



Los Alamos County
Community Development Department

**PLANNING & ZONING COMMISSION
STAFF REPORT**

Public Hearing Date: July 22, 2026
Subject: Case No. SIT-2026-0081
Applicant/Agent: McCloy Land Surveying, LLC (Scott McCloy), agent
Owner: Russ NM LLC
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. SIT-2026-0081: McCloy Land Surveying, LLC, on behalf of property owner Russ NM LLC, requests approval of a site plan adoption for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico, zoned General Commercial (GC). The Site Plan Adoption will establish a commercial parking lot on two adjoining vacant parcels totaling approximately ± 1.70 acres. The commercial parking lot will provide parking for Los Alamos High School and an area for a mobile food vending court.

EXECUTIVE SUMMARY

McCloy Land Surveying, LLC, on behalf of property owner Russ NM LLC, requests approval of a Site Plan Adoption for the redevelopment of two adjoining vacant parcels at 1377 and 1399 Diamond Drive. The combined site totals approximately 73,921 square feet (± 1.70 acres) and is zoned General Commercial (GC). The parcels are legally described as Tract I, Western Area No. 1 (1399 Diamond Drive) and Lot 1 of Tract H, Western Area No. 1 (1377 Diamond Drive), and are currently vacant.

The proposal establishes two commercial uses with no enclosed structures. The northern parcel (Tract I, 1399 Diamond Drive) is proposed to be a paved parking lot serving Los Alamos High School, a use the applicant identifies as a permitted use in the GC district. The proposed use of the southern parcel (Lot 1, Tract H, 1377 Diamond Drive) is a mobile food vending court with nine designated food-truck spaces, an open-air shade structure with communal picnic seating, and associated patron parking. Proposed lot coverage is 0 percent, and no enclosed or heated floor area is proposed.

Site improvements include a new parking layout, traffic-flow striping, and utility connections for the vending court served from an existing water stub-out, including a proposed 1-inch PEX water line, a proposed water meter and hydrant, a proposed 100-amp electric meter, and eight 50-amp electric outlets for vendor connections. No site lighting is proposed. Access to the southern parcel is provided via a recorded 24-foot mutual access easement along the eastern boundary.

The site abuts residentially zoned property (Lots 342–348, Western Area No. 1, zoned Residential Mixed – RM) along its western boundary. Under the Neighborhood Protection Standards, a GC lot adjacent to an RM district requires a Type B Buffer. The applicant states that existing site topography provides a natural berm meeting the buffer height requirement and that some mature vegetation is present and is requesting a Variance from the additional planting requirements of the buffer. That Variance is filed as an associated application and is addressed under separate decision criteria.

SITE INFORMATION

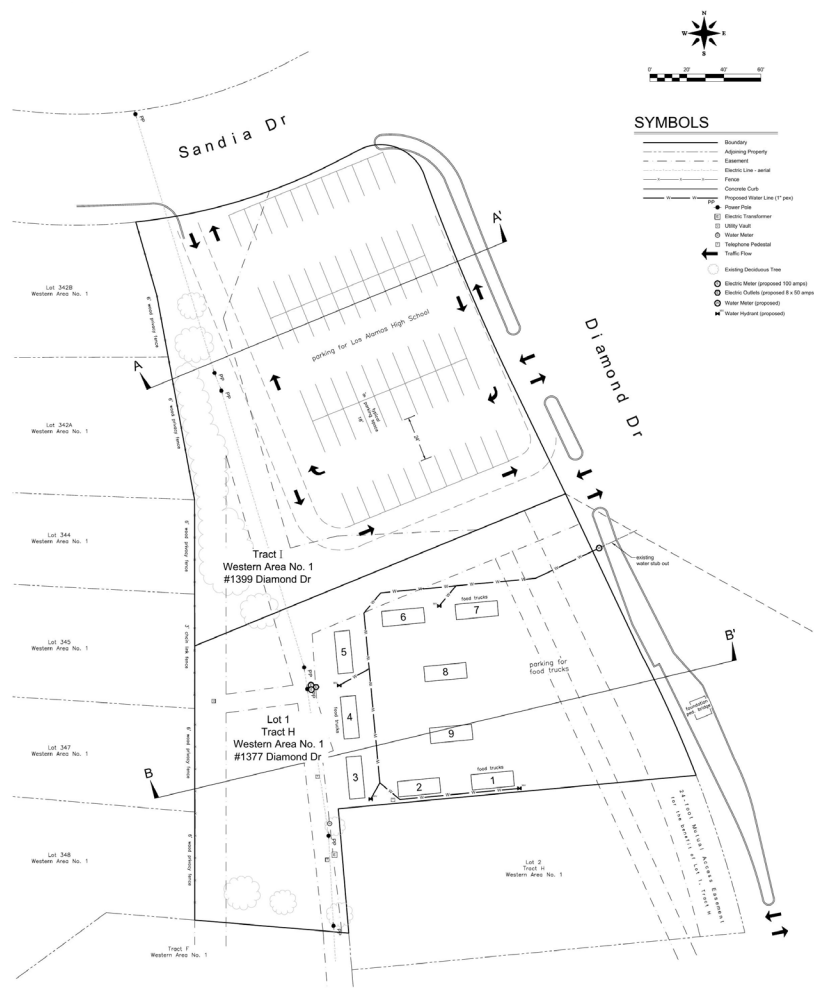
The subject property consists of two adjoining parcels along the west side of Diamond Drive within the Western Area of the Los Alamos Townsite. Tract I, Western Area No. 1 (1399 Diamond Drive) forms the northern parcel and Lot 1 of Tract H, Western Area No. 1 (1377 Diamond Drive) forms the southern parcel. The combined lot area is 73,921 square feet (±1.70 acres). The site is formerly a commercial retail building and mechanic garage, both parcels are currently vacant, with no existing structures. The property is zoned General Commercial (GC) and is not within an overlay zone.

Per Section 16-7 of the Los Alamos County Development Code, the General Commercial (GC) zone district is intended to accommodate a variety of medium-scale retail, service, and professional uses serving both neighborhood and county-wide needs, and is located along arterials and collectors outside of the DTLA and WRTC zone districts. Diamond Drive functions as a principal arterial within the Townsite.

Properties abutting the site to the west (Lots 342 through 348, Western Area No. 1) are zoned Residential Mixed (RM). The interface between the GC site and the adjacent RM district triggers the Type B Buffer requirement under the Neighborhood Protection Standards, discussed below and in the associated Variance request.

PROJECT INFORMATION

A pre-application meeting was held on February 11, 2026, during which staff determined that the proposal requires a change of use and the approval of a Site Plan Adoption (Major). Site Plan Adoption applications are reviewed pursuant to Section 16-74(i) of the Los Alamos County Development Code. Staff's review evaluates whether the proposed development complies with applicable zoning and development standards, whether existing public infrastructure has adequate capacity, whether potential impacts to surrounding properties are mitigated, and whether the proposal is consistent with adopted County plans and policies.



The application proposes two commercial uses on the two parcels as a combined site. On the northern parcel, 1399 Diamond Drive (Tract I), the applicant proposes a striped parking lot to provide off-street parking for Los Alamos High School, accessed from Sandia and Diamond Drive. On the southern parcel 1377 Diamond Drive (Lot 1, Tract H), the applicant proposes a mobile food vending court consisting of nine designated food-truck spaces, an open-air fabric shade structure sheltering communal picnic-table seating, and adjacent patron parking.

No enclosed structures are proposed; the only vertical improvement is an open-sided shade canopy. Planned commercial improvements total less than 5,000 square feet, and proposed lot coverage is 0 percent. The site plan notes indicate no proposed site lighting.

Utility service for the vending court will be provided from an existing water stub-out along the Diamond Drive frontage. Proposed improvements include a 1-inch PEX water line, a water meter, a hydrant, a 100-amp electric meter, and eight 50-amp electric outlets sized to serve individual food-truck connections.

Vehicular access to the southern parcel is provided through a recorded 24-foot mutual access easement along the eastern property boundary. On-site circulation and traffic-flow

direction are shown on the site plan. Cross-sections A–A and B–B, shown on Sheet 2 of 3, depict the existing grade and natural berm along the western boundary.

The applicant was not required to submit a Grading and Erosion Control Plan, Stormwater Drainage Report, Traffic Generation Report, Utility Capacity Analysis Report, or Soils Report.



Figure 2: aerial Applicant Rendering — Proposed Mobile Food Vending Court

INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) REVIEW

An Interdepartmental Review Committee (IDRC) review was conducted from June 18 through June 25, 2026, with the formal IDRC meeting held on June 25, 2026. Participating departments included Public Works/Engineering, Environmental Services, the Department of Public Utilities, the Fire Marshal’s Office, the Building Division, and the Planning Division.

IDRC recommended that the application proceed to the Planning and Zoning Commission, subject to applicable departmental conditions.

Public Works requires permanent closure of the northern driveway access along Diamond Drive serving 1399 Diamond Drive. High-school overflow parking access shall instead be provided through the Sandia Drive entrance. The southern driveway along Diamond Drive, adjacent to the pedestrian bridge, may continue to serve the mobile food vending court.

Environmental Services requires coordination regarding solid-waste container placement and collection-truck access. Final utility design shall be coordinated with the Department of Public Utilities, including use of the existing capped water line where feasible and review of future gas and sewer stub-outs if Diamond Drive is disturbed.

The Fire Marshal's Office requires a minimum separation of 10 feet between food trucks, vehicles, and structures, as applicable, and a minimum 15-foot clear area around fire hydrants. The Building Division will review the proposed shade structure to determine applicable building-permit and accessibility requirements. Planning staff also requested that the applicant provide proposed hours of operation for the mobile food vending court.

PUBLIC NOTICE

The Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Section 16-71, Table 49 Procedures Summary Table and Section 16-72(c) Notifications, establish the notice requirements for a public hearing:

- Published notice in a newspaper of general circulation within the County at least 14 calendar days before the hearing [16-72(c)(4)]. **Published July 2, 2026.**
- Posted notice of at least one sign on a street abutting the subject property, visible from the street, at least 14 calendar days before the hearing [16-72(c)(4)]. **Posted July 2, 2026.**
- Mailed notice at least 14 days before the hearing to all owners of record or occupants of properties within 300 feet of the exterior lot lines of the subject property, excluding public rights-of-way [16-72(c)(5)c.]. **Mailed July 2, 2026.**

SITE PLAN ADOPTION — DECISION CRITERIA

Section 16-74(i) of the Los Alamos County Development Code states that an application for Site Plan Adoption shall be approved if it meets all the following criteria. The Planning and Zoning Commission shall approve or deny the application pursuant to the decision criteria in Section 16-74(i)(4):

a. The Site Plan substantially conforms to the intent and policies of the Comprehensive Plan and other adopted County policies and plans.

Applicant Response: The proposed development of parking for the high school and mobile food vending in an area without any nearby dining options meets a community need. This is part of the redevelopment of a former vacant, blighted, and underutilized property.

Staff Response: It is the expert opinion of staff that this criterion has been met. The proposal places two commercial uses on a long-vacant, underutilized commercial parcel along an established arterial within the Townsite, consistent with the Comprehensive Plan's support for infill and the productive reuse of existing commercial land where infrastructure is already available. The high-school parking use addresses a documented parking demand adjacent to the site, and the mobile food vending court adds a small-scale commercial amenity in an area with limited dining options.

b. If the subject property is within an approved Master Plan, the Site Plan is in conformance with any relevant standards in the Master Plan.

Applicant Response: The subject property is not within an approved Master Plan.

Staff Response: This criterion is not applicable. The subject property is not within an approved Master Plan.

c. If the subject property is within an approved PD zone district, the Site Plan is consistent with any applicable terms and conditions in any previously approved PD zoning covering the subject property and any related development agreements and/or regulations.

Applicant Response: The subject property is not within an approved PD zone district.

Staff Response: This criterion is not applicable. The subject property is not within an approved PD zone district.

d. The Site Plan is in conformance with all applicable provisions of this Code and other adopted County regulations.

Applicant Response: The site plan is in conformance with lot area, lot width, setbacks, building height, and lot coverage for Zone GC. The proposed use of parking is a permitted use for Zone GC. The proposed use of mobile food vending is accepted as a temporary use for Zone GC.

Staff Response: The site plan reflects the applicable GC Zone dimensional standards and proposes no enclosed structures. The proposed parking lot and mobile food vending court are subject to all applicable provisions of the Development Code, including temporary use permits for individual food trucks, fire-safety, utility, access, and parking.

The northern Diamond Drive driveway serving 1399 Diamond Drive must be permanently closed, and access to the high-school overflow parking area must be provided through the Sandia Drive entrance, consistent with Public Works and Engineering requirements. The southern Diamond Drive driveway shall serve the mobile food vending court.

A variance has been requested from the applicable Neighborhood Protection Standards. The proposed site remains subject to the required Type B Buffer along the western property boundary. If the associated variance is denied, the applicant shall comply with the full planting requirements of the Type B Buffer Zone through an approved landscape plan. Subject to the conditions of approval and final departmental review, staff finds that this criterion has been met.

e. The County's existing public infrastructure and services, including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, trail and sidewalks have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated in compliance with the County's construction standards to the maximum extent practicable.

Applicant Response: Planned commercial improvements are less than 5,000 sq. ft. heated area. No permanent structures are planned.

Staff Response: The proposed development is a low-intensity commercial use with no enclosed buildings. Water service is proposed from the existing capped water line along Diamond Drive, subject to final approval by the Department of Public Utilities. Electrical service is proposed from the rear of the site. If roadway disturbance is required, the applicant shall coordinate with Public Works and the Department of Public Utilities to determine whether gas and sewer stub-outs or related utility improvements are necessary to accommodate future development.

Public Works requires permanent closure of the northern Diamond Drive driveway serving 1399 Diamond Drive through construction of curb, gutter, and sidewalk improvements. A permit from the Traffic and Streets Division will be required for this work. The applicant shall also coordinate with Environmental Services to demonstrate that solid-waste collection can be safely accommodated on the site.

Staff finds that existing public infrastructure and services have adequate capacity to serve the proposed development.

f. The Site Plan mitigates any significant adverse impacts to properties within the vicinity to the maximum extent practicable.

Applicant Response: The Neighborhood Protection Standards require a Type B Buffer Zone along the western side of the subject property. Existing topography meets the berm height requirements. Some mature trees exist within the buffer zone. The applicant is requesting a Variance for the planting requirements.

Staff Response: The site contains an existing grade change, berm, mature vegetation, and fencing that provide some separation from adjacent residential properties. However, the property remains subject to the Type B Buffer requirements of the Neighborhood Protection Standards.

The applicant must provide the required buffer planting unless the Commission grants the variance. A final landscape plan demonstrating compliance with the Type B Buffer requirements shall be submitted for staff review and approval before issuance of applicable permits or commencement of the mobile food vending use.

The proposed use does not include site lighting or enclosed buildings. Food-truck operations must maintain required separation from other vehicles, structures, and fire hydrants, thereby reducing operational and public-safety impacts. Subject to compliance with the required landscape buffer and all departmental conditions, staff finds that this criterion has been met.

g. Provisions shall be made to serve the development with tot lots and/or neighborhood parks in accordance with the Comprehensive Plan. A fee may be paid as approved by County Council to accomplish the purpose of the Comprehensive Plan in lieu of the development of tot lots or neighborhood parks.

Applicant Response: The development of tot lots and/or neighborhood parks is not applicable to the commercial site plan.

Staff Response: This criterion is not applicable. The proposal is a commercial development with no residential component.

ASSOCIATED VARIANCE

An associated variance application accompanies this Site Plan (VAR-2026-0019). The variance seeks relief from the landscape requirements of the Type B Buffer required under the Neighborhood Protection Standards along the western property boundary, where the GC-zoned site abuts the RM-zoned Lots 342–348, Western Area No. 1. The applicant's basis is that existing topography provides a natural berm meeting the buffer height standard and that mature vegetation is already present within the buffer area. Pursuant to the Development Code, no separate fee is required for a Variance filed as part of a Site Plan review. The Variance is subject to its own decision criteria and shall be evaluated and voted on separately.

DRAFT MOTION

Recommended Motion:

I move to **Conditionally Approve** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for approval of a Site Plan Adoption for the property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC), subject to the following conditions:

1. Access to the overflow parking area shall be provided through the Sandia Drive entrance.
2. The northern Diamond Drive driveway proposed to access 1399 Diamond Drive shall be permanently closed. The applicant shall construct curb, gutter, and sidewalk improvements in accordance with Public Works engineering requirements and shall obtain all required permits from the Traffic and Streets Division before construction.

3. Prior to issuance of applicable permits or commencement of the mobile food vending use, the applicant shall submit a solid-waste service and access plan acceptable to Environmental Services.
4. Final utility plans shall be reviewed and approved by the Department of Public Utilities. The applicant shall coordinate with Public Works and the Department of Public Utilities regarding use of the existing capped water line and any required evaluation of future gas and sewer stub-outs if Diamond Drive is disturbed.
5. The final food-truck operating layout shall maintain a minimum separation of 10 feet between food trucks, vehicles, and structures, as applicable, and a minimum 15-foot clear area around all fire hydrants.
6. The proposed shade structure shall require review and approval by the Building Division and shall obtain all applicable building permits prior to installation or construction.
7. Prior to commencement of the mobile food vending use, the applicant shall submit a restroom and sanitation plan for review and approval by the Building Division and any other applicable regulatory agency. The plan shall identify the type, number, location, accessibility, servicing, and waste-disposal arrangements for restroom and hand-washing facilities serving vendors and patrons. If portable restroom facilities are provided, they shall include an accessible unit and accessible route as required by applicable accessibility standards; shall not obstruct required parking spaces, drive aisles, pedestrian routes, fire access, hydrant clearances, utility facilities, or required landscape-buffer areas; and shall be regularly serviced and maintained in a clean and sanitary condition.
8. The mobile food vending court shall operate only between 7:00 a.m. and 9:00 p.m. daily. Vendor setup, customer service, generator operation, deliveries, waste collection, site cleanup, and other activities associated with the use shall occur within these hours. The approved operating hours shall be posted on-site and shall not be expanded without approval of an amendment to the Site Plan, as applicable.
9. If the associated Variance is not approved, the applicant shall submit a landscape plan demonstrating compliance with the full Type B Buffer requirements along the western property boundary. The landscape plan shall be reviewed and approved by the Community Development Department prior to issuance of any applicable permits or commencement of the use.

Conditional Approval is based on the findings established at the hearing and the conclusion that the Applicant has met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission.

Alternative Motion 1 (Approve, No Conditions):

I move to **Approve** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for approval of a Site Plan Adoption to establish a commercial parking lot serving Los Alamos High School and a mobile food vending court on the ±1.70-acre property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC).

Approval is based on the findings established at the hearing and the conclusion that the Applicant has met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by County staff based on this decision.

Alternative Motion 2 (Deny):

I move to **Deny** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for a Site Plan Adoption for the property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC).

Denial is based on the findings established at the hearing and the conclusion that the Applicant has not met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by County staff based on this decision.

REFERENCES

Los Alamos County, Chapter 16, Development Code: <https://lacnm.com/MunicipalCode>

Los Alamos County, 2016 Comprehensive Plan: <https://lacnm.com/ComprehensivePlan2016>

Los Alamos County, 2025 Strategic Leadership Plan: https://lacnm.com/Strategic_Plan