certain other Uses specified in this section are

allowed, provided they are compatible with the development of the neighborhood. Density shall not exceed one Dwelling Unit per Lot.

The application as presented, complies with all pertinent zoning regulations and conditions with the possible exception of Off-Street Parking and Loading Requirements.

**B. Planning & Zoning Ordinance 22-30 Section 22 - Off-Street Parking and Loading**

1. Off-Street Parking and Loading Requirements.

There shall be provided on site, such off-street parking spaces as set forth in this section when any new Building or Structure is erected. Existing Buildings or Structures need supply such parking only to the extent ground space is available. Parking may be located on any portion of the parcel but shall not obstruct public right-of-way nor be located within any area, which has been designated as a snow storage easement.

2. Required Parking Spaces.

The minimum number of parking spaces to be provided shall be as follows:

4. Dwellings, Multi-Family:

- b. Outside Village Core Area: two spaces per dwelling unit plus one ADA parking space for every dwelling unit which is ADA accessible and/or fitted.

The current Ordinance appears contradictory, pointing to the need for four parking spaces in this instance and yet, not requiring additional parking, if no space is available on site. A change in use would seem to necessitate compliance with the stricter standard. However, this is only implied and not stated clearly in the Ordinance.

**C. In Planning & Zoning Ordinance 22-30 Section 26: Conditional Use Permit**

4. Guidelines - Village zoning regulations require that the Commission shall not approve any Conditional Use Permit unless satisfactory provision has been made concerning the following, where applicable:

1. Access to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, and emergency access in case of fire, flood, avalanche or catastrophe.
2. The economic, noise, glare, or odor effects of the Conditional Use on adjoining properties.

3. General compatibility with adjacent properties and other properties in the Village with regard to height, landscaping, setbacks, lighting, signs, parking, and design standards when adopted by the Village Council.

4. Compliance with supplementary regulations as delineated in zone in which the property will be located.

5. All improvements required by the Village Planning Department and/or Village Engineer in the Public Works Plan have been completed or completion plans, designs and costs are approved by an agreement approved by the Village Council.

The applicant generally complies with the Guidelines stipulated for a Conditional Use Permit.

**3. Recommendation:** Staff recommends a motion to **Approve** a Conditional Use Permit with the following **Conditions**:

A. Strict compliance with all existing property and building regulations, including Dark Skies, noise, parking, and occupancy limits. All violations will be documented and retained by Village staff.

B. Per Section 26 Conditional Use Permit: Part 5 Expiration, the CUP shall be granted for a period of two (2) years, after which, an application for renewal shall be submitted. At that time, the CUP shall be reviewed for adherence to the Conditionals of Approval.

#### **4. Public Notice & Public Comments**

The notice of public hearing was mailed to all abutting property owners within 100 feet on June 23, 2022. A public notice sign was placed on the property on June 24, 2022.

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

A. Email correspondence by Mr. Neil Lyon

#### **5. Staff Endorsements**

Submitted By:

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Patrick Nicholson  
Director of Planning & Community Development

**6. Attachments**

- A. Applicant Project Narrative, Design Documents, and Avalanche Mitigation Engineered Drawings.
- B. Email correspondence by Mr. Neil Lyon

## Patrick Nicholson

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**From:** Neil Lyon <neil@neillyon.com>  
**Sent:** Thursday, June 30, 2022 3:43 PM  
**To:** Patrick Nicholson  
**Cc:** Lyon, Cindy  
**Subject:** proposed multi-family residence at 3 Coyote Lane

Good afternoon, Patrick:

We own a home at 124 Twining Road. We have since 2004. The construction of a multi-family home on Coyote Lane will have no practical impact us, but as I think about how we would react if this request were made on a lot close to our home, I know that we would vehemently oppose it. In a neighborhood of single-family homes, with only narrow and tight streets providing access, not only would such a property violate the spirit of the neighborhood, it would cause logistical issues for every property nearby. Especially on Coyote Lane, which is basically a one-way street. Which is tight and dangerous, even in dry weather.

I am not sure if I can make the 7/11 public hearing, so I want to get my firm opposition to you today, in advance of when a decision will be made.

The request is a horrible request and I oppose it as strongly as one could.

Thanks for considering this viewpoint as the topic is considered and a decision is made.


With regards,


Neil




**Neil Lyon**

CRB, CRS, GRI

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### Staff Report

#### **2024-28 Infrastructure & Capital Improvement Plan**

##### **Background**

The State of New Mexico Department of Finance Authority requires municipalities to submit annually a five-year Infrastructure and Capital Improvement Plan (ICIP) to qualify for State Capital Outlay funding and other project funding sources. Attached is the draft five-year Plan along with FY 2023 projects. 48 projects are listed with their estimated total cost and funding status. The 48 projects are broadly categorized as:

8 - Water; 3 - Wastewater; 13 - Public Safety; 12 - General Government; 12 - Public Works.

ICIP projects are generally defined as capital acquisition items with a useful life greater than five years and a cost greater than \$10,000. These include the critical infrastructure facilities that are needed for an increased service level to support growth and property development. The Planning Commission is asked to review the 2024-28 ICIP and consider if the proposed capital projects respond to the current and projected growth and development within the Village.

**Recommendation:** Staff advises a motion to **Recommend** to the Village Council adoption of the 2024-28 Infrastructure and Capital Improvement Plan.

##### **Attachments**

- A. 2024-28 Infrastructure and Capital Improvement Plan

