

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE INCORPORATED COUNTY OF LOS ALAMOS, NEW MEXICO**

***A RECOMMENDATION OF THE PLANNING & ZONING COMMISSION TO THE
COUNTY COUNCIL (APPLICATION ZCA-2024-0017)***

This recommendation by the Planning and Zoning Commission (“Commission”) is issued for Application ZCA-2024-0017: A text amendment application and request for recommendation to County Council to amend Chapter 16, through Ordinance 02-363, an Ordinance Amending Article I, Division 4(r) and Division 12(b) and (c); and Article IV, Sections 16-20(e), 16-30(a)(2) and (a)(4), 16-45(d) and (e), 16-48(a) and (b), 16-53(d), 16-58, 16-61(b), and 16-66(d) of Chapter 16 of County of Los Alamos Development Code (“Application”). As an amendment to the text of the County Development Code, the action must be accomplished by ordinance.

After holding a properly noticed public hearing on October 9, 2024, the Commission recommends that the County Council approve the Application for the proposed text amendment.

I. INTRODUCTION

This Application, brought by the Incorporated County of Los Alamos (“County”), Community Development Department (“CDD”), is a request to revise Article I, Division 4(r) and Division 12(b) and (c); and Article IV, Sections 16-20(e), 16-30(a)(2) and (a)(4), 16-45(d) and (e), 16-48(a) and (b), 16-53(d), 16-58, 16-61(b), and 16-66(d) of Chapter 16 of the Los Alamos County Code of Ordinances (“Development Code”) to correct minor errors and omissions.

The Commission has an advisory duty to hold a public hearing on the Application pursuant to the requirements of Section 16-72(f) of the County Development Code. The Commission shall make a recommendation to the County Council pursuant to the requirements of Section 16-69(b) of the County Development Code and forward to the County Council a recommendation to approve, approve with changes, or deny the application based on the decision criteria of Section 16-75(d)(3) of the County Development Code:

1. The request substantially conforms to the intent and policies of the Comprehensive Plan and other adopted County policies and plans.
2. The proposed change will not result in land use inconsistent with the purpose of the district or incompatible with a use allowed in the underlying zone district.

***Recommendation on ZCA-2024-0017
Planning and Zoning Commission***

3. The proposed change will clarify existing language, remove redundant or inconsistent language, or simplify the understanding and implementation of the Code.
4. The proposed amendment promotes public health, safety, and welfare.

II. FINDINGS

The Development Code governs development within the County. It applies to all development and redevelopment, public and private, within the municipal boundaries and the planning and platting jurisdiction of the County. The Development Code was repealed and replaced in its entirety on January 23, 2023. The revision updated zoning, development standards, and procedures; organized the Development Code, and was written to align zoning and associate development standards with the changing economic and social realities of the County. Staff has been using the updated Development Code and has identified areas that should be considered as amendments to correct typographical and grammatical errors and omissions. This Application ZCA-2024-0017 will correct existing language.

After review of the presentation by CDD Staff at the public hearing held on October 9, 2024, the Commission finds that the proposed text amendment text is in conformity with the review criteria contained in Section 16-75(d)(3) of the County Development Code. The Commission, in support of their findings, provides as follows:

a. The proposed text amendments substantially conform to the Comprehensive Plan (“Plan”) and other adopted County policies and plans. The Plan aims to encourage the right development in appropriate locations and suitable design to enhance the public health, safety, welfare, and overall quality of living within Los Alamos County. The proposed text amendments improve the County’s ability to assist in accomplishing its vision and support the core themes within the Strategic Plan. The proposed text amendments will clarify existing language, remove redundant or inconsistent language, and simplify the understanding and implementation of the Code.

b. The proposed text amendment will not affect land use or established zone districts. Changes are primarily to clean- up and clarify language for easy use between staff and the public.

c. The proposed text amendments will clarify existing language, remove redundant or inconsistent language, or simply the understanding and implementation of the Development Code.

***Recommendation on ZCA-2024-0017
Planning and Zoning Commission***

The proposed text amendments will clarify and simplify the understanding and implementation of the Code for staff and the community.

d. The proposed text amendments promote public health, safety and welfare by continuing to substantially conform to the Plan which aimed is to encourage the right development in appropriate locations and suitable design to enhance the public health, safety, welfare, and overall quality of living within Los Alamos County. The proposed text amendments improve the County's ability to assist in accomplishing their vision and support the core themes within the Strategic Plan.

III. RECOMMENDATION TO APPROVE

The Commission, by unanimous vote, hereby finds that the proposed text amendment is in conformity with the review criteria contained in Section 16-75(d)(3). Therefore, the Commission hereby recommends to the County Council APPROVAL OF THE PROPOSED TEXT AMENDMENT and forwards such recommendation to the County Council.



10/16/2024

Rachel Lopez, Chair of the Planning & Zoning
Commission for the Incorporated County of Los
Alamos