



County of Los Alamos

Los Alamos, NM 87544
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Council Meeting Staff Report

August 2, 2022

Agenda No.: B.
Indexes (Council Goals):
Presenters: Sobia Sayeda; Paul Andrus
Legislative File: RE0494-22

Title

Incorporated County of Los Alamos Resolution No. 22-05; a Resolution amending Comprehensive Plan / Future Land Use Map by changing two parcels, known as Tracts Q1 and Q2, within Eastern Area 3, and consisting of 4.75 + acres combined, designated in the 2016 Comprehensive Plan Future Land Use Map as "High Density Residential", to "Mixed Use".

Recommended Action

Approve the Application:

I move that Council approve Application CPA-2022-0008 to amend the Comprehensive Plan and Future Land Use Map to reflect the rezoning of the two parcels rezoned under Application REZ-2022-0017 from "High Density Residential", to "Mixed Use"; and

I further move to authorize the Chair to sign Findings of Fact and Conclusions of Law consistent with this Decision, prepared with the assistance of the County Attorney, and that the Findings of Fact and Conclusions of Law be entered in the record of this proceeding; and

I further move to approve Resolution No. 22-05 which is supported by the Council's Findings of Fact and Conclusions of Law that will be entered into the record of this proceeding.

OR

Deny the Application:

I move that Council deny Application CPA-2022-0008 to amend the Comprehensive Plan and Future Land Use Map to reflect the rezoning of the two parcels rezoned under Application REZ-2022-0017 from "High Density Residential", to "Mixed Use"; and

I further move to authorize the Chair to sign Findings of Fact and Conclusions of Law consistent with this Decision, prepared with the assistance of the County Attorney, that the Findings of Fact and Conclusions of Law be included in the record of this proceeding.

Board, Commission or Committee Recommendation

The Planning and Zoning Commission ("Commission") on April 21, 2022, recommended, with a 4-1 vote, that the County Council deny the request to amend the Comprehensive Plan's Future Land Use Map by Resolution No. 22-05. Recommendation was based on the Findings of Fact established at the hearing and conclusion that the Applicant failed to meet the applicable review criteria within §16-161 of the Los Alamos County Development Code (See Attachment C).

Body

The Los Alamos County Community Development Department ("CDD") seeks to amend the Comprehensive Plan - Future Land Use Map ("FLUM") to change the designation of the two parcels which may be rezoned from "High Density Residential" to "Mixed Use" under Application REZ-2022-0017.

The Application to amend the FLUM was assigned case number CPA-2022-0008 by CDD. The Commission held a duly noticed public hearing on the Application on April 21, 2022. Involved in the proceedings before the Commission were the Applicant, an opposing land-owner, and CDD staff. The Commission issued its recommendation on May 10, 2022. (Attachment C.) In a majority vote, the Commission recommended that the Application be denied after separately recommending that Application REZ-2022-0017 to rezone the properties be denied. The Commission's recommendation is not binding on Council.

Attached for Council's consideration and review is the CDD Staff Report which was presented to the Planning and Zoning Commission. (Attachment E.) The CDD Staff Report includes the Application and supporting information submitted by the Applicant. The Applicant's analysis of the review criteria required by Section 16-161 of the County Code begins on page 11 of the CDD Staff Report.

Pursuant to Section 16-161 of the County Code, Council must approve, conditionally approve, or deny the Application to amend the FLUM after making findings as to whether the Application meets the criteria provided in Section 16-161 (shown in Attachment D).

Alternatives

Council may conditionally approve the Application.

Attachments

- A - Incorporated County of Los Alamos Resolution No. 22-05
- B - Publication Notice
- C - Recommendation to County Council on Application CPA-2022-0008
- D - Chapter 16, Section 16-161, Comprehensive Plan Amendment Review Criteria
- E - CDD Staff Report, CPA-2022-0008