

**STAGECOACH NEIGHBORHOOD ASSOCIATION (SNA) AMENDMENT 2006-8
TO TAOS COUNTY LAND USE ORDINANCE NO. 2005-10
TAOS COUNTY, NEW MEXICO**

AN AMENDMENT TO TAOS COUNTY ORDINANCE 2005-10 FOR TAOS COUNTY, REPEALING AND AMENDING PORTIONS OF THE TAOS COUNTY LAND USE ORDINANCE.

WHEREAS, the Board of County Commissioners of Taos County (the "Commission") is the duly authorized governing body of Taos County (the "County"), a New Mexico political subdivision; and

WHEREAS, the Commission has the duty and responsibility to adopt Ordinances for the County pursuant to § 4-37-13, NMSA 1978 and the duty and responsibility for the management of the government of the County pursuant to § 4-38-1 through 4-38-42, NMSA 1978; and

WHEREAS, the Commission has found it to be in the best interest of the residents of Taos County to amend the Taos County Land Use Regulations as indicated below.

WHEREAS, there is one amendment contained herein; and

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TAOS COUNTY, NEW MEXICO THAT ORDINANCE 2005-10 BE AMENDED AS FOLLOWS:

1. Stagecoach Neighborhood Zoning Amendment:

- a. The Stagecoach Neighborhood Land Use Sub Zones are those described herein and shown on the Stagecoach Neighborhood Land Use Map located in the Taos County Planning Department.
- a. All land uses other than those defined in Article Two, Section II-A require the appropriate permit issued by Taos County, pursuant to the requirements herein. Compliance with all applicable state and county land use regulations, subdivision regulations and building codes and signage restrictions is required.
- a. All land use applications, building permit applications and appropriate permit applications applicable to this area as outlined in this section require the Taos County Planning Department to notify the Neighborhood Association by certified mail and enclose a copy of the applicable permit application.
- a. The Taos County Commission, Planning Commission, Zone Administrator, or County Manager may refer any application to any appropriate agency or official of the United States or its subdivisions, any tribal or pueblo government, or the state of New Mexico for an opinion concerning whether the application should be approved, disapproved, or approved with conditions or modifications.
- a. The Stagecoach Neighborhood Association (SNA) shall:
 1. Form a Development Standards Advisory Board with a representative from each of the five zones.
 1. Provide analysis and findings to the Taos County Planning Department or Taos County Commission on any proposed improvements, subdivisions, special use permits or other activities affecting this neighborhood.
 1. Provide analysis and findings for each permit application in the Stagecoach area.
 1. Respond to all inquiries in 30 calendar days or less.

- f. Legal Non-Conforming uses and parcels are governed by Article III, Section I, Paragraphs A and B of this ordinance, provided that the modification to, repair or replacement of, or attachment of an antenna to any nonconforming tower structure shall require a special use permit and variance for the tower itself.
- g. The view sheds of the adjacent parcels and existing improvements should be preserved to the maximum extent possible. This can be accomplished by orientation, changing the roof design, clustering, or reduction in the maximum height of new improvements depending upon the elevation relative to the other sites.
- h. Landscaping and xeriscaping are strongly encouraged, and should be designed and maintained with consideration of the neighbor's view sheds.
- i. The Taos County Commission will determine any zoning changes, variances or exceptions to these standards or boundaries. The Taos County Planning Commission can determine variances or exceptions as delegated by the Taos County Commission.
- j. By Special Use permits, concepts such as clustering, pods and density bonus designs with attendant decreases in parcel coverage can be approved on a case-by-case basis.
- k. An objective in this zone is to improve safety by reducing the number of highway entrances and exits along Highway 64. Users are encouraged to use existing entrances and new entrances are allowed only by approval of the New Mexico State Highway Department.

Stagecoach Neighborhood Sub Zone #1 – Highway Corridor Protection District (HCPD) Zone.

1. Intent and Purpose

The HCPD Zone governs development of commercial uses and services along the major roads leading in and out of Taos County which are utilized for the sale of goods and services. The purpose of the HCPD Zone regulations is to encourage safe and orderly development in a manner that retains the architectural styles of the Taos Valley and to retain an appropriate mix of rural and other uses, to minimize noise impacts, and to maintain compatibility with uses on other lands. The Taos Pueblo also agrees that these intentions and purposes will be reciprocal and addressed in any development of their lands adjacent to the SNA.

Maximum depth of the HCPD is 1,200 feet from the Highway 64 easement. Parcels extending partially beyond 1,200 feet will be included in their entirety if more than 80% of the parcel is contained within the 1,200 feet.

2. Permitted Principal Uses

The following uses shall be permitted in the HCPD Zone and will not require a Special Use Permit per Section II paragraph B.1.b:

- A. Home occupation, provided that all conditions of the Cottage Industry definition are met;
- B. Eating/drinking establishments excepting those in paragraph 4, which require a Special Use Permit;
- C. General merchandise retail;
- D. Personal service retail establishments. Motor vehicle storage, dismantling, parts and auto recycling, service and repair establishments, truck and car wash and fuel sales, including filling

stations and repair garages, and retail sale of vehicle fuels for consumption but not for resale, are permitted, provided that:

(1) If any tube or tire repairing, battery charging or the like, and any lubricating or washing is done outside a building, a solid wall or fence or a compact evergreen hedge six (6) feet high shall be maintained between such activity and any abutting or contiguous residential zone, and such activity shall be located at least one hundred (100) feet from a residential zone.

E. Dry cleaning establishment, provided that:

(1) Inflammable or combustible materials shall not be used in any cleaning process;

(2) All activities shall be conducted within a completely enclosed building;

(2) No outdoor storage;

(4) Such establishment shall be operated principally as a retail business; and

(5) That portion of the building in which any cleaning process shall be undertaken shall be at least fifty (50) feet from any building in a residential zone.

F. Professional office or service. Veterinary establishments are allowed, provided that all animals are kept inside buildings, except large animals such as horses;

G. Golf course/driving range;

H. Specialty retail establishments;

I. Wholesaling or distribution operation.

I. Single family dwelling,

K. Bed and breakfast inns and boarding houses, provided that:

(1) Not more than five (5) rooms are available for guest lodging, and this limitation may not be increased by variance;

(2) The manager resides in and occupies the bed and breakfast inn or boarding house;

(3) Provision of food and meals shall meet all applicable state and local regulations and shall be served only to guests of the bed and breakfast inn or boarding house;

(4) All applicable codes shall be met, including, but not limited to, fire code, building code and this Code;

(5) The following off-street parking requirements shall be met:

(a) One (1) parking space per employee;

(a) One (1) marked parking space for each guest room; and

(c) One (1) parking space for the resident manager.

(6) Only one (1) sign, not to exceed eight (8) square feet, that may be externally illuminated; and

(7) Landscaping and all other applicable performance standards of the Code and any other applicable Taos County ordinance or regulation shall be met.

L. Well drilling services and ancillary functions;

M. Theaters;

- N. Lodging establishments, including hotel, motel or cabins;
- O. Day Care;
- P. Personal Storage and Mini storage;
- Q. Bar or lounge only as part of a restaurant or hotel;
- R. Department stores, discount stores, supermarkets; and
- S. Specialty retail establishments such as automobile/pleasure craft dealership, large equipment sale and rental, machine shop.
- T. Open-air, Flea, and Farmer's Markets.
- T. RV Park, not to include sites for permanent residences.
- T. Adobe brick making company which makes and sells adobe bricks.

3. Prohibited Use:

- A. Any new use that requires an emissions permit from the federal, state or county governments is prohibited, except for a state wastewater treatment permit. Some examples of prohibited uses are a screening plant, crushing plant, asphalt batching plant, cement batching plant or open sewage disposal lagoons.
- B. The shooting of firearms on the property and hunting by any means is prohibited as regulated by New Mexico state law and Taos County ordinances.
- C. Pawn shop.
- D. Any other use that is not a Permitted or Conditional use in this zone.

4. Conditional Uses

The following uses shall be permitted in the HCPD Zone only if the Planning and Zoning Commission grants a special use permit per Section II, Paragraph B.1.e:

- A. Two-family attached or semi-attached residence, such as a duplex, townhouse, condominium or apartment;
- A. Multi-family residence, such as a triplex, townhouse, condominium or apartment with no more than one (1) sign of a total area of eight (8) square feet;

The following uses shall be permitted in the HCPD Zone only if the Planning and Zoning Commission grants a special use permit per Section II, Paragraph B.1.b:

- A. Commercial Family Amusement and Recreational uses;
- A. Night clubs, Lounges, and Bars;
- A. Go carts/carnival/thrill rides, provided that each such amusement facility is located on property which is not less than one thousand (1,000) feet from the property of any adult entertainment use, school, church, nursery or day care facility, public park, recreational facility, residential zone district, and/or a liquor establishment. Measurement shall be from:

- (1) The closest point on the property line of the property on which the amusement facility use is located;
- (2) The closest point on the property line of the property from which the amusement facility must be separated; and
- (3) The closest point on the residential zone boundary from which the amusement facility must be separated.

- A. Specialty Retail Establishments such as manufactured home sales and service, and package liquor sales; and
- A. Solar or wind energy farm.

5. Performance Standards

The following performance standards shall apply to all property in the HCPD Zone:

- A. Maximum overall density: Eight (8) dwelling units per acre for two-family attached, semi-attached or multi-family residence subject to paragraph 5.N. Unimproved land is land used for parking, driveways, landscaping, and general open space.
- B. Minimum lot size is One (1) acre.
- C. Minimum lot width: Seventy (70) feet;
- D. Minimum setback requirements:
 - (1) Front yard: Ten (10) feet from the front property line, with the front eight (8) feet of the lot landscaped in accordance with the provisions of the Taos County Landscaping Ordinance;
 - (2) Side yards: Fifteen (15) feet from the side property lines for all commercial development, and ten (10) feet from the side property lines for all residential development;
 - (3) Rear yard: Twenty (20) feet from the rear property line;
 - (3) If the rear or side yard abuts a residential zone, an additional setback is required. This setback shall be five (5) feet or twenty percent (20%) of the depth of the lot measured from the front to the rear property lines for a rear yard setback, or measured from the side property lines for a side yard setback, whichever is less. The setback shall be used to screen the residential zone from commercial activity through the use of landscaping in accordance with the provisions of the Landscaping Ordinances. The setback may be used to meet the requirements of the Storm Drainage Ordinance.
- E. Off-Street Loading: Any use in the HCPD Zone requiring loading space for normal operations shall provide adequate loading space at the rear of the building, so that no vehicle being loaded or unloaded in connection with normal operations shall stand in, or project into, any public street, walk, alley, or way;
- F. Trailers, which are unattended and or abandoned and not attached to a vehicle, and metal storage units or containers on or off wheels or franchise units shall not be located within 100 feet of the HCPD Zone highway easement and must be partially screened with a minimum of a 6 foot fence from view of neighbors and the highway and if located on the property more than 6 months must be painted a earth tone color.
- G. Abandoned Vehicles: Any inoperable vehicle (as defined in Taos County Ordinance 2004-2 and Taos County Ordinance 1987-3) shall be repaired and made operable, stored in a garage, or

removed from the premises within 30 days and must comply with all New Mexico State and Taos County nuisance laws.

H. The project must be permitted for Waste Water Treatment by the New Mexico State Environment Department. No open garbage pits shall be maintained or used and no brush, trash or other waste materials shall be burned on the premises without a Taos County or Arroyo Hondo Fire Department burn permit.

I. Landscaping and xeriscaping are strongly encouraged, and should be designed and maintained with consideration of the neighbor's view sheds and to present an attractive commercial area to the highway 64 traffic.

J. The development or project must be permitted for access road construction by Taos County and New Mexico Department of Transportation when the property access is from a New Mexico State Highway.

K. All buildings must have an exterior color which approximates one of the earth tone colors in a current "commercial stucco color chart" except for natural wood exteriors.

L. Signage is restricted to signs up to a maximum of 7% of the face of the building or 100 square feet, whichever is less per business. This figure includes all exterior signs whether attached or free standing. Neon signs must be installed inside the building and any larger than 8 square feet are prohibited. Signage is restricted to that which applies only to the business on the property. Billboard signs are not allowed. All signage must also comply with state regulations and the existing Taos County Signage Ordinance.

M. The maximum coverage on any parcel of all improvements, including buildings, parking, roadways, driveways, patios, courtyards, etc is limited to no more than: Buildings 60%, and 40% for parking, setbacks, landscaping and all other authorized uses. Parcels larger than one (1) acre, once improved to the maximum coverage, shall not be further subdivided or improved.

N. All artificial exterior lighting must be shaded to meet New Mexico State "dark skies" laws and any Taos County Ordinances for "dark skies" conditions at night. Exterior lighting systems shall meet the functional and security requirements of the proposed land use, without producing nuisance glare or light trespass or does not adversely impact adjacent properties or the community.

O. All new utilities installed after the date this ordinance becomes effective must be underground and comply with all county, state and national government regulations.

P. Maximum height of any improvements is twenty seven (27) feet measured from grade. Structures such as windmills, telecommunications towers and television antennas are not exempt from the height restrictions.

Q. No improvement or use is permitted which emit noises louder than 60dB (A scale) measured at the perimeter of the property. Short, in-frequent exceptions are permitted.

R. No permanent (longer than 6 months) outdoor storage except for that which is integral to the use of the business and which does not present a significant negative visual impact on the surrounding commercial neighborhood. Upon completion of construction of the business, all construction equipment and surplus building materials shall be promptly removed from the premises, stored in an appropriate storage room, or adequately screened from view of neighbors and roadways.

**Stagecoach Neighborhood Sub Zone #2 – TRANSITIONAL COMMERCIAL / RESIDENTIAL
(Transitional) ZONE.**

1. Intent and Purpose

The Transitional Zone is intended for neighborhood-oriented, small-scale commercial uses primarily to supply convenience goods and services to the residents of the neighborhood areas in which the Transitional Zone is located. Mixed-use is encouraged in the Transitional Zone.

The depth of the Transitional Zone is from 1,200 feet to 2,075 feet from the Highway 64 easement. Parcels extending partially beyond 2,075 feet will be included in their entirety if more than 80% of the parcel is contained within the 2,075 feet.

2. Permitted Principal Uses

The following uses shall be permitted in the Transitional Zone and will not require a Special Use Permit per Section II paragraph B.1:

- A. Home occupation, provided that all conditions of the Taos County Ordinance on “cottage industries” are met;
- B. Eating/drinking establishments; excepting those in paragraph 4 which require a Special Use Permit;
- C. General merchandise retail with a square footage of no larger than 2,000 square feet;
- D. Professional office or service. Veterinary establishments are allowed, provided that all animals are kept inside buildings except large animals such as horses;
- E. Bed and breakfast inns and boarding houses, provided that:
 - (1) Not more than two (2) rooms per acre and a maximum of three (3) rooms are available for guest lodging, and this limitation may not be increased by variance;
 - (2) The manager resides in and occupies the bed and breakfast inn or boarding house;
 - (3) Provision of food and meals shall meet all applicable state and local regulations and shall be served only to guests of the bed and breakfast inn or boarding house;
 - (4) All applicable codes shall be met, including, but not limited to, fire code, building code and this Code;
 - (5) The following off-street parking requirements shall be met:
 - (a). One (1) parking space per employee;
 - (b). One (1) marked parking space for each guest room; and
 - (c). One (1) parking space for the resident manager.
 - (6) Only one (1) sign, not to exceed eight (8) square feet, and not illuminated; and
 - (7) Landscaping and all other applicable performance standards of the Code and any other applicable Taos County ordinance or regulation shall be met.

3. Prohibited Use:

- A. Any new use that requires an emissions permit from the federal, state or county governments is prohibited, except for a state wastewater treatment permit. Some examples of prohibited uses are a screening plant, crushing plant, asphalt batching plant, cement batching plant or open sewage disposal lagoons;
- B. The shooting of firearms on the property and hunting by any means is prohibited as regulated by New Mexico state law and Taos County ordinances;
- C. Pawn shop;
- D. Nightclub, package liquor store, lounge, bar;
- E. Motor vehicle storage, dismantling, parts and auto recycling, service and repair establishments, truck and car wash and fuel sales, including filling stations and repair garages, and retail sale of vehicle fuels for consumption or for resale; and
- F. Dry cleaning establishment
- G. Any other use that is not a Permitted or Conditional use in this zone.

4. Conditional Uses

The following uses shall be permitted in the Transitional Zone only if the Taos County Planning and Zoning Commission grants a special use permit per Section II, Paragraph B.1.e:

- A. Mobile home/manufactured home park, with no more than 8 units per acre. All mobile/manufactured homes to comply with all county, state and national building codes provided that:
 - (1) The mobile/manufactured home is the core unit of a single-family residence;
 - (2) The mobile/manufactured home is modified in appearance to conform to neighborhood buildings; e.g., predominantly earth-tone colors as found in the then current El Rey stucco color chart.
 - (3) The axle and tongue of the unit are removed, and such modifications are completed within six (6) months of placement of the mobile/manufactured home on the site;
 - (4) The construction of the mobile/manufactured home shall comply with the Department of Housing and Urban Development's National Manufactured Housing Construction & Safety Standards Act of 1974, as may be amended from time to time;
 - (5) The installation, tie-down, hook-up and the like of the mobile/manufactured home shall comply with the State of New Mexico Manufactured Housing Division Rules and Regulations (14 NMAC 12.2.)
 - (5) The mobile/manufactured home unit shall be anchored to a concrete foundation and shall be skirted;
 - (5) Minimum requirements for lot size, front, side and rear yard setbacks, and all other standards pertaining to single-family residential land use as set forth in this Code and all other applicable Taos County ordinances and regulations shall apply; and
 - (8) The application procedure outlined in Section 3-4.4 of this Code is followed. The penalty provisions of Section 1-12 of this Code shall apply to the owner of a mobile/manufactured home and/or to any person engaged in transporting and/or installing a mobile/manufactured home in violation of Section 3-4.4 of this Code.
- B. Two-family attached or semi-attached residence, such as a duplex, townhouse, condominium or apartment;

- C. Multi-family residence, such as a triplex, townhouse, condominium or apartment with no more than one (1) sign of a total area of eight (8) square feet and not illuminated and no more than a maximum of eight (8) dwelling units per acre;

The following uses shall be permitted in the Transitional Zone only if the Taos County Planning and Zoning Commission grants a special use permit per Section II, Paragraph B.1.b.

- D. General merchandise retail with a square footage of more than 2,000 square feet;
- E. Personal or mini storage;
- F. Recreational uses.
- F. Photographic Studio
- F. Day Care.
- F. Commercial family amusement or entertainment establishments;
- J. Specialty retail establishments.
- K. Golf course/driving range;

5. Performance Standards

The following performance standards shall apply to all property in the Transitional Zone:

- A. Maximum overall density: eight (8) dwelling units per acre with a special use permit for two-family attached, semi-attached or multi-family residence;

- A. Minimum lot size is One (1) acre

- C. Minimum lot width: Seventy (70) feet;

- D. Minimum setback requirements:

(1) When a lot in the Transitional Zone is developed with two-family dwellings, multi-family dwellings or a commercial use, the following setback requirements shall be applicable:

Minimum setback requirements:

- (a) Front yard: Twenty (20) feet from the front property line;
- (b) Side yards: Seven (7) feet from the side property lines; and
- (c) Rear yard: Fifteen (15) feet from the rear property line.

- E. The maximum coverage on any parcel of all improvements, including buildings, parking, roadways, driveways, patios, courtyards, etc is limited to no more than: Buildings 40%, and 60% for parking, setbacks, landscaping and all other authorized uses. Parcels larger than one (1) acre, once improved to the maximum coverage, shall not be further subdivided or improved;

- F. Off-Street Loading: Any use in the Transitional Zone requiring loading space for normal operations shall provide adequate loading space at the rear of the building, so that no vehicle being loaded or unloaded in connection with normal operations shall stand in, or project into, any public street, walk, alley or way;

G. Trailers, which are unattended and not attached to a vehicle, shall not be located within the Transitional Zone;

H. Abandoned Vehicles: Any inoperable vehicle (as defined in Taos County Ordinance 2004-2 and Taos County Ordinance 1987-3) shall be repaired and made operable, stored in a garage, or removed from the premises within 30 days and must comply with all New Mexico State and Taos County nuisance laws.

I. The project must be permitted for Waste Water Treatment by the New Mexico State Environment Department. No open garbage pits shall be maintained or used and no brush, trash or other waste materials shall be burned on the premises without a Taos County or Arroyo Hondo Fire Department burn permit.

J. Landscaping and xeriscaping are strongly encouraged, and should be designed and maintained with consideration of the neighbor's view sheds.

K. All buildings must have an exterior color which approximates one of the earth tone colors in a then current "commercial stucco color chart" except for wood exteriors.

L. Signage is restricted to signs up to a maximum of 7% of the face of the building or 100 square feet, whichever is less per business. This figure includes all exterior signs whether attached or free standing. Neon signs are prohibited. Signage is restricted to that which applies only to the business on the property. Billboard signs are not allowed. All signage must also comply with state regulations and the existing Taos County Signage Ordinance.

M. All artificial exterior lighting must be shaded to meet New Mexico State "dark skies" laws and any Taos County Ordinances for "dark skies" conditions at night. Exterior lighting systems shall meet the functional and security requirements of the proposed land use, without producing nuisance glare or light trespass or does not adversely impact adjacent properties or the community.

N. All new utilities installed after the date this ordinance becomes effective must be underground and comply with all county, state and national government regulations.

O. Maximum height of any improvements is twenty seven (27) feet measured from grade. Structures such as windmills, telecommunications towers and television antennas are not exempt from the height restrictions.

P. No more than three (3) dogs, cats or other household pets shall be allowed to run free on the property. Dogs shall not be permitted to run in packs. All dogs and cats must be neutered or spayed. Barking dogs shall be kept indoors. Guard animals shall be restrained so that they do not pose a hazard to people and other animals. No pet shall be permitted to cause an annoyance or nuisance as defined in paragraph Q below and according to State and County nuisance laws.

Q. No activity shall be permitted on any lot that may be offensive in a residential community, nor shall anything be done which is considered to be an annoyance or a nuisance by a majority of the resident landowners living within the Property and according to State and County nuisance laws.

R. No improvement or use is permitted which emit noises louder than 60dB (A scale) measured at the perimeter of the property. Short, in-frequent exceptions are permitted.

S. No permanent outdoor storage of any kind except for that which is integral to the use of the commercial business and which does not present a significant negative visual impact on the surrounding neighborhood. Upon completion of construction of the business, all construction

equipment and surplus building materials shall be promptly removed from the premises, neatly stored in an appropriate storage room or adequately screened from view of neighbors and roadways.

Stagecoach Neighborhood Sub Zone #3 – Single-Family Residential (R 2.5) Zone (Tune Tract)

1. Intent and Purpose

The R 2.5 Zone is intended for low-density single-family residential areas with a minimum lot size of two and one half (2.5) acres where municipal water and wastewater services may or may not be allowed. The majority of this zone currently has Declarations of Covenants, Conditions and Restrictions (CCR's) that are attached to the land deeds. Restrictions within this area shall be in accordance with this ordinance or existing CCR's, whichever is more restrictive.

2. Permitted Principal Uses

The following uses shall be permitted in the R 2.5 Zone:

- A. Single-family dwelling located on a single lot;
- B. Cottage Industry, provided that all conditions of the Cottage Industry definition are met;
- C. Mobile/Manufactured homes are not allowed in the R 2.5 zone as permanent residences.
- D. Temporary mobile/manufactured home or other temporary pre-fabricated dwelling used as residence during construction of a permanent residence, provided that:
 - (1) The temporary residential use does not exceed the period of construction with a maximum of fifteen (15) months allowed. Any addition, extension, remodeling shall be completed within six (6) months. After completion of construction, all large amounts of surplus construction materials shall be promptly removed from the premises, stored in an appropriate storage room or fenced from view of any neighbors.
 - (2) The unit shall not be skirted nor shall the wheels, axle or tongue be removed;
 - (3) Rental or lease is prohibited;
 - (3) Minimum requirements for lot size, front, side and rear yard setbacks, and all other standards pertaining to single-family residential land use set forth in this Code and all other applicable Taos County ordinances and regulations shall apply; and
 - (3) The application procedure outlined in Section 3-4.4 of this Code is followed. The penalty provisions of Section 1-12 of this Code shall apply to the owner of a mobile/manufactured home and/or to any person engaged in transporting and/or installing a mobile/manufactured home in violation of Section 3-4.4 of this Code.
- E. Modular, off-site constructed homes are permitted in this zone. Modular homes are not licensed by the Department of Motor Vehicles and must conform to and comply with all the same Taos County building codes as a normal on site constructed home.
- F. Guest house, so long as it is used only as an accessory to the primary residence and provided that:

1. The guesthouse and principal single-family dwelling are served by municipal or community water and wastewater, or have received a variance for a private well and septic system from the State of New Mexico;
2. All other applicable requirements of this section and the Code are met.
3. A guesthouse may be rented.

- G. Storage of no more than two (2) of the following: licensed recreational vehicle/mobile home not to exceed 30 ft in length, sports trailers, trailers, boats, horse trailer, and/or campers provided that such units:
1. Are located within the setback requirements of this zone;
 2. Are not more than thirty (30) feet in length;
 3. Are not used for human habitation, while parked, for more than eleven (11) weeks in a calendar year;
 4. Are not permanently connected to any public or private utility system such as water, gas or electricity;
 5. Are parked on the side or rear of the lot and are not parked or situated on the front of the lot or on any public street, thoroughfare or right of way;
 6. Are currently licensed and registered as required by the State of New Mexico; and
 7. Are solidly fenced from visual sight lines of all surrounding neighbors.

3. Prohibited Use:

- A. Any new use that requires a discharge or emissions permit from the federal, state or county governments is prohibited, except for a state wastewater treatment permit. Some examples of prohibited uses are a screening plant, crushing plant, asphalt batching plant, cement batching plant or open sewage disposal lagoons.
- B. The shooting of firearms on the property and hunting by any means is prohibited as regulated by New Mexico state law and Taos County ordinances.
- C. Any other use that is not a Permitted or Conditional use in this zone.

4. Conditional Uses

The following uses shall be permitted in the R 2.5 Zone only if the planning and zoning commission grants a special use permit per Section II, Paragraph B.1.b:

- A. Bed and breakfast inn or boarding house, provided that:
- (1) There can be no more than two (2) guest rooms per acre of land, and no more than a maximum of three (3) rooms available for guest lodging. This limitation may not be increased by variance and is subject to all liquid waste disposal requirements;
 - (2) The manager resides in and occupies the bed and breakfast inn or boarding house;
 - (3) Provision of food and meals shall meet all applicable state and local regulations and shall be served only to guests of the bed and breakfast inn or boarding house;
 - (4) All applicable codes shall be met, including, but not limited to, fire code, building code and this Code;
 - (5) The following off-street parking requirements shall be met:
 - (a) One (1) parking space per employee;
 - (a) One (1) marked parking space for each guest room; and
 - (c) One (1) parking space for the resident manager.
 - (6) Only one (1) sign, not to exceed four (4) square feet, that may not be externally illuminated; and
 - (7) Landscaping and all other applicable performance standards of the Code and any other applicable Taos County ordinance or regulation shall be met.

- B. The following non-residential uses:

- (1) Daycare;
- (1) Professional Office or Service;

5. Performance Standards

The following performance standards shall apply to all property in the R-2.5 Zone:

- A. All lots are for residential use only. Only one (1) primary single family residential dwelling, one (1) guest house and one (1) non-residential unit if conditionally or specially permitted together with appropriate garages, storage buildings, corrals, greenhouses, and other buildings and structures normally used in a rural residential neighborhood with a private well and septic system approved by the State of New Mexico; shall be permitted on each lot.
- B. Minimum lot size: two and one half (2.5) acres;
- C. Minimum lot width: One hundred (100) feet;
- D. Minimum setback requirements:
 - (1) Front yard: fifty (50) feet from the front property line;
 - (1) Side yards: thirty (30) feet from the side property lines; and
 - (1) Rear yard: thirty (30) feet from the rear property line.
- E. Maximum lot coverage: Twenty percent (20%) by all structures;
- F. Boundary line fences are not permitted. Corrals and pasture fences are permitted.
- G. All buildings constructed on any lot shall be pueblo adobe or territorial style. Exterior walls are to be predominantly earth-colored stucco plaster except for natural wood. Solar energy designs and energy conservation systems are permitted when incorporated into the above architectural styles.
- H. Home agriculture shall be permitted for the benefit of the family residing on the premises; however, all livestock yards, barns, sheds, gardens, greenhouses and compost piles shall be kept clean and shall not be permitted to become injurious to the health, safety or comfort of others. Raising animals for sale is prohibited.
- I. No more than five (5) large animals (horses, cows, goats, etc.) And no more than twenty-five (25) small animals (chickens, ducks, rabbits, etc.) shall be permitted on any lot. All animals (excluding pets) shall be confined to appropriate pens, corrals and barns, and property owners shall make diligent efforts to limit the noise, odors and insect populations in the animal yards. No animal shall be permitted to cause an annoyance or a nuisance as defined in paragraph K herein and according to State and County nuisance laws.
- J. No more than three (3) dogs, cats or other household pets shall be allowed to run free on the property. Dogs shall not be permitted to run in packs. All dogs and cats must be neutered or spayed. Barking dogs shall be kept indoors. Guard animals shall be restrained so that they do not pose a hazard to people and other animals. No pet shall be permitted to cause an annoyance or nuisance as defined in paragraph K herein and according to State and County nuisance laws.
- K. No activity shall be permitted on any lot that may be offensive in a residential community, nor shall anything be done which is considered to be an annoyance or a nuisance by a majority of the resident landowners living within the Property and according to State and County nuisance laws.

- L. Any inoperable vehicle as defined in County Ordinances #1987-3 and #2004-2, shall be repaired, stored in a garage, fenced from view of neighbors or removed from the premises within 30 days. The use of vehicles shall be restricted to the roads and driveways provided for their use. In order to preserve native vegetation, no motorcycle, ATV or other vehicle shall be permitted to drive across any open field or pasture within the Property.
- M. All roadways within the property are private. Road maintenance is at the discretion of the landowners using the roads.
- N. Horse riding is to be encouraged. Easements for horse riding 10 feet in width are reserved along both sides of all roadways and easements 25 feet in width are reserved along the east and west boundaries of the overall Tune tract.
- O. Recognizing the aesthetics of the natural vegetation, each property owner will make a conscientious effort to maintain as much of the natural vegetation as possible and will not clear, bulldoze, or remove more of the natural vegetation than is necessary for purposes of locating access roads, permanent residence and structures, and a reasonable yard and driveway surrounding the same, and no more than one third of any lot shall be cleared for these purposes. Property owners may also clear the sagebrush from the remaining two-thirds of their lot provided that they replace the sagebrush with native pasture grasses.
- P. Cottage industries as defined and regulated in County Ordinance 2005-10 and the definition in this amendment, shall be permitted; however, no commercial activity shall be permitted that appreciably changes the quiet rural residential quality of the neighborhood.
- Q. Construction of the primary residences shall be completed within fifteen (15) months after the day construction begins subject to Taos County building codes and existing Taos County permit ordinance. Any addition, extension, or remodeling shall be completed within six (6) months subject to Taos County building codes and existing Taos County permit ordinance. Upon completion of construction, all construction equipment and surplus building materials shall be promptly removed from the premises, stored in an appropriate storage room or adequately screened from view of neighbors and roadways. Outside storage of items, which are not normal to a family residence, are not allowed.
- R. All artificial exterior lighting must be shaded to meet New Mexico State "dark skies" laws and any Taos County Ordinances for "dark skies" conditions at night. Exterior lighting systems shall meet the functional and security requirements of the proposed land use, without producing nuisance glare or light trespass or does not adversely impact adjacent properties or the community.
- S. All utility lines shall be placed underground. An easement over, under and across the 10-foot perimeter of each lot is hereby reserved for utility purposes, with access thereto for installation, repair and maintenance of all such facilities as may be necessary.
- T. Maximum height of any improvements is twenty seven (27) feet measured from grade. Structures such as windmills, telecommunications towers and television antennas are not exempt from the height restrictions.
- U. The development must be permitted for Waste Water Treatment by the New Mexico State Environment Department. No open garbage pits shall be maintained or used and no brush, trash or other waste materials shall be burned on the premises without a Taos County burn permit.

- V. The view sheds of adjacent parcels and existing improvements should be preserved to the maximum extent possible. This can be accomplished by orientation, changing the roof design, clustering, or reduction in the maximum height of new improvements depending upon the elevation relative to the other sites.
- W. Landscaping and xeriscaping are strongly encouraged, and should be designed and maintained with consideration of the neighbor's view sheds.
- X. Non-residential development, except bed and breakfast inns or boarding houses, shall comply with the following additional development standards:
 - i. No more than five (5) employees;
 - i. No outdoor exhibition or storage of stock or building supplies that are not being used in a current construction project;
 - i. Only one (1) sign, not to exceed four (4) square feet which may not be illuminated;
 - i. The use is accessed by a safe road and marked access, egress and ingress is provided; and
 - i. Parking required in County Ordinance 2005-10 shall be provided within the setback requirements of this zone on the lot.
- Y. No improvement or use is permitted which emit noises louder than 60dB (A scale) measured at the perimeter of the property. Short, in-frequent exceptions are permitted.

Stagecoach Neighborhood Sub Zone # 4 - R 3/4 DON FILIBERTO MARTINEZ (R 3/4) ZONE

1. Intent and Purpose

The R 3/4 Zone is intended for low-density single-family residential areas with a minimum lot size of three fourths (3/4) of an acre where municipal water and wastewater services may or may not be allowed.

2. Permitted Principal Uses

The following uses shall be permitted in the R 3/4 Zone:

- A. Single-family dwelling located on a single lot;
- B. Cottage industry, provided that all conditions of County Ordinance 2005-10 and the cottage industry definition are met;
- C. Mobile/manufactured homes on individual lots, provided that:
 - (1) The mobile/manufactured home is the core unit of a single-family residence;
 - (2) The mobile/manufactured home is modified in appearance to conform to neighborhood buildings; e.g., predominantly earth-tone colors as approximate the then current El Rey stucco color chart except for natural wood.
 - (3) The axle and tongue of the unit are removed, and such modifications are completed within six (6) months of placement of the mobile/manufactured home on the site;
 - (4) The construction of the mobile/manufactured home shall comply with the Department of Housing and Urban Development's National Manufactured Housing Construction & Safety Standards Act of 1974, as may be amended from time to time;
 - (5) The installation, tie-down, hook-up and the like of the mobile/manufactured home shall comply with the State of New Mexico Manufactured Housing Division Rules and Regulations (14 NMAC 12.2.)

- (6) The mobile/manufactured home unit shall be anchored to a concrete foundation and shall be skirted;
 - (7) Minimum requirements for lot size, front, side and rear yard setbacks, and all other standards pertaining to single-family residential land use as set forth in this Code and all other applicable Taos County ordinances and regulations shall apply; and
 - (8) The application procedure outlined in Section 3-4.4 of this Code is followed. The penalty provisions of Section 1-12 of this Code shall apply to the owner of a mobile/manufactured home and/or to any person engaged in transporting and/or installing a mobile/manufactured home in violation of Section 3-4.4 of this Code.
- D. Temporary mobile/manufactured home or other temporary pre-fabricated dwelling used as residence during construction of a permanent residence, provided that:
- (1) The temporary residential use does not exceed the period of construction with a maximum of fifteen (15) months allowed subject to Taos County building codes. The temporary residential use of any mobile/manufactured home during the construction of an addition, extension, or remodeling shall be completed within six (6) months subject to Taos County building codes.
 - (1) After completion of construction, all large amounts of surplus construction materials shall be promptly removed from the premises, stored in an appropriate storage room or fenced from view of any neighbors. Storage of items, which are not normal to a family residence, are not allowed.
 - (3) The unit shall not be skirted nor shall the wheels, axle or tongue be removed;
 - (4) Rental or lease is prohibited;
 - (5) Minimum requirements for lot size, front, side and rear yard setbacks, and all other standards pertaining to single-family residential land use set forth in this Code and all other applicable Taos County ordinances and regulations shall apply; and
 - (6) The application procedure outlined in Section 3-4.4 of this Code is followed. The penalty provisions of Section 1-12 of this Code shall apply to the owner of a mobile/manufactured home and/or to any person engaged in transporting and/or installing a mobile/manufactured home in violation of Section 3-4.4 of this Code.
- E. Modular, off-site constructed homes are permitted. Modular homes are not licensed by the Department of Motor Vehicles and must conform to and comply with all the same Taos County building codes as a normal on site constructed home.
- F. One (1) guesthouse, as defined in Definitions, per 1 acre or larger single-family residential lot. Guesthouses are not permitted on lots of less than one (1) acre.
1. The guesthouse and principal single-family dwelling are served by municipal or community water and wastewater, or have received a variance for a private well and septic system from the State of New Mexico;
 2. All other applicable requirements of this section and the Code are met.
 3. A guesthouse may be rented.
 4. Guesthouse may not be any larger in square footage than 50% of the square footage of the heated portion of the principal single-family dwelling.
- G. Storage of no more than two (2) total of the following: licensed recreational vehicle/motor home not to exceed 30 ft in length; sports trailers, trailers, boats, horse trailer, and/or campers per acre provided that such units:
1. Are located within the setback requirements of this zone;
 2. Any trailers or equipment used in family's business must be operational and used on a frequent basis in the business away from the residence;
 3. Are not more than thirty (30) feet in length;

4. Are not used for human habitation, while parked, for more than one (1) month in a calendar year;
5. Are not permanently connected to any public or private utility system such as water, gas or electricity;
6. Are parked on the side or rear of the lot and are not parked or situated in the front of the lot or on any public street, thoroughfare or right of way; and
7. Are currently licensed and registered as required by the State of New Mexico.
8. Are screened from visual sight lines of all surrounding neighbors.

3. Prohibited Use:

- A. Any new use that requires a discharge or emissions permit from the federal, state or county governments is prohibited, except for a state waste water treatment permit. Some examples of prohibited uses are a screening plant, crushing plant, asphalt batching plant, cement batching plant or open sewage disposal lagoons.
- B. The shooting of firearms on the property and hunting by any means is prohibited as regulated by New Mexico state law and Taos County ordinances.
- C. Any other use that is not a Permitted or Conditional use in this zone.

4. Conditional Uses

The following uses shall be permitted in the R 3/4 Zone only if a special use permit is granted by the planning and zoning commission per Section II, Paragraph B.1.b.

- A. Bed and breakfast inn or boarding house, provided that:
 1. There can be no more than two (2) guest rooms per acre of land, and no more than a maximum of three (3) rooms available for guest lodging, and this limitation may not be increased by variance;
 2. The manager resides in and occupies the bed and breakfast inn or boarding house;
 3. Provision of food and meals shall meet all applicable state and local regulations and shall be served only to guests of the bed and breakfast inn or boarding house;
 4. All applicable codes shall be met, including, but not limited to, fire code, building code and this Code;
 5. The following off-street parking requirements shall be met:
 - (a) One (1) parking space per employee;
 - (a) One (1) marked parking space for each guest room; and
 - (a) One (1) parking space for the resident manager.
 6. Only one (1) sign, not to exceed four (4) square feet, which may not be externally illuminated; and
 7. Landscaping and all other applicable performance standards of the Code and any other applicable Taos County ordinance or regulation shall be met.
- B. The following non-residential uses are permitted in the R 3/4 Zone:
 1. Daycare;
 2. Professional Office or Service;

5. Performance Standards

The following performance standards shall apply to all property in the R 3/4 Zone:

- A. All lots are for residential use only. Only one (1) primary SINGLE FAMILY residential dwelling, one (1) guest house (lots of one (1) acre or larger) and one (1) non-residential unit if conditionally or specially permitted shall be allowed on each lot together with appropriate garages, storage buildings, corrals, greenhouses, and other buildings and structures normally used in a rural residential neighborhood with a private well and septic system approved by the State of New Mexico;.

- B. The minimum lot size of any parcel within the property shall be three fourths (3/4) acre;
- C. Minimum lot width: Seventy five (75) feet.
- D. Minimum setback requirements:
 - 1. Lots of less than one (1) acre or lots with a width of less than eighty (80) feet:
 - (1) Front yard: Ten (10) feet from the front property line;
 - (1) Side yards: Ten (10) feet from the side property lines; and
 - (1) Rear yard: Ten (10) feet from the rear property line.
 - 2. All other lots:
 - (1) Front yard: Twenty (20) feet from the front property line;
 - (1) Side yards: Ten (10) feet from the side property lines; and
 - (1) Rear yard: Ten (10) feet from the rear property line.
- E. Maximum lot coverage:
 - Thirty percent (30%) by all structures for lots less than two (2) acres and;
 - Twenty percent (20%) by all structures for all lots two (2) acres or larger.
- F. Boundary line fences are permitted. Corrals and pasture fences are permitted.
- G. Home agriculture shall be permitted for the benefit of the family residing on the premises; however, all livestock yards, barns, sheds, gardens, greenhouses and compost piles shall be kept clean and shall not be permitted to become injurious to the health, safety or comfort of others. Raising animals for sale is prohibited.
- H. No more than five (5) large animals (horses, cows, goats, etc.) and no more than twenty-five (25) small animals (chickens, ducks, rabbits, etc.) shall be permitted on any lot. Pigs are not permitted. All animals (excluding pets) shall be confined to appropriate pens, corrals and barns, and property owners shall make diligent efforts to limit the noise, odors and insect populations in the animal yards. No animal shall be permitted to cause an annoyance or a nuisance as defined in paragraph J herein and according to State and County nuisance laws.
- I. No more than three (3) dogs, cats or other household pets shall be allowed to run free on the property. Dogs shall not be permitted to run in packs. All dogs and cats must be neutered or spayed. Guard animals shall be restrained so that they do not pose a hazard to people and other animals according to State and County nuisance laws. No animal shall cause an annoyance or a nuisance as defined in J. below and according to State and County nuisance laws.
- J. No activity shall be permitted on any lot that may be offensive in a residential community, nor shall anything be done which is considered to be an annoyance or a nuisance by a majority of the resident landowners living within the Property according to State and County nuisance laws.
- K. Any inoperable vehicle as defined in County Ordinances #1987-3 and #2004-2, shall be repaired, stored in a garage, fenced from view of neighbors or removed from the premises within 30 days. The use of vehicles shall be restricted to the roads and driveways provided for their use. In order to preserve native vegetation, no motorcycle, ATV or other vehicle shall be permitted to drive across any open field or pasture beyond the Property.
- L. All roadways within the property are private. Road maintenance is at the discretion of the landowners using the roads.

- M. Recognizing the aesthetics of the natural vegetation, each property owner will make a conscientious effort to maintain as much of the natural vegetation as possible and will not clear, bulldoze, or remove more of the natural vegetation than is necessary for purposes of locating access roads, permanent residence and structures, and a reasonable yard and driveway surrounding the same, and no more than one third of any lot shall be cleared for these purposes. Property owners may also clear the sagebrush from the remaining two-thirds of their lot provided that they replace the sagebrush with native pasture grasses or other suitable vegetation according to the "Best Practices" of the Soil and Water Conservation District in order to prevent soil and erosion on the property and surrounding neighborhood.
- N. Cottage industries as defined in County Ordinance 2005-10 and this amendment shall be permitted; however, no commercial activity shall be permitted that appreciably changes the quiet rural residential quality of the neighborhood.
- O. Construction of the primary residences shall be completed within fifteen (15) months after the day construction begins subject to Taos County building codes and existing Taos County permit ordinance. Any addition, extension, or remodeling shall be completed within six (6) months subject to Taos County building codes and existing Taos County permit ordinance. Upon completion of construction, all surplus building materials and construction equipment shall be promptly removed from the premises, stored in an appropriate storage room or adequately screened from view of neighbors and roadways. Outside storage of items which are not normal to a family residence are not allowed.
- P. All artificial exterior lighting must be shaded to meet New Mexico State "dark skies" laws and any Taos County Ordinances for "dark skies" conditions at night. Exterior lighting systems shall meet the functional and security requirements of the proposed land use, without producing nuisance glare or light trespass or does not adversely impact adjacent properties or the community.
- Q. All new utility lines shall be placed underground. An easement over, under and across the 10-foot perimeter of each lot is hereby reserved for utility purposes, with access thereto for installation, repair and maintenance of all such facilities as may be necessary.
- R. Maximum height of any improvements is twenty seven (27) feet measured from grade. Structures such as windmills, telecommunications towers and television antennas are not exempt from the height restrictions.
- S. The project must be permitted for Waste Water Treatment by the New Mexico State Environment Department. No open garbage pits shall be maintained or used and no brush, trash or other waste materials shall be burned on the premises without a Taos County or Arroyo Hondo Fire Department burn permit.
- T. Landscaping and xeriscaping are strongly encouraged, and should be designed and maintained with consideration of the neighbor's view sheds.
- U. Non-residential development, except bed and breakfast inns or boarding houses, shall comply with the following additional development standards:
- (1) No more than five (5) employees;
 - (1) No outdoor exhibition or storage of stock or building supplies that are not being used in a current construction project;
 - (1) Only one (1) sign, not to exceed four (4) square feet and not illuminated;
 - (1) The use is accessed by a safe road;
 - (1) Adequate, safe and marked access, egress and ingress is provided; and

- (2) Parking required in County Ordinance 2005-10 shall be provided on the lot within the setback requirements of this zone.

V. No improvement or use is permitted which emit noises louder than 60dB (A scale) measured at the perimeter of the property. Short, in-frequent exceptions are permitted.

Stagecoach Neighborhood Sub Zone # 5 - A 20 DON PATRICIO MARTINEZ (A 20) ZONE:
AGRICULTURAL / RANCHING.

1. Intent and Purpose

The A 20 ZONE is intended for agricultural and/or ranching activity. Areas within this zone are characterized by parcels of land that are:

- A. Twenty (20) acre minimum parcels for agricultural and/or ranching activity.

2. Permitted Principal Uses

The following uses shall be permitted in the A 20 ZONE;

- A. Agriculture and ranching;
- B. Farms and ranches;
- C. Riding stables;
- D. Grazing is permitted as long as it does not exceed accepted standards of carrying capacity for the range type in use; reference is to Animal Unit Months as is allowed by the Taos County Assessors Office on specific tracts of land.
- E. Wildlife use is to be incorporated into defined uses and sustained to the extent practicable. Management regulations of wildlife come under the auspices of the Fish and Game Department of the State of New Mexico.

3. Prohibited Use:

- A. Any new use that requires a discharge or emissions permit from the federal, state or county governments is prohibited, except for a state waste water treatment permit. Some examples of prohibited uses are a screening plant, crushing plant, asphalt batching plant, cement batching plant or open sewage disposal lagoons.
- B. The shooting of firearms on the property and hunting by any means is prohibited as regulated by New Mexico state law and Taos County ordinances.
- C. Any other use that is not a Permitted or Conditional use in this zone.

4. Conditional Uses

The following uses shall be permitted in the A 20 ZONE only if a conditional use permit is granted by the planning and zoning commission.

- A. One and one half (1.5) acre minimum parcels for single-family residential use located on a single lot. A maximum of one (1) guesthouse, as defined in definitions, per single-family residential lot, together with appropriate garages, storage buildings, barns, corrals, greenhouses, and other structures normally used in a rural residential neighborhood, shall be permitted on each lot.
 1. The primary residence shall have at least 1200 square feet of heated living space. A guesthouse shall have at least 800 square feet of heated living space.

2. Minimum lot width: One hundred fifty (150) feet.
3. Building setbacks: no building shall be located on any lot nearer than fifty (50) feet to any roadway (excluding driveways) and thirty (30) feet to any lot line.
4. Corrals and pastures are permitted. Boundary line fences are not permitted and only one-third of any lot may be cleared for the house, guesthouse, yards, corral, barn and other improvements.
5. Maximum lot coverage by all structures shall be no more than twelve (12) percent of the lot.
6. All buildings shall be pueblo adobe or territorial style. Solar energy designs and energy conservation systems are permitted when incorporated into these architectural styles.
7. Home agriculture shall be permitted for the benefit of the family residing on the premises; however, all livestock yards, barns, sheds, gardens, greenhouses and compost piles shall be kept clean and shall not be permitted to become injurious to the health, safety or comfort of others.
8. No more than three (3) dogs, cats or other household pets shall be allowed to run free on the property. Dogs shall not be permitted to run in packs. All dogs and cats must be neutered or spayed. Guard animals shall be restrained so that they do not pose a hazard to people and other animals according to State and County nuisance laws. No animal shall cause an annoyance or a nuisance as defined in paragraph 9 below and according to State and County nuisance laws.
9. No activity shall be permitted on any lot that may be offensive in a residential community, nor shall anything be done which is considered to be an annoyance or a nuisance by a majority of the resident landowners living within the Property and according to State and County nuisance laws.
10. Cottage industries as defined in County Ordinance 2005-10 and this amendment shall be permitted; however, no commercial activity shall be permitted that appreciably changes the quiet rural residential quality of the neighborhood.
11. Construction of the primary residences shall be completed within fifteen (15) months after the day construction begins. Any addition, extension, or remodeling shall be completed within six (6) months. All surplus building materials and construction equipment shall be promptly removed from the premises, stored in an appropriate storage room or adequately screened from view of neighbors and roadways within 30 days of completion of construction. Outside storage of items which are not normal to a family residence is not allowed.

B. Mobile/Manufactured homes on individual lots, provided that:

- (1) The mobile/manufactured home is the core unit of a single-family residence and the mobile/manufactured home must be at least a doublewide design. Single wide models are not permitted;
- (2) Only one mobile/manufactured home per residential lot is allowed;

- (3) The mobile/manufactured home is modified in appearance to conform to neighborhood buildings; e.g.,; exterior walls are to be predominantly earth-colored stucco plaster except for natural wood.
- (4) The axle and tongue of the unit are removed, and such modifications are completed within six (6) months of placement of the mobile/manufactured home on the property;
- (5) The construction of the mobile/manufactured home shall comply with the Department of Housing and Urban Development's National Manufactured Housing Construction & Safety Standards Act of 1974, as may be amended from time to time;
- (6) The installation, tie-down, hook-up and the like of the mobile/manufactured home shall comply with the State of New Mexico Manufactured Housing Division Rules and Regulations (14 NMAC 12.2), Section 53;
- (7) The mobile/manufactured home shall be anchored to a concrete foundation and shall be skirted;
- (8) Minimum requirements for lot size, front, side and rear yard setbacks, and all other standards pertaining to single-family residential land use are set forth in this Code (section 4-3.5 "development standards"). where they are not defined, all other applicable county ordinances and regulations shall apply; and
- (9). The application procedure outlined in Section 3-4.4 of this Code is followed. The penalty provisions of Section 1-12 of this Code shall apply to the owner of a mobile/manufactured home and/or to any person engaged in transporting and/or installing a mobile/manufactured home in violation of Section 3-4.4 of this Code.

C. Temporary mobile/manufactured home or other temporary pre-fabricated dwelling used as a residence during construction of a permanent residence, provided that:

- (1) The temporary residential use does not exceed fifteen (15) months;
- (2) The unit shall not be skirted nor shall the wheels, axle, or tongue be removed;
- (3) Rental or lease is prohibited;
- (4) Minimum requirements for lot size, front, side and rear yard setbacks, and all other standards pertaining to single-family residential land use set forth in this Code and in all other applicable county ordinances and regulations shall apply; and
- (5) The application procedure outlined in Section 3-4.4 of this Code is followed. The penalty provisions of Section 1-12 of this Code shall apply to the owner of a mobile/manufactured home and/or to any person engaged in transporting and/or installing a mobile/manufactured home in violation of Section 3-4.4 of this Code.

D. Cottage industry, provided that all conditions of County Ordinance 2005-10 and this amendment are met;

E. Storage of no more than a total of two (2) operational sports trailers, recreational vehicles, motor homes, trailers and/or campers, provided that such units:

- (1). Are located within the setback requirements of this zone;

- (2) Are not more than thirty (30) feet in length;
- (3) Are not used for human habitation for more than one (1) month in a calendar year while parked; and are stored in a garage or carport if on the property for longer than one (1) month;
- (4) Are not permanently connected to any public or private utility system such as water, gas or electricity;
- (5) Are parked on the side or rear of the lot and are not parked or situated on any public street, thoroughfare, right of way, or front of lot;
- (6) Any units beyond two (2) must be screened from view of the roadway and all adjacent neighbors; and
- (7) Are currently licensed and registered as required with the State of New Mexico.

The following uses shall be permitted in the HCPD Zone only if the Planning and Zoning Commission grants a special use permit per Section II, Paragraph B.1.b.:

F. Temporary farm and ranch labor housing that does not exceed occupancy by more than five (5) persons;

G. The following non-residential uses, provided that the goods and/or services provided by these establishments support agricultural land use as defined in Section 2-4.5 of this Code:

1. Feed or farming store of square footage not to exceed the main residence square footage by 150%;
2. Nursery or greenhouse of square footage not to exceed the main residence square footage by 150%;
3. Recreational uses, including golf course/driving range;

6. Performance Standards

The following performance standards shall apply to all property A 20 ZONE:

A. Any inoperable vehicle as defined in County Ordinances #1987-3 and #2004-2, shall be repaired, stored in a garage or removed from the premises within 30 days.

B. The use of vehicles shall be restricted to the roads and driveways provided for their use. In order to preserve native vegetation, no motorcycle, ATV or any other vehicle shall be permitted to drive across any open field or pasture within the property if it creates a dust bowl condition due to removal of sage and grasses and may not create noise to the point of being a neighborhood nuisance as defined elsewhere in this zone and according to State and County nuisance laws.

C. Roadways: all roadways within the A 20 Zone are private. Road maintenance is at the discretion of the landowners using the roads. The project must be permitted for access road construction by Taos County and New Mexico Department of Transportation when the property access is from a New Mexico State Highway.

D. Recognizing the aesthetics of the natural vegetation, each property owner will make a conscientious effort to maintain as much of the natural vegetation as possible and will not clear, bulldoze, or remove more of the natural vegetation than is necessary for purposes of locating access roads, permanent residence and structures, and a reasonable yard and driveway surrounding the same, and no more than one third of any lot shall be cleared for these purposes.

Property owners may also clear the sagebrush from the remaining two-thirds of their lot provided that they replace the sagebrush with native pasture grasses before the next growing season.

E. All artificial exterior lighting must be shaded to meet New Mexico State "dark skies" laws and any Taos County Ordinances for "dark skies" conditions at night. Exterior lighting systems shall meet the functional and security requirements of the proposed land use, without producing nuisance glare or light trespass or does not adversely impact adjacent properties or the community.

F. Utilities: All new utility lines shall be placed underground. An easement over, under and across the ten (10) foot perimeter of each lot is hereby reserved for utility purposes, with access thereto for installation, repair and maintenance as necessary.

G, Maximum height of any improvements is twenty seven (27) feet measured from grade. Structures such as windmills, telecommunications towers and television antennas are not exempt from the height restrictions.

H. The project must be permitted for Waste Water Treatment by the New Mexico State Environment Department. No open garbage pits shall be maintained or used and no brush, trash or other waste materials shall be burned on the premises without a Taos County or Arroyo Hondo Fire Department burn permit.

I. The view sheds of the adjacent parcels and existing improvements should be preserved to the maximum extent possible. This can be accomplished by orientation, changing the roof design, clustering, or reduction in the maximum height of new improvements depending upon the elevation relative to the other sites.

J. Landscaping and xeriscaping are strongly encouraged, and should be designed and maintained with consideration of the neighbor's view sheds.

K. Non-residential development, except bed and breakfast inns or boarding houses, shall comply with the following additional development standards:

1. No more than five (5) employees;
2. No outdoor exhibition or storage of stock or building supplies that are not being used in a current construction project;
3. Only one (1) sign, not to exceed four (4) square feet and not illuminated;
4. The use is accessed by a public road;
5. Adequate, safe and marked access, egress and ingress is provided; and
6. Parking required in County Ordinance 2005-10 shall be provided on the lot within the setback requirements of this zone.

L. No improvement or use is permitted which emit noises louder than 60dB (A scale) measured at the perimeter of the property. Short, in-frequent exceptions are permitted.

###