County of Los Alamos

1000 Central Avenue Los Alamos, NM 87544



Agenda - Final Planning and Zoning Commission

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

Wednesday, August 21, 2019

5:30 PM

Council Chambers 1000 Central Avenue

- 1. CALL TO ORDER/ROLL CALL
- 2. PUBLIC COMMENT

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

- 3. APPROVAL OF AGENDA
- 4. PUBLIC HEARING(S)
- A Summary Plat request for a lot split of 3960 Arizona Ave, Lot 193, North Community 2 Subdivision. Approval of the application will create two conforming lots: Lot 193A (6,925 ft2 net) and Lot 193B (6,579 ft2). The property is currently vacant and is located within the Residential Mixed-North Community district (R-M-NC).

Attachments: StaffReport SUM-2019-0032

- 5. PLANNING AND ZONING COMMISSION BUSINESS
- A. <u>12251-19</u> Minutes from the Planning And Zoning Commission Meeting(s) on August 7, 2019

Attachments: P&Z Minutes 07Aug-2019

- B. Economic Development Training
- 6. COMMISSION/DIRECTOR COMMUNICATIONS
- A. Department Report
- B. Chair's Report
- C. Commissioners' Comments

County of Los Alamos Printed on 8/16/2019

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.

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County of Los Alamos Printed on 8/16/2019



Los Alamos County

Community Development Department

PLANNING & ZONING COMMISSION STAFF REPORT

Public Hearing Date: August 21, 2019

Subject: Case No. SUM-2019-0032

3960 Arizona Ave

Owners/Applicants: Robert A. Eaton, Owner/Applicant

Case Manager: Desirae J. Lujan, Associate Planner

Case No. SUM-2019-0032:

A Summary Plat request for a lot split of 3960 Arizona Ave, Lot 193, North Community 2 Subdivision. Approval of the application will create two conforming lots: Lot 193A (6,925 ft² - net) and Lot 193B (6,579 ft²). The property is currently vacant and is located within the Residential Mixed-North Community district (R-M-NC).

Motion Option 1:

I move to **approve** Case No. SUM-2019-0032, a lot split of 3960 Arizona Ave, Los Alamos, NM, for the reasons stated in the staff report and per testimony at the public hearing, and subject to the following condition(s):

- 1. Prior to approval endorsement by the Community Development Director and plat recording with the County Clerk, the Final Plat shall provide all current easements and indicate size or dimensions and easement type on plat, including a small easement on the NE corner of the lot as recovered by the County Surveyor.
- 2. Prior to approval endorsement by the Community Development Director and plat recording with the County Clerk, the Final Plat should reflect the address for each lot: LOT 193A as 3960 ARIZONA AVE, and LOT 193B as 3966 ARIZONA AVE.
- 3. ...

Motion Option 2:

I move to **deny** Case No. SUM-2019-0032, a lot split of 3960 Arizona Ave, Los Alamos, NM, finding the proposal fails to meet the Los Alamos County Code of Ordinances, Chapter 16 – Development Code, §16-154, review criteria for a Summary Plat for the following reason(s):

1. ...

SUMMARY

On June 17, 2019, the Community Development Department received a Summary Plat application [Exhibit A]. Robert A. Eaton, owner, requested approval to subdivide his existing lot located at 3960 Arizona Ave to create two conforming lots. The site location [Exhibit B] is within North Community, adjacent to the Santa Fe National Forest. According to Los Alamos County Code of Ordinances, Chapter 16 – Development

Code, §16-51, the Community Development Director has the authority to approve, conditionally approve or deny Summary Plat applications.

Planning Division staff initiated the administrative process with review of the application and found it to be in full compliance with all Development Code requirements and standards set forth for the R-M-NC district. Additionally, the process included review from the County Engineer and Department of Utilities; and as required by §16-122 (J)(3), notification to adjacent property owners was mailed and posted at the Municipal Building on July 5, 2019. Per Code §16-51 (c)(4), a Summary Plat application is referred to the Planning and Zoning Commission whenever a protest is received within 10-days of notification. As such, a written protest was received on Friday, July 12, 2019 [Exhibit C], which initiated the Planning and Zoning process.

As of the publication date of this report, no other objections regarding this lot split have been received. However, on August 1, 2019, a request for more information was emailed to staff; information and clarity were forwarded.

IDRC

The Interdepartmental Review Committee (IDRC) reported via email starting July 22, 2019 through July 29, 2019. The County Engineer noted conditions that shall be reflected on a Final Plat submission, prior to the Community Development Director endorsing his approval on the plat, and its recording:

- 1. The Final Plat shall provide all current easements and indicate size or dimensions and easement type on the plat, including a small easement on the NE corner of the lot as recovered by the County Surveyor. [Note: Research documents have been provided to the applicant.]
- 2. Final Plat should reflect the address for each lot: LOT 193A as 3960 ARIZONA AVE, and LOT 193B as 3966 ARIZONA AE.

Department of Utilities commented that there are no utility services available to Lot 193A. All utility services will have to be developed by any future developer/owner in accordance to Los Alamos DPU standards, at the expense of the developer. Utility services will need to be independent of the current (existing) services for the front lot (193B).

The Environmental Services Division reported no comments or conditions.

Department	Member Alternate	Responded	Recommendation	Condition or Comment(s)
Building	Arellano, Michael Martinez, David	X	-	-
Planning	Foster, Ryan Barela, Anita Lujan, Desirae J.	٧	Conditional Approval	-
Utilities	Alarid, James Guerrerortiz, Patricio Moseley, Clay	V	-	1. There are no utilities services available to the proposed lot (back) lot. All utility services will have to be developed by any future developer/owner in accordance to Los Alamos DPU standards, at the expense of the developer.

				Utility services will need to be independent of the current (existing) services that exist for the front lot.
Environmental Svc	Gurule, Angelica	٧	-	No Comments or Conditions.
PW/Eng/Surveying	Martinez, Eric Lujan, Desirae L. Romero, Jason	V	Conditional Approval	1. The Final Plat shall provide all current easements and indicate size or dimensions an easement type on the plat —including a small NE corner of the lot; 2. The Final Plat shall provide Addresses on the plat for both lots as: Lot 193A= 3960 ARIZONA AVE Lot 194B= 3966 ARIZONA AVE
Traffic	Rael, Juan Erickson, Dan	X	-	-
Fire	Servey, Wendy Rinaldi, Stephen	Х	-	-

DEVELOPMENT STANDARDS

Development Standards are implemented to preserve the intent and character of the established zoning districts:

"The Residential-Mixed district is intended to accommodate single-family and two-family dwellings and accessory structures and uses and is further intended to maintain and protect a residential character of development." §16-533 (4)

The R-M-NC district is an extension of the R-M district — specific to North Community.

Minimum Lot Size §16-536 (b)

The minimum lot size within the R-M-NC zoning district is 6,500 ft² to place a single-family dwelling. This is a district where flag lots are accepted. A flag lot has a minimum lot size of 6,500 ft², which is calculated by excluding the land for all required driveways.

Lot 193A is a flag lot defined within the Code as: "a lot not fronting a public road, and where access to the public road is by a private driveway placed on a land not less than 20 feet in width." Excluding the driveway, the net area would consist of $6,925 \pm \text{ft}^2$ which would meet the minimum lot size.

Lot 193B fronts Arizona Avenue, a public road, and will consist of $6,579 \pm \text{ft}^2$. This lot meets the minimum lot size of $6,500 \text{ ft}^2$ to place a single-family dwelling. Although the lot is oddly shaped—providing private access to the Santa Fe National Forest—it does <u>not</u> meet the definition of a flag lot because it is not being accessed by a private driveway, and directly fronts Arizona Ave, as described within §16-536.

Maximum Lot Coverage §16-536 (g)

Maximum lot coverage in the R-M-NC district is 40%. Both lots are vacant, therefore, lot coverage will be assessed at the time of proposed development and building permit.

Setbacks §16-536 (d)

Minimum Setbacks within the R-M-NC district are: 15-feet in the front; 20-feet in the rear; and 7.5-feet on each side, or a distance necessary to provide a minimum separation of 15-feet between structures on adjoining lots. As lots are vacant, any future applications for development will involve Planning review to ensure setback compliance.

Lot Frontage §16-536 (e)

Lot 193A, as a flag lot, is required to have a minimum frontage for the private drive as 20-feet. The lot proposes a 20' driveway that widens to 22.01' at Arizona Avenue.

Lot 193B depicts a 65.14' frontage, exceeding the required 40' frontage for a single-family dwelling.

NOTICE

Notice of this public hearing has been given per the requirements of the Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-192 (b), and included: U. S. mail to owners of real property within 100 yards (300') of the subject property [Exhibit D]; publication in the Los Alamos Daily Post (published 8/1/19), the County's official newspaper of record; and posting at the Los Alamos County Municipal Building.

SUMMARY PLAT REVIEW CRITERIA

Section 16-154 of the Los Alamos County Development Code states that during the course of review of any summary plat, the following approval criteria shall be utilized in rendering 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 proposed lot split conforms to the Comprehensive Plan's Housing Goal to protect residential character while balancing the recognition of the need for more housing. The Comprehensive Plan states: "... existing neighborhoods do not have many vacant lots. Where such lots do exist ... it is desirable to see new houses constructed in order to make the best and most efficient use of existing infrastructure, including utilities." The approval to subdivide Lot 193 into two conforming lots, does not appear to impair the character of the neighborhood, or be "materially detrimental to the health, safety and general welfare of the County."

(b) Both lots shall front onto an existing, dedicated and improved street.

Applicant Response:

"The lots front Arizona Avenue."

Staff Response:

Both lots will front Arizona Avenue, an existing, dedicated and improved street.

(c) Both lots and uses must meet the minimum site development parking requirements of the applicable district, as set forth in Article IX.

Applicant Response:

"See Plat."

Staff Response:

The vacant lots will be required to provide at least two off-street parking spaces per dwelling unit at the time of development.

(d) Necessary easements shall be provided for existing and proposed utilities in an acceptable manner to the County Engineer and the Utilities Manager.

Applicant:

"See Plat."

Staff Response:

The preliminary plat submitted depicts existing utilities, but at this time does not denote any easements. County Surveyor research shows that a <u>Vacation of Utility Easements</u> was recorded for this lot in April 2005; however, according to the County Surveyor, a small easement on the NE corner still exists. County Engineer requires that the Final Plat provide all current easements, which should include their size, dimension and type before the Community Development Director endorses his approval on the plat; and prior to recording of the summary plat with the County Clerk. Comments from Utilities do not mention additional easements.

RECOMMENDATION

Staff has applied the Summary Plat Review Criteria to determine the recommendation of approval of CASE NO. SUM-2019-0032, with the conditions made by County Engineer Public Works — and to be fulfilled before the Community Development Director endorses his approval on the Final Plat, and prior to being recorded with the County Clerk.

FINDINGS OF FACT

- The application is a request for a lot split of 3960 Arizona Avenue, Lot 193 within the North Community 2 Subdivision, totaling 15,430 square feet (0.35 acres) and zoned R-M-NC (Residential Mixed, North Community).
- The lot split will create Lot 193A measuring a net area of $0.16 \pm$ acres and Lot 193B measuring 0.15 \pm acres, located within the North Community 2 Subdivision.
- 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>Los Alamos Daily Post</u>, the official newspaper of record; and property owners of real property
 located within 100 yards of the subject property were notified of this public hearing by U.S. mail, all
 in accordance with the requirements of §16-192 of the Los Alamos County Development Code.

- The proposed lots conform to all site development requirements for residential mixed districts (R-M-NC) within the Los Alamos County Development Code —including 6,500 square foot minimum lot size.
- The proposed lot split conforms to the Comprehensive Plan's Housing Goal to protect residential character while balancing the recognition of the need for more housing.

EXHIBITS

Exhibit A: Summary Plat Application and Preliminary Plat

Exhibit B: Site & Vicinity Map

Exhibit C: Letter of Objection from adjacent property owner
Exhibit D: Notification Map – 100 yards (300') from site location
Exhibit E: List of Property Owners within 100 Yards (300 Feet)



SUMMARY PLAT APPLICATION

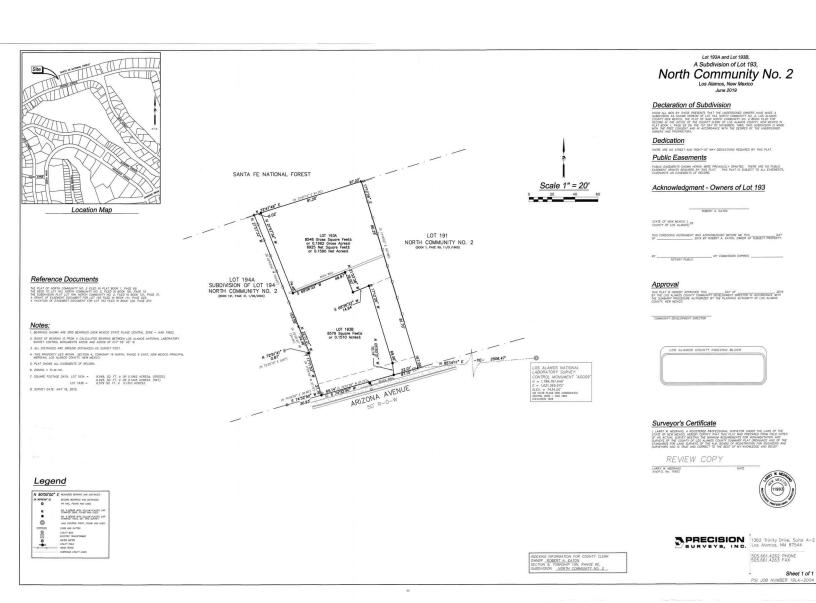
Los Alamos County Community Development Department

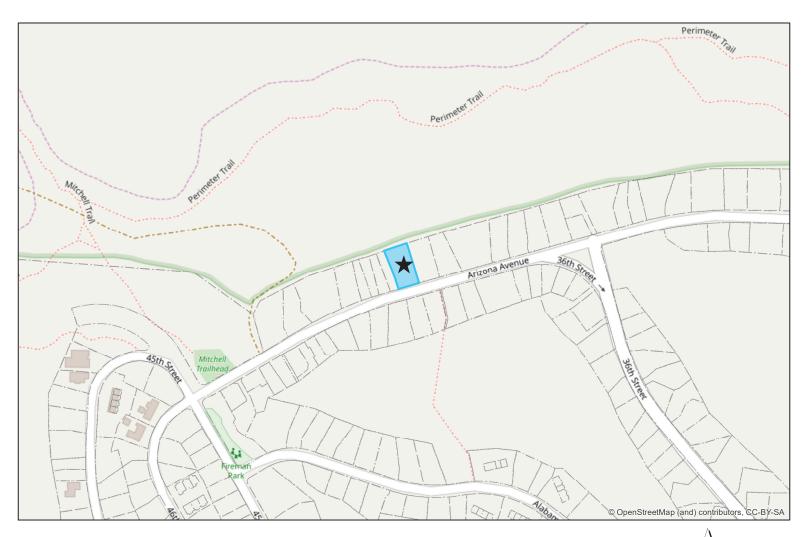
1000 Central Ave, Suite 150, Los Alamos NM 87544 (505) 662-8120

Note: A Summary plat is for the purpose of a lot split into no more than two lots in any zoning district; or for adjustment of a lot line; consolidation of no more than two lots; or a technical surveying correction.

Check all that apply:				
Lot Split				
PROPERTY OWNER (Applications for Summary Plat may only be made by the Owner of the Property):				
Name: Robert A. Eaton Phone: 565 690 6276 ell #:				
Address: 3803 Arkansas Avenue, Los Alamos Email: reaton6235@gmail.com				
Owner's Address				
Property to be Split:3960 Arizona Avenue, Los Alamos				
Address Zoning District: R-M-NC				
Lot Coverage for each lot: N/A Vacant land_				
Related Applications: None				
SUMMARY PLAT REVIEW CRITERIA:				
The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-154 establishes four (4) criteria to be considered when reviewing an application for Summary Plat approval. Please review each of the criteria listed and provide short comments on how your application meets the criteria in the space provided.				
(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. There are no health or safety issues				

(b) For Lot Splits, both lots shall front on an existing, dedicated and improved street. The lots front Arizona Avenue	
(c) Both lots and uses must meet the minimum site development parking requirements of the applicable district, as set forth in article IX.See Plat	
(d) Necessary easements shall be provided for existing and proposed utilities in a manner acceptable to the county engineer and the utilities manager. See Plat	
REQUIRED SUBMITTALS: Check each of the boxes to indicate that you have attached each of the following, and, if possible, one complete copy of all materials on disk:	
Provide a TITLE for the Plat (Lot Split, Lot Consolidation, etc.) or Provide a Purpose Statement on the Plat	t.
☐ Proof of property ownership.	
A scaleable proposed Plat with Metes and Bounds prepared by a Licensed Surveyor including all the following information: Label "Old Lot Line" and "New Lot Line" as appropriate. Show and label the footprint of all existing buildings and structures on the site. Show, dimension and label all existing and proposed easements. Show, dimension and label all existing and proposed setbacks.	
THIS SECTION TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DEPARTMENT	
For County Use:	
Date of Issue: Staff Initial:	





3960 ARIZONA AVE | SUM-2019-0032

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





 From:
 Syli Williams

 To:
 Lujan, Desirae J.

 Cc:
 Syli Williams

Subject: Case No. - SUM-2019-0032 **Date:** Friday, July 12, 2019 5:02:48 PM

I am responding to the letter I received on the case number above. I object to having two (2) lots at 3960 Arizona (LOT 193A). The reason why, is because this increases the number of people and vehicles on the street. We were told that there would be no on street parking after the Cerro Grande Fire. There has been zero enforcement by the county on this and there are many people that park on the street. More homes where there were less is not right. I have seen the structures increase as many people are splitting the lots on Arizona and other streets and see more and more cars on the street. I am right next to this lot and will be impacted more then most people. I would ask that this request is not approved to split. One last comment I would like to make is that the current owners have not cleaned up this lot for a long time. The last owners didn't clean it up either. We call this the thistle patch. The weeds are very high. This lot is never cleaned and if this is an indication of what new people would do I prefer not to have more neighbors like this.

In summary, I object to this application.

Thank you,

Sylvia Williams



NOTIFICATION BUFFER | SUM-2019-0032

* Numbers correspond to the notification list.

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SUM-2019-0032 NOTIFICATION LIST - 300' BUFFER

ID	PHYSICAL ADDRESS	OWNERNAME	MAILING ADDRESS	CITY	STATE	ZIP
1	3980 ARIZONA AVE	AULWES ROB T	3980 ARIZONA AVE	LOS ALAMOS	NM	87544
2	3839 ARIZONA AVE	BACA DEBRA M	3839 ARIZONA AVE	LOS ALAMOS	NM	87544
3	4011 ARIZONA AVE	BEGUIN JAN & JERRY	4011 ARIZONA AVE	LOS ALAMOS	NM	87544
4	4042 ARIZONA AVE	BELL TIMOTHY R & DORIS	4042 ARIZONA AVE	LOS ALAMOS	NM	87544
5	3909 ARIZONA AVE	COURTRIGHT INVESTMENTS LLC	2197 LOMA LINDA DR	LOS ALAMOS	NM	87544
6	3919 ARIZONA AVE	COURTRIGHT INVESTMENTS LLC	2197 LOMA LINDA DR	LOS ALAMOS	NM	87544
7	3960 ARIZONA AVE	EATON ROBERT A	3803 ALABAMA AVE	LOS ALAMOS	NM	87544
8	3970 ARIZONA AVE	EVEN WESLEY P	232 45TH ST	LOS ALAMOS	NM	87544
9	3782 ARIZONA AVE	FISHER SARAH B & KARL L	3782 ARIZONA AVE	LOS ALAMOS	NM	87544
10	4100 ARIZONA AVE	FITZGIBBON FRANCIS J & SALLY A REVOC TRUST	4100 ARIZONA AVE	LOS ALAMOS	NM	87544
11	3767 ARIZONA AVE	LINDQUIST LLOYD O II	125 RIDGECREST DR	SANTA FE	NM	87505
12	9999 ALABAMA AVE	LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	NM	87544
13	9999 ALABAMA AVE	LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	NM	87544
14	3833 ARIZONA AVE	MCCLELLEN PATRICK & VIRGIE	3833 ARIZONA AVE	LOS ALAMOS	NM	87544-1528
15	3990 ARIZONA AVE	PRIMAK STANLEY D & JOAN M REV TRUST	1391 B 44TH ST	LOS ALAMOS	NM	87544
16	4000 ARIZONA AVE	PRIMAK STANLEY D & JOAN M REV TRUST	1391 B 44TH ST	LOS ALAMOS	NM	87544
17	4033 ARIZONA AVE	RENNEKE RICHARD & ANGELA	4033 ARIZONA AVE	LOS ALAMOS	NM	87544
18	STATE ROAD 4	SANTA FE NATIONAL FOREST	PO BOX 1689	SANTA FE	NM	87505
19	4105 ARIZONA AVE	SCHNEDLER DAVE A & MARY A	1340 LA MIRADA CIR	LOS ALAMOS	NM	87547
20	4117 ARIZONA AVE	SCHNEDLER DAVE A & MARYANN	1340 LA MIRADA	LOS ALAMOS	NM	87544
21	3850 ARIZONA AVE	WILLIAMS RICHARD B & LANZA NINA L	3850 ARIZONA AVE	LOS ALAMOS	NM	87544-1527
22	3870 ARIZONA AVE	WILLIAMS SYLVIA L REVOC TRUST	3870 ARIZONA AVE	LOS ALAMOS	NM	87544



County of Los Alamos Staff Report

Los Alamos, NM 87544 www.losalamosnm.us

August 21, 2019

Agenda No.:	A.
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Index (Council Goals):

Presenters:

Legislative File: 12251-19

Title

Minutes from the Planning And Zoning Commission Meeting(s) on August 7, 2019

Recommended Action

I move that the Commission approve the Minutes for August 7, 2019

Attachments

A - Draft Minutes for August 7, 2019

1000 Central Avenue

LOS ALAMOS

County of 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, August 7, 2019 5:30 PM Council Chambers

1. CALL TO ORDER/ROLL CALL

Present 6 - Commissioner Arias, Commissioner Martin, Commissioner Wade,
Commissioner Martin, Commissioner Neal-Clinton and Commissioner
Priestley

Absent 2 - Commissioner Dixon and Commissioner Dewart

- 2. PUBLIC COMMENT
- 3. APPROVAL OF AGENDA

Approval

- 5. PLANNING AND ZONING COMMISSION BUSINESS
- A. Training Processing Building Permits; Michael Arellano, Chief Building Official

Michael Arellano presented Building Permitting process; explaining the steps taken after Planning and Zoning Commission approval.

B. <u>12187-19</u> Minutes from the Planning And Zoning Commission Meeting on July 10, 2019

<u>Attachments:</u> A - Draft Minutes for July, 10, 2019

Chair Priestley noted that Jean Dewart's attendance needed correction. approved as amended

- 6. COMMISSION/DIRECTOR COMMUNICATIONS
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