

A G E N D A Planning and Zoning Commission

Wednesday, April 10, 2019 – 5:30 P.M. BCC Room, Suite 110 Los Alamos County Municipal Building 1000 Central Avenue

- I. CALL TO ORDER / ROLL CALL
- **II. PUBLIC COMMENT**
- **III. APPROVAL OF AGENDA**
- **IV. PUBLIC HEARINGS**
 - A. Quemazon Lot 44A Subdivision
 - Case No. SUB-2019-0007

V. PLANNING AND ZONING COMMISSION BUSINESS

- A. Minutes from February 27, 2019
- B. FY 2020 Work Plan for the Planning and Zoning Commission.
 - FY20 Work Plan
 - FY20 Work Plan Development and Review Info
- C. Commissioner Training Alvin Leaphart, County Attorney and Kevin Powers, Assistant County Attorney

VI. COMMISSION / DIRECTOR COMMUNICATIONS

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

VII. PUBLIC COMMENT

VIII. ADJOURNMENT

The next regularly scheduled meeting of the Planning and Zoning Commission is April 24, 2019

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

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Human Resources Department 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 Office of the County Administrator at 662-8080 if a summary or other type of accessible format is needed.



April 10, 2019

Agenda No.:	Α.
Index (Council Goals):	
Presenters:	Tamara Baer, Planning Manager
Legislative File:	11829-19

Title

Case No. SUB-2019-0007, a request for approval of a Final Subdivision Plat to divide 4725 Quemazon, Lot 44A, Quemazon 1 Subdivision into three (3) single-family residential lots. **Attachments**

A - Staff Report for Case No. SUB-2019-0007



Los Alamos County

Community Development Department

PLANNING & ZONING COMMISSION STAFF REPORT

Public Hearing Date:	March 27, 2019
Subject:	Case No. SUB-2019-0007; Lot 44A Quemazon
Owner/Agent:	Jason Pike, Owner/Danny Romero, Agent
Case Manager:	Tamara Baer, Planning Manager

Case No. SUB-2019-0007:

Jason Pike, Owner, requests Final Subdivision Plat approval to create three (3) single-family residential lots at 4725 Quemazon, Lot 44A, Quemazon 1 Subdivision. The property contains 0.52+ acres and is zoned PD-3.5/SP.

Motion Option 1:

I move to **approve** Case No. SUB-2019-0007, a request for approval of a Final Subdivision Plat to divide 4725 Quemazon, Lot 44A, Quemazon 1 Subdivision into three (3) single-family residential lots, for the reasons stated in the staff report and per testimony at the public hearing, and subject to the following condition(s):

1. The Applicant shall file and record a Final Subdivision Plat with the Los Alamos County Clerk's Office to include utility easements as described in Item (e) of this report.

Motion Option 2:

I move to **deny** Case No. SUB-2019-0007, Final Subdivision Plat, finding the proposal fails to meet the Los Alamos County Code of Ordinances, Chapter 16 – Development Code review criteria of §16-153 for the following reason(s):

1. ...

SUMMARY

The property Owner, Jason Pike, requests Final Subdivision Plat approval to create three (3) single-family residential lots on Lot 44A, which consists of 0.52<u>+</u> vacant acres, in the Quemazon 1 Subdivision. The property is zoned PD-3.5/SP. New addresses have been assigned as follows:

44A-1 - 4720 Esperanza 44A-2 - 4710 Esperanza 44A-3 - 4725 Quemazon

The Quemazon Communities Planned Development was approved as a three-phase development between August 1998 and December 1999. The overall approved density was 3.5 dwelling units per acre. Each phase adopted its own development standards for uses, setbacks and heights. The subject property, Lot 44A, is in Phase 1 of the development. It was re-platted to its current configuration and recorded in

July 2005. Plans for development of a 12-unit apartment complex on this parcel were submitted to CDD in December 2005, but never materialized due to opposition from the HOA. A subsequent Site Plan application for nine (9) units was submitted in 2012 but similarly did not proceed. In 2016 the Planning & Zoning Commission approved a Site Plan for eight (8) residential townhouse units on this property. These were never built, and the property was subsequently sold to the current owner. The Owner's Agent, Danny Romero, is the builder of the three proposed residences.

The administrative Summary Plat process is limited to approval of two lots. Three to five lots must be approved by P&Z as a Subdivision. However, the review may be done as a single Final Plat process. Per Los Alamos County Code, Chapter 16 – Development Code, Sec. 16-459 – "Plats containing five lots or less after utility or public or private roadway improvements under article VI of this chapter may submit sketch, preliminary and final plats as a single plat for approval."

ZONING

PD means "planned development residential district" and is a base zoning designation that was created to allow for design flexibility in primarily residential developments. Rezoning to this district was discontinued in August 2007. The SP, or "special plan" overlay district, was created in 1998 and rezoned 121 acres in Quemazon, including the subject property, with the SP overlay in 1999. SP could be applied over both residential and commercial base zoning districts, including higher density residential (R-M, R-3-L, R-3-H, R-3-H-40, P-D) and certain commercial districts (P-O, C-1, C-2, C-3, R&D, M-1, M-2, and DT).

The Quemazon Master Development Plan's PD-3.5 zoning classification specifies an overall density not to exceed 3.5 dwelling units per acre. The total land area of Quemazon is 121 Acres, which would allow a maximum of 424 dwelling units. There are currently 365 dwelling units including vacant residential lots. This proposal will bring the total to 367, well within the allowable density.

IDRC

The Interdepartmental Review Committee met on February 28, 2019 and voted unanimously (6:0) to recommend approval of this subdivision to P&Z.

NOTICE

All Notice was provided as required per §16-192 of the Los Alamos Development Code. The Community Development Department has not received any comments or concerns from the public as of the time of publication of this report.

SEC. 16-153. - SUBDIVISION REVIEW CRITERIA.

During the course of its review of any subdivision, the IDRC shall utilize the following criteria in formulating a recommendation to the decision-making authority; and the decision-making authority shall utilize the following criteria in making a determination of approval, conditional approval or denial:

(a) The development of the property shall substantially conform to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county.

Applicant Response:

There are no health or safety issues.

Staff Response:

The application presents no health or safety issues. The proposed density is 5.7 dwelling units per acre (DU/acre) and is in keeping with the overall medium density development of the Quemazon community, 3-7 dwelling units per acre, in the comprehensive plan. Note that the 3.5 DU/acre density for Quemazon is calculated including the entire land area for the development, including roads and open space. Within the subdivision there is a wide variety of individual lot sizes and housing types.

(b) Except for the R-E and R-A zoning districts and developed areas where it is determined by the utilities manager that it is economically unfeasible to extend sewer lines, all subdivisions must be served or be capable of being served by all public utilities.

Applicant Response:

See sketch plan for utility easement locations.

Staff Response:

All utilities are available to serve the three lots.

(c) Provisions shall be made for the safe ingress, egress and circulation of vehicles, bicyclists and pedestrians.

Applicant Response:

Two smaller lots will have driveway entering Esperanza.

44A-1, 44A-2 – Esperanza entry. 44A-3 – Quemazon entry.

Staff Response:

The sketch plan shows the proposed driveway locations, which meet all County standards. Minimal traffic will be generated by the addition of three single-family homes.

d) Adequate provisions shall be made for accepting expected drainage from other properties, for controlling drainage on the site and for directing it to the storm sewer or drainage system, including considerations for impact on downstream properties. The county engineer shall approve, disapprove or recommend modifications to the storm drainage plans.

Applicant Response:

See building plans provided by contractor.

Staff Response:

The referenced plans indicate the direction of stormwater flow. Stormwater from Lot 3 will flow into the existing 20-foot wide drainage easement running along the northern property line. Stormwater from the two other Lots, 1 and 2, will flow south into Esperanza. Grading and drainage plans for the overall subdivision were reviewed and approved when Quemazon was originally platted. On a small subdivision such as this the finer scale drainage will be reviewed at the time of building permit. The main concern will be to ensure that drainage on individual lots does not adversely impact any other lot. The County Engineer had no drainage concerns regarding this application.

(e) The necessary easements shall be provided for both existing and proposed utilities in an acceptable manner to the county engineer and utilities manager. Development of the property shall be in accordance with adopted utilities department plans and specifications.

Applicant Response:

See sketch plan for utility easement locations.

Staff Response:

The Department of Public Utilities notes the need for two additional utility easements on the plat. These are: 1) a 10-foot utility easement on either side of the existing sewer line that crosses the far northeast corner of the property; and 2) a 5-foot buffer easement around all existing electrical appurtenances located at the southwest corner of proposed Lot 44A-3. This information has been relayed to the Surveyor and will be added prior to recordation of the plat. In addition, the applicants will coordinate all required utility locates with the County Utilities Department, as well as with the County Engineer at the time of construction.

(f) Outdoor activity areas, parking lots, outside storage areas, outdoor lighting, or other features or uses of the site or structures shall be adequately screened or otherwise controlled to effectively mitigate conflict with existing or potential adjacent land uses.

Applicant Response:

The adjacent lots will be screened by existing landscaping and the natural, existing vegetation.

Staff Response:

There are existing mature evergreen trees within the drainage easement on the north side of the property. These will not be disturbed and will provide significant screening for neighboring properties to the north. Existing mature deciduous trees on the adjacent property to the west, as well as a change in grade -the subject property is approximately three feet lower than developed property to the west- provide screening on that side. It is anticipated that homeowners of the new residences will install additional plant material.

(g) The capacity of those public services and facilities required to serve the proposed development (including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, etc.) shall be adequate, or made to be adequate if improvements are required.

Applicant Response:

See sketch plan.

Staff Response:

All public services and facilities needed to serve the proposed lots are in place and adequate for the threelot subdivision. Individual utility service plans will be coordinated with the Department of Public Utilities prior to submitting building permit applications.

(h) The subdivision is planned to retain as much as possible, all natural features such as watercourses, natural vegetation, terrain, existing structures, historic sites, archaeological sites, and other community assets, which if preserved, will contribute to the overall appearance and quality of life in the county of

Los Alamos. If the property is designated on the county zoning map as a hillside area, the subdivision shall comply with the hillside development standards (section 16-576).

Applicant Response:

Keep existing perimeter landscape – vacant lot- No trees.

Staff Response:

The Applicant's response refers to the 20-foot wide existing drainage easement that runs west to east along the north side of the property. There are several existing mature trees within the easement and these will be maintained. There are no other known significant features on this site.

FINDINGS OF FACT

- Notice of this public hearing, setting forth the nature of the request, the specific parcel of property affected, and the date, time and place of the public hearing, was announced and published in <u>The</u> <u>LA Daily Post</u>, and property owners of real property located within 100 yards of the subject property were notified of this public hearing, all in accordance with the requirements of §16-192 of the Los Alamos Development Code.
- 2. The request is for approval of a Final Subdivision Plat to create three (3) single-family lots.
- 3. The property contains approximately 22,590 Ft² or 0.52<u>+</u> acres of land and is currently undeveloped.
- 4. The property is zoned PD-3.5/SP, as described in §16-533 of the Los Alamos County Development Code.
- 5. Residential land uses are permitted uses in the PD-3.5/SP district, per the Use Index Table contained in §16-287 of the Los Alamos County Development Code, and within the adopted Land Use Diagram for the Quemazon Communities.
- 6. Upon review by the IDRC, the application was unanimously recommended for approval.

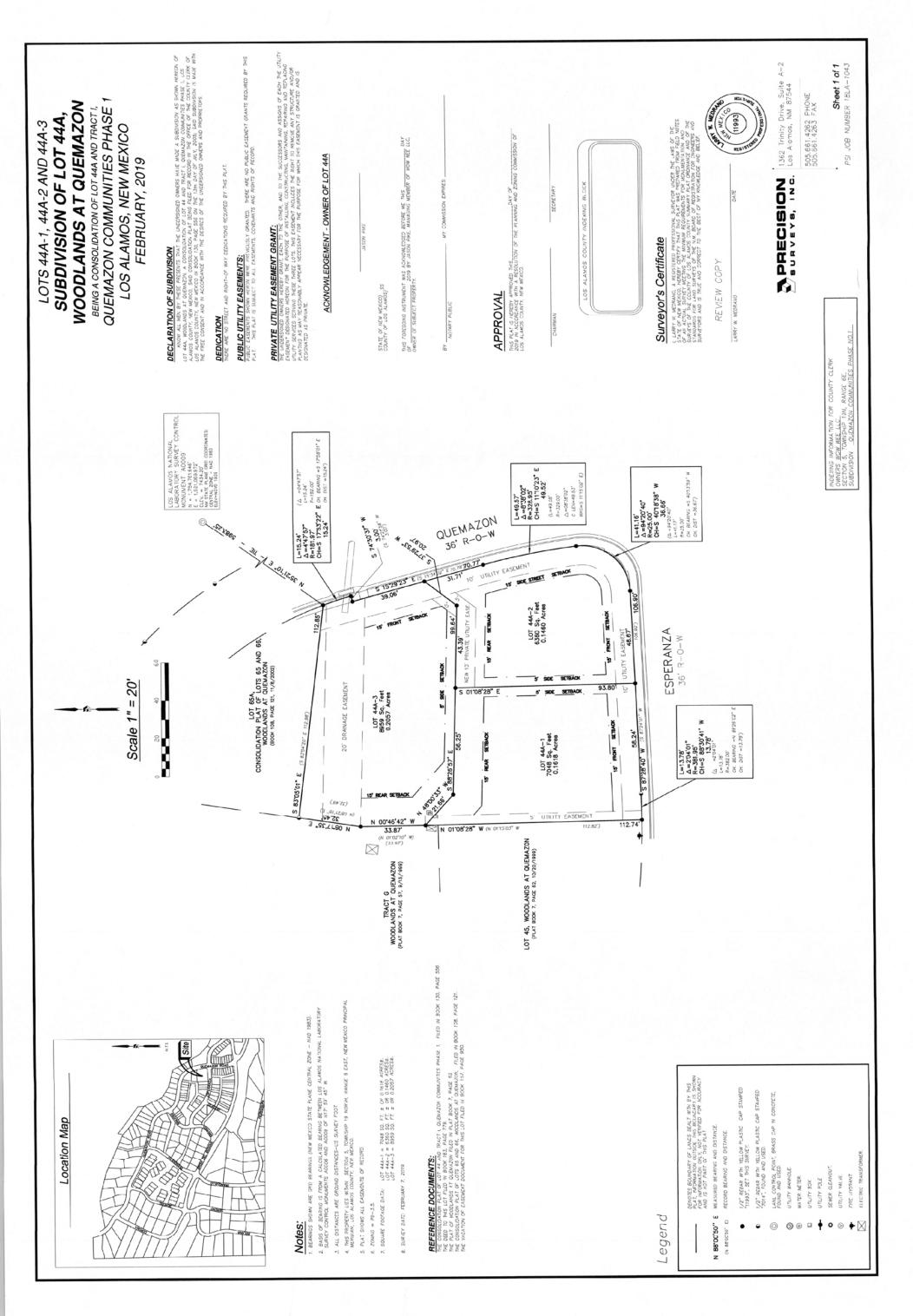
STAFF AND INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) RECOMMENDATION

EXHIBITS

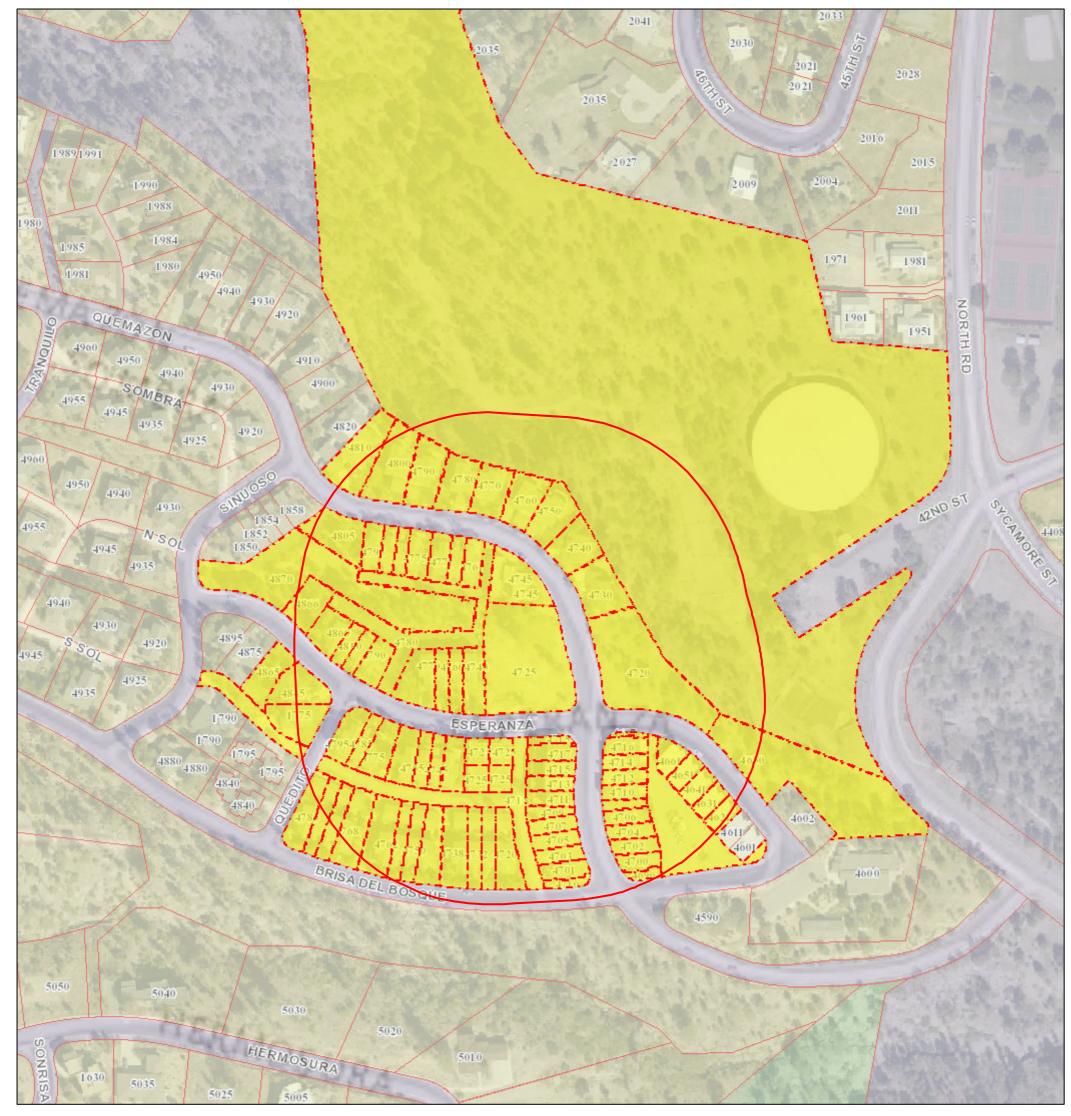
- Exhibit 1: Vicinity Map/Aerial Photo of the Subject Property
- Exhibit 2: Proposed Final Subdivision Plat
- Exhibit 3: Map and List of Property Owners within 100 Yards (300 Feet)
- Exhibit 4: Photographs of Subject Property; Staff (3)

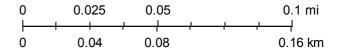
Vicinity Map/Aerial Photo of the Subject Property





4725 Quemazon Notification Map





Los Alamos County Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

EXHIBIT 3

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List of Property Owners within 100 Yards (300 Feet)

ADDRESS	OWNERNA CAREOFNAME C	WNERAD OWNERADDR	0\\/\		,
4870 ESPERANZA	QUEMAZON COMM MASTER HOME			87544	
4866 ESPERANZA	QUEMAZON HOMEOWNERS ASSOCI			87544	
4860 ESPERANZA	HUANG CHENGKUN & LIU ZHENGYA			87544	
4810 ESPERANZA	BROWN CHARLES M & MARY D	LOS ALAMOS		87544	
4800 ESPERANZA	JARAMILLO-COX MARGARET	LOS ALAMOS		87544	
4790 ESPERANZA	PELAK ROBERT ALLEN REVOC TRUST			87544	
4740 ESPERANZA	RESSLER ALISON J	LOS ALAMOS		87544	
4750 ESPERANZA	LYNNE STEVEN S & SUZANNE L	LOS ALAMOS		87544	
4760 ESPERANZA	YILK TODD A	LOS ALAMOS		87544	
4770 ESPERANZA	PUTNAM ROBERT LEE & TOMOKO S	LOS ALAMOS	NM	87544	
4650 ESPERANZA	QUEMAZON COMM MASTER HOME			87544	
4715 ESPERANZA	QUEMAZON COMMUNITY MASTER			87544	
4717 QUEMAZON	BERNARD JOHATHAN G & LAWTON	CINDY & H SANTA FE	NM	87501	
4715 QUEMAZON	MESIBOV GEORGINA	LOS ALAMOS	NM	87544	
4725 ESPERANZA B	TERRICH PARTNERSHIP	LOS ALAMOS	NM	87544	
4725 ESPERANZA A	TERRICH PARTNERSHIP	LOS ALAMOS	NM	87544	
4712 QUEMAZON	RITCHEY JOSEPH D & DARLENE	MESA	СО	81643-0173	
4713 QUEMAZON	MACDONALD PATRICK A	LOS ALAMOS	NM	87544	
4710 QUEMAZON	HAROZ ERIK H & ELLAINE G	LOS ALAMOS	NM	87544	
4711 QUEMAZON	BROWN MICHAEL J	LOS ALAMOS	NM	87544	
4708 QUEMAZON	QUEMAZON COMMUNITY MASTER	ASSOC LOS ALAMOS	NM	87544	
4709 QUEMAZON	QUEMAZON COMMUNITY MASTER	ASSOC LOS ALAMOS	NM	87544	
4706 QUEMAZON	LOS ALAMOS LOFTS LLC	SANTA FE	NM	87504	
4707 QUEMAZON	MCKERNAN QUINLAN A	LOS ALAMOS	NM	87544	
4704 QUEMAZON	EVANS BRAD J & EARLENE D	LOS ALAMOS	NM	87544	
4705 QUEMAZON	LOS ALAMOS LOFTS LLC	SANTA FE	NM	87504	
4702 QUEMAZON	LOS ALAMOS LOFTS LLC	SANTA FE	NM	87504	
4703 QUEMAZON	LOS ALAMOS LOFTS LLC	SANTA FE	NM	87504	
4700 QUEMAZON	TORRES KIRSIS & CHRISTIAN F	LOS ALAMOS	NM	87544	
4701 QUEMAZON	PETTES MICHAEL T & CAROLINA J	LOS ALAMOS	NM	87544	
4690 BRISA DEL BOS	QUEMAZON COMMUNITY MASTER	ASSOC LOS ALAMOS	NM	87544	
4710 BRISA DEL BOS	QUEMAZON COMMUNITY MASTER	ASSOC LOS ALAMOS	NM	87544	
4810 QUEMAZON	SLAUGHTER MICHAEL L & CAROLYN	S LOS ALAMOS	NM	87544	
4800 QUEMAZON	BURSON B L & KELLY S K REVOC TRU	ST LOS ALAMOS	NM	87544	
4790 QUEMAZON	HOLLOWAY MICHAEL A	LOS ALAMOS	NM	87544	
4780 QUEMAZON		SANTA FE	NM	87501	
4770 QUEMAZON		LOS ALAMOS		87544	
	SALISBURY SCOTT R & MARY E	LOS ALAMOS		87544	
4750 QUEMAZON	LEE CHRISTOPHER & HANSOMI	LOS ALAMOS		87544	
4740 QUEMAZON	HUYNH MY HANG V	LOS ALAMOS		87544	
	QUEMAZON COMMUNITY HOMEOV			87544	
4730 QUEMAZON				87544	
4725 QUEMAZON				87544	
4745 QUEMAZON	KRAEMER RICHARD W & MARY PAT			87544	
4771 QUEMAZON	CASTANO DARIO	LOS ALAMOS		87544	
4765 QUEMAZON			INIVI	87544	
	EVUI				

List of Property Owners within 100 Yards (300 Feet)

4761 QUEMAZON	BARKLEY WALTER & SITARZ STEPHANIE C	LOS ALAMOS	NM	87544
4775 QUEMAZON	FUKUI HARUO & ANA MARIE	LOS ALAMOS	NM	87544
4781 QUEMAZON	EADIE KEVIN J	LOS ALAMOS	NM	87544
4795 QUEMAZON	VOGEL SVEN C & MARTINEZ CHRISTIAN L	LOS ALAMOS	NM	87547
4785 QUEMAZON	ORR TRAVIS S	LOS ALAMOS	NM	87544
4780 ESPERANZA	WOODLANDS AT QUEMAZON HON PMB#146	LOS ALAMOS	NM	87544
4805 QUEMAZON	QUEMAZON COMMUNITY MASTER ASSOC	LOS ALAMOS	NM	87544
1775 QUEDITO	GARVIN JOSEPH MARK & LINDA S	LOS ALAMOS	NM	87544
SINUOSO	QUEMAZON COMMUNITY MASTER ASSOC	LOS ALAMOS	NM	87544
4845 ESPERANZA	JU JIXIONG & HUIDAN	INDIANAPOLIS	SIN	46278
4865 ESPERANZA	QUEMAZON COMMUNITY HOMEOWNERS ASS	LOS ALAMOS	NM	87544
4795 ESPERANZA	RICHTER PHILIP J & RUTH E	RANCHO SAN	CA	92688-3407
4785 ESPERANZA	SCOTT DAVID G & LINDA K	LOS ALAMOS	NM	87544
4775 ESPERANZA	OVERBAY DARRYL D & RHONDA H REV TRUST	LOS ALAMOS	NM	87544
4765 ESPERANZA	ANDREWS MALCOLM J REVOC TRUST	ARLINGTON	VA	22202
4755 ESPERANZA	LOMON EARLE L	CAMBRIDGE	MA	2142
4735 ESPERANZA	LI NING & ZHANG YIFENG	LOS ALAMOS	NM	87544
4745 ESPERANZA	CIRIGLIANO VINCENZO & GIORGI ELENA E REV	LOS ALAMOS	NM	87544
4725 ESPERANZA D	TERRICH PARTNERSHIP	LOS ALAMOS	NM	87544
4725 ESPERANZA C	TERRICH PARTNERSHIP	LOS ALAMOS	NM	87544
4786 BRISA DEL BOS	HAAGENSTAD MARK & MELANIE	LOS ALAMOS	NM	87544
4780 BRISA DEL BOS	MCNIFF RYAN M & HEATHER N	LOS ALAMOS	NM	87544
4774 BRISA DEL BOS	PRICE III RELF L	LOS ALAMOS	NM	87544
4768 BRISA DEL BOS	BOWLAN JOHN & PAMELA	LOS ALAMOS	NM	87544
4762 BRISA DEL BOS	CHAN DIANE S	LOS ALAMOS	NM	87544
4756 BRISA DEL BOS	GLAZENER NATASHA & PIEGZIK ANDREW	LOS ALAMOS	NM	87544
4750 BRISA DEL BOS	WILSON KATHLEEN	LOS ALAMOS	NM	87544
4744 BRISA DEL BOS	LIENERT THOMAS J	LOS ALAMOS	NM	87544
4738 BRISA DEL BOS	BATISTA ENRIQUE R & MARILYN D REVOC TRU	LOS ALAMOS	NM	87544
4732 BRISA DEL BOS	GREEN DAVID G	LOS ALAMOS	NM	87544
4720 BRISA DEL BOS	YI REN & WU WEI	LOS ALAMOS	NM	87544
4726 BRISA DEL BOS	BRIGGS TRAVIS M	LIVERMORE	CA	94551
4718 ESPERANZA	QUEMAZON COMMUNITY MASTER ASSOC	LOS ALAMOS	NM	87544
4697 ESPERANZA	QUEMAZON COMMUNITY MASTER ASSOC	LOS ALAMOS	NM	87544
4716 QUEMAZON	WOOD CHRISTINE D REVOC TRUST	LOS ALAMOS	NM	87544
4714 QUEMAZON	GILL JOHN T & DEBORAH F	LOS ALAMOS	NM	87544
4651 ESPERANZA	HALE KEVIN & CINDY	LOS ALAMOS	NM	87544
4641 ESPERANZA	MARTINEAU RICK L & DEVAURS MICHELINE A	LOS ALAMOS	NM	87544
4631 ESPERANZA	MCREYNOLDS THOMAS J & MAXINE M	LOS ALAMOS	NM	87544
4621 ESPERANZA	MCCARTHY FAMILY TRUST	LOS ALAMOS	NM	87544
4661 ESPERANZA		LOS ALAMOS		87544
4595 ESPERANZA	QUEMAZON COMMUNITY HOMEOWNERS ASS			87544
2600 45TH ST	LOS ALAMOS COUNTY	LOS ALAMOS		87544
1000 CENTRAL AVE	LOS ALAMOS COUNTY	LOS ALAMOS	NM	87544

Photographs of Subject Property; Staff (3)



Figure 1.1 Site from east; Fire Hydrant across Quemazon Street



Figure 1.2 Site from south

EXHBIT 4



Figure 1.3-Drainage easement at North property

	County of Los Alamos Staff Report April 10, 2019	Los Alamos, NM 87544 www.losalamosnm.us
Agenda No.:	А.	
Index (Council Goals):		
Presenters:	11007 10	
Legislative File:	11826-19	

Title

Minutes from the Planning And Zoning Commission Meeting on February 27, 2019. Recommended Action I move that the Commission approve the Minutes for February 27, 2019. Attachments

A - Draft Minutes for February 27, 2019.

County of Los Alamos

LOS ALAMOS

Minutes

Planning and Zoning Commission

Terry Priestley, Chair; Beverly Neal-Clinton, Vice-Chair; Melissa Arias; Jean Dewart; Jessie Dixon; Craig Martin; Neal Martin; and April Wade, Commissioners

Wednesday, February 27, 2019	5:30 PM	Council Chambers
		1000 Central Avenue

1. CALL TO ORDER/ROLL CALL

- Present 7 Commissioner Arias, Commissioner Dixon, Commissioner Martin, Commissioner Dewart, Commissioner Wade, Commissioner Martin and Commissioner Priestley
- Absent 1 Commissioner Neal-Clinton

2. PUBLIC COMMENT

3. APPROVAL OF AGENDA

A motion was made by Commissioner Craig Martin, seconded by Commissioner Dixon, that the agenda be approved as presented. The motion passed unanimously.

4. PUBLIC HEARING(S)

Α.

195 East Road Parking Lot Site Plan Case No. SIT-2019-0032

A motion was made by Commissioner Arias, and seconded by Commissioner Dewart to approve Case No. SIT-2019-0032, a Site Plan to construct a parking lot on Tract MM-1, located at 195 East Road, for the reasons stated in the staff report and per testimony entered at the public hearing, subject to the following conditions of approval:

 Landscaping should be completed within one-hundred and eighty (180) days of completion of the 502 roundabout propect and as per the seller's agreement.
 Provide erosion control/scour protection at the proposed stormdrain outfall to the existing culvert pipe inlet at the Canyon Rim Trail.

3. Consult with the Parks Division to ensure the seed mix that is applied is native grass.

The motion passed with the following vote:

- Yes: 7 Commissioner Arias, Commissioner Dixon, Commissioner Martin, Commissioner Dewart, Commissioner Wade, Commissioner Martin and Commissioner Priestley
- Absent: 1 Commissioner Neal-Clinton
- 1459 Trinity Drive, Los Alamos Shrine Club Property Case No. SUM-2018-0028 Lot Split

В.

Case No. SIT-2019-0031 Site Plan

1. Case No. SUM-2018-0028

Commissioner Dewart moved to approve and Commissioner Dixon seconded, Case No. SUM-2018-0028, a lot split of 1459 Trinity Drive, in Los Alamos, for the reasons stated in the staff report and per testimony at the public hearing, and subject to the following condition:

1.) Approval of a Waiver to Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Sec. 16-154. (b), requiring that "Both lots shall front on an existing, dedicated and improved street."

The motion passed with the following vote:

Yes: 5 - Commissioner Arias, Commissioner Dewart, Commissioner Dixon, Commissioner Priestley and Commissioner Wade.

Abstained 1 - Commissioner Neal Martin Recused 1 - Commissioner Craig Martin Absent 1 - Commissioner Neal-Clinton

2. Case No. SIT-2019-0031

Commissioner Dewart moved to approve Case No. SIT-2019-0031, and Commissioner Wade seconded a request for Site Plan Approval to develop a specialty retail store, with associated on-site landscaping, parking and traffic circulation, located at 1459 Trinity Drive, for the reasons stated in the staff report and per testimony entered at the public hearing, subject to the following conditions of approval:

1.) Coordinate review of traffic analysis with NMDOT District 5 Traffic Engineer and provide NMDOT's comments and conditions to the County Engineer. Any access improvements to Trinity Drive (NM 502) required by NMDOT shall be made in conjunction with the site development construction and completed by or before certificate of occupancy unless otherwise approved by NMDOT.

2.) Contingent upon approval of the lot split.

The motion passed with the following vote: Yes: 5 - Commissioner Arias, Commissioner Dewart, Commissioner Dixon, Commissioner Priestley, and Commissioner Wade.

Abstained 1 - Commissioner Neal Martin Recused 1 - Commissioner Craig Martin Absent 1 - Commissioner Neal-Clinton

4015 and 3901 Arkansas Avenue, Rezone, Site Plan, and Waiver for the Black Hole Property Case No. REZ-2019-0011 Case No. SIT-2019-0033

Case No. WVR-2019-0078

1. Case No. REZ-2019-0011 - Rezoning

Commissioner Dixon moved the Planning and Zoning Commission recommend that the Los Alamos County Council approve Case No. REZ-2019-0011 and Commissioner Wade seconded the motion to rezone two (2) parcels, located at 3901 and 4015 Arkansas Ave., also known as Lots K and L of the North Community 1 Subdivision, from C-1 (Light commercial and professional business) to MU (Mixed-Use).

The motion passed with the following vote:

Yes: 6 - Commissioner Arias, Commissioner Dewart, Commissioner Dixon, Commissioner Craig Martin, Commissioner Priestley, and Commissioner Wade.

No: 1 - Commissioner Neal Martin

Absent: 1 - Commissioner Neal-Clinton

2. Case No. SIT-2019-0033 Site Plan

Commissioner Dixon moved and Commissioner Dewart seconded, that the Planning and Zoning Commission approve Case No. SIT-2019-0033, a Site Plan to develop 44 residential dwelling units at 3901 and 4015 Arkansas Avenue, Lots K and L of the North Community 1 Subdivision, with the following conditions:

1) Approval of the Site Plan is contingent upon County Council approval of Rezoning to Mixed-Use (MU).

2) If the Rezoning and Site Plan applications are approved, the applicant shall submit a Subdivision or Consolidation Plat for review and approval subject to all County procedural and platting requirements.

3) The applicant agrees to add a plaque acknowledging the former site of "The Black Hole".

The motion passed with the following vote: Yes: 7 - Commissioner Arias, Commissioner Dewart, Commissioner Dixon, Commissioner Craig Martin, Commissioner Neal Martin, Commissioner Priestley, Commissioner Wade.

Absent 1 - Commissioner Neal-Clinton

3. Case No. WVR-2019-0078 - Waiver

Commissioner Dixon moved to approve and Commissioner Craig Martin seconded, Case No. WVR-2019-0078 a request for approval of a Waiver to the height restriction of 35 feet adjacent to R-district properties to develop 44 residential townhouses located at 3901 and 4015 Arkansas, for the reasons stated in the staff report and per testimony entered at the public hearing.

The motion passed with the following vote:

Yes: 7 - Commissioner Arias, Commissioner Dewart, Commissioner Dixon, Commissioner Craig Martin, Commissioner Neal Martin, Commissioner Priestley, Commissioner Wade.

Absent 1 - Commissioner Neal-Clinton

5. PLANNING AND ZONING COMMISSION BUSINESS

 A. Minutes from the Planning And Zoning Commission Meeting on November 28, 2018

A motion was made by Commissioner Dixon, seconded by Commissioner Martin, that the minute from November 28, 2018 be approved. The motion passed unanimously.

Absent: 1 - Commissioner Neal-Clinton

6. COMMISSION/DIRECTOR COMMUNICATIONS

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

7. PUBLIC COMMENT

8. ADJOURNMENT

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

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

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

LOS ALAMOS	County of Los Alamos Staff Report April 10, 2019	Los Alamos, NM 87544 www.losalamosnm.us
Agenda No.: Index (Council Goals):	В.	
Presenters: Legislative File:	11827-19	

Title

Planning and Zoning Commission FY 2020 Work Plan **EXHIBITS**

A - DRAFT P&Z FY20 Work Plan

B - Work Plan Development and Review Info



FY20 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2020: July 1, 2019 – June 30, 2020)

Board and Commission Name: Planning and Zoning Commission

Date prepared: March 7, 2019 Date approved by Council:_____

Prepared by: Anita Barela and Tamara Baer

This work plan will be accomplished in the following time frame: from $\underline{07/01/19}$ to $\underline{06/30/20}$ (dates)

Chairperson: <u>Terry Priestley</u> Term: ends March 2021

Members and terms:

April Wade – March 2019 (end of first term) ** Jean Dewart - March 2019 (end of first term) ** Melissa Arias -- March 2020 (end of first term) Jessie Dixon - March 2020 (end of first term) Craig Martin - March 2020 (end of first term) Terry Priestley – March 2021 (end of first term)* Beverly Neal-Clinton - March 2021 (end of first term) Neal Martin - March 2021 (end of first term)

*Chair as of April 1, 2018 ** Partial term, filling vacated seat.

Department Director: <u>Paul Andrus</u>

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

Staff Liaison: <u>Tamara Baer</u>

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Administrative Support provided by: Anita Barela

Council Liaison: <u>Randall Ryti</u> Reviewed by Council Liaison? _____

- 1.0 Provide a brief Summary of your Board or Commission's activities over the past twelve months. Please describe your Board or Commission's accomplishments and identify constraints. List any "lessons learned" and identify the greatest challenges faced by the Board or Commission.
 - 1. [Approved 3-lot single-family residential subdivision of Lot 44A at 4725 Quemazon] - pending
 - 2. Approved Rezone of two lots at 195 East Road
 - 3. Approved Site Plan for additional parking at 195 East Road
 - 4. Approved Rezone, Site Plan and Waiver for development of 44 single-family duplex/townhouse units @ Black Hole
 - 5. Approved Los Alamos Shrine Club site Lot Split and Waiver
 - 6. Approved Site Plan for new Specialty Retailer @ 1459 Trinity
 - 7. Approved 3-lot single-family residential subdivision @ 2442 46th Street
 - 8. Approved Special Use Permit for restaurant serving alcohol (Pig & Fig) @ 11 Sherwood Boulevard in White Rock
 - 9. Approved Final Subdivision Plat for 161 single-family lots on A-19/Mirador in White Rock
 - 10. Liaised with Transportation Board on traffic safety issue @ A-19
 - 11. Approved Lot Split and Lot Line Adjustment to create new single-family residential lot @ 2142 35th Street
 - 12. Approved new Addressing and Road Naming ordinance
 - **13. Reviewed draft Sign Code**

The Commission was challenged by having to fill a significant number of vacancies and having a new Commission adjust to an uneven pace of application submittals. 2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: (*Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.*)

Anticipated Projects include:

- 1. Subdivision for 44 single-family lots @ Black Hole
- 2. Site Plan for 150 new market rate apartments on A-12 and 13 The Hill
- 3. Site Plan for 70 apartment units of affordable housing on A-9/DP Road Canyon Walk
- 4. Site Plan for 80 apartment units of affordable Senior housing on A-8B/DP Road
- 5. Site Plan for fast-food restaurant on Trinity
- 6. Site plan review of Mixed-Use development on Tract D (2.25 acres) of A-19/Mirador
- 7. Site Plan review for 20th Street parcels
- 8. Code revisions, including clarifications and corrections, removal of redundancies, and a limited number of additions to the Definitions section and Permitted Use Table that reflect actual practice.
- 9. Appropriate planning support to potential joint housing project between LAPS and County.
- 10. Potential area planning for strategic parcels along DP Road.
- **11. Update to Sign Code**
- 12. In support of the work of the Historic Preservation Advisory Board, revisit the discussion of establishing an Historic District.
- 13. Continued review of land use cases

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

• Continued implementation of the 2016 Comprehensive Plan, with an emphasis on increasing housing opportunities and supporting economic development.

- Examination, review and recommendations regarding Short-Term Rental (such as Airbnb) policies and regulations.
- Examination, review and recommendations regarding Height regulations and restrictions in LAC, especially in the Downtown (DT) and Mixed-Use (MU) districts and in relation to Los Alamos Canyon.
- 2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

Los Alamos Comprehensive Plan 2016 Los Alamos County Code of Ordinances, Chapter 16, Development Code Development Code Appeals, Council Procedures, adopted by Council Resolution on 04/15/16

2.3 Other projects/assignments proposed by the Board or Commission: (Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.) To assist with Council review of the work plans, please list the B&C's proposed projects or assignments in priority order.

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

The Planning and Zoning Commission will coordinate with other Boards, Commissions and Committees as needed, as well as with the Los Alamos Commerce and Development Corporation, to implement any proposed code changes, and with the Historic Preservation Advisory Board on a Historic District Zoning Overlay and possible base rezoning of affected properties. The Fire Marshal's Office will advise P&Z of changes to fire protection regulations that may affect development review; to include possible replacement of the current Life Safety Code, National Fire Protection Association 101 (NFPA 101) with the International Fire Code (IFC).

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

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

- 5.0 List the current subcommittees for this Board or Commission.
 - 5.1 For subcommittees with members that are not members of the parent board or commission:

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List the subcommittee members and their terms. Explain how sub- committee members are selected or appointed. Provide a description of each subcommittee's charter or purpose. Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:

The Board of Adjustment (BOA – formerly the Variance Board) is responsible for hearing and deciding on applications for Waivers to the standards established in Chapter 16, the Development Code, of the Los Alamos County Code of Ordinances.

The Board is comprised of three members of the Planning and Zoning Commission who volunteer to serve and are appointed by the County Council. The terms of BOA members are concurrent with their terms on the Planning & Zoning Commission, including any period during which the member serves until replaced or reappointed. The BOA generally meets on Mondays, once or twice a month, depending on submittal of a Waiver application. The BOA heard seven (7) Waiver cases in CY 2018.

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

ARTICLE IX. - PLANNING AND ZONING COMMISSION Sec. 8-201. - Purpose.

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

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-203. - Duties and responsibilities.

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

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

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

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

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

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c. Application for adoption of and amendments to the comprehensive plan. The planning and zoning commission may from time to time recommend amendments, extensions or deletions to the comprehensive plan or carry any part or subject matter into greater detail;d. Application for addition, deletion or change in category to the uses allowed in any district as set forth in the chapter 16 index of land uses.

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

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

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

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

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

b. Application for special use permit;

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

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

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

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

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

Board of Adjustment

[From the Development Code - Chapter 16 of the Los Alamos County Code of Ordinances]

Sec. 16-52. - Board of adjustment

(a) *Board of adjustment established.* The board of adjustment is hereby established. The board of adjustment will consist of three members of the planning and zoning commission appointed by the P&Z FY20 Work Plan Draft

A - DRAFT P&Z FY20 Work Plan

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

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

(1) Applications for waivers to the requirements of this chapter, except that the board of adjustment shall not consider waivers to the public works construction standards referenced in the chapter; and

(2) Application or decision making authority referred to the board of adjustment by the community development director as set forth in subsection 16-51(c)4.

(c) *Conditions of approval*. In granting conditional approval, the board of adjustment may only impose such conditions as are reasonably necessary to meet the approval criteria of section 16-157, including the granting of waivers more restrictive than those originally requested by the applicant.
(d) *Meetings*. Two members of the board of adjustment shall be a quorum for the conduct of business and approval of a waiver or application considered by the board of adjustment shall require a motion and affirmative vote of at least two members of the board of adjustment.
(Ord. No. 02-084, § 2, 3-27-2007)

Editor's note—

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

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

Mark all that apply on the chart on the following page.

(From 2019 Strategic Leadership Plan)

Communication and Transparency				
Ongoing Improvement in Communication and Transparency in County Policy Setting				
Increasing the Amount and Types of Housing Options				
This includes a variety of housing options for all segments of the community, from affordable, entry level, and live-work housing to new options for those interested in downsizing or moving closer to central areas of the community.	х			
Enhancing Support and Opportunities for the Local Business Environment				
This includes appropriate support for existing businesses, growing new businesses, and supporting technology start-ups and spin-offs.	х			
Addressing Long-Term Building Vacancies in Key Areas of Our Community	/			
Land availability in Los Alamos County, and in particular the downtown areas, is limited and there is a desire to work towards better utilization, opportunities for new businesses, and improved aesthetics.	Х			
Protecting and Maintaining Our Open Spaces, Recreational, and Cultural Amen	ities			
Los Alamos County open spaces and cultural attractions are greatly valued by the community provide opportunities for recreational and economic growth; appropriately allocating resources to ensure their health and sustainability is important to our citizens.				
Supporting Social Services Improvement				
Behavioral, mental and physical health and social services are important quality of life components; there are key areas where appropriate types and levels of county support could help address current needs.				
Investing in Infrastructure				
Appropriately balancing maintenance of existing infrastructure with new investment in county utilities, roads, facilities and amenities will help improve environmental stewardship, sustainability, and quality of life.				
Planning for Appropriate Levels of County Services				
Making sure we understand the level of services our citizens want will allow us to make appropriate investments in processes and staff to achieve them.				

FY20 WORK PLANS Council Review Process for LAC Boards and Commission Work Plans

<u>Objective:</u> To provide timely and meaningful formal review and feedback by Los Alamos County Council to Boards and Commission regarding the annual Board and Commission work plans.

<u>Goals:</u>

- 1. Encourage collaborative development and presentation of work plans between Boards and Commission, Staff Liaisons, Department Directors and Council Liaisons.
- 2. Integrate the review formally into the County's annual planning and budget process, to the extent needed
- 3. Focus work plans and Council review of work plans on Council goals and meaningful policy issues.

<u>Tasks:</u>

Boards and Commission, Department Directors and B&C staff Liaisons will collaborate to:

- 1. Link work plans to Council priorities/goals for the budget cycle as well as indicating any long-range activities or research they feel may be necessary.
- 2. Stay abreast of the current comprehensive and master planning processes, recognizing that priorities for budgets and projects will be informed largely by the results of these planning efforts,
- 3. Identify any budgetary impact of board or commission activity as part of work plan development, including any funds desired for training for members of Boards or Commissions.
- 4. Identify needed/anticipated interfaces with other boards or commissions
- 5. Identify needs/efforts for public involvement and/or informing the public

County Council will:

6. Set up a 3-member committee to review all submitted work plans and prepare a summary report for the entire Council

County staff, in consultation with the County Manager's Office will:

- Create a structure that allows sufficient time for development and review of plans by members of Boards and Commissions, Department Directors and Council Liaisons before submittal to the Council Review Committee.
- 8. Schedule annual presentations to Council during work sessions that will be brief, yet flexible enough to afford time for extended consideration of issues of a particular Boards or Commission as needed.

Council Liaisons to Boards and Commission will:

9. Keep the Chairs of the B&C's assigned to them regularly informed of issues described above and of Council's priorities for the County government

Sequence for Preparation/Review of FY20 Work Plans

Jan 2019	 Council conducts a strategic planning session and develops their strategic plan and goals for FY20. The FY20 Work Plan template is distributed to B&Cs.
Jan 2019	- Council identifies the 3-member Work Plan Review Committee
Jan/February 2019	- Department Directors develop their budgets including the evaluation of any financial resources requested by the B&Cs. Departmental budgets are reviewed with the Finance Department and County Manager.
Feb 2019	- Boards and Commission/Departments review the FY19 work plan and discuss potential items for the FY20 work plan related to the department's priorities and the board's responsibilities.
Jan/ March 2019	- Boards and Commission/Departments develop draft work plans
Feb 11 – Mar 22, 2019	- Deadline for B&C work plan submittal to B. Lai
April 2019	 Council Review Committee reviews/evaluates submitted work plans and prepares a summary report
May 2019	 Council Review/Summary Report for B&C Work Plans is presented to the entire Council

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Legislative File:	11883-19	

Title

Commissioner Training - Alvin Leaphart, County Attorney and Kevin Powers, Assistant County Attorney