



**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 838  
1 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

IN THE MATTER OF THE TAOS COUNTY  
ADMINISTRATIVE PERMIT FOR THE  
TOWN OF TAOS "APPLICANT" REPRESENTING  
THE TOWN OF TAOS CROSS WIND RUNWAY  
ADMIN.-001-2014

**DECISION OF PLANNING DIRECTOR**  
**December 23, 2014**

**On September 8, 2014** the Taos County Planning Department received the Town of Taos Administrative Permit application for the proposed Taos Regional Cross Wind Runway. The Administrative Permit application includes but is not limited to the application form, deeds, applicable Administrative or Special Use Application Submittal Requirements identified in Section 4.5.2; written responses to Section 4.7.1 Development Compatibility Standards, A. Use, and B. Visual Compatibility; and written responses to Section 4.8.1 Administrative Performance Standards of Ordinance 2014-1, Taos County Land Use Regulations. In addition the Applicant provided an electronic (CD) copy of the Department of Transportation Federal Aviation Administration Final Environmental Impact Statement (FEIS) which includes Volume 1 (Documentation); Volume 2 (Appendix A-B); Volume 3 (Appendix C-M); Volume 4 (Appendix N-R); Volume 5 (Appendix S-Comments); Volume 6 (Appendix S-Responses/Appendix T) dated June 29, 2012; a copy of the Taos Regional Airport Final Environmental Impact Statement Executive Summary; a copy of the Memorandum of Agreement (MOA) Among The Federal Aviation Administration, Taos Pueblo, Town of Taos, The Advisory Council on Historic Preservation, The New Mexico State Historic Preservation Officer, The New Mexico Department of Transportation, Aviation Division, and The National Park Service Regarding Airport Layout Plan Revisions Approval, and Federal Funding Considerations at Taos Regional Airport, Taos New Mexico; and a copy of the Department of Transportation Federal Aviation Administration Record Of Decision (ROD) Taos Regional Airport Airport Layout Plan Improvements dated September 2012; and Engineered Construction Drawings prepared by Armstrong Consultants, Inc. November, 2013; and various types of supporting information.

The Application proposes the following:

- Construction of a new 8,600-foot by 100-foot runway capable of accommodating Airport Reference Code (ARC) C-II aircraft. The proposed airfield system complex consists of the runway (able to accommodate

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 839  
2 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

aircraft weighing up-to 60,000 pounds) and full length parallel taxiway; runway lighting; navigational aids for Category I Instrument Landing System (ILS) capabilities; runway safety areas and protection zones, and associated grading, drainage, and utility relocations; and installation of a Remote Transmitter-Receiver (RTR) located on airport property to allow aircraft operators at SKX (Taos Regional Airport) to communicate with Air Traffic Control (ATC) in Albuquerque (NM) while at SKX (note: SKX does not have a control tower or RADAR coverage below 12,500 mean sea level (MSL);

- Shortening of Runway 4/22 by 420 feet to the northeast, with an associated shift of the Runway Safety Area (RSA), Runway Object Free Area (ROFA) and Runway Protection Zone (RPZ) a similar distance to the northeast, to preclude penetration of the relocated Runway 4 threshold siting surface by aircraft operating on the new runway/taxiway system and to keep the existing non-precious Runway Protection Zone (RPZ) entirely on airport property in accordance with the guidance in the FAA Order 5100.38C, Paragraph 701b(1);
- Construction of a new airport access road, Haul Road (approximately 3,200 feet long); and
- Extension of the airport access road by approximately 2,800 feet, from the existing automobile parking lot to the Fixed Base Operator (FBO) hangar/terminal.

In a letter dated December 3, 2014 the Taos County Acting Planning Director deemed Administrative Permit application (Admin.-001-2014) complete in accordance with Section 4.5.3 Administrative or Special Use Procedures (C).

As a result of the Acting Planning Director deeming Administrative Permit application (Admin.-001-2014) complete and determining that no further review is necessary, the (Acting) Planning Director has reviewed Admin.-001-2014 per Section 4.7.1 Development Compatibility Standards, A. Use, and B. Visual Impact; and as per Section 4.8.1 Administrative, Special Use and Major Development Performance Standards of Ordinance 2014-1; and

The Taos County Acting Planning Director having reviewed and taken into consideration the Applicant's application and associated information; written comments in opposition, written comments of concern, and written comments of support finds the following:

The Federal Aviation Administration (FAA) is the government agency authorized by law and best equipped to assess both the aviation factors associated with the

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 840  
3 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

proposed cross wind runway and other improvements to the Taos Regional Airport, as well as their impact, using its own expertise, and the expertise of other

federal and state agencies. On September 19, 2012, the FAA issued its Record of Decision (ROD), making numerous findings and conclusions and approving the project subject to certain mitigation measures. The findings and conclusions include, but are not limited to, findings and conclusions regarding the purpose and need for the project, alternatives to the project, the extent of agency and public involvement in the decision making process, the impact of the project and required measures to mitigate the impact. The FAA also issued an Environmental Impact Statement (EIS) and a Final Environmental Impact Statement (FEIS) that are often referenced in the ROD as a basis for a finding or conclusion reached in the ROD. The ROD, the EIS and the FEIS were the result of an extensive multi-year effort by the FAA to determine, based on extensive input from other agencies, interested organizations and the public, whether the proposed project was needed, the extent of any impacts and any required mitigation measures.

Accordingly, the ROD is adopted in its entirety and incorporated herein by reference for all purposes. To the extent that the EIS, FEIS and other sources are cited in the ROD, the cited portions are also incorporated herein by reference for all purposes. All findings and conclusions in the ROD are specifically adopted whether or not they are referenced in this Decision. They support the conclusion that the proposal meets the Use and Development Compatibility Standards and the Performance Standards found in the Taos County Land Use Regulations, Ordinance 2014-1.

**Development Compatibility Standards:**

- A. Use: The development shall be sensitive to and consistent with the existing traditional and historic uses in the neighborhood, or the applicant shall be able to demonstrate that the development would provide a substantial benefit to, or support to, or would not have a substantial impact on the immediate neighborhood.*

The Acting Planning Director finds that the (proposed) development is sensitive to the neighborhood. In recognizing the importance of protecting the environment, the U.S. Congress passed the National Environmental Policy Act of 1969 (NEPA) which requires Federal agencies to consider in a systematic and interdisciplinary way how their major actions would affect man's environment. NEPA requires Federal agencies to take into consideration the environmental impacts of a Proposed Project. It also requires Federal agencies to analyze and consider alternatives to, and the environmental impacts of, their proposed actions; to disclose and consider mitigation for those impacts; and to provide interested parties with an

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 841  
4 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

opportunity to participate in the environmental evaluation process. In addition, Federal agencies must consider the "No-Action" Alternative.

Furthermore, when selecting a preferred alternative, NEPA requires Federal agencies to consider a proposed action's environmental consequences and to consider them with the agency's statutory mission (to both support and promote national transportation policies, and to respond to project-specific needs for aviation development) and responsibilities and technical and economic factors. The FAA completed a thorough and objective review of reasonable alternatives to the Town's proposed project at SKX (Taos Regional Airport). The FAA has disclosed and discussed the purpose and need for the proposed runway improvements at SKX in Chapter 2.0 of the FEIS. Chapter 3.0 of the FEIS identifies the alternatives evaluated, the FAA's alternatives screening process, and the alternatives that met the Level 1 (Purpose and Need) and the Level 2 (Constructability, Environmental, and Cost) criteria. The FAA amongst other things, carefully considered Impacts to Existing On-Airport Facilities; Impacts to Existing Off-Airport Infrastructure; Required Land Acquisition; Comparative Cost Considerations; and Environmental Impacts. On the basis of being able to meet all of the Level 1 purpose and need criteria and the Level 2 constructability, environmental impact, and cost considerations, three "Build" Alternative concepts were retained as reasonable alternatives in the FEIS, Alternative 2C, Alternative 2D and Alternative 3. All three "Build" Alternative concepts provide the FAA-recommended annualized wind coverage (consistently throughout the year) and adequate runway length for the existing and forecast design aircraft utilizing SKX. The FAA carefully considered and analyzed the impacts of the various alternatives. Because the environmental impacts associated with Alternatives 2C and 3 are greater than those associated with 2D, Alternative 2D is the environmentally preferred alternative. The FAA has given due consideration to all alternatives in the FEIS, including the "No-Action" Alternative," and as previously indicated, has selected 2D as the preferred alternative. All proposed airport improvements associated with Alternative 2D will be constructed on existing airport property and would, therefore, have no direct effect upon off-airport land uses.

The FAA has determined that the selected alternative would have no effect on properties listed and eligible for listing on the NRHP that are not associated with Taos Pueblo. In addition there would be no visual, audible, or vibration effects that would diminish the integrity of Taos Pueblo World Heritage Site as a result of aircraft on the flight tracts for any of the "Build Alternatives"; and the undertaking will not induce development or growth that would result in a change in the setting or character of the use of the World Heritage Site. The FAA believes that the

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 842  
5 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

noise analysis prepared for the EIS sufficiently describe potential aircraft noise impacts and satisfy the Agency's obligations under NEPA. Noise levels associated with the "Build" Alternatives would not result in any

incompatible land uses based on the projected Day-Night Sound Level (DNL) noise levels and FAA Land Use Compatibility Guidelines. Further Taos County does not have a noise ordinance that would govern noise associated with take-offs, taxiing, or departures from SKX.

Also, the proposed runway alignments and their associated arrival and departure paths (which take aircraft away from the Taos Pueblo World Heritage Site), should reduce the frequency of low altitude overflights of Taos Pueblo Tracts A and B when compared to the No-Action Alternative under Alternatives 2C and 2D, but would increase with the implementation of Alternative 3.

Further the FAA has determined that no minority or low-income group or community would be disproportionately affected by the impacts of the proposed action, nor would they result in disproportionate health and safety risks to children. The Build Alternatives would not result in any appreciable secondary or induced impacts, including population growth, increased development, and business activity over the existing trends and planned improvements to SKX are not expected to have a negative effect on air quality conditions.

The ROD approves the Agency actions necessary for implementation of the environmentally preferred alternative, Alternative 2D. The FAA finds that all practicable means to avoid or minimize environmental harm have been adopted through appropriate mitigation planning.

Table S-2 (Exhibit 1) provides the forecast of aviation activity projected to occur at SKX in 2015 with the "base" year being 2000. The forecast shows that there would be 14,747 operations in 2015 and 15,258 operations in 2020 if the Proposed Project was not built. In developing the With-Project 2015 aviation forecast, for SKX, it was assumed that the proposed improvements would be implemented in 2015 and that availability of the proposed improvements during their first year of operation would generate 2,665 additional annual aircraft operations, consistent with the FAA-approved aviation forecast for SKX. In 2020, the number of annual aircraft operations at SKX under the With-Project scenario would increase by 3,890 to 19,148 total operations when compared to the No-Project scenario. This equates to seven (7) additional daily operations in 2015 and 11 additional daily operations per day in 2020. It is now apparent that the additional flights will occur later than estimated in light of the current date.

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 843  
6 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

The Acting Planning Director also finds that the development is consistent with the existing traditional and historic uses in the neighborhood. It is understood that the existing runway at the Taos Regional Airport was constructed during the years of 1965-1967 with operation of the existing runway commencing on or about 1967. Development in the area was minimal. In 1986 the Town of Taos took steps towards an Environmental Assessment to evaluate the impacts of a second runway at the Taos [Municipal] Regional Airport. In May of 1988 the FAA determined that the project will have "no significant impact" and subsequently approved funding for construction. In preparation of construction of the second runway, the Town of Taos purchased land adjacent to the airport, and the Cross Wind Runway will be constructed on lands owned by the Town of Taos with no additional land acquisitions required at this time.

Recent developments include but are not limited to sparse residential structures; the Taos [Regional] Landfill; a couple of liquid propane (LP) gas vendors; an automotive repair shop; Waste Management facility and yard; a brew pub/restaurant; auto salvage yard; a couple of gravel pits; a solar array; and other various types of commercial development. The FAA has found that the project is not incompatible with existing land use based on FAA Land Use Compatibility Guidelines.

The Acting Planning Director also finds that the construction of the referenced haul road and shortening of the existing Runway 4/22 by 420 feet to the northeast are also sensitive to and consistent with the existing traditional and historic uses in the neighborhood and create a minor impact during construction.

Further the Acting Planning Director finds that the Applicant within the submitted written response to Section 4.7.1 Development Compatibility Standards A. Use - has demonstrated that the development will provide a substantial benefit to, or would not have a substantial impact on the immediate neighborhood.

- B. Visual Impact: The development shall be sensitive to and consistent with the architectural design, scale, density, bulk, building height, historical character, and orientation of the existing properties in the neighborhood, or the applicant shall be able to demonstrate that the alternative being proposed is suitable to the land and the neighborhood character.*

The Acting Planning Director finds that the development's *visual impact* is minimal and sensitive to existing properties in the neighborhood. Nearly all of the proposed improvements will be developed at ground level i.e. the construction of Runway 12/30 and the full length taxiway; the shortening of Runway 4/22 and the construction of the new airport access (haul) road.

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 844  
7 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

The Application proposes one above ground structure of 144 (12'x12') square feet with an approximate height of ten feet to be used as an electrical vault for electrical service for runway lighting to Runway 12/30. The size of the proposed electrical vault with its proposed exterior finish of cmu (concrete masonry units) is smaller in scale than the existing structures in the area and is also lower in height in comparison to the existing structures in the area.

The proposed electrical vault is compatible with the historical character of the existing airport and the existing properties in the neighborhood and construction of the electrical vault would give the appearance of a storage structure.

The two proposed holding bays are areas of paved surfaces where the concept of the holding bays is to allow aircraft to perform checks prior to flight and to allow other aircraft to circulate safely past. No structures will be constructed in reference to the holding bays.

The FAA found and the Acting Planning Director concurs that although new residential land uses are found in close proximity to the airport, intrusive light emission impacts, including annoyances caused by directional lighting, are not anticipated and mitigation for light emission impacts would not be required.

The Acting Planning Director finds that the response provided in Section 5.17.1 of Appendix T Technical Memorandum prepared by URS Corporation is an accurate depiction of the Taos Regional Airport in that Taos Pueblo Tract A land, located to the west and south of SKX, is undeveloped. Land to the north, east, and southeast of SKX is sparsely developed with residential and commercial uses. Residential development is primarily single-family homes, or small clusters of single-family homes, found along long road corridors that generally run in a northwest/southeast alignment. In recent years, the number of homes in the Detailed Study Area (DSA) has increased, mostly to the southeast and east of SKX. The nearest residences to existing airfield lights are those located approximately 1,800 feet southeast of Runway 4/22.

Further the Acting Planning Director finds that the response provided in Section 5.17.2 Alternate 2D of Appendix T Technical Memorandum prepared by URS Corporation is an accurate summation of the light emission impacts associated with airfield lighting for the proposed runway. Although the proposed airfield lighting would be visible to some area residences, the residences would be shielded from the new ground-based threshold and pavement edge lights, to a large extent, by vegetation.

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 845  
8 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

*Performance Standards*

*The following performance standards shall be considered for all applications for Administrative permits, Special Use permits, or Major Development permits. In the case of Administrative Review the Planning Director shall have the discretion to determine the applicability of the following performance standards based upon the nature of a particular project and its impact on the surrounding area.*

Further the Acting Planning Director finds that the Applicant has satisfactorily provided engineered drawings, written explanations and analysis of all of the standards identified in this section, or a written substantiation as to why the performance standards identified below do not apply.

- A. Roads;
- C. Water Supply and Quality;
- D. Liquid Waste Disposal;
- S. Landscaping; and

The Acting Planning Director used his discretion to determine the applicability of a Fire Prevention Plan and deemed it necessary for the applicant to submit for review a proposed fire prevention plan that was prepared by the Taos Volunteer Fire Department Inspector rather than a NM Licensed Engineer which fire prevention plan is acceptable to the Acting Planning Director; and

The Acting Planning Director used his discretion to determine the applicability of a subsequent Environmental Impact Study (EIS) and determined that a subsequent EIS is not necessary; and that the Final Environmental Impact Study (FEIS) and the Record of Decision (ROD) prepared by the FAA is adequate.

**THE TAOS COUNTY (ACTING) PLANNING DIRECTOR** adopted the Taos County Administrative Permit application of the Town of Taos (Admin.-001-2014), deeds, applicable Administrative or Special Use Application Submittal Requirements identified in Section 4.5.2; written responses to Section 4.7.1 Development Compatibility Standards, A. Use, and B. Visual Compatibility; and written responses to Section 4.8.1 Administrative Performance Standards of Ordinance 2014-1, Taos County Land Use Regulations. In addition the Applicant provided an electronic (CD) copy of the Department of Transportation Federal Aviation Administration Final Environmental Impact Statement (FEIS) which includes Volume 1 (Documentation); Volume 2 (Appendix A-B); Volume 3 (Appendix C-M); Volume 4 (Appendix N-R); Volume 5 (Appendix S-Comments); Volume 6 (Appendix S-Responses/Appendix T) dated June 29, 2012; a copy of the Taos Regional Airport Final Environmental Impact Statement Executive



**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 846  
9 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

Summary; a copy of the Memorandum of Agreement (MOA) Among The Federal Aviation Administration, Taos Pueblo, Town of Taos, The Advisory Council on Historic Preservation, The New Mexico State Historic Preservation Officer, The New Mexico Department of Transportation, Aviation Division, and The National Park Service Regarding Airport Layout Plan Revisions Approval, and Federal Funding Considerations at Taos Regional Airport, Taos New Mexico; and a copy of the Department of Transportation Federal Aviation Administration Record Of Decision (ROD) Taos Regional Airport Airport Layout Plan Improvements dated September 2012; and Engineered Construction Drawings prepared by Armstrong Consultants, Inc. November, 2013 as the standards required for the Applicant's fulfillment of the Administrative permit requirements; and adopted the findings of the FEIS and the Record of Decision; and

**THE TAOS COUNTY (ACTING) PLANNING DIRECTOR** having carefully reviewed the Town of Taos Administrative Permit (Admin.-001-2014) and supporting documentation and performing a site inspection of the Taos Regional Airport and an inspection of the perimeter of proposed Runway 12/30, finds that the proposals contained in the Applicant's Administrative permit application (Admin.-001-2014) and the supporting documentation identified above, conforms with the Administrative permit requirements identified in Ordinance 2014-1 including Section 4.5.2, (Submittal Requirements); Section 4.7.1 (Development Compatibility Standards); and Section 4.8.1 (Performance Standards) and therefore the Taos County Administrative permit application of the Town of Taos (Admin.-001-2014) is hereby approved subject to the following conditions:

1. The Applicant is considered for the application submitted; any changes in the application shall come into the Planning Department for review and consideration.
2. Prior to the commencement of any work related to the access haul road, the Town of Taos' contractor shall obtain a temporary roadway work permit from the District 5 Traffic Engineer.
  - a. The Applicant shall provide a copy of the approved temporary roadway work permit to the Taos County Planning Department.
  - b. As soon as the haul road is completed, the Applicant or the Town of Taos' contractor shall place a stop sign at the intersection of the haul road and U.S. Highway 64.
3. The applicant shall obtain an approved building permit from the State of New Mexico Construction Industries division for the construction of the electrical vault.

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 847  
10 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

- a. The applicant shall provide a copy of the approved building permit to the Taos County Planning Department.
- b. If acceptable to the FAA, the exterior finish of the electrical vault shall be an earth-tone color with the metal roof being a non-reflective color.
4. The Applicant shall conform with the minimum setback requirements identified in Ordinance 2014-1, Taos County Land Use Regulations to include a minimum front setback of 35'; a minimum side yard setback of 30'; and a minimum rear setback of 30'.
5. Prior to the commencement of any of the proposed improvements, the Town of Taos' contractor shall make arrangements to provide construction water that will be utilized for soil compaction and dust control on the haul road and construction site.
  - a. The Town of Taos' contractor shall ensure that dust is kept to a minimum.
6. Prior to the commencement of any of the proposed improvements, accommodations for restroom facilities during construction shall be provided and maintained by the Town of Taos' contractor.
7. Prior to the commencement of any of the proposed improvements, an updated Stormwater Pollution Prevention Plan (SWPPP), which incorporates the proposed improvements and which shall also incorporate the Best Management Practices (BMPs) and Best Available Technology (BAT) shall be prepared and implemented by the Town of Taos; or its contractor prior to the commencement of any of the referenced improvements.
  - a. The Applicant shall provide the Taos County planning department with a copy of the above-referenced updated SWPPP.
8. Any solid waste generated during the construction shall be disposed of by the Contractor at a Taos County approved transfer station; or at the Taos Regional Landfill, or if neither are available at such other site approved by the Taos County Planning Department.
9. Maintenance and repair of equipment would be confined to areas specifically designed for that purpose such as the contractor's staging area.

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 848  
11 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

- a. When equipment servicing is not conducted in these designated areas, special care can be taken to ensure that these potential pollutants would not be washed into nearby drainage channels.
10. Any future fencing up to six feet in height shall be permitted by right. Fences in excess of six feet but not greater than ten feet shall require a variance and a Taos County approved building permit.
- a. If applicable, fencing shall comply with Appendix Five – Site Triangle Area (Ordinance 2014-1, Taos County Land Use Regulations).
  - b. Fencing in excess of ten feet is prohibited (unless specifically identified in the FAA Record of Decision).
11. The Applicant shall comply with all requirements of the ROD.

*Notice of Decision and Right to Appeal*

*On the date that the Planning Director's decision is sent to the applicant, the Planning Director shall also cause to be posted on the property for a period of at least thirty (30) days the fact that the application has been approved, approved with conditions or denied along with a description of the right to appeal, the appeal procedure and the appeal deadline. The size and location requirements of Section 7.1.3 shall apply.*

*On the date that the Planning Director's decision is sent to the applicant, the Planning Director shall, by regular U.S. mail, send a copy of the decision to anyone who has requested notice of the decision pursuant to Section 7.1.5, along with a description of the right to appeal, the appeal procedure and the appeal deadline.*

*Although not required by Ordinance 2014-1, due to the high level of public interest in this Decision, notice shall be published in a newspaper of general distribution in Taos County at least once during the 30 day appeal period stating whether the application has been approved, approved with conditions or denied and describing the right to appeal, the appeal procedure and the appeal deadline.*

*As per Section 10.1.1 Appeals of Decisions of the Planning Director: A party as defined in Ordinance 2014-1, Taos County Land Use Regulations may appeal. For the purpose of the right to appeal, due to the additional notice by publication of this Decision set out above, the definition of party shall not be limited to adjacent property owners, but shall include persons aggrieved by the Decision as that phrase is understood in the law of the State of New Mexico. The Appeal procedure is identified in Section 10.1.1 Appeals of Decisions of the Planning Director A – M of Ordinance 2014-1, Taos County Land Use Regulations.*

**BEFORE THE TAOS COUNTY  
PLANNING DIRECTOR  
TAOS, COUNTY NEW MEXICO**

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000400256  
Book 864 Page 849  
12 of 12  
12/23/2014 10:33:27 AM  
BY AMANDAA

*Notice of appeal of a decision by the Planning Director shall be submitted to the Planning Department and recorded with the Taos County Clerk within thirty (30) calendar days from the date the Planning Director enters a written decision on the application, and is must be accompanied by the required non-refundable appeal fee of \$200.00*

*A copy of this Decision shall be provided to any member of the public at a reasonable cost. A copy may be obtained at the Taos County Planning Department.*

**APPROVED** by the Taos County Planning Director this 23rd. day of December 2014.

*Edward L. Vigil*

Edward L. Vigil, Acting Planning Director

ATTESTED BY:

*Rebecca S. Mondragon*

Rebecca S. Mondragon, Office Manager

