



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

***A RECOMMENDATION OF THE PLANNING & ZONING COMMISSION TO THE
COUNTY COUNCIL (APPLICATION ZCA-2022-0012)***

This recommendation by the Planning and Zoning Commission ("Commission") is issued for Application ZCA-2022-0012: An application and request for recommendation to County Council to amend Chapter 16, with a comprehensive update through Ordinance 02-333, an Ordinance Repealing and Replacing in its entirety the Text of Chapter 16, "County of Los Alamos Development Code" ("Application").

After holding a public hearing on October 26, 2022, where the Commission also received public comment on the Application, the Commission recommends that the County Council approve the Application for the text amendment with the recommended changes provided below.

I. INTRODUCTION

This Application, brought by the Incorporated County of Los Alamos ("County"), Community Development Department, seeks to replace Chapter 16 of the Los Alamos County Code of Ordinances ("Development Code) through a text amendment which will be codified through Ordinance 02-033. For applications for text amendments, the Commission has an advisory duty to hold a public hearing and forward to the County Council a recommendation to approve, approve with changes, or deny the application. In making its recommendation to the County Council, the Commission utilizes the criteria provided by Section 16-158:

1. The request substantially conforms to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county;
2. A request for amendment to the comprehensive plan shall, if necessary, be submitted concurrently with the request for amendment to the text of this chapter.
3. The proposed change will not result in land use inconsistent with the purpose of the district or incompatible with a use allowed in the district.

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4. The proposed change will clarify existing language, remove redundant or inconsistent language or will simplify the understanding and implementation of the Code.

The Commission notes that an amendment to the Comprehensive Plan is not yet necessary for this Application.

II. FINDINGS

The Development Code was first adopted in 1965, and the social and economic realities of the County have changed in the past 56 years. While the County has updated its Comprehensive Plan to express its vision and goals for the future and address these changing realities, the Development Code has not kept up, even as it has been amended in a piecemeal-fashion over the years. For example, the County has long recognized its housing shortage and lack of availability for diverse retail, residential, and commercial businesses. However, the current land use regulations and standards provided in the Development Code impose limitations on what actions residents, business owners, and community members can take to address these shortcomings.

The County and its citizens seek to provide a variety of housing types, sizes, and densities to meet the needs of all segments of the Los Alamos community while protecting the character of existing neighborhoods; diversify the County's economic base and improve opportunities for retail businesses; and promote residential, retail, and commercial growth in the downtowns. The proposed text amendment, among other things, updates development standards to increase building heights and densities in the Los Alamos and White Rock downtowns; updates residential development opportunities while managing parking requirements throughout the County; and imposes buffering and step-down requirements between zoning districts to protect the character of existing neighborhoods.

The comprehensive nature of the proposed text amendment to the Development Code is also beneficial to its cohesiveness and clarity. While the text amendment affects the entire County, no single parcel is singled out. Rather, this process has provided the opportunity for the County to holistically consider how it may support the purposes and corresponding allowed uses of each zoning district. It has resulted in zoning districts with consistent and compatible allowed land uses throughout the County and new requirements for mitigation to protect existing neighborhoods and adjacent properties.

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In addition, the Development Code is now easier to read, understand, and implement because the proposed text amendment provides a cohesive update that addresses both the existing framework and language. The Commission also notes the addition of diagrams, illustrations, and flowcharts will help clarify some of the standards and processes contained in the Development Code.

III. RECOMMENDED CHANGES

Before the Commission can recommend that the County Council approve the Application and proposed text amendment, the Commission suggests the following necessary changes to the text amendment so that it is in conformity with the review criteria provided in Section 16-158:

- Reintroduce allowances for developments within mixed-use districts to reduce minimum off-street parking requirements per the applicable parking reductions by a maximum of fifty percent.
- Add an exception to the Neighborhood Protection Standards for developments that provide natural transitions, i.e., add “The Community Development Director may waive the required buffer requirements of Table 37, provided the uses triggering the buffering requirement are of similar character and scale.”
- Add a new “Riding Academies, Arenas and/or Stables” use as an approved accessory use in R-A and a conditional use in GC and OS-A zones.
- Change dimensional standards in Section 16-5(H) Manufactured Home Communities to increase minimum lot width to 20 feet, lower the minimum lot area to 1,600 square foot per space, and raise the maximum lot coverage to sixty percent.

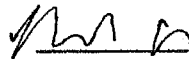
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IV. RECOMMENDATION TO APPROVE

With the changes noted above, the Commission determines that the proposed text amendment is in conformity with the review criteria contained in Section 16-158 and is not materially detrimental to public welfare. Therefore, the Commission hereby recommends to the County Council **APPROVAL WITH CONDITIONS OF THE PROPOSED TEXT AMENDMENT** and forwards such recommendation to the County Council.

Signed, this the 8th day of November 2022.



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