



**AGENDA**  
**November 13, 2013**  
**Planning and Zoning Commission**  
**Regular Meeting**

**Town Council Chambers - 120 Civic Plaza Drive**  
**5:30 PM**

**1. CALL TO ORDER BY THE CHAIRMAN**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF AGENDA**

**5. APPROVAL OF MINUTES**

- A. June 05, 2013 Meeting Minutes
- B. July 03, 2013 Meeting Minutes
- C. September 04, 2013 Meeting Minutes
- D. October 02, 2013 Meeting Minutes

**6. CITIZENS FORUM**

Citizens wishing to speak shall limit their comments to 5 minutes or less at the Chairman's discretion. No action may be taken.

**7. MATTERS FROM STAFF**

**8. PUBLIC HEARINGS**

A. Case No. PZ 2013-16

M-R-S, Inc., property owner, Hugh MacQueen, agent is requesting a lot split and conditional use permit within the HCPD "Highway Corridor Protection District" zone of the Town of Taos. The subject property is .812 acres, which is proposed to be split into a .250 acre lot with an existing residential house on it and a .562 acre lot with a commercial building on it. The lot is located at 114 Este Es Road. In the Town of Taos Code Section 16.16. 160.4 a conditional use permit is required to allow a residential house on land zoned HCPD.

B. Case No. PZ 2013-18

Del Norte Properties, LLC/Glen Michael Tarleton, property owner, Mark Yaravitz, agent is requesting a rezoning from C-2 "General Commercial" zone to R-14 "Multi-Family Residential"

for property consisting of approximately 1.501 acres currently zoned both C-2 and R-14 at 402 Paseo del Pueblo Norte within a Historic District Overlay in the Town of Taos. The land area zoned currently C-2 is approximately .65 acres.

C. Case No. PZ 2013-21

Ordinance No. 13-13: An Ordinance amending sections of the existing Land Use Development Code, Chapter 16, Town of Taos Code sections: 16.12.040.5:APPLICATION PROCEDURE, 16.12.040.9: DECISION OF THE ZONING AUTHORITY, DRC, COMMISSION, HISTORIC PRESERVATION COMMISSION OR CODE ADMINISTRATOR, 16.20.080.1: PLANNED UNIT DEVELOPMENT PRELIMINARY SCHEMATIC SITE DEVELOPMENT PLANS, 16.20.070.5: NOTICE, REGISTRATION, VIOLATIONS, COMPLAINTS, VARIANCES, APPEALS to provide an alternative to the requirements for certified mailing of certain notices required, to convert the preliminary public hearing on pending applications from the Planning and Zoning Commission to the Development Review Committee and to amend the existing Application procedure to require the review and processing of completed Applications only by the Town of Taos Planning Department.

D. Case No. PZ 2013-22

Ordinance No. 13-16: An Ordinance Adding as Permitted Principal Uses to the Town of Town Code Section 16.16.140 et seq. for the C-2 "General Commercial Zone" to allow certain agricultural uses.

E. Case No. PZ 2013-23

Ordinance No. 13-17: An Ordinance Adding as Permitted Principal Uses to the Town of Town Code Section 16.16.120 et seq. for the R-14 "Multi-Family Residential Zone" to Allow as Permitted Principal Uses Professional Office or Service, Specialty Retail Establishments, and Other Commercial Uses that are Compatible and Complementary in Scale and Appearance with the Residential Environment and Provide Business Services and Office Facilities to Residents of the Neighborhood.

## **9. MATTERS FROM THE PLANNING AND ZONING COMMISSION**

## **10. ADJOURNMENT**

- *To request details on an agenda item please contact the Dinah Gonzales, Taos New Mexico, 87571 (575) 751-2016.*
- *If you are an individual with a disability who is in need of aid or service to attend and/or participate in a meeting of the Town of Taos Council, please contact the office of the Town Clerk at 400 Camino de la Placita, Taos New Mexico, 87571 (575) 751-2005 at least 24 hours in advance.*
- *For copies of this agenda please pick-up at Town Hall.*



**November 13, 2013**

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**Title:**


June 05, 2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

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 [June 05, 2013 Meeting Minutes](#)

**PLANNING AND ZONING COMMISSION**  
**Council Chambers, 120 Civic Plaza Drive**  
**Regular Meeting Minutes**

*June 5, 2013*

**This meeting was called to order at 5:30 PM at the Council Chambers, Coronado Hall at 120 Civic Plaza Drive by Douglas Patterson, Chairman. This is the regular monthly meeting of the Town of Taos Planning and Zoning Commission.**

**1. ROLL CALL**

Present: Chairman Douglas Patterson  
Vice-Chairman Justin Lea  
Pavel Lukes  
Dennis Garcia  
Anthony Perez

Absent: None

Staff Present: Rudy Perea, Senior Planner  
Brian James – Town of Taos Attorney

**2. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

**3. APPROVAL OF AGENDA**

Commissioner Lukes made a motion to approve the agenda.

Commissioner Perez seconded it

Commissioners voted unanimously on the motion.

**4. APPROVAL OF MEETING MINUTES**

Commissioner Garcia made a motion to approve the minutes

Commissioner Lukes seconded the motion.

Commissioners voted unanimously on the motion.

**5. CITIZEN'S FORUM**

No one signed in to speak

**6. MATTERS FROM STAFF**

a. **Review of proposed updated By-Laws for the Planning and Zoning Commission.**

Rudy Perea gave a brief summary of the amendments to the Planning and Zoning Commission By-Laws.

Commissioners had a discussion concerning the limited terms for the Chair and Vice-Chair.

Vice-Chair Lea made a motion to table the amendments to the Planning and Zoning Commission By-Laws.

Commissioner Garcia seconded it

Commissioners voting yes were: Chairman Patterson, Vice-Chairman Lea, Commissioner Garcia and Commissioner Perez.

Commissioner Lukes abstained

b. **Proposed training dates for Commissioner Training.**

Rudy Perea asked the Commissioners to please get back to him on the dates they will be available to attend the Commissioner Training so he may schedule the training with Mr. Vanbleck.

- c. Brian James, Town Attorney informed the Commissioners about the upcoming Zoning of the 327 parcels annexed into the Town. According to the Land Use Development Use there will need to be 2 public hearings for each of the 327 parcels which will be 654 public hearings with the Planning and Zoning Commission and 327 with the Town of Taos Council. Mr. James asked Mr. Perea to put the discussion it on the next month's agenda.

**7. MATTERS FROM THE COMMISSIONERS**

None

**8. ADJOURNMENT**

Commissioner Perez made a motion to adjourn.

Commissioner Garcia seconded it.

The Commission adjourned.

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Chairperson Doug Patterson



**November 13, 2013**

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**Title:**

July 03, 2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

Click to download

 [July 03, 2013 Meeting Minutes](#)



**MINUTES  
July 3 2013  
Planning and Zoning Committee  
Regular Meeting**

**Town Council Chambers - 120 Civic Plaza Drive  
5:30 PM  
Regular Meeting**

**1. CALL TO ORDER BY THE CHAIRMAN**

The Regular Meeting of the Planning and Zoning Commission was called to order by the Chairman Doug Patterson at 5:30 p.m.

**2. ROLL CALL**

Mr. Rudy Perea, called roll and a quorum was present.

**Those present were:**

Chairman Doug Patterson  
Commissioner Justin Lea  
Commissioner Dennis Garcia  
Commissioner Pavel Lukes

**Also present were:**

Town Attorney, C. Brian James  
Senior Planner, Rudy Perea

**Those Absent/Excused were:**

Commissioner Anthony Perez

**3. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**4. APPROVAL OF AGENDA**

Commissioner Justin Lea stated he would like to add to the agenda under Item 8 a. Matters from the Commission a discussion on the status of the Planning and Zoning Department.

**Commissioner Justin Lea made a motion to approve the Agenda as amended.**

**Commissioner Dennis Garcia seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lea, Garcia, Lukes**

**5. CITIZENS FORUM**

There were no citizens from the community signed in to speak.

Citizens wishing to speak shall limit their comments to 5 minutes or less at the Chairman's discretion. No action may be taken.

## **6. MATTERS FROM STAFF**

- A. Discussion regarding allowing agricultural uses in commercial zones.

A lengthy discussion ensued.

Members from the Community signed in to speak were:

Micah Roseberry  
Claire D'Gaia  
Taylor Breselle  
Ryan Schere

Commissioners directed staff to place under Matters from Commissioners a draft of an Ordinance to allow agricultural uses in Commercial Zones.

- B. Discussion regarding streamlining the zone change application review process.

A short discussion ensued.

## **7. PUBLIC HEARINGS**

Mr. Rudy Perea read the rules for Public Hearings.

- A. Case No. P&Z 2013-2

Clarke and Georgia Brunton, property owners are requesting a variance from section 16.20.120.6 Subsection (B) of the Town of Taos Land Use Development Code which requires a minimum lot size of 7,000 square feet for their property located at 119 Montano Lane. The Applicants are requesting a variance to be able to split the property into two (2) Parcels that are 4,573.8 square feet and 3,307.2 square feet in size. The Applicants are also requesting a variance from section 16.20.120.6 subsection (D)(3) of the Town of Taos Land Use Development Code which requires a minimum of 10 foot rear yard setback for their properties located at 119 Montano and 118 Brooks Street.

The Applicants are requesting a 7.5 foot setback on their property located at 119 Montano and a 9.5 setback on their property located at 118 Brooks Street. The subject properties are zoned R-14 Multi-Family Residential within the town limits of the Town of Taos.

Mr. Rudy Perea gave a brief Summary of Case No. P&Z 2013-2

Georgia Brunton, Applicant, gave a breif presentation.

**Commissioner Pavel Lukes made a motion to approve the preliminary hearing for Case No. P&Z 2013-2 and to move Case No. P&Z 2013-2 to a Final Public Hearing on August 07, 2013**

**Commissioner Dennis Garcia seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Patterson, Lea, Garcia, Lukes.**

- B. Case No. P&Z 2013-3

Robin Martin, property owner, Taylor Etchemendy Agent are requesting a Conditional Use Permit to operate a Day Care Center on a property located at 120 Camino De La Placita. The



subject property is zoned CBD (Central Business District) within the Historic Overlay Zone of the Town of Taos.

Mr. Rudy Perea gave a brief Summary of Case No. P&Z 2013-3 and explained his recommendations as to what the Applicants still need before the final Public Hearing on August 07, 2013.

Taylor Etchemendy gave a brief presentation on their intent and answered questions the Commissioners asked.

**Commissioner Lukes made a motion to approve Case No. P&Z 2013-3 based on findings of facts and conditions as articulated in the Staff Report by the Planning and Zoning Staff and move it for final approval on August 07, 2013.**

**Commissioner Lea seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lea, Garcia, Lukes**

**Chairman Patterson abstained**

#### **8. MATTERS FROM THE PLANNING AND ZONING COMMITTEE**

Commissioner Pavel Lukes made a motion to amend and table the summary Meeting Minutes from the June 5th Planning and Zoning Commission Meeting and to re-do them verbatim.

**Commissioner Lea seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lea, Garcia, Lukes.**

**Commissioners voting NO were: Chairman Patterson**

A discussion on the status of the Planning, Zoning and Buildings Department ensued.

Commissioners requested the Interim Planning, Zoning and Buildings Department Director attend the next meeting to give an update on the Department status.

#### **9. ADJOURNMENT**

**Commissioner Lukes made a motion to adjourn.**

**Commissioner Lea seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lea, Garcia, Patterson, Lukes**

**APPROVED:**

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**Chairperson**

***PLEASE NOTE: The Town of Taos video records all meetings of the Planning and Zoning Commission. Copies of DVDs are available upon request at the Town Clerk's Office located at 400 Camino de la Placita (575-751-2005) at a fee of \$5.00 per recording. Additionally, video recordings can be viewed at [www.mediataos.org](http://www.mediataos.org). You may also view agendas, agenda packets, and minutes at <http://public.taosgov.com/>.***



**July 3, 2013**

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**Title:**

Discussion regarding allowing agricultural uses in commercial zones.

**Summary:**

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**July 3, 2013**

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**Title:**

Discussion regarding streamlining the zone change application review process.

**Summary:**

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**PRELIMINARY STAFF REPORT TO THE PLANNING & ZONING COMMISSION  
PLANNING, ZONING, AND BUILDINGS DEPARTMENT  
CASE TYPE- LOT SIZE AND REAR YARD SETBACK VARIANCE REQUESTS**

**I. General Data:**

Project Name: Lot Size and Rear Yard Setback Variance Requests

Application: P&Z 2013-2

Agent: Donna Brunton

Owners: Clarke and Georgia Brunton

Location: 118 Brooks Street and 119 Montano Lane

Request: This is a request for variance from lot size and rear yard setback standards of an R-14 Multi-Family Residential Zone as they are stated in section 16.16.120.3 subsections (B) and (D)(3) of the Town of Taos Land Use Development Code.

Hearings: This is the preliminary public hearing before the Planning and Zoning Commission on these variance requests.

Recommendation: Staff recommends that these variance requests be moved forward to a final public hearing with the condition stated at the end of this report.

**II. Site Data:**

Site Area: .181+-acres

Existing Land Use: Residential

Existing Zoning: R-14 Multi-Family Residential

	Existing Zoning	Existing Land Use
<b>Site</b>	R-14 Multi-Family Residential	Residential
<b>North</b>	R-14 Multi-Family Residential	Multi-Family/Single Family Residential
<b>South</b>	R-14 Multi-Family Residential	Single Family/Multi-Family Residential
<b>East</b>	R-14 Multi-Family Residential	Single Family/Multi-Family Residential
<b>West</b>	C-2 General Commercial	Professional Office/Light Commercial/Lodging

### **III. Intent of Petition**

The Applicants are requesting variances from the lot size and rear yard setback requirements of an R-14 Multi-Family Residential zone so that they can receive and administrative approval from the Town of Taos to split the subject property into two (2) lots.

### **IV. History:**

There have been no prior actions taken by either the Town of Taos's Planning and Zoning Commission or Town Council on the subject property where the variances are being requested.

### **V. Analysis:**

This is a preliminary public hearing on a request for variances to legally split a .181+- acre parcel located at 118 Brooks and 119 Montano Streets. In order for the Applicants to receive an approval from the Town of Taos to convert the previously mentioned parcel into two (2) separate parcels, they will need to receive variances from the development standards of an R-14 Multi-Family Residential as they relate to lot size and rear yard setback requirements as stated in section 16.16.120.6 of the LUDC. The specific requests and how much they deviate from the LUDC are stated as follows:

<u>Requested Variance Amount</u>	<u>LUDC Mandated Amount</u>	<u>% Difference</u>
Lot Size on Brooks Street: 4,573.8 sq.ft.	7,000 sq.ft. per lot	34.66%
Lot Size on Montano Lane: 3,307.2 sq.ft.	7,000 sq.ft. per lot	52.76%
Rear Yard Setback on Brooks St: 9.5 feet	10 feet	5.00%
Rear Yard Setback on Montano St.: 7.5 feet	10 feet	25.00%

What follows is Staff's analysis of the Applicant's variance requests and how they relate to the criteria for the granting of variances as they are stated in section 16.08.020.3 of the LUDC:

**“The variance is the minimum action necessary to afford appropriate relief and no other means are available to achieve the benefit sought by the applicant”**

A site visit by Staff has determined that the Applicants meet the criteria of this section due to the fact that there are no adjacent parcels of land available for them to purchase in order to increase the size of their proposed parcels to bring them into compliance with the lot size and rear yard setback standards of the R-14 Multi-Family Zone where the subject property is situated.

**“The applicant has shown good and sufficient cause and the variance sought is not substantial”**

With regards to the first portion of this criteria, a site visit by Staff of the residential area surrounding the subject property has determined that the Applicants meet this criteria as evidenced by the older residential construction which exists within the three hundred (300) foot public hearing notification area of the subject property which does not comply with the current development standards of an R-14 Multi-Family Residential Zone. With regards to the second portion of this criteria, and as referenced earlier in this report, based on a strict numerical evaluation of the Applicants' requests, the variances are a substantial deviation from the R-14 Multi-Family Residential development standards for lot size and rear yard setbacks for the residences located on Brooks and Montano Streets. Therefore the Applicants do not meet this portion of the criteria if the Commission is going to base their decision on this numerical evaluation.

**“Failure to grant the variance would result in such practical difficulties as to make it unreasonable to apply the strict letter of this title to the property which is the subject of the variance application”**

A Staff analysis of the “Findings of Fact” portion of the Variance Application submitted by the Applicants for the Commission's consideration has determined that the applicants do not meet the criteria of this section due to the fact that the reason for the requested variances are for strictly economic reasons. Should the Commission make the determination to not grant the requested variances, nothing would prevent the Applicants from converting the entire parcel to a condominium form of ownership and still sell one of the residential units on the subject property.

**“The practical difficulties were not created by the applicant”**

In the explanation submitted by the Applicants to address this criteria they make reference to the fact that the existing structures on the subject property were built in the 1950's. However, no documentation submitted by the Applicants for this preliminary public hearing substantiates that claim. Because the Applicants variance requests are partially based on these claims Staff cannot make an appropriate determination as to whether or not this criteria has been met without additional documentation from the Applicants. Therefore as a condition for the final public hearing on these

variance requests, Staff will require that the Applicants submit additional documentation which addresses this issue.

**“The granting of the variance will not create a danger to the public health, safety, or welfare, cause an extraordinary public expense, create a nuisance or cause a significant detriment to nearby properties”**

Based on the existing conditions of the subject property, the fact that Staff has never received any complaints from adjacent property owners regarding the structures on it, and the fact that the Applicants plan no further development of it, the requirement with regards to the variance not creating a danger to the public health, safety, or welfare has been met. Additionally, no extraordinary public expense will be generated from these variance requests due to the fact that the town will not have to provide additional services or infrastructure to this property should the requested variances be granted. As of the date of the writing of this report, Staff has determined that the proposed variances will not create a nuisance or cause a significant detriment to nearby properties based on the following reasons:

- 1) Staff has not received any verbal, written, or electronic communications from adjacent property owners within the three hundred (300) foot public hearing notification area opposing the Applicants' variance requests.
- 2) There will be no change in the existing conditions on the subject property. As referenced earlier in this report, similar conditions exist on other residential properties that are within the three hundred (300) foot public hearing notification area of this property.

## **VI. Disposition Options**

In considering this application the options available are as follows:

- 1) The Commission can move the variance requests forward to a final public hearing to be held at the regularly scheduled August 7<sup>th</sup>, 2013 commission meeting.
- 2) The Commission can schedule the Applicants' requests for lot size and rear yard setback variances for another preliminary public hearing so the Applicants can provide the additional documentation requested by Staff.



**July 3, 2013**

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**Title:**

Case No. P&Z 2013-2

**Summary:**

Clarke and Georgia Brunton, property owners are requesting a variance from section 16.20.120.6 Subsection (B) of the Town of Taos Land Use Development Code which requires a minimum lot size of 7,000 square feet for their property located at 119 Montano Lane. The Applicants are requesting a variance to be able to split the property into two (2) Parcels that are 4,573.8 square feet and 3,307.2 square feet in size. The Applicants are also requesting a variance from section 16.20.120.6 subsection (D)(3) of the Town of Taos Land Use Development Code which requires a minimum of 10 foot rear yard setback for their properties located at 119 Montano and 118 Brooks Street.

The Applicants are requesting a 7.5 foot setback on their property located at 119 Montano and a 9.5 setback on their property located at 118 Brooks Street. The subject properties are zoned R-14 Multi-Family Residential within the town limits of the Town of Taos.

**Background:**

**Attachments:**

Click to download

📎 [118 Brooks Street Variance Preliminary Staff Report](#)





**PRELIMINARY STAFF REPORT TO THE PLANNING & ZONING COMMISSION  
PLANNING, ZONING, AND BUILDINGS DEPARTMENT  
CONDITIONAL USE PERMIT REQUEST**

**I. General Data:**

Project Name: Conditional Use Permit Request

Application: P&Z Case No. 2013-03

Agent: Taylor Etchemendy

Owner: Robin Martin

Location: 120 Camino De La Placita

Request: This is a request for a Conditional Use Permit for a building located at 120 Camino De La Placita.

Hearings: This is the first public hearing that is being held on this Conditional Use Permit request.

Recommendation: Staff recommends that this request be moved forward to a final public hearing to the regularly scheduled August 7<sup>th</sup>, 2013 Commission meeting.

**II. Site Data:**

Site Area: .447+-acres

Existing Land Use: Vacant Professional Office

Existing Zoning: Central Business District (CBD)

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Site</b>	Central Business District	Vacant Professional Office
<b>North</b>	Central Business District	Light Retail/Restaurant/Religious/Educational Uses
<b>South</b>	M-1 Light Manufacturing	Light Retail/Restaurants/Professional Services/Multi-Family Residential
<b>East</b>	Central Business District	Light Retail/Restaurant/Lodging
<b>West</b>	R-14 Multi-Family Residential	Light Retail/Multi-Family Residential

### **III. Intent of Petition**

The Applicant is requesting approval on a Conditional Use Permit to operate a Day Care Center out of the building located at 120 Camino De La Placita.

### **IV. History:**

There have been no prior actions taken by either the Town of Taos's Planning and Zoning Commission or Town Council on the subject property.

### **V. Analysis:**

This a preliminary public hearing on a request for a Conditional Use Permit. Specifically, the Conditional Use Permit is being requested so that the Applicant can operate a Day Care Center out an existing vacant professional office building. Prior to this case being presented to the P&Z Commission, the Applicant's request was reviewed by the Town of Taos Development Review Committee (DRC) on June 20<sup>th</sup>, 2013. What follows are the determinations made by the DRC:

### **Public Works/ Public Utilities Department**

The Public Utilities Department has no concerns regarding the proposed use of the existing professional office for a day care use due to the fact that no additional bathroom facilities will be utilized in the operation of the proposed Conditional Use and no food preparation will be taking place on site.

### **Fire Department**

The Fire Department has no concerns with the Applicant's proposed use of the subject building provided that they schedule an inspection prior to the commencement of using the space as proposed.

### **Police Department**

The Police Department recommended that "Children Playing" signs be posted adjacent to the subject property due to the fact that the Applicant is proposing an outdoor play area for children.

### **Planning, Zoning, and Buildings Department**

- 1) The Applicant will be required to provide a Parking Space for Clients that complies with all of the applicable requirements of the American with Disabilities Act (ADA).
- 2) The Applicant will need to submit a letter from her architect that certifies that the subject building complies with all applicable building and fire codes as a condition of approval of the requested Conditional Use Permit.
- 3) The Applicant will need to submit to the Town of Taos's Planning, Zoning, and Buildings Department all applicable documents from the State of New Mexico's Children, Youth, and Family Department that indicates that their regulations have been met.

In addition to the Applicant having to comply with the above referenced determinations, she also has to comply with the criteria as stated section 16.08.020.1 under "Conditional Use" in the Town of Taos Land Use Development Code (LUDC). What follows is Staff's analysis of this criteria and how they relate to the Applicant's request:

#### **"The use is a specifically authorized conditional use in the zone in which the property is located"**

The Applicants meet the criteria of this section based on section 16.16.150.4 in the LUDC which allows for Day Care Centers in an CBD Zone provided that a Conditional Use Permit is obtained.

#### **"All other requirements of this title are met, unless a variance is granted for those requirements which are specific prerequisites for granting of the conditional use permit sought by the applicant"**

The Applicant will meet the criteria of this section once the items referenced earlier in this report that are required by the DRC are provided at the time a final public hearing is held on this request.

**“The special use or conditional use will not create a danger to the public health, safety or welfare, nor cause an extraordinary public expense, nor create a nuisance”**

The Applicant's proposed Conditional Use Permit will not create a danger to the public health, safety, or welfare, nor cause an extraordinary public expense, nor create a nuisance based on the following reasons:

- 1) The Applicant will be required to follow the requirements of the Town of Taos's Fire, Police, and Planning, Zoning, and Buildings Departments as referenced earlier in this report before being allowed to operate the proposed Day Care Center.
- 2) Any expenses related to the preparation of the subject building that will be utilized for the day care business will be the Applicant's responsibility. No public investments in the form of infrastructure or utilities are required in order to accommodate this Conditional Use Permit request.
- 3) As of the date of the writing of this report, Staff has not received any written, verbal, or electronic feedback from adjacent property owners within the 300 foot public hearing notification area either supporting or opposing the Applicant's request.

## **VI. Disposition Options**

In considering this application the options available are as follows:

- 1) The Commission can move the Conditional Use Permit request forward to a final public hearing to be held at the regularly scheduled August 7<sup>th</sup>, 2013 commission meeting.
- 2) The Commission can schedule the Applicant's Conditional Use Permit request for another preliminary public hearing so the Applicants can provide the additional documentation requested by the DRC.



**July 3, 2013**

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**Title:**

Case No. P&Z 2013-3

**Summary:**

Robin Martin, property owner, Taylor Etchemendy Agent are requesting a Conditional Use Permit to operate a Day Care Center on a property located at 120 Camino De La Placita. The subject property is zoned CBD (Central Business District) within the Historic Overlay Zone of the Town of Taos.

**Background:**

**Attachments:**

Click to download

 [120 Camino De La Placita Conditional Use Preliminary Staff Report](#)



**November 13, 2013**

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**Title:**

September 04, 2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

Click to download

📎 [September 04, 2013 Meeting Minutes](#)



**MINUTES**  
**September 4 2013**  
**Planning and Zoning Committee**  
**Regular Meeting**

**Town Council Chambers - 120 Civic Plaza Drive**  
**5:30 PM**  
**Regular Meeting**

**1. CALL TO ORDER BY THE CHAIRMAN**

The Regular Meeting of the Planning and Zoning Commission was called to order by Chairman Douglas Patterson at 5:35 p.m.

**2. ROLL CALL**

**Those present were:**

Justin Lea  
Dennis Garcia  
Douglas Patterson  
Pavel Lukes

**Absent/Excused were:**

Anthony Perez

**Also present were:**

Planning, Zoning and Buildings Director, Martha Perkins

Town Attorney, C. Brian James

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF AGENDA**

Move Agenda Item 8 to 7 1/2.

**5. APPROVAL OF MINUTES**

A. August 7, 2013 Meeting Minutes

Commissioner Lukes made a motion to approve the Meeting Minutes from the August 7, 2013 Planning and Zoning Commission Meeting.

Commissioner Garcia seconded the motion. The motion was Passed. Those voting AYE

were: Commissioners: Lea, Garcia, Patterson, Lukes

## **6. CITIZENS FORUM**

**No one came forward.**

Citizens wishing to speak shall limit their comments to 5 minutes or less at the Chairman's discretion. No action may be taken.

## **7. MATTERS FROM STAFF**

### **A. Presentation by LeapPartners**

Presentation by LeapPartners to Planning and Zoning Commission of the 2013 Updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and the 2013 Economic Development Action Plan request for Commission recommendation to the Taos Town Council to adopt the 2013 Update and the 2013 Action Plan." The explanatory body should read "Presentation by LeapPartners of the 2013 Updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and Economic Development Action Plan followed by a request for Commission recommendation to the Town Council to adopt the 2013 Update and the 2013

Action Plan. LeapPartners has been engaged in a public process since February to form the 2013 Action Plan based upon community created SMART Goals in key areas of the Taos Economy. The 2013 Action Plan includes recommendations for the long term approach to economic development for the Town and the Enchanted Circle Region that will need to be implemented in the private and public sectors as well as through public and private partnerships.

Mr. Matt Spriggs was unable to show the presentation therefore he gave a summary on the 2013 updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and the 2013 Economic Development Action Plan.

Commissioners recommended LeapPartners come back in a month and give notice so the Commission can take action on it as an ordinance.

### **B. Discussion of proposed Code changes & Planning, Zoning and Buildings Department protocols.**

Ms. Martha Perkins gave a description of the proposed changes to the Town Code and the Planning, Zoning and Buildings Department protocols.

## **8. MATTERS FROM THE PLANNING AND ZONING COMMITTEE**

### **A. Discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses**

Discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses

The Commission had a discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses.

Chairman Patterson stated he would like to move forward and would like it to be on the next regular P&Z Commission Meeting Agenda which is October 2, 2013.

**Citizens wanting to speak were:**  
Roy Cunningham

## **9. ADJOURNMENT**

**A motion was made by Commissioner Lea and seconded by Commissioner Garcia to**



adjourn the meeting. The motion carried unanimously and the meeting adjourned.

**APPROVED:**

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**Chairperson**

***PLEASE NOTE: The Town of Taos video records all meetings of the Planning and Zoning Commission. Copies of DVDs are available upon request at the Town Clerk's Office located at 400 Camino de la Placita (575-751-2005) at a fee of \$5.00 per recording. Additionally, video recordings can be viewed at [www.mediataos.org](http://www.mediataos.org). You may also view agendas, agenda packets, and minutes at <http://public.taosgov.com/>.***



**September 4, 2013**

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**Title:**

August 7, 2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

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No Attachments Available



Town of Taos  
*2013 UPDATED*  
Community Economic Development  
Strategic Foundational Plan  
&  
Community Economic Development  
Element  
of the Taos Comprehensive Plan

Presented by LeapPartners to the  
Taos Town Council for Adoption by  
the Town of Taos

## **INTRODUCTION**

The Town of Taos has been working toward a Strategic Plan for Community Economic Development (CED) since the Vision 2020 Master Plan was adopted in 1999. In 2005 the Town of Taos adopted the Local Economic Development Ordinance (LEDO) for Taos which comported with §5-10-1 *et seq* NMSA 1978 as amended and in haste the Ordinance included a section containing a few paragraphs that was then accepted as the Town's required Economic Development Plan under §5-10-4 NMSA 1978 as amended. Today this section of the original Ordinance as the Town's Economic Development Plan is wholly inadequate.

On October 26, 2010 an interim plan/element was adopted and was intended to bridge from October 2010 until June 30, 2011 to allow the Town to participate in immediate economic development opportunities and to allow the Town, together with the community, to have the time to develop the full plan. The interim plan was intended to allow the Town to apply for recertification as a Certified Communities Initiative Participant to the State Economic Development Department. Taos did not complete its recertification at that time and additional changes have been made to how the State assists with economic development, including a revamping of the Certified Communities Initiative.

It should also be noted that the Interim Plan and any additional updates, are not intended to limit how the community might approach community economic development but are instead meant to focus the community on work in key areas that are likely to have the greatest yield. New and previously unrecognized opportunities may arise and the community should remain flexible and avail itself to those new opportunities but not to the detriment of projects already underway. In other words, broadening the focus for community economic development may be appropriate and necessary, but refocusing and losing sight of progress and projects already underway, or successful areas of development that promise more future benefits is not advisable.

### **NOTE: APPROACH TO THIS FOUNDATIONAL PLAN AND UPDATES:**

During the 2013 update to this plan, it was determined that this original plan should remain intact as the "Foundational Plan" with appropriate updates and revisions at frequent intervals to keep the foundational plan relevant. However no changes should be made to the essential core foundation of this foundational plan as determined at the time of its adoption such as the basis of approach and the use of a strategic planning method. The goals listed within this foundational plan mostly pertain to the public sector and defining its role and participation in Community Economic Development. Since the public and the private non-profit sectors are the primary actors within the Community Development or non-basic economy for creating and being the stewards of the quality of life it makes sense for this plan to contain those goals while the updates and action plans address more of the private and public/private actions that are necessary to address basic economic concerns.

### ***Basis of Approach***

It is important to note that the Town of Taos has chosen to pursue its development from the perspective of community economic development rather than pursuing community development and economic development as separate disciplines. In large metropolitan areas the two are often separated due to overwhelming workload and to manage resources. However, community economic development professionals argue that the two have never been completely separate disciplines and that they are inseparable. Community economic development views these two disciplines as heavily intertwined economic forces; the results of community development, which most specifically addresses quality of life issues and non-basic economic activities, affects the results of economic development which focuses on basic economic activities. Therefore no community can afford to focus solely on one or the other. Recognizing this interconnectedness is especially important in small communities where non-basic and basic economic interaction is more highly pronounced and visible in the local economy.

The Town of Taos is also pursuing community economic development from an industry cluster approach. Industry clusters are groups of businesses that use similar workforce, infrastructure, and support services and also provide a certain synergy and collegial environment that can lead to new business ventures and collaborations. Most business clusters will require a regional approach to achieve a sufficient number of similar businesses to reach a dominant and stable position in the economy, which is also referred to as a critical mass. Once an industry cluster reaches its critical mass, the attraction of new businesses to the area can become self-perpetuating or at least require less effort.

### ***Non-Basic Economic Activities or Community Development***

Non-basic economic activity includes both public and private goods and services that are consumed entirely or almost entirely by the local community and support basic economic activities. The community economic development approach assumes that the community must have an essential foundation from which it can grow: housing must be affordable; goods and services such as groceries or a dry cleaner must be available within a reasonable distance; quality education must be available and accessible to the average citizen; health care needs must be met; streets must be maintained; public safety must be adequate; and other essential services must be in place before a community can grow its economic base. These essential services are major components of the quality of life in a community and make up the non-basic portion of the economy. Taos enjoys a fairly robust quality of life for a community that is isolated and has a relatively small population. Because of the high levels of visitation and influx of tourism dollars, Taos has been able to provide amenities that rival much larger communities, but with the current downturn in the economy, Taos' ability to maintain these amenities has been brought into question as tax revenues plummet alongside business revenues. The Town Council has pledged to maintain this level of quality of life and continues to look at efficiencies and new revenue sources so that other quality of life initiatives can be pursued.

***Basic Economic Activities or Economic Development***

Basic economic activities are those activities that add to the economic base of the community. These basic goods and services are mostly if not entirely privately produced within the community and consumed outside of the local community or by those visiting from outside the community. Therefore those basic goods and services become a net importer of new revenue, bringing new money into the community. Growth of the basic economic sector creates new jobs in both the basic and non-basic sectors. Each new basic economic job creates a new source of demand for goods and services from the non-basic sector and in turn, with sufficient demand and new tax revenues, the community can provide a quality of life that is equal to or better than the quality of life prior to the creation of that job. Because the basic economic sector can drive the demand in the non-basic economic sector, many communities have pursued development of the basic sector without focusing on the non-basic foundation of their economy, assuming that the public and private non-basic sectors will simply meet the demands of the new basic employment. This assumption is blind to the need for a significant foundation that must be present in the non-basic sector if development of the basic sector is to succeed. Community economic development (CED) practitioners and those communities that adopt the more holistic CED approach, focus equal attention on the development of the non-basic foundational sector and the growth and stability of the basic sector.

**ORGANIZATION OF THIS FOUNDATIONAL PLAN/ELEMENT**

This CED Plan/Element uses the terms “non-basic” and “community development”; “basic” and “economic development” interchangeably. While some of the goals of the community could arguably impact both the non-basic and basic sectors they are organized by their major contribution to the community, be it non-basic or basic, but both their non-basic and basic impact, if it is a permanent and continuous impact, will be noted. Both non-basic and basic actions and projects are also split into their regional and local implications. For the purposes of this plan, local is considered any economic activity occurring within three (3) miles of the municipal boundary. Regional is, at a minimum, the “Enchanted Circle” and at its maximum includes Taos County, Los Alamos County, Rio Arriba County, and Santa Fe County as defined in the Regional Economic Development Initiative (REDI) Plan. When viewing the Taos economy from a regional perspective it is most appropriate to focus no larger than the Enchanted Circle, other than how our basic economy connects to and is in general alignment with the direction of the greater REDI region.

The primary focus of this plan and the subsequent 2013 update is on those actions that the Town of Taos can undertake immediately and that generally affect the local economy and quality of life. A full plan, when it can be funded for completion, will need to include more medium and long term projects and goals and include more regional projects and goals but that more complete plan should not be funded solely by the Town of Taos, despite how much it is needed. Instead it is a regional effort that needs regional participation and regional funding by the public and private (for profit and non-profit alike) sectors.

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This foundational plan provides statements of general focus for the non-basic and basic goals and the general methods used to develop the economy; followed by a preliminary strategic analysis; specific focus areas and their potential impact; CED goals and policies; financing options; state incentives; local incentives; application, review, cost-benefit, and review criteria; and attachments. The biggest weakness with this foundational plan was a lack of public participation in the development of the foundational plan. The 2013 update resolved this by providing extensive public involvement and this foundational plan has been updated to reflect the public perspective. Those changes are minor in nature but needed to be vetted with the public in order to ensure that the community supports the approach as stated herein.

***Community Development***

Non-basic or community development goals include, but are not limited to affordable housing, education, parks, recreation, public transit, public parking, traffic management, energy independence, food security, medical services, spiritual/religious institutions, natural resource conservation, open space, art and cultural facilities, historic and cultural preservation. Some of these community development activities will directly affect economic development activities but the root impetus for pursuing these projects is to improve the quality of life in the community. For example, tourism can be directly affected by the community's historic and cultural preservation activities, but these activities are deeply rooted in a preservation of the unique identity of the community. Another example is the construction of a sporting venue that fulfills not only a community need but, if done correctly, exceeds the local need and can be leveraged to broaden the attractiveness of the community to outside users of the sports facility.

***Economic Development***

Basic or economic development activities include business retention, expansion, and incubation (BRE & I); and attraction. Taos has a number of basic economic drivers including, but not limited to, art and craft production; custom furniture manufacturing; alternative energy research and development; gourmet and organic food production; personal care product manufacturing and formulation; publishing; software development and services; tourism; events and festivals.

**Business Retention and Expansion:** Retaining and expanding businesses tends to get less attention and emphasis than it deserves. Winning the relocation or attraction of a large, location dependent, new business tends to get more press and political fanfare. However, retaining and assisting with the expansion of local businesses tends to have a greater return on investment for a community. Relocating and attracting location dependent businesses is often a very expensive undertaking and often requires incentives and concessions by the local community that will take years if not decades for the community to recoup. Community economic development emphasizes the growth and retention of local businesses over attracting location dependent businesses and generally accomplishes its retention and expansion goals by addressing the

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improvement of the business climate and quality of life of the local population. Business attraction becomes a byproduct of those initiatives.

Taos has intrinsic geographic, artistic, historic, and cultural advantages and for many years has relied on tourism as its main economic engine with little planning or organization. Those same advantages that worked in Taos' favor for years in the tourism industry have also created a unique and high quality of life that has attracted and retained generations of entrepreneurs and creative individuals. Until recently, Taos saw continual growth in both population and economic production. Then in 2006, two years ahead of the Nation, Taos slipped into recession and has been continuously in recession since that time. With the decline in revenues and visitation, many businesses have closed or soon will close and for the first time the community must seriously consider what it can do to prevent further business closures and relocations.

A substantial tool for business retention and expansion was developed with the writing of this foundational plan; a business retention and expansion survey originally called *Maintain Taos* that has yet to be implemented and there is some desire to rename it. The intent was for the survey to be conducted by a third party that was preferably a private non-profit that could ensure the privacy of proprietary information that was collected. To be effective the program would begin with a baseline survey of all basic businesses within the local limits of this Plan by an economic development entity that focuses on the Enchanted Circle Region. To remain relevant and accurate the survey should be conducted annually. The results of the survey will allow for the development of interventions that will retain or assist in the expansion of local businesses. A draft of the survey is attached at the end of this plan. It would be appropriate to also survey the non-basic businesses with the same survey but addressing the needs of those businesses falls to the Taos County Chamber of Commerce and to date there is little capacity or desire by the Chamber to undertake this important task.

**Business Incubation:** Taos County Economic Development Corporation (TCEDC) operated a very successful business incubator from the late 1980s to the late 1990s. Since then, TCEDC's mission has shifted from general economic development to a focus on community development and the preservation of land, water, people, and agriculture. TCEDC continues to incubate value added agricultural production and food production businesses through their community commercial kitchen and mobile matanza. Today there is no formal business incubation in the Taos area and starting a business incubator from scratch is cost prohibitive in the current economic climate. The Town and the County, however, own under-utilized facilities that could be leveraged to incubate new businesses.

**Business Attraction:** Because Taos is isolated by having only a commuter quality airport, no rail service, and over an hour's drive to a major interstate over rural state and federal highways that wind through tight mountain curves or the Rio Grande River canyon, standard methods for business attraction are not productive. Business attraction for Taos instead should focus on the marketing of its quality of life, the non-basic economic environment that it seeks to build, to attract new or relocating businesses and entrepreneurs. In addition Taos' electric cooperative, Kit Carson



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Electric, has invested substantial funding received in American Reinvestment Act grant and a low interest USDA Rural Utilities loan to build a region wide fiber optic network that will be accessible by 2015. This investment by the Cooperative can provide a major change for the economic structure of the Enchanted Circle if leveraged properly and marketed in conjunction with the New Mexico Partnership.

The Town of Taos has elected to concentrate on community economic development where the emphasis is placed on creating a community that has such a high quality of life that it will attract small entrepreneurial businesses that are "location neutral", meaning that the type of business that they are involved in can be done in a location of their choosing. These businesses are typically small, as small as a sole proprietor to typically no more than 30 employees and these businesses are almost always knowledge and intellectual property driven; they include editing, technical writing, software development, medical transcription, legal transcription, film production/editing, import and export management, back office support, etc.

Taos' approach for business attraction is to create an environment that is supportive of the creative economy and entrepreneurial development. Once the essential support structures are in place and the creative and entrepreneurial business environment is stabilized, the community will need to market its advantages to key demographic groups. Location neutral entrepreneurs typically come out of three (3) age cohorts that are experiencing a life changing event:

- age 20 to 25 where the young adult is typically graduating from college or graduate school with a degree in a specialized area such as engineering, computer science, art studio, or film or other technical skill and are looking to start their own business or work for a small firm with the intention of eventually becoming a partner or branching out to eventually start their own business;
- age 35 to 40 adult with substantial experience who is starting a family and desires a less formal working arrangement or wants to start their own business continuing to work in their field;
- Age 55 to 60 senior adult with significant experience and industry contacts, has become an "empty nester", is able to typically go into semi-retirement and work for themselves or start a small firm providing services to the industry that they exit from.

The common personality trait for entrepreneurs from each of these age cohorts is a high tolerance for change. Unlike most people, major life changing events that occur outside of the entrepreneur's control is embraced as an opportunity for additional change and makes them less resistant to other changes. It is also common for entrepreneurs to be less risk adverse.

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**STRATEGIC ANALYSIS**

A standard and useful tool in strategic planning is to perform a SWOT analysis, or **S**trengths, **W**eaknesses, **O**pportunities, and **T**hreats analysis that succinctly provide a snapshot of the likely environment for any undertaking. The following is a preliminary SWOT analysis that was revisited during 2013 update of this foundational plan and was not altered significantly. The results of the more recent SWOT can be found in the appendix of the 2013 update.

Preliminary SWOT Analysis	
Strengths	Weaknesses
Natural Beauty History Culture Architectural Integrity Artistic Notoriety Diversity Taos Pueblo Rio Grande River and Gorge Kit Carson National Forest Variety of Restaurants Holy Cross Hospital Altitude Youth and Family Center Community Commercial Kitchen Kit Carson Park Festivals Art/Craft Events	Traffic Congestion Narrow or No Sidewalks Poor Parking Management No Parking Plan High Land Prices Isolation Lack of Affordable Housing Public and Private Maintenance Dominant Service Based Economy Unstable Public Education System Incomplete Way Finding Plaza Economic Mix Lack of Broadband Access Private Investment Inconsistent Electric Power Delivery
Opportunities	Threats
Northern Rio Grande National Heritage Area Art & Cultural District New Mexico MainStreet Eco Park Convention Center Metropolitan Redevelopment Area Tax Increment Financing District Tax Increment Development District Taos Community Auditorium Solar Center Kit Carson Electric Fiber to Home Project Regional Collaboration REDI Historic Taos County Courthouse Police Station Redevelopment Town and County Land and Facilities	Vacant Buildings Absentee Landlords Cannon AFB Low Altitude Training Flights Competing Communities Changes in Spending Patterns Demographic Changes High Rents Declining State and Federal Resources High Land Costs Tight Credit Markets Changes in Travel Choice

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The purpose of the SWOT is not to limit the development of the community and is not an exhaustive list but is meant to provide focus and clarity to a particular undertaking and to ensure that the community will have a full understanding of the range of influences that can affect the undertaking. It can also provide a focus for community economic development and assist with the prioritization of actions.

**FOCUS AREAS**

Focus areas are determined by examining the SWOT analysis and priority is given to the relative perception of success and logical order of implementation. The focus areas are broken into community development, hybrid, local economic development, and regional economic development focus areas and projects. The focus areas have been further refined through the public process during the 2013 update and have been assigned priority during that process. These focus areas continue to be relevant but should be looked at for future reprioritization as the 2013 Action Plan is completed.

**Community Development Focus Areas/Projects**

This section examines the most immediate areas of the non-basic sector that the community should focus on. This is not an exhaustive list, but it is meant to identify those areas that can realistically be improved or are in such a critical condition that action must be taken immediately to stabilize that aspect of the community.

**Affordable Housing:**

2013 Update:

In 2005, similar to the passage of LEDA in 2000, the Town of Taos adopted Ordinance 05-03, the general affordable housing ordinance, and Ordinance 05-04, the Chamisa Verde project specific plan which was also to be considered the Town of Taos' Housing Plan.

The Town has amended these ordinances to comply with the amended Affordable Housing Act Statute and the rules promulgated by the New Mexico Mortgage Finance Authority (MFA). The original project specific Ordinance for Chamisa Verde was not only flawed in its approach to affordable housing, it is wholly inadequate as a Housing Plan for the community.

In September of 2012 the Town adopted a new Affordable Housing Plan. While there is legitimately a concern over developing the economy while continuing to have housing that is not affordable, this plan is not seeking to address the affordable housing issue and instead will defer to that plan and simply recommend that it be fully implemented with all due haste. .

**Retail leakage:** The Town of Taos commissioned a retail leakage study from the University of New Mexico's Bureau of Business and Economic Research in 2007. Anecdotaly the community was aware that most major purchases were being made outside of the Town of Taos. The study confirmed this pattern of behavior however the

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leakage was far greater than anticipated. Local purchases of retail goods was as low as 44%, meaning a 66% leakage of sales of electronics, office supplies, and clothing to the surrounding communities of Espanola, Santa Fe, and Albuquerque. Communities that have healthy local retail markets capture between 75% and 85% of the retail sales for most goods. It is unreasonable to expect purchases to be made 100% locally in any community as it is not uncommon for consumers to occasionally combine shopping with other activities at a travel destination, but the level of leakage in Taos far exceeds the norm. Internet purchases have further complicated these leakage patterns in recent years since internet retailers have lower overhead, inexpensive shipping, and do not charge sales tax (or gross receipt tax) providing them with the ability for a larger profit margin and/or better pricing, and each transaction can be completed in a manner of minutes without leaving the home or office.

It is believed that this leakage continues and has been exacerbated by an increase in online sales. However the data on the leakage is old enough to be considered completely unreliable. Growth or decline in the retail sector should be left to the private sector without government intervention. Retail is primarily a non-basic activity and low wage job producer therefor a greater community benefit will be generated by focusing on the creation of basic economic jobs which in turn will increase the local demand for non-basic goods and services, particularly at the retail level.

**Education:** There are two critical distinctions in the area of education: primary/secondary which focuses on preschool to high school graduation and higher education that includes post-secondary technical/vocational training as well as college and university based education. Primary/secondary education is governed by the school board of Taos Municipal Schools and the Governing Councils of Charter Schools. Although primary/secondary education is not controlled by the Town, its successes and failures greatly impact the non-basic sector of the economy and can often be the deciding factor in attracting workforce and businesses as well as retaining them.

As a municipal government, the Town can do very little to directly correct the inadequacies of the school district. The Town can and should pursue open communication with school administration and the school board. There may be opportunities to partner on projects with the schools that may help to improve the condition of the schools. Given that the Taos Municipal School Board been willing to work with the Town on the use of school property for the construction of the Eco Park, there may be an opportunity to move forward additional positive collaborations that will improve our primary/secondary education system.

Some steps have been taken to increase collaboration between UNM – Taos and Taos High School to offer more vocational and technical courses as well as college credit courses to high school students. While neither is sufficient to prepare a high school

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student for immediate entry into higher paying employment upon graduation from high school, they do provide a solid foundation for additional higher education or an entry level position that includes additional on the job training.

Higher Education has been growing in Taos, especially for the University of New Mexico at Taos, due in no small part to the leadership of Dr. Kate O'Neil. Southern Methodist University has also grown in recent years with the winterization of the historic Fort Burgwin campus to allow for year round classes. Other colleges and universities have looked at potentially developing specialized campuses and there may be opportunities for expanded higher educational offerings in Taos.

UNM – Taos is the predominant higher education institution in Taos but development of a four year campus has been stalled and no longer appears to be under consideration. Continued collaboration with UNM Taos by the Town to develop a degree conferring campus is advisable although it may rely more on the use of technology than traditional bricks and mortar development to be feasible.

**Infrastructure:** The Town of Taos provides a commuter airport, water, sewer, roadways, and downtown public parking and has been working to continually upgrade and provide better infrastructure to the community and the region. The wastewater treatment plant operates on a regional basis and is located nearly eight miles from the Town's border. The Town also manages the regional landfill and the regional airport located approximately four (4) miles north of the Town. There are multiple jurisdictions that use the airport, wastewater treatment plant, drinking water, and with the exception of the landfill these facilities are managed and funded entirely by the Town of Taos and state and federal grants.

The policy of the Town has been to allow properties outside of the municipal boundaries to receive water and/or sewer service provided that the Town Council approves the connection and that the recipient pay a fifty percent premium on the service or 1.5 times the standard rate. This practice does not capture the true costs of providing the service outside of the municipal boundary. A better practice would be to require annexation or approval of an annexation development agreement that includes a premium payment until the property can be annexed, prior to receiving Town services. A pre-annexation development agreement functions as a deferred annexation petition that guarantees that the property will annex to the Town once the Town limits reach the property and requires that any development on the property meet the Town standard.

Annexation is a concern in the community and has not been supported by a very vocal portion of the community and aggressive annexation should not be pursued, however the practice of providing services to properties outside of the municipal boundary without requiring annexation or an annexation development agreement should be reconsidered. Recently certain properties that were on the border of the Town were annexed in to clean up the Town boundaries and adequately include properties receiving Town service but not technically within the Town's boundaries.

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Transportation is a major challenge for the community. A state and federal highway bisect the community and are not well maintained by the New Mexico Department of Transportation (NM DOT). These highways, as they are currently used, cause severe traffic congestion during peak visitation periods. The Town is often supplementing the maintenance of these highways at its own cost. One potential resolution would be to request a turn back agreement from the US Department of Highways and NM DOT. Such a turn back agreement would require the state and federal governments to bring the roads into compliance with an acceptable level of improvement prior to the Town assuming all maintenance responsibilities.

Given the current condition of state and federal funding, they are unlikely to have the funds to make the necessary improvements in the immediate future to execute a turn-back agreement. This is also likely the reason why the Town has not been approached by state in particular for a turn back agreement. Furthermore the Town lacks defined construction standards and the delay will allow for a complete standard cross section to be developed that will hopefully include landscaping, at-grade and raised medians and special crosswalk treatments within the historic districts, etc. It is anticipated that this will be addressed in the Infrastructure Element of the Comprehensive Plan although that plan has not been funded.

**Public safety:** Public safety is comprised of three major activities: police; fire protection; and emergency medical services. The County provides emergency medical services within the Town and surrounding areas in exchange for the provision of fire protection by the Town in partnership with the Taos Volunteer Fire Department.

The Town of Taos Volunteer Fire Department is well staffed with both full-time Town employees and volunteers and is well equipped.

The Town of Taos also has a well-equipped police department that is currently short officers which is causing required overtime and increased officer stress due to a precipitous rise in calls for service. In order for the police to become pro-active in enforcement and to increase community based policing, not to mention the reducing the over-time requirements and stress on its current officers, the Town will need to consider adding additional officers.

**Library:** The Town of Taos operates the largest public library in the region. This critical cultural and educational asset is heavily used by the Town and the region and is in need of expansion. Due to its regional impact, the Town should not be responsible for the entire cost of providing the library or its needed expansion. Any expansion of the library should be undertaken as a regional partnership and the cost of the ongoing operations should be shouldered by the same regional partnership.

**Hybrid Focus Areas/Projects**

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This section focuses on areas that can be most immediately pursued and will affect the entire Taos economy and cannot be ascribed to just non-basic or basic sector impact. This list, unlike the other sections, is meant to be comprehensive as true hybrid or holistic activities are rare but can be very effective if executed well. If other true hybrid areas are discovered they should be added only after careful consideration of their cost and likely return on investment. Most holistic projects can be very costly and realistic cost-benefit analysis should be undertaken before embarking on any costly projects.

**Eco Park:** Today the first FIFA regulation sized soccer field of the three (3) field Eco Park complex is complete and has been in operation for just over two years.

The Eco Park is the second step toward creating Taos as a high altitude training destination and for hosting sports tournaments, in this case a focus on field sports. The ice hockey rink at the Taos Youth and Family Center and the tournaments that they have hosted since 2004 was the first step and it has proven that Taos can position itself as a destination for sports tourism. The construction of the Eco Park, in addition to meeting local needs, was predicated on the potential of similar success for attracting field sports to Taos for tournaments and high altitude training. The field is currently operated by the Taos Sports Alliance with a marginal budget and with similarly marginal success.

Of concern is the lack of cost-benefit analysis used prior to initiating this project. It is very important that the Town, if it truly wants to leverage this asset, develop a plan for the fields operations and maintenance. It is impossible for the current operator to be given any sort of objective performance measures if the minimum requirements are unknown. For this project to be productive beyond just a community entity and fulfill its potential as a stabilizing force in the tourism sector it must be able to generate sufficient tax revenues to cover the debt service on the loan used for construction and the funding needed to cover its operations and maintenance costs. Any operational plan must also include replacement costs for the field based on the expected life span of the artificial materials and the term of the lease with Taos Municipal School District.

Prior to any additional investment of public money to construct the remaining fields, the operations of the first field must be at a breakeven point and demonstrate substantial demand for additional fields that will generate public revenues equal to or in excess of the additional debt service, operations and maintenance costs of a second or third field. The first and most important analysis should address the economic reality of how much public revenue will be required to offset the \$2.6 million public investment in the first field and its ongoing operations and maintenance.

Regardless of the results of the baseline economic analysis of the first field, the public sector should not be the sole funder of any additional fields. Other funding collaborations with the private and philanthropic sectors should be explored and public funding of additional fields should be no more than 50% of the total cost.

**Youth and Family Center:** The Youth and Family Center has an additional acre or more of land available for development. A number of concepts have been forwarded for

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the build out of the property but all of the scenarios involve enclosing at least one sheet of ice so that year round ice time is available. The current environment allows for ice from approximately November 1 until March 31. Due to only a single sheet of ice, tournaments have been constrained, but a second sheet of ice will take time to develop and funds will need to be raised. The most likely scenario is for the current rink to be enclosed while funding for the remainder are raised with the goal of building a new sheet of ice that is fully enclosed. Once the second sheet is constructed the original rink, or perhaps the new facility, would become a convertible space, allowing for arena football, soccer, lacrosse, and other sports to be played in addition to providing a second sheet of ice during major tournaments such as the Thanksgiving Hockey Tournament, High School All-Stars, and the Coyote Classic. A year round skating facility would allow for the community to host training camps in the off-season, including coaching and referee clinics, and would also allow for pre-season high altitude training for teams.

Unlike the first phase of the Eco Park, which was built entirely with public funds, the major source of funding for the skate rink at the Youth and Family Center was private donations and philanthropy. The public investment was minimal. It makes sense for the public sector to fund the interim measures, such as enclosing the existing rink, and fund the design of the new improvements. It would then be appropriate for the community and the Town government to work together to identify capital sources, both public and private, for the construction of any new improvements.

Prior to pursuing any of these improvements, including the most immediate improvement by enclosing the ice rink for year round use, a realistic cost-benefit analysis needs to be done which should include, at a minimum, the likely time it will take for the public investment to see a positive return. This is the same analysis as is recommended for the existing Eco Park field and future fields (if any).

**Higher Education:** Working with UNM – Taos and potentially other schools such as Southern Methodist University to develop a four-year campus that will allow students to pursue their entire educational career in Taos is important for the community, but more importantly would provide a university atmosphere that could positively influence Taos Municipal Schools and attract new youth to Taos who are pursuing a Baccalaureate degree. These new college students will demand a certain level of housing, goods, and services not to mention providing new depth to the local work force. A constant issue for northern New Mexico is the lack of a qualified workforce to meet even existing local demands. The lack of a qualified workforce can make attracting even small startup firms with minor personnel needs difficult.

The Town should continue to support and assist UNM – Taos with its goal of becoming a complete four-year degree conferring satellite campus for UNM, but the emphasis should not be on bricks and mortar construction. Instead the focus should be building career paths that include certificates, associates and Baccalaureate degrees without leaving Taos. This would be best accomplished by leveraging the KCEC fiber optic network to allow for distance participation in classes held at the main UNM Campus in



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Albuquerque and thereby eliminating the geographical barriers to higher education that location dependent education creates.

**Taos Community Auditorium:** The Taos Community Auditorium (TCA), operated by the Taos Center for the Arts, is an artistic and cultural cornerstone for the community and a draw for visitors. The TCA hosts national touring companies; live high definition simulcasts of the Metropolitan Opera; theatrical productions; high definition movies; and community events. The TCA not only meets the local need for artistic and cultural shows and events, it draws visitors from as far away as Dallas, Texas.

The master plan for the TCA property includes a smaller theater and a “black box” theater that will allow for additional performances and film work including editing and post-production. These additional spaces are designed and a capital campaign will begin once the economy stabilizes and begins to show at least moderate growth.

**Local Economic Development Focus Areas/Projects**

This section examines the areas of basic economic sector activities that hold the greatest potential for positive results. This is not an exhaustive list just as the areas listed in the previous section regarding the non-basic economic sector are not exhaustive. However these areas have the greatest promise for a significant return on investment for the community and are most likely to expand the basic economic sector of Taos.

**Location Neutral Business Attraction:** Standard business attraction often involves a significant investment in staff, outreach and marketing, and eventually concessions and investment by the community in order to attract a business that is interested in relocating. It is not unusual for large location dependent companies that can provide significant jobs and/or contribution to the tax-base to receive millions in incentives and local concessions. In some cases communities have invested so much into attracting a particular business to the community that they may not see a return on their investment for a decade or longer.

Standard business attraction also uses key elements to put a community on the “radar” for site location consultants. These key elements include many things that an isolated community like Taos could never provide; namely easy interstate access, rail and air transportation, and reasonable land, utility and development costs. Standard business attraction which is supported by the state through the New Mexico Partnership is rarely workable for a community like Taos.

Instead Taos has chosen to pursue the attraction of “location neutral businesses” which are those businesses, be they composed of a single entrepreneur or a firm of thirty (30) that can, by the nature of their work, be located anywhere in the US or even the world. These businesses often rely on broadband and technology for their work and/or,

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especially in the case of artistic and craft goods production, they rely a network of support for the creative economy including a collegial atmosphere, educational opportunities and quality primary/secondary schools, affordable and quality housing choices, significant amenities and natural beauty. Taos is well suited to meet most of the needs of these location neutral businesses and can take steps to improve in the areas that can be improved such as education.

As mentioned in the introduction the typical personality trait of location neutral entrepreneurs is a high tolerance for change. Unlike most people, major life changing events that occur outside of the entrepreneur's control is embraced as an opportunity for additional positive change which tends to make them less risk adverse. Most location neutral entrepreneurs that will relocate and therefore can be attracted to Taos generally come out of three (3) age cohorts that are experiencing a life changing event:

- age 20 to 25 where the young adult is typically graduating from college or graduate school with a degree in a specialized area such as engineering, computer science, art studio, or film or other technical skill or creative endeavor and are looking to start their own business or work for a small firm with the intention of eventually becoming a partner or branching out to eventually start their own business;
- age 35 to 40 adult with substantial experience who has or is starting a family and desires a less formal working arrangement or wants to start their own business continuing to work in their field;
- Age 55 to 60 senior adult with significant experience and industry contacts who has become an "empty nester" and typically is able to go into semi-retirement and work for themselves or start a small firm providing services to the industry that they exit from.

There is a sort of infrastructure, or in this case support structure, that is required for location neutral businesses (LNB). Perhaps the most important part of the support structure is an essential service provider (ESP) who provides support functions and services such as accounting or bookkeeping, legal advice, mailing, mail delivery, fax service, copying, conference space, a gathering spot such as a coffee shop or deli, video conferencing, and occasional "heads down" space when collaboration is needed, all in a single physical location. Unlike the typical business incubator that provides subsidized office space and comingled services in a public facility, the ESP is a private sector business that operates, ideally, a public-private partnership facility that makes services and spaces available on an a' la carte basis after paying a basic membership fee. In addition to basic business services and facilities on an on-demand basis that allow for close control of overhead, the ESP is also needed to address another very real need for LNBs – human contact. The need for human contact comes from the relatively isolated nature of LNBs where most of their work is done at their home. Studies have shown that most workers who base their business out of their home need to get out and socialize about every third day or their productivity will suffer.

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Another common need, regardless of the type of LNB, is sufficient business class broadband availability at a reasonable price. Taos currently has minimal broadband availability with broadband available primarily within two (2) to four (4) miles of the Century Link switch located on Civic Plaza Drive in downtown Taos. Standard business class broadband access through the sole provider, Century Link, is expensive with very little choice; a T-1 line which averages 3 Mb up and down load speeds is \$500 per month after installation costs and a DS3 line with averages of 15 Mb up and down load speeds is \$5,000 a month after the cost of initial installation. The lack of choice and high cost for effective business bandwidth and the limited geographical reach of these services have hindered Taos' ability to be competitive in attracting LNBs.

LNBs need a local workforce as well as one that is remote. Support can be best provided to this sector by encouraging local educational institutions to provide programs that offer industry standard and recognized certifications in areas of direct need for technology based businesses. Most often a four-year degree is not a necessary credential in the technology world. Practical, focused and hands-on education that can result in industry standard certification in a specific field of technology are in demand by Location Neutral Businesses.

Very recently the Regional Economic Development Initiative (REDI), a regional partnership sponsored mostly by funding from Los Alamos County, was able to secure funding for the construction of middle mile service in Santa Fe, Rio Arriba, and Los Alamos County with some last mile construction, and Kit Carson Electric Cooperative in conjunction with REDI secured combination grant and loan financing to provide last mile development of the fiber optic network in Taos. The award for both projects through REDI is critical for Taos; without the funding and deployment of REDI Net, Kit Carson would not have been able to deploy their last mile development plan because the network would not be able to reach the point of presence in Albuquerque. Since the network is being deployed with American Recovery and Reinvestment Act (ARRA) money the network will be an open network instead of a proprietary network. This means that the access to the network must be broadly available to any internet service provider. This will introduce competition to the currently uncompetitive broadband market and that competition should increase the quality and choice of service for residents and businesses. Kit Carson's portion of the network is also unique in that the fiber will be deployed to every home and business that Kit Carson services to make the deployment of smart grid technologies possible. Since the smart grid application will only occupy a small portion of the data capacity of the fiber, each business and home will be able to receive additional information technology services. The deployment of REDI Net and the Kit Carson fiber optic network is critical to Taos' attraction of LNBs.

**UPDATE:** Kit Carson's fiber optic network is approximately eighteen months from being completed. The project has suffered a number of delays and little is known about the project and Kit Carson has not been forthcoming with pricing, access, etc. despite numerous inquiries by local internet service providers. Furthermore there has been little to no planning regarding how to leverage this major infrastructure investment to the benefit of the communities within the Kit Carson service area.

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Air service is often another requirement for a LNB. By providing goods and services outside of the state these businesses require occasional to frequent air travel. The Taos Regional Airport has been trying to get clearance for the construction of a cross-wind runway for over twenty years (20 +) to improve the capacity and safety for air travel to and from Taos but the project has been stalled in the Environmental Impact Statement process, specifically centered on concerns relating to the historic preservation aspects or section 106 compliance as it relates to Taos Pueblo, the cultural gem of the southwest if not the United States. Recently Taos Pueblo and the Town of Taos have made progress toward a resolution to the Pueblo's concerns and the EIS may come to a close in the near future allowing for the construction of the long awaited cross-wind runway. The next most available airport is the limited commercial airline service out of Santa Fe or full air service through the Sunport in Albuquerque.

**UPDATE:** The FAA, Taos Pueblo and the Town of Taos reached agreement on the final disposition of the Environmental Impact Study and the required mitigation of the potential impacts. The US Transportation Secretary has signed the Record of Decision, opening federal funding for the construction of the long awaited cross wind runway. However the project is now stalled as the Town seeks a method to fund the 10% match requirement of approximately \$2.4 Million.

Another common need of LNBs is reasonably affordable high quality homes with a layout conducive to or designed to accommodate the needs of those engaged in a live-work lifestyle. Some of Taos' historic housing stock lends itself well to a live-work lifestyle if more modern amenities can be brought to those homes. Taos has many accomplished designers and general contractors who can certainly design speculative, standard plan, and custom homes that can meet the needs of LNB entrepreneurs, but affordability will continue to be a concern with continuing high land costs. Although ideal housing might be able to be provided to LNBs in sufficient quantities, the natural beauty and community amenities will need to continue to provide a high value to these businesses in order to overcome the high price of housing for newly attracted LNBs.

Taos has made some key investments toward a LNB attraction strategy and as the remaining support structures are developed, the community will need to market to this demographic. The Community Economics Lab has been working with the state on a statewide LNB attraction strategy and has several pilot programs in place. It is advisable for the Town to consider entering into the state program as a pilot community and develop the necessary partnerships to be successful and receive state assistance with marketing and evaluation.

Areas where Taos can begin immediately to grow local LNBs include medical transcription, technical writing, editing, and legal transcription. Taos contracted with AIS Development to complete an economic development feasibility study for medical transcription in the fall of 2009. The results show that these jobs, which can be located anywhere in the US but must be provided on US soil, pay well and are in high demand. The Town of Taos should continue to pursue local LNB creation through medical transcription and similar industries to jump start LNB attraction. The same support

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systems that will be needed by locally created LNBs are the same as those that may relocate to Taos and local LNBs may be able to support a startup ESP so that support network will be in place and operational, furthering Taos' competitive position for attracting new LNBs to the community.

**Business Retention and Expansion Program:** Taos has never undertaken a formal business retention and expansion (BRE) program. Businesses have generally been able to thrive or at least limp along sufficiently in the past with no formal support or intervention. Today the loose, disorganized, and reactionary approach to BRE is insufficient. Taos has lost a number of emerging companies to competing larger cities who have provided support to their growing business and in some cases provided incentives for them to grow their business in their new location.

First and foremost Taos must execute a baseline survey of all businesses, basic and non-basic alike to understand the condition of the total local economy. The baseline survey instrument has been created and is an attachment to this plan. The survey can be self-administered or can be taken by interview. Interviewing a survey respondent is often preferable but is time consuming and manpower dependent. This survey, if completed correctly, would provide valuable information for following up with those businesses that show signs of relocation, shutdown, expansion, or stabilization assistance. The results of the survey must be kept confidential and should be used only by qualified economic development entities and personnel such as the Town Manager, Community Economic Development Director, Taos County Chamber of Commerce personnel, Taos Entrepreneurial Network Coordinator, economic development contractors, etc. To keep the data relevant and current the same survey should be completed on an annual basis but may be limited to basic industries and distressed segments of the non-basic sector.

The baseline survey can be accomplished in several ways including a sole contractor, sole staff member, or a group of volunteers and staff. The single staff member or contractor approach removes the need for training and keeps the data collection consistent but will also be very time intensive and will take much more time to complete. Using volunteers to collect the data will require training of the volunteers, coordination, and management and data collection is likely to be inconsistent although it will likely take less time to complete the survey. The method that will likely yield the best results is a combination of interviews and self-administered surveys using a single staff member or contractor who delivers the survey and arranges with the owner or manager of the business a time to either administer the survey by interview or to be collected from the business allowing them to self-administer the survey.

BRE requires actions both by qualified individuals and by groups of qualified people and organizations depending on the severity and breadth of the business concern. A task group of qualified professionals that can address BRE should be formed. This task group would most likely form out of a subset of the Taos Entrepreneurial Network and the Taos County Chamber of Commerce along with a Town staff member or contractor. The Town staff member or contractor would be responsible for administering and maintaining the BRE survey database and would be the point of

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contact for any BRE action or recommendation by the task group. The task group will need to be able to meet on short notice and act quickly either individually or by bringing the appropriate entities to the table to take action to retain or assist in the expansion of local businesses.

BRE is not glamorous. BRE rarely grabs headlines or even thanks beyond the business that is saved, retained, or expanded. But although it lacks the glitz and fanfare of business attraction it is the most effective of all basic economic development actions.

**Business Incubation:** Business incubation is similar to but more resource intensive than business retention and expansion (BRE) efforts. It also generally has a high fail rate given that many startups cannot survive more than 24 to 36 months on average. But business incubation can yield huge results, creating growing businesses that are a part of and committed to the community that supported their start. What distinguishes BRE from incubation is the maturity of the business. Most businesses that are younger than five years can benefit from an incubation approach while those businesses older than five years are most likely to benefit from a BRE approach. Businesses that can be incubated are generally split into two maturity categories: startups and mid-development. Startups are usually at the very beginning of their development to around two years of operation. This is the most unstable time for a business and where the most business failures occur and successful interventions are the most difficult to create. Mid-development businesses generally have at least two years of operating history but less than five years of operation. While the business can still be volatile there is some track record of the business to evaluate to determine what will be the best intervention for the business.

The Taos Entrepreneurial Network (TEN) is one of the most effective tools for incubating startup businesses. TEN is a collaborative network of professionals that meet on a monthly basis to provide support and networking opportunities to new business ventures. Members of TEN's network of professionals will often give up to an hour of assistance to a startup or mid-development business in the hopes that they will succeed and eventually become clients. TEN also provides a facilitator who helps connect businesses with the help they need to stabilize or grow their business or even help to gracefully shutdown a business that is failing. The Town should avoid direct incubation of startup businesses and instead should provide TEN with monetary support to ensure that the program continues to meet the needs of startups with little risk or exposure to public assets and funding.

Taos County Chamber of Commerce is an evolving entity that is moving away from its historic emphasis on Fairs, Expos, tourism marketing, visitor information and basic advocacy toward developing educational forums, workshops, and business and economic development services in addition to targeted advocacy and continuing community political forums and networking opportunities. Many Chambers of Commerce have lost their relevancy in the US and the new leadership of the Chamber has moved the organization forward. The Chamber can and should play a role in incubation, alongside TEN, and as a key partner in BRE efforts and a collaborative role in LNB attraction. The Chamber can be most helpful to its startup and mid-

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development members by matching them to experienced and long standing members that are willing to share their understanding of the Taos business environment.

The biggest role that the public sector can play in business incubation, besides supporting TEN and working collaboratively with the Chamber, is to consider the adaptive reuse of underutilized public assets, particularly the Town of Taos' Convention Center and Taos County's Historic County Courthouse. Often the biggest impediment to a growing business is to stabilize its working capital needs and exponential growth. This is usually evident in mid-development businesses that need assistance with cost reduction in order for receivables to be converted into cash and meet working capital demands. Stabilization can usually be achieved within five to seven years of business operation. One of the easiest ways for the public sector to assist these growing businesses is provide a facility for the business at an initially greatly reduced or abated rental amount and slowly increase the rent over a five year period. After the fourth or fifth year of assistance the business needs to be charged a market rental rate and thereafter be charged a market rental rate plus a rapidly escalating premium to encourage the business to relocate to a private property. Incubation needs to be short term and needs to be firmly managed in order for businesses to become self-sufficient and for new growing businesses to have access to the same assistance. Just as any basic economic development action must demonstrate net public benefit through a realistic cost-benefit analysis, any abatement or subsidy of rent must be secured and show that the community will be able to recoup its investment within a reasonable time period either through additional tax base and/or employment.

**Tourism Diversification/Stabilization:** Tourism has long been the mainstay of the basic economic sector of Taos. Visitors come to enjoy the stunning natural beauty, experience the authenticity of the living cultures, and to be inspired by and a part of the intense creative environment of Taos. The prior success of Taos has been organic and unorganized often fueled by word of mouth, history, and reputation. In the current travel climate Taos cannot remain competitive for tourism dollars without organization and effort to make the visitor experience not only seamless and simple but remarkable.

Tourism and its associated retailing and services are at its heart firmly rooted in the basic economic sector. Instead of exporting goods and services and importing revenues, the lodging industry, and associated tourism retailing and service industries import visitors who consume locally produced goods and services and leave their revenues behind in the community. Other communities have become well organized and make the visitor experience seamless and easy making the current difficulty in visiting Taos less attractive and therefore less competitive.

The highest grossing and growing sectors of the travel industry revolve around four key areas: heritage/cultural tourism; eco-tourism; adventure/experiential tourism; and sporting tourism. All of these tourism interest areas share in common some general demographic traits – these tourist are generally well educated, stay longer or make repeat visits, are willing to spend more for authenticity and unique experiences, and appreciate a strong environmental ethic. The heritage or cultural tourist generally wants to stay in an upscale historic hotel, eat at local restaurants offering traditional

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local cuisine, and tour and experience authentic historic sites and interpretation. The eco-tourist generally values the opportunity to stay in unusual accommodations that support sustainability and conservation and to participate in activities that allow the tourist to interact with the natural environment in a memorable way and leave no trace of their visitation. The adventure or experiential tourist is less concerned with accommodations and is mostly concerned with having an experience that they can never have anywhere else and are able to take back the thrill, the knowledge, and the skills that they acquired from their visit. The sporting tourist is similar to the adventure or experiential tourist in their focus on the activity that they will be engaged in during their visit be it a tournament or training camp, or other activity. Most importantly they may need sports related medical services and/or equipment during their trip in order for the experience to be positive.

The one attribute that all of these types of tourism exhibit is these tourists have a deep passion for the interest that motivates them to travel. When a person becomes passionate about an experience, they become what is known as “price insensitive”, which simply means that they will scrimp, save, and sacrifice in order to follow their passion and are willing to pay a premium for the highest quality, most authentic, and/or impactful trip.

The public sector’s role in this area is to facilitate organizing of the private sector tourism industries and forming partnerships among private, public and non-profit sectors that will support an overall effort to increase, diversify, and stabilize Taos’ tourism industry. A very key component of that support is the creation of a tourism portal website that will act as a trip planner for visitors that want to travel to Taos. In addition, the designation of Taos as an ACD has created a natural partnership between the state departments of tourism, cultural affairs, and economic development, the Town of Taos, and all segments of the creative economy that is heavily engaged in heritage or cultural tourism and adventure or experiential tourism. The state has also designated Taos as a pilot eco-tourism program and the Northern Rio Grande National Heritage Area is in its final Management Plan Approval stages and will provide yet another non-profit entity and the National Park Service to the enhancement, support, and organization of the heritage and/or cultural tourism segment. Taos is also organizing itself through the Taos Sports Alliance to address the organization of sporting tourism. The Town’s role should be to bring these diverse resources together in one virtual location and make it easy for the traveler to not only visit but to have an exceptional experience on their visit. The best way to do this is to create and maintain a portal website that also provides a trip planner.

The need for providing an organized portal with a trip planning function is based on the fact that one of the largest growing segments in travel is family vacations. The tendency is for families to try to combine multiple interests into a single trip where everyone has an opportunity to participate in something meaningful for them. For example, a son may travel to participate in a summer athletic competition, the daughter may take advantage of the opportunity for high altitude training for an upcoming competition while the mother takes a series of art classes from Taos artists and the father takes advantage of the opportunity to fish the Chama River with his son



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and watch his son's games. Modern family vacations often have multiple purposes and the wider the variety of offerings that can be conveyed the more likely you are to get the tourist to not only come, but to stay longer and make repeat trips.

Perhaps the most important physical improvement that the public sector can make in Taos is the rehabilitation of the Historic County Courthouse on the Taos Plaza and the installation of a heritage and cultural interpretive center in the historic courtroom where the WPA murals are located. Although Taos County owns the building, the County does not have the capacity to make the needed improvements to the building. Instead it will take a partnership effort between Taos County, Town of Taos, Northern Rio Grande National Heritage Area, National Park Service, Taos ACD, and the community to make it possible.

**Art/Craft Production:** The production of art and crafts, ranging from classical visual arts, to healing arts, to performance arts, to pottery, to jewelry making, to literary arts and all points between, has been a basic economic engine for Taos since its establishment as an art colony and a writer's colony starting with the establishment of the Taos Society of Artists in 1915.

With the continually increasing cost of living and sky rocketing home prices in Taos beginning in 2003, many artists have been priced out of the community and live and work outside of the local area of this plan. Part of the results of the Artist Housing Market Survey indicated a significant interest in the construction of affordable studio space. While some additional studio space may be included in a future Artspace project, it is unlikely that the Artspace building will provide enough affordable studio space to meet the current and hopefully growing demand. The Town should give consideration to assisting with the development of additional affordable studio space to retain and attract artists to Taos. In addition to making it possible to retain and attract artists, a development of this type would also provide a natural gathering place for artists to socialize and collaborate and could lead to informally structured mentorships among experienced and inexperienced artists working in similar or the same medium.

The sale of art has also changed dramatically in the last few years. Galleries are no longer limited to their physical location. To be competitive galleries are creating an internet presence, and may even participate in open air fares and events. This is particularly true of artist owned and operated galleries. Cultural markets and artist cooperative galleries are beginning to become more viable. Changes to the function and regulation of uses on the Taos Plaza have been forwarded through the recent work completed by the Taos ACD, which if implemented could add the Plaza to the list of available venues for selling art and crafts produced in Taos County. What is clear from the Artist Housing Market Survey is that not only are affordable studio spaces needed and desired, but accessible and reasonably priced venues for the sale of art and crafts is a need of the emerging artist.

**Specific Areas of Emphasis for Growing and Diversifying Taos' Basic Economic Sector:** In addition to the previous mentioned general areas of focus for economic development in Taos, there are specific areas of basic economic activity that should be considered for support to expand their cluster size in Taos at a minimum on a local level and in most cases as a part of their expansion on a regional level. The areas of specific industry cluster focus include: organic and non-toxic personal care product formulation and manufacture; software development and services; publishing, editing, and transcription; and gourmet and organic food production.

- *Organic and Non-toxic Personal Care Product Formulation and Manufacture*

As one of the few viable areas for possible manufacturing in Taos, organic and non-toxic personal care product formulation and manufacture is small but potentially growing industry cluster. Three significant businesses were established in Taos that form the beginnings of a cluster; Vapour Beauty and Private Label Select, both organic and non-toxic cosmetics formulators and manufacturers and Desert Blends, a body and bath product formulator and manufacturer. As of this update, Desert Blends has ceased operations but both Vapour Beauty and Private Label Select continue to grow. This industry cluster should be defined and their infrastructure needs identified if the Town wishes to support attracting such businesses to the area and developing it as a local cluster. Unlike some cluster focuses, this cluster can be supported by a local approach.

Despite the manufacturing aspect of this cluster, this specific subset of the personal care product industry is unique and is somewhat location dependent. Shipping costs are nominal with most products being small quantity containers and easily sent via UPS or similar parcel service. The location dependency of the business involves wild harvesting of certain materials that are present in the Taos region. Other materials are generally light weight and have low shipping costs. A value chain analysis may be useful to fully develop it as a cluster in a deliberate fashion but at a minimum a cluster definition should be made prior to pursuing attraction of new businesses in this sector. These two businesses and other unidentified businesses working in this economic sector should be targeted for retention and expansion efforts at the very least.

- *Software Development and Services*

Taos has had limited success in attracting information technology businesses due to two key limiting factors: marginal, expensive, and limited choice for broadband; and electrical supply instability. The issues surrounding broadband have been the most limiting, but with the broadband deployment through Kit Carson Electric Cooperative in partnership with REDI Net, this critical infrastructure barrier will be greatly reduced if not eliminated. The instability of power is another concern that still needs to be addressed but is less severe of an impediment than broadband. Software companies and service providers need consistent power to keep servers functional and at the correct temperature to ensure they are able to provide their products and services any time of day or night. This is particularly true with the increased globalization and interconnectedness of the world through the internet. With electrical instability comes

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the need for backup power and depending on the need the cost of devices that will provide sufficient power during an outage have a wide range in price from hundreds of dollars for individual battery backups that provide up to an hour of power to backup generators that run well into the thousands of dollars.

Taos, despite these deficits, has been able to retain and grow Siriusware, a provider of ticketing, point of sale, and resort management software and services. Siriusware has quietly become a significant local employer providing well-paying technically related jobs and contributing to the basic economic sector of Taos. To continue to grow this business and to be able to attract and incubate similar businesses, the deployment of the Kit Carson fiber optic network must be done in a timely fashion and the electrical instability issues must be addressed. Siriusware should be emphasized in the any BRE efforts to identify and implement improvements that will ensure the local community takes steps to become more information technology friendly. Currently Siriusware has almost as many remote workers as local workers due to a variety of factors but mostly centered on quality of life issues.

The new access to the super computer in Albuquerque via the new fiber optic network and easy access to Los Alamos National Laboratory should also be factored in when pursuing growth in this segment both locally and regionally.

- *Publishing, Editing, and Transcription*

The Town of Taos commissioned a study on the viability of organizing an effort to train and then move into contract employment individuals in medical transcription. During that study it was discovered that in addition to the high demand for medical transcription there is a high demand for editing of technical material, legal transcription, text book editing, etc. that can be done remotely. This area has a huge potential for local incubation with very low costs to the community. The needs of those engaged in these areas, because they are independent contractors working from home, are very similar to the needs of other location neutral businesses (LNB). If the Town were to implement the actions recommended in the AIS study, it would potentially jump start the LNB attraction strategy by providing a sufficient demand to drive the startup of a private essential service provider (ESP).

Publishing is another possibility if the community can meet the needs of independent presses such as Red Wing Book Company, an independent press for professionals engaged in eastern and western traditional healing arts. Small presses are another LNB that can benefit from the creation of a business cluster approach. Determining the needs of Red Wing may enable it to grow while also highlight the needs of similar sized publishers that the community might be able to attract. Publishing is a very intellectually intensive industry and with the ever expanding potential for internet and multi-media publishing, the need for a fixed location is rapidly fading. Red Wing Book Company is another potential strong growth business that should receive priority in the implementation of any BRE effort.

- *Gourmet and Organic Food Production*

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Taos County Economic Development Corporation (TCEDC) opened a community commercial kitchen to allow for value added agricultural businesses to develop. Constructing and equipping a commercial kitchen is a very expensive venture for any startup company. By providing this community commercial kitchen TCEDC has started many fairly successful food businesses including Pepe's Salsas, Antonio's Salsas, Tina's Burritas, Arabian Nights, and Cooking Studio Taos' Caleb and Milo brand products. The kitchen is at full capacity and is limited in what it can provide for any growing business. In order for these companies to make the transition from production for local distribution to regional distribution and eventually into interstate and national distribution, they will eventually need additional space, either shared or solely occupied by them. The problem is the high cost of the transition. Fortunately the Town of Taos has a commercial kitchen that is underutilized that could be made available for that interim step provided that the Town has a reasonable expectation of receiving benefits in excess of the costs to the public. Other commercial kitchens may also be available from private sources, but the Town is most likely the only entity that can reduce and even abate rent in order for a growing business to have the greatest chance of success in transitioning from the community kitchen to a new facility of their own.

**Regional Economic Development Focus Areas/Projects**

2013 Update: This section will need to be updated in future planning efforts and must incorporate the rest of the Enchanted Circle region in its completion. The clusters identified below are drawn directly from the REDI Plan and remain relevant to economic development in the Enchanted Circle.

Film and Media

Alternative Energy

Solar

Research and Development

Installation, Maintenance, and Repair

Value Added Agriculture

High Altitude/Hypoxic Training

**Community Economic Development Goals and Policies**

Non-basic Economic Sector Goals and Policies (Community Development):

- Goal: Implement the adopted Affordable Housing Plan in a timely fashion to ensure that the community is provided housing that is safe, decent, and affordable
- Goal: Support educational improvement for Taos Municipal Schools
  - Policy: Form a work group between Town of Taos Staff, Taos Municipal Schools and interested non-profit institutions to form partnership efforts to improve public school performance
- Goal: Support the development of a four-year degree conferring college or university
  - Policy: The Town of Taos will examine the potential adaptive reuse of underutilized Town owned buildings where UNM – Taos may be able to hold classes
  - Policy: To the extent applicable, the Town will explore the possibility of combining Town sponsored affordable housing development with the development of student housing for higher education institutions
  - Policy: Support and actively assist UNM – Taos with the development of a four year degree conferring campus relying on the installation of the KCEC fiber optic network to expand educational offerings and access rather than the traditional bricks and mortar approach.
- Goal: Enact common sense annexations
  - Policy: The Town of Taos will examine the possibility of annexing those properties where services are provided by the Town in order to capture the revenues generated on those sites that will directly support the provision of said service
    - Logical annexations, if possible, include the waste water treatment plant and associated land, regional airport, and regional landfill
- Goal: Improve transportation throughout the central business district
  - Policy: The Town of Taos will examine the possibility of a turn-back agreement from the New Mexico Department of Transportation and the US highway Department provided that all said highways meet a specific standard prior to the turn-back
  - Policy: The Town of Taos will actively pursue improvements to the traffic flow along Paseo del Pueblo from Los Pandos north to the intersection with Camino de la Placita with a focus on converting Camino de la Placita to one-way south bound and Paseo del Pueblo to one-way north bound
- Goal: Provide a proactive community oriented police force
  - Policy: The Town of Taos will examine the benefits of adding additional officers in order to shift from reactive policing to proactive community involvement
- Goal: Expand the Taos Public Library to meet current and future needs of the region

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- Policy: Formation of a regional partnership to fund the expansion and operations of the Taos Public Library which should include the possibility of housing the UNM – Taos library
  - Create a regionally based Library District that fairly distributes the cost burden of the Library among public entities in the region that use the Library's services through the Intergovernmental Council (IGC)
- Goal: Regionalize all regional services currently funded solely by the Town of Taos
  - The Airport and the Youth and Family (Y&F) Center both provide services to the region and are solely funded by the Town. The formation of a regional aviation district and a regional recreation district through the IGC will fairly distribute the cost burden of the airport and Y&F Center among public entities in the region that use their services

Combined Non-basic and Basic Economic Sector (Hybrid) Goals and Policies

- Improve athletic facilities and opportunities to host sporting events
  - Policy: Make key investments in existing facilities
    - Examine the true productivity of the Eco Park prior to additional public investment in building out the facility
    - Engage the community in actively funding the development of the remainder of the Eco Park
    - Examine and determine the likely pay off period for enclosing the existing ice rink and for building a new enclosed ice rink
      - Make public improvements to the existing ice rink if positive return is possible
      - Publicly fund the master plan of the development of the Youth and Family Center Property and full design of a new ice rink if a positive return is possible in a reasonable time period
- Build out the master plan for the full development of the Taos Community Auditorium
  - Policy: The Town of Taos will actively support the fund raising efforts of the community to construct the remainder of the master plan for the development of the Taos Community Auditorium

Local Basic Economic Sector Goals and Policies (Economic Development):

- Provide performance based assistance to basic economic sectors
  - Policy: The Town of Taos will only participate in performance based assistance to basic economic companies using objective benchmarks to ensure fair and accurate performance evaluation
  - Policy: Any economic development assistance provided by the Town of Taos must show a positive return on the investment of public funds, property, or other public asset within ten years of the provision of public assistance

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- Attract location neutral businesses and industry clusters to the Town and the region
  - Policy: The Town of Taos will actively engage in improving the quality of life in Taos
  - Policy: The Town of Taos will work with the New Mexico Partnership to identify specific sectors that the Partnership can effectively market the community to in order to attract location neutral businesses to Taos
  - Policy: The Town of Taos will continue to support Kit Carson Electric Cooperative with the deployment of the Kit Carson fiber optic network
  - Policy: The Town of Taos will develop and adopt a live-work ordinance to allow for mixed use buildings and dwelling units.
  - Policy: The Town of Taos will implement the recommendations of the AIS Development Study regarding the development of remote medical transcription and similar location neutral business on the local level to jump start the attraction of other location neutral businesses
- Retain and Expand local businesses
  - Policy: The Town of Taos will support a third party that will annually conduct the Business Retention and Expansion Survey included as an appendix to this plan
    - This survey must be done in an interview method by trained economic development professionals in order to be effective
  - Policy: The Town of Taos will create and staff a Business Retention and Expansion Task Group to create recommendations for Town Council action and to create individual and group intervention strategies to retain and to assist in the expansion of local businesses
- Incubate local businesses
  - Policy: The Town of Taos will avoid directly incubating startup companies (those companies with less than three (3) years of successful operating history) but will continue to support Taos Entrepreneurial Network to provide support to startup companies
  - Policy: The Town of Taos will consider the use of existing public assets to assist in or directly incubate mid-development companies
  - Policy: The Town of Taos will, to the extent the Taos County Commission desires and the Town Council approves, assist in the renovation of the Taos County Courthouse with the specific goals of developing a heritage and cultural interpretive center in the historic courtroom where the Taos WPA murals are located and development of the remainder of the building as a location for business incubation or other use as determined by the community and supported by the Taos County Commission
- Diversify and stabilize the tourism sector
  - Policy: The Town of Taos will continue to provide appropriate marketing of the community using lodgers tax funds
  - Policy: The Town of Taos will facilitate an effort to develop a tourism portal site with a trip planner to assist in the organization and marketing of the growing segments of the travel industry, specifically focusing on heritage/cultural, eco, adventure/experiential, and sporting tourism

## **Town of Taos**

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- The Town of Taos will assist in locating funding to design and establish the internet portal site and trip planner and will contribute to maintaining the portal site and trip planner
- Reinvigorate the production of art and crafts in Taos
  - Policy: The Town of Taos will explore ways that the Town can assist with the development of affordable studio space
  - Policy: The Town of Taos will pursue live-work zoning code amendments to increase the availability of affordable live-work space
- Emphasize the definition of and direct assistance with the development of a local cluster for the areas of organic and non-toxic personal care product formulation and manufacture; software development and services; publishing, editing, and transcription; and gourmet and organic food production
  - Policy: The BRE Survey will place emphasis on these key areas and other basic industries to identify the needs of these clusters and the BRE Task Group will make recommendations for steps the community can take to make the expansion, retention , and attraction of these key industry segments in Taos

#### **Regional Basic Economic Sector Goals and Policies (Economic Development):**

- These goals and policies should be developed under a regional effort.



**FINANCE**

The Town should develop an economic development financing plan that will examine the full range of options available to the Town for financing public support of economic development. The Town should fund assistance or internally further examine the following potential funding methods, which should also be examined as a part of the Downtown Master Plan as funded by a State Grant that was secured through New Mexico Main Street – Arts and Cultural District:

Metropolitan Redevelopment Area: This requires a declaration of blight which is most likely unpalatable to the community and local leadership and should be only pursued if there is unanimous agreement that it is necessary.

Tax Increment Finance: This may be a feasible option but more in depth analysis is needed.

Tax Increment Development Districts: This may be a feasible option but more in depth analysis is needed.

Business Improvement Districts: This is a very possible source of not only funding but a way to provide cohesion for local retailers, especially those located in the downtown. This will also shift much of the economic development funding burden to the private sector and will convey greater private sector control than other financing options. This may be a feasible option but more in depth analysis is needed.

Economic Development Local Option GRT (ED LOGRT): Currently the Town is effectively blocked from using this tax. This tax must be approved by an election and it must have access to the local infrastructure related GRT. Currently the Town has maximized its infrastructure tax to the limits of New Mexico Law and further more cannot meet the essential test for electing to use this tax as the General Fund Tax, which may be approved by a simple declaration by the Town Council, is not at its statutory limit. The Council can, in its discretion, raise the General Purpose tax by .5%. Doing so would allow for a restructuring of the infrastructure tax which could then be taken to the public for a vote to enact an ED LOGRT. Those funds would be authorized for use only for specific purposes identified in the ballot measure that is approved by election in the community. These funds are also restricted to basic economic activities and cannot (and should not) be used for any retail venture or other non-basic activity. This may be a feasible option but more in depth analysis is needed.

Quality of Life Local Option GRT: This may be a feasible option but more in depth analysis is needed.

### **STATE INCENTIVES**

The Town should fund assistance or internally further examine funding methods including State incentives, which should also be examined as a part of the Downtown Master Plan as funded by a State Grant that was secured through New Mexico Main Street – Arts and Cultural District

### **LOCAL INCENTIVES**

The Town should fund assistance or internally further examine the use of local incentives in addition to other funding methods, which should also be examined as a part of the Downtown Master Plan as funded by a State Grant that was secured through New Mexico Main Street – Arts and Cultural District.

### **APPLICATION, REVIEW, COST-BENEFIT, AND PUBLIC SAFEGUARDS**

Per the New Mexico Local Economic Development Act and the Taos Local Economic Development Ordinance, collectively referred to as LEDA, the Town of Taos shall:

1. At an initial intake interview the Town or the Town's representative shall determine if the potential applicant is a qualifying entity as defined in §4.20.040 of LEDA.
2. An application shall be prepared with assistance from the Town or the Town's representative only if the potential applicant is determined to be a qualifying entity under LEDA.
  - a. The application must contain all required information as set forth in the Town of Taos Application for Economic Development Assistance and LEDA
3. Upon completion and submission of a complete application by the applicant, the Town or the Town's representative shall review the application and perform an independent cost-benefit analysis
  - a. Multiplier effects above three (3) shall not be considered.
  - b. All multiplier effects must be reasonably associated with the direct impacts of the proposed project. Indirect effects will not be considered.
  - c. The National Development Council's standard analysis methods or Town approved equivalent shall be used to evaluate the solvency and growth potential of an applicant.
4. Upon completion of the review and analysis of the application, Town Staff or the Town's representative shall forward the application and review to the Town Council for review and approval. Project participation agreements will only be considered for Town Council approved applications.

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5. Upon Town Council approval of an application, Town Staff or the Town's representative shall prepare a Project Participation Agreement (PPA) for Town Council consideration.
  - a. All PPAs must be performance based and must include sufficient objective measures to determine performance.
  - b. All PPAs must demonstrate a positive return on the public investment within ten (10) years of the adoption of the ordinance approving the PPA.
  - c. All PPAs must include safeguards for the public investment as required by LEDA.
  - d. All PPAs must contain, at a minimum, the contents required by LEDA.
  - e. A draft of all PPAs shall be made available through the Town Manager to the Town Council prior to adoption.
  - f. All PPAs shall be approved by ordinance by the Town Council.

**ATTACHMENTS**

Annual Business Retention and Expansion Survey

Application for Economic Development Assistance

Standard Review Criteria for Applications for Economic Development Assistance

Model Ordinance for Adopting a Project Participation Agreement

Model Project Participation Agreement

State of New Mexico's Local Economic Development Act

Town of Taos' Local Economic Development Act Ordinance

**Business Retention & Expansion Survey**

The purpose of this survey is to learn more about companies in the Taos area and about ways the Community can best support our existing companies. In addition to learning information that will help in planning programs and services for area companies, your responses will enable us to identify ways in which we can support your specific company. This survey is being conducted as a part of a business expansion and retention program. All individual responses to this survey will be held in strict confidence.

**Business Profile**

Company Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Website: \_\_\_\_\_

Product/Service(s): \_\_\_\_\_

NASIC code: \_\_\_\_\_ Number of Employees: \_\_\_\_\_ Years at Location: \_\_\_\_\_

Site Size (acres): \_\_\_\_ Building Size (sq. ft.): \_\_\_\_\_

Parent Company?: Yes No Name: \_\_\_\_\_

Other Locations: \_\_\_\_\_

Corporate Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

May we contact him/her?: \_\_\_\_\_ HQ Phone: \_\_\_\_\_

**Markets/Products**

What markets does your company serve? (indicate % of total sales in each market)

\_\_\_\_ Local                      \_\_\_\_ County (outside of town)                      \_\_\_\_ State (outside of county)

\_\_\_\_ National (outside of state)                      \_\_\_\_ International (Total should equal 100%)

Please provide some information about up to four of your top products:

1. \_\_\_\_\_

2. \_\_\_\_\_

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3. \_\_\_\_\_

4. \_\_\_\_\_

Product Customers (Industry or demographic type)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Outlook for new or additional markets:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Would you be interested in assistance in locating local customers? Yes No

If yes, what assistance would you require? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Raw Materials/Suppliers**

Consider your company's major raw materials. Which goods or services purchased from outside the area would you prefer to purchase locally if available at a comparative price?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**Personnel/Labor**

Total Employees: \_\_\_\_\_ % Union : \_\_\_\_\_ Union Name(s): \_\_\_\_\_

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What percentage of your labor force is: Skilled \_\_\_\_\_ Semi-Skilled \_\_\_\_\_ Unskilled \_\_\_\_\_

Clerical \_\_\_\_\_ Management \_\_\_\_\_

What approximate percentage of your employees live within (miles) \_\_\_\_\_ 0-5 \_\_\_\_\_ 6-15  
\_\_\_\_\_ 16+

Current employment status: \_\_\_\_\_ Hiring \_\_\_\_\_ Stable \_\_\_\_\_ Downsizing

What demand do you anticipate for additional work force during the next five (5) years?

2014 \_\_\_\_\_ 2015 \_\_\_\_\_ 2016 \_\_\_\_\_ 2017 \_\_\_\_\_ 2018 \_\_\_\_\_

Number of hourly skilled \_\_\_\_\_ Number of hourly unskilled \_\_\_\_\_

Number of clerical \_\_\_\_\_ Number of supervisory/technical \_\_\_\_\_

**Availability of Workers**

Consider the following labor-skill classes, and circle the number that best represents your opinion of their availability for employment locally and the quality of basic skills possessed by new employees:

5=Excellent      4=Good      3=Average      2=Poor      1=No Opinion

	Skill Class Availability	Quality of Skills
Professional/Management	1 2 3 4 5	1 2 3 4 5
Skilled	1 2 3 4 5	1 2 3 4 5
Semi-Skilled	1 2 3 4 5	1 2 3 4 5
Unskilled	1 2 3 4 5	1 2 3 4 5
Clerical	1 2 3 4 5	1 2 3 4 5

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Other \_\_\_\_\_ 1 2 3 4 5 1 2 3 4 5

If recruiting personnel is difficult, what factors contribute to these difficulties? (check all that apply)

\_\_\_\_ Labor supply shortage \_\_\_\_ Skills not adequate \_\_\_\_ Lack of public transportation

\_\_\_\_ Affordable housing \_\_\_\_ Available housing

\_\_\_\_ Other \_\_\_\_\_

How do you recruit labor? \_\_\_\_ Newspapers \_\_\_\_ Colleges \_\_\_\_ Job Services

\_\_\_\_ Temp Agencies \_\_\_\_ Word of Mouth \_\_\_\_ Other (explain)

\_\_\_\_\_

What other labor difficulties, if any, have you experienced (turnover, productivity, union activity, trailing spouse, etc.)?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Quality of Skills**

Skill needs not met: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Has your company participated in any state-sponsored job training programs? Yes No

Results: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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Have you worked with any of the following to provide customized training for your employees? (check all that apply)

\_\_\_ UNM Taos \_\_\_ SMU in Taos \_\_\_ Highlands University \_\_\_ Northern NM College

Would you be interested in job training programs designed to meet your needs? Yes No

If yes, what specific types of training? \_\_\_\_\_

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**Community Services/Assistance**

Please rate the following community resources for the community in which your facility is located according to their quality and cost, circling the response which best matches your opinion:

1= Excellent      2=Good      3=Average      4=Poor      5=No Opinion

	Service Quality	Cost Rates
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*Utilities*

Water Sewer	1 2 3 4 5	1 2 3 4 5
-------------	-----------	-----------

Electric	1 2 3 4 5	1 2 3 4 5
----------	-----------	-----------

Gas	1 2 3 4 5	1 2 3 4 5
-----	-----------	-----------

Telecommunications	1 2 3 4 5	1 2 3 4 5
--------------------	-----------	-----------

Internet	1 2 3 4 5	1 2 3 4 5
----------	-----------	-----------

*Transportation*

Air	1 2 3 4 5	1 2 3 4 5
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Public Transportation	1 2 3 4 5	1 2 3 4 5
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Truck	1 2 3 4 5	1 2 3 4 5
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*Community Services*

Health Care	1 2 3 4 5	1 2 3 4 5
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Entertainment/Recreation	1 2 3 4 5	1 2 3 4 5
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Education (K-12)	1 2 3 4 5	1 2 3 4 5
Higher Education (colleges, etc)	1 2 3 4 5	1 2 3 4 5
Police Protection	1 2 3 4 5	1 2 3 4 5
Fire Protection	1 2 3 4 5	1 2 3 4 5
Paramedic/EMT Service	1 2 3 4 5	1 2 3 4 5
Streets & Highways	1 2 3 4 5	1 2 3 4 5
Other _____	1 2 3 4 5	1 2 3 4 5

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Business Activity/Business Climate:**

Please list or describe the greatest advantages of operating your business in the following areas?

Town of Taos \_\_\_\_\_  
 \_\_\_\_\_

Taos County \_\_\_\_\_  
 \_\_\_\_\_

State of New Mexico \_\_\_\_\_  
 \_\_\_\_\_

Please list the greatest disadvantages of operating your business in the following areas?

Town of Taos \_\_\_\_\_  
 \_\_\_\_\_

Taos County \_\_\_\_\_  
 \_\_\_\_\_

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State of New Mexico \_\_\_\_\_  
\_\_\_\_\_

What recommendations do you have for improving the business climate or quality of life in these areas?

Town of Taos \_\_\_\_\_  
\_\_\_\_\_

Taos County \_\_\_\_\_  
\_\_\_\_\_

State of New Mexico \_\_\_\_\_  
\_\_\_\_\_

Does your company plan to establish new or expanded operations outside the Taos County area? Yes No

If yes, where/why? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Does your company anticipate a need to reduce or phase out a local facility? Yes No

If yes, when/why? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In which of the following areas has your company expanded in the past year? (check all that apply)

\_\_\_\_ Facility      Approximate Investment: \$ \_\_\_\_\_

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\_\_\_ Equipment      Approximate Investment: \$\_\_\_\_\_

\_\_\_ Employment      # new employees: \_\_\_\_\_

In which of the following areas do you anticipate growth in the next year? (check all that apply)

\_\_\_ Facility      Approximate Investment: \$\_\_\_\_\_

\_\_\_ Equipment      Approximate Investment: \$\_\_\_\_\_

\_\_\_ Employment      # new employees: \_\_\_\_\_

At what percent of production capacity is your local facility operating? \_\_\_\_%

Are you planning an expansion or new facilities within the area within the next five years? Yes No

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

**Business Assistance**

Is your company currently challenged by any of the following issues? (check all that apply)

\_\_\_ Utilities    \_\_\_ Physical Space      \_\_\_ Vandalism      \_\_\_ Capital Financing

\_\_\_ Labor    \_\_\_ Transportation      \_\_\_ Safety      \_\_\_ Taxes

\_\_\_ Government Regulation      \_\_\_ Environmental Issues

\_\_\_ Business Mgmt.    \_\_\_ Drainage    \_\_\_ Marketing    \_\_\_ Other (specify) \_\_\_\_\_

Please describe the most critical issue currently facing your company: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How can the community help? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Are there any specific challenges your company is facing which the community can assist in resolving?

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Are there any additional industry or other support services that you feel are needed in the area?

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What else can the community do to enhance your company's effectiveness or profitability in the Taos area?

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Would you like any information regarding any of the programs listed below? (check all that apply)

<input type="checkbox"/> Federal Financing Programs	<input type="checkbox"/> Worker Training Programs
<input type="checkbox"/> State Financing Programs	<input type="checkbox"/> Industrial Revenue Bonds
<input type="checkbox"/> State Incentive Programs	<input type="checkbox"/> Technical Assistance
<input type="checkbox"/> Other: _____	

Thank you for completing our survey. Your assistance in this project is critical as we develop new programs to help make your company more successful. A member will visit your office in the near future to discuss the results of the survey with you and to obtain any additional input you may wish to provide. In the meantime, if you have any questions, please contact X by telephone at 575.xxx.xxxx or by email at [X](#).

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**Town of Taos**  
**Economic Development Assistance Application**

The Town of Taos has adopted an ordinance for local economic development that comports with the Local Economic Development Act (LEDA) of the state of New Mexico. The Town of Taos is committed to diversifying, stabilizing, and growing the economic base employment sector of the Taos economy. In order to receive economic development assistance from the Town of Taos, an interested party must complete this application. The application will then be reviewed and if the Town of Taos believes that the application has merit, a Taos Economic Development Project Participation Agreement will be prepared for Town Council consideration.

Please provide the following information:

1. Identification information:
  - a. Complete name and address of the qualifying entity;
  - b. Incorporation papers with bylaws;
  - c. List of board of directors and executive directors, with addresses; and
  - d. Resumes of all directors and officers.
2. Evidence of financial solvency (personal statements of principals):
  - a. Financial statements (income statements and balance sheets) for the past three (3) years;
  - b. Federal tax numbers, New Mexico state taxation and revenue number and town's business license;
  - c. Projected income statement for at least three (3) years.
3. Evidence of organizational capacity:
  - a. Brief history of the qualifying entity;
  - b. Organizational chart of the qualifying entity;
  - c. Business plans for the qualifying entity and proposed project (including cash flow analysis);
  - d. Evidence of ability to manage the project, such as, but not limited to:
    - (1) List and description of previously completed projects; and
    - (2) Resumes of key staff involved with project;
  - e. The qualifying entity shall disclose the following information (if the answer is yes, the entity shall attach a written explanation):
    - (1) Has the qualifying entity or any of its officers ever been involved in a bankruptcy?
    - (2) Has the qualifying entity or any of its officers ever defaulted on obligations on which payments are not current?

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(3) Does the qualifying entity have any loans or other financial obligations on which payments are not current?

4. Funding sources for the proposed economic development project:
  - a. Equity investment of qualifying entity;
  - b. Specific assistance being requested of the town (e.g., specific parcel of land, applicable fees, etc.), with the estimate of value; and
  - c. Funding sources other than the town with letters of commitment of intent to fund.
5. A complete and specific description of the proposed economic development project, including, but not necessarily limited to:
  - a. Business activities to be conducted;
  - b. Management and staffing requirements;
  - c. Property and equipment requirements;
  - d. Markets;
  - e. Transportation requirements;
  - f. Utility requirements, including, but not limited to, electric, gas, and water;
  - g. Solid and liquid waste disposal requirements;
  - h. Infrastructure requirements;
  - i. Regulatory compliance requirements; and
  - j. Environmental assessment.
6. A complete and specific cost benefit analysis. The source and rationale for any multiplier effects shall be identified. The cost benefit analysis shall show that the town will recoup the value of its donation within a maximum period of ten (10) years.
7. A complete and specific description of the proposed economic development project's substantive contributions to the town including, but not limited to, such factors as in-kind services to the town, jobs, expanded tax base, property or other thing or service of value for the expansion or improvement of the economy.
8. A complete and specific description of the employee job training and career development plan for the proposed economic development project.
9. Any other information necessary for the town to make a determination as to whether or not the applicant is a qualifying entity.
10. Any other information required of the applicant by the governing body. (Ord. 00-22 § 7, 2000)

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**Town of Taos**  
**Economic Development Assistance Application Review**

All applications to the Town of Taos shall be reviewed under the following criteria:

1. Compliance with all requirements for an "economic development project" and a "qualifying entity";

**ECONOMIC DEVELOPMENT PROJECT:** The provision of direct or indirect assistance to a qualifying entity and includes the purchase, lease, grant, construction, reconstruction, improvement or other acquisition or conveyance of land, buildings or other infrastructure; public works improvements essential to the location or expansion of a qualifying entity; payments for professional services contracts necessary for local or regional governments to implement a plan or project; the provision of direct loans or grants for land, buildings or infrastructure; loan guarantees securing the cost of land, buildings or infrastructure in an amount not to exceed the revenue that may be derived from the municipal infrastructure gross receipts tax or the county infrastructure gross receipts tax; grants for public works infrastructure improvements essential to the location or expansion of a qualifying entity; purchase of land for a publicly held industrial park; and the use or construction of a building for use by a qualifying entity.

**QUALIFYING ENTITY:** A corporation, limited liability company, partnership, joint venture, syndicate, association or other person that is one or a combination of two (2) or more of the following:

- A. An industry for the manufacturing, processing, or assembling of any agricultural or manufactured products;
- B. A commercial enterprise for storing, warehousing, distribution or selling products of agriculture, mining or industry, but other than provided in subsection D or E of this definition, not including any enterprise for sale of goods or commodities at retail or for the distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities;
- C. A business in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than provided in subsection D of this definition, not including businesses primarily engaged in the sale of goods or commodities at retail;



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D. A telecommunications sales enterprise that makes the majority of its sales to persons outside of New Mexico; or

E. A facility for the direct sales by growers of agricultural products, commonly known as farmers' markets.

2. Feasibility and substantive contribution of the proposed economic development project;

3. Evidence of financial solvency and financial ability to undertake and complete the proposed economic development project;

4. Qualifications of the principals to undertake and complete the proposed economic development project;

5. Stability of the qualifying entity and organizational capacity to undertake and complete the proposed economic development project;

6. Cost benefit analysis that includes:

a. The number and types of jobs to be created both temporary construction jobs and permanent jobs (by New Mexico department of labor job category);

b. Pay scales of jobs;

c. Determination of which jobs are expected to be filled locally and which will be filled by transfers from other facilities or recruited from outside the Taos area;

d. Total payroll expected at startup and after one year;

e. Anticipated impact of project on local tax base; and

f. Anticipated impact on local school system; and

g. Anticipated impact on regional environment; and

h. Anticipated impact on utilities, water, and other infrastructure; and

i. Anticipated impact on the community socioeconomic structure and cultural and historical heritage.

j. Benefits derived by the Town through a Project Participation Agreement must demonstrate a net benefit to the Town within the required ten year period of the Project Participation Agreement.



**ORDINANCE 1X-XX**

**AN ORDINANCE OF THE TOWN OF TAOS APPROVING A LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE TOWN OF TAOS AND XXXXXXXX FOR ECONOMIC DEVELOPMENT ASSISTANCE FROM THE TOWN OF TAOS IN THE FORMS OF XXXXXXXX IN RETURN FOR THE PROVISION OF THE FOLLOWING ECONOMIC BENEFITS TO THE TOWN IN THE FORMS OF XXXXXXXX.**

**WHEREAS**, the Town Council met in Regular Session this \_\_\_\_ day of \_\_\_\_, 201X; and,

**WHEREAS**, the Town Council concludes that the attached Project Participation Agreement will stimulate economic development in a manner consistent with the Town's adopted Interim Community Economic Development Strategic Plan and Comprehensive Plan Element; and,

**WHEREAS**, the Town Council pursuant to the New Mexico Local Economic Development Act, NMSA 1978 §§ 5-10-1, *et seq.*, and the Town's Economic Development Ordinance §§ 4.20.020, *et seq.*, believes it is in the best interest of the Town of Taos and in the interests of economic development to enter into the attached Project Participation Agreement;

**NOW, THEREFORE, BE IT ORDAINED**, The Town of Taos Council hereby adopts and approves the Project Participation Agreement entered into by and between the Town of Taos and XXXXXXXXXX for the XXXXXXXX and the provision of economic benefit to the Town in the forms XXXXXXXX and the safeguarding of public resources, and dated XXXXXX in substantially the form attached.

This ordinance shall become effective as provided by law.

**ORDAINED, ADOPTED, APPROVED, AND RATIFIED** this XXXXXX day of XXXX, 201X by the following vote:

Councilman Rudy Abeyta \_\_\_\_\_

Councilwoman Amy Quintana \_\_\_\_\_

Councilman Eugene Sanchez \_\_\_\_\_

Councilman Michael Silva \_\_\_\_\_

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\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
TOWN ATTORNEY

Project Participation Agreement  
**PROJECT PARTICIPATION AGREEMENT**  
**BETWEEN THE TOWN OF TAOS AND**  
**XXXXXXXXXXXXXXX**

This Local Economic Development Project Participation Agreement (the “Agreement”) is entered into as of this XXXX day of XXXXX, 201X, by and between the Town of Taos, New Mexico (the “Town”), an incorporated Municipal entity of the State of New Mexico and XXXXXXXX (the “Company”).

**WHEREAS**, the Town has adopted Ordinance 00-22 implementing the Local Economic Development Act of the State of New Mexico pursuant to §5-10 NMSA 1978; and,

**WHEREAS**, the Town has approved and adopted the Town of Taos Interim Community Economic Development Strategic Plan which meets the requirements of the Local Economic Development Act (LEDA) §5-10-6 NMSA 1978 which includes the assistance of economic development projects in any legally permissible manner; and,

**WHEREAS**, XXXXXXXXXX has been determined to be a qualifying entity as required under LEDA and Taos Town Code §4.20.040; and,

**WHEREAS**, the Town of Taos intends for XXXXXXXXXX provided within this Agreement to be used to generate additional XXXXXXXXXX for the Town of Taos; and,

**WHEREAS**, the application for economic development assistance has been completed by the Company and reviewed and approved by the Taos Town Council; and,

**WHEREAS**, the Town and the Company desire to enter into this Agreement without which said economic benefits would not otherwise be possible.

**NOW THEREFORE**, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

**Section 1: Contributions:**

- 1.1 The Town of Taos agrees to provide XXXXXXXXXX
- 1.2 The Company agrees to provide XXXXXXXXXX

**Section 2: Performance:** The Company shall meet the following performance measures over the ten (10) years that this agreement is effective:

**Section 3: Performance Schedule, Review, and Temination:** The Company shall meet the following benchmarks by the dates listed in the schedule below:

The Town shall annually review the performance of the Company to the above performance schedule to ensure that the Company is satisfying its obligations set forth in this agreement. If

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the Company fails to meet its obligations, the Town may require the Company to take corrective action according to a schedule as set by the Town at the Company's sole expense. If the Company fails to meet its obligations or take the actions necessary to meet its obligations, then the Town may at its sole option proceed to terminate this Agreement.

**Section 4: Security of Public Investment:** The Company agrees to the following methods of securing the interest of the public proportionate to the investment of public funds, property, or other means of assistance:

**Section 5: Dispute Resolution:** The parties will work in good faith to resolve any disputes that arise hereunder. In the event of a dispute by the parties, the President of the Company or a designee and the Director of Community Economic Development or a designee shall meet and attempt in good faith to resolve the dispute. If the dispute remains unresolved the Company representative shall meet with the Town Manager and attempt in good faith to resolve the dispute. Nothing contained in this Agreement constitutes a waiver of any party's right to seek judicial relief.

**Section 6: Force Majeure:** Neither party shall be liable to the other party for any failure to perform any provisions of obligations of this Agreement if such failure is caused by or results directly or indirectly from Force Majeure. "Force Majeure" means any cause beyond the reasonable control of a party affected, including but not limited to, any acts of God, fire, flood, storm, strike, riot or civil disturbance, war, earthquake, lightning, epidemic, labor disturbance, sabotage, or restraint by court or public authority, or any other cause beyond the reasonable control of a party affected whether similar or dissimilar to the ones listed, which makes it impossible or unreasonably difficult for a party to perform its obligations under this agreement. Nothing contained in this paragraph shall be construed to require either party to prevent or settle a strike against its will. The party unable to perform its obligations due to Force Majeure will provide written notice to the other party within five (5) working days of its becoming aware of the Force Majeure or its inability to perform and its expectations as to when, if ever, it will be able to resume its obligations. "Business Climate Changes" are not within the definition of Force Majeure.

**Section 7: Notices:** All notices or other written communications, including requests for disbursement, that are permitted to be given pursuant to this Agreement must be in writing and delivered personally, by a recognized courier service, by a recognized overnight delivery service, by fax, by electronic mail, or by registered or certified mail, postage prepaid, to the parties at the addresses shown in this Agreement. If notice is mailed, it will be deemed received on the earlier of actual receipt or on the third business day following the date of mailing. If notice is hand delivered or sent by overnight delivery service, it will be deemed received upon actual delivery. If any written notice is facsimile or electronic mail, it will be deemed received when printed or written confirmation of the transaction. A party may change its notice address by written notice to the other party to this Agreement. The initial notice addresses for the parties are as follows:

If to the Town of Taos:

Office of the Town Manager

Town of Taos  
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400 Camino de la Placita  
Taos, New Mexico 87571  
Tel. (575) 751-2000  
Fax: (575) 751-2026  
e-mail:

If to the Company:

XXXXXXXXXX  
XXXXXXXXXX  
XXXXXX, XXXXXXXX XXXXX  
Tel. (XXX) XXX-XXXX  
Fax: (XXX) XXX-XXXX  
e-mail: [XXXXXXXX@XXXXXXXX.XXX](mailto:XXXXXXXX@XXXXXXXX.XXX)

**Section 8: Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of New Mexico. In the event and to the extent (and only to the extent) unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or part of a provision of this Agreement. The parties agree that should judicial action invalidate this Agreement or related agreements, or any provisions thereof, the parties shall have no further obligation or liability to any other party with respect to the invalidated provisions.

**Section 9: Headings:** The heading and captions contained in this Agreement are included for convenience only and shall not be considered a part of this Agreement or affect in any manner the construction or interpretation of this Agreement.

**Section 10: Counterparts:** This Agreement may be signed in any number of counterparts, each of which shall be an original, with the same effect as if the signatures hereto and thereto were upon the same instrument.

**Section 11: Successors and Assigns:** This Agreement binds and inures to the benefit of the Town and the Company and their respective successors and permitted assigns. This Agreement may not be assigned without the written consent of the non-assigning party.

**Section 12: Entire Agreement:** This Agreement represents the entire agreement of the parties on the subject hereof and supersedes all prior agreements or understandings between the parties, whether written or verbal. This Agreement may be amended or modified only in writing duly executed by both parties and the performance by any party of its obligations under this Agreement may be waived only in a written instrument duly executed by both parties.

Executed by the parties hereto as of the date first above written.

Town of Taos, New Mexico  
An incorporated Municipality of the State of New Mexico

Town of Taos  
*2013 Updated Community Economic Development Strategic Foundational Plan/Element*

By: \_\_\_\_\_  
X, Mayor

The Company

By: \_\_\_\_\_

Its: \_\_\_\_\_

**State of New Mexico's  
2010 Local Economic Development Act  
Refer to Statutes for Any Amendments**

5-10-2 Purpose

A. The legislature finds that:

- (1) development of the New Mexico economy is vital to the well-being of the state and its residents;
- (2) it is difficult for municipalities and counties in New Mexico to attract and retain businesses capable of enhancing the local and state economy without the resources necessary to compete with other states and locales;
- (3) municipalities and counties may need to be able to provide land, buildings and infrastructure as a tool for basic business growth and the introduction of basic business ventures into the state;
- (4) it is in the best interest of the state, municipalities and counties to encourage local or regional solutions to economic development; and
- (5) the access to public resources needs to be carefully controlled and managed for the continued and future benefit of New Mexico citizens.

B. The purpose of the Local Economic Development Act is to implement the provisions of the 1994 constitutional amendment to Article 9, Section 14 of the constitution of New Mexico to allow public support of economic development to foster, promote and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources. Further, the purpose of that act is to allow municipalities and counties to enter into joint powers agreements to plan and support regional economic development projects, including investments in arts and cultural districts created pursuant to the Arts and Cultural District Act [15-5A-1 NMSA 1978].

5-10-3 Definitions

As used in the Local Economic Development Act:

A. "arts and cultural district" means a developed district of public and private uses that is created pursuant to the Arts and Cultural District Act [15-5A-1 NMSA 1978];



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B. "cultural facility" means a facility that is owned by the state, a county, a municipality or a qualifying entity that serves the public through preserving, educating and promoting the arts and culture of a particular locale, including theaters, museums, libraries, galleries, cultural compounds, educational organizations, performing arts venues and organizations, fine arts organizations, studios and media laboratories and live-work housing facilities;

C. "department" means the economic development department;

D. "economic development project" or "project" means the provision of direct or indirect assistance to a qualifying entity by a local or regional government and includes the purchase, lease, grant, construction, reconstruction, improvement or other acquisition or conveyance of land, buildings or other infrastructure; public works improvements essential to the location or expansion of a qualifying entity; payments for professional services contracts necessary for local or regional governments to implement a plan or project; the provision of direct loans or grants for land, buildings or infrastructure; technical assistance to cultural facilities; loan guarantees securing the cost of land, buildings or infrastructure in an amount not to exceed the revenue that may be derived from the municipal infrastructure gross receipts tax or the county infrastructure gross receipts tax; grants for public works infrastructure improvements essential to the location or expansion of a qualifying entity; grants or subsidies to cultural facilities; purchase of land for a publicly held industrial park or a publicly owned cultural facility; and the construction of a building for use by a qualifying entity;

E. "governing body" means the city council, city commission or board of trustees of a municipality or the board of county commissioners of a county;

F. "local government" means a municipality or county;

G. "municipality" means an incorporated city, town or village;

H. "person" means an individual, corporation, association, partnership or other legal entity;

I. "qualifying entity" means a corporation, limited liability company, partnership, joint venture, syndicate, association or other person that is one or a combination of two or more of the following:

(1) an industry for the manufacturing, processing or assembling of agricultural or manufactured products;

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(2) a commercial enterprise for storing, warehousing, distributing or selling products of agriculture, mining or industry, but, other than as provided in Paragraph (5) or (6) of this subsection, not including any enterprise for sale of goods or commodities at retail or for distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities;

(3) a business in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than as provided in Paragraph (5) of this subsection, not including businesses primarily engaged in the sale of goods or commodities at retail;

(4) an Indian nation, tribe or pueblo or a federally chartered tribal corporation;

(5) a telecommunications sales enterprise that makes the majority of its sales to persons outside New Mexico;

(6) a facility for the direct sales by growers of agricultural products, commonly known as farmers' markets;

(7) a business that is the developer of a metropolitan redevelopment project; and

(8) a cultural facility; and

J. "regional government" means any combination of municipalities and counties that enter into a joint powers agreement to provide for economic development projects pursuant to a plan adopted by all parties to the joint powers agreement.

**5-10-4 ED Spending Limitations**

A. No local or regional government shall provide public support for economic development projects as permitted pursuant to Article 9, Section 14 of the constitution of New Mexico except as provided in the Local Economic Development Act or as otherwise permitted by law.

B. The total amount of public money expended and the value of credit pledged in the fiscal year in which that money is expended by a local government for economic development projects pursuant to Article 9, Section 14 of the constitution of New Mexico and the Local Economic Development Act shall not exceed ten percent of the annual general fund expenditures of the local government in that fiscal year. The limits of this subsection shall not apply to:

- (1) the value of any land or building contributed to any project pursuant to a project participation agreement;
- (2) revenue generated through the imposition of the municipal infrastructure gross receipts tax pursuant to the Municipal Local Option Gross Receipts Taxes Act [7-19D-1 NMSA 1978] for furthering or implementing economic development plans and projects as defined in the Local Economic Development Act or projects as defined in the Statewide Economic Development Finance Act [6-25-1 NMSA 1978]; provided that no more than the greater of fifty thousand dollars (\$50,000) or ten percent of the revenue collected shall be used for promotion and administration of or professional services contracts related to the implementation of any such economic development plan adopted by the governing body;
- (3) revenue generated through the imposition of a county infrastructure gross receipts tax pursuant to the County Local Option Gross Receipts Taxes Act [7-20E-1 NMSA 1978] for furthering or implementing economic development plans and projects as defined in the Local Economic Development Act or projects as defined in the Statewide Economic Development Finance Act; provided that no more than the greater of fifty thousand dollars (\$50,000) or ten percent of the revenue collected shall be used for promotion and administration of or professional services contracts related to the implementation of any such economic development plan adopted by the governing body;
- (4) the proceeds of a revenue bond issue to which municipal infrastructure gross receipts tax revenue is pledged;
- (5) the proceeds of a revenue bond issue to which county infrastructure gross receipts tax revenue is pledged; or
- (6) funds donated by private entities to be used for defraying the cost of a project.

C. A regional or local government that generates revenue for economic development projects to which the limits of Subsection B of this section do not apply shall create an economic development fund into which such revenues shall be deposited. The economic development fund and income from the economic development fund shall be deposited as provided by law. Money in the economic development fund may be expended only as provided in the Local Economic Development Act or the Statewide Economic Development Finance Act.

D. In order to expend money from an economic development fund for arts and cultural district purposes or cultural facilities, the governing body of a municipality or county that has imposed a municipal or county local option infrastructure gross receipts tax for furthering or implementing economic development plans and projects, as defined in the Local Economic Development Act, or projects, as defined in the Statewide Economic Development Finance Act, by referendum of the majority of the voters voting on the question approving the ordinance imposing the municipal or county infrastructure gross receipts tax before June 30, 2007 shall be required to adopt a resolution. The resolution shall call for an election to approve arts and cultural districts as a qualifying purpose and cultural facilities as a qualifying entity before any revenue generated by the municipal or county local option gross receipts tax for furthering or implementing economic development plans and projects, as defined in the Local Economic Development Act, or projects, as defined in the Statewide Economic Development Finance Act, can be expended from the economic development fund for arts and cultural district purposes or cultural facilities.

E. The governing body shall adopt a resolution calling for an election within seventy-five days of the date the ordinance is adopted on the question of approving arts and cultural districts as a qualifying purpose and cultural facilities as a qualifying entity eligible to utilize revenue generated by the Municipal Local Option Gross Receipts Taxes Act or the County Local Option Gross Receipts Taxes Act for furthering or implementing economic development plans and projects as defined in the Local Economic Development Act or projects as defined in the Statewide Economic Development Finance Act.

F. The question shall be submitted to the voters of the municipality or county as a separate question at a regular municipal or county election or at a special election called for that purpose by the governing body. A special municipal election shall be called, conducted and canvassed as provided in the Municipal Election Code [3-8-1 NMSA 1978]. A special county election shall be called, conducted and canvassed in substantially the same manner as provided by law for general elections.

G. If a majority of the voters voting on the question approves the ordinance adding arts and cultural districts and cultural facilities as an approved use of the local option municipal or county economic development infrastructure gross receipts tax fund, the ordinance shall become effective on July 1 or January 1, whichever date occurs first after the expiration of three months from the date of the adopted ordinance. The ordinance shall include the effective date.

5-10-5 Technical Assistance

At the request of a local or regional government, the department shall provide technical assistance in the development of an economic development plan or economic development project or technical assistance to cultural facilities with respect to economic development projects.

#### 5-10-6 ED Plan Contents

A. Every local or regional government seeking to pursue economic development projects shall adopt an economic development plan or a comprehensive plan that includes an economic development component, and an economic development plan or comprehensive plan may include an analysis of the role of arts and cultural activities in economic development. The plan may be specific to a single economic development goal or strategy or may include several goals or strategies, including any goals or strategies relating to economic development through arts and cultural activities. Any plan or plan amendment shall be adopted by ordinance of the governing body of the local government or each local government of a regional government proposing the plan or plan amendment.

B. The economic development plan or the ordinance adopting the plan may:

- (1) describe the local or regional government's economic development and community goals, including any economic development goals with an arts and cultural component, and assign priority to and strategies for achieving those goals;
- (2) describe the types of qualifying entities and economic activities that will qualify for economic development projects;
- (3) describe the criteria to be used to determine eligibility of an economic development project and a qualifying entity to participate in an economic development project;
- (4) describe the manner in which a qualifying entity may submit an economic development project application, including the type of information required from the qualifying entity sufficient to ensure its solvency and ability to perform its contractual obligations, its commitment to remain in the community and its commitment to the stated economic development goals of the local or regional government;
- (5) describe the process the local or regional government will use to verify the information submitted on an economic development project application;

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(6) if an economic development project is determined to be unsuccessful or if a qualifying entity seeks to leave the area, describe the methods the local or regional government will use to terminate its economic assistance and recoup its investment;

(7) identify revenue sources, including those of the local or regional government, that will be used to support economic development projects;

(8) identify other resources the local or regional government is prepared to offer qualifying entities, including specific land or buildings it is willing to lease, sell or grant a qualifying entity; community infrastructure it is willing to build, extend or expand, including roads, water, sewers or other utilities; and professional services contracts by local or regional governments necessary to provide these resources;

(9) detail the minimum benefit the local or regional government requires from a qualifying entity, including the number and types of jobs to be created; the proposed payroll; repayment of loans, if any; purchase by the qualifying entity of local or regional government-provided land, buildings or infrastructure; the public to private investment ratio; and direct local tax base expansion;

(10) describe the safeguards of public resources that will be ensured, including specific ways the local or regional government can recover any costs, land, buildings or other thing of value if a qualifying entity ceases operation, relocates or otherwise defaults or reneges on its contractual or implied obligations to the local or regional government; and

(11) if a regional government, describe the joint powers agreement, including whether it can be terminated and, if so, how the contractual or other obligations, risks and any property will be assigned or divided among the local governments who are party to the agreement.

C. The economic development plan shall be printed and made available to the residents within the local or regional government area.

#### 5-10-7 Regional ED Plans

A. Two or more municipalities, two or more counties or one or more municipalities and counties may enter into a joint powers agreement pursuant to the Joint Powers Agreements Act [11-1-1 NMSA 1978] to develop a regional economic development plan which may consist of existing local plans. The

parties to the agreement shall be deemed a regional government for the purposes of the Local Economic Development Act.

B. The joint powers agreement shall require that the governing body of each local government approve each economic development project. The agreement may also provide for appointment of a project manager who shall be responsible for the management of projects and project funds. The agreement may provide for a regional body consisting of representatives from the governing bodies of each local government that is a party to the agreement and may determine the powers and duties of that body in implementing the regional government's plan and projects.

#### 5-10-8 ED Project Applications

A. After the adoption of an economic development plan by a local or regional government, a qualifying entity shall submit to the local or regional government an economic development project application.

B. The application shall be on a form and require such information as the local or regional government deems necessary.

#### 5-10-9 Project Evaluation

A. The local or regional government shall review each project application, and projects shall be approved by ordinance.

B. The local or regional government's evaluation of an application shall be based on the provisions of the economic development plan, the financial and management stability of the qualifying entity, the demonstrated commitment of the qualifying entity to the community, a cost-benefit analysis of the project and any other information the local or regional government believes is necessary for a full review of the economic development project application.

C. The local or regional government may negotiate with a qualifying entity on the type or amount of assistance to be provided or on the scope of the economic development project.

#### 5-10-10 Project Participation Agreement

A. The local or regional government and the qualifying entity shall enter into a project participation agreement.

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B. The local or regional government shall require a substantive contribution from the qualifying entity for each economic development project. The contribution shall be of value and may be paid in money, in-kind services, jobs, expanded tax base, property or other thing or service of value for the expansion of the economy.

C. The participation agreement at a minimum shall set out:

(1) the contributions to be made by each party to the participation agreement;

(2) the security provided to the local or regional government by the qualifying entity in the form of a lien, mortgage or other indenture and the pledge of the qualifying business's financial or material participation and cooperation to guarantee the qualifying entity's performance pursuant to the project participation agreement;

(3) a schedule for project development and completion, including measurable goals and time limits for those goals; and

(4) provisions for performance review and actions to be taken upon a determination that project performance is unsatisfactory.

**5-10-11 Project Revenues**

A. Local or regional government revenues dedicated or pledged for funding or financing of economic development projects shall be deposited in a separate account. Separate accounts shall be established for each separate project. Money in the special account shall be expended only for economic development project purposes, which may include the payment of necessary professional services contract costs.

B. In the case of a regional government, revenues of each local government dedicated or pledged for economic development purposes shall be deposited in a special account of that local government and may be expended only by that local government as provided by the regional government's economic development plan and joint powers agreement.

C. The local or regional government shall provide for an annual independent audit in accordance with the Audit Act [12-6-1 NMSA 1978] of each special fund and project account. The audit shall be submitted to the local or regional government. The audit is a public record.



#### 5-10-12 Plan and Project Termination

A. At any time after approval of an economic development plan, the governing body of the local government or the governing body of each local government in a regional government may enact an ordinance terminating the economic development plan and dissolving or terminating any or all projects. An ordinance repealing an economic development plan shall not be effective unless the ordinance provides for satisfying existing contracts and the rights of the parties arising from those contracts.

B. Any unexpended and unencumbered balances remaining in any project fund or account upon repeal of a plan and termination or dissolution of a project may be transferred to the general fund of the local government holding the fund or account. In the case of funds or accounts of a regional government, the unexpended and unencumbered balances shall be divided among the local governments as provided in the joint powers agreement.

#### 5-10-13 Limitations

Nothing in the Local Economic Development Act shall be construed to affect any other requirements of the constitution or other laws regarding local government debt, issuance of bonds, use of tax revenues or the grant, lease or sale of land or other property.

**Town of Taos  
Local Economic Development Ordinance**

**4.20.020: AUTHORITY:**

This chapter is enacted pursuant to the express statutory authority conferred upon municipalities to allow public support of economic development<sup>1</sup>. This chapter is adopted as part of the town's economic development plan. (Ord. 00-22 § 2, 2000)

**4.20.030: PURPOSE:**

The purpose of this chapter is to allow public support of economic development projects to foster, promote, and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources. Further, the purpose of this chapter is to allow the town of Taos to enter into one or more joint power agreements with other local governments to plan and support regional economic development projects. (Ord. 00-22 § 3, 2000)

**4.20.040: DEFINITIONS:**

As used in this chapter:

**ECONOMIC DEVELOPMENT CONTRACTOR:** One or more individuals, corporations, associations, partnerships or other legal entities with whom the town has entered into a written agreement for recruitment of new businesses and job opportunities, the expansion of existing business and industry, and other related services to preserve, promote, diversify, and strengthen the business and general economic base of the town of Taos and its environs.

**ECONOMIC DEVELOPMENT PROJECT:** The provision of direct or indirect assistance to a qualifying entity and includes the purchase, lease, grant, construction, reconstruction, improvement or other acquisition or conveyance of land, buildings or other infrastructure; public works improvements essential to the location or expansion of a qualifying entity; payments for professional services contracts necessary for local or regional governments to implement a plan or project; the provision of direct loans or grants for land, buildings or infrastructure; loan guarantees securing the cost of land, buildings or infrastructure in an amount not to exceed the revenue that may be derived from the municipal infrastructure gross receipts tax or the county infrastructure gross receipts tax; grants for public works infrastructure improvements essential to the location or expansion of a qualifying entity; purchase of land for a

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publicly held industrial park; and the construction of a building for use by a qualifying entity.

GOVERNING BODY: The town of Taos council.

PERSON: An individual, corporation, association, partnership or other legal entity.

PROJECT PARTICIPATION AGREEMENT: An agreement between a qualifying entity and the town whereby the town provides assistance to an economic development project in exchange for the benefits received as set forth in this chapter.

QUALIFYING ENTITY: A corporation, limited liability company, partnership, joint venture, syndicate, association or other person that is one or a combination of two (2) or more of the following:

A. An industry for the manufacturing, processing, or assembling of any agricultural or manufactured products;

B. A commercial enterprise for storing, warehousing, distribution or selling products of agriculture, mining or industry, but other than provided in subsection D or E of this definition, not including any enterprise for sale of goods or commodities at retail or for the distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities;

C. A business in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than provided in subsection D of this definition, not including businesses primarily engaged in the sale of goods or commodities at retail;

D. A telecommunications sales enterprise that makes the majority of its sales to persons outside of New Mexico; or

E. A facility for the direct sales by growers of agricultural products, commonly known as farmers' markets. (Ord. 00-22 § 4, 2000)

**4.20.050: ECONOMIC DEVELOPMENT PLAN:**

A. The governing body may assist economic development projects in any legally permissible manner including, but not limited to, provision of land, buildings and infrastructure provided that all the requirements of this chapter are met. The town may provide land, buildings, or infrastructure that it already owns, or it may build, purchase or lease the facilities needed for an economic development project. The town, at its sole discretion, may bear the full cost or

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contribute a portion of the costs including the waiver of applicable fees. The town, at its sole discretion, may also contribute to the payment of costs for professional service contracts such as industry feasibility studies and planning and design services needed to implement a project.

B. The governing body may consider offering all forms of assistance allowed under this chapter and any other legally permissible forms of assistance; however, this does not establish any obligation on the town's part to offer any specific type or level of assistance.

C. The money expended by the town of Taos in any one fiscal year shall not exceed five percent (5%) of the annual general funds expenditure by the town of Taos during that fiscal year. The limits of this section shall not apply to:

1. The value of any land or building contributed to any project pursuant to a project participation agreement;
2. Revenue generated through the imposition of the municipal infrastructure gross receipts tax pursuant to the municipal local option gross receipts taxes act<sup>2</sup> for furthering or implementing economic development plans and projects as defined in the local economic development act; provided that no more than the greater of fifty thousand dollars (\$50,000.00) or ten percent (10%) of the revenue collected shall be used for promotion and administration of or professional services contracts related to the implementation of any such economic development plan adopted by the governing body;
3. The proceeds of a revenue bond issue to which municipal infrastructure gross receipts tax revenue is pledged;
4. Funds donated by private entities to be used for defraying the cost of a project.

D. The town of Taos shall maintain an economic development fund into which it shall deposit the revenue for economic development to which the limits of subsection C of this section do not apply. (Ord. 00-22 § 5, 2000)

**4.20.060: ECONOMIC DEVELOPMENT CONTRACTOR:**

At its sole discretion, the governing body may assign to one or more of its economic development contractors the following responsibilities with regards to the economic development plan of the town of Taos:

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- A. Reviewing and making recommendations to the governing body on applications for assistance for economic development projects;
- B. Reviewing and making recommendations to the governing body on applications for industrial revenue bonds (IRBs); and
- C. Performing such other tasks as the governing body may determine necessary or desirable to further the economic development projects contemplated herein. (Ord. 00-22 § 6, 2000)

**4.20.070: APPLICATION REQUIREMENTS:**

- A. Any "qualifying entity" meeting the definition set forth in section [4.20.040](#) of this chapter may propose an economic development project to the town. Meeting the definition of a "qualifying entity" does not create any obligation on the part of the town.
- B. Applications from qualifying entities shall be submitted to the office of the town manager.
- C. Applications shall contain at least the following information organized in the order listed below:
  - 1. Identification information:
    - a. Complete name and address of the qualifying entity;
    - b. Incorporation papers with bylaws;
    - c. List of board of directors and executive directors, with addresses; and
    - d. Resumes of all directors and officers.
  - 2. Evidence of financial solvency (personal statements of principals):
    - a. Financial statements (income statements and balance sheets) for the past three (3) years;
    - b. Federal tax numbers, New Mexico state taxation and revenue number and town's business license;
    - c. Projected income statement for at least three (3) years.
  - 3. Evidence of organizational capacity:
    - a. Brief history of the qualifying entity;
    - b. Organizational chart of the qualifying entity;
    - c. Business plans for the qualifying entity and proposed project (including cash flow analysis);

- d. Evidence of ability to manage the project, such as, but not limited to:
    - (1) List and description of previously completed projects; and
    - (2) Resumes of key staff involved with project;
  - e. The qualifying entity shall disclose the following information (if the answer is yes, the entity shall attach a written explanation):
    - (1) Has the qualifying entity or any of its officers ever been involved in a bankruptcy?
    - (2) Has the qualifying entity or any of its officers ever defaulted on obligations on which payments are not current?
    - (3) Does the qualifying entity have any loans or other financial obligations on which payments are not current?
4. Funding sources for the proposed economic development project:
- a. Equity investment of qualifying entity;
  - b. Specific assistance being requested of the town (e.g., specific parcel of land, applicable fees, etc.), with the estimate of value; and
  - c. Funding sources other than the town with letters of commitment of intent to fund.
5. A complete and specific description of the proposed economic development project, including, but not necessarily limited to:
- a. Business activities to be conducted;
  - b. Management and staffing requirements;
  - c. Property and equipment requirements;
  - d. Markets;
  - e. Transportation requirements;
  - f. Utility requirements, including, but not limited to, electric, gas, and water;
  - g. Solid and liquid waste disposal requirements;
  - h. Infrastructure requirements;
  - i. Regulatory compliance requirements; and
  - j. Environmental assessment.
6. A complete and specific cost benefit analysis. The source and rationale for any multiplier effects shall be identified. The cost benefit analysis shall show that the town will recoup the value of its donation within a maximum period of ten (10) years.
7. A complete and specific description of the proposed economic development project's substantive contributions to the town including, but not limited to, such factors as in-kind services to the town, jobs, expanded

tax base, property or other thing or service of value for the expansion or improvement of the economy.

8. A complete and specific description of the employee job training and career development plan for the proposed economic development project.

9. Any other information necessary for the town to make a determination as to whether or not the applicant is a qualifying entity.

10. Any other information required of the applicant by the governing body. (Ord. 00-22 § 7, 2000)

**4.20.080: APPLICATION REVIEW PROCESS:**

A. The governing body shall review each project application in accordance with the criteria set forth hereinafter and all applicable laws, rules, regulations, and policies and shall determine whether the entity and the proposed project qualify pursuant to this chapter and all applicable state laws and regulations.

B. If requested to do so by the governing body, the town's economic development contractor shall review and make recommendations to the governing body regarding the proposed project or projects. (Ord. 00-22 § 8, 2000)

**4.20.090: APPLICATION REVIEW CRITERIA:**

A. Applications for economic development projects requesting economic assistance from the town shall be evaluated by the following criteria:

1. Compliance with all requirements for a "qualifying entity" and an "economic development project";
2. Feasibility and substantive contribution of the proposed economic development project;
3. Evidence of financial solvency and financial ability to undertake and complete the proposed economic development project;
4. Qualifications of the principals to undertake and complete the proposed economic development project;

5. Stability of the qualifying entity and organizational capacity to undertake and complete the proposed economic development project;
6. Cost benefit analysis:
  - a. The number and types of jobs to be created both temporary construction jobs and permanent jobs (by New Mexico department of labor job category);
  - b. Pay scales of jobs;
  - c. Determination of which jobs are expected to be filled locally and which will be filled by transfers from other facilities or recruited from outside the Taos area;
  - d. Total payroll expected at startup and after one year;
  - e. Anticipated impact of project on local tax base; and
  - f. Anticipated impact on local school system; and
  - g. Anticipated impact on regional environment; and
  - h. Anticipated impact on utilities, water, and other infrastructure; and
  - i. Anticipated impact on the community socioeconomic structure and cultural and historical heritage. (Ord. 00-22 § 9, 2000)

**4.20.100: PUBLIC SAFEGUARDS:**

A. All economic development projects receiving assistance from the town shall be subject to an annual performance review conducted by the governing body or its designee. The review shall evaluate whether the project is attaining the goals and objectives set forth in the project participation agreement. This review shall be presented to the governing body for their consideration. The governing body at a public meeting, in a manner consistent with law, may terminate assistance to the economic development project by enactment of an ordinance which terminates the agreement and specifies the disposition of all assets and obligations of the project.

B. The town shall retain a security interest which shall be specified in the project participation agreement. The type of security given shall depend upon the nature of the economic development project and assistance provided by the town. Types of security may include, but are not limited to:

1. Letter of credit in the town's name;
2. Performance bond equal to the town's contribution;
3. A mortgage or lien on property or equipment;
4. Prorated reimbursement of donations if a qualifying entity reduces its work force or leaves the community before the end of the agreed upon term; and
5. Other security agreeable to both parties.



C. Should a qualifying entity move, sell, lease or transfer a majority interest in the economic development project before the expiration of project participation agreement, the town retains the right to deny any and all assignments, sales, leases or transfers of any interests in the economic development project until adequate assurances are made that the transferee, assignee, or lessee is a qualifying entity and that the terms of the agreement will be satisfied by the transferee, assignee, or lessee. At its sole discretion, the town may choose to deny said assignment, lease, or transfer or may negotiate a new agreement with the new operator, or the town may reclaim the facility and enter into an agreement with a new qualifying entity.

D. Any qualifying entity seeking assistance from public resources shall commit to operate in accordance with its project participation agreement for a minimum of ten (10) years from the date the ordinance adopting the project participation agreement is passed by the governing body. (Ord. 00-22 § 10, 2000)

#### **4.20.110: PROJECT PARTICIPATION AGREEMENT:**

A. The qualifying entity shall submit to the town manager for review by the governing body a draft project participation agreement which states the contributions and obligations of all parties in the economic development project. The agreement must clearly state the following items:

1. The economic development goals of the project;
  2. The contributions of the town and the qualifying entity;
  3. The specific performance objectives;
  4. A schedule for project development and goal attainment;
  5. The security or securities being offered for the town's investment;
  6. The procedures by which a project may be terminated and the town's investment recovered; and
  7. The time period for which the town shall retain an interest in the project.
- Each project agreement shall have a "sunset" clause after which the town shall relinquish interest in and oversight of the project.

B. After reviewing the draft, the governing body or its designee may negotiate any final terms and conditions of the agreement for final approval by the governing body.

C. Each project participation agreement shall be adopted as an ordinance and enacted by the governing body at a public meeting. (Ord. 00-22 § 11, 2000)

#### **4.20.120: PROJECT MONIES:**

All project monies shall be kept in a separate account by the entity and the town, with such accounts clearly identified. These accounts shall be subject to an annual independent audit. (Ord. 00-22 § 12, 2000)

**4.20.130: TERMINATION:**

At any time, the governing body may terminate this chapter, the town's community development plan, and any or all projects. Termination shall be by ordinance. An ordinance repealing an economic development plan shall provide for satisfying existing contracts and rights of the parties arising from those contracts. Upon the repeal of a plan and termination or dissolution of a project, any unexpended and unencumbered balances remaining in any project fund or account may be transferred to the town's general fund. In the case of funds or accounts of a joint or regional government project, the unexpended and unencumbered balances shall be divided among the local governments as provided in the joint powers agreement. (Ord. 00-22 § 13, 2000)

**4.20.140: JOINT OR REGIONAL PROJECTS:**

The town may engage in economic development projects involving one or more other governmental entities for projects, which encompass more than one municipality or county. In such instances, a joint powers agreement shall be adopted by the relevant governing bodies. This agreement will establish the application criteria and the terms of all project participation agreements. Criteria established under a joint power agreement shall be consistent with the provisions of this chapter. (Ord. 00-22 § 14, 2000)



## Acknowledgements

DRAFT

### **A Note About This and Future Action Plans:**

This Action Plan is a furthering of the Community Economic Development Strategic Foundational Plan (Foundational Plan) adopted in October 2010. The Base Plan is regarded as the foundation but requires continual updates through Action Plans as the community implements the SMART Goals; objectives; and actions that are a refinement of the 2010 Foundational Plan. Each Action Plan will examine the previously established goals and the condition of the general economy and the economic sectors that the SMART Goals hoped to affect.

### **Table of Contents**

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## Executive Summary

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### Introduction to the Current Phase of Planning

#### Background

The Town of Taos applied for, and received a grant in the early fall of 2012. The grant provided the funds necessary to update the foundational plan from 2010 and forward and complete certain strategic elements alluded to but not fully developed in the 2010 foundational plan. To complete the needed public process; develop an action plan to forward the implementation of portions of the economic development section of the 2010 Community Economic Development Foundational Plan; and to provide objective analysis of the Taos economy to better define the growing sectors of Taos' basic economy and later have an evaluation tool to measure the effectiveness of the actions undertaken for economic development; the Town contracted with LeapPartners, LLC, a local consulting firm. LeapPartners began this planning process in February 2013 and it will conclude with Town Council consideration for adoption on September 24, 2013. The results of the public process, professional evaluation and analyses are contained in this document and its appendices.

#### Connection to 2010 Plan

The plan that was developed in 2010 is the foundational plan for the approach that the community has chosen for its development a great place to live (community development) with a thriving economy (economic development). While the 2010 plan focused on laying the foundations for a Community Economic Development approach, this effort was funded to explore and forward the economic development side of the equation by involving the private sector in defining its and the Town's role for improving the basic economy of Taos.

Given the results of the public process that this plan undertook, which was not undertaken in the development of the foundational plan in 2010, the results also served as a basis for updating the foundational plan to comport with current economic conditions and fine tuning the direction of the foundational plan while preserving the important core elements established with the adoption of the foundational plan.

It should be noted that the 2010 Foundational Plan and this 2013 Action Plan and Update are not intended to limit how the community might approach community economic development, but are instead meant to focus the community on work in key areas that are likely to have the greatest yield. New and previously unrecognized opportunities may arise and the community should remain flexible and avail itself to those new opportunities but not to the detriment of projects already underway. In other words, broadening the focus for community economic development may be appropriate and necessary, but refocusing and losing sight of progress and projects already underway, or successful areas of development that promise more future benefits is not advisable.

#### Connection to the Vision 2020 Plan

It is important to note that this Action Plan and the associated 2010 Foundational Plan were developed as updates to the prior Vision 2020 Plan adopted in 1999. While the Vision 2020 is over fourteen years old, it still is relevant although in need of updating and

refining. The 2010 Foundational Plan and this subsequent 2013 Action Plan and Update are a refine of the economic development section of the Vision 2020 Plan. It is most important to note that while the vision of the Vision 2020 plan may need to be revisited and fine-tuned; it is still relevant and valued by the community. The overall vision in the Vision 2020 Plan stated:

“Taos is a community that addresses the needs of its residents, first and foremost.

By balancing the need for increased opportunities and the need to protect the unique qualities that Taos resident’s value, Taoseños will flourish in their home community.” (Page i)

The Vision 2020 Plan went on to further refine the vision as it relates specifically to economic development:

“The Taos economy is diverse, self-sustaining, and provides rewarding jobs that pay well.” (Page 54)

While the economic development specific vision should undergo a process of improvement, there are other more pressing concerns that should be addressed immediately by the community.

### **Basic Industry Focus**

It is important to recognize that this Action Plan focuses almost exclusively on basic industries. During the planning process it was determined to not address any form of retail, even though some retail can be considered a part of the basic economy; for example purchases of art in galleries is primarily made by visitors and therefore is a basic economic activity. The reasoning for not addressing retail in this plan is threefold: firstly the Local Economic Development Act precludes the use of public funding to aid retail development; secondly retail provides primarily low skill, low wage jobs; and finally, by increasing community wealth and expanding employment within the basic sector, the community will demand more goods and services and the private retail sector will respond to accordingly. In the case of the tourism related retail, it is not possible to increase the number of potential purchases without increasing visitation. It is far easier to work toward increasing visitation than it is to target the wide variety of clients that may want to purchase a good or service from one particular business.

Brief definitions of non-basic and basic economic activities are included here for ease of reference:

### ***Non-basic Economic Activities:***

A non-basic industry provides goods and services primarily consumed by the local community. A grocery store sells the majority of its goods to local citizens; a hospital provides much needed health care services to the local community; etc. These businesses tend to recycle the personal income generated by basic industries and their



demand is proportional to the health of the basic industries in the community. Most retail and non-tourism related services are non-basic industries. Art sales in galleries, however, tend to be basic sales but are one of the few exceptions among retail sales, along with catalog sales, internet based sales, etc. that sell the majority of their goods to people outside of the community. Non-profit industries are also non-basic; despite receiving grant funding from outside of the community they do not generate, by definition, profit other than paying expenses and occasionally limited salaries for executives and staff.

### ***Basic Economic Activities:***

A basic economic activity is one that produces a good or a service that is mostly consumed by people from outside of a region/community. These businesses are “net importers of community income” and are the basis for the economic growth and income generation of a community. Two examples of basic economic activities are manufacturing a personal care product that is shipped out of the region for sale or a hotel that provides lodging services to visitors.

### **The Planning Process**

This Action Plan and Update followed a strategic planning method but only very briefly touched on the development of revisions to the Vision and Mission Statements as they relate to economic development. It was determined that with limited funding and the amount of time available, it would be more productive to develop SMART Goals and provide as much definition as possible to those SMART Goals and the resulting objectives and actions. This would allow the community to move forward with practical actions, rather than wrestling over philosophical and semantic differences. While the overall Vision 2020 vision statement was well done and still relevant, the economic development vision, although not well done, was sufficient and accurate enough to serve as a quasi-Mission Statement for now.

### **Kick off meetings and definitions**

The first step by LeapPartners was to conduct two ‘kick off’ meetings that took place in February 2013. The purpose of the meetings was to provide the community with the general outline of the plan as it was at the time, and as projected when complete. At those meetings the draft Vision and Mission/Purpose statements were presented although it was determined after those meeting that it was in the best interest of the planning process to abandon any additional effort on those statements. The meetings were also intended to generate interest and diversify participation in the four work groups that would create the Economic Development Action Plan. Time was spent revisiting the SWOT analysis and generating community input to support and update the preliminary SWOT generated by Town Staff in the 2010 Foundational Plan. The SWOT provided by the community did not significantly alter or add to the existing SWOT. A copy of the items generated during that meeting was made wide available and can be obtained from the Town of Taos Planning, Zoning and Buildings Department but has been omitted from this document to allow for brevity. The groups also verified the areas of the economy to focus on which were initially six (6) but were subsequently combined to the four (4) focus areas as presented in this Action Plan..

### **Economic Round Table**

On May 21, 2013 the Town of Taos hosted the *Economic Transition Roundtable* with facilitation assistance from LeapPartners. An audience of approximately 90 community members came together at the Arthur Bell Auditorium at UNM Taos' Harwood Museum to listen to a discussion among thirteen (13) leaders from the private for profit, non-profit and public sectors about the future outlook of business and economic development in Taos. LeapPartners started the discussion with a presentation of the Taos Economic Report Card, using statistical indicators involving population, revenues, income. The participants then addressed the current state of the economy as they understood it through personal experiences and insights. The Roundtable concluded with the participants identifying the inherent opportunities that the current period of economic transition created and some of the road-blocks the community faces when trying to build a new Taos economy, as well as some of the ways Taos might overcome those road blocks.

It was hoped that this Roundtable would also stimulate participation in the four work groups that would create the Economic Development Action Plan.

### **Work group meetings within focus areas**

The community participated in four work groups representing three (3) potentially growing basic economic business sectors: *Creative Industries; Tourism & Retail; and Technology*; and the fourth work group focusing on *Business Retention, Expansion, and Incubation* for the Taos economy as a whole.

Public participation in the work groups was solicited through:

- E-mails to those that attended the two kick-off meetings and the Roundtable
- Announcements through *two half-page ads* and two articles in the Taos News
- Public service announcement on local radio stations
- A radio interview with the principals of LeapPartners
- ; And emails sent to members and affiliates of the Taos County Chamber of Commerce (TCCC); the Taos Entrepreneurial Network (TEN) and the Small Business Development Center (SBDC).

In order to achieve optimum input and efficiency of the group's participation each work group was limited to fifteen (15) people. As it turned out attendance did not reach the established limit and was often half or less of the maximum despite reaching over ten (10) prior commitments from community members. Each group would hold two meetings at least three (3) weeks apart so the commitment was nominal. At each group's first meeting there was an average attendance of about seven to eight people, while the average attendance at the second meeting d around four to five people.

Those who did attend the work groups were engaged, thoughtful, insightful and exhibited a sincere desire to work together towards creating and accomplishing goals that would advance the Taos economy. On the other hand, the meager attendance reflected a high level of apathy and lack of interest, time or understanding of economic development and the condition of Taos' economy. We believe there is a

strong sense by the community that the responsibility for creating economic prosperity belongs to government, an unknown organization, or just someone else. Despite a high level of effort to gain public participation in the work groups and build awareness in Taos that economic development requires community participation and support, the lack of participation in the work groups shows that this message is either being misunderstood or is going unheard.

The lack of community participation in this well publicized planning effort speaks directly to the need for a regional organization that will identify, support, organize and assist the implementation of goals created by the private and public sectors. This is addressed in detail in the following section, *Economic Development Recommendations*.

In addition to the face-to-face interaction that the work groups provided, a survey was conducted among those who are on the email list of the organizations listed above, as well as people who attended the Kick-Off Meetings, Roundtable, and people referred by others or who expressed an interest in the planning process. The results of the survey did not yield any substantial additions to the work already completed by the work groups.

Each work group met a total of two times during June and July. The purpose of the first meeting was to;

- Develop a list of goals that will enhance the economic growth of the sector.
- Organize, define and prioritize the S.M.A.R.T. (**S**trategic, **M**easurable, **A**ttainable, **R**ealistic, **T**imely) goals based upon criteria developed by the members of the work group
- Work Group members voted for the SMART goals they believed were most important to achieve and by so doing established the priorities for that work group's economic sector

The purpose of the second meeting was to;

- Create objectives that will fulfill each SMART goal
- Identify the actions necessary to accomplish each objective including the assignment of responsibility, identification of funding and a due date for each action.

### **Assembly, Research, Analysis and Recommendations**

After the conclusion of each meeting the notes and input were organized to proceed to the next step and at the conclusion of the final work group meeting the SMART Goals and associated objectives and actions (if any) were organized into a framework that would allow for future implementation or further refinement.

Research was conducted into the economic data for the three (3) main economic sectors the work groups focused on: Creative Industries; Technology; and Tourism & Retail. The development of composite North American Industrial Classification System

(NAICS) codes for each of these areas was required to define each economic segment's condition and momentum; be it a pattern of growth, flat or decline. These composite NAICS were evaluated over a period of five years to derive an average pattern for reasonable projections in gross revenue (gross receipts reported), income (weekly wages), employment and number of businesses (reporting entities). These indices were then used to create projections of what their impact would be on the Taos economy under a no action (current trend), moderate (a1% additional increase) and robust growth (2% additional increase) scenarios.

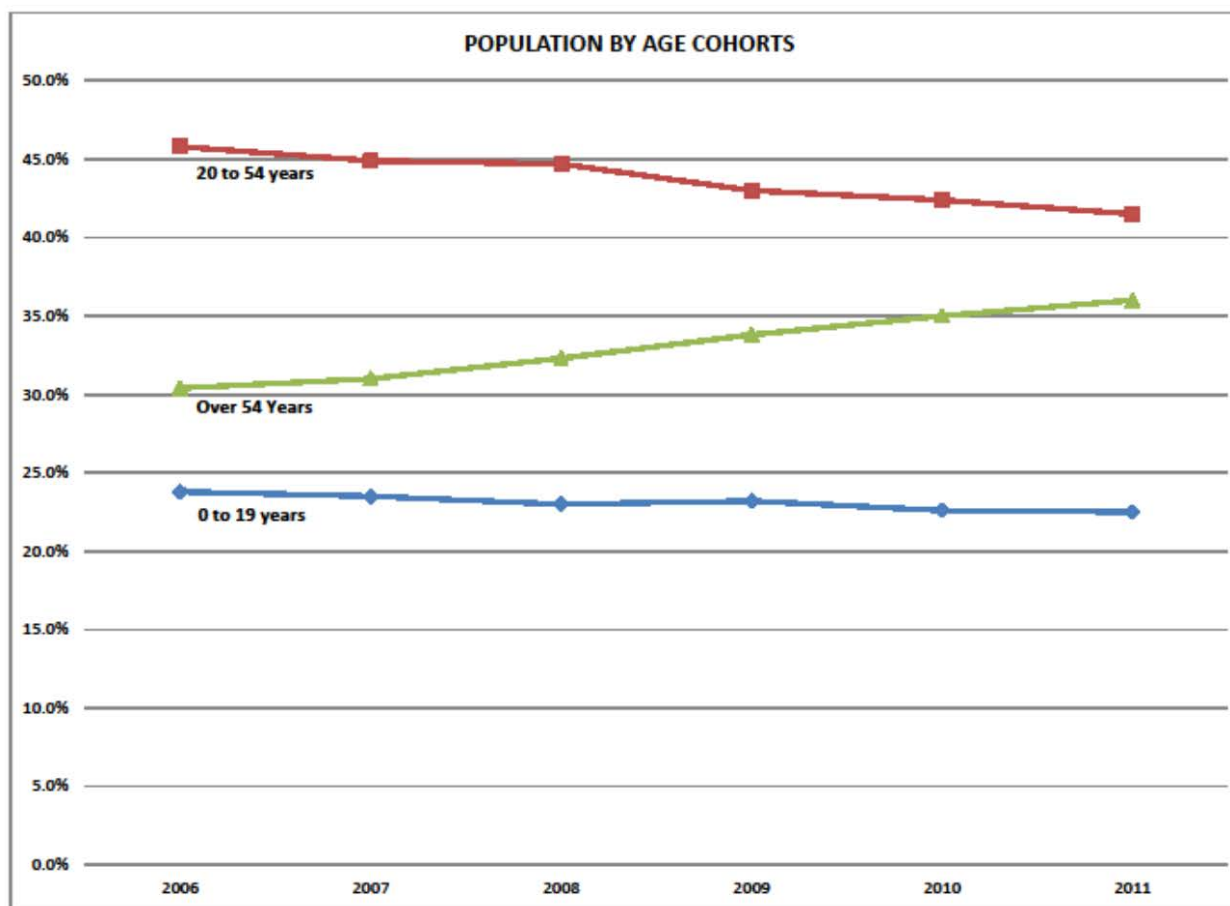
LeapPartners recommendations were then formed based on the results of: the strategic planning process; public participation; and the subsequent analysis of and projections derived from relevant economic data sets.

### **Economic Analysis Charts & Explanations:**

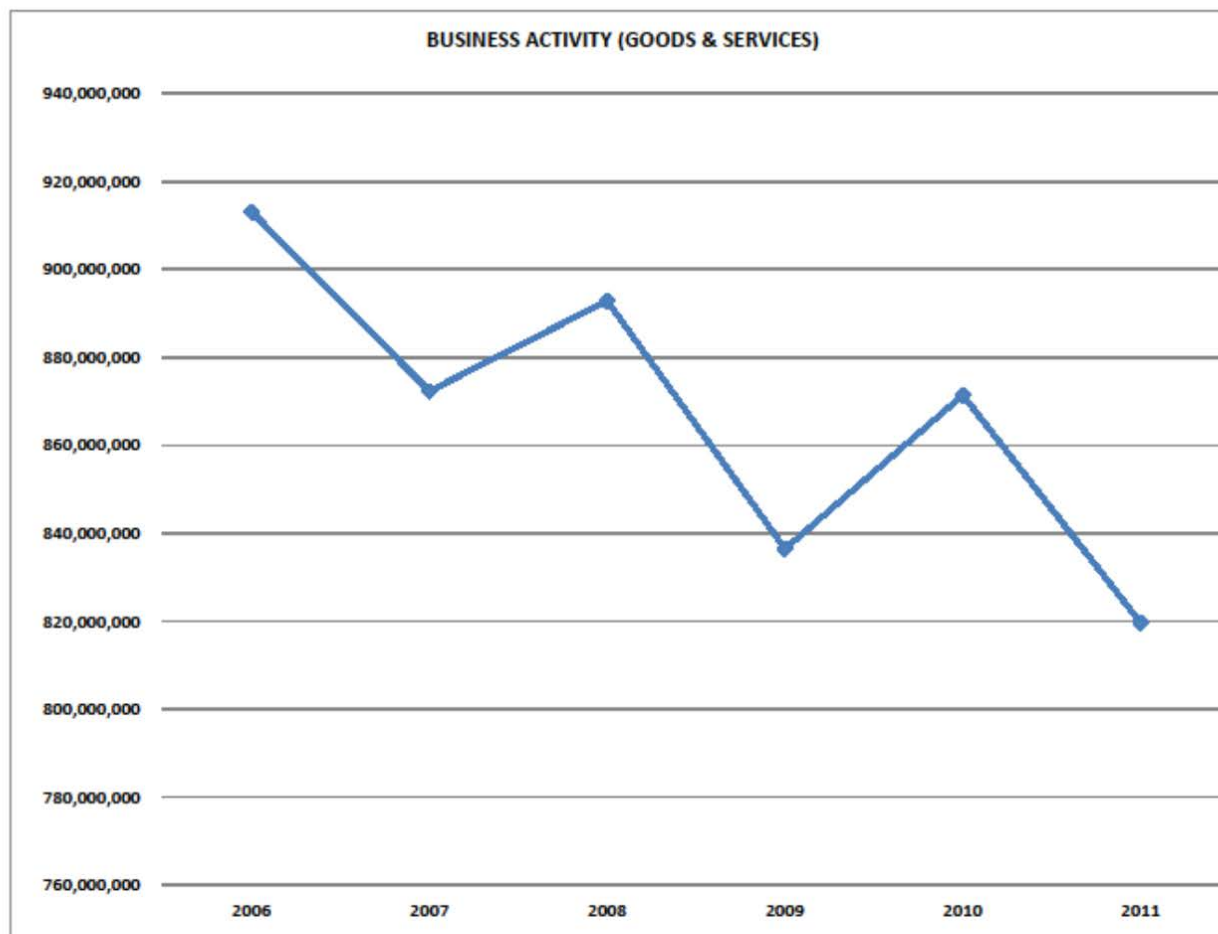
#### **Taos Economic Report Card**

The Taos Economic Report Card is a tool developed by LeapPartners that provides a quick snapshot of the economic health of Taos County and is based on the same data used in the Taos Economic Report. The Report Card, unlike the Report, uses graphs so that the information is more accessible and easily understood. The key economic factors it tracks include population by age cohorts; Business activity as measured by gross revenues (gross receipts reporter to NM Taxation & Revenue); proprietor employment; employee employment; proprietor and employee income; and types of income. The Taos Economic Report Card should be produced on an annual basis and presented at future Taos Economic Transition Round Tables.

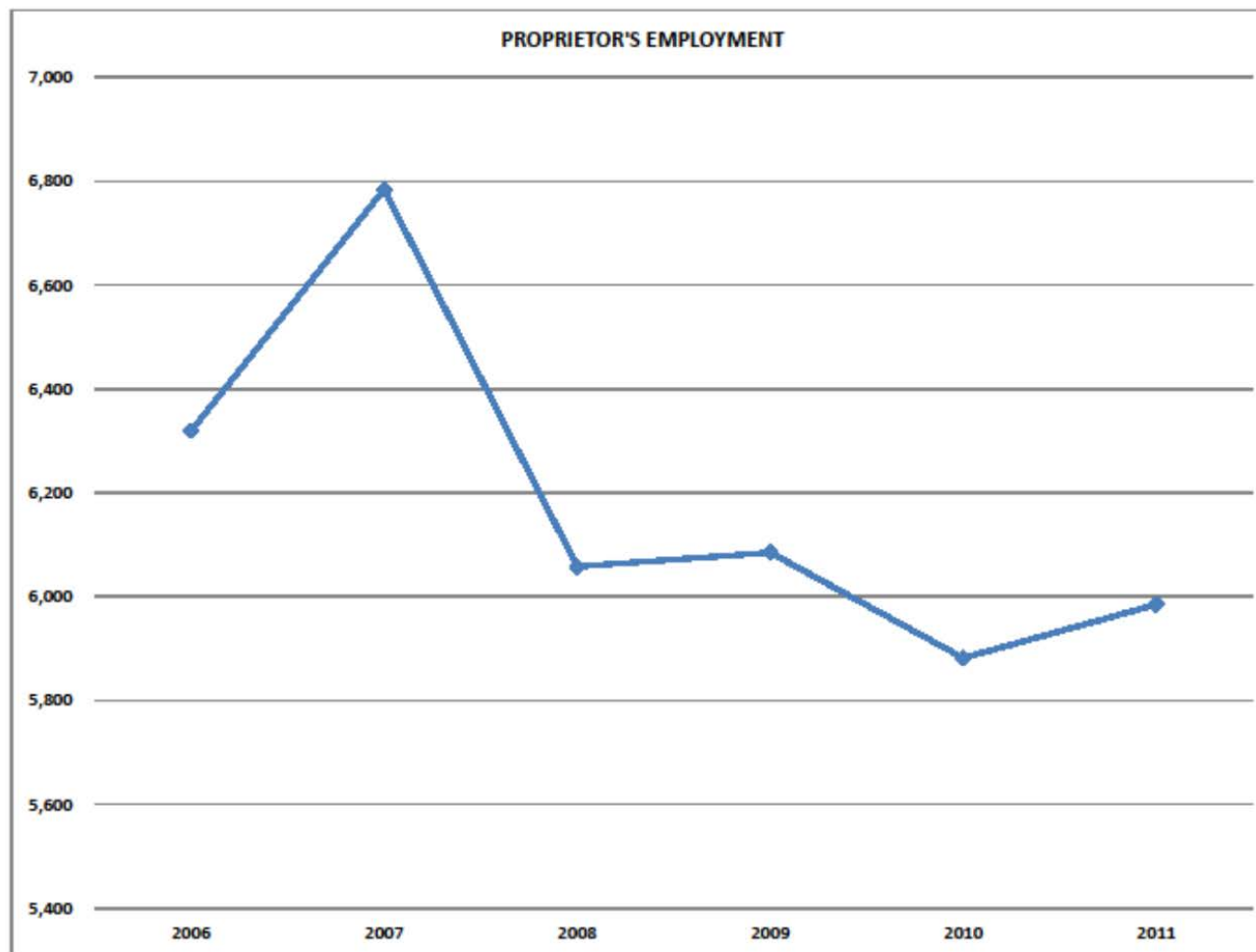
The tables containing the data used to generate the following graphs can be obtained by contacting LeapPartners.



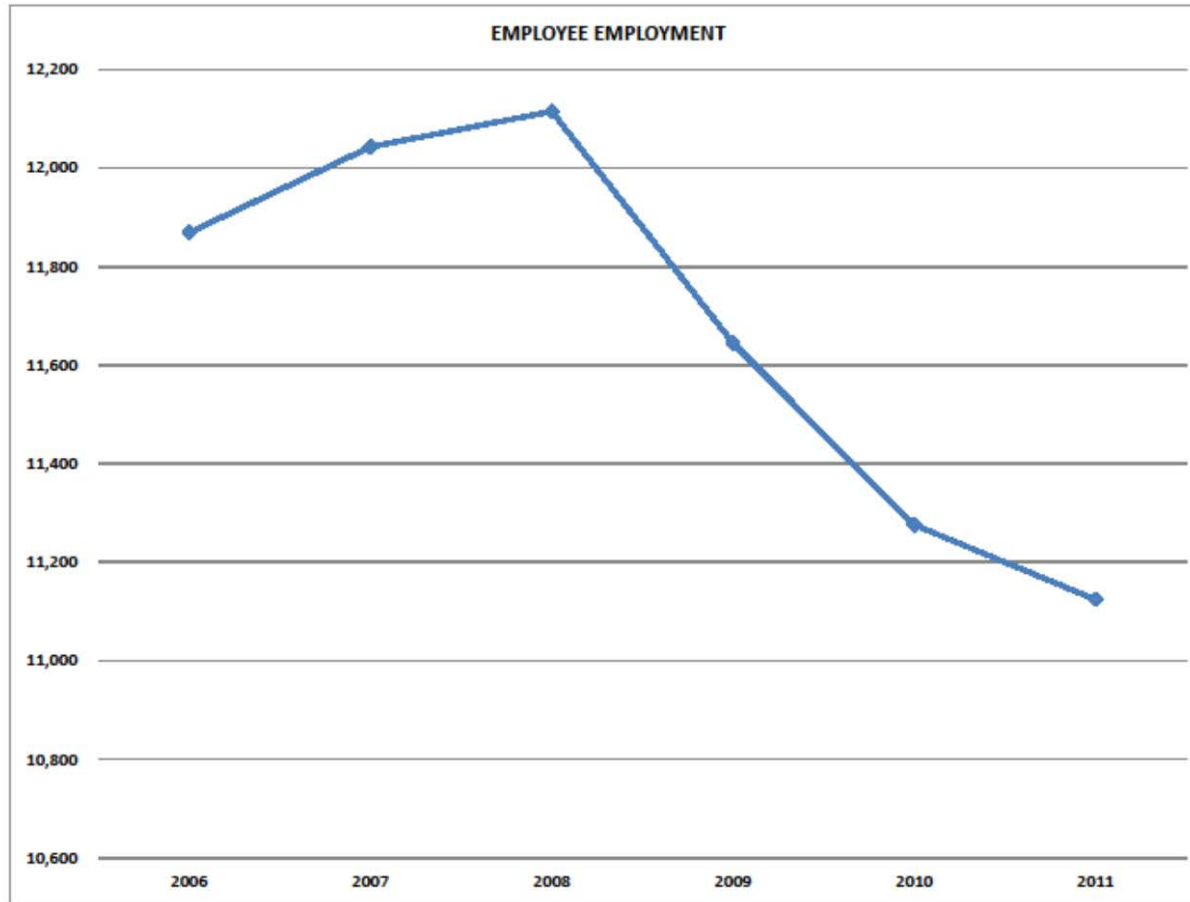
Taos has an aging population. Taos County has an overall drop in population and is mostly losing working age adults (age 20 to 54) while the population of retirees and those whose working years are coming to a close or are taking early retirement (age 54+) is increasing. Taos' dependent population (age 0 to 19) remains relatively stable.



Business activity as measured by gross revenues (gross receipts reported to NM Taxation & Revenue) shows a markedly steep decline in Taos, with 2008 and 2010 showing a nominal temporary recoveries that can be attributed to large public construction projects.

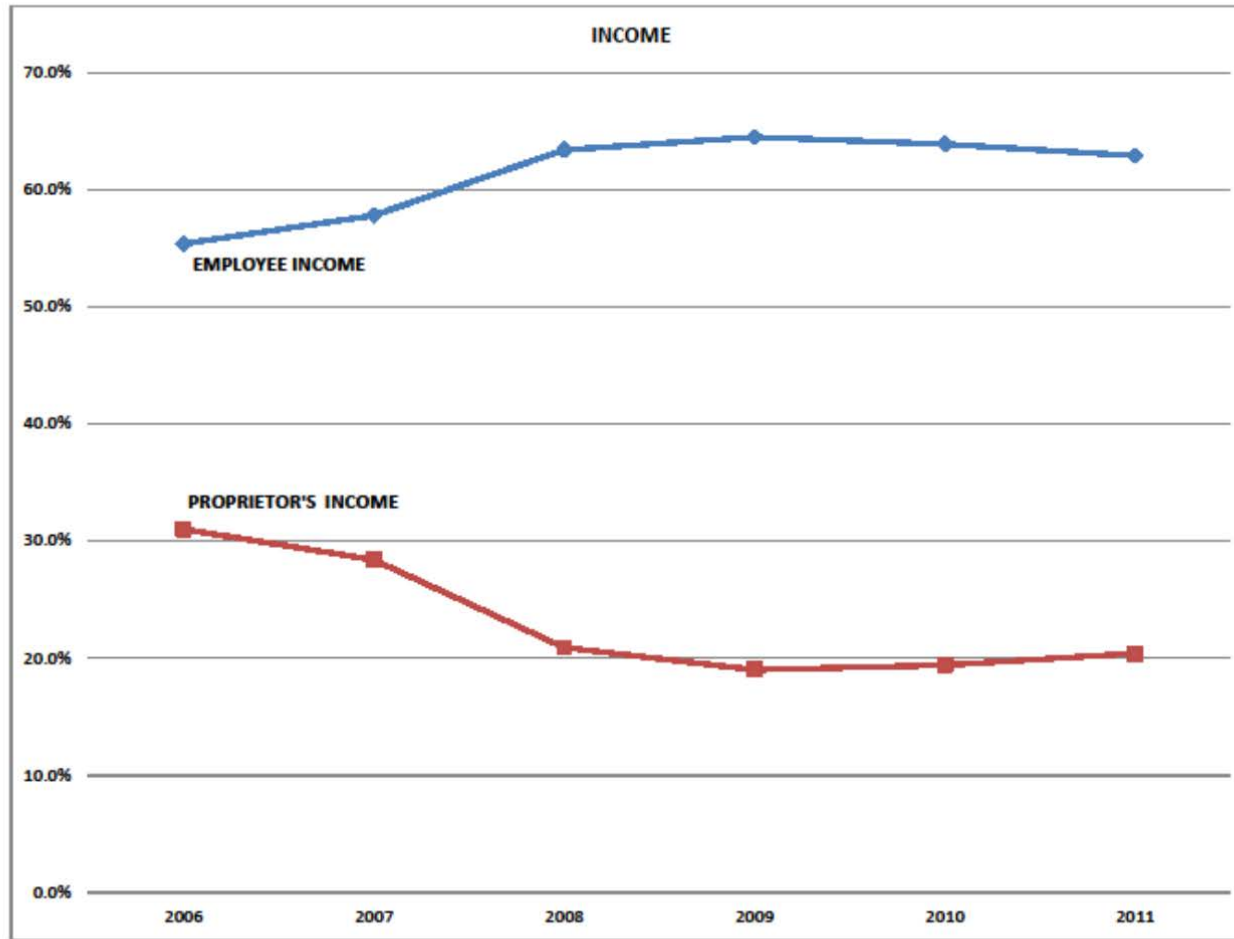


The number of proprietors, those who own a business or are self-employed show a significant drop in 2008 but has become relatively stable with around 6,000 business owners and self-employed individuals.

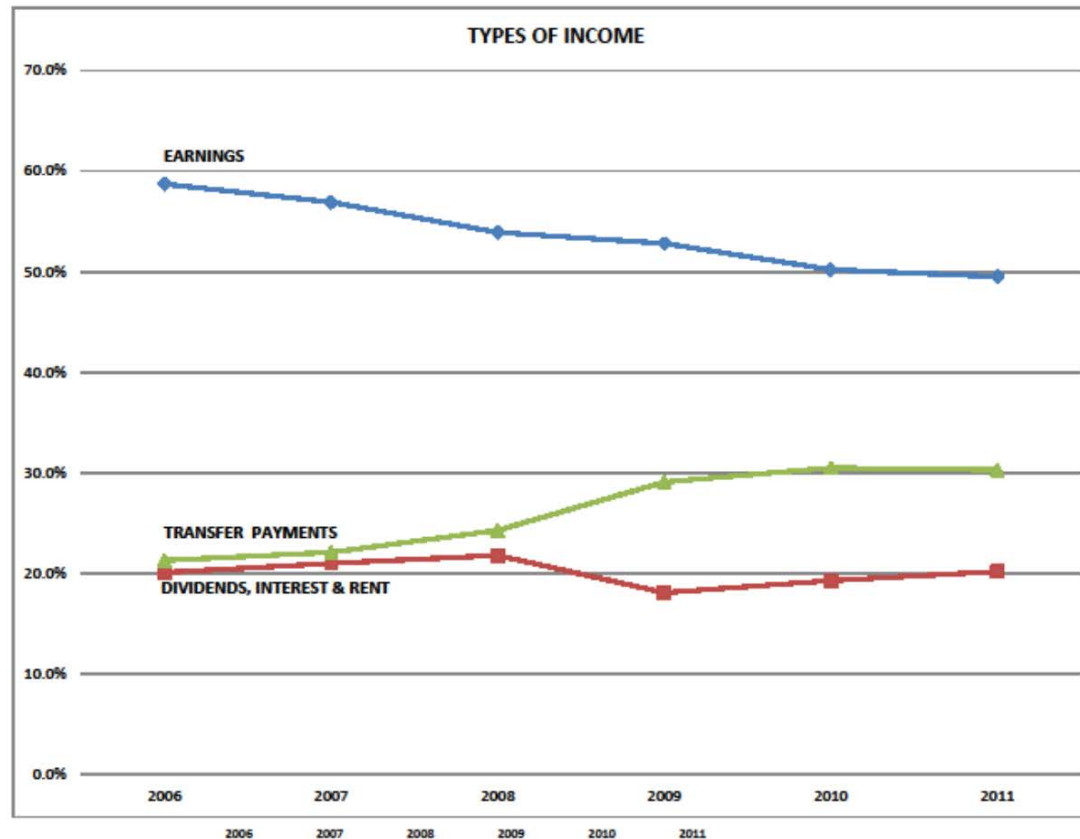


The number of people employed by proprietors shows a slight increase from 2006 to 2008 and then a steep decline from 2008 to 2011. This mirrors but is a bigger drop than the number of proprietors lost in 2007 and part of the stabilization of the number of proprietors in Taos is explained by those who converted from employee to proprietor status. Regardless of some conversions in employment type, Taos is showing a significant loss in employment.





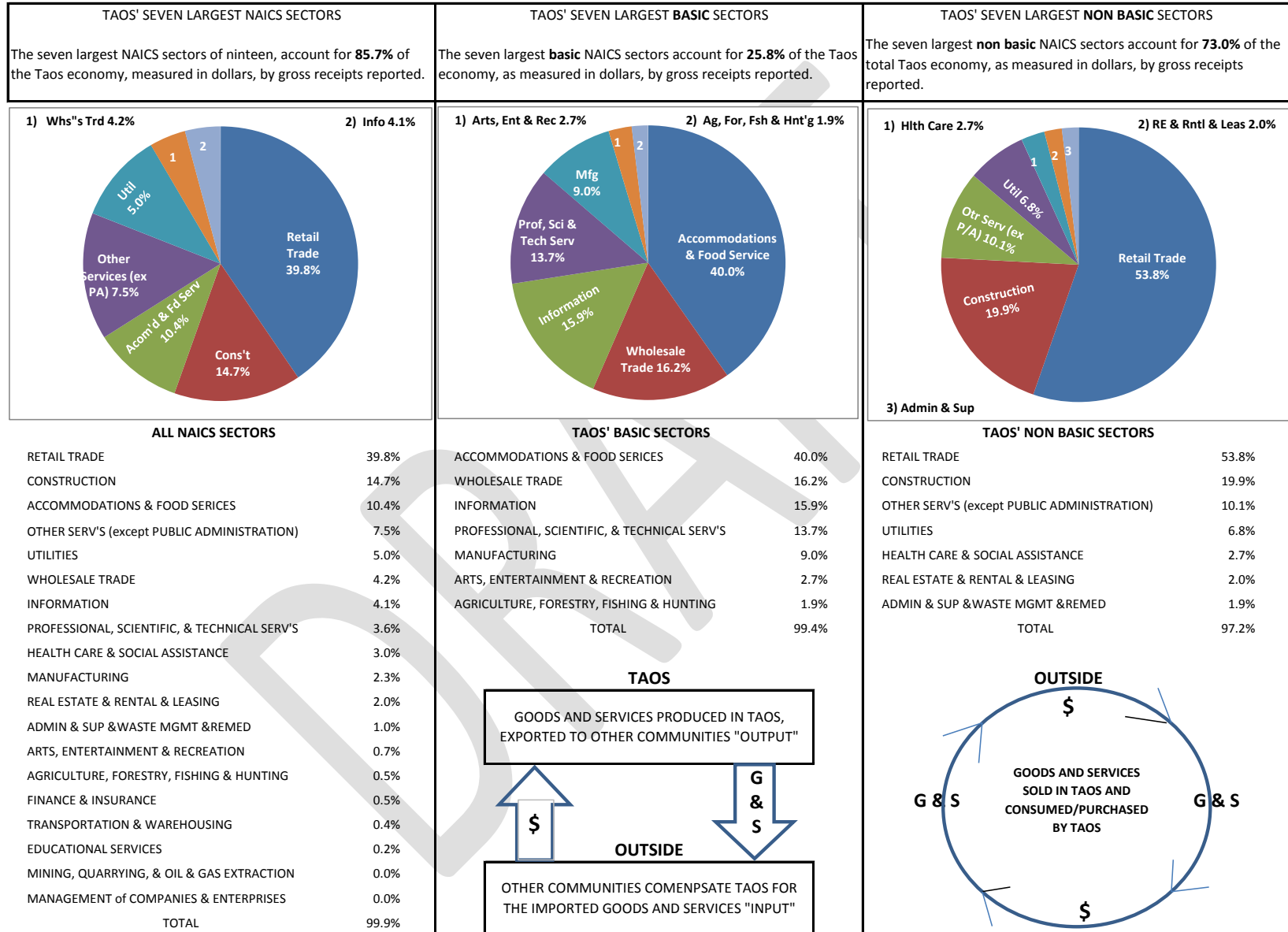
This chart illustrates that those who have been able to retain employee status have seen a small increase in income while proprietor income has decrease somewhat substantially.



While the other graphs are cause for concern, this graph is alarming. From 2006 to 2011, income derived from passive economic activities (dividends interest and rent) stayed flat and comprises around 20 cents of every dollar earned in Taos County. In 2006 income derived from working was 60 cents of every dollar earned while 20 cents of every dollar earned came from transfer payments such as unemployment, disability and other public support programs. In 2011 the amount of money earned by actively participating in the economy fell to 50 cents of every dollar earned in Taos County, while transfer payments, such as unemployment and disability, rose to 30 cents of every dollar of income.

## 2013 Taos Economic Development Action Plan

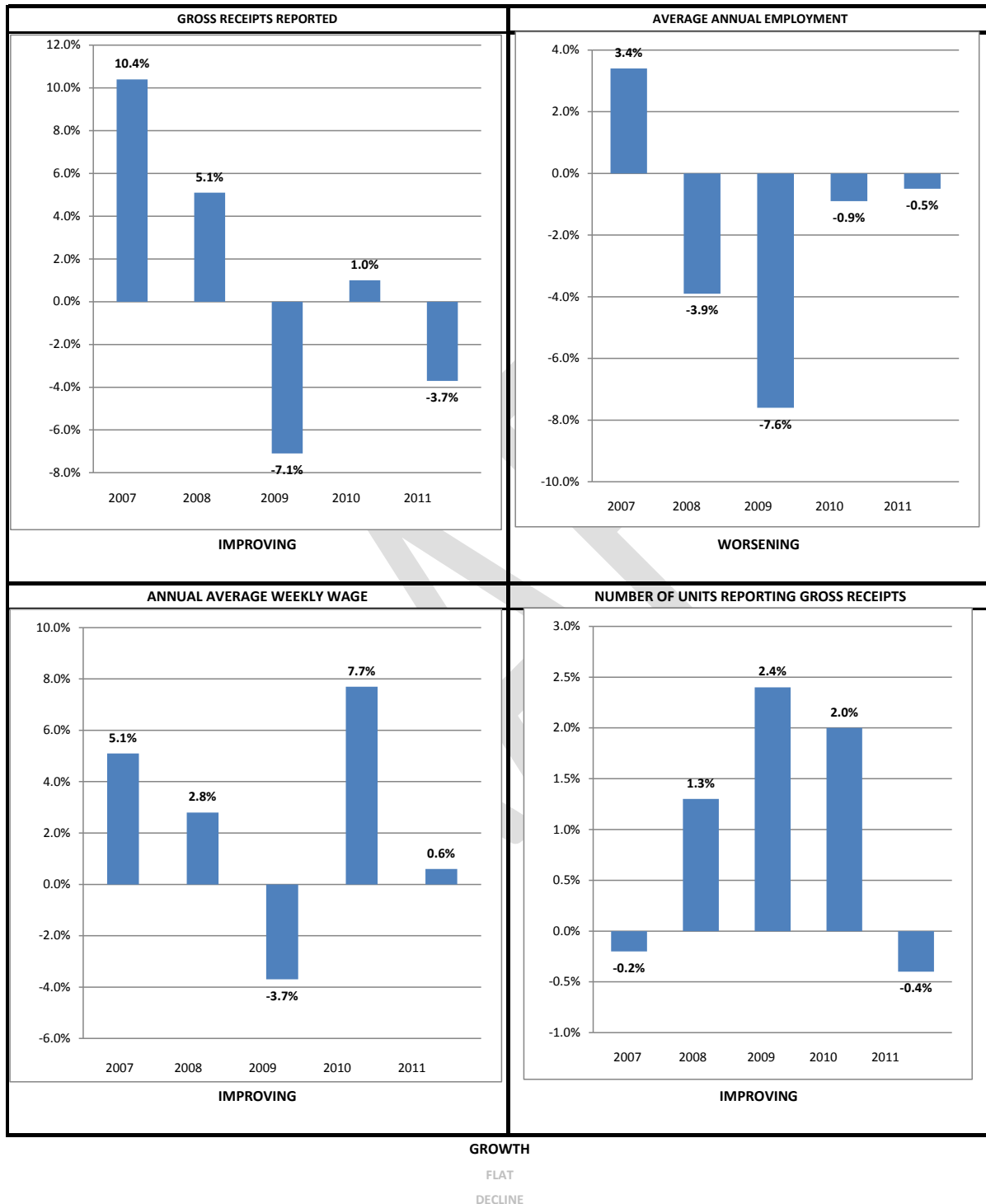
**TAOS ECONOMY by NAICS SECTOR, in DOLLARS, by GROSS REVENUES (RECEIPTS) REPORTED 2011**



# 2013 Taos Economic Development Action Plan

## ACCOMMODATIONS and FOOD SERVICE SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011

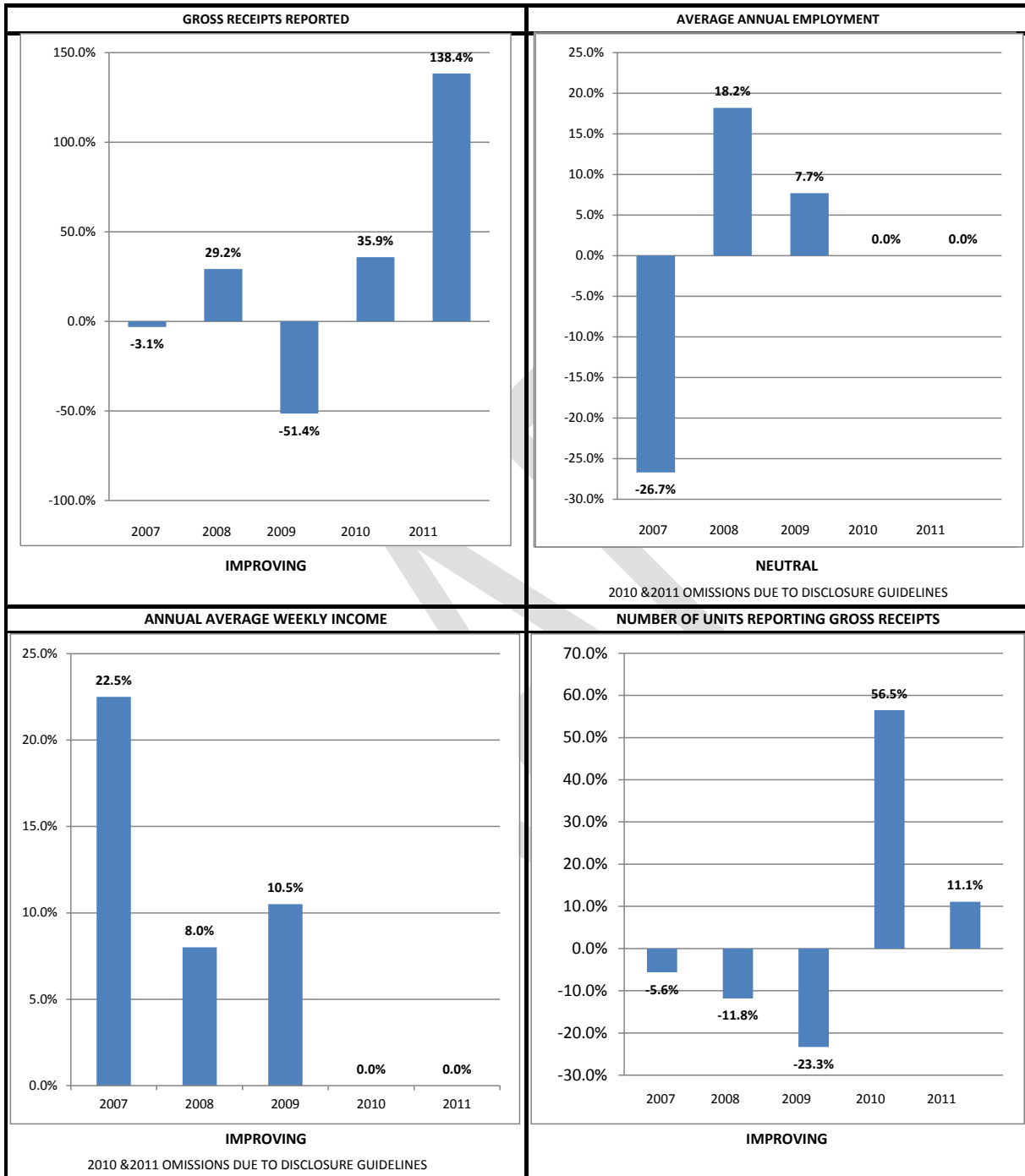


Accommodations and Food Service is a core business sector that relies primarily on tourism and accounts for 40% of Taos basic economy and over 10% of Taos' overall economy. This sector is primarily low wage and low skilled and exhibits an anemic 1.14% growth in revenues.

# 2013 Taos Economic Development Action Plan

## AGRICULTURE, FORESTRY, FISHING and HUNTING SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH

FLAT

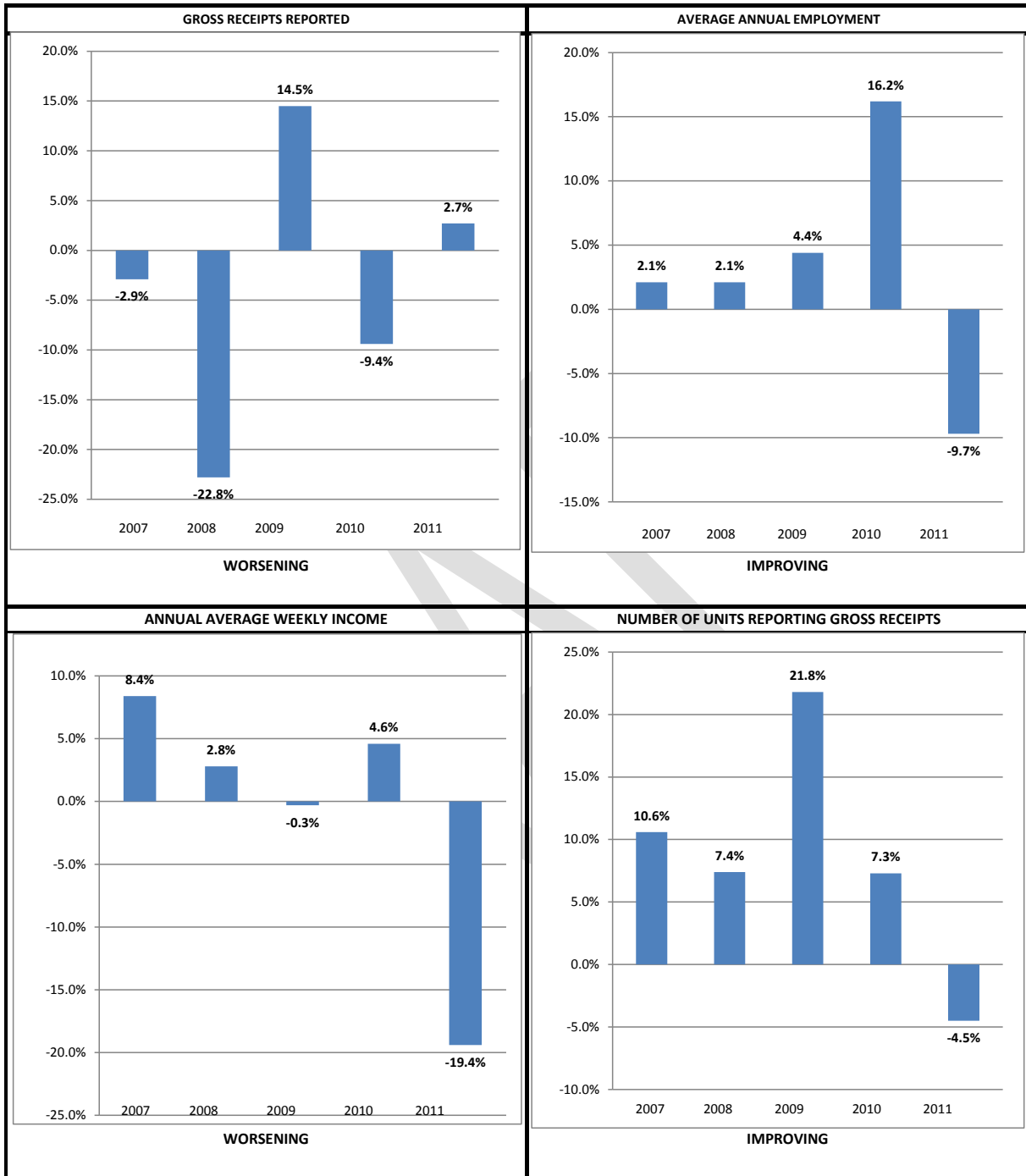
DECLINE

Agriculture, Forestry, Fishing and Hunting includes not only agricultural production but also guide services, adventure companies such as rafting and ballooning. This industry is flat and also only accounts for 1.9% of the basic economy and .5% of the overall economy. This does not account for the strong cultural affinity Taos has for this sector.

# 2013 Taos Economic Development Action Plan

## ARTS, ENTERTAINMENT and RECREATION SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH

FLAT

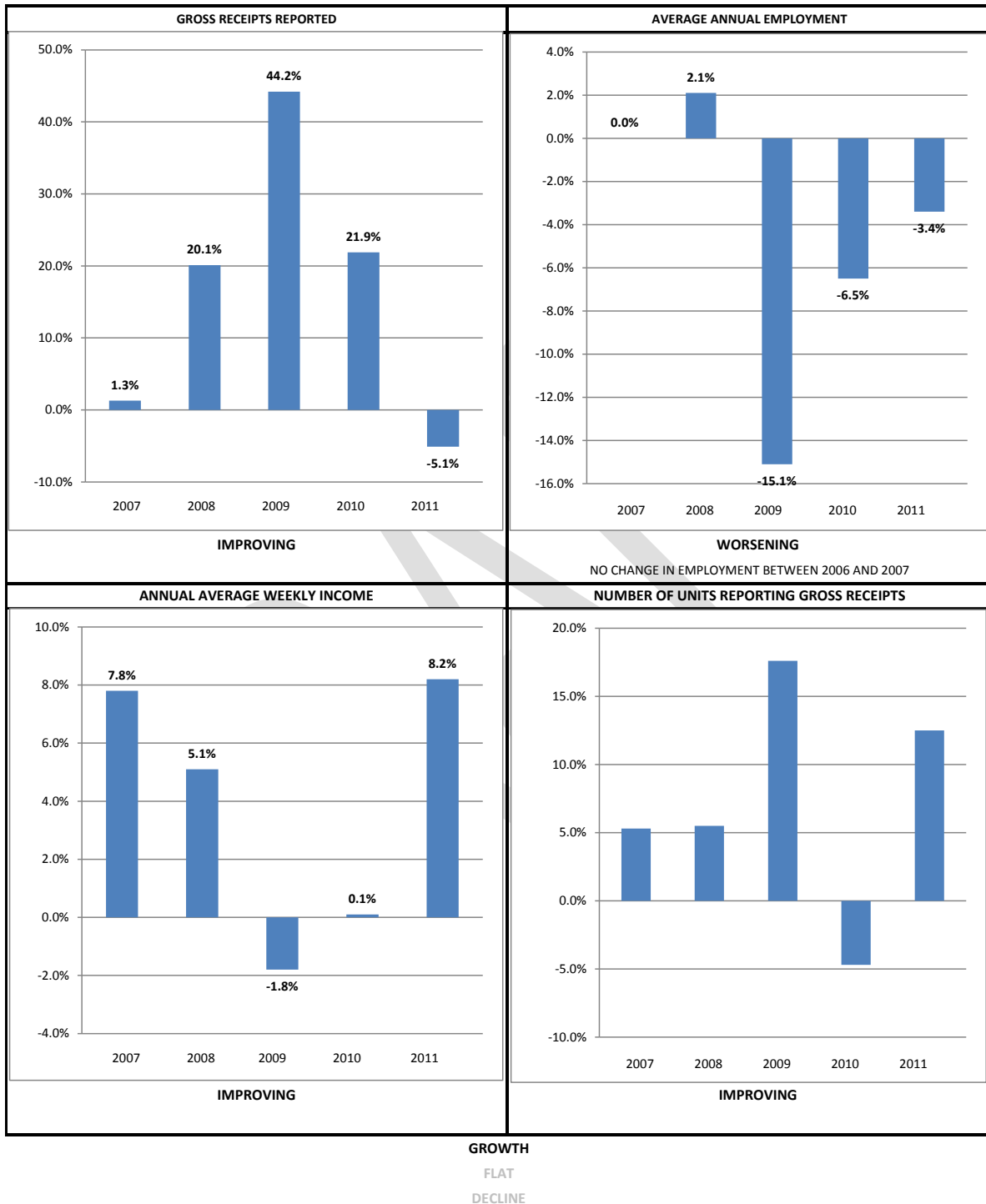
DECLINE

Despite Taos' strong affiliation with creative industries, particularly art and music in all of their manifestations, this industry sector is flat and only accounts for 2.7% of the basic economy and .7% of the overall economy. This does not account for the strong cultural affinity Taos has for this sector or its importance to community identity.

# 2013 Taos Economic Development Action Plan

## INFORMATION SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011

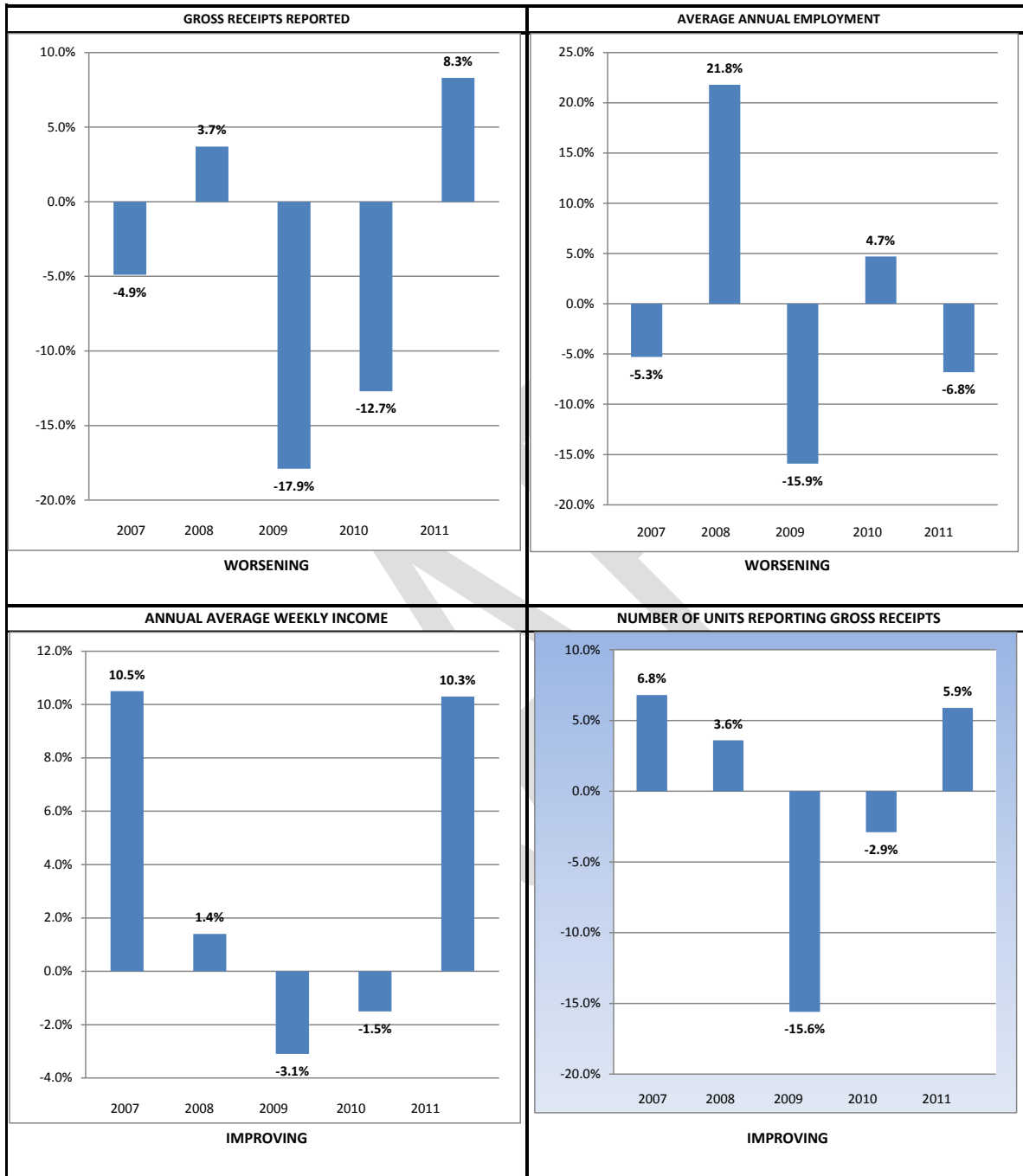


In terms of growth, the Taos' Information sector is showing rapid growth in all areas but in the number of people employed. If revenues continue to climb at the average of 16.48% per year, we can expect new businesses to form and higher additional employees. This is a high wage and high skill industry.

# 2013 Taos Economic Development Action Plan

## MANUFACTURING SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH  
FLAT  
DECLINE

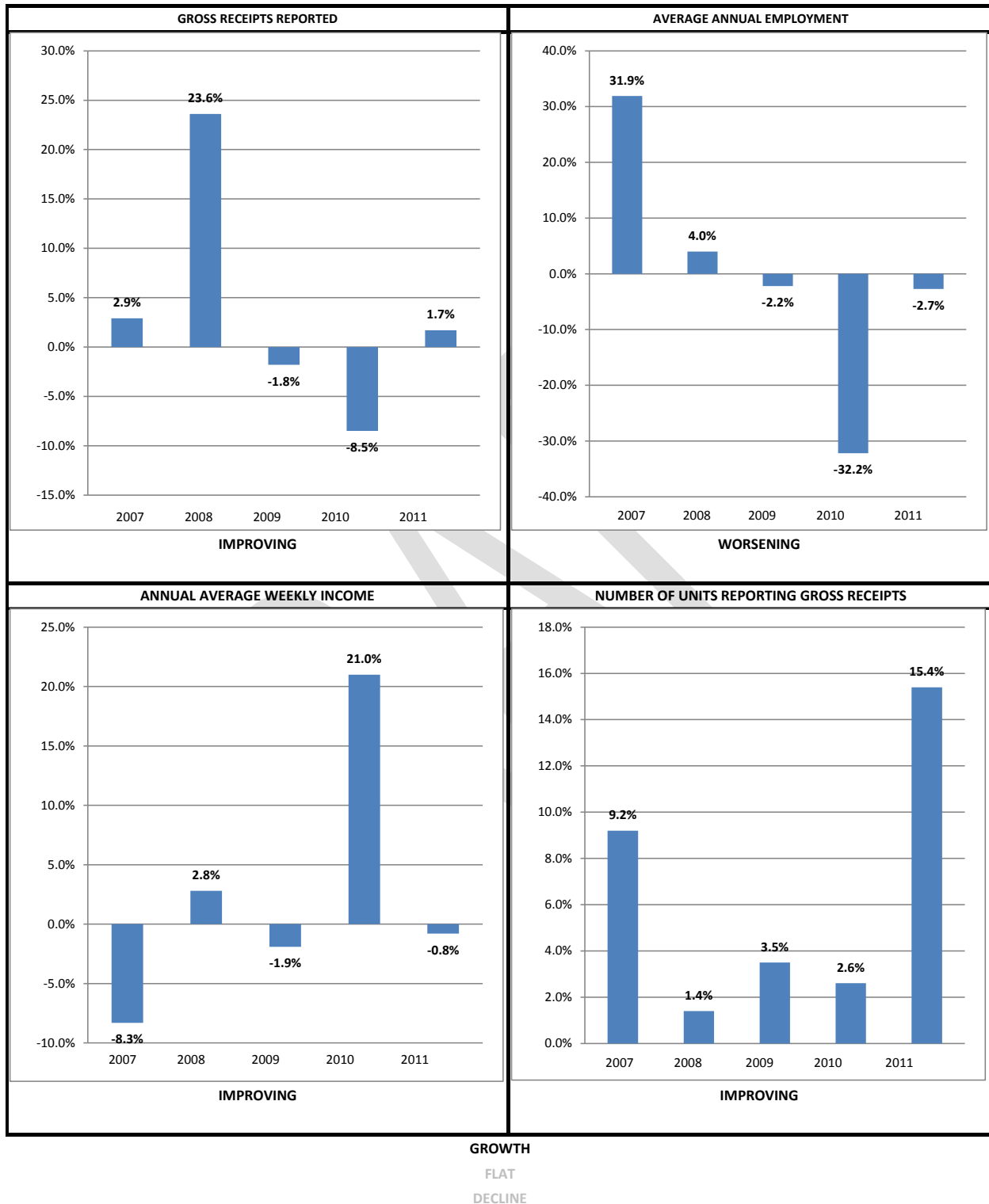
What little manufacturing does occur in Taos (primarily personal care products and food) still accounts for 9% of the basic economy and 2.3% of the overall economy. This sector was negatively affected by the loss of several small manufacturers who both went out of business and relocated. Despite these setbacks, the industry has remained flat and in the personal care product sector is showing signs of rapid growth.



# 2013 Taos Economic Development Action Plan

## PROFESSIONAL, SCIENTIFIC, and TECHNICAL SERVICES SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011

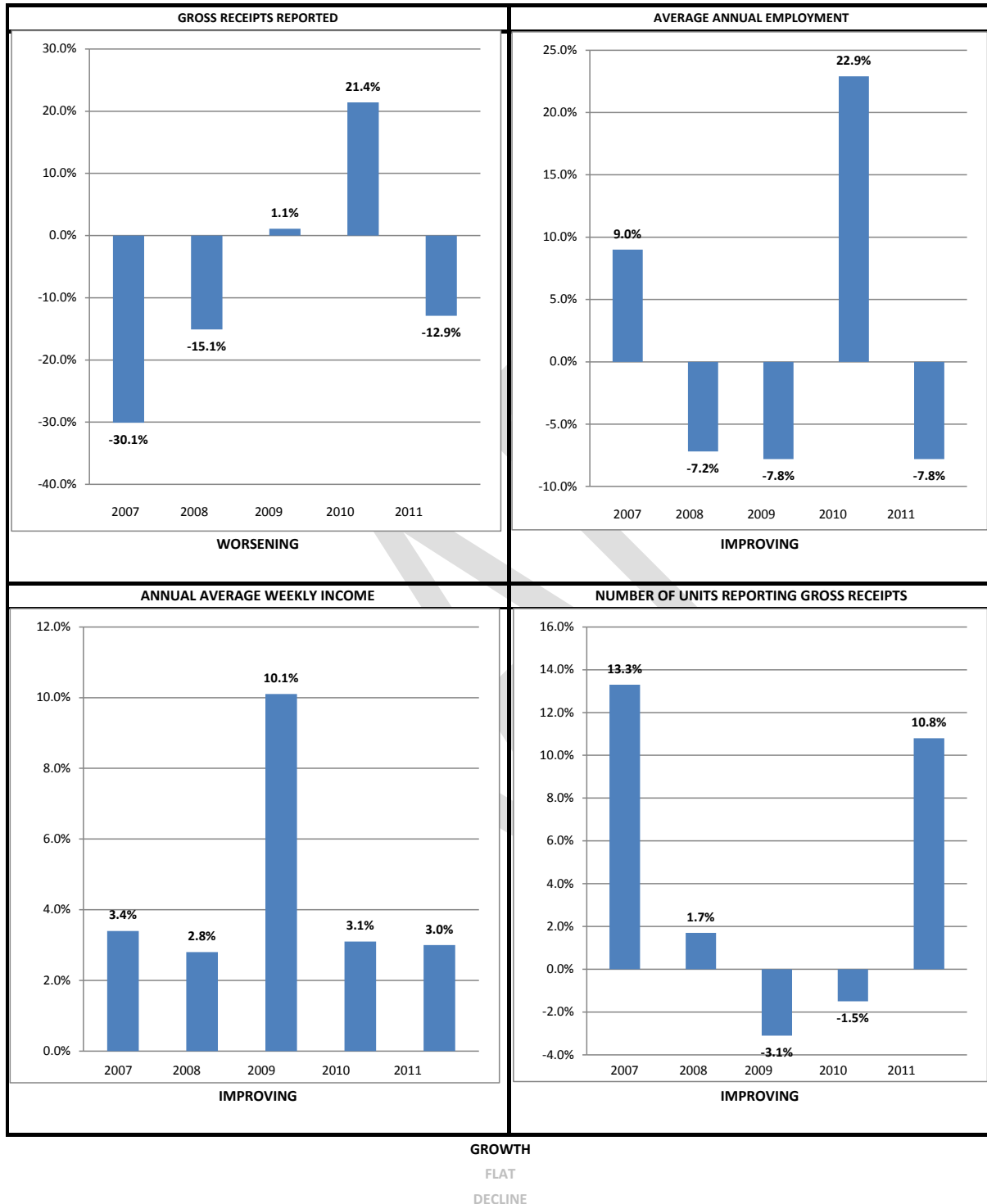


Professional, Scientific, and Technical Services, which includes such things as research and development is growing and provides 13.7% of the basic economy and 3.6% of the overall economy. This is a high wage and highly skilled economic sector.

# 2013 Taos Economic Development Action Plan

## WHOLESALE TRADE SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011

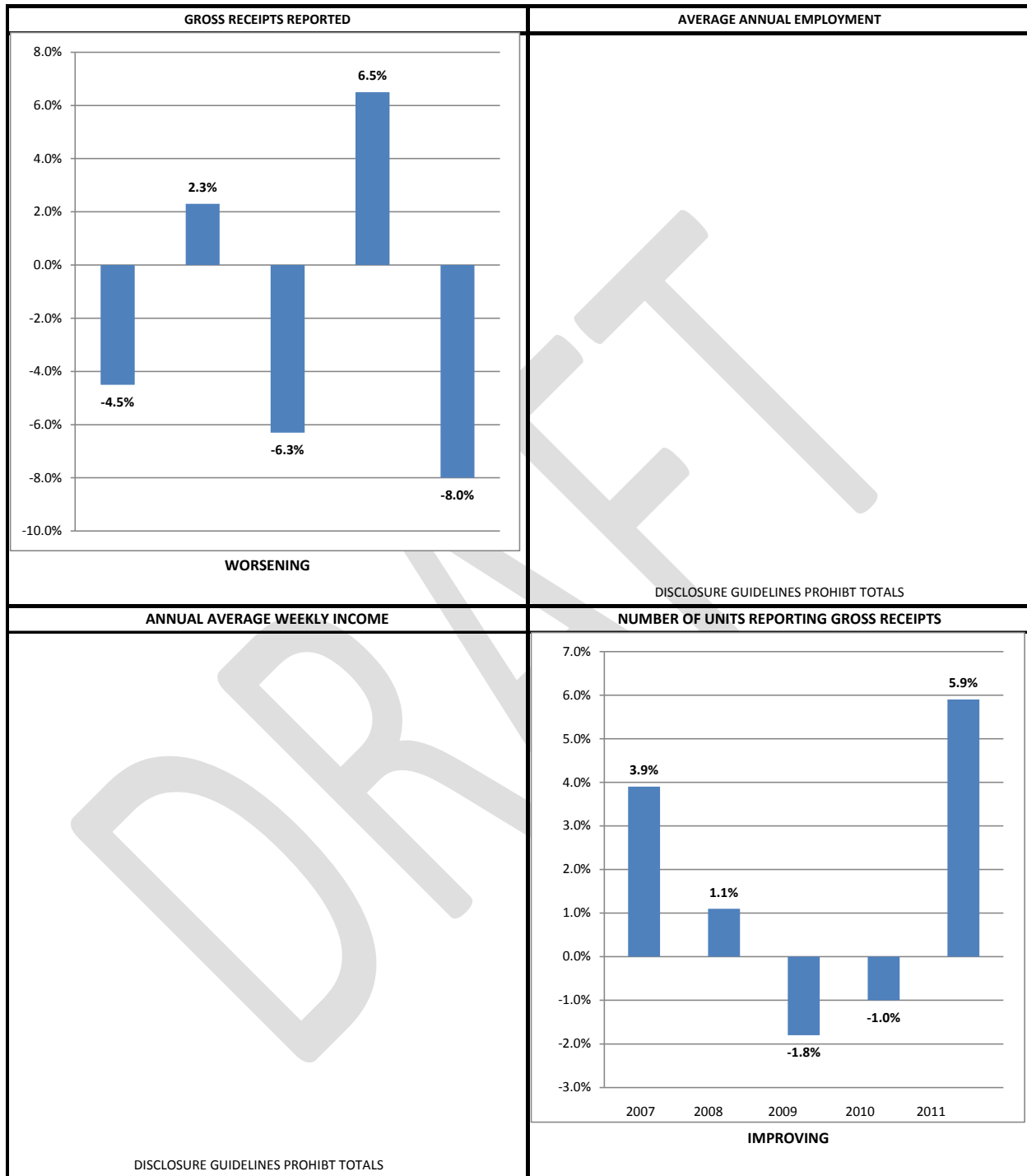


Wholesaling in the Enchanted Circle is almost entirely attributable to the activities of the Chevron Mine between Questa and Red River. It comprises 16.2% of the basic economy and 4.2% of the overall economy. This is a high wage and skilled sector but is not within any jurisdictions control and is entirely dependent on market forces.

## 2013 Taos Economic Development Action Plan

### TOTAL FOR TAOS' SEVEN LARGEST BASIC SECTORS

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH

FLAT

DECLINE

Currently Taos is seeing a decline in the revenues generated in its basic sectors; however the number of business continues to increase meaning less money per business. This is an unhealthy economic pattern and can be considered declining.

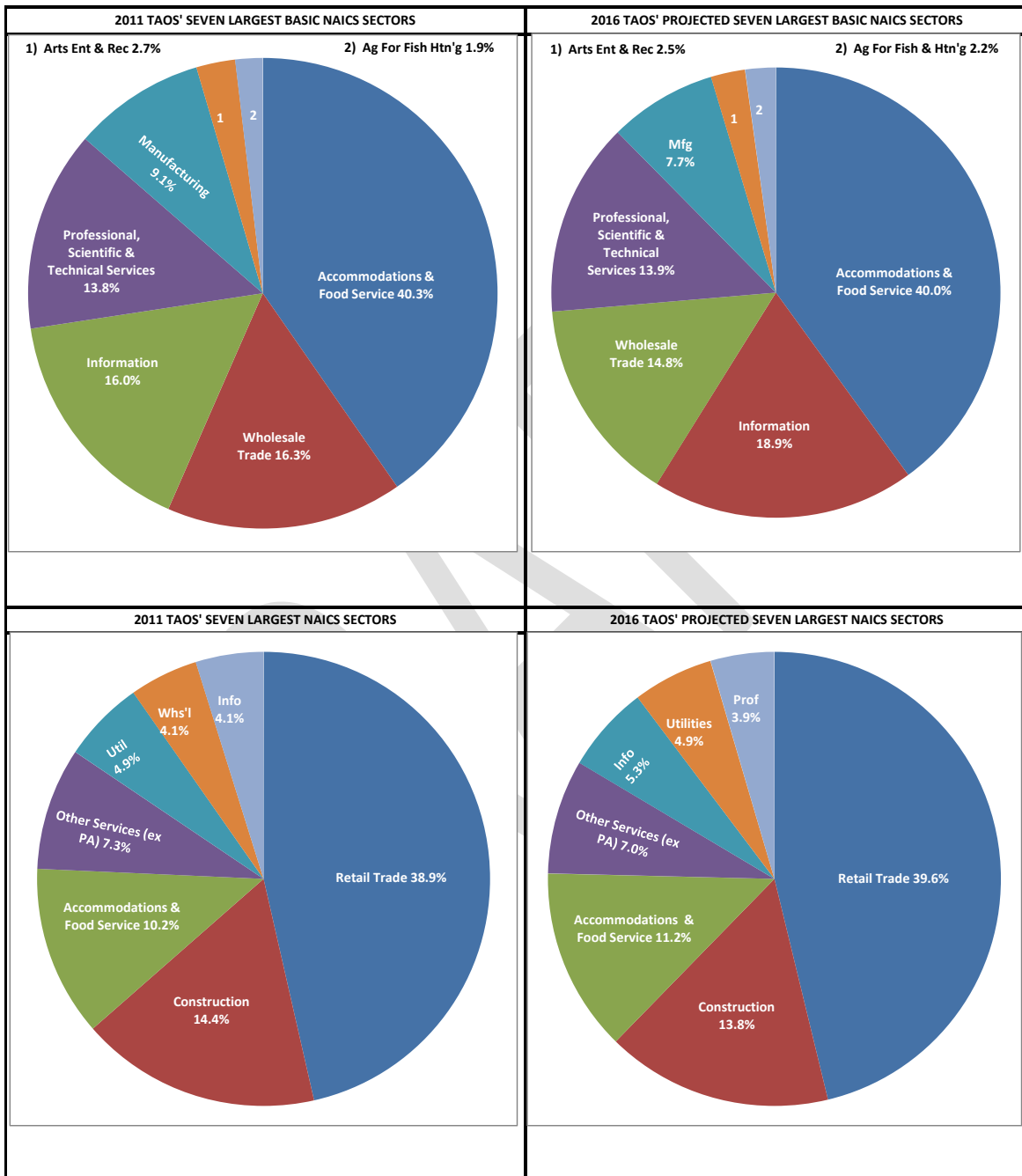
# 2013 Taos Economic Development Action Plan

## Projections

### No Action

TAOS ECONOMY by NAICS SECTOR, EXPRESSED by PERCENTAGE, by GROSS REVENUE (RECEIPTS) REPORTED

Average annual percentage gain / loss over the timeline 2007 through 2011



If Taos does nothing to stimulate the economy, the Retail Trade sector will continue to dominate the overall economy, provide low wage and low skilled jobs, while the Information sector will continue to increase providing a few high wage and high skilled jobs while Accommodations & Food Service will remain the dominate basic sector providing low wage and low skilled jobs.

### General Recommendations

- ❖ **Create a Regional Economic Development Corporation with the sole focus of developing the basic economy of the Enchanted Circle**
  - Must be a new organization that has the clear and sole purpose of developing the basic economy of the Enchanted Circle Region
  - Should have a board of directors composed of no more than fifteen (15) members
    - Seven (7) seats, one for each local government. This will provide public oversight without public domination.
    - Three (3) seats for representatives of the private for-profit sectors that benefit from the development of the basic economy including:
      - Financial institutions
      - Real estate
      - Construction
    - Two (2) seats for representatives of local utilities including:
      - New Mexico Gas
      - Kit Carson Electric Cooperative
      - Century Link Telecommunications
    - Two (2) seats for representatives of the private not for profit sector engaged in aspects of community or economic development
    - One (1) seat for a citizen at large from within the Enchanted Circle
  - Funding would be provided by those portions of the economy that most benefit from expanding the Enchanted Circle's basic economy:
    - All local government entities in proportion to population served with Taos County carrying the highest funding burden, followed by the Town of Taos, etc.
    - Private for-profit entities that are represented on the Board of Directors, namely financial institutions, real estate and construction
    - Local utilities
    - Staff would include an Executive Director with experience and background in Economic Development; a Business Retention and Expansion Specialist with significant BRE experience; and a Statistician/Demographer.
  - This is only a cursory suggestion of a possible structure. To implement this, the Town should either contract with outside consulting assistance or provide staff to facilitate a series of meetings to build the public/private partnership that will be necessary for this Regional Economic Development Corporation to be formed, staffed and funded.

Two consistent concerns were raised in each work group, at each kick-off meeting and were central issues raised at the Roundtable:

- Taos has no leadership for economic development;
- and collaboration and communication is nearly non-existent within the private sector or between the public and private sectors (with a few notable exceptions such as the Taos Tourism Council)

Which raises a foundational question: If Taos is to successfully stabilize, diversify and transition its economy, who is responsible or could be responsible for a singular focus on developing the basic economy of the Enchanted Circle region? The answer is there is no such entity currently operating in the Enchanted Circle region with such a narrow but very important purpose.

The State and local governments, including the Town of Taos, Taos County, Angel Fire, Red River, Questa, Taos Ski Valley, and Eagle Nest, are not able to work effectively at the regional level due to their overriding public purposes and jurisdictional boundaries. Taos County Chamber of Commerce is charged with providing service to all businesses in the region and lacks the capacity to undertake this focus at the exclusion of the other services it struggles currently to provide. Taos Entrepreneurial Network (TEN) is focused solely on addressing the needs of primarily start-up businesses and also lacks the capacity to undertake anything other than what it currently provides. Taos County Economic Development Corporation has evolved into a non-profit that focuses on community development; agricultural preservation; and value added agricultural production through the provision of a community commercial kitchen than developing the basic economy and lacks the capacity to extend into this as its sole focus. Presently there is no single organization that has the sole focus of developing Taos' basic economy and without such an entity there will never be the leadership needed to develop Taos' basic economy.

Just as oversight and governance of the entity by the Board of Directors must be spread evenly among those that benefit from basic economic development, the funding too must come from those who will benefit the most from successfully growing the basic economy of the Enchanted Circle. Some sort of cost sharing agreement will have to be created and adhered to with Taos County, who will benefit the most directly and indirectly from successful economic development

With the deployment of the \$64 Million investment in fiber optics by KCEC, the formation of this entity is an immediate priority. None of the communities within the Enchanted Circle are prepared to leverage this tremendous asset and use it to develop their basic economy in a controlled and thoughtful fashion. This assistance could be provided by this new entity with assistance from professional economic development consultants.

The formation of a regional economic development corporation (REDC) should be done under the auspicious of the Intergovernmental Council (IGC) with participation by both public and private entities that have a substantial stake in successful economic development. There should be either staff assigned to this as a high priority and/or outside consulting services should be procured to facilitate the formation of the new REDC.

- ❖ Focus economic development on basic sector industries that show growth and provide high wages and high skilled jobs

The economy is not immune to the laws of physics. Just as it takes less effort and energy and the effect is greater when you add momentum to a ball that is already moving upward than the effort and energy it will take to have the same effect on a ball that is

falling; economic development is more effective when it is applied to industries that are moving in an overall positive direction.

- ❖ Provide the *Town of Taos Economic Transition Roundtable* as an annual event in April or May
  - Will fulfill one of the promises of the Vision 2020 plan
  - Provides an opportunity for the community to discuss the economy and to have the Taos Economic Report Card presented with updated information
  - Provides the community with an opportunity to ask questions and share ideas of how to best transition the Taos economy without sacrificing what Taos is as a place
  - Each year the Roundtable should include new leaders from the Enchanted Circle Region to ensure the broadest representation and cross-section of the community economy

The Vision 2020 Plan recommended in 1999 that there be a minimum of an annual meeting of the community to discuss important topics, particularly the status of the economy. Members of the community were calling for additional meetings and at one point quarterly meetings on the economy were suggested and generally thought to be supported by local leadership. Those meetings were never held. There is a substantial benefit to increased communication and understanding of the economy but quarterly meetings are too much. An annual meeting hosted by the Town would suffice and any additional meetings on the economy would need to be orchestrated through the private for-profit and not-for-profit sectors.

- ❖ Produce the Taos Economic Report Card (Report Card) on an annual basis
  - An axiom in business is "If you cannot measure, then you cannot manage" and the same is true of the local economy and the Report Card provides key measurements of the local economy
  - The Report Card should contain the established measures as currently designed and presented graphically so that it is easily accessible and understandable
  - The Report Card should be made available at the Taos Economic Transition Roundtable

Without a way to gauge success it's impossible to adapt to changes in the economy and get better results over time. By the same token, failure represents a unique opportunity to learn and adapt. This makes an annual check on the health of the local economy essential for managing how the community responds to opportunities and threats.

- ❖ Annually review, revise and/or create SMART Goals

Just as the Report Card is an essential tool for measuring and then managing the overall economy of the Enchanted Circle, SMART Goals (Specific, Measureable, Attainable, Realistic and Timely), when created correctly, allow for tracking the health

of a particular industry or industry cluster and measures the effectiveness of any sort of economic development activity undertaken within those SMART Goals. SMART Goals should be revisited annually and updated or modified in order to adjust to unforeseen opportunities or obstacles. SMART Goals should always be done in collaboration with anyone interested in the sector but definitely members of the sector to be acted upon. This should be accomplished with a facilitator/planner trained in strategic planning with experience in generating SMART Goals.

### ❖ Make use of the New Mexico Partnership for Attraction

The New Mexico Partnership is a quasi-state organization whose sole purpose is to look for and work toward the attraction and relocation of foot loose businesses to the state of New Mexico. Taos has never worked well with the partnership precisely because Taos has never offered the Partnership a specific target to attract to Taos. Taos has a lot of work to do to be able to effectively use the Partnership including creating a set of updated demographic and economic descriptive data sets, known as profiles or community profiles, that are used by site selection specialists to identify potential locations for their clients. This would ideally be the task assigned to the Regional Economic Development Corporation as recommended above.

### ❖ Improve communication and collaboration

Another constant theme throughout the planning process was the recognition that communication between and among businesses; business sectors; and public, private for and not for profit entities was poor with some bright exceptions such as the Taos Entrepreneurial Network (TEN). For those businesses within the basic economic sectors, the proposed Regional Economic Development Corporation would be primarily responsible for creating collaboration, communication and networking among those businesses while the TEN focuses on start-ups and the Taos County Chamber of Commerce should be responsible for the remaining non-basic sectors.

### **Recommendations from the Work Groups and SMART Goals**

Participation in the work groups was open to all but to be on the work group we required them to have direct involvement by attending two (2) meetings about three (3) weeks apart. While the number of people participating in the work groups was disappointing given the commitments people made prior to those meetings, those who did participate were energetic, thoughtful and engaged. Each of the four work groups generated a list of goals that they believed if achieved would give some level of success to that sector of the economy. The groups then organized these raw goals into headings that captured any similarities among the potential goals. The members then voted for those raw goals they believed were the most important to complete as a means of prioritizing the goals. Once the priorities were set, the SMART criteria (Specific, Measurable, Attainable, Relevant and Timely) were applied to the top priority. Once that goal was transformed from a raw idea to an actionable SMART Goal, the participants developed objectives that would need to be completed to reach the goal and the step by step actions needed to complete each objective. Those actions



would also include the identification of who would be responsible for the action, funding required and funding sources and the deadline and/or trigger for each action.

The SMART process is difficult and time consuming and needs to be done with a facilitator who is experienced in strategic planning and SMART Goals specifically. In most cases the work groups were only able to complete a single SMART Goal and none were able to refine and create detailed actions. Regardless the SMART Goals developed by the groups can be implemented effectively if there is someone whose responsibility is the implementation of this plan and its SMART Goals. Hence we recommend the formation of a Regional Economic Development Corporation.

### **Business Retention, Expansion & Incubation**

Retaining and expanding businesses tends to get less attention and emphasis than it deserves. Winning the relocation or attraction of a large, location dependent, new business tends to get more press and political fanfare. However, retaining and assisting with the expansion of local businesses tends to have a greater return on investment for a community. Taos has elected to emphasize the growth and retention of local businesses over attracting location dependent businesses and generally accomplishes its retention and expansion goals by addressing the improvement of the business climate and quality of life of the local population. Business attraction is in part a byproduct of these retention and expansion initiatives.

SMART Goal:

- ❖ Improve the business climate in Taos to allow for and encourage collaborative relationships, networks, and improved communication, with public entities by developing a plan/agreement in which SBDC, TEN and the Chamber define their roles and functions.
1. Private actions
    - a. Convene a number of business leaders to meet initially to develop essential needs list for local businesses
  2. Public actions
    - a. Provide a facilitator
    - b. Provide meeting space
    - c. Provide administrative support
    - d. Staff and Council participation
  3. Public/Private actions
    - a. Public and Private entity representatives hold meetings with SBDC, TEN and Chamber to develop how these organizations will meet the needs of local businesses.
  4. Completion date: Approval and adoption of the plan/agreement by the entities involved by January 1, 2014

SMART Goal:

- ❖ Develop an intern program (or expand job shadow program) where teens entering their junior year and above intern at local businesses of interest.

1. Private actions
  - a. Solicit and get commitments from local businesses to participate
2. Public actions
  - a. Develop school program and policies the promote, support and encourage the internship program
3. Public/Private actions
  - a. Develop 30 internships between Taos High and local businesses with the idea of generating interest in further education and future employment.
    - i. Summer 2014 have 10 internships developed and add an additional 10 per year until 30 are established by the summer of 2016.
4. Completion date: 30 or more stable internships with local businesses in a variety of career paths by June 2016

### **Creative Industries**

The title of this work group/sector, Creative Industries, refers to a range of economic activities which are concerned with the generation or leveraging of creativity, knowledge and information and/or the making of creative goods and services.

The origin of Taos as an art colony came about by artists who were attracted by the culture of Taos Pueblo, the natural light of the region, and Hispanic craftsmanship of tin, furniture, painting and more. And now, more than 100 years later, the creative roots of the community continue as a part of the local economy. The original components of the "Art Colony" originally comprised of many master painters, have expanded many fold to now include; culinary arts, music performance and production, film, technology, writing and poetry, fashion, alternative medicine, and other creative endeavors.

The creative industries have been seen to become increasingly important to economic well-being, proponents suggesting that "human creativity is the ultimate economic resource and that "the industries of the twenty-first century will depend increasingly on the generation of knowledge through creativity and innovation," ([Landry & Bianchini 1995](#), p. 4).

The desire for effective marketing related to the offerings of the Creative Industries overlaps with the marketing concerns of the Tourism & Retail sectors. There is a desire to provide and better forward the numerous classes, workshops, retreats and other vehicles that have been developed or will be developed in the hopes that they will have a wide appeal to the 'Boomer Generation' and others interested in an experience that will enhance their lives rather than be a simple vacation touring a new location.

It was heavily emphasized in the work group that the creation of art and other creative products was essential. There was a feeling that Taos is losing its core of productive creative people and was becoming less about creation and more about the commoditization and sale of products created anywhere. The Creative Industries as defined for this Action Plan are basic economic activities where businesses and individuals are engaged in the creation of art, produce films, books, and other creative

products and/or offer artistic trainings and workshops, that are exported or consumed by visitors from outside of the community and result in new money coming in.

SMART Goal:

- ❖ Improve the marketing of the arts to encompass that Taos is a place where artists live and the reasons why they choose Taos – light, geography and culture – which also ties to the outdoors and adventure tourism.
1. Private actions
    - a. Develop a creative industries marketing coop pool of funds and leverage greater market penetration.
    - b. Bring together representatives of arts organizations, events and different facets of the creative industries to coordinate marketing efforts
      - i. Development of signature events for each of the core sectors of Taos' creative industries including, but not limited to: visual arts, installation/technological/media arts, culinary arts, literary arts, music, performing arts, cultural arts, botanical arts, craftsmanship.
  2. Public/Private actions
    - a. Development of a clearing house organization and/or tool that provides marketing information for the arts and events for local organizations and to local marketing firm
  3. Completion date(s): Increase the number of weekend long art and cultural events/activities on the Plaza to a monthly event in 2015 with forty weekend events by 2020 with expansion of singular historic district wide event to quarterly events the fit with season – expand on Fiestas in summer, lighting of Ledoux in winter, Spring and Fall Arts.

### Technology

For the purposes of this Action Plan, the technology sector is comprised of businesses that are primarily involved the advancement and provision of technology. The products tend to be heavily based on intellectual properties including research, development, and service and consulting around technological advances. In Taos the technology sector includes all forms of alternative energy (primarily solar), software/application development, and other related technological advances.

Technology as it is defined for Taos is considered a clean and high paying industry. The majority of these businesses are location neutral, meaning that they can be located almost anywhere as intellectual capacity is the biggest material in the manufacture of their products. This allows technology business to factor in the quality of life into their location decisions and unlike traditional manufacturing can often choose a location solely or primarily on the quality of life available in a certain location.

SMART Goal:

- ❖ In order to increase a technology based work force, Taos should promote technology related degrees and courses at UNM (distance and local) and

increase local student population by 15 students annually in those degree areas (certificates, associates and bachelors)

1. Public/Private actions
  - a. Inventory what technology is available in Taos and where it is
  - b. Create a technology coalition that supports the education of technology workers in specific areas (green technology/sustainable energy, IT administration, etc.)
  - c. A success would be to achieve a 75% graduation rate (11) and/or successful industry certification completed
2. Completion date: By 2017 have first graduating class or completed certification

SMART Goal:

❖ Attract (Identify) technology leader to (in) Taos

1. Private actions
  - a. Secure public funding in order to:
    - i. identify areas of technology that are being developed and approaching commercialization;
    - ii. identify current market forces that may lead to successful commercialization of those technologies.
  - b. Completion of the necessary research to establish targeted technology based industries for relocation, retention, expansion and incubation.
2. Public actions
  - a. Fund or secure funding to research emerging technologies and markets per the above
3. Completion date: Completed research by July 2015

### **Tourism & Retail**

During the work group meetings it was recognized that retail that is basic in nature is intrinsically attached to tourism. Therefore concentrating economic development efforts on retail will have nominal or no impact on the economy. Retail choices are also difficult to navigate as each retailer has a unique approach, merchandise and clientele whereas attracting more visitors will increase not only tourism based business such as lodging, but may have direct impact for certain retailers. In short, Taos has the ability to exert more control over tourism than it can over retail.

However retailers that cater to tourists should develop a strong alliance with lodgers, particularly those that attract visitors within that retailer's customer demographic profile.

There was also expressed a very strong level of concern regarding the effectiveness or lack thereof of the current marketing efforts by the Town's marketing contractor. The lack of understanding between the public and the marketing firm is highly pronounced and is creating conflict and negativity. The lack of open communication and interaction between those who rely on the marketing to improve their business and the marketing firm is very apparent.

❖ Improve the marketing for Taos

1. Private actions

- a. Create a method to better interact and communicate with the Town's marketing contractor and distribute accurate information among concerned businesses

2. Public actions

- a. Identify the demographic attributes that Taos appeals to (a true 3<sup>rd</sup> party market analysis/study)
- b. Impose reasonable measures for success including:
  - i. An increase in gross revenues (as shown in the gross receipts reported from NM Taxation and Revenue) for tourism related business (see Taos Economic Report tourism composite measure)
    1. Level to stable within 3 years (by 2nd quarter of 2017), increase by 15% over 5 years following (2<sup>nd</sup> quarter of 2022)
  - ii. Increase the length and number of stays at area lodging
    1. Will need to segment into low, mid and high end accommodations
  - iii. Net increase of new tourism related businesses

3. Public/Private actions

- a. Identify one identity for the community that is consistent (brand)
- b. Using Taos community characteristics such as the rural and approachable character as a part of the identity
- c. Maintain the character of the community such as its funky, quirky nature

4. Completion date(s):

- a. Completion of the identity (brand) within 2 years (Spring 2015)

### Other goals in priority for future action plans

The following are those other prioritized raw ideas for goals under their respective headings. In order to be useful they will need future refinement through the application of the SMART criteria. They should not be abandoned but instead should be addressed as the other SMART Goals developed and listed above are completed or are stable and ongoing.

#### Business Retention Expansion & Incubation

1. Business Education

- a. Consistent, Quality & Coordinated Business Training – Both Expansion & Retention
- b. Mentorship

2. Incubation – Establish a center for entrepreneurship at UNM Taos

3. Relationship of Public & Private Sectors

- a. Infrastructure maintenance needs to be done equitable
- b. Equal/equitable application of ordinances by Government
- c. Tax Breaks for Technology & E-Commerce Companies
- d. Task force to investigate how Town/County can really help: eminent domain, tax abatements for favorable investments, coordinate communication with residents and investors

### Creative Industries

1. Improve business infrastructure
  - a. Business pairings (food and art, business and cause)
  - b. Creative liaison to Chamber
  - c. Tax abatements for large creative projects
  - d. Weekly studio tours
  - e. Business sponsorship/patronage for art
  - f. Create a Clearing House for Classes & Workshops
  - g. Music Production Facility
  - h. Take a look at why so many Creative Industries left! (Poetry Circus, Film Fest)
  - i. Be open consistently
  - j. Go to a Council Meeting once and a while
  - k. Have a welcoming Environment/Entrance
  - l. You have an issue with Town, see if you can resolve it, then seek help with Town
  - m. Business Practices
  - n. Know your Neighbor / Competitors
  - o. Greet locals and visitors with respect
2. Creativity Support: Make Civic Plaza Drive the Art/Culture/Educational hub
  - a. Bring back visual arts focus with TCA
  - b. National Juried Exhibitions
  - c. Creative Diversity
  - d. Available Grants?
3. Reinvigorate the film industry in Taos
  - a. Major motion picture about Taos
  - b. Institute a Taos Film Commission
  - c. Bring back & promote Taos Film Festival

### Technology

1. Build a state of the art technology education facility
  - a. Develop an entrepreneurial support location with office, conference room, plug and play services for rent
2. Clean energy expansion
  - a. Make Taos a sustainable technology center for R&D, education & design/sales in the Southwest
  - b. 100% renewable energy for Taos County
  - c. Affordable Energy Audits & Remediation for all buildings
  - d. Create a Taos "Solar Decathlon" Competition
  - e. Government & Public charging stations for Electric Vehicles

### Tourism & Retail

1. Create events and activities that appeal to a targeted market

2. Improve service and retail “infrastructure” – e.g. customer service, operating hours, local appeal, meet local business needs, etc.
3. Improve public infrastructure and public services – e.g. pedestrian walkways (sidewalks), etc.

DRAFT



### Definitions

**Community:**

For the purposes of this plan a community is a geographic region that operates as a cohesive unit regardless of governmental divisions and boundaries.

**Public:**

Public refers to governmental agencies at all levels.

**Private:**

Private refers to any non-governmental entity including the non-profit sector.

**Community Income:**

Community income is the income generated from goods and services sold to persons outside of a defined geography. This is sometimes referred to as community wealth or a gross domestic product. This is the measure of the wealth generation of the community's basic industries overall.

**Personal income:**

This is the wealth of an individual regardless of source. Personal income is what drives the non-basic economic sector and local goods and services. While it does not generate community wealth it does create personal wealth and is another measure of a standard of living for a community.

**Basic Economic Activities:**

A basic economic activity is one that produces a good or a service that is mostly consumed by people from outside of a region/community. These businesses are "net importers of community income" and are the basis for the economic growth and income generation of a community. Two examples of basic economic activities are manufacturing a personal care product that is shipped out of the region for sale or a hotel that provides lodging services to visitors.

**Non-basic Economic Activities:**

A non-basic industry provides goods and services primarily consumed by the local community. A grocery store sells the majority of its goods to local citizens; a hospital provides much needed health care services to the local community; etc. These businesses tend to recycle the personal income generated by basic industries and their demand is proportional to the health of the basic industries in the community. Most retail and non-tourism related services are non-basic industries. Art sales in galleries, however, tend to be basic sales but are one of the few exceptions among retail sales, along with catalog sales, internet based sales, etc. that sell the majority of their goods to people outside of the community. Non-profit industries are also non-basic; despite receiving grant funding from outside of the community they do not generate, by definition, profit other than paying expenses and occasionally limited salaries for executives and staff.

**Quasi-basic Economic Activities:**



A quasi-basic industry is one that blurs the line between basic and non-basic industries. Restaurants are sometimes an example of this type of industry where their sales are made to both visitors and community members and are nearly proportional overall. Until recently, residential development could be considered a quasi-basic industry given the former power of the second home market in Taos.

### **Community Development:**

This is the development of the support structure and quality of life provided to members of the community. This includes businesses that provide healthcare, childcare, non-profit services (CAV, Non-Violence Works, Stray Hearts, etc.) and most retail sales and other such activities that simply recycle personal income derived from basic economic activities. This is the development of non-basic economic activities which is equally important as economic development and is heavily intertwined with basic economic activities.

### **Economic Development:**

This is the development of basic economic activities and “imports” community money. Basic economic activities provide economic growth and allow a community to provide higher standard of living and quality of life within the community.

### **Community Economic Development:**

Community economic development combines the disciplines of community development and economic development into a single activity. This is based on the observation that the two frequently separated disciplines are really inseparably intertwined economic forces; the results of community development, which most specifically addresses quality of life issues and non-basic economic activities, affects the results of economic development which focuses on basic economic activities

### **Geographical Assets/Advantages:**

A factor in the measurement of quality of life is dependent on the geographic assets/advantages of a community. For example a town in Arizona may be able to boast that they have 360 days of sunshine while Taos can claim large open spaces, four seasons, beautiful mountain vistas, access to pristine public lands and a small town atmosphere. These geographical advantages typically cannot be manufactured and in some cases require protective measures to ensure their continuation.

### **Quality of Life:**

Quality of life is a measure of opportunity above the standard of living within a community. Quality of life measures include things such as recreational activities, educational opportunities, cultural events and activities, etc. that give added value to citizens above and beyond the standard of living. These can be both public and

private services and goods that are made available due to high community wealth. As a public good they carry a user fee or purchase price.

### **Standard of Living:**

The standard of living refers to two things: the median wage and the baseline services available in a community. Education quality and access, library services, recreation services, street conditions, water quality and other generally public goods available in the community which is proportional to the available tax base. The standard of living is what is seen as the baseline economic condition of local citizens. Standard of living goods and services do not carry a user fee or purchase price.

### **Public Goods and Services:**

Public goods and services are those things that cannot be provided by the private sector because their production is not profitable and is necessary for the community to function. Roads, utilities, police and fire services are a few examples of public goods and services.

### **Private Sector**

The private sector is composed of any non-governmental entity that is classified as for-profit or non-profit in the goods and services they provide. A rule of thumb is that if the entity is required to report its activities to the Internal Revenue Service or is otherwise regulated by a government, it is considered a part of the private sector.

### **Private Goods and Services:**

Private goods and services are those that are provided by the private sector because they yield profit/income. Some formerly public goods have been successfully privatized.

### **Non-Profit Goods and Services:**

The non-profit sector of the economy provides public goods and services that either the public entities cannot provide or that are more efficiently provided by the private sector entity. Non-profit entities do not produce income but do provide goods and services that add to the measure of a community's quality of life and in some cases standard of living.

### **Business/Industry Cluster:**

Industry clusters are groups of businesses that use similar workforce, infrastructure, and support services and also provide a certain synergy and collegial environment that can lead to new business ventures and collaborations.

### **Business Attraction:**

Business attraction is the act of enticing a business to expand into or relocate to community. This is usually accomplished by using one or more attraction tools. Business attraction is often criticized for being very expensive and sometimes being more focused on the competition than on the benefits.

### **Business Retention and Expansion:**

Business retention and expansion (BRE) activities focus on businesses present in the community. While BRE gets less press and political fanfare than business attraction it is generally less expensive and more effective. In addition BRE investments tend to improve the business climate in the community and improve the quality of life in the community which in turn makes the community more attractive to businesses in the same business/industry cluster.

### **Strategic Planning:**

Strategic planning, at its core, has some basic elements and tools that, if properly applied, result in a realistic, implementable and measurable plan. The most basic tool in strategic planning is the SWOT analysis and the essential elements are a vision statement, mission statement, SMART goals, objectives and actions. If crafted correctly a strategic plan creates accountability, responsibility and uses objective measurements to show progress or lack thereof.

### **SWOT Analysis:**

A standard and useful tool in strategic planning is to perform a SWOT analysis, or Strengths, Weaknesses, Opportunities, and Threats analysis that succinctly provide a snapshot of the likely environment for any undertaking.

### **Vision Statement:**

A vision statement is an unconstrained projection of a future condition. For example a person may have the vision of being a law enforcement officer. It is often a simple statement that is general in nature; it is the finger that points at the moon; a big idea; something to achieve and aspire to.

### **Mission Statement:**

A properly crafted mission statement is a short, succinct declaration of how a vision will be achieved. The real purpose of a mission statement is to be able to say in a single sentence what a person or organization does to achieve the vision. If used properly a mission statement keeps one on task, prevents scope creep and lets one tell other what they don't do.

### **SMART Goals:**

Goals developed for a true strategic plan must be SMART; Specific, Measurable, Attainable, Relevant, and Timely. This prevents the use of goals that are simply ideas. A

goal begins as an idea but must have the SMART criteria applied to it to ensure that the goal is functional and strategic.

**Objectives:**

Objectives are those large steps that must be completed in order for a goal to be achieved. Typically well-crafted SMART goals will allow for substantial objectives to be easily identified in a logical order and have defined due dates, and overall costs implicit to accomplishing the SMART goal.

**Actions:**

Actions are the specific steps that must be completed to complete an objective. Actions are assigned tasks that keep accountability and responsibility clear when evaluating the implementation of the strategic plan. Actions also specify due dates, resource needs and costs in addition to assigned responsibility.

**Workforce Development:**

Workforce development is the act of tuning a labor force to fulfill the needs of specific industries. The most effective workforce development programs are closely linked to the needs of local (basic and non-basic) industries and prospective (basic) industries that are identified in a community economic development plan. Workforce development agencies work closely with agencies focused on community economic development and educational institutions to identify labor demands, needed skill sets and pathways to employment or re-employment.



**September 4, 2013**

---

**Title:**

Presentation by LeapPartners

**Summary:**

Presentation by LeapPartners to Planning and Zoning Commission of the 2013 Updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and the 2013 Economic Development Action Plan request for Commission recommendation to the Taos Town Council to adopt the 2013 Update and the 2013 Action Plan." The explanatory body should read "Presentation by LeapPartners of the 2013 Updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and Economic Development Action Plan followed by a request for Commission recommendation to the Town Council to adopt the 2013 Update and the 2013

Action Plan. LeapPartners has been engaged in a public process since February to form the 2013 Action Plan based upon community created SMART Goals in key areas of the Taos Economy. The 2013 Action Plan includes recommendations for the long term approach to economic development for the Town and the Enchanted Circle Region that will need to be implemented in the private and public sectors as well as through public and private partnerships.

**Background:**

**Attachments:**

Click to download

 [2013 Updated CED Foundational Strategic Plan](#)

 [Action Plan Draft](#)



**September 4, 2013**

---

**Title:**

Discussion of proposed Code changes & Planning, Zoning and Buildings Department protocols.

**Summary:**

Discussion of proposed Code changes & Planning, Zoning and Buildings Department protocols.

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**September 4, 2013**

---

**Title:**

Discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses

**Summary:**

Discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**November 13, 2013**

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**Title:**

October 02, 2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

Click to download

 [October 02, 2013 Meeting Minutes](#)





**MINUTES  
October 2 2013  
Planning and Zoning Commission  
Regular Meeting**

**Town Council Chambers - 120 Civic Plaza Drive  
5:30 PM**

**1. CALL TO ORDER BY THE CHAIRMAN**

The Regular Meeting of the Planning and Zoning Commission was called to order by Chairman Douglas Patterson.

**2. ROLL CALL**

Ms. Martha Perkins, Planning, Zoning and Buildings Director, called roll and a quorum was present.

**Those present were:**

Douglas Patterson  
Pavel Lukes  
Eddie Lucero

**Those Absent/Excused were:**

Justin Lea  
Dennis Garcia  
Anthony Perez

**Also present were:**

Planning, Zoning and Buildings Director, Martha Perkins  
Town Manager, Oscar Rodriguez  
Town Attorney, C. Brian James

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF AGENDA**

Strike Item 5 Approval of Minutes from the Agenda due to not having a quorum.

Strike Item 6 Citizens Forum due to no citizens in attendance.

Change Item 7A with Item 7D.

**Commissioner Lukes made a motion to approve the Agenda as amended.**

**Commissioner Lucero seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lucero, Patterson, Lukes**

**5. APPROVAL OF MINUTES**

- A. June 05, 2013 Meeting Minutes
- B. July 03, 2013 Meeting Minutes
- C. September 04, 2013 Meeting Minutes

**6. CITIZENS FORUM**

Citizens wishing to speak shall limit their comments to 5 minutes or less at the Chairman's discretion. No action may be taken.

**7. MATTERS FROM STAFF**

- A. Discussion Item  
Making an Appropriate Record

Ms. Martha Perkins gave a brief summary on making an appropriate Record and recommended the Commission use the Quasi-Judicial Hearing Procedures.

Mr. Brian James, Town Attorney, stated it is a joint recommendation to use the Quasi-Judicial Hearing Procedures from the Planning, Zoning and Buildings Department and the Town Attorney's office but it is at the discretion of the Chairperson if it will be used.

- B. Discussion Item  
A Brief Overview of the Architectural Research Consultant's Evaluation and Recommendations to Improve the Efficiencies in Processing Permits  
  
Ms. Martha Perkins gave a presentation of the Architectural Research Consultant's Evaluation and Recommendations to improve the Efficiencies in Processing Permits. Steve Burnstein was unable to give the presentation due to budgetary constraints and his time constraints.

- C. Discussion Item  
Proposed Town Code Changes to Implement a Couple of the Architectural Research Consultant's Recommendations  
  
Ms. Martha Perkins went over the proposed Town Code Changes.

- D. Discussion Item  
Presentation on NM DOT's plans for Paseo del Pueblo  
  
Mr. French Espinoza gave a presentation on NM DOT's plans for Paseo del Pueblo.  
  
Commissioners had a brief discussion on the presentation with questions for Mr. Espinoza.

**8. MATTERS FROM THE PLANNING AND ZONING COMMITTEE**

- A. Discussion of Agricultural Uses in Commercial Zones  
  
Ms. Martha Perkins gave an explanation on how the Town Attorney would like to handle the Agricultural Uses in Commercial Zones instead of changing the Town Code.

Commissioners, along with Mr. Oscar Rodriguez, had a brief discussion on Agricultural Uses in Commercial Zones.

Commissioners directed Ms. Martha Perkins to bring the ordinance to the next regular Planning and Zoning Commission Meeting for a preliminary hearing.

## **9. ADJOURNMENT**

**A motion was made by Commissioner Lukes and seconded by Commissioner Lucero to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 6:35 p.m.**

## **APPROVED:**

---

**Chairperson**

***PLEASE NOTE: The Town of Taos video records all meetings of the Planning and Zoning Commission. Copies of DVDs are available upon request at the Town Clerk's Office located at 400 Camino de la Placita (575-751-2005) at a fee of \$5.00 per recording. Additionally, video recordings can be viewed at [www.mediataos.org](http://www.mediataos.org). You may also view agendas, agenda packets, and minutes at <http://public.taosgov.com/>.***

**PLANNING AND ZONING COMMISSION**  
**Council Chambers, 120 Civic Plaza Drive**  
**Regular Meeting Minutes**

*June 5, 2013*

**This meeting was called to order at 5:30 PM at the Council Chambers, Coronado Hall at 120 Civic Plaza Drive by Douglas Patterson, Chairman. This is the regular monthly meeting of the Town of Taos Planning and Zoning Commission.**

**1. ROLL CALL**

Present: Chairman Douglas Patterson  
Vice-Chairman Justin Lea  
Pavel Lukes  
Dennis Garcia  
Anthony Perez

Absent: None

Staff Present: Rudy Perea, Senior Planner  
Brian James – Town of Taos Attorney

**2. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

**3. APPROVAL OF AGENDA**

Commissioner Lukes made a motion to approve the agenda.

Commissioner Perez seconded it

Commissioners voted unanimously on the motion.

**4. APPROVAL OF MEETING MINUTES**

Commissioner Garcia made a motion to approve the minutes

Commissioner Lukes seconded the motion.

Commissioners voted unanimously on the motion.

**5. CITIZEN'S FORUM**

No one signed in to speak

**6. MATTERS FROM STAFF**

a. **Review of proposed updated By-Laws for the Planning and Zoning Commission.**

Rudy Perea gave a brief summary of the amendments to the Planning and Zoning Commission By-Laws.

Commissioners had a discussion concerning the limited terms for the Chair and Vice-Chair.

Vice-Chair Lea made a motion to table the amendments to the Planning and Zoning Commission By-Laws.

Commissioner Garcia seconded it

Commissioners voting yes were: Chairman Patterson, Vice-Chairman Lea, Commissioner Garcia and Commissioner Perez.

Commissioner Lukes abstained

b. **Proposed training dates for Commissioner Training.**

Rudy Perea asked the Commissioners to please get back to him on the dates they will be available to attend the Commissioner Training so he may schedule the training with Mr. Vanbleck.

- c. Brian James, Town Attorney informed the Commissioners about the upcoming Zoning of the 327 parcels annexed into the Town. According to the Land Use Development Use there will need to be 2 public hearings for each of the 327 parcels which will be 654 public hearings with the Planning and Zoning Commission and 327 with the Town of Taos Council. Mr. James asked Mr. Perea to put the discussion it on the next month's agenda.

**7. MATTERS FROM THE COMMISSIONERS**

None

**8. ADJOURNMENT**

Commissioner Perez made a motion to adjourn.

Commissioner Garcia seconded it.

The Commission adjourned.

---

Chairperson Doug Patterson



**October 2, 2013**

---

**Title:**

June 05, 2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

Click to download

 [June 05, 2013 Meeting Minutes](#)



**MINUTES  
July 3 2013  
Planning and Zoning Committee  
Regular Meeting**

**Town Council Chambers - 120 Civic Plaza Drive  
5:30 PM  
Regular Meeting**

**1. CALL TO ORDER BY THE CHAIRMAN**

The Regular Meeting of the Planning and Zoning Commission was called to order by the Chairman Doug Patterson at 5:30 p.m.

**2. ROLL CALL**

Mr. Rudy Perea, called roll and a quorum was present.

**Those present were:**

Chairman Doug Patterson  
Commissioner Justin Lea  
Commissioner Dennis Garcia  
Commissioner Pavel Lukes

**Also present were:**

Town Attorney, C. Brian James  
Senior Planner, Rudy Perea

**Those Absent/Excused were:**

Commissioner Anthony Perez

**3. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**4. APPROVAL OF AGENDA**

Commissioner Justin Lea stated he would like to add to the agenda under Item 8 a. Matters from the Commission a discussion on the status of the Planning and Zoning Department.

**Commissioner Justin Lea made a motion to approve the Agenda as amended.**

**Commissioner Dennis Garcia seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lea, Garcia, Lukes**

**5. CITIZENS FORUM**

There were no citizens from the community signed in to speak.

Citizens wishing to speak shall limit their comments to 5 minutes or less at the Chairman's discretion. No action may be taken.

## 6. MATTERS FROM STAFF

- A. Discussion regarding allowing agricultural uses in commercial zones.

A lengthy discussion ensued.

Members from the Community signed in to speak were:

Micah Roseberry  
Claire D'Gaia  
Taylor Breselle  
Ryan Schere

Commissioners directed staff to place under Matters from Commissioners a draft of an Ordinance to allow agricultural uses in Commercial Zones.

- B. Discussion regarding streamlining the zone change application review process.

A short discussion ensued.

## 7. PUBLIC HEARINGS

Mr. Rudy Perea read the rules for Public Hearings.

- A. Case No. P&Z 2013-2

Clarke and Georgia Brunton, property owners are requesting a variance from section 16.20.120.6 Subsection (B) of the Town of Taos Land Use Development Code which requires a minimum lot size of 7,000 square feet for their property located at 119 Montano Lane. The Applicants are requesting a variance to be able to split the property into two (2) Parcels that are 4,573.8 square feet and 3,307.2 square feet in size. The Applicants are also requesting a variance from section 16.20.120.6 subsection (D)(3) of the Town of Taos Land Use Development Code which requires a minimum of 10 foot rear yard setback for their properties located at 119 Montano and 118 Brooks Street.

The Applicants are requesting a 7.5 foot setback on their property located at 119 Montano and a 9.5 setback on their property located at 118 Brooks Street. The subject properties are zoned R-14 Multi-Family Residential within the town limits of the Town of Taos.

Mr. Rudy Perea gave a brief Summary of Case No. P&Z 2013-2

Georgia Brunton, Applicant, gave a breif presentation.

**Commissioner Pavel Lukes made a motion to approve the preliminary hearing for Case No. P&Z 2013-2 and to move Case No. P&Z 2013-2 to a Final Public Hearing on August 07, 2013**

**Commissioner Dennis Garcia seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Patterson, Lea, Garcia, Lukes.**

- B. Case No. P&Z 2013-3

Robin Martin, property owner, Taylor Etchemendy Agent are requesting a Conditional Use Permit to operate a Day Care Center on a property located at 120 Camino De La Placita. The



subject property is zoned CBD (Central Business District) within the Historic Overlay Zone of the Town of Taos.

Mr. Rudy Perea gave a brief Summary of Case No. P&Z 2013-3 and explained his recommendations as to what the Applicants still need before the final Public Hearing on August 07, 2013.

Taylor Etchemendy gave a brief presentation on their intent and answered questions the Commissioners asked.

**Commissioner Lukes made a motion to approve Case No. P&Z 2013-3 based on findings of facts and conditions as articulated in the Staff Report by the Planning and Zoning Staff and move it for final approval on August 07, 2013.**

**Commissioner Lea seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lea, Garcia, Lukes**

**Chairman Patterson abstained**

#### **8. MATTERS FROM THE PLANNING AND ZONING COMMITTEE**

Commissioner Pavel Lukes made a motion to amend and table the summary Meeting Minutes from the June 5th Planning and Zoning Commission Meeting and to re-do them verbatim.

**Commissioner Lea seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lea, Garcia, Lukes.**

**Commissioners voting NO were: Chairman Patterson**

A discussion on the status of the Planning, Zoning and Buildings Department ensued.

Commissioners requested the Interim Planning, Zoning and Buildings Department Director attend the next meeting to give an update on the Department status.

#### **9. ADJOURNMENT**

**Commissioner Lukes made a motion to adjourn.**

**Commissioner Lea seconded the motion. The motion was Passed. Those voting AYE were: Commissioners: Lea, Garcia, Patterson, Lukes**

**APPROVED:**

---

**Chairperson**

***PLEASE NOTE: The Town of Taos video records all meetings of the Planning and Zoning Commission. Copies of DVDs are available upon request at the Town Clerk's Office located at 400 Camino de la Placita (575-751-2005) at a fee of \$5.00 per recording. Additionally, video recordings can be viewed at [www.mediataos.org](http://www.mediataos.org). You may also view agendas, agenda packets, and minutes at <http://public.taosgov.com/>.***



**July 3, 2013**

---

**Title:**

Discussion regarding allowing agricultural uses in commercial zones.

**Summary:**

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**July 3, 2013**

---

**Title:**

Discussion regarding streamlining the zone change application review process.

**Summary:**

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**PRELIMINARY STAFF REPORT TO THE PLANNING & ZONING COMMISSION  
PLANNING, ZONING, AND BUILDINGS DEPARTMENT  
CASE TYPE- LOT SIZE AND REAR YARD SETBACK VARIANCE REQUESTS**

**I. General Data:**

Project Name: Lot Size and Rear Yard Setback Variance Requests

Application: P&Z 2013-2

Agent: Donna Brunton

Owners: Clarke and Georgia Brunton

Location: 118 Brooks Street and 119 Montano Lane

Request: This is a request for variance from lot size and rear yard setback standards of an R-14 Multi-Family Residential Zone as they are stated in section 16.16.120.3 subsections (B) and (D)(3) of the Town of Taos Land Use Development Code.

Hearings: This is the preliminary public hearing before the Planning and Zoning Commission on these variance requests.

Recommendation: Staff recommends that these variance requests be moved forward to a final public hearing with the condition stated at the end of this report.

**II. Site Data:**

Site Area: .181+-acres

Existing Land Use: Residential

Existing Zoning: R-14 Multi-Family Residential

	Existing Zoning	Existing Land Use
<b>Site</b>	R-14 Multi-Family Residential	Residential
<b>North</b>	R-14 Multi-Family Residential	Multi-Family/Single Family Residential
<b>South</b>	R-14 Multi-Family Residential	Single Family/Multi-Family Residential
<b>East</b>	R-14 Multi-Family Residential	Single Family/Multi-Family Residential
<b>West</b>	C-2 General Commercial	Professional Office/Light Commercial/Lodging

### **III. Intent of Petition**

The Applicants are requesting variances from the lot size and rear yard setback requirements of an R-14 Multi-Family Residential zone so that they can receive and administrative approval from the Town of Taos to split the subject property into two (2) lots.

### **IV. History:**

There have been no prior actions taken by either the Town of Taos's Planning and Zoning Commission or Town Council on the subject property where the variances are being requested.

### **V. Analysis:**

This is a preliminary public hearing on a request for variances to legally split a .181+- acre parcel located at 118 Brooks and 119 Montano Streets. In order for the Applicants to receive an approval from the Town of Taos to convert the previously mentioned parcel into two (2) separate parcels, they will need to receive variances from the development standards of an R-14 Multi-Family Residential as they relate to lot size and rear yard setback requirements as stated in section 16.16.120.6 of the LUDC. The specific requests and how much they deviate from the LUDC are stated as follows:

<u>Requested Variance Amount</u>	<u>LUDC Mandated Amount</u>	<u>% Difference</u>
Lot Size on Brooks Street: 4,573.8 sq.ft.	7,000 sq.ft. per lot	34.66%
Lot Size on Montano Lane: 3,307.2 sq.ft.	7,000 sq.ft. per lot	52.76%
Rear Yard Setback on Brooks St: 9.5 feet	10 feet	5.00%
Rear Yard Setback on Montano St.: 7.5 feet	10 feet	25.00%

What follows is Staff's analysis of the Applicant's variance requests and how they relate to the criteria for the granting of variances as they are stated in section 16.08.020.3 of the LUDC:

**“The variance is the minimum action necessary to afford appropriate relief and no other means are available to achieve the benefit sought by the applicant”**

A site visit by Staff has determined that the Applicants meet the criteria of this section due to the fact that there are no adjacent parcels of land available for them to purchase in order to increase the size of their proposed parcels to bring them into compliance with the lot size and rear yard setback standards of the R-14 Multi-Family Zone where the subject property is situated.

**“The applicant has shown good and sufficient cause and the variance sought is not substantial”**

With regards to the first portion of this criteria, a site visit by Staff of the residential area surrounding the subject property has determined that the Applicants meet this criteria as evidenced by the older residential construction which exists within the three hundred (300) foot public hearing notification area of the subject property which does not comply with the current development standards of an R-14 Multi-Family Residential Zone. With regards to the second portion of this criteria, and as referenced earlier in this report, based on a strict numerical evaluation of the Applicants' requests, the variances are a substantial deviation from the R-14 Multi-Family Residential development standards for lot size and rear yard setbacks for the residences located on Brooks and Montano Streets. Therefore the Applicants do not meet this portion of the criteria if the Commission is going to base their decision on this numerical evaluation.

**“Failure to grant the variance would result in such practical difficulties as to make it unreasonable to apply the strict letter of this title to the property which is the subject of the variance application”**

A Staff analysis of the “Findings of Fact” portion of the Variance Application submitted by the Applicants for the Commission's consideration has determined that the applicants do not meet the criteria of this section due to the fact that the reason for the requested variances are for strictly economic reasons. Should the Commission make the determination to not grant the requested variances, nothing would prevent the Applicants from converting the entire parcel to a condominium form of ownership and still sell one of the residential units on the subject property.

**“The practical difficulties were not created by the applicant”**

In the explanation submitted by the Applicants to address this criteria they make reference to the fact that the existing structures on the subject property were built in the 1950's. However, no documentation submitted by the Applicants for this preliminary public hearing substantiates that claim. Because the Applicants variance requests are partially based on these claims Staff cannot make an appropriate determination as to whether or not this criteria has been met without additional documentation from the Applicants. Therefore as a condition for the final public hearing on these

variance requests, Staff will require that the Applicants submit additional documentation which addresses this issue.

**“The granting of the variance will not create a danger to the public health, safety, or welfare, cause an extraordinary public expense, create a nuisance or cause a significant detriment to nearby properties”**

Based on the existing conditions of the subject property, the fact that Staff has never received any complaints from adjacent property owners regarding the structures on it, and the fact that the Applicants plan no further development of it, the requirement with regards to the variance not creating a danger to the public health, safety, or welfare has been met. Additionally, no extraordinary public expense will be generated from these variance requests due to the fact that the town will not have to provide additional services or infrastructure to this property should the requested variances be granted. As of the date of the writing of this report, Staff has determined that the proposed variances will not create a nuisance or cause a significant detriment to nearby properties based on the following reasons:

- 1) Staff has not received any verbal, written, or electronic communications from adjacent property owners within the three hundred (300) foot public hearing notification area opposing the Applicants' variance requests.
- 2) There will be no change in the existing conditions on the subject property. As referenced earlier in this report, similar conditions exist on other residential properties that are within the three hundred (300) foot public hearing notification area of this property.

## **VI. Disposition Options**

In considering this application the options available are as follows:

- 1) The Commission can move the variance requests forward to a final public hearing to be held at the regularly scheduled August 7<sup>th</sup>, 2013 commission meeting.
- 2) The Commission can schedule the Applicants' requests for lot size and rear yard setback variances for another preliminary public hearing so the Applicants can provide the additional documentation requested by Staff.



**July 3, 2013**

---

**Title:**

Case No. P&Z 2013-2

**Summary:**

Clarke and Georgia Brunton, property owners are requesting a variance from section 16.20.120.6 Subsection (B) of the Town of Taos Land Use Development Code which requires a minimum lot size of 7,000 square feet for their property located at 119 Montano Lane. The Applicants are requesting a variance to be able to split the property into two (2) Parcels that are 4,573.8 square feet and 3,307.2 square feet in size. The Applicants are also requesting a variance from section 16.20.120.6 subsection (D)(3) of the Town of Taos Land Use Development Code which requires a minimum of 10 foot rear yard setback for their properties located at 119 Montano and 118 Brooks Street.

The Applicants are requesting a 7.5 foot setback on their property located at 119 Montano and a 9.5 setback on their property located at 118 Brooks Street. The subject properties are zoned R-14 Multi-Family Residential within the town limits of the Town of Taos.

**Background:**

**Attachments:**

Click to download

📎 [118 Brooks Street Variance Preliminary Staff Report](#)





**PRELIMINARY STAFF REPORT TO THE PLANNING & ZONING COMMISSION  
PLANNING, ZONING, AND BUILDINGS DEPARTMENT  
CONDITIONAL USE PERMIT REQUEST**

**I. General Data:**

Project Name: Conditional Use Permit Request

Application: P&Z Case No. 2013-03

Agent: Taylor Etchemendy

Owner: Robin Martin

Location: 120 Camino De La Placita

Request: This is a request for a Conditional Use Permit for a building located at 120 Camino De La Placita.

Hearings: This is the first public hearing that is being held on this Conditional Use Permit request.

Recommendation: Staff recommends that this request be moved forward to a final public hearing to the regularly scheduled August 7<sup>th</sup>, 2013 Commission meeting.

**II. Site Data:**

Site Area: .447+-acres

Existing Land Use: Vacant Professional Office

Existing Zoning: Central Business District (CBD)

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Site</b>	Central Business District	Vacant Professional Office
<b>North</b>	Central Business District	Light Retail/Restaurant/Religious/Educational Uses
<b>South</b>	M-1 Light Manufacturing	Light Retail/Restaurants/Professional Services/Multi-Family Residential
<b>East</b>	Central Business District	Light Retail/Restaurant/Lodging
<b>West</b>	R-14 Multi-Family Residential	Light Retail/Multi-Family Residential

### **III. Intent of Petition**

The Applicant is requesting approval on a Conditional Use Permit to operate a Day Care Center out of the building located at 120 Camino De La Placita.

### **IV. History:**

There have been no prior actions taken by either the Town of Taos's Planning and Zoning Commission or Town Council on the subject property.

### **V. Analysis:**

This a preliminary public hearing on a request for a Conditional Use Permit. Specifically, the Conditional Use Permit is being requested so that the Applicant can operate a Day Care Center out an existing vacant professional office building. Prior to this case being presented to the P&Z Commission, the Applicant's request was reviewed by the Town of Taos Development Review Committee (DRC) on June 20<sup>th</sup>, 2013. What follows are the determinations made by the DRC:

### **Public Works/ Public Utilities Department**

The Public Utilities Department has no concerns regarding the proposed use of the existing professional office for a day care use due to the fact that no additional bathroom facilities will be utilized in the operation of the proposed Conditional Use and no food preparation will be taking place on site.

### **Fire Department**

The Fire Department has no concerns with the Applicant's proposed use of the subject building provided that they schedule an inspection prior to the commencement of using the space as proposed.

### **Police Department**

The Police Department recommended that "Children Playing" signs be posted adjacent to the subject property due to the fact that the Applicant is proposing an outdoor play area for children.

### **Planning, Zoning, and Buildings Department**

- 1) The Applicant will be required to provide a Parking Space for Clients that complies with all of the applicable requirements of the American with Disabilities Act (ADA).
- 2) The Applicant will need to submit a letter from her architect that certifies that the subject building complies with all applicable building and fire codes as a condition of approval of the requested Conditional Use Permit.
- 3) The Applicant will need to submit to the Town of Taos's Planning, Zoning, and Buildings Department all applicable documents from the State of New Mexico's Children, Youth, and Family Department that indicates that their regulations have been met.

In addition to the Applicant having to comply with the above referenced determinations, she also has to comply with the criteria as stated section 16.08.020.1 under "Conditional Use" in the Town of Taos Land Use Development Code (LUDC). What follows is Staff's analysis of this criteria and how they relate to the Applicant's request:

#### **"The use is a specifically authorized conditional use in the zone in which the property is located"**

The Applicants meet the criteria of this section based on section 16.16.150.4 in the LUDC which allows for Day Care Centers in an CBD Zone provided that a Conditional Use Permit is obtained.

#### **"All other requirements of this title are met, unless a variance is granted for those requirements which are specific prerequisites for granting of the conditional use permit sought by the applicant"**

The Applicant will meet the criteria of this section once the items referenced earlier in this report that are required by the DRC are provided at the time a final public hearing is held on this request.

**“The special use or conditional use will not create a danger to the public health, safety or welfare, nor cause an extraordinary public expense, nor create a nuisance”**

The Applicant's proposed Conditional Use Permit will not create a danger to the public health, safety, or welfare, nor cause an extraordinary public expense, nor create a nuisance based on the following reasons:

- 1) The Applicant will be required to follow the requirements of the Town of Taos's Fire, Police, and Planning, Zoning, and Buildings Departments as referenced earlier in this report before being allowed to operate the proposed Day Care Center.
- 2) Any expenses related to the preparation of the subject building that will be utilized for the day care business will be the Applicant's responsibility. No public investments in the form of infrastructure or utilities are required in order to accommodate this Conditional Use Permit request.
- 3) As of the date of the writing of this report, Staff has not received any written, verbal, or electronic feedback from adjacent property owners within the 300 foot public hearing notification area either supporting or opposing the Applicant's request.

## **VI. Disposition Options**

In considering this application the options available are as follows:

- 1) The Commission can move the Conditional Use Permit request forward to a final public hearing to be held at the regularly scheduled August 7<sup>th</sup>, 2013 commission meeting.
- 2) The Commission can schedule the Applicant's Conditional Use Permit request for another preliminary public hearing so the Applicants can provide the additional documentation requested by the DRC.



**July 3, 2013**

---

**Title:**

Case No. P&Z 2013-3

**Summary:**

Robin Martin, property owner, Taylor Etchemendy Agent are requesting a Conditional Use Permit to operate a Day Care Center on a property located at 120 Camino De La Placita. The subject property is zoned CBD (Central Business District) within the Historic Overlay Zone of the Town of Taos.

**Background:**

**Attachments:**

Click to download

 [120 Camino De La Placita Conditional Use Preliminary Staff Report](#)



**October 2, 2013**

---

**Title:**

July 03, 2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

Click to download

 [July 03, 2013 P&Z Meeting Minutes](#)



**MINUTES**  
**September 4 2013**  
**Planning and Zoning Committee**  
**Regular Meeting**

**Town Council Chambers - 120 Civic Plaza Drive**  
**5:30 PM**  
**Regular Meeting**

**1. CALL TO ORDER BY THE CHAIRMAN**

The Regular Meeting of the Planning and Zoning Commission was called to order by Chairman Douglas Patterson at 5:35 p.m.

**2. ROLL CALL**

**Those present were:**

Justin Lea  
Dennis Garcia  
Douglas Patterson  
Pavel Lukes

**Absent/Excused were:**

Anthony Perez

**Also present were:**

Planning, Zoning and Buildings Director, Martha Perkins

Town Attorney, C. Brian James

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF AGENDA**

Move Agenda Item 8 to 7 1/2.

**5. APPROVAL OF MINUTES**

A. August 7, 2013 Meeting Minutes

Commissioner Lukes made a motion to approve the Meeting Minutes from the August 7, 2013 Planning and Zoning Commission Meeting.

Commissioner Garcia seconded the motion. The motion was Passed. Those voting AYE

were: Commissioners: Lea, Garcia, Patterson, Lukes

## **6. CITIZENS FORUM**

**No one came forward.**

Citizens wishing to speak shall limit their comments to 5 minutes or less at the Chairman's discretion. No action may be taken.

## **7. MATTERS FROM STAFF**

### **A. Presentation by LeapPartners**

Presentation by LeapPartners to Planning and Zoning Commission of the 2013 Updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and the 2013 Economic Development Action Plan request for Commission recommendation to the Taos Town Council to adopt the 2013 Update and the 2013 Action Plan." The explanatory body should read "Presentation by LeapPartners of the 2013 Updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and Economic Development Action Plan followed by a request for Commission recommendation to the Town Council to adopt the 2013 Update and the 2013

Action Plan. LeapPartners has been engaged in a public process since February to form the 2013 Action Plan based upon community created SMART Goals in key areas of the Taos Economy. The 2013 Action Plan includes recommendations for the long term approach to economic development for the Town and the Enchanted Circle Region that will need to be implemented in the private and public sectors as well as through public and private partnerships.

Mr. Matt Spriggs was unable to show the presentation therefore he gave a summary on the 2013 updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and the 2013 Economic Development Action Plan.

Commissioners recommended LeapPartners come back in a month and give notice so the Commission can take action on it as an ordinance.

### **B. Discussion of proposed Code changes & Planning, Zoning and Buildings Department protocols.**

Ms. Martha Perkins gave a description of the proposed changes to the Town Code and the Planning, Zoning and Buildings Department protocols.

## **8. MATTERS FROM THE PLANNING AND ZONING COMMITTEE**

### **A. Discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses**

Discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses

The Commission had a discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses.

Chairman Patterson stated he would like to move forward and would like it to be on the next regular P&Z Commission Meeting Agenda which is October 2, 2013.

**Citizens wanting to speak were:**  
Roy Cunningham

## **9. ADJOURNMENT**

**A motion was made by Commissioner Lea and seconded by Commissioner Garcia to**



adjourn the meeting. The motion carried unanimously and the meeting adjourned.

**APPROVED:**

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**Chairperson**

***PLEASE NOTE: The Town of Taos video records all meetings of the Planning and Zoning Commission. Copies of DVDs are available upon request at the Town Clerk's Office located at 400 Camino de la Placita (575-751-2005) at a fee of \$5.00 per recording. Additionally, video recordings can be viewed at [www.mediataos.org](http://www.mediataos.org). You may also view agendas, agenda packets, and minutes at <http://public.taosgov.com/>.***



**September 4, 2013**

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**Title:**

August 7, 2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

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No Attachments Available



**Town of Taos**  
***2013 UPDATED***  
**Community Economic Development**  
**Strategic Foundational Plan**  
**&**  
**Community Economic Development**  
**Element**  
**of the Taos Comprehensive Plan**

**Presented by LeapPartners to the**  
**Taos Town Council for Adoption by**  
**the Town of Taos**

## **INTRODUCTION**

The Town of Taos has been working toward a Strategic Plan for Community Economic Development (CED) since the Vision 2020 Master Plan was adopted in 1999. In 2005 the Town of Taos adopted the Local Economic Development Ordinance (LEDO) for Taos which comported with §5-10-1 *et seq* NMSA 1978 as amended and in haste the Ordinance included a section containing a few paragraphs that was then accepted as the Town's required Economic Development Plan under §5-10-4 NMSA 1978 as amended. Today this section of the original Ordinance as the Town's Economic Development Plan is wholly inadequate.

On October 26, 2010 an interim plan/element was adopted and was intended to bridge from October 2010 until June 30, 2011 to allow the Town to participate in immediate economic development opportunities and to allow the Town, together with the community, to have the time to develop the full plan. The interim plan was intended to allow the Town to apply for recertification as a Certified Communities Initiative Participant to the State Economic Development Department. Taos did not complete its recertification at that time and additional changes have been made to how the State assists with economic development, including a revamping of the Certified Communities Initiative.

It should also be noted that the Interim Plan and any additional updates, are not intended to limit how the community might approach community economic development but are instead meant to focus the community on work in key areas that are likely to have the greatest yield. New and previously unrecognized opportunities may arise and the community should remain flexible and avail itself to those new opportunities but not to the detriment of projects already underway. In other words, broadening the focus for community economic development may be appropriate and necessary, but refocusing and losing sight of progress and projects already underway, or successful areas of development that promise more future benefits is not advisable.

### **NOTE: APPROACH TO THIS FOUNDATIONAL PLAN AND UPDATES:**

During the 2013 update to this plan, it was determined that this original plan should remain intact as the "Foundational Plan" with appropriate updates and revisions at frequent intervals to keep the foundational plan relevant. However no changes should be made to the essential core foundation of this foundational plan as determined at the time of its adoption such as the basis of approach and the use of a strategic planning method. The goals listed within this foundational plan mostly pertain to the public sector and defining its role and participation in Community Economic Development. Since the public and the private non-profit sectors are the primary actors within the Community Development or non-basic economy for creating and being the stewards of the quality of life it makes sense for this plan to contain those goals while the updates and action plans address more of the private and public/private actions that are necessary to address basic economic concerns.

### ***Basis of Approach***

It is important to note that the Town of Taos has chosen to pursue its development from the perspective of community economic development rather than pursuing community development and economic development as separate disciplines. In large metropolitan areas the two are often separated due to overwhelming workload and to manage resources. However, community economic development professionals argue that the two have never been completely separate disciplines and that they are inseparable. Community economic development views these two disciplines as heavily intertwined economic forces; the results of community development, which most specifically addresses quality of life issues and non-basic economic activities, affects the results of economic development which focuses on basic economic activities. Therefore no community can afford to focus solely on one or the other. Recognizing this interconnectedness is especially important in small communities where non-basic and basic economic interaction is more highly pronounced and visible in the local economy.

The Town of Taos is also pursuing community economic development from an industry cluster approach. Industry clusters are groups of businesses that use similar workforce, infrastructure, and support services and also provide a certain synergy and collegial environment that can lead to new business ventures and collaborations. Most business clusters will require a regional approach to achieve a sufficient number of similar businesses to reach a dominant and stable position in the economy, which is also referred to as a critical mass. Once an industry cluster reaches its critical mass, the attraction of new businesses to the area can become self-perpetuating or at least require less effort.

### ***Non-Basic Economic Activities or Community Development***

Non-basic economic activity includes both public and private goods and services that are consumed entirely or almost entirely by the local community and support basic economic activities. The community economic development approach assumes that the community must have an essential foundation from which it can grow: housing must be affordable; goods and services such as groceries or a dry cleaner must be available within a reasonable distance; quality education must be available and accessible to the average citizen; health care needs must be met; streets must be maintained; public safety must be adequate; and other essential services must be in place before a community can grow its economic base. These essential services are major components of the quality of life in a community and make up the non-basic portion of the economy. Taos enjoys a fairly robust quality of life for a community that is isolated and has a relatively small population. Because of the high levels of visitation and influx of tourism dollars, Taos has been able to provide amenities that rival much larger communities, but with the current downturn in the economy, Taos' ability to maintain these amenities has been brought into question as tax revenues plummet alongside business revenues. The Town Council has pledged to maintain this level of quality of life and continues to look at efficiencies and new revenue sources so that other quality of life initiatives can be pursued.

***Basic Economic Activities or Economic Development***

Basic economic activities are those activities that add to the economic base of the community. These basic goods and services are mostly if not entirely privately produced within the community and consumed outside of the local community or by those visiting from outside the community. Therefore those basic goods and services become a net importer of new revenue, bringing new money into the community. Growth of the basic economic sector creates new jobs in both the basic and non-basic sectors. Each new basic economic job creates a new source of demand for goods and services from the non-basic sector and in turn, with sufficient demand and new tax revenues, the community can provide a quality of life that is equal to or better than the quality of life prior to the creation of that job. Because the basic economic sector can drive the demand in the non-basic economic sector, many communities have pursued development of the basic sector without focusing on the non-basic foundation of their economy, assuming that the public and private non-basic sectors will simply meet the demands of the new basic employment. This assumption is blind to the need for a significant foundation that must be present in the non-basic sector if development of the basic sector is to succeed. Community economic development (CED) practitioners and those communities that adopt the more holistic CED approach, focus equal attention on the development of the non-basic foundational sector and the growth and stability of the basic sector.

**ORGANIZATION OF THIS FOUNDATIONAL PLAN/ELEMENT**

This CED Plan/Element uses the terms “non-basic” and “community development”; “basic” and “economic development” interchangeably. While some of the goals of the community could arguably impact both the non-basic and basic sectors they are organized by their major contribution to the community, be it non-basic or basic, but both their non-basic and basic impact, if it is a permanent and continuous impact, will be noted. Both non-basic and basic actions and projects are also split into their regional and local implications. For the purposes of this plan, local is considered any economic activity occurring within three (3) miles of the municipal boundary. Regional is, at a minimum, the “Enchanted Circle” and at its maximum includes Taos County, Los Alamos County, Rio Arriba County, and Santa Fe County as defined in the Regional Economic Development Initiative (REDI) Plan. When viewing the Taos economy from a regional perspective it is most appropriate to focus no larger than the Enchanted Circle, other than how our basic economy connects to and is in general alignment with the direction of the greater REDI region.

The primary focus of this plan and the subsequent 2013 update is on those actions that the Town of Taos can undertake immediately and that generally affect the local economy and quality of life. A full plan, when it can be funded for completion, will need to include more medium and long term projects and goals and include more regional projects and goals but that more complete plan should not be funded solely by the Town of Taos, despite how much it is needed. Instead it is a regional effort that needs regional participation and regional funding by the public and private (for profit and non-profit alike) sectors.

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This foundational plan provides statements of general focus for the non-basic and basic goals and the general methods used to develop the economy; followed by a preliminary strategic analysis; specific focus areas and their potential impact; CED goals and policies; financing options; state incentives; local incentives; application, review, cost-benefit, and review criteria; and attachments. The biggest weakness with this foundational plan was a lack of public participation in the development of the foundational plan. The 2013 update resolved this by providing extensive public involvement and this foundational plan has been updated to reflect the public perspective. Those changes are minor in nature but needed to be vetted with the public in order to ensure that the community supports the approach as stated herein.

***Community Development***

Non-basic or community development goals include, but are not limited to affordable housing, education, parks, recreation, public transit, public parking, traffic management, energy independence, food security, medical services, spiritual/religious institutions, natural resource conservation, open space, art and cultural facilities, historic and cultural preservation. Some of these community development activities will directly affect economic development activities but the root impetus for pursuing these projects is to improve the quality of life in the community. For example, tourism can be directly affected by the community's historic and cultural preservation activities, but these activities are deeply rooted in a preservation of the unique identity of the community. Another example is the construction of a sporting venue that fulfills not only a community need but, if done correctly, exceeds the local need and can be leveraged to broaden the attractiveness of the community to outside users of the sports facility.

***Economic Development***

Basic or economic development activities include business retention, expansion, and incubation (BRE & I); and attraction. Taos has a number of basic economic drivers including, but not limited to, art and craft production; custom furniture manufacturing; alternative energy research and development; gourmet and organic food production; personal care product manufacturing and formulation; publishing; software development and services; tourism; events and festivals.

**Business Retention and Expansion:** Retaining and expanding businesses tends to get less attention and emphasis than it deserves. Winning the relocation or attraction of a large, location dependent, new business tends to get more press and political fanfare. However, retaining and assisting with the expansion of local businesses tends to have a greater return on investment for a community. Relocating and attracting location dependent businesses is often a very expensive undertaking and often requires incentives and concessions by the local community that will take years if not decades for the community to recoup. Community economic development emphasizes the growth and retention of local businesses over attracting location dependent businesses and generally accomplishes its retention and expansion goals by addressing the

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improvement of the business climate and quality of life of the local population. Business attraction becomes a byproduct of those initiatives.

Taos has intrinsic geographic, artistic, historic, and cultural advantages and for many years has relied on tourism as its main economic engine with little planning or organization. Those same advantages that worked in Taos' favor for years in the tourism industry have also created a unique and high quality of life that has attracted and retained generations of entrepreneurs and creative individuals. Until recently, Taos saw continual growth in both population and economic production. Then in 2006, two years ahead of the Nation, Taos slipped into recession and has been continuously in recession since that time. With the decline in revenues and visitation, many businesses have closed or soon will close and for the first time the community must seriously consider what it can do to prevent further business closures and relocations.

A substantial tool for business retention and expansion was developed with the writing of this foundational plan; a business retention and expansion survey originally called *Maintain Taos* that has yet to be implemented and there is some desire to rename it. The intent was for the survey to be conducted by a third party that was preferably a private non-profit that could ensure the privacy of proprietary information that was collected. To be effective the program would begin with a baseline survey of all basic businesses within the local limits of this Plan by an economic development entity that focuses on the Enchanted Circle Region. To remain relevant and accurate the survey should be conducted annually. The results of the survey will allow for the development of interventions that will retain or assist in the expansion of local businesses. A draft of the survey is attached at the end of this plan. It would be appropriate to also survey the non-basic businesses with the same survey but addressing the needs of those businesses falls to the Taos County Chamber of Commerce and to date there is little capacity or desire by the Chamber to undertake this important task.

**Business Incubation:** Taos County Economic Development Corporation (TCEDC) operated a very successful business incubator from the late 1980s to the late 1990s. Since then, TCEDC's mission has shifted from general economic development to a focus on community development and the preservation of land, water, people, and agriculture. TCEDC continues to incubate value added agricultural production and food production businesses through their community commercial kitchen and mobile matanza. Today there is no formal business incubation in the Taos area and starting a business incubator from scratch is cost prohibitive in the current economic climate. The Town and the County, however, own under-utilized facilities that could be leveraged to incubate new businesses.

**Business Attraction:** Because Taos is isolated by having only a commuter quality airport, no rail service, and over an hour's drive to a major interstate over rural state and federal highways that wind through tight mountain curves or the Rio Grande River canyon, standard methods for business attraction are not productive. Business attraction for Taos instead should focus on the marketing of its quality of life, the non-basic economic environment that it seeks to build, to attract new or relocating businesses and entrepreneurs. In addition Taos' electric cooperative, Kit Carson



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Electric, has invested substantial funding received in American Reinvestment Act grant and a low interest USDA Rural Utilities loan to build a region wide fiber optic network that will be accessible by 2015. This investment by the Cooperative can provide a major change for the economic structure of the Enchanted Circle if leveraged properly and marketed in conjunction with the New Mexico Partnership.

The Town of Taos has elected to concentrate on community economic development where the emphasis is placed on creating a community that has such a high quality of life that it will attract small entrepreneurial businesses that are "location neutral", meaning that the type of business that they are involved in can be done in a location of their choosing. These businesses are typically small, as small as a sole proprietor to typically no more than 30 employees and these businesses are almost always knowledge and intellectual property driven; they include editing, technical writing, software development, medical transcription, legal transcription, film production/editing, import and export management, back office support, etc.

Taos' approach for business attraction is to create an environment that is supportive of the creative economy and entrepreneurial development. Once the essential support structures are in place and the creative and entrepreneurial business environment is stabilized, the community will need to market its advantages to key demographic groups. Location neutral entrepreneurs typically come out of three (3) age cohorts that are experiencing a life changing event:

- age 20 to 25 where the young adult is typically graduating from college or graduate school with a degree in a specialized area such as engineering, computer science, art studio, or film or other technical skill and are looking to start their own business or work for a small firm with the intention of eventually becoming a partner or branching out to eventually start their own business;
- age 35 to 40 adult with substantial experience who is starting a family and desires a less formal working arrangement or wants to start their own business continuing to work in their field;
- Age 55 to 60 senior adult with significant experience and industry contacts, has become an "empty nester", is able to typically go into semi-retirement and work for themselves or start a small firm providing services to the industry that they exit from.

The common personality trait for entrepreneurs from each of these age cohorts is a high tolerance for change. Unlike most people, major life changing events that occur outside of the entrepreneur's control is embraced as an opportunity for additional change and makes them less resistant to other changes. It is also common for entrepreneurs to be less risk adverse.

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**STRATEGIC ANALYSIS**

A standard and useful tool in strategic planning is to perform a SWOT analysis, or **S**trengths, **W**eaknesses, **O**pportunities, and **T**hreats analysis that succinctly provide a snapshot of the likely environment for any undertaking. The following is a preliminary SWOT analysis that was revisited during 2013 update of this foundational plan and was not altered significantly. The results of the more recent SWOT can be found in the appendix of the 2013 update.

Preliminary SWOT Analysis	
Strengths	Weaknesses
Natural Beauty History Culture Architectural Integrity Artistic Notoriety Diversity Taos Pueblo Rio Grande River and Gorge Kit Carson National Forest Variety of Restaurants Holy Cross Hospital Altitude Youth and Family Center Community Commercial Kitchen Kit Carson Park Festivals Art/Craft Events	Traffic Congestion Narrow or No Sidewalks Poor Parking Management No Parking Plan High Land Prices Isolation Lack of Affordable Housing Public and Private Maintenance Dominant Service Based Economy Unstable Public Education System Incomplete Way Finding Plaza Economic Mix Lack of Broadband Access Private Investment Inconsistent Electric Power Delivery
Opportunities	Threats
Northern Rio Grande National Heritage Area Art & Cultural District New Mexico MainStreet Eco Park Convention Center Metropolitan Redevelopment Area Tax Increment Financing District Tax Increment Development District Taos Community Auditorium Solar Center Kit Carson Electric Fiber to Home Project Regional Collaboration REDI Historic Taos County Courthouse Police Station Redevelopment Town and County Land and Facilities	Vacant Buildings Absentee Landlords Cannon AFB Low Altitude Training Flights Competing Communities Changes in Spending Patterns Demographic Changes High Rents Declining State and Federal Resources High Land Costs Tight Credit Markets Changes in Travel Choice

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The purpose of the SWOT is not to limit the development of the community and is not an exhaustive list but is meant to provide focus and clarity to a particular undertaking and to ensure that the community will have a full understanding of the range of influences that can affect the undertaking. It can also provide a focus for community economic development and assist with the prioritization of actions.

**FOCUS AREAS**

Focus areas are determined by examining the SWOT analysis and priority is given to the relative perception of success and logical order of implementation. The focus areas are broken into community development, hybrid, local economic development, and regional economic development focus areas and projects. The focus areas have been further refined through the public process during the 2013 update and have been assigned priority during that process. These focus areas continue to be relevant but should be looked at for future reprioritization as the 2013 Action Plan is completed.

**Community Development Focus Areas/Projects**

This section examines the most immediate areas of the non-basic sector that the community should focus on. This is not an exhaustive list, but it is meant to identify those areas that can realistically be improved or are in such a critical condition that action must be taken immediately to stabilize that aspect of the community.

**Affordable Housing:**

2013 Update:

In 2005, similar to the passage of LEDA in 2000, the Town of Taos adopted Ordinance 05-03, the general affordable housing ordinance, and Ordinance 05-04, the Chamisa Verde project specific plan which was also to be considered the Town of Taos' Housing Plan.

The Town has amended these ordinances to comply with the amended Affordable Housing Act Statute and the rules promulgated by the New Mexico Mortgage Finance Authority (MFA). The original project specific Ordinance for Chamisa Verde was not only flawed in its approach to affordable housing, it is wholly inadequate as a Housing Plan for the community.

In September of 2012 the Town adopted a new Affordable Housing Plan. While there is legitimately a concern over developing the economy while continuing to have housing that is not affordable, this plan is not seeking to address the affordable housing issue and instead will defer to that plan and simply recommend that it be fully implemented with all due haste. .

**Retail leakage:** The Town of Taos commissioned a retail leakage study from the University of New Mexico's Bureau of Business and Economic Research in 2007. Anecdotaly the community was aware that most major purchases were being made outside of the Town of Taos. The study confirmed this pattern of behavior however the

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leakage was far greater than anticipated. Local purchases of retail goods was as low as 44%, meaning a 66% leakage of sales of electronics, office supplies, and clothing to the surrounding communities of Espanola, Santa Fe, and Albuquerque. Communities that have healthy local retail markets capture between 75% and 85% of the retail sales for most goods. It is unreasonable to expect purchases to be made 100% locally in any community as it is not uncommon for consumers to occasionally combine shopping with other activities at a travel destination, but the level of leakage in Taos far exceeds the norm. Internet purchases have further complicated these leakage patterns in recent years since internet retailers have lower overhead, inexpensive shipping, and do not charge sales tax (or gross receipt tax) providing them with the ability for a larger profit margin and/or better pricing, and each transaction can be completed in a manner of minutes without leaving the home or office.

It is believed that this leakage continues and has been exacerbated by an increase in online sales. However the data on the leakage is old enough to be considered completely unreliable. Growth or decline in the retail sector should be left to the private sector without government intervention. Retail is primarily a non-basic activity and low wage job producer therefor a greater community benefit will be generated by focusing on the creation of basic economic jobs which in turn will increase the local demand for non-basic goods and services, particularly at the retail level.

**Education:** There are two critical distinctions in the area of education: primary/secondary which focuses on preschool to high school graduation and higher education that includes post-secondary technical/vocational training as well as college and university based education. Primary/secondary education is governed by the school board of Taos Municipal Schools and the Governing Councils of Charter Schools. Although primary/secondary education is not controlled by the Town, its successes and failures greatly impact the non-basic sector of the economy and can often be the deciding factor in attracting workforce and businesses as well as retaining them.

As a municipal government, the Town can do very little to directly correct the inadequacies of the school district. The Town can and should pursue open communication with school administration and the school board. There may be opportunities to partner on projects with the schools that may help to improve the condition of the schools. Given that the Taos Municipal School Board been willing to work with the Town on the use of school property for the construction of the Eco Park, there may be an opportunity to move forward additional positive collaborations that will improve our primary/secondary education system.

Some steps have been taken to increase collaboration between UNM – Taos and Taos High School to offer more vocational and technical courses as well as college credit courses to high school students. While neither is sufficient to prepare a high school

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student for immediate entry into higher paying employment upon graduation from high school, they do provide a solid foundation for additional higher education or an entry level position that includes additional on the job training.

Higher Education has been growing in Taos, especially for the University of New Mexico at Taos, due in no small part to the leadership of Dr. Kate O'Neil. Southern Methodist University has also grown in recent years with the winterization of the historic Fort Burgwin campus to allow for year round classes. Other colleges and universities have looked at potentially developing specialized campuses and there may be opportunities for expanded higher educational offerings in Taos.

UNM – Taos is the predominant higher education institution in Taos but development of a four year campus has been stalled and no longer appears to be under consideration. Continued collaboration with UNM Taos by the Town to develop a degree conferring campus is advisable although it may rely more on the use of technology than traditional bricks and mortar development to be feasible.

**Infrastructure:** The Town of Taos provides a commuter airport, water, sewer, roadways, and downtown public parking and has been working to continually upgrade and provide better infrastructure to the community and the region. The wastewater treatment plant operates on a regional basis and is located nearly eight miles from the Town's border. The Town also manages the regional landfill and the regional airport located approximately four (4) miles north of the Town. There are multiple jurisdictions that use the airport, wastewater treatment plant, drinking water, and with the exception of the landfill these facilities are managed and funded entirely by the Town of Taos and state and federal grants.

The policy of the Town has been to allow properties outside of the municipal boundaries to receive water and/or sewer service provided that the Town Council approves the connection and that the recipient pay a fifty percent premium on the service or 1.5 times the standard rate. This practice does not capture the true costs of providing the service outside of the municipal boundary. A better practice would be to require annexation or approval of an annexation development agreement that includes a premium payment until the property can be annexed, prior to receiving Town services. A pre-annexation development agreement functions as a deferred annexation petition that guarantees that the property will annex to the Town once the Town limits reach the property and requires that any development on the property meet the Town standard.

Annexation is a concern in the community and has not been supported by a very vocal portion of the community and aggressive annexation should not be pursued, however the practice of providing services to properties outside of the municipal boundary without requiring annexation or an annexation development agreement should be reconsidered. Recently certain properties that were on the border of the Town were annexed in to clean up the Town boundaries and adequately include properties receiving Town service but not technically within the Town's boundaries.

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Transportation is a major challenge for the community. A state and federal highway bisect the community and are not well maintained by the New Mexico Department of Transportation (NM DOT). These highways, as they are currently used, cause severe traffic congestion during peak visitation periods. The Town is often supplementing the maintenance of these highways at its own cost. One potential resolution would be to request a turn back agreement from the US Department of Highways and NM DOT. Such a turn back agreement would require the state and federal governments to bring the roads into compliance with an acceptable level of improvement prior to the Town assuming all maintenance responsibilities.

Given the current condition of state and federal funding, they are unlikely to have the funds to make the necessary improvements in the immediate future to execute a turn-back agreement. This is also likely the reason why the Town has not been approached by state in particular for a turn back agreement. Furthermore the Town lacks defined construction standards and the delay will allow for a complete standard cross section to be developed that will hopefully include landscaping, at-grade and raised medians and special crosswalk treatments within the historic districts, etc. It is anticipated that this will be addressed in the Infrastructure Element of the Comprehensive Plan although that plan has not been funded.

**Public safety:** Public safety is comprised of three major activities: police; fire protection; and emergency medical services. The County provides emergency medical services within the Town and surrounding areas in exchange for the provision of fire protection by the Town in partnership with the Taos Volunteer Fire Department.

The Town of Taos Volunteer Fire Department is well staffed with both full-time Town employees and volunteers and is well equipped.

The Town of Taos also has a well-equipped police department that is currently short officers which is causing required overtime and increased officer stress due to a precipitous rise in calls for service. In order for the police to become pro-active in enforcement and to increase community based policing, not to mention the reducing the over-time requirements and stress on its current officers, the Town will need to consider adding additional officers.

**Library:** The Town of Taos operates the largest public library in the region. This critical cultural and educational asset is heavily used by the Town and the region and is in need of expansion. Due to its regional impact, the Town should not be responsible for the entire cost of providing the library or its needed expansion. Any expansion of the library should be undertaken as a regional partnership and the cost of the ongoing operations should be shouldered by the same regional partnership.

**Hybrid Focus Areas/Projects**

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This section focuses on areas that can be most immediately pursued and will affect the entire Taos economy and cannot be ascribed to just non-basic or basic sector impact. This list, unlike the other sections, is meant to be comprehensive as true hybrid or holistic activities are rare but can be very effective if executed well. If other true hybrid areas are discovered they should be added only after careful consideration of their cost and likely return on investment. Most holistic projects can be very costly and realistic cost-benefit analysis should be undertaken before embarking on any costly projects.

**Eco Park:** Today the first FIFA regulation sized soccer field of the three (3) field Eco Park complex is complete and has been in operation for just over two years.

The Eco Park is the second step toward creating Taos as a high altitude training destination and for hosting sports tournaments, in this case a focus on field sports. The ice hockey rink at the Taos Youth and Family Center and the tournaments that they have hosted since 2004 was the first step and it has proven that Taos can position itself as a destination for sports tourism. The construction of the Eco Park, in addition to meeting local needs, was predicated on the potential of similar success for attracting field sports to Taos for tournaments and high altitude training. The field is currently operated by the Taos Sports Alliance with a marginal budget and with similarly marginal success.

Of concern is the lack of cost-benefit analysis used prior to initiating this project. It is very important that the Town, if it truly wants to leverage this asset, develop a plan for the fields operations and maintenance. It is impossible for the current operator to be given any sort of objective performance measures if the minimum requirements are unknown. For this project to be productive beyond just a community entity and fulfill its potential as a stabilizing force in the tourism sector it must be able to generate sufficient tax revenues to cover the debt service on the loan used for construction and the funding needed to cover its operations and maintenance costs. Any operational plan must also include replacement costs for the field based on the expected life span of the artificial materials and the term of the lease with Taos Municipal School District.

Prior to any additional investment of public money to construct the remaining fields, the operations of the first field must be at a breakeven point and demonstrate substantial demand for additional fields that will generate public revenues equal to or in excess of the additional debt service, operations and maintenance costs of a second or third field. The first and most important analysis should address the economic reality of how much public revenue will be required to offset the \$2.6 million public investment in the first field and its ongoing operations and maintenance.

Regardless of the results of the baseline economic analysis of the first field, the public sector should not be the sole funder of any additional fields. Other funding collaborations with the private and philanthropic sectors should be explored and public funding of additional fields should be no more than 50% of the total cost.

**Youth and Family Center:** The Youth and Family Center has an additional acre or more of land available for development. A number of concepts have been forwarded for

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the build out of the property but all of the scenarios involve enclosing at least one sheet of ice so that year round ice time is available. The current environment allows for ice from approximately November 1 until March 31. Due to only a single sheet of ice, tournaments have been constrained, but a second sheet of ice will take time to develop and funds will need to be raised. The most likely scenario is for the current rink to be enclosed while funding for the remainder are raised with the goal of building a new sheet of ice that is fully enclosed. Once the second sheet is constructed the original rink, or perhaps the new facility, would become a convertible space, allowing for arena football, soccer, lacrosse, and other sports to be played in addition to providing a second sheet of ice during major tournaments such as the Thanksgiving Hockey Tournament, High School All-Stars, and the Coyote Classic. A year round skating facility would allow for the community to host training camps in the off-season, including coaching and referee clinics, and would also allow for pre-season high altitude training for teams.

Unlike the first phase of the Eco Park, which was built entirely with public funds, the major source of funding for the skate rink at the Youth and Family Center was private donations and philanthropy. The public investment was minimal. It makes sense for the public sector to fund the interim measures, such as enclosing the existing rink, and fund the design of the new improvements. It would then be appropriate for the community and the Town government to work together to identify capital sources, both public and private, for the construction of any new improvements.

Prior to pursuing any of these improvements, including the most immediate improvement by enclosing the ice rink for year round use, a realistic cost-benefit analysis needs to be done which should include, at a minimum, the likely time it will take for the public investment to see a positive return. This is the same analysis as is recommended for the existing Eco Park field and future fields (if any).

**Higher Education:** Working with UNM – Taos and potentially other schools such as Southern Methodist University to develop a four-year campus that will allow students to pursue their entire educational career in Taos is important for the community, but more importantly would provide a university atmosphere that could positively influence Taos Municipal Schools and attract new youth to Taos who are pursuing a Baccalaureate degree. These new college students will demand a certain level of housing, goods, and services not to mention providing new depth to the local work force. A constant issue for northern New Mexico is the lack of a qualified workforce to meet even existing local demands. The lack of a qualified workforce can make attracting even small startup firms with minor personnel needs difficult.

The Town should continue to support and assist UNM – Taos with its goal of becoming a complete four-year degree conferring satellite campus for UNM, but the emphasis should not be on bricks and mortar construction. Instead the focus should be building career paths that include certificates, associates and Baccalaureate degrees without leaving Taos. This would be best accomplished by leveraging the KCEC fiber optic network to allow for distance participation in classes held at the main UNM Campus in



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Albuquerque and thereby eliminating the geographical barriers to higher education that location dependent education creates.

**Taos Community Auditorium:** The Taos Community Auditorium (TCA), operated by the Taos Center for the Arts, is an artistic and cultural cornerstone for the community and a draw for visitors. The TCA hosts national touring companies; live high definition simulcasts of the Metropolitan Opera; theatrical productions; high definition movies; and community events. The TCA not only meets the local need for artistic and cultural shows and events, it draws visitors from as far away as Dallas, Texas.

The master plan for the TCA property includes a smaller theater and a “black box” theater that will allow for additional performances and film work including editing and post-production. These additional spaces are designed and a capital campaign will begin once the economy stabilizes and begins to show at least moderate growth.

**Local Economic Development Focus Areas/Projects**

This section examines the areas of basic economic sector activities that hold the greatest potential for positive results. This is not an exhaustive list just as the areas listed in the previous section regarding the non-basic economic sector are not exhaustive. However these areas have the greatest promise for a significant return on investment for the community and are most likely to expand the basic economic sector of Taos.

**Location Neutral Business Attraction:** Standard business attraction often involves a significant investment in staff, outreach and marketing, and eventually concessions and investment by the community in order to attract a business that is interested in relocating. It is not unusual for large location dependent companies that can provide significant jobs and/or contribution to the tax-base to receive millions in incentives and local concessions. In some cases communities have invested so much into attracting a particular business to the community that they may not see a return on their investment for a decade or longer.

Standard business attraction also uses key elements to put a community on the “radar” for site location consultants. These key elements include many things that an isolated community like Taos could never provide; namely easy interstate access, rail and air transportation, and reasonable land, utility and development costs. Standard business attraction which is supported by the state through the New Mexico Partnership is rarely workable for a community like Taos.

Instead Taos has chosen to pursue the attraction of “location neutral businesses” which are those businesses, be they composed of a single entrepreneur or a firm of thirty (30) that can, by the nature of their work, be located anywhere in the US or even the world. These businesses often rely on broadband and technology for their work and/or,

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especially in the case of artistic and craft goods production, they rely a network of support for the creative economy including a collegial atmosphere, educational opportunities and quality primary/secondary schools, affordable and quality housing choices, significant amenities and natural beauty. Taos is well suited to meet most of the needs of these location neutral businesses and can take steps to improve in the areas that can be improved such as education.

As mentioned in the introduction the typical personality trait of location neutral entrepreneurs is a high tolerance for change. Unlike most people, major life changing events that occur outside of the entrepreneur's control is embraced as an opportunity for additional positive change which tends to make them less risk adverse. Most location neutral entrepreneurs that will relocate and therefore can be attracted to Taos generally come out of three (3) age cohorts that are experiencing a life changing event:

- age 20 to 25 where the young adult is typically graduating from college or graduate school with a degree in a specialized area such as engineering, computer science, art studio, or film or other technical skill or creative endeavor and are looking to start their own business or work for a small firm with the intention of eventually becoming a partner or branching out to eventually start their own business;
- age 35 to 40 adult with substantial experience who has or is starting a family and desires a less formal working arrangement or wants to start their own business continuing to work in their field;
- Age 55 to 60 senior adult with significant experience and industry contacts who has become an "empty nester" and typically is able to go into semi-retirement and work for themselves or start a small firm providing services to the industry that they exit from.

There is a sort of infrastructure, or in this case support structure, that is required for location neutral businesses (LNB). Perhaps the most important part of the support structure is an essential service provider (ESP) who provides support functions and services such as accounting or bookkeeping, legal advice, mailing, mail delivery, fax service, copying, conference space, a gathering spot such as a coffee shop or deli, video conferencing, and occasional "heads down" space when collaboration is needed, all in a single physical location. Unlike the typical business incubator that provides subsidized office space and comingled services in a public facility, the ESP is a private sector business that operates, ideally, a public-private partnership facility that makes services and spaces available on an a' la carte basis after paying a basic membership fee. In addition to basic business services and facilities on an on-demand basis that allow for close control of overhead, the ESP is also needed to address another very real need for LNBs – human contact. The need for human contact comes from the relatively isolated nature of LNBs where most of their work is done at their home. Studies have shown that most workers who base their business out of their home need to get out and socialize about every third day or their productivity will suffer.

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Another common need, regardless of the type of LNB, is sufficient business class broadband availability at a reasonable price. Taos currently has minimal broadband availability with broadband available primarily within two (2) to four (4) miles of the Century Link switch located on Civic Plaza Drive in downtown Taos. Standard business class broadband access through the sole provider, Century Link, is expensive with very little choice; a T-1 line which averages 3 Mb up and down load speeds is \$500 per month after installation costs and a DS3 line with averages of 15 Mb up and down load speeds is \$5,000 a month after the cost of initial installation. The lack of choice and high cost for effective business bandwidth and the limited geographical reach of these services have hindered Taos' ability to be competitive in attracting LNBs.

LNBs need a local workforce as well as one that is remote. Support can be best provided to this sector by encouraging local educational institutions to provide programs that offer industry standard and recognized certifications in areas of direct need for technology based businesses. Most often a four-year degree is not a necessary credential in the technology world. Practical, focused and hands-on education that can result in industry standard certification in a specific field of technology are in demand by Location Neutral Businesses.

Very recently the Regional Economic Development Initiative (REDI), a regional partnership sponsored mostly by funding from Los Alamos County, was able to secure funding for the construction of middle mile service in Santa Fe, Rio Arriba, and Los Alamos County with some last mile construction, and Kit Carson Electric Cooperative in conjunction with REDI secured combination grant and loan financing to provide last mile development of the fiber optic network in Taos. The award for both projects through REDI is critical for Taos; without the funding and deployment of REDI Net, Kit Carson would not have been able to deploy their last mile development plan because the network would not be able to reach the point of presence in Albuquerque. Since the network is being deployed with American Recovery and Reinvestment Act (ARRA) money the network will be an open network instead of a proprietary network. This means that the access to the network must be broadly available to any internet service provider. This will introduce competition to the currently uncompetitive broadband market and that competition should increase the quality and choice of service for residents and businesses. Kit Carson's portion of the network is also unique in that the fiber will be deployed to every home and business that Kit Carson services to make the deployment of smart grid technologies possible. Since the smart grid application will only occupy a small portion of the data capacity of the fiber, each business and home will be able to receive additional information technology services. The deployment of REDI Net and the Kit Carson fiber optic network is critical to Taos' attraction of LNBs.

**UPDATE:** Kit Carson's fiber optic network is approximately eighteen months from being completed. The project has suffered a number of delays and little is known about the project and Kit Carson has not been forthcoming with pricing, access, etc. despite numerous inquiries by local internet service providers. Furthermore there has been little to no planning regarding how to leverage this major infrastructure investment to the benefit of the communities within the Kit Carson service area.

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Air service is often another requirement for a LNB. By providing goods and services outside of the state these businesses require occasional to frequent air travel. The Taos Regional Airport has been trying to get clearance for the construction of a cross-wind runway for over twenty years (20 +) to improve the capacity and safety for air travel to and from Taos but the project has been stalled in the Environmental Impact Statement process, specifically centered on concerns relating to the historic preservation aspects or section 106 compliance as it relates to Taos Pueblo, the cultural gem of the southwest if not the United States. Recently Taos Pueblo and the Town of Taos have made progress toward a resolution to the Pueblo's concerns and the EIS may come to a close in the near future allowing for the construction of the long awaited cross-wind runway. The next most available airport is the limited commercial airline service out of Santa Fe or full air service through the Sunport in Albuquerque.

**UPDATE:** The FAA, Taos Pueblo and the Town of Taos reached agreement on the final disposition of the Environmental Impact Study and the required mitigation of the potential impacts. The US Transportation Secretary has signed the Record of Decision, opening federal funding for the construction of the long awaited cross wind runway. However the project is now stalled as the Town seeks a method to fund the 10% match requirement of approximately \$2.4 Million.

Another common need of LNBs is reasonably affordable high quality homes with a layout conducive to or designed to accommodate the needs of those engaged in a live-work lifestyle. Some of Taos' historic housing stock lends itself well to a live-work lifestyle if more modern amenities can be brought to those homes. Taos has many accomplished designers and general contractors who can certainly design speculative, standard plan, and custom homes that can meet the needs of LNB entrepreneurs, but affordability will continue to be a concern with continuing high land costs. Although ideal housing might be able to be provided to LNBs in sufficient quantities, the natural beauty and community amenities will need to continue to provide a high value to these businesses in order to overcome the high price of housing for newly attracted LNBs.

Taos has made some key investments toward a LNB attraction strategy and as the remaining support structures are developed, the community will need to market to this demographic. The Community Economics Lab has been working with the state on a statewide LNB attraction strategy and has several pilot programs in place. It is advisable for the Town to consider entering into the state program as a pilot community and develop the necessary partnerships to be successful and receive state assistance with marketing and evaluation.

Areas where Taos can begin immediately to grow local LNBs include medical transcription, technical writing, editing, and legal transcription. Taos contracted with AIS Development to complete an economic development feasibility study for medical transcription in the fall of 2009. The results show that these jobs, which can be located anywhere in the US but must be provided on US soil, pay well and are in high demand. The Town of Taos should continue to pursue local LNB creation through medical transcription and similar industries to jump start LNB attraction. The same support

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systems that will be needed by locally created LNBs are the same as those that may relocate to Taos and local LNBs may be able to support a startup ESP so that support network will be in place and operational, furthering Taos' competitive position for attracting new LNBs to the community.

**Business Retention and Expansion Program:** Taos has never undertaken a formal business retention and expansion (BRE) program. Businesses have generally been able to thrive or at least limp along sufficiently in the past with no formal support or intervention. Today the loose, disorganized, and reactionary approach to BRE is insufficient. Taos has lost a number of emerging companies to competing larger cities who have provided support to their growing business and in some cases provided incentives for them to grow their business in their new location.

First and foremost Taos must execute a baseline survey of all businesses, basic and non-basic alike to understand the condition of the total local economy. The baseline survey instrument has been created and is an attachment to this plan. The survey can be self-administered or can be taken by interview. Interviewing a survey respondent is often preferable but is time consuming and manpower dependent. This survey, if completed correctly, would provide valuable information for following up with those businesses that show signs of relocation, shutdown, expansion, or stabilization assistance. The results of the survey must be kept confidential and should be used only by qualified economic development entities and personnel such as the Town Manager, Community Economic Development Director, Taos County Chamber of Commerce personnel, Taos Entrepreneurial Network Coordinator, economic development contractors, etc. To keep the data relevant and current the same survey should be completed on an annual basis but may be limited to basic industries and distressed segments of the non-basic sector.

The baseline survey can be accomplished in several ways including a sole contractor, sole staff member, or a group of volunteers and staff. The single staff member or contractor approach removes the need for training and keeps the data collection consistent but will also be very time intensive and will take much more time to complete. Using volunteers to collect the data will require training of the volunteers, coordination, and management and data collection is likely to be inconsistent although it will likely take less time to complete the survey. The method that will likely yield the best results is a combination of interviews and self-administered surveys using a single staff member or contractor who delivers the survey and arranges with the owner or manager of the business a time to either administer the survey by interview or to be collected from the business allowing them to self-administer the survey.

BRE requires actions both by qualified individuals and by groups of qualified people and organizations depending on the severity and breadth of the business concern. A task group of qualified professionals that can address BRE should be formed. This task group would most likely form out of a subset of the Taos Entrepreneurial Network and the Taos County Chamber of Commerce along with a Town staff member or contractor. The Town staff member or contractor would be responsible for administering and maintaining the BRE survey database and would be the point of

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contact for any BRE action or recommendation by the task group. The task group will need to be able to meet on short notice and act quickly either individually or by bringing the appropriate entities to the table to take action to retain or assist in the expansion of local businesses.

BRE is not glamorous. BRE rarely grabs headlines or even thanks beyond the business that is saved, retained, or expanded. But although it lacks the glitz and fanfare of business attraction it is the most effective of all basic economic development actions.

**Business Incubation:** Business incubation is similar to but more resource intensive than business retention and expansion (BRE) efforts. It also generally has a high fail rate given that many startups cannot survive more than 24 to 36 months on average. But business incubation can yield huge results, creating growing businesses that are a part of and committed to the community that supported their start. What distinguishes BRE from incubation is the maturity of the business. Most businesses that are younger than five years can benefit from an incubation approach while those businesses older than five years are most likely to benefit from a BRE approach. Businesses that can be incubated are generally split into two maturity categories: startups and mid-development. Startups are usually at the very beginning of their development to around two years of operation. This is the most unstable time for a business and where the most business failures occur and successful interventions are the most difficult to create. Mid-development businesses generally have at least two years of operating history but less than five years of operation. While the business can still be volatile there is some track record of the business to evaluate to determine what will be the best intervention for the business.

The Taos Entrepreneurial Network (TEN) is one of the most effective tools for incubating startup businesses. TEN is a collaborative network of professionals that meet on a monthly basis to provide support and networking opportunities to new business ventures. Members of TEN's network of professionals will often give up to an hour of assistance to a startup or mid-development business in the hopes that they will succeed and eventually become clients. TEN also provides a facilitator who helps connect businesses with the help they need to stabilize or grow their business or even help to gracefully shutdown a business that is failing. The Town should avoid direct incubation of startup businesses and instead should provide TEN with monetary support to ensure that the program continues to meet the needs of startups with little risk or exposure to public assets and funding.

Taos County Chamber of Commerce is an evolving entity that is moving away from its historic emphasis on Fairs, Expos, tourism marketing, visitor information and basic advocacy toward developing educational forums, workshops, and business and economic development services in addition to targeted advocacy and continuing community political forums and networking opportunities. Many Chambers of Commerce have lost their relevancy in the US and the new leadership of the Chamber has moved the organization forward. The Chamber can and should play a role in incubation, alongside TEN, and as a key partner in BRE efforts and a collaborative role in LNB attraction. The Chamber can be most helpful to its startup and mid-

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development members by matching them to experienced and long standing members that are willing to share their understanding of the Taos business environment.

The biggest role that the public sector can play in business incubation, besides supporting TEN and working collaboratively with the Chamber, is to consider the adaptive reuse of underutilized public assets, particularly the Town of Taos' Convention Center and Taos County's Historic County Courthouse. Often the biggest impediment to a growing business is to stabilize its working capital needs and exponential growth. This is usually evident in mid-development businesses that need assistance with cost reduction in order for receivables to be converted into cash and meet working capital demands. Stabilization can usually be achieved within five to seven years of business operation. One of the easiest ways for the public sector to assist these growing businesses is provide a facility for the business at an initially greatly reduced or abated rental amount and slowly increase the rent over a five year period. After the fourth or fifth year of assistance the business needs to be charged a market rental rate and thereafter be charged a market rental rate plus a rapidly escalating premium to encourage the business to relocate to a private property. Incubation needs to be short term and needs to be firmly managed in order for businesses to become self-sufficient and for new growing businesses to have access to the same assistance. Just as any basic economic development action must demonstrate net public benefit through a realistic cost-benefit analysis, any abatement or subsidy of rent must be secured and show that the community will be able to recoup its investment within a reasonable time period either through additional tax base and/or employment.

**Tourism Diversification/Stabilization:** Tourism has long been the mainstay of the basic economic sector of Taos. Visitors come to enjoy the stunning natural beauty, experience the authenticity of the living cultures, and to be inspired by and a part of the intense creative environment of Taos. The prior success of Taos has been organic and unorganized often fueled by word of mouth, history, and reputation. In the current travel climate Taos cannot remain competitive for tourism dollars without organization and effort to make the visitor experience not only seamless and simple but remarkable.

Tourism and its associated retailing and services are at its heart firmly rooted in the basic economic sector. Instead of exporting goods and services and importing revenues, the lodging industry, and associated tourism retailing and service industries import visitors who consume locally produced goods and services and leave their revenues behind in the community. Other communities have become well organized and make the visitor experience seamless and easy making the current difficulty in visiting Taos less attractive and therefore less competitive.

The highest grossing and growing sectors of the travel industry revolve around four key areas: heritage/cultural tourism; eco-tourism; adventure/experiential tourism; and sporting tourism. All of these tourism interest areas share in common some general demographic traits – these tourist are generally well educated, stay longer or make repeat visits, are willing to spend more for authenticity and unique experiences, and appreciate a strong environmental ethic. The heritage or cultural tourist generally wants to stay in an upscale historic hotel, eat at local restaurants offering traditional

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local cuisine, and tour and experience authentic historic sites and interpretation. The eco-tourist generally values the opportunity to stay in unusual accommodations that support sustainability and conservation and to participate in activities that allow the tourist to interact with the natural environment in a memorable way and leave no trace of their visitation. The adventure or experiential tourist is less concerned with accommodations and is mostly concerned with having an experience that they can never have anywhere else and are able to take back the thrill, the knowledge, and the skills that they acquired from their visit. The sporting tourist is similar to the adventure or experiential tourist in their focus on the activity that they will be engaged in during their visit be it a tournament or training camp, or other activity. Most importantly they may need sports related medical services and/or equipment during their trip in order for the experience to be positive.

The one attribute that all of these types of tourism exhibit is these tourists have a deep passion for the interest that motivates them to travel. When a person becomes passionate about an experience, they become what is known as “price insensitive”, which simply means that they will scrimp, save, and sacrifice in order to follow their passion and are willing to pay a premium for the highest quality, most authentic, and/or impactful trip.

The public sector’s role in this area is to facilitate organizing of the private sector tourism industries and forming partnerships among private, public and non-profit sectors that will support an overall effort to increase, diversify, and stabilize Taos’ tourism industry. A very key component of that support is the creation of a tourism portal website that will act as a trip planner for visitors that want to travel to Taos. In addition, the designation of Taos as an ACD has created a natural partnership between the state departments of tourism, cultural affairs, and economic development, the Town of Taos, and all segments of the creative economy that is heavily engaged in heritage or cultural tourism and adventure or experiential tourism. The state has also designated Taos as a pilot eco-tourism program and the Northern Rio Grande National Heritage Area is in its final Management Plan Approval stages and will provide yet another non-profit entity and the National Park Service to the enhancement, support, and organization of the heritage and/or cultural tourism segment. Taos is also organizing itself through the Taos Sports Alliance to address the organization of sporting tourism. The Town’s role should be to bring these diverse resources together in one virtual location and make it easy for the traveler to not only visit but to have an exceptional experience on their visit. The best way to do this is to create and maintain a portal website that also provides a trip planner.

The need for providing an organized portal with a trip planning function is based on the fact that one of the largest growing segments in travel is family vacations. The tendency is for families to try to combine multiple interests into a single trip where everyone has an opportunity to participate in something meaningful for them. For example, a son may travel to participate in a summer athletic competition, the daughter may take advantage of the opportunity for high altitude training for an upcoming competition while the mother takes a series of art classes from Taos artists and the father takes advantage of the opportunity to fish the Chama River with his son



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and watch his son's games. Modern family vacations often have multiple purposes and the wider the variety of offerings that can be conveyed the more likely you are to get the tourist to not only come, but to stay longer and make repeat trips.

Perhaps the most important physical improvement that the public sector can make in Taos is the rehabilitation of the Historic County Courthouse on the Taos Plaza and the installation of a heritage and cultural interpretive center in the historic courtroom where the WPA murals are located. Although Taos County owns the building, the County does not have the capacity to make the needed improvements to the building. Instead it will take a partnership effort between Taos County, Town of Taos, Northern Rio Grande National Heritage Area, National Park Service, Taos ACD, and the community to make it possible.

**Art/Craft Production:** The production of art and crafts, ranging from classical visual arts, to healing arts, to performance arts, to pottery, to jewelry making, to literary arts and all points between, has been a basic economic engine for Taos since its establishment as an art colony and a writer's colony starting with the establishment of the Taos Society of Artists in 1915.

With the continually increasing cost of living and sky rocketing home prices in Taos beginning in 2003, many artists have been priced out of the community and live and work outside of the local area of this plan. Part of the results of the Artist Housing Market Survey indicated a significant interest in the construction of affordable studio space. While some additional studio space may be included in a future Artspace project, it is unlikely that the Artspace building will provide enough affordable studio space to meet the current and hopefully growing demand. The Town should give consideration to assisting with the development of additional affordable studio space to retain and attract artists to Taos. In addition to making it possible to retain and attract artists, a development of this type would also provide a natural gathering place for artists to socialize and collaborate and could lead to informally structured mentorships among experienced and inexperienced artists working in similar or the same medium.

The sale of art has also changed dramatically in the last few years. Galleries are no longer limited to their physical location. To be competitive galleries are creating an internet presence, and may even participate in open air fares and events. This is particularly true of artist owned and operated galleries. Cultural markets and artist cooperative galleries are beginning to become more viable. Changes to the function and regulation of uses on the Taos Plaza have been forwarded through the recent work completed by the Taos ACD, which if implemented could add the Plaza to the list of available venues for selling art and crafts produced in Taos County. What is clear from the Artist Housing Market Survey is that not only are affordable studio spaces needed and desired, but accessible and reasonably priced venues for the sale of art and crafts is a need of the emerging artist.

**Specific Areas of Emphasis for Growing and Diversifying Taos' Basic Economic Sector:** In addition to the previous mentioned general areas of focus for economic development in Taos, there are specific areas of basic economic activity that should be considered for support to expand their cluster size in Taos at a minimum on a local level and in most cases as a part of their expansion on a regional level. The areas of specific industry cluster focus include: organic and non-toxic personal care product formulation and manufacture; software development and services; publishing, editing, and transcription; and gourmet and organic food production.

- *Organic and Non-toxic Personal Care Product Formulation and Manufacture*

As one of the few viable areas for possible manufacturing in Taos, organic and non-toxic personal care product formulation and manufacture is small but potentially growing industry cluster. Three significant businesses were established in Taos that form the beginnings of a cluster; Vapour Beauty and Private Label Select, both organic and non-toxic cosmetics formulators and manufacturers and Desert Blends, a body and bath product formulator and manufacturer. As of this update, Desert Blends has ceased operations but both Vapour Beauty and Private Label Select continue to grow. This industry cluster should be defined and their infrastructure needs identified if the Town wishes to support attracting such businesses to the area and developing it as a local cluster. Unlike some cluster focuses, this cluster can be supported by a local approach.

Despite the manufacturing aspect of this cluster, this specific subset of the personal care product industry is unique and is somewhat location dependent. Shipping costs are nominal with most products being small quantity containers and easily sent via UPS or similar parcel service. The location dependency of the business involves wild harvesting of certain materials that are present in the Taos region. Other materials are generally light weight and have low shipping costs. A value chain analysis may be useful to fully develop it as a cluster in a deliberate fashion but at a minimum a cluster definition should be made prior to pursuing attraction of new businesses in this sector. These two businesses and other unidentified businesses working in this economic sector should be targeted for retention and expansion efforts at the very least.

- *Software Development and Services*

Taos has had limited success in attracting information technology businesses due to two key limiting factors: marginal, expensive, and limited choice for broadband; and electrical supply instability. The issues surrounding broadband have been the most limiting, but with the broadband deployment through Kit Carson Electric Cooperative in partnership with REDI Net, this critical infrastructure barrier will be greatly reduced if not eliminated. The instability of power is another concern that still needs to be addressed but is less severe of an impediment than broadband. Software companies and service providers need consistent power to keep servers functional and at the correct temperature to ensure they are able to provide their products and services any time of day or night. This is particularly true with the increased globalization and interconnectedness of the world through the internet. With electrical instability comes

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the need for backup power and depending on the need the cost of devices that will provide sufficient power during an outage have a wide range in price from hundreds of dollars for individual battery backups that provide up to an hour of power to backup generators that run well into the thousands of dollars.

Taos, despite these deficits, has been able to retain and grow Siriusware, a provider of ticketing, point of sale, and resort management software and services. Siriusware has quietly become a significant local employer providing well-paying technically related jobs and contributing to the basic economic sector of Taos. To continue to grow this business and to be able to attract and incubate similar businesses, the deployment of the Kit Carson fiber optic network must be done in a timely fashion and the electrical instability issues must be addressed. Siriusware should be emphasized in the any BRE efforts to identify and implement improvements that will ensure the local community takes steps to become more information technology friendly. Currently Sirusware has almost as many remote workers as local workers due to a variety of factors but mostly centered on quality of life issues.

The new access to the super computer in Albuquerque via the new fiber optic network and easy access to Los Alamos National Laboratory should also be factored in when pursuing growth in this segment both locally and regionally.

- *Publishing, Editing, and Transcription*

The Town of Taos commissioned a study on the viability of organizing an effort to train and then move into contract employment individuals in medical transcription. During that study it was discovered that in addition to the high demand for medical transcription there is a high demand for editing of technical material, legal transcription, text book editing, etc. that can be done remotely. This area has a huge potential for local incubation with very low costs to the community. The needs of those engaged in these areas, because they are independent contractors working from home, are very similar to the needs of other location neutral businesses (LNB). If the Town were to implement the actions recommended in the AIS study, it would potentially jump start the LNB attraction strategy by providing a sufficient demand to drive the startup of a private essential service provider (ESP).

Publishing is another possibility if the community can meet the needs of independent presses such as Red Wing Book Company, an independent press for professionals engaged in eastern and western traditional healing arts. Small presses are another LNB that can benefit from the creation of a business cluster approach. Determining the needs of Red Wing may enable it to grow while also highlight the needs of similar sized publishers that the community might be able to attract. Publishing is a very intellectually intensive industry and with the ever expanding potential for internet and multi-media publishing, the need for a fixed location is rapidly fading. Red Wing Book Company is another potential strong growth business that should receive priority in the implementation of any BRE effort.

- *Gourmet and Organic Food Production*

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Taos County Economic Development Corporation (TCEDC) opened a community commercial kitchen to allow for value added agricultural businesses to develop. Constructing and equipping a commercial kitchen is a very expensive venture for any startup company. By providing this community commercial kitchen TCEDC has started many fairly successful food businesses including Pepe's Salsas, Antonio's Salsas, Tina's Burritas, Arabian Nights, and Cooking Studio Taos' Caleb and Milo brand products. The kitchen is at full capacity and is limited in what it can provide for any growing business. In order for these companies to make the transition from production for local distribution to regional distribution and eventually into interstate and national distribution, they will eventually need additional space, either shared or solely occupied by them. The problem is the high cost of the transition. Fortunately the Town of Taos has a commercial kitchen that is underutilized that could be made available for that interim step provided that the Town has a reasonable expectation of receiving benefits in excess of the costs to the public. Other commercial kitchens may also be available from private sources, but the Town is most likely the only entity that can reduce and even abate rent in order for a growing business to have the greatest chance of success in transitioning from the community kitchen to a new facility of their own.

**Regional Economic Development Focus Areas/Projects**

2013 Update: This section will need to be updated in future planning efforts and must incorporate the rest of the Enchanted Circle region in its completion. The clusters identified below are drawn directly from the REDI Plan and remain relevant to economic development in the Enchanted Circle.

Film and Media

Alternative Energy

Solar

Research and Development

Installation, Maintenance, and Repair

Value Added Agriculture

High Altitude/Hypoxic Training

**Community Economic Development Goals and Policies**

Non-basic Economic Sector Goals and Policies (Community Development):

- Goal: Implement the adopted Affordable Housing Plan in a timely fashion to ensure that the community is provided housing that is safe, decent, and affordable
- Goal: Support educational improvement for Taos Municipal Schools
  - Policy: Form a work group between Town of Taos Staff, Taos Municipal Schools and interested non-profit institutions to form partnership efforts to improve public school performance
- Goal: Support the development of a four-year degree conferring college or university
  - Policy: The Town of Taos will examine the potential adaptive reuse of underutilized Town owned buildings where UNM – Taos may be able to hold classes
  - Policy: To the extent applicable, the Town will explore the possibility of combining Town sponsored affordable housing development with the development of student housing for higher education institutions
  - Policy: Support and actively assist UNM – Taos with the development of a four year degree conferring campus relying on the installation of the KCEC fiber optic network to expand educational offerings and access rather than the traditional bricks and mortar approach.
- Goal: Enact common sense annexations
  - Policy: The Town of Taos will examine the possibility of annexing those properties where services are provided by the Town in order to capture the revenues generated on those sites that will directly support the provision of said service
    - Logical annexations, if possible, include the waste water treatment plant and associated land, regional airport, and regional landfill
- Goal: Improve transportation throughout the central business district
  - Policy: The Town of Taos will examine the possibility of a turn-back agreement from the New Mexico Department of Transportation and the US highway Department provided that all said highways meet a specific standard prior to the turn-back
  - Policy: The Town of Taos will actively pursue improvements to the traffic flow along Paseo del Pueblo from Los Pandos north to the intersection with Camino de la Placita with a focus on converting Camino de la Placita to one-way south bound and Paseo del Pueblo to one-way north bound
- Goal: Provide a proactive community oriented police force
  - Policy: The Town of Taos will examine the benefits of adding additional officers in order to shift from reactive policing to proactive community involvement
- Goal: Expand the Taos Public Library to meet current and future needs of the region

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- Policy: Formation of a regional partnership to fund the expansion and operations of the Taos Public Library which should include the possibility of housing the UNM – Taos library
  - Create a regionally based Library District that fairly distributes the cost burden of the Library among public entities in the region that use the Library's services through the Intergovernmental Council (IGC)
- Goal: Regionalize all regional services currently funded solely by the Town of Taos
  - The Airport and the Youth and Family (Y&F) Center both provide services to the region and are solely funded by the Town. The formation of a regional aviation district and a regional recreation district through the IGC will fairly distribute the cost burden of the airport and Y&F Center among public entities in the region that use their services

**Combined Non-basic and Basic Economic Sector (Hybrid) Goals and Policies**

- Improve athletic facilities and opportunities to host sporting events
  - Policy: Make key investments in existing facilities
    - Examine the true productivity of the Eco Park prior to additional public investment in building out the facility
    - Engage the community in actively funding the development of the remainder of the Eco Park
    - Examine and determine the likely pay off period for enclosing the existing ice rink and for building a new enclosed ice rink
      - Make public improvements to the existing ice rink if positive return is possible
      - Publicly fund the master plan of the development of the Youth and Family Center Property and full design of a new ice rink if a positive return is possible in a reasonable time period
- Build out the master plan for the full development of the Taos Community Auditorium
  - Policy: The Town of Taos will actively support the fund raising efforts of the community to construct the remainder of the master plan for the development of the Taos Community Auditorium

**Local Basic Economic Sector Goals and Policies (Economic Development):**

- Provide performance based assistance to basic economic sectors
  - Policy: The Town of Taos will only participate in performance based assistance to basic economic companies using objective benchmarks to ensure fair and accurate performance evaluation
  - Policy: Any economic development assistance provided by the Town of Taos must show a positive return on the investment of public funds, property, or other public asset within ten years of the provision of public assistance

## Town of Taos

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- Attract location neutral businesses and industry clusters to the Town and the region
  - Policy: The Town of Taos will actively engage in improving the quality of life in Taos
  - Policy: The Town of Taos will work with the New Mexico Partnership to identify specific sectors that the Partnership can effectively market the community to in order to attract location neutral businesses to Taos
  - Policy: The Town of Taos will continue to support Kit Carson Electric Cooperative with the deployment of the Kit Carson fiber optic network
  - Policy: The Town of Taos will develop and adopt a live-work ordinance to allow for mixed use buildings and dwelling units.
  - Policy: The Town of Taos will implement the recommendations of the AIS Development Study regarding the development of remote medical transcription and similar location neutral business on the local level to jump start the attraction of other location neutral businesses
- Retain and Expand local businesses
  - Policy: The Town of Taos will support a third party that will annually conduct the Business Retention and Expansion Survey included as an appendix to this plan
    - This survey must be done in an interview method by trained economic development professionals in order to be effective
  - Policy: The Town of Taos will create and staff a Business Retention and Expansion Task Group to create recommendations for Town Council action and to create individual and group intervention strategies to retain and to assist in the expansion of local businesses
- Incubate local businesses
  - Policy: The Town of Taos will avoid directly incubating startup companies (those companies with less than three (3) years of successful operating history) but will continue to support Taos Entrepreneurial Network to provide support to startup companies
  - Policy: The Town of Taos will consider the use of existing public assets to assist in or directly incubate mid-development companies
  - Policy: The Town of Taos will, to the extent the Taos County Commission desires and the Town Council approves, assist in the renovation of the Taos County Courthouse with the specific goals of developing a heritage and cultural interpretive center in the historic courtroom where the Taos WPA murals are located and development of the remainder of the building as a location for business incubation or other use as determined by the community and supported by the Taos County Commission
- Diversify and stabilize the tourism sector
  - Policy: The Town of Taos will continue to provide appropriate marketing of the community using lodgers tax funds
  - Policy: The Town of Taos will facilitate an effort to develop a tourism portal site with a trip planner to assist in the organization and marketing of the growing segments of the travel industry, specifically focusing on heritage/cultural, eco, adventure/experiential, and sporting tourism

## **Town of Taos**

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- The Town of Taos will assist in locating funding to design and establish the internet portal site and trip planner and will contribute to maintaining the portal site and trip planner
- Reinvigorate the production of art and crafts in Taos
  - Policy: The Town of Taos will explore ways that the Town can assist with the development of affordable studio space
  - Policy: The Town of Taos will pursue live-work zoning code amendments to increase the availability of affordable live-work space
- Emphasize the definition of and direct assistance with the development of a local cluster for the areas of organic and non-toxic personal care product formulation and manufacture; software development and services; publishing, editing, and transcription; and gourmet and organic food production
  - Policy: The BRE Survey will place emphasis on these key areas and other basic industries to identify the needs of these clusters and the BRE Task Group will make recommendations for steps the community can take to make the expansion, retention , and attraction of these key industry segments in Taos

#### **Regional Basic Economic Sector Goals and Policies (Economic Development):**

- These goals and policies should be developed under a regional effort.



**FINANCE**

The Town should develop an economic development financing plan that will examine the full range of options available to the Town for financing public support of economic development. The Town should fund assistance or internally further examine the following potential funding methods, which should also be examined as a part of the Downtown Master Plan as funded by a State Grant that was secured through New Mexico Main Street – Arts and Cultural District:

Metropolitan Redevelopment Area: This requires a declaration of blight which is most likely unpalatable to the community and local leadership and should be only pursued if there is unanimous agreement that it is necessary.

Tax Increment Finance: This may be a feasible option but more in depth analysis is needed.

Tax Increment Development Districts: This may be a feasible option but more in depth analysis is needed.

Business Improvement Districts: This is a very possible source of not only funding but a way to provide cohesion for local retailers, especially those located in the downtown. This will also shift much of the economic development funding burden to the private sector and will convey greater private sector control than other financing options. This may be a feasible option but more in depth analysis is needed.

Economic Development Local Option GRT (ED LOGRT): Currently the Town is effectively blocked from using this tax. This tax must be approved by an election and it must have access to the local infrastructure related GRT. Currently the Town has maximized its infrastructure tax to the limits of New Mexico Law and further more cannot meet the essential test for electing to use this tax as the General Fund Tax, which may be approved by a simple declaration by the Town Council, is not at its statutory limit. The Council can, in its discretion, raise the General Purpose tax by .5%. Doing so would allow for a restructuring of the infrastructure tax which could then be taken to the public for a vote to enact an ED LOGRT. Those funds would be authorized for use only for specific purposes identified in the ballot measure that is approved by election in the community. These funds are also restricted to basic economic activities and cannot (and should not) be used for any retail venture or other non-basic activity. This may be a feasible option but more in depth analysis is needed.

Quality of Life Local Option GRT: This may be a feasible option but more in depth analysis is needed.

### **STATE INCENTIVES**

The Town should fund assistance or internally further examine funding methods including State incentives, which should also be examined as a part of the Downtown Master Plan as funded by a State Grant that was secured through New Mexico Main Street – Arts and Cultural District

### **LOCAL INCENTIVES**

The Town should fund assistance or internally further examine the use of local incentives in addition to other funding methods, which should also be examined as a part of the Downtown Master Plan as funded by a State Grant that was secured through New Mexico Main Street – Arts and Cultural District.

### **APPLICATION, REVIEW, COST-BENEFIT, AND PUBLIC SAFEGUARDS**

Per the New Mexico Local Economic Development Act and the Taos Local Economic Development Ordinance, collectively referred to as LEDA, the Town of Taos shall:

1. At an initial intake interview the Town or the Town's representative shall determine if the potential applicant is a qualifying entity as defined in §4.20.040 of LEDA.
2. An application shall be prepared with assistance from the Town or the Town's representative only if the potential applicant is determined to be a qualifying entity under LEDA.
  - a. The application must contain all required information as set forth in the Town of Taos Application for Economic Development Assistance and LEDA
3. Upon completion and submission of a complete application by the applicant, the Town or the Town's representative shall review the application and perform an independent cost-benefit analysis
  - a. Multiplier effects above three (3) shall not be considered.
  - b. All multiplier effects must be reasonably associated with the direct impacts of the proposed project. Indirect effects will not be considered.
  - c. The National Development Council's standard analysis methods or Town approved equivalent shall be used to evaluate the solvency and growth potential of an applicant.
4. Upon completion of the review and analysis of the application, Town Staff or the Town's representative shall forward the application and review to the Town Council for review and approval. Project participation agreements will only be considered for Town Council approved applications.

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5. Upon Town Council approval of an application, Town Staff or the Town's representative shall prepare a Project Participation Agreement (PPA) for Town Council consideration.
  - a. All PPAs must be performance based and must include sufficient objective measures to determine performance.
  - b. All PPAs must demonstrate a positive return on the public investment within ten (10) years of the adoption of the ordinance approving the PPA.
  - c. All PPAs must include safeguards for the public investment as required by LEDA.
  - d. All PPAs must contain, at a minimum, the contents required by LEDA.
  - e. A draft of all PPAs shall be made available through the Town Manager to the Town Council prior to adoption.
  - f. All PPAs shall be approved by ordinance by the Town Council.

**ATTACHMENTS**

Annual Business Retention and Expansion Survey

Application for Economic Development Assistance

Standard Review Criteria for Applications for Economic Development Assistance

Model Ordinance for Adopting a Project Participation Agreement

Model Project Participation Agreement

State of New Mexico's Local Economic Development Act

Town of Taos' Local Economic Development Act Ordinance

**Business Retention & Expansion Survey**

The purpose of this survey is to learn more about companies in the Taos area and about ways the Community can best support our existing companies. In addition to learning information that will help in planning programs and services for area companies, your responses will enable us to identify ways in which we can support your specific company. This survey is being conducted as a part of a business expansion and retention program. All individual responses to this survey will be held in strict confidence.

**Business Profile**

Company Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Website: \_\_\_\_\_

Product/Service(s): \_\_\_\_\_

NASIC code: \_\_\_\_\_ Number of Employees: \_\_\_\_\_ Years at Location: \_\_\_\_\_

Site Size (acres): \_\_\_\_ Building Size (sq. ft.): \_\_\_\_\_

Parent Company?: Yes No Name: \_\_\_\_\_

Other Locations: \_\_\_\_\_

Corporate Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

May we contact him/her?: \_\_\_\_\_ HQ Phone: \_\_\_\_\_

**Markets/Products**

What markets does your company serve? (indicate % of total sales in each market)

\_\_\_\_ Local                      \_\_\_\_ County (outside of town)                      \_\_\_\_ State (outside of county)

\_\_\_\_ National (outside of state)                      \_\_\_\_ International (Total should equal 100%)

Please provide some information about up to four of your top products:

1. \_\_\_\_\_

2. \_\_\_\_\_

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3. \_\_\_\_\_

4. \_\_\_\_\_

Product Customers (Industry or demographic type)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Outlook for new or additional markets:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Would you be interested in assistance in locating local customers? Yes No

If yes, what assistance would you require? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Raw Materials/Suppliers**

Consider your company's major raw materials. Which goods or services purchased from outside the area would you prefer to purchase locally if available at a comparative price?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**Personnel/Labor**

Total Employees: \_\_\_\_\_ % Union : \_\_\_\_\_ Union Name(s): \_\_\_\_\_

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What percentage of your labor force is: Skilled \_\_\_\_\_ Semi-Skilled \_\_\_\_\_ Unskilled \_\_\_\_\_

Clerical \_\_\_\_\_ Management \_\_\_\_\_

What approximate percentage of your employees live within (miles) \_\_\_\_\_ 0-5 \_\_\_\_\_ 6-15  
\_\_\_\_\_ 16+

Current employment status: \_\_\_\_\_ Hiring \_\_\_\_\_ Stable \_\_\_\_\_ Downsizing

What demand do you anticipate for additional work force during the next five (5) years?

2014 \_\_\_\_\_ 2015 \_\_\_\_\_ 2016 \_\_\_\_\_ 2017 \_\_\_\_\_ 2018 \_\_\_\_\_

Number of hourly skilled \_\_\_\_\_ Number of hourly unskilled \_\_\_\_\_

Number of clerical \_\_\_\_\_ Number of supervisory/technical \_\_\_\_\_

**Availability of Workers**

Consider the following labor-skill classes, and circle the number that best represents your opinion of their availability for employment locally and the quality of basic skills possessed by new employees:

5=Excellent      4=Good      3=Average      2=Poor      1=No Opinion

	Skill Class Availability	Quality of Skills
Professional/Management	1 2 3 4 5	1 2 3 4 5
Skilled	1 2 3 4 5	1 2 3 4 5
Semi-Skilled	1 2 3 4 5	1 2 3 4 5
Unskilled	1 2 3 4 5	1 2 3 4 5
Clerical	1 2 3 4 5	1 2 3 4 5

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Other \_\_\_\_\_ 1 2 3 4 5 1 2 3 4 5

If recruiting personnel is difficult, what factors contribute to these difficulties? (check all that apply)

\_\_\_\_ Labor supply shortage \_\_\_\_ Skills not adequate \_\_\_\_ Lack of public transportation

\_\_\_\_ Affordable housing \_\_\_\_ Available housing

\_\_\_\_ Other \_\_\_\_\_

How do you recruit labor? \_\_\_\_ Newspapers \_\_\_\_ Colleges \_\_\_\_ Job Services

\_\_\_\_ Temp Agencies \_\_\_\_ Word of Mouth \_\_\_\_ Other (explain)

\_\_\_\_\_

What other labor difficulties, if any, have you experienced (turnover, productivity, union activity, trailing spouse, etc.)?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Quality of Skills**

Skill needs not met: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Has your company participated in any state-sponsored job training programs? Yes No

Results: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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Have you worked with any of the following to provide customized training for your employees? (check all that apply)

\_\_\_ UNM Taos \_\_\_ SMU in Taos \_\_\_ Highlands University \_\_\_ Northern NM College

Would you be interested in job training programs designed to meet your needs? Yes No

If yes, what specific types of training? \_\_\_\_\_

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**Community Services/Assistance**

Please rate the following community resources for the community in which your facility is located according to their quality and cost, circling the response which best matches your opinion:

1= Excellent      2=Good      3=Average      4=Poor      5=No Opinion

	Service Quality	Cost Rates
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*Utilities*

Water Sewer	1 2 3 4 5	1 2 3 4 5
-------------	-----------	-----------

Electric	1 2 3 4 5	1 2 3 4 5
----------	-----------	-----------

Gas	1 2 3 4 5	1 2 3 4 5
-----	-----------	-----------

Telecommunications	1 2 3 4 5	1 2 3 4 5
--------------------	-----------	-----------

Internet	1 2 3 4 5	1 2 3 4 5
----------	-----------	-----------

*Transportation*

Air	1 2 3 4 5	1 2 3 4 5
-----	-----------	-----------

Public Transportation	1 2 3 4 5	1 2 3 4 5
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Truck	1 2 3 4 5	1 2 3 4 5
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*Community Services*

Health Care	1 2 3 4 5	1 2 3 4 5
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Entertainment/Recreation	1 2 3 4 5	1 2 3 4 5
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Education (K-12)	1 2 3 4 5	1 2 3 4 5
Higher Education (colleges, etc)	1 2 3 4 5	1 2 3 4 5
Police Protection	1 2 3 4 5	1 2 3 4 5
Fire Protection	1 2 3 4 5	1 2 3 4 5
Paramedic/EMT Service	1 2 3 4 5	1 2 3 4 5
Streets & Highways	1 2 3 4 5	1 2 3 4 5
Other _____	1 2 3 4 5	1 2 3 4 5

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Business Activity/Business Climate:**

Please list or describe the greatest advantages of operating your business in the following areas?

Town of Taos \_\_\_\_\_

\_\_\_\_\_

Taos County \_\_\_\_\_

\_\_\_\_\_

State of New Mexico \_\_\_\_\_

\_\_\_\_\_

Please list the greatest disadvantages of operating your business in the following areas?

Town of Taos \_\_\_\_\_

\_\_\_\_\_

Taos County \_\_\_\_\_

\_\_\_\_\_

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State of New Mexico \_\_\_\_\_  
\_\_\_\_\_

What recommendations do you have for improving the business climate or quality of life in these areas?

Town of Taos \_\_\_\_\_  
\_\_\_\_\_

Taos County \_\_\_\_\_  
\_\_\_\_\_

State of New Mexico \_\_\_\_\_  
\_\_\_\_\_

Does your company plan to establish new or expanded operations outside the Taos County area? Yes No

If yes, where/why? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Does your company anticipate a need to reduce or phase out a local facility? Yes No

If yes, when/why? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In which of the following areas has your company expanded in the past year? (check all that apply)

\_\_\_\_ Facility      Approximate Investment: \$\_\_\_\_\_

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\_\_\_ Equipment      Approximate Investment: \$\_\_\_\_\_

\_\_\_ Employment      # new employees: \_\_\_\_\_

In which of the following areas do you anticipate growth in the next year? (check all that apply)

\_\_\_ Facility      Approximate Investment: \$\_\_\_\_\_

\_\_\_ Equipment      Approximate Investment: \$\_\_\_\_\_

\_\_\_ Employment      # new employees: \_\_\_\_\_

At what percent of production capacity is your local facility operating? \_\_\_\_%

Are you planning an expansion or new facilities within the area within the next five years? Yes No

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

**Business Assistance**

Is your company currently challenged by any of the following issues? (check all that apply)

\_\_\_ Utilities    \_\_\_ Physical Space      \_\_\_ Vandalism      \_\_\_ Capital Financing

\_\_\_ Labor    \_\_\_ Transportation      \_\_\_ Safety      \_\_\_ Taxes

\_\_\_ Government Regulation      \_\_\_ Environmental Issues

\_\_\_ Business Mgmt.    \_\_\_ Drainage    \_\_\_ Marketing    \_\_\_ Other (specify) \_\_\_\_\_

Please describe the most critical issue currently facing your company: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How can the community help? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Town of Taos**  
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Are there any specific challenges your company is facing which the community can assist in resolving?

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Are there any additional industry or other support services that you feel are needed in the area?

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What else can the community do to enhance your company's effectiveness or profitability in the Taos area?

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Would you like any information regarding any of the programs listed below? (check all that apply)

<input type="checkbox"/> Federal Financing Programs	<input type="checkbox"/> Worker Training Programs
<input type="checkbox"/> State Financing Programs	<input type="checkbox"/> Industrial Revenue Bonds
<input type="checkbox"/> State Incentive Programs	<input type="checkbox"/> Technical Assistance
<input type="checkbox"/> Other: _____	

Thank you for completing our survey. Your assistance in this project is critical as we develop new programs to help make your company more successful. A member will visit your office in the near future to discuss the results of the survey with you and to obtain any additional input you may wish to provide. In the meantime, if you have any questions, please contact X by telephone at 575.xxx.xxxx or by email at [X](#).

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**Town of Taos**  
**Economic Development Assistance Application**

The Town of Taos has adopted an ordinance for local economic development that comports with the Local Economic Development Act (LEDA) of the state of New Mexico. The Town of Taos is committed to diversifying, stabilizing, and growing the economic base employment sector of the Taos economy. In order to receive economic development assistance from the Town of Taos, an interested party must complete this application. The application will then be reviewed and if the Town of Taos believes that the application has merit, a Taos Economic Development Project Participation Agreement will be prepared for Town Council consideration.

Please provide the following information:

1. Identification information:

- a. Complete name and address of the qualifying entity;
- b. Incorporation papers with bylaws;
- c. List of board of directors and executive directors, with addresses; and
- d. Resumes of all directors and officers.

2. Evidence of financial solvency (personal statements of principals):

- a. Financial statements (income statements and balance sheets) for the past three (3) years;
- b. Federal tax numbers, New Mexico state taxation and revenue number and town's business license;
- c. Projected income statement for at least three (3) years.

3. Evidence of organizational capacity:

- a. Brief history of the qualifying entity;
- b. Organizational chart of the qualifying entity;
- c. Business plans for the qualifying entity and proposed project (including cash flow analysis);
- d. Evidence of ability to manage the project, such as, but not limited to:
  - (1) List and description of previously completed projects; and
  - (2) Resumes of key staff involved with project;
- e. The qualifying entity shall disclose the following information (if the answer is yes, the entity shall attach a written explanation):
  - (1) Has the qualifying entity or any of its officers ever been involved in a bankruptcy?
  - (2) Has the qualifying entity or any of its officers ever defaulted on obligations on which payments are not current?

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(3) Does the qualifying entity have any loans or other financial obligations on which payments are not current?

4. Funding sources for the proposed economic development project:
  - a. Equity investment of qualifying entity;
  - b. Specific assistance being requested of the town (e.g., specific parcel of land, applicable fees, etc.), with the estimate of value; and
  - c. Funding sources other than the town with letters of commitment of intent to fund.
5. A complete and specific description of the proposed economic development project, including, but not necessarily limited to:
  - a. Business activities to be conducted;
  - b. Management and staffing requirements;
  - c. Property and equipment requirements;
  - d. Markets;
  - e. Transportation requirements;
  - f. Utility requirements, including, but not limited to, electric, gas, and water;
  - g. Solid and liquid waste disposal requirements;
  - h. Infrastructure requirements;
  - i. Regulatory compliance requirements; and
  - j. Environmental assessment.
6. A complete and specific cost benefit analysis. The source and rationale for any multiplier effects shall be identified. The cost benefit analysis shall show that the town will recoup the value of its donation within a maximum period of ten (10) years.
7. A complete and specific description of the proposed economic development project's substantive contributions to the town including, but not limited to, such factors as in-kind services to the town, jobs, expanded tax base, property or other thing or service of value for the expansion or improvement of the economy.
8. A complete and specific description of the employee job training and career development plan for the proposed economic development project.
9. Any other information necessary for the town to make a determination as to whether or not the applicant is a qualifying entity.
10. Any other information required of the applicant by the governing body. (Ord. 00-22 § 7, 2000)

**Town of Taos**  
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**Town of Taos**  
**Economic Development Assistance Application Review**

All applications to the Town of Taos shall be reviewed under the following criteria:

1. Compliance with all requirements for an "economic development project" and a "qualifying entity";

**ECONOMIC DEVELOPMENT PROJECT:** The provision of direct or indirect assistance to a qualifying entity and includes the purchase, lease, grant, construction, reconstruction, improvement or other acquisition or conveyance of land, buildings or other infrastructure; public works improvements essential to the location or expansion of a qualifying entity; payments for professional services contracts necessary for local or regional governments to implement a plan or project; the provision of direct loans or grants for land, buildings or infrastructure; loan guarantees securing the cost of land, buildings or infrastructure in an amount not to exceed the revenue that may be derived from the municipal infrastructure gross receipts tax or the county infrastructure gross receipts tax; grants for public works infrastructure improvements essential to the location or expansion of a qualifying entity; purchase of land for a publicly held industrial park; and the use or construction of a building for use by a qualifying entity.

**QUALIFYING ENTITY:** A corporation, limited liability company, partnership, joint venture, syndicate, association or other person that is one or a combination of two (2) or more of the following:

- A. An industry for the manufacturing, processing, or assembling of any agricultural or manufactured products;
- B. A commercial enterprise for storing, warehousing, distribution or selling products of agriculture, mining or industry, but other than provided in subsection D or E of this definition, not including any enterprise for sale of goods or commodities at retail or for the distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities;
- C. A business in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than provided in subsection D of this definition, not including businesses primarily engaged in the sale of goods or commodities at retail;



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D. A telecommunications sales enterprise that makes the majority of its sales to persons outside of New Mexico; or

E. A facility for the direct sales by growers of agricultural products, commonly known as farmers' markets.

2. Feasibility and substantive contribution of the proposed economic development project;

3. Evidence of financial solvency and financial ability to undertake and complete the proposed economic development project;

4. Qualifications of the principals to undertake and complete the proposed economic development project;

5. Stability of the qualifying entity and organizational capacity to undertake and complete the proposed economic development project;

6. Cost benefit analysis that includes:

a. The number and types of jobs to be created both temporary construction jobs and permanent jobs (by New Mexico department of labor job category);

b. Pay scales of jobs;

c. Determination of which jobs are expected to be filled locally and which will be filled by transfers from other facilities or recruited from outside the Taos area;

d. Total payroll expected at startup and after one year;

e. Anticipated impact of project on local tax base; and

f. Anticipated impact on local school system; and

g. Anticipated impact on regional environment; and

h. Anticipated impact on utilities, water, and other infrastructure; and

i. Anticipated impact on the community socioeconomic structure and cultural and historical heritage.

j. Benefits derived by the Town through a Project Participation Agreement must demonstrate a net benefit to the Town within the required ten year period of the Project Participation Agreement.



**ORDINANCE 1X-XX**

**AN ORDINANCE OF THE TOWN OF TAOS APPROVING A LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE TOWN OF TAOS AND XXXXXXXX FOR ECONOMIC DEVELOPMENT ASSISTANCE FROM THE TOWN OF TAOS IN THE FORMS OF XXXXXXXX IN RETURN FOR THE PROVISION OF THE FOLLOWING ECONOMIC BENEFITS TO THE TOWN IN THE FORMS OF XXXXXXXX.**

**WHEREAS**, the Town Council met in Regular Session this \_\_\_\_ day of \_\_\_\_, 201X; and,

**WHEREAS**, the Town Council concludes that the attached Project Participation Agreement will stimulate economic development in a manner consistent with the Town's adopted Interim Community Economic Development Strategic Plan and Comprehensive Plan Element; and,

**WHEREAS**, the Town Council pursuant to the New Mexico Local Economic Development Act, NMSA 1978 §§ 5-10-1, *et seq.*, and the Town's Economic Development Ordinance §§ 4.20.020, *et seq.*, believes it is in the best interest of the Town of Taos and in the interests of economic development to enter into the attached Project Participation Agreement;

**NOW, THEREFORE, BE IT ORDAINED**, The Town of Taos Council hereby adopts and approves the Project Participation Agreement entered into by and between the Town of Taos and XXXXXXXXXX for the XXXXXXXX and the provision of economic benefit to the Town in the forms XXXXXXXX and the safeguarding of public resources, and dated XXXXXX in substantially the form attached.

This ordinance shall become effective as provided by law.

**ORDAINED, ADOPTED, APPROVED, AND RATIFIED** this XXXXXX day of XXXX, 201X by the following vote:

Councilman Rudy Abeyta \_\_\_\_\_

Councilwoman Amy Quintana \_\_\_\_\_

Councilman Eugene Sanchez \_\_\_\_\_

Councilman Michael Silva \_\_\_\_\_

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\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
TOWN ATTORNEY

Project Participation Agreement  
**PROJECT PARTICIPATION AGREEMENT**  
**BETWEEN THE TOWN OF TAOS AND**  
**XXXXXXXXXXXXXXX**

This Local Economic Development Project Participation Agreement (the “Agreement”) is entered into as of this XXXX day of XXXXX, 201X, by and between the Town of Taos, New Mexico (the “Town”), an incorporated Municipal entity of the State of New Mexico and XXXXXXXX (the “Company”).

**WHEREAS**, the Town has adopted Ordinance 00-22 implementing the Local Economic Development Act of the State of New Mexico pursuant to §5-10 NMSA 1978; and,

**WHEREAS**, the Town has approved and adopted the Town of Taos Interim Community Economic Development Strategic Plan which meets the requirements of the Local Economic Development Act (LEDA) §5-10-6 NMSA 1978 which includes the assistance of economic development projects in any legally permissible manner; and,

**WHEREAS**, XXXXXXXXXX has been determined to be a qualifying entity as required under LEDA and Taos Town Code §4.20.040; and,

**WHEREAS**, the Town of Taos intends for XXXXXXXXXX provided within this Agreement to be used to generate additional XXXXXXXXXX for the Town of Taos; and,

**WHEREAS**, the application for economic development assistance has been completed by the Company and reviewed and approved by the Taos Town Council; and,

**WHEREAS**, the Town and the Company desire to enter into this Agreement without which said economic benefits would not otherwise be possible.

**NOW THEREFORE**, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

**Section 1: Contributions:**

- 1.1 The Town of Taos agrees to provide XXXXXXXXXX
- 1.2 The Company agrees to provide XXXXXXXXXX

**Section 2: Performance:** The Company shall meet the following performance measures over the ten (10) years that this agreement is effective:

**Section 3: Performance Schedule, Review, and Temination:** The Company shall meet the following benchmarks by the dates listed in the schedule below:

The Town shall annually review the performance of the Company to the above performance schedule to ensure that the Company is satisfying its obligations set forth in this agreement. If

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the Company fails to meet its obligations, the Town may require the Company to take corrective action according to a schedule as set by the Town at the Company's sole expense. If the Company fails to meet its obligations or take the actions necessary to meet its obligations, then the Town may at its sole option proceed to terminate this Agreement.

**Section 4: Security of Public Investment:** The Company agrees to the following methods of securing the interest of the public proportionate to the investment of public funds, property, or other means of assistance:

**Section 5: Dispute Resolution:** The parties will work in good faith to resolve any disputes that arise hereunder. In the event of a dispute by the parties, the President of the Company or a designee and the Director of Community Economic Development or a designee shall meet and attempt in good faith to resolve the dispute. If the dispute remains unresolved the Company representative shall meet with the Town Manager and attempt in good faith to resolve the dispute. Nothing contained in this Agreement constitutes a waiver of any party's right to seek judicial relief.

**Section 6: Force Majeure:** Neither party shall be liable to the other party for any failure to perform any provisions of obligations of this Agreement if such failure is caused by or results directly or indirectly from Force Majeure. "Force Majeure" means any cause beyond the reasonable control of a party affected, including but not limited to, any acts of God, fire, flood, storm, strike, riot or civil disturbance, war, earthquake, lightning, epidemic, labor disturbance, sabotage, or restraint by court or public authority, or any other cause beyond the reasonable control of a party affected whether similar or dissimilar to the ones listed, which makes it impossible or unreasonably difficult for a party to perform its obligations under this agreement. Nothing contained in this paragraph shall be construed to require either party to prevent or settle a strike against its will. The party unable to perform its obligations due to Force Majeure will provide written notice to the other party within five (5) working days of its becoming aware of the Force Majeure or its inability to perform and its expectations as to when, if ever, it will be able to resume its obligations. "Business Climate Changes" are not within the definition of Force Majeure.

**Section 7: Notices:** All notices or other written communications, including requests for disbursement, that are permitted to be given pursuant to this Agreement must be in writing and delivered personally, by a recognized courier service, by a recognized overnight delivery service, by fax, by electronic mail, or by registered or certified mail, postage prepaid, to the parties at the addresses shown in this Agreement. If notice is mailed, it will be deemed received on the earlier of actual receipt or on the third business day following the date of mailing. If notice is hand delivered or sent by overnight delivery service, it will be deemed received upon actual delivery. If any written notice is facsimile or electronic mail, it will be deemed received when printed or written confirmation of the transaction. A party may change its notice address by written notice to the other party to this Agreement. The initial notice addresses for the parties are as follows:

If to the Town of Taos:

Office of the Town Manager

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400 Camino de la Placita  
Taos, New Mexico 87571  
Tel. (575) 751-2000  
Fax: (575) 751-2026  
e-mail:

If to the Company:

XXXXXXXXXX  
XXXXXXXXXX  
XXXXX, XXXXXXXX XXXXX  
Tel. (XXX) XXX-XXXX  
Fax: (XXX) XXX-XXXX  
e-mail: [XXXXXXXX@XXXXXXXX.XXX](mailto:XXXXXXXX@XXXXXXXX.XXX)

**Section 8: Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of New Mexico. In the event and to the extent (and only to the extent) unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or part of a provision of this Agreement. The parties agree that should judicial action invalidate this Agreement or related agreements, or any provisions thereof, the parties shall have no further obligation or liability to any other party with respect to the invalidated provisions.

**Section 9: Headings:** The heading and captions contained in this Agreement are included for convenience only and shall not be considered a part of this Agreement or affect in any manner the construction or interpretation of this Agreement.

**Section 10: Counterparts:** This Agreement may be signed in any number of counterparts, each of which shall be an original, with the same effect as if the signatures hereto and thereto were upon the same instrument.

**Section 11: Successors and Assigns:** This Agreement binds and inures to the benefit of the Town and the Company and their respective successors and permitted assigns. This Agreement may not be assigned without the written consent of the non-assigning party.

**Section 12: Entire Agreement:** This Agreement represents the entire agreement of the parties on the subject hereof and supersedes all prior agreements or understandings between the parties, whether written or verbal. This Agreement may be amended or modified only in writing duly executed by both parties and the performance by any party of its obligations under this Agreement may be waived only in a written instrument duly executed by both parties.

Executed by the parties hereto as of the date first above written.

Town of Taos, New Mexico  
An incorporated Municipality of the State of New Mexico

Town of Taos  
*2013 Updated Community Economic Development Strategic Foundational Plan/Element*

By: \_\_\_\_\_  
X, Mayor

The Company

By: \_\_\_\_\_

Its: \_\_\_\_\_

**State of New Mexico's  
2010 Local Economic Development Act  
Refer to Statutes for Any Amendments**

5-10-2 Purpose

A. The legislature finds that:

- (1) development of the New Mexico economy is vital to the well-being of the state and its residents;
- (2) it is difficult for municipalities and counties in New Mexico to attract and retain businesses capable of enhancing the local and state economy without the resources necessary to compete with other states and locales;
- (3) municipalities and counties may need to be able to provide land, buildings and infrastructure as a tool for basic business growth and the introduction of basic business ventures into the state;
- (4) it is in the best interest of the state, municipalities and counties to encourage local or regional solutions to economic development; and
- (5) the access to public resources needs to be carefully controlled and managed for the continued and future benefit of New Mexico citizens.

B. The purpose of the Local Economic Development Act is to implement the provisions of the 1994 constitutional amendment to Article 9, Section 14 of the constitution of New Mexico to allow public support of economic development to foster, promote and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources. Further, the purpose of that act is to allow municipalities and counties to enter into joint powers agreements to plan and support regional economic development projects, including investments in arts and cultural districts created pursuant to the Arts and Cultural District Act [15-5A-1 NMSA 1978].

5-10-3 Definitions

As used in the Local Economic Development Act:

A. "arts and cultural district" means a developed district of public and private uses that is created pursuant to the Arts and Cultural District Act [15-5A-1 NMSA 1978];



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B. "cultural facility" means a facility that is owned by the state, a county, a municipality or a qualifying entity that serves the public through preserving, educating and promoting the arts and culture of a particular locale, including theaters, museums, libraries, galleries, cultural compounds, educational organizations, performing arts venues and organizations, fine arts organizations, studios and media laboratories and live-work housing facilities;

C. "department" means the economic development department;

D. "economic development project" or "project" means the provision of direct or indirect assistance to a qualifying entity by a local or regional government and includes the purchase, lease, grant, construction, reconstruction, improvement or other acquisition or conveyance of land, buildings or other infrastructure; public works improvements essential to the location or expansion of a qualifying entity; payments for professional services contracts necessary for local or regional governments to implement a plan or project; the provision of direct loans or grants for land, buildings or infrastructure; technical assistance to cultural facilities; loan guarantees securing the cost of land, buildings or infrastructure in an amount not to exceed the revenue that may be derived from the municipal infrastructure gross receipts tax or the county infrastructure gross receipts tax; grants for public works infrastructure improvements essential to the location or expansion of a qualifying entity; grants or subsidies to cultural facilities; purchase of land for a publicly held industrial park or a publicly owned cultural facility; and the construction of a building for use by a qualifying entity;

E. "governing body" means the city council, city commission or board of trustees of a municipality or the board of county commissioners of a county;

F. "local government" means a municipality or county;

G. "municipality" means an incorporated city, town or village;

H. "person" means an individual, corporation, association, partnership or other legal entity;

I. "qualifying entity" means a corporation, limited liability company, partnership, joint venture, syndicate, association or other person that is one or a combination of two or more of the following:

(1) an industry for the manufacturing, processing or assembling of agricultural or manufactured products;

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- (2) a commercial enterprise for storing, warehousing, distributing or selling products of agriculture, mining or industry, but, other than as provided in Paragraph (5) or (6) of this subsection, not including any enterprise for sale of goods or commodities at retail or for distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities;
- (3) a business in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than as provided in Paragraph (5) of this subsection, not including businesses primarily engaged in the sale of goods or commodities at retail;
- (4) an Indian nation, tribe or pueblo or a federally chartered tribal corporation;
- (5) a telecommunications sales enterprise that makes the majority of its sales to persons outside New Mexico;
- (6) a facility for the direct sales by growers of agricultural products, commonly known as farmers' markets;
- (7) a business that is the developer of a metropolitan redevelopment project; and
- (8) a cultural facility; and

J. "regional government" means any combination of municipalities and counties that enter into a joint powers agreement to provide for economic development projects pursuant to a plan adopted by all parties to the joint powers agreement.

**5-10-4 ED Spending Limitations**

A. No local or regional government shall provide public support for economic development projects as permitted pursuant to Article 9, Section 14 of the constitution of New Mexico except as provided in the Local Economic Development Act or as otherwise permitted by law.

B. The total amount of public money expended and the value of credit pledged in the fiscal year in which that money is expended by a local government for economic development projects pursuant to Article 9, Section 14 of the constitution of New Mexico and the Local Economic Development Act shall not exceed ten percent of the annual general fund expenditures of the local government in that fiscal year. The limits of this subsection shall not apply to:

- (1) the value of any land or building contributed to any project pursuant to a project participation agreement;
- (2) revenue generated through the imposition of the municipal infrastructure gross receipts tax pursuant to the Municipal Local Option Gross Receipts Taxes Act [7-19D-1 NMSA 1978] for furthering or implementing economic development plans and projects as defined in the Local Economic Development Act or projects as defined in the Statewide Economic Development Finance Act [6-25-1 NMSA 1978]; provided that no more than the greater of fifty thousand dollars (\$50,000) or ten percent of the revenue collected shall be used for promotion and administration of or professional services contracts related to the implementation of any such economic development plan adopted by the governing body;
- (3) revenue generated through the imposition of a county infrastructure gross receipts tax pursuant to the County Local Option Gross Receipts Taxes Act [7-20E-1 NMSA 1978] for furthering or implementing economic development plans and projects as defined in the Local Economic Development Act or projects as defined in the Statewide Economic Development Finance Act; provided that no more than the greater of fifty thousand dollars (\$50,000) or ten percent of the revenue collected shall be used for promotion and administration of or professional services contracts related to the implementation of any such economic development plan adopted by the governing body;
- (4) the proceeds of a revenue bond issue to which municipal infrastructure gross receipts tax revenue is pledged;
- (5) the proceeds of a revenue bond issue to which county infrastructure gross receipts tax revenue is pledged; or
- (6) funds donated by private entities to be used for defraying the cost of a project.

C. A regional or local government that generates revenue for economic development projects to which the limits of Subsection B of this section do not apply shall create an economic development fund into which such revenues shall be deposited. The economic development fund and income from the economic development fund shall be deposited as provided by law. Money in the economic development fund may be expended only as provided in the Local Economic Development Act or the Statewide Economic Development Finance Act.

D. In order to expend money from an economic development fund for arts and cultural district purposes or cultural facilities, the governing body of a municipality or county that has imposed a municipal or county local option infrastructure gross receipts tax for furthering or implementing economic development plans and projects, as defined in the Local Economic Development Act, or projects, as defined in the Statewide Economic Development Finance Act, by referendum of the majority of the voters voting on the question approving the ordinance imposing the municipal or county infrastructure gross receipts tax before June 30, 2007 shall be required to adopt a resolution. The resolution shall call for an election to approve arts and cultural districts as a qualifying purpose and cultural facilities as a qualifying entity before any revenue generated by the municipal or county local option gross receipts tax for furthering or implementing economic development plans and projects, as defined in the Local Economic Development Act, or projects, as defined in the Statewide Economic Development Finance Act, can be expended from the economic development fund for arts and cultural district purposes or cultural facilities.

E. The governing body shall adopt a resolution calling for an election within seventy-five days of the date the ordinance is adopted on the question of approving arts and cultural districts as a qualifying purpose and cultural facilities as a qualifying entity eligible to utilize revenue generated by the Municipal Local Option Gross Receipts Taxes Act or the County Local Option Gross Receipts Taxes Act for furthering or implementing economic development plans and projects as defined in the Local Economic Development Act or projects as defined in the Statewide Economic Development Finance Act.

F. The question shall be submitted to the voters of the municipality or county as a separate question at a regular municipal or county election or at a special election called for that purpose by the governing body. A special municipal election shall be called, conducted and canvassed as provided in the Municipal Election Code [3-8-1 NMSA 1978]. A special county election shall be called, conducted and canvassed in substantially the same manner as provided by law for general elections.

G. If a majority of the voters voting on the question approves the ordinance adding arts and cultural districts and cultural facilities as an approved use of the local option municipal or county economic development infrastructure gross receipts tax fund, the ordinance shall become effective on July 1 or January 1, whichever date occurs first after the expiration of three months from the date of the adopted ordinance. The ordinance shall include the effective date.

5-10-5 Technical Assistance

At the request of a local or regional government, the department shall provide technical assistance in the development of an economic development plan or economic development project or technical assistance to cultural facilities with respect to economic development projects.

#### 5-10-6 ED Plan Contents

A. Every local or regional government seeking to pursue economic development projects shall adopt an economic development plan or a comprehensive plan that includes an economic development component, and an economic development plan or comprehensive plan may include an analysis of the role of arts and cultural activities in economic development. The plan may be specific to a single economic development goal or strategy or may include several goals or strategies, including any goals or strategies relating to economic development through arts and cultural activities. Any plan or plan amendment shall be adopted by ordinance of the governing body of the local government or each local government of a regional government proposing the plan or plan amendment.

B. The economic development plan or the ordinance adopting the plan may:

- (1) describe the local or regional government's economic development and community goals, including any economic development goals with an arts and cultural component, and assign priority to and strategies for achieving those goals;
- (2) describe the types of qualifying entities and economic activities that will qualify for economic development projects;
- (3) describe the criteria to be used to determine eligibility of an economic development project and a qualifying entity to participate in an economic development project;
- (4) describe the manner in which a qualifying entity may submit an economic development project application, including the type of information required from the qualifying entity sufficient to ensure its solvency and ability to perform its contractual obligations, its commitment to remain in the community and its commitment to the stated economic development goals of the local or regional government;
- (5) describe the process the local or regional government will use to verify the information submitted on an economic development project application;

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(6) if an economic development project is determined to be unsuccessful or if a qualifying entity seeks to leave the area, describe the methods the local or regional government will use to terminate its economic assistance and recoup its investment;

(7) identify revenue sources, including those of the local or regional government, that will be used to support economic development projects;

(8) identify other resources the local or regional government is prepared to offer qualifying entities, including specific land or buildings it is willing to lease, sell or grant a qualifying entity; community infrastructure it is willing to build, extend or expand, including roads, water, sewers or other utilities; and professional services contracts by local or regional governments necessary to provide these resources;

(9) detail the minimum benefit the local or regional government requires from a qualifying entity, including the number and types of jobs to be created; the proposed payroll; repayment of loans, if any; purchase by the qualifying entity of local or regional government-provided land, buildings or infrastructure; the public to private investment ratio; and direct local tax base expansion;

(10) describe the safeguards of public resources that will be ensured, including specific ways the local or regional government can recover any costs, land, buildings or other thing of value if a qualifying entity ceases operation, relocates or otherwise defaults or reneges on its contractual or implied obligations to the local or regional government; and

(11) if a regional government, describe the joint powers agreement, including whether it can be terminated and, if so, how the contractual or other obligations, risks and any property will be assigned or divided among the local governments who are party to the agreement.

C. The economic development plan shall be printed and made available to the residents within the local or regional government area.

#### 5-10-7 Regional ED Plans

A. Two or more municipalities, two or more counties or one or more municipalities and counties may enter into a joint powers agreement pursuant to the Joint Powers Agreements Act [11-1-1 NMSA 1978] to develop a regional economic development plan which may consist of existing local plans. The

parties to the agreement shall be deemed a regional government for the purposes of the Local Economic Development Act.

B. The joint powers agreement shall require that the governing body of each local government approve each economic development project. The agreement may also provide for appointment of a project manager who shall be responsible for the management of projects and project funds. The agreement may provide for a regional body consisting of representatives from the governing bodies of each local government that is a party to the agreement and may determine the powers and duties of that body in implementing the regional government's plan and projects.

#### 5-10-8 ED Project Applications

A. After the adoption of an economic development plan by a local or regional government, a qualifying entity shall submit to the local or regional government an economic development project application.

B. The application shall be on a form and require such information as the local or regional government deems necessary.

#### 5-10-9 Project Evaluation

A. The local or regional government shall review each project application, and projects shall be approved by ordinance.

B. The local or regional government's evaluation of an application shall be based on the provisions of the economic development plan, the financial and management stability of the qualifying entity, the demonstrated commitment of the qualifying entity to the community, a cost-benefit analysis of the project and any other information the local or regional government believes is necessary for a full review of the economic development project application.

C. The local or regional government may negotiate with a qualifying entity on the type or amount of assistance to be provided or on the scope of the economic development project.

#### 5-10-10 Project Participation Agreement

A. The local or regional government and the qualifying entity shall enter into a project participation agreement.

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B. The local or regional government shall require a substantive contribution from the qualifying entity for each economic development project. The contribution shall be of value and may be paid in money, in-kind services, jobs, expanded tax base, property or other thing or service of value for the expansion of the economy.

C. The participation agreement at a minimum shall set out:

(1) the contributions to be made by each party to the participation agreement;

(2) the security provided to the local or regional government by the qualifying entity in the form of a lien, mortgage or other indenture and the pledge of the qualifying business's financial or material participation and cooperation to guarantee the qualifying entity's performance pursuant to the project participation agreement;

(3) a schedule for project development and completion, including measurable goals and time limits for those goals; and

(4) provisions for performance review and actions to be taken upon a determination that project performance is unsatisfactory.

**5-10-11 Project Revenues**

A. Local or regional government revenues dedicated or pledged for funding or financing of economic development projects shall be deposited in a separate account. Separate accounts shall be established for each separate project. Money in the special account shall be expended only for economic development project purposes, which may include the payment of necessary professional services contract costs.

B. In the case of a regional government, revenues of each local government dedicated or pledged for economic development purposes shall be deposited in a special account of that local government and may be expended only by that local government as provided by the regional government's economic development plan and joint powers agreement.

C. The local or regional government shall provide for an annual independent audit in accordance with the Audit Act [12-6-1 NMSA 1978] of each special fund and project account. The audit shall be submitted to the local or regional government. The audit is a public record.



#### 5-10-12 Plan and Project Termination

A. At any time after approval of an economic development plan, the governing body of the local government or the governing body of each local government in a regional government may enact an ordinance terminating the economic development plan and dissolving or terminating any or all projects. An ordinance repealing an economic development plan shall not be effective unless the ordinance provides for satisfying existing contracts and the rights of the parties arising from those contracts.

B. Any unexpended and unencumbered balances remaining in any project fund or account upon repeal of a plan and termination or dissolution of a project may be transferred to the general fund of the local government holding the fund or account. In the case of funds or accounts of a regional government, the unexpended and unencumbered balances shall be divided among the local governments as provided in the joint powers agreement.

#### 5-10-13 Limitations

Nothing in the Local Economic Development Act shall be construed to affect any other requirements of the constitution or other laws regarding local government debt, issuance of bonds, use of tax revenues or the grant, lease or sale of land or other property.

**Town of Taos  
Local Economic Development Ordinance**

**4.20.020: AUTHORITY:**

This chapter is enacted pursuant to the express statutory authority conferred upon municipalities to allow public support of economic development<sup>1</sup>. This chapter is adopted as part of the town's economic development plan. (Ord. 00-22 § 2, 2000)

**4.20.030: PURPOSE:**

The purpose of this chapter is to allow public support of economic development projects to foster, promote, and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources. Further, the purpose of this chapter is to allow the town of Taos to enter into one or more joint power agreements with other local governments to plan and support regional economic development projects. (Ord. 00-22 § 3, 2000)

**4.20.040: DEFINITIONS:**

As used in this chapter:

**ECONOMIC DEVELOPMENT CONTRACTOR:** One or more individuals, corporations, associations, partnerships or other legal entities with whom the town has entered into a written agreement for recruitment of new businesses and job opportunities, the expansion of existing business and industry, and other related services to preserve, promote, diversify, and strengthen the business and general economic base of the town of Taos and its environs.

**ECONOMIC DEVELOPMENT PROJECT:** The provision of direct or indirect assistance to a qualifying entity and includes the purchase, lease, grant, construction, reconstruction, improvement or other acquisition or conveyance of land, buildings or other infrastructure; public works improvements essential to the location or expansion of a qualifying entity; payments for professional services contracts necessary for local or regional governments to implement a plan or project; the provision of direct loans or grants for land, buildings or infrastructure; loan guarantees securing the cost of land, buildings or infrastructure in an amount not to exceed the revenue that may be derived from the municipal infrastructure gross receipts tax or the county infrastructure gross receipts tax; grants for public works infrastructure improvements essential to the location or expansion of a qualifying entity; purchase of land for a

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publicly held industrial park; and the construction of a building for use by a qualifying entity.

GOVERNING BODY: The town of Taos council.

PERSON: An individual, corporation, association, partnership or other legal entity.

PROJECT PARTICIPATION AGREEMENT: An agreement between a qualifying entity and the town whereby the town provides assistance to an economic development project in exchange for the benefits received as set forth in this chapter.

QUALIFYING ENTITY: A corporation, limited liability company, partnership, joint venture, syndicate, association or other person that is one or a combination of two (2) or more of the following:

A. An industry for the manufacturing, processing, or assembling of any agricultural or manufactured products;

B. A commercial enterprise for storing, warehousing, distribution or selling products of agriculture, mining or industry, but other than provided in subsection D or E of this definition, not including any enterprise for sale of goods or commodities at retail or for the distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities;

C. A business in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than provided in subsection D of this definition, not including businesses primarily engaged in the sale of goods or commodities at retail;

D. A telecommunications sales enterprise that makes the majority of its sales to persons outside of New Mexico; or

E. A facility for the direct sales by growers of agricultural products, commonly known as farmers' markets. (Ord. 00-22 § 4, 2000)

**4.20.050: ECONOMIC DEVELOPMENT PLAN:**

A. The governing body may assist economic development projects in any legally permissible manner including, but not limited to, provision of land, buildings and infrastructure provided that all the requirements of this chapter are met. The town may provide land, buildings, or infrastructure that it already owns, or it may build, purchase or lease the facilities needed for an economic development project. The town, at its sole discretion, may bear the full cost or

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contribute a portion of the costs including the waiver of applicable fees. The town, at its sole discretion, may also contribute to the payment of costs for professional service contracts such as industry feasibility studies and planning and design services needed to implement a project.

B. The governing body may consider offering all forms of assistance allowed under this chapter and any other legally permissible forms of assistance; however, this does not establish any obligation on the town's part to offer any specific type or level of assistance.

C. The money expended by the town of Taos in any one fiscal year shall not exceed five percent (5%) of the annual general funds expenditure by the town of Taos during that fiscal year. The limits of this section shall not apply to:

1. The value of any land or building contributed to any project pursuant to a project participation agreement;
2. Revenue generated through the imposition of the municipal infrastructure gross receipts tax pursuant to the municipal local option gross receipts taxes act<sup>2</sup> for furthering or implementing economic development plans and projects as defined in the local economic development act; provided that no more than the greater of fifty thousand dollars (\$50,000.00) or ten percent (10%) of the revenue collected shall be used for promotion and administration of or professional services contracts related to the implementation of any such economic development plan adopted by the governing body;
3. The proceeds of a revenue bond issue to which municipal infrastructure gross receipts tax revenue is pledged;
4. Funds donated by private entities to be used for defraying the cost of a project.

D. The town of Taos shall maintain an economic development fund into which it shall deposit the revenue for economic development to which the limits of subsection C of this section do not apply. (Ord. 00-22 § 5, 2000)

**4.20.060: ECONOMIC DEVELOPMENT CONTRACTOR:**

At its sole discretion, the governing body may assign to one or more of its economic development contractors the following responsibilities with regards to the economic development plan of the town of Taos:

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- A. Reviewing and making recommendations to the governing body on applications for assistance for economic development projects;
- B. Reviewing and making recommendations to the governing body on applications for industrial revenue bonds (IRBs); and
- C. Performing such other tasks as the governing body may determine necessary or desirable to further the economic development projects contemplated herein. (Ord. 00-22 § 6, 2000)

**4.20.070: APPLICATION REQUIREMENTS:**

- A. Any "qualifying entity" meeting the definition set forth in section [4.20.040](#) of this chapter may propose an economic development project to the town. Meeting the definition of a "qualifying entity" does not create any obligation on the part of the town.
- B. Applications from qualifying entities shall be submitted to the office of the town manager.
- C. Applications shall contain at least the following information organized in the order listed below:
  - 1. Identification information:
    - a. Complete name and address of the qualifying entity;
    - b. Incorporation papers with bylaws;
    - c. List of board of directors and executive directors, with addresses; and
    - d. Resumes of all directors and officers.
  - 2. Evidence of financial solvency (personal statements of principals):
    - a. Financial statements (income statements and balance sheets) for the past three (3) years;
    - b. Federal tax numbers, New Mexico state taxation and revenue number and town's business license;
    - c. Projected income statement for at least three (3) years.
  - 3. Evidence of organizational capacity:
    - a. Brief history of the qualifying entity;
    - b. Organizational chart of the qualifying entity;
    - c. Business plans for the qualifying entity and proposed project (including cash flow analysis);

- d. Evidence of ability to manage the project, such as, but not limited to:
    - (1) List and description of previously completed projects; and
    - (2) Resumes of key staff involved with project;
  - e. The qualifying entity shall disclose the following information (if the answer is yes, the entity shall attach a written explanation):
    - (1) Has the qualifying entity or any of its officers ever been involved in a bankruptcy?
    - (2) Has the qualifying entity or any of its officers ever defaulted on obligations on which payments are not current?
    - (3) Does the qualifying entity have any loans or other financial obligations on which payments are not current?
4. Funding sources for the proposed economic development project:
- a. Equity investment of qualifying entity;
  - b. Specific assistance being requested of the town (e.g., specific parcel of land, applicable fees, etc.), with the estimate of value; and
  - c. Funding sources other than the town with letters of commitment of intent to fund.
5. A complete and specific description of the proposed economic development project, including, but not necessarily limited to:
- a. Business activities to be conducted;
  - b. Management and staffing requirements;
  - c. Property and equipment requirements;
  - d. Markets;
  - e. Transportation requirements;
  - f. Utility requirements, including, but not limited to, electric, gas, and water;
  - g. Solid and liquid waste disposal requirements;
  - h. Infrastructure requirements;
  - i. Regulatory compliance requirements; and
  - j. Environmental assessment.
6. A complete and specific cost benefit analysis. The source and rationale for any multiplier effects shall be identified. The cost benefit analysis shall show that the town will recoup the value of its donation within a maximum period of ten (10) years.
7. A complete and specific description of the proposed economic development project's substantive contributions to the town including, but not limited to, such factors as in-kind services to the town, jobs, expanded

tax base, property or other thing or service of value for the expansion or improvement of the economy.

8. A complete and specific description of the employee job training and career development plan for the proposed economic development project.

9. Any other information necessary for the town to make a determination as to whether or not the applicant is a qualifying entity.

10. Any other information required of the applicant by the governing body. (Ord. 00-22 § 7, 2000)

**4.20.080: APPLICATION REVIEW PROCESS:**

A. The governing body shall review each project application in accordance with the criteria set forth hereinafter and all applicable laws, rules, regulations, and policies and shall determine whether the entity and the proposed project qualify pursuant to this chapter and all applicable state laws and regulations.

B. If requested to do so by the governing body, the town's economic development contractor shall review and make recommendations to the governing body regarding the proposed project or projects. (Ord. 00-22 § 8, 2000)

**4.20.090: APPLICATION REVIEW CRITERIA:**

A. Applications for economic development projects requesting economic assistance from the town shall be evaluated by the following criteria:

1. Compliance with all requirements for a "qualifying entity" and an "economic development project";
2. Feasibility and substantive contribution of the proposed economic development project;
3. Evidence of financial solvency and financial ability to undertake and complete the proposed economic development project;
4. Qualifications of the principals to undertake and complete the proposed economic development project;

5. Stability of the qualifying entity and organizational capacity to undertake and complete the proposed economic development project;
6. Cost benefit analysis:
  - a. The number and types of jobs to be created both temporary construction jobs and permanent jobs (by New Mexico department of labor job category);
  - b. Pay scales of jobs;
  - c. Determination of which jobs are expected to be filled locally and which will be filled by transfers from other facilities or recruited from outside the Taos area;
  - d. Total payroll expected at startup and after one year;
  - e. Anticipated impact of project on local tax base; and
  - f. Anticipated impact on local school system; and
  - g. Anticipated impact on regional environment; and
  - h. Anticipated impact on utilities, water, and other infrastructure; and
  - i. Anticipated impact on the community socioeconomic structure and cultural and historical heritage. (Ord. 00-22 § 9, 2000)

**4.20.100: PUBLIC SAFEGUARDS:**

A. All economic development projects receiving assistance from the town shall be subject to an annual performance review conducted by the governing body or its designee. The review shall evaluate whether the project is attaining the goals and objectives set forth in the project participation agreement. This review shall be presented to the governing body for their consideration. The governing body at a public meeting, in a manner consistent with law, may terminate assistance to the economic development project by enactment of an ordinance which terminates the agreement and specifies the disposition of all assets and obligations of the project.

B. The town shall retain a security interest which shall be specified in the project participation agreement. The type of security given shall depend upon the nature of the economic development project and assistance provided by the town. Types of security may include, but are not limited to:

1. Letter of credit in the town's name;
2. Performance bond equal to the town's contribution;
3. A mortgage or lien on property or equipment;
4. Prorated reimbursement of donations if a qualifying entity reduces its work force or leaves the community before the end of the agreed upon term; and
5. Other security agreeable to both parties.



C. Should a qualifying entity move, sell, lease or transfer a majority interest in the economic development project before the expiration of project participation agreement, the town retains the right to deny any and all assignments, sales, leases or transfers of any interests in the economic development project until adequate assurances are made that the transferee, assignee, or lessee is a qualifying entity and that the terms of the agreement will be satisfied by the transferee, assignee, or lessee. At its sole discretion, the town may choose to deny said assignment, lease, or transfer or may negotiate a new agreement with the new operator, or the town may reclaim the facility and enter into an agreement with a new qualifying entity.

D. Any qualifying entity seeking assistance from public resources shall commit to operate in accordance with its project participation agreement for a minimum of ten (10) years from the date the ordinance adopting the project participation agreement is passed by the governing body. (Ord. 00-22 § 10, 2000)

#### **4.20.110: PROJECT PARTICIPATION AGREEMENT:**

A. The qualifying entity shall submit to the town manager for review by the governing body a draft project participation agreement which states the contributions and obligations of all parties in the economic development project. The agreement must clearly state the following items:

1. The economic development goals of the project;
  2. The contributions of the town and the qualifying entity;
  3. The specific performance objectives;
  4. A schedule for project development and goal attainment;
  5. The security or securities being offered for the town's investment;
  6. The procedures by which a project may be terminated and the town's investment recovered; and
  7. The time period for which the town shall retain an interest in the project.
- Each project agreement shall have a "sunset" clause after which the town shall relinquish interest in and oversight of the project.

B. After reviewing the draft, the governing body or its designee may negotiate any final terms and conditions of the agreement for final approval by the governing body.

C. Each project participation agreement shall be adopted as an ordinance and enacted by the governing body at a public meeting. (Ord. 00-22 § 11, 2000)

#### **4.20.120: PROJECT MONIES:**

All project monies shall be kept in a separate account by the entity and the town, with such accounts clearly identified. These accounts shall be subject to an annual independent audit. (Ord. 00-22 § 12, 2000)

**4.20.130: TERMINATION:**

At any time, the governing body may terminate this chapter, the town's community development plan, and any or all projects. Termination shall be by ordinance. An ordinance repealing an economic development plan shall provide for satisfying existing contracts and rights of the parties arising from those contracts. Upon the repeal of a plan and termination or dissolution of a project, any unexpended and unencumbered balances remaining in any project fund or account may be transferred to the town's general fund. In the case of funds or accounts of a joint or regional government project, the unexpended and unencumbered balances shall be divided among the local governments as provided in the joint powers agreement. (Ord. 00-22 § 13, 2000)

**4.20.140: JOINT OR REGIONAL PROJECTS:**

The town may engage in economic development projects involving one or more other governmental entities for projects, which encompass more than one municipality or county. In such instances, a joint powers agreement shall be adopted by the relevant governing bodies. This agreement will establish the application criteria and the terms of all project participation agreements. Criteria established under a joint power agreement shall be consistent with the provisions of this chapter. (Ord. 00-22 § 14, 2000)



## Acknowledgements

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### **A Note About This and Future Action Plans:**

This Action Plan is a furthering of the Community Economic Development Strategic Foundational Plan (Foundational Plan) adopted in October 2010. The Base Plan is regarded as the foundation but requires continual updates through Action Plans as the community implements the SMART Goals; objectives; and actions that are a refinement of the 2010 Foundational Plan. Each Action Plan will examine the previously established goals and the condition of the general economy and the economic sectors that the SMART Goals hoped to affect.

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## Executive Summary

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### Introduction to the Current Phase of Planning

#### Background

The Town of Taos applied for, and received a grant in the early fall of 2012. The grant provided the funds necessary to update the foundational plan from 2010 and forward and complete certain strategic elements alluded to but not fully developed in the 2010 foundational plan. To complete the needed public process; develop an action plan to forward the implementation of portions of the economic development section of the 2010 Community Economic Development Foundational Plan; and to provide objective analysis of the Taos economy to better define the growing sectors of Taos' basic economy and later have an evaluation tool to measure the effectiveness of the actions undertaken for economic development; the Town contracted with LeapPartners, LLC, a local consulting firm. LeapPartners began this planning process in February 2013 and it will conclude with Town Council consideration for adoption on September 24, 2013. The results of the public process, professional evaluation and analyses are contained in this document and its appendices.

#### Connection to 2010 Plan

The plan that was developed in 2010 is the foundational plan for the approach that the community has chosen for its development a great place to live (community development) with a thriving economy (economic development). While the 2010 plan focused on laying the foundations for a Community Economic Development approach, this effort was funded to explore and forward the economic development side of the equation by involving the private sector in defining its and the Town's role for improving the basic economy of Taos.

Given the results of the public process that this plan undertook, which was not undertaken in the development of the foundational plan in 2010, the results also served as a basis for updating the foundational plan to comport with current economic conditions and fine tuning the direction of the foundational plan while preserving the important core elements established with the adoption of the foundational plan.

It should be noted that the 2010 Foundational Plan and this 2013 Action Plan and Update are not intended to limit how the community might approach community economic development, but are instead meant to focus the community on work in key areas that are likely to have the greatest yield. New and previously unrecognized opportunities may arise and the community should remain flexible and avail itself to those new opportunities but not to the detriment of projects already underway. In other words, broadening the focus for community economic development may be appropriate and necessary, but refocusing and losing sight of progress and projects already underway, or successful areas of development that promise more future benefits is not advisable.

#### Connection to the Vision 2020 Plan

It is important to note that this Action Plan and the associated 2010 Foundational Plan were developed as updates to the prior Vision 2020 Plan adopted in 1999. While the Vision 2020 is over fourteen years old, it still is relevant although in need of updating and

refining. The 2010 Foundational Plan and this subsequent 2013 Action Plan and Update are a refine of the economic development section of the Vision 2020 Plan. It is most important to note that while the vision of the Vision 2020 plan may need to be revisited and fine-tuned; it is still relevant and valued by the community. The overall vision in the Vision 2020 Plan stated:

“Taos is a community that addresses the needs of its residents, first and foremost.

By balancing the need for increased opportunities and the need to protect the unique qualities that Taos resident’s value, Taoseños will flourish in their home community.” (Page i)

The Vision 2020 Plan went on to further refine the vision as it relates specifically to economic development:

“The Taos economy is diverse, self-sustaining, and provides rewarding jobs that pay well.” (Page 54)

While the economic development specific vision should undergo a process of improvement, there are other more pressing concerns that should be addressed immediately by the community.

### **Basic Industry Focus**

It is important to recognize that this Action Plan focuses almost exclusively on basic industries. During the planning process it was determined to not address any form of retail, even though some retail can be considered a part of the basic economy; for example purchases of art in galleries is primarily made by visitors and therefore is a basic economic activity. The reasoning for not addressing retail in this plan is threefold: firstly the Local Economic Development Act precludes the use of public funding to aid retail development; secondly retail provides primarily low skill, low wage jobs; and finally, by increasing community wealth and expanding employment within the basic sector, the community will demand more goods and services and the private retail sector will respond to accordingly. In the case of the tourism related retail, it is not possible to increase the number of potential purchases without increasing visitation. It is far easier to work toward increasing visitation than it is to target the wide variety of clients that may want to purchase a good or service from one particular business.

Brief definitions of non-basic and basic economic activities are included here for ease of reference:

### ***Non-basic Economic Activities:***

A non-basic industry provides goods and services primarily consumed by the local community. A grocery store sells the majority of its goods to local citizens; a hospital provides much needed health care services to the local community; etc. These businesses tend to recycle the personal income generated by basic industries and their



demand is proportional to the health of the basic industries in the community. Most retail and non-tourism related services are non-basic industries. Art sales in galleries, however, tend to be basic sales but are one of the few exceptions among retail sales, along with catalog sales, internet based sales, etc. that sell the majority of their goods to people outside of the community. Non-profit industries are also non-basic; despite receiving grant funding from outside of the community they do not generate, by definition, profit other than paying expenses and occasionally limited salaries for executives and staff.

### ***Basic Economic Activities:***

A basic economic activity is one that produces a good or a service that is mostly consumed by people from outside of a region/community. These businesses are “net importers of community income” and are the basis for the economic growth and income generation of a community. Two examples of basic economic activities are manufacturing a personal care product that is shipped out of the region for sale or a hotel that provides lodging services to visitors.

### **The Planning Process**

This Action Plan and Update followed a strategic planning method but only very briefly touched on the development of revisions to the Vision and Mission Statements as they relate to economic development. It was determined that with limited funding and the amount of time available, it would be more productive to develop SMART Goals and provide as much definition as possible to those SMART Goals and the resulting objectives and actions. This would allow the community to move forward with practical actions, rather than wrestling over philosophical and semantic differences. While the overall Vision 2020 vision statement was well done and still relevant, the economic development vision, although not well done, was sufficient and accurate enough to serve as a quasi-Mission Statement for now.

### **Kick off meetings and definitions**

The first step by LeapPartners was to conduct two ‘kick off’ meetings that took place in February 2013. The purpose of the meetings was to provide the community with the general outline of the plan as it was at the time, and as projected when complete. At those meetings the draft Vision and Mission/Purpose statements were presented although it was determined after those meeting that it was in the best interest of the planning process to abandon any additional effort on those statements. The meetings were also intended to generate interest and diversify participation in the four work groups that would create the Economic Development Action Plan. Time was spent revisiting the SWOT analysis and generating community input to support and update the preliminary SWOT generated by Town Staff in the 2010 Foundational Plan. The SWOT provided by the community did not significantly alter or add to the existing SWOT. A copy of the items generated during that meeting was made wide available and can be obtained from the Town of Taos Planning, Zoning and Buildings Department but has been omitted from this document to allow for brevity. The groups also verified the areas of the economy to focus on which were initially six (6) but were subsequently combined to the four (4) focus areas as presented in this Action Plan..

### **Economic Round Table**

On May 21, 2013 the Town of Taos hosted the *Economic Transition Roundtable* with facilitation assistance from LeapPartners. An audience of approximately 90 community members came together at the Arthur Bell Auditorium at UNM Taos' Harwood Museum to listen to a discussion among thirteen (13) leaders from the private for profit, non-profit and public sectors about the future outlook of business and economic development in Taos. LeapPartners started the discussion with a presentation of the Taos Economic Report Card, using statistical indicators involving population, revenues, income. The participants then addressed the current state of the economy as they understood it through personal experiences and insights. The Roundtable concluded with the participants identifying the inherent opportunities that the current period of economic transition created and some of the road-blocks the community faces when trying to build a new Taos economy, as well as some of the ways Taos might overcome those road blocks.

It was hoped that this Roundtable would also stimulate participation in the four work groups that would create the Economic Development Action Plan.

### **Work group meetings within focus areas**

The community participated in four work groups representing three (3) potentially growing basic economic business sectors: *Creative Industries; Tourism & Retail; and Technology*; and the fourth work group focusing on *Business Retention, Expansion, and Incubation* for the Taos economy as a whole.

Public participation in the work groups was solicited through:

- E-mails to those that attended the two kick-off meetings and the Roundtable
- Announcements through *two half-page ads* and two articles in the Taos News
- Public service announcement on local radio stations
- A radio interview with the principals of LeapPartners
- ; And emails sent to members and affiliates of the Taos County Chamber of Commerce (TCCC); the Taos Entrepreneurial Network (TEN) and the Small Business Development Center (SBDC).

In order to achieve optimum input and efficiency of the group's participation each work group was limited to fifteen (15) people. As it turned out attendance did not reach the established limit and was often half or less of the maximum despite reaching over ten (10) prior commitments from community members. Each group would hold two meetings at least three (3) weeks apart so the commitment was nominal. At each group's first meeting there was an average attendance of about seven to eight people, while the average attendance at the second meeting d around four to five people.

Those who did attend the work groups were engaged, thoughtful, insightful and exhibited a sincere desire to work together towards creating and accomplishing goals that would advance the Taos economy. On the other hand, the meager attendance reflected a high level of apathy and lack of interest, time or understanding of economic development and the condition of Taos' economy. We believe there is a

strong sense by the community that the responsibility for creating economic prosperity belongs to government, an unknown organization, or just someone else. Despite a high level of effort to gain public participation in the work groups and build awareness in Taos that economic development requires community participation and support, the lack of participation in the work groups shows that this message is either being misunderstood or is going unheard.

The lack of community participation in this well publicized planning effort speaks directly to the need for a regional organization that will identify, support, organize and assist the implementation of goals created by the private and public sectors. This is addressed in detail in the following section, *Economic Development Recommendations*.

In addition to the face-to-face interaction that the work groups provided, a survey was conducted among those who are on the email list of the organizations listed above, as well as people who attended the Kick-Off Meetings, Roundtable, and people referred by others or who expressed an interest in the planning process. The results of the survey did not yield any substantial additions to the work already completed by the work groups.

Each work group met a total of two times during June and July. The purpose of the first meeting was to;

- Develop a list of goals that will enhance the economic growth of the sector.
- Organize, define and prioritize the S.M.A.R.T. (**S**trategic, **M**easurable, **A**ttainable, **R**ealistic, **T**imely) goals based upon criteria developed by the members of the work group
- Work Group members voted for the SMART goals they believed were most important to achieve and by so doing established the priorities for that work group's economic sector

The purpose of the second meeting was to;

- Create objectives that will fulfill each SMART goal
- Identify the actions necessary to accomplish each objective including the assignment of responsibility, identification of funding and a due date for each action.

### **Assembly, Research, Analysis and Recommendations**

After the conclusion of each meeting the notes and input were organized to proceed to the next step and at the conclusion of the final work group meeting the SMART Goals and associated objectives and actions (if any) were organized into a framework that would allow for future implementation or further refinement.

Research was conducted into the economic data for the three (3) main economic sectors the work groups focused on: Creative Industries; Technology; and Tourism & Retail. The development of composite North American Industrial Classification System

(NAICS) codes for each of these areas was required to define each economic segment's condition and momentum; be it a pattern of growth, flat or decline. These composite NAICS were evaluated over a period of five years to derive an average pattern for reasonable projections in gross revenue (gross receipts reported), income (weekly wages), employment and number of businesses (reporting entities). These indices were then used to create projections of what their impact would be on the Taos economy under a no action (current trend), moderate (a1% additional increase) and robust growth (2% additional increase) scenarios.

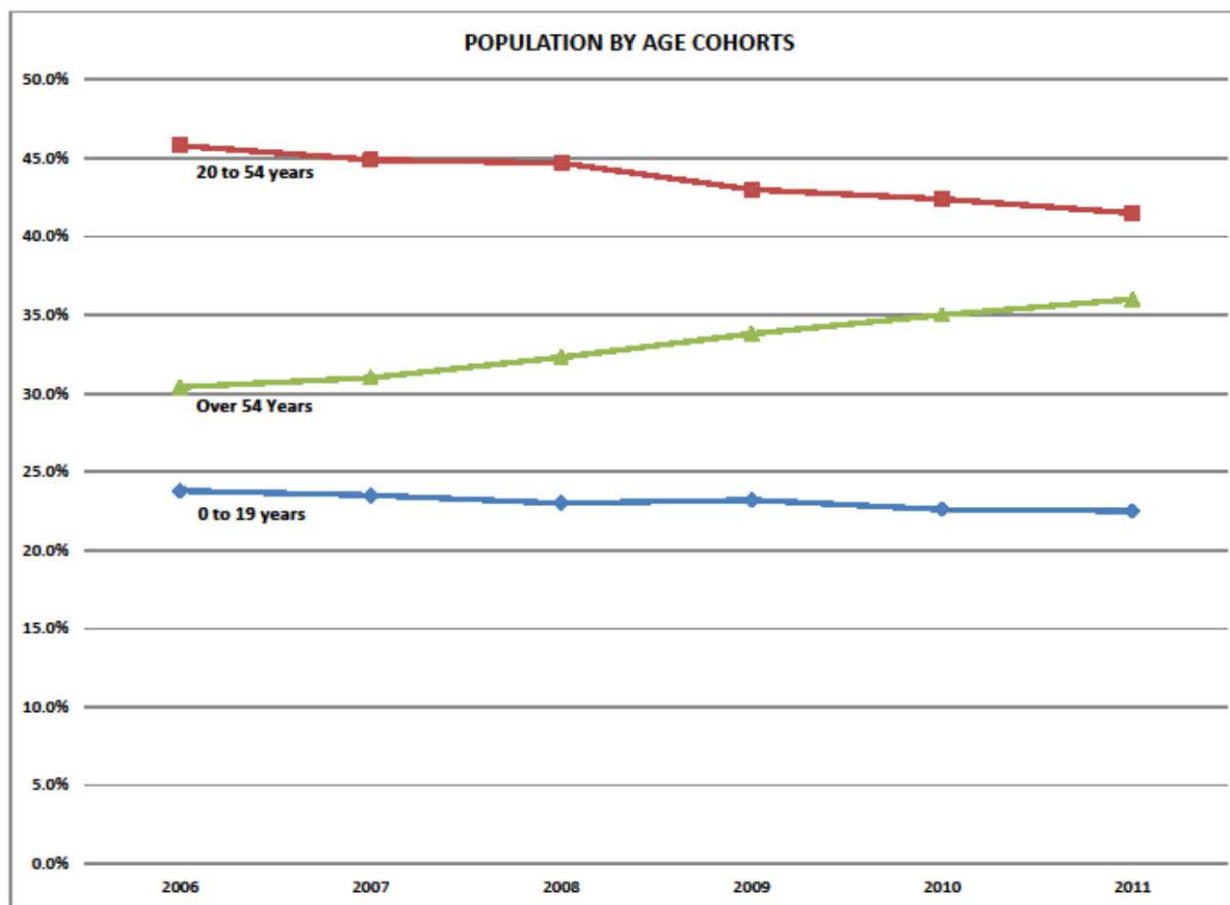
LeapPartners recommendations were then formed based on the results of: the strategic planning process; public participation; and the subsequent analysis of and projections derived from relevant economic data sets.

### **Economic Analysis Charts & Explanations:**

#### **Taos Economic Report Card**

The Taos Economic Report Card is a tool developed by LeapPartners that provides a quick snapshot of the economic health of Taos County and is based on the same data used in the Taos Economic Report. The Report Card, unlike the Report, uses graphs so that the information is more accessible and easily understood. The key economic factors it tracks include population by age cohorts; Business activity as measured by gross revenues (gross receipts reported to NM Taxation & Revenue); proprietor employment; employee employment; proprietor and employee income; and types of income. The Taos Economic Report Card should be produced on an annual basis and presented at future Taos Economic Transition Round Tables.

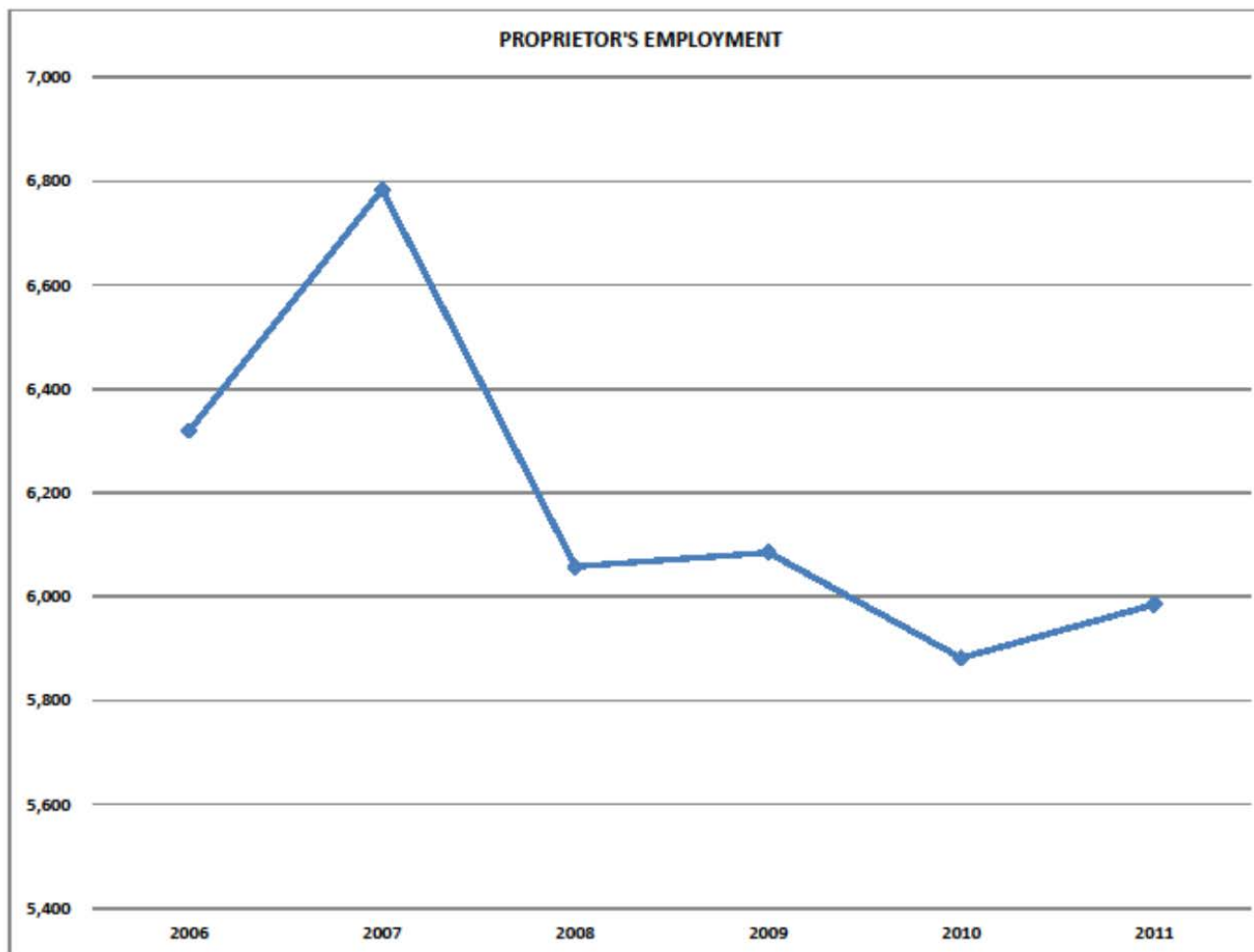
The tables containing the data used to generate the following graphs can be obtained by contacting LeapPartners.



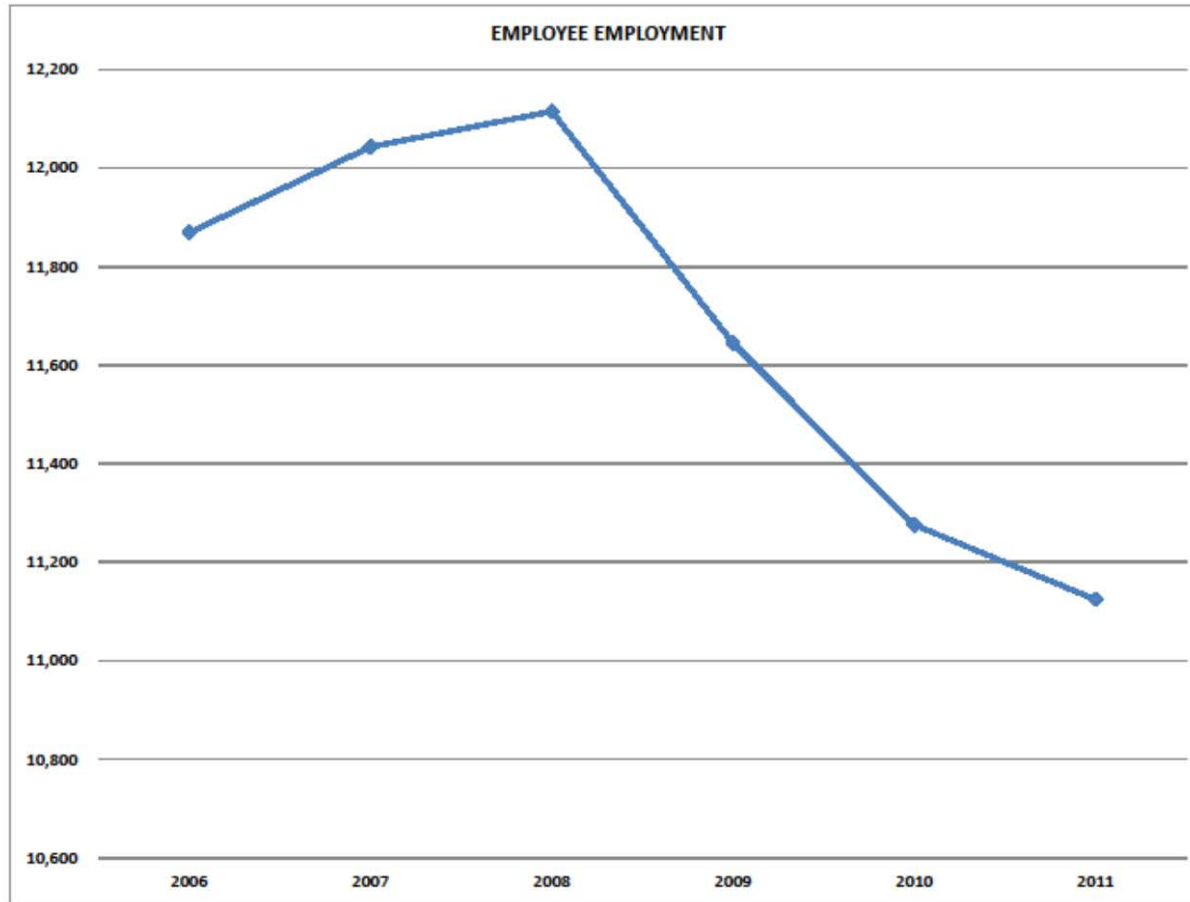
Taos has an aging population. Taos County has an overall drop in population and is mostly losing working age adults (age 20 to 54) while the population of retirees and those whose working years are coming to a close or are taking early retirement (age 54+) is increasing. Taos' dependent population (age 0 to 19) remains relatively stable.



Business activity as measured by gross revenues (gross receipts reported to NM Taxation & Revenue) shows a markedly steep decline in Taos, with 2008 and 2010 showing a nominal temporary recoveries that can be attributed to large public construction projects.

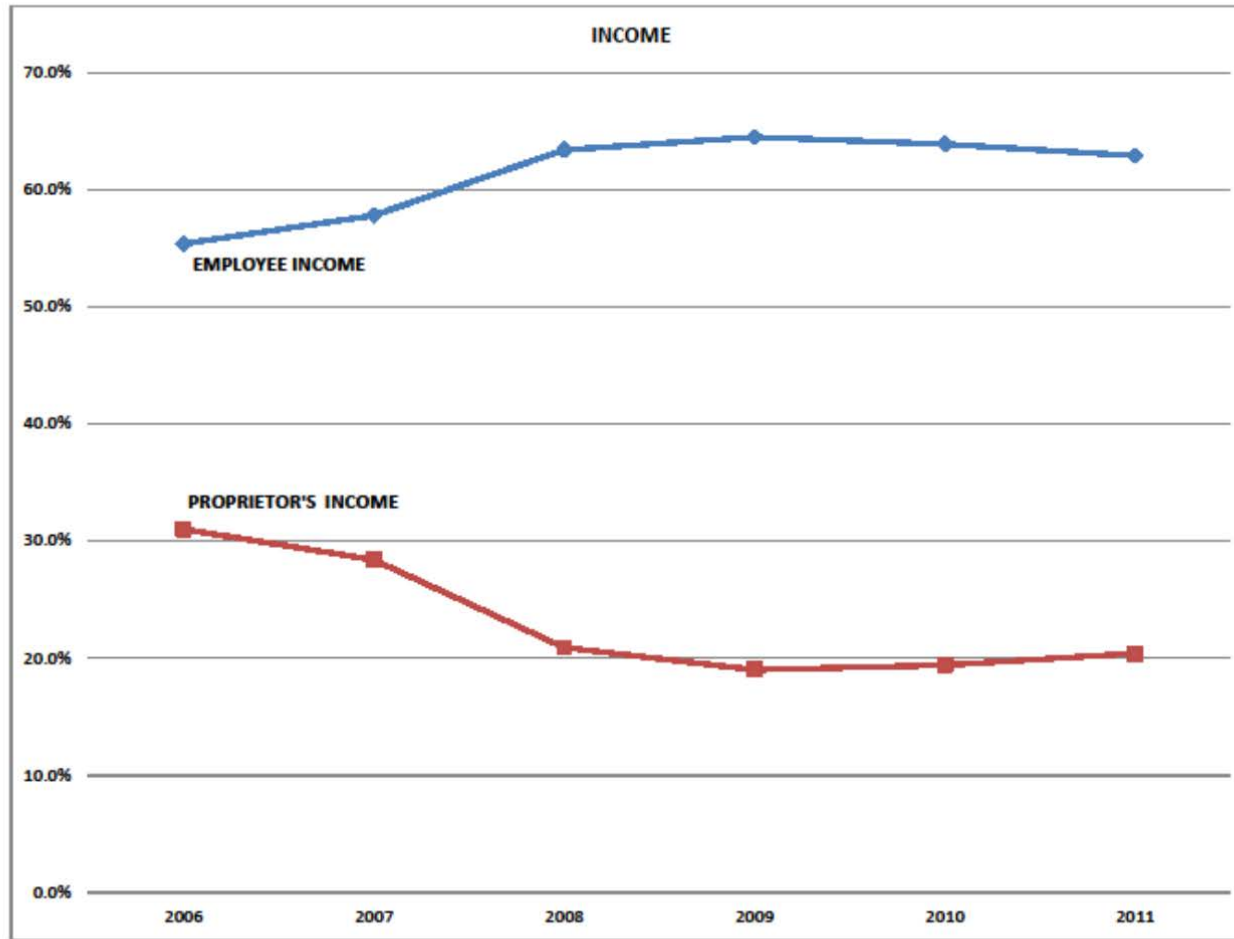


The number of proprietors, those who own a business or are self-employed show a significant drop in 2008 but has become relatively stable with around 6,000 business owners and self-employed individuals.

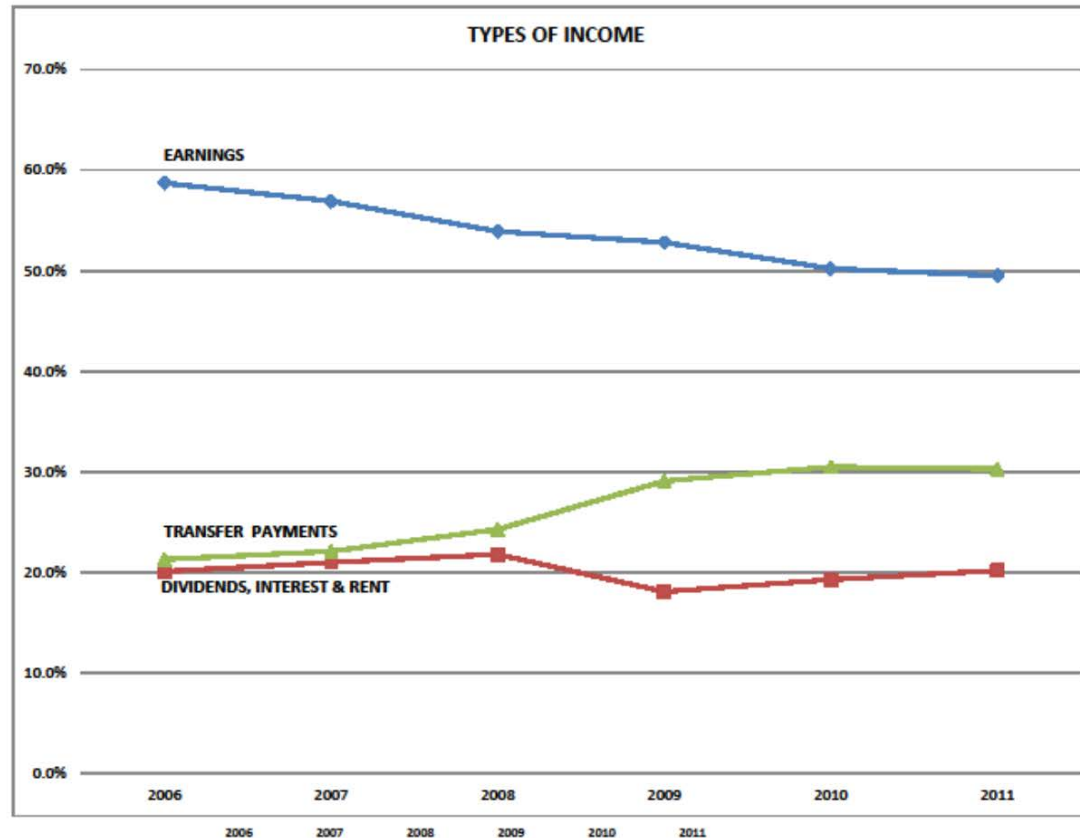


The number of people employed by proprietors shows a slight increase from 2006 to 2008 and then a steep decline from 2008 to 2011. This mirrors but is a bigger drop than the number of proprietors lost in 2007 and part of the stabilization of the number of proprietors in Taos is explained by those who converted from employee to proprietor status. Regardless of some conversions in employment type, Taos is showing a significant loss in employment.





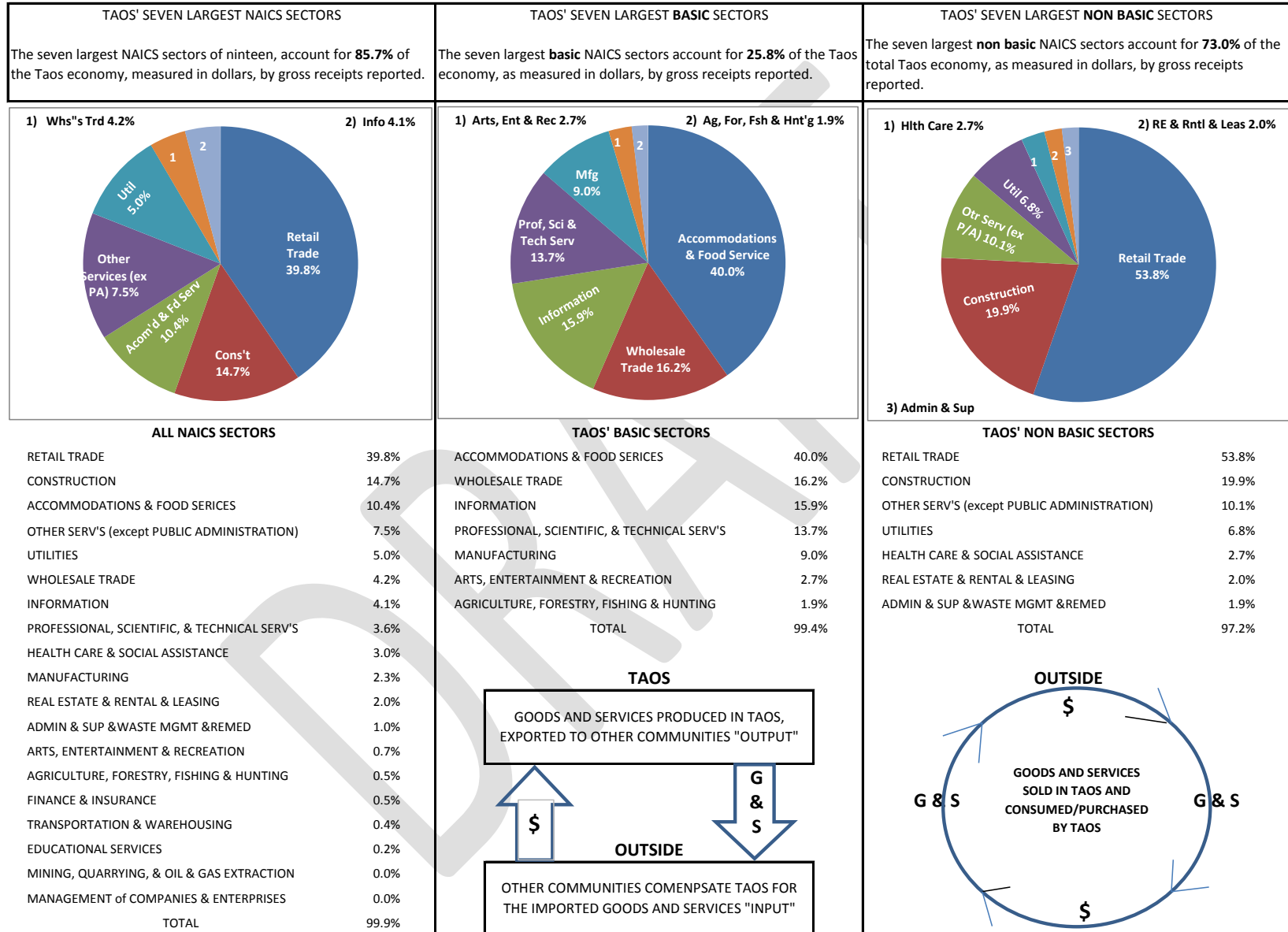
This chart illustrates that those who have been able to retain employee status have seen a small increase in income while proprietor income has decrease somewhat substantially.



While the other graphs are cause for concern, this graph is alarming. From 2006 to 2011, income derived from passive economic activities (dividends interest and rent) stayed flat and comprises around 20 cents of every dollar earned in Taos County. In 2006 income derived from working was 60 cents of every dollar earned while 20 cents of every dollar earned came from transfer payments such as unemployment, disability and other public support programs. In 2011 the amount of money earned by actively participating in the economy fell to 50 cents of every dollar earned in Taos County, while transfer payments, such as unemployment and disability, rose to 30 cents of every dollar of income.

## 2013 Taos Economic Development Action Plan

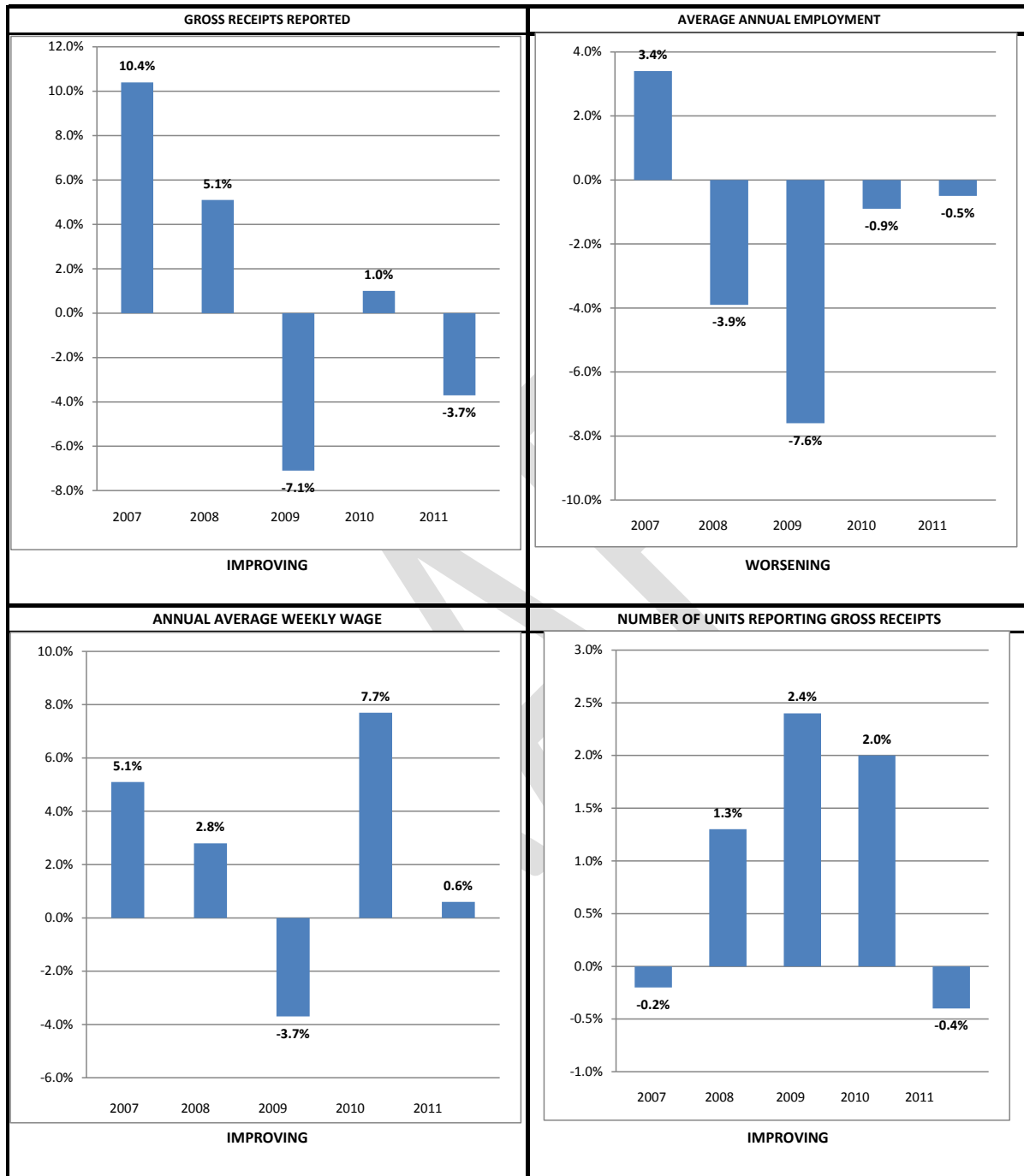
**TAOS ECONOMY by NAICS SECTOR, in DOLLARS, by GROSS REVENUES (RECEIPTS) REPORTED 2011**



# 2013 Taos Economic Development Action Plan

## ACCOMMODATIONS and FOOD SERVICE SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH

FLAT

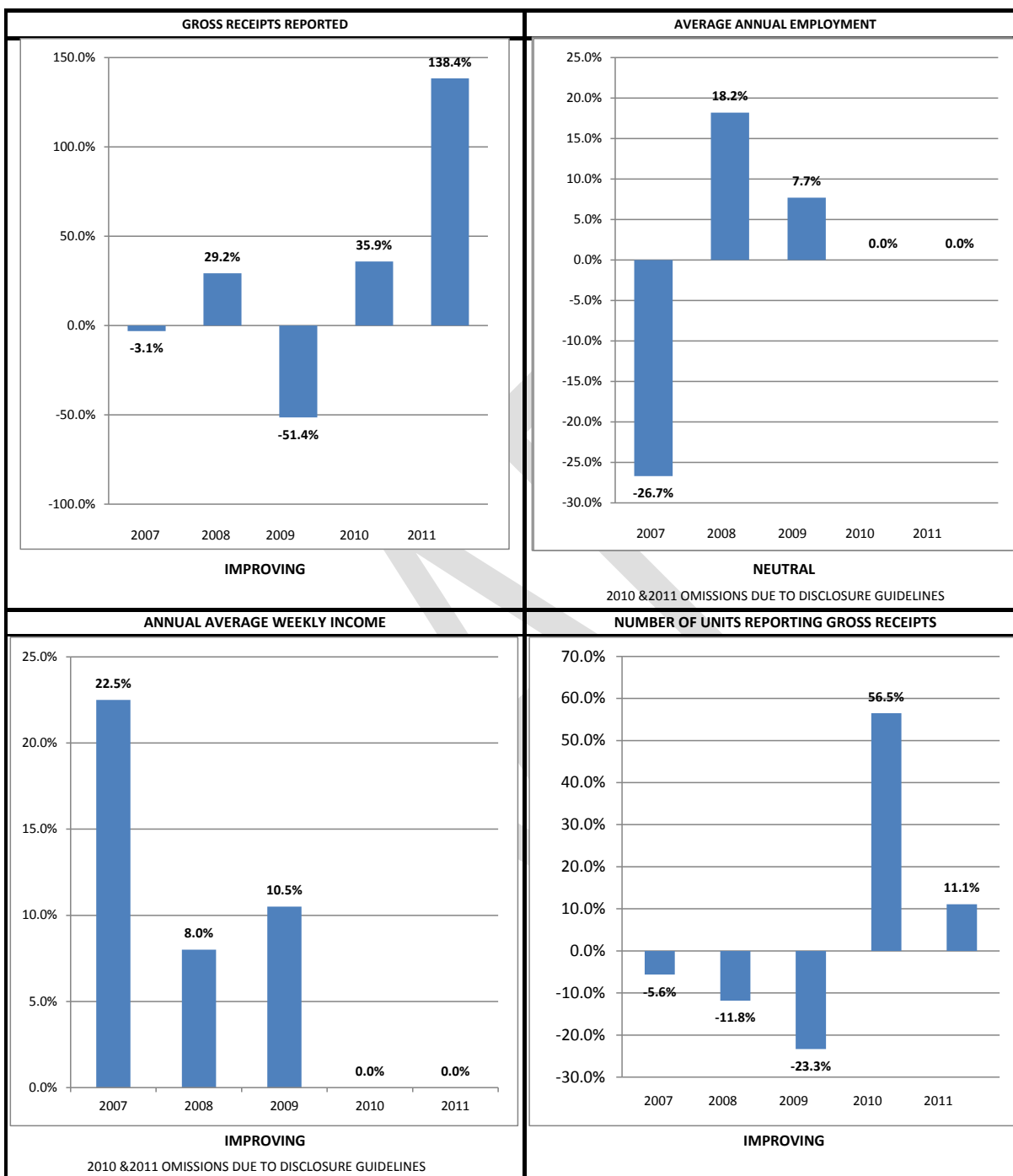
DECLINE

Accommodations and Food Service is a core business sector that relies primarily on tourism and accounts for 40% of Taos basic economy and over 10% of Taos' overall economy. This sector is primarily low wage and low skilled and exhibits an anemic 1.14% growth in revenues.

# 2013 Taos Economic Development Action Plan

## AGRICULTURE, FORESTRY, FISHING and HUNTING SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH

FLAT

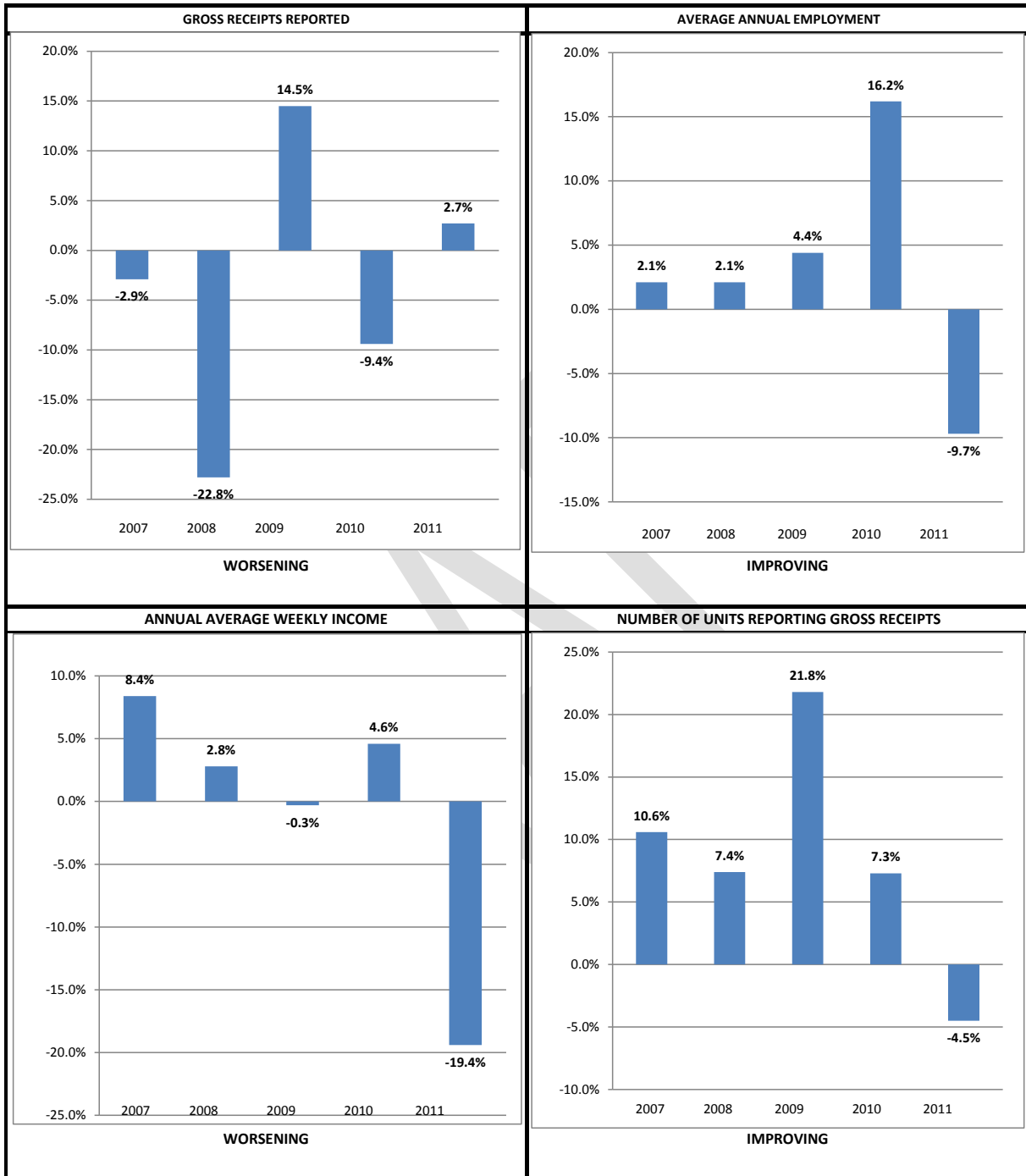
DECLINE

Agriculture, Forestry, Fishing and Hunting includes not only agricultural production but also guide services, adventure companies such as rafting and ballooning. This industry is flat and also only accounts for 1.9% of the basic economy and .5% of the overall economy. This does not account for the strong cultural affinity Taos has for this sector.

# 2013 Taos Economic Development Action Plan

## ARTS, ENTERTAINMENT and RECREATION SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH

FLAT

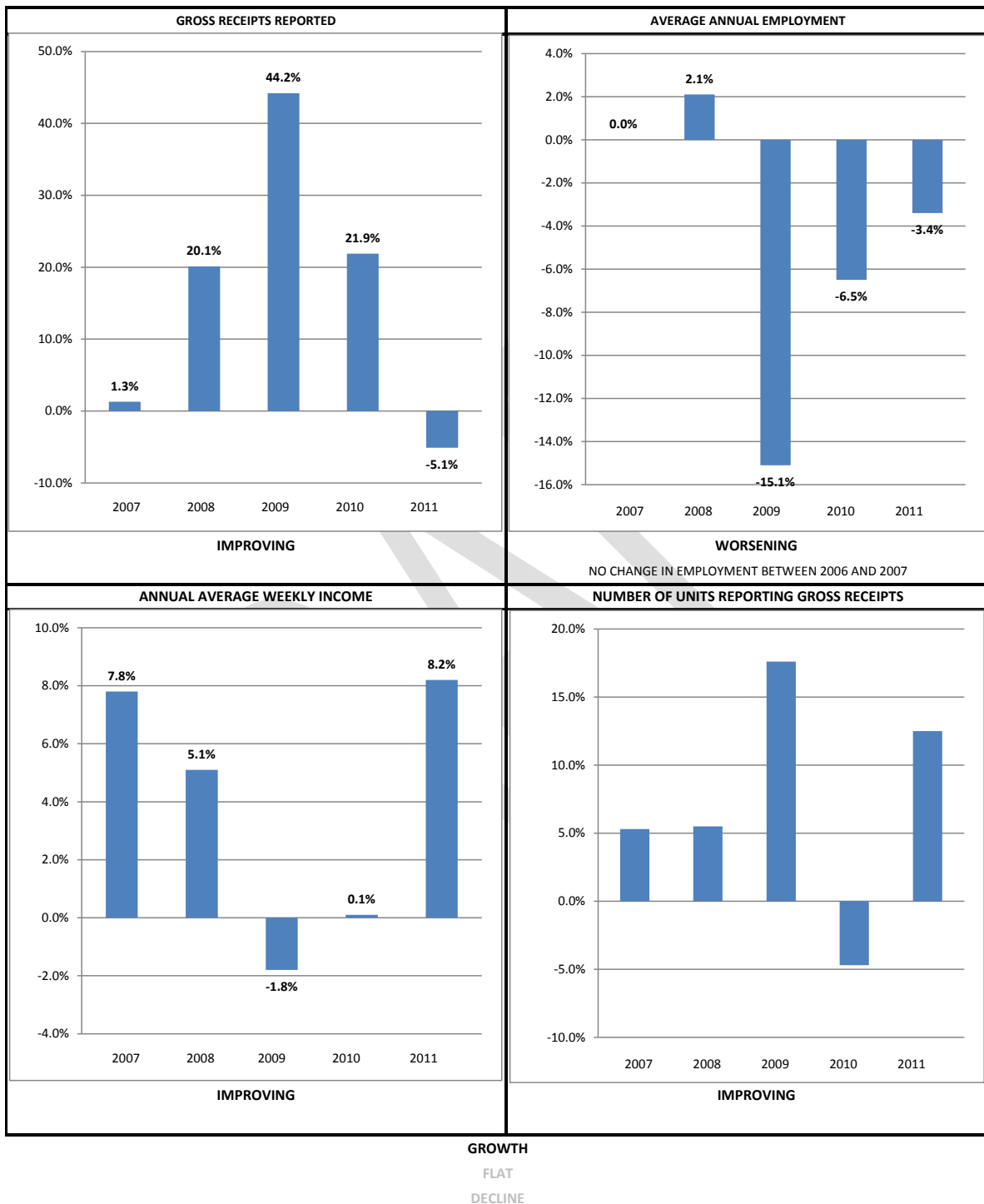
DECLINE

Despite Taos' strong affiliation with creative industries, particularly art and music in all of their manifestations, this industry sector is flat and only accounts for 2.7% of the basic economy and .7% of the overall economy. This does not account for the strong cultural affinity Taos has for this sector or its importance to community identity.

# 2013 Taos Economic Development Action Plan

## INFORMATION SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011

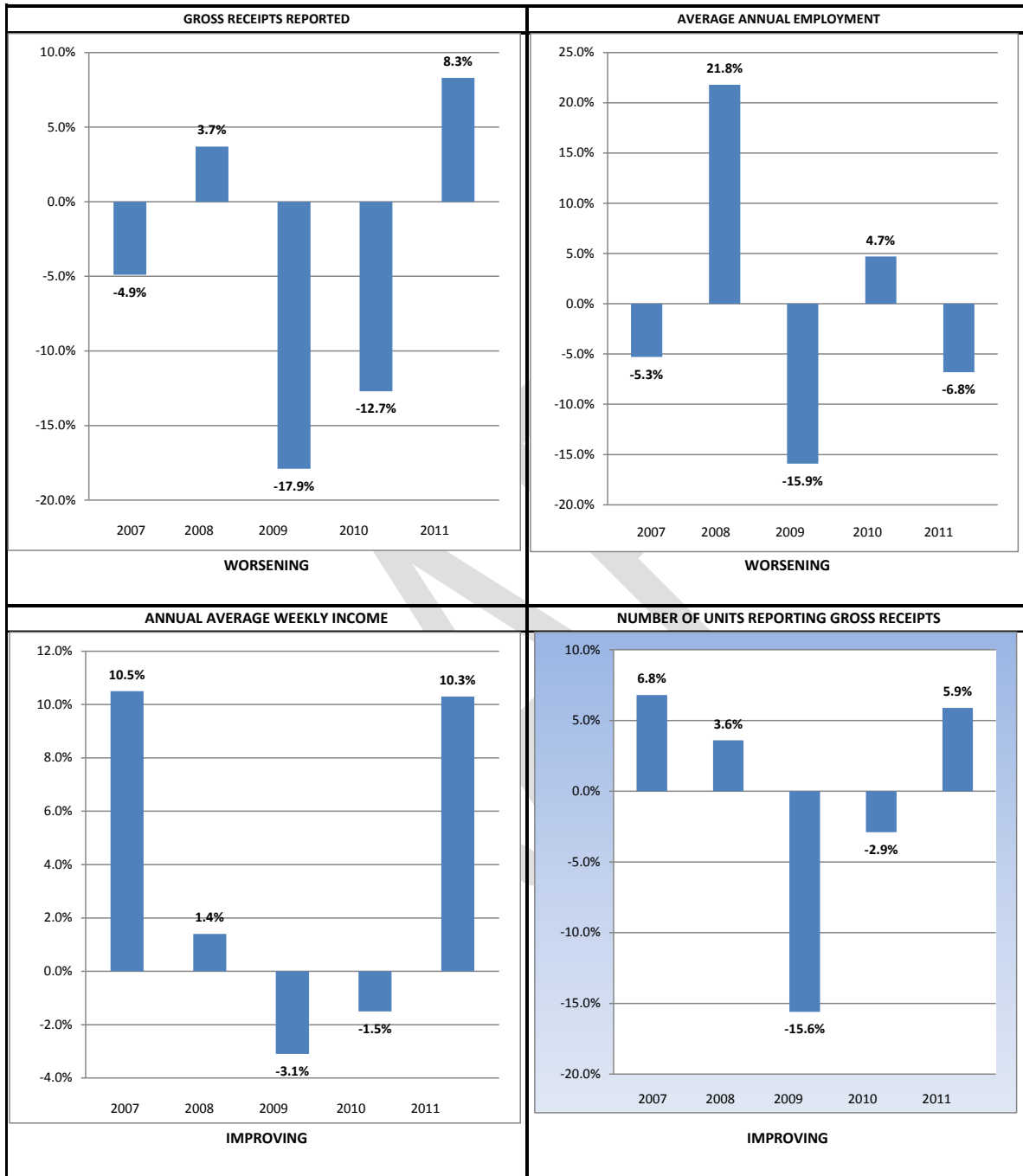


In terms of growth, the Taos' Information sector is showing rapid growth in all areas but in the number of people employed. If revenues continue to climb at the average of 16.48% per year, we can expect new businesses to form and higher additional employees. This is a high wage and high skill industry.

# 2013 Taos Economic Development Action Plan

## MANUFACTURING SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH  
FLAT  
DECLINE

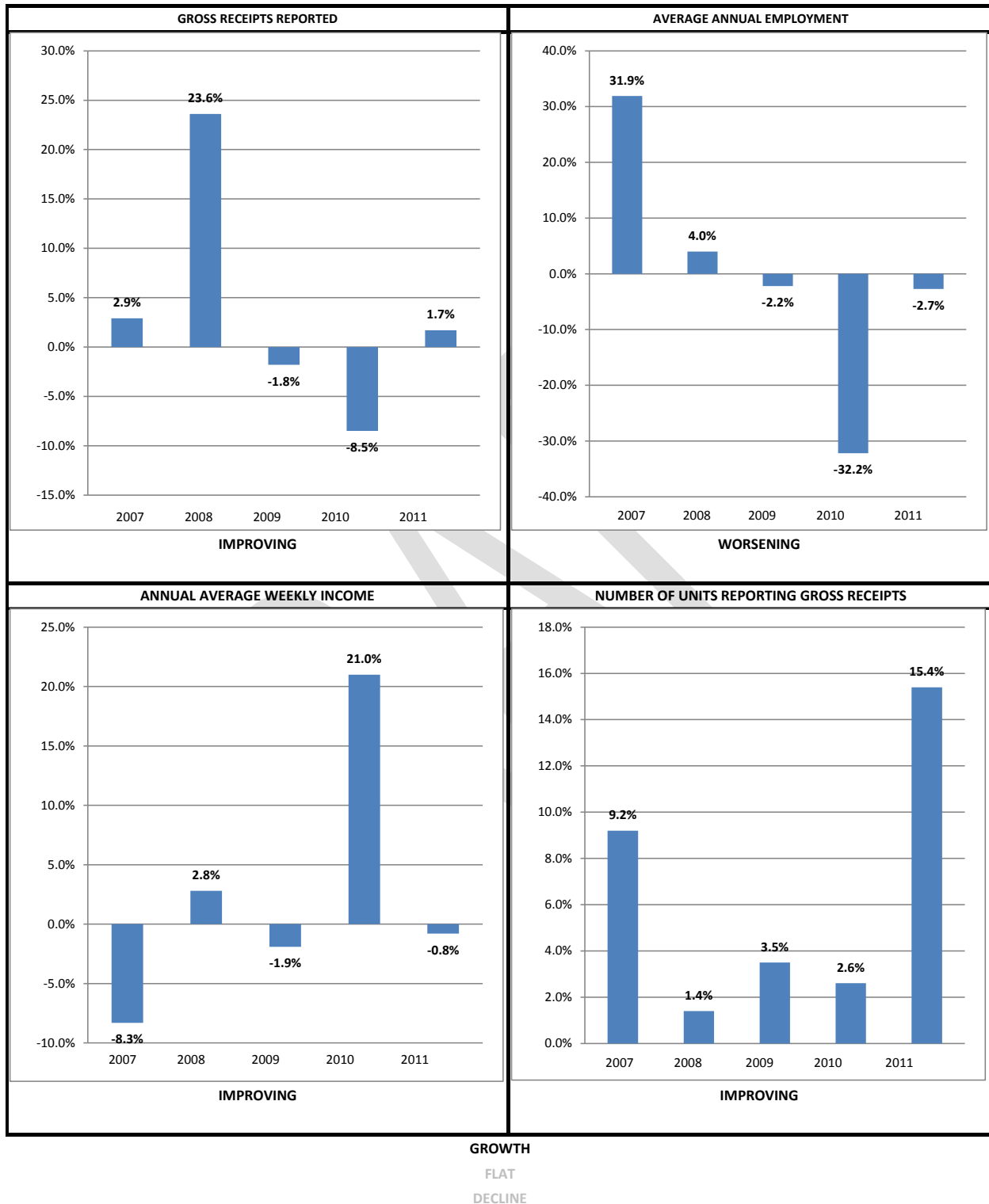
What little manufacturing does occur in Taos (primarily personal care products and food) still accounts for 9% of the basic economy and 2.3% of the overall economy. This sector was negatively affected by the loss of several small manufacturers who both went out of business and relocated. Despite these setbacks, the industry has remained flat and in the personal care product sector is showing signs of rapid growth.



# 2013 Taos Economic Development Action Plan

## PROFESSIONAL, SCIENTIFIC, and TECHNICAL SERVICES SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011

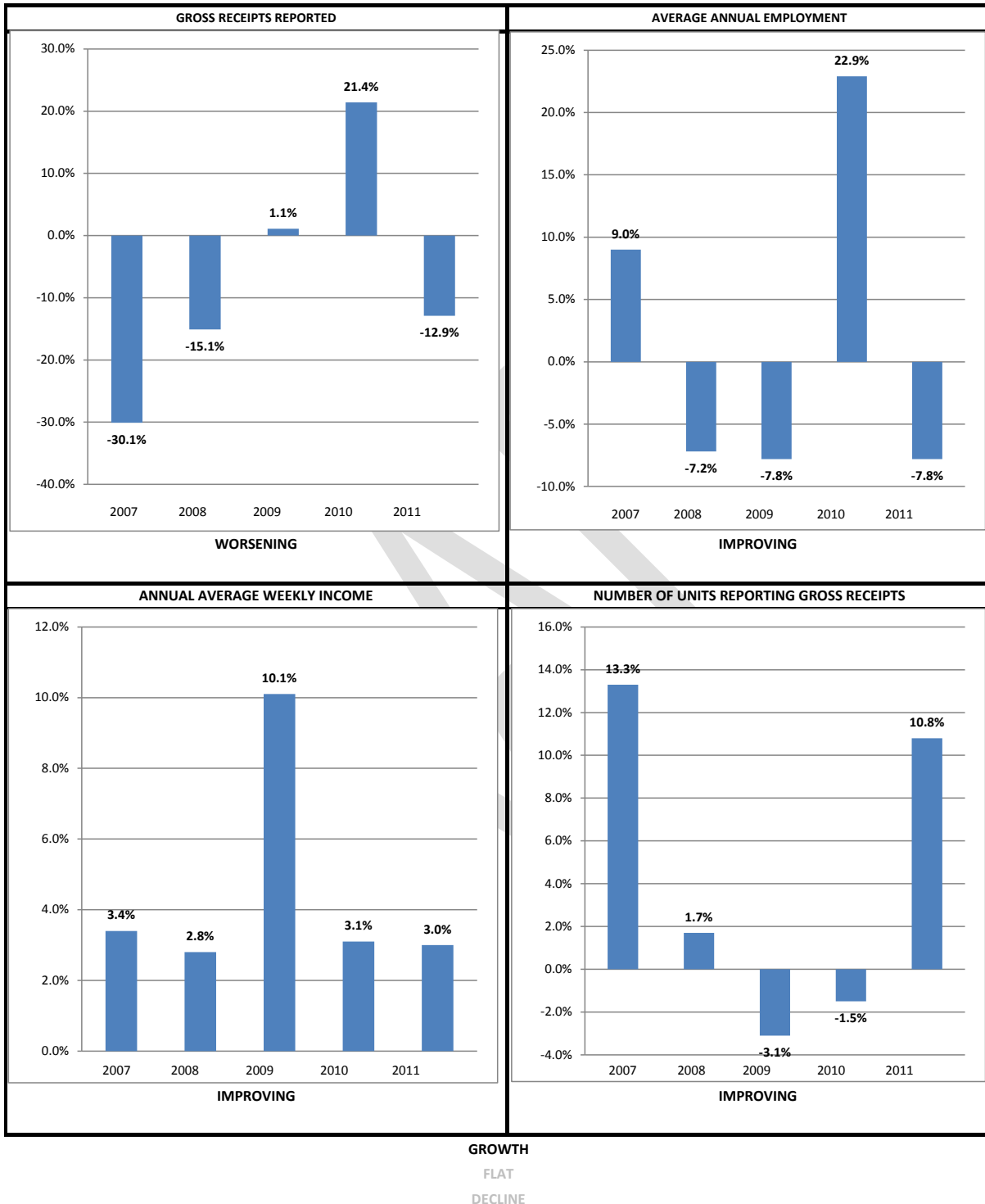


Professional, Scientific, and Technical Services, which includes such things as research and development is growing and provides 13.7% of the basic economy and 3.6% of the overall economy. This is a high wage and highly skilled economic sector.

# 2013 Taos Economic Development Action Plan

## WHOLESALE TRADE SECTOR

Average annual percentage gain / loss over the timeline 2007 through 2011

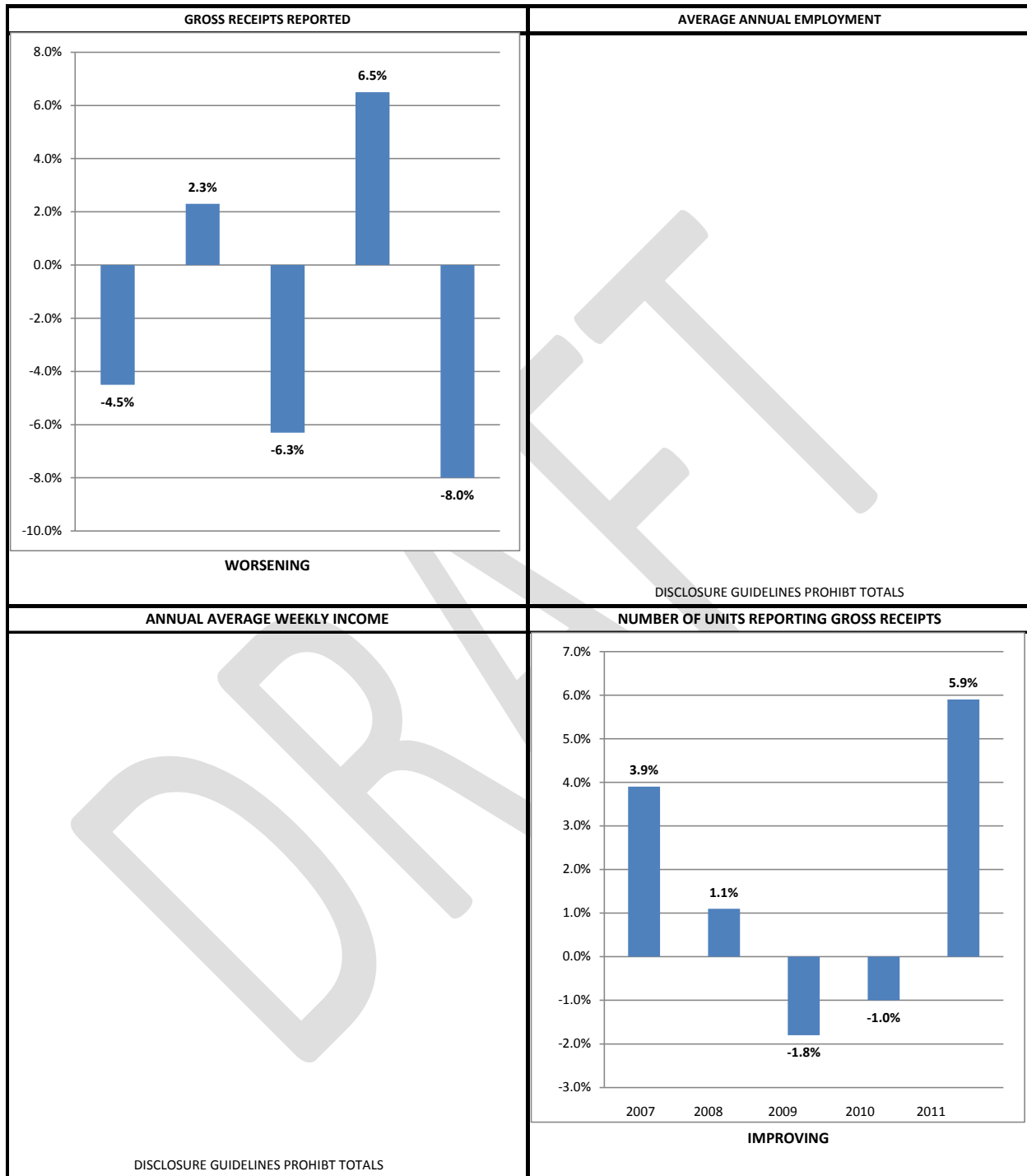


Wholesaling in the Enchanted Circle is almost entirely attributable to the activities of the Chevron Mine between Questa and Red River. It comprises 16.2% of the basic economy and 4.2% of the overall economy. This is a high wage and skilled sector but is not within any jurisdictions control and is entirely dependent on market forces.

## 2013 Taos Economic Development Action Plan

### TOTAL FOR TAOS' SEVEN LARGEST BASIC SECTORS

Average annual percentage gain / loss over the timeline 2007 through 2011



GROWTH

FLAT

DECLINE

Currently Taos is seeing a decline in the revenues generated in its basic sectors; however the number of business continues to increase meaning less money per business. This is an unhealthy economic pattern and can be considered declining.

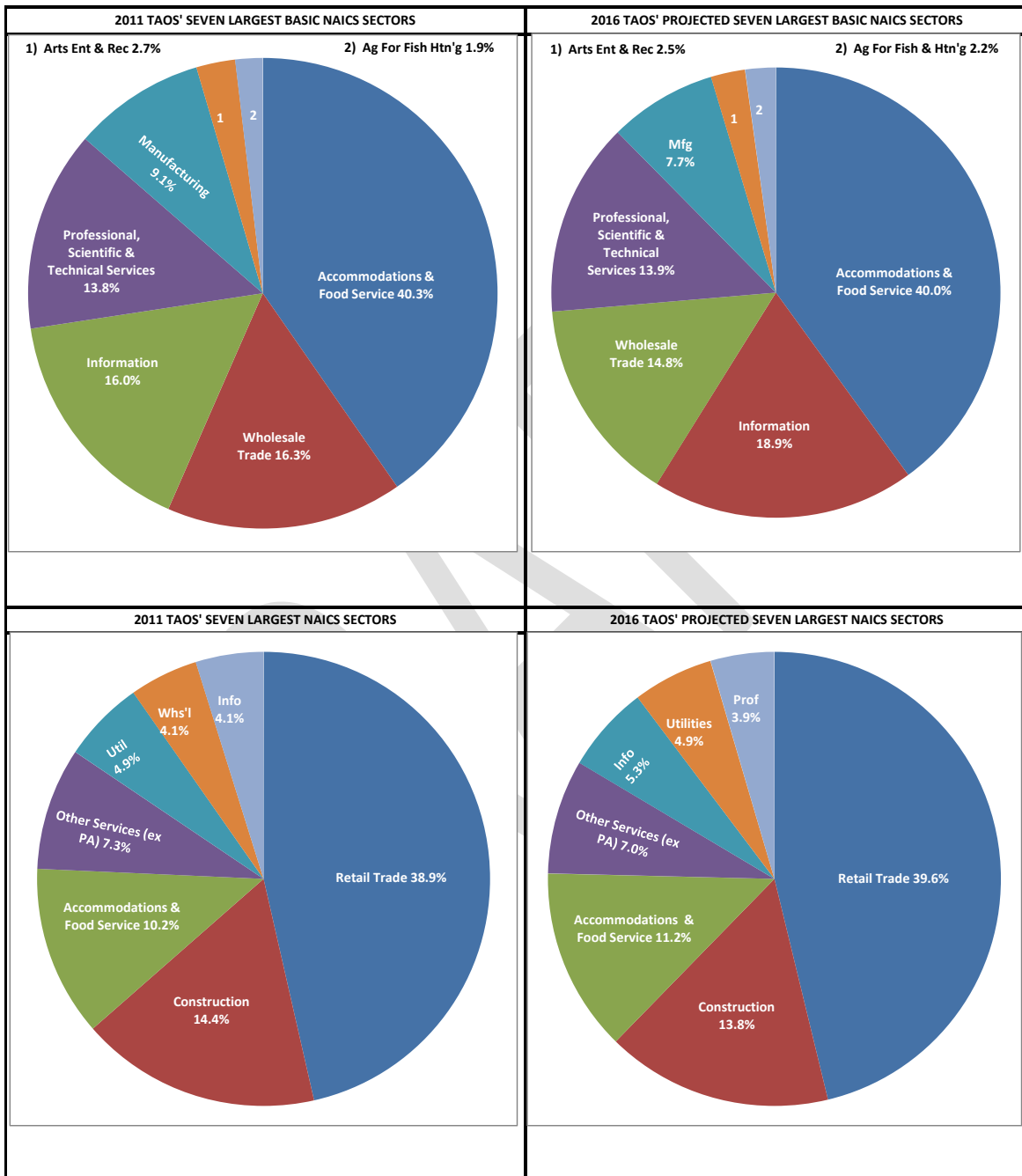
# 2013 Taos Economic Development Action Plan

## Projections

### No Action

TAOS ECONOMY by NAICS SECTOR, EXPRESSED by PERCENTAGE, by GROSS REVENUE (RECEIPTS) REPORTED

Average annual percentage gain / loss over the timeline 2007 through 2011



If Taos does nothing to stimulate the economy, the Retail Trade sector will continue to dominate the overall economy, provide low wage and low skilled jobs, while the Information sector will continue to increase providing a few high wage and high skilled jobs while Accommodations & Food Service will remain the dominate basic sector providing low wage and low skilled jobs.

### General Recommendations

- ❖ **Create a Regional Economic Development Corporation with the sole focus of developing the basic economy of the Enchanted Circle**
  - Must be a new organization that has the clear and sole purpose of developing the basic economy of the Enchanted Circle Region
  - Should have a board of directors composed of no more than fifteen (15) members
    - Seven (7) seats, one for each local government. This will provide public oversight without public domination.
    - Three (3) seats for representatives of the private for-profit sectors that benefit from the development of the basic economy including:
      - Financial institutions
      - Real estate
      - Construction
    - Two (2) seats for representatives of local utilities including:
      - New Mexico Gas
      - Kit Carson Electric Cooperative
      - Century Link Telecommunications
    - Two (2) seats for representatives of the private not for profit sector engaged in aspects of community or economic development
    - One (1) seat for a citizen at large from within the Enchanted Circle
  - Funding would be provided by those portions of the economy that most benefit from expanding the Enchanted Circle's basic economy:
    - All local government entities in proportion to population served with Taos County carrying the highest funding burden, followed by the Town of Taos, etc.
    - Private for-profit entities that are represented on the Board of Directors, namely financial institutions, real estate and construction
    - Local utilities
    - Staff would include an Executive Director with experience and background in Economic Development; a Business Retention and Expansion Specialist with significant BRE experience; and a Statistician/Demographer.
  - This is only a cursory suggestion of a possible structure. To implement this, the Town should either contract with outside consulting assistance or provide staff to facilitate a series of meetings to build the public/private partnership that will be necessary for this Regional Economic Development Corporation to be formed, staffed and funded.

Two consistent concerns were raised in each work group, at each kick-off meeting and were central issues raised at the Roundtable:

- Taos has no leadership for economic development;
- and collaboration and communication is nearly non-existent within the private sector or between the public and private sectors (with a few notable exceptions such as the Taos Tourism Council)

Which raises a foundational question: If Taos is to successfully stabilize, diversify and transition its economy, who is responsible or could be responsible for a singular focus on developing the basic economy of the Enchanted Circle region? The answer is there is no such entity currently operating in the Enchanted Circle region with such a narrow but very important purpose.

The State and local governments, including the Town of Taos, Taos County, Angel Fire, Red River, Questa, Taos Ski Valley, and Eagle Nest, are not able to work effectively at the regional level due to their overriding public purposes and jurisdictional boundaries. Taos County Chamber of Commerce is charged with providing service to all businesses in the region and lacks the capacity to undertake this focus at the exclusion of the other services it struggles currently to provide. Taos Entrepreneurial Network (TEN) is focused solely on addressing the needs of primarily start-up businesses and also lacks the capacity to undertake anything other than what it currently provides. Taos County Economic Development Corporation has evolved into a non-profit that focuses on community development; agricultural preservation; and value added agricultural production through the provision of a community commercial kitchen than developing the basic economy and lacks the capacity to extend into this as its sole focus. Presently there is no single organization that has the sole focus of developing Taos' basic economy and without such an entity there will never be the leadership needed to develop Taos' basic economy.

Just as oversight and governance of the entity by the Board of Directors must be spread evenly among those that benefit from basic economic development, the funding too must come from those who will benefit the most from successfully growing the basic economy of the Enchanted Circle. Some sort of cost sharing agreement will have to be created and adhered to with Taos County, who will benefit the most directly and indirectly from successful economic development

With the deployment of the \$64 Million investment in fiber optics by KCEC, the formation of this entity is an immediate priority. None of the communities within the Enchanted Circle are prepared to leverage this tremendous asset and use it to develop their basic economy in a controlled and thoughtful fashion. This assistance could be provided by this new entity with assistance from professional economic development consultants.

The formation of a regional economic development corporation (REDC) should be done under the auspicious of the Intergovernmental Council (IGC) with participation by both public and private entities that have a substantial stake in successful economic development. There should be either staff assigned to this as a high priority and/or outside consulting services should be procured to facilitate the formation of the new REDC.

- ❖ Focus economic development on basic sector industries that show growth and provide high wages and high skilled jobs

The economy is not immune to the laws of physics. Just as it takes less effort and energy and the effect is greater when you add momentum to a ball that is already moving upward than the effort and energy it will take to have the same effect on a ball that is

falling; economic development is more effective when it is applied to industries that are moving in an overall positive direction.

- ❖ Provide the *Town of Taos Economic Transition Roundtable* as an annual event in April or May
  - Will fulfill one of the promises of the Vision 2020 plan
  - Provides an opportunity for the community to discuss the economy and to have the Taos Economic Report Card presented with updated information
  - Provides the community with an opportunity to ask questions and share ideas of how to best transition the Taos economy without sacrificing what Taos is as a place
  - Each year the Roundtable should include new leaders from the Enchanted Circle Region to ensure the broadest representation and cross-section of the community economy

The Vision 2020 Plan recommended in 1999 that there be a minimum of an annual meeting of the community to discuss important topics, particularly the status of the economy. Members of the community were calling for additional meetings and at one point quarterly meetings on the economy were suggested and generally thought to be supported by local leadership. Those meetings were never held. There is a substantial benefit to increased communication and understanding of the economy but quarterly meetings are too much. An annual meeting hosted by the Town would suffice and any additional meetings on the economy would need to be orchestrated through the private for-profit and not-for-profit sectors.

- ❖ Produce the Taos Economic Report Card (Report Card) on an annual basis
  - An axiom in business is "If you cannot measure, then you cannot manage" and the same is true of the local economy and the Report Card provides key measurements of the local economy
  - The Report Card should contain the established measures as currently designed and presented graphically so that it is easily accessible and understandable
  - The Report Card should be made available at the Taos Economic Transition Roundtable

Without a way to gauge success it's impossible to adapt to changes in the economy and get better results over time. By the same token, failure represents a unique opportunity to learn and adapt. This makes an annual check on the health of the local economy essential for managing how the community responds to opportunities and threats.

- ❖ Annually review, revise and/or create SMART Goals

Just as the Report Card is an essential tool for measuring and then managing the overall economy of the Enchanted Circle, SMART Goals (Specific, Measureable, Attainable, Realistic and Timely), when created correctly, allow for tracking the health

of a particular industry or industry cluster and measures the effectiveness of any sort of economic development activity undertaken within those SMART Goals. SMART Goals should be revisited annually and updated or modified in order to adjust to unforeseen opportunities or obstacles. SMART Goals should always be done in collaboration with anyone interested in the sector but definitely members of the sector to be acted upon. This should be accomplished with a facilitator/planner trained in strategic planning with experience in generating SMART Goals.

### ❖ Make use of the New Mexico Partnership for Attraction

The New Mexico Partnership is a quasi-state organization whose sole purpose is to look for and work toward the attraction and relocation of foot loose businesses to the state of New Mexico. Taos has never worked well with the partnership precisely because Taos has never offered the Partnership a specific target to attract to Taos. Taos has a lot of work to do to be able to effectively use the Partnership including creating a set of updated demographic and economic descriptive data sets, known as profiles or community profiles, that are used by site selection specialists to identify potential locations for their clients. This would ideally be the task assigned to the Regional Economic Development Corporation as recommended above.

### ❖ Improve communication and collaboration

Another constant theme throughout the planning process was the recognition that communication between and among businesses; business sectors; and public, private for and not for profit entities was poor with some bright exceptions such as the Taos Entrepreneurial Network (TEN). For those businesses within the basic economic sectors, the proposed Regional Economic Development Corporation would be primarily responsible for creating collaboration, communication and networking among those businesses while the TEN focuses on start-ups and the Taos County Chamber of Commerce should be responsible for the remaining non-basic sectors.

### **Recommendations from the Work Groups and SMART Goals**

Participation in the work groups was open to all but to be on the work group we required them to have direct involvement by attending two (2) meetings about three (3) weeks apart. While the number of people participating in the work groups was disappointing given the commitments people made prior to those meetings, those who did participate were energetic, thoughtful and engaged. Each of the four work groups generated a list of goals that they believed if achieved would give some level of success to that sector of the economy. The groups then organized these raw goals into headings that captured any similarities among the potential goals. The members then voted for those raw goals they believed were the most important to complete as a means of prioritizing the goals. Once the priorities were set, the SMART criteria (Specific, Measurable, Attainable, Relevant and Timely) were applied to the top priority. Once that goal was transformed from a raw idea to an actionable SMART Goal, the participants developed objectives that would need to be completed to reach the goal and the step by step actions needed to complete each objective. Those actions



would also include the identification of who would be responsible for the action, funding required and funding sources and the deadline and/or trigger for each action.

The SMART process is difficult and time consuming and needs to be done with a facilitator who is experienced in strategic planning and SMART Goals specifically. In most cases the work groups were only able to complete a single SMART Goal and none were able to refine and create detailed actions. Regardless the SMART Goals developed by the groups can be implemented effectively if there is someone whose responsibility is the implementation of this plan and its SMART Goals. Hence we recommend the formation of a Regional Economic Development Corporation.

### **Business Retention, Expansion & Incubation**

Retaining and expanding businesses tends to get less attention and emphasis than it deserves. Winning the relocation or attraction of a large, location dependent, new business tends to get more press and political fanfare. However, retaining and assisting with the expansion of local businesses tends to have a greater return on investment for a community. Taos has elected to emphasize the growth and retention of local businesses over attracting location dependent businesses and generally accomplishes its retention and expansion goals by addressing the improvement of the business climate and quality of life of the local population. Business attraction is in part a byproduct of these retention and expansion initiatives.

SMART Goal:

- ❖ Improve the business climate in Taos to allow for and encourage collaborative relationships, networks, and improved communication, with public entities by developing a plan/agreement in which SBDC, TEN and the Chamber define their roles and functions.
1. Private actions
    - a. Convene a number of business leaders to meet initially to develop essential needs list for local businesses
  2. Public actions
    - a. Provide a facilitator
    - b. Provide meeting space
    - c. Provide administrative support
    - d. Staff and Council participation
  3. Public/Private actions
    - a. Public and Private entity representatives hold meetings with SBDC, TEN and Chamber to develop how these organizations will meet the needs of local businesses.
  4. Completion date: Approval and adoption of the plan/agreement by the entities involved by January 1, 2014

SMART Goal:

- ❖ Develop an intern program (or expand job shadow program) where teens entering their junior year and above intern at local businesses of interest.

1. Private actions
  - a. Solicit and get commitments from local businesses to participate
2. Public actions
  - a. Develop school program and policies the promote, support and encourage the internship program
3. Public/Private actions
  - a. Develop 30 internships between Taos High and local businesses with the idea of generating interest in further education and future employment.
    - i. Summer 2014 have 10 internships developed and add an additional 10 per year until 30 are established by the summer of 2016.
4. Completion date: 30 or more stable internships with local businesses in a variety of career paths by June 2016

### **Creative Industries**

The title of this work group/sector, Creative Industries, refers to a range of economic activities which are concerned with the generation or leveraging of creativity, knowledge and information and/or the making of creative goods and services.

The origin of Taos as an art colony came about by artists who were attracted by the culture of Taos Pueblo, the natural light of the region, and Hispanic craftsmanship of tin, furniture, painting and more. And now, more than 100 years later, the creative roots of the community continue as a part of the local economy. The original components of the "Art Colony" originally comprised of many master painters, have expanded many fold to now include; culinary arts, music performance and production, film, technology, writing and poetry, fashion, alternative medicine, and other creative endeavors.

The creative industries have been seen to become increasingly important to economic well-being, proponents suggesting that "human creativity is the ultimate economic resource and that "the industries of the twenty-first century will depend increasingly on the generation of knowledge through creativity and innovation," ([Landry & Bianchini 1995](#), p. 4).

The desire for effective marketing related to the offerings of the Creative Industries overlaps with the marketing concerns of the Tourism & Retail sectors. There is a desire to provide and better forward the numerous classes, workshops, retreats and other vehicles that have been developed or will be developed in the hopes that they will have a wide appeal to the 'Boomer Generation' and others interested in an experience that will enhance their lives rather than be a simple vacation touring a new location.

It was heavily emphasized in the work group that the creation of art and other creative products was essential. There was a feeling that Taos is losing its core of productive creative people and was becoming less about creation and more about the commoditization and sale of products created anywhere. The Creative Industries as defined for this Action Plan are basic economic activities where businesses and individuals are engaged in the creation of art, produce films, books, and other creative

products and/or offer artistic trainings and workshops, that are exported or consumed by visitors from outside of the community and result in new money coming in.

SMART Goal:

- ❖ Improve the marketing of the arts to encompass that Taos is a place where artists live and the reasons why they choose Taos – light, geography and culture – which also ties to the outdoors and adventure tourism.
1. Private actions
    - a. Develop a creative industries marketing coop pool of funds and leverage greater market penetration.
    - b. Bring together representatives of arts organizations, events and different facets of the creative industries to coordinate marketing efforts
      - i. Development of signature events for each of the core sectors of Taos' creative industries including, but not limited to: visual arts, installation/technological/media arts, culinary arts, literary arts, music, performing arts, cultural arts, botanical arts, craftsmanship.
  2. Public/Private actions
    - a. Development of a clearing house organization and/or tool that provides marketing information for the arts and events for local organizations and to local marketing firm
  3. Completion date(s): Increase the number of weekend long art and cultural events/activities on the Plaza to a monthly event in 2015 with forty weekend events by 2020 with expansion of singular historic district wide event to quarterly events the fit with season – expand on Fiestas in summer, lighting of Ledoux in winter, Spring and Fall Arts.

### Technology

For the purposes of this Action Plan, the technology sector is comprised of businesses that are primarily involved the advancement and provision of technology. The products tend to be heavily based on intellectual properties including research, development, and service and consulting around technological advances. In Taos the technology sector includes all forms of alternative energy (primarily solar), software/application development, and other related technological advances.

Technology as it is defined for Taos is considered a clean and high paying industry. The majority of these businesses are location neutral, meaning that they can be located almost anywhere as intellectual capacity is the biggest material in the manufacture of their products. This allows technology business to factor in the quality of life into their location decisions and unlike traditional manufacturing can often choose a location solely or primarily on the quality of life available in a certain location.

SMART Goal:

- ❖ In order to increase a technology based work force, Taos should promote technology related degrees and courses at UNM (distance and local) and

increase local student population by 15 students annually in those degree areas (certificates, associates and bachelors)

1. Public/Private actions
  - a. Inventory what technology is available in Taos and where it is
  - b. Create a technology coalition that supports the education of technology workers in specific areas (green technology/sustainable energy, IT administration, etc.)
  - c. A success would be to achieve a 75% graduation rate (11) and/or successful industry certification completed
2. Completion date: By 2017 have first graduating class or completed certification

SMART Goal:

❖ Attract (Identify) technology leader to (in) Taos

1. Private actions
  - a. Secure public funding in order to:
    - i. identify areas of technology that are being developed and approaching commercialization;
    - ii. identify current market forces that may lead to successful commercialization of those technologies.
  - b. Completion of the necessary research to establish targeted technology based industries for relocation, retention, expansion and incubation.
2. Public actions
  - a. Fund or secure funding to research emerging technologies and markets per the above
3. Completion date: Completed research by July 2015

### **Tourism & Retail**

During the work group meetings it was recognized that retail that is basic in nature is intrinsically attached to tourism. Therefore concentrating economic development efforts on retail will have nominal or no impact on the economy. Retail choices are also difficult to navigate as each retailer has a unique approach, merchandise and clientele whereas attracting more visitors will increase not only tourism based business such as lodging, but may have direct impact for certain retailers. In short, Taos has the ability to exert more control over tourism than it can over retail.

However retailers that cater to tourists should develop a strong alliance with lodgers, particularly those that attract visitors within that retailer's customer demographic profile.

There was also expressed a very strong level of concern regarding the effectiveness or lack thereof of the current marketing efforts by the Town's marketing contractor. The lack of understanding between the public and the marketing firm is highly pronounced and is creating conflict and negativity. The lack of open communication and interaction between those who rely on the marketing to improve their business and the marketing firm is very apparent.

### ❖ Improve the marketing for Taos

#### 1. Private actions

- a. Create a method to better interact and communicate with the Town's marketing contractor and distribute accurate information among concerned businesses

#### 2. Public actions

- a. Identify the demographic attributes that Taos appeals to (a true 3<sup>rd</sup> party market analysis/study)
- b. Impose reasonable measures for success including:
  - i. An increase in gross revenues (as shown in the gross receipts reported from NM Taxation and Revenue) for tourism related business (see Taos Economic Report tourism composite measure)
    1. Level to stable within 3 years (by 2nd quarter of 2017), increase by 15% over 5 years following (2<sup>nd</sup> quarter of 2022)
  - ii. Increase the length and number of stays at area lodging
    1. Will need to segment into low, mid and high end accommodations
  - iii. Net increase of new tourism related businesses

#### 3. Public/Private actions

- a. Identify one identity for the community that is consistent (brand)
- b. Using Taos community characteristics such as the rural and approachable character as a part of the identity
- c. Maintain the character of the community such as its funky, quirky nature

#### 4. Completion date(s):

- a. Completion of the identity (brand) within 2 years (Spring 2015)

### **Other goals in priority for future action plans**

The following are those other prioritized raw ideas for goals under their respective headings. In order to be useful they will need future refinement through the application of the SMART criteria. They should not be abandoned but instead should be addressed as the other SMART Goals developed and listed above are completed or are stable and ongoing.

#### Business Retention Expansion & Incubation

##### 1. Business Education

- a. Consistent, Quality & Coordinated Business Training – Both Expansion & Retention
- b. Mentorship

##### 2. Incubation – Establish a center for entrepreneurship at UNM Taos

##### 3. Relationship of Public & Private Sectors

- a. Infrastructure maintenance needs to be done equitable
- b. Equal/equitable application of ordinances by Government
- c. Tax Breaks for Technology & E-Commerce Companies
- d. Task force to investigate how Town/County can really help: eminent domain, tax abatements for favorable investments, coordinate communication with residents and investors

### Creative Industries

1. Improve business infrastructure
  - a. Business pairings (food and art, business and cause)
  - b. Creative liaison to Chamber
  - c. Tax abatements for large creative projects
  - d. Weekly studio tours
  - e. Business sponsorship/patronage for art
  - f. Create a Clearing House for Classes & Workshops
  - g. Music Production Facility
  - h. Take a look at why so many Creative Industries left! (Poetry Circus, Film Fest)
  - i. Be open consistently
  - j. Go to a Council Meeting once and a while
  - k. Have a welcoming Environment/Entrance
  - l. You have an issue with Town, see if you can resolve it, then seek help with Town
  - m. Business Practices
  - n. Know your Neighbor / Competitors
  - o. Greet locals and visitors with respect
2. Creativity Support: Make Civic Plaza Drive the Art/Culture/Educational hub
  - a. Bring back visual arts focus with TCA
  - b. National Juried Exhibitions
  - c. Creative Diversity
  - d. Available Grants?
3. Reinvigorate the film industry in Taos
  - a. Major motion picture about Taos
  - b. Institute a Taos Film Commission
  - c. Bring back & promote Taos Film Festival

### Technology

1. Build a state of the art technology education facility
  - a. Develop an entrepreneurial support location with office, conference room, plug and play services for rent
2. Clean energy expansion
  - a. Make Taos a sustainable technology center for R&D, education & design/sales in the Southwest
  - b. 100% renewable energy for Taos County
  - c. Affordable Energy Audits & Remediation for all buildings
  - d. Create a Taos "Solar Decathlon" Competition
  - e. Government & Public charging stations for Electric Vehicles

### Tourism & Retail

1. Create events and activities that appeal to a targeted market

2. Improve service and retail “infrastructure” – e.g. customer service, operating hours, local appeal, meet local business needs, etc.
3. Improve public infrastructure and public services – e.g. pedestrian walkways (sidewalks), etc.

DRAFT



### Definitions

**Community:**

For the purposes of this plan a community is a geographic region that operates as a cohesive unit regardless of governmental divisions and boundaries.

**Public:**

Public refers to governmental agencies at all levels.

**Private:**

Private refers to any non-governmental entity including the non-profit sector.

**Community Income:**

Community income is the income generated from goods and services sold to persons outside of a defined geography. This is sometimes referred to as community wealth or a gross domestic product. This is the measure of the wealth generation of the community's basic industries overall.

**Personal income:**

This is the wealth of an individual regardless of source. Personal income is what drives the non-basic economic sector and local goods and services. While it does not generate community wealth it does create personal wealth and is another measure of a standard of living for a community.

**Basic Economic Activities:**

A basic economic activity is one that produces a good or a service that is mostly consumed by people from outside of a region/community. These businesses are "net importers of community income" and are the basis for the economic growth and income generation of a community. Two examples of basic economic activities are manufacturing a personal care product that is shipped out of the region for sale or a hotel that provides lodging services to visitors.

**Non-basic Economic Activities:**

A non-basic industry provides goods and services primarily consumed by the local community. A grocery store sells the majority of its goods to local citizens; a hospital provides much needed health care services to the local community; etc. These businesses tend to recycle the personal income generated by basic industries and their demand is proportional to the health of the basic industries in the community. Most retail and non-tourism related services are non-basic industries. Art sales in galleries, however, tend to be basic sales but are one of the few exceptions among retail sales, along with catalog sales, internet based sales, etc. that sell the majority of their goods to people outside of the community. Non-profit industries are also non-basic; despite receiving grant funding from outside of the community they do not generate, by definition, profit other than paying expenses and occasionally limited salaries for executives and staff.

**Quasi-basic Economic Activities:**



A quasi-basic industry is one that blurs the line between basic and non-basic industries. Restaurants are sometimes an example of this type of industry where their sales are made to both visitors and community members and are nearly proportional overall. Until recently, residential development could be considered a quasi-basic industry given the former power of the second home market in Taos.

### **Community Development:**

This is the development of the support structure and quality of life provided to members of the community. This includes businesses that provide healthcare, childcare, non-profit services (CAV, Non-Violence Works, Stray Hearts, etc.) and most retail sales and other such activities that simply recycle personal income derived from basic economic activities. This is the development of non-basic economic activities which is equally important as economic development and is heavily intertwined with basic economic activities.

### **Economic Development:**

This is the development of basic economic activities and “imports” community money. Basic economic activities provide economic growth and allow a community to provide higher standard of living and quality of life within the community.

### **Community Economic Development:**

Community economic development combines the disciplines of community development and economic development into a single activity. This is based on the observation that the two frequently separated disciplines are really inseparably intertwined economic forces; the results of community development, which most specifically addresses quality of life issues and non-basic economic activities, affects the results of economic development which focuses on basic economic activities

### **Geographical Assets/Advantages:**

A factor in the measurement of quality of life is dependent on the geographic assets/advantages of a community. For example a town in Arizona may be able to boast that they have 360 days of sunshine while Taos can claim large open spaces, four seasons, beautiful mountain vistas, access to pristine public lands and a small town atmosphere. These geographical advantages typically cannot be manufactured and in some cases require protective measures to ensure their continuation.

### **Quality of Life:**

Quality of life is a measure of opportunity above the standard of living within a community. Quality of life measures include things such as recreational activities, educational opportunities, cultural events and activities, etc. that give added value to citizens above and beyond the standard of living. These can be both public and

private services and goods that are made available due to high community wealth. As a public good they carry a user fee or purchase price.

**Standard of Living:**

The standard of living refers to two things: the median wage and the baseline services available in a community. Education quality and access, library services, recreation services, street conditions, water quality and other generally public goods available in the community which is proportional to the available tax base. The standard of living is what is seen as the baseline economic condition of local citizens. Standard of living goods and services do not carry a user fee or purchase price.

**Public Goods and Services:**

Public goods and services are those things that cannot be provided by the private sector because their production is not profitable and is necessary for the community to function. Roads, utilities, police and fire services are a few examples of public goods and services.

**Private Sector**

The private sector is composed of any non-governmental entity that is classified as for-profit or non-profit in the goods and services they provide. A rule of thumb is that if the entity is required to report its activities to the Internal Revenue Service or is otherwise regulated by a government, it is considered a part of the private sector.

**Private Goods and Services:**

Private goods and services are those that are provided by the private sector because they yield profit/income. Some formerly public goods have been successfully privatized.

**Non-Profit Goods and Services:**

The non-profit sector of the economy provides public goods and services that either the public entities cannot provide or that are more efficiently provided by the private sector entity. Non-profit entities do not produce income but do provide goods and services that add to the measure of a community's quality of life and in some cases standard of living.

**Business/Industry Cluster:**

Industry clusters are groups of businesses that use similar workforce, infrastructure, and support services and also provide a certain synergy and collegial environment that can lead to new business ventures and collaborations.

**Business Attraction:**

Business attraction is the act of enticing a business to expand into or relocate to community. This is usually accomplished by using one or more attraction tools. Business attraction is often criticized for being very expensive and sometimes being more focused on the competition than on the benefits.

### **Business Retention and Expansion:**

Business retention and expansion (BRE) activities focus on businesses present in the community. While BRE gets less press and political fanfare than business attraction it is generally less expensive and more effective. In addition BRE investments tend to improve the business climate in the community and improve the quality of life in the community which in turn makes the community more attractive to businesses in the same business/industry cluster.

### **Strategic Planning:**

Strategic planning, at its core, has some basic elements and tools that, if properly applied, result in a realistic, implementable and measurable plan. The most basic tool in strategic planning is the SWOT analysis and the essential elements are a vision statement, mission statement, SMART goals, objectives and actions. If crafted correctly a strategic plan creates accountability, responsibility and uses objective measurements to show progress or lack thereof.

### **SWOT Analysis:**

A standard and useful tool in strategic planning is to perform a SWOT analysis, or Strengths, Weaknesses, Opportunities, and Threats analysis that succinctly provide a snapshot of the likely environment for any undertaking.

### **Vision Statement:**

A vision statement is an unconstrained projection of a future condition. For example a person may have the vision of being a law enforcement officer. It is often a simple statement that is general in nature; it is the finger that points at the moon; a big idea; something to achieve and aspire to.

### **Mission Statement:**

A properly crafted mission statement is a short, succinct declaration of how a vision will be achieved. The real purpose of a mission statement is to be able to say in a single sentence what a person or organization does to achieve the vision. If used properly a mission statement keeps one on task, prevents scope creep and lets one tell other what they don't do.

### **SMART Goals:**

Goals developed for a true strategic plan must be SMART; Specific, Measurable, Attainable, Relevant, and Timely. This prevents the use of goals that are simply ideas. A

goal begins as an idea but must have the SMART criteria applied to it to ensure that the goal is functional and strategic.

**Objectives:**

Objectives are those large steps that must be completed in order for a goal to be achieved. Typically well-crafted SMART goals will allow for substantial objectives to be easily identified in a logical order and have defined due dates, and overall costs implicit to accomplishing the SMART goal.

**Actions:**

Actions are the specific steps that must be completed to complete an objective. Actions are assigned tasks that keep accountability and responsibility clear when evaluating the implementation of the strategic plan. Actions also specify due dates, resource needs and costs in addition to assigned responsibility.

**Workforce Development:**

Workforce development is the act of tuning a labor force to fulfill the needs of specific industries. The most effective workforce development programs are closely linked to the needs of local (basic and non-basic) industries and prospective (basic) industries that are identified in a community economic development plan. Workforce development agencies work closely with agencies focused on community economic development and educational institutions to identify labor demands, needed skill sets and pathways to employment or re-employment.



**September 4, 2013**

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**Title:**

Presentation by LeapPartners

**Summary:**

Presentation by LeapPartners to Planning and Zoning Commission of the 2013 Updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and the 2013 Economic Development Action Plan request for Commission recommendation to the Taos Town Council to adopt the 2013 Update and the 2013 Action Plan." The explanatory body should read "Presentation by LeapPartners of the 2013 Updated Community Economic Development Base Strategic Plan and Comprehensive Plan Element and Economic Development Action Plan followed by a request for Commission recommendation to the Town Council to adopt the 2013 Update and the 2013

Action Plan. LeapPartners has been engaged in a public process since February to form the 2013 Action Plan based upon community created SMART Goals in key areas of the Taos Economy. The 2013 Action Plan includes recommendations for the long term approach to economic development for the Town and the Enchanted Circle Region that will need to be implemented in the private and public sectors as well as through public and private partnerships.

**Background:**

**Attachments:**

Click to download

 [2013 Updated CED Foundational Strategic Plan](#)

 [Action Plan Draft](#)



**September 4, 2013**

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**Title:**

Discussion of proposed Code changes & Planning, Zoning and Buildings Department protocols.

**Summary:**

Discussion of proposed Code changes & Planning, Zoning and Buildings Department protocols.

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**September 4, 2013**

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**Title:**

Discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses

**Summary:**

Discussion on possible amendments to the C-1 "Neighborhood Commercial Zone" and C-2 "General Commercial Zone" for agricultural uses

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**October 2, 2013**

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**Title:**

September 04,2013 Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

Click to download

📎 [September 04, 2013 Meeting Minutes](#)



## **QUASI-JUDICIAL HEARING PROCEDURES:**

### **Hearing script to be followed by the P&Z or BOA chairperson**

PLANNING & ZONING COMMISSION TRAINING WORKSHOP JUNE 23, 2009

RB Revised 6/23/09

“The next item on our agenda is a public hearing for Case Number \_\_\_\_\_, an application for a \_\_\_\_\_ for a property located at \_\_\_\_\_. The Commission’s decision on this case must be based on the criteria contained in Chapter 16 of the County Code known as the Development Code.”

#### **HEARING PROCEDURES:**

“The hearing tonight will be conducted under procedures developed from New Mexico case law. These hearing procedures are intended to protect the due process rights of all parties:

- Parties and witnesses will be identified
- All persons who expect to offer testimony will be sworn in and testimony will be given under oath
- All persons offering testimony will be subject to cross-examination by other parties. Please remember that the purpose of cross-examination is to ask questions and solicit relevant facts from the witness, not to be argumentative or to state your own position.
- The Commission intends to limit testimony to information relevant to the matter being considered and the Commission Chairperson may limit redundant or repetitive testimony.”

#### **IDENTIFICATION OF PARTIES:**

“Parties to this case include [NAME OF APPLICANTS]. The Community Development Department staff will assist the Commission in fully developing the record. Other persons in addition to the applicants, including property owners within 300 feet of the boundary of the property under consideration, and those who have a legally recognized interest in this case may also be recognized as parties. Parties may call witnesses to present facts to support that parties’ position. If you wish to speak at this hearing and believe you have a direct interest in this case and want to be recognized as a party, please come forward to the microphone now.

[IF ANYONE RESPONDS] Please state your name and address and present your interest in the outcome of this case.”

#### **COMMISSION DISCLOSURE:**

“The Chair will now poll the Commission as to potential conflicts of interest or “ex parte” communications:

1. Does any Commissioner have a potential conflict of interest in this case? If so, please disclose that interest. [IF SO] Are there any other Commission members who would like to make a disclosure?
2. Has any Commissioner received any ex parte communications regarding this case? If so, please disclose those communications. [IF SO] Any other Commissioners?
3. Has any Commissioner reached a decision on the merits of this case as a result of *ex parte* communications?” (If so, ask the Commissioner to step down and not participate in the hearing). Any other Commissioners?

### **SWEARING OF WITNESSES:**

“Will the Commissioner Recorder please swear all persons who wish to testify?

[IF ANYONE ELSE DECIDES LATER THAT THEY WOULD LIKE TO TESTIFY THEY WILL HAVE TO BE SWORN IN ALSO.]

### **ORDER OF THE HEARING:**

[CHAIR TO ANNOUNCE EACH SECTION OF THE HEARING AS IT TAKES PLACES IN THE FOLLOWING ORDER. ]

1. **Presentation by of the Applicants.**
2. Cross-examination of the Applicants by staff and any other parties [ONLY QUESTIONS AT THIS POINT—OPINIONS AND COMMENTS COME LATER]
3. Commissioner questions of the Applicant and Applicant witnesses [ONLY QUESTIONS]
4. **Staff presentation.**
5. Cross-examination by parties (if any). [AGAIN, ONLY QUESTIONS]
6. Commissioner questions of the staff and staff witnesses. [ONLY QUESTIONS]
7. **Presentations of other parties and their witnesses** [THIS IS WHERE THE PUBLIC CAN EXPRESS THEIR OPINIONS AND COMMENTS, NOT DURING CROSS-EXAMINATION]
8. Cross-examination by staff and other parties. [ONLY QUESTIONS]
9. Commission questions of the party and witnesses. [ONLY QUESTIONS]
10. Commission may allow parties to make rebuttal presentation. [ANOTHER OPPORTUNITY FOR PUBLIC COMMENTS AND OPINIONS] Any party making a rebuttal presentation will be subject to cross-examination by other parties and further Commission questions.
11. **Commission may recall parties and witnesses for further Commission questions.**

### **CLOSE THE HEARING TO RECEIPT OF EVIDENCE AND DISCUSS ITS DECISION**

“I will now close the public hearing to receipt of evidence and ask the Commission to make and discuss a motion on this case.” [IF THE CASE IS A COMPLEX ONE OR ANY COMMISSIONER SO REQUESTS, THE CHAIR CAN CALL A BRIEF RECESS TO ALLOW THE DRAFTING OF MOTIONS. THIS SOMETIMES IS VERY HELPFUL.]

1. A Commission member makes a motion.
2. There is a second to the motion.
3. There is discussion of the motion. Chair accepts motions to amend if necessary, and votes on amendments prior to voting on the main motions. “Friendly amendments” accepted by the maker of the motion to not require a vote
4. The Recording Clerk takes roll call of the Commission.
5. The motion passes or fails

### **READING OF APPEALS CRITERIA**

“Any action by the Planning and Zoning Commission [OR BOARD OF ADJUSTMENT] in granting approval, conditional approval or disapproval of an application may be appealed by the applicant, any aggrieved person, by any member of the County Council or by the County Administrator, to the County Council within fifteen (15) calendar days after the date of the action pursuant to Section 16-492 of this Chapter.”



October 2, 2013

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**Title:**

Discussion Item

**Summary:**

Making an Appropriate Record

**Background:**

**Attachments:**

Click to download

📎 [Making an Appropriate Record](#)



**October 2, 2013**

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**Title:**

Discussion Item

**Summary:**

A Brief Overview of the Architectural Research Consultant's Evaluation and Recommendations to Improve the Efficiencies in Processing Permits

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available

## **16.12.040.5: APPLICATION PROCEDURE:**

This section governs applications for development of any type which is not governed administratively by the code administrator pursuant to section [16.12.040.4](#) of this chapter. Nothing herein shall be deemed to relieve an applicant from complying with all other provisions of this title, both substantive and procedural, and state law.

A. The applicant shall submit to the code administrator a completed application in writing, on forms, the content of which has been approved by the code administrator, along with the fee established pursuant to appendix A attached to ordinance 99-05 and available to the public at the office of the code administrator, in good funds. The application shall be complete before it is accepted by the Planning Department and shall contain not less than all of the following information:

1. The name(s) and address(es) and phone numbers of the owner(s) and, where applicable, the name and address of any lessee and/or owner's agent and a document providing that the owner's agent is authorized to act on behalf of the owner;
2. A description and the location of the property for which the application is requested;
3. A specific description of the application requested;
4. The basis for requesting the application approval, including a statement of the hardship which the applicant will suffer if the application is denied;
5. Any other information deemed necessary by the code administrator;
6. For a plat vacation, the application shall also be signed and filed by all owners of the land subject to the application for plat vacation, and be accompanied by a statement of all owners of the land, duly attested, designating the subject plat or portion thereof proposed.

B. The code administrator shall accept and shall review only a completed application and the development proposed and the code administrator shall advise the applicant of all approvals required under the code and all other applicable ordinances of the town administered by the code administrator. This information is to be provided for the convenience of the applicant and orderly processing of the application. However, at all times, the provisions of this title and other applicable ordinances of the town shall govern the application and proposed development. Accordingly, representations by the code administrator shall not preclude the town from requiring that all applicable approvals be obtained, even if the code administrator did not advise the applicant that such an approval would be necessary.

C. The code administrator shall review the application for compliance with the requirements of this title, and if the application is complete and in compliance with this title, then the code administrator shall forward the application, with all relevant documents, exhibits, submissions and any findings of the code administrator and other town staff, to the hearing officer, DRC, commission or the historic preservation commission, as appropriate, within thirty (30) working

days, or at such other time as may be reasonable not to exceed 60 days, from the date the completed application is accepted by the Planning Department.

- D. When the application is complete, in compliance with this title and submitted to the hearing officer, DRC, commission or the historic preservation commission, as appropriate, pursuant to subsection B of this section, the code administrator shall schedule a preliminary presentation before the hearing officer, DRC, commission or the historic preservation commission, as appropriate. At the preliminary presentation, the applicant shall have the opportunity to informally explain the proposed development to the hearing officer, DRC, commission or the historic preservation commission.
- E. At or after the preliminary presentation, the code administrator, on behalf of the hearing officer, DRC, commission or the historic preservation commission, as appropriate, shall inform the applicant of the order in which the various required approvals will be processed. The hearing officer, DRC, commission or the historic preservation commission may review a proposed development for individual approvals sequentially or concurrently as the hearing officer, commission or the historic preservation commission determines is appropriate under the circumstances. However, nothing herein shall prevent the hearing officer, DRC, commission or the historic preservation commission from changing the order, sequence, or concurrent review of individual approvals if this title so requires or if the hearing officer, DRC, commission or the historic preservation commission determines that such a change is appropriate under the circumstances.
- F. After the applicant has submitted all the necessary and required documents to the code administrator prior to the preliminary hearing, a public hearing shall be scheduled. The code administrator shall, in consultation with the DRC, commission, historic preservation commission, or hearing officer, as appropriate, schedule the time, place and date of the public hearing on the application. The code administrator shall notify the applicant in writing, by **mail, or electronic delivery**, of time, place and date of such public hearing and it is the responsibility of the applicant to provide necessary public notice prior to such public hearing as set forth in subsections G through J of this section. Alternately, the applicant may elect to request the town provide the required public notice at the cost of said notice plus a service fee as set by the town council.
- G. No zoning regulation, restriction or boundary shall become effective, amended, supplemented or repealed until after a public hearing at which all parties in interest and citizens shall have an opportunity to be heard.
- H. Following the scheduling of a public hearing, the applicant shall post notice of the filing of the application and the time, place and date of the public hearing. The notice shall be posted prominently for public view on the land, dwelling or other structure which is the subject of the application not less than fifteen (15) days prior to such hearing. Alternately, the applicant may

elect to request the town provide the required public notice at the cost of said notice, either by certified mail or first class mail as provided herein, plus a service fee as set by the town council.

- I. At the applicant's expense, the applicant shall cause to be published, on forms, the content of which has been approved by the code administrator, notice of the time, place and date of the public hearing in a newspaper of general circulation in the county. The notice must be published once, not less than fifteen (15) days prior to the date of the public hearing. Alternately, the applicant may elect to request the town provide the required public notice at the cost of said notice plus a service fee as set by the town council.
  
- J. At the applicant's expense, the applicant shall **mail** or personally serve public notice to the last known address of each landowner as shown by the records of the county assessor. If **mailed**, public notice shall be sent by **certified mail**, return receipt requested, from the U.S. postal service or first class mail with full postage attached thereto, in a timely manner to the required parties. In the event of a protest as to notice received by any interested party, then the burden shall be on the Applicant to establish that service has been accomplished to the satisfaction of the entity hearing the Application. Electronic return receipts are acceptable as provided by the U.S. postal service. Town staff may provide a list and map of the adjacent property owners as known by the town to assist the applicant however the applicant must verify the accuracy and completeness of said list with the Taos County assessor's office. The notice shall be on forms, the content of which has been approved by the code administrator and the notices must be **mailed** not less than fifteen (15) days prior to the date of such public hearing. Landowners within three hundred feet (300'), excluding public right of way, of the exterior boundary of property which is the subject of the application shall receive written notice of the time, place and date of the public hearing. Alternately, the applicant may elect to request the town provide the required public notice, either by certified mail or first class mail as provided herein, at the cost of said notice plus a service fee as set by the town council.
  
- K. Prior to the public hearing, the applicant shall deliver a list of the names and addresses of all landowners notified of the application to the code administrator. Attached to the list shall be United States postal service **certified mail** receipts showing evidence of the proper **mailing** of the notices and all return receipts received from the postal service showing delivery of the notices on or before the date of the hearing, or the signature of each landowner notified by personal service, or an Affidavit of the Applicant attesting that all mailings were sent, first class mail with full postage attached thereto, in a timely manner to the required parties. Alternately, the applicant may elect to request the town provide the required public notice at the cost of said notice plus a service fee as set by the town council. In the event of a protest as to notice received by any interested party, the burden shall be on the Applicant to establish that service has been accomplished to the satisfaction of the entity hearing the Application.
  
- L. If the applicant fails to give proper notice, or fails to file proper proof of notice, then the public hearing shall be postponed. If, after two (2) consecutively scheduled public hearings, proper notice is not given, or proper proof of notice is not filed, then the application shall be deemed withdrawn, the application fee forfeited and no further action shall be taken thereon without a



new application being filed by the applicant. Failure to receive notice due to inaccuracies contained in the records of the Taos County assessor shall not constitute a failure to provide sufficient notice.

M. If an application is for a special use permit (excluding special use permits for a cellular tower or antenna), variance or conditional use permit, a site development plan containing the elements listed in section [16.20.080.4](#) of this title is required for a special use or conditional use permit or section [16.20.080.6](#) of this title for a variance, there is a two (2) step procedure for commission review:

1. Preliminary public hearing before the DRC; and
2. Final public hearing before the commission at which the commission shall approve, approve with modifications or conditions, or deny.

N. If an application is for a special use permit for a cellular tower or antenna<sup>1</sup>, a site development plan containing the elements listed in section [16.20.080.4](#) of this title is required, there is a three (3) step procedure for review:

1. Preliminary public hearing before the DRC;
2. Final public hearing before the commission, at which the commission shall recommend approval, approval with modifications or conditions, or denial; and
3. Final public hearing before the town council.

O. If an application is for a provisional permit to increase commercial and industrial gross size area limitations, a site development plan containing the elements listed in section [16.20.080.4](#) of this title is required, there is a three (3) step procedure for review:

1. Preliminary public hearing before the DRC;
2. Final public hearing before the commission, at which the commission shall recommend approval, approval with modifications or conditions, or denial; and
3. Final public hearing before the town council.

P. If an application is for establishment of a planned unit development overlay zone, then a preliminary schematic site development plan containing the elements listed in section [16.20.080.1](#) of this title is required, and there is a three (3) step procedure for review leading to establishment of the overlay zone:

1. Preliminary public hearing before the DRC;
2. Final public hearing before the commission, at which the commission shall recommend approval, approval with modifications or conditions, or denial; and
3. Final public hearing before the town council at which time the planned unit development overlay rezoning and preliminary schematic site development plan are approved or rejected.

In the event that the requested planned unit development overlay zone and preliminary schematic site development plan are approved by the town council, development of the property may not proceed until a final site development plan has been submitted and approved by the commission in accordance with section [16.20.080.2](#) of this title.

Q. If an application is for a zone change to other than a planned unit development overlay zone, or for zone designations of newly annexed territory, a site development plan containing the elements stated in section [16.20.080.5](#) of this title is required, and there is a three (3) step procedure for review:

1. Preliminary public hearing before the DRC;
2. Final public hearing before the commission, at which the commission shall recommend approval, approval with modifications or conditions, or denial; and
3. Final public hearing before the town council at which the council approves or rejects the zoning change(s).

#### **16.12.040.9: DECISION OF THE ZONING AUTHORITY, DRC, COMMISSION, HISTORIC PRESERVATION COMMISSION OR CODE ADMINISTRATOR:**

A. Limitations: No zoning authority, DRC, commission, historic preservation commission or code administrator thereof shall:

1. Participate in a final decision in a zoning adjudicatory proceeding unless that person has heard all of the evidence or read the record. A final decision or order in a zoning adjudicatory proceeding shall be in writing or stated in the record. A final or tentative decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory ordinance language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. The code administrator, commission, historic preservation commission or zoning authority shall issue findings of fact within fifteen (15) days after the final decision. Parties shall be notified, either personally or by [mail](#), of any decision or order. A copy of the decision or order shall be delivered or [mailed](#) forthwith to each party or to his attorney of record; or
2. Impose any sanction or substantive rule or order except within the jurisdiction delegated to the commission or historic preservation commission and as authorized by law.

B. Findings Of Fact: If a hearing officer has been designated to conduct a public hearing, the code administrator, DRC, commission, historic preservation commission or zoning authority may accept all or some of the recommendations, findings of fact and/or conclusions of law. After review of pertinent evidence considered at the public hearing, and after review of any additional evidence submitted pursuant to any supplemental hearing or supplemental proceeding conducted at the discretion of the code administrator, DRC, commission, historic preservation commission or zoning authority, the code administrator, DRC, commission, historic preservation commission or zoning authority may modify or reject all or some of the recommendations, findings of fact and/or conclusions of law.

C. Modifications Or Rejection: Modifications or rejection of any findings of fact shall be in writing and shall state the reasons for modification or rejection.

D. Conclusions Of Law: On the basis of the findings of fact approved or issued by the code administrator, commission, historic preservation commission or zoning authority, the code administrator, commission, historic preservation commission or zoning authority shall issue conclusions of law. The code administrator, commission or zoning authority may consider conclusions of law recommended by a hearing officer, if any, but shall not be bound by those recommendations.

E. Decision: The code administrator, DRC, commission, historic preservation commission, or zoning authority shall, pursuant to the criteria for each individual application established in this title, approve, approve with conditions or modifications, or deny, applications. The code administrator, DRC, commission, historic preservation commission, or zoning authority may require or impose such conditions on the decision as will, in its judgment, be reasonably necessary to meet and secure the requirements and factors enumerated in this title, and to secure substantially the objectives of this title. The DRC, commission, or zoning authority may, for cause, and upon either the request of the code administrator or of its own motion, revoke, amend, modify or continue an approved variance, conditional use permit, or special use permit.

F. Final Decision: A final decision shall become effective:

1. If it is a decision of the code administrator, the day it is put into writing or within ten (10) days of the public hearing or submission of recommendations, findings of fact and conclusions of law, by the hearing officer, whichever is later in time;
2. If it is a decision of the commission or historic preservation commission, upon the vote of the commission or historic preservation commission;
3. If it is a decision of the town council, upon the approval of the minutes of the meeting where the decision was made.

G. **Mailing Of Decision:** The decision of the code administrator, commission, historic preservation commission, or zoning authority shall be filed with the code administrator and shall be **mailed** to the applicant. Any interested party may obtain a copy of the decision from the code administrator upon payment of reasonable copying costs.

H. **Record Maintained:** The code administrator shall maintain a record of all applications requested and those granted, and shall report such information to the town council upon its request. The code administrator shall issue certificates of variance, conditional use permits, special use permits, and certificates of nonconformity which include a property legal description, which shall be recorded with the Taos County clerk. For a plat vacation, filing with the Taos County clerk shall occur as provided in section 3-20-12C New Mexico Statutes Annotated 1978, as amended.

I. **Time Limit On Decisions:** Approved variances, conditional use permits and special use permits for which construction has not begun within two (2) years from the date of approval are deemed revoked whereby an applicant would need to reapply. (Ord. 10-07, 2010: Ord. 09-19, 2009: Ord. 99-05, 1999)

## **16.20.080.1: PLANNED UNIT DEVELOPMENT PRELIMINARY SCHEMATIC SITE DEVELOPMENT PLANS**

A. Application for a planned unit development overlay zone shall include a preliminary schematic site development plan that, if approved as submitted or as modified, shall become part of the zoning map of the town and designated by the symbol "PUD". Such symbol shall be followed by an identifying serial number that shall be placed upon the approved preliminary site development plan for that property.

B. Applicants are encouraged to discuss plans with adjacent and affected property owners and neighborhood residents. The applicants should schedule a predesign meeting with town planning staff to review and discuss submittal requirements and design standards, before preparing and submitting a preliminary schematic site development plan.

C. A preliminary schematic site development plan shall be accompanied by: 1) a site threshold assessment (STH) form obtained from the code administrator; and 2) the applicant's narrative statement outlining, at a minimum, the following:

1. An enumeration of requested differences between the development and performance standards of the underlying zone or zones and the proposed plan;
2. A detailed calculation of density. A statement of total floor area for all commercial and industrial structures shall be calculated. For residential, the density shall be calculated in accordance with section [16.16.190.4](#) of this title related to calculation of density for planned unit developments;

3. The suitability of the planned unit development with existing infrastructure and services and its compatibility with adjoining land uses;
4. A statement addressing the consistency (or lack of consistency) of the proposed plan with the policies of the town of Taos;
5. A statement setting out any benefits or detriments that the plan will have concerning public health, safety or welfare.

D. The preliminary schematic site development plan submitted for the DRC's preliminary public hearing shall consist of at least two (2) parts, one of which shall reflect existing conditions, and one of which shall show proposed land form alterations, improvements and structures, utilities, circulation patterns, land uses and all other detail necessary to describe the proposed plan. The preliminary schematic site development plan shall contain the following basic information, where applicable; provided, the code administrator may require additional information or more detail as is deemed reasonably necessary to properly interpret and evaluate such plan and zoning application:

1. Specifications: The preliminary schematic site development plan maps shall include an accurate true north arrow and shall be illustrated at a minimum scale of one inch equals twenty feet (1" = 20'), on a paper size not to exceed twenty four inches by thirty six inches (24" x 36"). If the subject parcel must be illustrated on more than one sheet of paper, then the applicant shall also include a complete site development plan at the largest scale possible so that the parcel can be illustrated on a single sheet of twenty four inch by thirty six inch (24" x 36") paper.
2. Existing Conditions:
  - a. A boundary survey with a legal description of all property in the development;
  - b. A description of existing topography with elevation contour lines at a maximum of four foot (4') intervals;
  - c. Location, size and names of existing public and private streets, public rights of way, public and private parking areas, alleys, walkways and trails, both on the property and within three hundred feet (300') of the property;
  - d. Location and description of all existing easements, noting purpose and grantee of the easement, both on the property and within three hundred feet (300') of the property;
  - e. A description of existing capacities of public utilities, including, but not limited to, sewer, water, gas, electric, telephone and cable;
  - f. A description of existing sizes, locations and arrangements of the buildings, structures, ingress/egress of existing parking areas, land uses, dedicated/reserved parks and open spaces, both on the property and within three hundred feet (300') of the property;
  - g. Location and size of existing signs, fences, walls and landscaped areas including a description of significant vegetation and other environmental features;

- h. Locations and size of existing acequias and watercourses, including a description of existing drainage plan and any existing method of treatment or correction of flooding or erosion problems.

### 3. Proposed Changes:

- a. If the application proposes any alterations to topography, a conceptual description of such proposed alterations;
  - b. A conceptual discussion of any proposed modifications to public utilities, including, but not limited to, sewer, water, gas, electric, telephone and cable;
  - c. A proposed conceptual landscape improvement and maintenance plan in conformance with the town of Taos landscape ordinance, including location, species and size of proposed shrub groupings and trees, with identification of any such trees or other significant environmental features that are proposed to be removed;
  - d. A conceptual description of any proposed method of treatment for storm drainage in conformance with the town of Taos storm drainage ordinance or correction of flooding or erosion problems, and documentation that acequia rights of way will be respected;
  - e. If the application proposes to create new lots for sale, a conceptual description of proposed lot designs and building envelopes and if any variation from standard setbacks are requested. The final design for lots shall meet all subdivision regulations, requirements and obtain necessary subdivision approvals;
  - f. A conceptual description of the proposed sizes, locations and arrangements of the buildings, structures, land uses, dedicated/reserved parks and open spaces within the planned unit development;
  - g. The conceptual layout of and improvement standards for proposed private and public streets, parking areas, loading areas, and a conceptual plan for circulation of vehicles, goods and pedestrians on and off the site. The plan shall show the proposed arrangement of spaces and locations of ingress and egress points;
  - h. Location and size of any proposed signs, fences, and walls;
  - i. Conceptual description and location of all proposed public facilities including, but not limited to, any on site and off site traffic mitigation improvements (such as roadway, signalization, or other measures), public utility improvements (including, but not limited to, sewer, water, electric lines, telephones lines, gas lines, cable), schools, cultural centers, dedicated open spaces, trails, park sites and the like;
  - j. Pictures of the site and surrounding context, submitted as photographs, printed scanned images or in a digital format;
- E. Prior to the commission's final public hearing the following additional information, where applicable, shall be supplied provided the commission and/or code administrator may require additional information as is deemed reasonably necessary to properly interpret and evaluate the plan and planned unit development zoning application:

1. Preliminary building footprints, elevations and/or perspective drawings of all proposed improvements, in sufficient detail to suggest the architectural style and detail, screening and visual impacts of the project when completed;
2. A completed traffic study as required by the "Town Of Taos Access Management Manual" and as requested by the code administrator. (Ord. 04-12, 2004)



**October 2, 2013**

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**Title:**

Discussion Item

**Summary:**

Proposed Town Code Changes to Implement a Couple of the Architectural Research Consultant's Recommendations

**Background:**

**Attachments:**

Click to download

 [Proposed Code Changes](#)





**October 2, 2013**

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**Title:**

Discussion Item

**Summary:**

Presentation on NM DOT's plans for Paseo del Pueblo

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**October 2, 2013**

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**Title:**

Discussion of Agricultural Uses in Commercial Zones

**Summary:**

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**November 13, 2013**

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**Title:**

Case No. PZ 2013-16

**Summary:**

M-R-S, Inc., property owner, Hugh MacQueen, agent is requesting a lot split and conditional use permit within the HCPD "Highway Corridor Protection District" zone of the Town of Taos. The subject property is .812 acres, which is proposed to be split into a .250 acre lot with an existing residential house on it and a .562 acre lot with a commercial building on it. The lot is located at 114 Este Es Road. In the Town of Taos Code Section 16.16. 160.4 a conditional use permit is required to allow a residential house on land zoned HCPD.

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**November 13, 2013**

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**Title:**

Case No. PZ 2013-18

**Summary:**

Del Norte Properties, LLC/Glen Michael Tarleton, property owner, Mark Yaravitz, agent is requesting a rezoning from C-2 "General Commercial" zone to R-14 "Multi-Family Residential" for property consisting of approximately 1.501 acres currently zoned both C-2 and R-14 at 402 Paseo del Pueblo Norte within a Historic District Overlay in the Town of Taos. The land area zoned currently C-2 is approximately .65 acres.

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**November 13, 2013**

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**Title:**

Case No. PZ 2013-21

**Summary:**

Ordinance No. 13-13: An Ordinance amending sections of the existing Land Use Development Code, Chapter 16, Town of Taos Code sections: 16.12.040.5:APPLICATION PROCEDURE, 16.12.040.9: DECISION OF THE ZONING AUTHORITY, DRC, COMMISSION, HISTORIC PRESERVATION COMMISSION OR CODE ADMINISTRATOR, 16.20.080.1: PLANNED UNIT DEVELOPMENT PRELIMINARY SCHEMATIC SITE DEVELOPMENT PLANS, 16.20.070.5: NOTICE, REGISTRATION, VIOLATIONS, COMPLAINTS, VARIANCES, APPEALS to provide an alternative to the requirements for certified mailing of certain notices required, to convert the preliminary public hearing on pending applications from the Planning and Zoning Commission to the Development Review Committee and to amend the existing Application procedure to require the review and processing of completed Applications only by the Town of Taos Planning Department.

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**November 13, 2013**

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**Title:**

Case No. PZ 2013-22

**Summary:**

Ordinance No. 13-16: An Ordinance Adding as Permitted Principal Uses to the Town of Town Code Section 16.16.140 et seq. for the C-2 "General Commercial Zone" to allow certain agricultural uses.

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available



**November 13, 2013**

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**Title:**

Case No. PZ 2013-23

**Summary:**

Ordinance No. 13-17: An Ordinance Adding as Permitted Principal Uses to the Town of Town Code Section 16.16.120 et seq. for the R-14 "Multi-Family Residential Zone" to Allow as Permitted Principal Uses Professional Office or Service, Specialty Retail Establishments, and Other Commercial Uses that are Compatible and Complementary in Scale and Appearance with the Residential Environment and Provide Business Services and Office Facilities to Residents of the Neighborhood.

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available