



County of Los Alamos

1000 Central Avenue
Los Alamos, NM 87544

Agenda - Draft Planning and Zoning Commission

*Philip Gursky, Chair; Michael Redondo, Vice Chair;
Philip Kunsberg; Ashley Mamula; Jaret McDonald; Catherine
Mockler;
Larry Warner and Amy Woods, Members*

Wednesday, February 22, 2017

5:30 PM

Council Chambers
1000 Central Avenue

1. **CALL TO ORDER/ROLL CALL**

2. **PUBLIC COMMENT**

This section of the agenda is reserved for comments from the public on items that are not otherwise included in this agenda.

3. **APPROVAL OF AGENDA**

4. **PUBLIC HEARING(S)**

[9132-17](#)

Staff Report for the Planning And Zoning Commission Case No. SUP-2017-0009 705 Rim Rd.

Attachments:

[A - Case No. SUP-2017-0009 705 Rim Rd.](#)

[B - Exhibit 1 Vicinity MapAerial Photo of the Subject PropertyList of Property Owners.pdf](#)

[C - Exhibit 2 Application, Lot Survey and Proposed Floor Plan.pdf](#)

[D - Exhibit 3 IDRC Master Comments.pdf](#)

[E - Exhibit 4 Photographs of Subject Property; Staff \(6\).pdf](#)

[F - Exhibit 5 Kloepper Comments.pdf](#)

5. **PLANNING AND ZONING COMMISSION BUSINESS**

A. [9134-17](#)

Minutes from the Planning And Zoning Commission Meeting(s) on January 25, 2017 and February 08, 2017.

Attachments:

[A - Draft Minutes for January 25, 2017.](#)

[B - Draft Minutes for February 08, 2017.](#)

B. [9133-17](#)

Work Plan for the Planning And Zoning Commission FY 2018

Attachments:

[A. FY18 PZ Commission Work Plan -Final Showing redline.pdf](#)

6. COMMISSION/DIRECTOR COMMUNICATIONS

- A. *Department Report***
- B. *Chair's Report***
- C. *Board of Adjustment Report***
- D. *Commissioner's Comments***

7. PUBLIC COMMENT**8. ADJOURNMENT**

PLEASE NOTE: Any action by the Planning and Zoning Commission in granting approval, conditional approval or disapproval of an application may be appealed by the applicant or by persons who have a personal or pecuniary interest adversely affected by the decision as defined by Section 16-454 of the County Code. Such appeals must be filed with the Community Development Department within 15 days of the action in accordance with Section 16-492.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the County Human Resources Division at 505-662-8040 at least one week prior to the meeting or as soon as possible.

Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the personnel in the Community Development Department Office at 505-662-8006 if a summary or other type of accessible format is needed.



County of Los Alamos

Staff Report

February 22, 2017

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.:

Index (Council Goals):

Presenters:

Legislative File: 9132-17

Title

Staff Report for the Planning And Zoning Commission Case No. SUP-2017-0009 705 Rim Rd.

Attachments

- A - Case No. SUP-2017-0009 705 Rim Rd.
- B - Exhibit 1: Vicinity Map/Aerial Photo of the Subject Property
- C - Exhibit 2: Application, Lot Survey and Proposed Floor Plan
- D - Exhibit 3: IDRC Master Comments
- E - Exhibit 4: Photographs of Subject Property; Staff (6)
- F - Exhibit 5: E-Mail message from David Kloepper



Los Alamos County
Community Development Department
PLANNING & ZONING COMMISSION STAFF REPORT

Public Hearing Date: February 22, 2017
Subject: Case No. SUP-2017-0009
Owners/Applicants: Steven Booth, Owners & Applicants
Case Manager: Anders Millmann, Senior Planner
Through: Tamara Baer, Principal Planner

Case No. SUP-2017-0009:

The petitioners are requesting approval of a Special Use Permit to allow for an accessory apartment. The subject property is located at 705 Rim Road, Los Alamos, and is zoned R-1-8 (Single Family Residential). Section 16-287 of the Los Alamos County Development Code requires accessory apartments to obtain a Special Use Permit issued by the Planning & Zoning Commission.

Motion Option 1:

I move to **approve** Case No. SUP-2017-0009, a Special Use Permit to allow an accessory apartment, located at 705 Rim Road, Los Alamos, for the reasons stated in the staff report and per testimony at the public hearing, and subject to the following conditions:

1. The applicant shall apply for and receive a Building Permit prior to constructing the accessory apartment, and a Certificate of Occupancy prior to future occupancy.

Motion Option 2:

I move to **deny** Case No. SUP-2017-0009, a Special Use Permit to allow for the accessory apartment use, located at 705 Rim Road, Los Alamos, due the proposal failing to meet the Los Alamos County Code of Ordinances, Chapter 16 – Development Code review criteria in §16-156, for the following reasons:

1. ...

SUMMARY

This request is for approval of a Special Use Permit (SUP) to allow an "accessory apartment" to the principal residential structure located at 705 Rim Road. The proposed accessory apartment will be located in an existing space within the basement of the single family residential dwelling.

Staff Report for the Planning & Zoning Commission; Case No. SUP-2017-0009: 705 Rim Rd.

The subject property contains 12,818.5 ft² of land (0.294± acre), and is zoned R-1-8, a single family district that allows accessory apartments as a Special Use. The principal structure on the property was constructed as a single family residential dwelling.

According to §16-533(3) of the Los Alamos County Development Code, the R-1-8 Single Family Residential District is intended to accommodate single-family dwellings and accessory structures and uses, and are further intended to maintain and protect a residential character of development.

According to §16-287 – Use index table of the Los Alamos County Development Code, “Accessory Apartments” are permitted within single family residential zoning districts, subject to securing approval of a Special Use Permit by the Planning & Zoning Commission.

The subject property is a “through lot,” meaning that it has frontage on both Rim Road and Quartz Street. The rear yard is completely enclosed by a chain link fence containing two gates which provide access to the rear yard. The gate located at the southern property boundary is a double-wide gate, which will provide vehicular access to the rear yard.

The proposed accessory apartment will be constructed within a portion of the basement. It will consist of an “L-shaped” floor plan, measuring approximately 27' by 22,' and containing a total area of approximately 450 Ft². A kitchen and bathroom facilities are proposed. Ingress/egress to the proposed apartment will be via a man door opening into the basement. A second man door opens from the basement into the rear yard.

According to the Senior Building Official, the accessory apartment will need to be constructed with a one-hour wall separating the two living spaces (apartment, main residence). This will require the one-hour wall to be placed in the ceiling of the accessory apartment. Plumbing fixtures for both the kitchen and bathroom will require review, inspection and approval by the Building Official. All electrical and/or gas utility connections for the stove will also require a review, inspection and approval by the Building Official.

The footprint of the principal residence contains 1,534 Ft² of area. The proposed accessory apartment will not increase the area of the footprint, as it is proposed to be constructed entirely within the existing basement of the residence. The total lot coverage, including the shed (192 Ft²) and the detached garage structure (288 Ft²) is approximately 15.7%. This total lot coverage calculation is in compliance with the Site Development Requirements contained within §16-537 (j) of the Development Code, which specifies a maximum lot coverage of 40%.

Off-street parking will be accommodated within the rear yard, and be accessible via Quartz Street through a double gated entryway in a chain link fence.

There are 2 utility easements traversing the length of the rear yard. There is a sewer service line which bisects the rear yard into two roughly equal portions. An electrical line runs diagonally across the rear yard, from the southeastern corner of the subject property to the southwest corner of the residence. Since no outside construction is proposed, neither existing utility easement will be compromised or impacted.

All other Development Code requirements for the existing and proposed land use have been satisfied. No waivers, per §16-572 and §16-157, are being requested to support development of this project.

SPECIAL USE PERMIT REVIEW CRITERIA

Section 16-156 of the Development Code states: During the time of the review, the IDRC shall utilize the following criteria in formulating a recommendation to the planning and zoning commission, and the planning and zoning commission shall utilize the following criteria in making its determination of approval, conditional approval or denial.

(1) The request substantially conforms to the Comprehensive Plan, and the establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the vicinity of such proposed use, or be detrimental or injurious to property or to the value of property in the vicinity, or to the general welfare of the county.

Applicant Response: The County plan for residential district R-1 provides for single-family units (SFUs), accessory structures, and uses to be maintained and protected in a residential character of development. The accessory apartment at 705 Rim Road complies with this intent. The project's goal is to provide additional living space to serve the tight Los Alamos County rental market, especially during the peak summer months when the Laboratory hires over 1000 students, while making minimal changes to the neighborhood. The accessory apartment will be located wholly within the existing SFU structure. A single wall with a door will be added inside the existing -1000 square foot basement to create a partitioned space of about 450 square feet to serve as a bedroom, bath, and kitchen. The project includes an improvement to the heating system for the entire SFU that will reduce emissions via installation of a high-efficiency, condensing boiler. A smaller 4-inch diameter PVC flue will replace the current larger galvanized steel flue associated with the original 36-year-old boiler in the house. The two existing basement windows will be replaced with larger ones to allow safe fire egress. The new flue and windows will be the only visible changes to the exterior of the SFU. The bedroom/apartment will be well-insulated and finished in a high-quality manner similar to the rest of the house.

Staff Comment: The accessory apartment use is permitted in the R-1-8 district, subject to Planning and Zoning Commission review and approval as a Special Use Permit. There are several goals and policies contained within the 2016 Comprehensive Plan that address increased density and affordable housing. (Planning). A Building Permit shall be required for all proposed construction activities (Building).

(2) There are sufficient parking facilities that are adequately designed, shielded, landscaped and lighted to serve the use applied for based on the requirements of this chapter as found in article IX of this chapter.

Applicant Response: Parking facilities are entirely off-street. A 12-foot gate encloses a flat graveled pad, with a temporary garage already in place. Three options for parking locations are shown on the plan. Mature trees are on both sides of the gate along Quartz St., which provide visual screening. No curb cut is required. No sidewalks or walking paths will be disturbed by the parking. Street lights are located about 50 yards away on both sides of the property along Quartz St. The street has very low traffic, with only 18 residences on it. The accessory apartment will not add significantly to the vehicle burden.

Staff Comment: The site currently has ample space to accommodate sufficient off-street parking to serve the accessory apartment use. Off-street parking requirements are specified in §16-370 (a) of the Development Code (Planning). The Traffic Department has no concerns with the use proposed.

(3) The provisions for on-site and off-site ingress/egress and traffic circulation are in conformance with the County's construction standards, that the public streets serving the use applied for are adequate to

Staff Report for the Planning & Zoning Commission; Case No. SUP-2017-0009: 705 Rim Rd.

meet the traffic needs of the proposed use and that the proposed use will not adversely affect neighboring properties by virtue of the type of traffic generated by the use.

Applicant Response: Ingress and egress to the accessory apartment is via the existing basement door facing Quartz St. Entrance to and exist from Quartz St. from the parking pad has good sight lines. No adverse impact will occur to surrounding properties. Any additional vehicle traffic to the neighborhood will be related to the tenant or guests, and will be an insignificant change to current conditions.

Staff Comment: Traffic generated by the use proposed will not negatively impact the neighborhood (Dan Erickson). Ingress and egress to the subject property will be via the existing driveway. Apartment tenants will utilize an existing doorway to access the proposed apartment. (Planning).

(4) The setbacks of buildings and parking facilities from the property lines, right-of-way, and adjacent land uses are in conformance with this chapter and provide protection to and a transition from residential development, existing and contemplated in the vicinity; and that the height and bulk of the proposed buildings and structures are compatible with the general character of development in the vicinity of the use applied for.

Applicant Response: The 12-foot gate is set back about 20-feet from the Quartz St. north curb, with a flat area to use as an entrance lane. No set-back issues exist with the construction since the remodel will occur entirely inside the existing structure.

Staff Comment: The proposal is not anticipated to have a negative impact on the existing ingress/egress, and adjacent roadways as determined by the County Fire Marshal, the County Engineer, and County Building Official. Approval of the accessory apartment use will have no impact on the site layout. No new exterior construction is proposed. (Planning)

(5) The site plan, including but not limited to landscaping, screen planting, and fencing of the proposed development, demonstrates that the site development will be compatible with adjoining areas and will conform to the site development standards of the district regulations.

Applicant Response: The 705 Rim Road property is fully landscaped with many mature trees, shrubs, and flower beds. Existing landscaping and fencing will not be disturbed or modified by the special use.

Staff Comment: This provision is not applicable, since the petition proposes no new (exterior) construction. (Planning).

PUBLIC COMMENT

The Community Development Department received one comment from a neighbor as a result of mailing property owner notices of the public hearing. Mr. David Kloepper initially expressed opposition to the apparent use of the land as an “apartment;” however, after speaking with the petitioner, he is withdrawing his objections to the proposed land use. His comments are provided in Exhibit 6.

FINDINGS OF FACT

1. Notice of this public hearing, setting forth the nature of the request, the specific parcel of property affected, and the date, time and place of the public hearing, was announced and published in The Los Alamos Post, the official newspaper of record, and property owners of real property located

Staff Report for the Planning & Zoning Commission; Case No. SUP-2017-0009: 705 Rim Rd.

within 100 yards of the subject property were notified of this public hearing, all in accordance with the requirements of §16-192 of the Los Alamos Development Code.

2. The request is for a Special Use Permit to construct an accessory apartment structure to be located inside the existing residential dwelling unit, with access via the rear yard.
3. The proposed parking area is sized for several vehicles, and is located in the rear yard of the subject property, with access via Quartz Street. Individuals parking vehicles in the rear yard will have access through a 12-foot wide gate located within a fence.
4. Accessory Apartments are permitted within the R-1-8 Zoning District, subject to securing approval of a Special Use Permit by the Planning & Zoning Commission.
5. Petitioner states that the accessory apartment will contain approximately 450 Ft².
6. One neighbor commented and voiced an objection regarding the proposed land use. After speaking with the property owner, this neighbor withdrew his objections to the proposed land use.
7. ...

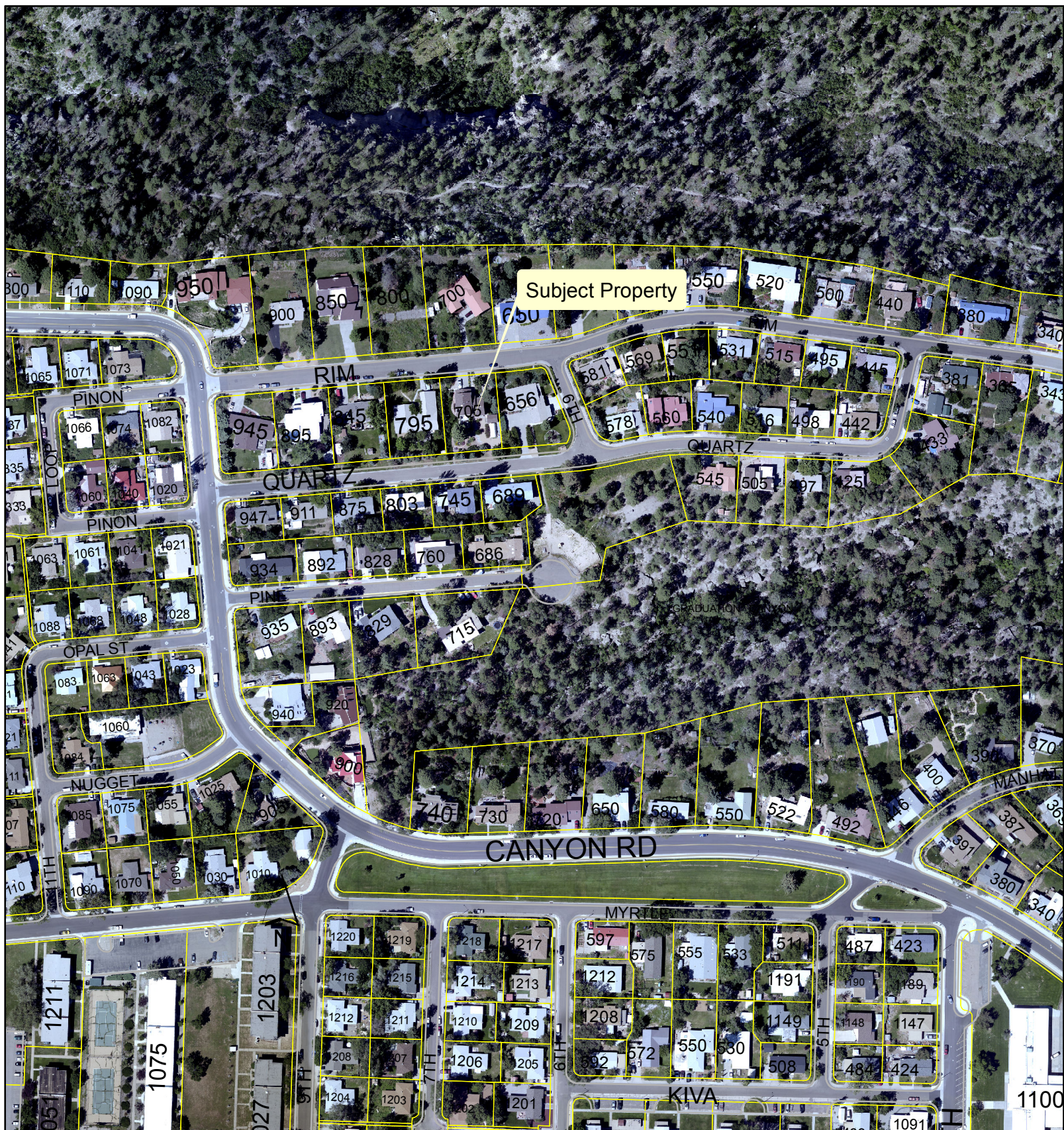
STAFF AND INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) RECOMMENDATION

Staff review has determined that the application meets the criteria for processing of a Special Use Permit. IDRC review of the SUP application took place on January 27, 2017. After reviewing and determining that the petition did not present any negative aspects or impacts that would preclude it from being forwarded to the Planning and Zoning Commission for a public hearing, the IDRC membership conducted a vote and forwarded a favorable recommendation to the Planning & Zoning Commission.

EXHIBITS

- Exhibit 1: Vicinity Map/Aerial Photo of the Subject Property/ List of Property Owners within 100 Yards (300 Feet)
- Exhibit 2: Application, Lot Survey and Proposed Floor Plan
- Exhibit 3: IDRC Master Comments
- Exhibit 4: Photographs of Subject Property; Staff (6)
- Exhibit 5: E-Mail message from David Kloepper, initially expressing opposition to the Special Use Permit, dated February 6, 2017; and a follow-up E-Mail, retracting his opposition to the Special Use Permit, dated February 10, 2017.

705 Rim Road - Vicinity Aerial Map



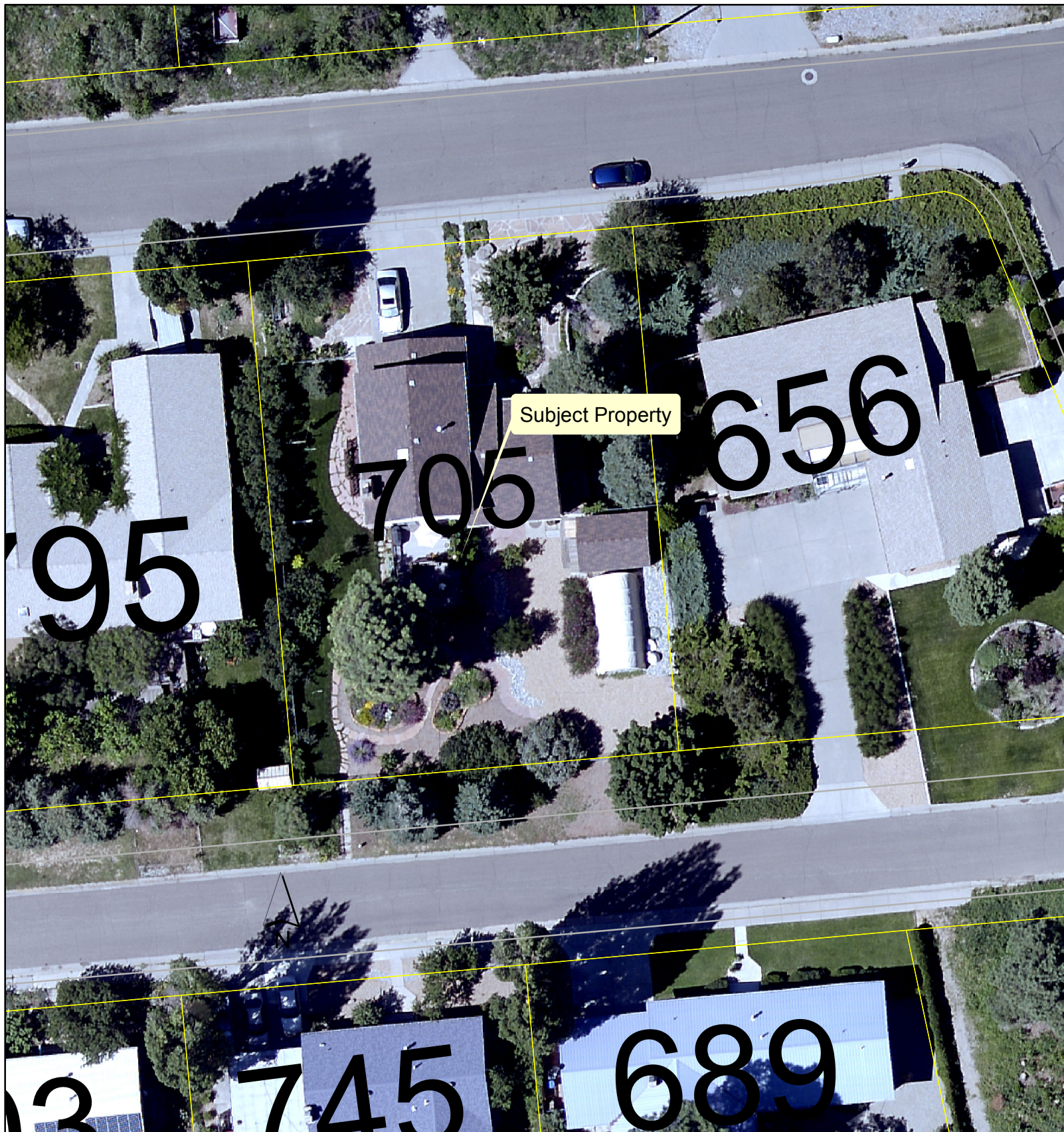
All mapping information is for reference only.
Users are solely responsible to confirm data accuracy.
Los Alamos County assumes no liability for errors
associated with these data.

0 115 230 460 Feet

1 inch = 220 feet

Exhibit 1 Vicinity MapAerial Photo of the Subject PropertyList of Property Owners

705 Rim Road -



All mapping information is for reference only.
Users are solely responsible to confirm data accuracy.
Los Alamos County assumes no liability for errors
associated with these data.

0 15 30 60 Feet

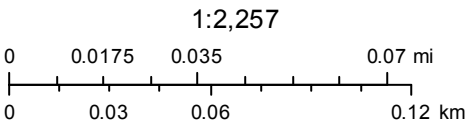
1 inch = 32 feet

Exhibit 1 Vicinity MapAerial Photo of the Subject PropertyList of Property Owners

705 Rim road



January 9, 2017



Los Alamos County
Sources: Esri, DeLorme, USGS, NPS
Sources: Esri, USGS, NOAA

Exhibit 1 Vicinity MapAerial Photo of the Subject PropertyList of Property Owners

Created by: Los Alamos County
Copyright Los Alamos County 2016, all rights reserved

TALLEY THURMAN L 606 RIM ROAD LOS ALAMOS NM 87544-2949	DEL SIGNORE JOHN C REVOC TRUST 656 QUARTZ LOS ALAMOS NM 87544	REDMOND WILLIAM T & SHIRLEY R 1640 16TH ST LOS ALAMOS NM 87544
KLOEPPER DAVID A & EVELYN M 570 RIM ROAD LOS ALAMOS NM 87544	WEINMAN JIMMY S & KATHY A PO BOX 2092 RUIDOSO NM 88355	MCNAUGHTON MICHAEL W 803 QUARTZ ST LOS ALAMOS NM 87544
GRANICH THOMAS J REV TRUST 15130 JESSIE DRIVE COLORADO SPRINGS CO 80921	MOLDT ADDA TRUST 560 QUARTZ ST LOS ALAMOS NM 87544	MARTZ SCOTT A & CYNTHIA S 875 QUARTZ ST LOS ALAMOS NM 87544
LAZARUS MICHAEL E 700 RIM ROAD LOS ALAMOS NM 87544	GOFORTH JAMES H 845 RIM ROAD LOS ALAMOS NM 87544	DAY EMILY C 911 QUARTZ ST LOS ALAMOS NM 87544-1747
DREICER/GRIEGO TRUST 1321 SAGE LOOP LOS ALAMOS NM 87544	BAKER ZACHARY 1632 CAMINO REDONDO LOS ALAMOS NM 87544	RICHARDSON DOLORES & JACK 947 QUARTZ ST LOS ALAMOS NM 87544
OLSON ERIC W & MARY J 850 RIM RD LOS ALAMOS NM 87544	MUKUNDAN RANGACHARY & HARSHINI 1861 CAMINO MANZANA LOS ALAMOS NM 87544	MENZEL JOSEPH L JR & MARY 686 PINE ST LOS ALAMOS NM 87544
BROWNELL SANDRA C REV TRUST 900 RIM ROAD LOS ALAMOS NM 87544	GONZALES ALBERT & LOU ANN REVOC TRUST 945 RIM ROAD LOS ALAMOS NM 87544	STRONE JAMES B 760 PINE ST LOS ALAMOS NM 87544
MCKEE TINA S 551 RIM ROAD LOS ALAMOS NM 87544	BUNDY JOSEPH J FAMILY IRREVOCABLE LIV 75 W SHORE RD #7 PORT WASHINGTON NY 11050-3005	TRINCOLN MARK W & DIANA M 828 PINE ST LOS ALAMOS NM 87544
PIGOTT MILES T & VIRGINIA H 569 RIM ROAD LOS ALAMOS NM 87544	LOS ALAMOS COUNTY P O BOX 30 LOS ALAMOS NM 87544	REYNOLDS CHRISTIAN H 892 PINE ST LOS ALAMOS NM 87544
TRUJILLO REBECCA D & EPIFANIO REVOC LIV RUST 581 RIM ROAD LOS ALAMOS NM 87544	TRINCOLN DONALD P & HEIDI M REVOC TRUST 689 QUARTZ ST LOS ALAMOS NM 87544	LOPEZ ALICIA REVOC TRUST 934 PINE ST LOS ALAMOS NM 87544

HENDERSON MICHAEL & NANCY
715 PINE ST
LOS ALAMOS NM 87544

IDLER CRAIG W & VALERIE L
829 PINE ST
LOS ALAMOS NM 87544

SUP-2017-0009



SPECIAL USE PERMIT APPLICATION

Los Alamos County Community Development Department
1000 Central Ave, Suite 150, Los Alamos NM 87544
(505) 662-8120

Special Use (describe): Accessory apartment of ~450 sq. ft. in existing basement of house, with one bedroom, 3/4 bath, and a small kitchen.

Address to which this application applies:

705 Rim Road, Los Alamos

Zoning District: R-1-8

Related Applications (if any):

APPLICANT (Unless otherwise specified, all communication regarding this application shall be to Applicant):

Name: Steven Booth Phone: 505-699-8910 Cell #:

Please Print

Address: 705 Rim Road Email: srboothnm@gmail.com

Steven R. Booth
SIGNATURE

1/2/17
DATE

PROPERTY OWNER (If different from Applicant)

☒ Check here if same as above

Name: _____ Phone: _____ Cell #: _____

Please Print

Address: _____ Email: _____

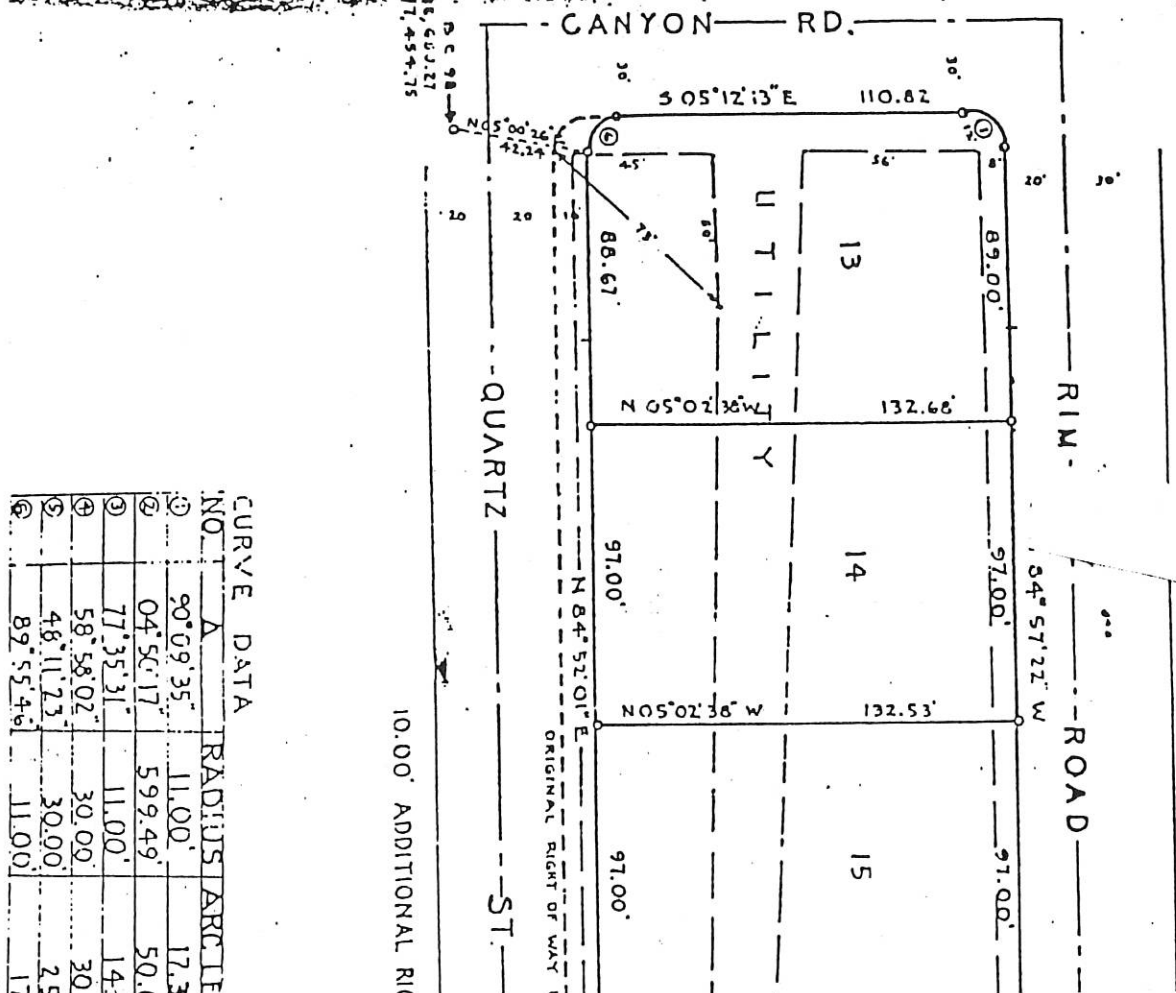
My signature below indicates that I authorize the Applicant to make this rezoning application on my behalf.

SIGNATURE

DATE

Total lot acreage 12,819 sq ft | 0.294 acres
total lot coverage 14%

Exhibit 2 Application, Lot Survey and Proposed Floor Plan



Responses to Special Use Permit Criteria
Application by Steven Booth, 705 Rim Road

January 3, 2017

Criterion 1: Conforms to Comprehensive Plan

The County plan for residential district R-1 provides for single-family units (SFUs), accessory structures, and uses to be maintained and protected in a residential character of development. The accessory apartment at 705 Rim Road complies with this intent. The project's goal is to provide additional living space to serve the tight Los Alamos County rental market, especially during the peak summer months when the Laboratory hires over 1000 students, while making minimal changes to the neighborhood.

The accessory apartment will be located wholly within the existing SFU structure. A single wall with a door will be added inside the existing ~1000 square foot basement to create a partitioned space of about 450 square feet to serve as a bedroom, bath, and kitchen. The project includes an improvement to the heating system for the entire SFU that will reduce emissions via installation of a high-efficiency, condensing boiler. A smaller 4-inch diameter PVC flue will replace the current larger galvanized steel flue associated with the original 36-year-old boiler in the house. The two existing basement windows will be replaced with larger ones to allow safe fire egress. The new flue and windows will be the only visible changes to the exterior of the SFU. The bedroom/apartment will be well-insulated and finished in a high-quality manner similar to the rest of the house.

Criterion 2. Sufficient Parking Facilities

Parking facilities are entirely off-street. A 12-foot gate encloses a flat graveled pad, with a temporary garage already in place. Three options for parking locations are shown on the plan. Mature trees are on both sides of the gate along Quartz St., which provide visual screening. No curb cut is required. No sidewalks or walking paths will be disturbed by the parking. Street lights are located about 50 yards away on both sides of the property along Quartz St. The street has very low traffic, with only 18 residences on it. The accessory apartment will not add significantly to the vehicle burden.

Criterion 3. On-Site and Off-Site Ingress/Egress

Ingress and egress to the accessory apartment is via the existing basement door facing Quartz St. Entrance to and exist from Quartz St. from the parking pad has good sight lines. No adverse impact will occur to surrounding properties. Any additional vehicle traffic to the neighborhood will be related to the tenant or guests, and will be an insignificant change to current conditions.

Criterion 4. Building Set-Backs

The 12-foot gate is set back about 20-feet from the Quartz St. north curb, with a flat area to use as an entrance lane. No set-back issues exist with the construction since the remodel will occur entirely inside the existing structure.

Criterion 5: Landscaping Issues

The 705 Rim Road property is fully landscaped with many mature trees, shrubs, and flower beds. Existing landscaping and fencing will not be disturbed or modified by the special use.

Exhibit 2 Application, Lot Survey and Proposed Floor Plan

4' Conc. Walk

97.60'

20'
Conc.
Drive

DWELLING
FIRST FLOOR

Exist. Deck (16x5) Flag. Conc.
Extension 16'x17'

12'x16' SHED

12'x24'

Boat Cover

(Temp.)

PARKING

PARKING

GRAVEL

12' GATE

PARKING

QUARTZ ST

AUG 2007
REVIEWED BY
S. ALAMOS COUNTY
0017

IDRC Special Use Permit Analysis Form

Reviewer and Department/Division: Master Comments from All Departments

Approved: ☐

Approved with conditions: ☒

Denied: ☐

IDRC Meeting Date: January 27, 2017
Owner/Applicant: Steven Booth
Telephone: 505-695-3400
Legal Description: Subd: Pueblo Rim Lot: 017
Address: 705 Rim Road
Case Number(s): SUP-2017-0009
CDD Case Manager: Anders Millmann

Project Description: Special Use Permit for the addition of an accessory apartment located at 705 Rim Road. The proposed apartment is to be located within the existing structure. The subject property is located in an R-1-8 zoning district.

Project Manager's Comments: No new construction is proposed, although a wall with a man door will be constructed to partition the proposed apartment use from other uses within the basement. The proposed Accessory Apartment use will be housed within the basement of the existing dwelling. Applicant states parking will be accommodated on the subject property (no vehicles will be parked on the public right-of-way).

Department Conditions:

Analyze the project in terms of each of the code requirements listed below as found in Section 16-156 of the County Code. If a particular criterion is not applicable to your department, mark it as "N/A". From the perspective of your department, please state how the proposed project does or does not meet the criteria listed, or what conditions or additional information would be necessary for the project to be approved. (Attach additional pages if necessary.)

Criterion 1: The request substantially conforms to the comprehensive plan, and the establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the vicinity of such proposed use, or be detrimental or injurious to property or to the value of property in the vicinity, or to the general welfare of the county.

Applicant Response: The County plan for residential district R-1 provides for single-family units (SFUs), accessory structures, and uses to be maintained and protected in a residential character of development. The accessory apartment at 705 Rim Road complies with this intent. The project's goal is to provide additional living space to serve the tight Los Alamos County rental market, especially during the peak summer months when the Laboratory hires over 1000 students, while making minimal changes to the neighborhood. The accessory apartment will be located wholly within the existing SFU structure. A single wall with a

door will be added inside the existing -1000 square foot basement to create a partitioned space of about 450 square feet to serve as a bedroom, bath, and kitchen. The project includes an improvement to the heating system for the entire SFU that will reduce emissions via installation of a high-efficiency, condensing boiler. A smaller 4-inch diameter PVC flue will replace the current larger galvanized steel flue associated with the original 36-year-old boiler in the house. The two existing basement windows will be replaced with larger ones to allow safe fire egress. The new flue and windows will be the only visible changes to the exterior of the SFU. The bedroom/apartment will be well-insulated and finished in a high-quality manner similar to the rest of the house.

Staff Response: The use proposed (an accessory apartment) is permitted via the Development Code, with the issuance of a Special Use Permit. There are several goals and policies contained within the 2016 Comprehensive Plan that address increased density and affordable housing. (Planning). A Building Permit shall be required for all proposed construction activities (Building).

Criterion 2: There are sufficient parking facilities that are adequately designed, shielded, landscaped and lighted to serve the use applied for based on the requirements of this chapter as found in Article IX of this chapter.

Applicant Response: Parking facilities are entirely off-street. A 12-foot gate encloses a flat graveled pad, with a temporary garage already in place. Three options for parking locations are shown on the plan. Mature trees are on both sides of the gate along Quartz St., which provide visual screening. No curb cut is required. No sidewalks or walking paths will be disturbed by the parking. Street lights are located about 50 yards away on both sides of the property along Quartz St. The street has very low traffic, with only 18 residences on it. The accessory apartment will not add significantly to the vehicle burden.

Staff Response: Traffic Department has no concerns with the use proposed.

Criterion 3: The provisions for on-site and off-site ingress/egress and traffic circulation are in conformance with the county's construction standards, that the public streets serving the use applied for are adequate to meet the traffic needs of the proposed use and that the proposed use will not adversely affect neighboring properties by virtue of the type of traffic generated by the use.

Applicant Response: Ingress and egress to the accessory apartment is via the existing basement door facing Quartz St. Entrance to and exist from Quartz St. from the parking pad has good sight lines. No adverse impact will occur to surrounding properties. Any additional vehicle traffic to the neighborhood will be related to the tenant or guests, and will be an insignificant change to current conditions.

Staff Response: Traffic generated by the use proposed will not negatively impact the neighborhood (Dan Erickson). Ingress and egress to the subject property will be via the existing

driveway. Apartment tenants will utilize an existing doorway to access the proposed apartment. (Planning)

Criterion 4: The setbacks of buildings and parking facilities from the property lines, right-of-way, and adjacent land uses are in conformance with this chapter and provide protection to and a transition from residential development, existing and contemplated in the vicinity; and that the height and bulk of the proposed buildings and structures are compatible with the general character of development in the vicinity of the use applied for.

Applicant Response: The 12-foot gate is set back about 20-feet from the Quartz St. north curb, with a flat area to use as an entrance lane. No set-back issues exist with the construction since the remodel will occur entirely inside the existing structure.

Staff Response: No new exterior construction is proposed.

Criterion 5: The site plan including, but not limited to, landscaping, screen planting, and fencing of the proposed development demonstrates that the site development will be compatible with adjoining areas and will conform to the site development standards of the district regulations.

Applicant Response: The 705 Rim Road property is fully landscaped with many mature trees, shrubs, and flower beds. Existing landscaping and fencing will not be disturbed or modified by the special use.

Staff Response: This provision is not applicable, since the petition proposes no new (exterior) construction. (Planning)

Department Conditions: (attach additional pages if necessary)

1. A separate address shall be issued by Jason Romero for the Accessory Apartment (GIS)
2. Parking may occur on the street as the use is not a Bed & Breakfast (Dan)
3. A one-hour separation wall must be placed separating the apartment from the remainder of the basement. (Building)
- 4.

Reviewed By: _____

Date: _____

Department: _____

Phone No. _____



1-Access to Rear Yard Via Quartz Street



2-Access to Proposed Accessory Apartment (Man-Door)



3- Area Proposed to be Converted into an Accessory Apartment (front, in Basement)



4-Area Proposed to be Converted into an Accessory Apartment (back, in Basement)



5-Area to be converted into a Bathroom



6-Area to be converted into a Kitchen

Millmann, Anders

From: David Kloepper <d.a.kloepper@gmail.com>
Sent: Friday, February 10, 2017 12:26 PM
To: Planning
Subject: Fwd: Case No. SUP-2017-0009, Special Use Permit for Apartment at 705 Rim Rd.

Further to my email message below:

I have spoken with Steven Booth about his intentions with regard to the Special Use Permit at 705 Rim Rd. He has allayed my concerns, and I feel comfortable in withdrawing my prior objections to his project.

David Kloepper

----- Forwarded Message -----

Subject:Case No. SUP-2017-0009, Special Use Permit for Apartment at 705 Rim Rd.

Date:Mon, 6 Feb 2017 16:11:32 -0700

From:David Kloepper <d.a.kloepper@gmail.com>

To:Planning@LACNM.US

CC:Susan Henke <suze550@juno.com>, Thurman Talley <THURMAN-GAYE@prodigy.net>

Sirs:

I will be unable to attend the P&Z meeting on February 22, 2017, but I wish to object to the proposed Special Use Permit. Rim Road is currently a fine neighborhood of single-family houses from end-to-end. Any proposal to place even one rental apartment in such a neighborhood seriously violates the tenor of our long-established neighborhood and places an unfair financial burden on those of us who have depended on its stability over the years.

There are plenty of other areas of town zoned for apartments. I hope you will defeat this special use permit at your meeting.

David Kloepper
570 Rim Rd.
Los Alamos, NM



County of Los Alamos

Staff Report

February 22, 2017

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals):

Presenters:

Legislative File: 9134-17

Title

Minutes from the Planning And Zoning Commission Meeting(s) on January 25, 2017 and February 08, 2017.

Recommended Action

I move that the Commission approve the Minutes for January 25, 2017 and February 08, 2017.

Attachments

- A - Draft Minutes for January 25, 2017.
- B - Draft Minutes for February 08, 2017.

MINUTES

Planning and Zoning Commission

January 25, 2017 – 5:30 P.M.

1000 Central Avenue, Council Chambers

Members Present: Philip Gursky, Chair
Michael Redondo, Vice Chair
Cathy Mockler, Commissioner
Ashley Mamula, Commissioner
Larry Warner, Commissioner
Amy Woods, Commissioner

Members Absent: Jaret McDonald, Commissioner
Philip Kunsberg, Commissioner

Staff Present: Tamara Baer, Principal Planner
Anders Millmann, Senior Planner
Kevin Powers, Assistant County Attorney
James Naranjo, Assistant Planner

I. CALL TO ORDER / ROLL CALL

Chair Gursky called the meeting to order at 5:31 PM and asked James Naranjo to call the roll. A quorum was present. Jaret McDonald and Philip Kunsberg were absent.

II. PUBLIC COMMENTS

III. APPROVAL OF AGENDA

Commissioner Redondo made a motion to approve the agenda as presented. Commissioner Woods seconded the motion. Motion passed unanimously.

IV. PUBLIC HEARINGS

- a. **Case No. SUP-2016-0008 (Special Use Permit) and Case No. SIT-2016-0017 (Site Plan)
A Special Use Permit and Site Plan to construct and operate the Los Alamos Baseball Academy, an indoor recreation facility. The subject property is a 1.25± acre leasehold lot located on Los Alamos Public School land at 2101 Hawk Drive, Los Alamos, and zoned P-L (Public Land District).**

Alexander Duzurik and James Chrobocinski presented the request. Commissioners, staff and public were given the opportunity to comment.

Anders Millmann presented the request on behalf of staff. Commissioners, applicants and public were given the opportunity to comment.

Commissioner Redondo made the motion for the Planning and Zoning Commission to approve Case No. SUP-2016-0008, Case No. SUP-2016-0008, a Special Use Permit, to allow for the construction and operation of a recreational facility (Baseball Academy) on a portion of land addressed as 2101

Hawk Drive, Los Alamos, for the reasons stated in the staff report and per testimony at the public hearing, and subject to the following condition:

1. The Baseball Academy will be responsible for coordinating with Los Alamos County to ensure that sufficient parking is available. This condition shall be included in a shared parking agreement with Los Alamos County to be executed prior to occupancy.

Commissioner Woods seconded the motion. Motion passed 6-0.

Commissioner Redondo made the motion for the Planning and Zoning Commission to approve Case No. SIT-2016-0017, a Site Plan, to allow for the construction and operation of a recreational facility (Baseball Academy) on a portion of land addressed as 2101 Hawk Drive, Los Alamos, for the reasons stated in the staff report and per testimony at the public hearing, and subject to the following conditions:

1. Approval of Building Permit(s) is required prior to commencement of construction; and
2. A Certificate of Occupancy shall be issued prior to commencement of business operation.

Commissioner Mamula seconded the motion. Motion passed 6-0

V. WORK PLAN FY 2017-2018 Discussion

Public comment was taken from Rebecca Shankland- 6 Mariposa Court, Christine Chandler- 1208 9th Street, Craig Martin- 3100 Arizona Avenue and Anne Nobile 137 San Juan Loop.

VI. PLANNING AND ZONING COMMISSION BUSINESS

A. Elections

Commissioner Redondo made a motion to suspend Roberts Rules of Order with respect to the time that the new chair takes office on April 1st, 2017 instead of at the time of election.

Commissioner Woods seconded the motion. Motion passed 6-0

Commissioner Woods nominated Commissioner Redondo to serve as Chair of the Planning and Zoning Commission. Commissioner Redondo was elected 6-0.

Commissioner Mockler nominated Commissioner McDonald to serve as Vice Chair of the Planning and Zoning Commission. Commissioner McDonald was elected 6-0.

B. Minutes for December 14, 2016.

Commissioner Warner made a motion to approve the minutes as presented. Commissioner Mamula seconded the motion. Motion passed 6-0.

VIII. ADJOURNMENT

7:51 pm

Philip Gursky, Chair

Paul Andrus, CDD Director

MINUTES

Planning and Zoning Commission

February 08, 2017 – 5:30 P.M.

1000 Central Avenue, Council Chambers

Members Present: Philip Gursky, Chair
Michael Redondo, Vice Chair
Cathy Mockler, Commissioner
Jaret McDonald, Commissioner
Larry Warner, Commissioner
Philip Kunsberg, Commissioner

Members Absent: Commissioner Ashley Mamula,
Commissioner Amy Woods,

Staff Present: Tamara Baer, Principal Planner
Anders Millmann, Senior Planner
Kevin Powers, Assistant County Attorney
Anita Barela, Assistant Planner

I. CALL TO ORDER / ROLL CALL

Chair Gursky called the meeting to order at 5:31 PM and asked James Naranjo to call the roll. A quorum was present. Jaret McDonald and Philip Kunsberg were absent.

II. PUBLIC COMMENTS

III. APPROVAL OF AGENDA

Commissioner Redondo made a motion to approve the agenda as presented. Commissioner Woods seconded the motion. Motion passed unanimously.

IV. PLANNING AND ZONING COMMISSION BUSINESS

A. WORK PLAN FY 2017-2018 Discussion

Tamara Baer, Los Alamos County Principal Planner, went through the work plan with the commission and asked them for comment.

Commissioner Redondo asked if there was a way to include neighborhood discussions that might require neighborhood meetings. Maybe they could create subcommittees to work with Council when they create it.

Review Board of Adjustment statistics and make changes to the code that seem to be continually brought before the BoA.

Councilor Rick Reiss said he read the work plan and did not have anything to add. He felt it was a good one.

Councilor Chris Chandler asked the Commission to consider adding something to the work plan that will include a plan for neighborhoods.

Frederica Martin asked how they plan to define blight.

Community Development Director Paul Andrus said that Blight could be addressed by code updates which will probably use HUD standard definitions.

Craig Martin also wanted to note that he advocates create plans for neighborhoods.

Commissioner Mockler wants the item, "Encourage existing businesses" closer to the top of the plan.

VI. Commission Director Communications

A. Department Report

None

B. Chair's Report

None

C. BOA Report

Vice chair Redondo reported on the last 2 cases heard at BoA.

D. Commissioner's Comment

Chair Gursky asked if there could be a future discussion about spot zoning and what it is.

E. Public Comment

None.

VII. ADJOURNMENT

6:10 pm

Philip Gursky, Chair

Paul Andrus, CDD Director



County of Los Alamos

Staff Report

February 22, 2017

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: B.

Index (Council Goals):

Presenters:

Legislative File: 9133-17

Title

Work Plan for the Planning And Zoning Commission FY 2018

Attachments

A - FY18 PZ Commission Work Plan -Final Showing redline



FY18 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2018: July 1, 2017 – June 30, 2018)

Board and Commission Name: Planning and Zoning Commission

Date prepared: 01/30/17 **Date approved by Council:** _____

Prepared by: Anita Barela/Tamara Baer

This work plan will be accomplished in the following time frame:

from 7/1/17 **to** 6/30/18 **(dates)**

Chairperson: Phillip Gursky **Term:** ends March 2018

Members and terms:

Phillip Gursky - March 2017 (end of first term)
Michael Redondo* - March 2018 (end of second term)
Larry Warner - March 2018 (end of second term)
Ashley Mamula - March 2019 (end of first term)
Catherine Mockler - March 2017 (end of second term)
Amy Woods – March 2019 (end of first term)
Phil Kunsberg – March 2019 (end of second term)
Jaret McDonald – March 2018 (end of first term)**
Vacancy

***Currently Vice-Chair; Chair as of April 1, 2017**

****Vice-Chair as of April 1, 2017**

Department Director: Paul Andrus

Work plan developed in collaboration with Department Director? (Y/N?) Y

Staff Liaison: Tamara Baer

Administrative Support provided by: Anita Barela

Council Liaison: Rick Reiss **Reviewed by Council Liaison?** Y

- 1.0 Provide a brief Summary of your Board or Commission's activities over the past twelve months. Please describe your Board or Commission's accomplishments and identify constraints. List any "lessons learned" and identify the greatest challenges faced by the Board or Commission.**

1. Completion of Comprehensive Plan Update
2. Site Plans (Condos in Quemazon, O'Reilly's Auto Parts, 80 Entrada)
3. Special Use Permits (1 Accessory Apartment, Overnight dog kennels at East Gate)
4. Subdivisions in Quemazon
5. Rezoning on Bathtub Row
6. Code Change – Historic Preservation text Amendment
7. Appeal of the Denial of an SUP on 80 Canyon road

Decisions were made by the Board of Adjustment on Waiver applications for 1 side yard, 2 front yard setbacks, and 2 fence height Waivers.

- 2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)***

Anticipated Projects include:

1. Subdivision and/or Site Plan review & approval for:
 - A-19 development
 - 20th Street south of Trinity
 - Entrada Road
 - Los Alamos Visiting Nurses on Canyon Road ~~lot split and~~ Site Plan for Assisted Living
2. Rezoning-
 - Historic District Overlay for Bathtub Row/Fuller Lodge
 - Open Space parcels as identified for rezone in Open Space Management Plan and in Comprehensive Plan
 - Los Alamos Visiting Nurses
3. Development Code- **The following anticipated code amendments are of the highest priority and will be done first:**
 - **Revisions to Review Criteria in Article IV for improved objectivity and specificity related to conformance with the Comprehensive Plan, including & especially the Future Land Use Map (FLUM)**
 - **Development of a Future Land Use Map Code section**

- Development of new Mixed-Use Zoning District(s)
- Revisions to DT Overlays to allow all residential uses in certain districts
- ~~Various changes to Chapter 16 (Development Code) and to implement and support the Comprehensive Plan and to increase ease of use and administration of the Code~~

In addition to the high priority amendments listed above, other code amendments may include:

- Revisions to Sign Code
- Revisions to Outdoor Lighting
- Adopting digital version of Official Zoning Maps in lieu of paper
- Revisions to Code Definitions to match Use Table
- Clarification of “triggers” for various processes
- Clarification of what constitutes a “final action”
- Clarification of uses in NC
- Addressing severability one time in the code; removing redundancy
- Establishing automatic default zoning (eg, R-1 or MU) with land conveyance
- Clarification of time frame for Appeal
- Definition of “effective date”
- Consideration of a minimum trigger for Building Permit only (not Site Plan amendment)
- Alignment of code terminology with construction industry standards
- Addressing the issue of carports and waiver requests
- Addition of definition for Manufactured Home
- Addition of parking requirement for Accessory DU
- Establishing minimum distance between Manufactured Homes
- Increasing communication between project proposers and neighborhoods and avoiding conflict at public hearings

4. Continued review of land use cases

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

~~Implementation of Development changes to the~~ Code amendments prompted by adoption of the Comprehensive Plan ~~adoption~~ in December 2016, which include possible rezoning of some parcels and correction of mapping errors. ~~discovered while researching comprehensive plan.~~

In addition, the Commission anticipates receiving yet to be determined direction from the newly formed Land Use Sub-Committee of the County Council regarding specific projects or studies to be undertaken.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

**Los Alamos Comprehensive Plan
Los Alamos County Code of Ordinances, Chapter 16, Development Code
Development Code Appeals, Council Procedures, adopted by Council
Resolution on 04/15/16**

2.3 Other projects/assignments proposed by the Board or Commission: (*Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.*)

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

The Planning and Zoning Commission will coordinate with other Boards, Commissions and Committees as needed, such as the Parks and Rec board, Economic Vitality Action Team, Main Street Futures and Los Alamos Commerce and Development Corporation to implement the suggested code changes in the Comprehensive Plan adoption.

Fuller Lodge Historic Districts Advisory Board- Historic District Zoning Overlay and possible base rezoning of affected properties.

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

As technical code changes are reviewed by the Commission, public hearings will be held. Additional public meetings may also be held on topics of general interest to the public and which may result in code changes or modifications.

5.0 List the current subcommittees for this Board or Commission.

- 5.1 For subcommittees with members that are not members of the parent board or commission:
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee's charter or purpose.
Describe the expected duration for the subcommittee and their work plan (s) demonstrating how they support the Board or Commission:**

Board of Adjustment (formerly Variance Board) is comprised of three members of the Planning and Zoning Commission who volunteer to serve and are appointed by



the County Council. Board of Adjustment (BOA) members serve concurrent with the Planning & Zoning Commissioner's current term, including any period during which the member serves until replaced or reappointed. The BOA generally meets on Mondays when a request for a waiver is pending. Five (5) Waiver cases were heard in CY 2016.

Planning Division staff will perform an analysis of Waiver cases over the past several years to assess the type of Waiver requested; frequency/percentage of total by type; relation to code enforcement cases; recommendations; and outcomes. Following the data analysis, it is anticipated that the BOA will bring the matter to the full Commission for discussion and possible action in terms of recommended code amendments.

Current BOA Members:

- Michael Redondo, Chair
- Cathy Mockler
- Jaret McDonald

Note that at least two new board members will be ~~elected~~-appointed in April 2017.

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

ARTICLE IX. - PLANNING AND ZONING COMMISSION

Sec. 8-201. - Purpose.

The county council has determined that the coordinated, comprehensive, orderly, and harmonious physical development of the county in both the short and long term will be best served through the establishment of a planning and zoning commission. Pursuant to NMSA 1978, § 4-57-1, the county council will appoint a planning and zoning commission for making advisory recommendations to the county council regarding planning and zoning for the county and for promoting the general welfare of the citizens of the county.

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-203. - Duties and responsibilities.

(a) The planning and zoning commission shall serve in an advisory capacity and shall have the following functions, responsibilities and duties:

(1) From time to time, the planning and zoning commission may undertake such study, training, and investigations as may be deemed necessary to carry out the powers and duties listed in subsections (a)(2) and (a)(3) below.

(2) The planning and zoning commission shall hold a public hearing in accordance with the requirements of chapter 16 article XI of this Code and shall forward a recommendation to the county council on the following applications:

a. Application for adoption of and amendments to the text of chapter 16;



b. Application for adoption of and amendments to the official zoning map;

c. Application for adoption of and amendments to the comprehensive plan. The planning and zoning commission may from time to time recommend amendments, extensions or deletions to the comprehensive plan or carry any part or subject matter into greater detail;

d. Application for addition, deletion or change in category to the uses allowed in any district as set forth in the chapter 16 index of land uses.

(3) Provide citizen input to staff and council on ways and means for improving the county's planning and zoning functions including formulation of the comprehensive plan, changes in the official zoning map, and updates and revisions to chapter 16 of the County Code as may be required. For this purpose, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.

(4) Review and act upon all planning, zoning, and comprehensive plan related matters submitted to the commission by council.

(b) The planning and zoning commission shall serve in a regulatory capacity and as such have the following functions, responsibilities and duties:

(1) Hold a public hearing in accordance with the requirements of Los Alamos County Code chapter 16 article XI and shall have the authority to approve, conditionally approve or disapprove the following applications:

a. Application for approval of a site plan except an application on which the community development director acts pursuant to subsection 16-51(b);

b. Application for special use permit;

c. Subdivision applications: sketch, preliminary and final plats; and summary plats when referred to the planning and zoning commission by the community development director;

d. Application or decision making authority referred to it by the community development director.

(c) The planning and zoning commission shall serve in an appellate capacity and as such have the following functions, responsibilities and duties in accordance with this article:

(1) Hear appeals from a decision or determination of the community development director with respect to any matter (except personnel) other than an interpretation of this County of Los Alamos Development Code. The planning and zoning commission shall either affirm, overturn, or modify the decision of the community development director, or remand the matter to the community development director, as appropriate.

(2) Hear appeals from a decision of the community development director requiring an interpretation of the County of Los Alamos Development Code. The interpretation of the Code made by the community development director must be in writing. The planning and zoning commission shall affirm the interpretation of this Code determined by the community development director, or remand the matter to the community development director for further consideration in accordance with the instructions of the planning and zoning commission. (Ord. No. 02-078, § 2, 10-3-2006)

Board of Adjustment

[From Chapter 16 of the Development Code]

Sec. 16-52. - Board of adjustment

(a) *Board of adjustment established.* The board of adjustment is hereby established. The board of adjustment will consist of three members of the planning and zoning commission appointed by the



county council. The planning and zoning commission shall nominate members for appointment to the board of adjustment. The chairperson of the planning and zoning commission shall not be eligible to serve as a regular member of the board of adjustment. Each member of the board of adjustment shall serve a term ending concurrently with the member's then current term as a member of the planning and zoning commission, including any period during which the member serves until replaced or reappointed. The chairperson of the planning and zoning commission shall serve as an alternate member of the board of adjustment and the chairperson or the chairperson's designee may sit in place of any member of the board of adjustment that is unable to attend a regular or special meeting of the board of adjustment, or is disqualified to act on a matter due to a conflict of interest.

(b) *Powers and duties.* The board of adjustment shall hold a public hearing in accordance with the requirements of article XI and shall have the authority to approve, conditionally approve or disapprove the following:

- (1) Applications for waivers to the requirements of this chapter, except that the board of adjustment shall not consider waivers to the public works construction standards referenced in the chapter; and
- (2) Application or decision making authority referred to the board of adjustment by the community development director as set forth in subsection 16-51(c)4.

(c) *Conditions of approval.* In granting conditional approval, the board of adjustment may only impose such conditions as are reasonably necessary to meet the approval criteria of section 16-157, including the granting of waivers more restrictive than those originally requested by the applicant.

(d) *Meetings.* Two members of the board of adjustment shall be a quorum for the conduct of business and approval of a waiver or application considered by the board of adjustment shall require a motion and affirmative vote of at least two members of the board of adjustment.

(Ord. No. 02-084, § 2, 3-27-2007)

Editor's note—

Ord. No. 02-084, § 2, adopted March 27, 2007, amended section 16-52 in its entirety to read as herein set out. Former section 16-52, pertained to variance board, and derived from Ord. No. 85-301, § 1, 11-6-01.

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Planning & Zoning Commission:

Mark all that apply

Economic Vitality		
	Priority Area and Priority Goals are highlighted	
	Economic Vitality:	
	<ul style="list-style-type: none"> Build the local tourism economy. 	
	<ul style="list-style-type: none"> Revitalize and eliminate blight in Los Alamos and White Rock. 	X
	<ul style="list-style-type: none"> Promote a strong and diverse economic base by encouraging new business growth. 	
	<ul style="list-style-type: none"> Collaborate with Los Alamos National Laboratory as the area's #1 employer. 	
	Financial Sustainability:	
	<ul style="list-style-type: none"> Encourage the retention of existing businesses and assist in their opportunities for growth. 	X
	<ul style="list-style-type: none"> Support spinoff business opportunities from LANL. 	
	<ul style="list-style-type: none"> Significantly improve the quantity and quality of retail and tourism business. 	
Quality of Life		
	Priority Area and Priority Goals are highlighted	
	Housing:	
	<ul style="list-style-type: none"> Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate. 	X
	<ul style="list-style-type: none"> Support development of affordable workforce housing. 	
	Education:	
	<ul style="list-style-type: none"> Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation. 	
	<ul style="list-style-type: none"> Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards. 	
	Quality Cultural and Recreational Amenities:	
	<ul style="list-style-type: none"> Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community. 	
	Environmental Stewardship:	
	<ul style="list-style-type: none"> Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities. 	
	Mobility:	
	<ul style="list-style-type: none"> Maintain and improve transportation and mobility. 	

Quality Governance	
Priority Areas and Priority Goals are highlighted	
Operational Excellence:	
<ul style="list-style-type: none"> Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning. 	X
<ul style="list-style-type: none"> Simplify permit requirements and improve the overall development and building code processes to become easier to do business work with for all participants. 	X
Operational Excellence:	
<ul style="list-style-type: none"> Maintain quality essential services and supporting infrastructure. 	
<ul style="list-style-type: none"> Invest in staff development to create a high performing organization. 	
<ul style="list-style-type: none"> Manage commercial growth well following an updated, concise, and consistent comprehensive plan. 	
<ul style="list-style-type: none"> Establish and implement a mechanism for effective Utility policy setting and review. 	
Communication:	
<ul style="list-style-type: none"> Improve transparency in policy setting and implementation. 	
<ul style="list-style-type: none"> Create a communication process that provides measurable improvement in citizen trust in government. 	
Intergovernmental Relations:	
<ul style="list-style-type: none"> Strengthen coordination and cooperation between County government, LANL, and the regional and national partners. 	
<ul style="list-style-type: none"> Actively pursue land transfer opportunities. 	