

**LOS ALAMOS COUNTY
PLANNING & ZONING COMMISSION**

IN THE MATTER OF:

Case No. REZ-2019-0013:)
A request to amend the Los Alamos County Official Zoning Map)
to assign Tract F-2, created from public right-of-way, with a)
Public-Land zoning designation. The property is vacant and)
located at 695 Diamond Drive, Los Alamos County, New Mexico,)
within the Western Area 1 Subdivision.)

**FINAL ORDER APPROVING APPLICATION,
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

THIS MATTER came before a quorum of the Los Alamos County Planning and Zoning Commission ("Commission") for a public hearing, on Wednesday, July 28, 2021, based on an application made by Los Alamos County, property owner, requesting a recommendation to County Council for approval to assign a zoning designation to Tract F-2, within Western Area 1, and addressed as 695 Diamond Drive ("Property"). The newly created lot contains 0.39± acres and was previously designated as public right-of-way; approval would assign the Property with a Public-Land zoning designation (P-L).

Upon presentation of the application and accompanying exhibits; the Commission having taken sworn testimony, considered relevant evidence of the record and arguments of the parties, considered the information outlined within the Staff Report and testimony received from the public, and the Commission being otherwise well and sufficiently advised in the premises, hereby finds as follows:

NOW THEREFORE, the application to amend the Los Alamos County Official Zoning Map to designate a Public-Land (P-L) zoning district to Tract F-2, Western Area 1, commonly known as 695 Diamond Drive, in the County of Los Alamos, New Mexico, **IS HEREBY RECOMMENDED FOR APPROVAL TO THE COUNTY COUNCIL.**

In support of this **FINAL ORDER**, the Commission issues the following:

I. FINDINGS OF FACT:

1. The application, REZ-2019-0013 (“Application”), is a request to amend the Official Los Alamos County Zoning Map by designating Tract F-2, Western Area 1, as Public-Land (P-L).
2. The Incorporated County of Los Alamos is the legal owner of the subject Property commonly referred to as 695 Diamond Drive.
3. The creation of a lot from county-owned public right-of-way warrants an amendment to the Official Zoning Map to designate the Property a zoning district.
4. The Application conforms to the Comprehensive Plan by accomplishing a goal established by the Council to promote economic vitality by providing a community service and maximizing the utilization of county-owned land.
5. The Property provides a community service and the Public-Land (P-L) zone is intended to accommodate local government and school district uses and structures, designed to support community needs and the public health, safety and welfare.
6. The Property, commonly known as “the Lemon Lot”, historically and currently has been used by the community for the sale of used vehicles. There is no evidence, nor complaints and concerns that have been received by the County that would suggest that the existing use has been materially detrimental to the health, safety and general welfare of the County; or persons residing or working adjacent to or within its proximity.
7. No new development is being considered – existing use will continue, and consideration on the plat have been made for public services and facilities.
8. The proposed zoning application as Public-Land is consistent with surrounding zoning districts specifically with the adjacent Los Alamos Public Schools north parking lot (Sullivan Field) and across Diamond Drive, northeast, with the Los Alamos High School.
9. Notice of this public hearing, setting forth the nature of the request, the specific parcel of property affected, and the date, time and place of the public hearing, was announced and published in The Los Alamos Daily Post, the official newspaper of record; was posted outside the County’s Municipal Building, and was mailed to property owners of real property located within 100 yards of the subject property by U.S. mail, all in accordance with the requirements of §16-192 of the Los Alamos County Development Code.
10. The public hearing was held in-person before a quorum of the Commission on July 28, 2021, in the Los Alamos County Council Chambers, located at 1000

Central Ave, Los Alamos, New Mexico. Members of the public were also notified and able to attend the public hearing virtually due to concerns regarding the COVID-19 pandemic.

11. After full hearing and consideration, the Planning and Zoning Commission finds that the Applicant has met each applicable Amendment to the Official Zoning Map Review Criteria contained within §16-155 of the Los Alamos County Development Code and is acting under the authority granted by §16-452(b)(1) of the Development Code and therefore Recommends to Council the approval of the Application without condition.

II. CONCLUSIONS OF LAW

After full hearing and consideration, the Planning and Zoning Commission finds that the Applicant has met each applicable Amendment to the Official Zoning Map Review Criteria contained in §16-155 of the Los Alamos County Development Code and is acting under the authority granted it by §16-452(b)(1)(a) of the Development Code.

APPROVED this ____ day of _____, 2021.

BY: Terry Priestley
TERRY PRIESTLEY, CHAIR
PLANNING AND ZONING COMMISSION
INCORPORATED COUNTY OF LOS ALAMOS

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