

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

***A RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION
TO THE COUNTY COUNCIL ON APPLICATION ZCA-2026-0019***

This recommendation by the Planning and Zoning Commission (“Commission”) is issued for Application ZCA-2026-0019: An application for a text amendment to amend Chapter 16, Development Code, Article V (Administration and Enforcement), Division 1 (Review and Decision Making Bodies), Sections 16-68, 16-69, and 16-70; Division 2 (Procedures), Sections 16-71 and 16-72; Division 3 (Specific Development Procedures), Sections 16-73, 16-74, and 16-75; Division 4 (Nonconformities), Sections 16-79, 16-81 and 16-83; Division 5 (Construction Improvements), Sections 16-84, 16-91, 16-92 and 16-93; and Division 6 (Violations, Enforcement, and Penalties), Section 16-98, through the adoption of Ordinance No. 02-371 (“Application”).

After holding a properly noticed public hearing on June 24, 2026, the Commission recommends that the County Council approve the Application, as amended.

I. INTRODUCTION

The Application, brought by Danyelle Valdez, Planning Manager with the Community Development Department, on behalf of Los Alamos County (“Applicant”), proposes a text amendment to Chapter 16 of the County Development Code.

The Commission had an advisory duty to hold a public hearing on the Application pursuant to the requirements of Section 16-72(f) of the County Development Code. The Commission is required to make a recommendation to the County Council pursuant to the requirements of Section 16-69(b) of the County Development Code and forward to the County Council the recommendation to approve, approve with changes, or deny the application based on the decision criteria in Section 16-75(d)(3) of the County Development Code.

II. FINDINGS

After review of the presentation, public comment, and Commissioner engagement at the public hearing held on June 24, 2026, the Commission finds that the text amendment is in conformity with the decision criteria contained in Section 16-75(d)(3) of the County Development Code. The Commission, in support of its findings, provides as follows:

a. As to review criterion (a) of Section 16-75(d)(3) of the County Development Code, the proposed amendment substantially conforms to the intent of the Comprehensive Plan and other

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adopted County policies. The amendment updates neighborhood meeting procedures, public notice requirements, and makes technical corrections throughout Article V to promote consistency within the County Development Code to support implementation of the Comprehensive Plan.

b. As to review criterion (b) of Section 16-75(d)(3) of the County Development Code, the proposed amendment does not alter land use designations, permitted uses, or development standards in any zone district. No land use inconsistency results from these procedural and administrative amendments.

c. As to review criterion (c) of Section 16-75(d)(3) of the County Development Code, the proposed amendment will clarify existing language, remove redundant or inconsistent language, or simplify the understanding and implementation of the County Development Code. The proposed amendment is intended to correct cross-references, remove redundant and inconsistent language, clarify applicant responsibilities for noticing, conducting, and documenting neighborhood meetings, amends public notice requirements, and conforms terminology to reflect the distinction between administrative, quasi-judicial, and legislative decisions.

d. As to review criterion (d) of Section 16-75(d)(3) of the County Development Code, the proposed amendment promotes public health, safety, and welfare by promoting consistency, clarity, and compliance within the County Development Code. Procedural clarity and extended public notice periods directly support informed public participation and due process in land use decisions.

III. RECOMMENDATION TO APPROVE

The Commission, by unanimous vote, hereby finds that the Application for a text amendment is in conformity with the review criteria contained in Section 16-75(d)(3). Therefore, the Commission hereby recommends to the County Council, **APPROVAL OF THE PROPOSED TEXT AMENDMENT, WITH THE FOLLOWING CHANGES**, and forwards such recommendation to the County Council.

- 16-72(f)(5)(b)(10) – **Proceedings of quasi-judicial hearings** – Change to a sixty (60) day deadline for the hearing body to issue a written recommendation or final decision with findings of fact and conclusion of law explaining the decision.
- 16-72(g)(5)(e)(5) – **Final decisions** – Change to a sixty (60) day deadline for the final decision on appeal to be issued to the appellant in writing and with factual findings that clearly state reasons for the action taken.

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- 16-93(i) - **General construction standards** – Clarify language regarding “alternate forms” of dust mitigation.
- 16-98(a) – **Penalty for violation of code** – Clarify language regarding the “General Provisions” and revert back to “Section 1-8”, with the addition of “General Penalty Provision.”

Karen Easton

Karen Easton, Chair of the Planning & Zoning
Commission for the Incorporated County of Los
Alamos

Date: 7/17/2026