



County of Los Alamos

Council Meeting Staff Report

November 30, 2022

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| Agenda No.: | A. |
| Indexes (Council Goals): | * 2022 Council Goal - N/A |
| Presenters: | Sobia Sayeda; Paul Andrus |
| Legislative File: | OR0966-22b |

Title

Incorporated County of Los Alamos Ordinance No. 02-333. An Ordinance Repealing and Replacing in Its Entirety the Text of Chapter 16, "Development Code"

Recommended Action

I move that Council adopt Incorporated County of Los Alamos Ordinance No. 02-333; an Ordinance Repealing and Replacing in its Entirety the Text of Chapter 16, "Development Code", and ask staff to assure that it is published in summary form.

Alternative Action

I move that Council amend Incorporated County of Los Alamos Ordinance No. 02-333; an Ordinance Repealing and Replacing in its Entirety the Text of Chapter 16, "Development Code", with P&Z Recommended Changes 1-4 (and/or other amendments) to be considered and voted upon at the December 13th Council meeting.

County Manager's Recommendation

The County Manager recommends that Council adopt this Ordinance as presented or amended.

Board, Commission or Committee Recommendation

Planning & Zoning Commission ("Commission") voted unanimously to recommend approval with changes to the proposed text amendment to amend Chapter 16 through Ordinance No. 02-333.

Body

The Los Alamos County Community Development Department ("CDD") seeks to repeal and replace Chapter 16 of the Los Alamos County Code in its entirety through a text amendment and associated ordinance No. 02-333 (Attachment A). This amendment will also include an update to the Official Zoning Map, contained in Exhibit A of the proposed ordinance. Chapter 16 governs zoning, land use, and associated development standards within the County, and this text amendment will affect every property within the County.

The Application to amend Chapter 16 was assigned case number ZCA-2022-0012 by CDD. The Commission held a duly noticed public hearing on the Application on October 26, 2022, where it heard the presentation for the text amendment and received public comment. After utilizing the criteria described in Section 16-158 of the Code, the Commission unanimously recommended that the Application be approved with changes (see summary below). The Commission issued its written Recommendation on November 9, 2022, which also outlines the Commission's proposed changes (Attachment B).

Attached for Council's consideration and review is the CDD Staff Report which analyzed the Application and review criteria for a text amendment and was presented to the Commission (Attachment C). Also attached is a matrix of the public comment received regarding the proposed updates the Chapter 16 (Attachment D) and the County Consultant's presentation explaining the proposed text amendment and the project's process (Attachment E).

Pursuant to Section 16-452(a) of the Code, Council must either approve, modify or disapprove the proposed text amendment and corresponding ordinance based on the criteria contained in Section 16-158 of the Code or Council may refer the matter back to the Commission for further proceedings. If Council modifies the proposed text amendment, then Council may not adopt the amended ordinance until more than seven (7) days has passed, and Council either reconvenes or holds a new meeting. Please note that the formatting of the proposed ordinance may be adjusted in the future to better match the County's standard ordinance formatting.

Notice was given pursuant to Sections 16-192 and 16-195 (Attachment F).

Summary of Recommended Changes

P&Z Recommended changes:

1. 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.
2. 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."
3. 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.
4. 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.

In addition to the P&Z recommended changes, staff will continue working on some potential future amendments (see the appendix in Attachment E) that are clean-up items or other issues that the P&Z has not been specifically asked to consider yet.

Attachments

- A - Ordinance No. 02-333
- B - Planning and Zoning Commission Recommendation with Proposed Changes
- C - CDD Staff Report Presented to the Planning and Zoning Commission
- D - Public Comment Matrix
- E - Presentation to Council
- F - Publication Notice of Hearing