

History of the Upper Las Colonias Neighborhood Association

Date: *September 2018*

RE: Historical Perspective on Upper Las Colonias zoning

1999. The covenants on some of the subdivisions in Upper Las Colonias had expired. These covenants had designated specific regulations for development in these subdivisions, including that the lots could be used as single family residential only, minimum size of lots and setbacks, and size and number of buildings allowed on lots. Without covenants, these residential subdivisions would fall entirely under Taos County Land Use Regulations (Ordinances [1997-4](#), [1998-6](#)) which specified the land as Rural Residential but subject to being developed for any use approved by Taos County Planning and Taos County Commission through special use permits.

Renewal of the expired covenants would require 100% agreement by landowners in each subdivision, making renewal impossible in at least two of the subdivisions, Mission Hills and Shriver (Del Norte). In those two subdivisions, investors had purchased residential lots adjacent to Highway 150 with plans to develop the land commercially when covenants no longer prevented them from doing so.

At that time, Upper Las Colonias was part of the Colonias West Mesa Preservation Association. This was a very large association which served Blueberry Hill, Lower Colonias, Mid Colonias, and Upper Colonias. Several Upper Las Colonias residents explored the possibility of forming a new neighborhood association which would address the unique nature and needs of Upper Las Colonias (ULC).

November 1999. Flyers were distributed to every home/building in ULC announcing a meeting for **November 30th** for the consideration of forming a new neighborhood association. The flyers encouraged all property owners to attend, and if unable to attend to return the attached form which asked for their opinions as to whether to proceed with a new neighborhood association and requesting updated information for mailing list.

November 30, 1999. First meeting was held. Flyers were returned by 85 property owners and a vote was taken at the meeting to proceed with a new neighborhood association. Board was elected. Annual meeting was established as November of each year.

Late 1999-Early 2000. During the next months, the Board created a USPS mailing list, filed incorporation papers to become a non-profit neighborhood association, wrote by-laws, and made a request to Taos County to be approved as a neighborhood association with the name "Upper Las Colonias Neighborhood Association" (ULCNA). At a presentation to Taos County Commission, ULCNA received formal recognition as a Taos county neighborhood association.

Each year beginning in 2000, a nominating committee sought volunteers to serve on the Board of Directors of ULCNA. The search for volunteers to serve on the Board or to help in other ways was accomplished through mailed notices, at meetings, and through personal contacts. While this effort has produced some new volunteers over the years, many of the original founders and early Board members of ULCNA have stayed involved in order to maintain the association.

2000-2003. The decision was formally made by the newly formed ULCNA to take advantage of a stipulation in the Taos County Land Use Regulations Ordinance 1998-6 that neighborhood associations

were eligible to apply for zoning regulations. A long process began of research and consultation to begin to put together a zoning proposal for ULC. Those involved were extremely grateful for the assistance of County Commissioner Nick Jaramillo during these years. Without his assistance it is doubtful ULCNA could have succeeded in the pursuit of a zoning ordinance.

Five newsletters were mailed during 2000 and early 2001. Many hours were spent at Taos County offices updating the ULC mailing list. A large map of ULC was obtained from Taos County Planning office, on which each property is designated by a number. Owners and addresses of all but four or five of the numbers on the map were found in Taos County computers and included in the USPS mailing list for ULCNA.

In [September 2001](#) a workshop was held to review the progress with the zoning proposal. Homeowners were notified by USPS mail and a notice was posted in the Taos News. At that workshop, attendees voted on specific aspects of the proposal.

In [October 2001](#) a newsletter was mailed.

In [February 2002](#) the Tarleton family submitted an agreement pertaining to the large plot of land on their ranch designated commercial in the proposed zoning. They also displayed a drawing of a master plan for this plot of land, which was referred to as a "village" or "Plaza" with a hotel as focal point surrounded by additional retail and residential development.

In [March 2002](#) a second workshop was held. Again, at this workshop participants were notified by USPS mail and it was posted in the Taos News. Attendees were again able to vote on specific aspects of the proposal. The concept was presented of a master plan "village" or "plaza" on the Tarleton commercial plot of land, with a hotel as focal point, surrounded by additional retail and residential development.

In [June 2002](#) a postcard was USPS mailed to homeowners informing them of a website where they could find the zoning proposal. Those unable to access the website were encouraged to pick up a copy at Quail Ridge Inn front desk. Comments were invited.

In [August 2002](#) a survey was USPS mailed to homeowners asking for each property owner to indicate approval or disapproval of the zoning proposal. Included were stamped return envelopes. A total of 294 surveys were mailed, of which 49% were returned. Of the total 49% returned, 89% gave an affirmative response – indicating yes, they approved of the proposal. 6% said no, and the rest had no opinion. Of full-time residents, 70% were returned, and 91% of those gave an affirmative response.

The proposal was subsequently submitted to Taos County Planning Department, followed by presentation to Taos County Commission. Changes were made to the proposal as required by the Commission, and eventually after a couple of delays, final approval was given by Taos County Commission. The zoning proposal became Taos County Ordinance 2003-1. That same year, Taos County passed Land Use Regulations 2003-7.

2004-present (September 2018). As specified in Ordinance 2003-1, ULCNA provided input to Taos County on development proposals within Upper Las Colonias, and all final decisions were made by Taos County.

2005. In 2005, Taos County passed Land Use Regulations 2005-10, which incorporated amendments previously approved and included 2003-1, Upper Las Colonias zoning ordinance. Each subsequent new LUR document passed by Taos County continued to include 2003-1.

2005-2012. During these years, the email list was constantly updated. Notices about ULCNA activities were sent by email to property owners, but for those on the ULCNA member list whose email addresses were missing, USPS was still employed for important notifications. Beginning in 2010 and up to the present time, in addition to email notices and posting in The Taos News, ULCNA annual meetings have been announced by the placing of 3' X 8' banners four weeks prior to the meetings, one on 522 at Upper Colonias Road, one at the entrance of Del Norte on 150, and one facing north and south on 150 in front of Quail Ridge Inn.

2013. Taos County was pursuing new Land Use Regulations. Each Neighborhood was invited to prepare a matrix which specified details of allowed and prohibited land uses.

The ULCNA Board called a meeting to discuss the matrix that would be proposed by ULCNA. Little interest was generated except among a very small number of property owners who proposed a matrix which would make changes to the zoning principles laid out in 2003-1 and which would significantly alter the character of the neighborhood, affecting both residential and commercial properties. A large coalition of property owners who wished to preserve the vision of 2003-1 reacted strongly to this proposal and petitioned the Board to reopen the process of drafting the matrix for the new LURs.

Subsequently, the ULCNA Board appointed the Joint Working Group (JWG), which consisted of members of the Board and members of the coalition of property owners who had petitioned the Board, and included both residential owners and commercial owners. The JWG was charged with the responsibility of interpreting 2003-1 into the new matrix format required by Taos County. The new matrix was called an "overlay" to the Taos County LURs.

Extensive outreach to property owners was made by the JWG, including emails, phone calls, and in-person discussions, as well as knocking on doors of some residents who had not been involved in the past. Meetings were held for small groups, including meetings on Isleta, Mirlo, and Graythorne. Small meetings were also held at Quail Ridge for the 3A neighbors and for two commercial property owners. Individual meetings were held for property owners who had specific concerns or questions, including a couple of meetings at coffee houses, some in homes, and at Quail Ridge. One property owner was visited in Albuquerque by a member of the JWG to address his concerns. JWG also gave a tour of ULC to Tom Blankenhorn, County Commissioner.

In [July 2013](#), the draft "overlay" was posted on the ULCNA website and a survey questionnaire was sent to property owners, asking whether they were in support of the draft. 62 surveys were returned during July and August, with 61 signifying support and 1 opposed, and 9 other property owners indicated support without returning the survey.

September 2013. A draft of the ULCNA "overlay" was presented to property owners at a workshop on [September 24th](#). This workshop was announced via the email list, and those without email were notified by USPS. It was also announced in the Taos News. A presentation was made by the JWG using slides, followed by small group discussions, and finally each small group summarized its findings and recommendations for the larger audience. Rick Bellis from Taos County Planning Department attended the workshop and answered questions.

At the workshop, a questionnaire was handed out which contained ten suggestions that had been received from property owners but were not included in the "overlay." Attendees were asked "should we revisit (the ten suggestions) and why." Responses to each of the ten suggestions ranged from 3-5 yes (should be revisited) and 63-66 no (should not be revisited).

2014. Recommendations from the workshop were reviewed and changes made to the overlay draft. Tom Blankenhorn, Taos County Commissioner, met with JWG on several occasions during the process of further developing the "overlay." An email was sent to property owners outlining the changes made to the overlay since the 2013 workshop, encouraging them to examine the draft posted on the ULCNA website, and requesting comments.

Taos County passed Land Use Regulations 2014-1, producing new definitions to be employed in the matrix format the neighborhoods were to employ. JWG worked on bringing the ULCNA "overlay" into compliance.

2015. Another Land Use Regulation document was passed by Taos County, 2015-2, and again new definitions and slightly different details on the matrix were required. JWG engaged in making necessary changes to the ULCNA overlay to comply with the new definitions and requirements.

At a Board meeting, concerns arose that the Tarleton commercial plot of land had been divided among family members and would be sold in parcels to developers without the master plan that had been expected. This would allow haphazard development of this large plot of land. JWG had a meeting with Tom Blankenhorn who affirmed this would be allowed if the development followed Taos County regulations. JWG met with representatives of the Tarleton family and then with Taos County Planning Department to attempt to come up with a type of zoning that would allow a master planned development for that land. Planning Department made a commitment to work with Tarleton family to come up with a plan.

2016. Taos County passed an amendment to the Land Use Regulations, 2016-1.

A final draft of the ULCNA "overlay" was completed and submitted to the ULCNA Board. It was approved by the Board for submission to Taos County Planning Department for further review and consultation. At this time, the draft "overlay" had been on the ULCNA website for several years, where property owners were encouraged to track the progress.

Following submission to Taos County Planning Department, requests for changes were submitted to the Planning Department by representatives of several commercial owners. These requests were forwarded to ULCNA, and some of the requested changes were made in the ULCNA overlay by the JWG.

Some of the requests by the commercial property representatives were not included in the overlay. One of the requests that entailed meetings with the commercial interests as well as Taos County Planning Department was for a gas station, which ULCNA is firmly against. Another major issue for ULCNA is the preservation of the **light** commercial zone in lots which were previously parts of residential subdivisions (as opposed to heavier commercial zones which were not part of residential subdivisions).

At this point, the next step would be Taos County approving a final draft of new LURs.

2018. Taos County approved new LURs, 2018-02. Because of a few new definitions, it was necessary once again to make minor changes to the ULCNA draft "overlay," which is now called "neighborhood zone."

"Neighborhood Zone" draft for ULCNA continues to be posted on ULCNA website.

The 2018 LURs offer the opportunity for a Planned Unit Development (PUD). The Tarleton family has presented a PUD plan to ULC. This PUD plan is a means for a master planned development of the Tarleton commercial land as opposed to the selling of pieces of land to developers who would then propose a special use permit to Taos County for each separate development. Some ULCNA property owners are in favor, while others are not, and several Board meetings have involved discussions between the owners and the Tarleton family development team. In addition, the development team has worked with individuals who have concerns. The PUD plan has been posted on the ULCNA website and a large copy is on the wall at Quail Ridge office.