

**INCORPORATED COUNTY OF LOS ALAMOS ORDINANCE NO. 677**

**AN ORDINANCE AUTHORIZING REVISION NO. 2018-01 IN TEXTUAL FORM TO THE OFFICIAL ZONING MAP OF LOS ALAMOS COUNTY BY REZONING TWO (2) CONTIGUOUS PARCELS WITH A TOTAL OF APPROXIMATELY 1.44 ACRES OF LAND LOCATED AT 555 OPPENHEIMER, OWNED BY 555 OPPENHEIMER CONDOMINIUM ASSOCIATION, INC., AND 557 OPPENHEIMER, OWNED BY LOS ALAMOS PROFESSIONAL INVESTMENT PARTNERSHIP, TIMBER RIDGE SUBDIVISION 2, UNIT 2, LOT 1 AND LOT 2, FROM P-O (PROFESSIONAL OFFICE DISTRICT) TO MU (MIXED USE)**

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

**WHEREAS**, certain properties located within the County are owned by 555 Oppenheimer Condominium Association, Inc. and Los Alamos Professional Investment Partnership which are the subject of this Ordinance; and

**WHEREAS**, the respective properties are located at 555 and 557 Oppenheimer Drive, Los Alamos, New Mexico (hereafter "Properties"), and

**WHEREAS**, the Properties are currently zoned for Professional Office District uses; and

**WHEREAS**, County applied to the County's Planning and Zoning Commission ("Commission") to amend the official zoning map to rezone the Properties from Professional Office District ("PO") to Mixed Use ("MU"); and

**WHEREAS**, the Commission, at its January 10, 2018 public meeting, held a public hearing on the application for amendment to the official zoning map pursuant to the criteria contained in Section 16-155 of the Development Code; and

**WHEREAS**, the 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 Commission, after public hearing and at its noticed public meeting on January 10, 2018, reviewed and adopted findings of fact regarding the application; and

**WHEREAS**, the Commission recommends to the County Council the approval of the amendment to the official zoning map, as recommend or with conditions, as may be determined by the Council.

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

**Section 1.** The Council finds that this amendment to the official zoning map is in conformity with the provisions of Section 16-155 of the Development Code and finds:

- 1) The Properties are owned by 555 Oppenheimer Condominium Association, Inc. and Los Alamos Professional Investment Partners.
- 2) The Properties' size is approximately 1.44 acres.
- 3) The subject Properties are located at 555 and 557 Oppenheimer Drive, Los Alamos, New Mexico.

- 4) The Properties have developed lots.
- 5) The Properties are zoned P-O, Professional Office District, as described in Section 16-533(13) of the Development Code.
- 6) Public Notice has been made in compliance with the Development Code and State law.
- 7) A request for amendment to the comprehensive plan has been submitted concurrently with the request for amendment to the official zoning map in order that the rezoning shall substantially conform to the comprehensive plan.
- 8) The rezoning is not materially detrimental to the health, safety and general welfare of the county.
- 9) Consideration has been 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.
- 10) 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.
- 11) The existing zoning has been shown to be inappropriate for the following reasons: changed conditions warrant the rezoning and a different zone is more likely to meet goals contained in the comprehensive plan.
- 12) The proposed zoning will not result in spot zoning or strip zoning as defined in article I of this chapter.
- 13) Based on 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, including the recommendation to amend the County Zoning Map from the Planning and Zoning Commission, and after a duly noticed public hearing with a quorum of Council members present, the Council finds that the application requirements for a zoning map amendment have been met.

**Section 2.** The Official Zoning Map of Los Alamos County is hereby amended by rezoning to MU (Mixed Use), those certain tracts of land being ~1.44 acres of land, more or less, to wit:

- 1) 555 Oppenheimer Drive, 0.73± acres, also known as Lot 1 from P-O (Professional Office) to MU (Mixed Use);
- 2) 557 Oppenheimer Drive, 0.71± acres, also known as Lot 2 from P-O (Professional Office) to MU (Mixed Use);

**Section 3.** The Official Zoning Map of the Incorporated County of Los Alamos shall be, and hereby is amended, to reflect the rezoning referenced herein, and said change to be made to the Official Zoning Map at its next update.

**Section 4. Effective Date.** This Ordinance shall be effective thirty (30) days after publication of notice of its adoption.

**Section 5. Severability.** Should any section, paragraph, clause or provision of this ordinance, for any reason, shall 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 6. 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** the 27th day of February, 2018.

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

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**David Izraelevitz, Council Chair**

**ATTEST: (SEAL)**

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