

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-301

REVISION NO. 2019-02 IN TEXTUAL FORM TO THE OFFICIAL ZONING MAP OF LOS ALAMOS COUNTY BY REZONING ONE (1) COUNTY OWNED PARCEL, CONSISTING OF APPROXIMATELY 2.02 ACRES OF LAND, TRACT F-1 FROM RIGHT-OF-WAY TO PUBLIC LAND (P-L); REZONE IS EFFECTIVE THIRTY (30) DAYS AFTER PUBLICATION OF ITS ADOPTION NOTICE

WHEREAS, the Incorporated County of Los Alamos ("County") owns the real property known as Tract F-1, Western Area 1, 855 Diamond Drive in Los Alamos, New Mexico (hereafter "Property") which is the subject of this Ordinance; and

WHEREAS, the Property is currently designated as Right-of-Way; 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, County applied to the Planning and Zoning Commission of the Incorporated County of Los Alamos (the "Commission") to change the official zoning map, specifically to rezone Tract F-1 from the designation of Right-of-Way to Public Land (P-L); and

WHEREAS, the Commission, at its meeting on September 25, 2019, held a public hearing on an application for an 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 Commission, after its noticed public meeting on September 25, 2019, reviewed and adopted Findings of Fact regarding the application; and

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

WHEREAS, the County Council held a hearing on November 26, 2019, at which the County 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.
- 2) The Property's size is approximately ~ 2.02 acres.
- 3) The subject property, Tract F-1, is addressed as 855 Diamond Drive, Los Alamos, New Mexico, adjacent to Sullivan Field.
- 4) The subject property is designated as Right-of-Way and does not have a designated zone.
- 5) The subject property shall be rezoned to P-L as described within Article XIII of the Development Code.

- 6) Public Notice has been made in compliance with the Development Code and State of New Mexico 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 P-L (Public Land), those certain tracts of land being ~ 2.02 acres of land, more or less, to wit:

*1) Tract **, 2.02± acres, from the designation of right-of-Way to P-L (Public Land)*

Section 2. The Official Zoning Map of the Incorporated County of Los Alamos be, and hereby is amended to reflect the rezoning referenced herein, said change 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 26th day of November 2019.

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

**Sara C. Scott
Council Chair**

ATTEST: (SEAL)

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