



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Agenda - Final County Council - Regular Session

David Izraelevitz, Council Chair; Antonio Maggiore, James Robinson; Randall Ryti; Sara Scott; and Pete Sheehey, Councilors

Tuesday, January 8, 2019

6:00 PM

Council Chambers - 1000 Central Avenue
TELEVISED

1. **OPENING/ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENT**

4. **APPROVAL OF AGENDA**

5. **ELECTION OF CHAIR & VICE CHAIR**

- A. [11284-19](#) Election of Council Chair and Vice Chair for 2019.

Presenters: County Council - Regular Session

6. **PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**

- A. [11467-19](#) Proclamation declaring the Week of January 20-27, 2019 as "Diversity Week" in Los Alamos County (accepted by Madhavi Garimella)

Presenters: County Council - Regular Session

7. **PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA**

8. **CONSENT AGENDA**

January 8, 2019 Consent Motion:

Consent Motion -

- A. [RE0389-19](#) Incorporated County Of Los Alamos Resolution No. 19-01; A Resolution Establishing Minimum Standards Of Reasonable Notice To The Public For All Meetings Of The Council, The County Indigent Hospital And County Health Care Board And Of All Standing County Boards, Commissions And Policymaking Bodies.

Presenters: County Council - Regular Session

Attachments: [A - Incorporated County of Los Alamos Resolution 19-01](#)
[B - Publication Notice for Resolution 19-01](#)

- B. [11358-19](#) County Council Minutes for December 18, 2018

Presenters: Naomi Maestas

Attachments: [A-County Council Minutes for December 18, 2018](#)

- C. [11462-19](#) Ratification of Council Chair and Vice Chair as Chair and Vice Chair, Respectively, of the County Indigent Hospital and County Health Care Board.

Presenters: County Council - Regular Session

9. **PUBLIC HEARING(S)**

- A. [CO0542-18b](#) Incorporated County of Los Alamos Code Ordinance No. 02-293 Revision No. 2018-01 In Textual Form To The Official Zoning Map of Los Alamos County by Rezoning One (1) County Owned Parcel Consisting Of Approximately 0.739 Acres Or Land And One (1) Privately Owned Parcel Consisting of Approximately 0.447 Acres Of Land: 1) Tract MM-1 From P-L (Public Land) TO C-1 (Light Commercial and Professional Business District); And 2) Tract HH-1B, From R-3-H (Multi Family High Density) To C-1 (Light Commercial and Professional Business District).

Presenters: Paul Andrus, Community Development Director and Tamara Baer, Planning Manager

Attachments: [A - Notice of Publication.pdf](#)
[B - Incorporated County of Los Alamos Code Ordinance No. 02-293](#)
[C - The Planning and Zoning Staff report for November 28, 2018.](#)

10. **COUNCIL BUSINESS**

- A. *Appointments*
- B. *Board, Commission and Committee Liaison Reports*
- C. *County Manager's Report*
- D. *Council Chair Report*

- E. General Council Business***
- F. Approval of Councilor Expenses***
- G. Preview of Upcoming Agenda Items***
- 11. COUNCILOR COMMENTS**
- 12. PUBLIC COMMENT**
- 13. ADJOURNMENT**

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 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 Office of the County Manager at 663-1750 if a summary or other type of accessible format is needed.



County of Los Alamos

Staff Report

January 08, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 11284-19

Title

Election of Council Chair and Vice Chair for 2019.

Body

Under the Council's Rules, "The Council shall elect a chair and a vice chair from among its members at its first regular meeting after January 1 of each year." The Rules give further guidance on the responsibilities which include: presiding at official meetings; acting as the official spokesperson; keeping Councilors informed of events, meetings and other occasions; ensuring that Councilors are informed of significant communications directed to the chair; providing an annual state of the county message; and working on the development of the meeting agendas.

Past practice has been to put this item of election of the chair and the vice chair at the beginning of the first meeting in January. The chair from the past year will preside over the election for both the new chair and the vice chair taking nominations, then comments from councilors and calling for the roll call vote for each office. Once the election for both positions is accomplished, the new chair will then preside over the remainder of the meeting.



County of Los Alamos

Staff Report

January 08, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 11467-19

Title

Proclamation declaring the Week of January 20-27, 2019 as "Diversity Week" in Los Alamos County (accepted by Madhavi Garimella)

Body

- WHEREAS:** Our community's success depends upon making everyone living in Los Alamos County feel welcome and included; and
- WHEREAS:** We are fortunate to have a rich and diverse culture here in Los Alamos, with a wealth of knowledge and fresh perspectives that bring neighbors together to discuss new or differing ideas using thoughtful, civil discourse; we appreciate and respect all opinions, regardless of race, gender, identity and personal beliefs; and
- WHEREAS:** We recognize the key role that diversity and inclusion has played in our history during the days of the Manhattan Project, which brought together some of the greatest minds and talent from around the world to Los Alamos to live and work side by side; and
- WHEREAS:** Monday, January 21st, denotes a special federal holiday for an individual who embraced the driving need for diversity in our nation's culture - Martin Luther King Jr. - and thus there is no better time to recognize and celebrate diversity here in our local community; and
- WHEREAS:** When we stand together, we create a vibrant culture and growing economy, which in turn makes Los Alamos County more prosperous and more inclusive for everyone, including those wishing to make Los Alamos their home;

NOW, THEREFORE, on behalf of the Council of the Incorporated County of Los Alamos, I do hereby proclaim the Week of January 20 - 27, 2019 as

"DIVERSITY WEEK"

in Los Alamos County. We urge our citizens to come together this week in celebration, as we focus on building a stronger, united community for everyone to enjoy.



County of Los Alamos

Staff Report

January 08, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.:

Index (Council Goals):

Presenters:

Title

January 8, 2019 Consent Motion:

Recommended Action

I move that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports be included for the record; or,

I move that Council approve the items on the Consent Agenda and that the motions contained in the staff reports, as amended be included for the record.



County of Los Alamos

Staff Report

January 08, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: RE0389-19

Title

Incorporated County Of Los Alamos Resolution No. 19-01; A Resolution Establishing Minimum Standards Of Reasonable Notice To The Public For All Meetings Of The Council, The County Indigent Hospital And County Health Care Board And Of All Standing County Boards, Commissions And Policymaking Bodies.

Recommended Action

I move that Council adopt Incorporated County Of Los Alamos Resolution No. 19-01; A Resolution Establishing Minimum Standards Of Reasonable Notice To The Public For All Meetings Of The Council, The County Indigent Hospital And County Health Care Board And Of All Standing County Boards, Commissions And Policymaking Bodies.

County Manager's Recommendation

The County Manager recommends that Council approve the motion as presented.

Body

By statute, the Council must determine, at least annually, in a public meeting what notice for a public meeting is reasonable when applied to that body (Section 10-15-1D, NMSA 1978). This Resolution satisfies those requirements.

Alternatives

Adoption of a resolution regarding open meeting provisions is required by state statute, however Council could choose to alter the time/place of meetings, the specific dates indicated on the calendar, extend the time required for providing notice prior to a meeting, or make other similar modifications as long as they do not violate the statutory requirements for open meetings.

Fiscal and Staff Impact/Planned Item

The posting of notices for public meetings is a routine duty of County staff.

Attachments

- A - Incorporated County of Los Alamos Resolution 19-01
- B - Publication Notice for Resolution 19-01

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 19-01

A RESOLUTION ESTABLISHING MINIMUM STANDARDS OF REASONABLE NOTICE TO THE PUBLIC FOR ALL MEETINGS OF THE COUNCIL, THE COUNTY INDIGENT HOSPITAL AND COUNTY HEALTH CARE BOARD AND OF ALL STANDING COUNTY BOARDS, COMMISSIONS AND POLICYMAKING BODIES

WHEREAS, the Council wishes to establish minimum standards of reasonable notice to the public for meetings of the Council, including its meetings as the County Indigent Hospital and County Health Care Board, and all standing County boards, commissions and policymaking bodies listed in Schedule "A;" and

WHEREAS, the democratic ideal is best served by a well-informed public, and sunshine laws generally require that public business be conducted in full public view, that the actions of public bodies be taken openly, and that the deliberations of public bodies be open to the public; and

WHEREAS, the Open Meetings Act states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times [Section 10-15-1B NMSA 1978]; and

WHEREAS, when it is difficult or impossible for a member to attend a meeting in person, the member may participate by means of a conference telephone or similar communications equipment [Section 10-15-1C NMSA 1978]; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public [Section 10-15-1D NMSA 1978]; and

WHEREAS, the Open Meetings Act requires the Council of the Incorporated County of Los Alamos to determine annually what constitutes reasonable notice of its public meetings and those of all County boards, commissions and policymaking bodies [Section 10-15-1D NMSA 1978]; and

WHEREAS, the Council wishes to establish the minimum standards of reasonable notice to the public for all public meetings of the Council and for all public meetings of all County boards, commissions and policymaking bodies for the year 2019 and until a new resolution concerning public meetings is adopted.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Incorporated County of Los Alamos that:

1. All meetings of the Council, including its meetings as the County Indigent Hospital and County Health Care Board, shall be held at the time and place indicated in the meeting notice. All meetings of the Council shall be held on the dates specified in the schedule attached to this Resolution as Schedule "B" unless notice is otherwise provided seventy-two (72) hours in

advance of the meeting date. An agenda for all regular meetings of the Council shall be available at least seventy-two (72) hours prior to the meeting from personnel in the Office of the County Manager. All agendas shall be posted on the County's web site provided the web site is operational during the period seventy-two (72) hours prior to the meeting.

2. Notice of regular meetings of all County boards, commissions and policymaking bodies listed on Schedule "A" shall be given no less than ten (10) days in advance of the meeting date. The notice may include an agenda for the meeting or indicate how a copy of the agenda may be obtained. An agenda shall be available at least seventy-two (72) hours prior to the meeting. All meetings of each standing County board, commission or policymaking body shall be held at the time and at the place indicated in the meeting notice. Each County board, commission and policymaking body may adopt a schedule of its regular meetings for the present calendar year or the balance thereof. Such schedule shall contain the date, time, and place of each regular meeting. For purposes of paragraph 5 of this Resolution, notice of all regular meetings contained in such schedule is met if a copy of the schedule is posted and provided to the media as provided for in paragraph 5 of this Resolution; provided, however, that every County board, commission or policymaking body must still post and provide to the media a copy of the agenda prior to each regularly scheduled meeting as required under this Resolution. All agendas shall be posted on the County's web site provided the web site is operational during the period seventy-two (72) hours prior to the meeting.

3. Special meetings may be called by the Chair or a majority of the members of the Council, including its meetings as the County Indigent Hospital and County Health Care Board, or respective County board, commission or policymaking body listed in Schedule "A," upon seventy-two (72) hours' notice. The notice shall include an agenda for the meeting or information to indicate how a copy of the agenda may be obtained. An agenda for the meeting shall be available to the public and posted on the County's web site at least seventy-two (72) hours before any special meeting.

4. Emergency meetings may only be called under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Council, including its meetings as the County Indigent Hospital and County Health Care Board, and all County boards, commissions and policymaking bodies listed in Schedule "A" shall avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair or a majority of the members of the Council or respective County board, commission or policymaking body listed on Schedule "A," upon twenty-four (24) hours' notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda, which shall be posted on the County's web site as soon as is practicable after the agenda is created.

5. For the purposes of regular meetings described in paragraphs 1 and 2 of this Resolution, notice requirements are met if notice of the date, time, and place is posted in a conspicuous place in the vicinity of the front door of the Municipal Building located at 1000 Central Avenue, Los Alamos, New Mexico and visible from the exterior of the building, as well as being posted on the County's web site. Copies of the notice shall be provided to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings for the coming calendar year. Only one such written request shall be required for each calendar year.

6. For the purposes of special meetings described in paragraph 3 of this Resolution, notice requirements are met if notice of the date, time, place and agenda is posted in a conspicuous place in the vicinity of the front door of the Municipal Building at 1000 Central Avenue, Los Alamos, New Mexico and visible from the exterior, as well as being posted on the County's web site. Copies of the notice shall be provided to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings for the coming calendar year. Only one such written request shall be required for each calendar year.

7. For the purposes of emergency meetings described in paragraph 4 of this Resolution, notice requirements are met if notice of the date, time, place and agenda is posted in a conspicuous place in the vicinity of the front door of the Municipal Building at 1000 Central Avenue, Los Alamos, New Mexico and visible from the exterior and posted on the County's web site as soon as is practicable. Copies of the notice shall be provided to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings for the coming calendar year. Only one such written request shall be required for each calendar year.

8. In addition to the information specified above, all notices shall include the following language:

"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 of the meeting, please contact the County Human Resources Department at 662-8040 at least one (1) 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 Office of the County Manager at 663-1750, if a summary or other type of accessible format is needed."

9. The Council, including when meeting as the County Indigent Hospital and County Health Care Board, and all County boards, commissions and policymaking bodies listed on Schedule "A" may close a meeting to the public only if authorized by the Open Meetings Act [Section 10-15-1H NMSA 1978]:

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Council, including when meeting as the County Indigent Hospital and County Health Care Board, or respective County board, commission or policymaking body, as applicable, taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If the decision to hold a closed meeting is made when the Council, including when meeting as the County Indigent Hospital and County Health Care Board, a County board, commission or policymaking body is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity is given to the members and to the general public.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by a vote of the Council, including when meeting as the County Indigent Hospital and County Health Care Board, or respective County board, commission or policymaking body, in an open public meeting [Section 10-15-1H NMSA 1978].

10. Any member may participate by means of a conference telephone, video communication, or similar communications equipment when it is difficult or impossible for a member to attend a meeting in person, provided that each member participating by other means can be identified when speaking, all participants are able to hear each other at the same time and members of the public meeting attending the meeting are able to hear any member of the public body who speaks during the meeting.

PASSED AND ADOPTED this 8th day of January, 2019.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

_____, Council Chair

ATTEST:

Naomi D. Maestas
Los Alamos County Clerk

SCHEDULE "A"

COUNTY BOARDS, COMMISSIONS AND POLICYMAKING BODIES

**Art in Public Places Board
Board of Adjustment (formerly Variance Board)
Board of Public Utilities
Community Development Advisory Board
Environmental Sustainability Board
Historic Preservation Advisory Board (formerly Fuller Lodge/Historic Districts
Advisory Board)
Labor Management Relations Board
Library Board
Lodgers' Tax Advisory Board
Parks and Recreation Board
Personnel Board
Planning and Zoning Commission
Transportation Board
Valuation Protests Board**



2019 Los Alamos County Council Calendar

Regular meetings will be held in Council Chambers in the Municipal Building at 1000 Central Avenue or at Fire Station 3, 129 State Road 4 in White Rock. Tuesday meetings start at 6:00 PM. Work Sessions are held at Fire Station No. 3, 129 State Road 4 in White Rock. Special meetings are scheduled as needed.

LOS ALAMOS

NMAC Legislative Conf.
1/15-17
Santa Fe

Martin Luther King Jr.

2019 State Legislative
Session
1/15 - Opening Day
3/16 - Session Ends

NMML Municipal Day
2/20 Santa Fe

Presidents' Day

**Washington, DC
CONFERENCES**
NACO legislative
Conference
3/2 - 3/6
Washington D.C.

NLC Congressional
City Conference
3/10 - 3/13
Washington D.C.

LAPS Spring Break
3/25 - 3/29

Easter 4/21

NACO Western
Interstate Conf. (WIC)
5/15 - 5/17
Spokane, WA

Memorial Day

DRAFT

NMAC Annual
Conference
6/18 - 6/21
Location: TBD

January

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
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LA

LA

LA

February

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WR

LA

LA

March

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31						

LA

WR

LA

April

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LA

LA

LA

May

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LA

WR

LA

June

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30						

LA

WR

LA

July

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Independence Day

LA

WR

LA

August

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31						

LA

WR

LA

September

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29	30					

Labor Day/LA

WR

LA

October

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LA

WR

LA

November

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WR

LA/Veteran's Day

Thanksgiving and day after

LA

December

S	M	T	W	T	F	S
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

LA

LA

Christmas Day

NACO Annual Conf.
7/12 - 7/15
Las Vegas, NV

January 2020

S	M	T	W	T	F	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NMML Annual Conf.
8/28 - 8/30
TBD

DRAFT

- Council Regular Meeting
- Council Work Session
- Holidays
- ◇ Budget Hearings
- ◇ Strategic Planning
- ◇ B&C Luncheons

NLC City Summit
11/20 - 23
San Antonio, TX

NOTICE OF RESOLUTION NO. 19-01

STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS

Notice is hereby given that the Council of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of Los Alamos County Resolution No. 19-01. This will be considered by the County Council at an open meeting on Tuesday, January 8, 2019, at 6:00 p.m., at the Los Alamos County Municipal Building: 1000 Central Avenue, Los Alamos, New Mexico 87544. The full copy is available for inspection or purchase, during regular business hours, in the County Clerk's Office: 1000 Central Avenue, Suite 240.

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 19-01

A RESOLUTION ESTABLISHING MINIMUM STANDARDS OF REASONABLE NOTICE TO THE PUBLIC FOR ALL MEETINGS OF THE COUNCIL, THE COUNTY INDIGENT HOSPITAL AND COUNTY HEALTH CARE BOARD AND OF ALL STANDING COUNTY BOARDS, COMMISSIONS AND POLICYMAKING BODIES

Council of the Incorporated County of Los Alamos

By: /s/ David Izraelevitz, Council Chair

Attest: /s/Naomi D. Maestas, County Clerk

Publication Date: Thursday, December 27, 2018



County of Los Alamos

Staff Report

January 08, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: B.

Index (Council Goals): * 2018 Council Goal – Quality Governance – Operational Excellence – Maintain Quality Essential Services and Supporting Infrastructure Including Updated Enterprise Software and Permitting

Presenters: Naomi Maestas

Legislative File: 11358-19

Title

County Council Minutes for December 18, 2018

Recommended Action

I move that Council approve the County Council Minutes for December 18, 2018.

Clerk's Recommendation

The County Clerk recommends that Council approve the minutes as presented.

Attachments

A-County Council Minutes for December 18, 2018

Minutes

County Council – Regular Session

*David Izraelevitz, Council Chair; Christine Chandler, Council Vice Chair;
Antonio Maggiore, Susan O’Leary, Morris Pongratz, Rick Reiss,
and Pete Sheehey, Councilors*

Tuesday, December 18, 2018

6:00 PM

Council Chambers - 1000 Central Avenue

TELEVISED

1. OPENING/ROLL CALL

The Council Chair, David Izraelevitz, called the meeting to order at 6:10 p.m.

The following Councilors were in attendance:

Present: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore,
Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor O’Leary

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

A motion was made by Councilor Chandler, seconded by Councilor Pongratz, that Council approve the following statement for inclusion in the minutes: “The matters discussed in the closed session held on December 18, 2018 that began at 5:00 p.m. were limited only to those topics specified in the notice of the closed session, and no action was taken on any matter in that closed session.”

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore,
Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor O’Leary

4. PUBLIC COMMENT

Mr. Patrick Serran, No address given, expressed gratitude to Council for their service to the community.
Ms. Irene Powell, 1732 Ponderosa, spoke regarding the Pueblo Canyon Rim Trail; thanked outgoing Councilors, and wished everyone a happy holiday.

5. APPROVAL OF AGENDA

A motion was made by Councilor Reiss, seconded by Councilor Maggiore, that the agenda be approved as presented.

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor O'Leary

6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

7. CONSENT AGENDA

Consent Motion:

A motion was made by Councilor Reiss, seconded by Councilor Maggiore, that Council approve the items on the Consent Agenda, as presented, and that the motions in the staff reports be included for the record.

A. County Council Minutes for November 27, 2018 and December 4, 2018

I move that Council approve the County Council Minutes for November 27, 2018 and December 4, 2018.

B. Vacation of Utility Easement within Lot 251B, a Subdivision of North Community No. 1.

I move that Council approve the vacation of utility easement within lot 251B, a Subdivision of North Community No. 1.

Approval of the Consent Agenda:

The motion passed with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor O'Leary

8. INTRODUCTION OF ORDINANCE(S)

A. Incorporated County of Los Alamos Code Ordinance No. 02-293 Revision No. 2018-01 In Textual Form To The Official Zoning Map of Los Alamos County by Rezoning One (1) County Owned Parcel Consisting Of Approximately 0.739 Acres Or Land And One (1) Privately Owned Parcel Consisting of Approximately 0.447 Acres Of Land: 1) Tract MM-1 From P-L (Public Land) TO C-1 (Light Commercial and Professional Business District); And 2) Tract HH-1B, From R-3-H (Multi Family High Density) To C-1 (Light Commercial and Professional Business District).

Councilor Maggiore introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 02-293 and ask staff to assure that it is published as provided in the County Charter.

9. PUBLIC HEARING(S)

- A.** Incorporated County of Los Alamos Ordinance No. 690; An Ordinance Authorizing the Donation of County-Owned Land Being Tract A-8-b at 135 DP Road to Bethel Development, Inc. Conditional to County Approval of Affordable Housing Project "The Bluffs"

Mr. Paul Andrus, Community Development Director, spoke.

Mr. Dan Terlecki, CEO Bethel Development Corporation, spoke.

Public Comment:

None.

A motion was made by Councilor Sheehey, seconded by Councilor Reiss, that Council adopt Incorporated County Of Los Alamos Ordinance No. 690; An Ordinance Authorizing Donation of County-Owned Land Being Tract A-8-b at 135 DP Road to Bethel Development, Inc. Conditional to County Approval of Affordable Housing Project "The Bluffs".

The motion passed with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor O'Leary

10. BUSINESS

- A.** Contract for General Services, Agreement No. AGR19-29 with Los Alamos Commerce and Development Corporation in the Amount of \$682,690.26, plus Applicable Gross Receipts Tax, for the Purpose of Visitor Center Operation and Management

Ms. Linda Matteson, Assistant to County Manager, spoke.

Public Comment:

Ms. Melissa Arias, 2168 44th Street, spoke.

A motion was made by Councilor Pongratz, seconded by Councilor Reiss, that Council approve Contract for General Services, Agreement No. AGR19-29 with Los Alamos Commerce and Development in the Amount of \$682,690.26, plus Applicable Gross Receipts Tax, for the Purpose of Visitor Center Operation and Management.

The motion passed with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor O'Leary

- B. Approval of Services Agreement AGR19-912 with Ferguson Incorporated in the Amount of \$5,559,480.00, Plus Applicable Gross Receipts Tax for Advanced Metering Infrastructure (AMI) Equipment and Services; Approval of the License and Technical Support Agreement with Sensus Incorporated; and Approval of Related Budget Revision 2019-04

Mr. Bob Westervelt, Deputy Utilities Manager, spoke.
Mr. Bob Furlich, AMI Specialist Ferguson Incorporated, spoke.
Mr. Kyle Kopsick, Power Systems Engineering, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

RECESS

Councilor Izraelevitz called for a recess at 8:28 p.m. The meeting reconvened at 8:41 p.m.

Public Comment:
None.

A motion was made by Councilor Sheehey, seconded by Councilor Pongratz, that Council approve Services Agreement AGR19-912 with Ferguson Incorporated in the amount of \$5,559,480, plus a contingency in the amount of \$971,950 for a total project budget of \$6,531,430.00, plus applicable gross receipts tax; and further moved that Council approve execution of the License and Technical Support Agreement between The Incorporated County of Los Alamos and Sensus Incorporated, funding for which is included in and payable through the Ferguson agreement; and further moved that Council approve budget revision 2019-04 and that it be included in the minutes as an attachment. In addition, further moved at the conclusion of Phase 1 of the project Department of Public Utilities (DPU) analyze and present to Board of Public Utilities and Council the results of the average change in kilowatt hours billed for phase 1 AMI residences compared to change at non AMI residences for the same time periods; and opt out policy developed by DPU must be presented for approval to County Council.

A SUBSTITUTE motion was made by Councilor Maggiore, seconded by Councilor Chandler, that Council approve Services Agreement AGR19-912 with Ferguson Incorporated in the amount of \$5,559,480, plus a contingency in the amount of \$971,950 for a total project budget of \$6,531,430.00, plus applicable gross receipts tax; and further moved that Council approve execution of the License and Technical Support Agreement between The Incorporated County of Los Alamos and Sensus Incorporated, funding for which is included in and payable through the Ferguson agreement; and further moved that Council approve budget revision 2019-04 and that it be included in the minutes as an attachment. In addition, further moved at the conclusion of Phase 1 of the project Department of Public Utilities (DPU) analyze and present to Board of Public Utilities and Council the results of the average change in kilowatt hours billed for phase 1 AMI residences compared to the change at non AMI residences for the same time periods; and an opt out policy developed by Board of Public Utilities must be approved by County Council before the contract goes into effect or can be executed.

The procedural motion regarding the substitute motion passed with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore,
Councilor Pongratz, and Councilor Sheehey

No: 1 - Councilor Reiss

Absent: 1 - Councilor O'Leary

A SECOND SUBSTITUTE motion was made by Councilor Chandler, seconded by Councilor Pongratz, that Council approve Services Agreement AGR19-912 with Ferguson Incorporated in the amount of \$5,559,480, plus a contingency in the amount of \$971,950 for a total project budget of \$6,531,430.00, plus applicable gross receipts tax; and further moved that Council approve execution of the License and Technical Support Agreement between The Incorporated County of Los Alamos and Sensus Incorporated, funding for which is included in and payable through the Ferguson agreement; and further moved that Council approve budget revision 2019-04 and that it be included in the minutes as an attachment. In addition, further moved that the contract not be executed until Council has approved the Board of Public Utilities opt out policy for this program.

The procedural motion regarding the SECOND substitute motion passed with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore,
Councilor Pongratz, and Councilor Reiss

No: 1 - Councilor Sheehey

Absent: 1 - Councilor O'Leary

The SECOND SUBSTITUTE motion passed with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor Maggiore, Councilor Pongratz, Councilor Reiss,
and Councilor Sheehey

No: 1 - Councilor Chandler

Absent: 1 - Councilor O'Leary

RECESS

Councilor Izraelevitz called for a recess at 9:59 p.m. The meeting reconvened at 10:11 p.m.

C. 2019 State Legislative Agenda

Mr. Harry Burgess, County Manager, spoke.

Public Comment:
None.

A motion was made by Councilor Reiss, seconded by Councilor Pongratz, that Council adopt the 2019 State Legislative Agenda.

The motion passed with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor Maggiore,
Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Abstain: 1 - Councilor Chandler

Absent: 1 - Councilor O'Leary

11. COUNCIL BUSINESS

A. Appointments

1) Board/Commission Appointments-Parks and Recreation Board

Councilor Sheehey, Recreation Board Liaison, spoke.

A motion was made by Councilor Sheehey to nominate Angela Bratton, William Dai, Robbie Harris, Timothy Johnson, Kendra Keady, Ashley Mathews, and Dina Pesenson to fill four (4) vacancies on the Parks and Recreation Board and move that Council appoint four nominees to the vacant positions as follows:

By roll call vote, Councilors vote for four (4) nominees and the four (4) with the highest vote total of four or more be appointed to fill Parks and Recreation Board terms beginning December 1, 2018, and ending on November 30, 2020.

Councilor Izraelevitz called for a roll call vote to appoint members to the Parks and Recreation Board:

Councilor Pongratz voted for:

Angela Bratton

Councilor's Sheehey, Maggiore, Reiss, Chandler, Izraelevitz, and Pongratz voted for:

Robbie Harris

Councilor's Sheehey, Maggiore, Reiss, Chandler, Izraelevitz, and Pongratz voted for:

Timothy Johnson

Councilor Maggiore voted for:

Kendra Keady

Councilor's Sheehey, Reiss, Chandler, and Izraelevitz voted for:

Ashley Mathews

Councilor's Sheehey, Maggiore, Reiss, Chandler, and Izraelevitz voted for:

Dina Pesenson

After a roll call vote Mr. Robbie Harris, Mr. Timothy Johnson, Ms. Ashley Mathews, and Ms. Dina Pesenson were appointed to the Parks and Recreation Board.

B. Board, Commission, and Committee Liaison Reports

None.

C. County Manager's Report

1) County Manager's Report for December 2018

County Manager Harry Burgess reported on the orientation for newly elected officials and the swearing in ceremony that will follow.

D. Council Chair Report

Council Chair David Izraelevitz advised that he will be meeting with Mr. Bill Fulingeti, New Mexico Municipal League.

E. General Council Business

- 1) Recognition of Outgoing Councilors Chris Chandler, Rick Reiss, Susan O'Leary and Morris Pongratz

Councilor Izraelevitz spoke.
Councilor Pongratz spoke.
Councilor Reiss spoke.
Councilor Chandler spoke.

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

None.

12. COUNCILOR COMMENTS

None.

13. PUBLIC COMMENT

None.

14. ADJOURNMENT

The meeting adjourned at 10:45 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

David Izraelevitz, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk

Budget Revision 2019-04 AMI (Advanced Metering Infrastructure)

Board of Public Utilities November 20, 2018

Council Meeting Date: December 18, 2018

	Fund/Dept	Munis Org	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Joint Utilities Fund - Elec Prod	51185199-8839		\$ 2,500,000		\$ (2,500,000)
2	Joint Utilities Fund - Elec Dist	51285299-8839		\$ 2,500,000		\$ (2,500,000)
3	Joint Utilities Fund - Elec Dist	51285299-8839		\$ 832,000		\$ (832,000)
4	Joint Utilities Fund - Elec Prod	51185199-8839		\$ (1,960,752)		\$ 1,960,752
5	Joint Utilities Fund - Gas	53185399-8839		\$ 1,960,752		\$ (1,960,752)
6	Joint Utilities Fund - Elec Prod	51185199-8839		\$ (539,248)		\$ 539,248
7	Joint Utilities Fund - Water Dist	54185499-8839		\$ 539,248		\$ (539,248)
8	Joint Utilities Fund - Elec Dist	51285299-8839		\$ (1,040,593)		\$ 1,040,593
9	Joint Utilities Fund - Water Dist	54185499-8839		\$ 1,040,593		\$ (1,040,593)

Description: The purpose of this budget revision is to carryover remaining budget authority from FY2018 to FY2019 for the Advanced Metering Infrastructure (AMI) Project, to add budget authority to the project and to move budget authority from Electric Production and Electric Distribution to the Gas and Water Distribution Funds. Work will begin after July 1, 2018 (FY2019). Line 1 is to carryover FY18 budget authority for Electric Production. Line 2 is to carryover FY18 budget authority for Electric Distribution. Line 3 increases budget authority in the Electric Distribution Fund. Lines 4 & 5 move budget authority to the Gas Fund. Lines 6 through 9, move budget authority to the Water Distribution Fund.

Fiscal Impact: The net fiscal impact to the Joint Utilities Fund in FY2019 is to increase expenditures and decrease Fund Balance by \$5,832,000.



County of Los Alamos

Staff Report

January 08, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: C.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 11462-19

Title

Ratification of Council Chair and Vice Chair as Chair and Vice Chair, Respectively, of the County Indigent Hospital and County Health Care Board.

Recommended Action

I move that County Council ratify the newly elected Council Chair, and Vice Chair as the Chair and Vice Chair, respectively, of the County Indigent Hospital and County Health Care Board.

County Manager's Recommendation

The County Manager recommends that Council approve the motion as presented.

Body

Pursuant to state law, the County Indigent Hospital and County Health Care Board is composed of the members of the County Council. State law also provides that Chair of the County Council will serve as the Chair of the Board. It is appropriate for the Councilors, acting as the Board, to ratify the service of the Chair and Vice Chair of the Council, as Chair and Vice Chair of the Board.

Alternatives

None - required by state law.



County of Los Alamos

Staff Report

January 08, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2018 Council Goal – Economic Vitality – Financial Sustainability – Encourage the Retention of Existing Businesses and Assist in Their Opportunities for Growth

Presenters: Paul Andrus, Community Development Director and Tamara Baer, Planning Manager

Legislative File: CO0542-18b

Title

Incorporated County of Los Alamos Code Ordinance No. 02-293 Revision No. 2018-01 In Textual Form To The Official Zoning Map of Los Alamos County by Rezoning One (1) County Owned Parcel Consisting Of Approximately 0.739 Acres Or Land And One (1) Privately Owned Parcel Consisting of Approximately 0.447 Acres Of Land: 1) Tract MM-1 From P-L (Public Land) TO C-1 (Light Commercial and Professional Business District); And 2) Tract HH-1B, From R-3-H (Multi Family High Density) To C-1 (Light Commercial and Professional Business District).

Recommended Action

I move that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-293; and ask staff to assure that it is published in summary form.

County Manager's Recommendation

The County Administrator recommends that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-293

Board, Commission or Committee Recommendation

The Planning and Zoning Commission recommends that the Los Alamos County Council approve Case No. REZ-2018-0010 to rezone the following two (2) parcels: 1) Parcel HH-1B, Eastern Area 2, 0.44+ acres, from Multi-Family High Density (R-3-H) to Light Commercial and Professional Business (C-1); and 2) Parcel MM-1, Eastern Area 1, 0.74+ acres, from Public Land (P-L) to Light Commercial and Professional Business (C-1).

Body

The existing 58,203 square building located at 195 East Road is under-parked, both from the perspective of code requirements and as a practical matter. In order to provide sufficient parking for the site, Leadership Circle has acquired or is in the process of acquiring, properties immediately adjacent to, and on either side of 195 East Road, and wishes to combine all properties into a single lot, which will then have sufficient on-site parking. (Note that the terms 'parcel' and 'lot' are used interchangeably.)

Each of the two lots that will be added to the central lot, 195 East Road, were recently created through administrative Summary Plat processes. The lot to the west of 195 East Road (also known as Tract HH -1B) was owned by the East Park Pool Association but has been used for parking by 195 East Road since September 1993 under a Parking Lease Agreement. The lot to the east (also known as Tract MM-1) was part of a County owned parcel that included Fire

Station 6. At their meeting of September 17, 2018, the County Council approved the sale of that lot to Leadership Circle for added parking. The closing on the sale is anticipated to follow approval of the rezone.

Lots cannot be combined unless they have the same zoning district designation. Leadership Circle has therefore applied to rezone each of the two lots on either side of 195 East Road to the same zoning district as 195 East Road, which is C-1, Light commercial and professional business district. When the three lots are rezoned by County Council and under common ownership, they can be consolidated.

Alternatives

Council denies the recommendation and asks staff to return with more information.

Attachments

A - Notice of Publication

B - Incorporated County of Los Alamos Code Ordinance No. 02-293

C - The Planning and Zoning Staff report for November 28, 2018.

NOTICE OF CODE ORDINANCE NO. 02-293

STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS

Notice is hereby given that the Council of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of Los Alamos County Code Ordinance No. 02-293. This will be considered by the County Council at an open meeting on Tuesday, January 8, 2019, at 6:00 p.m., at the Los Alamos County Municipal Building: 1000 Central Avenue, Los Alamos, New Mexico 87544. The full copy is available for inspection or purchase, during regular business hours, in the County Clerk's Office: 1000 Central Avenue, Suite 240.

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-293

REVISION NO. 2018-01 IN TEXTUAL FORM TO THE OFFICIAL ZONING MAP OF LOS ALAMOS COUNTY BY REZONING ONE (1) COUNTY OWNED PARCEL CONSTING OF APPROXIMATELY 0.739 ACRES OF LAND AND ONE (1) PRIVATELY OWNED PARCEL CONSISTING OF APPROXIMATELY 0.447 ACRES OF LAND: 1) TRACT MM-1 FROM P-L (PUBLIC LAND) TO C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS DISTRICT); AND 2) TRACT HH-1B, FROM R-3-H (MULTI FAMILY HIGH DENSITY) TO C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS DISTRICT)

Council of the Incorporated County of Los Alamos

By: /s/ David Izraelevitz, Council Chair

Attest: /s/Naomi D. Maestas, County Clerk

Published on: Thursday, December 20, 2018

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-293

REVISION NO. 2018-01 IN TEXTUAL FORM TO THE OFFICIAL ZONING MAP OF LOS ALAMOS COUNTY BY REZONING ONE (1) COUNTY OWNED PARCEL CONSTITING OF APPROXIMATELY 0.739 ACRES OF LAND AND ONE (1) PRIVATELY OWNED PARCEL CONSISTING OF APPROXIMATELY 0.447 ACRES OF LAND: 1) TRACT MM-1 FROM P-L (PUBLIC LAND) TO C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS DISTRICT); AND 2) TRACT HH-1B, FROM R-3-H (MULTI FAMILY HIGH DENSITY) TO C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS DISTRICT)

WHEREAS, The Incorporated County of Los Alamos ("County") owns the real property known as tract MM-1, adjacent to 475 East Road, and Leadership Circle, LLC, owns the real property known as tract HH-1B, adjacent to 195 East Road in Los Alamos, New Mexico (hereafter "Properties") which are the subject of this Code Ordinance; and

WHEREAS, the Properties are currently zoned for Multiple-family residential - high density (R-3-H) and Public land district (P-L); and

WHEREAS, Section 16-531 of the Los Alamos County Code of Ordinances ("Development Code") authorizes amendments to the official zoning map of the County by application; and

WHEREAS, Los Alamos County applied to change the official zoning map, specifically to rezone tract MM-1 from P-L to C-1 (Light Commercial and Professional Business District); and

WHEREAS, Leadership Circle LLC, applied to Los Alamos County to change the official zoning map, specifically to rezone tract HH-1B from and R-3-H to C-1 (Light Commercial and Professional Business District); and

WHEREAS, the Planning and Zoning Commission of the Incorporated County of Los Alamos, at its meeting on November 28, 2018, held a public hearing on both applications for an amendment to the official zoning map pursuant to the criteria contained in §16-155 of the Development Code; and

WHEREAS, the County Community Development Department staff properly issued notice to all required parties pursuant to Chapter 16, Article V, of the Development Code and in conformity with NMSA 1978, §3-21-6; and

WHEREAS, the Planning and Zoning Commission, after public hearing and at its noticed public meeting on November 28, 2018, reviewed and adopted findings of fact regarding the application; and

WHEREAS, the Planning and Zoning Commission recommends to the Los Alamos County Council approval of the amendments to the official zoning map; and

WHEREAS, the Los Alamos County Council held a hearing on January 8, 2019, at which hearing the Council found that the amendments to the official zoning map are in conformity with the provisions of Section 16-155 of the Development Code and made the following findings:

- 1) The Properties to be rezoned are owned by the Incorporated County of Los Alamos and Leadership Circle, LLC.
- 2) The Properties' size is approximately ~1.19 acres.
- 3) The Properties are 1) Tract MM-1, adjacent to and west of 457 East Road and, 2) Tract HH-1B adjacent to and west of 195 East Road, Los Alamos, New Mexico.
- 4) The Properties are zoned P-L, and R-3-H as described in Sec. 16-533 of the Development Code.
- 5) The Properties shall both be rezoned to Light Commercial and Professional Business District, C-1, also as described in Sec. 16-533 of the Development Code.
- 6) Public Notice has been made in compliance with the Development Code and State law.
- 7) The criteria for approval of a change to the official zoning map of Los Alamos County, as found in Section 16-155 of the Code, have been met.

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS:

Section 1. The Official Zoning Map of Los Alamos County is hereby amended by rezoning to C-1 (Light Commercial and Professional Business District), those certain tracts of land being ~1.19 acres of land, more or less, to wit:

- 1) *Tract MM-1, 0.739± acres, from P-L (Public Land) to C-1 (Light Commercial and professional business district); and*
- 2) *111 East Road, 0.447± acres, also known as HH-1B, from R-3-H (Multi Family High Density) to C-1 (Light Commercial and professional business district).*

Section 2. The Official Zoning Map of the Incorporated County of Los Alamos is hereby amended to reflect the rezoning referenced herein, and said change be made to the Official Zoning Map at its next Municipal Code update.

Section 3. Effective Date. This Ordinance shall be effective thirty (30) days after publication of notice of its adoption.

Section 4. Severability. Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

ADOPTED this 8th day of January, 2019.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

_____,
Council Chair

ATTEST: (SEAL)

**Naomi D. Maestas
Los Alamos County Clerk**



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

Public Hearing Date: November 28, 2018

Subject: 195 East Road. Future Land Use Map (Comprehensive Plan) Amendments for Two Parcels; Rezoning of those Parcels; and Consolidation of Three Parcels

Applicant: Monet Ragsdale, Leadership Circle, LLC

Case Manager: Tamara Baer, Planning Manager

Three separate but related cases, pertaining to the three parcels illustrated below.



1) Case No. CPA-2018-0006: A request to change the Future Land Use Map designations of the following two (2) parcels:

- 1) Parcel HH-1B, Eastern Area 2, 0.44± acres, from High Density Residential to Commercial/Office; and
- 2) Parcel MM-1, Eastern Area 1, 0.74± acres from Institutional to Commercial/Office.

2) Case No. REZ-2018-0010: A request to rezone the following two (2) parcels:

- 1) Parcel HH-1B, Eastern Area 2, 0.44± acres, from Multi-Family High Density (R-3-H) to Light Commercial and Professional Business (C-1); and
- 2) Parcel MM-1, Eastern Area 1, 0.74± acres, from Public Land (P-L) to Light Commercial and Professional Business (C-1).

3) A request for approval of the Consolidation Plat.

NOTE: These cases are combined for discussion. However, each case should be voted upon separately.

MOTION 1:

I move the Planning and Zoning Commission recommend that the Los Alamos County Council **approve Case No. CPA-2018-0006** to change the Future Land Use Map designations of the following two (2) parcels:

- 1) Parcel HH-1B, Eastern Area 2, 0.44± acres, from High Density Residential to Commercial/Office; and
- 2) Parcel MM-1, Eastern Area 1, 0.74± acres, from Institutional to Commercial/Office.

and that the Community Development Director is authorized to make any minor formatting or editing changes that may be necessary for final presentation to County Council.

MOTION 2:

I move the Planning and Zoning Commission recommend that the Los Alamos County Council **approve Case No. REZ-2018-0010** to rezone the following two (2) parcels:

- 1) Parcel HH-1B, Eastern Area 2, 0.44± acres, from Multi-Family High Density (R-3-H) to Light Commercial and Professional Business (C-1); and
- 2) Parcel MM-1, Eastern Area 1, 0.74± acres, from Public Land (P-L) to Light Commercial and Professional Business (C-1).

MOTION 3:

I move the Planning and Zoning Commission **approve the Consolidation Plat**, contingent upon Council approval of Rezoning of the two parcels described above.

ALTERNATE MOTIONS:

[The Commission may make and take action on any alternate motions.]

EXECUTIVE SUMMARY

Several cases are combined for discussion and to provide clarity regarding the purpose of these actions. All actions pertain to the property located at 195 East Road, and previously known as the TRK Building. That property was recently purchased by a real estate development group known as Leadership Circle, LLC, based in Montrose, Colorado, and represented in these applications by Monet Ragsdale.

The existing 58,203 square building located at 195 East Road is under-parked, both from the perspective of code requirements and as a practical matter. In order to provide sufficient parking for the site, Leadership Circle has acquired or is in the process of acquiring, properties immediately adjacent to, and on either side of 195 East Road, and wishes to combine all properties into a single lot, which will then have sufficient on-site parking. (Note that the terms 'parcel' and 'lot' are used interchangeably.)

Each of the two lots that will be added to the central lot, 195 East Road, were recently created through administrative Summary Plat processes. The lot to the west of 195 East Road (also known as Tract HH -1B) was owned by the East Park Pool Association, but has been used for parking by 195 East Road since September 1993 under a Parking Lease Agreement. The lot to the east (also known as Tract MM-1) was part of a County owned parcel that included Fire Station 6. At their meeting of September 17, 2018, the County Council approved the sale of that lot to Leadership Circle for added parking. The closing on the sale is anticipated to follow approval of the rezone.

Lots cannot be combined unless they have the same zoning district designation. Leadership Circle has therefore applied to rezone each of the two lots on either side of 195 East Road to the same zoning district as 195 East Road, which is C-1, Light commercial and professional business district. Once the rezoning is approved by County Council, the three lots, which will be under common ownership, can then be consolidated.

Also, because of the former differences in ownership and use of the two new lots, the Future Land Use Map (FLUM) designations do not match 195 East Road, which is designated as Commercial, and they need to be changed to reflect the approved use (parking) and the new zoning.

Finally, the Planning and Zoning Commission is asked to approve the consolidation plat contingent upon Council approval of the zoning change.

The County Code does not specifically establish a process for consolidation of three or more lots. The Summary Plat process is limited to consolidation of two lots. The consolidation plat is therefore included for Planning and Zoning Commission review and approval as a part of the other applications. Since the consolidation cannot take place until all lots share the same zoning district designation, that approval, and recording of the plat, would be contingent upon Council approval of the rezoning.

PARKING

In 1993, the Planning and Zoning Commission approved a Special Use Permit and Site Plan for an office and self-storage facility to be constructed at 195 East Road. One of the conditions of that approval was the execution of a shared parking agreement with the adjacent landowner, the East Park Pool, which was done. At the time, no specific number of parking spaces were indicated in the agreement. Currently 39 parking spaces are present on what is now Tract HH-1B. There are 67 spaces currently on 195 East Road. A preliminary analysis of Tract MM-1 indicates that, conservatively, at least 82 parking spaces could be

provided on that tract. This would bring the total parking count to 188 spaces for the future consolidated lot on 195 East Road.

The Development Code requires one parking space per 250 square feet of net usable floor area for general office use. Net usable is typically calculated at 80% of gross floor area. The existing building contains 58,200 gross square feet, or 46,560 net usable square feet at 80%. Assuming the entire building were to be converted to office use, that would require 186 parking spaces.

These calculations do not directly affect the applications, but are provided in support of the Rezoning and Future Land Use Map amendments by demonstrating the need for additional parking.

COMPREHENSIVE PLAN AMENDMENT - CRITERIA for APPROVAL:

Section 16-161 of the Los Alamos County Code of Ordinances, Chapter 16 - Development Code, establishes the following review criteria for Comprehensive Plan amendments. There is not a separate process or separate criteria for changing the Future Land Use Map, which is a part of the Comprehensive Plan.

During the course of the review of any application for approval of a comprehensive plan amendment, the IDRC shall utilize the following criteria in formulating a recommendation to the planning and zoning commission. The planning and zoning commission shall make findings to reflect the following criteria in making its recommendation of approval, conditional approval or denial to the county council, and the county council shall make findings to reflect the following criteria in its approval, conditional approval or denial:

- (1) The amendment shall conform to the vision statement and policy plan of the comprehensive plan and to the Strategic Leadership Plan of the county council;***

Applicant Response:

The map designation change conforms to the vision statement of the comprehensive plan in that the new use will improve economic vitality and prevent blight by allowing the re-use of an existing vacant building by providing adequate parking for it.

Staff Response:

Staff concurs with and supports the above response. The proposed Future Land Use Map amendment conforms to the goals and policies outlined in the Comprehensive Plan. In addition, the purpose of the project supports economic vitality, which is one of three focus areas of the Strategic Leadership Plan. Specifically, it “promote[s] a strong and diverse economic base by encouraging new business growth” by providing more opportunities for functional office space. The project also supports the goal of maximizing the utilization of County land (Tract MM-1).

- (2) The amendment replaces outdated information in the comprehensive plan, responds to changed conditions or provides new information which is not included in the comprehensive plan;***

Applicant Response:

HH-1B: The map change replaces outdated information in the comprehensive plan in that this parcel has been used as parking for 20+ years with a permanent easement and lease in place that only permits it to be used for parking so the land use designation was incorrect.

MM-1: The map change reflects a change in conditions as the County has sold the parcel with an intended use as a parking lot. The map designation of P-L is no longer accurate.

Staff Response:

Staff agrees with the above responses.

(3) *The amendment does not conflict with other parts of the comprehensive plan.*

Applicant Response:

The map change designation does not conflict with other parts of the comprehensive plan.

Staff Response:

Staff agrees that the amendment does not conflict with other parts of the Comprehensive Plan.

REZONING - CRITERIA for APPROVAL

Sec. 16-155. - Amendment to the official zoning map review criteria.

During the course of the review of any request for an amendment to the official zoning map, the IDRC shall utilize the following criteria in formulating a recommendation to the planning and zoning commission. The planning and zoning commission shall make findings to reflect the following criteria in making its recommendation of approval, conditional approval or denial to the county council, and the county council shall make findings to reflect the following criteria in its approval, conditional approval or denial:

- (1) *The request substantially conforms to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county. A request for amendment to the comprehensive plan shall, if necessary, be submitted, processed, heard and decided upon concurrently with the request for amendment to the official zoning map.***

Applicant Response:

The rezone request substantially conforms to the comprehensive plan in that it supports the plan goal of redeveloping vacant and blighted areas and the plan goal of guiding development in and around current boundaries.

Staff Response:

Staff concurs with the Applicant's response that the request conforms to the goals of the Comprehensive Plan and is not detrimental to the health, safety and general welfare of the county. Concurrent applications will change the Future Land Use Map (FLUM) for each of the parcels to Commercial/Office.

- (2) Consideration shall be given to the existing and programmed capacity of on-site and off-site public services and facilities including, but not limited to, water, sanitary sewer, electricity, gas, storm sewer, streets, sidewalks, traffic control, parks, fire and police to adequately serve the property should a rezoning result in any increase of the intensity of use of the property.**

Applicant Response:

Regarding Tract HH-1b: The site has been in use as parking for 20+ years, rezone application is to bring zoning into alignment with use.

Regarding Tract MM-1: The site is restricted to parking use only for an existing building and rezone and development will not adversely impact services or utilities.

Staff Response:

There will be no change in use or intensity of use to Tract HH-1B. Tract MM-1 is currently undeveloped and is limited to parking use only in the future. Development of the parking lot on MM-1 will require Site Plan review and approval by the Planning and Zoning Commission. Review of access, circulation, grading and drainage, and the need for any utilities will occur at the time of Site Plan review.

- (3) The establishment, maintenance or operation of uses applied for will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working adjacent to or within the proximity of the subject property.**

Applicant Response:

Tract HH-1B: The site is already used as parking and will have no impact on health, safety, or welfare of community.

Tract MM-1: The site is restricted to parking use only and will not be detrimental to the health, safety, or welfare of the Community.

Staff Response:

The rezoning of each of the parcels is to provide for sufficient on-site parking for the office building at 195 East Road. In so doing, use of the property will become safer and thereby support the general safety and welfare of employees and that of the community at large.

- (4) The existing zoning must be shown to be inappropriate for one or more of the following reasons:**

- a. It was established in error;**
- b. Changed conditions warrant the rezoning; or**
- c. A different zone is more likely to meet goals contained in the comprehensive plan**

Applicant Response:

Tract HH-1B: a. The site has been in use as parking for 20+ years with a restriction that only allows parking, the zoning of RH3 is incompatible with the use.

Tract MM-1. The site is not needed for any public use and the change to allow parking will promote the reuse of a currently vacant building.

Staff Response:

In 1962 the Atomic Energy Commission transferred a large parcel of land to the East Park Pool. The actual pool was already on the property. The building on 195 East Road was constructed in 1993 with a parking easement/lease on the Pool property. The Pool property is zoned R-3-H, high density housing, which allows swimming pools as a recreational use with approval of a Special Use Permit (SUP). The SUP was granted in 1977. Since 1993, the Pool has leased what is now Tract HH-1B to the TRK Company (195 East Road) for parking. The parking lease transferred to the new owners of 195 East, Leadership Circle, who then carried out the Lot split and purchase of the tract. The property is not easily accessible to the pool as it sits several feet lower than the Pool property and is separated by a retaining wall. Visually, it appears to already be a part of the 195 parcel.

Tract MM-1 was recently created out of the larger parcel that encompassed Fire Station 6. It is undeveloped except for a pedestrian connection from East Road to the Canyon Rim Trail. That connection will be relocated to the east. The zoning change will allow additional parking for the office building, and, together with the parking on HH-1B, will bring the parking into compliance on site. Changed conditions, including new ownership, warrant the rezoning.

- (5) The proposed zoning will not result in spot zoning or strip zoning as defined in article I of this chapter unless one or more of the following criteria are met:***
- a. Granting such zoning accomplishes the policy and intent of the comprehensive plan;***
 - b. Unique characteristics specific to the site exist; or***
 - c. The zoning serves as an appropriate transition between land uses of higher and lower intensity.***

Applicant Response:

N/A this rezone does not constitute spot zoning as there are adjacent properties already zoned C-1.

Staff Response:

Staff concurs.

- (6) If the proposed zoning map amendment is for the designation of a special plan (SP) district where a development plan or a site plan is a requirement for district approval, the map amendment shall also be judged by the special plan (SP) district review criteria stated in section 16-159.***

Applicant Response:

Not applicable.

Staff Response:

Not applicable.

NOTICE

Notice of all actions covered by this report was properly and sufficiently given per the requirements of the Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Article V., Sec. 16-192. As of the date of publication of this report, no public comment in any form had been received by the Community Development Department.

STAFF AND INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) RECOMMENDATION

The Interdepartmental Review Committee (IDRC) met on October 18, 2018 to discuss all cases covered in this report and voted unanimously to recommend approval to the Planning and Zoning Commission and to Council. The IDRC representative from Utilities was unable to attend but sent an email stating that there were no comments or conditions from the Utilities Department.

FINDINGS OF FACT

1. The subject properties are designated as Tract HH-1B, immediately west of 195 East Road, and Tract MM-1, immediately east of 195 East Road.
2. 195 East Road and Tract HH-1B are owned by Leadership Circle, LLC.
3. Tract MM-1 is owned by Los Alamos County, which has agreed to sell this tract to Leadership Circle for parking use only.
4. Tract HH-1B is currently used for parking and contains no structures, other than a retaining wall and trash enclosure.
5. Tract MM-1 is undeveloped, except for a trail connection from East Road to the Canyon Rim Trail. This connection will be relocated to County property immediately east of MM-1 and onto Tract MM-2, which also contains Fire Station 6.
6. Tract HH-1B is approximately 0.44 acres, and Tract MM-1 is approximately 0.74 acres. 195 East Road is approximately 1.63 acres.
7. The Future Land Use Map designation of Tract HH-1B will be changed from High Density Residential to Commercial/Office. The zoning of Tract HH-1B will be changed from R-3-H to C-1.
8. The Future Land Use Map designation of Tract MM-1 will be changed from Institutional to Commercial/Office. The zoning of Tract MM-1 will be changed from P-L to C-1.
9. Upon final approval by County Council of the rezoning and Future Land Use Map designations, Tracts HH-1B and MM-1 will be consolidated with 195 East Road to create a single parcel whose FLUM designation will be Commercial/Office; whose zoning will be C-1; and that will consist of approximately 1.18 acres.
10. A condition of sale of Tract MM-1 requires that the buyer agree to a deed restriction limiting the use of the Property to “parking only” in perpetuity and for the benefit of 195 East Road.
11. A further condition of sale was that the buyer agree to landscape the right-of-way for the East Road frontage, “provided that such landscaping shall include trees (minimum of 4) and shrubs (minimum of 6) to be completed at the time of construction of the parking lot.”
12. The comprehensive plan/Future Land Use Map amendments comply with the criteria established in the Los Alamos County Code of ordinances, Chapter 16 – Development Code, Section 16-161. – Comprehensive plan amendment criteria.

13. The rezoning amendments comply with the criteria established in the Los Alamos County Code of ordinances, Chapter 16 – Development Code, Section 16-155. – Amendment to the official zoning map review criteria.
14. The lot consolidation plat is approved pending approval of rezoning Tracts HH-1B and MM-1.

EXHIBITS

Exhibit 1: Maps: Vicinity, current Land Use and current Zoning

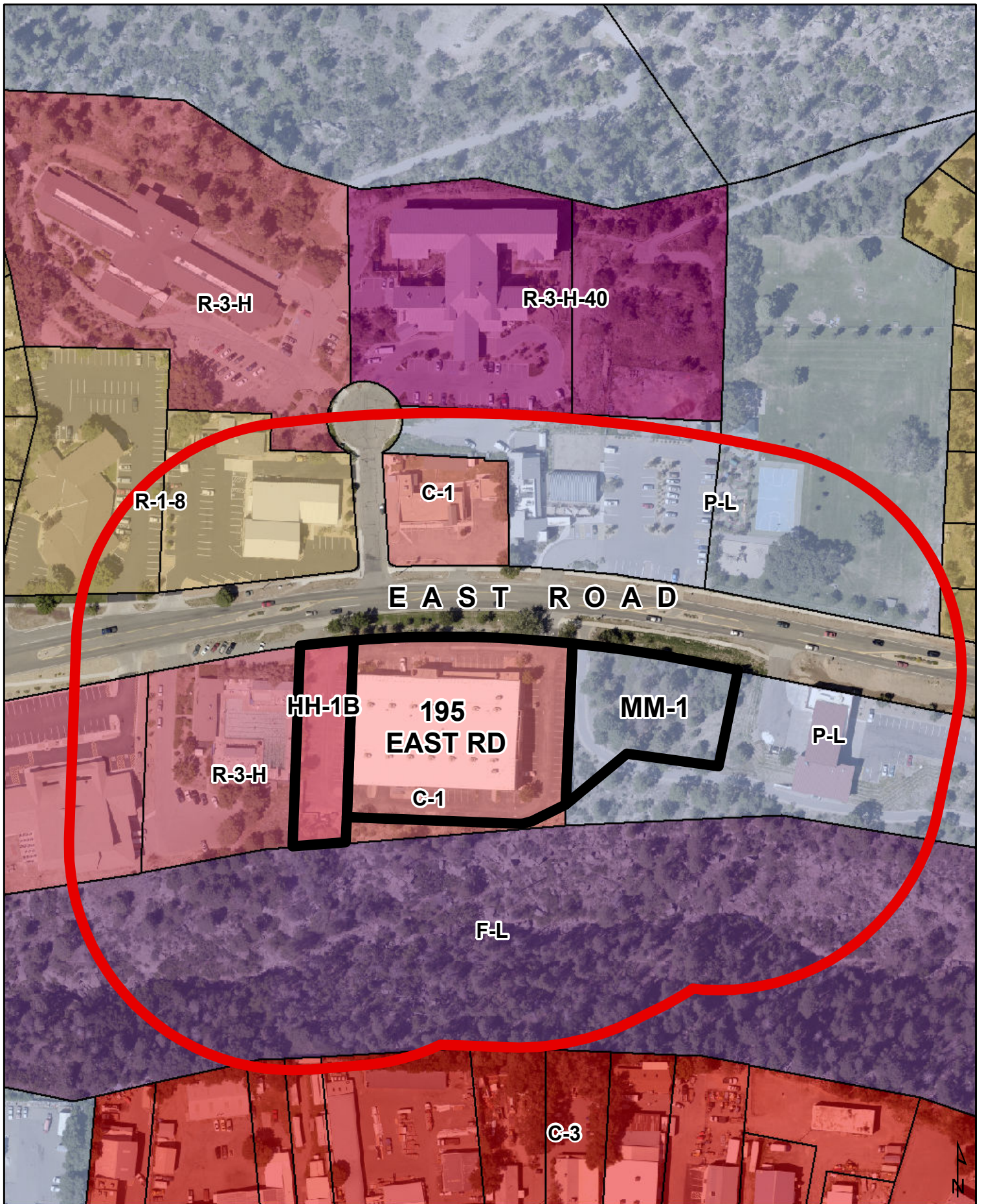
Exhibit 2: IDRC Comments

Exhibit 3: List of Property Owners within 100 Feet

Exhibit 4: Application and Associated Materials

Exhibit 5: Consolidation Plat

Exhibit 6: Resolution 18-29 Comp Plan Amendment and Code Ordinance 02-293 to rezone 2 parcels.



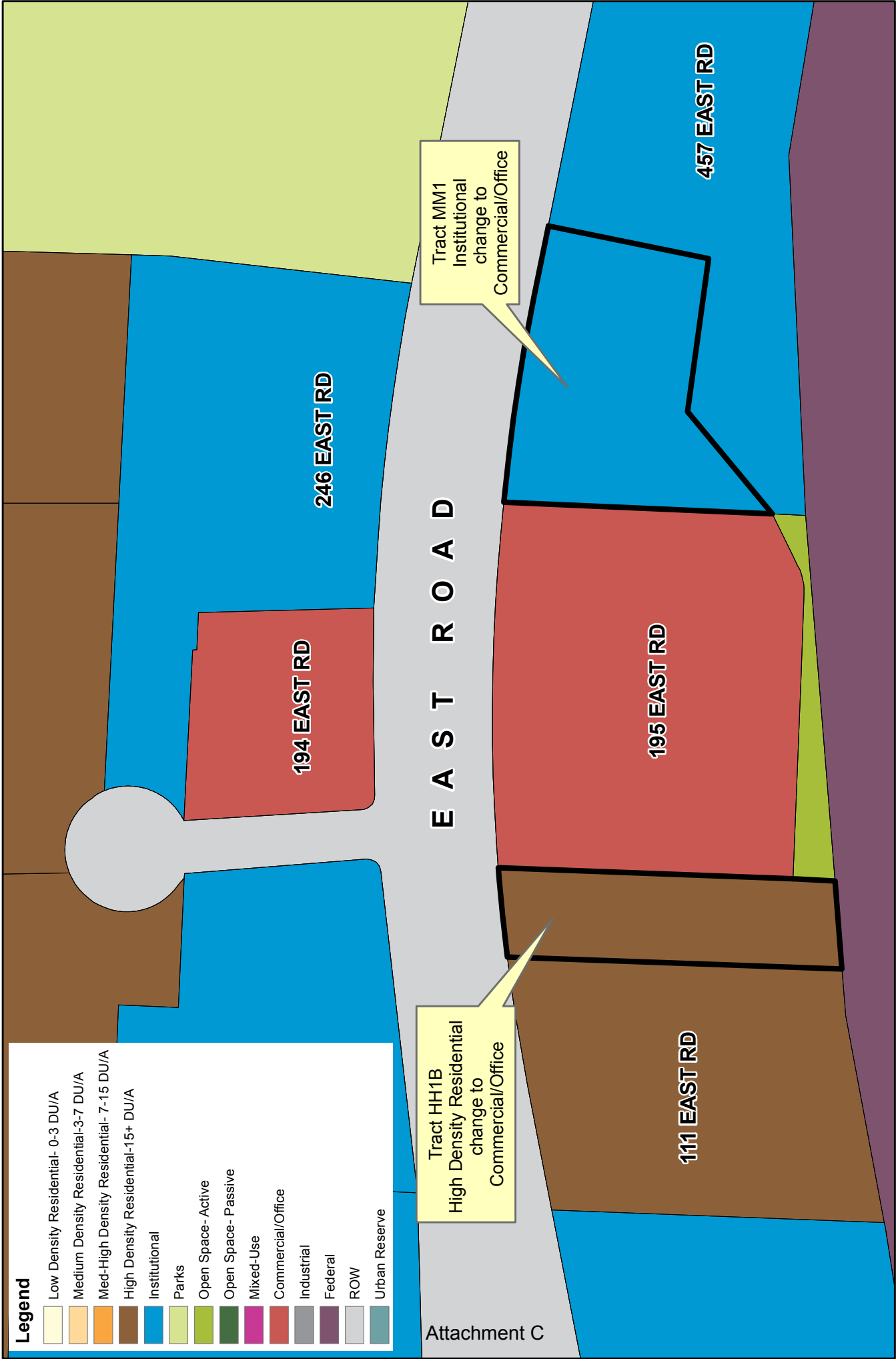
195 EAST RD. VICINITY MAP

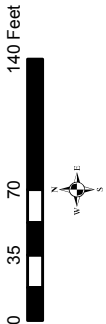
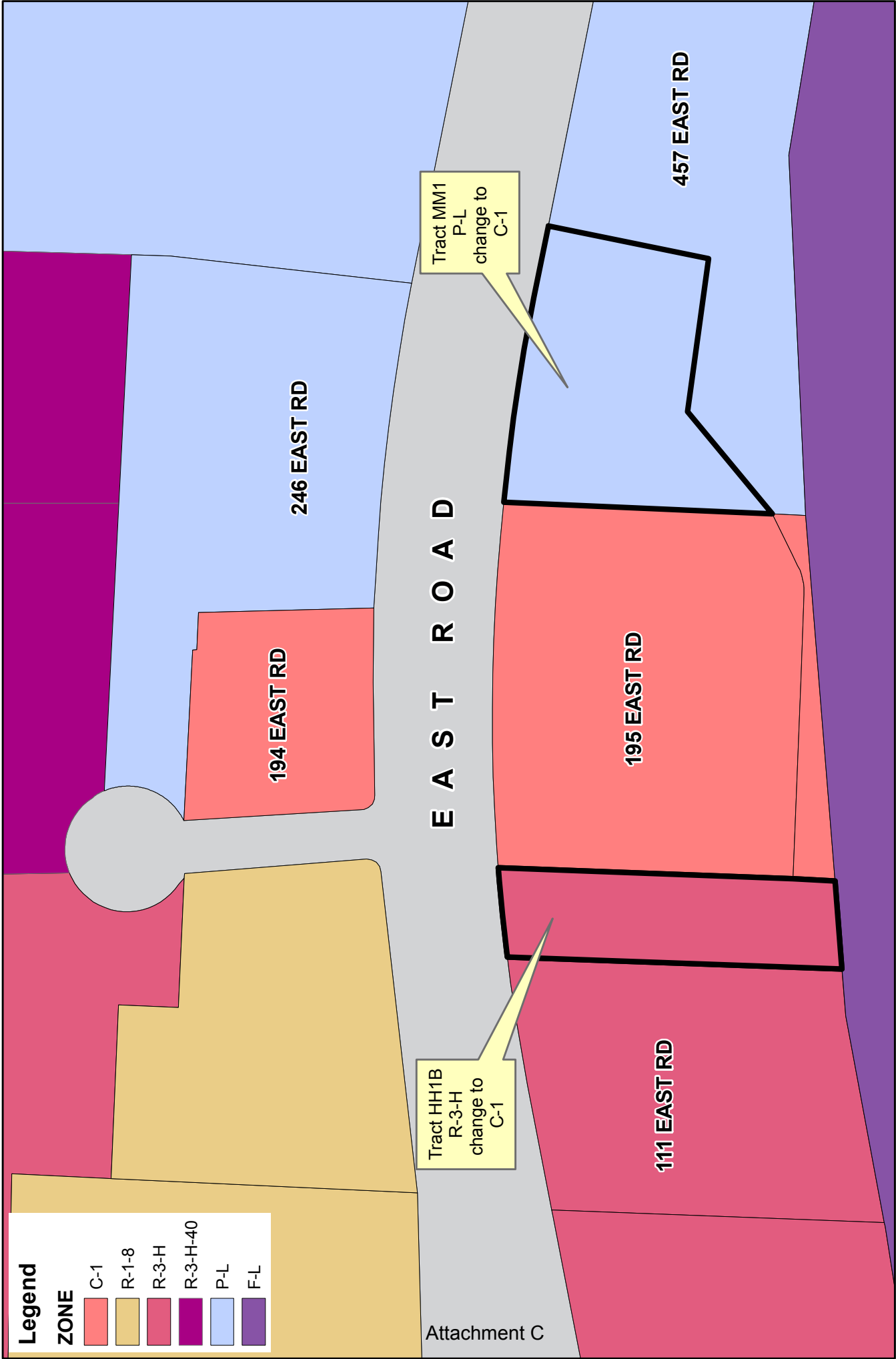
Attachment C

160 80 0 160 Feet



300'







IDRC REPORT

Case: REZ-2018-0010

Date of Meeting: October 18, 2018

Member/ Alternate	Dept.	Attended	Recommended Conditions/Comments	Approved	Approved w conditions	Denied
M. Arellano / J. Dudziak	Building	x		x		
T. Baer /	Planning	x		x		
D. Erickson	Traffic					
P. Guerrerortiz/C. Moseley	Utilities		Utilities approved by email	x		
A. Gurule / L. Martinez	Env. Serv.	x		x		
E. Martinez	PW	x		x		
J. Naranjo	Planning					
W. Servey / Rinaldi	Fire	x		x		
A. Barela – for J Naranjo		x		x		
OTHERS ATTENDING:						
Jason Romero						
Lucas Fresquez						
* Blue strikethrough indicates not present at meeting.						

MOTION: Tamara Baer motioned and Wendy Servey seconded that P&Z and County Council approve the FLUM Comp Plan Amendment for parcels HH-1B and MM-1 and Rezoning of the same parcels respectively. IDRC further recommends that P&Z approve the consolidation of the plat to combine all 3 parcels into a single parcel contingent upon approval of the rezoning. The resultant parcel will be zoned C-1 and addressed 195 East Road. Motion passed 7 to 0.

OWNERNAME	ADDRESS1	CITY	STATE	ZIP
COLLIER JIMMY W & NERITA F	208 DP	LOS ALAMOS	NM	87544
CROSSROADS BIBLE CHURCH	97 EAST RD	LOS ALAMOS	NM	87544
EAST PARK POOL ASSOCIATION I	111 East Rd	LOS ALAMOS	NM	87544
INCORPORATED COUNTY OF LOS	PO BOX 90	LOS ALAMOS	NM	87544
INCORPORATED COUNTY OF LOS	PO BOX 30	LOS ALAMOS	NM	87544
J & L SELF STORAGE & VANS LLC	224 DP	LOS ALAMOS	NM	87544
LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	NM	87544
LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	NM	87544
LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	NM	87544
LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	NM	87544
LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	NM	87544
LOS ALAMOS HOME IMPROVEMENT	232 DP RD	LOS ALAMOS	NM	87544
LOS ALAMOS PUBLISHING				
(MONITOR)	256 DP	SHELBYVILLE	KY	40065
LOS ALAMOS RE LLC	195 East Rd	MONTROSE	CO	81402
MCBEE ELLEN K	208 DP Rd	LOS ALAMOS	NM	87544
MCBEE ELLEN K	212 DP Rd	LOS ALAMOS	NM	87544
NEW BEGINNINGS FELLOWSHIP				
ASSEMBLY OF GOD	112 EAST RD	LOS ALAMOS	NM	87544
O'DONNELL JAMES P & KATE L	216 DP RD	LOS ALAMOS	NM	87544
RIDGEVIEW VETERINARY HOSPITAL	194 EAST RD	LOS ALAMOS	NM	87544
THE CHRISTIAN CHURCH OF LA	92 EAST RD	LOS ALAMOS	NM	87544

LOS ALAMOS
Community Development

COMPREHENSIVE PLAN AMENDMENT APPLICATION

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

This Comprehensive Plan Amendment Application is for:

☐ Text Amendment ☒ Future Land Use Map Amendment ☐ Both

APPLICANT: *[Applications for amendment to the comprehensive plan may be made by the county council, the planning and zoning commission, the county manager or the community development director.]*

Name: Monet Ragsdale Title: Development Director Organization: Leadership Circle LLC
Please Print

SIGNATURE

DATE

If this Application is for or includes a Future Land Use Map Amendment, indicate:

P-1 C-1
FROM (Current Land Use per FLUM) TO (Proposed Land Use on FLUM)

Cite the sections of the comprehensive plan to be amended and explain why the amendment is necessary:

n/a

Describe Related Applications, if any: rezone

REQUIRED SUBMITTALS for FUTURE LAND USE MAP AMENDMENTS only:

- ☐ Provide a copy of the Plat or a Legal Description of the affected property incl. w/ rezone
☐ Other

FOR COMMUNITY DEVELOPMENT DEPARTMENT USE:

CDD Application Number: _____

COMPREHENSIVE PLAN AMENDMENT REVIEW CRITERIA:

The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-161 establishes three (3) criteria to be considered when reviewing an application for Comprehensive Plan Amendment approval. Please review each of the criteria listed and provide short comments on how the application meets the criteria. (Attach additional sheets if needed.)

(1) The amendment shall conform to the vision statement and policy plan of the comprehensive plan and to the Strategic Leadership Plan of the county council;

The map designation change conforms to the vision statement of the comprehensive plan in that the new use will improve economic vitality and prevent blight by allowing the re-use of an existing vacant building by providing adequate parking for it.

(2) The amendment replaces outdated information in the comprehensive plan, responds to changed conditions or provides new information which is not included in the comprehensive plan;

The map change reflects a change in conditions as the County has sold the parcel with an intended use as a parking lot. The map designation of P-L is no longer accurate.

(3) The amendment does not conflict with other parts of the comprehensive plan.

The map change designation does not conflict with other parts of the comprehensive plan.

LOS ALAMOS
Community Development

REZONING APPLICATION

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

Property to be Rezoned: Tract MM-1

Address

From: P-L To: C-1 .739
Current Zoning District Proposed Zoning District Area (Acres)

Vacant land parking lot
Current Use Proposed Use/Reason for Rezoning

Related Applications:

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

Name: Monet Ragsdale Phone: 970 249 3398 Cell #: 970 497 0066

Please Print

Address: Po Box 239 Montrose CO 81402 Email: monet@leadershipcirclellc.com

SIGNATURE

DATE

PROPERTY OWNER (If different from Applicant)

☐ Check here if same as above

Name: Los Alamos County Phone: (505) 663-1750 Cell #: _____

Please Print

Address: 1000 Central Ave, Los Alamos, NM Email: harry.burgess@lancm.us

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

SIGNATURE

DATE

REZONING CRITERIA:

The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-155 establishes six (6) criteria for the Planning and Zoning Commission to use when reviewing an application for rezoning approval. Please review each of the criteria listed and provide short comments on how your application meets the criteria in the space provided. You will also be asked to discuss the criteria at your public hearings.

- (1) The request substantially conforms to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county. A request for amendment to the comprehensive plan shall, if necessary, be submitted, processed, heard and decided upon concurrently with the request for amendment to the official zoning map.*

The rezone request substantially conforms to the comprehensive plan in that it supports the plan goal of redeveloping vacant and blighted areas and the plan goal of guiding development in and around current boundaries.

- (2) Consideration shall be given to the existing and programmed capacity of on-site and off-site public services and facilities including, but not limited to, water, sanitary sewer, electricity, gas, storm sewer, streets, sidewalks, traffic control, parks, fire and police to adequately serve the property should a rezoning result in any increase of the intensity of use of the property.*

Site is restricted to parking use only for an existing building and rezone and development will not adversely impact services or utilities.

- (3) The establishment, maintenance or operation of uses applied for will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working adjacent to or within the proximity of the subject property.*

Site is restricted to parking use only and will not be detrimental to the health, safety, or welfare of the community.

- (4) The existing zoning must be shown to be inappropriate for one or more of the following reasons:*
a. It was established in error;

- b. Changed conditions warrant the rezoning; or*

The site is not needed for any public use and the change to allow parking will promote the reuse of a currently vacant building

- (5) *The proposed zoning will not result in spot zoning or strip zoning as defined in article I of this chapter unless one or more of the following criteria are met:*

N/A- this rezone does not constitute spot zoning as there are adjacent properties already zoned C-1

- a. *Granting such zoning accomplishes the policy and intent of the comprehensive plan;*
- b. *Unique characteristics specific to the site exist; or*
- c. *The zoning serves as an appropriate transition between land uses of higher and lower intensity.*

- (6) *If the proposed zoning map amendment is for the designation of a special plan (SP) district where a development plan or a site plan is a requirement for district approval, the map amendment shall also be judged by the special plan (SP) district review criteria stated in section 16-159.*

REQUIRED SUBMITTALS:

Check each of the boxes to indicate that you have attached two (2) paper copies of each of the following, and one complete copy of all materials on disk:

- ☐ Proof of property ownership.
- ☐ A Vicinity map, 8 ½ by 11 inch or 8 ½ by 14 inch format, showing the boundaries of the property to be rezoned and all adjacent lots within 300 feet.
- ☐ A scaled Plat or survey including all the following information: (Note: For smaller properties, a legal description with metes and bounds, may be acceptable. Check with CDD staff.)
 - ☐ Locate and label all existing utility lines on the site. (Existing gas and electric service lines must be located by the Los Alamos County Utilities Department prior to submittal of this application.)
 - ☐ Show and label the footprint of all existing buildings and structure on the site.
 - ☐ Show the footprint of all buildings and public rights-of-way within 20 feet of all boundary of the site.
 - ☐ Show, dimension and label all existing and proposed easements.

THIS SECTION TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

For County Use:

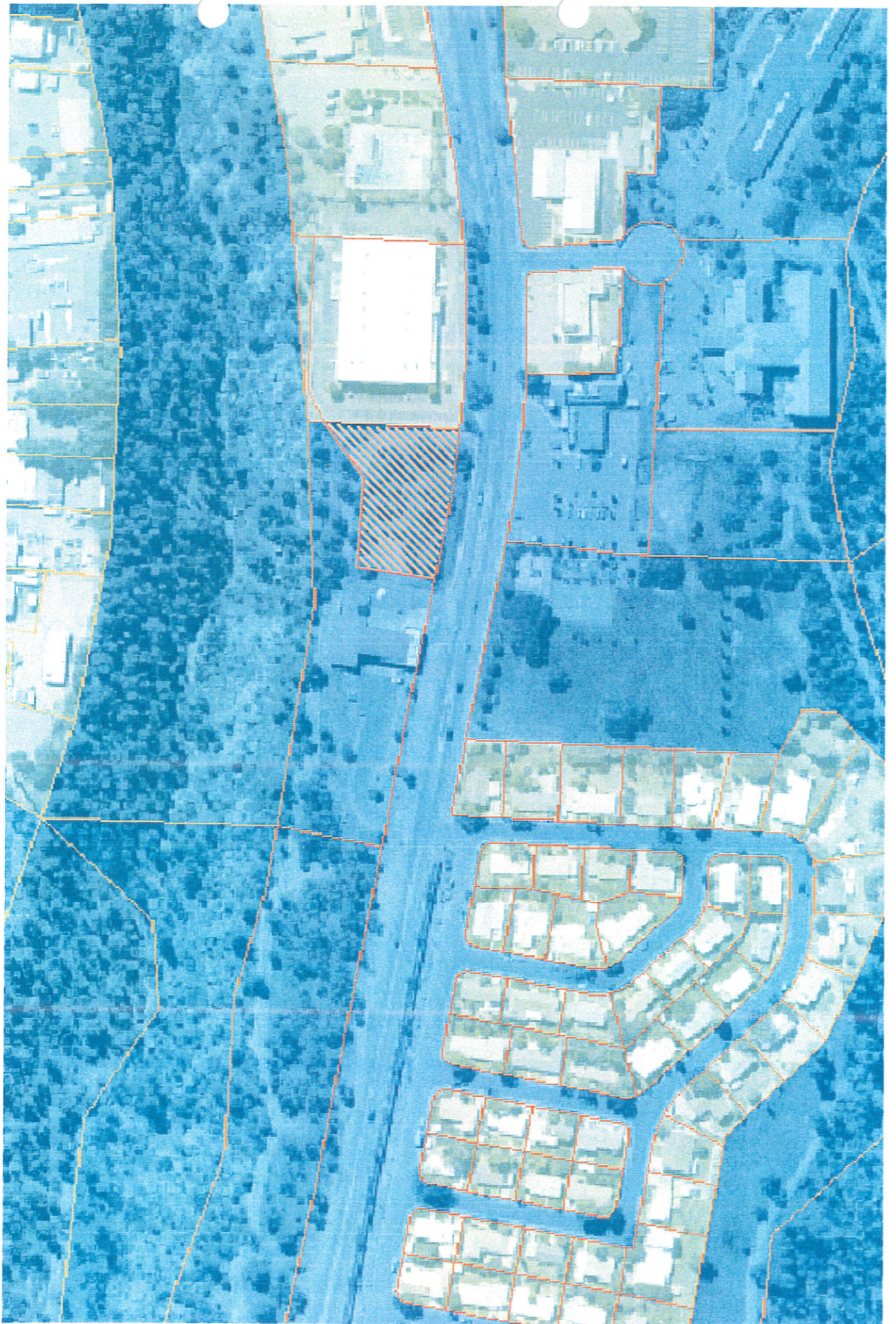
Date of Submittal: 9-28-19

Staff Initial: JN.

CDD Application Number: REZ-2018-0010

Fees Paid: \$500.00

By CC

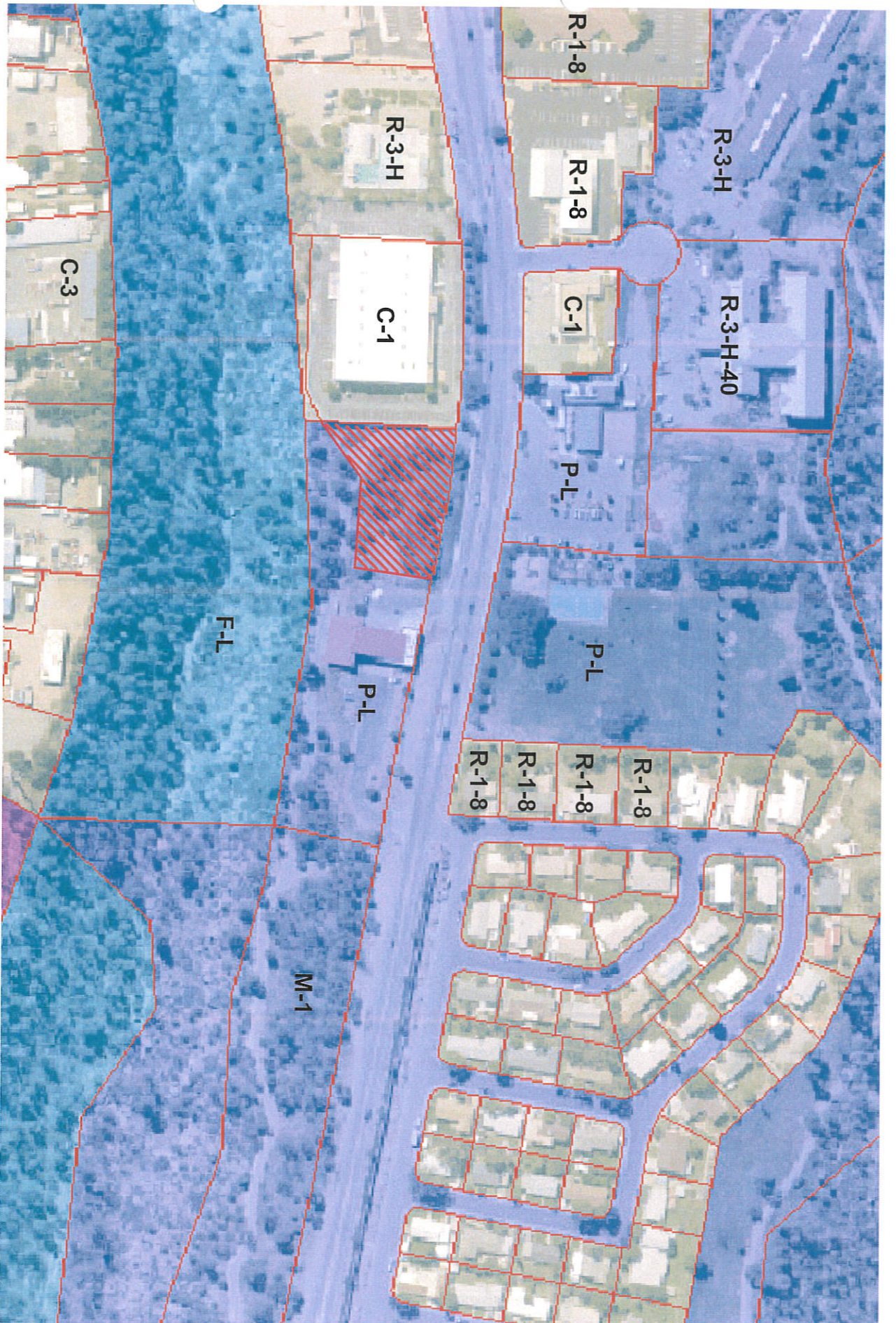


457 EAST RD. VICINITY MAP

SCALE: 1"= 200'-0"

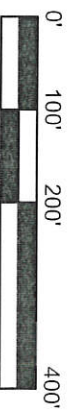


SCALE: 1"= 200'-0"



457 EAST RD. VICINITY MAP

SCALE: 1"= 200'-0"



SCALE: 1"= 200'-0"

1. PLAT OF SURVEY ENTITLED, "A SUBDIVISION OF TRACT HH, EASTERN AREA NO.2.", PREPARED BY JOHN R. MENDIUS, (N.M.P.S. NO. 3722) AND FILED FOR RECORD AS DOCUMENT #93554 IN THE OFFICE OF THE LOS ALAMOS COUNTY CLERK ON AUGUST 30, 1991 N PLAT BOOK 6, PAGE 23.
2. PLAT OF SURVEY ENTITLED, "GRANT OF EASEMENT TRACT HH-1,EASTERN AREA NO.2, LOS AAMOS COUNTY, NEW MEXCO...", PREPARED LESLIE PHILIP COLE, (N.M.P.S. NO. 8269) FILED FOR RECORD AS DOCUMENT #121861 IN THE OFFICE OF THE LOS ALAMOS COUNTY CLERK ON SEPTEMBER 4, 1996 N PLAT BOOK 6, PAGE 88.
3. PLAT OF SURVEY ENTITLED, "TRACT HH-2A & TRACT HH-2B, A LOT SPLIT OF TRACT HH-2 WITHIN EASTERN AREA NO. 2", PREPARED BY JASON A. ROMERO & FILED FOR RECORD AS DOCUMENT # 223849 IN THE OFFICE OF THE LOS ALAMOS COUNTY CLERK ON JUNE 29, 2015 IN BOOK 169, PAGE 734.

TRACT HH-1B:
TRACT HH-1B, EASTERN AREA NO. 2, AS RECORDED IN BOOK _____, PAGE _____, LOS ALAMOS COUNTY, NEW MEXICO.

TRACT HH-2A, EASTERN AREA NO. 2, AS RECORDED IN BOOK 169, PAGE 734, LOS ALAMOS COUNTY, NEW MEXICO

TRACT MM-1, EASTERN AREA NO. 1, AS RECORDED IN PLAT BOOK 1, PAGE 55, LOS ALAMOS COUNTY, NEW MEXICO.

TRACT _____:

A PARCEL OF LAND BEING A CONSOLIDATION OF TRACT HH-1B AND TRACT HH-2A, EASTERN AREA NO. 2, AND TRACT MM-1, EASTERN AREA NO. 1, LYING WITHIN SECTION 15, TOWNSHIP 19 NORTH, RANGE 6 EAST, NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF LOS ALAMOS, STATE OF NEW MEXICO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OR SAID TRACT HH-1B BEING A 1½" ALUMINUM CAP L.S. 20767 ON A ½" REBAR ON THE SOUTH RIGHT-OF-WAY LINE OF NEW MEXICO STATE HIGHWAY 502;
THENCE 72.78 FEET ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 1586.85 FEET, AN INTERIOR ANGLE OF 02°37'40" AND A CHORD OF N83°57'01"E 72.77 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE;
THENCE 250.09 FEET ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 1586.85 FEET, AN INTERIOR ANGLE OF 10°39'17" AND A CHORD OF S89°24'31"E 294.67 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE;
THENCE 151.48 FEET ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 1586.85 FEET, AN INTERIOR ANGLE OF 52°810" AND A CHORD OF S811°07'7"E 151.42 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE;
THENCE 57°38'12"E 14.04 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE;
THENCE 57°38'12"E 59.15 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE NORTH-EAST CORNER OF SAID TRACT MM-1;
THENCE S11°27'15"W 130.92 FEET ALONG THE EAST LINE OF SAID TRACT MM-1;
THENCE N82°03'36"W 123.92 FEET ALONG THE SOUTH LINE OF SAID TRACT MM-1;
THENCE S50°02'26"W 106.92 FEET ALONG THE SOUTH LINE OF SAID TRACT MM-1 TO THE SOUTHWEST CORNER OF SAID TRACT MM-1 ALSO BEING THE SOUTHEAST CORNER OF SAID TRACT HH-2A;
THENCE S63°36'04"W 45.90 FEET ALONG THE SOUTH LINE OF SAID TRACT HH-2A;
THENCE 24.63 FEET ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 49.50 FEET, AN INTERIOR ANGLE OF 28°30'47" AND A CHORD OF S77°51'25"W 24.38 FEET ALONG THE SOUTH LINE OF SAID TRACT HH-2A;
THENCE N87°53'15"W 229.47 FEET ALONG THE SOUTH LINE OF SAID TRACT HH-2A TO THE SOUTHWEST CORNER OF SAID TRACT HH-2A AND THE EAST LINE OF SAID TRACT HH-1B;
THENCE S02°08'27"W 33.54 FEET ALONG THE EAST LINE OF SAID TRACT HH-1B TO THE SOUTHEAST CORNER OF SAID TRACT HH-1B;
THENCE S85°23'49"W 72.35 FEET ALONG THE SOUTH LINE OF SAID TRACT HH-1B TO THE SOUTHWEST CORNER OF SAID TRACT HH-1B;
THENCE N02°06'09"E 269.21 FEET ALONG THE WEST LINE OF SAID TRACT HH-1B TO THE POINT OF BEGINNING, CONTAINING 2,829 ACRES AS DESCRIBED.

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER HAS MADE A CONSOLIDATION AS SHOWN HEREON OF TRACT HH-1B AND TRACT HH-2A, EASTERN AREA NO. 2, AND TRACT MM-1, EASTERN AREA NO. 1. SAID CONSOLIDATION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND PROPRIETOR.

THESE TRACTS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF LOS ALAMOS, NEW MEXICO.

SIGNATURE _____ DATE _____

PRINT NAME _____

TITLE

STATE OF _____ }
COUNTY OF _____ }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____

BY _____, THE OWNER OF TRACT HH-1B AND TRACT HH-2A, EASTERN
AREA NO. 2 AND TRACT MM-1, EASTERN AREA NO. 1.

NOTARY PUBLIC

MY COMMISSION EXPIRES

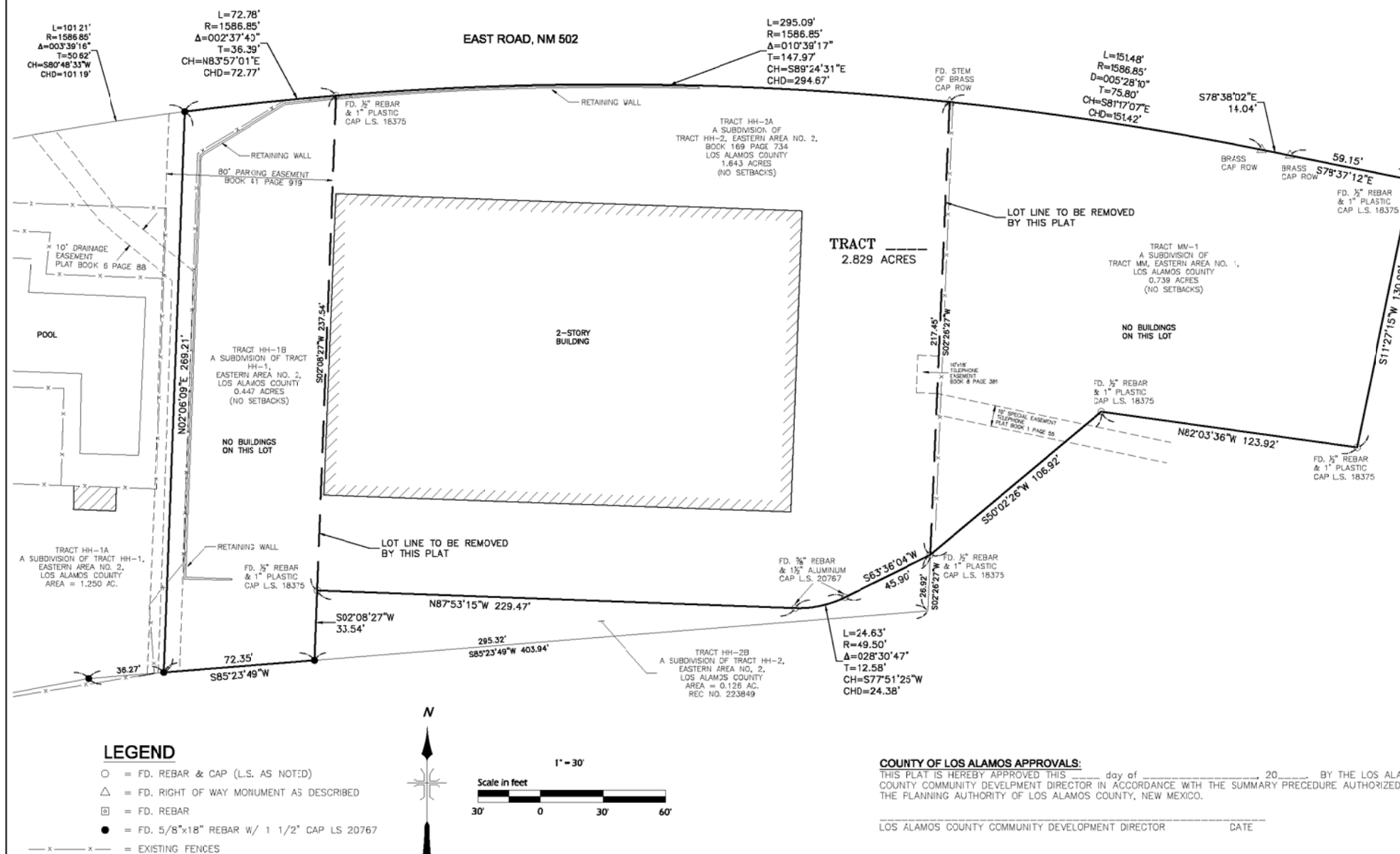
I, NICHOLAS E. BARRETT, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO AND THAT THIS PLAN AND THE NOTES HEREON WERE PREPARED FROM DOCUMENTS LISTED UNDER THE HEADING "REFERENCE DOCUMENTS" AND FROM FIELD NOTES OF AN ACTUAL SURVEY MADE UNDER MY SUPERVISION IN JUNE AND OCTOBER, 2017 AND MEETS THE MINIMUM REQUIREMENTS OF THE STANDARDS OF LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NICHOLAS E. BARRETT
FOR AND ON BEHALF OF
DEL-MONT CONSULTANTS, INC.
125 COLORADO AVE.,
MONTROSE, CO 81401

CLIENT: **LEADERSHIP CIRCLE**

18 ADDRESS & PHONE:
1521 OXBOW DR. SUITE 210
MONTROSE, CO 81401
970-249-3398

	DEL MONT CONSULTANTS, INC. ENGINEERING • SURVEYING 135 Columbia Ave. • Naperville, CO 84001 • (970) 268-2281 • (970) 268-0242 FAX www.dmc-mt.com • Y.vannoy@dmc-mt.com		CLIENT:	LEADERSHIP CIRCLE	
			ADDRESS & PHONE:	1521 OXBOW DR. SUITE 210 MONTROSE, CO 81401 970-249-3398	
FIELD BOOK:	749	DRAWN BY:	NEB	DATE:	11/14/18
SHEET:	1 of 1	FILE:	17093V CONSOL	JOB NO.:	17093
				TYPE:	LOT CONSOLIDATION



COUNTY OF LOS ALAMOS APPROVALS:
THIS PLAT IS HEREBY APPROVED THIS _____ day of _____, 20_____. BY THE LOS ALAMOS
COUNTY COMMUNITY DEVELOPMENT DIRECTOR IN ACCORDANCE WITH THE SUMMARY PRECEDURE AUTHORIZED BY
THE PLANNING AUTHORITY OF LOS ALAMOS COUNTY, NEW MEXICO.

LOS ALAMOS COUNTY COMMUNITY DEVELOPMENT DIRECTOR

DATE _____

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 18-29

A RESOLUTION AMENDING COMPREHENSIVE PLAN / FUTURE LAND USE MAP CHANGING A PARCEL, KNOWN AS TRACT MM-1, AND CONSISTING OF 0.739 ± ACRES, DESIGNATED IN THE 2016 COMPREHENSIVE PLAN FUTURE LAND USE MAP AS “INSTITUTIONAL”, AND A PARCEL KNOWN AS HH-1B CONSISTING OF 0.447 ± ACRES DESIGNATED IN THE 2016 COMPREHENSIVE PLAN FUTURE LAND USE MAP AS “HIGH DENSITY RESIDENTIAL USE” TO “COMMERCIAL USE / OFFICE” USE

WHEREAS, State Statutes and the Los Alamos of County Code of Ordinances (“Code”) require that the Incorporated County of Los Alamos (“County”) have and maintain a Comprehensive Plan (“Plan”), and that zoning regulations be in accordance with the Plan; and

WHEREAS, the existence of the Plan is fundamental to any future public or private development of the County; and

WHEREAS, the current Comprehensive Plan Future Land Use Map, approved previously with extensive community involvement, was adopted by Council of the Incorporated County of Los Alamos (“Council”) on December 6, 2016, through Resolution No. 16-25; and

WHEREAS, the request is consistent with the overall goals and policies of the 2016 Los Alamos Comprehensive Plan as adopted by Council on December 6, 2016, through Resolution No. 16-25; and

WHEREAS, the current Plan is a document that includes many details which shall change and adapt over time as market and physical conditions change; and

WHEREAS, the Plan is an overall vision, fundamental planning and development principles, major land uses, and a general implementation strategy that that should continue through the life of the Plan; and

WHEREAS, the parcels under consideration are in total approximately 1.19 ± acres; and

WHEREAS, adequate infrastructure is available to serve the proposal; and

WHEREAS, on November 28, 2018, after a properly-noticed public hearing, the Planning and Zoning Commission voted to recommend to Council that Council amend the 2016 Comprehensive Plan Future Land Use Map as part of the plan to allow Commercial Use on the south side of East Road in areas formerly indicated as High Density Residential Use and Institutional Use on the map.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Incorporated County of Los Alamos that the Los Alamos County Comprehensive Plan be amended to adopt the amendments to the Future Land Use Map.

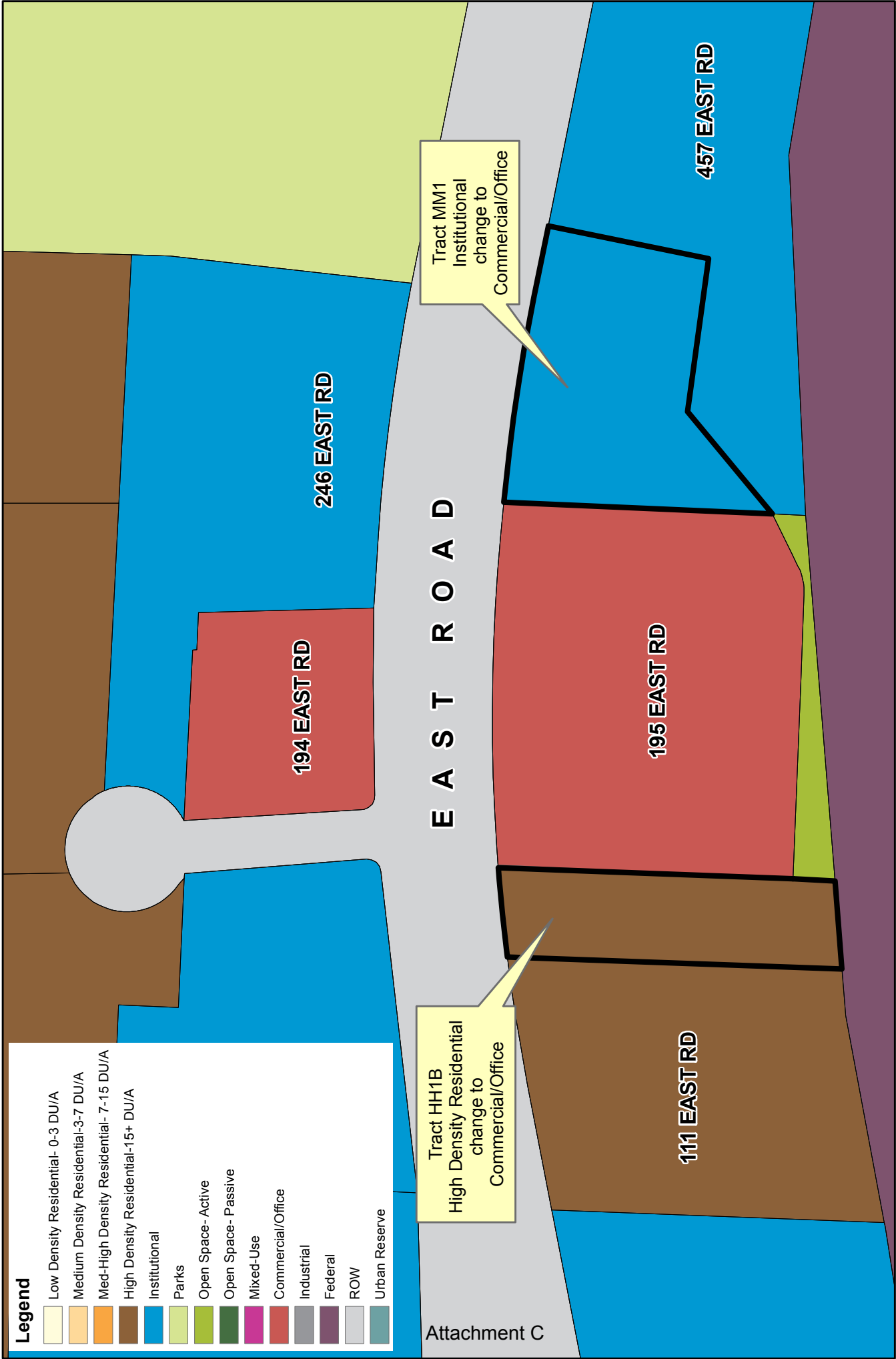
PASSED AND ADOPTED this 8th day of January, 2019.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

_____,
Council Chair

ATTEST: (SEAL)

**Naomi D. Maestas
Los Alamos County Clerk**



INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-293

REVISION NO. 2018-01 IN TEXTUAL FORM TO THE OFFICIAL ZONING MAP OF LOS ALAMOS COUNTY BY REZONING ONE (1) COUNTY OWNED PARCEL CONSTITING OF APPROXIMATELY 0.739 ACRES OF LAND AND ONE (1) PRIVATELY OWNED PARCEL CONSISTING OF APPROXIMATELY 0.447 ACRES OF LAND: 1) TRACT MM-1 FROM P-L (PUBLIC LAND) TO C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS DISTRICT); AND 2) TRACT HH-1B, FROM R-3-H (MULTI FAMILY HIGH DENSITY) TO C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS DISTRICT)

WHEREAS, The Incorporated County of Los Alamos ("County") owns the real property known as tract MM-1, adjacent to 475 East Road, and Leadership Circle, LLC, owns the real property known as tract HH-1B, adjacent to 195 East Road in Los Alamos, New Mexico (hereafter "Properties") which are the subject of this Code Ordinance; and

WHEREAS, the Properties are currently zoned for Multiple-family residential - high density (R-3-H) and Public land district (P-L); and

WHEREAS, Section 16-531 of the Los Alamos County Code of Ordinances ("Development Code") authorizes amendments to the official zoning map of the County by application; and

WHEREAS, Los Alamos County applied to change the official zoning map, specifically to rezone tract MM-1 from P-L to C-1 (Light Commercial and Professional Business District); and

WHEREAS, Leadership Circle LLC, applied to Los Alamos County to change the official zoning map, specifically to rezone tract HH-1B from and R-3-H to C-1 (Light Commercial and Professional Business District); and

WHEREAS, the Planning and Zoning Commission of the Incorporated County of Los Alamos, at its meeting on November 28, 2018, held a public hearing on both applications for an amendment to the official zoning map pursuant to the criteria contained in §16-155 of the Development Code; and

WHEREAS, the County Community Development Department staff properly issued notice to all required parties pursuant to Chapter 16, Article V, of the Development Code and in conformity with NMSA 1978, §3-21-6; and

WHEREAS, the Planning and Zoning Commission, after public hearing and at its noticed public meeting on November 28, 2018, reviewed and adopted findings of fact regarding the application; and

WHEREAS, the Planning and Zoning Commission recommends to the Los Alamos County Council approval of the amendments to the official zoning map; and

WHEREAS, the Los Alamos County Council held a hearing on January 29, 2019, at which hearing the Council found that the amendments to the official zoning map are in conformity with the provisions of Section 16-155 of the Development Code and made the following findings:

- 1) The Properties to be rezoned are owned by the Incorporated County of Los Alamos and Leadership Circle, LLC.
- 2) The Properties' size is approximately ~1.19 acres.
- 3) The Properties are 1) Tract MM-1, adjacent to and west of 457 East Road and, 2) Tract HH-1B adjacent to and west of 195 East Road, Los Alamos, New Mexico.
- 4) The Properties are zoned P-L, and R-3-H as described in Sec. 16-533 of the Development Code.
- 5) The Properties shall both be rezoned to Light Commercial and Professional Business District, C-1, also as described in Sec. 16-533 of the Development Code.
- 6) Public Notice has been made in compliance with the Development Code and State law.
- 7) The criteria for approval of a change to the official zoning map of Los Alamos County, as found in Section 16-155 of the Code, have been met.

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS:

Section 1. The Official Zoning Map of Los Alamos County is hereby amended by rezoning to C-1 (Light Commercial and Professional Business District), those certain tracts of land being ~1.19 acres of land, more or less, to wit:

- 1) *Tract MM-1, 0.739± acres, from P-L (Public Land) to C-1 (Light Commercial and professional business district); and*
- 2) *111 East Road, 0.447± acres, also known as HH-1B, from R-3-H (Multi Family High Density) to C-1 (Light Commercial and professional business district).*

Section 2. The Official Zoning Map of the Incorporated County of Los Alamos is hereby amended to reflect the rezoning referenced herein, and said change be made to the Official Zoning Map at its next Municipal Code update.

Section 3. Effective Date. This Ordinance shall be effective thirty (30) days after publication of notice of its adoption.

Section 4. Severability. Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

ADOPTED this 8th day of January, 2019.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

_____,
Council Chair

ATTEST: (SEAL)

**Naomi D. Maestas
Los Alamos County Clerk**