

**INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02- 295**

**REVISION NO. 2019-01 IN TEXTUAL FORM TO THE OFFICIAL ZONING MAP  
OF LOS ALAMOS COUNTY BY REZONING TWO (2) PARCELS, CONSISTING OF  
APPROXIMATELY 4.5 ± ACRES OF LAND LOTS K AND L OF THE NORTH COMMUNITY  
1 SUBDIVISION FROM C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS) TO  
M-U (MIXED USE); REZONE IS EFFECTIVE THIRTY (30) DAYS AFTER  
PUBLICATION OF NOTICE OF ITS ADOPTION**

**WHEREAS**, the Grothus Family Trust ("Trust") owns the real property known as lots K and L, addressed as 3901 and 4015 Arkansas Avenue, in Los Alamos, New Mexico (hereafter "Properties") which are the subject of this Code Ordinance; and

**WHEREAS**, the Trust has given T2 Development, LLC, authorization to pursue all approvals related to this property, including Rezoning; and

**WHEREAS**, the Properties are currently zoned for Light Commercial (C-1); 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**, T2 Development, LLC applied to the County to change the official zoning map, specifically to rezone lots K and L from C-1 (Light Commercial) to M-U (Mixed Use); and

**WHEREAS**, the Planning and Zoning Commission of the Incorporated County of Los Alamos, at its meeting on February 27, 2019, held a public hearing on an application for amendment to the official zoning map pursuant to the criteria contained in §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 Planning and Zoning Commission, after public hearing and at its noticed public meeting on February 27, 2019, reviewed and adopted findings of fact regarding the application; and

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

**WHEREAS**, the County Council held a hearing on April 2, 2019, at which hearing the Council found that the amendment to the official zoning map is 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 Grothus Family Trust.
- 2) The Grothus Family Trust has authorized T2 Development, LLC, to act on their behalf in the matter of rezoning application.
- 3) The Properties' size is approximately 4.5 acres.

- 4) The subject properties are Lots K and L, addressed as 3901 and 4015 Arkansas Avenue, Los Alamos, New Mexico.
- 5) The subject properties are zoned C-1 as described in Section 16-533 of the Development Code.
- 6) The subject properties will both be rezoned to M-U (Mixed Use), also as described in Section 16-533 of the Development Code.
- 7) Public Notice has been made in compliance with the Development Code and State law.
- 8) 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 M-U (Mixed Use), those certain tracts of land being measured as approximately 4.5 acres.

**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 is to be made to the Official Zoning Map at its next 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 2<sup>nd</sup> day of April, 2019.

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

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**Sara C. Scott,  
Council Chair**

**ATTEST: (SEAL)**

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