



ORDINANCE NO. 23-12

AN ORDINANCE AMENDING THE TOWN TAOS TOWN CODE; TITLE 16, THE ADDITION OF THE FOLLOWING SECTIONS 16.16.226 HOZD HOSPITAL OVERLAY ZONE DISTRICT, SECTIONS 16.16.226.1 PURPOSE; SECTION 16.16.226.2 DEVELOPMENT STANDARDS AND PERMITTED USE REQUIREMENT; SECTION 16.16.226.3 PERMITTED SPECIAL USE CLASSIFICATIONS; SECTION 16.16.226.4 APPLICATION PROCEDURE SECTION 16.16.226.5 SITE DEVELOPMENT AND DESIGN STANDARDS; SECTION 16.16.226.6 DEFINITIONS

WHEREAS, the Hospital Overlay Zoning District is intended to promote and encourage the maintenance and concentration of existing and proposed healthcare facilities and their related uses. The district is intended to include primarily the principal structures and related facilities of each healthcare institution;

WHEREAS, a list of the property owners within the Hospital Overlay Zone District is located below within Appendix A;

WHEREAS, the general town code will be amended to re-designate an area, currently zoned R-2, "Residential", R-14 "Multi-Family Residential" and RA "Residential Agriculture", to have an overlay of C-2 "General Commercial" to provide more uniformity and flexibility of uses;

WHEREAS, this overlay provides an incentive for health care facility use by allowing certain uses where they otherwise would not be allowed, while dis-incentivizing perceived competing uses by not allowing residential-only development;

WHEREAS, the Town of Taos Planning and Zoning Commission held a duly published, noticed, and posted meeting on the Amendment to the Town of Taos Town Code on August 2nd, 2023, due to which the Planning and Zoning Commission recommended to the Town Council that such amendment to the Town Code be approved by the Town Council, and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Town of Taos, meeting in Regular Session this 26th day of September, that the following is hereby adopted, approved and ratified:

This ordinance shall become effective as provided by law.

In Chapter 16: Land Use Development the Town Code is amended as follows

§ 16.16.226 HOZD Hospital Overlay Zone District.

§ 16.16.226.1 Hospital Overlay Zone District Purpose.

The Hospital Overlay Zone District is intended to promote and encourage the maintenance of existing and proposed healthcare facilities and their related uses, in a manner that will establish and maintain reasonable balance between the need for orderly growth of healthcare facilities and the preservation and buffering of nearby residential areas. The district is intended to include generally the peripheral area of each healthcare facility where there is abutment or close proximity to nonhealthcare use.

§ 16.16.226.2 Development Standards and Permitted Use Requirements.

The development standards and permitted use requirements of the underlying zone C-2 as outlined in chapter **16.16.140.5** shall apply to a Hospital Overlay Zone District. In addition, the following is hereby imposed:

1. Height limitations.

Maximum building height for a Hospital in the HOZD development site shall not exceed forty-eight feet (48') in vertical height above median adjacent grade measured from the top of roof deck, excluding parapet and mechanical equipment.

2. Criteria

All projects administratively approved under this section must meet the town's architectural design criteria for commercial businesses and large-scale development massing criteria for new construction, where applicable.

§ 16.16.226.3 Permitted Special Use classifications.

The uses listed in section **16.16.226.3** of this chapter are hereby classified as permitted uses and upon issuance of an administrative permit by the code administrator or designee, such uses may be allowed in the HOZD.

1. Hospital
2. Residential treatment center or group home
3. Assisted living facility
4. Medical offices
5. Senior Living Facilities
6. Use defined in Health Care Facility
7. Affordable Housing

§ 16.16.226.4 Application procedure.

The application procedure shall follow chapters within **16.12.040** of this title.

§ 16.16.226.5 Site development and design standards.

Site development standards shall conform to the requirements of section **16.16.140.5** of this chapter as well as all applicable performance standards outlined in chapter **16.20** of this title

§ 16.16.226.6 Definition. As used in this section 16.16.226 the following word shall have the following meanings, unless the context clearly requires otherwise.

Healthcare facilities. Places that provide health care, to include hospitals, clinics, outpatient care centers, and specialized care centers, providing medical services to beneficiaries (e.g., hospital, skilled nursing facility, home health agency, outpatient physical therapy, comprehensive outpatient rehabilitation facility, end-stage renal disease facility, hospice, physician, non-physician provider, laboratory, supplier, etc.).

ORDAINED, ADOPTED, AND APPROVED this XX day of XX by the following vote:

Councilmember Darien D. Fernandez,	_____
Councilmember Nathaniel Evans	_____
Councilmember Corilia I. Ortega	_____
Councilmember Marietta S. Fambro	_____

TOWN OF TAOS

Mayor Pascualito M. Maestas

ATTEST:

APPROVED AS TO FORM:

Francella Garcia, Town Clerk

Christopher Stachura, Town Attorney

APPENDIX A
LAND OWNERS LIST WITHIN HOSPITAL OVERLAY ZONE DISTRICT

Parcel Owner	UPC#
#34962, TAOS PROFESSIONAL OFFICE	1 074 146 258 093
#35180, TAOS HD PROPERTY LLC	1 074 146 279 074
#35243, TAOS HD PROPERTY LLC	1 074 146 301 085
#45604, TAOS COUNTY	1 074 146 237 128
#53312, THE BOARD OF COUNTY COMMISSIONERS	1 074 146 260 155
#55855, 1340 MAESTAS ROAD NM LLC	1 074 146 257 187
#55857, DIALYSIS CLINIC INC	1 074 146 312 107
#55859, BOARD OF COUNTY COMMISSIONERS	1 074 146 318 079
#56814, TAOS HOLDING CO	1 074 146 185 222
#59102, NATIONAL COLLEGE OF MIDWIFERY INC.	1 074 146 302 170
#59493, TAOS COUNTY	1 074 146 241 064

#61401, TAOS ACQUISITION LLC	1 074 146 312 188
#61936, TAOS HEALTH SYSTEMS INC	1 074 146 230 045
#75772, TAOS COUNTY	1 074 146 274 143
#76434, TAOS ACQUISITION LLC	1 074 146 287 151
#80452, EL LLANO CO INC	1 074 146 177 250
#82352, TOWN OF TAOS	1 074 146 233 186
#88746, NATIONAL COLLEGE OF MIDWIFERY INC.	1 074 146 332 138