

Module 2 Public Comments				
Topic	Applicable Code Section	Comment	Revision	Response
Parks and open space district	2-3(C)(V)(1)(a)	My greatest concern is with the confusing definitions for parks and open space and the contents of the permitted use table. I am still struggling to make sense of those pages in Module 2.	2-3(C)(V)(1)(a) PUBLIC PARK SUB-ZONE (POS-P) The Public Park sub-zone is intended to protect existing County owned or managed parks., recreation areas, and County-owned or controlled lands which provide valuable natural and open space functions. 2-3(C)(V)(1)(b) ACTIVE OPEN SPACE SUB-ZONE (POS-AO) The Active Open Space sub-zone is intended to protect the natural character of the County's wilderness areas designated for use of active public recreation, use, and enjoyment <u>with limited development such as camp grounds, skiing, athletic fields, and stables.</u> 2-3(C)(V)(1)(c) PASSIVE OPEN SPACE SUB-ZONE (POS-PO) The Passive Open Space sub-zone is intended to protect the natural and scenic character of the County's wilderness areas for use of passive public recreation, use, and enjoyment <u>that have minimal effect on the land.</u>	Clarified the intent statements for the open space subzones in Section 2-3(C)(V) PARKS AND OPEN SPACE ZONE DISTRICTS (POS) per guidance of the Comp Plan.
Outdoor lighting	16-6-2 Defined terms	BUG: The figure gives the impression that sidewalks are outside the range of useful light and that illuminating them is a form of light trespass, which it is not. The human figures are hard to see, especially the two figures on the left. This gives the messages that pedestrians are expected to walk in the dark. The facades of buildings are white, which is incongruous with the night scene depicted and conceptually confusing. Most building facades are dark at night, except, perhaps, for their windows. Fully shielded luminaire: The illustration is missing (and, in my opinion, very important to make the concept easy to understand). Light trespass: Nice figure! See the above comment about white building facades, however.	Revised the graphics so that the buildings are a dark gray instead of white. Provide a fully shielded luminaire graphic.	
Outdoor lighting	16-4-6(A)2. Purpose	There needs to be a curfew at which time illuminated signs and EMCs that are not required for public safety are turned off. This could be 30 minutes after close of business of 11PM, for example. Los Alamos is a small town that sees very little activity after 9PM and there's very little benefit in having a sign advertising a business illuminated all night. EMC should be included in the total lumen site limit.		P/Z and Council guidance is needed for the issue of a lighting curfew as consensus on this particular issue was not reached within the Steering Committee. At the P/Z hearing on 2.23.2022, suggested that lighting levels for EMCs should be regulated. No guidance was given on the light curfew.
Outdoor lighting	16-4-6(B) Applicability. Line 3. Amortization	The draft states that fixtures not in compliance installed earlier may be retained, subject to the provisions of a section yet to be written. I feel strongly that an amortization clause is required, i.e. that non-compliant fixtures be replaced by compliant ones within a horizon of 10 years (the ordinance proposed by the Jemez Mountans Night Sky Coalition used 1 January 2030 as the horizon - that draft was begun in early 2020).		P/Z and Council guidance is needed for the issue of amortization as consensus on this issue was not reached within the Steering Committee. The current draft does not require amortization for any non-conforming site elements, such as lighting or signage. At the P/Z hearing on 2.23.2022, suggested the consideration of amortization for non-residential districts, but not residential districts.
Outdoor lighting	Amortization	2. I did not see a timeframe for bringing grandfathered fixtures into compliance. We really need set a limit of 10 years for bringing existing fixtures into compliance. This is consistent with the time within which fixtures generally need maintenance (at least bulb changes). Related to section 4-6(B).		P/Z and Council guidance is needed for the issue of amortization as consensus on this issue was not reached within the Steering Committee. The current draft does not require amortization for any non-conforming site elements, such as lighting or signage.

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				At the P/Z hearing on 2.23.2022, suggested the consideration of amortization for non-residential districts, but not residential districts. Further input is needed on this issue.
Outdoor lighting	Amortization	<p>This draft of the outdoor lighting ordinance has much to be commended for and I am grateful that it incorporates many of the recommendations in the draft lighting ordinance that we provided to the county and DPS. I do have a few serious concerns about the current version, however.</p> <p>There needs to be a period over which all lighting will be brought into compliance (8-10 years, for example). I understand that this will be addressed in Module 3. Nonetheless, it is a very important component of an effective outdoor lighting ordinance.</p> <p>Remodel of residential and commercial property occurs too slowly to effectively bring the outdoor lighting in Los Alamos County to the proposed new standard and have an impact over a reasonable period of time. There are several sites with particularly egregious lighting. Without an amortization period, we will be living with these lights for decades to come. As for streetlights, which are responsible for at least 50% of the outdoor lighting lumens in the county, the current rate of replacement is about 50 lights per year. At this rate, it will take 60 years to have the approximately 3000 streetlights brought into compliance. A more realistic time line is necessary if the stated goals are to have any meaning.</p>		P/Z and Council guidance is needed for the issue of amortization as consensus on this particular issue was not reached within the Steering Committee. At the P/Z hearing on 2.23.2022, suggested the consideration of amortization for non-residential districts, but not residential districts. Further input is needed on this issue.
Outdoor lighting	4-6(C) Exemptions. Lines 5 and 9.	Special event lighting and Temporary lighting for construction. Both of these must be tightly circumscribed in both space and time, i.e. such lighting should illuminate only the area of the event itself or the property or roadway under construction, without causing light trespass on other properties or glare on adjacent roadways or sidewalks, and such lighting should be extinguished at the termination of the event or construction, or be reduced after a curfew to levels necessary for pedestrian and motorist safety.		P/Z and Council guidance is needed for the issue of special / temporary lighting on this particular issue was not reached within the Steering Committee.
Outdoor lighting	Exemptions 4-6(C)2	I think that it would make more sense to say: "Increase nighttime visibility BY reducing light trespass,...". Using "while" strongly suggests that one of the purposes is to increase the overall amount of light. I hope that this is not the intent.	Revised section 4-6(C) 2 to read "Increase nighttime visibility BY reducing light trespass".	
Outdoor lighting	Section 4-6(C): Exemptions	Section 4-6(C): Exemptions. Special Event lighting should be limited to the area involved, eliminated after the event, and reduced at some reasonable hour in the evening.		P/Z and Council guidance is needed for the issue of special / temporary lighting on this particular issue was not reached within the Steering Committee.
Outdoor lighting	4-6(E). Line 4.	The exemptions to the fully-shielded requirements are fine, but it must be made clear that the total lumens from the exempted items must be included in the total site limit of lumens per net acre specified in Table 39.	Revised 4-6(E) to read "Light fixtures are required to be fully shielded with a BUG rating of U0. Exceptions to the fully-shielded requirement are as follows, <u>provided that the total lumens from the exempted fixtures comply total site limit of lumens per net acre specified in Table 40 Site Lighting Standards:</u> ".	
Outdoor lighting	4-6(E). Line 5 and Figure 45	It is good to exclude undeveloped areas from the site lumen limits, but I also wonder whether undeveloped rooftops should also be excluded from those limits. Otherwise, a very large building with a small parking lot could be vastly over-lighting the parking lot.	Revised exclude undeveloped rooftops.	

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Outdoor lighting	4-6(E). Line 3	The mention of “high color rendition index (CRI) “ is far too vague. There are specific and limited places where color rendition is important, as in outdoor vending areas or on sports fields, and appropriate numerical CRI values can be specified for those cases. For most other uses of artificial light, color rendition under low-color-temperature lamps such as our existing HPS lamps is perfectly adequate.		P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue. At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K.
Outdoor lighting	4-6(E). Site Lighting Standards. Line 2.	The upper limit of 3000 K for correlated color temperature (CCT) is too high. This specification is repeated at 4-6(G) Line 1 and in Table 40, where these comments will also apply. The aspiration everywhere should be a color temperature limit of 2200 K, possibly with exceptions related to availability. We recognize that there are price and availability concerns for low-color-temperature LED lamps, but these will become less expensive and more available with time. Most of the street lamps in Los Alamos are currently high-pressure sodium lamps, with a color temperature of 2200 K, and their warm orange glow is comforting and familiar to all. Lamps with CCT of 3000 K are uncomfortably bright and white looking, and the portion of blue light that they emit contributes strongly to sky glow and light pollution. According to a published study done by representatives of the National Park Service, “one-for-one HPS to 3000 K LED replacements are likely to increase light pollution” (L-W Hung et al. 2021, Journal of Environmental Management, 292, 112776.). Locking in an upper CCT limit that most dark-sky advocates agree is too high in a document that is meant to last for decades is a serious mistake. Moreover, the just-cited paper remarks that, because of variations among LED lamps, lighting ordinances also need a specification that limits the amount of blue light (light with wavelength shorter than 500 nm) emitted by luminaires, because blue light is much more strongly reflected and scattered than other colors and contributes disproportionately to sky glow, even when fixtures are properly shielded.		P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue. At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
Outdoor lighting	4-6(E)2, 4-6(G)1, Table 40	Light pollution in Los Alamos County has increased noticeably over the last 5 years, much more rapidly than during the previous 15 years. This is because of a recent surge in excessive lighting and the use of LED lights with a high color temperature (4000 - 5000K). Without an amortization period, this recent degradation of the night sky will become permanent. A maximum color temperature of 3000K is specified for nearly all lighting (4-6(E)2, 4-6(G)1, Table 40). A previous draft (9-17-2021) listed 2700K as the maximum for streetlights. In the fall of 2021, the director of public works presented a plan for streetlight maintenance and upgrade that relied on 2700K LED lights, based on “lessons learned” in part from the reactions of affected residents. In this context, the maximum CCT for streetlights should be 2700K. Strictly speaking, requiring a maximum CCT of 3000K is an improvement over recent and current practices as it would bring an end to the installation of new, and far too common 4000K and 5000K lights. However, if all lights were to be replaced with 3000K (which would be allowed), it would have disastrous consequences on light pollution. It has been argued by public works that a CCT of 2700K is the lowest practical value given the state of the LED streetlight market and costs of fixtures in 2021. It is not possible for the public to verify this statement as vendors of streetlights don’t publish their prices. However, LED technology and the outdoor lighting market evolve very rapidly. For example, only 5000K LED were available ten years ago. More recently, the city of Tucson, AZ retrofitted all its streetlights		P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue. At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.

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		<p>about 2 years ago with then state-of-the-art luminaires of 3000K. The state-of-the-art is now closer to 2200K.</p> <p>For several decades, the national standard has been HPS lights with a CCT of 2000-2200K (CRI = 25). This ubiquitous roadway lighting technology has not been shown to be problematic in terms of safety or color perception. The county should aim to use 2000 - 2200K streetlights as soon as they become a practical choice (perhaps in 2-3 years), especially in residential neighborhoods. A limited allowance for 2700K LED lights can be made in certain areas, such as parts of downtown where a somewhat whiter color may be desirable, with better color rendition.</p> <p>I have seen a demonstration of 2700K and 3000K streetlights in Santa Fe last spring, it is clear that such lights provide plenty of color perception and are safe for roadway lighting and that there is no need to go to higher CCT. Visually, the difference between 3000K and 2700K is subtle. The ordinance should state a preference for 2200K streetlights explicitly in this section, with 2700K being the maximum allowed.</p> <p>About blue light The reason for this insistence on a low color temperature is the disproportionate impact of blue light on the night sky and the environment. Everything else being equal, blue light causes about 10 times more light pollution than red light. A 2700K LED streetlight typically emits twice as much blue light (17-20% of its light output) as an HPS streetlight (9-10%). Replacing all county streetlights with 2700K luminaires would considerably increase their impact on the environment, human health and the night sky. Needless to say, 3000K would be even worse, with 18-25% of the light emitted at blue wavelengths. I emphasize that using lights with a BUG rating of U0 (no uplight) is very important but not nearly enough to protect the night sky and the environment. Replacing 2200K HPS with 3000K will increase light pollution. This is clearly demonstrated in a study of a re-lamping project in Chelan County, WA:</p> <p>“This case study shows that typical one-for-one HPS to 3000 K LED replacements are likely to increase light pollution. Chelan County retrofitted all of their 3600+ county owned street lights in a period of one year. The county staff intentionally chose mostly 3000 K LEDs, a color temperature generally regarded as night sky friendly. Furthermore, the estimated average lumen output per light decreased by about 50%. The new LEDs are more energy efficient, have lower brightness, provide better directed light beams, and are fully shielded. Yet, these advantages did not result in reduced skyglow.”</p> <p>From: Hung et al. “Changes in night sky brightness after a countywide LED retrofit”, Journal of Environmental Management, 292, 112776 (2021) Quantitative measurements of light pollution showed an increase of 50% after the re-lamping project was completed.</p> <p>CCT is a crude measure of the amount of blue light that a given fixture emits. A better measure is the scotopic to photopic ratio (“S/P”) that accounts for the shift of the eye’s sensitivity to bluer light under low light conditions. Lumens are based on eye’s spectral response under bright (daytime) illumination levels. The S/P ratio allows the conversion to “nighttime lumens,” so to speak. Thus, a maximum S/P ratio for streetlights (as a reference, HPS have S/P=0.4) to complement a maximum CCT value would be sensible. Furthermore, it would prevent the shock of residents who see their old HPS light replaced by a LED fixtures that is much brighter in comparison because it has a higher S/P ratio, even though it has the same lumens rating. Generally, to help navigate these technical concepts, a statement of intent should be included. I suggest that language from an earlier draft be re-instated:</p> <p>LEDs with emission predominantly in the yellow or amber range are the preferred illumination</p>		

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		source throughout Los Alamos County. The emission should be confined to the longer wavelength portion of the visible spectrum Emission of blue light (light with wavelength less than 500 nanometers) is strongly discouraged. When evaluating luminaires for streetlights and parking lots, the county should take into account their spectral light distributions (which vendors must provide in a spec sheet) and give preference to those that have less emission below 500 nm.		
Outdoor lighting	Section 4-6(E): Blue Light content.	This is my greatest concern. The new draft specifies a color temperature of 3000K. This is too high. A better specification is 2200K, consistent with much of our existing high pressure Sodium lighting. The new guidance would increase the blue light content of our light fixtures! Note that the human eye is more sensitive to blue light, so any fixture with increased blue light will look brighter, regardless of the lumen specification. In addition, blue light is scattered by the atmosphere and disproportionately contributes to sky glow. A more detailed comment on the blue light content follows in the next suggestion.		P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue. At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
Outdoor lighting	4-6(H). Table 41.	The illuminance levels specified here for roads closely match those we specified in the draft provided by the Jemez Mountains Night Sky Coalition (and derived from the RP-8-18 standards from the Illumination Engineering Society), although, once again the 3000 K maximum color temperature is too high. I note, however, that Trinity Drive in Los Alamos and State Route 4 in White Rock are excluded from this Table. Although both these roads have New Mexico State Highway designations, the portions that lie fully within Los Alamos County should at least be mentioned in an ordinance for Los Alamos County. This may have the possibility of influencing the State Transportation Department's still-pending revisions of their road lighting guidelines. The State DOT will probably eventually wish to abide by the recommendations of the IES RP-8-18 standards, and it wouldn't hurt to have those standards for those two very important roads reiterated in this Table.		P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue. At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
Outdoor lighting	4-6(H)9 Right of way lighting	Right of way lighting 4-6(H)9 Please break that long sentence: "... safety hazard. The property owners..."	Revised to break the long sentence.	
Outdoor lighting	4-6(H): Table 41.	Nothing is said in the new ordinance regarding acceptable blue light content. 3000K LEDs generally contain a large amount of blue light with wavelengths under 500nm. Blue light is scattered by the atmosphere much more strongly than longer-wavelength light. This is why the sky is blue (Technically, Rayleigh Scattering)! Many studies have been done which clearly show that when normal 3000k LEDs are installed, the light pollution produced by the community actually INCREASES, owing to scattering of the excess blue light. For example, see Journal of Environmental Management, 292, 112776, 2021. I suggest limiting the color temperature to 2200k and limiting the amount of light produced below 500nm. I have noticed several different companies now produce restricted blue light LEDs of different color temperatures, owing to growing dark sky concerns.		P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue. At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.

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Outdoor lighting	4-6(F)4 Holiday Lighting	Holiday lighting for up to 60 consecutive days 3 times a year 4-6(G)7C. This allows for a total of 180 days, or half of the year. This upper limit is excessive for lights that are exempt from any requirement (CCT, blinking, shielding, etc.). A total of 60 days per year, consecutive or not, ought to accommodate the most fervent holiday enthusiasts. As a dedicated star gazer, I can attest that the night sky over White Rock is noticeably brighter during the holiday season because of residential holiday lights. Allowing for 180 days of this excess lighting is inconsistent with the ordinance stated purpose 4-6(A) 3 to 5.		P/Z and Council guidance is needed to determine appropriate timeframes for holiday lighting for the community as no consensus has been reached on this issue. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
Outdoor lighting	4-6(G). Specialized Outdoor Lighting Standards. Line 7 C.	For holiday lighting to be permitted 3 times per year for 60 consecutive days each enables the possibility of a given location (household or business) being an obnoxious source of bright, multi-colored, blinking lights for fully half the year. Please limit this to 60 days, consecutive or not.		P/Z and Council guidance is needed to determine appropriate timeframes for holiday lighting for the community as no consensus has been reached on this issue. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
Outdoor lighting	4-6(G)7C Holiday Lighting	The text should explain that in the total site lumen limit, the average value quoted (e.g., 5 lux) is an approximate average but that the design standard is the total number of lumens per net acre, not this average lux value. For clarity, perhaps the average lux level should be removed from the table. What is the purpose of the word “Average” in a total site lumen limit? The Total is the sum of all the lumens installed, not an average.		
Outdoor lighting	4-8(F)	The illumination levels included in the table are laudable and appropriate. However, Trinity Drive and NM4 in White Rock are omitted. They should be included. Even though they are state roads, the portion of those roads that pass through Los Alamos should be governed by County limitations. NM DOT is notorious for installing lighting that is extremely bright, has an unnecessarily high color temperature, and are not properly shielded. I realize that we must try to work with NM DOT directly elsewhere, but within Los Alamos County, the County should be able to put limits on road lighting. Ideally, these roads would have automatically dimming features when no traffic is present.		
Outdoor lighting	Sign illumination (4-8(F)(III)2 and EMC (4-8(F)(IV)	High CRI requirement to optimize nighttime color accuracy (4-6(E)3). At the very least, “high CRI” needs to be quantified. Good color rendition is valuable and even necessary for specific applications such as outdoor retail and sports fields but is completely unjustified for most outdoor applications, especially streetlights and even more so in residential neighborhoods that see very little activity at night. Because streetlights emit at least half of the county-wide lumens, and that their purpose is very different from that of most other lighting, the ordinance should have separate CRI and CCT requirement lighting of roadways and parking lots and be more explicit as to which applications require “high CRI.” This should be clarified. I can’t figure out what this refers to.		
Outdoor lighting	4-6(G)1	Specialized outdoor lighting 4-6(G)1 It should read “must limit the color temperature (CCT) of light sources to a maximum of 3000K.”	Revised to read "must limit the color temperature (CCT) of light sources to a maximum of 3000K'.	
Outdoor lighting	4-8(F)(IV) Electronic Message Centers (EMC).	There should be lumen limits for EMCs, and curfews (close of business or 11 pm).	Revised code per ISA recommendations that EMCs exceed 0.3 footcandles over ambient lighting conditions when measured at the recommended distance, based on the EMC size.	P/Z and Council guidance is needed to determine if a light curfew is recommended as the Streeting Committee was not able to reach consensus on that issue. Further input from the public, P/Z and Council is needed on this issue.

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Outdoor lighting	EMCs	EMCs should have lumen limits and should be turned off at a given time in the evening.		
Outdoor lighting	Definitions Footcandle:	Footcandle: ...0.1 footcandle equals approximately one lumen per square meter (not per square foot!) or one lux.	Revised definition	
Outdoor lighting	Definitions Fully Shielded Luminaire:	Fully Shielded Luminaire: An illustration is referenced, but it is missing.	Added shielded luminaire figure.	
Outdoor lighting	16-6-2 Defined terms	BUG: The figure gives the impression that sidewalks are outside the range of useful light and that illuminating them is a form of light trespass, which it is not. The human figures are hard to see, especially the two figures on the left. This gives the messages that pedestrians are expected to walk in the dark. The facades of buildings are white, which is incongruous with the night scene depicted and conceptually confusing. Most building facades are dark at night, except, perhaps, for their windows. Fully shielded luminaire: The illustration is missing (and, in my opinion, very important to make the concept easy to understand). Light trespass: Nice figure! See the above comment about white building facades, however.	Revised the graphics so that the buildings are a dark gray instead of white. Provide a fully shielded luminaire graphic.	
Covered Patios	Sec 16-272, paragraph 2, 4 states	In the existing development code, Sec 16-272, paragraph 2, 4 states: Covered patios, porches or decks attached to the main structures may extend to a maximum of 40 percent of the distance into the required rear yard; provided, however, that the space under the cover is open on at least three sides; the covers may not extend into the required front or side yards, except in the R-4 and R-1-5 districts, where a covered, one-story porch, open on three sides, may encroach not more than five feet into the required front yard. In both cases, the eave of the patio or porch cover may project an additional two feet into the required yard. In the new draft, there is a similar provision on page 19 in section 2-3(A)(III)(1)(B): 2-3(A)(III)(1)(B) SFR-5 ZONE DISTRICT 1. Covered patios, porches, or decks attached to the main structures may extend to a maximum of 40 percent of the distance into the required rear setback area provided they meet the following standards: A. The space under the cover is open on at least 3 sides, B. The structure shall not encroach more than 5 feet into the required front setback area, and C. The eave of the structure shall not project more than 2 feet into any required setback area. The existing rule applies to all districts, the new, only to SFR-5. Why is this option being taken away from other residential districts ?	No change	The current draft of Module 2 attempts to restructure the code so that universal development standards that apply to all districts are located in Part 16-4 Development Standards. Exceptions to those standards that apply only to specific districts are picked up in district specific standards of Part 16-2 Zone Districts. The universal permissions that allow covered patios to occupy a maximum 40% of the required rear yard is therefore located in Section 4-1(C) PERMISSIVE PROJECTIONS INTO REQUIRED SETBACK AREAS, specifically on page 88 shown below, and the exceptions that are specific to the SFR-5 district (formerly R-1-5) are located in the district specific standards found on page 19 in section 2-3(A)(III)(1)(B).
Outdoor lighting	General Comment	Thank you for developing a new DPS draft that includes updated lighting guidance. I believe enhancing our dark skies to be an important issue for local residents and tourists alike, especially given our proximity to two Dark Sky certified national parks. I am particularly interested in the new lighting ordinance portion of the new draft, so I will confine my comments to that section. Please find below some comments on the current draft. 1. In general, the new draft lighting ordinance is much better than the one currently in place. I really like the recommendation for shielded fixtures and the new luminance limits given in various places. I did notice that some of the figures are relegated to an appendix, but I believe	Move applicable illustrations into text.	

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		they would be more useful inline with the text, particularly the diagrams showing some acceptable shielded fixtures.		
Outdoor lighting	Prohibited lighting 4-6(F)4	Why would blinking, flashing, fluttering, etc be allowed for roadway lighting? This basically allows creating dangerous lighting conditions. Unless this refers to traffic signals, in which case the text needs to be clarified.	Revised to "Temporary emergency lighting necessary for public safety and emergency services"	
Walls, fences and gates		<p>I am plodding my way through Module 2 and plan to attend the meeting tomorrow evening. However, I have a few preliminary comments.</p> <p>Section 16-1-3</p> <p>p. 7 #3 These sentences belong in #2: The intent of this exemption is to allow the County to construct unique structures such as utility stations, water towers and wastewater treatment plants that may be incompatible with development regulations that were written for more routine structures. The examples of specific uses in this subsection are included for purposes of illustration and not limitation.</p> <p>Permissive is misused repeatedly in this document. “Permissive” means giving, or predisposed to give permission. The correct word is “permitted” or “permissible.”</p> <p>p.16:</p> <p>1. Animal husbandry activities are permissive, provided they comply with the requirements of Chapter 6: Animals.</p> <p>2. The use of barbed wire, razor wire, or barbed tape is permissive</p> <p>p. 22</p> <p>3. A maximum of 1 Accessory Dwelling Unit per lot is permissive, provided it complies with the</p> <p>p. 24</p> <p>1. A single-family dwelling on a flag lot is permissive within the MFR-L-NC zone district</p> <p>p. 25</p> <p>2. A single-family dwelling on a zero lot is permissive within the MFR-L-NC zone district</p> <p>4.A maximum of 1 Accessory Dwelling Unit per lot is permissive</p> <p>These are just a few examples; there are many more.</p>	Will change all instances of 'permissive' to 'permitted' to keep document consistency.	"Permissive use" is a commonly utilized term in contemporary zoning codes. However, since the term 'permitted' is used in the 'Permitted Use Table' and a definition is established in this section, references to 'permissive' throughout the rest of the document may cause confusion. Therefore, all occurrences of 'permissive' will be changed to 'permitted.'
Notification	TBT	My question about the LAC code update concerns fences and walls on property lines shared by adjacent homeowners. I have just learned that last year one of my neighbors obtained unilaterally a permit to modify a fence I co-own. Why does code allow permitting to proceed without notice to the adjacent owners? Or, how can this loophole be closed?		Notification for the various development applications will be covered under Module 3 Administration and Enforcement. We will discuss the request for notification on Wall / Fence permits with County staff and the Steering Committee.

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		It is startling to me that schools land and developed county lands are designated as Public Open. I, believe all government lands need to be differentiated by that which is developed and that which is not. For schools there needs to be at least three designations: 1.) Active public schools, 2.) Former public schools under commercial lease, and 3.) reserved land for possible future public schools. A similar designation should be for county land and other governmental land. The maps don't even show major government developments such as schools, county offices, county and schools industrial areas for maintenance.	No change.	In the past, the County reached out to the NM AG and his office issued an opinion. In summary, it says lands owned by the Los Alamos Public School District and used for school purposes, directly and indirectly, may be subject to local zoning and development ordinances and when LAPS is using, renting, or leasing their property for other than "traditional" school uses it is subject to local zoning and land use restrictions.
		public schools under commercial lease should be treated no different than other commercial property except for it provenance and potential future use.	No change.	
		the County exemption from planning rules is ok - but there needs to be some sort of day to day oversight beyond just getting County Council approval. Projects have a propensity to drift after approval. The internal independent board in previous code was an attempt at this - but obviously not well executed in the examples provided earlier. To not burden County Council with day to oversight - perhaps there is another citizen committee that can take on that role and then when appropriate refer back to County Council for changes.		The project team and County legal are reviewing this particular issue.
		the less than \$50k waiver for county also needs some sort of controls. The most egregious issues tend to be around "staging areas". These temporary uses need more oversight with a beginning, an end, and someone to oversee restoration.		
		4.) Section 3-2(E)(i) construction Staging areas. The biggest user/abuser of this is the county. Although the contractor at former Black Hole has issues too. Frequently the county or contractors offer land owner "valuable" millings and they remain on the property for decades. As a person who has built many large projects, I understand the importance of staging areas. Perhaps each community area needs permanently designated staging areas for utility refurbishment. But there need to be more strict rules and oversight. If the areas are to be used for large quantities of soil and road millings there needs to be controls including sediment management, fencing when heavy equipment is on site, storm water management, signage, toilets so workers don't just use nature. There needs to be restoration plans. There needs to be some sort of community communication - usually these areas are in the middle of our communities. There should be built into contract some sort of financial retain-age to assure restoration. The county has both building inspectors and environmental resources - they need to make regular visits. Most of these uses will fall under the less than \$50K exemption - so where is the control?		
		Page 85, Figure 21: <ul style="list-style-type: none">• Left front yard needs label "Front Yard".• Does Front Yard include or exclude walkways and driveways?• Define "building line" and/or "any ... facade". Are these a building wall or the drip line of a roof eve? Seemingly answered in 16-4-1(C)?	Figure 21 was revised and updated to center the front yard label so that it is clearer that it includes the walkways and driveway.	We reorganized this section to begin with required setbacks and setback areas, followed by allowed projections within required setback areas, then yard requirements. We are hoping this reorganization clears up some of the confusions. In addition, we updated Figure 21 to place the label into the middle of the front yard to make it clearer that yes, walkways and driveways are included within what is defined as the Front Yard. Figure 22 was also updated to label the building façade so that is clearer that projections into required setback areas are measured from the lot line to the building facade, both which are defined terms in Part X.

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General Comment		I've had a chance to briefly review the proposed Chapter 16 Code update proposal. Overall, I am in agreement with most of the changes. This has been a long road for those of us in the community who have lived with the inadequacies of the existing document. I live in Western Area, an older neighborhood where property owners currently have little protection from a variety of issues that are generally covered in a modern code. Thanks you for your efforts. In the past many suggestions have been proposed and shot down at the last minute by those that scream the loudest at council meetings. I see the current proposal as very reasonable. It addresses many of my concerns relative to protecting property values and the character of Western Area, one of the most beautiful of the older neighborhoods in Los Alamos.	No change required.	
Use Specific Standards		I especially appreciate the revised elements that address B and B's, which now have little regulation in older residential neighborhoods. Specifically, the impact on quality of life for neighbors, parking, and in-house standards in general. I'd like to add that the number of rooms rented should be tied to the general number of bedrooms and size of homes in each neighborhood. Responsibility for additional services, such as garbage, and utilities, and associated costs should also be addresses, along with some schedule of inspections of these commercial businesses.	No change required.	
Dimensional Standards		I fully support sections that clearly define setbacks. Here again, I now feel defenseless when vehicles and RV's are parked in front yards. What the proposal misses is historical setbacks already existed in Western Area, since its construction. These contribute to its overall beauty. Please consider researching the existing standard for setbacks in Western Area as they exceed the 20 feet described in the proposal. My point is maintaining the existing standard, preserves the integrity, character and beauty of older neighborhood designs. Also many homes in Western Area do not have side yards, and some sit on corners.		The project team will examine the setbacks in the Western Area to verify and change dimensional standards as necessary to accommodate existing conditions.
General Comment		Finally, I see the proposed revisions as providing excellent guidance for county staff who now often find themselves in conflict with those who ignore or skirt existing code standards. Please consider additional protections for county staff given the history of hostility directed toward them when they are performing their duties. In closing, Thank you for your efforts. The input process will likely be difficult for all involved. Please remember that many chose to not be part of the rancorous public input process due to the ill will that is conveyed by many. Los Alamos and Western Area are beautiful and deserve a code update that protects the stability of our neighborhoods and our investments from acts that decay the over all quality of life in the places we live.	No change required.	
General Comment		A DPS comment was made during the public meeting on Tuesday Feb 15 - that there are "no zoning changes" in this proposed development code. Can you review this concept, using a real example, at the presentation to P&Z.		There are a series of zoning reclassifications that are occurring through this process. Proposed zone reclassifications throughout this process are occurring through a series of decision rules. Where districts were reclassified, the following summary reflects the zone conversion rules for base zones from the existing Development Code: <ul style="list-style-type: none"> Guidance from approved County documents, such as the Comp Plan or Master Plans 2 or more existing zones that were very similar in terms of permissive land uses and densities, districts were consolidated into 1 proposed district that allows uses for the highest base zone. Where zones existed that are no longer used or are currently not mapped anywhere in the County were eliminated. Planned residential districts (PD), which are no longer accepted by the County as of August 28, 2007, were converted to the closest

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				<p>residential base zone in regard to permissive land uses and densities. Where planned developments contained undeveloped lots, the reclassification followed the above-mentioned conversion, but approved site plan entitlements were carried over through the new Planned Residential Development Overlay District.</p> <p>For example, the current zoning code has three commercial zones Light Commercial and Professional Business (C-1) Civic Center Business and Professional (C-2) Heavy Commercial (C-3), all parcels with any of that zoning was reclassified as General Commercial (GC) and the permitted uses from the most intense, C-3 category, were applied.</p>
General Comment		The "rubber hits the road" with the publication of Module 2 - that is, it brings to understanding the requirements of the new code. It would be really helpful to the public, if DPS would summarize the major differences between the existing code and the new code. I understand this will take some judgement - but, you probably have a sense of these items from your steering committee discussions and from the public comment received to date. From another point of view, the County does not want to inadvertently surprise County residents by changes in the Code - so, let's help the County be aware of and understand the changes. 172 pages is a lot for the average citizen to digest!		The PowerPoint presentation outlines attempts to highlight major code changes. Dimensional standards and permitted uses are fairly similar to the existing code, the extent of updates to development standards is more extensive particularly for parking, landscaping, outdoor lighting and signage.
Neighborhood Protection Standards		The neighborhood protection standards would really benefit by including a GIS analysis of where they apply. That is, a map showing the heights of buildings next to residential areas. For example, I cannot tell if Fuller Lodge will be appropriately protected when 85' buildings are built in the Los Alamos downtown. I misnumbered this comment, so replacing the number with a *) The zoning maps printed in the text have a different color scheme than the maps on-line . . . anyway to bring these two the same color scheme?		<p>The project team could conduct such an analysis, but it is out of the current scope and would require additional services.</p> <p>Neighborhood protection standards only apply when a property is adjacent to low-density residential defined as RA, RE, SFR. They do not currently apply to Historic areas. The team can create similar height step down requirements for the Historic Overlay, however these protections only apply to locally designated resources. Fuller Lodge is only designated on the state/federal level so the County would need to designate these resources locally as well.</p>
		*) The zoning maps printed in the text have a different color scheme than the maps on-line . . . anyway to bring these two the same color scheme?		The maps aren't a one-for-one translation, so the existing versions attempt to translate the colors to match as closely as possible. The project will evaluate if this can be done more clearly.
General Procedures	Section 16-1-3, item 2.	This statement is awkward to me, and gives the wrong impression, I think. I recommend saying what the County's responsibility for compliance with the Code is first. Then go into special facilities - No one objects to electrical, sewer, and other utilities being under the regulation of other entities.		This is existing code language, the project team will evaluate how to best revise.
	Section 16-1-8, item 3.	"Adoption of this Code is not intended to impair, annul, or abrogate any easement, covenants, deed, or other agreement between parties, public, or private." In our recent review of the SUP application for a daycare in La Senda - we specifically didn't address any of the covenants of the properties. Is this a contradiction?	No change.	No, this statement is saying that this Code does not prohibit private covenants or easements from occurring.
	Section 16-1-10, item C. Section X	Section 16-1-10, item C. Section X Nonconformities - this seems like a big deal for the portions of the town built prior to 1965, in particular. Hope that P&Z notices this when Module 3 comes forward.	No change.	Non-conformities will be covered in Module 3.

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	Nonconformities -			
Conversion Table	Table 1	It appears to me, that the naming convention of the zones is not strictly followed in Table 1 - and it would help me, if they were. Page 11 - I think it should be Multi-Family Residential Low (MFR-L) and Multi-family Residential - Medium (MFR-M) and Multi-family Residential-High (MFR-H).	Revised the naming convention to Multi-Family Residential Low (MFR-L) Multi-family Residential - Medium (MFR-M) and Multi-family Residential-High (MFR-H) throughout the document	
District Standards	Table 2	Table 2 should probably include the height for an accessory building	Tables were revised to include Accessory Structure heights.	
District Standards	Table 5 -	Table 5 - Perhaps define SF and DPX/TH the first time they are used.	Added asterisk to the table that clarifies SF and DPX/TH.	
District Standards	2-3(A)(V)	Why are accessory structures in the North Community allowed to be 12', where they are 15' in SFR districts?	Revise to a maximum of 15'	The 12' maximum height for accessory structures within NC is an existing entitlement that was carried over. It can be increased to 15' to be consistent with SF allowances if desired.
District Standards		Can you provide some examples of "limited civic and institutional uses" in MFR-L (page 23). Are these schools or firehouses?	Removed the statement "The MFR-L zone district may include limited civic and institutional uses and incidental or accessory uses that serve the surrounding residence" from intent statement.	Removed the statement referring to limited civic and instructional uses since the uses aren't any different than those in other districts.
District Standards	Page 23. 2-3(A) VI 1.	Page 23. 2-3(A) VI 1. Is there some reason for only 3 accessory structures when you can have four-plexes?	Revised to a maximum of 4 accessory structures.	The maximum 3 for accessory structures is an existing entitlement that was carried over. This was increased to 4.
District Standards		Pages 26 & 27 - I recommend the wording Multi-Family Residential-Medium and Multi-Family Residential High.	Revised naming convention to "Multi-Family Residential-Medium" and "Multi-Family Residential High".	
District Standards		Page 30 MU Zones - Is this a complete list - Conoco Hill shopping center, DP Road, Anderson pharmacy/Morning Glory, hospital, old DOE property apartments (the Hill, I think). Is the 50' height higher than existing site plan approvals? When do neighborhood protections kick in for these sites?		County staff would need to provide the complete list of MU zoned property and the approved building heights. The maximum 50' building height is an existing standard from the current code. Neighborhood Standards that limit building height to 35' would apply in areas that are between 50-75' or a property zoned low-density, i.e. RE, RA or SFR.
Downtown Admin Approvals		Page 32: Review/Approval Procedures - 50,000 square feet and 50 units is too high a threshold. Recommend changing to 20,000 square feet and 20 dwellings).		P/Z and Council guidance needed on this issue as the Steering Committee was unable to reach consensus. At the P/Z hearing on 2.23.2022, the PZ wasn't sure if this recommended should be carried forward but felt that if it was the threshold was too high and be reduced by half – 25,000 sq.ft. or 25 units. Further input from the public, P/Z and Council are needed on this issue.
Downtown Standards		parking - a number of zones are recommended at 50% the requirements of Table 28 - why?		The two Downtown districts (DTLA, WRTC) are being recommended to have 50 percent. This is based on guidance from the Master Plans and a National Best Practice for mixed-use environments that are intended to be walkable and easily accessible by a multitude of transportation modes including walking, transit, and bicycles.
Downtown Standards		page 43 Open Space for the DTLA zone. Why is the required common residential open space allowed to be reduced by 50%?		Similar to parking requirements, many contemporary codes reduce open space requirements in Downtown areas as they often have publicly accessible open space amenities within their boundaries.

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Downtown Standards		page 43 I thought the LA downtown master plan called for roads to break up the large parcels between 9th and 20th streets.		Correct, the DTLA MP Development Framework does show breaking up smaller parcels. If it is in the purview of the PZ and Council, the project team can include access/connectivity standards that create maximum block widths within the DTLA to ensure a walkable urban grid is maintained.
Public Land Zone District		Page 49 - Public Land Zone. I think that it is very confusing to include publicly owned parks or open space lands in this district, because of the Parks and Open Space Districts. I would think public lands are schools and county buildings and their associated grounds. Probably utility buildings and their associated grounds.	Removed mention of public parks or open space from Public Lands Intent Statement as follows “The Public Land (PL) zone district is intended to accommodate local institutional or civic uses or publicly-owned parks or open space lands, which have a community-wide emphasis that warrant their inclusion under a public designation rather than another zone district designation”.	
Parks and open space district		page 50. I think it would be most helpful to list the actual parks and open space that go into each sub-zone. Otherwise public park and active open space could be very similar (e.g. golf course)		The project team can work with county staff to list the various open spaces in each subzone if that is in the purview of PZ and Council.
Parks and open space district		page 51 Caretaker units are appropriate for the golf course and the schools - but it is hard to imagine them for parks and open space.	Remove caretaker units within OS-A and OS-P subdistricts.	This was an existing entitlement.
Use Standards - Daycare Home		Daycare Facility (page 76). P&Z recently reviewed a daycare operation for 12 children in La Senda. Can you compare that SUP application with these requirements? It could be helpful to list the current daycare facilities in Los Alamos/White Rock - and how these operations will be regulated under the new code. (I know that some facilities are Private Schools, and not daycare)		This request is beyond the project team’s scope.
Use Standards - Daycare Home		Daycare Home (page 77). Is this a change from current practice of 6 children to 4 children? If so, what is the basis for the change?	No change.	This change is to make daycare facilities consistent with state legislation.
Signage		Signage - at one time (3 years ago), we reviewed updates to our sign code, based on the Supreme Court ruling on the city of Gilbert, Az case. Is what we have now - the final draft of those changes?	No change.	This draft was drafted with guidance from the previous signage code update and ongoing coordination with County legal.
		The map on p. 14 is not accurate. The actual existing zoning map shows zoning for W1, W2. The proposed zoning map on p. 15 needs some changes. For instance, the eastern part of Bayo Canyon should be W1. Also, much of the public land needs to be zoned PINS, POS-P, POS-AO, or POS-AO. These names are completely lacking in White Rock. What is the process for doing this and when will it happen?		The map in the current draft was based purely on the conversions from what is currently designated W-1 or W-1. Within the parameters of this update, the project team can update the open space designations per the Future Land Use Map of the Comprehensive Plan In areas where the public feels that those instances are not appropriate, a formal Zone Map Amendment will need to be taken through outside of this update process. Pinon Park is one example of this as most of it is indicated as Public Land on the future land use map of the Comp Plan.
		I still find some of the terminology confusing in Module 2. On p. 12 in Table 1 one existing zone district is called Public Land (P-L). The next column says “Public Land (PL) Remains.” However, in the permitted use table beginning on p. 63, it is called PINS (for Public Institutional?). I think that is preferable. p.49 2-3(C)(IV) PUBLIC LAND ZONE DISTRICT(PL) and 2-3(C)(IV)(1) PL ZONE DISTRICT STANDARDS		The Public Lands district could be renamed as an Institutional District if it is in the purview of the Commission. This issue is something the team has been going back and forth on, since there will be a large amount of undeveloped lands that aren’t necessary used for institutional uses.

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		This section seems to refer to what is called PINS in the permitted use table. I think the description is too broad. (The description of POS is given on page 50.) The Public Institutional (PINS) Land (PL) zone district is intended to accommodate local institutional or civic uses [or publicly- owned parks or open space lands,] which have a community-wide emphasis that warrant their inclusion under a public designation rather than another zone district designation.		
		p. 51 2-3(C)(V)(2) PO ZONE DISTRICT STANDARDS One Caretaker Unit shall be permitted for lots 30 acres to less than 400 acres in area; lots greater than or equal to 400 acres in area shall be permitted 1 such Accessory Dwelling for every 200 acres in total area. Motor vehicle use shall be restricted to movement through the zone district on designated roads or to movement on designated roads to uses allowed in the zone district. PO Zone District is Professional Office according to the definition on p. 46. Is that what is meant? If so, why is motor vehicle use restricted? If this refers to Passive Open Space, it is totally inappropriate to build dwellings on those lands. Furthermore, it is not included in the permitted use table.	Revised subsection title to read “ <u>POS ZONE DISTRICTS STANDARDS (POS-PP, POS-AO, POS-PO)</u> ”. Remove caretake units from POS-A and POS-P.	These are the district standards for all of the Park and Open Space zone districts, we revised the subsection title to clarify. Restrictions on caretakers units and motor vehicle movement are existing requirements on the W1-W2 zones that are carried over. Per public comment the provisions for caretaker units in POS-A and POS-P will be removed.
		p. 53 Table 26 POS-P, POS-AO, POS-PO should not be lumped together. The restrictions listed are appropriate for POS-P. POS-AO should be more restrictive. POS-PO should be extremely restrictive and the building height should be one story. appropriate for POS-P. POS-AO should be more restrictive. POS-PO should be extremely restrictive and the building height should be one story. Permitted Use Table The descriptions of active and passive open space lands in the Comprehensive Plan on p. 117 (actually p. 107) should guide what is permitted in the use table.	Deleted cemetery for POS-AO Deleted institutional and civic buildings for POS-P, POS-AO	Permitted uses within the Parks and Open Space reflect current entitlements. Per public comment and Council guidance permitted uses in open space zones will be ramped down so more intense uses are allowed in parks and less intense uses in POS-AO and POS-PO per guidance of the Comp Plan. A separate more intense subdistrict will be added for recreational areas such as the Ski Area.
	Permitted use Table	Permitted Use Table The descriptions of active and passive open space lands in the Comprehensive Plan on p. 117 (actually p. 107) should guide what is permitted in the use table. I see that you have made some changes from the current uses. What procedure do you suggest for further changes? Below are the changes I would like to see. I see that you have made some changes from the current uses. What procedure do you suggest for further changes? Below are the changes I would like to see. p. 63 Delete cemetery for POS-AO Delete institutional and civic buildings for POS-P, POS-AO		
		p.64 Delete Community garden, outdoor recreation facility, park or playground for POS-PO.	Deleted Community garden, outdoor recreation facility, park or playground for POS-PO.	
		p.64 Delete Bar, lounge, or tavern for POS-AO.	Deleted Bar, lounge, or tavern for POS-AO.	
		p 65 Delete Microbrewery, distillery, or winery for POS-AO.	Deleted Microbrewery, distillery, or winery for POS-AO.	
		p.67 Delete Radio or tv studio or station for POS-P, POS-AO, and POS-PO.	Deleted Radio or tv studio or station for POS-P, POS-AO, and POS-PO.	

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		p. 68 Delete Swimming pool for POS-PO	Deleted Swimming pool for POS-PO	
Outdoor Lighting		<p>The Pajarito Environmental Education Center (PEEC), operators of the Los Alamos Nature Center, wish to call attention to the recently released draft of Module 2 of Los Alamos County’s Development code, published on January 24th by Dekker/Perich/ Sabatini, and available at https://losalamosconnect.org. Among many other topics, this document contains an important revision to the outdoor lighting ordinance contained in Chapter 16-276 of the present County Charter, bringing it up to date with modern technology and the latest recommendations from the International Dark-Sky Association and the Illumination Engineering Society. Public comment on this draft is solicited through March 15th, and there will be a public open house over Zoom on February 15th.</p> <p>There is much in the DPS draft that is commendable, and indeed long overdue. Limits on total illumination per site (residential or commercial) are expressed in lumens per net acre, and curfews for reducing illumination after a certain hour are included. As PEEC is concerned with the deleterious effects of artificial light on wildlife, human health, and our enjoyment of the night skies, we hope that this new ordinance will be adopted and enforced.</p> <p>There is one point in the draft, however, that we would like to improve. It specifies an upper limit of 3000 K color temperature for outdoor lighting, and we would like to see that reduced to 2500 K or 2200 K, in keeping with the opinions of most dark-sky advocates. The vast majority of streetlights in Los Alamos are the high-pressure sodium lamps, whose comfortable and familiar warm orange glow is indeed typical of many cities. Those lamps have a color temperature of 2200 K. Higher color temperature lamps provide whiter light, seem brighter to our blue sensitive eyes, and produce much greater skyglow and light pollution, even if the lamps are shielded to prevent stray light. The reason for this is that shorter wavelength (bluer) light is scattered and reflected much more effectively than longer-wavelength (redder) light. That, after all, is why the sky is blue.</p> <p>We, as the Board of PEEC, urge that the lighting ordinance draft be amended to lower the upper limit of color temperature for artificial outdoor lighting in Los Alamos County.</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.</p>
Outdoor Lighting		<p>I write in support of changing the county's lighting ordinance to specify cooler lighting for our town. Please use cooler lighting 2200k, do not use the bright harsh 3000k for lighting. We must preserve our dark night skies. We cannot have more lighting around town that is as harsh and disruptive as the lighting at the new roundabout. If the lighting at the new round about can be replaced to comply with the cooler standards that would be ideal.</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.</p>
Outdoor Lighting		<p>An updated lighting ordinance has been proposed for the new Los Alamos County Development Code. The proposal has allowed for an increased upper color temperature of 3000K. This means very bright lighting in residential areas. Some of our neighborhood lighting is aging and the replacements suggested are LEDs.</p> <p>I am in favor of this because bright lighting deters crime. Neighborhoods are safer when there are fewer dark corners. Lets not put things into place which encourage bad behavior such as</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and</p>

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		poorly lit neighborhoods. You have a better chance of seeing the wild animals like deer, racoons, skunks, bears etc. that wander at night with decent lighting.		conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
Outdoor Lighting		<p>I am writing this note to comment on the proposed changes to the Los Alamos County lighting ordinance within the new proposed development code. I am encouraged to see that one of the primary purposes of the new lighting ordinance is stated “to curtail light pollution, reduce sky glow, and improve the night-time environment for outdoor enthusiasts and astronomers”. As one of the many local amateur astronomers, over the past 32 years I have unfortunately witnessed the steady degradation of our dark skies in Los Alamos by continued increases in local light pollution. Enacting this ordinance presents a terrific opportunity to not only limit further worsening of our night skies, but perhaps to even dial back current light pollution and restore our night skies to what we once were able to experience.</p> <p>I believe this is important for the County and our neighbors for a number of reasons. As a science community, access to the nighttime views afforded by truly dark skies can be a wonderful source of inspiration for all of us and the strong community interest in the night sky is made clear by the continued enthusiastic attendance at dark sky nights held at Overlook Park. There is a very large and active community of amateur astronomers in the County who are excited about sharing our hobby with all county residents, but we share a growing sense of dismay at the continued brightening of our skies. Our light pollution affects more than just the County. Much excitement has been voiced lately over the fact that the Valles Caldera Preserve has been certified recently as an International Dark Sky Park. The County has a responsibility to help the Park maintain quality night skies through our own efforts to rein in light pollution. Finally, for many children that first excitement leading to a lifelong interest and even career in science is often sparked by early views of the night sky. That sense of wonder and awe on exploring what is above us can last a lifetime (as it has with me). Sadly, for so many children and adults alike, such inspiring views are no longer possible from our cities and towns.</p> <p>While the new lighting ordinance promotes a number of important practices that will help rein in and possibly even reduce light pollution, I share a common concern with many in the community that the proposed standard on maximum correlated color temperature (CCT), noted in a number of spots to be 3000K, will actually make our light pollution worse, rather than serve to improve our skies. Such a standard will result in a significantly bluer cast to the lighting in the County that will create increased glare (and thus actually reduced visibility) and significantly increased sky glow due to the highly efficient scattering of the bluer wavelengths of light present in such lighting. One only needs to drive through the new roundabout at the entrance to town to see just how bad this type of lighting can be. Changing to a standard of 2200K will provide continued adequate visibility where needed, with a warmer, more pleasing, less glaring color cast that also will help to reduce sky glow through light scatter in comparison to the 3000K standard. We should strive for best practices in this new ordinance, and reducing the CCT to a recommended 2200K or lower will be an important step in line with that philosophy.</p> <p>I appreciate your consideration of these comments.</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.</p>
		I agree with the Dark-Sky concept and support the Friends of the Night Sky in keeping our light pollution to a minimum and favor a lower color temperature range of 2200K also. Stargazing in New Mexico is an ancient and authentic experience.		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of</p>

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				implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
Outdoor Lighting		<p>I believe strongly that Los Alamos should be a leader in promoting dark skies. There are several reasons for this:</p> <ul style="list-style-type: none">• Light pollution disturbs breeding populations of animals and birds. These creatures are already under so much stress from other environmental problems that the least we can do is not contribute to them.• It is an unnecessary waste of energy that contributes to global warming.• There is no purpose to having bright lights go up into the sky. Los Alamos, more than most places values our natural environment.• The night sky is part of that environment, and we should make it accessible to all.• Some lights in my neighborhood are so bright and make it difficult to sleep. What an unnecessary waste!		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.</p>
Outdoor Lighting		<p>I write this email in support of protecting our night sky in residential areas by lowering the color temperature range of the new street lights and covering the lights to prevent the lights from shining up into the night sky.</p> <p>It is wonderful that I can see the milkyway from my backyard. This is one of the things that makes Los Alamos so special.</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.</p>
Outdoor Lighting		<p>I was reading the summary of the proposed changes in the Chapter 16 code that appeared in the LA Daily Post and I was wondering if any of these changes impact the spacers that exist along Central and Trinity, in particular.</p> <p>These heavily traveled roads have spacers that contain mostly sand, dirt, rocks and pieces of concrete along many sections of both roads, designed to separate the heavy traffic that flows along these roads from the adjacent sidewalks used by pedestrians.</p> <p>I have complained over the years to various County officials about the fact that these spacers are an eyesore and should be paved by the County with the same kind of brick-styles concrete that has been used to such good effect by NM DOT when they installed spacers on both sides of the round-about leading into Los Alamos.</p> <p>No one in their right mind would plant trees or bushes in these spacers along such heavily traveled routes, since every winter the snow plows would push snow, sand and dirt on top of the plants, killing them. So cementing these spaces is the only thing that makes sense.</p> <p>Right now, my understanding is that nothing can be done because no one seems to know who should be responsible for these spacers.</p> <p>It makes no sense to me to require owners of the adjacent property to be responsible since these spacers are part of our major right-of-ways. Clearly, NM DOT has the same view, since they put in the brick cement work without charging the owners of the adjacent property.</p>		<p>This comment appears to be concerning what is often referred to in planning and zoning as a “landscape buffer”. The Chapter 16 Update addresses landscape buffers only within the Downtown areas, e.g. WRTC and DTLA zone districts. In these districts, the update recommends a minimum 6’ landscape buffer allocation in order to isolate pedestrians from traffic within the ROW and provide a unified location for street trees per the guidance of the Downtown Master Plans. Landscape buffers are common within downtowns or other activity centers that are intended to become more pedestrian oriented to increase pedestrian safety as well as increase the pedestrian experience by providing a place for street trees and other pedestrian amenities such as lighting, benches, and/or trash receptables.</p>

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		<p>The County should do the same thing for the spacers along our major roads, and that should be clarified in Chapter 16.</p> <p>I would be happy to answer any questions you might have over this issue, but others in County government should be aware of the issue, including Steve Lynne and Philo Shelton, who I have pestered more than once about this issue.</p> <p>The current situation has resulted only in leaving ugly spacers containing nothing but rocks, sand and pieces of concrete along these major roads.</p> <p>Thank you for your consideration.</p>		
Outdoor Lighting		<p>Light trespass is mentioned in the “Purpose” section 4-6(A) and several specific instances but it needs to be regulated more broadly (in 4-6(E) for example). The reason is that light trespass is a common irritant for residents. It is as much a nuisance as barking dogs or loud music late into the night, which are regulated. One common source of light trespass that is not covered in the draft ordinance is from businesses (including schools, churches, apartment buildings) and their parking lots that can have excessively bright and unshielded lights that are on all night. There are several examples of such light trespass in Los Alamos and White Rock for which there is no justification. Preventing light trespass is a “good neighbor” practice.</p>		<p>The current draft provides standards for shielded fixtures that are intended to reduce light trespass.</p>
Outdoor Lighting		<p>We do NOT support the new guidelines in the LA County Development Code Section 4-6(E) Site Lighting Standards point 2, "Correlated color temperature (CCT) shall be equal to or less than 3000K."</p> <p>Our kids bring home friends from college who marvel at the stars we see in Los Alamos. These young adults have never seen the Milky Way or even been able to pick out the constellations that jump out at us almost every night. Please preserve the natural beauty that comes with living in the mountains and change to limit to 2200K as suggested by the dark ski organization.</p> <p>We live in Western Area and often walk at night without the need of a flashlight when the moon is full or a minimal red head lamp on darker nights. This is enough light to see the wildlife that shares our town. In fact, <u>it is hardest to see in the shadows of streetlights</u>. Increasing the brightness of existing lights will only cause darker shadows while increasing light pollution.</p> <p>We often wish the current lighting on streets and park paths was <u>closer to the ground</u> so as not to shine into our home windows at night. Never have we desired more lighting or brighter lighting for ourselves or our children.</p> <p>Preserve the unique magic of our mountain town</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation.</p> <p>This item has been added to the list of items that need to be reviewed and refined.</p>
Outdoor Lighting		<p>I support Dr. Galen Gisler’s comments on the proposed LAC Lighting Ordinance.</p>		
Outdoor Lighting		<p>An updated lighting ordinance has been proposed for the new Los Alamos County Development Code. The proposal has allowed for an increased upper color temperature of 3000K. This means very bright lighting in residential areas. Some of our neighborhood lighting is aging and the replacements suggested are LEDs.</p> <p>I am in favor of this because bright lighting deters crime. Neighborhoods are safer when there are fewer dark corners. Lets not put things into place which encourage bad behavior such as poorly lit neighborhoods. You have a better chance of seeing the wild animals like deer, raccoons, skunks, bears etc. that wander at night with decent lighting.</p> <p>Thank you for your time.</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council requested further study on the feasibility of implementing this light limit. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation.</p> <p>This item has been added to the list of items that need to be reviewed and refined.</p>

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		<p>I'm writing regarding Open Space in Module 2 of the Los Alamos Chapter 16 rewrite, fleshing out some of the comments I made in the public meetings.</p> <p>Jessica said at the P&Z meeting that Module 2 doesn't rezone any land. But that's not quite true: there are several open space areas for which your proposed zones permit far more development than is currently allowed. That is effectively a change in zoning, with a loss of open-space protection.</p> <p>The biggest problem is Piñon Park in White Rock, currently an undeveloped piñon-juniper hill with trails. The current zoning is P-L.</p> <p>In Module 2 it's rezoned WRTC, opening the entire park to high-rise commercial development. That doesn't make sense for a P-L parcel consisting of a library and youth center, a playground and splash pad, and a large natural undeveloped hiking area.</p> <p>The P-L designation is used for quite a lot of open space, but it isn't defined. The zone definitions starting on page 49 include a PL (Public Land) zone plus three Parks and Open Space zones: POS-P, POS-AO and POS-PO. The Permitted Use Table that starts on p. 63 includes the three POS zones, but doesn't include P-L, saying that the old PL becomes POS-P. So we have no idea what would be permitted in the new P-L zone, which is a problem because it includes a lot of undeveloped open space, such as White Rock Canyon and Grand Canyon Park in White Rock, and the open space north of Diamond Drive in Los Alamos.</p> <p>New zone POS-AO is confusing. The use table allows all sorts of development in POS-AO (it's much more permissive than POS-P), including retail sales; bars, taverns and microbreweries; radio/tv stations; sports fields and swimming pools; and so on. Someone speculated at the public meeting that this was because of the ski area; indeed, on the map I can find only two areas designated POS-AO, the ski area and eastern Bayo Canyon. But none of those uses make sense for Bayo Canyon. If the problem is the ski area, couldn't you put the ski area in a different zone, or use an overlay for it, rather than redefining an open space zone to allow uses that are incompatible with open space?</p> <p>Our open space is very important to us in Los Alamos. Please reconsider zoning Piñon Park as WRTC. Please consider making POS-AO a real open space zone, using a different zone for the developed part of the ski area if need be. Please clarify that P-L designation: if it's really a zone in the new scheme, can it be added to the use table so we know what its uses are? And please look at the other open space areas zoned as P-L, like White Rock Canyon, Grand Canyon Park, and the areas adjacent to Diamond Drive so that they continue to be protected as open space.</p>		<p>There are a series of zoning reclassifications that are occurring through this process. Proposed zone reclassifications throughout this process are occurring through a series of decision rules. Where districts were reclassified, the following summary reflects the zone conversion rules for base zones from the existing Development Code:</p> <ul style="list-style-type: none"> • Guidance from approved County documents, such as the Comp Plan or Master Plans • 2 or more existing zones that were very similar in terms of permissive land uses and densities, districts were consolidated into 1 proposed district that allows uses for the highest base zone. • Where zones existed that are no longer used or are currently not mapped anywhere in the County were eliminated. • Planned residential districts (PD), which are no longer accepted by the County as of August 28, 2007, were converted to the closest residential base zone in regard to permissive land uses and densities. Where planned developments contained undeveloped lots, the reclassification followed the above-mentioned conversion, but approved site plan entitlements were carried over through the new Planned Residential Development Overlay District. <p>Per discussions with legal counsel, all parks and open spaces should be reclassified via the guidance of the future land use map within the Comprehensive Plan (Comp Plan). In areas where the public feels that those instances are not appropriate, a formal Zone Map Amendment will need to be taken through outside of this update process. Pinon Park is one example of this as most of it is indicated as Public Land on the future land use map of the Comp Plan.</p>
Outdoor Lighting		<p>When I moved here in the late 70's, I used to marvel at how dark the sky was in town. Of course, as time went on, I didn't look much at the sky, but then when I did, I was appalled at what I saw, or rather at what I didn't see. The sky is much more washed out now. Stars that I used to be able to see are gone. I miss them.</p> <p>I hope that the push to remove unnecessary light in town is successful and we can go back to seeing faint stars.</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council is still evaluating the feasibility of a 2,200K requirement.</p>
		<p>Please see below my comment on the outdoor lighting section of Module 2 of the Los Alamos Development code.</p> <p>Light trespass</p> <p>Light trespass is mentioned in the “Purpose” section 4-6(A) and several specific instances but it needs to be regulated more broadly (in 4-6(E) for example). The reason is that light trespass is a common irritant for residents. It is as much a nuisance as barking dogs or loud music late into the night, which are regulated. One common source of light trespass that is not covered in</p>		<p>The code requires fully shielded light fixtures going forward. Consensus has not been reached around the issue of requiring a light curfew. Further input from the public, P/Z and Council is needed on that issue.</p>

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		the draft ordinance is from businesses (including schools, churches, apartment buildings) and their parking lots that can have excessively bright and unshielded lights that are on all night. There are several examples of such light trespass in Los Alamos and White Rock for which there is no rational justification. Preventing light trespass is a “good neighbor” practice.		
		<p>Eliminating all limits on the number of dwelling units per lot may have unintended consequences, especially in communities where property is priced above average. It's true that approach is simpler, and it does allow more flexibility -- probably too much. There's no doubt the weird Dwelling Unit allowances, stuck mysteriously at the end of section 16-537, could use an update. But getting rid of them entirely is unreasonable, no matter how much it may be in vogue.</p> <p>For example, consider what can happen if someone were to purchase a run-down house on say, Navajo, on Barranca Mesa (zoned R-1-12, lots averaging about 15,000 sqft, max building height of 35', coverage of 30% allowed). It would be perfectly okay to put four 3,300 sqft houses on that same lot.</p> <p>Should you think that unlikely, it's not. As property prices increase, the same kind of thing has been seen all over the expensive parts of California. Maybe that's the fate some would like to see in Los Alamos, but it's doubtful the majority would approve.</p>	Add the following language to the RA, RE and SFR district specific standards “Not more than 1 principal dwelling shall be permitted on any parcel, except in the case of cottage development, which shall comply with the standards of Section X”.	<p>Many contemporary codes are moving away from defining maximum dwelling units per acre within zone district standards. Any development would still need to meet the minimum standards of the underlying zone district in which it resides, e.g. lot size, setbacks etc.</p> <p>The update reclassifies R-1-12 to SFR-2 which requires minimum lot sizes of 12,000 sq.ft. with a maximum 30% lot coverage. A 15,000 sq. ft. lot would therefore only allow a maximum 4,500 sq.ft. of coverage on the lot. Four 3,300, as provided in the example, would comprise 13,200 sq.ft. or 88% lot coverage and would therefore not be allowed. The major concern of this particular comment appears to be to the lower density single-family districts densifying beyond 1 primary dwelling per lot within the rural and single-family districts. Our recommendation would be to add language to the RA, RE and SFR districts that states that lots within those districts are limited to 1 principal dwelling unit per lot.</p>
		<p>Madam and Sir,</p> <p>I find nothing objectionable and much to support in the Module 2 Draft.</p> <p>My primary concern is that Short Term Rental regulation discussions will be delayed or, worse, pushed through quickly without sufficient understanding of this growing problem.</p> <p>Short-term rental schemes leave the communities in which they exist with little recourse other than a hyped up police presence and unregulated commercialization of residential areas.</p> <p>I hope the council and the architects stay true to this statement in Module 2 beginning on Page 62 under Table 27, footnote 30 on "Short Term Rentals": "Placeholder for new use, use specific standards to be determined based on independent outreach efforts of the county."</p> <p>Further, I would support holding off issuing any business licenses or any other community "okay" of short term rental schemes until the development and acceptance of new regulations.</p> <p>No one should be "grandfathered (or grandmothered) in" for an operation that is potentially intrusive on the peace and safety of a residential street.</p>		<p>The County has issued a Request for Proposals (RFP) to hire a consultant to initiate a public process to collect input on and provide specific recommendations regarding short-term rentals in the County. The decision to separate the short-term rental discussion from the larger code re-write is based on input from the “listening session” at the County Council Meeting on October 26, 2021, which can be viewed here: http://losalamos.granicus.com/MediaPlayer.php?view_id=2&clip_id=2614&meta_id=195289 (topic starts at approx. 47:30). The short-term rental RFP requires a similar process to this Chapter 16 update process that will include community discussion and input revolving around the design of an overall program for revenue capture as well as compliance and code regulations for short-term rentals. The resulting code regulations will be worked into the appropriate sections of County’s municipal code including the finalized version of the Chapter 16 rewrite, Chapters 12 Business and 18 Environment (https://library.municode.com/nm/los_alamos_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH16DECO), and will include any other necessary LAC code cross-references.</p>
		<p>We are grateful to those of you working on the lighting ordinance for Los Alamos County. It’s a privilege to live in a community with strong ties to its history and a commitment to preserving its natural beauty. From the times of the Ancestral Pueblo people, the remote Ranch School, the Secret City and to the present day our home has a special appeal to visitors and residents alike. Part of that appeal lies in the night sky, and we ask the county council to be guided in preserving the night sky by the dedicated scientifically innovative members of our community who are well educated in this challenge.</p> <p>The Pajarito Astronomers Club has been partnering with Los Alamos County since the 1970s to show members of our community and visitors from around the globe up-close views of our</p>		

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		<p>surrounding universe. Compared to more populous regions, our skies could be vibrantly starry rather than shrouded in the featureless glow of city lights. Our club routinely receives e-mails from visitors who are particularly excited about our relatively low level of light pollution and want to participate in the Dark Night events where volunteer astronomers provide telescopes and share their knowledge and enthusiasm about the night sky. We do acknowledge that as time progresses the stars and faint deep-space objects have become less visible, and we fear that we are in a position to lose what visitors seek and we currently enjoy.</p> <p>Using star-friendly lighting is about being a good neighbor. Valles Caldera, which just became dark-sky certified, and Bandelier National Monument, which seeks this certification need us to partner with them to reduce sky-directed light pollution. Furthermore, amateur astronomy research would not be possible without the dark skies that New Mexico currently enjoys and that many people even move to New Mexico to enable. Scientific institutions are very supportive of and reliant on a widespread network of observers, and there is a role for amateurs to contribute to follow-up observations. These include confirming exoplanet candidates, understanding exoplanet host stars, monitoring stars long-term for variability and outbursts, as well as tracking and discovering supernovae, near-earth objects, and comets.</p> <p>Doing what we can to preserve our dark skies for future generations is a most worthy endeavor. In contrast with large cities, we are in a unique position to protect and even improve our splendorous night sky while we serve as a positive example to surrounding communities. While it's probably not possible to restore our sky to the glory that was enjoyed in the days of the Los Alamos Ranch School, there are some steps we could take. The proposed ordinance is a good start; however, we have the additional challenge of bringing our facilities into alignment with the updated ordinance. We would like to see an amortization clause added that encourages and rewards compliance with the updated lighting ordinance. With smart lighting choices, this can be accomplished while supporting our businesses and our safety.</p> <p>Pajarito Astronomers Club</p>		
		<p>I am writing in support of the Dark Sky concept and keeping our light pollution to a minimum. I would like to see the draft lighting ordinance add a 2200 K limit on the color temperature of streetlights, add a strong statement about light trespass, institute an amortization clause, and add a curfew for dimming lights.</p> <p>I have been a resident of Los Alamos county for nearly 30 years and the dark night skies are something to be cherished.</p>		<p>P/Z and Council guidance is needed to determine appropriate lighting levels for the community as the Steering Committee was unable to reach a consensus on this issue.</p> <p>At the P/Z hearing on 2.23.2022, the PZ recommended that lighting level are reduced to 2,200K. Council is still evaluating the feasibility of a 2,200K requirement.</p>
		<p>1) Downtown - personally, I feel that 7 stories is way to tall for our little mountain town. While I understand that going up allows for more housing, and can help preserve more public green space, 7 stories is too tall. Four is more appropriate for our community.</p>		<p>No census has been reached on the issue of building height. P/Z and Council guidance on the issue of appropriate building heights is needed within the Downtown. Further input from the public, P/Z and Council is needed on that issue.</p> <p>The existing zoning in two subzones currently allows 60', which equates to a 5-story equivalent with a height incentive to 75' if 20% of the building floor is residential within the TCO subarea. At a minimum, those existing entitlements would need to be retained.</p>
		<p>2) I am confused on the proposed zoning and overlays for the North Mesa Stables-The entire North Mesa Stables and Arena area are covered under a Quit Claim deed that requires that the area be used for Equestrian pursuits. This is not mentioned anywhere in the proposed new zoning, nor in any of the overlays or terms and definitions.</p>	<p>Add "equestrian facilities" as a use within the Permitted Use Table allowed within the RA district and OS-A subzone.</p>	<p>The project team added an equestrian facilities use into the Permitted Use Table that would be allowed within the RA and OS-A districts that will retain these existing entitlements.</p>

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		<p>Is there a plan to remove the stables through re-zoning, or allow other potential uses through re-zoning? Will this violate the Quit Claim deed?</p> <p>Why is a portion of the stable area proposed as PL while the rest is proposed as OS-A? Twelve of the current stable lots are proposed to be rezoned PL. Why the difference, and for what purpose?</p>		<p>The current version of the Active and Passive subzones of the Parks and Open Space zone district was based on areas that were previously zoned either W-1 or W-2. It appears that the area in question does not currently have a W-2 overlay designation while the other stables do, which is why it was not originally picked up. That being said, we have received several comments that the existing W-1 and W-2 designations do not properly pick-up areas that the community feels would be included within the public open space districts of this update. Under the legal confines of such a project, we can utilize the Future Land Use Map of the adopted County Comprehensive Plan (https://p1cdn4static.civiclive.com/UserFiles/Servers/Server_6435726/File/Government/Departments/Community%20Development/Planning%20Division/LACCP_12_06_16_B_Final.pdf) to guide zoning conversions. The area you are concerned with is shown as active open space on the Future Land Use Map (pg 121 of the pdf) and will therefore be converted to Public Open Space – Active (POS-A) going forward. You will see this change in the next Module.</p>
		<p>Could you better define and advise on the uses allowed under PL, OS-A, OS-P and OS-PP? A portion of North Mesa is privately licensed stable lots. A portion of the Mesa is Arena and Fairgrounds (Public access), A portion of North Mesa is trails, a portion of North Mesa is developed park (dog park, soccer field, tot lot, tennis court) and a portion on North Mesa is undeveloped open space. There is no difference in the proposed zoning addressing these vastly different uses.</p>	<p>2-3(C)(V)(1)(a) PUBLIC PARK SUB-ZONE (POS-P) The Public Park sub-zone is intended to protect existing County owned or managed parks, recreation areas, and County-owned or controlled lands which provide valuable natural and open space functions.</p> <p>2-3(C)(V)(1)(b) ACTIVE OPEN SPACE SUB-ZONE (POS-AO) The Active Open Space sub-zone is intended to protect the natural character of the County’s wilderness areas designated for use of active public recreation, use, and enjoyment <u>with limited development such as camp grounds, skiing, athletic fields, and stables.</u></p> <p>2-3(C)(V)(1)(c) PASSIVE OPEN SPACE SUB-ZONE (POS-PO) The Passive Open Space sub-zone is intended to protect the natural and scenic character of the County’s wilderness areas for use of passive public recreation, use, and enjoyment <u>that have minimal effect on the land.</u></p>	<p>Clarified the intent statements for the open space subzones in Section 2-3(C)(V) PARKS AND OPEN SPACE ZONE DISTRICTS (POS) per guidance of the Comp Plan.</p>
		<p>Post- Cerro Grande fire, some of the area was used for temporary housing, and the community was assured that, post FEMA-ville, it would return to undeveloped open space. Would this proposed zoning allow for more developed recreational uses?</p>		<p>This area is proposed as OS-A which under the current draft allows a variety of recreational uses such as a playground, sports field, campground or RV park, by right, outdoor recreational facilities per a Special Use Permit and, per comment above, equestrian facilities.</p>
		<p>In a community desperately in need of housing options, particularly affordable-higher density options, many provisions being urged on the Council by the CDD, the Contractor and the Steering Committee in this re-write of the Development Code (Chapter16) will have the effect of removing or restricting many such options. Although I did not attend Steering Committee meetings and I do not know individual or collective motivations, this restated Chapter 16 has</p>		<p>The Chapter 16 Development Code Update, following the guidance of the Los Alamos County Comprehensive Plan, looks to balance the opportunities to provide affordable housing options in areas deemed appropriate, primarily the multi-family, mixed-use and Downtown districts, while providing stability for existing lower-density neighborhoods, with the</p>

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		<p>the appearance and impact of promoting neighborhoods with only single unit per lot housing; restricting, eliminating or creating administrative barriers to alternative housing options throughout residential districts in town.</p> <p>In some cases the proposed Chapter 16 provisions restrict or eliminate existing density and affordability options and in other cases proposing change create higher density options only to effectively restrict them from virtually every neighborhood with minimum parcel size requirements.</p> <p>I do not believe the charge by the County Council to CDD, the Contractor and the Steering Committee was to promote the status quo throughout neighborhoods in town to the detriment of alternative affordable housing options to single family homes.</p> <p>Below are a number of considerations that are problematic:</p>		<p>Comprehensive Plan specifically mentioning protecting the existing character of these established neighborhoods. The approach is based on the National Best Practice outlined below, to allow a larger range of housing choices in areas deemed appropriate through reduction of zoning barriers such as density limits, increased maximum building heights, and reduced parking standards for multi-family housing developments.</p> <p>Los Alamos County is predominantly zoned single family residential, in one form or another. This Code Update cannot change that. Apart from places where Accessory Dwelling Units can be accommodated (see more below on that topic), the Code has a limited number of tools to increase the density in these single-family zones. The most successful solution is therefore to remove barriers to implementing affordable housing options in areas deemed by the community as acceptable locations. For Los Alamos County, that means focusing on the downtown areas of White Rock and the Townsite, along with major corridors that are in close proximity to services. This particular approach is in conformance with the County’s Comprehensive Plan and Downtown Master Plans that look to encourage higher density housing within the Los Alamos Townsite and the White Rock Town Center. Additional zoning barriers tied to development standards such as maximum density limits, building heights, and parking requirements can be modified across zone districts, but particularly in those areas listed above, to enable affordable housing developments. Such strategies are balanced with set neighborhood protection standards that ensure adequate buffering and building step-downs.</p> <p>If additional public input is received throughout this process that encourages more opportunities to up-zone existing low-density to allow a greater variety of housing choices, those changes can be incorporated in Module 3. Another strategy would be to include an additional Single-family Residential subzone on top of those that exist in the County today, which would allow a wider range of housing choices. Further input from the public, P/Z and Council is needed on that issue.</p>
		<p>The boarding house use definition was eliminated. And while you might argue that it is an old archaic use, in practical fact, there are many de-facto boarding houses being created by landlords renting out individual rooms longer term in single family homes throughout town. If not to keep multi-tenant facilities out of all single family neighborhoods, why eliminate it. As a matter of fact, proper enforcement of existing regulations may clarify requirements and protect residents;</p>		<p>A boarding house is currently defined as “Boardinghouse means a building where lodging is provided with meals for compensation; it does not mean rest homes or homes for the aged.” A boarding house is very similar to a Bed and Breakfast or Inn use in the existing code. Primary differences exist in density limits, requirements for owner occupation, and whether or not a Special Use Permit is required.</p> <p>The code update attempts to create more flexible use categories; as boarding houses are essentially a bed and breakfast, it was eliminated, but could be reinstated if the community feels it is a valid housing option that will be beneficial in the County.</p>

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		“Inns” was a use category eliminated from the Code. Single room occupancy facilities with kitchenettes have provided seasonal and medium term living options, throughout the Country. Why when this might now be a useful housing or lodging option, has this been dropped from the code;		An Inn is currently defined as “Inn means an owner-occupied building that contains up to 15 units, plus the owner's dwelling unit. Any or all of the units may contain a kitchen. Meal service by the owner is limited to breakfast.” Such a use is only allowed within the multi-family districts through a Special Use Permit within the R-3-L, R-3-H, and R-3-40 and requires an owner on-site. Module 2 proposes a co-housing dwelling type and is intended to allow similar congregate living options for micro to full size apartment / condominium units without the owner-occupancy and density requirements within the similar MFR-L, MFR-M, and MFR-H zone districts.
		Under our current code, HUD certified manufactured housing permanently connected to utilities and on a permanent foundation pursuant to an available foundation permit can be used on virtually any legal residential lot in town. These are among the only affordable housing options for some folks in town for infill construction. By restricting manufactured housing exclusively to Manufactured Housing Community zoning districts the Contractor and Steering Committee have struck a death blow to a current affordable construction option for our residents. I note that there is not even a definition of a manufactured house in Section 16-6, inviting confusion.	Change “Manufactured Home dwelling” to “Mobile Home, dwelling” within the permitted use table. Add definition for Mobile Home dwelling to read “A transportable structure that does not meet the construction safety standards of the federal Manufactured Housing Act of 1974.”	This an error. It was intended to read mobile homes or transportable structure that does not meet the construction safety standards of the federal Manufactured Housing Act of 1974. Manufactured homes that are compliant with the federal housing act would fall under a single-family dwelling and allowed within all RA, RE and SFR districts.
		Despite being asked several times to consider, as many municipalities and states with housing shortages have, to create a regulatory scheme that would make use of Accessory Dwelling Units ADU’s) consistent, simplified and affordable, the County Planning Manager, Contractor and/or Steering Committee recommend definitions and regulations that will have the effect, if not the outright intention, to make ADU’s an elite and expensive option. After first setting out a wide ranging and useable set of technical requirements for ADUs, the modules continue to require Special Use Permit P&Z approval of every unit (even though past ambiguities have been eliminated) , prohibit ADU’s in any 5,000 sq. ft. or 8,000 sq. ft. lot districts (even when such ADUs could meet all other technical requirements) and requiring architectural design approval (even for lots with un-updated government homes and though units are all in the back yard and not visible from the street). In multiple jurisdictions, ADU’s have become an indispensable tool for creating higher densities and more accessible housing without destroying the residential nature of neighborhoods. With approximately 7500 to 8000 housing units in Los Alamos, if just 3% of current housing inventory added reasonably cost effective ADU’s on them, it would add more than 200 new housing units. The proposed process virtually guarantees little or no additional affordable rental units will be added. I believe it a significantly short-sighted policy to adopt the proposed ADU scheme. (I have attached wording for ADU's I suggested, with explanations.)		The draft included initial recommendations for ADUs. Initially, CDD planned to hold a separate process for receiving input on the issue of ADUs. It now appears that the scope of this process will be expanded to include a more thorough analysis of the applicability of ADUs within the County and refine a set of recommendations based on National Best Practice. In addition, the project team will review the proposed recommendation submitted with this comment. Refined recommendations will be available for review in Module 3 which is anticipated to be released this summer.
		e Modules 1 and 2 create cottage and co-housing options, albeit without necessary definitions and requirements being listed. I believe these are being touted as affordable housing options, however two factors mitigate against their usefulness. There might be a number of single or multiple lot infill locations, for which this would be an appropriate use. However, the proposed cottage and co-housing uses are restricted to one acre or larger sites, eliminating a large amount of possible infill options. And second, at the current time, and for the foreseeable future, home mortgages secured by liens on lots in developments making use of significant common elements and HOA’s to manage them, are not eligible under FNMA or HUD mortgage regulations, rendering this kind of development option effectively unsalable as affordable ownership options. These uses are not necessary for rental housing projects.	Revised co-housing definition for clarity to read “A <u>medium to high-density</u> residential development in which <u>multi-family</u> dwellings <u>may</u> share access, parking, common spaces, community kitchens, and dining rooms. Cohousing developments can include townhouses, micro-apartments, apartments or condominiums.	Definitions for both cohousing and cottage housing are listed within the definition sections. Dwelling, Co-housing Development is defined as “A residential development in which dwellings <u>may</u> share access, parking, common spaces, community kitchens, and dining rooms”. This definition has been revised to clarify its intent to facilitate more congregant living opportunities within the County that could be utilized for seniors, student or temporary workers in a seasonal, medium, or long-term condition. Dwelling, Cottage Development are defined as “A low-density residential development in which multiple attached or detached single-family

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				<p> dwellings share access, parking, and common spaces, and sometimes community buildings including a larger community kitchen and dining room. Cottage development can include homes on individual lots, homes owned as condominiums, or leased homes.”</p> <p>The 1 acre housing was a metric that is used by many communities that currently allow cottage housing, but it does indeed restrict the ability to infill cottage housing. This minimum lot size can be removed from the use specific standards to allow more infill opportunities.</p>
		The text of the hotel/motel definition has still not been changed to clarify that extended stay facilities are allowed to have full kitchen facilities in each room. This is an oversight that should be clarified.		Most codes don’t specifically address kitchens in hotel definitions or standards. Kitchen would currently be allowed in hotels and there is nothing in the code that prohibits them. The code can include language specifically stating kitchens are a permissive accessory use to hotel/motel is desired, further guidance from P/Z and Council is needed on this issue.
		For reasons unclear, the Bed and Breakfast business license procedure has been converted to a use requiring a Special Use Permit, detailing a much more extensive and expensive approval process. There has been no problem with proliferation of BnB’s. Why would this change be considered? This is a policy that should be left to the short-term rental re-write process, as BnB’s need not be permanent; accordingly, a permanent Special Use Permit land use requirement is unnecessary.		The change to Special Use Permit requirements were based on discussions with the Steering Committee. The County has issued a Request for Proposals (RFP) to hire a consultant to initiate a public process to collect input on and provide specific recommendations regarding short-term rentals in the County. Recommendations that result as part of that separate process will be picked up in the Chp 16 code update.
		<p>Respectfully, there are more provisions that may, even unintendedly, have the effect of restricting or dis-incentivizing housing accessibility under the Development Code for a wide range of our residents. This is likely the Council’s best and last opportunity to make Los Alamos housing policy responsive and receptive those without significant resources or income.</p> <p>I believe the only thoughtful and equitable decision at this time is to reject the entire Chapter 16 rewrite until there is a comprehensive re-evaluation with an eye towards helping, rather than hindering, affordable housing opportunities. This effort has been disappointing, and frankly, disheartening to citizens looking for more accessible housing options in the County.</p>		
		<p>Section 16-4-6 appears to have been written attempting to adapt and simplify the Model Lighting Ordinance (MLO) that was jointly developed by the International Dark-Sky Association (IDA) and the Illuminating Engineering Society (IES). The MLO is currently the national best practice for outdoor lighting.</p> <p>2. The result that I reviewed fails to “align the Development Code with the goals of the Comprehensive Plan, create a Development Code that is efficient and transparent with standards that reflect national best practices.” I think something much more closely aligned with the organization and methodologies of the MLO would be more understandable and thus more transparent, easier to use and thus more efficient, and would better reflect national best practices.</p>		The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
		<p>3. Several omissions and apparent errors in the current Section 16-4-6 will severely reduce its effectiveness in moving the entire County into compliance with the ordinance in a reasonable amount of time:</p> <p>a. There is no clear requirement that replacement luminaires comply with the ordinance.</p> <p>b. Non-compliant luminaires (light fixtures) are permitted to be replaced with matching non-compliant luminaires. This will perpetuate bad lighting.</p>	Clarify applicability section regarding modifications to read “Additions or modifications of in excess of 25 percent in terms of additional gross floor area, seating capacity, or parking spaces to existing uses shall require all outdoor lighting to be brought into compliance with this ordinance”.	<p>The applicability section requires all new lighting to comply with the ordinance and the text was revised to provide clearer thresholds for modifications/replacements and chance of uses to be brought into compliance.</p> <p>No consensus has been reached regarding a county wide amortization clause which would require all outdoor lighting to be brought into compliance within a set timeframe. At the P/Z hearing on 2.23.2022, the PZ</p>

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		<p>c. There is no requirement that major modifications or repairs to an existing outdoor lighting system trigger a requirement to bring the entire system into compliance.</p> <p>d. There is no requirement that re-zoning, change of use, or resumption of use of a property after abandonment trigger a requirement to bring the entire outdoor lighting system into compliance.</p> <p>e. There is no requirement that after a reasonable amortization period, all outdoor lighting shall be brought into compliance with the ordinance.</p>	New language to read “Except as provided in Section X, Nonconforming Site Elements whenever the use of any existing building, structure or premises is intensified through the incorporation of additional dwelling units, gross floor area, seating capacity, or other units of measurement which create a need for an increase in the total number of parking spaces of 25 percent or more the change of use shall require all outdoor lighting to be brought into compliance with this ordinance”.	recommended the consideration of amortization for non-residential, but not residential districts. Council provided no guidance on this particular issue. Further input from the public, P/Z and Council is needed on that issue.
		One of the stated purposes of Section 16-4-4 is to conserve energy, but the section contains no requirements for automatic controls to switch outdoor lighting OFF when it is not needed. 5. Several exemptions and allowances will prevent achieving another stated purpose of Section 16-4-		No consensus has been reached regarding a mandated light curfew. Further input from the public, P/Z and Council is needed on that issue.
		<p>4: to curtail light pollution (including glare and light trespass), reduce sky glow, and improve the nighttime environment for outdoor enthusiasts and astronomers.</p> <p>a. There is no limitation on the output of luminaires used in seasonal decorations.</p> <p>b. String lights of up to 1000 lumens per lamp are allowed; these will be particularly egregious sources of light pollution, glare, and light trespass.</p> <p>6. These and other concerns are addressed in the following detailed comments.</p>		The regulations of holiday lighting was one issue that the Steering Committee was unable to reach consensus on. Further input from the public, P/Z and Council is needed on that issue.
		4-6(A) In the first sentence the word “article” should be “section”.	Revised to read section rather than article.	
		4-6(B)(1) Paragraph refers to luminaires used for advertisement; this should be addressed in the sign ordinance, not in the outdoor lighting ordinance. [Refer to MLO III(B)(b).]	Remove reference to advertising.	Sign illumination will be exclusively dealt with in the signage section.
		4-6(B)(1) A new second sentence should be added: “This includes, but is not limited to, new lighting, replacement lighting, or any other lighting, whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.” [Refer to MLO III(B)]. It is essential to clearly state that replacement lighting (i.e. luminaires) must comply with the ordinance.	Added language as requested.	
		4-6(B)(2) In addition major building modifications, the single or multiple cumulative modifications, additions, repairs, or replacements to more than 25% of the outdoor luminaires on a property should trigger a requirement to bring all outdoor lighting into compliance with this ordinance. [Refer to MLO VII(C)(1).] The “single or multiple cumulative” phrase is necessary to prevent clever owners from circumventing this requirement by making incremental modifications, additions, repairs, or replacements of less than 25% of the luminaires.	Revised applicability section regarding modifications to read “Additions or modifications of in excess of 25 percent in terms of additional gross floor area, seating capacity, or parking spaces to existing uses shall require all outdoor lighting to be brought into compliance with this Code”.	
		4-6(B)(2) In the second sentence the words “or fixtures” should be deleted. [Refer to MLO III(B).] As written, this sentence would allow bad lighting to continue to exist forever just by replacing non-conforming fixtures with like non-conforming fixtures.	Remove the term fixture.	
		4-6(B)(2) The second sentence should become a new article that defines “repair” and states that for the purposes of this section “repair” does not include normal re-lamping or replacement of components including capacitor, ballast, or photocell. Retrofitting a luminaire with a new lamp and/or ballast technology is considered a modification, and for the purposes of this ordinance the luminaire shall be treated as if new.	No change.	Non-conforming site elements section will be released as part of Module 3 for review.

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		4-6(B) A new paragraph should be added that emulates MLO VII(B): “Whenever there is a new use of a property (zoning or variance change) or the use of the property is changed, all outdoor lighting on the property shall be brought into compliance with this ordinance before the new or changed use commences.”	New applicability language added to read “Except as provided in Section X, Nonconforming Site Elements whenever the use of any existing building, structure or premises is intensified through the incorporation of additional dwelling units, gross floor area, seating capacity, or other units of measurement which create a need for an increase in the total number of parking spaces of 25 percent or more the change of use shall require all outdoor lighting to be brought into compliance with this Code”.	
		4-6(B) A new paragraph should be added that emulates MLO VII(C)(3): “Resumption of Use after Abandonment. If a property with non-conforming outdoor lighting is abandoned for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.”		Further input from the public, P/Z and Council is needed on that issue.
		4-6(B)(3) We do not yet have Section X, Nonconforming Site Elements, so it is not possible to judge how effective it might be. To avoid confusion and to make the Lighting Ordinance more self-contained, please insert the words “for a period not to exceed ten years,” after the words “may be retained in use”. An alternative approach is to use the verbiage from MLO VII(A): “ Amortization On or before [amortization date], all outdoor lighting shall comply with this Code.” The MLO user notes state that most outdoor lighting can be fully depreciated once it is fully amortized, usually no longer than 10 years, if not sooner, from the date of initial installation. It makes sense to set the amortization date as not more than 10 years after the adoption of Section 16-4-6.		Non-conforming site elements section will be released as part of Module 3 for review. Appropriate cross-reference will be provided, but our recommendation would be to include all rules/procedures associated with non-conformities in one place. No consensus has been reached regarding a county wide amortization clause which would require all outdoor lighting to be brought into compliance within a set timeframe. At the P/Z hearing on 2.23.2022, the PZ recommended the consideration of amortization for non-residential, but not residential districts. Council provided no guidance on this particular issue. Further input from the public, P/Z and Council is needed on that issue. If the community proceeds with an amortization clause it will be included within the outdoor lighting section and appropriate changes to non-conformities will be made as applicable.
		4-6(C) Please add another numbered exception: Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance. [Refer to MLO III(B)(c).]	Revised language added to read “Lighting solely for signage which shall comply with sign illumination standards of section X”.	
		4-6(C)(5) The term “special event lighting” is not adequately tied to a “Special Event” as defined in 3-2E(IX) of the proposed development code. “Special event lighting” should therefore be treated as “temporary lighting” which has a definition in the MLO. In view of this the verbiage in 4-6(C)(5) should be replaced with “Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens.” [Refer to MLO III(B)(g).]		Further input from the public, P/Z and Council is needed on that issue. There was concern among members of the Steering Committee regarding the regulation of special event lighting. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
		4-6(D)(1) The term site development application is not defined; it is not clear whether this requirement applies to just non-residential properties or also residential properties.	Revised to “Site Plan application” rather than “site development application”.	
		4-6(D)(1) The term “lighting plans” is not defined. What information will be required? I would suggest at a minimum a scale drawing showing for each outdoor luminaire: description, location, mounting height, orientation, initial lumens, color temperature, and BUG rating.		Lighting plans shall be addressed in Module 3. The recommendations as requested will be incorporated.

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		4-6(D)(2) It is not clear who is qualified to perform the “photometric illumination study”, what is required to be addressed by the study, the study methodology, or how one determines that the design complies with the requirements of the Outdoor Lighting article. It would be much more efficient and transparent to use the compliance approaches described in MLO Section IV.	Revised to read “ <u>Site plan applications may require</u> a photometric illumination study shall be required for development in commercial zone districts and for complex residential lighting projects, as determined by the Community Development Director.	
		4-6(E) (or elsewhere) Section 16-4-4 does not contain any requirements for automatic control of outdoor lighting. The MLO sets requirements for two levels of automatic controls: (1) automatic switching to extinguish all outdoor lighting when sufficient daylight is available, and (2) automatic lighting controls that will reduce total outdoor lighting is reduced by at least 30% or extinguished, at times set by the lighting Authority. Such automatic control is necessary if this proposed outdoor lighting ordinance is to fulfill one of the stated purposes: conserve energy.		The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
		4-6(E)(2) The 3000K correlated color temperature (CCT) limit for outdoor lighting is the best current practice, and is to be commended.		There is interest by Dark Sky proponents to lower this limit to 2,200k. P/Z recommended this change, but Council would like further study into the feasibility of lowering the limit.
		4-6(E)(3) A high color rendering index (CRI) is not needed for all outdoor lighting situations. The need for a good CRI should be considered based on the particular application.		
		4-6(E)(4)(F) There should be no exception for “string lights” or any similar unshielded light sources. String lights are exactly the kind of luminaire prohibited by 4-6(F)(2). Allowing 1000 lumens per string light luminaire would create potentially serious glare and light trespass issues. In addition, the UL listing on most common string lights is for temporary use, which the National Electrical Code limits to 90 days. The MLO limits temporary lighting and seasonal lighting to less than 10 watts and 70 lumens per luminaire. [Refer to MLO III(B)(g).]		Members of the steering committee didn’t want to limit the allowed timeframe of string lights which are often used by businesses or districts for outdoor dining lighting and/or to create a sense of place, i.e. placemaking. Further input on this issue is needed from the public, P/Z, and Council. The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
		4-6(E)(5) The method for determining allowable site lumens is made confusing by the use of the ad-hoc “net acre” method, and using the same methodology for both residential and non-residential applications. It does not make sense for the building footprint area to be included in the area that determines the allowable site lumens. I think the MLO provides much more understandable and transparent approaches to designing outdoor lighting systems and selecting luminaires that are in compliance for both residential and non-residential applications.		The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
		4-6(E)(6) Table 39 shows zone district PL in two places.	Removed second instance of PL in Table 39.	
		4-6(E)(6) Table 39 specifies the Total Site Lumen Limit for LZ-1 as “Average 20,000 lumens per net acre or 5 lux.” Similarly LZ-2 is “Average 50,000 lumens per net acre or 12 lux.” It is not at all clear what value is added by the word “average.” A total is a total, not an average. Similarly, the calculated lux adds no value, just confusion. A homeowner is not going to know what to do with this ... neither is a lighting design professional. The words “Average”, “or 5 lux”, and “or 12 lux” should be deleted.		The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
		4-6(E)(6) Table 39 uses BUG ratings for luminaire selection. This is appropriate for selecting specification grade commercial outdoor luminaires, but is useless for purchasing outdoor luminaires for residential applications from on-line retailers or local big box stores. If you walk into the Home Depot store in Santa Fe and ask for an outdoor luminaire with a BUG rating of		The project team is reviewing the MLO and will adjust residential lighting based on guidance of this document and discussion with a subcontracted lighting specialist. Revised recommendations will be reflected in Module 3.

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		B1-U0-G1, you will most likely get a strange look then shown a bug zapper or yellow lamps. The MLO uses shielding descriptions for residential type outdoor luminaires.		
		4-6(E)(6) Table 39 specifies a quantity of lumens along with a particular BUG rating. For example backlight for LZ-1 reads “500 lumens per luminaire BUG rating B1.” It is not made clear what the lumen quantity means – perhaps it is the total light in IES TM-15 backlight zones BL, BM, BH, and BVH, sometimes called “downward house side lumens” in the zonal lumen summary tables often found in photometry data for commercial luminaires. Note that photometry data does not commonly indicate lumens in the IES TM-15 glare zones FH, FVH, BH, and BVH. This needs to be clarified or deleted.		The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
		4-6(G)(7)(A) the following words should be added to the end of this sentence “provided that individual lamps are less than 10 watts and 70 lumens.” [Refer to MLO III(B)(g).] To meet the stated purposes of this article (e.g. curtail light pollution, reduce sky glow, improve the nighttime environment), it is necessary to limit the intensity of holiday lighting.		The County is pursuing additional scope to subcontract a lighting specialist to refine the outdoor lighting section and conduct an operational plan to assess the feasibility of implementation. This item has been added to the list of items that need to be reviewed and refined.
		4-6(H)(9) This article should be clarified so that it only applies to publicly owned streetlights that comply with this article (e.g. have a BUG rating of B1, U0, G0). The county should bear the full expense of removing or replacing a non-conforming streetlight with light trespass issues that cause justified complaints from just one resident.		