Taos County
NEW MEXICO
PLANNING DEPARTMENT

FREQUENTLY ASKED QUESTIONS

Q: What is a land use code update, and why does it matter?

A: A land use code governs how land can be used and where homes, businesses, farms, and industries can locate, how big they can be, and how development affects neighbors. Updating it ensures rules reflect today's community needs and values, not those of decades past. This update includes what was previously known as the 2018 Land Use Regulations, 2005 Subdivision Regulations and many other Taos County Ordinances into one Unified Development Code (UDC) for clarity and consistency.

Q: Who are ARC consultants and what qualifications do they possess?

A: Architectural Research Consultants (ARC) is a unique consulting firm specializing in the areas of planning, architectural programming, facility evaluation, and architectural research. Founded in 1976, it is the largest and longest-established firm in New Mexico specializing in planning.

ARC was selected through a competitive request for proposal (RFP) process by the Taos County Procurement Department. An RFP is a formal business document an organization uses to announce a project, outline its requirements, and solicit competitive bids from qualified vendors or contractors.

ARC has previously worked in several counties across New Mexico. An archive of their projects can be found here: https://arcplanning.com/projects/.

Their qualifications and familiarity with New Mexico were among the reasons why they were chosen to be the consulting firm on the development of the Taos County UDC.

Q: Who gets to participate in this process?

A: Everyone. Residents, landowners, business owners, tribal members, farmers, ranchers, and anyone who lives in or cares about Taos County is encouraged to participate through public meetings, events where you see our booth, and online comment tools. The process is designed to be open, accessible, and bilingual.

Q: Will there be Spanish-language outreach?

A: Yes. All major outreach materials will be available in both English and Spanish. Interpretation will be provided at public meetings. Should a local community choose to create their own meeting, then they will need to secure someone who can interpret between English and Spanish.

Q: Will this change what I can do with my property?

A: The goal is not to take away existing rights. The update will clarify and modernize rules, address gaps, and in some cases create more flexibility, especially for accessory dwellings, agricultural uses, and home-based businesses. The UDC aims to reduce review requirements for smaller projects with few impacts, while applying more rigorous processes for larger ones.

Q: How will traditional and acequia-based land uses be protected?

A: All proposed zones will include agriculture and agricultural support functions; however, agro-industrial use will be conditional in some zones. The planning process will specifically engage acequia associations. Traditional agricultural and cultural land uses will be recognized and protected as priority uses in appropriate zones. The process is also informed by the Taos County Cultural Treasures Project, which helps identify places and practices that may not be easily identified on a map.

Q: What happens with short-term rentals and tourism-related uses?

A: This is a key community conversation. The update process will gather public input on how to balance tourism's economic benefits with neighborhood character, housing availability, and long-term affordability. The recently adopted Short-Term Rental ordinance is included in the Public Review Draft of the UDC; it will be updated and revised should there be a need.

Tourism-related uses, including lodging, guest cabins, tipis, and glamping, are proposed as permitted uses in highway corridor zones and conditional uses in mixed-use village and light industrial zones.

Q: What guidance does the 2025 Comprehensive Plan give to the development of the UDC?

A: The Comprehensive Plan recommends adopting a unified development code to make land use rules clearer, more consistent, and easier to administer. It also calls for creation of new residential, mixed-use and non-residential zones, and updated Dark Skies provisions, development standards, definitions, subdivision exemptions rules, and related regulations that reflect public input gathered during the two-year planning process.

Q: Why is the County pursuing a major update instead of minor edits to existing regulations?

A: The County requested the consultants to prepare a comprehensive update because the existing regulations need clearer, more predictable guidance for residents, developers, decision-makers, and community stakeholders. The County's Request for Proposals called for creation of conventional zones, such as residential R-1, R-2 and R-3 and commercial C-1 and C-2. A unified code can better support responsible growth, smart residential and commercial development, and protection of cultural and natural resources.

Q: What did the Code Assessment Report identify as the need for change?

A: The March 2025 Code Assessment Report recognized strengths in the existing ordinances, including protections for acequias, wildland-urban interface areas, short-term rentals, and Dark Skies. It also identified the need to address subjective standards, excessive review processes, outdated definitions, complicated organization, and the lack of a clearer zoning framework. The report was written after conducting fourteen stakeholder meetings, three meetings of the Board of County Commissioners, and a detailed review of the existing ordinances by the consultants and Planning Department.

Q: How much of the UDC is existing language and how much is new language?

A: A lot of the UDC is directly taken from existing ordinances and reformatted into the UDC articles, primarily Ordinance 2018-2, Land Use Code (zoning) and Ordinance 2005-08, Subdivision Regulations.

- Article I. Introduction purpose, authority and applicability statements were taken from the existing zoning and subdivision regulations, with some clarifications.
- In Article II, the rural zone is retained from Ord. 2018-2 and added to other new base zones, each with newly-written permitted and conditional uses. The detailed use matrix in Article II is largely new. "Conditional uses" replace "special uses" from Ord. 2018-2, not substantially different.

- Of the 21 development standards in Article III, 7 out of 14 are largely from Ord. 2018-2 and 6 out of 6 are largely from Ord. 2005-08. Article III has some substantive clarifications and provisions in addition to existing ordinances.
- Of the 37 supplemental use regulations in Article IV, 26 are largely from existing ordinances and 11 are largely new to address uses specified in the use matrix in Article II that did not appear in Ordinance 2018-2.
- Article V. Sign Code is virtually identical to Ordinance 2022-3 Sign Code.
- Article VI. Procedures reassembles into a unified format and clarifies existing codes' provisions, with new tables to help simplify and combine application processes
- Article VII. Nonconformities uses the existing language in Ord. 2018-2, with added language for nonconforming site improvements and for applications and project in progress.
- Article VIII. Enforcement contains significant new language to clarify civil and criminal violations, remedies, and enforcement procedures.
- Article IX. Agencies is mainly from Ordinance 2018-2
- Article X. Definitions & Rules of Interpretation contains approximately half existing and half new or substantially updated definitions.
- Article XI. Legal Provisions is mainly from Ordinance 2018-2
- Article XII. Submittal Requirements combines provisions from Ordinance 2018-2, Ordinance 2005-08, subdivision into a single checklist matrix with additional requirements for certain types of applications, including Short-Term Rental, Cannabis and Sign, Claim of Exemption from Subdivision, Administrative Adjustments. It is largely a reorganization of existing ordinance provisions.

Q: Why does the draft UDC create zone districts with permitted and conditional uses?

A: The current countywide Rural Area Zone relies heavily on performance standards and discretionary review, which can make decisions confusing, time-intensive, and difficult to predict. Proposed zone districts would clarify which uses are allowed in different areas, where public hearings are required, and how growth can be guided while protecting neighborhoods and rural character. Neighborhood and community zones were established for two areas, Upper Las Colonias and Stagecoach Hills, with more specificity, but also slightly differing rules and complexities such as visual compatibility that are difficult to administer.

The draft UDC proposes sixteen zones, each with a stated purpose, permitted and conditional uses, dimensional standards, and supplemental regulations where needed. While that number may seem extensive, it reflects the varied communities and landscapes across Taos County.

Q: How will the update address the housing shortage?

A: The zoning review process will provide options like allowing accessory dwelling units (casitas), streamlining permits for affordable housing, allowing for smaller lots and more affordable homes, allowing mixed-use in highway corridors, and creating flexibility for

multigenerational living while still respecting community character. Encouraging a variety of housing types to alleviate the affordability crisis is a core guiding principle of the UDC.

Q: How long will this process take, and when will changes take effect?

A: Land use updates typically take 18–36 months from start to adoption. The County will publish a timeline and milestone schedule so the public knows when key decisions are being made. This update follows the 2025 Comprehensive Plan adoption and is intended to bring land use regulations into alignment with that Plan.

Q: What if I disagree with a proposed change?

A: Public comment periods, planning commission hearings, and county commission meetings are all formal opportunities to voice concerns. No major changes will be adopted without public notice and a hearing process. Like the Living Comprehensive Plan, the UDC will also include an ongoing process for community-informed review and amendment.

Q: Why haven't we had a zoning map?

A: Our thought process was to meet with informed communities first. After having time to read about proposed zones, we wanted to gain an understanding of how each community envisioned which zone best fit their neighborhood. We saw this as a bottom-up approach to community engagement. Due to feedback that communities would rather have a suggested zone map to base their feedback from, we are currently working on a map of suggested zones for each area.

Q: How does the UDC recognize authorities of political subdivisions, New Mexico State Law, and Federal Regulations?

A: Taos County will not regulate where it has no jurisdiction and that will be reflected in the UDC. The Taos County Planning Department will make reference to superseding governing bodies within the UDC, such as acequias, so constituents can have an understanding of which authorities they will need to contact when required.

Q: Why is polycentric/cluster/nodal development a positive form of community development?

A: Development that is focused in a smaller area allows for:

1) Municipal or mutual domestic water hook-ups, which are more strictly monitored and regulated by the Office of the State Engineer than residential and commercial wells. This is important because New Mexico is experiencing a long-term drought and a consistently warming climate increases rates of evaporation of surface waters. Because the ground water basins aren't replenishing as readily, water systems that are better monitored and regulated mean water can be more easily shared and usage can be more accurately tracked.
2) Because of the higher costs of land and infrastructure extensions, smaller homes that are closer together allow for more affordable housing options. This is important because Taos County is experiencing an outward emigration of young people and an inward emigration of older and retired people. A major complaint from the local workforce is that there aren't enough jobs that pay a living wage that supports the high costs of rent and home ownership. Providing a streamlined process for developers to create affordable housing will keep costs down and provide more options for the people who live and work in the community, and their children, to stay in Taos County.
3) Cluster development encourages open spaces, a shared value that most residents have indicated as important in numerous surveys, including outreach for the recent Taos County Comprehensive Plan update. Current land use regulations allow for an ongoing community sprawl, which reduces open space for everyone other than those who can afford large tracts of land. Higher housing densities within established neighborhoods means that more of the landscape will remain open for everyone.
4) Polycentric and nodal development is actually more similar to traditional historic community development in Northern New Mexico. Having a village core promotes community, helps solve hydrological problems in an increasingly warming climate, cuts down on vehicle miles traveled (and gas used), and allows for each community to have its own functionality, independence, and unique characteristics.

Q: Where can I stay informed and get involved?

A: https://www.taoscounty.org/492/Land-Use-and-Subdivision-Regulations-Upd