



Los Alamos County
Community Development Department

**PLANNING & ZONING COMMISSION
STAFF REPORT**

Public Hearing Date: June 25, 2025
Subject: Variance; Case No. VAR-2025-0013
Applicants/Owners: Wesley Lansford & University of New Mexico-Los Alamos on behalf of property owners Los Alamos Public School Board
Case Manager: Danyelle Valdez, Planning Manager

Professional Background:

Bachelor's degree in business administration; 12 years' experience in Real Estate Development, Project Management, Planning and Land Use.

Case No. VAR-2025-0013. *Wesley Lansford and the University of New Mexico–Los Alamos, on behalf of the Los Alamos School Board (property owner), request a variance for the property located at 4000 University Drive, Los Alamos, NM. The request is for a variance to Chapter 16, Development Code, Article III – Use Regulations, Division 1 – Permitted Uses, to allow a 115 square foot accessory structure in INSTITUTIONAL (INS) zoning, and to Section 16-18(b)(8) to reduce the required setback from 10 feet to 5 feet from another accessory structure.*

EXECUTIVE SUMMARY

The applicant, the University of New Mexico – Los Alamos (UNM-LA), is requesting approval of variance to allow the placement of an accessory structure on its institutional campus, located at 4000 University Drive. The accessory structure is being proposed adjacent to Building 8 and is intended to house and protect specialized kiln equipment used in the University's ceramics courses.

Chapter 16 of the Development Code establishes the review process for accessory structures within the Institutional (INS) zoning district; however, the proposed use is not listed as a permitted use in Table 26 (Sec. 16-14) and therefore requires a variance. A second variance is also required from Section 16-18(b)(8) to allow a reduced setback of five feet between accessory structures, where a minimum of ten feet is otherwise required. These two requests are interdependent, approval of one is irrelevant without the approval of the other.

The selected location was chosen due to its proximity to the ceramics classroom, its ability to accommodate ADA-compliant access routes, and its suitability for the movement of

ceramic carts and materials. No other area on the campus offers the necessary combination of accessibility and operational functionality to support the program's needs.



Figure 1: Proposed Location 115 square foot Accessory Structure

PROPERTY INFORMATION

The subject property is located at 4000 University Drive and is approximately 15.24 acres in size, and contains 103,896 square feet of developed building area. It is zoned Institutional (INS) and functions as the University of New Mexico – Los Alamos (UNM-LA) Branch Campus.

Since its establishment in 1980, the campus has undergone multiple facility expansions. The Learning Resource Center and remodeled Student Services Center were completed in 1996 and 2000, respectively. The campus includes classroom buildings, administrative offices, a library, a tutorial center, and adult education services. Course offerings serve a diverse population, benefiting everyone from professionals in the local science and research sectors to community members seeking personal enrichment through art and continuing education.

BACKGROUND

The applicant began working with Los Alamos County Planning Division in December 2024 to identify the requirements for placing a 115-square-foot accessory structure on the University of New Mexico – Los Alamos (UNM-LA) campus. On June 3, 2025, Planning staff met with the applicant to review his proposal, at which time staff received a formal variance application. Due to the unique time constraints imposed by the traditional school year, and because ceramics classes have already been scheduled for the fall 2025 semester, the application was accepted and expedited for review.

The proposed location, directly adjacent to the ceramics classroom, ensures safe, accessible, and efficient kiln operations. Locating the structure elsewhere on campus would create accessibility challenges and conflict with the University's planned ADA improvements. Its placement adjacent to the classroom supports functional program needs and aligns with broader campus accessibility objectives. The site is subject to unique physical constraints, including an irregular shape and a limited buildable area resulting from existing conditions.

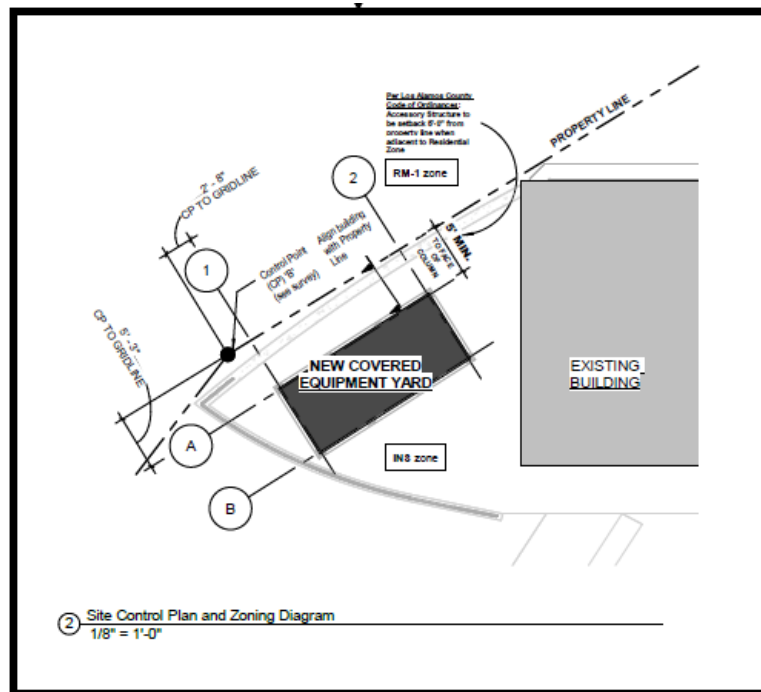


Figure 2: Site Plan

INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) REVIEW

On June 3, 2025, the IDRC reviewed the application via email and unanimously recommended it proceed to the Planning and Zoning Commission for consideration. The Committee did not express any concerns about the proposal, nor did they forward any recommended conditions to approval for the Planning and Zoning Commission to review.

Members Present:

- Danyelle Valdez, Planning Manager/Case Manager
- Karen Henderson, Senior Engineer, Public Works
- James Alarid, DPU Deputy Utility Manager
- Colorado Cordova, Fire Marshal
- Stephen Marez, DPU Electric Distribution, Deputy Utility Manager

The Los Alamos County Building Official had no additional comments to provide. The Construction Industries Division (CID), the regulatory authority for structures within the Institutional Zoning District, has approved the construction permit.

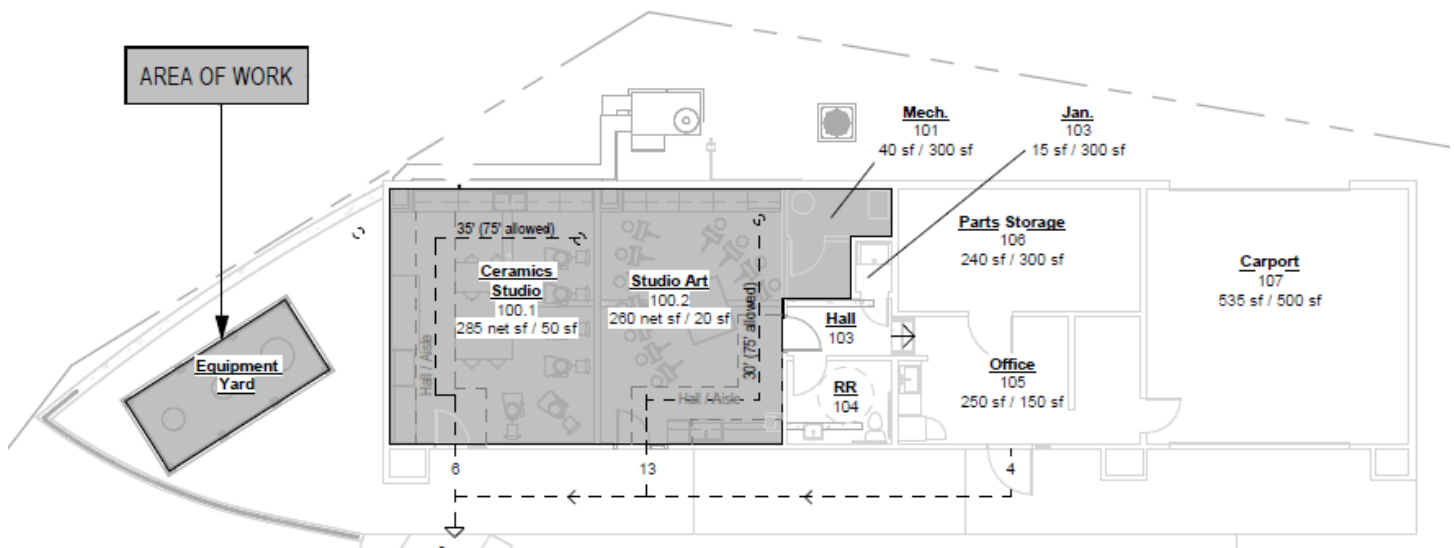


Figure 3- Proposed Area for Accessory Structure

Exhibit A: IDRC Email Reviews

PUBLIC NOTICE

The Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Sec. 16-72(c) Notifications, sets forth the requirements for proper notice to the public for a public hearing:

- Published and Posted Notice [16-72(c)(4)]:
 - Notice published in a newspaper of general circulation within the County at least 14-calendar days before the meeting or hearing. **Published June 5, 2025**
 - The posting of at least one sign on a street abutting the property that is the subject of the application – visible from the street – for at least 14-calendar days before the public meeting or hearing. **Posted June 5, 2025**
- Mailed Notice [16-72(c)(5)(c)]:
 - Mailed notice 14 days prior to the public hearing to all owners of record as identified in the records of the County Tax Assessor or occupants of properties within 300 ft., excluding public rights-of-way, of exterior lot lines of the subject property. **Mailed June 05, 2025**

Exhibit B: Public Notices

VARIANCE DECISION CRITERIA

Section 16-74(g)(3) of the Los Alamos County Development Code states that an application for a Variance shall be approved if it meets all the following criteria:

- a. **The variance will not be contrary to the public safety, health, or welfare.**

Applicant Response: Correct. The proposed structure has been designed by a qualified, professionally licensed, full Design Team, following all applicable safety and building codes. The project has been issued, reviewed and approved by Construction Industries Division of New Mexico (CID) for Permit.

Staff Response: It is the expert opinion of staff that this criterion has been met. The proposed structure has been reviewed and approved for permit issuance by the New Mexico Construction Industries Division (CID), confirming compliance with all applicable building and safety codes. Additionally, the design was prepared by a qualified and professionally licensed design team, further ensuring the structure meets established safety standards. The project is not contrary to public safety, health, or welfare; rather, it supports public welfare by enhancing the built environment for continuing education purposes.

b. The variance will not undermine the intent of this Code, the applicable zone district, other county adopted policies or plans, or violate the building code.

Applicant Response: Correct. Our variance request will not undermine the intent of the Development Code, the applicable zone district, other County adopted policies or plans, or violate the Building Code. Note: The project has been issued – reviewed for Code Compliance – and approved by CID for Building Permit.

Staff Response: It is the expert opinion of staff that this criterion has been met. The requested variance does not undermine the intent of the Development Code, the applicable zone district standards, or any other adopted County policies or plans. The variance supports the intent of the Development Code and aligns with broader County objectives by facilitating improved use of the property. This is consistent with the County’s 2025 Strategic Goals related to Educational and Arts Amenities, which promote and enable enrichment opportunities through collaboration with community partners. The project has also been reviewed for code compliance and approved by the New Mexico Construction Industries Division (CID), confirming adherence to applicable building code requirements.

c. Granting of the variance will not cause an intrusion into any utility or other easement unless approved by the owner of the easement.

Applicant Response: Correct. The structure is not located on any existing easements.

Staff Response: It is the expert opinion of staff that this criterion has been met. Review by the Interdepartmental Review Committee (IDRC), including the Los Alamos County Department of Public Utilities, confirmed that the proposed structure does not intrude upon any public or private utility easements.

- d. **The variance request is caused by unusual physical characteristic or a hardship inherent in the lot or lot improvements and the peculiarity or hardship has not been self-imposed.**

Applicant Response: Correct. The existing nature of the site leaves no other zone for the structure to be placed. The structure – covering pottery kilns – needs to be adjacent to the ceramics classroom on the east. This available area on the west for the structure is constrained – locked-in in area/shape by the existing roadway, existing adjacent building, boundary lines – leaving a small irregular shape to work with. UNM–Los Alamos is looking to update their accessibility routes campus-wide. Part of these improvements calls for an ADA connection to the ceramics classroom and kiln storage area, so locating the kiln structure elsewhere would make it not universally accessible for all students and staff, along with making for a problematic/long/sloped route for wheeling pottery to the kilns.

Staff Response: It is the expert opinion of staff that this criterion has been met. The need for the variance arises from the unique physical constraints of the site, including the irregular shape and limited buildable area resulting from existing site conditions, including the adjacent roadway, established buildings, and lot boundaries. These constraints limit the feasible placement of the structure. Additionally, the functional need to locate the structure adjacent to the ceramics classroom is essential to support safe, accessible, and efficient operations. Relocating the structure elsewhere on campus would create accessibility challenges and conflict with the University’s planned ADA improvements. The hardship is inherent to the lot and existing improvements and has not been self-imposed.

- e. **The variance will not create any significant adverse impacts on properties within the vicinity.**

Applicant Response: No. The structure itself will be low-impact visually – mostly open air / see through. The wall panels are of perforated metal – 57% open. Additionally, the structure will sit approx. 1.5 feet lower than the adjacent grade. This allows the kilns to sit level with the finish floor of the ceramics classroom and provides less visual impact for neighboring properties. It will be the lowest structure on the campus.

Staff Response: It is the expert opinion of staff that this criterion has been met. The proposed structure will not create any significant adverse impacts on surrounding properties. Due to its low profile, partially open design, and recessed placement approximately 1.5 feet below adjacent grade, visual impacts are minimal. The use of perforated metal panels further reduces visual massing, and the structure will be the lowest on campus. These design considerations ensure compatibility with surrounding development and mitigate potential concerns related to visibility or scale.

- f. **Granting of the approved variance is the minimum necessary easing of the Code requirements making possible the reasonable use of the land, structure, or building.**

Applicant Response: Correct. We are only seeking to request: 1) Chapter 16, Development Code, Article III – Use Regulations, Division 1 – Permitted Uses to allow a 115-square-foot accessory structure in INS zoning, and 2) Section 16-18(b)(8) to reduce the required setback from 10 feet to 5 feet from another accessory structure.

Staff Response: It is the expert opinion of staff that this criterion has been met. The requested variance represents the minimum necessary relief from the Development Code to allow for reasonable use of the site and its educational facilities. The applicant is seeking only two specific deviations: (1) to permit a 115-square-foot accessory structure within the INS zoning district, and (2) to reduce the required separation between accessory structures from 10 feet to 5 feet. These requests are limited in scope and justified by the site’s physical constraints and functional programming needs. The variance enables continued and reasonable use of the property for educational purposes without exceeding what is necessary.

DRAFT MOTION

Recommended Motion, Approval:

I move to **approve** Case No. **VAR-2025-0013**, a request by

Approval is based on the Findings of Fact established at the hearing and the determination that the Applicant has met the decision criteria for Subdivision per Section 16-74(g)(3) of the Los Alamos County Development Code. The Commission acts under the authority of Section 16-69(b)(2) of the Development Code.

I further move to authorize the Chair to sign a Final Order approving the application, as well as the Findings of Fact and Conclusions of Law for this case. This document will be prepared by county staff based on this decision.

Alternative Motion 1, Approve with Conditions:

I move to approve, **with the following conditions**, Case No. VAR-2025-0013, a request by

1. ...

Approval is based on the Findings of Fact established at the hearing and the determination that the Applicant has met the decision criteria for Subdivision per Section 16-74(g)(3) of the Los Alamos County Development Code. The Commission acts under the authority of Section 16-69(b)(2) of the Development Code.

I further move to authorize the Chair to sign a Final Order approving the application and Findings of Fact and Conclusions of Law for this case, based on this decision to be prepared by county staff.

Alternative Motion 2, Deny:

I move to **deny** Case No. VAR-2025-0013, a request by

Denial is based on the Findings of Fact established at the hearing and the determination that the Applicant has failed to meet the decision criteria for Subdivision per Section 16-74(g)(3) of the Los Alamos County Development Code. The Commission acts under the authority of Section 16-69(b)(2) of the Development Code.

I further move to authorize the Chair to sign a Final Order approving the application, along with the Findings of Fact and Conclusions of Law, as prepared by county staff based on this decision.

ATTACHMENTS:

Exhibit A – IDRC Review Emails

Exhibit B – Public Notice

REFERENCES:

1 – Los Alamos County, Chapter 16, Development Code:

<https://lacnm.com/MunicipalCode>

2 – Los Alamos County, 2016 Comprehensive Plan:

<https://lacnm.com/ComprehensivePlan2016>

3 – Los Alamos County, 2025 Strategic Leadership Plan:

<https://www.losalamosnm.us/files/sharedassets/public/v/1/government/council/documents/2025-strategic-leadership-plan.pdf>