

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE 02-314

REVISION NO. 2021-01 IN TEXTUAL FORM TO THE OFFICIAL ZONING MAP OF LOS ALAMOS COUNTY BY REZONING TWO (2) COUNTY OWNED PARCELS CONSISTING OF APPROXIMATELY 0.52 ACRES OF LAND COMBINED: 1) LOT EA3 006 FROM PUBLIC-LAND (P-L) TO MIXED-USE (M-U); AND 2) LOT EA3 007 FROM MULTI-FAMILY RESIDENTIAL, LOW DENSITY (R-3-L) TO MIXED-USE (M-U).

WHEREAS, the Incorporated County of Los Alamos ("County") owns the real properties known as Lot EA3 006 and Lot EA3 007, commonly known as 3689 Trinity Drive and 3661 Trinity Drive, Los Alamos, New Mexico, respectively (hereafter "Properties") which is the subject of this Ordinance; and

WHEREAS, the Properties are currently zoned Public-Land (P-L) and Multi-Family Residential, Low Density (R-3-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, County applied to the Planning and Zoning Commission of the Incorporated County of Los Alamos (the "Commission") to change the official zoning map, specifically to rezone Lot EA3 006 from Public Land (P-L) to Mixed-Use (M-U); and

WHEREAS, County applied to the Planning and Zoning Commission of the Incorporated County of Los Alamos (the "Commission") to change the official zoning map, specifically to rezone Lot EA3 007 from Multi-Family Residential, Low Density (R-3-L) to Mixed-Use (M-U); and

WHEREAS, the Commission, at its meeting on April 14, 2021, held a public hearing on an application for an amendment to the official zoning map pursuant to the criteria contained in §16-155 of the Development Code; and

WHEREAS, the 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 Commission, after holding a public hearing on the application recommends to the County Council approval of the amendments to the official zoning map; and

WHEREAS, the County Council held a hearing on June 8, 2021, at which the County 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.
- 2) The Properties' combined size is approximately ~ 0.52 acres.
- 3) The Properties are 1) Lot EA3 006 addressed as 3689 Trinity Drive, and 2) Lot EA3 007 addressed as 3661 Trinity Drive, Los Alamos, New Mexico.
- 4) The Properties are west of the Trinity Drive and 35th Street intersection.

- 5) The subject property shall be rezoned to M-U as described within Article XIII of the Development Code.
- 6) Public Notice has been made in compliance with the Development Code and State of New Mexico 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 the Incorporated County of Los Alamos is hereby amended by rezoning to Mixed-Use (M-U), those certain tracts of land being ~ 0.52 acres of land, combined, more or less, to wit:

- 1) *Lot EA3 006, 0.25 ± acres from Public-Land (P-L) to Mixed-Use (M-U); and*
- 2) *Lot EA3 007 0.27 ± acres Multi-Family Residential, low density (R-3-L) to Mixed-Use (M-U).*

Section 2. The Official Zoning Map of the Incorporated County of Los Alamos be, and hereby is amended to reflect the rezoning referenced herein, said change to be made to the Official Zoning Map at its next 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 June 2021.

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

**Randall T. Ryti,
Council Chair**

ATTEST: (SEAL)

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