

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-293

REVISION NO. 2018-01 IN TEXTUAL FORM TO THE OFFICIAL ZONING MAP OF LOS ALAMOS COUNTY BY REZONING ONE (1) COUNTY OWNED PARCEL CONSTITING OF APPROXIMATELY 0.739 ACRES OF LAND AND ONE (1) PRIVATELY OWNED PARCEL CONSISTING OF APPROXIMATELY 0.447 ACRES OF LAND: 1) TRACT MM-1 FROM P-L (PUBLIC LAND) TO C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS DISTRICT); AND 2) TRACT HH-1B, FROM R-3-H (MULTI FAMILY HIGH DENSITY) TO C-1 (LIGHT COMMERCIAL AND PROFESSIONAL BUSINESS DISTRICT)

WHEREAS, The Incorporated County of Los Alamos ("County") owns the real property known as tract MM-1, adjacent to 475 East Road, and Leadership Circle, LLC, owns the real property known as tract HH-1B, adjacent to 195 East Road in Los Alamos, New Mexico (hereafter "Properties") which are the subject of this Code Ordinance; and

WHEREAS, the Properties are currently zoned for Multiple-family residential - high density (R-3-H) and Public land district (P-L); and

WHEREAS, Section 16-531 of the Los Alamos County Code of Ordinances ("Development Code") authorizes amendments to the official zoning map of the County by application; and

WHEREAS, Los Alamos County applied to change the official zoning map, specifically to rezone tract MM-1 from P-L to C-1 (Light Commercial and Professional Business District); and

WHEREAS, Leadership Circle LLC, applied to Los Alamos County to change the official zoning map, specifically to rezone tract HH-1B from and R-3-H to C-1 (Light Commercial and Professional Business District); and

WHEREAS, the Planning and Zoning Commission of the Incorporated County of Los Alamos, at its meeting on November 28, 2018, held a public hearing on both applications for an amendment to the official zoning map pursuant to the criteria contained in §16-155 of the Development Code; and

WHEREAS, the County Community Development Department staff properly issued notice to all required parties pursuant to Chapter 16, Article V, of the Development Code and in conformity with NMSA 1978, §3-21-6; and

WHEREAS, the Planning and Zoning Commission, after public hearing and at its noticed public meeting on November 28, 2018, reviewed and adopted findings of fact regarding the application; and

WHEREAS, the Planning and Zoning Commission recommends to the Los Alamos County Council approval of the amendments to the official zoning map; and

WHEREAS, the Los Alamos County Council held a hearing on January 8, 2019, at which hearing the Council found that the amendments to the official zoning map are in conformity with the provisions of Section 16-155 of the Development Code and made the following findings:

- 1) The Properties to be rezoned are owned by the Incorporated County of Los Alamos and Leadership Circle, LLC.
- 2) The Properties' size is approximately ~1.19 acres.
- 3) The Properties are 1) Tract MM-1, adjacent to and west of 457 East Road and, 2) Tract HH-1B adjacent to and west of 195 East Road, Los Alamos, New Mexico.
- 4) The Properties are zoned P-L, and R-3-H as described in Sec. 16-533 of the Development Code.
- 5) The Properties shall both be rezoned to Light Commercial and Professional Business District, C-1, also as described in Sec. 16-533 of the Development Code.
- 6) Public Notice has been made in compliance with the Development Code and State law.
- 7) The criteria for approval of a change to the official zoning map of Los Alamos County, as found in Section 16-155 of the Code, have been met.

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS:

Section 1. The Official Zoning Map of Los Alamos County is hereby amended by rezoning to C-1 (Light Commercial and Professional Business District), those certain tracts of land being ~1.19 acres of land, more or less, to wit:

- 1) *Tract MM-1, 0.739± acres, from P-L (Public Land) to C-1 (Light Commercial and professional business district); and*
- 2) *111 East Road, 0.447± acres, also known as HH-1B, from R-3-H (Multi Family High Density) to C-1 (Light Commercial and professional business district).*

Section 2. The Official Zoning Map of the Incorporated County of Los Alamos is hereby amended to reflect the rezoning referenced herein, and said change be made to the Official Zoning Map at its next Municipal Code update.

Section 3. Effective Date. This Ordinance shall be effective thirty (30) days after publication of notice of its adoption.

Section 4. Severability. Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

ADOPTED this 8th day of January, 2019.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

_____,
Council Chair

ATTEST: (SEAL)

**Naomi D. Maestas
Los Alamos County Clerk**